THE NETHERLANDS PRISON SYSTEM

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THE PRISON SYSTEM

FOREWORD

Introduction

General

Prison sentences and penal measures Administration of the institutions Classification of the institutions Some basic principles underlying policy

Chapter I

DIFFERENTIATION OF PRISONS AND THE SELECTION OF PERSONS SENTENCED TO IMPRISONMENT

General

Young men

Adult men

Women

Mentally disturbed prisoners

Chapter II

INDIVIDUAL APPROACH AND TREATMENT

The medical, psychiatric and psychological services Social care Spiritual care Work'

Order

Chapter III

RECRUITMENT AND TRAINING OF PERSONNEL

General

Information and Recruitment Section

Training Section

Chapter IV

ADVICE AND RESEARCH

Chapter V

BUILDING ACTIVITIES

Building of new establishments Conversion of existing establishments

Chapter VI

INTERNATIONAL COOPERATION

FOREWORD

This, the third edition of "The Netherlands Prison System" has, like previous editions, been compiled by the Central Recruitment and Training Institute (C.W.O.I.) of the Prison Service and the Care of Criminal Psychopaths Service, under the auspices of the Prison Administration of the Ministry of Justice.

Information on the care of criminal psychopaths and the execution of setences committing offenders to the care of the Government will be found in a separate booklet "Committal to the Care of the Government", published by the Division of the Ministry concerned with the Care of Criminal Psychopaths.

The reader should bear in mind the fact that, in view of the continuous development of penal policy, the picture given in the following chapters cannot be much more than a "snapshot" of the situation as at January 1971.

INTRODUCTION

General

The regulations governing the imposition and execution of prison sentences are contained for the most part in

The Criminal Code

The Code of Criminal Procedure

The Prisons (Basic Principles) Act, and

The Prisons Decree

Criminal law does not apply to children under 12. For juveniles from 12 to 18 there are special rules of criminal law and criminal procedure. For purposes of criminal law, majority is attained at the age of 18. In certain cases, however, juveniles of 16 and 17 may be treated in accordance with the criminal procedure applicable to adults.

Prison sentences and measures

Under Dutch criminal law a variety of penalties and penal measures may be awarded against offenders who have attained their majority. For measures relating to mentally disturbed delinquents, you are referred to the booklet "Committal of Delinquents in the Netherlands".

There are two penalties involving deprivation of liberty that may be imposed as principal penalties.

- 1. imprisonment
- 2. detention
 In certain cases, besides detention an additional penalty may be
 imposed, viz.:
- 3. committal to a State labour institution.

Dutch criminal law does not prescribe a minimum sentence for separate offences, but it does specify a maximum sentence for every penal provision. There is a general minimum sentence of one day's imprisonment.

- re!. Imprisonment may be imposed for life or for a definite period, with a minimum of one day and a maximum of 15 years. Imprisonment may be imposed for a maximum period of twenty years:
 - 1. when the choice between imposing temporary or life imprisonment is at the discretion of the court;
 - when the fifteen-year period is exceeded on account of an increase in penalties (principally) for concurrence of crimes and repetition of crime.

In no case except "life" may imprisonment exceed twenty years. (Criminal Code, Section 10).

When a prison sentence not exceeding I year is imposed, it may be suspended under certain conditions.

The Minister of Justice may terminate temporary imprisonment by granting conditional discharge after two-thirds of the actual sentence and at least nine months of it have been served. The probationary period is equal to the remainder of the sentence plus one year. Control on the observance of the conditions on which suspended sentence and conditional discharge are allowed, is the responsibility of the Office of the Public Prosecutor. One of the prisoners' aftercare organizations may also be entrusted with providing help and support or with exercising "special control" on the observance of the conditions.

All prison sentences are served in full or partial prison community, according to the prisoner's personality. Isolation is always maintained during the night. A prisoner may at all times apply to be kept on his own.

- re 2. Detention was originally intended as a kind of "custodia honesta" and is awarded for infringement of any of a number of provisions of the Criminal Code felt to be "minor" ones. In practice these are now executed in much the same way as prison sentences of less than 3 months. However, "odium" attaching thereto is still milder than that for imprisonment. Detention may be imposed for a period of not less than one day and not more than one year. In certain cases the maximum may be raised to 1 year and 4 months. A fine that has been imposed but neither paid nor recovered from the offender's possessions or income, or the unpaid and unrecorvered part thereof, is commuted into detention. The duration of the substituted detention is specified in the sentence of the court. As a rule, detention is served in full prison community unless the detainee himself requests to be kept on his own. Isolation is the rule at night. Detention also may be suspended wholly or in part.
- re 3. Committal to a State labour institution. This additional penalty may be imposed on habitual drunkards (for repeated drunkenness in public), beggars, tramps and procurers of prostitutes and for offences punishable as misdemeanours under the Refusal of Military Service Act, usually in combination with a few days' or weeks' detention, for a period not shorter than 3 months and generally not longer than 3 years.

 This penalty may be imposed conditionally and conditional discharge may be granted, under the same rules as govern imprisonment. The sentence is executed in full prison community, with isolation at night. In practice it no longer differs greatly from imprisonment. It is imposed in comparatively few cases only.

Administration of the institutions

Ultimate responsibility for administration rests with the Minister of Justice, assisted by the Prison Administration of his Ministry, a Psychological Adviser and a Building Planning Section. In addition, there are 2 Sections, comprising seven divisions, for the various aspects of the work. Section 1 comprises the General and Legal Affairs Division, the Regime Division, the Labour Division and the Staff Bureau for Scientific Advices Section 2 comprises the Personnel Division, the Division for the security of Buildings and Matériel and the Division for the Organization of Administration and Finances.

In addition to the Prison Administration there is the Department for the Committal to the Care of the Government and the Probation and After-Care Service. As regards the (3) State institutions for persons committed to the Care of the Government reference is made to the brochure "Committal

The Minister of Justice is assisted by the Central Advisory Board for the Prison Administration, for the Care of Psychopaths and the Probation and After-Care Service, which advise him on their own initiative or at his request.

to the Care of the Government in the Netherlands".

Administration of an institution is the responsibility of the Governor and one or more Deputy-Governors. They in turn are assisted by staff officers: the chaplains (Protestant and Roman Catholic) and the humanist counselor, the prison medical officer, possibly psychiatrists and psychologists, and social workers.

Supervisory Boards, which are appointed for each and every institution by the Minister of Justice, but have no administrative powers, have a supervisory role in respect of all the institutions' affairs. These Boards have access at all times to all parts of the institution and to all prisoners, and may ask for whatever information they require from any prison officer. Their members are chosen from among citizens who have no connection with the prison hierarchy.

Prisoners may approach the Board either orally or by letter, without supervision.

Classification of the institutions

The institutions are divided into:

- 1. Remand Houses (local prisons) which are intended mainly to house persons remanded in custody (i.e. persons whom the court, pending the handling of their case, has temporarily deprived of their liberty because they are suspected of having committed a punishable offence) but where detention sentences also are served. Prison sentences not excedding three months can likewise be served there in pursuance of the statutory regulations. However, the intention is that in practice a maximum of one month shall be observed.

 The average number of persons serving sentences in remand houses is approx. 1,800 (in 1970 there were approx. 1,800; in 1972 approx. 1,900, in 1974 approx. 1,600) two-thirds of whom are detained as unconvicted prisoners, about 25 prisoners are women. There are 25 remand houses in all.
- Prisons, which are used for sentences of imprisonment. The total number of persons serving prison sentences averages approx. 900 (in 1970 there were approx. 900; in 1972 approx. 900; in 1974 approx. 900), including only about 10 women. There are 17 prisons in all.
- 3. State Labour Institutions. The additional penalty of committal to State Labour Institutions is only seldom imposed. The total number of persons detained in these institutions averaged approx. 20 in 1970, approx. 20 in 1972, approx. 10 in 1974. There are 2 State Labour Institutions.

 For a servey of the inmates of penal institutions in 1974 see Annex 2.

Some basic principles underlying policy

In the legislation governing prisons, much attention is devoted to the prisoner's personality structure. For example, the Criminal Code lays down that every person sentenced to imprisonment shall, where possible, be placed in the institution the regime of which is most suited to his personality. Mention should also be made here of Section 26 of the Prisons (Basic Principals) Act, in which it is stated that, while maintaining the nature of the penalty or measure, the implementation thereof shall be such as to prepare prisoners for their return to normal life in the community.

On the basis of the foregoing and of other statutory provisions relating to various other aspects of the regimes in the institutions, policy is aimed at giving prisoners the best possible guidance during their stay. As regards remand in custody, it will of course be focused on reducing the ill effects on prisoners of confinement and isolation from society and, further, on assuring prisoners of the best possible readaptation to life outside.

To this end an endeavour is made to break through the closed character of the institutions, so as to prevent prisoners from becoming alienated from the outside world.

Whereever possible, prisoners are brought into contact with normal society, and an attempt is made to make life in the institutions approximate more closely life outside. In particular, means are sought of giving prisoners a measure of responsibility, both individually and collectively. To promote this, it is important that there should be good communication between prisoners and personnel, and opportunities for the prisoners to express their opinions freely. Encouragement is given to the formation of prisoners' committees for consultation with the management on behalf of the inmates on life in the prison or on certain aspects of it, and to other forms of free expression of opinion, for example, the production of their own news sheet.

Besides these non-material development, which proceed only very gradually, an attempt is also being made in the material field to achieve closer approximation to normal social conditions. For instance, in remand houses the immates are allowed to wear their normal clothes and, in many institutions, to keep their personal possessions, such as watches and rings.

Prisoners are now encouraged to maintain closer contact with their relatives and friends. The method adopted in a number of institutions is to abolish the checking of correspondence and to grant leave at intervals, or to give prisoners permission to leave the institution temporarily for certain purposes (e.g. to apply for jobs, or when family circumstances make it desirable).

The change these measures bring about in the overall atmosphere of the institutions calls for a different attitude on the part of personnel and prisoners, which can only be achieved very gradually by increasing human contacts and, where the personnel are concerned, by training and guidance.

Different requirements are therefore laid down when recruiting personnel, and an endeavour is made by means of education and training to develop in them the right mentality and to endow them with sufficient knowledge and understanding to operate efficiently in the institutions despite the freer atmosphere.

Chapter I

DIFFERENTATION OF PRISONS AND SELECTION OF PERSONS SENTENCED TO IMPRISONMENT

The differentiation of prisons and the selection of persons sentenced to imprisonment are two associated concepts.

The selection of persons sentenced to imprisonment has as its objective the "distribution" of the extremely heterogeneous prison population among the various establishments in such a manner that each category of prisoners is sent to a prison whose regime is best suited to its needs, and that prisoners whose nature and aptitudes match are brought together in separate groups.

Of course, there is no point in such selection unless the regimes in the various prisons are indeed different (differentiation).

Differentiation and selection are based mainly on the "objective" criteria of sex, age, duration of punishment, and recidivism, and the "subjective" criteria of the delinquent's personality, rehabilitation potentialities, suitability for mixing with other prisoners, the degree of security required and suitability for particular work. There are, therefor, separate prisons for young persons and adults and for persons serving shorter and those serving longer sentences. A distinction is also made between prisons with a greater and a lesser degree of security.

For instance, there are open prisons, where offenders can serve the last part of their sentence. They work outside the prison for a private employer, are given permission from time to time to spend a weekend at home, and also have considerable freedom of movement. The purpose of open prisons is to facilitate a gradual transition to normal society.

In a "semi-open prison", where the last three months of the sentence are spent, prisoners work outside the actual prison building, but on land belonging to the prison.

Selection is carried out by a number of penal consultants, attached to the Penal Selection Centre (PSC) of the Prison Service at The Hague. The Centre, which is headed by a psychologist, is responsible for the selection and treatment recommendations relating to the placement of persons sentenced to imprisonment, and also for providing prisoners with guidance.

In addition to the Selection and Detention Guidance Division, under which come the penal consultants, the Centre contains a Clinical Psychological Research Division. The information this Division acquires is used for the purposes of the selection and treatment of prisoners, determining the possibilities and results of prison treatment, and making recommendations regarding the regimes to be followed in prisons.

COMPLETE SURVEY OF PENAL ESTABLISHMENTS INTENDED FOR THE EXECUTION OF PRISON SENTENCES

General remarks

Where used in this survey the terms "young persons" and "young offenders" mean prisoners not over 22 years of age; "adults" should be taken to mean prisoners of 23 years or over.

With regard to young persons sentenced to imprisonment, the dividing line between "those serving short sentences" and "those serving long sentences" may vary between 4 months and 6 months real imprisonment. In practice the dividing line is fixed for each institution and changed when a change in the numbers of those serving short sentences and those serving long sentences gives cause for it.

Wherever in this survey mention is made of a term of imprisonment, the real term of imprisonment is meant, unless otherwise stated, namely the term of imprisonment imposed minus the term of detention awaiting trial, if any.

Houses of detention (young prisoners' centres):

Convicted persons who have to serve their sentence immediately following on remand in custody remain in the house of detention if their punishment does not exceed I month. Persons sentenced but not yet deprived of their liberty are sent to a house of detention to serve their sentence if the term of imprisonment is less than 14 days; if they are sentenced to imprisonment for 14 days or more, they are summoned to report for serving it in "Nieuw-Vosseveld" prison in Vught. (They report to the Office of the Public Prosecutor at 's-Hertogenbosch). Those not responding to the summons have te serve their sentence in a house of detention if it does not exceed 1 month. Finally, persons who have been sentenced to not more than 14 days punishment can, at their request and with the permission of the Public Prosecutor concerned, serve their sentence in stages if they have not yet been deprived of their liberty. In all districts except Amsterdam, Assen, Dordrecht, Groningen, Middelburg and Zwolle, a number of places are available for the serving of sentence at weekends in this way.

"De Sprang" house of detention for young offenders, The Hague (capacity 70).

This establishment is divided into a number of sections, each with its own head, most of them being their own group leaders (see Chapter II, General). In sections where work is done in groups the programme is focussed on group educational work: sport, work, general education. It affords greater opportunities for a group and individual approach.

"Nieuw-Vosseveld" prison for young offenders at Vught (capacity 141).

- a. The "Hegge" centre (cap. 20) is intended for offenders with what is called a "pending sentence" 1) of 14 days' imprisonment, who have reported to the office of the Public Prosecutor in 's-Hertogenbosch after having been summoned to do so.
- b. The "Ley" centre (cap. 24) is intended for offenders with what is called a "pending sentence" of 14 days to one month's imprisonment, who have reported to the office of the Public Prosecutor in 's-Hertogenbosch when summoned to do so.

^{1) &}quot;Pending sentence" is the term used when an offender is allowed to retain his liberty until the moment when he is summoned to report at a prison or house of detention for execution of the punishment imposed.

The programme in both centres is focussed on a half-day's education (guidance, instruction, visits to institutions outside the prison) and a half-day's work in which the work forms part of the total programme and is guided by group leaders employed at the centres. Also sport and psysical training are amply included in the programme. The activities invariably take place in groups.

c. The main building (cap. 97) is intended for offenders serving a short sentence of at least one month's imprisonment, including persons with a "pending sentence". Those imprisoned there can still be kept under observation to see whether they are suitable for admission to the Corrective Training Camp (P.T.K.).

The regime is principally based on completely free association.

"De Corridor" Corrective Training Camp at Zeeland (N.B.) (cap. 40).

For prisoners with sentences not exceeding 4 months, at least one month of which has still to be served when they are admitted. They must be suitable for a regime based on work in permanent groups (10 men working under a group leader). The activities, which include outdoor work, plenty of sport, and socio-cultural education, are often carried out in groups.

The special young men's prison in Zutphen (cap. 90).

This is the only prison which the courts themselves can specify as the place where a sentence is to be served. A court may make an order to this effect when sentencing a young offender to a term of imprisonment of not less than one year and not more than three years. As a rule this is done partly on the strength of a recommendation made by one of the area consultants to the effect that the young man is suitable for imprisonment there.

Contrary to the general rule, a conditional release can be granted to prisoners serving sentences from 12 to 18 months after they have been in the establishment six months, and to those serving sentences of more than 18 months after they have been there a year.

To this prison are also admitted young men who have to serve long sentences. They are now the largest category.

The regime is based on a system of groups and a programme of activities. The prisoners can receive here a vocational training.

During the last two to three months of the sentence, the prisoner may be placed in the "open" section "De Rozenhof", 10 km away.

The house of detention and the prison at Nieuwersluis (cap. 105).

For young offenders (and a few adults) sentenced to terms of imprisonment not exceeding six months, who will return to military service after serving their sentence.

Prison for adults

Young offenders who are not considered suitable for imprisonment in a young offenders' prison, or who for other urgent reasons should preferably be sent elsewhere, can under Section 112 of the Prison Rules be sent to a prison for adults.

Placement in an open prison for adults therefore is among the possibilities.

ADULTS SENTENCED TO IMPRISONMENT (MEN)

Houses of detention

The rules applicable to the placement of adults in houses of detention are the same as those for juveniles described above.

Breda Prison (cap. 150)

For offenders sentenced to short terms of imprisonment of more than one month, for whom imprisonment with limited association is desirable.

"Bankenbosch" Prison, Veenhuizen (cap. 180).

The prison "Groot Bankenbosch" consists of the centres "Bankenbosch" and "Nieuw Bergveen" x) and the semi-open prison "De Fleddervoort". The centres "Bankenbosch" and "Nieuw Bergveen" are intended for offenders with a so-called "pending sentence" of 14 days' imprisonment or longer, who have reported to the office of the Public Prosecutor in Assen after being summoned to do so. (Internally no distinction is made in these centres between persons convicted of Road Traffic Act offences and those convicted of other offences). Prisoners in "Esserheem" and "Norgerhaven" who are fit for a regime of a semi-open institution are removed to the semi-open prison "De Fleddervoort" (cap. 20) during the last 2 or 3 months of their term of imprisonment.

The Prison "Oostereiland" at Hoorn (cap. 84).

Intended for offenders with a so-called "pending sentence" of from 14 days' to 2 months' imprisonment, who have reported to the office of the Public Prosecutor in Alkmaar, after being summoned to do so, to serve their sentence.

The Penitentiairy Training Institution "Nederheide" at Doetinchem (cap. 80).

Intended for persons sentenced to short terms of imprisonment of which not less than 4 weeks and not more than 4 months have still to be served on arrival. The regime is based on working in groups of 10 men under group leaders. The men do work or take part in activities in the fields of sport and socio-cultural education. This institution is also intended for offenders with a so-called "pending sentence" of from 2 months' to 4 months' imprisonment, who have reported to this institution, after being summoned to do so, to serve their sentence.

The Hague Prison (cap. 48).

For offenders sentenced to long terms of imprisonment who are not, or not yet, suitable for the regimes at "Esserheem" and "Norgerhaven" in Veenhuizen or at "Noorderschans" in Winschoten, which are based on completely free association.

The Prisons "Esserheem" (cap. 120) and "Norgerhaven" (cap. 108) at Veenhuizen.

For offenders sentenced to long terms of imprisonment who are considered suitable for imprisonment under a regime based on completely free association. The regimes in the two establishments are in principle the same. When offenders come up for selection, they are first considered from the point of view of their suitability for imprisonment there; the choice between placement in "Esserheem" or "Norgerhaven" will be determined largely by the types of work the establishments offer.

x) Formerly the institution where Jehova's witnesses were sent to (since the middle of 1974 they are no longer imprisoned for conscientious objection).

The Prison "Noorderschans" at Winschoten (cap. 21).

This prison is intended for offenders who, because of a high degree of social inadaptability, are not, or not yet, suitable for detention in prisons where the regimes are primarily based on fairly large community groups. Here the regime is geared to preparing prisoners as far as possible for further detention in an ordinary prison. As a rule, the duration of their stay is not shorter than 3 months.

The open prisons

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"Niendure", Almelo (cap. 23);
"De Graafse Kamp", Warnsveld (cap. 18);
"Te Roer", Roermond (cap. 18);
"De Sluis", Hoorn (cap. 20).
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Offenders aged 25 or over (except in special cases) who have been sentenced to a total of at least 8 months imprisonment are eligible for consideration for placement in an open prison, when at least half the term of imprisonment has already been served. The minimum length of stay is 3 months. The maximum length of stay is 5 months. In principle, prisoners come on transfer from "Esserheem" and "Norgerhaven" and, if the term of punishment necessitates it, direct from houses of detention. It must be reasonable to assume that the fact that the prisoners have partial freedom will not constitute a danger to society or place too heavy a burden on the prisoners themselves. Admission is on a voluntary basis. In these prisons there are no security arrangements for the protection of people or property.

The prisoners work for private employers outside the prison and, as far as possible, in their own trade, receiving a normal wage. They are allowed to retain 40% of what they are paid.

Contacts with normal society are also fostered in other ways, for instance by allowing prisoners to go shopping in unsupervised groups, go for walks, visit cinemas and attend sporting events.

During detention in an open prison, several weekends can be spent at home or with relatives.

Women sentenced to imprisonment

All prison sentences imposed on women are served in the Rotterdam Women's Prison, which is also the House of Detention. It is an entirely separate part of the building which also contains the House of Detention II for men.

Hospital

There is a Central Penitentiary Hospital, which is in The Hague.

Mentally disturbed prisoners

The brochure "Committal to the Care of the Government on the Netherlands" sets out the grounds on which mentally disturbed prisoners may be placed in the several private and government institutions for persons committed to the care of the government.

The government institutions are: "Veldzicht" at Avereest; "Dr. S. van Mesdag" in Groningen.

The private institutions are:
"Dr. H. van der Hoevenkliniek" in Utrecht;
"Prof. Dr. W.P.J. Pompekliniek" in Nijmegen;
"Rekkense Inrichtingen" at Eibergen;
"Hoeve Boschoord" at Vledder;
"Groot Batelaar" at Lunteren.

Mentally disturbed prisoners are centrally selected (on behalf of the Minister of Justice) at the <u>Selection Institute in Utrecht</u>, which has an annex at Doetinchem with the status of a government institution for persons committed to the care of the government. Its selection team is headed by a psychiatrist.

Another institution that should be mentioned is the <u>Psychiatric</u> Observation Clinic (P.O.K.) in Utrecht.

The P.O.K. is intended for clinical psychiatric observation of mentally disturbed prisoners.

This clinic, which has the status of a remand centre, has the most up-to-date examination equipment. The observation team is headed by a psychiatrist.

The courts may ask for a person remanded in custody to be admitted, in order that a psychiatric report based among other things on an exhaustive clinical examination may be available at the trial.

In addition, prisoners are examined at the clinic when psychiatric advice is needed on their further treatment.

Finally, it should be mentioned that House of Detention I in Amsterdam has a department primarily intended for the admission and examination of accused persons who are mentally disturbed. Consideration is being given to the possibility of establishing similar psychiatric annexes at houses of detention in other districts.

(For a map of the penal establishments in the Netherlands, see Annex 3.)

Chapter II

INDIVIDUAL APPROACH AND TREATMENT

General

The individual approach to and treatment of detaines has its basis in Section 26 of the Prisons (Basic Principles) Act, which provides: "While maintaining the nature of the punishment or measure, the implementation thereof shall be such as to also prepare prisoners for their return to normal life in the community".

An endeavour is made by the prison authorities to put this statutory provision into practice by individualizing the execution of the punishment as far as possible; that is to say, by regarding the imprisonment as being imposed on a particular person with his particular background and executing the punishment at the place that offers the best facilities to prepare him for his return to normal society. All this entails regular attention to and systematic guidance of prisoners by the personnel of the institution - in short - a sound approach to the treatment of prisoners. This approach is manifested first of all in the way in which the group leader and the disciplined officer treat the prisoner in their daily contacts with him, at work and during activities in the field of education, training, sport, exercise and active and passive recreation - an approach, then, especially as shown by the personnel under the guidance and responsibility of the management of the institution. The personnel have need of support in the performance of their duties, and to give such support is an important part of the role of the specialist staff members, who are involved in the work as experts - experts who at the same time have to make themselves familiar with the experiences and problems of the personnel and to learn from those. This necessary interaction constitutes the basis for the modernization of the structure of a number of institutions, which was begun a few years ago. (For an outline of the new structure, see Annex 4. For a survey of personnel strength as at 1-1-1970 and 1-1-1971, see Annex 5).

Taking this new structure as a starting-point, modern developments are directed at improving the general atmosphere of the institutions, strengthening the specialist staff, grouping the inmates into small units led by group leaders, and extending the social work carried on in the institutions. Putting into practice the new ideas about more humane and purposeful execution of punishments has made it necessary to direct research also at the way in which prisoners are treated. To this end scientific guidance is given in the operation of the open prisons, "De Corridor" Corrective Training Camp, and the prison for offenders against the Road Traffic Act.

Medical, psychiatric and psychological services assisting the prison and the probation and after-care services

All prisoners are given a physical examination when they are first admitted to a penal establishment. The examination, which is carried out by the prison medical officer, is partly to determine whether the prisoner is fit to perform certain types of work and to take part in physical exercise and sport, as also whether he is free from contagnious diseases. Every institution has its own medical officer. There are 27 institution medical officers, one of whom is in full-time employment. Responsibility for the direction and supervision of the work of prison medical officers rests with the Medical Inspector of the Ministry of Justice for Prisons, the Care of Criminal Psychopaths and Child Care and Protection. There is nursing personnel in practically all prisons and each establishment has personnel with medical training. If there are reasons for hospitalizing a prisoner, he may be admitted to a civilian hispital or to the

Hospital of the Prison Service at the Hague. The institutions at Veenhuizen have their own hospital. Further, most institutions have their own psychiatrists and psychologists.

The former are employed as district or prison psychiatrists. At the moment, the institutions that come under the Prison Service are served by 18 district psychiatrists of whom 3 full-timers and 3 prison psychiatrists. Direction and supervision of the work of the district and prison psychiatrists is the responsibility of the Psychiatric Adviser on pre-sentence reporting, After-care and Treatment in penal institutions. The institutions coming under the Prison Service employ 28 psychologists of whom 16 full-timers.

In cooperation with the medical officers and the other members of the specialist staff, the psychiatrists and psychologists endeavour to form a sound idea of each prisoner's personality structure and a treatment schedule with a cautious prognosis is established.

These specialists are also becoming more and more involved in the further treatment, in that they give advice to other personnel and maintain direct contact with the prsioners.

The district psychiatric service was built up, one district at a time, in the mid-fifties; it aims at providing information to assist the court in determining sentences and to further the psychiatric care of prisoners; it also advises the probation and after-care organizations. The district and prison psychiatrists have set times when prisoners may consult them; they also provide governors, on request or of their own accord, with information on the prisoner's mental condition; they advise on treatment; they maintain regular contact with the prison medical officer; in consultation with the governor they give special attention to prisoners in punishment cells or in solitary confinement. Another part of their task is to advise the governor and the classification consultant about the placement and transfer of prisoners; they give advice on request to the various sections of the Central Advisory Council.

The information work also includes providing the Office of the Public Prosecutor and other organs of the judiciary, on request, with a report on the mental capacity of accused persons and advising examining judges whather or not a person is fit to undergo imprisonment. The distric psychiatrist can also request an examining judge to have a psychiatric advisory report made in respect of an accused person.

In the field of after-care, the district psychiatrist can advise the authorities and bodies concerned, at their request, in connection with the preparation of after-care measures; he may also advise the after-care agencies on psychiatrical questions and, if required, lend his assistance in cases where ex-prisoners need to be hospitalized.

Whenever a prisoner appears to need treatment in a psychiatric institution, the district or prison psychiatrist endeavours to arrange for his admission. It should, however, be noted that the limited accommodation available in psychiatric institutions in this country makes it difficult to cater for all needy cases.

A person who, during his detention, is found to be unsuited for further imprisonment on account of his mental state, may be admitted to a State institution for criminal psychopaths to complete his sentence. The Psychiatric Observation Clinic (P.O.K.) in Utrecht does important clinical observation work with a view to reporting to the courts.

The psychiatric observation department in the Remand House Nr. I at Amsterdam also assists in collecting information for reports and arranges for admission of prisoners who for psychological reasons need a special approach.

Social care

In 1947 the post of welfare officer to prison institutions was created. Since then, important developments have taken place in the social work carried on in penal institutions whether it be oriented to the individual or the prison community as a whole. Whereas, originally, only prisons had a welfare officer, nowadays one or more social workers are employed in all penal institutions. There are 80 sucg officers in all, about 15 of whom are women. Besides actually assisting offenders in coping with their social problems, the welfare officer's duties originally included the organization of all non-work activities, as also the observation and reporting work. However, this combined task was found to be far from ideal in practice. The work connected with one part of his duties was often persformed at the expense of the other part.

The new trend has therefore been to extend the primary function and to increase as far as possible expertise in the field of individual social work and group work, gradually handing over the other functions to other specialists. Since 1971/1972 an initial distiction has therefore been made in a few institutions with regard to functions for the individual social worker, who has taken his place as a staff member alongside behavioural scientists, chaplains and the medical officer, and for the so-called Coordinator of Treatment, who has a coordinatory task in respect to the work of the specialist staff, contacts between the specialists, and between them and the governor and staff, and finally all activities connected with the observation of and reporting on prisoners. At the same time the post of social-cultural worker has been introduced

At the same time the post of social-cultural worker has been introduced in penal institutions. It is this officer who is now responsible for coordinating, organizing and guiding prisoners' activities during their non-working hours. The idea of integrating groupwork into penal treatment as a whole is also being considered. At the end of 1973 - after a few experiments had been evaluated - a structure was introduced in which the social work was removed from the Prison Service and came under the responsibility of the Department for the Committal to the care of the Government and for Probation and After-Care, while social work staff members, probation/after-care officers, were appointed to a penal institution.

Within this framework the social worker can fulfil his internal role and also enter into intensive relations, externally, with probation and after-care agencies, so that his internal and external work on behalf of the prisoner can be coordinated. Moreover, since he is not, nominally, a penal officer, his independence is more easily appreciated by the prisoners.

Spiritual care

People deprived of their liberty are often unable to maintain the contacts which they consider essential to their wellbeing.

In consequence of their position, many of them begin to attach great importance to all manner of matters to which they had previously, in the normal course of their existence, given little or no consideration. Questions such as the meaning of life and how to give purpose to his personal life may prompt a prisoner to seek contact with a chaplain. Consequently, such chaplains are attached to all penal institutions as representatives of those bodies that seek to give guidance on spiritual matters, i.e. the churches and associations based on spiritual and moral principles.

This means in practice that a Roman Catholic priest and a Protestank clergyman are attached to every institution, as well as a humanist counsellor.

These chaplains and the counsellor are part of the specialist staff of the institution to which they are attached. For if they are to perform their tasks efficiently, they must be fully acquainted with each prisoner's circumstances and the régime under which he has to live. They consider it part of their task to make a positive contribution to the entire atmosphere in the institution.

Chaplains hold services in all the institutions and they as well as the humanist counsellor all give religious instruction. The humanist counsellors organize meetings for reflection and discussion. All maintain personal contact with the prisoners. The principle is followed that personal contact with a spiritual counsellor shall be entirely voluntary on the part of the prisoner.

In practice, this also applies to attendance at religious services and humanist gatherings, though the law does lay down certain obligations. Having studied all manner of questions connected with imprisonment and the reasons for it, the clergymen and the counsellors attached to prisons can be considered better qualified than their colleagues to provide the help they are asked for.

The institutions at present employ six full-time and 23 part-time Roman Catholic chaplains and 10 full-time and 19 part-time Protestant clergymen. In addition, there are 12 full-time humanist counsellors. The part-time counsellors are employed from 1 to $4\frac{1}{2}$ days a week.

Work

General

The principal aim of the work performed by the prisoners is to prepare them for their return to free society.

To achieve this, an endeavour is made to have their working conditions approximate as closely as possible those prevailing in the outside world. The work, then, is certainly not intended as a means of increasing the severity of the punishment, but should be seen as an important aspect of human life and, as such, essential for the prisoner.

Accordinly, the law makes work obligatory for all prisoners except those on whom sentence has not yet been passed. The latter, however, may work on a voluntary basis.

Workshops

The prisons and the institutions for the care of criminal psychopaths provide facilities for cell work and accommodation for prisoners working together. More types of skilled work can of course be done in the workshops than in a cell; there are, for instance, facilities for woodworking and metalworking, printing, bookbinding, tailoring and shoe-repairing (these being referred to as "qualified" work).

A few institutions provide facilities for training in certain occupations (the graphic, metal and car engineering trades).

In the remand houses, too, work is carried on both in workshops and in the cells. In view of the very short time most of the prisoners spend in these institutions, the work has to be of a simple nature, for example, light assembly work, paper and carboard work and packing (these being referred to as "non-qualified" work).

Prisoners in open institutions may be given work in their own trade or occupation with private employers. Skilled officers, all members of the prison service, are employed to instruct and supervise prisoners in the performance of their work.

Supply of work

Qualified work consists mainly in the execution of orders for government establishments, and unqualified work in the execution of orders placed by private firms.

Sufficient work can usually be found, though it is a matter requiring constant attention on the part of the institutions concerned and the Prison Service. Since the prison population constitutes only a very small percentage of the country's total labour force, there is no question of competition with industry. Indeed, industry itself is cooperative in these matters.

Remuneration

The present remuneration of prisoners should be regarded as a form of pocket money rather than as payment for work done. It would, for penological reasons, be better if prisoners could be allowed higher remuneration; it would enable them, for instance, to exert a significant influence on their way of life in the institution and to contribute to the maintenance of their families. However, the many problems that higher remuneration entails have not yet been resolved.

Order

The methods of establishing and maintaining order are different from those employed in the past. Prison authorities no longer simply impose a number of rules of conduct; nor do they maintain order solely by surveillance, control and repression.

They now realize how important it is that prisoners should appreciate the purpose and necessity of having as few regulations as possible. It is therefore considered an important part of the prison officers' duty to inform prisoners of the rules prevailing in the prison and to explain and clarify them.

The role of the personnel in maintaining order has altered and become more difficult. It no longer consists in the automatic processes of controlling, ascertaining and reporting but in deciding on what will probably be the most suitable reaction in a given situation, to achieve the set objective, viz.: adaptation of the prisoner to the system of order observed in the institution or, even better, persuading him of the necessity for having certain rules of conduct, both in the institution and in society generally.

Chapter III

RECRUITMENT AND TRAINING OF PERSONNEL

General

Competent, well-trained personnel are essential to the proper functioning of the penal institutions.

Recruitment and training of personnel are among the duties of the Central Recruitment and Training Institute (C.W.O.I.) of the Prison Service and the Care of Criminal Psychopaths Service at the Hague.

Information and Recruitment Section

For the purpose of external recruitment a selection procedure is used which consists of a number of stages:

- 1) the information meeting: 3 or 4 times a month an information meeting is held in several places in the land for the recruitment of prison officers and perimeter guards. At such a meeting information is given about the relevant job, salary and scundary conditions of employment. During this information meeting a so-called psychological pre-examination is carried out whereby about 40 to 50 percent of the applicants are selected.
- 2) the psychological main examination: for all the jobs with the Prison Service and the institutions for offenders committed to the care of the Government a psychological examination is required; this examination is carried out by the psychological team of the CWOI, consisting of 2 psychologists, 2 assistant psychologists and 2 test assistants. In this examination uniform selection criteria are used which are periodically compared with the practice in an institution.
- 3) the selection committee: applicants who pass the examination are invited to a conversation with a selection committee, ehich usually consists of executives of the institution(s) where a vacancy has to be filled and a CWOI representative.
- 4) the check for criminal antecedents: the Government Psychological Advisory
 Department makes an enquiry concerning the criminal antecedents, if any,
 of those who were found suitable by checking the records of the district
 courts. The CWOI adopts a distinctive standpoint in that not every
 applicant that has a criminal record should be rejected.
 As a creterion is applied whether the conviction in question will or
 will not present difficulties of some kind in the performance of the job.
- 5) the medical examination: if each of these selection stages is passed, the applicant may enter upon his duties.

EXTERNAL INFORMATION

The recruitment information, as it is given at the information meeting, is preceded by the placing of advertisements in various newspapers and periodicals; these advertisements contain the most elementary information on the task, and also the top salaries which one earns on appoinment. Below the text of the advertisement is a coupon that may be cut out, completed and sent in by applicants who wish to attend an information meeting. At the information meeting those present are issued with several sorts of documentation. In addition, special documentation is sent to the District Labour Offices and Career Advisory Services.

Another branch of the external information aims at groups of interested persons - such as pupils of secondary schools, students, etc. - without pursuing specific recruitment purposes. In this case introductory meetings are held where photographs and films are shown, usually followed by discussions.

Both for the external and the internal information use is made of the monthly magazine "Balans" (for the Prison Service and the Committal to the care of the Government). For the external information because the magazine is also sent to the members of the permanent Parliamentary Commission for Justice, the Offices of the Public Prosecutors of the District Courts and the offices for the Probation and After-Care. Also included in the external information is the reception of groups of interested persons, mostly from abroad, which is of frequent occurrence.

INTERNAL INFORMATION (to prison personnel)

The Information and Recruitment Section is also responsible for editing the monthly magazine "Balans". The editorial committee also comprises representatives of the Prison Service, the Department for the Committal to the care of the Government and the Probation and After-Care Department of the Ministry of Justice, and also representatives of the field-staff.

In addition to items of interest collected by its own staff the magazine contains articles from some 40 correspondents from various institutions, as well as articles written on request. There is a circulation of 3,600 copies, of which 2,600 are subribed to by members of the personnel.

TRAINING SECTION

There is no external training for a number of functions with the institutions of the Prison Service, such as for a perimeter guard, a prison officer and a governor. On the other hand, however, there is external training for other functions, such as for work instructors, clerical personnel, social workers, spiritual and medical attendants.

Applicants for the last-mentioned category are engaged on the grounds of their having had the appropriate training, mostly evidenced by a diploma. In view of the work in penal institutions a supplementary training is generally necessary. For the work instructors, the spiritual and medical attendants this training is given in the form of courses or seminars. Functionaries without an external training who take up employment with the Prison Service for the first time shall have to receive a complete training for the relevant function. As these courses of training are generally attended while work is being done, and the followers of the course of training are therefore withdrawn from their duties, these courses shall have to be given in stages: "basic training" and continued courses of training, and the length of training will necessarily be from short to very short.

These vocational training courses include:

a. the training for the lower functions, such as prison officers, subordinate officials (in the institutions of the Division for the Committal to the Care of the Government), cooks. This training course is also attended by work instructors in view of the subjects that do not specifically pertain to the technique and/or the organization of labour. There are two stages: A and B. The "A" course is divided into a primary course which starts on or about the date of engagement, and two continuation courses. The primary course consists of 4 weeks, separated by one week of practical work in the institution where the new-comer is to be employed (2 + 1 + 2 weeks). The subject-matter mainly deals

with how to become acquainted with the actual situation in institutions, the performance of a number of activities and practice in self-defence. The <u>first continuation course</u> follows after about 8 to 10 months, lasts 2 weeks, and is devoted to the transmission of the most essential knowledge of regulations.

The second continuation course consists of one week and is for the revision of the examination subjects and the last preparation for the A-examination.

Between the first and the second continuation course there are a few months, between the second continuation course and the examination there are about two months. If one passes the A-examination one is issued with the A-diploma. Possession of this diploma is one of the requirements for permanents for permanent appointment after two years of service. The B-course starts at the beginning of the fourth year of service and is a repetition, a continuation and an extension of the A-course. The problems of the treatment of prisoners form the main subject-matter. The course is held partly in writing, partly orally. The oral part comprises 5 weeks, divided into parts of 2, 2 and 1 week, and spread over 1½ years. The object of this training is to obtain the B-diploma, which leads to placing in a higher salary scale and which is one of the requirements for admission, later on, to the training course for supervisory personnel.

b. The training as a perimeter guard.

This training is given, under the responsibility of the CWOI, with the guard of the prisons of Veenhuizen, as far as the basic training is concerned, and at the Training Commando for Mobile Units of the State Police Force at Neerijnen, as far as the training for mobile units is concerned (M.U. training).

The basic training lasts 8 weeks and is aimed both at the function of a perimeter guard and at the preparation for the A-examination. Right after the basic training follows the training for Mobile Units which lasts 6 weeks. After that the new-comer joins the group of perimeter guards of the institution where he is to be employed.

It is intended that a perimeter guard serves in this capacity for a limited time (not exceeding 4 years). He may move to one of the other branches of service: inside service, work instruction, groupleaders, and is then eligible for attending the training course "B" respectively the course to train as a group leader.

c. The training as prospective governors.

In order to become acquainted with the course of things, the tasks of the several branches of the service they have to complete two years of practical work first on various institutions, and also with a Probation and After-Care Council, in an office of a Public Prosecutor and in a Section of the State Police Force. Within this same period of two years they also attend a course at the Central Recruitment and Training Institute, which course consists of about 600 lesson-hours, spread over 20 lesson-weeks, in every month one lesson-week. The subjects of this course are:

organisation and procedures of the Frison Service and its Department; statutory regulations concerning the Prison Service; the legal position of prison personnel and prisoners; Judicial Organization; criminal law and criminal-procedure law; selected chapters of the behavioural sciences; science of organization and management.

Training in proficiences respeting staff control, dealing with a staff and prisoners, the conduct of discussions and meetings.

Returning to what was remarked in the first few paragraphs of this chapter, it should be mentioned that the service branch "group conduct" is about to move from the category "no external training" to the category "external training required". The fact is that since the middle of 1974 is has become possible to attend a secondary vocational training course in institutional work at a number of Social Academies. Consequently training as a group leader can in substance be refrained, except for those who come from another branch of service and do not comply with the entry requirements of a social academy. The relevant training course at the CWOI lasts about 2½ years and consists of about 650 lesson-hours.

Chapter IV

ADVICE AND RESEARCH

Given the complexity of the problems of the prison system, it is necessary, when taking policy decisions and evaluating the main trends, to rely more and more on the advice of experts, whether or not they have been specifically concerned with prison matters.

The Central Advisory Council for the Prison Service, the Care of Criminal Psychopaths Service and the Probation and After-care Service, - particularly the Prison Service Section - acts as a permanent advisory body. In addition, numerous committees and study boards furnish advice on necessary changes, reviews of and developments in policy-making, either regularly or when required to do so.

Within the Prison Service there is a research and advisory section, which collaborates in policy development by carrying out special research, for instance:

- an inquiry into the motives of persons who have attempted to escape from penal institutions or have managed to escape and have been reimprisoned;
- an inquiry into the measures considered desirable to prevent prisoners from committing suicide or inflicting injury upon themselves;
- an inquiry into the extent and nature of the problem of drug-dependents in the institutions;
- an experimental inquiry into the possibilities of incorporating various forms of groupwork and permanent education into the régimes of the different institutions;
- an experimental inquiry into the optimum form for a written information system regarding treatment and behaviour of prisoners in the institutions. Further, the research and advisory section carries out occasional tasks in support of important developments, particularly where treatment of the prisoners is concerned.

On the recommendation of the Research Policy Committee of the Ministry of Justice, grants are provided for certain research projects that are of importance for the determination of penal policy.

Such projects are backed by the Ministry's Scientific Information and Documentation Centre. The Prison Service's share in these research projects is not limited to providing facilities; it actively participates in the research work and sees that it is practically oriented, so that the findings may be of use for policy-making purposes.

Chapter V

BUILDING ACTIVITIES

The building of new establishments

Present Dutch prison buildings, most of them dating from the days when cellular confinement was the rule, are unsuitable for modern penal treatment, nor do they lend themselves to adaptation.

It has therefore been decided to replace them by new ones, based on the pavilion system. A pavilion will accommodate a residential unit of 24 detainees who, besides having their own bed-sitting rooms with wahing and toilet facilities, will also share a number of communal rooms. Plans are accordingly being elaborated for the construction of:

- 1. a prison at Gouda for male adults, to accomodate 4 residential groups, each with 4 pavilions housing 24 persons;
- 2. a prison at Veenhuizen for male adults, to consist of 6 pavilions, each housing 24 persons;
- 3. an open prison at Drachten to accommodate 24 persons.

Plans are also being elaborated for building the following new remand houses, likewise based on the pavilion system:

- 1. Amsterdam remand house, (including the Penitentiary Institution for Women) capacity: 480 men
 - 40 women

 - 60 men) psychiatric wing 10 women)
- 2. Arnhem remand house
 - capacity: 168 men
 - 24 men (psychiatric wing)
- 3. Maastricht remand house
 - capacity: 204 men
 - 24 men (psychiatric wing)

Further, the programme includes the building of a new Prison Psychiatric Observation Clinic at Utrecht and a new Central Recruitment and Training Institution.

Conversion of existing establishments

An effort is being made to improve the general atmosphere in existing penal institutions to bring them into line with new ones. Attention is being devoted not only to the cell, as the smallest individual form of accommodation, but also to the rooms for prisoners' communal activities, for instance those for work, spiritual care, recreation, sport, training, and tuition. Moreover, improvements to reception, bathroom and infirmary departments, as also to kitchens and store-rooms are constantly receiving attention. Several of the aforementioned projects have been implemented, viz.: the remand houses at Groningen, Zutphen, Roermond, 's-Hertogenbosch, Breda, Rotterdam (nr. II), Haarlem en Utrecht, "De Sprang" Juvenile remand house at the Hague, and the prisons at Veenhuizen, Zutphen, the Hague and Vught.

Chapter VI

INTERNATIONAL COOPERATION

International contacts are naturally becoming more and more important nowadays.

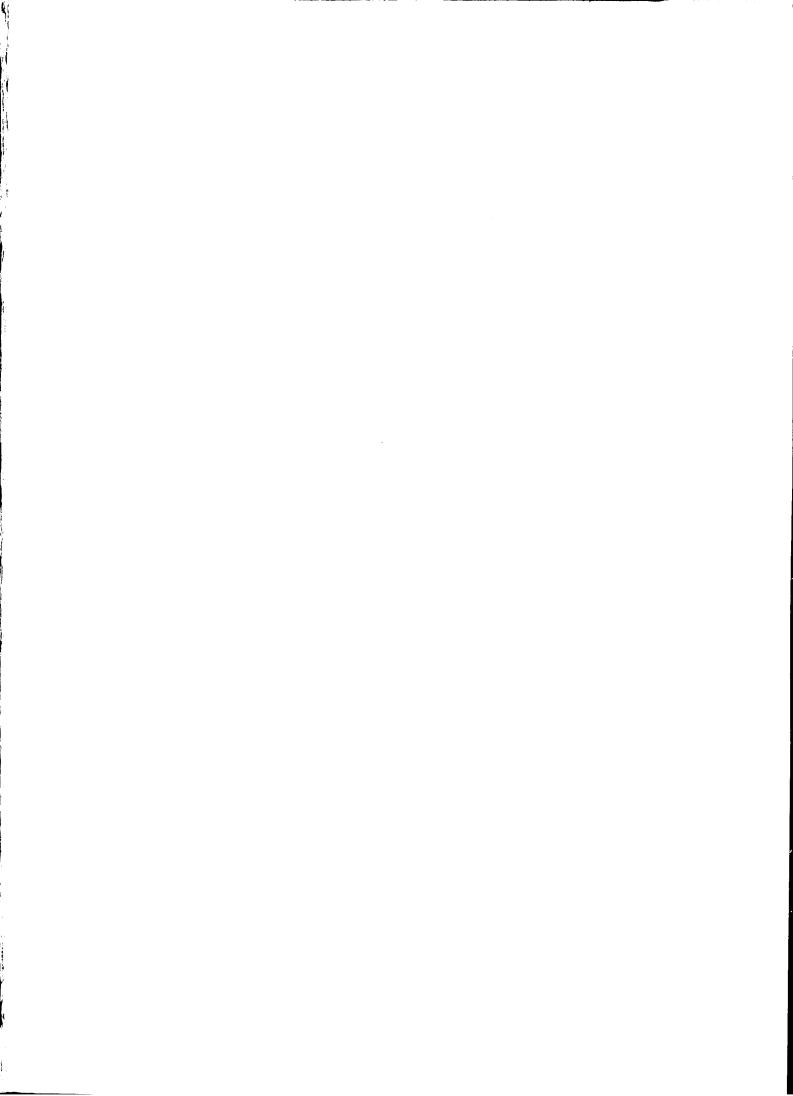
International exchanges of experience gained with new forms of detention, and of scientific evaluation of these experiments, are a source of inspiration to those who have to decide on what form imprisonment can most suitably take.

The Penitentiary Benelux Committee, a permanent consultative committee of the Benelux countries that meets regularly, has proved its value in this respect. "De Corridor" Corrective Training Camp at Zeeland (North Brabant), for instance, owes its existence to these consultations. It was the Benelux talks regarding the form that short prison sentences for juveniles should take that prompted the Netherlands to experiment with this entirely new form of detention for young persons.

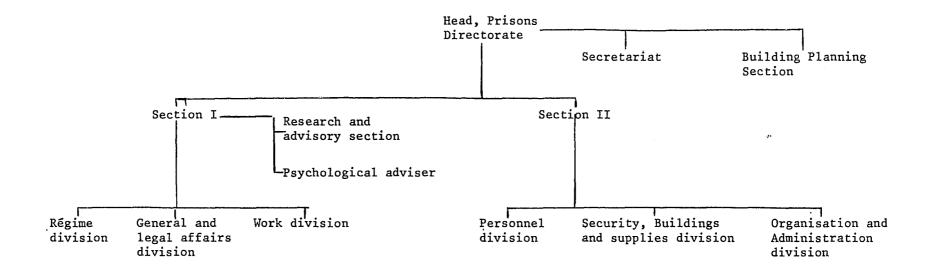
Consultation by means of seminars and joint investigations in the context of Council of Europe cooperation also affords good prospects, not in the least because executive categories, such as governors and members of the scientific staff are also involved.

In 1969 the Netherlands organized, under the auspices of the Council of Europe, a seminar on democratization in penal institutions, and in 1973 a seminar on "re-orientation of the aid to delinquents".

Finally, international congress such as those of the United Nations and of the International Penal and Penitentiary Foundation (F.I.P.P.) complement the widespread exchange of ideas and experience on the administration of criminal law. The "Minimum Rules" that have developed from these consultations are of great importance to the evolution of the prison system at international level. At a time when there is widespread doubt as to the effectiveness of imprisonment, an international endeavour will have to be made to find effective ways of achieving the objectives associated with the administration of criminal law.



Annex I (see Introduction, the administration of the institutions)



Annex II (see introduction, classification of the institutions)

AVERAGE DAILY STRENGTH OF THE POPULATION OF THE PENAL INSTITUTIONS IN JANUARY, APRIL, JULY and OCTOBER 1974.

I.	Men.	acco	rding	to	age:

•	January	April	July	October
up to the age of 16	3	10	6	11
from 16 to inclusive 22	746	858	909	898
23 and 24 years of age	222	226	264	293
of or over the age of 25	1212	1324	1288	1431
Total	2183	2418	2467	2633

according to category:

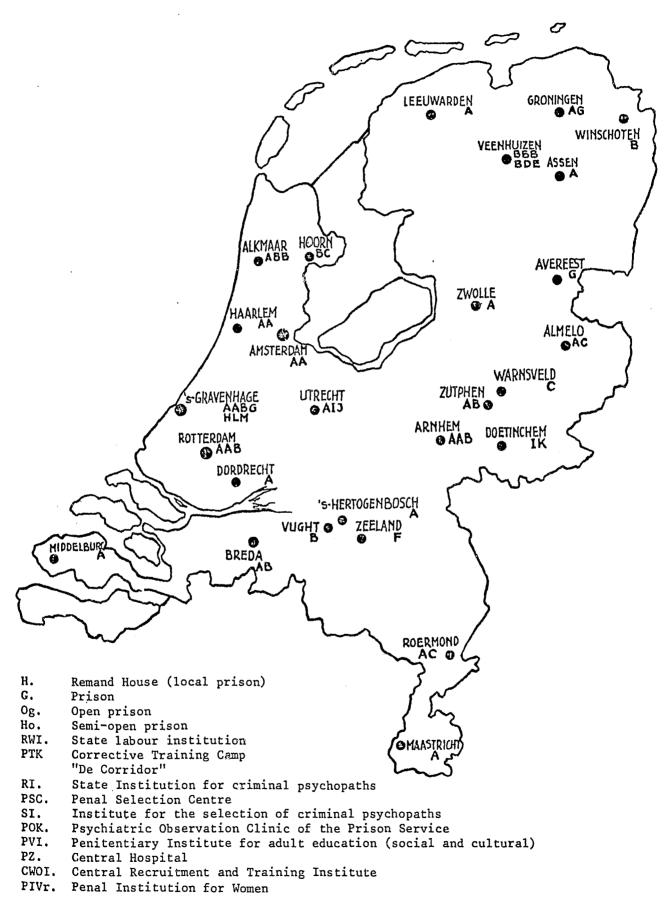
	det.await.trial	det.	impr.	s.1.i.	others
January up to the age of 25 of or over the age of 25	505 <u>576</u>	16 40	385 492	2 12	63 92
Total					
April up to the age of 25 of or over the age of 25	574 <u>545</u>	27 47	424 597	2 12	67 123
Total	1119	74	1021	14	190
July up to the age of 25 of or over the age of 25	579 <u>481</u>	28 <u>39</u>	480 645	2 8	90 115
Total	1060	67	1125	10	205
October up to the age of 25 of or over the age of 25	654 <u>582</u>	22 46	439 673	2 <u>4</u>	85 126
Total	1236	68	1112	6	211

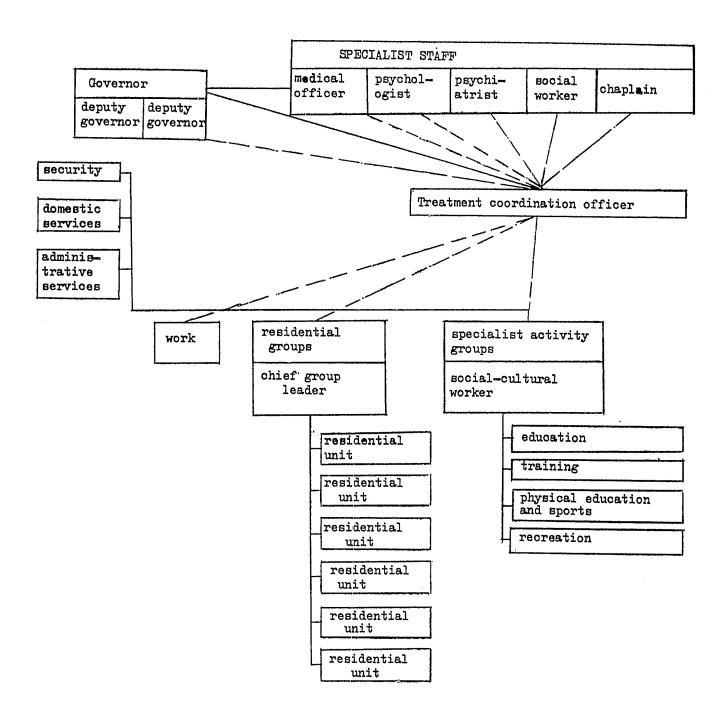
II. Women, according to age:

	January	April	July	October
up to the age of 25	7	6	10	16
of or over the age of 25	<u>23</u>	22	25	<u>35</u>
Total	30	28	35	51

according to gategory:

	det.await.trial	det.	impr.	s.1.i.	others
January up to the age of 25 of or over the age of 25	5 <u>14</u>	· <u>2</u>	- <u>6</u>	=	2 <u>1</u>
Total	19	2	6	-	3
April up to the age of 25 of or over the age of 25	3 <u>12</u>	· <u>-</u>	1 <u>8</u>		2 2
Total	15	-	9	-	4
July up to the age of 25 of or over the age of 25	3 <u>17</u>	1 <u>2</u>	6 <u>6</u>	-	
Total	20	3	12	•••	-
October up to the age of 25 of or over the age of 25	14 <u>22</u>	<u>-</u> <u>1</u>	2 11	-	<u></u>
Total	36	1	13	-	1





Annex V (see Chapter II, general)

STAFF COMPLEMENT OF THE PRISON SERVICE (full-time)

Branch of the service	Establish- ment 1-1-1974	number in service 1-1-1974	Establish- ment 1-1-1975
Governors and deputy-governors	115	113	112
Medical officers	1	2	1
Scientific personnel	20	20	26
Chaplains and humanist counsellors	25	27	27
Treatment coordination officers	19	9	10
District classification consultants	10	12	10
Clerical staff	328	340	338
Work instructors	305	335	286
Physical education instructors	36	22	36
Librarians	24	24	24
Recreation officers	19	17	19
Adult education officiers	4	4	5
Group leaders	193	174	230
Disciplined prison officers	1436	1388	1596
Perimeter guards	365	311	425
Cooks	64	63	63
Bath superintendents	38	34	38
Domestic personnel	100	111	112
Nurses	90	78	99
Sundries	28	28	28
Totals	3220	3112	3485

Under the Division dealing with the Committal to the Care of the Government and with Probation and After-Care.

	Establishment at 1-11-1974	Number in Service	Establishment at -1-1975
Social workers	80	77	92

END