

Report on a visit to Latvia to review the state of prison industries and prisoner labour and to make recommendations to the Ministry of Justice and Prison Administration of the country on the future of prison industries by Ursula Smartt, Thames Valley University, London (18 – 22 April, 2006).

## **Introduction**

Anhelita Kamenska, Programme Director of the Latvian Centre for Human Rights (Latvijas Cilvēktiesību Centrs) in Riga, had organised a conference on 20<sup>th</sup> April 2006 in conjunction with the Ministry of Justice for Latvia at which a number of prison and ministerial representatives gave their account of the state of prison industries in Latvia. I had been invited to give an address to the conference whereby I presented via a PowerPoint presentation the state of prison industries in eight European countries, the USA (state & federal prisons) and New South Wales, Australia. My presentation was entitled 'What works in prison industries and correctional labour?'

The principal objective of my visit was to report on the state of prison labour and prison industries in Latvia and to advise the Ministry of Justice & Prison Administration as to the future of prison industries in Latvia in line with resocialisation and rehabilitation policies of the country and European human rights legislation. My visit was sponsored and funded by the Latvian Human Rights Centre. The following purposes had been requested:

1. to attend the conference on 20<sup>th</sup> April 2006 in order to meet with senior Ministry officials, civil servants from the prison administration of Latvia, Lithuania and Estonia. The latter two countries regrettably withdrew at the last minute, leaving the conference with about 35 Latvian delegates;
2. to give a presentation on my research into the state of prison industries and prisoner labour in the international setting;
3. to visit a couple of prisons and see the circumstances and state of Latvian prisons and prison industries;
4. to meet with the 'Working Group on Prisoner Employment' a Ministry of Justice/ Prison Administration 'think tank' in order to discuss the state of prisoner employment and the future of prison industries at ministerial level;
5. to write a report on my visit and

6. to make recommendations to the 'Working Group' as to the way forward for prisoner employment, prisoner resocialisation and possible legislation.

My presentation (PowerPoint) to the Conference on 20<sup>th</sup> April 06 was entitled 'What works in prison industries and correctional labour?' where I presented findings of my on-going, longitudinal study of prison industries in eight European countries, New South Wales – Australia and the United States (Federal and State Prison administrations), now in its 15<sup>th</sup> year. The conference provided excellent simultaneous interpreting facilities in Latvian and English.

I also visited two prisons namely Brasa and Skirotava, both semi-closed prisons in the Riga area on 20<sup>th</sup> and 21<sup>st</sup> April.

On 21<sup>st</sup> April, I shared my thoughts and findings with the highly motivated 'Working Group on Prison Employment' (the 'Think Tank'), expertly chaired by Laila Medin, Director of the Department of Policy Planning in the Ministry of Justice, who also ably assisted me with translation into English. The meeting was attended, *inter alia*, by Ilona Spure from the Prison Service's Social Rehabilitation Division, Ilona Kronberga (Ministry of Justice), Kristiāns Brēdermanis from the Brasa Prison Factory, an outside contractor and independent employer of prisoners, as well as a few other interested parties from the wider prison and probation community.

## **Summary and Findings**

### **Detailed Report**

#### **1. The Conference on 20<sup>th</sup> April 2006 'Models of Prison Employment'**

1.1 In the absence of a new Minister of Justice at the time, with the collapse of the Governmental coalition, the Conference on the 20<sup>th</sup> April was opened by **Iļze Juhansone**, Deputy State Secretary of the Ministry of Justice. The Deputy State Secretary made the following points:

- to examine the type and form of prisoner employment in order to make the released prisoner more employable;
- to have a clear vision when drafting policy as to the reintegration of the prisoner
- to address legislation that will make this possible;
- to prepare the prisoner with work and vocational (educational) skills to prepare him for the future labour market;
- to look to outside employers and establish what motivates outside business people to have goods manufactured in prison industries;
- to collaborate with other agencies such as Ministry of Employment; Finance; Social Services; Education etc.
- to commercialise the prison industries sector.

1.2 The next address was given by **Ilona Spure**, Head of Social Rehabilitation in the Latvian Prison Service. She stated that there are some 45 private companies that employ prisoners in ten prisons. The vocational skills of prisoners are generally low. In Brasa Prison, there is a private contractor (the Brasa Prison Factory) who employs about 77 men at sewing machines. Five prisons (e.g. Valmiera) have timber factories (for e.g. pallet manufacture); three prisons have sewing and tailoring workshops, two with metalwork manufacturing; some have farms and agriculture and a woman's prison does souvenir and packaging (piece) work. The average salary of prisoners' earnings amounts to 33 Lats per month in 2005 (2003 – 51 Lats p.m.). Ms Spure summarised the state of Latvian prisons as:

- The *Code of Execution of Punishment* (Nr 481 of 29.10.2002) requires compulsory labour for convicted prisoners of an 8 hour working day over 6 days within a 48 hours working week (with some holiday entitlement);
- There is no legislation which regulates prisoner pay levels;
- 2/3 of prisoners have no work (total prison population in 2005 was 6965 with total prisoners employed at 1286 i.e. 18%; in 2006 of 7,200 prisoners in total, 2199 prisoners employed, i.e. 17.6%);
- there are approx. 50% of prisoners on remand (pre-trial detention).

Types of employment 2006:

- Maintenance: 815 (63%)

- Manufacturing: 344 (27%)
- 'real' work (outside contractors): 137 (10%).

Ms Spure then pointed to the current problems in the prison system:

- There is no central procurement ('Enterprise') department in the Prison Administration;
- Very low pay for prisoners, prison factory instructors & supervisors – i.e. no incentive to work;
- Lack of tax relief for outside contractors – no incentive to have prison-made goods;
- Derelict prison factories with unsafe & unhealthy workspace & ancient broken down Soviet machinery;
- Lack of advertising – no marketing or sales skills in the prison dept. to attract outside contractors into prison factories;
- No relevant legislation to make 'contracting-in' possible;
- No business leadership in the prison administration.

1.3 The second presentation was given by **Nadežda Trosjuka**, Governor of Ilģuciems Women's prison. She gave some good examples of female employment inside the prison. Of the 241 prisoners in 2005

- 21 employed with vocational training & education;
- 37 employed in tailoring;
- 20 in the kitchen as cooks & food processing;
- 16 in hairdressing.

Since the prison population was ageing, the focus was particularly on older women and their employment & educational needs. The prison uses the media and their own sales & marketing techniques to advertise their prison work. Furthermore, a large number of women (unspecified) were employed in packaging and contract (piece) work, such as packaging towels for the German bathroom & kitchen market. It appeared that the female employment in this prison was very high (approx. 80%) and morale of staff and prisoners was high.

1.4 The next presentation was given by **Roberts Baldonis**, Deputy Governor of **Valmiera Prison**. He began his talk by stating that it is a state responsibility to rehabilitate and employ prisoners. The prison rents its factory space to outside

businesses and employers; this was made very difficult for Mr Baldonis, since he was given no support or separate budget for this enterprise by the central Prison Administration. He took it upon himself to find and attract business to the prison. He described the Valmiera prisoner factory as truly 'entrepreneurial' and independent; the work provided was:

- construction;
- timber manufacturing and wood processing;
- window frame manufacture.

The prisoner employment rate for outside contractors was:

- 9% employed in 2003;
- 29.4% in 2004;
- 29.7% in 2005.

The following were the problems present at Valmiera:

- the prison business would like to make a profit – but is not allowed to keep its profits by the Prison Administration; no incentive to attract new business;
- there needs to be investment (Private Finance Initiative – PFI) to renew old Soviet style machinery; fixed asset investment;
- some new equipment has been sabotaged by prisoners (this was left unexplained);
- very low prisoner pay – no incentives to increase productivity – human rights abuse (slave labour);
- no benefits or enhanced conditions for those prisoners who work hard;
- poor quality control; some Austrian outside business contractors constantly complain about the poor quality of the prisoner-made goods;
- high labour turnover in his prison factory; prisoners are moved on too soon to other prisons – he'd like prisoners with longer sentences (more than 2 years) so he can keep the productivity high once a prisoner has been trained in the factory.

Mr Baldonis stated that he felt very lonely in his enterprise and that he was not sufficiently supported by the Central Prison Administration.

**1.5 Kristiāns Brēdermanis**, an independent businessman and factory owner of the **Brasa Prison Factory** Enterprise ('Susanas Fabrika') gave the final presentation. In the Brasa Prison which holds about 450 adult males in medium

security conditions, Mr Brēdermanis employs 77 prisoners in total, providing 20 with vocational training skills (4%) (see more information & detail below). He explained that it took him two years of application and filling-in of prison administrative paperwork until he could establish and install his prison sewing & tailoring factory at Brasa. He works closely with Probation and provides a clean and secure workplace. He stated that not all prisoners wanted to work, in spite of the fact that he visits each cell and advertises a good wage and training conditions inside his factory. He summarised his employment mission as:

- providing safe employment for prisoners;
- increased time out of cell;
- a good wage plus savings;
- work motivation;
- vocational training;
- team work skills
- under expert instruction & guidance by staff.

1.6 It was then my turn to present my findings (see separate Powerpoint presentation & Summary Paper).

## **2. Setting the scene: Political Tensions in 2006**

### **Facts about Latvia (2005 census)**

- |  |
|--|
| <ul style="list-style-type: none"><li>- Population 2,290,237</li><li>- Ethnic Groups:<ul style="list-style-type: none"><li>i) Latvian 57.7%</li><li>ii) Russian 29.6%</li><li>iii) Belarusian 4.1%</li><li>iv) Ukrainian 2.7%</li><li>v) Polish 2.5%</li><li>vi) Lithuanian 1.4%</li><li>vii) Other 2%</li></ul></li><li>- Religions: Lutheran; Roman Catholic; Russian Orthodox</li></ul> |
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- Languages:
  - i) Latvian (official) 58.2%
  - ii) Russian 37.5%
  - iii) Lithuanian and other 4.3%

According to the World Health Organisation, the Baltic States have one of the highest suicide rates in the world. Reasons for this are extreme and complex social problems, dire alcoholism, and increasing unemployment – particularly in men. All three Baltic States registered suicide rates of more than 40 people per 100,000 of the population in 2005:

**Suicides per 100,000 of the population**

|     |                    |      |
|-----|--------------------|------|
| 1   | Lithuania          | 74.3 |
| 2.  | Russian Federation | 69.3 |
| 3.  | Belarus            | 63.3 |
| 4.  | Kazakhstan         | 50.2 |
| 5.  | Estonia            | 47.7 |
| 6.  | Ukraine            | 46.7 |
| 7.  | Latvia             | 45.0 |
| 8.  | Slovenia           | 45.0 |
| 9.  | Hong Kong          | 44.9 |
| 10. | Sri Lanka          | 44.6 |

Latvia has the highest number of road deaths in Europe; most accidents are alcohol related. The Government is thinking of adopting high profile TV advertisements similar to Britain and Ireland ('The Baltic Guide' April 2006, p. 5).

2.1 On 6<sup>th</sup> July 1993, the 5<sup>th</sup> *Saeima* (Parliament) of the Republic of Latvia fully restored the Constitution of Latvia which inter alia revoked the death penalty. A

Clemency Board now examines and provides for types and uses of life imprisonment sentences. A life sentence amounts to at least 20 years under the present constitutional guidelines of the Clemency Board. On 16 April 1999, the Saeima ratified the Protocol V of the Convention for the Protection of Human Rights and Fundamental Freedoms, and hereby capital punishment was completely abolished in line with the European Convention on Human Rights (ECHR) requirements to access the EU. The Soviet Army withdrew completely in 1998, and the country – together with 9 other states - joined the European Union (EU) in 2004. The President Vaira Vīķe-Freiberga had made enormous efforts to politically unite the country, overseeing fundamental reforms in legislation since 1999.

2.2 In November 2003, the Minister of Justice was Aivars Aksenoks. Prior to entering politics, Aksenoks, with a degree in engineering, had been Rīga's Director of the State Road and Traffic Safety Agency. He was one of the founders of the 'New Era' (*Jaunais Laiks*) party, headed by Einārs Repše, and served as Justice Minister in the Repše government from 2003 until 2004. Aksenoks was largely instrumental in introducing the new *Penal and Procedural Code* and new secondary legislation in prison matters. Later in March 2005, Aksenoks stood as the mayoral candidate for the 'New Era' party, which received the largest percentage of votes in the March 14 municipal election. Three other coalition parties ('Peoples Party', 'Fatherland and Freedom' and the 'First Party') all proposed a deputy mayor. The narrow conservative majority in Riga city council then took over from the Social Democrats and Mayor Gundars Bojārs, who had led the city and a leftist coalition during the preceding four years. By 22<sup>nd</sup> April, Guntars Grīnvalds had been appointed as new Minister for Justice, a lawyer by training with business experience in the 'Bonanza AG Ltd.', the Freeport of Riga Authority and the Latvian Investment and Development Agency.

2.3 In October 2004, the coalition government of Indulis Emsis resigned after Parliament (the Saeima) rejected the proposed budget. A new government under the leadership of Aigars Kalvītis was approved in December 2004. Solvita Āboltiņa was appointed Minister of Justice on 2 December 2004, a lawyer and



linguist from the Jaunais Laiks party. In June 2005, the Government ratified the EU Constitution. In October 2005, Interior Minister Eriks Jekabsons resigned, citing low budget funding for police and emergency services pay as a reason. In December 2005, former Prime Minister Einars Repse resigned as Defence Minister, after criminal investigations were launched into his business dealings.

The following have been in post as Minister of Justice from 1991 to April 2006:

- Viktors Skudra
- Egīls Levits
- Romāns Apsītis
- Dzintars Rasnačs
- Ingrīda Labucka
- Valdis Birkavs
- Ingrīda Labucka
- Aivars Aksenoks
- Vineta Muižniece
- Solvita Ābolģiņa

2.4 Though there is obviously noticeable progress in the Latvian economy since joining the EU in 2004, and democratisation in 1991, corruption and poverty still rule the state. Rapid privatisation, a steady GDP growth and a strong (foreign) banking sector are slowly increasing Latvia's standing in the EU economy. But the judicial system is unreasonably overworked and a lack of qualified judges and prosecutors makes the combating of corruption, organised crime and money laundering an impossible task for law enforcement agencies. The rate of naturalisation of 'foreign' (formerly Soviet) citizens is at a snail's pace.

How bad is corruption in Latvia (and indeed the Baltic States)? In short: very bad. As the latest report by Transparency International (2005) shows, while there has been improvement over the last decade, the battle is far from over. Out of the 102 countries rated for levels of corruption, Estonia ranked 29, Lithuania 32, and Latvia 52 in the world. Many businessmen claim they cannot get things done without bribes, and slipping a traffic inspector a few Lats is still common practice.

Why should this be any different in government offices? ‘Lats for votes’ – and election bribery scandals abound (see various reports in the *Baltic Times Magazine*, ‘A decade in the Baltics’, April 2006).

2.5 With barely six months to go to the next Latvian General election in October 2006, Prime Minister Aigars Kalvītis, of the centre right ‘People’s Party’, has been struggling to maintain a coalition government. There have been numerous corruption scandals which have resulted in the frequent changes of Ministers and therein their prison administrators; currently a number of prison governors were under investigation for corruption and misusing prisoner labour for their own financial gain.

2.6 At the time of my visit in mid-April 2006, it was evident that Latvia was once again at a political crossroads and it was also apparent that Latvian coalition governments do not last. With coalition governments collapsing frequently, there had been no continuity within the Ministry of Justice and therein no continuity in leadership of policy-making in the Prison Administration either. With Ministers of Justice changing frequently, and equally Directors General of the Prison Service, the prison situation was left unstable and leaderless. Just before the conference in April 2006, the Jaunais Laiks (‘New Era’) Party – which had received the majority seats in the Parliamentary elections four years ago – left the coalition government. This was the third coalition collapse in four years. This political instability is reflected in the prison administration where no-one appears to make a decision leaving the prison system highly ineffectual and stagnating, seemingly corrupt and hiding behind legislation and archaic Soviet conventions. The prison system has not moved on during the 16 years of Latvian independence, and still arguably violates *Article 3* (‘prohibition of degrading treatment’) of the European Convention on Human Rights (ECHR) in the treatment of prisoners (see: Report on the Latvian Prisons System by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 25 September to 4 October 2002).<sup>1</sup>

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<sup>1</sup> See also the case of *Farbtuhs v. Latvia* (application no. 4672/02) of 2.12.2004. Chamber

2.7 Just before the prison conference on 20<sup>th</sup> April, the Minister of Justice had been Solvita Āboltiņa (from 2 December 2004), with the Parliamentary Secretary Edgars Jaunups as his Deputy. By the time the conference closed, these ministers were no longer in post, after a further coalition collapse of Government and investigations of corruption and fraud leaving a mark on the Ministry of Justice and the Prison Administration. The Head of the Prison Administration, Dailis Luks, had been sacked in January 2005 – leaving this post open for application at the time of my visit. This left Deputy State Secretary Ilze Juhansone to hold the fort (in post since 12 July 2004). At that time, it was not clear who the next Minister of Justice might be.

### **3. The Latvian Prison Service & Administration in 2006**

3.1 At the time of my visit, the political situation in Latvia was once again rather unstable and the governmental coalition had again collapsed. Though Latvia had undergone considerable industrialisation after more than 51 years of Soviet rule, such industrialisation could not be detected in the prison administration or the prisons themselves. The Prison Administration appeared stifled by legislation and ever-changing Ministers of Justice (see 2.3 above). Policies were changed frequently and there appeared to be no sound basis on which new legislation could be built, in order to introduce a modern competitive market economy in terms of prisoner employment and 'Prison Enterprise' into the prison system. There was no Director General of the Prison Service in post, since Dailis Luks had been dismissed in January 2006.

3.2 'Racial' tensions between the Latvian (speaking) and the Russian population are replicated in the prison system. Of its population of 2.3 million (UN 2005), about a third of the Latvian population is Russian-speaking, and the rights of this section of society have been a thorny issue since independence in 1991. When

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Judgement of the ECHR. The Court held by six votes to one that there had been a violation of Article 3 ECHR that the prisoner had been ill treated in terms of his accommodation and health treatment.

Latvia gained independence from the Soviet Union (SU) in 1991, it granted automatic citizenship to those who had lived in the first independent Latvian state (1918 – 1940) – but not to those who immigrated there after the Second World War and when Latvia was occupied by the SU as ‘West Russia’. The Latvian government made it ‘law’ in 1991, that for anyone to gain a senior civil servant type of position in Latvian society and to gain citizenship would have to take tests (incl. Latvian). To date, many have refused to do so, leaving a large number of citizens without citizenship. About 450,000 are classed as ‘non-citizens’ or ‘aliens’ (about 20%).

This racial-linguistic tension is replicated in the prison system amongst its personnel and prisoners who to converse in both Latvian and Russian in daily prison management, though it appears that the prison population itself has few foreign prisoners (0.5% of sentenced prisoners, 1.10.2005). Many of the prisoners prefer to speak in Russian.

3.3 A Soviet-style military style prison system is evident. In spite of the fact that all 15 prisons and the entire prison administration were transferred from the Ministry of the Interior to the Ministry of Justice in 2000, there appears to be a strong military presence in senior prison management. A number of green-uniformed Soviet style senior prison governors and deputies attended the conference. Brasa Prison was managed by the ‘Chief’ of the Latvian Prison Administration, Rustem Basarov, though Skirotava Prison appeared to be managed by a civilian Governor, Valdis Bruners. He, in turn had two uniformed deputies. In spite of its democratisation of 16 years, and the fact that the Ministry of Justice has the remit for prisons, it is clear that the Military still governs the prisons.

Though other former communist-style countries from the Eastern bloc experienced the same, many had abandoned the military after their democratisation from 1990 onwards (e.g. East Germany [GDR] or Hungary). In this respect, Latvia has missed the boat, and is now severely constrained by its prison military. It became clear that the military, Soviet-style senior personnel

present at the conference on 20<sup>th</sup> April, and running the two prisons (Brasa and Skirotava) has no real interest in modernising or sanitising the prisons, nor would they be able to run a modern competitive market economy which is required to allow private businesses and outside contractors into the prison factories. In short, Latvian prison administration is muffled by the Military.

3.4 The Latvian Prison Administration has not embraced a free market enterprise in its (few) prison industries. In spite of its entry into the EU in 2004, no efforts have been made to introduce competition or globalisation into the prison system. At the 'Think Tank' meeting on 21 April 2006, it surprised me that the senior ministerial members had not heard of 'contracting out' (or privatisation) or 'PFI' or part contracting-out of parts of the prison system (i.e. prison industries and workshops; kitchen and food provision; health services; education etc.).

3.5 Though the general prison population is still very high compared with western European figures, recent trends show that the Latvian prison population is falling, per 100.000 inhabitants (in brackets):

|             |              |              |
|-------------|--------------|--------------|
| <b>2001</b> | <b>8,831</b> | <b>(373)</b> |
| <b>2004</b> | <b>8,179</b> | <b>(353)</b> |
| <b>2005</b> | <b>7,238</b> | <b>(315)</b> |

3.6 The two prisons I visited (Brasa and Skirotava) were unhealthy and extremely unsafe, in terms of cracked and broken stairs and walkways throughout the prisons (in and outside). Apart from the private prison factory at Brasa, which was well lit, brightly decorated and clean, the remaining parts of the prison were filthy and dangerously unsafe, with a terrible stench emanating from all areas. As I walked the yard and the stairs in **Brasa Prison**, I had to watch my step, and could have twisted my ankles a number of times, had I not been so sporty and agile. You had to be brave as a woman to wear high heels or walk a faster pace as a man at Brasa. It appeared that the walls and décor had not been touched since the prison was built in 1905. Why the many unemployed prisoners could not be given a paintbrush to liven up the environment was not clear. The only explanation given was that this would remind the administration of 'Soviet-Style Forced Labour'. I was astounded how the Chief and his prison staff could endure

working one day, never mind all year in this prison which was dilapidated and neglected. The only 'safe haven' being the industrial workshop by the private contractor.

3.7 At Brasa, I visited a 12-man cell in the 'lowest regime' block. These young men stood to immediate attention as we (the Chief, his Deputy and my female translator and I) entered the cell. Strangely, the men were sleeping two-by-two having each pushed their iron bedsteads together in a 'couple-style'. The men told me that they were permitted one shower a week, with their laundry and fresh clothing having to be brought in by families. Most of them said they did some handwashing in the sink next to the toilet in the cell. Food items and soups were standing on the windowsills and the smell from the men and the cell itself was appalling.

3.8 In terms of security, had a prisoner really wanted to break out of this prison, he would have had no difficulty. No visitor was searched, walls appeared thin, and keys were liberally and openly used. In 2001, Brasa Prison had apparently received \$5,550 USD for the improvement of social rehabilitation work with juvenile prisoners and training of prison personnel. There was no evidence of this during my visit.

(<http://web142.deac.lv/index.php/?id=65&tid=6&prjid=387&pid=68&date=2001>).

3.9 **Skrotava Prison**, also of the same 'semi open' category, appeared more secure with a more secure perimeter fence and wall, and new steel grids and bars. A vast prison complex with large grounds outside totally unused; it was here that I thought the prison could introduce horticulture as part of its industries. The Deputy Governor 'Vladimir' proudly showed off his 'therapeutic' prison wing, a brand new refurbishment and offices for psychologists and social workers within the prison complex. This had been funded by (I believe) the European Social Fund and the George Soros Organisation: an impressive classroom for prisoner education (though no visible books or study materials); two impressive psychologists' offices with coffee making facilities, easy chairs, glass cupboards displaying toys and a couple of sandpits on table stands. Since there was a

complete absence of any staff (apparently they were on a 2-day training day) – the toys and sandpits remained unexplained.

3.10 I was told by the Prison Governor Mr Bruners that of the 406 total prisoner population, some 175 prisoners were working in the metal factory and that they were also engaged in a 48 hour working week over 6 days. Some 56 prisoners were on domestic work (kitchen; maintenance; cleaning; heating etc) also on a 48 hr working week. The monthly pay for those working in the metal factory amounted to an average of 90 - 140 Lats a month. Mr Bruners who had 25 years in the prison service (he wore civilian clothes) told me that there were 8 contracts with Russian firms, though when pressed would not reveal any of the firms' names or the type of contracts his working prisoners were performing in the factory. He did give examples of work done: metal doors; bedsteads; cupboards and safes – though most of his examples appeared to be for 'inside' prison service contracts.

3.11 I then visited the vast prison factory complex – the size approximating to 3 large football pitches. The machinery (all Russian) resembled that of 'antique' type last seen in an industrial museum. Large stockpiles of rusty metal in each of the two largest workshops were to be seen, and no prisoner employed (except for one lonely figure who was mending some locks for the prison). There had clearly not been any industrial activity here for months or even years. I could not see how any of this machinery could still be in modern use.

This vast factory space would be ideal for an outside contractor to hire and put in modern machinery (e.g. industrial laundry or furniture manufacturing)

#### **4. Prisoner employment & prison industries**

4.1 The majority of prisoners at the two prisons visited were unoccupied and unemployed, nor did they receive any education or vocational training.

Of the total 450 male adult prisoners at Brasa Prison, I was told that about 160 were on the 'lowest' regime, this being 23 hours locked up in the cell, with one

hour per day in a dark and dirty exercise yard where cats and mice were having a field day.

4.2 There was however one shining example of prisoner employment by a private entrepreneur, Kristiānas Brédermanis, who employed 77 prisoners in his factory (with 20 on formal vocational training). His sewing factory inside the prison worked a full Latvian 48 hour working week over 6 days (same as outside work levels). Pay levels ranged from 10 to 120 Lats per month (1 Lats ~ £1).

4.3 In view of what I had seen in the 12-man cell, I was pleased to find a number of civilian female instructors in the workshop, who were teaching the men sewing machine and embroidery stitching skills.

## **5. Summary of Findings and Recommendations**

5.1 It is clear that Latvia is suffering from political turmoil with ever changing government coalitions and new Ministers of Justice. Though the country gained independence from Soviet rule in 1991, and entered the EU in 2004, the two prisons visited (Brasa & Skirotava) resembled Siberian style gulags.

5.2 The Latvian Language has been enforced by law as well as the application of Latvian citizenship. This leaves the Russian-speaking population resentful (2/3 of population). This, in turn, is reflected in the prison system

5.3 The prison system is still dominated by a Soviet-style military regime; a contradiction in terms as the Prison Administration was transferred from the Ministry of the Interior to the Ministry of Justice in 2000. Green-uniformed managers still run the prisons, leaving little room for a modern business style prison administration.

5.4 Prison managers do not have their own budgets; they are not encouraged to run prison enterprises leaving dilapidated prison factories with antiquated [Soviet style] machinery rotting away; stock piling of expensive raw metals and woods is permitted. Prison yards are full of rusting scrap metals, and generally the prisons are unhealthy and unpleasant places for those who have to work in them.



5.5 There is no evidence of entrepreneurship in the central prison administration. Privatisation or contracting-out at least parts of the prison system under PFI (Private Finance Initiative) have not been heard of. Whilst I am not advocating a total privatisation of the prison system in Latvia, I would have thought that prison industries could at least be looked at as a business model in terms of PFI in line with globalisation and international business entrepreneurship (e.g. complete privatisation of prison industries in France since 1994; some parts of prison industries in the German Länder of Northrhine Westphalia, Hesse and Baden-Württemberg).

5.6 The scope for prison industries and 'Prison Enterprise Services' (a central prison industries procurement, sales & marketing unit) in Latvia is extensive. There need to be business type managers at the head of the prison administration; prison governors need accounting and business management skills to make their individual prisons into cost centres. The Prison Administration (Ministry of Justice) needs to look at enabling legislation which allows for contracting-out and PFI-models. Financial and tax incentives need to be made available to outside firms and contractors to attract these into the prison environment. Current legislation simply stifles outside enterprises and allows old style prison managers to hide behind in order to simply allow the prisons to stagnate and do nothing.

5.7 What has to change is the mind-set of the persons running the prisons who hide behind old Soviet style beliefs that all decisions will come 'from above'.

## **Recommendations Summary**

- Abandon Soviet-style military management of prisons.
- Appoint a new Director General for the Prison Service with utmost urgency; s/he should have a business background in order to modernise and sanitize the entire prison system. S/he would then be able to introduce modern competitive business practices into the prison administration.
- Appoint future prison governors (or directors) who are not from the Military ranks and have higher degrees in, for instance, Business Administration, Criminology or Law.
- Engage a Health & Safety inspection of all prisons.
- Introduce legislation that permits the contracting-out (part-privatisation) of, for instance, prison industries, education and vocational training.
- Prison industries should be marketed to Latvia's main industries outside, such as, timber & furniture manufacturing; light and heavy metal work (car industry) and textiles (e.g. work wear).
- Equally, international and global industries could be appointed: furniture manufacture for Italy; data processing, data input and call centres; electronic and computer component assembly (esp. for female prisons); recycling plants (e.g. USA & Canadian prisons);
- Men at sewing machines is not ideal (see Brasa Prison Factory) but it teaches them work and marketable skills ready for the labour market upon release; if the product made in the tailoring shops is attractive – then even men will work in such environment (e.g. Brasa Workshop makes sportswear for Fila; motorbiker clothes for Daines; safety helmet for the British Army);
- If the prisons management initially does not have the funds to pay prisoners working in industries enhanced wages, non-monetary incentives could be introduced alongside conventional wages (e.g. better accommodation; 'good time' – time off or early release for good work behaviour; more visits; more phonecalls etc).
- Introduce horticulture into some prisons (e.g. Skirotava); there are vast farms and gardens currently unattended in a number of prisons; this type of work is very suitable for the resocialisation of sex offenders and vulnerable prisoners.
- The Prison Administration needs to take an active lead by introducing a central 'Enterprise' or procurement unit that undertakes sales and marketing of its prison industries.
- Each prison governor should be given his/her own budget & cost centre at the prison, making each prison autonomous and competitive within the prison market; those governors who run profitable prison industries may keep at least 50% of their profitable income to reinvest in the makeup of the prison and the

much needed refurbishment of the establishment. An 'Enterprise Manager' should be appointed to manage the prison factory, and undertake the prison's own sales and marketing.

- The central 'Prison Enterprise' Service should approach foreign businesses to set up their factories in the vast and unused industrial work spaces and industries of the prisons. Suggested production lines: furniture manufacturing; industrial laundry; pallet assembly; welding; car parts assembly; book binding; printing of all Ministry of Justice stationary etc.
- The Ministry of Justice should provide all prisoners (especially young offenders under 18) with educational and vocational training programmes and appropriate physical conditions. This could be assisted by PFI – partnerships with the private contractors who contract industrial work into the prisons.
- The conditions inside the two prisons visited, particularly Brasa, are totally inadequate and unhealthy; to allow prisoners to be accommodated in such conditions, and for staff to have to work in such circumstance is unforgivable.
- There appears to be a wealth of prison legislation behind which prison officials seem to hide. Current legislation is a hindrance to any advancement in modern market economies within the system and there is possibly no need for new legislation. Possibly some Acts and Secondary Legislation ought to be repealed in order to give more scope and a free management style to its prison governors.
- The Ministry of Justice should engage cooperation with other ministerial departments such as: Economy; Finance; Education; Health & Welfare – in order to cooperate on prisoner employment matters.
- Outside employers and contractors need financial incentives in order to make their prison industries inside work & viable (e.g. tax relief).
- Introduce more community punishment orders instead of prison (e.g. graffiti removal – supervised by Probation Service).