



Crime and Criminal Justice in Spain

by **Juan Medina**

Spanish criminology has a long but fragmented history. Beginning in the late nineteenth century, jurists and social scientists such as Rafael Salillas, Jimenez de Asua, Concepcion Arenal, and Bernaldo de Quiros participated in the development of positivist criminology in Europe. The Civil War interrupted these developments, and not until the end of Franco's regime did criminology flourish again.

A number of today's criminal law professors were involved in student protest movements against Franco. Even before the end of the regime, institutes of criminology were being created in law schools and today have expanded to almost every university. The institutes emphasise teaching more than research, rely on part-time staff, and have curricula heavily influenced by legal and forensic approaches.

Although legal academics have played an important role in institutionalising Spanish criminology, psychologists have been prominent in its scientific development. The first major bill approved by the new Spanish democratic regime was the Correctional Law. This law emphasized rehabilitation and treatment of offenders. Lack of infrastructure undermined the possibilities of treatment but this law opened a new subject to the then relatively young and growing world of Spanish academic psychology. The first psychologists of crime focused on offender treatment, but later expanded into other areas (e.g., victimology,

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Ernesto Savona Nominated for ESC President-elect

by **Josine Junger-Tas**

Professor Ernesto Savona of the University of Trento Law School has been nominated by the ESC board to be president-elect of the ESC for 2002-2003. If elected in Toledo, he will automatically become president at the Helsinki meeting in 2003 and serve in that role in 2003-2004.

Professor Savona is head of the University of Trento Research Centre on Transnational Crime and coordinator of its international PhD programme in criminology, operated in cooperation with the Universities of Bologna, Cardiff, Erasmus of Rotterdam, Macerata, Teramo, and Lausanne, and

the Catholic University in Milan.

Although the ESC constitution provides for selection of officers by the ESC board, in December the board decided to invite nominations from the membership with the aim of conducting a ballot of the membership in May. The ESC board would then have submitted the winner of that ballot for approval by



Ernesto Savona

the ESC membership in Toledo.

Unfortunately no nominations were made. Perhaps this is because the ESC has been in existence for only two years and people are unsure what is involved in the job. We expect that

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Knowing About Prison Conditions in Europe

by **Rod Morgan**

Europe (which geographers used to define as extending to the Urals, but if Council of Europe membership is the guide, extends to the Sea of Japan) is the only continent for which there is a supra-national, independently derived, published, data base on prison conditions. It is the product of a committee, the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), which is the creation of a convention of the same name (ECPT). Council of Europe membership is conditional on

members ratifying within a reasonable time both the European Convention for the Protection of Fundamental Human Rights and the ECPT.

The ECPT has been ratified by 42 of the 44 current members. Since the CPT began work in 1989 (following adoption of the ECPT in 1987) there has become available a series of reports, now numbering over 80, describing, in detail, custodial procedures and conditions in every type of custodial institution (police stations, immigration holding centres,

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Message from the President

The Society in its second year is becoming more deeply rooted in the world of European criminology. First, procedures with respect to the internal organisation of the society have been streamlined. Second, as Toledo conference participants will discover, we have learned from earlier mistakes and improved the conference organisation: strict instructions on time limits have been issued, and coffee and lunch breaks are planned in order to encourage informal contacts among participants. The conference will hold more surprises: several ESC working groups, initiated in the past year, are coming together and holding their founding meetings; there are more representations from national criminological associations than last year, including the French Society of Criminology; you will find more book exhibits. Third, an application has been made to the EU for travel and accommodation grants, to enable wider participation from criminologists in future EU member states.

This brings me to the subject of the European Union. The EU was not originally supposed to deal with matters of police and justice, because these were –and still are– considered the responsibility of the member states. However, pressures are increasing to develop more collaboration in combating and preventing crime.

This led to the creation of a directorate 'Justice and Home Affairs' for which Antonio Vitorino is the commissioner responsible. This in turn led to the formation of the European Crime Prevention Network (EUCPN) which was established in 2001 by the Council of Ministers (*see related article, next page*) It also led to the creation of the Hippokrates programme in 2001 by the Council of

Ministers. Activities that may be funded include training, exchanges, work placements, studies, research, meetings, seminars, and dissemination of the results obtained within the framework of the programme. The



Josine Junger-Tas

heads of EUCPN and Hippokrates have been invited to the Toledo conference and will discuss policy and programmes in a special session. Although EU finances remain limited, an important function of the ESC in future will be to liaise whenever possible with the EU to increase criminological knowledge, promote comparative research, and provide recommendations for improving crime policies.

Finally, a project mentioned in the first ESC newsletter: the Student Paper Award. We invited European students to send us papers (not exceeding 10,000 words) treating a criminological topic and covering empirical research or criminological theory. The award will be a certificate and the winning paper will be published in the *European Journal of Criminology*. Unfortunately, no applications were received.

Two members of the ESC were so enthusiastic about this initiative that they have contributed 600 euros per year for three years to provide a cash award to the winner.

We call on all ESC members teaching in universities to encourage their students to participate in this most stimulating and scientifically worthwhile endeavour. We also urge student members to submit their work.



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ESC membership and conference
registration form—page 16.

Europol's Past and Future

by James Sheptycki

Europol in 2002 operates under an extremely wide mandate which extends from child pornography to xenophobia. Article K1, Section 9 in Chapter VI of the Maastricht Treaty, signed in 1992, made policing co-operation in the prevention of terrorism, drug trafficking, and other forms of serious international crime a matter of international (European) concern. This was a very broad crime control agenda for Europe that could not be tackled all at once.

Initially the Europol Drugs Unit was set up under the authority of a ministerial agreement concluded on June 2, 1993 in Copenhagen by the justice and interior ministers of the EU member states. The agreement went into force after an October 1993 decision to locate the new institution in The Hague.

The drugs mandate was extended by joint action of the justice and interior ministers in March 1995 to include illicit traffic in nuclear and radioactive substances, clandestine immigration, trafficking in stolen goods, and money laundering pertaining to all of these. The Europol Convention entered into force in October 1998.

Over the course of the 1990s the organisation's practical capacity was gradually developed so that, by the early years of the twenty-first century, it had extended its influence over the full range of issues listed within the terms of the Maastricht Treaty.

From the early years the two top positions at Europol have been held by Jürgen Storbeck (a German) and Willy Bruggerman (a Belgian). Both had extensive previous police experience within their respective countries and internationally.

Europol is formally accountable to the Europol Management Board, which consists of one representative from each of the 15 EU member states. This management board meets with the Europol director *in camera*.

Europol has grown from 18 personnel in 1994 to over 250 in 2002. Approximately 50 of these are liaison officers on temporary

secondment from police-type agencies (i.e., officers from police, customs, immigration, or security agencies) of the EU member states. Europol officers enjoy legal immunity in respect of acts done by them in exercise of their official functions and liaison officers on secondment theoretically remain accountable to their respective Interior ministries.

Europol has been consistently

criticised for lack of transparency and weak accountability structures. These criticisms are not without foundation. The governmental structure of the European Union – which vests varying powers in the inter-governmental Council of Ministers, the European Commission, and the European Parliament – fragments authority over Europol. The result is

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The European Crime Prevention Network

by Jaap de Waard

The Council of Europe, on 28 May 2001, established the European Crime Prevention Network (EUCPN). Earlier, at the Justice and Home Affairs Council in March 2001, Ministers of Justice and Home Affairs reached an agreement on a European crime prevention policy and its constituent elements. The network consists of national representatives designated by each member state plus substitutes and crime prevention contact points within academia or umbrella organisations.

The aim is to 'contribute to developing the various aspects of crime prevention at Union level and supporting crime prevention activities at local and national levels. Although covering all types of crime, the network pays particular attention to the fields of juvenile, urban and drug-related crime'. The core business is to facilitate cooperation, contacts, and exchanges of information on crime prevention matters. This is done by collecting and analysing information, identifying gaps in knowledge, organising meetings, and disseminating targeted information.

The EUCPN will produce readable and understandable products, establish a closer cooperation between researchers and practitioners, and increase the use of information by using marketing techniques. The following activities are essential: establishment of the network website,

collecting and pooling quality-assessed information, collecting information on comparable statistics, identifying gaps in research, and establishing methods for cooperation.

On 1 November 2001, I took up my position as head of the Secretariat of the EUCPN. The European Commission hosts the Secretariat. I serve as a detached national expert from the Dutch Ministry of Justice seconded to take up this function.

Some crime trends in the European Union

The main aims of crime prevention are the diminution of material and immaterial costs for victims and reduction of recidivism. Public anxiety about crime is common among urban populations in Europe.

From official statistics two types of crime are discussed for illustration: domestic burglary and violent crime. There are many differences among member states in legislation and the ways official crime statistics are produced, so absolute and relative numbers cannot be compared. However for trends in time, these data are quite useful. Index figures are used, with the year 1995 set at 100.

Table 1 shows a promising development: a general pattern of decrease in the number of domestic burglaries. Domestic burglary sharply decreased in ten of the EU member

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European Journal of Criminology to be Launched

by David J. Smith

At the first meeting in Lausanne in September 2001 the ESC decided to establish a *European Journal of Criminology*. The contract was signed with Sage Publications in March 2002, and the new quarterly journal's first issue will appear in January 2004. The journal will be the prime European source for authoritative information and analysis on crime and criminal justice issues. It seeks to open channels of communication among academics, researchers, and policy makers across the wider Europe.

At a time when crime and punishment is being hotly debated across Europe, the journal will bring together broad theoretical accounts of crime, analyses of quantitative data, comparative studies, systematic evaluations, and discussions of criminal justice institutions.

Each issue will include a 'country survey' of a selected country within the wider Europe. Country surveys will summarise essential facts about the criminal justice system, review trends in crime and punishment, and discuss major recent publications. The journal will also cover analysis of policy and the results of policy, but not descriptions of policy developments.

The editorial board consists of

David J. Smith (editor, School of Law, University of Edinburgh), Marzio Barbagli (Department of Education, University of Bologna), Hans Boutellier (Ministry of Justice, Netherlands) and Hanns von Hofer (Department of Criminology, Stockholm University).

An International advisory board of around 50 members is currently being established. Articles submitted (and also commissioned pieces, such as the country surveys) will be anonymously reviewed. In nearly all cases, reviewers will be members of the international advisory board. Both the editorial board and the international advisory board will have a role in

encouraging authors in their academic fields and geographical areas to submit articles to the journal. They will also be encouraged to offer advice and guidance to the editor on the general development and direction of the journal.

Inquiries and expressions of interest should be sent to the editor at the following email address: (David.J.Smith@ed.ac.uk).

Papers should be sent as attachments to the same email address or delivered in electronic format to David J. Smith, School of Law, University of Edinburgh, Old College, South Bridge, Edinburgh EH8 9YL, UK. ■

ESC Board Meeting in Utrecht

by Sebastian Roché

The ESC board met in Utrecht in May 2002 to approve final plans for the Toledo conference in 2002, consider preliminary plans for the Helsinki conference in 2003, and deal with other matters.

President Josine Junger-Tas reported that European Union agencies are anxious to establish relations with the ESC. The ESC might help influence

plans for comparative research and play an advisory role to the EU Commission, Hippocrates, and the new European Union Crime Prevention Network (EUCPN).

The board decided to invite Jaap de Waard and L. Tarragona, officials responsible for EUCPN and Hippocrates, to the Toledo meeting to discuss criminological research. Josine Junger-Tas will serve as moderator. This will take place on the third day of the meeting, at 11.00. The board also decided to invite EU commissioner Antonio Vitorino.

Josine announced that proposals for ESC working groups had been received from Thomas Gilly (historical criminology), Sebastian Roché (comparative criminology), Martin Killias (homicide), and Ron Huff (wrongful convictions). Founding meetings will be held in Toledo and will be announced in the newsletter.

Josine announced that no nominations for president-elect had been received. The board decided to propose Ernesto Savona. This will be announced in the newsletter. New election arrangements will be proposed in Helsinki in 2003. The general assembly will be asked to vote to

EUROPEAN SOCIETY OF CRIMINOLOGY POSTGRADUATE SCHOLARSHIP

Applications are invited for a scholarship to support a person studying for a PhD on a criminological topic at the University of Edinburgh. The value of the scholarship is £5,000 a year (currently about •7,700). The scholarship will be renewable each year up to a period of three years (the period normally required to complete a PhD at Edinburgh). Applicants must be resident in a European country (inside or outside the EU) and must meet the normal requirements for entry to the doctoral programme. Students may be admitted at any time.

As a condition of the award, the successful applicant will spend 15 weeks a year acting as editorial assistant on the *European Journal of Criminology*, which starts publication in January 2004. The scholarship and editorial assistance will start in October 2002, or in January 2003 at the latest.

For further details and information about how to apply, please visit the webpage at www.law.ed.ac.uk/pg/escschol or email (Lorna.Paterson@ed.ac.uk) or write to Lorna Paterson, Graduate School of Law, University of Edinburgh, Old College, South Bridge, Edinburgh EH8 9YL, UK.

The closing date for applications is 15 September 2002.

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EUROPEAN SOCIETY OF CRIMINOLOGY

Second Annual Conference Toledo, Spain, September 5–7, 2002

Theme:

European Criminology: Sharing Borders, Sharing a Discipline

The second annual ESC conference is already a huge success. Over 350 abstracts have been received, surpassing last year's 277. Popular themes include white collar crime, corruption and organised crime, sentencing and alternatives to incarceration, and policing and social justice. However, all themes are well represented, including such newly introduced ones as economics and crime, and race, ethnicity, and crime.

There are nine panel session slots, and nine or ten panels will run concurrently during each slot.

The conference starts on Wednesday evening, September 4, with a welcome wine reception at 19.00, and ends on Saturday, September 7, at 14.00. Highlights include a plenary poster session with complimentary ice cream, a gala dinner on Friday evening, and visits to local institutions.

The programme includes four plenary sessions with two speakers each: Criminal Justice

Experiments (David Farrington, Alfons Crijnen); The Contributions of Psychology and Psychiatry to Criminology (Janet Jackson, Friedrich Lösel); Violence in Europe (Elizabeth Stanko, Alfred Blumstein); and Transitional Problems of Crime and Disorder (Ernesto Savona, Geza Gosztonyi).

The conference language is English. The deadline for submission of abstracts has expired, but late abstracts will be accepted for poster sessions.

Please send your abstract with full contact details to the Programme Chair, Rosemary Barbaret, at (rb78@le.ac.uk).

Please take note of the new conference website: <www.uclm.es/fundacion/criminologia/indexr.htm>. This is where the preliminary programme will be posted in July.

For all details relating to logistics, please contact Paula Cavana at the conference email: (congresso.criminologia@uclm.es).

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The conference will be held on the grounds of the Toledo campus of the University of Castilla-La-Mancha. The full address is:
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Corbertizo de San Pedro Mártir, s/n, 45071, Toledo, Spain

*More information about conference on next page
See page 16 for a conference registration/ESC membership form.*

ESC Toledo Conference Preliminary Schedule

Wednesday, September 4

17.00-20.00 Conference Registration
19.00 Welcoming Wine Reception

Thursday, September 5

9.00-10.00 Plenary: *Criminal Justice Experiments*
David Farrington, University of Cambridge,
and Alfons Crijnen, Erasmus Medical
Center, Rotterdam
10.00-10.30 Coffee Break
10.30-11.55 Panel Sessions
12.05-13.30 Panel Sessions
13.30-14.45 LUNCH
14.45-16.10 Panel Sessions
16.20-17.40 Poster Session
17.50-19.00 Plenary: *The Contributions of Psychology
and Psychiatry to Criminology*
Friedrich Lösel, University of Erlangen,
and Janet Jackson, Dutch Inland Revenue
Service

Friday, September 6

9.00-10.30 Panel Sessions
10.30-11.00 Coffee Break

Friday, September 6, cont'd

11.00-12.25 Panel Sessions
12.35-13.30 Plenary: *Violence Research:
Its Contribution to Knowledge
and Policy*
Elizabeth Stanko, English Cabinet Office,
and Alfred Blumstein, Carnegie Mellon
University
13.30-14.45 LUNCH
14.45-16.15 Panel Sessions
16.15-16.30 Coffee Break
16.30-17.55 Panel Sessions
18.05-19.00 General Assembly followed by Gala Dinner

Saturday, September 7

9.00-10.00 Panel Sessions
10.30-11.00 Coffee Break
11.00-12.10 Panel Sessions
12.20-13.30 Plenary: *Transition and Problems of
Crime and Order*
Ernesto Savona, University of Trento, and
Geza Gosztonyi, Regional Social Welfare
Resource Centre, Budapest.
13.30-14.00 Closing of the Conference

ESC Working Groups

Historical Criminology

A new ESC working group on historical criminology has been established. A first meeting is planned to take place before the start of the second ESC conference in Toledo. Further development of the work is planned in a workshop at the conference, at a time and place to be announced.

The group is based on two principles. First, our work should contribute to current theoretical debates in fundamental ethics, morals, and social philosophy. Second, research in applied social sciences should aim to develop and implement strategies aimed at the management or solution of fundamental problems emerging from societies characterised by rapid social change.

Current members include Iakov Gilinsky (Sociological Institute of the

Russian Academy of Sciences, St. Petersburg), Thomas Gilly (Paris), Jack Derks (Amsterdam), Miroslav Scheinost (Institute of Criminology and Social Prevention, Prague), Ely Silverman (John Jay College of New York), Josine Junger-Tas (University of Leiden), and Anton von Kalmthout (Faculty of Law, Tilburg University).

For further information, contact: Jack Derks (derks132@wxs.nl) or Thomas Gilly (th_gilly@yahoo.fr).

Comparative Criminology

People interested in participating in an ESC working group on comparative criminology are invited to attend an organising session in Toledo at a time and place to be announced.

Comparative criminology represents a minor part of empirical

work and theoretical approaches in European criminology. Nevertheless, there are many scholars who are willing to invest their time and efforts in the study of comparisons among European countries and the US (where a very different model exists on the politics of crime).

Many trends are similar in various nations (growth of private policing, victim support, punitive public opinion, increase in the number of votes for the extreme right, CCTV, etc.). Yet explanations sometimes remain too national. Comparative study of the politics of crime at a local level is one of the most promising fields for future research. The ESC working group is an opportunity for those interested to network with others working on comparative projects and to discuss empirical developments (including the possibility of applying to the European Union Sixth Framework or other funding sources). It is also of interest to those who prefer a more theoretical approach to

security in Europe.

For further information, contact Sebastian Roché (roche.sebastian@libertysurf.fr).

Wrongful Conviction

Professor Ronald Huff (University of California, Irvine) and Martin Killias (University of Lausanne) invite colleagues who plan to attend the ESC meeting to consider joining them at their session on wrongful conviction.

In addition to presenting some preliminary research and discussing the issue of wrongful conviction, Professors Huff and Killias are interested in forming an international network of scholars interested in conducting research on wrongful conviction that encompasses different justice systems and different cultures.

For further information, contact Ron Huff (rhuff@uci.edu) or Martin Killias (martin.killias@ipsc.unil.ch).

Homicide

During the first ESC meeting at Lausanne, a group of researchers from several countries met informally and agreed to set up a network of researchers interested in the study of the many aspects of homicide. The group has no strict structure, but has agreed to exchange ideas on current research projects and results. In order to share recent results, several panels at the ESC conference in Toledo will be devoted to homicide studies. The group will also gather at an informal meeting where future steps, such as an eventual special meeting, will be discussed.

Please see the conference programme for the time and place of this meeting. If you are interested in participating in the group, please contact: Catrien Bijleveld (bijleveld@nscr.nl), Gabrielle Salfati (g.salfati@liverpool.ac.uk), or Martin Killias (martin.killias@ipsc.unil.ch).

Criminology in Spain *Continued from page 1*

juvenile delinquency, witness testimony etc.). Spanish sociologists continue to be relatively uninterested in issues of crime and criminal justice.

Spain is said to be a paradoxical place and the situation of criminology is no exception. A European country where criminology is not an officially recognised academic discipline is also the country with the highest rate of criminology students. Spain is a country without full-time research or academic positions in criminology despite being one of the European countries with a large representation in the American Society of Criminology.

There are signs of hope. In October 2000, the Spanish Society for Criminological Research (www.criminologia.net) was officially created. The Council of Universities is discussing the possibility of a degree in criminology.

Crime

Spanish criminologists look to police statistics and victimisation surveys to learn about crime in Spain. The two main police agencies (the Policia Nacional and the Guardia Civil) use a similar form to collect information about reported crimes. Statistics are collected about every offence in the Criminal Code.

Research suggests, however, that there are important variations across departments in the accuracy and reliability of data collection. Moreover, growing decentralization in Spain has had an impact on the territorial fragmentation of the police and the diffusion of data about crime. Finally, the richness of the data contrasts with its limited availability to researchers. Access is difficult to obtain. The best way to obtain crime data in Spain is not to search the webpage or the publications of the Ministry of Interior but to read the annual special issues of two important Spanish newspapers, *El Pais* and *El Mundo* (for current statistics look for 'anuario' in: www.elmundo.es/especiales).

Spain began victimisation surveys in the late 1970s. After a decade-long interruption, the Ministry

of Interior continued this effort in the 1990s (data sets can be purchased at: www.cis.es). In addition, Spain participated in the first wave of the International Crime Survey. These surveys on citizen safety have for the most part used the same questions, although the sampling schemes and sizes have changed, making longitudinal comparisons difficult. These surveys include a battery of steadily improving questions on fear of crime, a good battery of questions on attitudes towards and experiences with the police, and a less good battery of questions about personal victimisation. Rather than present behavioural descriptions of the crimes, the survey lists short legal categories (e.g., aggravated assault, minor assault, sexual assault, robbery, etc.) and asks respondents to say if they have experienced them.

Historically two crimes have played a particularly important role in democratic Spain: drugs and terrorism. Spain is engaged in its own distinctive war on drugs. Because of its geography, Spain is an entry point for drugs into Europe from South America and Northern Africa. Compared with other countries, the policies are a bit more tolerant. Possession is not a criminal offence. Still, a substantial proportion of the prison population is serving time for a drug-related offence.

Basque separatist terrorism is perceived by the majority of Spaniards as the most serious crime problem in Spain. ETA has been responsible for the deaths of nearly 800 people, including 327 civilians. Born during Franco's time, ETA continues its activities today. After a several-month-long truce in 1999, the group reinitiated its terrorist activities in a bloody way, increasingly targeting politicians and journalists with opposing views. The different political parties have, as a consequence, radicalised their positions. Not surprisingly, the respondents of the Spanish victimisation surveys, when asked to rank the most pressing social issues in the country, place terrorism and drugs in second and third place,

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Criminology in Spain *Continued from page previous page*

followed by crime, with unemployment usually being first.

Two new sets of issues are attracting attention: organised crime and violence against women. Historical experiences with drugs, the redefinition of prostitution (now legal in most cases) as a problem of the trafficking of women organised by illegal networks, the emergence of immigration and the participation of organised groups in illegal entry, and the presence of known figures from the Italian and Russian mafia in tourist areas of Spain are making organised crime a visible and publicised problem.

Although numerous initiatives for battered women have occurred since the early 1980s, not until 1997 did Spanish society as a whole become aware of the severity of the problem. Following a dramatic case of wife abuse in Granada, the conservative government of Aznar approved a national plan to address wife abuse which opinion surveys showed to be the most popular measure of its first governmental mandate.

Criminal justice in Spain

Spain is composed of 'autonomous regions' with their own governments and parliaments. They have some jurisdiction over public safety and criminal justice matters, but the national parliament remains the only institution with jurisdiction to approve bills touching upon 'fundamental rights' (e.g., civil liberties and rights included in the first part of the Spanish Constitution). The national parliament, thus, oversees the Criminal Code, the Criminal Procedure Laws, and the Correctional Laws.

Several autonomous regions (i.e., Cataluña and the Basque Country), however, have their own police forces, which means that the Policia Nacional and the Guardia Civil are moving out of those territories (or are continuing to operate in them with limited jurisdiction). In addition, their regulatory capacity is broad enough to have an impact on a growing

decentralisation of the criminal justice system. The autonomous communities are also increasing their responsibilities in the administration of the correctional and juvenile systems and delivering services to victims of crime.

Spain's justice system belongs to the so-called civil law tradition. Although the procedural system is historically based on the inquisitorial model, more and more elements of an adversary system are being introduced. The Spanish system has experienced important changes in the last few years and more are to come as a result of European homogenization. Since the 1990s there have been a new criminal code, introduction of the jury system, and reform of the juvenile justice system. A new law regulating criminal procedure is being developed.

A common criticism is that these projects are based on political negotiations and not on sound empirical studies and cost projections. As a consequence, the necessary infrastructure is often not in place. In addition, they do not follow a clear policy strategy. Some commentators talk about the lack of criminal policy in Spain. During the last two years the media and political parties have capitalized on fears associated with the growing immigrant population and other social problems, and tough-sounding measures are starting to receive more attention.

The Policia Nacional has jurisdiction in urban areas and

coexists with the local police forces of each city. The local police forces are part of the municipal administrations, whereas the Policia Nacional is part of the national administration. The Policia Nacional, for the most part, has jurisdiction over 'real' police work and 'real' crime, whereas the Policia Local has jurisdiction in traffic control, administrative policing, and other minor matters that, however, are very relevant to communities (incivilities, neighborhood disputes, and so on).

The Guardia Civil has jurisdiction over rural Spain and also coexists with local police forces. Two subjects receiving publicity in the work of the Guardia Civil are environmental offences and border control.

Jurisdictional boundaries among all these agencies are fuzzy. In problematic areas such as the Basque Country these boundary issues lead to more serious organisational conflicts. Nevertheless, in national surveys measuring the public's trust in institutions on a scale from 0 to 10, the Policia Nacional (6.20) and the Guardia Civil (6.09) are the two institutions that Spanish citizens grade highest, followed in third place by the press (5.59). About 65 percent of Spaniards believe that the police service is good or very good, and 55 percent believe it is getting better.

In the last few years the Policia Nacional has experienced important changes. The new direction aims to

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Travelling from Madrid to Toledo

By bus

Buses depart from the Estacio Sur de Autobuses (at Mendez Alvaro metro station) in Madrid every 30 minutes from 06.30-22.00. From Barajas Airport, Madrid, take metro line 8 to Mar de Cristal. Change here and take line 4 to Avenida de America. Change again and take line 6 to Mendez Alvaro. Tickets to Toledo are sold at counter 51. The journey takes about an hour.

By train

Trains for Toledo depart from Madrid's Atocha station but they are not so frequent as buses. From Barajas Airport take metro line 8 to Mar de Cristal. Change and take line 4 to Bilbao metro stop. Change and take line 1 from Bilbao to Atocha Renfe. The train journey to Toledo takes just over an hour. The last train to Toledo leaves Atocha at 20.25

Prison Conditions in Europe *Continued from page 1*

juvenile reformatories, prisons, closed mental hospitals, military detention centres, etc.) throughout Europe. Prisons figure prominently. The reports are a rich source of material of which more should be made. The difficulty is that the database is selective (and probably unrepresentative), voluminous, and in narrative form. This makes quantification and comparison difficult. This brief introduction describes the origin and nature of the database and explains how it can be accessed.

The CPT: *modus operandi* and reports

The ECPT establishes a committee and a system of inspection visits. Article 2 provides that 'each party shall permit visits... to any place within its jurisdiction where persons are deprived of their liberty by a public authority'. The purpose of visits is to 'examine the treatment of persons deprived of their liberty with a view to strengthening, if necessary, the protection of such persons from torture and from inhuman or degrading treatment or punishment'. Though the CPT has adopted a system of notification for most visits, the committee has the power, which it regularly uses, to make unannounced visits.

The ECPT establishes no new norms and the CPT does not define torture or inhuman or degrading treatment. But the CPT identifies, by way of example, what practices and conditions it deems to fall into these categories. In doing so it is informed by the jurisprudence of the European Court of Human Rights and by the guidance offered by other international bodies and codes. These include the UN Standard Minimum Rules for the Treatment of Prisoners and the European Prison Rules. But none of these codes figure prominently in CPT reports. Because the CPT's *modus operandi* is proactive and hands on, it has had to develop practical inspection standards more detailed than the UN and other committee-developed codes. In several cases, moreover, the ECHR has relied on CPT reports and findings. The relationship between the

CPT and the ECHR is two-way.¹

The committee decides when and where to inspect. It has unparalleled access to sites of custody and the persons detained within them, access guaranteed by the convention and, to date, perhaps surprisingly, not seriously frustrated by any of the 42 parties to the convention. The committee makes two types of inspection visits. Each year it announces 'periodic' visits to signatory states, each of which the CPT routinely visits roughly every five years. But the committee also makes 'ad hoc' visits 'as required in the circumstances.'

These visits are prompted by concerns generated by unrevealed intelligence coming to the committee from a

The ECPT establishes no new norms and the CPT does not define torture or inhuman or degrading treatment. But the CPT identifies, by way of example, what practices and conditions it deems to fall into these categories.

variety of sources (media reports, confidential communications from prisoners, civil rights lawyers, etc.). Some countries – Turkey and the Russian Federation are the principal examples – have received many such visits. Nevertheless the size of the Council of Europe membership area and its custodial population (approaching two million prisoners in prisons alone), and the growing number of signatory states, means that the CPT is able to see only a fraction of the places of custody it could visit. In a typical year the committee makes 15–20 country visits, of which two thirds are typically periodic and one third ad hoc. Visits, depending on the size of the country and the nature of the inspection, last anything between three or four days for a highly focused ad hoc visit, to a fortnight for a large-scale periodic visit. Nearly all visits cover prisons, generally several of

them.

The CPT's work is confidential, a pre-condition of the convention's acceptance. This means, *inter alia*, that the committee's reports are delivered in confidence to the government of the country inspected. Reports see the light of day only if the government concerned authorises publication. It was widely anticipated that this would mean that the work and verdicts of the committee would be shrouded in mystery. This has not proved to be the case. By precedent, publication has become the rule. Practically all the reports which the committee produces enter, after an interval (some countries authorise publication almost as soon as they receive them, most delay publication until they have decided how to respond), the public domain. This means that a very large number of reports are now available from the CPT's website.² CPT reports are written with a view to publication and most of the prisons inspected by the committee are considered – generally by a delegation of three or four members or ad hoc experts over a period of one or two days – in some considerable detail and each is allotted several pages of written appraisal.

Since 1990 the committee has described conditions in several hundred prisons. However, because the institutions and countries visited tend disproportionately to be those giving cause for concern, it follows that CPT reports offer a relatively poor guide to best penal practice and conditions.

Moreover, because CPT reports comment on what the committee has itself seen and appraised, they do not aim to describe system characteristics. CPT country reports generally do not, for example, describe how many institutions each prison service is responsible for, nor the total custodial population accommodated, general levels of overcrowding, etc. For these system data one has to turn to the periodic penal statistics bulletins published by the Council of Europe Directorate of Legal Affairs or to the

Continued on next page

Prison Conditions in Europe *Continued from previous page*

data base maintained by the International Centre for Prison Studies, Kings College, London, website.³ However, CPT country reports do provide, by way of background to the appraisals of individual institutions inspected, brief descriptions of the legal framework and procedures and contextual, organisational, and administrative features of the systems of which they form a part. Moreover, many of the government responses to CPT reports, of which more than one hundred have now been published, elaborate on these descriptions. It follows that CPT reports offer a wealth of penal policy information on which comparative analysts can draw.

The basic standards applied by the committee have been set out in successive annual reports. However, because these standards have to some extent been elaborated in country inspection reports, the best introduction to the committee's approach is an independent analysis published by the Council of Europe.⁴ What follows is a brief introduction to some of the more important issues addressed by the committee.

CPT standards and findings

The CPT has reserved the term 'torture' for what can best be described as specialised, or exotic, forms of violence purposefully employed to gain a confession or information, or generally intended to intimidate or humiliate. This has to date been found to be a feature of some police stations rather than prisons, for which the terminology 'inhuman and degrading' has fairly extensively been employed to describe aspects of custodial living conditions, or the manner in which prisoners are treated as an organisational practice.

The committee has adopted a cumulative view of living conditions so that conditions that might not in themselves be deemed inhuman and degrading become so when combined with others. For example, the not infrequently found combination of overcrowding, lack of integral sanitation, almost unalleviated cellular confinement, and lack of outdoor exercise has been judged to amount to

inhuman and degrading treatment.⁵ Acute overcrowding has been found to constitute inhuman and degrading treatment in its own right. Prolonged solitary confinement has been found to be inhuman and slopping out degrading.⁶ The essence of what the CPT deems to be degrading is the humiliation of the victim.

Given that overcrowding is a feature of many European prison systems and, even more acutely, particular prisons within those systems, the CPT's space standards are noteworthy. They do not differ greatly from the American Correctional Association space standards, though they are differently framed.⁷ European prison populations are currently rising both absolutely and in terms of incarceration ratios. Approximately half the member states of the Council of Europe officially acknowledge their prison systems to be overcrowded. However, these official data are not based on agreed overcrowding criteria. Some states which report being overcrowded (Germany and Sweden, for example) are by any space standards far less crowded than some countries claiming to be operating within or near capacity (several Eastern European states). CPT reports get behind the official statistics and describe the reality of daily living.

The CPT recommends that prisoners should be single celled and that 6m² should be provided per prisoner. Cells smaller than this should be taken out of service unless prisoners are able to spend a significant proportion of their day outside the cell. The committee does not favour dormitory accommodation, but dormitory and multiply-occupied cells or rooms are deemed acceptable if they provide 3 to 3.5m² per occupant, though a greater space margin is required for two or three-person cells.

The guidance offered by the CPT for prison living conditions has cumulatively developed into a formidable code covering such matters as hygiene; lighting, heating, ventilation and cell facilities; control and restraint

techniques; use of force; contact with the outside world, privacy and confidentiality; staffing; medical care; accountability mechanisms; and the needs of particular categories of prisoners – women, juveniles, persons who are vulnerable by virtue of their

physical or mental health condition.

Moreover, because the CPT is a proactive hands-on

CPT reports get behind the official statistics and describe the reality of daily living.

agent, its standards and focus of attention are continuously developing and adjusting. By contrast the UN and European prison codes are more or less static and showing their age. In recent years, for example, the committee has devoted increasing attention to persons detained under immigration law, a generally increasing custodial population in Europe and one that the CPT does not consider should be housed in prisons.

Conclusion

Europe is the only continent which has a well-resourced, independent, supra-national body to monitor prison conditions which member states have agreed, by means of a convention, to grant almost unfettered inspectoral access. Although attempts have for several years been made to endow the UN Committee Against Torture with similar powers by means of an optional protocol, there seems little or no prospect of those attempts succeeding on lines as robust as the CPT.

The CPT visits and reports on only a fraction of the prisons in Europe. However, because the committee has first-hand access to places of custody, is Strasbourg-based, and is highly professional in its methodology, its reports have rapidly achieved a high level of incontestable legitimacy. The committee has demonstrated that those European countries with the highest incarceration ratios and the least resources to cope with their substantial prison populations – countries almost entirely found in the

See PRISONS, next page

ESC Board Meeting *Continued from page 4*

postpone replacement of board members until 2003 when new election arrangements are in place.

A decision was taken to publicise the conference website for the Toledo conference in the newsletter and to create a link between the Lausanne ESC site and the Toledo University website that hosts the current programme.

Martin Killias, the treasurer, reported that there is •5,000 in cash in the treasury left from last year and •8,000 has been received to date for 2002 fees. More registrations have been received for Toledo than for Lausanne at the same time last year. A discussion took place of 'sharing profits' from meetings. Rosemary Barbaret suggested there should be an agreed split between the ESC and the organising university. Others raised the question 'what is profit?' and proposed that any 'profits' remain with the ESC. The board agreed that a policy is needed and Cristina Rechea and Martin should come up with a proposal.

The board discussed subsidising

participants from central European countries, but was unsure how and by what procedure. There is a need for criteria regarding who is eligible for support and a procedure for applications is needed. The board discussed increasing fees by 5 percent in order to create a fund for subsidising East European participants.

Martin proposed a revision of the constitution regarding fees. It was decided that conference fees would not be waived for participants in the *European Sourcebook of Criminal Justice Statistics*. The sum of •10,000 was authorised from the Toledo conference profits for ESC administration and secretarial costs. The Cambridge Institute of Criminology will house the archives of the ESC.

Toledo Conference

Various issues concerning the Toledo conference were discussed. It was decided that (1) instructions for chairs be strict about the 20 minute maximum; (2) there will be a welcome from the president; (3) the board

meeting will be on Saturday (working lunch 14.00-17.00); (4) a homicide workshop will take place on Saturday, 9.00-10.30; (5) book exhibits should be encouraged on terms that no exhibitors' fees would be charged, but exhibitors would be expected to donate one copy of each book displayed to the University of Toledo library; and (6) a proposal of Editorial Comares to produce a conference volume was declined, but the ESC is grateful to Comares for the suggestion.

Various issues concerning the journal were discussed. It was decided that: (1) the editorial board (50 persons) will be selected from many countries; (2) the editorial board will be proactive in commissioning papers and identifying strong contributors; (3) the first issue will be published in January 2004; and (4) the ESC will attempt to raise •5,000 per year for country surveys from EUCPN, trusts, foundations, and other sources.

It was announced that two ESC members have offered to contribute •600 per year for three years to support an ESC student travel prize to be given to the winner of the student paper competition.

The following procedures were set up concerning the ESC student prize: a paper of 5,000 words to a maximum of 10,000, in any of the following languages: English, German, French, Spanish, or Italian; the abstract should be in English; the candidate must be a student at the time of submitting the essay. ■

Crime in Spain —

Continued from page 8
implement a new way of operating as conceptualised in their plan *Policia 2000*. This plan, highly contested by some police unions, gives priority to community policing. Ministry of Interior documents claim this initiative has been successful but very little research has been conducted.

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Prisons *Continued from previous page*

former Soviet bloc – provide the most impoverished and inhumane prison conditions. Even so, almost every country in Europe operates with features which are objectionable and attract inadequate domestic critique. The great merit of the CPT is that it has generated a body of objective data for domestic human rights organisations, penal pressure groups, and independent analysts to follow up.

Rod Morgan is HM Chief Inspector of the Probation Service for England and Wales.

Notes

- 1 For an analysis of the origins, content, and working of the Convention, see Evans and Morgan (1998).
- 2 www.cpt.coe.int
- 3 www.kcl.ac.uk/depsta/rel/icps/
- 4 Morgan and Evans (2001). This analysis is also published in French and Italian. Chapters 5 and 6 concern prisons and prisoners.

- 5 Prisons in France, Italy, Portugal, Romania and the UK, for example, have been so found. It seems probable that similar conditions have been found in other countries – several in Eastern Europe, including the Russian Federation, for example - publication of which reports has not yet been authorised.
- 6 For detailed analysis, see Morgan and Evans (2001), Chapter 3.
- 7 For a comparison of CPT and ACA standards, see Morgan (2000).

References

- Evans, M. and R. Morgan 1998. *Preventing Torture: A Study of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment*, Oxford: Oxford University Press.
- Morgan, R. and M. Evans 2001. *Combating Torture in Europe*. Strasbourg: Council of Europe.
- Morgan, R. 2000. 'Developing Prison Standards Compared', *Punishment and Society* 2: 325-42.

The European Crime Prevention Network *Continued from page 3*

states. Luxembourg and the UK show the sharpest decreases when 1999 is compared with 1995. Increased preventive behaviour among the population may be a reason for this spectacular fall. But, the problem still exists. Domestic burglary is a violation of personal space and the negative effects are greater than just the material damage.

Despite these positive developments, statistics unfortunately indicate an international increase in the level of violent crime, as table 2 shows. Police records between 1995 and 1999 in twelve of the EU countries show increases in recorded violent crime. Italy, the Netherlands, and France show the sharpest increases between 1995 and 1999.

The promise of crime prevention in the member states

Influenced by the level of crime and feelings of insecurity on the part of the general public, many European countries have increased crime prevention efforts.

In many countries it was felt that a crime prevention strategy was more appropriate and effective than a law and order policy.

Typically, a great variety of organisations are involved. The traditional core actors in crime prevention are ministries of justice and interior. This has changed. Besides these ministries, the police, and the private security sector, new groups have entered the crime prevention market. These include municipalities, other ministries such as education and social welfare, housing corporations, commerce and industry, and private persons.

Member states and parties often operate independently from each other. This is why the establishment of the EUCPN was proposed. Exchanging views and experiences is the best way to succeed in the effective implementation of crime prevention measures and strategies at the EU level.

Member states do not have to reinvent crime prevention policies and strategies. Many of the existing

TABLE 1. Crimes recorded by the police: domestic burglary in EU member states, 1995-1999 (1995=100)

Country	1995	1996	1997	1998	1999	% change 1995-99
Austria	100	101	93	85	73	-27%
Belgium	n.a.	n.a.	n.a.	100	98	n.a.
Denmark	100	103	104	94	93	-7%
Finland	100	89	90	89	84	-16%
France	100	99	89	86	79	-21%
Germany	100	92	86	78	70	-30%
Greece	100	101	104	101	86	-14%
Ireland	100	95	90	83	n.a.	-17%
Italy	100	108	111	116	110	10%
Luxembourg	100	96	72	78	61	-39%
Netherlands	100	90	83	79	76	-24%
Portugal	100	104	111	98	100	0%
Spain	n.a.	n.a.	100	97	n.a.	n.a.
Sweden	100	100	110	105	99	-1%
United Kingdom	100	90	78	74	69	-31%

Source: Barclay et al.(2001)

European crime prevention policies have export potential.

Effective crime prevention

Crime prevention can be effective. There has been an accumulation of knowledge on ‘what works’, what is promising, and what is not. The effectiveness of crime prevention measures is documented for many offences. Situational crime prevention efforts that reduce opportunities for crime have led to more than 100 documented successes including reduction of vandalism, shoplifting, credit card fraud, bank robbery, violence in mass meetings, and mobile phone theft, and increased adoption of responsible drinking practices to control public drunkenness.

This does not mean we can sit back in our chairs. Crime is always changing. Offenders adapt to changes. It is important to identify the role of new products in creating more or new crimes. Mobile phones and credit cards are just some examples. This means that crime prevention policy makers and practitioners have to become more innovative, creative, and anticipative in preventing crime. By doing so, large-scale crime preventive effects can be achieved.

Simple crime prevention measures can be very effective. But proven effectiveness offers no guarantee for

acceptance, especially when it runs counter to well-established customs.

The problem often is, how to translate this knowledge into practice. Often, existing and available best practices are not used in official policies. The Secretariat of the EUCPN will collate, analyse, and disseminate high-quality information in a targeted way.

Implementing best practices

How can the EUCPN stimulate, facilitate, and promote the use of our current knowledge base?

First, before disseminating information we have to select the best channels to reach a target audience. An analysis to understand the various target audiences and their level of knowledge seems inevitable. Target audiences include umbrella organisations, media, ‘gatekeepers’, academia, practitioners, and decision makers.

Second, the use of information is shaped by readable and understandable products. High quality of reporting and forms of communication improve the use of research in practice and policies. Efforts to translate the academic body of knowledge into understandable language pay off, as they provide a strong stimulus for a large number of people to use the information.

Third, there seems to be a big gap

TABLE 2. Crimes recorded by the police: violent crime in EU member states, 1995-1999 (1995=100)

Country	1995	1996	1997	1998	1999	% change 1995-99
Austria	100	98	99	101	103	3%
Belgium	100	81	90	92	92	-8%
Denmark	100	99	103	101	108	8%
Finland	100	109	110	113	117	17%
France	100	107	114	116	129	29%
Germany	100	105	109	109	109	9%
Greece	100	94	100	106	104	4%
Ireland	100	113	94	76	n.a.	-24%
Italy	100	110	115	128	136	36%
Luxembourg	100	101	83	90	79	-21%
Netherlands	100	103	114	117	131	31%
Portugal	100	91	98	90	111	11%
Spain	100	110	111	115	n.a.	15%
Sweden	100	99	103	106	109	9%
United Kingdom	100	108	108	106	122	22%

Source: Barclay et al. (2001)

between research and practice. A closer cooperation between researchers and practitioners could bridge this gap. From this co-operation both parties can gain a better understanding of each other's position and possibilities. Persons involved on the street level have much relevant knowledge, but this knowledge hardly reaches the research community, and vice versa.

Fourth, organised knowledge centres, as 'selling' outlets, are critical. An active role of the EUCPN in collecting information and making it accessible can contribute to the transfer of essential knowledge and best practices to other partners. The 'marketing' or 'selling' of such information often motivates these partners to increase the use of information.

Current status and future programmes of the EUCPN

The EUCPN is only in its infancy. It is expected that it will develop in years to come. The exchange of information between the member states is an essential element. Policy makers and practitioners may understand their own national crime problems better by putting these in an international perspective. The active role of the EUCPN will add to their understanding.

The EUCPN aims to accomplish

these tasks in the year 2002 by giving priority to the following activities:

- Establish the network website to include:
 - ♦ General information on crime prevention in the EU;
 - ♦ Information on the network, its contact points, and the national representatives;
 - ♦ Links to other relevant EU bodies, international organisations, national crime prevention councils, and selected other crime prevention websites with relevant information of high quality;
 - ♦ A directory of crime prevention expertise in the member states, starting with the national contact points;
 - ♦ Information on best practices in crime prevention, starting with projects that can be found in national inventories of best practices and projects that have been nominated for the European Crime Prevention

- Award, indicating whether they have been evaluated or not;
- ♦ Information on scientifically evaluated crime prevention measures; and
- ♦ Reports that have been printed.
- Establish a system for collating existing information on comparable statistics on crime and criminal justice, and publish a report on the comparison of crime and criminal justice statistics in the member states;
- Publish a report summarising the current knowledge on juvenile violence in the member states;
- Identify gaps in research and the action needed to fill them;
- Establish methods of cooperation with EU bodies;
- Organise a conference for the exchange of best practices between practitioners in member states, to be held in Denmark at the end of 2002, with a report.

There are also some tasks that will be initiated in 2002 that will help lay the groundwork for the future. Three main tasks will be initiated in the year 2002:

- Develop tools for comparison of crime and criminal justice within the EU;
- Develop new ideas and techniques; and
- Identify areas where knowledge of what works could be used at EU level.

Jaap de Waard is head of the Secretariat of the European Crime Prevention Network.

Reference

Barclay, G., C. Tavares, and S. Arsalaan, 2001. 'International comparisons of criminal justice statistics.' *Home Office Statistical Bulletin*, no. 6 (adaptation).

IN THE NEXT ISSUE OF THE ESC NEWSLETTER:

- The Annual Meeting in Toledo
- Eurojust
- NSCR, Leiden, The Netherlands
- and much more.....

Europol *Continued from page 3*

that Europol management is largely a technocratic concern in the hands of police professionals. Until recently criticisms about the agency's accountability (or lack thereof) have been mollified by the insistence that its role is non-operational and consists only of intelligence gathering and analysis.

The basic *modus operandi* of Europol has been that of 'information broker'. The liaison officer system is central to this function. Europol officers act as information processors in an extended transnational criminal intelligence network. Such officers draw on information held in the Schengen Information System (SIS) or Interpol databases, but also may draw on information held in their respective national criminal databases as well as Europol's own intelligence.

These databases are extremely variable in terms of type and quality of information and in how that information is categorised and stored. These differences need to be stressed because they are manifest both within and between countries. The quality of police data is extremely variable, and there are reliable reports indicating that policing agencies in many EU countries have been reluctant to share sensitive information with Europol.

This raises questions about the quality of criminal intelligence analysis undertaken by Europol since it proceeds on the basis of a pool of information the standard of which has been brought into question.

To date there has been no academic study of the functioning of Europol and remarkably little is known about its internal workings. Documents leaked into the public domain by the *Centrale Recherche Informatiedienst* (CRI) of the Netherlands in 1999 indicated that most (around 85 percent) of the information exchange co-ordinated by the agency pertained to personal identity and vehicle checks.

The CRI was critical of strategic

analytical projects mounted by the agency, which were characterised as being of poor quality. This is significant since the strategic intelligence product disseminated by Europol contributes substantially to the picture of what Europe's crime control agenda should look like.

Information brokerage and criminal

The drift away from a strict emphasis on information brokerage and criminal intelligence analysis and towards operational matters has been underway for some time. For example, in 1999 it was revealed that Europol had participated in 114 controlled deliveries of drugs and a further seven in the context of illegal immigration.

intelligence analysis has been the main *raison d'être* of Europol. However, its brief has been gradually and inexorably extended to operational matters. In early 2002 the Spanish and Belgian governments presented a joint proposal to modify the Europol convention in order to fully implement the provisions of the Treaty of Amsterdam and the conclusions reached by the European Council at Tampere in October 1999.

The proposed modification introduced two new paragraphs to Article 3(1) of the Europol convention to provide that the agency could participate in joint investigation teams and also could ask member states to provide information and carry out investigations on its behalf.

The drift away from a strict emphasis on information brokerage and criminal intelligence analysis and towards operational matters has been underway for some time. For example, in 1999 it was revealed that Europol had participated in 114 controlled

deliveries of drugs and a further seven in the context of illegal immigration. The latter might be considered especially sensitive because the conditions of illegal immigrants in transit raise issues of the 'duty of care' that rests with responsible police authorities.

The extension of Europol activities into 'operational matters' has caused some consternation among specialists in the field (especially constitutional experts and others interested in the arcana of European decision making), but has gone largely un-remarked by the general public and, indeed, academic criminologists.

In 2000 the budget for the organisation was in excess of 27 million euros. There have been no serious evaluations of Europol's workings and so it cannot be determined with any degree of confidence or objectivity if this is money well spent.

On December 6, not long after the attacks of September 11, 2001 in the United States, an agreement was signed between the European Council of Ministers of Justice, Europol, and the United States (represented by Secretary of State Colin Powell) to improve trans-Atlantic information sharing concerning terrorism and serious crime.

Other institutional developments, most notably Eurojust – the European Prosecutors Office, have bolstered and advanced the crime control agenda to which Europol is fixed.

National police systems of EU member states have undergone considerable organisational reform in the past decade. For example, in 1992 the United Kingdom laid the foundations of the National Criminal Intelligence Service (NCIS), an event that has considerable implications for the further development of a national police system in the UK.

The Kingdom of the Netherlands undertook the wholesale reorganisation and centralisation of its state police infrastructure in 1993. Other

European countries experienced varying degrees of reorganisation and, of course, historical factors mean that the degree and nature of organisational change in each EU member country has been different.

Nevertheless, more or less common to all has been the idea of 'intelligence-led policing'. It is dangerous to over-generalise, but it has been recognised that the adoption and adaptation of information and communications technologies by police agencies world-wide has had organisational ramifications.

Seen in these wider contexts, Europol can be understood as but one, albeit supra-national, institutional entity in a vastly complex policing sector (which also includes private security providers).

The extension and amplification of the Europol mandate with regard to terrorism that has taken place subsequent to September 11 has not displaced older networks of established police cooperation.

The Police Working Group on Terrorism, for example, provides another (perhaps more effective) avenue of police communication for sensitive intelligence. In other words, Europol is but one piece in a patchwork that comprises the transnational European policing sector, a variegated institutional conglomeration that provides the security blanket of a geographically expanding and only vaguely defined 'Europe.'

The advent of crime control as a matter of transnational concern, both within Europe and more globally, raises new questions for researchers and policy analysts. Just as the establishment of 'new' policing institutions at the dawn of the modern age provided the foundation upon which the emergent discipline of criminology could be erected, so the establishment of Europol, and the broader transnational policing complex of which it is a part, provides a new departure for the discipline.

It is never easy to forecast what lies ahead, but the direction of future development for European and transnational criminology might be guessed by looking at changes in

funding for Europol. In early 2002 the EU justice ministers agreed to increase spending on Europol to 51.6 million euros. Much of the extra money was earmarked for a terrorism task force.

An enhanced presence of personnel from European member states' security services at the Europol headquarters in The Hague indicated that the emphasis on serious and organised crime was being underscored by a growing concern about security issues.

This palpable shift in emphasis came at roughly the same time as the United States Federal Bureau of Investigation was reorienting its mission to that of national and

international terrorism.

It is too early to say to what extent the emphasis on security and political-type crime will eclipse more prosaic issues such as fraud, more traditional ordinary crime such as organised car theft and drug smuggling, problems associated with the regulation of migration, or newly emerging areas such as crimes against the environment.

What is certain is that Europol, and the transnational policing complex of which is it a part, has provided a new institutional terrain for study.

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President-elect *Continued from page 1*

nominations will be made in the coming years. Proposals for amendment of nomination and election procedures will be placed before the annual meeting in Helsinki in 2003.

However, since September 2002 is approaching and the work must go on, including preparing the next annual meeting, publishing the newsletter, and launching the new ESC journal, the board felt obliged to identify a candidate for president-elect.

An important concern was that the candidate have the ability and status to lead and inspire a fledgling society. A second concern was to try to identify a candidate from a different part of Europe than the first three presidents (Martin Killias, Josine Junger-Tas, and Paul Wiles). The ESC should belong to **all** Europeans and the society's leadership should rotate among different European areas. Ernesto Savona meets these criteria and has accepted the nomination.

Professor Savona has a wide range of experience in comparative, international, and European crime research and policy. He has been a consultant to the United Nations, the Council of Europe (where he was appointed one of the seven members of the Scientific and Criminological Council in 1996), the European Union, and various national

governments.

In the early 1990s, he was a visiting fellow at the US National Institute of Justice. He has been a visiting scholar and professor at the Yale Law School, Oxford University (Wolfson College), and Cambridge University (Institute of Criminology) and an honorary fellow of Cardiff University.

Professor Savona has published many papers and books on organised crime, economic crime, and corruption, among other subjects. These include *European Drug Policies* (with N. Dorn and J. Jepsen, 1996), *United Nations and Transnational Organised Crime* (with P. Williams and Franz Class 1996), *Responding to Money Laundering. An International Perspective* (1997, 2nd edition), *Organised Crime around the World* (with S. Adamoli, A. Di Nicola, and P. Zoffi, 1998), and *European Money Trails* (1999). ■

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