

Boone, M. & Moerings, M. (eds) (2007) *Dutch Prisons* BJu Legal Publishers: The Hague.

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‘For decades the Netherlands has been a shining example for the international penitentiary world’ (p. 1). This was due to its low prison population rate and humane treatment of detainees, with a clear emphasis on rehabilitation. However, since the 1990s the prison population has quintupled. These population pressures have occurred alongside budget cuts and ‘spending less money on more prisoners is a sure recipe for regression’ (p. 295). The primary aim of this collection of essays is to explore whether Dutch prisons have lost this exemplary status or whether there are still areas of good practice that can be learnt from. It does this by exploring the reasons for the recent expansion in the prison population and discussing the treatment of detainees, as well as providing a historical account of the political and social context influencing these developments.

The book is split into four parts. In part I, the general developments in the Netherlands are outlined. This begins in Chapter 1 with a socio-historical account of imprisonment with particular importance given to the emancipatory process of prisoners, whereby increased concern for prisoners has led to improvements in their rights. Unlike many accounts, Franke usefully takes an international and long term perspective, and uses this to offer possible explanations as to why the Netherlands was initially less punitive and treated prisoners more favourably than other Western countries.

Chapter 2 then explores more thoroughly the reasons for the rapid increase in the Dutch prison population. Official documents explain this expansion as necessary in response to rising crime rates, in particular for violent crime. However, Boone and Moerings rightly call this into question through their analysis of recent trends, focusing on six categories of detainees. Chapter 3 moves briefly away from prisons to look at non-custodial sanctions, although breach of these often results in imprisonment. These ‘alternative’ sanctions have instead led to a net widening effect. The authors propose principles they believe would enable these sanctions to become actual alternatives to custody, which if implemented and successful would be a lesson other countries could learn from.

Part II builds on this background to take an in-depth look at four specific groups that have contributed to the increased prison population: foreigners, youngsters, mentally ill offenders, and persistent offenders. However, this section of the book could have benefited from sections on other important groups such as pre-trial detainees and drug traffickers, who have also contributed to this growth.

Interestingly in Chapter 4, research with foreigners in ‘aliens detention’ is described. This looks at the personal stories of detainees and gives a voice to irregular migrants, a voice which is too rarely heard. This is followed by a chapter on youngsters in custody, including those with custodial and civil placements, with the Netherlands criticised for housing these two groups together. Otherwise, there appears to be generally good treatment within youth custodial institutions, albeit with a need for increased family contact and improved aftercare.

The ‘tbs’ measure discussed in Chapter 6 is unique to the Netherlands and is meant to be an intermediary solution between prison and placement at a psychiatric hospital for those whose offending is linked to mental health problems. The final chapter of this section discusses the preventative Re-offend Institutionalization Measure to deal with persistent offenders and is a prime example of risk justice in practice.

Part III aims to provide an insight as to whether the Netherlands continues as an example for the humane treatment of detainees and does this by discussing three specific aspects within prisons, starting with the complaints and appeal process. This is described as a well regulated process. Chapter 9 then describes a worrying picture of a rehabilitation service that is now only available to motivated offenders serving four months or more, with other detainees excluded from programmes. Surprisingly, recidivism rates are not discussed. The next chapter looks at medical care and provides a more positive picture. Although this section is informative, it provides too narrow a focus for the interested reader.

The final part of the book provides an international perspective, starting with a look at how European detention standards influence Dutch penitentiary law and practice in Chapter 11. Chapter 12 takes a look at the research by Downes in the 1980s which found the Netherlands to be a positive example, and concludes with a discussion on how the current standing in the Netherlands fares against the US, Canada, and Finland where an impressive period of sustained decarceration has been achieved.

Overall, this book provides a well written account of Dutch prisons and an interesting look at internal systems as well as providing an international perspective. For those unfamiliar with Dutch prisons, procedures and differences in terminology are explained and understandable. The book never explicitly answers the question of whether there are still lessons to learn from the Netherlands, with the intention that readers formulate their own conclusions. It is clear from the recent changes outlined in the book that the Netherlands is no longer protected from the punitive measures of late modernity and therefore no longer appears to be the ‘beacon of enlightenment’ (p. 311) it may once have been. In terms of treatment within the prison system, reaching a conclusion is more difficult, particularly as an observer from abroad, with examples of both poor and good practice described. However, concerning changes, such as selective rehabilitation and regime restrictions suggest that the population pressures and budget cuts have taken their toll.

References

Downes, D. (1988). *Contrasts in Tolerance: Post-war penal policy in the Netherlands and England and Wales*. Oxford: Clarendon.

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