

# **Crime and Crime Control in Four Nordic Island Societies: The Faroe Islands, Greenland, Iceland and the Åland Islands**

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The working group in front of the largest prison in Iceland, Litla-Hraun. Together with Halldór Valur Pálsson, Litla-Hraun prison director.

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## PREFACE

The four Nordic island societies of the Faroe Islands, Greenland, Iceland and the Åland Islands have great differences both culturally and historically as to how, and to what extent, they have achieved autonomy/independence. At the same time, in some areas they have more in common with each other than with the other Nordic countries: Living conditions, with a dependence on nature. Small communities, with a prominent visibility and dependence on each other, where daily life is subject to strong traditions. And, to various degrees, the struggle for autonomy and independence.

Despite the four island societies being more or less independent parts of Nordic society, two of these, the Faroe Islands and the Åland Islands, have hardly been mentioned within criminological contexts. And no attempts have been made to look at these four areas collectively.

In order to more closely investigate the Nordic island societies within a criminological context, a group of six researchers decided to focus on crime, incarceration and control in the four Nordic island societies. Since the inception of the project in 2014, the working group has consisted of one member from each of the four island societies and two members from Norway and Denmark respectively. The members and authors of this report are: Monica Hjelm-Rasmussen, the Faroe Islands; Annemette Nyborg Lauritsen, Greenland; Helgi Gunnlaugsson, Iceland; Agneta Mallén, the Åland Islands; Hedda Giertsen, Norway and Anette Storgaard, Denmark.

The Scandinavian Research Council for Criminology has supported the working group both in the publication of this report and in connection with travels to three of the four island societies:

In 2015, the working group conducted a field trip to the Faroe Islands. While there, meetings were held with the prison and probation services, police, the court, the High Commissioner for the Faroe Islands, the University of the Faroe Islands and relevant experts. In addition, the group visited the police's sole detention facility in Klaksvik and the Jail in Tórshavn, which houses the country's inmates. The prison and probation services were kind enough to provide the working group with facilities for conducting a working group meeting.

The next field trip went to the Åland Islands in 2016. Traveling to the Åland Islands by ship, we had the opportunity to speak with the captain concerning crime aboard the ships to the Åland Islands. The working group conducted meetings with the Police Authority of the Åland Islands, the Governor and the newspaper *Nya Åland*, and visited the prison museum *Vita Björn*.

The final working group trip visited Iceland in 2017, where the group visited three of Iceland's prisons: *Litla-Hraun* prison, *Sogn* open prison and Iceland's newest prison in Hólmsheiði, where we conducted meetings with management and employees. There were also meetings conducted with the prison and probation administration in Reykjavik, the University of Iceland and the police in Reykjavik.

The working group was incredibly well received wherever we went.

We would like to thank everyone who took the time to meet with us, show us around and, not the least, imparted valuable insight and experience regarding conditions in the different island societies. We would likewise like to thank the NSfK for their economic support which made it possible for us to conduct the travels of the working group.

The conclusion of the working group's study of Nordic island societies will culminate in a conference held at the Ilisimatusarfik/University of Greenland in October 2019, in addition to the publication of this report.

Based on the experiences of the working group, we regard this as a beginning for further research on the Nordic island societies which may find its place within Nordic criminology.

On behalf of the working group

September 2019

*Annemette Nyborg Lauritsen*

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# INTRODUCTION

*Hedda Giertsen*

In 2014, Annemette Nyborg Lauritsen and a group of researchers initiated a project on crime, control and punishment in the Nordic island societies; the Faroe Islands, Greenland, Iceland and the Åland Islands.<sup>1</sup>

As far as we know, these four island societies have not previously been addressed as a single theme in a criminological context.<sup>2</sup> The Nordic Council divides the Nordic region into five countries – Denmark, Finland, Iceland, Norway, Sweden – and three areas with *limited autonomy*: the Faroe Islands, Greenland and the Åland islands. We will look at the four Nordic island societies, all having relatively small populations living close to the nature being dependant on the sea and some farming. There are also differences among the island societies when it comes to population size, history and political status. These themes will be described in the following chapters.

Our intention is to describe these four island societies in a criminological context, discussing questions like: What do we know about crime and the control apparatus of police, punishment and prison in the four areas in statistics and research? How is the control system of police, prosecuting authorities, courts and prison organized? Are the island societies alike in these matters, and similar to other Nordic countries? If so, may this be because of the strength of the control system that seems quite consistent across national borders and areas? Even so, there may be specific local conditions influencing the kinds and amount of crime as well as the institutions of the control system and their practices. We do not give exhaustive answers to all these questions. We rather see this project as a start to direct the attention toward these particularly island societies, and to specifically include the Faroe Islands and the Åland Islands into discussions of criminology and crime, control, punishment and prison.

In this introduction, information about the four island societies is taken from their respective chapters unless other sources are mentioned.

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<sup>1</sup> This introduction is written in cooperation with Gunnlaugsson, Lauritsen, Malléen, Rasmussen and Storgaard. I want to thank Gestur Hovgaard for his helpful comments on the Faroe Islands.

<sup>2</sup> Ackrén and Lindström (2012) have described the Åland Islands, Faroe Islands and Greenland in comparison with the Portuguese autonomous islands of the Azores and Madeira concerning autonomy and political development.

## Similarities and differences

The four island societies are similar in some distinctive ways. For several hundred years, the populations have made a living in a cold and hostile environment where the sea has been crucial to survival by means of fishing and hunting for seal, whale and for seafaring. Shepherding has been of great importance in the Faroe Islands and Iceland, and to some extent in Greenland. In the 1800s and 1900s, fishing introduced industry and modernization to the three societies. Industry has gradually become important in these areas, except for the Åland Islands. Tourism is essential to all four societies, especially in the Åland Islands.

The populations descend from immigrants from other Nordic countries some thousand years ago. In Greenland, the majority descends from Inuit immigrants from the North and from Nordic countries. Today, all four island societies, like the Nordic region as well as many European countries, receive immigrants from countries beyond Nordic and European borders (Nordic Council 2018b).

### **From colony to home rule, autonomy and independent state**

Today, three of the island societies are designated *areas of limited autonomy (utstrakt selvstyre)*. Some social sectors in the Faroe Islands and Greenland are governed from Denmark, while the Åland Islands are governed from Finland. Less than a century ago, Iceland was in a similar position under Danish rule.

In the 1700s, 1800s and 1900s, such colonial dominance was, as in other parts of the world, not unusual in the Nordic region. During these centuries, each of the island societies had various designations ranging from colony (*koloni*), county (*amt*) of Denmark and Finland, home rule (*hjemmestyre*), limited autonomy (*selvstyre*) to independent state. In the same period, three of today's Nordic countries – Finland, Iceland and Norway – were governed by Russia, Denmark or Sweden. These semi-autonomous regions were named *Autonomous Grand Duchy (storthertugdømme, Finland)*, *vassal state (lydrike, Norway)* or they were in a *union* (Iceland and Denmark, Norway and Sweden).

Today, The Nordic Council (2018) uses the term *autonomous rule (selvstyre)*, and, more accurately, *extensive autonomous rule (utstrakt selvstyre)* for the three areas that still have *limited autonomous rule*.<sup>3</sup>

The four island societies have had or have today various degrees of *limited autonomy*.

**Iceland** has been an independent state since 1944. Before this, it was an *independent state in a loose union* with Denmark since 1918, which followed the position of *home rule* established in 1904.

**The Faroe Islands** have been under Danish rule since 1380. In 1816, they were established as a county (*amt*) in Denmark, and in 1816 *Lagtinget* was re-established as an *Amtsting (county council)*. In 1948, *home rule* was established and then extended in 2005. Still some sectors of Faroese society are under Danish rule, like foreign policy and defence. The Faroese *Lagtinget (Parliament)* is the highest political entity for the social sectors they govern. In 2010, these sectors were extended as the Faroe Islands took over the responsibility for the penal code, but Danish authorities still govern the control system comprising police, prosecuting authorities, courts and prison administration. The Faroe Islands receive economic support from Denmark.

In the history of **Greenland**, the colonial period starts in 1721 when the Danish/Norwegian priest Hans Egede (1686-1758) arrived in Greenland (Skydsbjerg 1999). In 1953, the colonial status came to an end and Greenland was declared a *county (amt)* in the Danish kingdom. In 1979, *home rule (hjemmestyre)* was introduced, lasting till 2009, followed by limited autonomous rule (*selvstyre*)<sup>4</sup>. Still some sectors of society are under Danish rule, like foreign policy and defence, similar to the situation of the Faroe Islands. The Greenlandic *Inatsisartut (Parliament)* is the highest political entity of Greenlandic authorities. This has influenced a small part of the control apparatus (*cf. later*). Greenland receives substantial economic support from Denmark.

**The Åland Islands** have *limited autonomous rule* under Finnish government. *Lagtinget (Parliament)* is their highest political entity. Parallel to the two other island societies, there are sectors of the Åland island society that are decided by Finnish authorities, like foreign and defence

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<sup>3</sup> The terminology varies: In a book title by Hepburn and Baldacchino, this situation is named *subnational island jurisdictions (cf. Ackrén and Lindström 2012)*.

<sup>4</sup> There was a short Norwegian occupation of Eirik Raude's land on the east coast of Greenland from 1931 to 1933 (Tvedt and Dørum 2019).

policy, and part of the control system (*cf.* later). The Åland Islands receive economic support from Finland.

Even if Denmark and Finland are in power in matters of foreign policy, the three island societies do not always follow their decisions. Often they do, like in 1949 when the Faroe Islands and Greenland followed Denmark in joining NATO. The Åland Islands are exceptional. Being neutral since 1921, they have no military forces and are entitled *Islands of peace*. When it comes to the EU, the situation is different. Even if Denmark is a member of the EU, the Faroe Islands and Greenland are not. Greenland has an EEA-agreement. The Åland Islands are a member of the EU, as is Finland, but having a separate agreement.

## Populations

*The population sizes* of the four island societies vary. Compared to Nordic and European countries, their population figures are surely small. All together, these four societies have around 485 000 inhabitants, also this a small amount compared to Nordic and European countries, ranking just above the population of Ireland. The Nordic region has 27.1 million inhabitants; of these, the inhabitants of the four island societies comprise 1.8 %.

Of the four island societies, Iceland has the most inhabitants with 360 000 (73%); Greenland and the Faroe Islands have almost equal numbers with 56 000 (11 %) and 51 000 (10%) respectively, while the Åland Islands have around half this size with their 29 000 (6%) inhabitants (Nordic Council 2018b).

The size of the geographic areas also varies considerably among the Nordic countries and the autonomous areas, and consequently also the *population density* varies. Denmark has the highest density with 133 inhabitants per square kilometre and Greenland the lowest with 0.03. Between these, the Faroe Islands have a rate of 36, Sweden 22, The Åland Islands 19, Finland and Norway both 16, and Iceland 3 (Hagstova Føroya 2018).

The populations of the four island societies are *descendants from immigrants* from previous centuries until today. The populations of the Faroe Islands, Greenland, Iceland and the Åland Islands have descendants from immigrants from the Nordic region arriving some thousand years back until today. The Faroe Islands and Iceland also have descendants from Ireland and Scotland (Brandseth 2001). In Greenland, the largest group is Inuit, coming from the northern parts of

Canada and Russia. There has also been immigrants from the Nordic region to Greenland. At times, the whole or parts of the populations died out. Most of today's Nordic immigrants come from Denmark. Immigration continues, and now also from countries more remote than the Nordic region that immigrants used to come from (Nordic council 2018b).

Today the population in Iceland is increasing, partly because of the birth rate, but more because of immigration. This is also the case in the Faroe Islands, but the immigration figures are not as high as they are in Iceland. Despite a high birth rate, Greenland shows slightly declining population figures because of net emigration, primarily to Denmark. The Åland Islands have had low immigration figures since 2000.

**Life expectancy** at birth is approximately the same in both Nordic countries and the three regions, averaging around 80 years for men and 84 years for women. The Faroe Islands has the highest life expectancy for men with 83 years, while Greenland has the lowest, being 10 years shorter. This parallels women's 74 years of life expectancy in Greenland, and ten years more in the three other island societies.

All the four island societies have their specific **languages** that are Faroese, Greenlandic, Icelandic and Swedish in the Åland Islands. These are also the official languages in those areas. Faroese and Greenlandic are different from the languages of the governing countries, while Swedish used in the Åland Islands, is a minority language in Finland, counting 300 000 users (Julien 2018).

Faroese and Icelandic are Nordic languages, but specific and not immediately understandable by Scandinavians. Greenlandic is an Inuit language, one of the Inuit languages belonging to the *Inuit-Yupik-Aleut* language family (Grenoble 2015). Greenlandic comprises three main dialects and is spoken by 50 000 people.

The Danish/Norwegian missionaries since late 1700s used the Greenlandic language to reach out to the Inuit population. The first newspaper, from 1861 to 1952, was written in Greenlandic, which was also the main language of education (Frederiksen and Olsen 2017).<sup>5</sup> In the 1950s this changed. Danish was introduced in primary school. Both a language segregated education system and Danish being the language of higher education brought Danish to the forefront in most parts of the society. In 1979, Greenland acquired home rule, including responsibility for the educational system, strengthening the position of the Greenlandic language. Still Danish is predominant in

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<sup>5</sup> The report on language is part of the reports of the *Reconciliation commission* (2017).

central parts of society like work, education and state administration at the cost of Greenlandic (ibid.).

### Legislative power and the control system

The three autonomous regions have various degrees of autonomy when it comes to authority over penal law and the control system comprising police, courts and prisons. As mentioned, for all three areas there are sectors of the societies that are governed by Denmark or Finland, influencing the sectors of penal code, police, courts and prison in various ways.

Since 2010, the Faroe Islands *Lagting* (Parliament) has had **legislative power** when it comes to the penal code.

When Greenland was established as a society of *extended autonomous rule* (2009), this hardly influenced the control system. Greenland was allowed to take over responsibility for the police, courts (except for the High court) and prison administration, but to do so implies economic responsibility, and most of the judicial system in Greenland is still kept under Danish authority. Even so, the Greenlandic penal code and law on criminal procedure differ from the corresponding ones in Denmark. The authority to enact these laws is divided in the way that the Greenlandic *Inatsisartut* (Parliament) may comment on proposals, while the Danish *Folketing* (Parliament) sanctions them.

In the Åland Islands, *Lagtinget* (Parliament) has legislative power that covers several sectors – education and culture, health and healthcare, industries, internal communication, municipal government, post, radio and television, and policing. In other areas, such as foreign affairs, civil law, courts, customs and monetary systems, the Åland Islands follow the same laws as Finland.

In the three island societies, the lower **courts** are subordinated the high courts in Finland or Denmark. Within this frame there are variations. Greenland has its own local courts up to the Danish High court. In both the Faroe Islands and the Åland Islands only the first court level is situated locally, while courts of appeal are situated in Denmark and Finland respectively as parts of their national court administrations.

In the Faroe Islands, the *organization of police and prosecuting authorities* are of local responsibility, otherwise these agencies are the concern of Danish authority. Greenland may take over the responsibility for these sectors, but so far has decided not to (*cf. earlier*). In the Åland

Islands, the Government of Åland manages the police. The independent Finnish Prosecution Service, of which one local prosecution office is situated on Åland, operates within the administrative branch of the Finnish Ministry of Justice.

One topic in discussions about the police is whether police officers should be allowed to carry firearms. Today, three of the Nordic countries have armed police; Denmark, Finland and Sweden, not Iceland and Norway (except for a trial period 2014-2017 (NOU 2017:9)). In spite of small populations and a low rate of the use of firearms in crimes, the Faroe Islands and Greenland have followed the Danish arrangement, and, as the Åland Islands follow the Finnish one, police officers carry firearms in these three island societies.

All four island societies have kinds of cells or detention for arrest and custody. They also have closed *prisons* of high security. The Faroe Islands have six prison places, and 14 when including the arrest in Torshavn (Hagstova Føroya 2018). Greenland names their prisons *anstalt* (institution), which have all the characteristics of a high security prison, comprising 154 places (Lauritsen 2014). The prisons of Iceland comprise around 200 places of both high and low security levels.

The prison figures in the four island societies vary and rank among both the lowest and the highest ones in Europe (table below). The Faroe Islands, Iceland and the Åland Islands have among the lowest prison figures, while Greenland, in line with the Baltic countries, is among those with the highest per capita prison figures (Walmsley 2018).

The three autonomous regions may send prisoners to their governing countries. The Faroe Islands send few. Greenland has sent persons sentenced to preventive detention (*forvaringsdømte*) to Herstedvester prison (2018).<sup>6</sup> From 2019, Greenland authorities expect that all convicts will serve their sentence in Greenland. In the Åland Islands, the opposite takes place. They have no prison, and all those sentenced to imprisonment primarily serve their sentences in prisons in Swedish-speaking Finnish regions.

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<sup>6</sup> For information about Greenlandic convicts sent to Herstedvester prison see Frantzsen 2007; Frantzsen and Lauritsen 2006; Lauritsen 2018. For related themes, see *Criminology in Greenland* (KRiminologi i Grønland (KRIG)): <https://www.jus.uio.no/ikrs/forskning/prosjekter/gronlandsprosjektet/publikasjoner/>

## Statistics on police and crime correctional services' activities

There are annual statistics on reported crimes and punishments in Iceland and Greenland, and less comprehensive statistics on these themes in the Faroe Islands and the Åland Islands. There is just one table on reported crime in the Faroese statistics.<sup>7</sup> There are statistics on further police activities and decisions, but one needs a license to get access to it.<sup>8</sup> There is one statistic on penal code cases handled by court.<sup>9</sup> In Greenland, there are statistics on reported crimes and reactions.<sup>10</sup> Figures on prisoners in both the Faroe Islands and Greenland are found in specific sections of the statistics on the Danish Prison and Probation Service (Den danske kriminalforsorg). The correctional service in Greenland (Kriminalforsorgen i Grønland, *n.d.*) published a report of their activities in 2013.

Statistics of the Åland Islands have one short table on reported crime, similar to the Faroe Islands (Åland in siffror 2019). In contrast to the Danish Prison and Probation Service, the corresponding authorities in Finland do not present a specific section on prisoners from Åland.

In other words, there are quite large differences in the kinds and amount of publicly available information on crime and penal sanctions in the statistics published in the three autonomous regions, in spite of the quite similar population sizes of the Faroe Islands and Greenland. There is hardly any information on persons sentenced to imprisonment in the Åland Islands. There are few studies of criminological themes concerning the Åland and Faroe Islands.

## Similarities – with what?

There are similarities among several parts of the control apparatus in the Nordic island societies, as the following chapters show. There are similarities between the Faroe Islands, Greenland and the Åland Islands on the one hand, and, on the other hand, between the Faroe Islands, Greenland and Denmark as they are subject to several of the same laws and authorities. So is also the case with the Åland Islands and Finland. One example is arming of the police. There are also resemblances among the island societies and the Nordic countries, which may be because the

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<sup>7</sup> Hagstova Føroya (2018). Reported criminal offences (s. 25).

<sup>8</sup> Færøernes politi [The Police of the Faroe Islands].

<sup>9</sup> Føroya Rættur [the Faroe Islands courts], 2014-2018.

<sup>10</sup> *Grønlands statistik. Kriminalitet 2017* [Statistics on Greenland]; *Grønlands Politis Årsstatistik 2018* [Statistics on the Police of Greenland 2018].

control systems are well established and accepted institutions across national borders, hardly influenced by the relatively small differences between the Nordic societies where they are situated.

There are some differences, clearly influenced by specific, local conditions and by history, traditions and decisions on control policy. Examples from Greenland are the local court (*kredsret*), the principle of the perpetrator (*gjerningsmansprinsippet*) and the specific *institutions (anstalter)*.<sup>11</sup>

There are some alternatives to imprisonment. The court or prison administration may use possibilities for exchanging unconditional imprisonment into a sentence served in other institutions or in society under special conditions that imply control and the possibilities for sanctions within the correctional services. Or the alternative is implemented before the court decision, like waiver of prosecution on specific conditions.

The law on criminal procedure in Greenland allows for mediation services to be implemented as projects, decided by *Inatsisartut* (Parliament). So far, this has not happened.

On the Åland Islands, *Ålands medlingsbyrå* offers mediation services, as one of seven mediation offices in Finland administered by the Finnish National Institute for Health and Welfare. In Finland and on the Åland Islands, mediation in criminal and certain civil cases is a voluntary, non-party and non-chargeable service that allows the parties of a crime or civil case to handle the events in the presence of non-party mediators. Mediation provides the opportunity to discuss the mental and material harm caused the victim by the crime and to agree on measures to redress the harm. Mediation is not a penal sanction in itself (Thl.fi 2019).

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<sup>11</sup> For a description of these characteristics and their social preconditions as well as recent changes, see Høigård 2007.

## Prison figures

Prison figures in Nordic island societies and Nordic countries for 2016, 2017, 2018.

ISLAND SOCIETY	Prison population total	Date	Estimated national population	Prison population /100 000 inhabitants	Trend information	
					year	rate*
The Faroe Islands	6	2017 average	50 225	12	2000 2010	20 20
Greenland	126	1.12.2016	55 900	225	2000 2010	157 302
Iceland	131	1.9.2018	355 180	37	2000 2010	28 52
The Åland Islands	<i>No prison figures</i>					
NORDIC COUNTRIES						
Denmark	3 635	1.9.2018	5.8 mill.	63	2000 2010	63 71
Finland	2 842	1.9.2018	5.52 mill.	51	2000 2010	55 61
Norway	3 373	5.9.2018	5.32 mill.	63	2000 2010	57 74
Sweden	5 979	1.10.2018	10.09 mill.	59	2000 2010	60 74

(Walmsley, 2018, tables 2, 4.)

\* Prison population/100 000 inhabitants

The median rate for Western European countries is 81. Since 2000, the prison population has decreased in several parts of the world, while in Western Europe there has been a total slight increase of 3%, covering variations among the countries (Walmsley, 2018:2).<sup>12</sup>

<sup>12</sup> Figures on prison populations may vary among publications, due to different ways of defining prisoners according to where they serve the sentence. For example, Aebi et al. (2014) use a broader definition of *prisoner* (4.3. Technical information, pp. 293) than for example Norwegian Correctional services (2018, p. 3). Kristoffersen (2016:11) uses a broad definition of prisoners:

*Registered inmates refer to all persons registered at prison establishments and remand units under the management of the prison service, with the exception of those absent without permission to leave. If not otherwise stated, those who are serving their sentences fully or partly at a hospital, a treatment center or in any institution not run by the prison service, are also included in the term "registered inmates".*

Statistics published by ICPR are based on information from correctional services in the countries described.

Since 2010, the five Nordic countries, Denmark, Finland, Iceland, Norway and Sweden, have had a distinct decrease in their number of prisoners per 100 000 inhabitants. To some extent this may be because of sentences being served by electronic monitoring. Also, the Faroe Islands and Greenland have had a decrease in prison figures. There are no publicly available prisoner figures for the Åland Islands.

The Nordic countries are known for their low prison rates, so are also the areas of extended autonomy, except Greenland. This is the case when counting the total prison population (*stock*) on a specific day or as the daily average per year, per 100 000 inhabitants (Aebi et al. 2014, table 4.2.1.1.). From 2007 through 2011, figures for all the Nordic countries were below the arithmetic mean of 43 European countries. Counting prisoners in another way gives another result. Figures on *flow*, the number of persons locked up in a prison, from 2007 until 2011, placed Sweden and Denmark above the arithmetic average, and also Norway for the first three years. Finland and Iceland were far below the average (table 4.2.2.1).<sup>13</sup> These figures indicate that some of the Nordic countries use prisons more often but for a shorter time than most other European countries. There are no figures on flow of prisoners for the three island societies of extended autonomy.

## Ending

This report comprises four chapters on each of the four island societies. There are considerable variations in publicly available information on reported crime, police and prison systems in these four societies. We do not know any investigations on self-reported crime in the island societies. Iceland has taken part of an international study on self-reported victimization of crime (Dijk et al. 2007).

We see this project as a starting point to find out more about the four island societies, especially the Faroe Islands and the Åland Islands that have barely been part of Nordic discussions in criminology. Their experiences as small societies under demanding living conditions may give significant contributions to discussions on unwanted acts, definitions of crime and ways of handling such acts in formal and informal ways.

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<sup>13</sup> As pointed out in the report, the countries may define prison populations and entrance to prison differently.

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# THE FAROE ISLANDS

*Monica Hjelm-Rasmussen*

## Introduction

The Faroe Islands consist of 18 islands, of which 17 are inhabited, with a total population of 51 440 as of February 1st, 2019 – the highest number ever<sup>14</sup>.

The total land area is just under 1 400 km<sup>2</sup>. The distance from the northernmost to the southernmost point is 118 km, and from the westernmost to the easternmost it is 79 km<sup>15</sup>.

A well-developed system of bridges and tunnels connecting the central islands ensures that almost 87% of the Faroese population is connected by road<sup>16</sup>. Daily flights from the refurbished and modern airport on the island of Vágur, along with weekly ferry departures from Tórshavn, sustain the connection with the outside world – particularly Denmark, serviced by airlines Atlantic Airways and SAS and car ferry Norröna year-round. There are, furthermore, regular air services to other nearby countries such as Iceland, Norway and Scotland, as well as flights to more distant countries in summer.

There has been a steady population growth since 2015 – the population grew last year by 759 persons, owing to a net migration of 553 persons and a birth surplus of 206 persons over the last 12 months. The majority of the Faroese inhabitants, about 88%, were born in the Faroe Islands, about 8% were born in Denmark and about 4% were born in other countries<sup>17</sup>.

There are about 100 nationalities represented on the Faroe Islands, the majority of which hail from Europe, other Nordic countries and Asia<sup>18</sup>.

Faroese GDP per capita was 391 500 DKK in 2018. A large growth in exports of salmon and other pelagic fish has greatly contributed to the high GDP. Unemployment was, as of January 2019, a record low 1.1%, meaning that the Faroe Islands practically has full employment<sup>19</sup>.

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<sup>14</sup> Hagstova Føroya (Statistics Faroe Islands), [www.hagstova.fo](http://www.hagstova.fo)

<sup>15</sup> Føroyakort.fo, [www.foroyakort.fo](http://www.foroyakort.fo)

<sup>16</sup> Hagstova Føroya (Statistics Faroe Islands), [www.hagstova.fo](http://www.hagstova.fo)

<sup>17</sup> Hagstova Føroyar (Statistics Faroe Islands), [www.hagstova.fo](http://www.hagstova.fo)

<sup>18</sup> Hagstova Føroyar (Statistics Faroe Islands), [www.hagstova.fo](http://www.hagstova.fo)

<sup>19</sup> Hagstova Føroyar (Statistics Faroe Islands), [www.hagstova.fo](http://www.hagstova.fo)

## Home rule

Together with Norway, the Faroe Islands was united with Denmark in 1380, remaining so for more than 400 years. In 1709, the Faroe Islands were incorporated as part of the Zealand county administration. At the dissolution of the Dano-Norwegian union in 1814, the Faroe Islands, along with Greenland and Iceland, remained united with Denmark. In 1816, the Faroe Islands achieved status as a county in the Kingdom of Denmark and the Faroese legislative assembly was dissolved but was reestablished as an advisory body in 1852<sup>20</sup>.

In 1948, Faroese home rule was established, cf. law no. 137 of March 23, 1948, the Home Rule Act of the Faroe Islands<sup>21</sup>. It follows from this act's § 1 that the Faroe Islands is a self-governing community within the Danish kingdom. The Faroese home rule government consists of an elected assembly – the Løgting – and an administration, Landsstýri. The Home Rule Act contains no other provisions regarding these bodies, but has left it to the home rule government to establish any such rules. The assembly passed a law on "Stýrisskipan Føroya"<sup>22</sup>, primarily containing rules on the Faroese legislative and executive branches.

Home rule was expanded in 2005 by the Takeover Act, cf. law. no. 578 of June 24, 2005 on the assumption of fields of responsibility by the Faroese government, so that this government may take over all cases and fields of responsibility within the unity of the Danish realm, with the exception of the constitution, citizenship, the Supreme Court, foreign affairs, security and defense policy, as well as exchange rates and monetary policy<sup>23</sup>.

The Faroese government thus administers the responsibilities taken over from the Danish state, establishes the rules for their administration, and assumes the economic responsibility for these tasks.

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<sup>20</sup> Rigsombuddets Beretning 2018, page 11, [www.rigsombudsmanden.fo](http://www.rigsombudsmanden.fo)

<sup>21</sup> Prime minister's office, [www.lms.fo](http://www.lms.fo)

<sup>22</sup> Faroe Islands administrative law, Løgtingslóg nr. 103 frá 26. juli 1994 um stýrisskipan Føroya, sum broytt við løgtingslóg nr. 75 frá 25. mai 2009; [www.logting.fo](http://www.logting.fo)

<sup>23</sup> It should be noted here that there is some disagreement in the legal literature as to whether, for instance, establishing a Faroese constitution would constitute an actual secession from the unity of the Danish realm or not. In 2017, a bill was introduced concerning a Faroese constitution, cf. Bill 19/2017 "Uppskot til løgtingslóg um Stjórnarskipan Føroya". This bill was, however, discarded as it did not pass before the end of the legislative period. The bill was not reintroduced in the subsequent session.

Faroese authorities have assumed most areas of responsibility (excluding the constitution, citizenship, the Supreme Court, foreign affairs, security and defense policy, as well as exchange rates and monetary policy), although the fields of prison and probation services, the police and prosecuting authorities, including the related parts of the administration of justice and criminal law, including establishing courts, the legal profession, air travel, passports, immigration and border control have not been taken over. It should also be mentioned that among others pharmacy and health regulations have also been taken over as a special concern. Social security remains an area of shared concern, but the home rule has taken over the legislative and administrative authority in this area with a block grant.

The two most recent areas taken over by the Faroese government are the maps and land surveying authorities<sup>24</sup> as well as family, inheritance and personal law<sup>25</sup>.

Faroese authorities are negotiating the takeover of the Faroese airspace along with immigration and border control.

Criminal law was taken over as of 1<sup>st</sup> of January 2010. Even though the Faroe Islands have assumed the legislative authority within criminal law, its underlying areas have not been brought home. These are prison and probation services, police and prosecuting authorities, as well as the related parts of the administration of justice and criminal law, including the establishment of courts.

## The area of criminal law

As previously mentioned, Faroese authorities assumed responsibility for criminal law in 2010<sup>26</sup>. Thus, Faroese authorities have since 2010 had the legislative authority over actual criminal law. Criminal law belongs to the office of the prime minister's areas of responsibility<sup>27</sup>.

Within the area of criminal law belongs the determination of rules regarding which acts or omissions are punishable, and what punishment or other legal reaction may be imposed for such acts or omissions. Additionally, the rules regarding the general conditions for criminal liability are

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<sup>24</sup> Was taken over as of 1<sup>st</sup> of April 2019, although in a such a way that the mapping authority at sea will not be taken over until 1<sup>st</sup> of January 2020.

<sup>25</sup> Was taken over as of 29<sup>th</sup> of July 2018.

<sup>26</sup> Cf. løgtingslóg nr. 7 af 17. februar 2010, cf. law no. 578 of 24 June 2005 (Takeover Act), [www.logting.fo](http://www.logting.fo)

<sup>27</sup> The office of the prime minister belongs to the home rule administration, Landsstýri. [www.lms.fo](http://www.lms.fo)

also included. These rules are especially enumerated in the criminal code, but the specific legislation also contains rules of such a character.

It is the Faroese parliament, Løgting, that is charged with passing legislation and amendments in this area. Until 2010, criminal law was a shared concern, meaning that it was Danish authorities that legislated and decided on changes within criminal law. Although in such a way that the changes would only take effect on the Faroe Islands, as long as this was desired by the Faroese, and in such a way that the regulation could be altered to the extent that particular Faroese conditions so dictated. It should be noted that the legal language in laws applicable to shared concerns is Danish, and the content will remain the same pursuant to a takeover, unless the Løgting decides otherwise. Hence, the full criminal code was in Danish as of the 2010 takeover of criminal law and it was largely identical with the criminal code applicable in Denmark, although there had been many changes to the criminal code applicable in Denmark, which were never implemented insofar as the criminal code applicable in the Faroe Islands is concerned<sup>28</sup>.

Since the Faroe Islands took home the criminal law, the Løgting has made changes to the criminal code in 2017, 2018 and 2019 so far<sup>29</sup>.

The changes in 2017 concerned an update to the chapter on sexual crimes (in Faroese: "kynslig brotsverk"), in addition to a translation into Faroese of the chapter. The work was based on the Danish law and Danish approach to sexual crimes, but the wording differs from the Danish in a few places. Among other things, this law extended the statute of limitations for sexual crimes against children. In connection with the hearings for the proposal, it appeared, including through their written responses, that the municipalities recommended that the changes be postponed and that the work on developing a whole new criminal code should be prioritized. The response from the prime minister's office was that it is a very comprehensive and time-consuming task to develop a brand-new criminal code, and that the process therefore must be carefully organized and with the contribution of many different authorities and groups. Additionally, the Løgting had asked the government to update the chapter on sexual crimes as soon as possible, and thus it was decided that the proposal could not wait.

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<sup>28</sup> Cf. Legal decree no. 215 of 24 June, 1939 on the criminal code with subsequent changes. [www.logir.fo](http://www.logir.fo)

<sup>29</sup> Føroya Løgting, [www.logting.fo](http://www.logting.fo)

Changes to the criminal code in 2018<sup>30</sup> concerned updates to the chapters on crimes against life and limb (in Faroese: ”brotsverk ímóti lívi og likami”), crimes against personal liberty (in Faroese: ”brotsverk ímóti persónliga frælsinum”), defamation and libel (in Faroese: ”ónáðir og ærumeiðing”), property offences (in Faroese: ”figgjarlig brotsverk”) in addition to special regulations concerning legal persons (in Faroese: ”serligar ásetingar fyri lögfrøðiligar persónar”). This primarily concerns a translation into Faroese of the above chapters of the criminal code. From the general remarks to the proposal, among other things, it appears that the proposal is part of a larger undertaking of translating and updating current criminal law as a whole, and that it has been decided to break up the work into several parts as it is a comprehensive and time-consuming process. It further appears from the general remarks that the process of translating and updating the criminal code is expected to be completed in 2021<sup>31</sup>.

The 2019 changes to the criminal code<sup>32</sup> concerned updates to the chapters on crimes against public authority etc. (in Faroese: ”brotsverk móti almennum myndugleikum”), crimes against public order and peace (in Faroese: ”brotsverk ímóti almennum friði og skilhaldi ”), crimes while in public service or commission etc. (in Faroese: ”brotsverk í tænastrá ella starvi hjá tí almenna o.a.”), false explanation and false accusation (in Faroese: ”følsk frágreiðing og følsk ákæra ”), crimes concerning means of payment (in Faroese: ”gjaldsmiðlabrotsverk”), as well as crimes concerning means of evidence (in Faroese: ”skjalafalsan”).

As will become clear from the following paragraphs, courts, the powers of enforcement and execution, including incarceration, are in relation to the criminal law still an area of shared concern, and is thus under Danish authority.

## Courts and the administration of justice

The administration of justice includes issues concerning the arrangement of the court system – including establishing courts – and the hearing of cases at the courts. The rules concerning this are especially enumerated in the law on the administration of justice for the Faroe Islands. The administration of justice, including establishing courts, is an area of shared concern, meaning that

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<sup>30</sup> Løgtingslóg nr. 38 frá 30. apríl 2018. [www.logting.fo](http://www.logting.fo)

<sup>31</sup> Føroya Løgting, [www.logting.fo](http://www.logting.fo)

<sup>32</sup> Lovforslag nr. 108 frá 2018. [www.logting.fo](http://www.logting.fo)

it belongs to the Danish court system and the Danish administration of justice, although there is a separate law on the administration of justice applicable to the Faroe Islands<sup>33</sup>.

The arrangement of the court system includes, for instance, issues relating to the number of courts and the internal hierarchical relation between the various courts. To this may be added questions concerning the number of judges and other human resource related issues for judges and other staff at the various courts, among other things. To the arrangement of the court system also belong the rules of procedure for the appointment of jurors, lay judges and expert witnesses.

The Faroese court is part of the Danish court system, belonging to the Danish Ministry of Justice. Thus, the Court of the Faroe Islands is considered a district court with appeals going to the High Court of Eastern Denmark and the Supreme Court. There has not been established a separate court system for the Faroe Islands as it has in Greenland. The whole area of courts and justice were considered to be taken over during the period of the so-called “independence coalition” in 1998-2002, and there were also takeover plans in 2004, but, for now, these have not come to pass. The Faroese independence party, Tjóðveldi, declared in their annual party meeting in April 2019, that Faroese authorities should bring home the police, legal authority and the court system<sup>34</sup>.

## Police and prosecuting authorities

Police and prosecuting authorities are likewise a shared concern. For the Faroe Islands, the organization of the prosecuting authority is specifically regulated in chapter 10 and § 716, 2<sup>nd</sup> paragraph, of the law on the administration of justice for the Faroe Islands<sup>35</sup>. The prosecuting authority’s primary task is to prosecute crimes along with the police pursuant to the rules of the law on the administration of justice, cf. the more specific regulations thereof in § 711 of the Faroese law on the administration of justice, among others.

Regulations on the organization of the police are established in chapter 11 of the law on the administration of justice. Organization of the police concerns matters of the number and relationship between the various police authorities, along with human resource related conditions within the police, including complaints against police behavior.

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<sup>33</sup> A proposal for updating the current law on the administration of justice is presently being considered in hearings.

<sup>34</sup> Tjóðveldi, [www.tjodveldi.fo](http://www.tjodveldi.fo)

<sup>35</sup> Lógasavnið, [www.logir.fo](http://www.logir.fo)

The Faroe Islands police is an independent police district under the Danish police. The police district is subdivided into three further districts. The Middle district has about 50 police officers. The police headquarters are located in Tórshavn. The officer in charge and the emergency call center are also located at the police headquarters, where there is also an investigative unit (including a drug squad, traffic patrol and K-9 unit – a total of around 25 police officers). In the Middle district, there is an additional police station at Vágur airport and a station open during the day on Sandoy.

In the Northern district, there are a total of 17 police officers serving at either the Klaksvík police station, where the Faroe Islands' only detention cells are located, or the station open during the day in Runavík.

Finally, there are five police officers employed at the Tvøroyri police station in the Southern district<sup>36</sup>.

As parts of the administration of justice are closely related to the activities of the police and the prosecuting authorities, it has been determined that Faroese takeover of parts of the administration of justice should occur simultaneously with a takeover of the police and the prosecuting authorities. This, then, specifically concerns those rules that within the administration of justice regulate or are closely connected with the activities of the police and prosecuting authorities in the investigation of criminal cases etc. This means that a Faroese takeover of the police and prosecuting authorities will involve a concurrent takeover of, for instance, issues relating to indictments, the accused and their defense counsel in addition to legal aid for the injured party (cf. chapters 65-67 in the law on the administration of justice for the Faroe Islands), as well as issues relating to the preparation of criminal cases prior to indictments (cf. chapters 67-75 in the law on the administration of justice for the Faroe Islands), including rules on investigation and arrest, detention and other coercive means of the penal process<sup>37</sup>.

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<sup>36</sup> [www.politiforbundet.dk](http://www.politiforbundet.dk)

<sup>37</sup> Lógasavnið, [www.logir.fo](http://www.logir.fo)

## Crime in the Faroes

There is very little documented knowledge on crime in the Faroes, and there are very few statistics in this field<sup>38</sup>. Insofar as reported offences against the criminal code received by the police in the Faroe Islands are concerned, there were a total of 468 reported crimes in 2018, of which all forms of theft<sup>39</sup>, vandalism<sup>40</sup> and crimes against life and limb<sup>41</sup> make up 68% of the reports. Total reports in 2018 (468) compared to 2013 (738) show a decline of 37%. This decline is primarily due to a decline in reports of thefts and vandalism<sup>42</sup>. The Court of the Faroe Islands received a total of 713 criminal cases in 2014 compared to 692 cases in 2018. In addition, the court concluded 775 criminal cases in 2014 compared to 659 in 2018<sup>43</sup>.

The court issued 153 verdicts involving sentences in 2016<sup>44</sup>.

## Prison and probation services

Prison and probation services is a shared concern between Denmark and the Faroe Islands, which in practice means that the prison and probation services in the Faroe Islands is part of the Danish prison and probation services. Faroese prison and probation services sort under the prison and probation services' area of Greater Copenhagen<sup>45</sup>.

The main task of the prison and probation services is to execute sentences, in addition to providing support and motivation for change; carry out incarcerations and supervise paroles, conditional sentences, involuntary commitments and community service. To this also belongs the matter of pardons, as well as specifications as to the implementation of sentences, including deciding the place of incarceration, and the rights and duties of inmates while serving regarding, for instance, visitations and leaves. Furthermore, the prison and probation services has duties in regard to arrestees, detainees and those incarcerated and imprisoned under the Aliens Act. The prison and probation services maintains an office in Tórshavn, but is otherwise located together, both jail and

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<sup>38</sup> A dissertation entitled "Bedømmelse af sædelighedsforbrydelser vedrørende børn" [Judging sexual crimes against children], Bjørk M. Kunoy, [www.logting.fo](http://www.logting.fo)

<sup>39</sup> Burglary (§ 276), other thefts (§ 276) and unauthorized use (§ 293), [www.logir.fo](http://www.logir.fo)

<sup>40</sup> § 291 of the criminal code, [www.logir.fo](http://www.logir.fo)

<sup>41</sup> Ch. 25 of the criminal code, [www.logir.fo](http://www.logir.fo)

<sup>42</sup> Complete statistics may be found on [www.politi.fo](http://www.politi.fo).

<sup>43</sup> Complete statistics may be found on [www.sorinskrivarin.fo](http://www.sorinskrivarin.fo).

<sup>44</sup> We have received this information from the Court of the Faroe Islands.

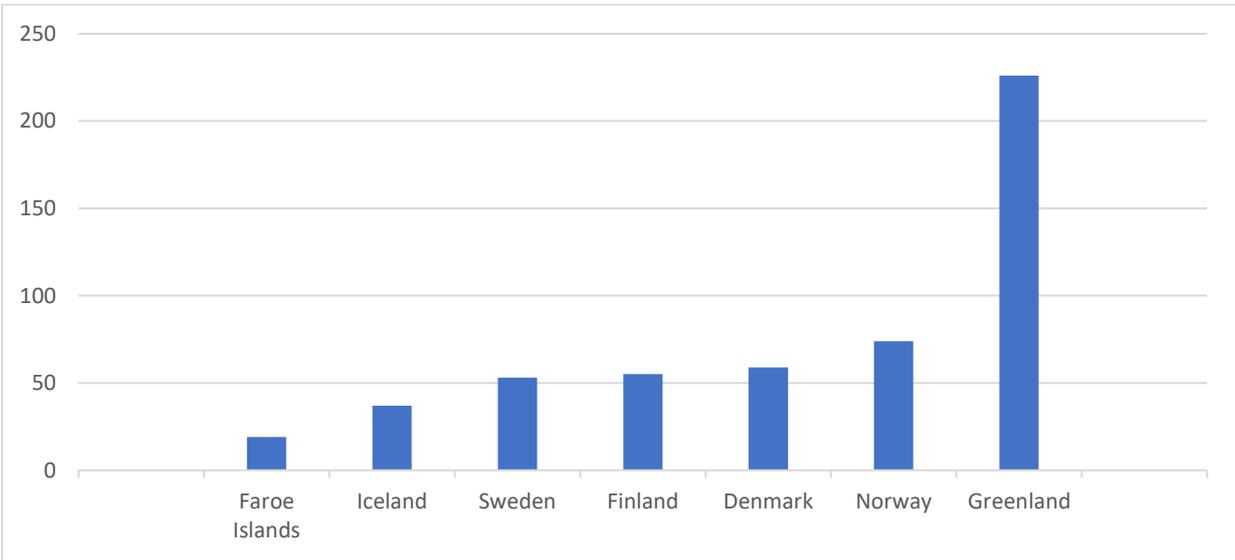
<sup>45</sup> Kriminalforsorgen, <https://www.kriminalforsorgen.dk/steder/kif-faeroerne/>

open custody, in Mjørkadalur outside Tórshavn. Implementation and postponement of the execution of sentences belongs to the chief of police.

### Imprisonment

There is very little documented criminological knowledge about the Faroe Islands and very few statistics in the field. Registered crime is relatively low, and the Faroese prison population – the number of inmates per capita – is among the lowest in the world. The figure below shows the Faroese prison population compared with the Nordic countries.

Figure 1. Inmates in the Nordic countries per 100 000 inhabitants, 2017.



World Prison Brief ([www.prisonstudies.org](http://www.prisonstudies.org) 17 January, 2017).

Imprisonment in the Faroe Islands takes place in "The Jail"<sup>46</sup> in Mjørkadalur, an old military base up in the mountains 17 kilometers outside of Tórshavn. It is relatively inaccessible, there is no public transportation there, and in winter it may become cut off from the rest of the world. The Faroese jail has a 14 person capacity, divided between 5 detention cells and 9 for incarceration. The average occupancy rate is between 67-70% (78% in 2018). Most inmates are men, only 1-2%

<sup>46</sup> Mjørkadalur has been established as a jail, and there has never been the political will to build a prison in the Faroe Islands. Source: Elkin Klettheyggj, department chief of the Prison and probation services for the Faroe Islands.

are women. Most serve only a short time, and there are also those serving jail time for unpaid fines. Involuntary commitment and indefinite detention are options which are only rarely used<sup>47</sup>.

The main task of the prison and probation services is to execute sentences and provide motivation for a life without crime. This work is shared by uniformed officers and civilians. There are 11 jailors and 2 social workers employed along with administrative staff and other staff. Drug treatment is offered along with courses on anger management and acupuncture. Twice a week, an adult education teacher comes to provide education, and an artist provides training in wood arts and processing six hours a week. The Jail has a work room where recycled bags are made from newspapers, plus a work room where paint work is made to order. Beyond this, inmates are occupied with work outdoors maintaining the Jail. Every inmate has a social worker who can provide guidance according to the needs of the inmate. The social worker also functions as a link between the inmate and the Almannaverkið (social services).

The inmate furthermore has two contact officers, who, among other things, are responsible for making recommendations for release on parole, as well as day-to-day guidance. It is possible to attend AA meetings in jail, and the chaplain visits once a week.

According to Elkin Klettheyggj, department chief of the Prison and probation services for the Faroe Islands, there are very few conflicts between inmates, and very rarely threats against staff.

There are two forms of solitary confinement: When the court orders it as part of pre-trial detention. And the other is the disciplinary response to an inmate violating house rules. The court does not have statistics for how often they order solitary confinement. Elkin Klettheyggj, department chief of the Prison and probation services for the Faroe Islands, has informed that statistics are not recorded locally, but that solitary confinement is a rare occurrence – presumably between 0-3 times a year, seldom lasting for more than a day.

Inmates have the right to receive visitors twice a week. They are not allowed cellular phones or computers. Contact with the outside world is therefore limited, but, according to Elikin Klettheyggj, the Prison and probation services tries to encourage contact with family as this is essential in relation to avoiding recidivism. The biggest challenge for many of the clients is a lack of housing, which is a prominent factor in inmates returning to a criminal milieu<sup>48</sup>.

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<sup>47</sup> Elkin Klettheyggj, department chief of the Prison and probation services for the Faroe Islands.

<sup>48</sup> Elkin Klettheyggj, department chief of the Prison and probation services for the Faroe Islands

The small jail in the Faroe Islands is used for detention and shorter sentences. As a rule, inmates sentenced to prison for more than 1.5 years are sent to Denmark to serve their time, although there is a recent trend that also inmates with longer sentences more often request to stay in the Faroe Islands to serve their sentences. As there are now more opportunities for activities in the Jail, the conduct of convicts has become a point of consideration for whether the sentence will be served in the Faroe Islands or in Denmark<sup>49</sup>. In recent years, the number of inmates in Denmark has varied between one and seven inmates<sup>50</sup>.

According to a radio documentary, six Faroese served sentences in Vestre prison in Copenhagen in 2016 – according to Elkin Klettheyggj, department chief of the Prison and probation services for the Faroe Islands, Vestre is a jail where people stay temporarily before being sent on to a prison. Some Faroese have, according to Elkin Klettheyggj, served in Vestre prison on account of there being a hospital there. Just like the Greenlandic inmates in Herstedvester, they do not have the possibility of regular contact with friends and family, and their opportunities for leaves are reduced in comparison with Danish inmates. (According to Elkin Klettheyggj, the rules are the same for Faroese and Danes, but leave presupposes having family to visit in Denmark). Faroese serving in Denmark typically consolidate their leaves so that they may have an extended leave to the Faroe Islands, though no more than twice a year. The difference between the Greenlandic and Faroese inmates is that the Faroese serve definite sentences, so that they have a prospect of when the punishment ceases, in contrast to the Greenlanders who are indefinitely incarcerated.

For the Faroese inmates in Danish prisons, there are no special rights. They are to be included in the overall group, hence no consideration is afforded the deprivations they may experience in being sent away from their home country.

While a new prison is about to be constructed in Greenland, there have never been any plans to build a prison in the Faroe Islands. From the pulpit of the Danish Parliament, Faroese member of parliament Sjúrdur Skaale (JF) posed a question on this addressed to the Danish prime minister in December 2015, where Sjúrdur Skaale called for the same conditions of justice throughout the kingdom, and that inmates in the Faroe Islands should have the same standards of serving as in Danish prisons. On the basis of the low prison population, the prime minister could not justify the construction of a prison capacity in the Faroe Islands.

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<sup>49</sup> Elkin Klettheyggj, department chief of the Prison and probation services for the Faroe Islands

<sup>50</sup> Elkin Klettheyggj, department chief of the Prison and probation services for the Faroe Islands

## Conclusion

In a criminological context, the Faroe Islands is an almost unexplored area. Statistics on crime and incarceration in the Faroe Islands are patchy and, in some cases, non-existent. This makes research in the relevant fields difficult. As the Faroe Islands is a small community with few actors, however, it is possible to correct what limitations there are today – making research on Faroese conditions possible. Even though the Faroe Islands is a very small nation, there are going to be areas within the sociology of law, legal policy, criminal law and criminology which will be interesting to examine more closely in the future.

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# GREENLAND

*Annemette Nyborg Lauritsen*

Greenland is the largest island in the world with a total area of 2 166 086 km<sup>2</sup>, of which 81% is covered by an ice sheet. The climate is predominantly arctic. The Greenlandic population is a small population spread over a large geographical area. Cities and settlements make up small closed island communities, each with their own distinctive character. Because of the surroundings, some of them are more accessible than others. According to Greenland's statistics, the Greenlandic population in 2016 was 55 847 inhabitants, of which 11% (6 021) is born outside Greenland, mainly in Denmark. In addition, approx. 40 nationalities are represented in Greenland, where the largest numbers in 2016 came from Iceland (204), Thailand (175) and the Philippines (162).

81 inhabited places in Greenland have been registered: 17 cities, 54 settlements, five sheep farms and five stations. Before the merger of municipalities in 2009, each municipality consisted of one town with associated settlements. The municipal merger led to a merger into four municipalities, where the former municipalities are now called districts. From January 1, 2018, the northern municipality was divided in two, so today there are five municipalities. The capital Nuuk is located in Kommuneqarfi Sermersooq, which stretches over the ice cap and, thus, also the East Greenlandic towns and settlements belong to the municipality.



## The great distances

In countless ways, Greenland is characterized by great distances. It is one of the only countries in the world where there are not at least two cities connected by roads. If you want to go from town to town, it is often a longer journey that involves airplanes or boats - for many a costly affair that is out of reach.

Greenland is the land of contrasts. Thus, there is a big difference between the life that is lived in an East Greenlandic settlement with less than 100 inhabitants, and life in the capital Nuuk, where there are approx. 17 000 inhabitants. Nuuk is a modern city, the small town with a touch of the big city. With its central administration, town hall for the country's largest municipality and head offices for a number of the country's larger companies, Nuuk is the country's power center. Young people from all over the country go to the city to study at one of the many educational institutions located in Nuuk. The city houses the big city's amusements with cafes, malls, cultural centers, night clubs, sports halls, ski lifts and golf courses. Just as it contains the big city problems like homelessness, cannabis and alcohol abuse, street children and vandalism. Housing in Nuuk covers everything from large expensive villas to deteriorating apartment buildings. The few kilometers of road networks found in Nuuk are frequently used by an ever-increasing number of cars, and in the yacht harbor there are large motor boats worth millions side by side with small fishing boats. Even though the number of Greenlandic academics is increasing, there is a continued lack of skilled labor within special central administration and health services. The need for recruited labor is most evident in Nuuk, where more than one fifth of the population is born outside Greenland - the majority in Denmark, and the language is by and large Danish. Many of these "summoned workers" stay only a short time in Greenland and, along with the fact that Nuuk is a city of education, the city is characterized by being a "transit place". A city where you stay for a period to work or study.

Life lived in Greenland's small settlements, then, seem as if in another world. Here are no cars or paved roads. The small wooden houses are heated with kerosene and do not have running water. The toilet bucket is emptied by garbage workers, and if you want to shower, it can be done in the service house in those settlements that have one. Most settlements have a store, but it is not an everyday affair with fresh products. In many settlements, there are months, some places up to half a year, between ships coming with products to the store. After 5th-7th grade in primary school, most children from settlements are sent to major cities to go to school, and they do not have the

opportunity to come home to spend the weekends. Most rural residents subsist on hunting and fishing. The language is Greenlandic, and for many settlers there is a great distance to the modern and Danish influenced Nuuk - both physically and mentally.

The distance between poor and rich is also large in the small Greenlandic population. In 2015, more than half, 60.8%, of taxpayers had an annual income of less than DKK 150 000 after tax, while 14.5% had an annual income before tax of DKK 50 000 or less. At the opposite end of the scale, 10.1% of taxpayers had an annual income of more than DKK 300 000 after tax, while 2.3% earned DKK 500 000 or more.

A partial analysis of the taxable income made by Greenland Statistics shows that the highest incomes in 2015 were acquired by men between 40 and 44 years old, born outside Greenland and residing in a city in the municipality of Kommuneqarfik Sermersooq. While the lowest incomes are earned by women between the ages of 15 and 19, born in Greenland, residing in a settlement in the northernmost municipality of Qaasuitsup Kommunia (Greenland Statistics 2016).

The Gini coefficient used to calculate income inequality was 34.4 in 2014, which is a lot higher than the Nordic countries. Relative poverty is also considerably higher (Greenland Statistics 2016).

## Self-Government

Greenland's colonial status was abolished with the Danish constitution in 1953, when Greenland was incorporated as a county in the Danish kingdom. In 1979, Greenland was given Home Rule, whence several policy areas could be taken over with support from Denmark, and thus legislative and executive power over the reclaimed areas could be assumed. After adoption in the Greenlandic parliament and a referendum in Greenland, in 2008 the Danish parliament passed a bill on Greenlandic self-government, which came into force on the National Day on June 21, 2009.

Among the most important changes from home rule to self-government are: Recognition as a people, Greenlandic as the official language, the right to the subsoil, locking-in block grants and the possibility of taking over a number of new areas of responsibility including the justice area (police, criminal justice and courts - except the supreme court). Natural resources, regulated by Inatsisartutlov no. 7 of 7 December 2009 on mineral raw materials and activities of importance to it (the Mineral Resources Act), was among the first areas that Greenland took home from Denmark.

With the adoption of the Mineral Resources Act, Greenland took over the ownership of the Greenlandic subsoil.

To take over an area from Denmark involves the self-government taking over the legislative and executive power in that area. With the Self-Government Act, a new economic system was introduced, which means that the self-government takes over the financing of a policy area from the time of the acquisition. This is in contrast to the Home Rule scheme, where money followed with a takeover. The state subsidy for the self-government is set at DKK 3.4 billion annually (2009) and is adjusted in accordance with the increase in the general price and wage index of the Danish Finance Act. In 2017, the block grant amounted to approx. DKK 3.7 billion. If the self-government receives income from activities related to minerals and other natural resources, the grant received from Denmark will be reduced to half of that year's income above DKK 75 million. If revenues reduce the block grant to DKK 0, negotiations between Greenland and Denmark will commence on the future economic relation between the self-government and the state.

### **The area of justice - a Danish matter**

Although self-government has been introduced, and in the central administration a Department for Social Affairs, Family and Justice with its own minister has been set up, the Greenlandic justice sector remains a Danish matter. It is the Danish Minister of Justice who is the top responsible, and it is the Danish parliament ultimately adopting laws and legislative changes in the area.

In 1994, the Danish Government and the Greenlandic Home Rule appointed the Greenlandic Judicial Commission (Report 1442/2004). The Commission consisted of 16 members appointed by the Danish Government and the Home Rule Government. The main task of the Commission was to carry out a thorough review and reassessment of the entire Greenlandic judicial system and, on this basis, make proposals for its revision. The Greenlandic Judicial Commission (2004) has listed advantages and disadvantages of a possible transfer of the justice sector to Greenland. The Commission has chosen not to make a recommendation for or against, as the issue must be a political decision. In order to avoid coordination problems, however, the Commission recommends that any takeover should be comprehensive. This means that all relevant parts within the police, courts and criminal justice services are transferred at once. After 10 years of work, the Commission published its report in 2004, which led to a large number of judicial recommendations. The two laws - the Criminal Code and the Administration of Justice Act for Greenland - which must form

the framework for a total legal reform were adopted in 2008 with effect from 1 January 2010. Implementation of the judicial reform is underway. From statements by successive Greenlandic governments, it has become apparent that the parties aim in the long term for Greenland to assume responsibility for the entire Greenlandic judiciary (except the Supreme Court). The Greenlandic Judicial Commission was aware that the reforms associated with a transfer could become very burdensome for Greenland. It was therefore assumed by the Commission that the report's recommendations on reforms were implemented while the judiciary remained a Danish area of responsibility.

Although independence is on the agenda of several Greenlandic parties, transfer of the justice area has not received much attention. In Greenlandic government parties, the attitude has been that the issue of the timing of a transfer is kept separate from the implementation of the judicial reform. Acquisition can be made at the earliest after a completed legal reform.

### **The courts of Greenland**

Changes in the structure of the courts of Greenland are among the proposals made by the judicial commission. There are four district courts in Greenland, which follow the municipal boundaries, except for a single district court in the former northern municipality which was divided into two municipalities as per January 1, 2018. The district court is the court of first instance. Before the judicial reform, judges were lay people. There were no educational requirements for judges, but they should be irreproachable and meet the eligibility requirements for the municipal council, as well as being selected from among the population in the place where they were to act as judges.

Following the reform, district judges must continue to be recruited among the local population. But, unlike earlier, judges are employed in permanent positions. In order to be employed as a district judge, the person concerned must have completed a criminal judicial training. District judges are thus not lawyers, but they have carried out a special judicial training.

In order to strengthen the quality of the administration of justice, a first instance court of law has been established, the Court of Greenland. This means that the first instance is either the district court or the Court of Greenland. The Court of Greenland takes care of legally complicated cases at the first instance level, just as it is also the Court of Greenland which is responsible for guidance to and education of the district judges.

The Greenland High Court is the second instance and exclusively the court of appeal.

The defense at first instance has previously been provided by lay people. Just about anybody could meet as a defender for an accused. After the reform, people who provide defense must be authorized defenders. Authorization is achieved by completing a defense training course, but the position of defense remains a secondary job.

At the judicial courts, the Court of Greenland and the Greenland High Court, lawyers provide the defense.

### **Reactions to crime in Greenland**

In Greenland there is in principle no tradition of confinement in response to criminal acts. With the creation of the Criminal Code for Greenland, which came into force in 1954, a refusal of prisons followed. The law had been created based on research by the Legal Expedition, which was sent to Greenland by the Danish government in 1948 to investigate legal relations in Greenland. In their report, the expedition members reached the conclusion that Greenlandic case law was characterized by an individualizing personality system. That is, it was the person rather than the deed that was at the center. What is called the perpetrator principle, and which originates from the deed principles (Goldschmidt 1980).

When the law came into force in 1954, it was noteworthy that there were no penalties in the law, that the reactions were independent of the crimes and that there were no prisons. The individual measure was to be adapted to the perpetrator's individuality.

As mentioned, a new criminal law for Greenland came into force on 1 January 2010. Prior to that, the Greenlandic Judicial Commission had reviewed all parts of the Greenlandic justice system. During the Commission's work, the political side of Greenland expressed the wish that more emphasis should be placed on the equality view in the law, in other words a principle of guilt in which the same crime triggered the same measure, contrary to the previously applicable perpetration principle (Report 1442/2004 Vol. 3). In its work, the Commission reached the so-called sanction level model, combining the deed and perpetrator principles. As the name suggests, there are a number of sanctions ranging from warning, fine, conditional sentence, supervision, community service to imprisonment and detention as the most severe sanctions. The Judicial Commission found that the penalty rate model would provide more detailed guidelines for setting

measures. And with its combination of the principles of perpetrator and deed, the model provides a higher degree of predictability in the judicial system (ibid.).

In 2015, Professor Flemming Balvig conducted a comprehensive study of the Greenlandic legal consciousness (Balvig 2015). Among the questions that Balvig sought to answer were how the Greenlandic people consider the question of punishment. Balvig found the Greenlandic responses remarkable compared to similar studies in Nordic countries. Firstly, unlike the other Nordic countries, there was a great desire to respond. Very few answered "do not know." Balvig concludes that it is a question about which the Greenlandic people have an opinion and one they would like to share. Next, there was a very large proportion – 77% – who believed that the sentence should first and foremost be tailored to support and help the convicted person so that he does not do it again, that the special preventive objective focusing on resocialization carries the most weight. 15% thought that the sentence should aim to punish (the repressive purpose), while 5% considered the purpose to be deterrence (the general preventive purpose).

Encouraged by these results, Balvig chose to repeat the study in Denmark. Here the attitude was markedly different. Only 29% Danish respondents believed that the purpose of a sentence should be to help and support the perpetrator, whereas a full 57% of respondents believed that the purpose was to punish the offender so that he could feel that society was censuring his crime (ibid.).

Balvig therefore believes that it can be concluded that the perpetrator's principle is very much rooted in the Greenlandic society, unlike, for example, in the Danish.

### **Country without prison?**

With the Greenlandic criminal law, which came into force in 1954, a rejection of prisons followed. The legal expedition saw four reasons in particular for rejecting prisons in Greenland: First, they thought they had seen that in Greenland they did not isolate offenders. Secondly, it was possible to keep track of everyone in these small communities. Thirdly, those who had been imprisoned tolerated it so badly that it was necessary to quickly release them. And last but not least, it would be extremely costly to build prisons in Greenland.

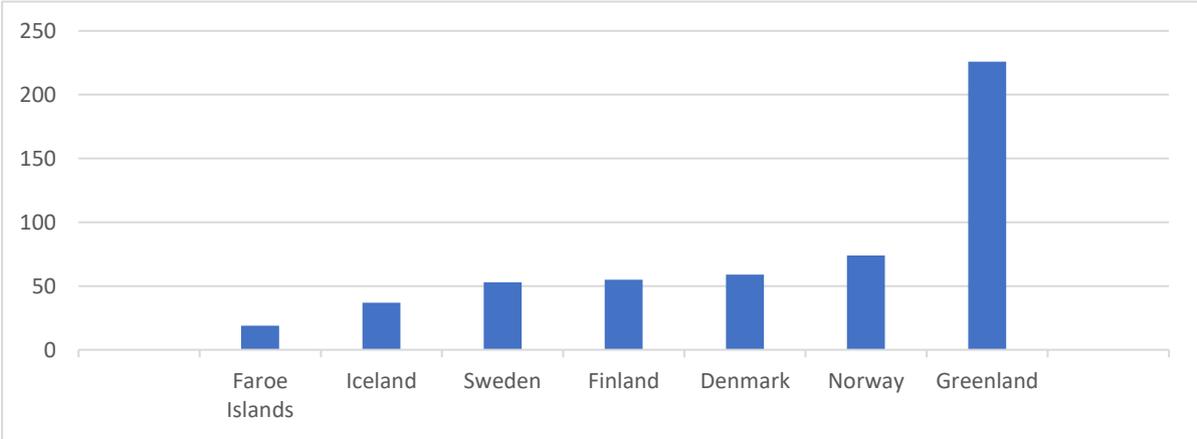
Through the 1950s and 60s, a thorough modernization process was initiated that hit all parts of Greenlandic society. Thus, the old forms of traditional living with small communities and a strong primary control began to crumble. Instead, institutions began to emerge where people with special

needs were sent to institutions in Denmark that were established to handle special groups of persons (the mentally ill, disabled, deviant). It also had an effect on the Criminal Code. An amendment of the law in 1963 meant that it now became possible to institutionalize convicts. But it was emphasized that the Greenlandic institutions should not have the character of a prison. And that one should avoid the detrimental effects known to be caused by prisons.

In 1967, the first Greenlandic correctional facility saw the light of day. The institution was built in Nuuk with a capacity for 18 persons. It was arranged so that convicted persons went to work during the day while they were living at the institution. Initially, the Greenlandic institution had similarities with what is known in Nordic countries as open prisons and prisons with a low level of security. The main principle of the institution was that the convicted person should maintain affiliation with the surrounding community through employment in the city, be resocialized and supported for a future crime-free existence.

The small institution in Nuuk quickly became burdened with overcrowding, and several more institutions joined it. Although the number of institutional sites grew, the problem of overcrowding continued in the Greenlandic institutions. In the years up through the 1980s and 1990s, what we can call "The Great Greenlandic Incarceration" started. In those years, the institutional capacity doubled, and the number of prisoners in relation to the general population greatly surpassed anything seen in the Nordic countries (Lauritsen 2011). Nevertheless, the development continued its ascension through the 2000s. The figure below shows the Greenlandic numbers of prisoners compared to the Nordic numbers.

*Figure 1. Numbers of inmates in the Nordic area per 100000 inhabitants, 2017.*



World Prison Brief ([www.prisonstudies.org](http://www.prisonstudies.org) 17. January 2017).

What is not included in the Greenlandic numbers of inmates is the approx. 30 Greenlandic convicted men who serve indefinite sentences for homicide or sexual offenses at Herstedvester Prison in Denmark. In 2016, the Greenlandic convicts in Herstedvester Prison constituted 19% of the total Greenlandic prison population (Lauritsen 2017). The Greenlandic Herstedvester prisoners are sentenced according to section 161 (1) of the Criminal Code, 1 and 2 (Criminal Law for Greenland, Act no. 306 of 2008) - or equivalent paragraphs in the previous criminal law. That is, they have, in the first place, received a sentence of indefinite detention, and, additionally, following paragraph 3 of the custody clause 2, due to mental deviation *...is considered unfit for institutionalization in Greenland, or if such placement does not provide sufficient security, the person concerned can be sentenced to indefinite detention in a psychiatrically led institution under the Prison and Probation Service in Denmark* (Kriminalloven § 161 (2)). For all practical purposes, this is Herstedvester Prison. For several of the convicts, this is their first meeting with Denmark. Most have limited knowledge of the culture and language, and do not know about Danish norms and forms of social interaction.

The institutional capacity in Greenland, 2018, totals 154 places in six institutions (Lauritsen 2018):

<b>Town</b>	<b>Capacity</b>
Ilulissat	29
Aasiaat	15
Sisimiut	29
Nuuk	56
Qaqortoq	10
Tasiilaq	15
<b>Total</b>	<b>154</b>

The Greenlandic correctional facilities are officially referred to as open institutions, and initially it was formulated that they should not have the character of a prison. By naming the institutions

as "open," it is signaled that the atonement takes place under relatively free terms. And, as mentioned, the prisoners were intended to maintain contact with the surrounding community during their incarceration. With the criminal law amendment from 2010, half-closed departments were introduced in all institutions. Barbed wire, surveillance cameras and locked doors have gradually come to increase control, while training, treatment and employment resocialization is limited. Today, most of the inmates live under closed conditions in institutions not built for people to remain 24 hours a day (Lauritsen 2018).

Despite the intention of openness and contact with society, in practice a completely different picture appears. For inmates who have achieved the possibility of spending time outside the institution, this is limited to a few times during the week. Most inmates - approx. 75% - spend most of their time within the institution. Since the Greenlandic institutions are designed to be open institutions, where residents stay out of the house during the daytime, there are few opportunities for activity (ibid.). In practice, the Greenlandic institutions have developed into institutions that are more similar to closed prisons than the facilities they were intended as.

## **The crime situation**

The high number of detainees can be explained by the registered crime. From annual statistics from the Greenland Police (2018), it appears that 4 221 reports were registered for violations of the Criminal Code for Greenland. Just over half were reports of property crime violations (such as theft, fraud, scam, robbery, etc.). A total of 854 (20%) of all reports concerned violence. In addition, six (0.14%) reported murder and 16 (0.4%) reported attempted homicide. Sexual offenses accounted for 9% of all reports in 2017. Of that total of 386 reports, 34% were reports for rape, while 18% were reports for sexual relations with children under 15 years of age.

Although property crimes constitute the bulk of the reported crime, there is a larger degree of personal crime in Greenland than, for example, in Denmark. In 2017, 150 reports were registered per 10 000 inhabitants, which is significantly higher than in Denmark, where, in 2017, 40 reports were registered per 10 000 inhabitants. The reporting frequency of sexual offenses in Greenland is almost 10 times higher than in Denmark, as in 2017 Greenland saw 70 reports registered per 10 000 inhabitants compared to 8 reports per 10 000 inhabitants in Denmark. The overall impression given by the reported crime statistics is therefore that, in general, the Greenlandic society appears considerably more violent and brutal than the Danish.

## Herstedvester Prison in Denmark and a new closed institution in Greenland

In Herstedvester Prison in Denmark, approx. 4 000 km from their home country, approx. 30 Greenlandic men are imprisoned. They are indefinitely sentenced for homicide or sexual crimes. Since the first prisoner transport in 1958, indefinitely sentenced Greenlanders have been sent to Denmark.

The system of sending prisoners from Greenland to the Danish Herstedvester Prison has over the years provoked strong criticism. The criticisms have come from both Greenland and Denmark. One of the strongest critics was the Danish author Tine Bryld. But also from within the system, from employees of Herstedvester, sounded extremely critical voices: Former care director in Herstedvester, Ingrid Hjarnaa wrote in 1991 that the institution was not suitable for the treatment of Greenlanders, and their stay had the characteristics of storage. Chief physician Lise Lykke Olesen, meanwhile, described in 1995 that in the therapeutic treatment of the Greenlandic convicts, it was difficult to maintain focus on the crime when they simultaneously felt being unfairly treated, excluded and deported (Frantzsen 2007).

Based on the criticism raised, it was in the guidelines of the Greenlandic Judicial Commission ... *to consider and describe how special detention centers can be established in Greenland, so that the previous scheme, in which Greenlandic detainees serve in the Institution at Herstedvester, can be brought to an end* (Report 1442/2004)

On the basis of the Commission's recommendations, the Danish parliament decided to construct a closed institution in Nuuk, which will house those sentenced to indefinite detention in the future, including those previously sent to Herstedvester Prison.

On August 17, 2015, the first groundbreaking took place for the construction of a new closed institution in Nuuk. The new facility will have a 76 person capacity, 40 of which are confined and encircled by a wall - although the official designation is institution, in practice this is a prison. The institution is expected to be ready in 2019. With this new institution, a long tradition of sending Greenlandic prisoners to serve in Denmark ends.

It is still unclear how the new institution will function as the resocializing institution in the local community that it was intended as. Future convicts sentenced to indefinite detention can serve their sentences in their home country, but far from everyone will be close to their homes. Whether

rights such as visitation trips etc., as were seen in Herstedvester, will be observed is yet be settled. And the question remains whether the other institutions will be restored to their original open intents - or whether they will be recognized as more of closed institutions?

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# CRIME AND CRIMINAL JUSTICE IN ICELAND

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## Introduction

Iceland is a modern island nation in the North Atlantic with a population of 360 thousand inhabitants in early 2019. More than two-thirds of the population live in the capital area of Reykjavik in the south western part of the country. Iceland gained home rule from Denmark in 1904. In 1918, Iceland became a free and sovereign state in loose union with Denmark and declared its full independence in 1944 (Nordal and Kristinsson, 1996). The Icelandic constitution of 1944, the predominant law in Iceland, has its historical roots in the Danish constitution of 1849. Iceland's population more than tripled in the 20th century and has continued to increase since; from about 280 thousand inhabitants in 1999 to more than 360 thousand in 2019. At the same time, Iceland has opened up to the outside world, resulting among other things in an influx of new immigrants. In 1999, about 2.4 percent of the population was foreign-born, but in 2019 this figure stood at 11 percent, mostly from Eastern Europe. The social fabric has therefore undergone major changes in most recent years, with the economy experiencing a boom in the new millennium and then suddenly collapsing in 2008. In the post-crisis period, Iceland has remarkably bounced back; experiencing economic growth in most recent years fuelled by a growth in tourism. What impact does this societal background have on crime control developments in Icelandic society? Can Iceland be described as a case of *Nordic exceptionalism*?

## Iceland's criminal code and justice system

There are three court levels in Iceland. A total of eight *district courts* hearing both civil and criminal cases are scattered around Iceland. Verdicts can be appealed to the newly established *Court of Appeal* and, finally, to the *Supreme Court* which is the highest court in the nation. Iceland's criminal code largely reflects Danish influence. Since 1944, many changes have been made to the code. Yet, the models for these changes have continued to be drawn from the laws of other Nordic countries, in addition to incorporating international legislation as a part of Icelandic membership to various international treaties (Ólafsdóttir and Bragadóttir, 2006).

As for overall severity of punishment in Iceland, a study of punishment in the Nordic countries showed that, on the whole, punishment tended to be similar between these countries (Hennum, 2003). A study of punishments for homicides showed, however, that these are relatively severe in Iceland compared with neighboring countries (Magnússon and Ólafsdóttir, 2003). A typical sentence in Iceland for homicide was in an earlier study shown to be 14 years in prison, 12 years in Denmark, 8-12 years in Finland, 10 years in Sweden, and 6-7 years in Norway (Jónsson 1996). In the same study, a typical sentence for rape in Iceland was found to be 1 1/2-2 years in prison and 1-2 months for burglary of a private home. A tendency to increase penalties has been detected in Iceland in the new millennium, in particular for sex crimes. Moreover, the maximum penalty for drugs violations was increased to 12 years in prison from the previous limit of 10 years in 2001. Relatively more cases involving drug importation and sales have ended up in the upper limits of the sentencing range compared to most other offenses – a manifestation of the grave concern authorities show for local drug use (Gunnlaugsson, 2015).

The State Criminal Investigation Police (SCIP; Rannsóknarlögregla ríkisins) was established in 1976 and began operation the following year. The founding of the force was a consequence of the separation of the investigation police force from the criminal court, with which it had been closely tied. Prior to the establishment of SCIP, investigation of criminal cases had been the responsibility of the criminal courts, making Iceland's criminal process largely inquisitor, despite a 1951 law that called for accusatory legal procedures. In 1997 a new state police unit was established, the National Commissioner of the Icelandic Police, to replace the SCIP as a centralized force, with data gathered from the entire country. The total number of Icelandic police in 1990 stood at approximately 640, which relative to population size was similar to the size of the US police force (Gunnlaugsson and Galliher, 2000). In 2007 the number of police officers in Iceland stood at about 700 but in 2016 the number had decreased to about 650.

### **Iceland crime situation**

Iceland has typically been portrayed as a low-crime country (Gunnlaugsson and Galliher, 2000; Ólafsdóttir and Bragadóttir, 2006). Many features of Icelandic society have been found to contribute to its low level of crime reporting. Iceland's small and relatively homogenous population is claimed to help facilitating primary group relations, social integration and informal social control. These social characteristics are often found lacking in other industrialized nations,

which are characterized more by secondary social relations and social isolation – and more crime reporting (Adler, 1983; Christie, 2000).

Other features of Icelandic society have also contributed to its low crime-reporting rate. Iceland has possessed a relatively egalitarian and cohesive social structure which has been shown to keep crime levels down (Blau and Blau, 1982; van Willsem, de Graaf and Wittebrood, 2003). Baumer et al. (2002) have also found Iceland to be a prime example of Braithwaite's (1989) description of the good society, one that is committed to both collective duties and individual rights. Despite a well-documented cultural ideal of individualism in Iceland (Durrenberger, 1996), Iceland is depicted as being deeply committed to communitarian social values, with effective informal social control, which helps keeping crime down.

### Crime statistics

The observation of Iceland as a low-crime country was for a long time confounded by limited official records of crime data. Police statistics were not easily accessible until the new millennium because of irregular or nonexistent record keeping by local officials over the years. Consequently, it has been difficult to obtain a detailed historical picture of reported crime in Iceland, making criminological research difficult or even impossible. In most recent years, however, record keeping of crime in Iceland has improved, as crime concern in society has deepened.

Contemporary police statistics show that the total number of crimes known to the police is indeed lower in Iceland than those found in many other countries. For example, the total number of penal code cases in Iceland per year, including contact crimes such as assault and robbery, was about 5 000 per 100 thousand inhabitants during 2007-2011, 6 000 in Norway, while the number was 8 000 in Denmark, and Finland, and just below 15 000 in Sweden (Aebi et al., 2014). Earlier Interpol records of crimes known to the police also show that Reykjavik remained lower than other Nordic capitals for all serious forms of crime (Gunnlaugsson and Galliher, 2000). In addition, per capita incarceration rates show Iceland below almost all other European nations (38 per 100 thousand inhabitants; 12 per 100 thousand in the Faroes and 226 per 100 thousand in Greenland), further supporting the notion of Iceland as a low-crime country (see World Prison Brief, 2017).

Yet, well known problems exist in international crime comparisons of official crime data, in particular police data. Legal definitions of crime are not the same from one nation state to another.

Reporting practices also vary between different countries, as well as law enforcement practices, the way police departments record and report criminal and delinquent activity, making comparative crime research difficult.

To address the problem of different police practices of crime data, intentional homicide is sometimes used as a comparison unit, with recording practices not being radically different between countries. In the time period 2000-2017, a total of 36 intentional homicides were committed in Iceland, or two per year on average. If the homicide rate in Iceland for the time period 2007-2011 is examined, the rate was 0-0.9 homicides per 100 thousand inhabitants, or close to, if not a little less than, the average in Denmark, Norway and Sweden. Finland was higher with a homicide rate of about 2.5-3.0 per 100 thousand in the same time period (Aebi et al., 2014). In a Nordic comparative perspective, many signs therefore show Iceland to be a low-crime country if we use official crime statistics of the police and prisons.

### Iceland prison situation

The state owns and runs all prison facilities in Iceland (see Prison and Probation Administration, 2019). The Prison and Probation Administration, established in 1989 and modelled after similar Scandinavian organizations, oversees daily operations of all facilities. Iceland's prisons have been divided into two categories. One type for prisoners serving sentences, and the other for those held in custody and solitary confinement during the initial investigation of their cases (see Gunnlaugsson, 2011 and 2017). More than 60% of the prisoners were 35 years old and younger in 2013 and about 94% were males.

In early 2019, five prisons in which convicted prisoners served their sentences were operating in Iceland, with a total of about 200 prison cells (see Pakes and Gunnlaugsson, 2018). One of the prisons was located in Reykjavík, and the others scattered across various regions of the country – two in southwest Iceland (*Litla-Hraun* and *Sogn*), one in western Iceland (*Kvíabryggja*) and one in the largest town of northern Iceland (*Akureyri*). Only the new Reykjavík prison was originally built as a prison facility. The other buildings were all renovated to serve as prison facilities after originally having been planned for other purposes. The Reykjavík prison in Hólmsheiði opened in late 2016, replacing an old prison in downtown Reykjavík which was closed in May of 2016. The new Reykjavík prison has cells for 56 prisoners, including a custody facility. This facility is mainly

used as a reception unit for in-coming prisoners, females, shorter prison sentences and for those who fail to pay fines.

The custody facility has in the past few decades been located in the largest prison at *Litla-Hraun* but was moved to the new prison in Hólmsheiði in 2017. The *Litla-Hraun* prison appears close to being a maximum security facility, located next to two small fishing villages about 60 km southeast of Reykjavík. About half of the total prison population are placed there, or 87 inmates, including the custody facility.

Before 1989, no prison for females existed in Iceland and they were placed among other male inmates. The *Kópavogur prison* was opened in 1989, and there all female inmates served their sentences for more than a quarter of a century until it was closed down in 2015. Usually, about four to seven female inmates served time at any given time in the *Kópavogur prison* and the rest of the maximum capacity of twelve was filled with male inmates. The new prison in Hólmsheiði includes a separate division for women prison inmates and they started serving their terms there in November of 2016.

The prison facility in Akureyri, in the north of Iceland, is located at the local police station, and has recently been renovated. It has a capacity for 10 inmates, mostly intended for shorter sentences. Moreover, the prison in the north-west of Iceland, *Kvíabryggja*, looking more like any other farmhouse, is virtually an open prison facility. This prison has a capacity for 22 inmates and has recently been renovated. Finally, in 2012, a new open prison facility *Sogn* was opened not far away from *Litla-Hraun* with a capacity for up to 20 inmates.

With the new prison in Hólmsheiði, the total prison capacity was significantly increased, up to a total of 196 cells (*Vernd* not included discussed in more detail below). Yet prison authorities had not in 2018 used this new expansion to its maximum because of lack of funding and staff. The Icelandic per capita incarceration rate is comparatively low, around 40 per 100 thousand inhabitants, below almost all other European nations. Even though the number of prisoners does not necessarily reflect the crime rate in society, this figure implicitly tends to support the notion of Iceland as a low-crime country. Perhaps Iceland is even a better candidate for penal exceptionalism than the other Nordic societies typically portrayed as being exceptional (Pratt, 2008, 2009). Iceland's prison rates, like the Faroes and Åland, are lower than those of the other Nordic nations and the prisons are even smaller. Moreover, the tiny prison estate in Iceland includes open prisons in addition to the half-way house, *Vernd*, suggesting Iceland to be a fertile ground for a positive

prison system no less than other Nordic nations. In 2019, prison authorities are planning to hire more prison staff to Hólmsheiði prison, in order to make more use of this facility. If it will be used to its maximum, the prison rate is bound to increase as well, up to approximately 55 per 100 thousand inhabitants. In June of 2019 a total of 157 served time in prison in Iceland, including 35 held in custody while their case was investigated by police.

### **The new Reykjavík Hólmsheiði prison**

The new modern prison in Hólmsheiði appears on the surface to be more security oriented than humane. Yet everything is new and especially designed as a prison, a major step forward, replacing aging and worn-out facilities – including a new improved custody unit replacing the old one located at Litla-Hraun. The custody unit at Litla-Hraun was unpractical when investigating a criminal case; to transport lawyers and police between Reykjavik and Litla Hraun (approx. 60 kilometres) for interrogation of crime suspects. Moreover, this aging facility for solitary confinement at Litla-Hraun had been criticized by international bodies like the UN *Committee Against Torture* for inhumane conditions in addition to the frequent use of this method while investigating a criminal case (see for example RÚV, 2017). With the new facility at Hólmsheiði, this custody process is both smoother in the close vicinity of Reykjavík, in addition to the better quality of the facilities themselves.

Improved facilities for educational purposes are also provided for in the new prison. The new prison is formally only intended for those entering the prison system and for those serving shorter sentences, yet with a special unit for women prison inmates who will most likely serve longer there than most men will.

### **Icelandic prison statistics**

Institutional records of prisoners for 2006-2016 (Table 1) reflect an emphasis on confining those convicted of drug, property and different types of violent offenses. The ratio of drug offenders to the overall prison population in this time period has varied from 28 to 35 percent. In 2012, for example, a total of 108 inmates served time in prison for drugs, and in 2016 the number stood at 100 inmates. Proportionately, property offenders in prison have also fluctuated somewhat, from accounting for about 26 percent of all inmates in 2010 down to a low of 18 percent in 2008. Violent

offenders, including homicide, sexual crimes and other violence, have taken more space in prison, from a total of 24 percent of all inmates in 2006 up to 35 percent in 2013. Both proportionately and in number, the most notable increases during this time period therefore consist of violent and drug offenders while traffic violators have increasingly lagged behind.

**Table 1.** Percentage distribution of prison inmates in Icelandic prisons by type of crime committed, 2006-2016.

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Homicide	6	8	8	7	7	6	7	7	7	7	8
Property cr	23	22	18	24	26	25	26	22	23	25	24
Traffic	16	11	10	9	3	5	8	7	5	7	3
Drugs	34	32	28	30	35	30	28	30	30	31	35
Sexual crin	9	15	13	10	12	12	12	14	14	11	12
Violence	9	8	16	10	11	14	12	14	15	13	10
Other	3	4	7	10	6	8	7	6	6	6	8
<b>Total</b>	<b>327</b>	<b>288</b>	<b>314</b>	<b>328</b>	<b>326</b>	<b>366</b>	<b>389</b>	<b>373</b>	<b>352</b>	<b>348</b>	<b>285</b>

Source: Prison and Probation Administration annual reports 2006-2016

**Table 2.** Percentage distribution of criminal court decisions by length of prison sentence, 2007-2016.

	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016
Less than 30 days	23	27	27	25	27	30	26	25	28	27
30 days-3 months	32	31	33	31	34	29	29	35	34	33
3-6 months	16	16	16	13	17	15	18	16	15	16
6-12 months	10	10	8	13	9	12	10	11	12	12
12-36 months	14	11	11	13	11	8	13	9	7	7
36+ months	5	5	5	5	2	6	4	4	4	3
<b>Total</b>	<b>402</b>	<b>416</b>	<b>447</b>	<b>407</b>	<b>477</b>	<b>493</b>	<b>563</b>	<b>531</b>	<b>492</b>	<b>530</b>
<b>Total length of punish</b>	<b>300</b>	<b>298</b>	<b>329</b>	<b>309</b>	<b>296</b>	<b>336</b>	<b>423</b>	<b>336</b>	<b>286</b>	<b>318</b>

Source: Prison and Probation Administration annual reports 2007-2016

On the whole, prison sentences decided by the criminal courts tend to be relatively short, and only in part actually served in prison. In 2007, the length of about 55 percent of all prison sentences were three months or less, with a slightly higher proportion in 2015 at about 62 percent. In the 1980s, about 66 percent of all prison sentences were three months or shorter (Gunnlaugsson and Galliher, 2000), very similar to the situation in the 2000s. Thus, it appears that the ratio of shorter prison sentencing of three months or less has remained somewhat stable over time, or from being

about two-thirds of all sentencing in the 1990s down to about 60 percent during 2007-2015. What about the proportion of longer prison sentences? There the trend appears to be somewhat different. In 2007, close to 20 percent of all prison sentences included a prison sentence of one year or longer, but in 2015 this proportion had dropped to about 11 percent of all prison sentences.

A growing number of prison sentences decided by the criminal courts can be detected during 2007-2015, or about a 20% increase (see Table 2). Yet a peak had been reached in 2013, with a total of 563 individuals receiving a prison sentence, going down to 490 in 2015. We also see an increase in the total length of sentencing from 2007 to 2013, with a notable drop taking place in both 2014 and 2015. The total length of prison sentences meted out by the courts in 2007 was 300 years in prison, but in 2013 this total had jumped to around 423 years, or an increase of about one-third. In 2014 and 2015 we see a marked drop down to a total of 286 years in prison, a similar length to 2007. Thus, court sentences gradually became longer in this time period along with a growing number of prison sentences until reaching a peak in 2013 with a notable drop after that. This trend in both numbers and longer sentencing practices apparently contributed to the current pressure in the prison system, and added to the long list of convicts awaiting a place of confinement. In 2017, the number of those awaiting prison stood at a staggering 450 (Arnarsson, 2017). In 2014 and 2015, a drop in both the number of prison sentencing and in total length of punishment in years, can be detected, lasting at least until 2016. Yet as Table 2 shows, an increase in both the number of prison sentences and total length of sentencing can be detected again in 2016, further adding to the prison pressure.

However, court prison sentencing policy is one thing, and time actually served in prison another. Paroles have increasingly been granted over the years. In the time period, 2000-2008 about 40 percent of the prison population completed the full sentence in prison while about 60 percent were granted parole before the whole term was served. In 2008, only about one-fourth completed the whole sentence and more than 70 percent were granted parole. This trend of granting more parole had started earlier. During the 1980s and 1990s, increasingly more prisoners were granted parole, from about 36 percent in 1985 to 57 percent in 1998 (Gunnlaugsson and Galliher, 2000). Also important to keep in mind, those receiving a prison sentence of 12 months or less (since 2016) may also be eligible for community work instead of serving time in prison. Therefore, many of those receiving a 12 month prison sentence or less from the criminal courts shown in Table 2, never do serve time in prison and do not appear in Table 1.

Proportionately more prisoners have been granted parole in recent decades, while at the same time we see a growing number of prison sentences. According to Iceland's penal code (law no. 19 1940), an option of giving parole is made possible when two-thirds of the term has been served and after at least two months in prison. Yet there are frequent exceptions, and many prisoners are released when half of their term is completed.

With the new prison legislation passed by Alþingi in 2016 (Prison Bill, Law no. 15, 2016), convicts younger than 21 years old can be released from prison when one-third of their sentence has been served in prison (article no. 80). The relative share of half and two-thirds of terms completed before being released on parole has not changed much over time. With a growing number of longer sentences over time, more inmates have a possibility to be granted parole since shorter sentences than two months do not permit it.

### Repeat prisoners

In the 1980s and 1990s, typically about half of the prison population had served time in prison before (Gunnlaugsson and Galliher, 2000). In most recent years, the rate of repeat servers has somewhat fluctuated but still appears to be decreasing. During 2000-2008, for instance, repeat prisoners ranged from 56 percent in 2001 down to about 41 percent in 2008. In 2009, about 60 percent of the inmates were first-time servers, increasing to about 68 percent in 2013 (Prison and Probation Administration, 2019). What accounts for this positive change is difficult to state with certainty, and some fluctuation can also be detected in most recent years. Yet, a growing number of prison sentences decided by the courts seems to have reached more new offenders than before. More services provided to prisoners while serving their term have also been offered in recent years, such as substance abuse treatment, which might have helped reducing recidivism. A recent Nordic study on prison relapse showed Iceland coming second to Norway with the lowest recidivism rates (Prison and Probation Administration, 2017). Still, it is important to keep in mind that comparative studies of this type are always difficult, what is being defined as relapse in one country, for instance, can complicate the picture.

Earlier, Baumer et al. (2002) found Iceland to have a similar rate of recidivism as in other nations for both reconviction and reimprisonment. Therefore, a small and relatively homogenous nation such as Iceland with a low crime rate was not found to reintegrate offenders at a higher rate than others. While there are perhaps several plausible explanations for this pattern, the authors (Baumer

et al. 2002) raise the possibility that functional aspects of exclusion may override prevailing reintegrative forces, even in communitarian societies such as Iceland characterized by low crime rates. Yet, recent figures of repeat prisoners seem to indicate that relatively fewer prisoners return to prison than before.

### **Foreigners in Icelandic prisons**

During the economic boom in the first decade of the new millennium, Iceland experienced an influx of foreign visitors and residents. About 2.4% percent of the population was foreign born in 1999, but in 2017 this figure stood at 10 percent (Friðriksson, 2017). Most came from the eastern parts of Europe to meet the expanding demands of the labour market. The population increase in Iceland during the past few decades therefore comes in large part from foreigners. The new social environment of foreign-born inhabitants, and an increasing number of foreign visitors to Iceland, can also be detected in the local criminal justice system.

On average, about two foreign-born citizens served time each day in Icelandic prisons in 2000, but they numbered 24 in 2008, or about 17 percent of the total inmate population (Prison and Probation Administration, 2017). In addition, six foreigners were held in custody while their cases were being investigated by the police. In 2011, the total number of foreign-born inmates had increased up to 89 inmates serving time over the whole year, or about 25 percent of the total inmate population serving time in prison for that year. The ratio of foreign prisoners has, however, lowered somewhat in most recent years. Most of these prisoners served time in prison for the first time and were therefore new to the prison system and thus help explain the lower relapse rates in recent years. The prison pressure so evident in Iceland, resulting in a long waiting list, was therefore in large part due to the ever-increasing heterogeneity of Icelandic society. The types of crimes committed by foreign-born inmates tend to be the same as those committed by local inmates. Property crimes and drug and violent offenses constitute the bulk of the offenses committed by foreign citizens who serve time in prison during this period.

### **Prison alternatives in Iceland**

Alternatives to prison have increasingly been adopted in recent decades in Iceland. Community work has been possible since 1995, and now open for those who have received a 12 month

unconditional prison sentence or less. More than one hundred persons have served their time doing community service work each year instead of doing time in prison. Electronic monitoring has been offered since 2012, now for those who have received a more than 12 month unconditional prison sentence or more; enabling an earlier release from prison than before (back-door policy). Those who are nearing completion of a long prison sentence and have secured a job, or follow an education program, are also eligible to serve their sentences at *Vernd*, a half-way house in Reykjavík, run by a private non-profit organization, before being electronically tagged at home or work. Each day, more than 20 persons served their sentences at the half-way house in 2018.

If we take an example of a person receiving a 3 year unconditional prison sentence from the criminal courts, he/she might be released on parole after half of the 3 year prison term served in prison; a typical procedure for quite many first-time offenders and non-violent offenses in Iceland. This person will serve a total of 10 months in an open or locked prison; five months at the half-way house in Reykjavík, and eventually three months by electronic monitoring before being released on parole for the remaining half of the prison sentence. Despite this apparent prison leniency (see Prison Bill, 2016) an ever increasing waiting list has accumulated in recent years, as mentioned above.

These alternatives to prison indicate a tendency in Iceland to introduce punishment types with rehabilitation qualities in dealing with crime control. At the same time, these measures reduce government expenditures on prisons and are thus politically attractive. Moreover, these alternatives help reduce the pressure on the prison system. Most prisoners selected for these programs in the beginning were nonviolent offenders, convicted of property offenses or violation of traffic laws. Later, this prison leniency has also reached other offenders as well.

### Concluding remarks

Iceland is a small and relatively homogenous island nation in the North Atlantic and has for a long time been perceived as a low-crime country (Ólafsdóttir and Bragadóttir, 2006). This view has been based on limited studies, yet in more recent years been verified by improved local criminal records. Icelandic society has experienced both internal and external changes in recent years. Iceland has opened up to the outside world, reflected among other things in an influx of new immigrants.

On the heels of these social changes, crime concerns have also deepened, in particular towards drugs and violence (see also Gunnlaugsson, 2011). This shift can be demonstrated in crime control developments, where both drug and violent offenders have taken more space in the prison system in recent years. Moreover, a general trend towards somewhat longer sentencing practices, could also be detected in the new millennium, at least until 2013, when it at least temporarily levelled off.

This somewhat more punitive trend in Iceland is not different from developments in many other countries in Western Europe in the late 20th century, where similar sentiments prevailed in late modernity (see for example Garland, 2001; Nelken, 2009; and Wacquant, 2009). This mood towards increased and longer sentencing practices levelled off for the most part in Western Europe in the new millennium, still appears to have reached the shores of Iceland a bit later – in particular for drug and sexual offenses. Punitive practices against specific crimes are therefore not confined to large, heterogenous and complex industrial nations, but can also appear in small and closely knitted societies such as Iceland. This penal development coincides with broad societal changes taking place in Iceland, when the nation increasingly entered the global community.

Yet, Iceland still possesses qualities setting the country apart from many other Western nations, with its low prison population and relatively lenient penalties. In this vein, Iceland might be similar to what Pratt (2008a; 2008b) describes as *Scandinavian exceptionalism*, with consistently low rates of imprisonment and relatively short sentences. Prisons in Iceland are small, even tiny, with two of the five prisons virtually open. Prison populations are mixed in terms of age, nationality and type of crime, but relationships between staff and inmates tend to be cordial and positive in Iceland. Moreover, tolerating the long prison waiting list, implicitly suggests little or no discomfort, with many convicts simply going back home after receiving their prison sentence to serve their time several months later (or even a few years later), when a cell has become available, showing that crime and criminals are in many cases not greeted with a toxic mix of fury and fear (Pakes and Gunnlaugsson, 2018).

What undermines penal exceptionalism for Iceland, however, are several factors. The local prison system suffers from serious underfunding. A notable lack of professional help characterizes local prisons, with only one or two psychologists and social workers serving the entire prison population (RÚV, 2017). As for educational opportunities, more prison inmates have been studying while in

prison in recent years. Yet more funds are needed, and a call for a fully thought-out educational policy has been put forward by the director of prison studies (Þorkelsson, 2017).

A relatively new prisoners' society, *Afstaða*, has also been very active and vocal in most recent years. They have openly criticized local authorities for not paying enough attention to rehabilitation and betterment of prisoners, interestingly looking at the Norwegian penal system for inspiration. Two years ago, *Afstaða* opened a facebook group where their issues and objectives are regularly covered and updated (Afstaða, 2017).

It may be popular to mete out tougher court sentences and raise punishment levels, at least for specific crimes, but it is also costly to institutionally meet this challenge. Pressure to tackle and resolve new penal developments by providing sufficient prison facilities has proved to be difficult for Iceland due to the tight fiscal policy practiced by the state. Yet, to meet public demand for tighter crime control and the long waiting lists accumulating in the prison system, more prison expenditures have proved to be unavoidable for Iceland, as shown in the new Hólmsheiði prison.

At the same time, it is important that Iceland continues to develop innovative alternatives to serving time in prison, which will both reduce government expense and replace punishment with rehabilitation. These measures could include meting out more paroles, probation, community service, half-way houses and electronic monitoring, including treatment programs – instead of serving time in prison. A trend which must be emphasized and supported by local research and lessons from other countries, in particular Nordic nations.

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# THE ÅLAND ISLANDS

*Agneta Mallén*

## Introduction

In his two articles on Scandinavian exceptionalism, John Pratt (2008a, 2008b) discusses the reasons for the low levels of imprisonment in Finland, Norway and Sweden. The characteristics that, according to Pratt, are typical for all low-prison societies are strong state bureaucracies, mass media largely controlled by public neo-corporate organizations, traditions of social welfarism and high levels of social capital (2008a). Pratt also defines homogeneity in the three countries studied as an important part in reaffirming egalitarian values, tolerance and trust (2008b).

Åland, an archipelago region situated west of Finland and east of Sweden, is an autonomous, demilitarized and neutralized, and unilingual Swedish-language region with about 29 000 inhabitants that is part of Finland.<sup>51</sup> In news media, the Åland Islands are presented as a safe and idyllic region with low criminality and happy inhabitants (Malmberg, 2014; Vasantola, 2015). The region is characterized by strong industry, growing tourism and a low degree of unemployment (Mariehamns stad; Ålands statistik- och utredningsbyrå). In general, however, islands are seen as particular places, that are both bounded places of “otherness” and spaces of cultural and socio-economic distinction (Danson & Burnett, 2014). Island societies also mean specific, geographically-related challenges because of isolation (*ibid.*).

In this paper, I will discuss whether the features that Pratt (2008a, 2008b) characterizes as typical for Nordic low-prison societies can also be seen in the Åland Islands. Also, how is the picture of crime and criminality defined in this region? In 2018, the prison rate in the Åland Islands was 20 per 100 000 inhabitants.<sup>52</sup> As we will see later in in this paper, the most dominant crime category in Åland is property crime, then traffic crime and, third, violent crimes. This paper discusses plausible reasons to the picture of criminality in Åland – on one hand, strong social capital, welfare, entrepreneurship and high degree of employment (cf. Lappi-Seppälä & Tonry, 2011). On the other hand, the specific tax rules of the region, the isolation in the archipelago municipalities and ferries as gatekeepers, which create somewhat of a gated community.

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<sup>51</sup> The photo on the first page is published with courtesy of Visit Åland ([www.visitaland.com](http://www.visitaland.com)).

<sup>52</sup> There were 6 prisoners, out of a population of 29 700 inhabitants, serving a sentence.

## Area and inhabitants

The Åland Islands consist of 6 700 skerries and islands covering an area of 1 581 km<sup>2</sup> (Fakta om Åland).<sup>53</sup> On the main island, called Fasta Åland, the capital Mariehamn is situated along with the municipalities Lemland, Jomala, Hammarland, Finström, Geta, Saltvik and Sund. Eckerö and Lumparland are also often counted as municipalities on the main island. 65 islands outside the main island are also inhabited. The archipelago municipalities east of the main island are Vårdö, Kumlinge, Brändö, Föglö, Sottunga and Kökar.

The connection between the main island, Fasta Åland, and the archipelago municipalities are run by road ferries (Nationalencyklopedin).<sup>54</sup> In earlier research, road ferries have been discussed as creating visible borders between islands and the world outside (Mallén 2005, 197). Island societies can thus be seen as ‘natural’ gated communities, with the ferries and bridges keeping out ‘dangerous’ elements.<sup>55</sup>

In December 2018, the population of Åland was 29 789 persons – 14 919 women and 14 870 men (Åland i siffror). The population on the Åland Islands is growing – in 1980, Åland had 22 783 inhabitants and by 2000 the population had grown to 25 776 inhabitants.

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<sup>53</sup> The English names for the region of Åland are *the Åland Islands* and *Åland* (Språkinstitutet).

<sup>54</sup> A map of the road ferries on the Åland Islands can be seen in appendix 1.

<sup>55</sup> A gated community is defined as “A residential development surrounded by walls, fences, or earth banks covered with bushes and shrubs, with a secured entrance. In some cases, protection is provided by inaccessible land such as nature reserve and, in a few cases, by a guarded bridge” (Low 2003, 12).

Table 1 Population according to city or municipality

<b>Main Island</b>	<b>Inhabitants</b>
Mariehamn – capital	11 565
Jomala	4 757
Finström	2 594
Lemland	2 012
Saltvik	1 839
Hammarland	1 508
Sund	1 006
Geta	499
Eckerö	928
Lumparland	385
<b>Archipelago islands</b>	<b>Inhabitants</b>
Föglö	561
Brändö	471
Vårdö	439
Kumlinge	308
Kökar	246
Sottunga	96

Most inhabitants on the Åland Islands, 60 %, live in self-contained houses and 37 % live in semi-detached houses or flats. A majority of the population, 66 %, own their homes while 28 % of the inhabitants live in rental homes. In 1970–1998 the population increased in the capital of Mariehamn and on the main island but decreased in the archipelago.

Åland is a unilingual Swedish-language region in Finland.<sup>56</sup> Swedish, the main language, was in 2016 mother tongue for 25 597 inhabitants, approximately 85 %. The second biggest language is Finnish, mother tongue for 1 365 inhabitants (5 %). The third biggest language on the Åland Islands in 2016 was Romanian (365 persons), followed by Latvian (353), Estonian (204) and Russian (145). English was mother tongue for 124 inhabitants on the Åland Islands in 2016.<sup>57</sup>

When comparing the size of age groups on Åland, including both men and women, from 2007 and 2017, a small decline from 2007 to 2017 in age groups 10-14 years, 15-19 years, 40-44 years and 55-59 years is visible. The number of individuals in all other age groups has increased from 2007 to 2017 (Table 2) (Ålands statistik- och utredningsbyrå – Åldersstrukturen 2007 och 2017).

<sup>56</sup> Finland, on the other hand, has two official languages, Finnish and Swedish. 90 % of the population are Finnish speaking and 5.4 % are Swedish speaking. Finland is divided into 313 municipalities, of which 33 are bilingual and the rest unilingual with either Finnish or Swedish as the primary language (situation in 2017). Most of the bilingual municipalities are located on the west coast (Ministry of Justice Finland – Linguistic rights).

<sup>57</sup> These small language groups contain 1% or less of the total number of inhabitants.

Table 2. Age groups (men and women) in Åland Islands 2007 and 2017

	<b>2007</b>	<b>2017</b>
<b>0-5</b>	1 449	1 546
<b>5-9</b>	1 495	1 637
<b>10-14</b>	1 673	1 659
<b>15-19</b>	1 735	1 569
<b>20-24</b>	1 252	1 346
<b>25-29</b>	1 530	1 800
<b>30-34</b>	1 654	1 734
<b>35-39</b>	1 801	1 856
<b>40-44</b>	2 059	1 863
<b>45-49</b>	1 888	1 977
<b>50-54</b>	1 984	2 160
<b>55-59</b>	2 034	1 957
<b>60-64</b>	1 922	1 984
<b>65-69</b>	1 339	1 931
<b>70-74</b>	1 072	1 752
<b>75-79</b>	854	1 136
<b>80-84</b>	749	793
<b>85-89</b>	426	481
<b>90+</b>	237	308
<b>Total</b>	<b>27 153</b>	<b>29 489</b>

### The Islands of Peace – ‘Fredens öar’

Åland is an autonomous, demilitarized and neutralized region. Because of the demilitarization, the Åland Islands are called “Fredens öar” (The Islands of Peace). No military may stay on the Åland Islands, the region may not be fortified and there is no military service on the islands. Residents are exempt from conscription to the Finnish Defence Forces. The demilitarization was a result of the peace negotiations in Paris in 1856. Sweden impelled an international convention where Russia contracted not to fortify the Åland Islands. The question about Åland’s autonomy was settled in The National League in 1921, whence the Åland Islands were autonomous within the borders of Finland. Thereby, the demilitarization was ratified and, at the same time, the Åland Islands were neutralized (Högskolan på Åland).

## **Autonomy on the Åland Islands**

Since 1921, the Åland Islands have enjoyed autonomy within Finland. The foundation for the Government of Åland is enacted in *Självstyrelselagen för Åland* (the Autonomy Act). The current Autonomy Act entered into force on January 1<sup>st</sup>, 1993. The Autonomy Act is approved and changed by the Finnish parliament in accordance with the constitution. Changes in the Autonomy Act cannot be approved by the Finnish Parliament without the consent of the parliament in Åland, the Legislative Assembly, *Lagtinget*. Because of the Autonomy Act, both the legislative right and administrative law in several important areas have been transferred to the Ålandic Legislative Assembly and the Ålandic government, *Landskapsregeringen*. The Åland Islands have a flag of their own since 1954, and stamps of their own since 1984. Since 1970, the islands are represented in the Nordic Council and participate in the work of the Nordic council of ministers (Joenniemi 2014; Åland i siffror; Ålands lagting).

The Legislative Assembly consists of 30 members that are elected for four years. The voting age is 18 years. To have the right to vote and to be elected, a person also must have an Ålandic citizenship, called *Hembygdsrätt*, that is achieved either at birth when both parents have Ålandic citizenship, or when a person with a Finnish citizenship, speaking Swedish, has lived on Åland for five years. Elections to the Ålandic Legislative Assembly are every four years, the last one in October 2015. In the Ålandic parliamentary elections in 2015, the party *Liberalerna på Åland* (liberal party) got 23 % of the votes, followed by *Åländsk center* (right wing party) with 22 %, *Moderat samling* (right wing party) 18 % and *Ålands socialdemokrater* (social democratic party) received 17 % (Statistisk årsbok för Åland).

The Legislative Assembly has the right to pass laws within the areas of education and culture, health and healthcare, industries, internal communication, municipal government, post, radio and television, and policing. In other areas, such as foreign affairs, civil law, courts, customs and monetary systems, the Åland islands follow the same laws as Finland. One representative is elected from the Åland islands to the Finnish parliament. The Åland Legislative Assembly has the decisive right on matters about internal affairs and the Ålandic budget. The Ålandic expenses are covered by a collected appropriation in the Finnish state budget, which is made available to the Legislative Assembly. The Legislative Assembly then has the right to freely decide on how the appropriation is distributed. Legislation passed by the Legislative Assembly is sent to the Finnish president, who can pass a veto in extraordinary cases: if the Legislative Assembly has exceeded its rights or if the law considers Finnish external or internal safety. In these two cases, the president has a hearing

with the so-called *Ålandsdelegationen*, half of whose members are appointed by the Finnish government, half by *Lagtinget*. The Legislative Assembly also appoints the Government of Åland, *Landskapsregeringen*, that has five to eight representatives and whose president is called *Lantrådet* (Nationalencyklopedin).

### **Police**

The police force on the Åland Islands, *Ålands polismyndighet*, is governed by the Government of Åland. On the Åland Islands, there is one police officer per every 447 inhabitants. In Finland, the corresponding number is 700 (The Ålandic Police Authority; verbal communication with Sergeant B. Fellman). There are 90 persons working in the police force, 64 of which are police officers (The Ålandic Police Authority).<sup>58</sup>

### **Industries on the Åland Islands**

The capital of Åland, Mariehamn, is characterized by strong industry, both expansive and modern. Shipping is the dominant industry. Also industries and services needed for shipping – e.g. banking, insurance and IT – have therefore become strong industries of their own. There are also hotels and restaurants, shops and malls and a great amount of service businesses (Mariehamns stad). Tourism is a growing industry on the Åland Islands. There are more than 400 000 persons staying overnight at the hotels, camping sites and rental cottages per year (Turiststatistik – Ålands statistik- och utredningsbyrå).

The entire Åland Islands are characterized by an entrepreneurial spirit and low degree of unemployment. Many companies are not only active on the Åland Islands, but are also active on the international market. Several publicly traded companies have their headquarters in Mariehamn, e.g. Viking Line Abp, Ålandsbanken Abp, the shipping company Eckerö, Ålands penningautomatförening Paf and Crosskey. The Åland Islands also have their own college, Ålands högskola (Mariehamns stad).

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<sup>58</sup> The Finnish Police on the Åland Islands is represented by the Finnish National Bureau of Investigation, NBI. The NBI is a national law enforcement agency of the Finnish Police and the principal criminal investigation and criminal intelligence organization of Finland. The NBI's main tasks are to counter and investigate organized crime, provide expert services, and develop methods for criminal investigation. NBI is also responsible for financial intelligence (FININT), such as preventing money laundering and terrorism financing (Statens ämbetsverk på Åland).

## Employment and unemployment

In the Åland Islands, the relative number of unemployment has decreased in 2017. The relative number of unemployment was 3.8 % in December 2017 – 3.4 % for women and 4.2 % for men. In December 2016, the relative number of unemployment was 4.0 % for the entire population. The degree of unemployment in Mariehamn was 4.7 % in December 2017, in the rural municipalities 3.3 % and in the archipelago municipalities 2.1 %. In December 2017, the relative number of unemployment in Finland was 8.4 %, compared to 7.9 % in December 2016. (Arbetslöshetssituationen – Ålands statistik- och utredningsbyrå).

The degree of unemployment for young people under the age of 25 was 4.6 % in Åland in 2017. The number of persons which were long-term unemployed was 166 persons in 2017, only 1.1. % of the labor force. The number of vacant jobs in the Åland Islands stayed approximately the same from December 2016 (221) to December 2017 (226) (Arbetslöshetssituationen – Ålands statistik- och utredningsbyrå).

Persons born outside the Nordic countries and living in the Åland Islands have a relatively high degree of employment. 70.3 % of persons age 16-64 in this group had employment in 2012, compared to 75.9 % of the total number of persons age 16-64. Women born outside the Nordic countries had a lower degree of employment compared to all women in the Åland Islands. In 2012, their degree of unemployment was double that of the total group of women living in Åland. Men born outside the Nordic countries, however, had the same degree of employment as all men in the Åland Islands.

## Welfare

### Income and welfare

The gross national income per capita on the Åland Islands decreased in 2011-2012, but has increased since. Since 2012, the gross national income in the Åland Islands has been higher than in Finland. Within a European context, the Ålandic gross national income is high – even though it has decreased in relation to the EU after 2011, it was still 23 % higher than the total EU gross national income in 2015 (Inkomst och välfärd – Ålands statistik- och utredningsbyrå).

In 2015, approximately 4 % of the population in Åland lived in economic vulnerability. The risk for economic vulnerability was higher in the archipelago municipalities than on the main island.

The percentage of persons living in economic vulnerability in the Ålandic archipelago municipalities was on the same level as in Finland in 2015, i.e. approximately 7.5 % of the population. When comparing income support in all regions in Finland, Åland had the fastest increase in the number of households with social security benefits in 2015.<sup>59</sup> The relative number of persons with social security benefits, approx. 28 persons per 1000 inhabitants, is, however, lower on Åland than in the 18 other regions in Finland (Inkomst och välfärd – Ålands statistik- och utredningsbyrå). The relative share of persons receiving social security benefits and the share of unemployed persons are highest among young persons 18-24 years on the Åland Islands (Inkomst och välfärd – Ålands statistik- och utredningsbyrå).

### **Child welfare**

In 2016, 578 cases of violations against the Child Welfare Act were reported in Åland, which is an increase from 2015. In Mariehamn, 274 reports of violations were made, which is an increase of 61 reports compared to 2015. In the countryside, the amount of reports also increased from 230 in 2015 to 288 in 2016. In the archipelago municipalities, the number of children is low, and the number of reports of violations against the Child Welfare Act is therefore also low. In 2016, the number of reports in the archipelago was 16, in comparison with 13 reports in 2015 (Ålands statistik- och utredningsbyrå).

### **Customs and infrastructure**

The Åland Islands are a part of the EU customs union, but are outside the EU tax area. This enables the sale of tax-free alcohol and tobacco on aircraft and ship traffic via the Åland Islands. Åland is surrounded by a tax border, which implies that articles to and from Åland must be declared (Statens ämbetsverk på Åland).

The distance Sweden-Åland Islands-Finland is run by passenger ferries, which are vessels combining cruise ships with high-capacity vehicle decks, thereby meeting the needs of cargo traffic and tourists (Viking Line). In 2014, 1 063 027 passengers travelled the route of Helsinki-Mariehamn-Stockholm. On the route Turku-Åland Islands-Stockholm, 1 935 958 passengers travelled. The two main ferry companies on this distance are Viking Line and TallinkSilja Line. A

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<sup>59</sup> Finland is divided into 19 regions ("landskap" in Swedish) ([https://www.sprakinstitutet.fi/sv/sprakhjalp/namnhjalp/ortnamn/namn\\_pa\\_landskap\\_i\\_finland](https://www.sprakinstitutet.fi/sv/sprakhjalp/namnhjalp/ortnamn/namn_pa_landskap_i_finland)).

third, smaller, company, Rederibolaget Eckerö, runs between Stockholm, Sweden and Mariehamn with three vessels that carry 1 600-2 000 passengers. The Viking Line vessels carry 2 500-2 800 passengers and the TallinkSilja vessels carry 2 600-2 800 passengers (TallinkSilja; Viking Line). Viking Line docks at the Åland Islands 12 times every day and night, and TallinkSilja 8 times every day and night.

## **Law enforcement and crime on Åland**

### **Criminality related to the passenger ferries**

A great part of alcohol-related criminality is committed on the passenger ferries that run between Sweden, Åland and Finland, as the tax regulations on Åland lead to low prices for alcohol on these ferries. All reported cases of rape on the Åland Islands can be connected to the passenger ferries (Verbal communication with Sergeant Benjamin Fellman at the Ålandic Police Authority). Criminality on the passenger ferries is reported either to Swedish or Finnish authorities. If a crime is committed on a passenger ferry that sails under Swedish flag, the crime is reported to Swedish police. If a crime is committed on a passenger ferry that sails under Finnish flag, the crime is reported to Finnish (Ålandic) police. In 2010-2013, a joint EU project between Finland, Sweden, Estonia and the Åland Islands, called Safe Baltic Cruises, resulted in guidelines on more responsible serving of alcohol on the passenger ferries (Safe Baltic Cruises).

### **Reported crime on the Åland Islands**

Earlier research on crime and criminality in a Swedish-speaking island region in Finland shows that the inhabitants occasionally avoid reporting crime to the police and instead try to solve crime on their own (Mallén 2005). The distribution of reported crimes in the Åland Islands is presented in table 3. It describes crimes that have been reported to the police force on the Åland Islands (The Ålandic Police Authority) - not crimes reported to customs, border control, the Finnish National Bureau of Investigation and/or the Finnish Security Intelligence Service.

Table 3. Crimes reported to the police on the Åland Islands in 2009, 2014 and 2016 by category<sup>60</sup>

<b>Reported crime, category</b>	<b>2009</b>	<b>2014</b>	<b>2016</b>
All crime	3 246	2 839	3 222
Offences against the criminal law	2 450	2 072	2 457
<b><i>Property crime</i></b>	<b>1 034</b>	<b>754</b>	<b>876</b>
Theft	322	168	258
Petty larceny	269	256	256
Damage	329	172	210
<b><i>Crimes against life and health</i></b>	<b>240</b>	<b>175</b>	<b>205</b>
Serious assault	17	3	11
Assault	196	162	165
<b><i>Rape</i></b>	<b>8</b>		<b>9</b>
<b><i>Crimes against administration of justice, authorities, or public order offences</i></b>	<b>64</b>	<b>99</b>	<b>81</b>
<b><i>Traffic crime</i></b> <sup>61</sup>	<b>776</b>	<b>727</b>	<b>828</b>
Jeopardy of traffic safety	532	560	584
Serious drunk driving	57	38	61
Drunk driving, Influence of intoxicants	52	31	47
<b><i>Drug related crime</i></b>	<b>130</b>	<b>74</b>	<b>171</b>

<sup>60</sup> Source: E-mail communication with Sergeant Benjamin Fellman at the Ålandic Police Authority, e-mail communication with the Ålandic Police authority.

<sup>61</sup> There are more cars per capita on Åland than in the Nordic countries in general – over 21 500 cars, i.e. 753 cars per 1 000 persons (Ålands statistik- och utredningsbyrå).

## The District Court – Ålands tingsrätt

The District court, *Ålands tingsrätt*, deals with criminal cases, civil cases and petitionary matters.<sup>62</sup> A District court is headed by the Chief Judge, and the other judges have the title District Judge (<https://oikeus.fi/tuomioistuimet/karajaoikeudet/en/index.html>). In certain cases, the District court may also have Lay Judges. The cases are handled and resolved either in a session, where parties are summoned, or in chambers, where the decision is based solely on documents. In simple cases, decisions can be made by trainee district judges and by trained office staff. In a civil case, a dispute between private individuals or corporations is decided impartially by the court. In a criminal case, the District court hears charges against a person for a punishable act. Normally, also the victim's claim for compensation is decided in connection with the criminal case. Petitionary matters include, e.g., divorce and the custody of children or a debt adjustment matter. District court decisions subject to appeal in the Åland Islands are transferred to the Court of appeal in Turku, Finland (The Finnish Judicial Administration).

Table 4 below describes the number of sentences by the District court in Åland in 2014 (Statistics Finland).

Table 4. Sentences by the District Court in Åland

Sentence	N
Fixed prison sentence	83
Community service	6
Fine	170
Unconditional driving prohibition	65
<b>Total</b>	<b>281</b>

### Prison sentences

In 2016, 12 Ålanders served a prison sentence. All sentences were served in Turku prison, Finland. Seven Ålanders served their sentence as community sanctions, of which three were community service. In 2018, 12 Ålanders were imprisoned, six of them were serving a prison sentence and six were in jail following arrest. Four Ålanders served their sentence as community service in 2018 (e-mail communication with P. Blomster).<sup>63</sup>

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<sup>62</sup> There are 27 district courts in Finland (The Judicial services of Finland – District courts).

<sup>63</sup> As the number of Ålanders sentenced to prison is small, I have not been able to receive more detailed information about the group of sentenced Ålanders. My contact person at the Finnish Criminal Sanctions Agency has because of

There is no prison on the Åland Islands, and therefore a prison sentence must be served in Finland. As the Åland Islands are a unilingually Swedish region, Ålandic prisoners serve their sentences in prisons that can offer service in Swedish (Ålands lagting; e-mail communication with K. Strand). Individual requests are also taken into consideration when a decision upon where a sentence will be served is carried out. According to Finnish law, it is obligatory to offer Swedish-speaking units in prisons in Finland (e-mail communication with K. Strand). The distance between the Åland Islands and the prisons, where an Ålander can serve a sentence, is remarkable – 200-500 kilometres: Swedish-speaking units exist in Turku and Vaasa prisons. Also, Kylmäkoski and Hämeenlinna prisons have services in Swedish and the open prisons in Käyrä, Vanaja and Vaasa also offer Swedish-speaking services.

## Discussion

The aim of this paper has been to discuss the picture of crime and criminality on the Åland Islands. Åland is characterized by strong entrepreneurship and high employment both for persons born on the Åland Islands and born outside Åland. Also, it can be argued that this region is characterized by social welfare and strong social capital. The Åland Islands is a unilingual Swedish-speaking region that is autonomous under Finland. Earlier research on social capital among Swedish-speaking Finns in Finland argues that Swedish-speaking Finns have a higher level of social capital than their Finnish-speaking counterparts (Hyypä & Mäki 2001; Nyqvist et al. 2008; Paljärvi 2008). The group of Swedish-speaking Finns has been characterized by its strong institutions, strong networks and therefore strong affinity. This affinity can also result in a pressure to follow laws and social norms in society (Nyqvist et al. 2008). Research identifies a high level of social capital in a society as lowering the levels of homicide and manslaughter (Akcomak & ter Weel 2008; Rosenfeld et al. 2001). Strong social capital on the Åland Islands could be one means of explaining violent crime only being the third largest crime category on the islands.

As Åland consists of 6 700 islands, of which 66 are inhabited, parts of the region become isolated and only possible to reach by road ferries. Research has shown that road ferries act as a kind of roadblock, and act as a source of information for the inhabitants in island communities (Mallén 2005, 198): The ferries function as a roadblock in that the inhabitants can call and ask the ferry

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secrecy not been able to give me information about neither which crime the persons are sentenced for nor information about the share of male and female prisoners, nor the age of the prisoners.

driver not to leave the island if it is suspected that a potential offender is on board. The ferry drivers also often notice unfamiliar cars and write down their registration numbers. The ferry driver can for example inform the inhabitants that the police are on their way to the islands and thus warn potential drunk drivers. The ferry does not work solely as protection against crime but also has a function in protecting social solidarity. Every possible threat against the social order that comes from the world outside – be it in the form of a criminal or a policeman – can thus be delayed or stopped by the ferry driver.<sup>64</sup>

The autonomy and the tax rules on Åland – being a part of the EU customs union but simultaneously being outside the EU tax area – creates a particular crime picture on the passenger ferries that run to and from the Åland Islands. As alcohol is sold at tax-free prices, alcohol-related crime occurs on the ferries. After cases of gang rape on the passenger ferries in 2016, the ferry companies, however, have both limited the selling of alcohol on cruises for students and introduced more security officers and CCTV (Claesson 2017; Randwha Bergmark, Ejneberg & Langert 2016; Sehlin & Larsson 2016).

On the Åland Islands, the reporting of violations against the Child Welfare Act seems to increase, which presumably is a result of campaigns on the importance of reporting child abuse and neglect. The number of reported crimes on the Åland Islands, however, has been more or less unchanged since 2009, with approximately 3 000 reported crimes per year. Research has shown that inhabitants in island communities tend to solve crimes on their own instead of reporting crime to the police (Mallén 2005). Whether this is the case also on Åland remains a subject for further research.

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<sup>64</sup> The informants in my study on crime and safety in eight archipelago municipalities (Mallén 2005) noted that the ferry driver sometimes phones the local inhabitants on the islands to inform that the police is on its way.

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## POSTSCRIPT

*Anette Storgaard*

### Introduction to the postscript

The researchers behind the specific chapters in this report have all been living in and/or studying the respective island society that they write about for years, and they all (with one exception<sup>65</sup>) are experienced criminologists. They were therefore given free hands in the composition of their chapters. Instead of presenting a collection of systematically comparable country reports, it was decided to aim for presenting unique insights in these specific parts of the Nordic countries, which are very often overlooked. The thorough introductory chapter offers a valuable framework for the specific chapters as well as historical and contemporary comparative analysis aimed at supporting the overall insights.

Many substantial similarities between the Nordic island societies have been presented in this report. In a global perspective, they all belong to the North Western Europe, which today is one of the wealthiest parts of the world, and they are all based on fundamental principles of human and legal rights. This said, the varieties in how the contemporary state of the societies was created and how they are functioning as societies today are huge. The historical backgrounds and traditions differ tremendously, which of course plays an important role in the study of contemporary “crime, control and punishment”.

The aim for this postscript is not to add new information but solely to provide a few summary comments and hopefully to inspire further studies to be carried out.

### Small is beautiful – but also challenging

In 2000 Erlendur Baldursson<sup>66</sup> described Iceland and Greenland as “large countries but small societies” (Baldursson 2000). As for Greenland this was – and still is – beyond any doubt true. Greenland has about 433,000 square kilometres that are *not* covered by ice and a population of

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<sup>65</sup> Monica Hjelm Rasmussen is a lawyer with broad expertise in legal matters in the Faroe Islands.

<sup>66</sup> At that time a criminologist the prison administration in Iceland.

55,800. In a smaller scale, but still beyond doubt, Baldursson's statement fits for Iceland, which covers 103,000 square kilometres and has a population of about 360,000.

Following this line, the two other "countries" that are included in this study should rather be described as "small countries and tiny societies". The Åland Islands are composed of almost 7,000 islands covering almost 1,600 square kilometres. Almost 30,000 people inhabit 66 of the islands. The Faroe Islands cover almost 1,400 square kilometres divided between 18 islands out of which 17 are inhabited by 51,500 people (see Giertsen, Gunnlaugsson, Lauritsen, Mallén and Rasmussen in this report).

Baldursson did neither have political science terms nor different constitutional and statutory matters in mind. His focal point was the harm that prison may cause (in general) and the experience of being in and having been in prison in the context of a very close surrounding social environment.

Even though Baldursson had a slightly different scope in his article: "Prisoners, Prisons and Punishment in Small Societies", he introduced perspectives that have played an important role in our working group. His concerns are not obsolete. Especially one question, risen by Baldursson, has popped up several times during the meetings of this working group: "Perhaps it is even more painful to be imprisoned in a small society. One is, in a way, taken out from the whole of society, not only from the part one usually belongs to in a larger society. It is also possible that it is more painful for a person who sees the ocean and countryside every day to be imprisoned than for someone who has grown up in a big city." (Baldursson 2000).

On the other hand, small societies provide a valuable closeness. Referring to two criminological icons, Nils Christie and Flemming Balvig, he argues that: "...closeness as a rule creates more understanding and more tolerance", which lowers the demand for harsher punishments. Along the same line he argues that small prisons are preferable to big prisons because they open for human dialogue. Baldursson writes that most prisons in Iceland have 9-16 places occupied by 6-14 prisoners. About the prison in Litla-Hraun he says: "In the 'large' prison in Litla-Hraun (87 places), there are increasing levels of traditional problems related to abuse of legal or illegal narcotics and conflicts between inmates and between inmates and staff. This prison is new (opened in 1995)<sup>67</sup>, it is modern and well equipped, but it is a typical penal institution." Our working group visited Litla-Hraun in 2017 and did not see it as "modern and well equipped". We rather saw the prison

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<sup>67</sup> More precisely Litla-Hraun prison opened originally in 1929 but was renovated and re-opened in 1995 with a new wing.

as an aging and worn-out facility as Gunnlaugsson describes it in this report: “The new modern prison in Hólmsheiði appears on the surface to be more security oriented than humane. Yet everything is new and especially designed as a prison, a major step forward, replacing aging and worn-out facilities – including a new improved custody unit replacing the old one located at Litla-Hraun.” Our working group had the opportunity to visit the new prison in Hólmsheiði, as well. Everybody would probably agree with Gunnlaugsson about the appearance of the prison. The future will show if and how modernity and security orientation – in the form of huge amounts of electronic monitoring – will influence the prison-atmosphere 20 years after the experience Baldursson described.

### Imprisoned far from home

As for Åland, all prison sentences are served in Finland, whereas for people in the Faroe Islands prison sentences of 1.5 years or longer are usually served in Denmark. Greenland does not use the term imprisonment; nevertheless – under the name measures, though – Greenland has the highest incarceration rate of the jurisdictions mentioned in this report. In addition, about 30 men serve time-unlimited incarcerating sentences in Denmark. These men are seen as not appropriate for Greenlandic “liberty depriving measures” due to the seriousness of their crime and their mental health situation (see Mallén, Rasmussen and Lauritsen in this report).

In all the cases mentioned here, the incarceration is carried out far away from home but still in accordance with the current legalisation.

It is still a question, though, if all principles about equality are met, for instance the principle of allocation close to the home, which is stated in the European Prison Rules 17.1 : “*Prisoners shall be allocated, as far as possible, to prisons close to their homes or places of social rehabilitation.*” The reason for this rule is mainly that contact with close relatives such as spouses, children and parents should be maintained during prison time. But obviously this contact becomes complicated due to distances, travel costs and travel time for relatives to visit prisoners when they are serving the sentence in what in Åland is called the “mother country”<sup>68</sup>.

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<sup>68</sup> The contact persons we met in Åland used the term “mother country” about Finland. I found it a reasonable way of avoiding legalistic technicalities and political sensitive debates about former and current dominance as well as human and economical debts. Not because this does not matter. On the contrary! But because using a neutral term might help eliminate the influence of individual attitudes among administrative staff in regular day-to-day duties.

Language is another matter of relevance. Finland is a bi-lingual country with a minority of 5,3 % of the population who speak Swedish. Finnish and Swedish are parallel official languages in Finland. In accordance with that, Swedish speaking Finns (and people from Åland) have the right to serve a sentence in a prison or a prison unit where Swedish is spoken. In addition, Åland has a high employment rate and a high level of social capital, and there are also examples of a strong internal unity towards external threats or challenges (see Mallén in this report).

The Faroe Islands seem to possess some of the same characteristics as the Åland Islands regarding a high employment rate and welfare. However, Denmark does not have two official languages and a prisoner from the Faroe Islands who serves a sentence (of 1.5 years or longer) in Denmark will most likely be the only Faroese speaking person in that prison. The prisoner may have learned Danish or English in school and therefore be able to communicate reasonably in the prison. There are no big chances, however, that he or she works as a civil servant and has become familiar with Danish language through his/her job. The distance between Denmark and the Faroe Islands is about 1,500 kilometres.

Convicted Greenlanders who serve a sentence in Denmark are normally gathered in one unit in one Danish prison institution, which gives them a chance to communicate among themselves. There is no proper likeliness, though, that they communicate fluently in Danish. The distance between Greenland and Denmark is about 3,000 kilometres.

There are arrangements in Danish prisons to make it possible for visitors from for instance Greenland to come to Denmark once a year. This is a good solution in so far that the relatives can arrange it with their jobs in Greenland and can afford the additional expenses apart from the ticket, which is paid by the Danish state. Another attempt to compensate Greenlandic prisoners in Denmark for the loss of regular visits and assist in other personal matters is a system of civil guardians (Lauritsen 2018).

Being incarcerated outside one's linguistic, cultural and traditional (for instance regarding food, religious and other feasts etc.) comfort zones is obviously an extra strain compared to being incarcerated within the comfort zones. These matters are common for citizens from the Faroe Islands and Greenland and except from the linguistic comfort zone, it may be so for people from

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In this sense, the term "mother country" might be used for Denmark concerning Greenland and the Faroe Islands, and Denmark would be the former "mother country" for Iceland.

Åland, too. Icelandic prisoners do not seem to be subject to these challenges, apart from a growing number of foreign prisoners as described by Gunnlaugsson in this report.

Distance may be a challenge for prisoners from all the island societies, even if they serve a sentence in the home-island. Iceland is not as big as Greenland but has a density of 3 persons per square kilometre and a prison rate of about 40 per 100,000 inhabitants. This means that even with small prisons, most prisoners will be located far away from home, and the main part of visitors' travelling will be dependent on private cars.

Greenland is the most obvious example of domestic long distances. Even if only a smaller part of the whole island is inhabited, both distances and differences in regard to way of living, local traditions for instance concerning food and other essential matters are enormous. For a Greenlandic person having been living in an indigenous Greenlandic society far away from Nuuk the entire life, the difference between being institutionalised in Nuuk and in Copenhagen may not be that big as we imagine.

### Final words of the postscript

No doubt the study of "crime, control and punishment" in the context of Nordic Island Societies has brought new insights, which to some degree are communicated in this report. One important lesson for the working group is that much more need to be studied concerning this topic. This report is only a humble beginning of collecting basic knowledge.

In a global perspective, the member states of the Nordic Council and the Scandinavian Research Council for Criminology including the so-called affiliated areas with limited autonomy have very much in common. At the same time, this report has indicated an enormous diversity concerning a row of factors relevant for criminologists. In this little corner of the world, we find both societies based on highly developed technology and small societies of indigenous people; we also find societies with as well highly developed social welfare as unemployment, homelessness etc. These and other contrasts exist not only among different countries but also in some cases within the same country.

We recommend future studies to start out from this report and define their own focal points for in depth studies. Not only legal matters, formal control systems and reported crime need to be studied more in depth. We recommend more studies to be carried out about for instance the scope of

different types of reported crimes in societies of diverse size, density and cultural traditions. We also recommend studies of dark numbers by the use of self-report and victim surveys; studies of correlations between social welfare and reported crime; the sense of justice in high density and low density areas; closeness and the role of formal and informal social control; conflict resolution and much more.

For criminologists there is a treasure box full of opportunities to carry out comparative studies in classical and contemporary criminological key topics. We sincerely recommend this path to be continued.

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