

Penal Dreams, Penal Realities

The cautionary tale of small-scale detention in Belgium

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13th March 2025

History

- 2008–2012: development of the concept
 - Hans Claus (prison director, artist); Kristel Beyens (VUB criminologist); Ronald De Meyer (UGent architect)
- 2012–2019: De Huizen
 - Establishment of NGO De Huizen and book *Huizen*
 - Highly successful advocacy (media, policy, celebrity backing)
 - Enshrinement of transition and detention houses in policy (2016) and law (2019)



History

- 2019–now: RESCALED
- Grant acquisition, launch and consolidation of European movement
- Realisation of first transition houses (2019) and detention houses (2022).



Concept



✓ Small-scale



✓ Differentiated



✓ Community-integrated

Penal vision

- Mission
 - De Huizen: “advocate for a new penal paradigm whereby prisons are replaced with detention houses”
 - Rescaled: “support the use of detention houses instead of large prison institutions”



Penal vision

- A progressive social dream
 - detention houses as counterpart and contributor to system change towards inclusive, safe and sustainable societies
- Abolitionism and reductionism
 - Abolitionism for large prisons (but not for incarceration as such)
 - Reductionism by implication (reduced recidivism)



Penal practice

- Transition houses
 - Mechelen (G4S: 2019-now); Edingen (G4S: 2019-2021; Serco: 2024-now); Gentbrugge (G4S: 2024-now); Leuven (De Kansensfabriek: 2024-now)
 - ca. 15 places; very open; < 18 months from eligibility for conditional release (in theory; in practice much closer); no acute drug problem, no sexual or terrorist conviction
-



Penal practice

- Detention houses
 - Co-opted terminology
 - Kortrijk (Prison service: 2022-now; 77 places); Vorst (Prison service: 2023-now; 57 places)
 - For 'short' sentences (< 3 years)
 - Another 280 places planned
 - Because of lack of 'right profiles', move to (< 5 years)
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Penal landscape

- Repressive penal culture
 - 1500% increase in number of prison sentences of over 3 years since the 1970s
 - Unpromising new penal code (2024)
 - Longer sentences for several types of crime; more indeterminate sentencing; more control
- Unpromising new coalition agreement (2025)
 - E.g., significant raising of parole eligibility threshold (from 1/3rd of sentence to 3/5th for sexual delinquents and 3/4th for recidivists)

**BELGISCH
STAATSBLAD**

**MONITEUR
BELGE**

Publicatie overeenkomstig artikelen 472 tot 478 van de programmawet van 24 december 2002, gewijzigd door de artikelen 4 tot en met 8 van de wet houdende diverse bepalingen van 20 juli 2005 en artikelen 117 en 118 van de wet van 5 mei 2019.

Dit *Belgisch Staatsblad* kan geconsulteerd worden op :
www.staatsblad.be

Bestuur van het Belgisch Staatsblad, Antwerpsesteenweg 53, 1000 Brussel - Directeur : Wilfried Verzezen

Gratis tel. nummer : 0800-98 809
194e JAARGANG

MAANDAG 8 APRIL 2024



N. 75

Publication conforme aux articles 472 à 478 de la loi-programme du 24 décembre 2002, modifiés par les articles 4 à 8 de la loi portant des dispositions diverses du 20 juillet 2005 et les articles 117 et 118 de la loi du 5 mai 2019.

Le *Moniteur belge* peut être consulté à l'adresse :
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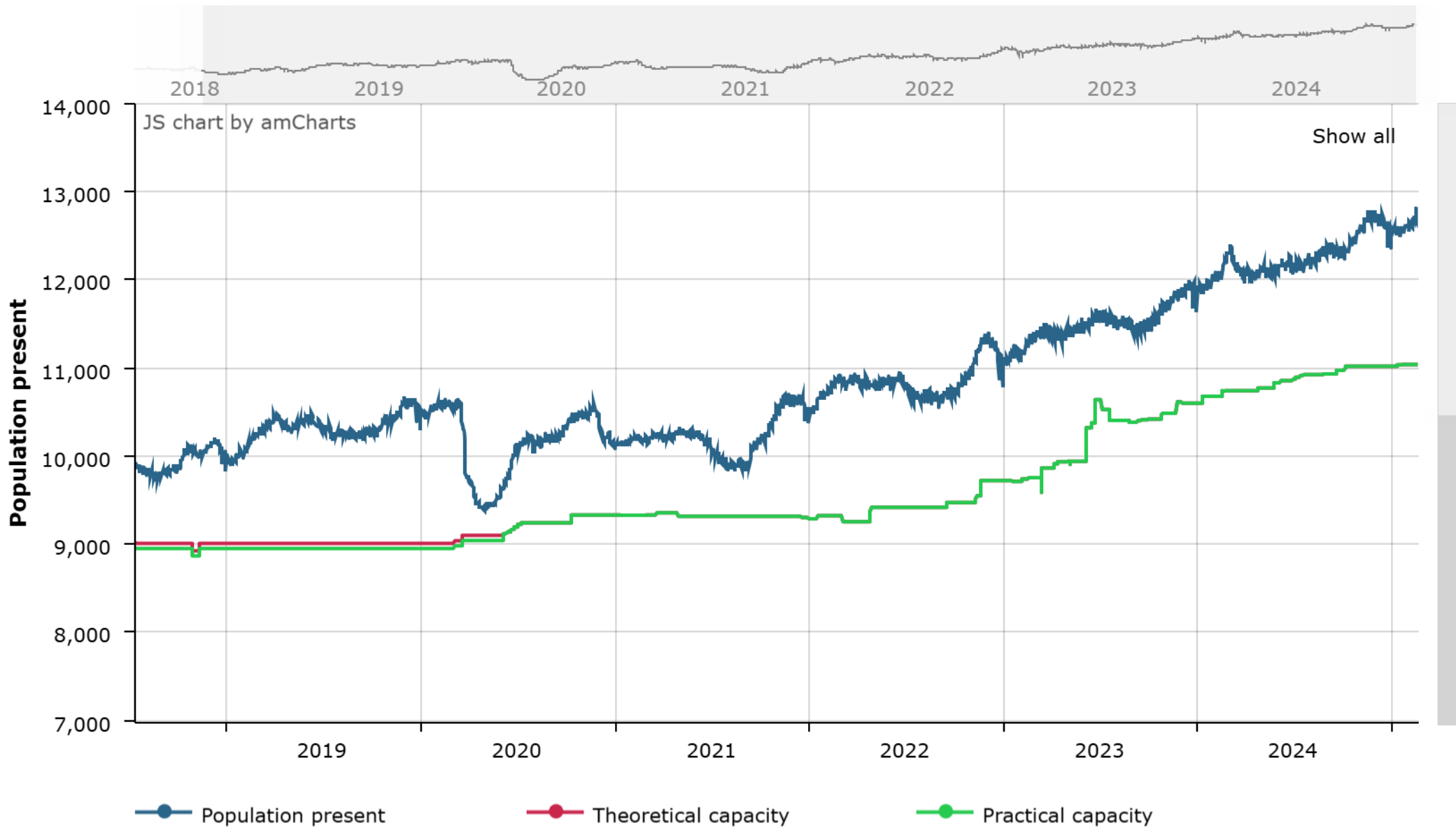
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Penal landscape

- Serious prison overcrowding
 - Since 1980s; recent increase despite capacity boost
 - Haren prison (1035 places)
 - Dendermonde prison (444 places)
 - Large number of people not guilty by reason of insanity in prison (ca. 1000), despite capacity boosts
 - FPC Antwerpen (182 places)
 - FPC Gent (264 places)





Four key issues

1. Sugarcoating
2. Net-widening
3. Cherry-picking
and leeching
4. Privatizing



Het Detentiehuis

Het Detentiehuis biedt een exclusieve blik achter de schermen van het eerste detentiehuis in België en leeft mee met de verhalen van het personeel en de bewoners die hun leven terug op de rails willen ...

Kijk op **vtmGO**



1. Sugarcoating

Introduction of detention houses

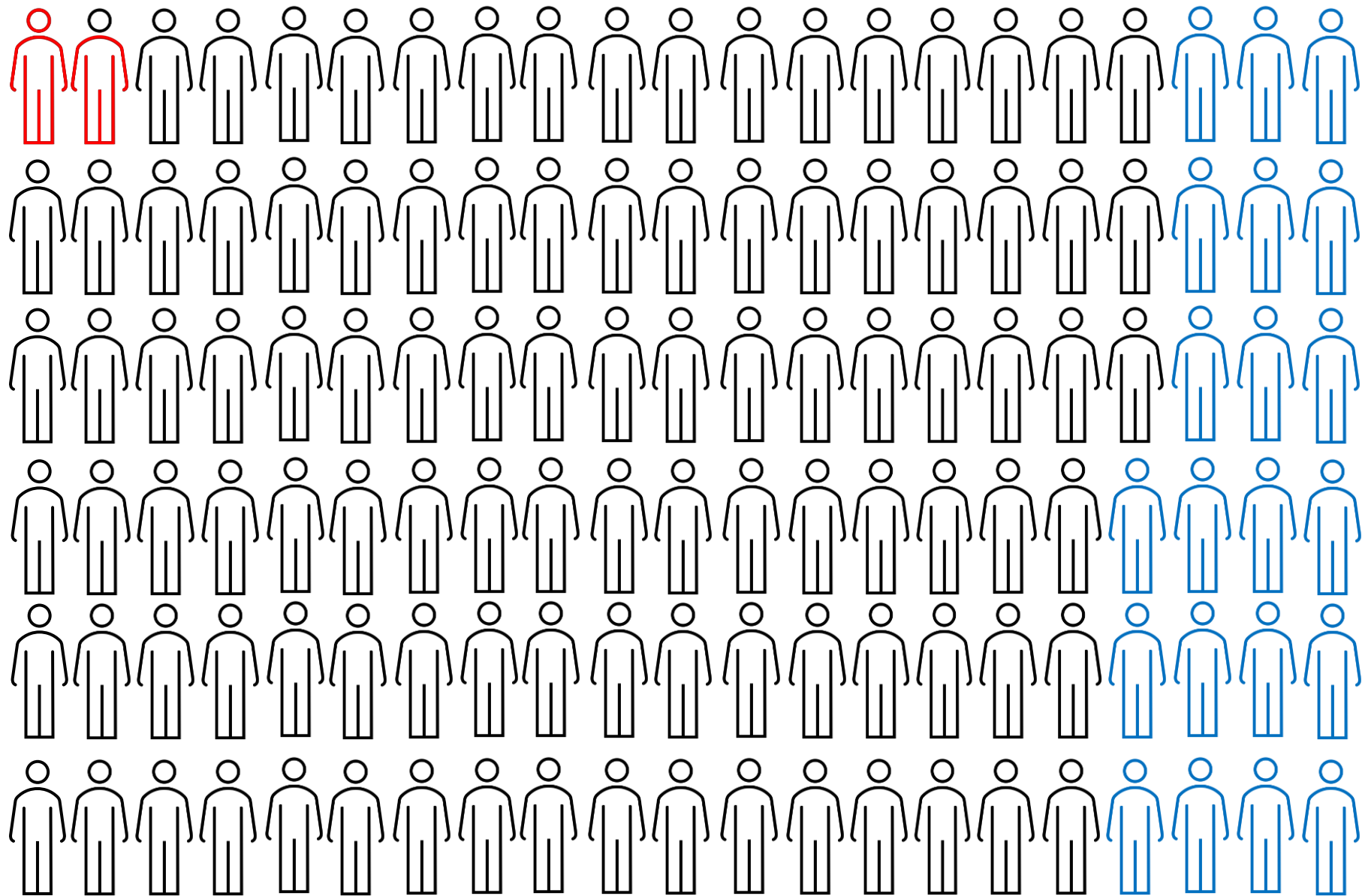
- The bitter pill: the execution of 'short' prison sentences (< 3 years)
- The coat of sugar: 'in detention houses'
 - In reality, over 90% still executed in prisons
 - The capacity question: just small prisons?

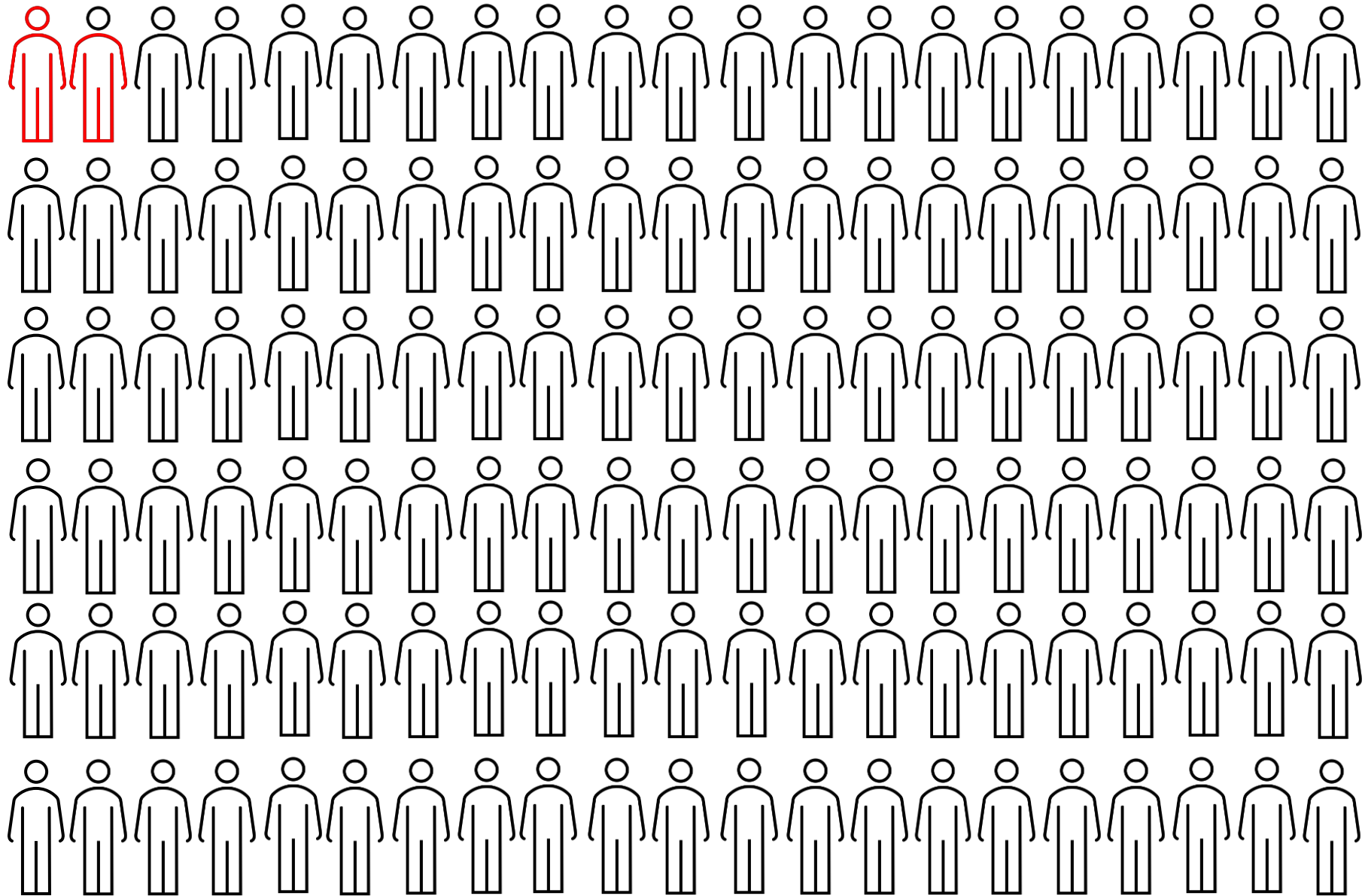
"By 2050, 80% of prison sentences in Belgium must be executed in some type of small-scale detention"

Vincent van Quickenborne, as Minister of Justice



**Prison
populatio
n:
2019-2025**





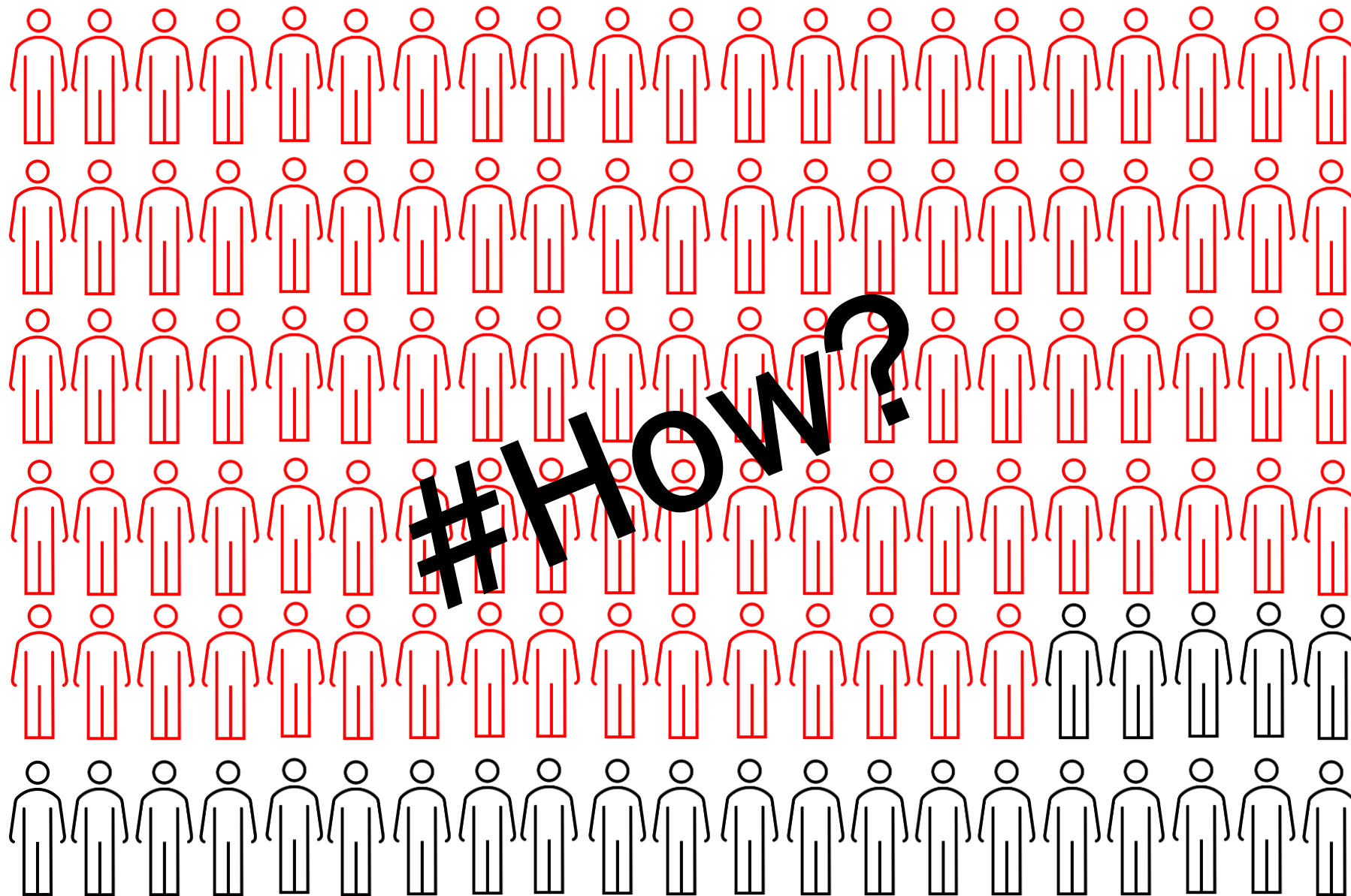
Prison
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Prison
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2. Net-widening

- No replacement, but extra capacity
- Parallel 1: electronic monitoring (since 2000)
 - Goal: reducing prison overcrowding
 - Outcome: more people in prison, *and* more people under electronic monitoring
 - 11.200 new tags placed in Belgium in 2023
- Parallel 2: creating forensic psychiatric capacity (since 2014)
 - Goal: getting those not guilty by reason of insanity out of prison
 - Outcome: ca. 1000 of them leave prison; about 1000 new ones enter



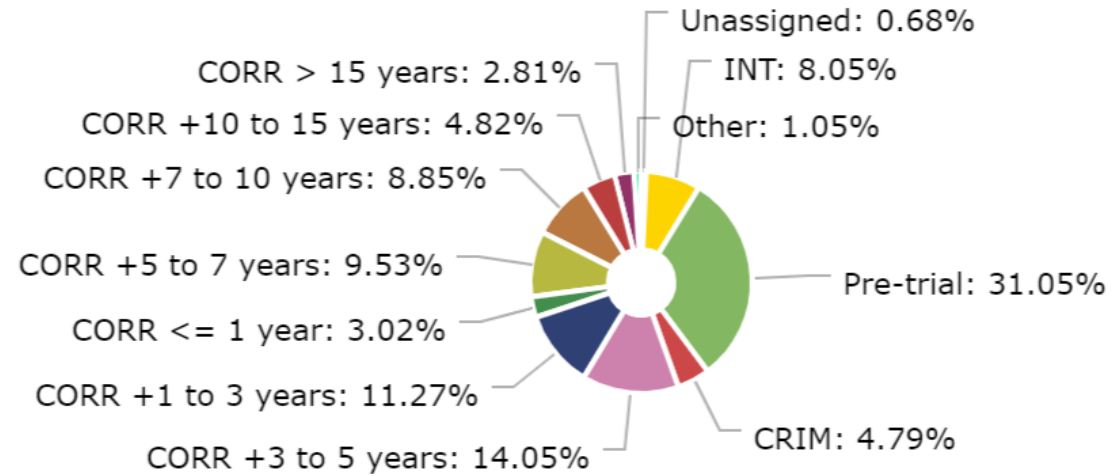
3. Cherry-picking and leeching

- Cherry-picking
 - With a limited number of small-scale facilities and many prisons, there is no differentiation
 - Bias towards agreeable, sociable, low-risk prisoners; avoidance of high risk or difficult profiles
 - Formal: no acute drug problem, no sexual or terrorist convictions
 - Informal: selection procedure of prison psycho-social services and/or detention or transition house staff (intakes)



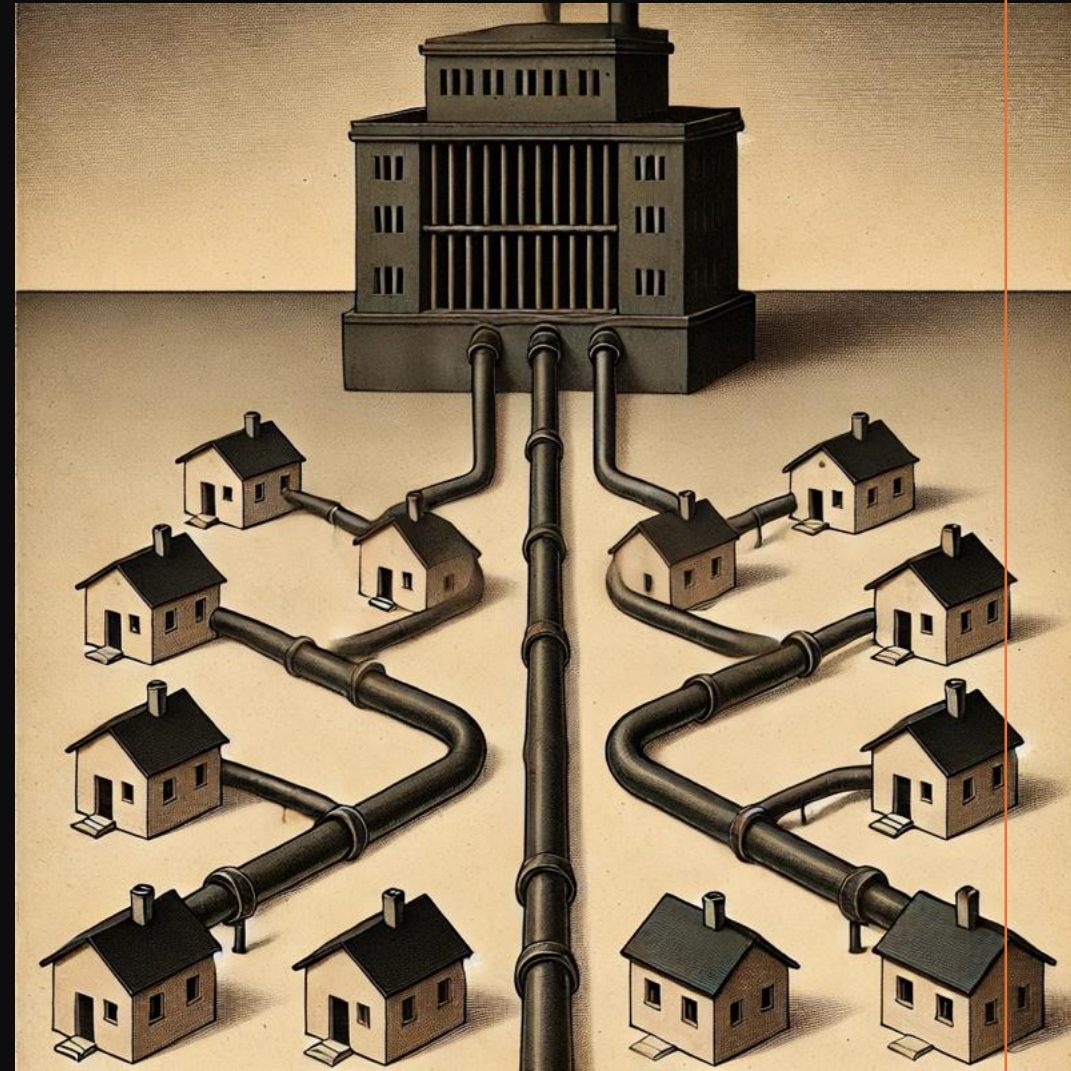
JS chart by amCharts

Unassigned	88
INT	1,038
Pre-trial	4,006
CRIM	618
CORR +3 to 5 years	1,813
CORR +1 to 3 years	1,454
CORR <= 1 year	390
CORR +5 to 7 years	1,230
CORR +7 to 10 years	1,142
CORR +10 to 15 years	622
CORR > 15 years	363
Other	136



3. Cherry-picking and leeching

- Leeching
 - Small-scale facilities are parasitic upon large prisons
 - By taking 'easy' prisoners out of the prison and sending 'difficult' prisoners back
 - By actively using the threat (and practice) of return as a disciplining tool



4. Privatizing

- Transition houses are operated by private companies or non-profit organisations
 - Two security companies (Serco and G4S)
 - One non-profit organisation (De Kansensfabriek)
- Transition houses are not subject to the Belgian Prison Act of 2005
 - Juridically, transition houses are not prisons, but a modality of sentence execution (like electronic monitoring)



Penal dreams, penal realities

1. The pragmatic response: 'It is still better to be in a transition/detention house than in a prison'
 - Question: is it also better than being under electronic monitoring or on parole?
2. The visionary response: 'These problems are inevitable sacrifices on the path toward the ultimate overhaul of the prison system/society'
 - Question: what makes us so sure that this overhaul is going to happen?
 - Question: how many sacrifices are we willing to make?



Irish dreams, Belgian realities

- Ireland ≠ Belgium
- Specific challenges will be different
 - Cf. electronic monitoring in Ireland
- But co-optation remains a serious risk
- Some unsolicited advice
 - Make a hard distinction between what we desire as penal change and what we expect as penal change
 - Think about the most likely scenarios for penal change and map the introduction of small-scale detention onto them

One more thing..

- In Belgium, small-scale detention attracts a huge share of media, activist, practitioner and criminological attention.
- This is disproportional given that it is, so far, only a marginal phenomenon (affecting about 1 in 65 prisoners)
- As a result, the plight of those in normal prisons or under electronic monitoring goes increasingly unnoticed
- Those who believe in the penal dream of small -scale detention might find this justifiable
- Those who don't, might not



Thank you

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