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Icelandic Prevention Model

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Abstract. Iceland is often excluded from legal and criminological research on the Scandinavian region. The state with a reputation of its small prison population is regarded as the most secured and leads the way in Global Peace Index, Global Gender Gap Index and Social Justice Index. It is notable for its extremely humanitarian approach in the field of criminal policy even in comparison to the Nordic countries and cohesive social structure which lowers risks of offending behavior from the early age, as well as enhances resocialization of criminals after serving their punishment. Icelandic Prevention Model (IPM) is profoundly aimed at traditional crimes, while such emerging ones as illegal drugs, arms and human trafficking are of concern to the academic society. The authors underline the ambiguity of official data, taking into account the fact that Iceland is regarded as so-called *Scandinavian Exceptionalism*, and doubt the determination to replace imprisonment with non-custodial measures. This article examines limited scientific evidence of IPM effectiveness and the state of current affairs, among other things, lack of a strategy for crime combating, a fragmented approach, increasing migration, high recidivism rate, lack of social workers, places in correctional facilities. As the strengths of the Icelandic preventive model, one may single out national feeling safe and secured and faith in law enforcement bodies and Icelandic authorities, as well as great emphasis on juvenile delinquency.

Keywords: foreign crime, Iceland, Nordic countries, prevention model, comparative criminology.

Research area: law.

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Исландская модель профилактики

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Аннотация. При проведении исследований законодательства и криминологической обстановки Скандинавского региона зачастую правоведа не включают данные об Исландии. Данная страна традиционно считается самой безопасной с маленьким числом заключённых и занимает лидирующие позиции в индексах глобального миролюбия, гендерного разрыва и социальной справедливости. По мнению ряда исследователей, она выделяется очень гуманным подходом к преступникам даже по меркам государств Северной Европы и сплочённой социальной структурой, которая позволяет как снизить риски преступного поведения ещё в подростковом возрасте, так помочь социально адаптироваться преступникам после отбытия наказания. Исландская превентивная модель преимущественно нацелена на традиционные виды преступлений, в то время как исследователями отмечается растущая обеспокоенность в отношении трансграничного незаконного оборота наркотических и психотропных веществ, оружия и торговли людьми. Авторами отмечается неоднозначность официальных статистических данных, на основании которых Исландия заслужила славу «Скандинавской исключительности» (англ. «Scandinavian Exceptionalism») в научной литературе, а также в сомнительной обоснованности рьяного стремления заменить тюремное заключение на альтернативные виды наказаний. Данная статья освещает ряд проблем, в том числе отсутствие единой стратегии противодействия преступности, фрагментарный подход к ней, рост числа мигрантов, высокий уровень рецидивизма, недостаток социальных работников и мест в исправительных учреждениях. Среди сильных сторон исландской превентивной модели можно выделить сформировавшееся у населения чувство защищённости и доверие к правоохранительным органам и исландским властям, а также повышенное внимание к подростковой преступности.

Ключевые слова: зарубежная преступность, Исландия, Скандинавские страны, превенционная модель, сравнительная криминология.

Научная специальность: 5.1.4 – уголовно-правовые науки.

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Introduction

Nordic criminal policy is notable for its humanitarian approach (Sveri, 2005). Iceland is typically portrayed as the most secured state with low crime rate and ranks first 13 years running in Global Peace Index (Institute for Economics and Peace 2021). A range of features make contribution to such high index value

(Gunnlaugsson, Galliher, 2000; Ólafsdóttir, Bragadóttir, 2006). Small and relatively homogeneous population (according to the World Bank 2020, 366,425), extreme weather, strong Scandinavian traditions are claimed to facilitate cohesive social structure (Blau, Blau, 1982; Van Willsem, de Graaf, Wittebrood, 2003). As to other industrial western nations,

development of economic life, labour, common goods production and distribution has resulted in increasing advertisement, tighter labour market, less employment security, growing number of unemployed and itinerant workers and change in social values that has caused marginalization and inequality (Adler, 1983; Christie, 2000; Garland, 2001). Iceland leads in Global Gender Gap Index 12 years in a row (World Economic Forum 2021) and ranks first in Social Justice Index (Nordic region is treated as exemplary) (BertelsmannStiftung, 2019). Moreover, Icelandic and American researchers have found the state to be prime instance of John Braithwaite's description of cohesive society that has great resources to resocialize offenders since shame is connected with a crime itself rather than a criminal (Braithwaite J. 1989). Such approach doesn't involve zero tolerance and stigmatization (unlike USA) (Duligov, 2021).

Theoretical framework

On the grounds of the analysis and systematization of the most beneficial resilience practice a study was conducted in accordance with the current state of affairs regarding contemporary methods to provide security in Iceland. It aims at representing dominant opinion in legal doctrine among Nordic and North-American specialists who devoted a number of papers on this issue. For instance, Ólafsdóttir, H., Bragadóttir, R., Kristjánsson, A. L., Sigfusdóttir, I. D., Thorlindsson, T., Mann, M. J., Sigfusson, J., Allegrante, J. P., Pratt, J., Garland, D., Mallén, A., Storgaard, A., Lauritsen, A. N., Giertsen, H., Hjelm-Rasmussen, M., Adler, F., Bernburg, J. G., Thórlindsson, Th., Baumer, E., Wright, R. stand for IPM prodigy. Meanwhile relatively small number of scholars such as Lappi-Seppälä, T., Koning, I. M., Galliher, J. F., Blau, J. R. and Blau, P. M. outline some drawbacks. Hence, the research critiques it in terms of one-sided approach.

Methods

The methodological basis of the criminological research includes analysis of the statistics retrieved from annual official reports. Authors review a number of world indexes presented by Institute for Economics and Peace,

World Economic Forum, The World Bank, BertelsmannStiftung, Global Initiative Against Transnational Organized Crime, Birckbeck. They examine data of the Prison and Probation Administration of Iceland, the National Statistics Institute of Iceland and Icelandic Police (*Lögreglan*). Not only is it unlimited to pure black-letter comparison of legislation and doctrinal concepts, but it also depicts the sociological environment supported by expert interviews, surveys, news inquiry and content analysis of information concerning crime situation in Iceland.

Statement of the problem

A number of scholars claim that Icelandic Prevention Model (IPM) outstandingly contributes to low criminal rate and should serve as a model for other states regardless of cultural, linguistic, religious, social and other circumstances, since its approach involves innovative general rules. It is gaining more and more attention and has become quite prominent in discussions. Thus, the issue of its worldwide transferability arises, although the majority is rather daydreaming and unaware of IPM elements. The purpose of this study is to answer two vital questions: what is so special about IPM and whether its measures are sufficient in order to resist brand new challenges.

Discussion

In General

In Iceland, as well as worldwide, unemployment, narcotics and psychoactive substance abuse, smoking, mental and physical health problems, family absence or isolation from it, victim experience, education lack or academic failure and, as a result, competitiveness on a labour market are the most frequent determinants of criminal behavior or simply criminological factors. It is worth mentioning that researchers rarely take into account alcohol abuse since it doesn't play a significant role in comparison to drugs addiction (Gunnlaugsson, 2021). These risk factors promote committing a crime and complicate social adaptation after serving a punishment (Ólafsdóttir, 2006). Nowadays Icelandic Prevention Model is based on the approach called *society is the patient*

and the following principles: complexity, targeting the social environment, using community resources and involving in decision-making on the question of crime prevention, empowerment withal egalitarianism, teamwork (bottom-up approach).

However, the potential is not being fulfilled in its entirety that may be proved by reoffending statistics (about 42 %) (Baumer, Wright, Kristinsdóttir and Gunnlaugsson, 2002). Iceland takes second place among Nordic countries in terms of recidivism after Norway (Kriminalvården, 2017), preferring criminals' isolation rather than active social adaptation (Mallén, Storgaard, Lauritsen, Giertsen, Gunnlaugsson, Hjelm-Rasmussen, 2019) (see below Fig. 1).

Nevertheless, taking into account amendments to the Icelandic law (Execution of Sentences Act No. 15 of 23 March 2016), the situation has improved. Incarcerated are entitled to work, studies, vocational training in respect of religious and philosophical beliefs and allowance. The above activities may be practiced outside prison for up to 12 months (people sentenced to long imprisonment must serve at least 5 years) and in particular cases are obligations. Following discipline rules is promoted by visits, short-term leaves on personal matter (e.g., the funeral itself or funeral preparation cere-

mony of a close relative, birth, baptism or confirmation of his or her child, serious illnesses of a family member), regular day and family leave (Fangelsismálastofnun Ríkisins, 2017). Though it is a true advantage of the IPM, one cannot claim that Iceland is an outstanding example in comparison to other western nations, inter alia to Nordic region.

Lack of psychological counselling, shortage of social workers and skill programs, drug and tobacco abuse remain unsolved (despite smoking ban on the prison territory) (Gunnlaugsson, 2011, Baldursson, 2000). One specialist took care for 180 prisoners in 2019 (RÚV 2017). This drawback is considered to be offset by non-custodial sanctions: community service (40–480 hours), electronic monitoring, treatment and rehabilitation centers, halfway houses (*Vernd*). Icelandic nationals believe fines are a more serious punishment, hence, if convicts have an option, they often agree on community service. 71 % of pollees are satisfied with their punishments and half is interested in jobs they are assigned (Olafsdottir, 2006). As for rehab, there is National Center of Addiction Medicine in Reykjavík with 2,000 patients annually. Iceland has a comprehensive treatment program for drug abuse financed by state-funded non-governmental organizations (Global Initiative Against Transnational Or-

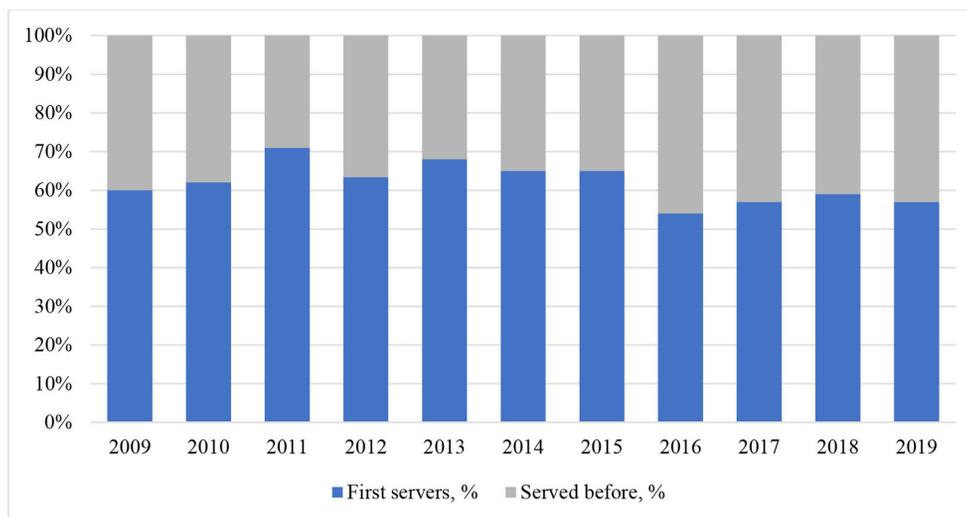


Fig. 1. Inmates in Icelandic prison (2009–2019)
Source: Annual Reports of Prison and Probation Administration

ganized Crime). Vernd is a halfway house run by a nonprofit private association in Reykjavík. This home provides comprehensive assistance and social reintegration to gain a foothold, inter alia psychological help and a close-knit family atmosphere. Withal electronic monitoring a person may stay up to 18 months there (already spent in prison at least 1/3 of sentence). Meanwhile a convict shall continue to work, study or undergo specified treatment and is not permitted to leave the home at night (23:00–07:00), consume alcohol, drugs and narcotics. Travel is also subject to monitoring (Vernd, 2012). Such a temporary shelter isn't a distinctive feature of Icelandic Model, since similar social institutions are in go also in a wide range of state (e.g., in Japan, Germany, Azerbaijan, Russia), but Icelandic ones are regarded as highly effective thanks to friendly environment, whereas, for instance, in the Russian Federation such facilities are described the following way: hostel for cons, sex workers and drug addicts whom youth are frightened of in their childhood (Duligov, 2021).

Just statistical fluctuations or ulterior motives?

Not only does the question about the uniqueness remain, but the above-outlined measures provoke another dispute. They cut state costs and expenses on prison system and lower the burden on penal system, but lack of

due funding and space in all places oof deprivation of liberty obstruct Prison and Probation Administration. Convicts are placed on a waiting list to serve their sentence. In 2009 the number of awaiting completion of the sentence stood at 2000, but in 2017 the situation has improved (up to 450). However, in 2020 it rose again and reached more than 600. It's a common practice if a convicted person leaves a courtroom after delivering a judgment and heads home as if an ordinary citizen unless there is a «vacant» place. There are recorded cases of waiting up to 3 years. Taking into account the number of incarcerated, the statistics emphasize a serious issue (Statistics Iceland) (see below Fig. 2 and Fig. 3).

At first, the majority of prisoners whose punishment was replaced with alternative measures were nonviolent criminals. They were sentenced for property offenses or violations of traffic laws, but later such leniency has been introduced for other offenders as well (Gunnlaugsson, 2011).

In conjunction with the above-mentioned statements there are two mutually exclusive trajectories. On the one hand, some scholars demand to establish community service as a sanction for more crimes instead of imprisonment, i.e., those who is to serve up to a two-year unconditional prison sentence should be enabled to apply for community service. Probation should be possible for all age groups

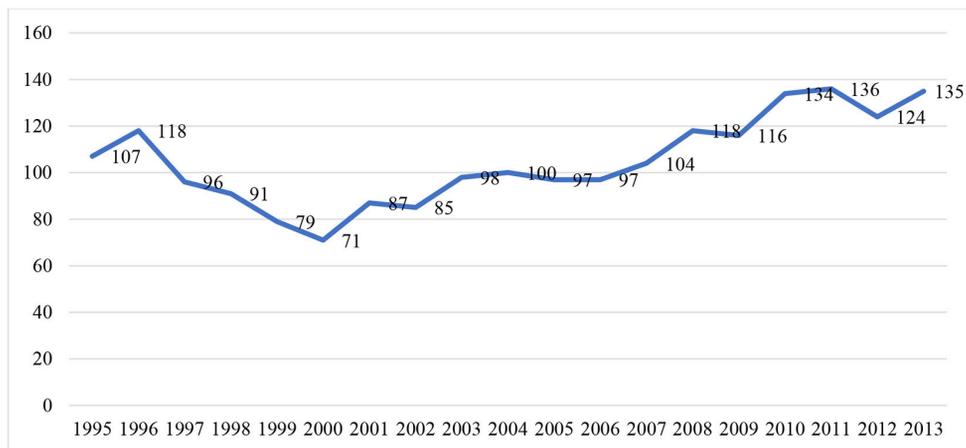


Fig. 2. Inmates in Icelandic prisons (1995–2013)
Source: the National Statistical Institute of Iceland

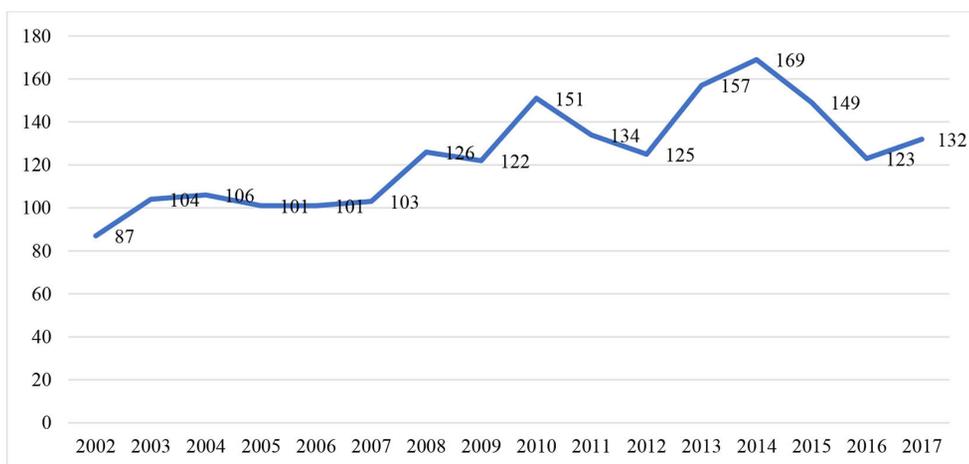


Fig. 3. Inmates in Icelandic prisons (2009–2019)
Source: Annual Reports of Prison and Probation Administration

(currently only for the youth) and release on parole after serving half term of sentence excepting most severe crimes. As a coercive additional measure mandatory therapy should be introduced. Moreover, convicts awaiting the completion of sentence more than 3 years should be pardoned in case of meeting certain criteria (Gunnlaugsson, 2021). Therefore, comparative analysis results in depicting Iceland as an example of Scandinavian exceptionalism with low crime rate and relatively short imprisonment (Pratt, 2008). On the other hand, statistics has been published rarely in time¹ and has been collected in a comprehensive manner from the beginning of the 21st century. In addition, data of National Statistical Institute and Prison and Probation Administration differ (cf. Fig. 2 and Fig. 3). National Statistical Institute of Iceland doesn't provide information about crimes apart from offenses in general. The comparison of Prison and Probation Administration Reports 2010–2014, 2012–2016 and 2013–2017 proves the inaccuracy (cf. prisoner statistics for the period 2013–2016) (Tölfræði). Therefore, a waiting list has only artificially reduced inmate number while the number of convictions has been going up. Among the

other things, one cannot make an unequivocal conclusion on effectiveness of such measures and may guess implicit reasons for their active implementation. Surveys show that every third Icelandic national consider punishments to be too lenient, in particular when it comes to violence and sex crimes. It is reasonable to isolate dangerous deviants for disciplinary purposes and for the sake of vulnerable society (Gunnlaugsson, 2011). Consequently, Iceland as a case of Scandinavian exceptionalism is not true. On the contrary, it has been fraudulent (Lappi-Seppälä, 2014).

(Debatable) IPM merit

It worth mentioning that juvenile delinquency is scrutinized thoroughly in Iceland. Deviant behavior derives frequently from tense family relations, low grades and participation in sports, art, religion or other social activities. That's why friends (as a social institution) and nocturnal lifestyle have a great impact on the teenagers and may engage in criminal activity as if it were a subculture (Bernburg, Thórlindsson, 1999, 2001, 2004; Bjarnason, 2000). First and foremost, it is necessary to reduce risks of youth offending by strengthening ties, promoting child integration and influencing 4 aspects of social environment: family, peer group, school and leisure time. It involves public vouchers or so-called leisure cards to

¹ This article was written in 2022. On this date Prison and Probation Administration Annual Reports provide data till 2015/2019. There is some statistics 2020, but its source is news rather than official one.

do sports or take part in cultural events (400 euro per a child aged 6–18 since 2017), curfew for the adolescents (22:00 in winter, midnight in summer) and development of enhanced parental and neighborhood control concerning child whereabouts and contacts. Icelandic and American researchers underline effectiveness of the above-mentioned measures in order to combat youth alcohol and drug abuse and violence offenses (Sigfusdóttir, Kristjánsson, Gudmundsdóttir, Allegrante, 2011; Kristjánsson, Sigfusdóttir, Thorlindsson, Mann, Sigfusson, Allegrante, 2016; Kristjánsson, Mann, Sigfusson, Thorisdóttir, Allegrante, Sigfusdóttir, 2020).

Nevertheless, some critics claim that although there is considerable decline in nicotine and narcotics use, legal framework has played a more significant role rather than non-mandatory measures. One should take into account such provisions as advertising ban of tobacco and alcohol, age limits to buy them (18 and 20, correspondingly), visibility ban of the produce, as well as harsh punishments against illicit drugs and narcotics trade (Sigfusson, 2018). Strong feeling of security withal fear of crime proves this theory (Ólafsdóttir, Bragadóttir, 2006). Still, we question the value of non-mandatory elements, because one has no accurate data based on empirical research that unpacks the contribution of IPM to declining consumption.

In 2020 there was an increase in number of drugs seized by the police and customs compared to 2019. Thus, the amount of seized marijuana increased (45,175 g. up to 91,772 g.) and cannabis – 12,030 g. up to 37,423 g., i.e., by 211 %. Restrictions on international travel and enhanced monitor at borders due to COVID-19 have given a boost to rear up domestic drugs in Iceland. According to the studies, cocaine use increased significantly between 2017 and 2019 (Lögreglan, 2021). In 2021 there was an initiative to decriminalize possession of all drugs for personal use. However, during public hearings the majority of public and scientific community were opposed to the idea (Samráðsgátt).

Other great concerns

Scholars outline a range of issues due to the internationalization in the light of almost total

centuries-long isolation (Gunnlaugsson, Þórisdóttir, 1999). After economic boom 1999 the number of migrants has risen drastically in 10 years. Overwhelmingly they came from Eastern European states looking for better working conditions. By the year 2008 the share of foreigners reached 17 % of all prisoners in Iceland and gradually increased in 2011 up to 25 %. By the year 2020 the proportion decreased to 18,9 % (Birckbeck). The bulk of crimes committed by foreign nationals is quite the same in comparison to the locals, in particular property, sex crimes and violence offences (Mallén, Storgaard, Lauritsen, Giertsen, Gunnlaugsson, Hjelm-Rasmussen, 2019; Gunnlaugsson, 2011). General statistics and egregious examples outline various challenges immigrant criminality (e.g., brutal murders in 2017 and 2021) (Iceland Magazine, 2018, Helgason, 2021). Crime groups operate both on the territory of Iceland² and remotely from Central and Eastern Europe (Poland, Lithuania, Romania, Albania), they are involved in drug smuggling, money laundering (Hafstað, 2021), people trafficking and sex trade (victims are oftentimes of Romanian and Albanian origin), cybercrimes, burglary and financing terrorism. Mainly cannabis and amphetamine export³ and syntenic drug import are carried out. There is cooperation between foreign and domestic actors (Global Initiative Against Transnational Organized Crime). In addition, Icelandic criminal groups operate on the territory of Spain, the Netherlands, Germany, Italy, Denmark, Latin America. Thus, their activity also extends national borders (Helgason, 2021).

Iceland is often being criticized for a lack of awareness about human trafficking, whereas labor unions call for complex defending measures, especially in terms of foreigners. Recently Icelandic authorities have teamed with nongovernmental organizations to provide assistance to victims of human trafficking and financial aid. There are shelters for women and children who are granted support from municipal social services. Interestingly, there are no special facilities for men, but state provides

² Nowadays there is information about 15 criminal gangs.

³ Reykjavík is among the largest amphetamine producers in Europe.

medical care, free legal advice and nutrition. In July 2020 a special center for victims of violence also joined coordination program (Global Initiative Against Transnational Organized Crime).

Motorcycle gangs (Bandidos, Hells Angels and Outlaws) also cause a lot of concern and each count about 40–50 people. However, it is worth mentioning that local criminal group activity doesn't characterize high proficiency and relies on social bonds, according to the National Commissioner of Police. Thus, they operate also in Nordic region, in particular in Sweden.

Rigorous weapon license legislation also ensures national feeling of security. The most common arms are sporting and hunting rifles. Police officers don't have guns on a routine patrol. The number of gun deaths has not exceeded 8 cases a year for the last 25 years. It also worth highlighting that in 2015 and 2018 there were sporadic cases (Ghosh, 2013). However, scholars warn against firearm trafficking (according to the data on 2017 a third of all arms in Iceland is not registered) (Alpers, Wilson, 2021).

As for cybercrime, Iceland has followed a philosophy called *see no evil*, unfortunately. It means that if one cannot see a danger, there is no threat at all (Ragnarsson, Bailes, 2013). According to the Post and Telecom Administration, in 2015 hijacks and extortionists attacked lots of Icelandic Internet users. In November due to attack the webpages of the government offices of Iceland were down for 13 hours (Hauksdóttir). The latest Report of Lögreglan contains a summary on cybersecurity situation worldwide and high-profile cases, but doesn't reflect Icelandic preparedness to response such threats (Lögreglan, 2016). Law enforcement in Iceland is concerned about the limited powers to track users of web hosting services provided by Icelandic companies. There are examples of drug trafficking websites in many parts of the world that are hosted by Icelandic companies, and the equipment that stores the website data is located both in Iceland and abroad. According to experts, the police have limited resources to request the closure or confiscation of certain domains (Lögreglan, 2021). On this ground one

may conclude that Iceland is not capable to resist brand new challenges.

Results

In conclusion, one may single out a wide range of issues, provided that Iceland is truly safe and relatively close-knit society thanks to homogeneity. Apparently, it's necessary to frame a comprehensive plan to combat both traditional crimes and emerging ones. Traditional crimes such as property, drug, violence and sex offenses are subject to separate acts. Despite strong feeling of security organized criminality is a serious matter and also requires sophisticated action plan on prevention.

Icelandic Prevention Model is a classical prevention example with strong alcohol policy and the elaborated approach to juvenile delinquency and drug addicts. Environmental prevention as a security measure is a promising concept to advocated for, as it focuses on reducing the visibility and accessibility of the substances, but an evaluation study or more surveys would buttress arguments in favor of the concept.

There are also lots of debatable aspects in terms of availability of resources, inter alia true purposes for dynamic replacement imprisonment by non-custodial sanctions, lack of space in prisons and social and psychological workers. Increasing number of recidivism and foreign criminality cast a long shadow on so-called *Scandinavian exceptionalism* of Iceland. According to the National Commissioner of Police, Icelandic authorities aware of problems, but they demand more firm and definite measures.

All in all, one cannot simply adopt Icelandic intervention concept due to its particular characteristics of the country. The most crucial features of the prevention in Iceland are embedded in local strategies at municipal level, whereas they are almost impractical for megapolises. The higher the population density, the greater problems with health, job opportunities, loneliness, weaker family and friend bonds occur. Moreover, some mechanisms such as parental monitoring depend on upbringing connected with the culture and traditions rather than lawmaking. That's why

geographical and social context must always prevail while implanting foreign models. At the same time, some elements were already implemented long time ago and they have become bare bones of any countering-crime policy.

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