

Prisoners appeal to Strasbourg because of prison overcrowding

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The prison is overcrowded, and the prisoners have appealed to Strasbourg.

Thirty four prisoners, in the district penitentiary in Via Per Cassano, have appealed to the **European Court of Human Rights** because of their conditions of imprisonment. The appeal to the Court, which should not be confused with the European Court of Justice, which is based in Luxembourg, mentions violation of Article 3 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, which establishes the right not to be subjected to **inhumane and humiliating** treatment. Now, the average cell space per person is apparently less than 3 m².

The prison managers knew nothing of the news, as the prisoners had acted through their lawyers. **And this is not surprising, unfortunately.** Via Per Cassano was already known as the fifth worst prison in Italy (the first of a certain size) in terms of overcrowding, and last Saturday, a note from the penitentiary police union, Sinappe, made harsher criticisms, talking about **"prisoners kept like battery hens"**, and mentioning that the shortage of staff has made the situation even worse.

Rita Gaeta, who is in charge of the area dedicated to prisoner reform activities, has been forced to acknowledge the news going round. "You know about the overcrowding conditions; when they send us prisoners, and they do so continually from Malpensa, we have to take them in. We can't transfer to other prisons, because they're in the same condition as we are." This is not entirely true. On the one hand, cell overcrowding is still not as desperate, but on the other hand, there are none of the activities that characterise the best aspect of the prison in Via Per Cassano. Gaeta said, "We, who work in the prison, do our utmost to ensure that the prisoners that can do so, spend as much time as possible outside their cells, where sometimes three prisoners are locked up. **We have 180 places and 450 prisoners,**" a situation that needs no comment.

In this situation, the term "restricted" takes on its full meaning. **"We are waiting for legislation** that will allow anyone that has less than one year left to serve, to do so under house arrest." This is on the condition that they have a guaranteed residence, where the police can check up on them. In any case, this solution would not be very effective in Busto Arsizio, because it would only apply to "about thirty prisoners", said Gaeta (in the photo on the right). Just four years ago, more drastic and unpopular measures (**an amnesty and a pardon**) were adopted. The effect was quickly wiped out by a system that imprisons and detains large numbers of people, **but without adequate buildings and resources.** Particularly in this area, where we force the

consequences, firstly, onto the prisoners, and then onto those employed to watch over them and to give them a second opportunity.

Then, there are the **activities for prisoners**, for which the Busto Arsizio prison is well-known. Gaeta says, "There are employment and educational opportunities, lots of things that we do despite the staff shortage. The social plan concerns about 200 prisoners," (in the Busto Arsizio prison, the turnover of prisoners is overwhelming, because of the airport nearby: the total number is always very high). "There are those who study, from primary school to high school; there are workshops, the most important of which is the one for pastry and chocolate making; there's a newspaper ("Mezzo Busto", which even last summer reported the appeals by the prisoner journalists in relation to the overcrowding)." **And it is all true, a commendable effort**, and acknowledged as such, made possible above all by the **volunteers** who provide valuable help from outside the prison, in the form of teaching, educating, and so on. There are also important projects of collaboration with the school "outside". However, what is most urgent is restoring the minimum living conditions in the cells, so that the purgatory of imprisonment, no matter how serious the crimes, does not become a hell.

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