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## PUNISHMENT THAT STILL WORKS? NORWAY'S CHALLENGING AND CHANGING CORRECTIONAL LANDSCAPE

John Todd-Kvam, University College,  
Norwegian Correctional Service

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### Abstract

Whilst often seen as a penal role model, Norway's correctional landscape is undergoing significant changes and faces some major challenges. This article gives an overview of these challenges and changes, using a newly-published policy document entitled *Punishment that works—implementing sentences for a safer Norway* to illustrate some key aspects of contemporary correctional practice around resourcing, sentence content, staffing levels and expertise, geographical coverage, mental health, and gender. The article concludes with two specific lessons regarding use of electronic monitoring and correctional salaries, as well as an overarching observation that practical issues like competitive salary and appropriate staffing are closely bound up in the cultural aspects of empathic and understanding leadership, respect for others, and knowledge-based practice.

**Keywords:** Norway; penal policy; correctional practice; electronic monitoring; mental health

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## Introduction

Norway has long been a reference point for people interested in improving correctional practice. Even as far back as 1901, it was observed that Norway's new penal code had "attracted a lot of attention far beyond our country's borders, and the general consensus seems to be that it's a reform effort so grand in its design and so solid in its implementation that no contemporary equivalent from any other country can be identified" (Hagerup, 1901: 4). More recently, we have seen vigorous scholarly debate on the nature and extent of Norway's 'exceptional' status when it comes to penal policy and practice (e.g., Pratt & Eriksson, 2014; Smith & Ugelvik, 2017). It is, though, fair to say that the Norwegian Correctional Service has strong ambitions for a humane and progressive approach to punishment, and that such ambitions have led to Norway being seen as a site of best-practice and as a place to travel for correctional inspiration (e.g., the Scandinavian Prison Project, the Amend program at UCSF<sup>1</sup>).

The 2007 policy document *Punishment That Works—Less Crime—a Safer Society* gave a comprehensive account of these ambitions and provided a strategic foundation for contemporary correctional practice. It has also received research attention, including having its English summary published in *Federal Sentencing Reporter*. One of the key principles in the document is the principle of normalisation. Described as the 'lodestar' of penal policy and practice, the principle has, according to Engbo (2017), two forms: defensive (the retention of as many legal rights from normal life as is possible within the confines of a prison) and proactive (an active normalisation of both living conditions and prisoners themselves). The document also launched a 'resettlement guarantee' that built on the principle of normalisation, whereby "the government recognises an obligation to assist convicted offenders to have activated the rights they already have as Norwegian citizens". I have elsewhere (Todd-Kvam, 2022) argued that there are two distinct logics underpinning the emphasis on rehabilitation work in this document: a pragmatic logic (rehabilitation is the smart thing to do) and an ethical logic (it is the right thing to do).

## Major challenges

The populist-right Progress Party entered government for the first time in 2013, gaining control of the justice ministry. Norway's reputation as a penal-welfare bastion appeared to be under significant threat. However, the compromises inherent in coalition government meant that many of the Progress Party's populist-punitive policy ambitions remained unrealised, and a wholesale and dramatic punitive turn did not take place. The desire to cut taxes and reduce the size of government did, though, affect the penal field through major budget cuts labelled 'de-bureaucratising and effectivising'. Lack of resources has limited engagement with people subject to punishment (Anderson & Gröning, 2017; Koffeld-Hamidane et al., 2024; Todd-Kvam, 2020) and increased levels of isolation (Norwegian Parliamentary Ombudsman, 2019).

The challenges facing the Norwegian Correctional Service have been acknowledged in a new policy document published in June 2025, entitled *Punishment that works—implementing sentences for a safer Norway*. As the title implies, this document aims to carry forward the 'comprehensive approach' of its predecessor. The authors recognise that:

The staffing situation in the correctional service is a cause for concern. One in four newly

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1 See also joint work with Bulgaria, Romania, Latvia, Lithuania, Poland, and the Czech Republic through the Norway Grants programme.



qualified prison officers leave shortly after completing their training, and an increasing proportion of employees are approaching retirement age. A tight labour market makes it challenging to replace those who leave. The workload of those who remain is increasing further, partly because more prisoners are convicted of more serious crimes, and the proportion of prisoners with mental health problems, suicide attempts and self-harm is increasing. The extent of violence and threats between inmates and against employees has increased. Female inmates in particular can find themselves in a difficult situation in prison. The state has been convicted of human rights violations on several occasions (p.8).

In addition to these prison-specific challenges, the new *Punishment that works* also refers to a broader political-economic challenge facing Norway – that an ageing population will limit availability of welfare services in the future.

### Major changes

Along with these challenges, there are important ongoing *changes* in Norwegian corrections. The prison has long been the hegemonic form of penal sentence in Norway and a focal point of research and media attention. There is now, though, a major reshaping of Norway's correctional geography underway. This development is not because of changes in sentencing practice, but rather because a large proportion of those receiving short prison sentences now serve their time at home under electronic monitoring. A key inflection point in this process occurred in 2018, when for the first time more people serving a penal sentence did so in the community than in prison (Kriminalomsorgsdirektoratet, 2021). In addition, both the number of people serving a community sentence under probation supervision and the number released from prison on probation have dropped by over a third in the last decade (Kriminalomsorgen, 2023). These are major changes to

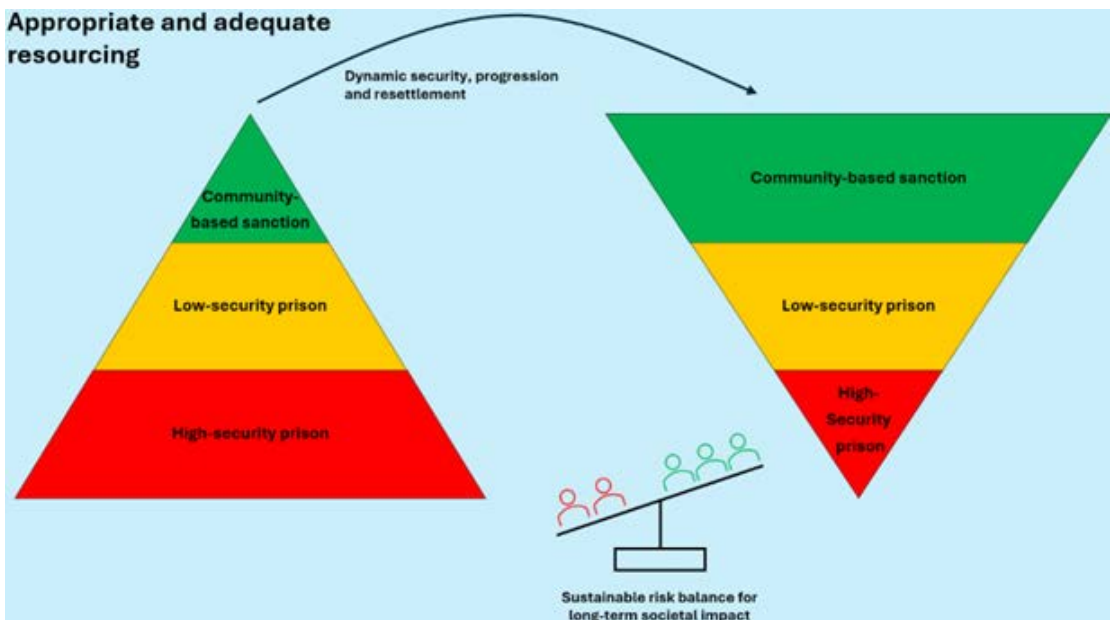


Figure 1: The shift in the serving of sentences in Norway. (Source: Directorate of Norwegian Correctional Service, 2024).

the way punishment is organised and implemented. Indeed, the Norwegian Correctional Service now envisage a full paradigm shift, moving from a system that has been dominated by high security prison places towards a system which supports much greater use of community-based sentence implementation:

This paradigm shift is, as Figure 1 shows, framed in terms of both resourcing levels and balancing of risk.

### **Punishment that works – implementing sentences for a safer Norway**

Resourcing and risk are important themes in the new Punishment that works, which makes a range of policy commitments, including:

#### ***Future corrections will be more resource-efficient***

Prisons in Norway have two security levels – high security and lower security (as well as some wings with particularly high security levels and half-way houses). High security prison places are significantly more expensive than lower security. Under current regulations, the correctional service has limited opportunity to differentiate the use of different security levels based on actual needs because the legislation includes a presumption in favour of placing convicted persons in high security. *Punishment that works* notes potential advantages to changing these regulations, allowing greater scope for a specific assessment of the level of security required in each individual case, based on a risk assessment. The government also propose to assess whether there is a need for additional security levels and other differentiated security measures.

The policy document affirms that:

Implementing sentences outside prison is cheaper than imprisonment and is accordingly both resource-efficient and socio-economically profitable [...] The Government therefore believes that the development whereby more people can serve their sentences outside prison is both right and important. This ensures that convicted persons are able to maintain their education and employment to a much greater extent than if the sentence had to be served in prison. Short prison sentences that result in persons being removed from an educational programme or professional activity should be avoided as far as possible. (p. 88)

The ambition is to expand the use of electronic monitoring, both 'front-door' (i.e., serving entire shorter sentences at home) and 'back-door' (i.e., that electronic monitoring will become the rule for people towards the end of their prison sentence).

#### ***Meaningful and appropriate sentence content that prevents crime***

In Norway, the principle that it is the deprivation/restriction of liberty itself that constitutes punishment remains important. Convicted persons should not, as a rule, lose other civil rights. There are plans to consider making changes to the rules regarding prison leave for education and employment, making it easier to access these outside of prison. There is also an ambition to modernise the range of activities offered in prisons, including by strengthening opportunities to acquire relevant vocational skills, and ensuring that work in prisons is more closely aligned with educational programmes offered elsewhere. The opportunity to acquire relevant digital skills,

avoid digital exclusion and for prisoners 'to take greater responsibility for their own lives' is also emphasised.

### ***Strengthened staffing and expertise in corrections***

As mentioned above, the Norwegian Correctional Service faces workforce challenges in the form of reduced staffing levels, high sickness absence, and turnover among newly qualified employees. This creates further issues with increased workloads and reduced time to engage with prisoners. This is a challenge to Norway's emphasis on relational and rehabilitative work in prison.

In response to this challenge, the current government have increased correctional service funding and ramped up recruitment of new prison officers. The document also included a proposal to change the training regime for prison officers from a two-year, salaried, programme to a three-year bachelor's degree without salary. This is intended to enable reprioritisation of resources towards training larger numbers of staff, increasing salaries for qualified officers, and to increase the competence and expertise of trained officers. The document also suggests that this change may increase the status of a career in the correctional service.

In addition, a new decentralised training programme is being launched, where students can train at a range of 'training prisons' across Norway. This programme will be a combination of online and classroom-based teaching.

### ***Corrections throughout the country***

The principle of proximity in the Norwegian Correctional Service means that convicted persons, as far as possible, are imprisoned in a prison close to their place of residence. The purpose of this principle is to preserve ties to family, work, and the local community.

However, a significant number of prison buildings are in poor condition and require considerable maintenance. Many prisons also have structural limitations that make it difficult to counteract isolation and provide satisfactory activities for incarcerated individuals. The government plans to build new/replacement prisons in Oslo and in several other regions (expansion of electronic monitoring is also highlighted as contributing to the proximity principle).

### ***Better care for people with mental health problems***

There has been a trend towards a larger proportion of incarcerated individuals having mental health problems (Bukten et al., 2024). More people in prison have been convicted of serious violent and sexual offences, more are serving longer sentences, and the proportion of older inmates is greater than before. Those in prison are both more challenging and more vulnerable, with greater needs in terms of treatment and support. Prison officer training does not adequately cover the competence requirements of this changing group, particularly in relation to mental health and substance abuse issues.

One recent innovation for particularly vulnerable individuals is the introduction of jointly-run units that are a formal cooperation between specialist mental health services and the correctional service. *Punishment that works* suggests examining the need for more such units, including a unit at the planned new women's prison.



### Non-discriminatory implementation of sentences regardless of gender

The conditions for women in prison in Norway have been long-criticised. The extra vulnerability of women in prison is well-known internationally, and Norway is no exception. The document acknowledges that whilst women make up only about 5% of the prison population, a stark 75% of suicide attempts and 65 % of self-harm cases in 2023 were carried out by incarcerated females. In addition, the use of restraint beds on females has been a long-running problem, and the risk of isolation is higher than for men (Sivilombudsmannen, 2020).

The need for better competence regarding women's health, experience of sexual violence, and mental health is acknowledged and it is proposed that this be included in officer training and further education. *Punishment that works* also highlights an existing recommendation for establishing a national centre for the implementation of sentences for women, in addition to three or four smaller women's units in the rest of the country.

Overall, *Punishment that works* contains a significant number of ambitious proposals for regaining lost ground in Norwegian corrections, particularly with respect to prison officer training and retention and rebalancing the system away from high-security prison places. There are, in my view, some weaknesses as well. The long-running problem of so-called 'punishment debt' (Todd-Kvam, 2019) is acknowledged without much in the way of concrete action being proposed. The new document is, perhaps, less ambitious here than its predecessor. A second, perhaps slightly unfair, critique is that *Punishment that works* focuses on the correctional system, but many of the most difficult issues it addresses (mental health problems, poor conditions for women) have root causes elsewhere in the system and in society.

### Key lessons from these challenges and changes

Regarding what we can apply from Norway's latest policy thinking in a broader context, one lesson is on the potential of electronic monitoring. Run by the correctional service itself (not outsourced), this approach to incarceration appears to have potential as an alternative to unconstructive, often debilitating short prison sentences, which can cause more harm than good. There are, though, potential downsides with net-widening (Andersen et al., 2020) and turning people's homes into prisons that must be considered in how such programmes are designed and implemented. The relational and intersubjective aspects of combining care and control need to be prioritised here as much as in other carceral contexts.

The issue of salaries is also worth reflecting over. A brief informal comparison shows that average Norwegian correctional officer salaries are somewhat lower than those in the United States relative to respective median salaries (594,000NOK vs. 640,000NOK and \$58,000 vs. \$60,000<sup>2</sup>). Given Norway's reputation as producing some of the best-trained prison officers in the world, this is noteworthy. It is important that salaries reflect levels of both responsibility and expertise to retain qualified and experienced staff.

Finally, I see an interesting combination of the cultural and the pragmatic here that is worth considering. When it comes to building and maintaining a well-qualified, motivated and effective correctional staff, the practical issues of a competitive salary, appropriate staffing in both numbers

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2 Data sources: Statistics Norway and US Bureau of Labour Statistics.

and competence, etc. are closely bound up in the cultural aspects of empathic and understanding leadership, respect for others, and knowledge-based practice.

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## About the Author

John Todd-Kvam is an Associate Professor of Criminology. His research encompasses desistance from crime, penal politics and the penal field, and life during and after punishment.

