

In September 1962 the Twelfth International Course in Criminology was held at the Hebrew University of Jerusalem under the auspices of the International Society of Criminology, the hosts being the recently founded Institute of Criminology under the direction of Professor Israel Drapkin. From the United Kingdom, Mr. ERYL HALL WILLIAMS, Reader in Criminology in the University of London, attended, and he has written the following account of his impressions of the correctional system in the hope that it will interest our readers.

Crime and the Penal System in Israel

1. Background Information*

The State of Israel was born in May 1948 and was immediately involved in a bitter war with the Arabs, being invaded from the north-east and south by the military forces of Transjordan, Syria, Lebanon and Egypt. The invaders were defeated in four weeks, but a good deal of guerilla warfare by armed groups continued. Hostilities were resumed in October 1956 and a United Nations force still guards the frontiers with Egypt, Jordan and Syria, and the Gaza strip. The territory of Israel is comprised of an irregular narrow strip of land about 265 miles long, stretching from the hills of Galilee in the north to the Red Sea port of Eilat in the south, and at its widest point, south of Beersheba, only 70 miles wide—at its narrowest, north of Tel Aviv, only 12 miles wide. The Jordan border surrounds

Jerusalem, which is reached by a narrow corridor by road and rail. (Actually the road had to be re-routed as the Jordan forces still held part of the route when hostilities ended.) Jerusalem itself is of course divided into the Jordan sector, including the old walled city where most of the holy places are situated, and the new town which the Israelis are building outside on the west. Here impressive new public buildings, a vast concert and exhibition hall, and a new hospital costing millions of pounds, have been erected. Also, the very impressive new Hebrew University of Jerusalem, situated on a vast campus outside the town.

The population of Israel as at 1st January, 1960, was just over two millions (a little less than that of Wales) comprising 1,858,841

*Most of this information is taken from official guide-books.

Jews, 160,000 Moslems, 50,000 Christians and 20,000 Druzes. The population has trebled since the establishment of the State of Israel. Only 35 per cent are "sabras" (or native born Jews). The rest came from many different countries in Europe, America (36 per cent), Asia (17 per cent), and Africa (12 per cent). There are now surprisingly large numbers of Moroccan and Algerian Jews. It will be noted that there is a sizeable Arab minority, which includes about 20,000 semi-nomadic Bedouins. The fact that there is still a state of war between Israel and its neighbours has some influence on the population of the prisons. What is the effect of culture conflict on the crime problem is an interesting speculation, but one suspects that it is considerable. *Shoham** has pointed out that the criminality of the new immigrants exceeds that of the native born; and believes that the clue to these differential crime rates may be found in the culture conflict hypothesis.

Figures published by the Juvenile Probation Service seem to show that juvenile delinquency has been rising constantly in the eleven years 1949 - 1959 and it would appear that the second generation immigrant is becoming quite a social problem. The Agranat Committee on Juvenile Delinquency in Israel (1956) appears to have reached the same conclusion. A research project designed to test the hypotheses about the immigrant and crime will shortly be completed.†

2. The Crime Situation

For its population, Israel claims to have little crime at present. The excellent volume, *Criminal Statistics in Israel 1949 - 1958* published by the Institute of Criminology of the Hebrew University, shows that in 1958 there were less than 50,000 offences recorded in the charge register. This comprises serious offences, i.e. all felonies and misdemeanours under the Criminal Code Ordinances 1936 and most of the more recently created crimes of the same order (p. xiii).

This figure does not include cases where the report of an offence did not lead to any action and the file was closed because there was no ground for a charge. Since 1956 these have been deducted from the total offences in the charge register, to give a figure for True Offences. These are sub-classified as follows:

	1958
No suspects discovered ...	21,071
Suspects were discovered ...	27,249
	<hr/> 48,320

*53 Jo. Crim. L. & Crim. 207 (June 1962)

†Cf. also Dr. Joel Shanan's paper on *Cultural Waywardness as a Breeding Ground of Delinquency in Israel*, delivered to the 12th International Course in Criminology, September, 1962. Proceedings, Vol. II. Part two. See also: Z. Hermon, *The Penitentiary Aspects of the Problem of Sex Offenders in Israel*, 53 Jo. Crim. L. and Crim. 62 (March 1962).

a) file closed no action brought	5,519	
b) action brought by end of year	18,419	
c) still under inves- tigation at end of year	3,311	27,249

The delinquency rate in terms of population at risk works out at something like 2,500 per 100,000 population at risk, but this is a very rough calculation as I have not deducted for the population under fifteen. The rate should be higher (possibly 3,300). The corresponding figure for England and Wales for indictable offences known to the police seems to be lower, standing at less than half this figure in 1958, 1,575 per 100,000 population at risk. This is surprising, and I can only suggest that the figure for offences known and recorded in the charge register is not comparable to our figure of indictable offences known to the police. It seems likely that it includes many offences which would not be classified as indictable offences in England and Wales, in which case one might assume that the crime rate in Israel would correspond more closely with that in the United Kingdom.

Dr. Hermon, the Scientific Director of the Prison Service in Israel, says that the figure for adult offenders convicted cannot be used as the basis for the calculation of the crime rate for Israel because it includes many trivial offences as a person can be counted more well as the more serious ones, and

than once if he commits separate offences during the same year. He prefers to use another figure for adult offenders convicted, which is given in the *Statistical Abstract of Israel, Volume 11 (1959/1960)*. Here Table 9 at page 403 gives the following figures for Adult Delinquents Convicted (aged 15 years and over):

Excluding brawls and minor assaults	14,094
Including brawls and minor assaults	16,751

On this basis, a rate of crime in relation to population is given. Excluding brawls and minor assaults, it is 11.0 per 1,000. (Including them, it would be 13.1 per 1,000 of the population aged 15 and over). It seems that this rate had dropped from 12.0 in 1953 to 11.0 in 1958. This appears to be the only figure of crime in Israel which is related to population at risk by the Israeli criminologists.

A corresponding figure for England and Wales would be that given in Appendix IV of the *Introduction to the Criminal Statistics*. Here we find the rate per 100,000 of persons aged 17 and over found guilty of indictable offences at all courts. For the year 1958 the figure given is 283 per 100,000. This is equivalent to 2.83 per 1,000. Compared with the Israeli figure of 11.0 per 1,000, it is just over a quarter. It may well be that differences of classification of offences and nomenclature obscure the true position, but the impression remains that the claims

made to a low or even moderate crime rate in Israel cannot be substantiated by comparison with the rate in England and Wales.

Oddly enough, the otherwise comprehensive publication of Israeli Criminal Statistics already referred to contains no information from which we can gather the crime rate in terms of population at risk. The statistics have another peculiarity, viz. the habit of dividing the population into Jews and Non-Jews at every possible stage. One wonders what significance attaches to these distinctions in the light of the recent decision about the Carmelite monk who was born a Jew and held to be a non-Jew because he no longer professed the Jewish faith.

Juvenile Crime

The juvenile courts have jurisdiction in Israel over males from 9-16 and females from 9-18. In 1958 there were 3,890 convictions of juveniles, 2,445 of them in the juvenile courts (see tables 24 and 40). The figures for juveniles convicted are tending to rise in both the juvenile and adult courts; and one gets the impression that a certain amount of anxiety exists over the activities of teenage youth in some quarters of the bigger cities, i.e. Tel Aviv and Haifa.

3. The Prison System

This is under the same Minister as the police, and there appears to be a pretty close liaison with the police in terms of training and

secondment. Most of the secure prisons are old Taggart forts or police barracks built by the British on a rectangular plan with a courtyard inside. Probation and institutions for Juvenile Offenders come under the Ministry of Social Welfare. The administration of the criminal law comes under the Ministry of Justice. The law administered is mainly that inherited from the Mandate, but capital punishment has been abolished (other than for crimes against the State: cf. Eichmann) and corporal punishment has also been abolished. In 1954, the year capital punishment was abolished, the punishment provisions of the Code were restated and amended, and they include the following features:

1. Use of suspended sentence.
2. Imprisonment for a period exceeding one year shall not be imposed by a court until a report on the accused has been submitted by a probation officer (not yet in force, save in regard to offenders under 21 convicted of an offence carrying a maximum punishment of six months or more imprisonment).*
3. The Minister of Police may grant special leave not exceeding 96 hours (four days) upon request by a prisoner or by recommendation of the Commissioner.

*See *International Review of Criminal Policy*, No. 19, June, 1962, pp.101-2.

4. Release Boards were set up, composed of a District Court Judge as Chairman, the Commissioner of Prisons or his representative, and a third member (a physician or educator).

The Boards review sentence of imprisonment exceeding six months after two-thirds has been served and recommend either release or completion of the full term.

Persons sentenced to terms of three to six months can be freed or ordered to complete the full term at the discretion of the Minister of Police.

In 1957 similar release boards were set up for juvenile offenders detained in institutions. In this case the two-thirds minimum does not apply.

The prison system is directed by a Commissioner, assisted by a Deputy Commissioner, who is in charge of Security, Personnel, Finance, Supply, and a Scientific Director (Dr. Hermon), who is in charge of Classification, Education, Medical and Social Treatment, Labour and Research.

4. The Disposition of Offenders by the Courts

In 1958 the 40,910 persons convicted by all courts were dealt with as follows:—

Imprison.	...	...	...	3,135
Imprison. and Fine	...	...	...	305
Imprison. or Fine	...	...	...	10,870
Fine	...	...	...	22,565
Other Penalties	...	...	...	4,925

Of those imprisoned or otherwise detained (3,135):

2,640	were sentenced to terms up to one year
265	to terms of over one year up to three years
30	to terms of over three years up to six years
20	to terms of over six years
180	detained under hospital orders.

There are only six institutions under the Prison Commission to which offenders may be sent. These are as follows:—

1. The Ramla Prison: maximum security (near the centre of Israel). This includes a wing for women prisoners and a psychiatric ward together with the main hospital of the prison service.
2. Shatta prison, in the north, a medium security prison.
3. Damun, on Mount Carmel near Haifa, a medium security prison.
4. Maasiahu Camp, near Ramla, minimum security, merely a light double fence—one storey buildings, flower beds, gardens, visiting in the open.
5. Tel Mond prison for young offenders 16 - 21.
6. A women's prison near Nathanya.

Classification

Every prisoner sentenced to three months or longer is brought to the Observation and Classification Centre (O.C.C.), situated alongside Maasiahu Camp, unless his sentence is for five years or more when he goes straight to Ramla. At the O.C.C. a prisoner undergoes social and medical exam-

inations, and eventually his case is considered at a classification meeting presided over by the Scientific Director of the Prison Service. One day a week is devoted by the diagnostic staff to such a meeting, and the prisoner has a full opportunity to be heard in an atmosphere which encourages him to express himself freely. A summary of the case and the reasons for the recommendation is dictated immediately a decision is reached, and this is submitted to the Commissioner for his approval.

I saw this board at work and was impressed with the high professional standard of the discussion, at which there were two social workers, a sociologist, the Director of the Prison Medical Service, a psychiatrist, and several prison officers. No guards were present other than those attending the meeting.

The Maasiahu Camp was overcrowded and I was distressed to see some of the prisoners engaged in the familiar occupation of sewing mailbags. But here we saw the first example of the vocational training of prisoners directly by the Ministry of Labour. Selected prisoners are given the same opportunity as is given to new immigrants to learn a trade in 12 months, and, if successful, gain a certificate on which the place where the training took place is not indicated. There are ten such workshops in the five prisons, engaged in carpentry, locksmiths' trade, motor car repair and tailoring.

There was also a bulb growing industry (not too successful) and braille translations were made for the blind.

Tel Mond Camp, the youth prison, like Ramla prison, was centred on a former British police barracks. There were three stages, a Pioneer Group, a Training Group and an Honour Group. The latter lived very pleasantly under canvas in the grounds. Here the main impression was of the close parallel with the English borstal system, and the emphasis on education and hobbies (a natural history museum and a small collection of two- and four-legged creatures). The Scientific Director proudly showed us three spacious classrooms built and equipped by the Ministry of Education. He explained his belief that it was good for the other departments of state to come in and shoulder some responsibility for inmates. (I have already referred to the Ministry of Labour's help in vocational training schemes.)

In this connection, I might refer to help given by the Health Ministry to the prisons, particularly on the mental health side. Not only are there six full time physicians for the 1,200 prisoners in the institutions, but the Ministry considers the problem of psychopathic offenders as partly within its province and pays for the Director of the Psychiatric Service, his assistant, a P.S.W. and three attendants who work in the psychiatric ward at Ramla.

Ramla Prison was overcrowded, with few single cells but mainly dormitories (it was not built as a prison). Its 400 places were almost fully taken up, and the staff numbered 167. There were armed guards in watch towers on the fence surrounding the perimeter. No parties worked outside the fence. A section of the prison was devoted to infiltrators, and persons caught carrying arms or smuggling drugs receive heavy sentences. Tailoring, carpentry, laundry, mat-making, some electrical work, a shoemaker's course, painting and general maintenance were among the trades. I was particularly interested in the manufacture of braille books for the blind (also noticed in Maasiahu) and the salvage of valuable foreign stamps from official mail supplied by the civil service, where the secretaries are instructed to save foreign stamps.

One interesting feature of *Ramla* was that although they had between thirty and thirty-five discipline cases a month, the punishment of up to seven days solitary and removal of mattress was all that was used. Dietary punishment (bread and water) had been used only once in two years. The main penalty was loss of privileges (fortnightly visits although the rules say once in two months).

There is no corporal punishment, and I was told that this had not been used since the British left. Then it had been used for riot and escape. The staff feel a little threatened by this situation, but they are all trained in unarmed

combat, and may use violence to overcome a prisoner who uses violence. The last escape was over two years ago (I remarked half-jokingly that they did not have enough escapes). The psychiatric ward had 53 beds, and one ward of 20 beds was closed. The open department catered for psychopaths, narcotics, neurotics and post-psychotics. Treatment was similar to that in a mental hospital—individual and clinical—drug techniques and so forth. The staff consisted of two psychiatrists, one psychologist, one social worker, one occupational therapist and twelve male nurses. Persons found insane at the trial are sent to a mental hospital but persons who become mentally ill after conviction are treated here, unless they are certified, when they will be transferred to a mental hospital. A new *Law concerning the Treatment of the Mentally Sick* was passed in 1955. Release is by a Psychiatric Board presided over by a specially qualified lawyer.

The Social Case Work Department of the Prison Service is run by a most competent and experienced female social worker with a master's degree in the field of social science from an American University. Under her, 18 case workers are employed: four in the Classification Centre, two in the after-care field, loaned, I believe, to the Tel Aviv and Haifa voluntary associations. In addition four students receive case work training in the prisons, the Case Work Department being recognised for

this purpose by the Hebrew University. Apart from the Classification Centre there are two or three social workers in every prison. Such basic questions as disturbed family relations, and employment and accommodation difficulties, seem to be the main questions tackled, but they also try and resolve the deep-seated personality problems of a minority of individuals. They report on the prisoners' applications for home visits and on the desirability of release after two-thirds of the sentence has been served.

Finally, I must turn very briefly to juvenile offenders. They are mostly dealt with by probation or by fine. About 70 per cent are discharged or conditionally released, about 20 per cent put on probation and ten per cent sent to institutions. The juvenile probation service has 48 officers, all trained social workers, and an average case load of 25 cases under supervision and 14 for inquiries and report, and five institution cases with which to keep in touch.

The Institutions include two Observation Centres and seven homes (five for boys and two for girls). We saw one of the Observation Centres, at Mesilah, near Jerusalem. Here a very thorough diagnostic investigation is made and reports are submitted to the Court. A staff of psychologists, social workers and a psychiatrist (shared with a neighbouring teaching hospital and the Hebrew University) seemed reasonably

competent, and the atmosphere was relaxed and friendly. The only doubts were as to a system which permits a boy to be committed for up to 60 days for observation before a final decision is taken whether to commit him or otherwise deal with him.

We also visited an *Arab approved school* outside Acre, which was delightfully set out in an Army style camp of Nissen huts, and was run by an exceptionally enlightened staff which included both Arabs and Jews. Suitable pupils were sent out to a neighbouring high school for education.

5. Adult Probation

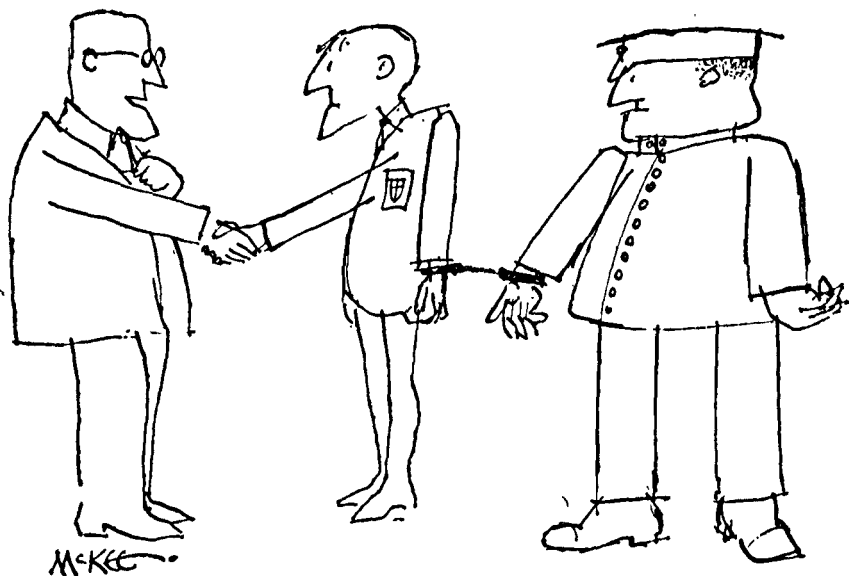
There was no really adequate adult probation service until 1951, when one was established by the Ministry of Social Welfare. But it is interesting to recall that as far back as 1937 an experiment had been made in this direction in Palestine under the Mandate, and this led to the enactment of the Probation of Offenders' Ordinance of 1944. The Colonial Office Advisory Committee on Penal Administration had endorsed the experiment and recommended it for all territories in 1940 (and again in 1957). There are now some 34 probation officers, all fully trained social workers, but so far the numbers placed on probation are small. Time did not permit me to make a study of the working of the probation service, but the main impression was of unlimited enthusiasm in the face of grave

operational handicaps, such as distances and shortage of staff.

Generally one might say that the penal and correctional services of Israel are in good hands and are taking shape remarkably well despite many difficulties. What the future has in store for them is

anyone's guess. More crime and more serious crime no doubt. But our good wishes go out to those devoted workers and enlightened administrators who are determined to produce a model system of treatment of offenders and are well on the way to this goal.

SCHOOL LEAVERS—I



"Ah well MacCrindle, we all have to leave some time."

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