

Haileybury MUN

Research report



GA3: Social, Humanitarian and Cultural

The question of conditions in prisons

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Definitions

"prisons"

A prison is defined as a place of confinement a building in which people are legally held as a punishment for a crime they have committed or while awaiting trial. Such institutions the vast majority of countries to hold law-breakers including dangerous criminals and money-launderers, to prevent further unlawful activity and an increase in crime rates.

"Recidivism"

A tendency to relapse into a previous condition or mode of behavior, especially relapse into criminal behavior.

"Non-custodial sentence"

A punishment given by a court of law that does not involve a prison term, such as a fine or a restriction order.

Introduction

Prisons have been a part of legislation for several countries for hundreds of centuries. It is thought that, in most cases, holding lawbreakers in confinement is a punishment as well as an incentive to not break the law. Across the globe, the criminal justice system is overburdened and the prison system is in crisis. Prison overcrowding continues to be the most urgent challenge for prison administrations around the world.

There are many guidelines for the conditions in prisons. These conditions may vary from country to country, but there are basic humanitarian circumstances under which prisoners must life –

- the Standard Minimum Rules for the Treatment of Prisoners from The Office of the High Commissioner for Human Rights renamed the Nelson Mandela Rules¹ after the 2015 amendments.
 - all prisoners shall be treated with respect
 - no prisoner should be subject to torture or other cruel, inhuman or degrading treatment or punishment
 - The present rules shall be applied impartially. There shall be no discrimination on the grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status.
 - the prison system shall not, except as incidental to justifiable separation or the maintenance of discipline, aggravate the suffering inherent in such a situation.
- the UN Bangkok Rules formulated in 2010 to specifically address the needs of female prisoners.
 - Newly arrived women prisoners shall be provided with facilities to contact their relatives.

¹ "The United Nations Standard Minimum Rules for the Treatment of Prisoners," n.d., 38.

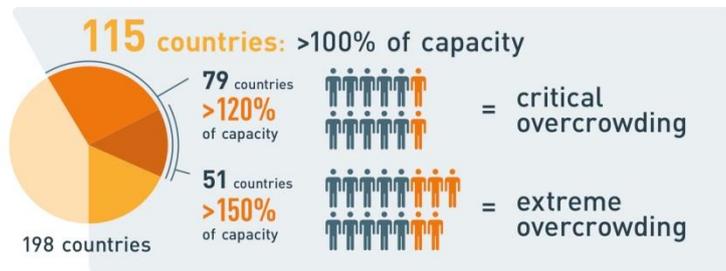
- women with caretaking responsibilities for children shall be permitted to make arrangements for those children
- The number and personal details of the children of a woman being admitted to prison shall be recorded at the time of admission.
- Women prisoners shall be allocated, to the extent possible, to prisons close to their home or place of social rehabilitation
- The accommodation of women prisoners shall have facilities and materials required to meet women's specific hygiene needs, including sanitary towels provided free of charge and a regular supply of water to be made available for the personal care of children and women, in particular women involved in cooking and those who are pregnant, breastfeeding or menstruating.
- the Doha Declaration reiterated that states should implement and enhance policies for prisoners that focus on education, work, medical care, rehabilitation, social reintegration and the prevention of recidivism.

Despite these guidelines, inhumane living conditions, physical and mental health issues and harsh treatment at the hands of the prison staff continue to plague prisoners. Upon release, life is no better as most prisoners are ill equipped to re-join society and carry a stigma for their lifetime.

The coming decades will see technology changing the way many aspects of incarceration are handled, from video visits with family, to training programs to prepare prisoners for reintegration in to society.

Key Statistics

Prison overcrowding



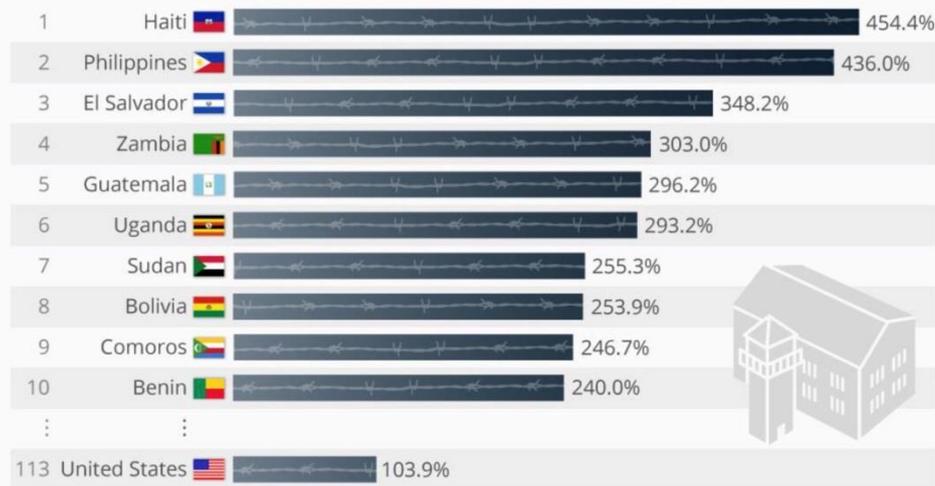
Core challenges



The previous picture is taken from the UN office on drugs and crimes.

The World's Most Overcrowded Prison Systems

Percentage of official prison capacity occupied worldwide in 2018



Source: The World Prison Brief

Forbes statista

The above picture was taken from the 2017 Global Prison Trends Report from Penal Reform International and Thailand Institute of Justice.

Data shows that despite a drop in global crime rates, prison populations continue to grow. While women prisoners continue to be a minority in all regions (less than 10 per cent), the female prison population has increased faster than the male prison population on every continent.

Possible Solutions:

- Often prisons serve as “schools of crime”, where criminals with lesser violations learn from those with more severe violations, and continue on an even worse path after being released.
- Instead, international agencies recommend a rationalization in sentencing policy, including the wider use of alternatives to prison, aiming to reduce the number of people being isolated from society for long periods.
- Thousands of people are imprisoned for possession and usage of drugs. Instead, a better option would be to provide de-addiction services.
- Noncustodial options are more accessible with the advent of technology, in helping set conditions for criminals and to monitor that they are being upheld.

Helpful Links

<https://www.penalreform.org/>

<https://www.penalreform.org/priorities/prison-conditions/issue/>

<https://www.penalreform.org/priorities/alternatives-to-imprisonment/key-facts-2/>

<https://www.ohchr.org/en/professionalinterest/pages/treatmentofprisoners.aspx>

https://www.unodc.org/documents/justice-and-prison-reform/UNODC_Strategy_on_Addressing_the_Global_Prison_Crisis.pdf

http://fileserv.idpc.net/library/Global_Prison_Trends-2017-Full-Report-1.pdf

<https://www.unodc.org/dohadeclaration/en/topics/prisoner-rehabilitation.html>