

CREATING REHABILITATIVE PRISON ENVIRONMENTS

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Excellencies,

Ladies and gentlemen,

It is an enormous honour for me to be here and speak at the world's largest and valuable forum in the field of crime prevention and criminal justice. I want to express sincere gratitude to the Government of Japan for organizing this event during the unprecedented challenges posed by the pandemic.

This pandemic continues to cast a heavy shadow over our world, and our prospects of achieving the Sustainable Development Goals and leaving no one behind are in real danger.

The aim of this presentation is to present areas that contribute to creating safe, decent and rehabilitative environments in prisons that facilitate the offender's successful reintegration into society.

Over 11 million people are imprisoned globally, the highest number yet. A large number of prison systems around the world are at a stage of crisis. It harms prisoners, their families and societies as a whole. The reality in many prisons tends to be not only far from international standards, but also risks undermining the ultimate purpose of a sentence of imprisonment: the protection of society from crime.

Around 130 countries reported critical (79 countries > 120 % of capacity) and extreme (51 countries > 150% of capacity) overcrowding, with prison occupancy levels of over 120 and 150 per cent.

Given the global trends and the continued growth of the prison population, it is crucial for the Member States to give special attention to men, women, and children who are marginalized in justice systems and often in the wider community.

Ladies and gentlemen,

The size of the prison population is defined by two simple factors: how many people are sent to prisons and how long they are kept there.

Despite this dire situation, since 2000, the number of people in pre-trial/remand imprisonment has grown by just over 30 per cent and the world prison population by 24 per cent, with considerable differences between and within the continents. The total prison population in Oceania has increased by 86 per cent, that in the Americas by 41 per cent, that in Asia by 38 per cent and that in Africa by 29 per cent; in Europe, by contrast, the

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total prison population has decreased by 22 per cent. The European figure reflects large falls in prison populations in Russia (45%) and also in central and eastern Europe; the prison population in Europe other than Russia has increased by 3 per cent. Particularly large rises have been recorded in South America (175%) and south-eastern Asia (122%).

Though there is no simple explanation for the widely varying rates in the use and over-use of imprisonment, reasons are likely to include social-economic situation, punitive criminal justice policies, excessive use of pre-trial detention and imprisonment, insufficient measures to promote social reintegration, inadequate prison infrastructure and capacity.

The overwhelming majority of people in prisons continue to come from poor, marginalized and disadvantaged backgrounds and are likely to have a history of abuse and neglect, often experienced as children.

Poor prison conditions, overcrowding, under-staffing and a lack of investment in prison reform programming all heavily undermine the capacity of prison administrations to effectively rehabilitate and reintegrate prisoners back into societies and contribute to the high recidivism rates. Many people are released from prison, only to return there shortly after.

When penitentiary systems are overstretched and poorly managed, prisons run the risk of degenerating into dangerous places for both prisoners and prison staff and can even turn into “crime schools” and fertile breeding grounds for radicalization.

The magnitude and threat of existing challenges in prisons stemming from over-imprisonment became even more evident in efforts to prevent and contain outbreaks of Covid-19 in prisons. It will require concerted actions at the global level and strong political will at the national level to solve existing challenges and address new ones brought forth by the pandemic.

UNODC in partnership with governments, other international partners and civil society organizations supported more than 60 countries in developing and implementing crime prevention and criminal justice policies and strategies.

UNODC’s portfolio of programmes and services related to prison reform and alternatives to imprisonment benefited countries on all continents and focused on three strategic objectives (i) reducing the scope of imprisonment, (ii) improving prison conditions and (iii) supporting social reintegration of offenders upon release.

Let me refer to the lessons learned from two Central Asia countries – Kazakhstan and Kyrgyzstan – that took concrete steps to reduce overreliance on imprisonment by shifting policies towards prevention and social reintegration.

The organizational culture of prison services dramatically influences how the overall principles governing prison management are translated into practice. The existence of a civilian prison system with professional staff is a pre-condition for creating safe, decent and rehabilitative processes and environments in prisons. The experience of the above-mentioned countries demonstrated that enhanced investment in the most critical resource of a prison system, namely its personnel, is crucial to allow them to fulfil their complex and multifaceted tasks.

Prison conditions relate to the overall quality of accommodation, sanitation, hygiene, the provision of basic services as well as rehabilitation opportunities. Prison conditions constitute a vital aspect of the overall quality of prison life and the dignity of prisoners.

While rehabilitation and security are often seen as opposites, the experience from Kazakhstan and Kyrgyzstan demonstrates that the contrary is true. A rehabilitative prison environment enhances safety and security inside prisons, as prisoners who are involved in purposeful activities are easier to manage and less prone to violence.

Dedicated programmes should be designed to address the root causes of offending and enhance the prospects for prisoners' social reintegration.

Prisoners need to have access to health services, including essential medicine, free of charge and of a standard at least similar to that applicable in the community. Health-care professionals in prisons must be guided by the same ethical and professional standards as those applicable to patients in the community. Good prison health also benefits public health outcomes and the prevention of recidivism, as many drivers of criminal behaviour are health-related (for example substance use or mental health disorders).

Particular attention should be given to prisoners with special needs, including children and young persons, women and elderly, prisoners with disabilities, those with chronic diseases or mental health care needs, foreign prisoners, prisoners belonging to ethnic minorities, LGBTI prisoners, those serving life sentences as well as prisoners under sentence of death.

Prisons do not make people better. On the contrary, imprisonment exacerbates many of the challenges faced by individuals who have come in conflict with the law. In addition, long and harsh prison sentences may result in so-called "institutionalization" affecting prisoners' personalities as well as social and life skills in a way that makes their social rehabilitation even more difficult.

Last but not least, the rehabilitation and reintegration of prisoners is a societal task that cannot be fulfilled by the prison service alone. The support of relevant government entities is critical and could benefit from the active involvement of civil society. This approach mitigates the isolation of prisons from the outside world and contributes to the "normalization" of prisons.

Numerous research projects in various countries proved no link between the prison population and levels of crime. And the experience of Kazakhstan is very relevant here. The country reduced its prison population by almost 35,000, from 63,445 in 2010 to 28,923 in 2021. This was achieved in part by reducing the length of prison terms (with the average sentence decreasing from nine and a half years to eight and a half), the increased use of non-custodial sanctions (increased from 658 sanctions to 1,086 sanctions) and parole conditions. Along with this fall in the prison population, measures to encourage the recording of crimes were strengthened in Kazakhstan – but the overall crime rates, despite the reduction of the prison population, continued to decline. The number of homicides in Kazakhstan reduced by 24 per cent from 2009 to 2019, and at the same time the prison population reduced by over 33,000, from 62,997 to 29,913.

In-depth assessments of national criminal justice systems, combined with a revision of relevant policies and legislation, enhancing the institutional capacity, improvement of prison management and infrastructure and strengthening of public oversight mechanisms, served as the basis for successful interventions within and beyond the prison systems.

The constructive partnership between the state institutions, international partners and civil society organizations generated political will that contributed to promoting a rehabilitative approach to prison management and advancing the rehabilitation and social reintegration of offenders.

As we look forward, we must ask ourselves about the reasons for the continued growth of the overall prison population and high recidivism rates, understand new challenges facing established prison systems (*which include the increase in prisoners who have radical political agendas, increase in foreign national prisoners, the increasing use of prisons as a way to manage socially stigmatized groups in society*) and keep on the struggle to get out of prison the people who should not be there – the sick, the addicted, the marginalized, and to endeavour to ensure that those in prison are treated according to the UN Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules) that Member States have all supported.

Thank you, and I wish you a productive and successful meeting.