

Committee: SOCHUM

Topic: The Question of Prison Conditions

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Summary

Prisons are a crucial part of the criminal judicial system and poses as an important component of protecting society from any harm. Individuals are lawfully punished when a crime is committed by them and lead to a conviction or sentencing for imprisonment. However, it is important to note, that although these individuals are being imprisoned, they still are entitled to their basic human rights. This notion is enforced by the United Nations on several occasions. The United Nations Office on Drugs and Crime (UNODC) promotes the wellbeing of prisoners and is committed to achieving this through several of their global programmes.

The treatment of prisoners is an issue that is prevalent in several countries worldwide. Prisoners are faced with harsh and poor conditions such as being placed in overcrowded prisons or being subject to torture. The living standards in these prisons do not meet basic living standards and have severely negative effects on prisoners. These violent and inhumane conditions do not stand in line with the human rights or aim of rehabilitation for the prisoners. This has direct effects on the mental and physical well-being of prisoners. For example, studies from several countries show that 10-15% of the prison population experience mental health problems such as, depression, anxiety, schizophrenia, bipolar disorder, and autism disorders.

A further issue that prisoners are faced with following their release from serving time is being discriminated against due to having a criminal record. This goes against the aim of reintegrating prisoners and convicts into society, rather ostracizing them. The Bureau of Justice Statistics states that approximately 75% of prisoners out of prison are imprisoned in the span of 5 years since their release. This calls for solutions for not only improving prison conditions but also the treatment of prisoners once out of prison

Definition of Key Terms

Prison - an institution that holds individuals who have been legally due to conviction of crime or are awaiting trial

Prisoner - an individual who has committed an action that is illegal and as a result has been imprisoned

Human rights - are a list of basic human privileges that belong to all individuals protecting values such as dignity, respect, equality, and independence

Background Information

Causes of Poor Prison Conditions

The most common reason for poor conditions in prisons is due to low economic resources. Majority of countries around the world are still developing and therefore, do not have the provisions to uphold prisons that provide fair conditions. This can include understaffing or the employment of unqualified staff to manage these prisons which leads to prisoners being neglected and mistreated.

Hygiene is also a significant issue that causes poor conditions in prisons. With the low economic resources, countries do not consider the consequences that unsanitary environments can have. Infections become widespread and lead to many diseases such as tuberculosis, HIV, and hepatitis. Furthering the problem is the drug use that is highly abused in prisons. The use of dirty syringes has increased chances of contracting HIV within prisoners.

Overcrowding is one of the key contributors to poor conditions in prisons. It leads to life-threatening issues and does not let prisons function properly. It is estimated that 118 countries have exceeded their maximum occupancy rate, while 11 national prisons have currently double the prisoner capacity. This hinders the prison's ability to provide all prisoners with proper care and provisions, leading to mental health problems, self-harm, and suicide. This issue is attributed to the criminal justice system that use the prison system for pre-trial detention or minor offences

Treatment of Women

Women constitute a small percentage of the prison population, estimated at (2-9%) worldwide. Due to their small proportion, their wellbeing and health are not always focused on, leading to them being neglected. Women are more vulnerable in prisons, hence allowing them to be exploited by higher authority and are more likely to have mental health problems than the general population and male prisoners. Furthermore, women have additional needs compared to men such as, sanitary products and assistance with pregnancy. However, these needs are often overlooked due to women prisons not given enough funding or attention.

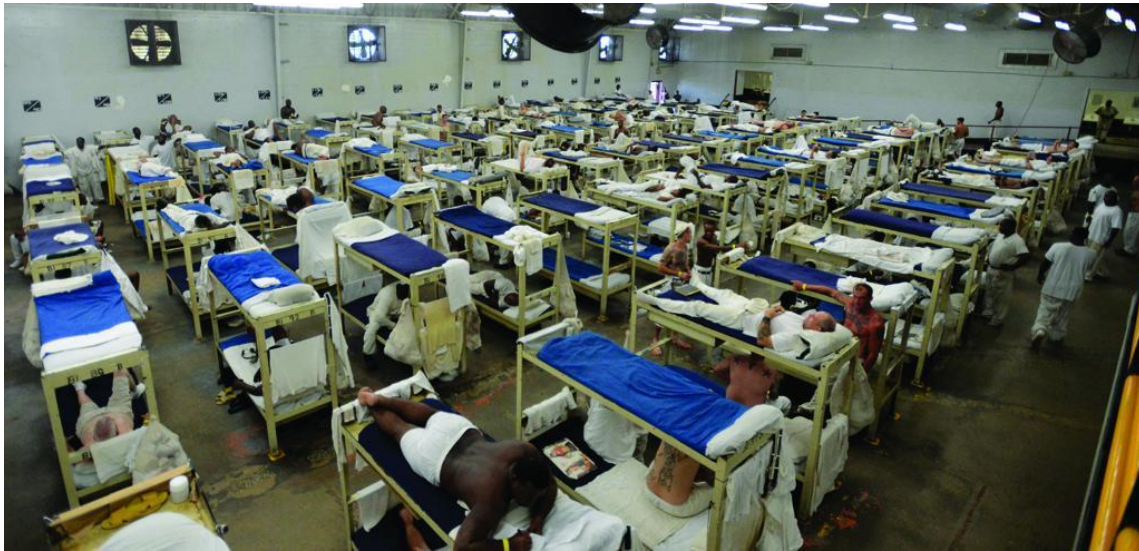
Treatment of Youth

Young offenders also face poor conditions in juvenile prison due to lack of intervention and care which lead them to be more likely to turn into adult offenders. This is a trend being observed with increase in crime rates due to the inappropriate treatment. This has also caused poor mental health with over 50% with conduct disorders and 30% of girls having depression.

Major Countries and Organizations Involved

United States of America

The United States is known to have the largest number of people incarcerated in the world. Since the 1980s the statistics show that the imprisonment of women is steadily increasing. Many reports concerning American prisons have surfaced, revealing the poor conditions such as, excessive disciplinary actions, intolerable physical conditions, placement of prisoners in extreme isolation and more. It is estimated that 53% of all those incarcerated are imprisoned on non-violent crimes, however American policies have changed to lengthen prison sentences and decrease chances of parole.



A Prison in Alabama, USA.

China

China's prisons are divided into two, with juvenile delinquents in one and normal inmates warded separately. The death penalty is still legal in China and has the highest rates of execution. Labor is a significant part of Chinese prisons as a form of reform. Many of these prisons pose as re-education camps and inmates can be convicted solely for their political or religious beliefs. It is important to consider the internment camps that have come to global attention for Uyghur Muslim. These camps notably do not allow their detainees to have basic human rights through mistreatment, rape and torture. Many organizations have alleged that the events taking place here is genocide.



Internment camps in Chin

United Nations Office on Drugs and Crime

The UNODC is an organ of the UN that focuses on organized crime. They take several initiatives to improve the conditions of prisons. Recently, the UNODC have delivered training and offered new strategies to law enforcement officers across Asia to improve those who are detained during the pandemic. This organization is a large contributor to the reform that is developing for prisons.

Office of the United Nations High Commissioner for Human Rights

The Office of the United Nations High Commissioner for Human Rights is one of the organs of the UN. Created in 1993, this organization aims to promote and ensure that the prisoners are protected with their human rights. They work with several different governments and provide support in the form of financial help but also humanitarian work when possible.

Timeline of Events

DATE	DESCRIPTION
1948	The UK criminal justice act models modern prisons worldwide.
August 1955	United Nations congress held about criminal justice and crime preventions for prisoner treatment.
December 1984	The UN assembly adopts a convention against torture and other inhuman treatment.
1988	76 th general is held to discuss the protection of persons from detention or imprisonment. This was in favor for the treatment of those detained.
December 2012	The UN endorses principles and guidelines for access to legal help in the prison systems.
2015	The Rules for the treatment of prisoners is changed and named as the Nelson Mandela rules.

Relevant UN Treaties and Events

The Mandela rules is significant to this topic as it emphasizes the health care of prisoners. There are 122 rules outlined in the United Nations standard minimum rules for the treatment of prisoners.

https://www.unodc.org/documents/justice-and-prison_reform/Nelson_Mandela_Rules-E-ebook.pdf

Previous Attempts to solve the Issue

The concept of open prisons was introduced in Norway, Sweden, and Denmark to tackle the high rates of imprisonment they were facing in the 1960s. This concept implemented by releasing prisoners into society with minimal supervision. It is important to note that people sent to these jails are risk assessed to ensure they are low risk and pose no threat. This is efficient in reintroducing prisoners to society and decreases the chances of people to be charged again. However, the infrastructure for these systems is not easy to build, especially in third world countries.



Open prison in the UK

The Mandela Rules were also a way to provide reform to the prison system. The 122 rules, however, are not fully upheld in all nations. A UN list of rules is not enough to push these prison systems to change. Especially, countries that are experiencing a humanitarian crisis will not have the resources and time to execute these rules. A limitation to the Mandela rules is that they only protect the rights of prisoners, but not those who may not be convicted but are still in prison

Possible Solutions

There are several solutions that can be applied to the issue at hand of prison conditions, however its implementation would depend on the country's resources. The first solution focuses on the mental wellbeing of prisoners. The environment of many prisons is severely harsh and those who are imprisoned for drug abuse or have a mental disorder suffer and their wellbeing is worsened. This leads to further instability and increases the chances for the prisoners to be reinstated for more crimes. Hence, through a form of assessment certain individuals can be imprisoned in institutions that work towards improving the mental health of these prisoners rather than placing them in traditional prisons. These institutions would incorporate areas of nature for walking and aesthetically pleasing architecture to create an environment that work towards rehabilitation.

The issue of overcrowding in prisons is also crucial to resolve as it is the root of several problems as the ratio of prisoners to staff is not efficient and proper care and treatment is not offered to all prisoners. This increases the chances of prisoners committing crimes in the future and negatively impacts them in the process. In the past few decades, the rate of imprisonment of individuals in society has significantly increased, thus making it even more important to resolve this issue. The most obvious is expanding prison institutions to cater to larger numbers. However, many countries may not have the financial means to do so, hence they could invest in detention centers for those serving smaller sentences or waiting for their trials. In the long term, certain strategies can be implemented for crime prevention and reduction through methods of counselling and other activities.

Bibliography

- "Data and Statistics." *WHO*, www.euro.who.int/en/health-topics/health-determinants/prisons-and-health/data-and-statistics. Accessed 27 Aug. 2021.
- "General Assembly." *United Nations*, no. 70, Jan. 2016, www.ohchr.org/Documents/ProfessionalInterest/NelsonMandelaRules.pdf. Accessed 27 Aug. 2021.
- "Overcrowding." *Penal Reform*, www.penalreform.org/issues/prison-conditions/key-facts/overcrowding/. Accessed 27 Aug. 2021.
- "Prisons in the United States of America." *Human Rights Watch*, www.hrw.org/legacy/advocacy/prisons/u-s.htm. Accessed 27 Aug. 2021. "Sexual Abuse of Women in US State Prisons." *Human Rights Watch*, www.hrw.org/legacy/summaries/s.us96d.html. Accessed 27 Aug. 2021.
- "UNODC Expands Work with National Law Enforcement Academies in Southeast Asia to Mitigate Long-term Impacts of COVID-19." *UNODC*, Aug. 2021, www.unodc.org/unodc/frontpage/2021/August/unodc-expands-work-with-national-law-enforcement-academies-in-southeast-asia-to-mitigate-long-term-impacts-of-covid-19.html. Accessed 27 Aug. 2021.
- "What Are Open Prisons?" *BBC*, Jan. 2007, news.bbc.co.uk/1/hi/uk_politics/6236909.stm. Accessed 27 Aug. 2021.

Useful Websites

<https://www.ohchr.org/Documents/ProfessionalInterest/NelsonMandelaRules.pdf>

<https://www.penalreform.org/issues/prison-conditions/key-facts/overcrowd>

<https://www.euro.who.int/en/health-topics/health-determinants/prisons-and-health/data-and-statistics>