

# GLOBAL PRISON TRENDS 2024



## Global Prison Trends 2024

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Cover photo: Two women weaving at the Herat Women's prison in Afghanistan.

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**It is crucial to foster more debate, based on facts, about the conditions within prisons, where over 11 million people are detained on any given day.**



Two prison staff opening the gates of the Nakhon Sawan Juvenile Detention Centre in Thailand.

# Introduction

This year marks the tenth edition of *Global Prison Trends*, the flagship report of Penal Reform International, co-published with the Thailand Institute of Justice – and this year also with the support of Europris. Over the past decade, this report has meticulously documented and analysed developments in prisons worldwide.

Gathering data on prisons is often challenging, reflecting a broader trend of limited transparency and inconsistencies in reporting. However, it is crucial to foster more debate, based on facts, about the conditions within prisons, where over 11 million people are detained on any given day. Many more individuals pass through the prison system annually, impacting countless families and communities. Consequently, prisons, facing many challenges, often fail to shape safer, more stable societies.

Over the past ten years, significant global changes have necessitated adaptations within prison systems. Unfortunately, issues such as prison

overcrowding have persisted, and violence, particularly in prisons where organised crime prospers, remains a significant – ever increasing – concern. Furthermore, the rise of punitive populism is exacerbating challenges within prisons, due to harsher policies and the increased reliance on prison sentences, which strain the system and hinder efforts at meaningful reform. It is clear that prisons are not immune to the influence of politics.

Positively, we have documented increased innovations within prisons aimed at supporting detainees. These innovations have often been led or supported by civil society or groups led by people with lived experience of prison, many aimed at increasing employability upon release. Technologies have been essential, particularly during the COVID-19 pandemic to maintain family contact, and, more recently, ‘green’ initiatives to reduce the environmental footprint of prisons are inspiring change while enhancing rehabilitation opportunities for prisoners.

However, the overarching message of this report has remained consistent over the past ten years: while prisons can innovate and, in some cases, aid in reducing recidivism, the system still holds too many people. It emphasises the need for investment in broader criminal prevention strategies, legislative and policy changes to reduce the number of people criminalised, as well as non-custodial alternatives that do not expand the penal system, rather than merely building more prison space.

As always, we hope this report provides practitioners, decision-makers, advocates, and those affected by imprisonment with the evidence needed to reform and enhance criminal justice systems, ensuring they are consistent with human rights principles and standards.

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Penal Reform  
International

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*Executive Director*  
Thailand Institute  
of Justice

# Key facts & figures

## Status of prisons globally: **There are more people in prison than ever before**

### GLOBAL PRISON POPULATION



**IN PRISON TODAY**  
mostly men



**IN PRE-TRIAL DETENTION**  
presumed innocent

### KEY DRIVERS OF IMPRISONMENT



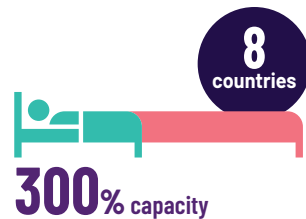
- 01 CRIMINALISATION OF POVERTY AND STATUS**
- 02 SYSTEMIC RACISM AND DISCRIMINATION**
- 03 PUNITIVE POPULISM**
  - harsh drug policies
  - overuse of pre-trial detention
  - lack of non-custodial measures
  - extreme sentencing

## Overcrowding **is worsening**

**ONLY**

**1 in 3**

countries' prison system operates within capacity



### CURRENT APPROACHES:

- ➔ Build new prisons
- ➔ Renovate existing facilities
- ➔ Temporary spaces
- ➔ Plea bargaining systems

**PROVEN INEFFECTIVE/ TO CAUSE MORE HARM**

### SOLUTIONS:

- ➔ Diversion programmes
- ➔ Alternatives to imprisonment

**EFFECTIVE**

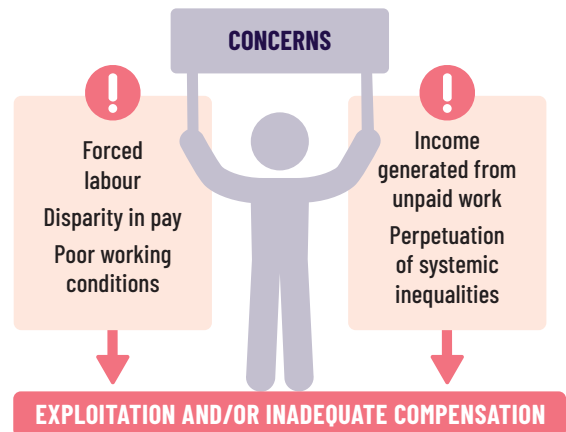
## Prison labour and work

**There are significant disparities globally**



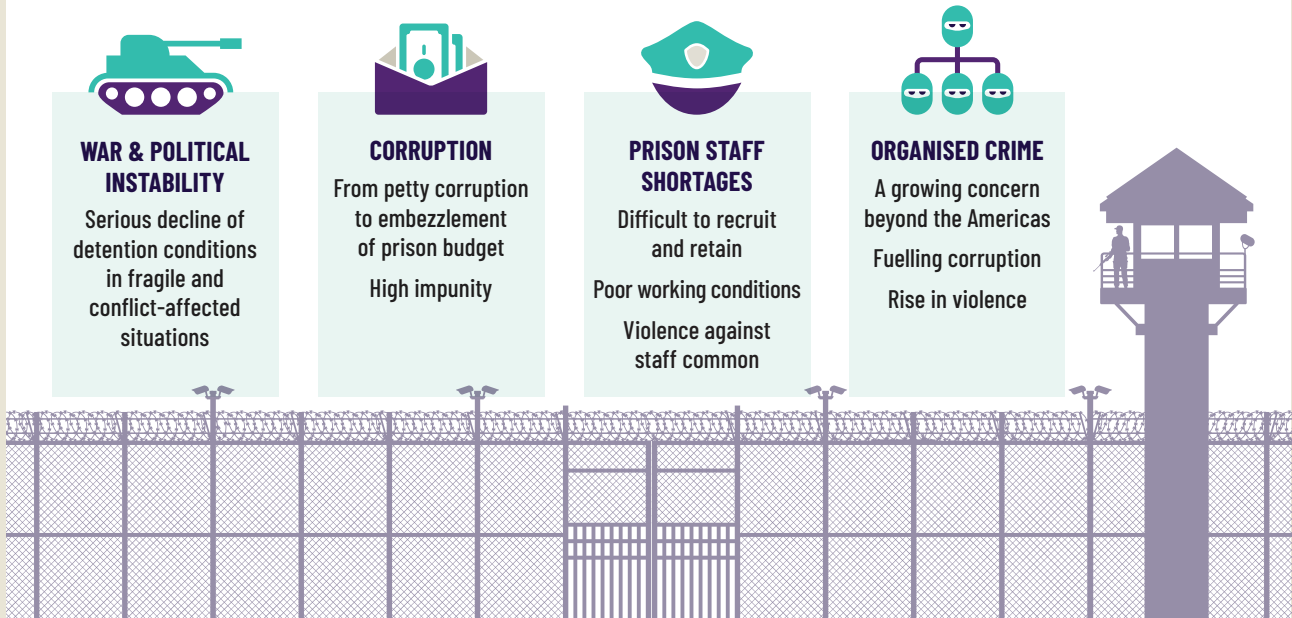
### TYPES OF PRISON WORK AVAILABLE INCLUDE:

- ➔ Prison maintenance
- ➔ Cleaning and cooking
- ➔ Farming
- ➔ Factory work
- ➔ Carpentry
- ➔ Handicrafts

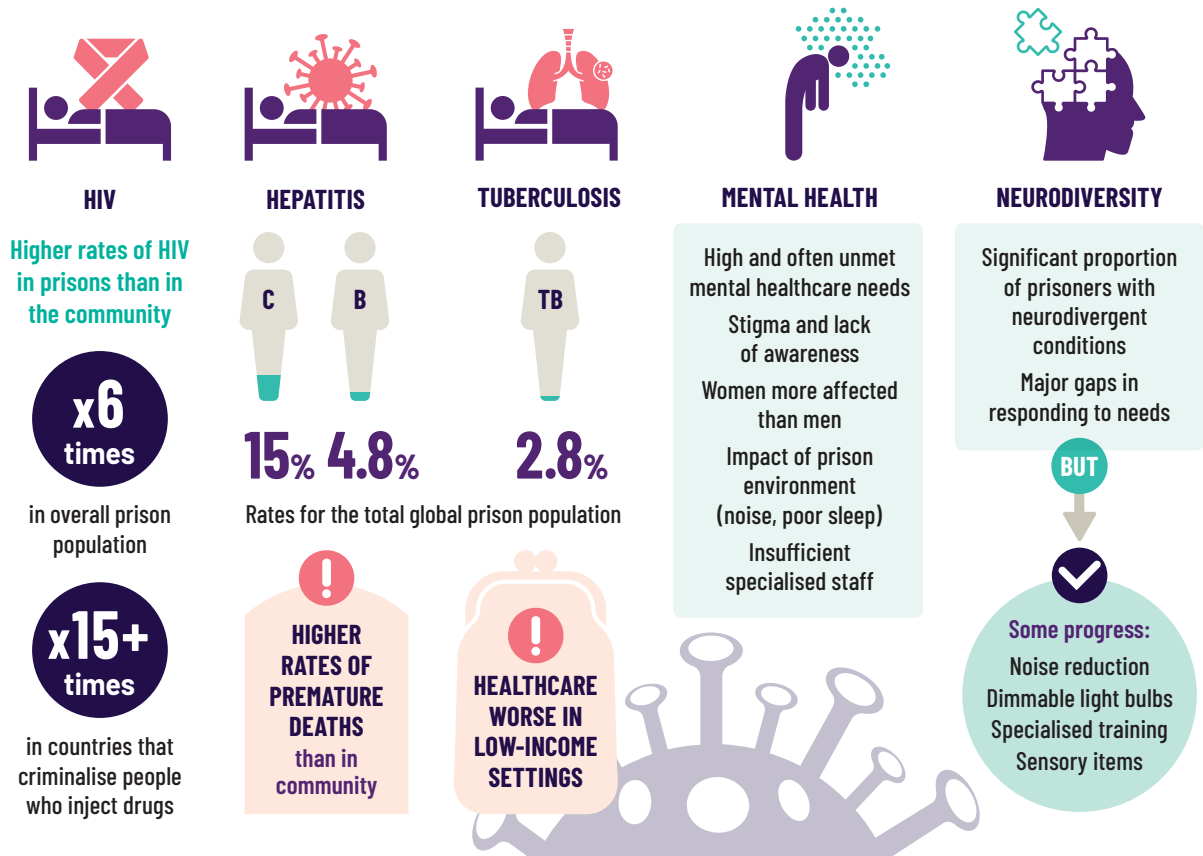


# Key facts & figures

## Challenges facing prison systems and the people detained in them, globally



## Health in prison Prison healthcare systems are struggling



# Key messages

**01** **There are more people in prison than ever before – an estimated 11.5 million, mostly men**

Over the past decade the global prison population has reached unprecedented levels. This is a result of a rise in punitive populism, where political pressures lead to tougher policies on crime, increased pre-trial detention, limited alternatives to imprisonment and criminalisation of poverty and drug use.

**02** **Prison overcrowding is worsening and only 30% of prison systems operate within their capacity**

Latest data shows that 155 countries report overcrowded prisons, with only 68 apparently operating within their official capacity. Chronic overcrowding is prevalent across the Americas, Asia and Oceania, where prison populations have continued to rise steeply. In Africa, high rates of pre-trial detention and poverty-related offences are the primary causes of severe congestion levels.

**03** **Common approaches to tackling overcrowding fail to make headway**

Building new prisons, renovating existing facilities, and creating temporary spaces, as well as plea bargaining systems, are strategies employed to address overcrowding. Increasing the use of diversion and alternatives to imprisonment is widely recognised – and proven – as a solution to overcrowding if used effectively; however, progress is often hindered by the prevalence of punitive populist policies including harsh drug policies.

**04** **Pre-trial detention remains the rule in many places, not the 'last resort'**

Between 2000 and 2022, an average of 29.5% of the global prison population, approximately 3.39 million individuals, were held in pre-trial detention, presumed innocent. The global proportion of pre-trial detainees has consistently hovered around 30% for decades, disproportionately impacting vulnerable groups.

**05** **Racialised and Indigenous populations continue to be disproportionately imprisoned**

The body of evidence connecting colonialism, racism and inequality with imprisonment continues to grow. In the US, Black people constitute 43% of the pre-trial population and are jailed at more than three times the rate of white people. In several countries, including Canada, New Zealand and Australia, Indigenous peoples are imprisoned disproportionately.

**06** **Driving factors in the rise of women in prison are punitive drug policies, poverty and inequality**

While women are a minority of the global prison population at 7%, totalling 741,000 as of 2022, there has been a 60% rise in female prisoner numbers since 2000, compared to a 22% rise for men. Drug offences continue to be a driver, with more than one in three imprisoned women being detained for a drug-related offence.

**07** **As wars wage, there are high levels of insecurity and dire prison conditions**

As violent conflicts escalate, prison systems are grappling with deteriorating infrastructure and severe challenges in delivering essential services. Prisons are targeted, and prisoners have been recruited in war efforts (and in some cases exploited).

- 08** **Violence, organised crime and corruption in prisons persist the world over**

Violence continues to dominate prison life, affecting both staff and detainees. A major cause is organised crime. In the Americas, several incidents involved criminal groups seizing control of prisons and in Europe, the impact of organised crime in prison is becoming a bigger concern. Corruption in prisons is a widespread problem, but in general effective responses are lacking.
- 09** **Disparities in prison work and labour seen in access, pay and conditions**

Prison work spans from routine tasks like cleaning and cooking to more specialised roles such as farming and factory work. Pay varies widely, from nominal wages to no compensation, often on the grounds it is vocational training or cost offsetting. Persistent concerns include working conditions, exploitation, and insufficient pay.
- 10** **Digital technologies in prisons accelerate worldwide, for various purposes**

The global surge in adopting digital technologies within prisons aims to enhance security, improve operational efficiencies, and support rehabilitation efforts. However, ongoing concerns persist regarding issues of discrimination, privacy violations, and the exclusion of vulnerable groups from fully benefiting from these advancements.
- 11** **There is a growing trend to 'green' prisons**

There is a rising movement towards establishing environmentally sustainable 'green' prisons, driven by the substantial energy consumption and waste production of prisons, which contribute to environmental impacts (with some concerns about 'greenwashing'). Concurrently, initiatives promoting food security through agricultural training and sustainable food production are gaining traction to mitigate food insecurity.
- 12** **Obstacles to ensuring adequate prison health stem from resource constraints**

Inadequate healthcare provision for people in prison, particularly in low-income settings, result in higher rates of HIV, Hepatitis, TB and other communicable diseases, as well as premature deaths. An ever-increasing body of evidence confirms high and often unmet mental health needs. Healthcare staff shortages are commonly reported.
- 13** **Struggles to recruit and retain prison staff common, due to difficult working conditions**

Many systems face challenges in recruiting and retaining staff due to challenging working conditions, including rural locations and stigma associated with prison work. There have been several fatal incidents involving prison staff over the past year. Pay raises, enhanced job advertising, and innovative recruitment methods using technologies have been adopted.
- 14** **The death penalty is increasingly rejected, but number of executions by hardliners grew in 2023, and life imprisonment continues to be used with a possible upward trend**

Abolition of capital punishment continues; however, 2023 marked the highest recorded number of executions in nearly a decade (primarily driven by executions in Iran). At least half a million people are serving formal life sentences globally, while many more endure 'de facto' life terms, including '100-year' prison terms. At least 64 countries have sentences that are 'de facto' life.

## PART ONE

# Crime and the use of imprisonment

## Imprisonment and prison overcrowding

Of the 11.5 million people held in prisons worldwide, nearly half are held in prisons in the United States, China, Brazil, India, the Russian Federation and Türkiye, where most prison populations continue to rise. The countries with the highest prison population rates (the number of people in prison per 100,000 of the general population) are El Salvador, Cuba, Rwanda, Turkmenistan, American Samoa, the US, Panama and Tonga.<sup>1</sup>

While the global prison population growth since 2000 is slightly less than the estimated increase in the world's general population (27% compared to 31%),<sup>2</sup> the list of countries affected by prison overcrowding has expanded over the last ten years. In 2015, 112 of 203 jurisdictions had prison occupancy rates above 100%, with 21 exceeding 200%. By 2020, despite some reductions due to COVID-19, 102 countries still operated above 110% capacity, and 22 exceeded 200%. Latest data shows that 155 countries report overcrowded prisons, suggesting an ongoing failure to implement effective long-term reforms to decongest and bring down prison numbers. Only 68 (30%) of prison systems in the world are operating within their capacity.<sup>3</sup> The World Prison Brief at the Institute for Crime and Justice Policy Research has reported that the top five countries with the highest

occupancy levels (i.e. operating at levels between 300% and 600% of their capacity) are the Republic of Congo, Cambodia, Uganda, the Philippines, and Sao Tome and Principe.

Europe is the one continent where the total prison population has seen an apparent overall decrease since 2020, likely due to COVID-19-related measures. Europe's total prison population has decreased by 26% since 2000, but this is mainly due to significant reductions in Russia (59%) and central and eastern European countries (48%). Therefore, excluding Russia, Europe's prison population has increased by 12%.<sup>4</sup> Eleven European countries report overcrowding, including Slovenia (133%), France (123%) and Croatia (113%). A small number of countries have reported a decrease in prison populations, including the Netherlands and Estonia.

Prison populations have continued to rise steeply in the Americas, Asia, and Oceania.<sup>5</sup> In India alone, the number of people imprisoned has risen by 20% in a year, with an ineffective bail system and an increase in arrests leading to large numbers held in pre-trial detention. Latin America and parts of Asia are seeing steady increases or stagnant rates, mainly due to punitive drug policies.

Occupancy rates are calculated differently from one country to another, so ascertaining a full global picture or comparing overcrowding rates remains problematic. Some countries do not publish data at all, so it is likely that overcrowding is higher than reported. In the 56 countries in the Commonwealth, it was found recently that only 13 make prison population data regularly and proactively available online. Countries which do provide regular detailed and public statistics include Ghana, Nigeria, Mauritius and Sri Lanka. However, India has developed an online prison information portal which is updated daily with numbers of people in prison disaggregated by age, gender and nationality.<sup>6</sup>

The UN Special Rapporteur on Torture reported in 2024 that she had observed instances of blatantly overcrowded facilities that are not officially reported as such because of the way personal space is defined and measured. As a way forward, the Special Rapporteur called on States to publish their methodologies for measuring capacity, and to report accurately and regularly on overcrowding levels.<sup>7</sup> Other institutions have called for consistent data collection across countries, including details of how occupancy levels are calculated.<sup>8</sup>

The adverse impacts of prison overcrowding are broad ranging and include increased violence, stretched staffing capacity, lack of effective control of people in prison, impacts on rehabilitation, reduced visiting hours and lack of meaningful activities. Authorities in Spain have noted that overcrowding allows criminal gangs to act more freely within prisons, and in Sweden, most remand centres reported excess capacity, sometimes requiring visiting rooms to be used to house people in prison, halting family visits. In Slovenia, conflicts between people in prison linked to levels of overcrowding rose by more than 50% between 2020 and 2023. Violence against staff is another impact of overcrowding, particularly where there are staff shortages. In Belgium, for example, the situation is described as ‘chronic’, amid overcrowded prisons, housing 12,025 people in prison despite having a capacity for only 10,700, which recently triggered strikes by staff.<sup>9</sup> (See Security and Violence)

Countries continue to tackle overcrowding in different ways. Common approaches include building new prisons and renovating existing facilities or creating temporary spaces. Authorities in Slovenia report that they have begun transferring people to less crowded facilities and using conditional release schemes. Swedish authorities are planning to introduce larger scale institutions and are considering renting prison spaces overseas in expectation of a 200% increase in the need for institutional space over the next three years. Croatian authorities have constructed modular container buildings at two locations which are over capacity, and police cells have been used in England and Wales amid a prison overcrowding crisis. In the Philippines, there are plans to build 16 new regional facilities amid a chronic overcrowding crisis. Jordan is also seeking to expand and build new prisons.

Plea bargaining systems are another tool being employed more frequently. For example, in Uganda a five-day

‘Plea Bargaining Camp’ for capital offences was launched at one of the country’s prisons in June with the stated aim of ‘sensitising’ people in prison to the process, ‘speeding up’ access to justice, and offering more lenient sentences in exchange for admitting guilt.<sup>10</sup> While such schemes are taken up by more and more countries, they receive criticism including lack of transparency, unequal bargaining power and incentives for false guilty pleas.

Increasing the use of diversion and alternatives to imprisonment is recognised as an effective way to tackle overcrowding, although progress faces barriers where punitive populist policies dominate. (See Alternatives to imprisonment)

Authorities in Catalonia launched a new ‘openness strategy’ in January 2024, which includes a major focus on diversion, alternatives to imprisonment and more emphasis on rehabilitation and transition back into the community. A new pilot scheme in Senegal will allow hundreds to be released from prison under electronic supervision, though critics have noted that the scheme excludes many who live in areas without electricity. Morocco and Togo are reported to be considering similar schemes.

Poverty is a major driver of prison overcrowding. In Sub-Saharan Africa, many people are held for charges or convictions that relate to life-sustaining activities. Audits carried out in two prisons in Malawi during 2023 found that between 61% and 66% of women and men awaiting trial were eligible for release and that poverty was a key driver for being in prison. These cases were then reviewed by camp courts resulting in the release of 173 people, reducing the pre-trial population in one prison by 54%.<sup>11</sup> (See Pre-trial detention)

Despite growing attention and action to address the criminalisation of poverty and status, prison sentences are still employed for conducts deemed ‘criminal’ by laws that are often vestiges of colonial-era legislation, such as vagrancy,

loitering, begging or related to informal trading. Such laws are typically enforced against people living in poverty. A 2024 report on the criminalisation of homelessness in the Caribbean found that, despite Puerto Rico’s progressive legal protections for people experiencing homelessness, its enforcement practices criminalise homelessness.<sup>12</sup>

Increasingly, attention is being paid to the role, responsibility and accountability of judicial officials and inefficiencies within justice systems in prison overcrowding. A UN recommendation calls for magistrates and judges to regularly visit prisons to view the conditions and overcrowding levels and for prison occupancy rates to be included in pre-sentencing reports.<sup>13</sup> Regrettably, dysfunctional judicial processes are common. In the Democratic Republic of the Congo, this has, for instance, resulted in indefinite detention without trial,<sup>14</sup> and in Paraguay, overcrowding is driven by the excessive use of pre-trial detention and slow legal proceedings, highlighting systemic judicial inefficiencies.<sup>15</sup>

Some recent efforts to ensure decision makers are better informed about prison overcrowding rates are underway, including in Brazil, where a pilot project with promising potential to decongest the prison system provides magistrates with real-time information on occupancy rates of pre-trial facilities to inform their decision making around detention. In France, the National Human Rights Advisory Commission (CNCDH) has recommended the introduction of an alert threshold which would allow a warning of when 100% occupancy would be reached. This could trigger early releases or other measures to avoid overcrowding.<sup>16</sup> A recent judgement in England allows courts in some instances to consider prison overcrowding when determining a sentence in favour of suspended sentences.<sup>17</sup>



**Between 2000 and 2022,  
the average number of  
people held in pre-trial  
detention, presumed innocent,  
stood at 29.5% of the total  
prison population.**

Detainees in the courtyard of the Teixeira de Freitas prison, in Bahia, Brazil.

## Pre-trial detention

Between 2000 and 2022, the average number of people held in pre-trial detention, presumed innocent, stood at 29.5% of the total prison population, totalling about 3.39 million people.<sup>18</sup> Although Goal 16 of the Sustainable Development Agenda promotes the reduction in unsentenced detainees as a target, the global proportion of pre-trial detainees (at about 30%) has remained consistent for decades.<sup>19</sup>

The number of men in pre-trial detention globally has predominantly risen over the past two decades, averaging between 29.5% and 31% of the total prison population from 2000 to 2022. Conversely, global trends reveal a gradual decline in the percentage of women in pre-trial detention, averaging around 28%.<sup>20</sup>

Analysis by region reveals that, in all regions, efforts to reduce pre-trial detention rates have not borne fruitful results. There is also increasing evidence that the use of pre-trial detention is discriminatory, primarily affecting marginalised and vulnerable groups. In Australia, the Victorian Government's bail reforms over the past decade have significantly increased the number of Aboriginal people on remand in prisons and youth detention centres. A report showed that, from 2009 to 2019, the number of Aboriginal men on remand rose by 598%, and Aboriginal women by 475%.<sup>21</sup> Another study reported that this surge is driven by criminal justice policies that place disadvantaged women – who lack necessary health and social services for trauma, dependence and poverty – into the prison system, with two-thirds of those on remand being released without receiving a custodial sentence.<sup>22</sup> Disproportionate numbers of Indigenous women are in pre-trial detention in New Zealand and Australia.

In Africa, at least 20 countries detain more than 50% of people in prison on remand, many for poverty-related petty offences.<sup>23</sup> (See Imprisonment and overcrowding) In the US, almost half a million people are currently held in pre-trial detention, the vast majority because they cannot afford bail or because legislation means they are ineligible for release. Recent data shows that pre-trial detention disproportionately affects groups in vulnerable contexts: whereas 32% of those on remand have annual incomes below \$10,000, the median bail for felony charges is roughly the same amount. Black people constitute 43% of the pre-trial population and are jailed at more than three times the rate of white people. Additionally, 40% of those in jail have chronic health conditions, 45% have mental illnesses, 18% lack health insurance, and many have experienced homelessness. Furthermore, 15% of people in pre-trial detention in 2023 identified as LGBTQ+ people.<sup>24</sup>

Conditions in pre-trial detention facilities are often poor and present major human rights concerns. For example, in Paraguay, the understaffed and overcrowded prisons have deteriorated conditions and increased violence, reportedly pushing people in pre-trial detention to join criminal gangs and commit offences while on remand, as they are housed with people convicted of a crime. The slow judicial processing has aggravated prison overcrowding rates, coinciding with a 10% rise in robberies reported in early 2023.<sup>25</sup> In South Sudan, the UN has reiterated that significant case backlogs have led to extensive pre-trial detention, overcrowded prisons, poor sanitation and inadequate infrastructure, highlighting urgent needs for court reforms to uphold fair trial rights.<sup>26</sup>

The length of pre-trial detention has attracted criticism by the UN Committee against Torture with regard to practices in Denmark, for instance, where 40% of the prison population are on remand, and the average duration is five months.<sup>27</sup> The Committee reiterated recommendations made by others around maximum limits on detention periods echoing those made in a recent recommendation from the European Commission in 2022.<sup>28</sup> In Mexico, the UN Working Group on Arbitrary Detention has observed that one in two people in pre-trial detention faced mandatory imprisonment, with many enduring prolonged stays, at times exceeding five years, as mandatory pre-trial detention was expanded to include a broader range of vaguely defined criminal categories.<sup>29</sup>

By the end of 2024, more than 80 countries (more than half the world's population) will vote in elections, and some attention has been given to the unique status of people in prison, including pre-trial detention and their right to vote. As of July 2023, ahead of the 2024 European Parliament elections, 11 out of 27 EU Member States allow all people in prison to vote without restrictions. Fourteen Member States impose restrictions based on the length of the sentence or the nature of the offence, while two Member States (Bulgaria and Estonia) do not allow people in prison to vote at all.<sup>30</sup> People in prison with the right to vote can do so through various methods, including postal voting, proxy voting and special prison polling stations. Additionally, in some states like Luxembourg, voting rights are not automatically reinstated upon release. In Mexico, for the first time, people detained on remand (unsentenced) were allowed to vote in the presidential election, with about 31,000 eligible people voting in 282 prisons across the country.

## Alternatives to imprisonment

Non-custodial options to reduce prison populations continue to be promoted by penal reformers and governments alike, particularly given the global prison overcrowding rates. The expansion of alternatives to imprisonment, however, is progressing at varying degrees in different parts of the world. They are under-developed and underused in many places and, where they exist, vary greatly in maturity and in terms of the priority and funding given by governments.

In April 2024, the World Congress on Probation and Parole held in the Netherlands gathered 500 participants from 61 countries under the theme 'The future of probation and parole'. Conclusions from the organisers emphasised the need to change the narrative around probation, recognising society's increasing 'risk obsession' and the importance of reshaping probation in a risk-averse context. Probation is, therefore, deeply influenced by public opinion on punishment. Another key takeaway stressed the urgent need for innovative recruitment and retention strategies to address challenges in the understaffed and overloaded probation workforce. Finally, the potential for artificial intelligence to revolutionise probation was highlighted, prompting discussions on the extent of AI's responsibilities and the ethical guidelines that safeguard human rights necessary for its application.

Building and strengthening probation systems, with support of international organisations, has seen some results in non-custodial options being used as real alternatives, rather than having a net-widening impact. In Kyrgyzstan, the number of non-custodial sentences rose by 55% (the number of convictions rose by 22% in the same period).<sup>31</sup>

Given the growing female prison population globally, some reforms have targeted women. In China, the criminal procedure and prison law now allows breastfeeding women to serve their sentences in the community under a two-year supervised release arrangement. Also, in Malaysia, plans are underway to introduce home detention as a non-custodial alternative for vulnerable people in conflict with the law, such as pregnant women and those with children.<sup>32</sup> In Colombia, a 2023 law aims to divert women from prison for minor crimes in certain cases, and in 2024, 30 women benefitted through community service sentences although there are 2,380 available spots.<sup>33</sup> (See Drug Policies)

Electronic monitoring (EM) continues to increase in both the number of people under surveillance, but also jurisdictions introducing or looking to expand EM. Berg Insights, a business that issues industry analysis published a market insights report into EM in April 2024 for investors. It stated that while 'the average daily caseload of monitored individuals in Europe, North America and Latin America amounted to about 64,000, 518,000 and 130,000 respectively during 2023', the number of 'daily users' will grow to an estimated 94,000 in Europe, 680,000 in North America and 239,000 in Latin America by 2028.<sup>34</sup> It stated that the market value in 2023 of EM reached US\$ 226 million in Europe, US\$ 1.3 billion in North America and US\$ 76 million in Latin America.<sup>35</sup> The private sector is designing and selling the equipment and, in some cases, is operating the EM systems. Private prison businesses such as GEO, transnational companies, including Allied Universal or Serco, and tech innovation start-ups or established companies, including Buddi, have become active players in the prison-services market. News of acquisitions in the field demonstrate the profitable market EM has become.<sup>36</sup>

Technological advances and investment from the private sector are bringing new forms of surveillance. For instance, in South Korea, CCTV systems across urban areas can be used by the EM system to provide real time visual surveillance.<sup>37</sup> In England, the number of people fitted with an alcohol monitoring device has doubled in a year.<sup>38</sup>

Some jurisdictions are planning on extending EM to cases for children and young people. In 2024, a pilot project will be conducted in Antwerp, Belgium, using ankle bracelets for up to 80 young people in contact with the law for a period between three to six months. The authorities stated that both the monitored young people and their guardians will be provided with personalised schedules and intensive support.<sup>39</sup> Also, the state of Victoria in Australia will trial EM on young people who are suspected of serious crimes.<sup>40</sup> Evidence from the state of NSW that took a similar approach showed that requiring young people in the justice system to wear EM devices had not prevented reoffending.<sup>41</sup>

There is increasing concern that the human rights impact of electronic monitoring on people subject to it, or the people they reside with, and communities are not yet well documented or understood (at least beyond the US context). A recent report issued by the US organisation, Vera, sheds light on the size, scope, and impact of EM in the country. It documented that from 2005 to 2021 the number of people on EM (for criminal justice and civil reasons) in the US has grown nearly fivefold – and almost tenfold by 2022. However, Vera found that in many contexts this has not been accompanied by a reduction in prison population rates<sup>42</sup> – echoing a trend seen in other places where EM has been implemented.

## Death penalty

Despite international efforts to restrict the use of the death penalty, 2023 saw the highest number of recorded executions in nearly a decade, albeit by a smaller number of states (16 in total), and largely driven by a dramatic increase in Iran's executions of people convicted of drug-related offences. There were 1,153 confirmed executions recorded in 2023, a rise of 31% from 2022, and this excludes the thousands of people likely executed in China.<sup>43</sup>

The number of countries rejecting capital punishment, however, continues to grow. By the end of 2023, three in four countries had abolished the death penalty in law or practice, with 144 countries classified as abolitionist in some form and only 55 remaining retentionist.<sup>44</sup> In 2023, Pakistan abolished the death penalty for drug offences. Ghana, on the other hand, abolished the death penalty for ordinary crimes, which implies commuting the sentence of at least 170 men and six women on death row. Finally, in February 2024, Zimbabwe's government has taken initial steps towards the abolition of the death penalty, despite the country still facing significant opposition from pro-death penalty advocates.<sup>45</sup>

In 2023, Amnesty International observed a 30% rise in the use of the death penalty in the Middle East and North Africa, with recorded executions increasing from 825

in 2022 to 1,073 in 2023 and death sentences rising from 827 to 950. Iran, Saudi Arabia and Iraq were responsible for 97% of the region's executions, with Iran alone accounting for 80%.<sup>46</sup> Iran recorded a surge in executions of people convicted of drug-related offences (459 were confirmed, compared to 256 in 2022) due to a drastic shift in the country's anti-narcotics policy since 2021.<sup>47</sup> The UN's High Commissioner for Human Rights stated that the government 'weaponised' the death penalty to quell dissent.<sup>48</sup>

Other countries taking a hardline approach and imposing the death penalty for drug-related offences – despite international standards limiting it to the 'most serious crimes' – include Singapore. Five people were executed for drug-related offences (compared to 11 in 2022),<sup>49</sup> with charges as low as possession of one kilogram of cannabis. This included a woman who represented the first to be executed in nearly two decades, who had been found guilty of trafficking 30 grams of heroin.

Overall, the number of confirmed executions for drug-related offences increased in 2023, with Harm Reduction International recording at least 467 globally, representing a 44% increase from the previous year and a 1,450% increase from 2020. Death sentences for drug offences also witnessed a significant rise,

with a minimum of 375 individuals sentenced to death in 2023. Some 3,000 people were estimated to be on death row for drug-related offences in at least 19 countries in 2023. However, due to a lack of transparency many, likely most, drug-related death sentences remain unknown.<sup>50</sup>

In the US, a minority of states continue to use the death penalty, and five carried out 24 executions during 2023, up from 18 in 2022. All were carried out by lethal injection, a method that an investigative report by Reprieve concluded is 'cruel, unusual and racist'. The organisation revealed a significant racial disparity in the rate at which people suffered botched executions: Black people had 220% higher odds of suffering a botched execution than white people, accounting for gender and age.<sup>51</sup> Some progress was made, however, in California, where the Governor proceeded with plans that will cost USD \$380 million to transform San Quentin State Prison, where hundreds of men are on death row, to a centre modelled on Scandinavian rehabilitative approaches.<sup>52</sup> This followed the moratorium he imposed on the death penalty and the decision to close the execution chamber at the prison. People on death row are being integrated into general prison populations throughout the state.<sup>53</sup>

## Life imprisonment

Data gathered on formal life sentences in 2014 estimated that about half a million people were serving life imprisonment, and around 180 countries currently impose the sentence.<sup>54</sup> Numbers in certain jurisdictions like the US, South Africa and Thailand between

2014 and 2020 suggest that there is an upward trend in the use of life imprisonment.<sup>55</sup>

While much attention has been paid to the increasing use of life imprisonment, the focus has mainly been on sanctions that are formally called life sentences. Little attention

has been paid to other types of sanctions that, although not explicitly called life imprisonment, can detain a person indefinitely (until their death). A recent policy briefing by PRI and the Life Imprisonment Worldwide project<sup>56</sup> identified two types of informal life sentences: de facto

life sentences, such as ‘100-year’ prison terms and post-conviction indefinite preventive detention, which are completely open-ended sentences that can potentially result in lifelong detention.

At least 64 countries, and likely more, have de facto life sentences, characterised by very long fixed terms, requiring individuals to serve more than 35 years before release can be considered. Post-conviction indefinite preventive detention can be seen on the law books of at least 50 countries. One such sanction in England and Wales was ‘Imprisonment for Public Protection (IPP)’. This sentence was imposed on almost 9,000 people between 2005 and 2012, when it was abolished. The abolition, however, was not retrospective, meaning that people sentenced under the abolished law remained in prison. The UN Special Rapporteur on Torture has condemned the continued detention of almost 3,000 people under IPP as an ‘inhumane’ punishment that often amounts to psychological torture. It has been reported that as many as 90 people serving these IPP sentences have committed suicide.<sup>57</sup>

The US continues to imprison the largest number of people under both informal and formal life sentences, constituting 15% of people in state and federal prisons in 2020.<sup>58</sup> Individuals serving formal life sentences in the US compose around 40% of the world’s

estimated life-sentenced population and over 80% of those serving life imprisonment without parole globally.<sup>59</sup> The Sentencing Project reported that in 2020 there were 42,353 people serving de facto, or so-called ‘virtual’ life sentences (classified as determinate sentences of 50 years or more), with the state of Texas alone imprisoning one in five people under such a sentence.<sup>60</sup>

Analysis shows that while violent crime has been steadily dropping in the US since the early 1990s, the number of life sentences has been rising.<sup>61</sup> In many cases, persons of African descent are disproportionately sentenced to life imprisonment without the possibility of parole, as noted by the UN Human Rights Committee, which called on the US government to establish a moratorium on the imposition of life imprisonment without parole sentences.<sup>62</sup> This sentence was the subject of a judgement in the European Court of Human Rights which allowed the extradition from Europe of people in prison who may face life imprisonment without parole sentences in the US, despite such sentences being prohibited in Europe.<sup>63</sup>

Aside from the US, there are high levels of people in prison under life sentences in India (77,158 in 2020) and South Africa (17,487 in 2020).<sup>64</sup>

Amid rising punitive populism, reforms to penal laws often result in harsher and longer prison sentences, including the introduction or expansion of life imprisonment. For instance, in April 2024, Venezuela’s President proposed a constitutional amendment to incorporate life imprisonment, a move seen by civil society as driven by punitive populism and a means to gain votes.<sup>65</sup> In England and Wales, a Bill proposes reducing judicial discretion in imposing whole life orders and expanding their applicability to whole life orders to murders involving sexual or sadistic conduct, which previously had a 30-year starting point. The proposed changes could double the number of whole life orders, the most severe sanction that can be imposed in England and Wales, on an annual basis.<sup>66</sup>

Bucking this trend, over the past year there has been progress in some jurisdictions towards abolishing life sentences. In Kenya, the High Court declared in March 2024 that life imprisonment violates the right to human dignity and is, therefore, unconstitutional,<sup>67</sup> following the country’s Court of Appeal’s ruling in July 2023 that mandatory life imprisonment is unconstitutional.<sup>68</sup> Furthermore, in January 2024, the US state of Massachusetts became the first state in the US to categorically ban life imprisonment without parole sentences for people under 21 years old.<sup>69</sup>

## Drug policies

Many countries rely heavily on pre-trial detention and lengthy prison sentences for drug-related offences, even for people who are charged with or convicted for minor involvement in the drug trade.<sup>70</sup> Such approaches remain a major driver of prison overcrowding, particularly in jurisdictions where governments have adopted a hardline approach.

According to data from the UN Office on Drugs and Crime, an estimated 3.1 million people worldwide were arrested for drug offences – more than half (61%) for possession in 2020.<sup>71</sup> Of the 2.5 million people in prison for drug offences, eight in ten individuals have been sentenced for drug trafficking. Drug offences continue to be a driver of the rising female prison population, with more than one in three imprisoned women

being detained for a drug-related offence. Additionally, it is estimated that between 440,000 and 500,000 people are held in mandatory drug detention, with thousands more being involuntarily confined in private rehabilitation centres.<sup>72</sup>

As many countries do not differentiate between possession for personal use and possession with intent to distribute for profit,

a portion of those imprisoned for trafficking offences are likely to be people who use drugs. The Russian Federation alone prosecutes approximately 90,000 people for possession of small amounts of drugs for personal use every year, with around one in two being sentenced to imprisonment for up to 15 days.<sup>73</sup> In Peru, a decade of data shows that between 30% and 50% of people arrested for drug-related offences are people who use drugs, despite the country having technically decriminalised the possession of small amounts of drugs for personal use.<sup>74</sup> For people imprisoned for trafficking offences, research and data shows that the large majority are situated at the lower levels of the trafficking chain.

Furthermore, the death penalty for drug-related offences is retained by 34 jurisdictions despite failing to meet the definition of ‘most serious crimes’ required to impose the death penalty under international standards.<sup>75</sup> (See Death penalty)

Such punitive drug policies pursued under the so-called ‘war on drugs’ continue to be highly ineffective in achieving their aim – to curb the supply and demand of illegal drugs. This is shown in analysis issued by the International Drug Policy Consortium in December 2023 which stated: ‘There is scant evidence that policies aimed at the prohibition and eradication of drugs have been effective in reducing illegal drug markets, or in tackling their connection with human insecurity, violence, and organised crime.’<sup>76</sup> Even more problematically, the punitive approach towards drugs has resulted in widespread and far-reaching human rights abuses in all corners

of the world. Recent reports by the Office of the UN High Commissioner for Human Rights<sup>77</sup> and UN Special Rapporteur on the right to health<sup>78</sup> have urged governments to move away from militarised and punitive approaches and embrace instead health- and human rights-centred drug policies, calling specifically for harm reduction, decriminalisation and the responsible regulation of all drugs.

There is an increasing number of jurisdictions turning to decriminalisation models.<sup>79</sup> Now, 66 jurisdictions in 40 countries have adopted some form of decriminalisation model, removing criminal penalties for activities related to drug use. Since the beginning of 2023, progress towards cannabis decriminalisation has been seen in Luxembourg, the US states of Minnesota and Ohio, and British Columbia in Canada.<sup>80</sup>

Developments in the legal regulation of drugs have been seen in Germany, where a new law adopted in March 2024 allows people to grow and possess limited amounts of cannabis and provides access to regulated supply through non-profit clubs.<sup>81</sup> In South Africa, a bill was enacted in May 2024 to regulate the cultivation, possession, and use of cannabis by adults in private settings.<sup>82</sup> However, there have also been some regressions. In Thailand, where the country’s regulation of the cultivation, possession, use and sale of cannabis for non-medical use is hindered by a more punitive approach regarding other substances. Also, there have been attempts to roll back cannabis reform despite legal actions against the government.<sup>83</sup>

While there is growing consensus towards adopting human rights and health-based drug policies, it is too slow and piecemeal, with little impact seen on prison overcrowding levels. Reforms, such as those passed in Mexico and Colombia, to release people for non-violent offences, including those related to drugs, have not seen significant impact. The federal amnesty law in Mexico has resulted in 376 amnesties (as of July 2023) out of a total of 2,327 requests, and the 2023 law passed in Colombia has resulted in only 30 women being granted access to community services by March 2024, although it was promising that over 2,000 spots are available.<sup>84</sup>

Over the past year there has been more evidence reiterating that drug policies have a disproportionate impact on certain groups based on their age, gender, ethnicity, sexual orientation or socio-economic status. A UN report explained that most persons targeted by extrajudicial killings in the context of the war on drugs are young men from poor and vulnerable contexts.<sup>85</sup> Data and analysis from all areas of the world show that racialised people are disproportionately impacted by drug policies, including from the US, Canada and Mexico to Sri Lanka, which has adopted a militarised approach to drug control. Operation Yukthiya, initiated by the Sri Lankan government, began in December 2023 and has resulted in the detention of over 29,000 people in a matter of weeks, with 1,600 sent to compulsory rehabilitation. Despite criticisms from the UN and various human rights groups, the stringent anti-drug campaign has been pursued.<sup>86</sup>

PART TWO

# Prison populations

## Women

Women remain a minority in all prison systems but the number of women in prison globally is increasing much faster than men.

PEOPLE IN PRISON WORLDWIDE, BY GENDER:



INCREASE IN PRISON POPULATION FROM 2000 TO 2022



KEY DRIVERS:

- 01 Punitive drug policies
- 02 Criminalisation of poverty and status
- 03 Offences directly or indirectly related to gender-based violence
- 04 Social and economic inequality
- 05 Lack of gender-sensitive sentencing

## Older persons

Known rates of older persons in prison vary from 0.5% in Montenegro to 35% in Japan. What is considered “older” in detention ranges from 50 to 70 years old, due to recognition of accelerated aging in prison. In the US, almost half of those serving life without parole are over 50, with one-third projected to be by 2030.

THE PROPORTION OF OLDER PERSONS IN PRISON IS INCREASING GLOBALLY



Prison systems lack appropriate healthcare, palliative and end-of-life care

KEY DRIVERS:

- 01 Overcriminalisation and harsh sentencing policies (including life imprisonment and longer minimum terms)
- 02 Elder-poverty, resulting in unjust criminalisation and imprisonment
- 03 Ageing populations in countries where rises happening

## Children

The number of children in criminal justice-related detention is increasing.

### NUMBER OF CHILDREN IN DETENTION WORLDWIDE:



### MINIMUM AGE OF CRIMINAL RESPONSIBILITY:



**19,000**  
CHILDREN LIVE IN PRISON  
WITH THEIR GUARDIAN  
(mainly their mother)



### KEY DRIVERS:

- 01 Low minimum age of criminal responsibility
- 02 Lack of non-custodial sanctions
- 03 Discriminatory laws and racial inequity
- 04 Lack of access to education and basic services

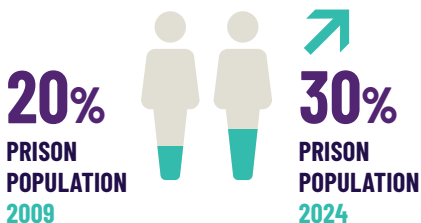
## Race and ethnicity

Racial, ethnic and indigenous minorities are disproportionately arrested, prosecuted and imprisoned.

**AUSTRALIA**  
Aboriginal people and  
Torres Strait Islanders



**CANADA**  
Indigenous peoples



**LIKELIHOOD OF IMPRISONMENT  
COMPARED TO WHITE PEOPLE**



**LATIN AMERICA**  
Indigenous peoples



**ROMANIA**  
Roma people



### KEY DRIVERS:

- 01 Racist law enforcement practices
- 02 Widespread discrimination in society leading to arrests and prosecution
- 03 Perpetuation of colonial practices, policies and judicial systems
- 04 Lack of recognition or accommodation of Indigenous practices

A prison staff accompanies a detainee to the visiting room of the Barnaul prison in Russia.

**The number of children in criminal justice-related detention is increasing and, in many countries, the age of criminal responsibility is still lower than the UNCRC recommended age of 14.**

## Foreign nationals

Population rates of foreign nationals in prisons are increasing.

### INCREASE IN THE PROPORTION OF FOREIGN NATIONALS IN PRISONS FROM 2000 TO 2022

**+56%**

Serbia

**+61%**

Georgia

**+62%**

Albania

**+258%**

Turkey

**+136%**

Botswana

**+33%**

Argentina

### KEY DRIVERS:

- 01 Immigration flows
- 02 A rise in conflict bringing a rise in the global refugee population
- 03 Ineffective 'prisoner transfer' schemes
- 04 Discrimination against foreign nationals, including by criminal justice systems
- 05 High proportions of foreign nationals in prison systems in countries with large numbers in their general population

## LGBTQ+

LGBTQ+ persons are often excluded from prison statistics, where available it underestimates the total population due to incomplete reporting.

Evidence shows LGBTQ+ individuals face unique challenges, especially stigma and discrimination.

### KEY DRIVERS:

- 01 Criminalisation of same-sex relations between consenting adults (at least 67 countries)
- 02 Discrimination, including by criminal justice systems
- 03 Criminalisation of sex work

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#### LGBTQ+

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## PART THREE

# Health in prison

## Health in prison

Prison systems across the globe continue to face unabated levels of crisis in providing adequate levels of healthcare to the people they detain, fuelled by overcrowding and poor detention conditions, underfunding and understaffing.

In the wake of the COVID-19 pandemic, attention has turned to improving the resilience of prison health systems. Despite some promising innovations, research suggests that many prison healthcare systems were back to 'business as usual' after the pandemic, while others got worse. Both health and harm reduction services have been found to still be weak, underfunded and difficult to access.<sup>87</sup>

External crises continue to lay bare the fragility of prison health systems. In Lebanon, a sharp increase in deaths of people in prison has been linked to the ongoing economic crisis as well as existing shortcomings in prison healthcare, with international organisations providing support to cover the costs of hospitalisation for emergency surgeries in hospitals. It has been estimated that depreciating currency and extreme inflation meant the real value of the prison healthcare budget decreased from \$7.3 million in 2019 to around \$628,000 in 2022.<sup>88</sup> Poor healthcare in prisons in Pakistan is also reported to have been exacerbated by the financial crisis in the country and flooding in 2022.<sup>89</sup> In the Democratic Republic of the Congo, high numbers of deaths of people

in prison during 2023 were linked to ongoing overcrowding exacerbated by conflict.<sup>90</sup>

Most low-income countries have inadequate healthcare provision for people in prison, and the impacts are well evidenced with higher rates of HIV, Hepatitis, TB and other communicable diseases reported, as well as premature deaths.<sup>91</sup> Over the past few years, the causes and consequences of deaths in prison have received more attention. In response to the number of deaths reported in prisons, the UN Special Rapporteur on extrajudicial, summary or arbitrary executions highlighted the prevailing inadequacies of recording, investigating and reliably reporting deaths in custody in a 2023 report.<sup>92</sup>

Around the world, healthcare staff shortages are commonly reported in prisons. In Kazakhstan, the process of transferring the prison healthcare system successfully to the Ministry of Health began in July 2022, but problems remain in providing adequate healthcare. The National Preventive Mechanism (detention monitoring body) reported that there can be as little as one nurse for an entire prison facility. In Pakistan, out of 193 designated posts for medical officers for the country's prisons, Human Rights Watch reported that, as of 2020, 105 were vacant (and the situation has likely worsened).<sup>93</sup>

There has been some recent judicial action on prison healthcare. In Arizona, US, where prison healthcare

has been privatised, a court has intervened, noting among other issues, that the company hired does not have adequate numbers of workers.<sup>94</sup> Also, in India, a court has directed the government to ensure the healthcare needs of people in prison are met due to alarming problems in the current system.<sup>95</sup> Lack of healthcare sparked a mass hunger strike among people detained in the largest prison in Bahrain, where reportedly up to 800 people participated in a hunger strike that was suspended after pledges were made by the Government.<sup>96</sup>

In higher income settings, there are emerging pockets of research and new programmes which demonstrate that a more holistic and preventive approach to healthcare is beneficial to other areas of prison management, including more secure conditions. In Germany a study demonstrated that sport can help counteract health decline among people detained.<sup>97</sup> Increasingly, nutritional health interventions are shown to reduce violence, improve physical and mental health and support rehabilitation in prisons.<sup>98</sup> An analysis of experiences of prison food in ten countries found that beyond improved nutrition, integrating cooking and sharing food into prison routines can reduce anxiety and depression and increase feelings of self-efficacy and resilience.<sup>99</sup>

Interest has also grown in prisons as 'micro-environments' for health developments – whereby the risks

posed by closed environments can be useful in the surveillance of infectious diseases, understanding infection transmission and how to prevent and control infection. This

includes wastewater surveillance and viral genome sequencing in prisons.<sup>100</sup> However, in many countries, prison populations remain excluded from national disease

surveillance mechanisms, posing a risk to health and representing a system 'blind spot' which the World Health Organization has stated should be addressed urgently.<sup>101</sup>

## Mental health

There is now more and more data being released that confirm high and often unmet mental health needs of people in prison across the globe. The proportion of people in prison with a diagnosed and reported mental health condition globally is unknown as data remains an issue, although it could be as high as 91%.<sup>102</sup> Notably, studies have recently highlighted the extent of the problem in lower income countries, where data has previously been lacking. For example, a third of men in one prison in Cameroon were found to suffer from depression and a quarter had suicidal thoughts,<sup>103</sup> and in Sri Lanka, people in prison were found to have high levels of psychological stress and psychiatric illness.<sup>104</sup>

The paucity of mental health expertise or professionals in prison systems continues to be a reality almost the world over. In contexts where mental healthcare remains poor in the community, the services in prisons are often non-existent or, at best, minimal. For instance, serious concerns have been raised recently in parts of South-East Asia,<sup>105</sup> and in African countries including Malawi<sup>106</sup> and Kenya.<sup>107</sup> In one case in India, prompted by court intervention, authorities were told that all prisons in Delhi should have an in-house counsellor or psychiatrist and that the prison administration needs to be sensitised to mental health problems.<sup>108</sup>

In places where there is a better level of mental healthcare provision in the community, shortcomings in prisons are still common. In Ireland, for example, a 2023 report by the Office of the Inspector of Prisons described

'sometimes critically low' numbers of specialist mental healthcare staff in prisons.<sup>109</sup> Prison monitoring bodies from across Europe have pointed out that mental health screening remains inadequate and is not always carried out by competent healthcare professionals.<sup>110</sup>

Attitudes towards mental health within communities are also reflected in prisons and can impact the provision of support. In Pakistan, a lack of awareness of mental health conditions is reported to facilitate abuse, with people in prison who ask for support being mocked and denied services, and officers viewing reports of a mental health condition with suspicion.<sup>111</sup> Research in India found that lack of awareness towards mental health and stigma discouraged people in prison from seeking help.<sup>112</sup> In Norway, barriers to accessing mental health services include confidentiality concerns and distrust in the system.<sup>113</sup>

Data has shown that the mental health needs of women in prison and the lack of expertise to respond effectively is a common issue. A study in Thailand revealed high levels of anxiety and depression among women in prison for drug-related offences.<sup>114</sup> In England and Wales, self-harm increased in women's prisons by 38 per cent in the 12 months up to September 2023.<sup>115</sup> Recent statistics also show that 82% of women in prison report mental health problems, with 25% of women in prison having symptoms indicating psychosis.<sup>116</sup> A similar trend has been observed in prisons in Mexico where suicide is more prevalent among women in prison.<sup>117</sup>

Strategies to address poor mental healthcare in prisons documented over the past year are diverse. Authorities in New Zealand have recently announced a major investment in mental health services for prisons.<sup>118</sup> In Nepal, health workers are being provided with mental health training to help them carry out screenings.<sup>119</sup> A standardised system of detection, screening and treatment for mental health is planned in Albania<sup>120</sup>

Several recent initiatives have also focused on lived experiences of mental health and well-being in prison. A new study from Cambodia explored the experiences and perceptions of 48 young people in prison and their coping strategies, finding that loneliness was an overarching concern.<sup>121</sup> A report on mental health in adult closed prisons in Ireland integrates the perspective of those with lived experience,<sup>122</sup> and in Scotland, a review of the lived experience of older people in prison found that more needs to be done to address their age-specific mental health needs.<sup>123</sup>

There is increasing awareness of the effect of the prison environment on mental health, including the impact of excessive noise levels.<sup>124</sup> Mental health advocates in Nigeria have focused on poor sleep quality among people in prison linked to the noisy environment.<sup>125</sup> In Idaho, US, a recent study found that 76% of women interviewed experienced poor sleep quality, linked to excessive noise, with depression and post-traumatic stress disorder symptoms both significantly related.<sup>126</sup>

## Neurodiverse people in prison

Neurodiversity refers to the concept that individual variations in brain functioning, encompassing differences in social behaviour, learning, communication, and perception, are natural and contribute to diverse strengths and challenges.<sup>127</sup> There is an increasing body of research being conducted on neurodiverse people in prisons, albeit mostly in high-income settings. This has found that there are a significant number of people in prison with neurodivergent conditions, and the major gaps in recognising and responding to their needs causes a higher risk of depression, anxiety, self-harm behaviour and suicide.<sup>128</sup> Globally, different cultural perspectives of neurodiversity lead to variations in the way neurodivergence is treated in criminal justice systems.

In England and Wales, up to half of those entering prison could have some form of neurodivergent condition<sup>129</sup> with most failing to receive appropriate support,<sup>130</sup> and in Malaysia, a significant prevalence of children in the criminal justice system are neurodivergent.<sup>131</sup> In the US, researchers estimate that more than 60% of people in prison are living with traumatic brain injury, i.e. an acquired form of neurodivergence.<sup>132</sup> Elsewhere research shows the rate of head injury among women in prison is higher due to prior domestic abuse.<sup>133</sup> In Canada, up to half the prison population is thought to have an alcohol-related birth defect.<sup>134</sup> In New Zealand, at least 50% of the prison population is reported to be dyslexic.<sup>135</sup>

Neurodivergent individuals are more likely to be imprisoned, studies are showing, because of a lack of understanding and support. For example, it was found that autistic people are perceived unfavourably in court proceedings resulting in higher penalties in Australia.<sup>136</sup> Screening for neurodivergence is not commonplace, and previous diagnosis before arriving at prison is less likely for people in contact with the law, including due to exclusion from education, homelessness and healthcare.<sup>137</sup> In the US experts found that Black people with developmental disabilities are less likely than white people to have been diagnosed before they enter prison.<sup>138</sup> Research also suggests that autistic women are more likely to be misdiagnosed or underdiagnosed.<sup>139</sup>

Although the available data shows that there are significant numbers of neurodivergent people in prison systems, most have not recognised the impact of the prison environment on them. For instance, autistic people may have difficulties coping with the unpredictability of the prison environment,<sup>140</sup> and this can be misconstrued as aggression, indifference, or intoxication, leading to unfair treatment or punishment, as recently explained by the UN Special Rapporteur on Torture. The Special Rapporteur stated that the threshold for what constitutes ill-treatment may be lower for neurodivergent people in prison and recommended research on the topic and neurodiversity screening as part of individual assessments, sentence planning and rehabilitative programming.<sup>141</sup> Concerns out

of a lack of prison staff training have also been pointed to,<sup>142</sup> in some cases resulting in excessive use of force and restraints as reported by Amnesty International in Iceland where the use of solitary confinement for individuals with neurodiverse conditions has been shown to worsen underlying issues, thereby increasing the harm experienced by those with disabilities, whether physical, mental health-related, or neurodiverse.<sup>143</sup>

There are some examples of adaptations from implementation of dimmable light bulbs, noise reduction initiatives, allowing sensory items or fidget toys, and limiting sensory stimulation and introducing autism friendly visits for people in prison with autistic children.<sup>144</sup> In New Zealand, specialists are employed by the Corrections Department to support the needs of neurodiverse learners as part of their rehabilitation programmes. Furthermore, there are some initiatives being developed to boost staff training including in Finland and in Indiana, US.<sup>145</sup> In England and Wales, a nation-wide training programme, co-designed and delivered with autistic people for criminal justice actors, is being implemented, and an NGO provides 'autism accreditation' to prisons which demonstrate their commitment to providing support.<sup>146</sup>

Detainees receiving treatment at the physiotherapy unit in the care centre of the Fleury-Mérogis prison, France.



**Prison systems across the globe continue to face unabated levels of crisis in providing adequate levels of healthcare to the people they detain.**

## PART FOUR

# Prison management

## Security and violence

Violence continues to dominate prison life around the world with various root causes including inadequate staffing, overcrowding and corruption. Violence linked to criminal gangs and social and political instability is on the rise.

There have been numerous cases of criminal groups seizing control of or attacking prisons. In Haiti, gangs stormed the country's biggest prison in March 2024, leading to the escape of nearly 4,000 people and at least 12 deaths, triggering a state of emergency and a night-time curfew. In Honduras, at least 46 women in prison were killed after an outbreak of violence between gangs. Recent incidents of gang violence and revolts against authorities have also happened in Venezuela and Mexico over the past year. In Sierra Leone, 20 people were killed and nearly 2,000 people in prison escaped when a prison was attacked by assailants in 2023.

There is increasing concern about gang recruitment within prisons, including in Ecuador, where most of the country's 36 prisons are now under some degree of gang control, and there have been more than 600 fatalities in 14 prison massacres since 2019.<sup>147</sup> In January 2024, troops stormed a prison in Guayaquil to take back control from drug gangs.<sup>148</sup> In Mexico, criminal gangs are also thought to fully or partly control over half the country's prisons.<sup>149</sup>

In Europe, the impact of organised crime in prison is also becoming a bigger concern. For example, in

Sweden there has been a recent increase in the proportion of prison population affiliated with organised crime, a trend reported in other European countries.<sup>150</sup> Europol has reported that leaders of criminal networks often manage to continue their operations from prison by reorganising and maintaining their influence over extended periods.<sup>151</sup> For example, a leader with connections to the Western Balkans directed drug and firearm trafficking activities from his prison cell in Italy, with operations in multiple European countries, including Belgium, the Netherlands and Germany.<sup>152</sup>

Torture and other ill-treatment of people in prison by staff remains a global problem, particularly where there is conflict or a lack of rule of law. (See Prisons in fragile and conflict-affected settings) In Hong Kong, political activists have alleged physical and sexual abuse,<sup>153</sup> and concern has been raised over torture and abuse of children in pre-trial facilities in Albania.<sup>154</sup> High-levels of abuse of women in prison continue to be reported in Egypt,<sup>155</sup> and torture is described as routine in Syrian prisons.<sup>156</sup> The UN Special Rapporteur on Torture has called on Israel to investigate multiple allegations of torture and ill-treatment of Palestinians in Israeli detention centres, including beatings, sleep deprivation, the prolonged use of stress positions and sexual assault.<sup>157</sup> Dozens of political opponents are reported to have been killed in prison in Myanmar during 2023.<sup>158</sup> Widespread violence, including

sexual violence and humiliation has been documented in a study in the Central African Republic.<sup>159</sup>

High-income countries are not immune from cases of torture and ill-treatment. In Belgium, a video of a person being tortured in a prison emerged in March 2024 sparking calls for the Minister of Justice to resign. A report from the Council of Europe from December 2023 stated that torture and ill-treatment are present in places of detention in the region pointing to documentation of such cases in penal institutions in Bulgaria, Croatia, Cyprus, France, Lithuania, Moldova, Montenegro, Portugal and Romania by the European Committee for the Prevention of Torture.<sup>160</sup>

Prison staff are at high risk of violence and verbal abuse, in many cases exacerbated by prison overcrowding and staff shortages, creating insecurity. In Europe, analysis shows that the picture is mixed in terms of its extent and responses. While violent incidents against prison staff have increased in Sweden, Luxembourg and Catalonia over the past three years, in Slovakia and Ukraine, incidents are rare.

Over the past year there have been some highly publicised incidents, leading to calls from prison staff and unions for greater protection. For example, in France, two prison officers were killed in May when a prison van carrying a high-profile individual was ambushed, leading to nationwide strikes demanding more security and better pay. An attack by

a detainee in Belgium which injured two prison staff led to a strike in January 2024, also on the grounds of working conditions.<sup>161</sup> In England and Wales, 8,516 assaults on prison staff were recorded between 2022–2023, with attacks in women's prisons at their highest ever level.<sup>162</sup> Authorities have introduced body-worn cameras for all prison staff, and the use of a chemical irritant spray (PAVA) in adult male prisons, which sparked questions by civil society over its effectiveness and its disproportionate use on Black people and Muslim people.<sup>163</sup>

Investments in security equipment to respond to violence and insecurity is a common trend. For instance, in Brandenburg, Germany, an increase in prison violence prompted a €200,000 Euro investment in protective equipment in 2023.<sup>164</sup> In 2023, authorities in France developed a national plan to combat violence to be implemented in each prison facility. The plan foresees several measures such as enhanced support for targeted staff, intensified local violence audits, increased training for incident management, dynamic security measures and improved safety equipment evaluations. Beyond Europe, the

Guyana prison service is investing in new scanners and considering drone patrols to prevent contraband entering the prison.<sup>165</sup> In Pune, India, more than 7,000 CCTV cameras and new scanners are planned for the State's prisons.<sup>166</sup>

Exploring various ways to improve safety remains a subject of both policy and research interest. One effective case has been seen in Guyana, where alongside improved security measures, the expansion of technical and vocational skills training programmes was credited with a significant reduction in prison violence during 2023.<sup>167</sup> Evidence points to improved food and nutrition in prisons being linked to reductions in violent incidents,<sup>168</sup> as does the location of prisons near green spaces.<sup>169</sup> An inquiry into physical and verbal abuse towards people in prison by staff in Japanese prisons recommended that staff use more polite forms of address towards people in prison and that prison staff receive increased support and mental health consultations; it also recommended introducing surveys of people in prison to better understand potential problems.<sup>170</sup> Conflict awareness and peer mediation

programmes have been found to reduce levels of violence in prisons in Ireland.<sup>171</sup>

Prison authorities in Belgium and Slovakia have stated that 'airdropping' of illicit items by drone is reported to be one of the biggest security threats they currently face<sup>172</sup> – a problem mirrored elsewhere. In 2024, Italian authorities arrested 31 people for using drones to deliver phones, weapons and drugs to gang leaders in prison.<sup>173</sup> In Canada, the growth in smuggling contraband using drones has led to increased violence,<sup>174</sup> with 75% of contraband seizures attributed to drone drops.<sup>175</sup> Drones have also been linked to major security incidents, like in Ecuador, where in 2023, a drone carrying explosives blasted a hole in the roof of a maximum-security prison.<sup>176</sup> In response, more countries are employing drone detection technology. The Scottish Prison Service is trialling technology that alerts authorities to drone activity in airspace near prisons.<sup>177</sup> In England and Wales, a new law makes it an offence to fly drones within 400 metres of prisons and Young Offender Institutions, with drone operators facing fines of up to GBP £2,500.<sup>178</sup>

## Spotlight on:

### Corruption in prison

Corruption in prisons is a global issue that severely impacts the human rights of people in prison, and their families, and continues to undermine access to justice and penal reform efforts. Corruption varies in its form and extent but includes staff demanding petty bribes in exchange for providing basic needs to people in prison, contraband trafficking such as bringing in phones or drugs, and large-scale misappropriation of funds, sexual corruption and violence. While there is some recognition

that corruption is a major challenge in running prisons effectively and protecting the human rights of those detained, it remains a pervasive problem in all regions – particularly where there is overcrowding.

Prison staff are often at the centre of allegations of corruption, particularly in contexts where overcrowding and poor detention conditions are a reality. A 2023 report detailed how in Pakistan wealthy people in prison have access to healthy food and reportedly a small

number are even permitted to serve their prison term in private hospitals, while bribes must be paid by those who are poorer to obtain basic medicine like painkillers.<sup>179</sup>

Where organised crime groups are dominant, or have shared or self-governance of prisons, corruption is widespread. In Guatemala, for example, corrupt prison staff collaborate with people in prison to form gangs that effectively control the prisons, and there are reports that

senior prison officials are also involved through networks of bribery and influence-peddling.<sup>180</sup> In Chile, over half of the prison staff recently surveyed reported knowledge of corrupt acts by colleagues (63%) and illegal activities conducted by prison staff with people in prison (57.8%), showing high levels of impunity.<sup>181</sup> In Mauritania, investigations into prison staff collaborating with drug traffickers highlighted severe corruption issues in the country's prisons. With nearly half of the prison population in prison for drug-related crimes, corruption is fuelled by the substantial profits of the drug trade, allowing traffickers to continue their operations inside prison with the complicity of some staff.<sup>182</sup>

There have been some efforts to investigate and prosecute officials alleged of corruption, but in some cases, there are indications such efforts are perfunctory, or are insufficient, especially where it is pervasive.

In North Macedonia, the European Committee on the Prevention of Torture reported their longstanding concerns at the impacts of 'endemic corruption', particularly in one prison, affecting 'every aspect of prison life due to the wide range of services on offer, the striking and diverse cases of passive and active corruption observed, and its infiltration into the

modus operandi of staff'. While there had been some measures implemented to tackle this, they had not brought the expected results, not least because it involved senior staff.<sup>183</sup>

A police investigation in one of New Zealand's largest prisons has led to multiple corruption charges but has reportedly also failed to eliminate the problem.<sup>184</sup> In Indonesia, 15 employees were arrested in March 2024 by the country's corruption watchdog for allegations involving extorting detainees between 2019 and 2023 which involved being paid to offer a reduction in the period of solitary confinement upon entry to detention centres as well as information on when inspections would be scheduled so contraband could be hidden.<sup>185</sup>

In the UK, since 2020, 161 prison staff have been arrested for supplying drugs to people in prison, with a notable rise in arrests from 34 in 2020 to 47 in 2023. Investigations into drug smuggling by prison staff surged by 162% over four years, reaching 435 in 2023, while overall staff investigations grew by 160%, totalling 720 last year.<sup>186</sup> In Scotland, a prison officer was sentenced to six years and three months in prison for smuggling drugs and mobile phones, following an investigation prompted by the increasing presence of drugs in cells.<sup>187</sup> There are also cases of staff being

dismissed, like in the Netherlands when 160 staff were fired between 2020 and 2023 for integrity breaches, including bribery.<sup>188</sup>

Beyond such individual accountability cases, anti-corruption strategies and efforts to tackle corruption in detention facilities are increasingly on the agenda of governments as well as prison administrations. For instance, the Cyprus Prisons Department has announced plans to modernise its correctional system to reduce overcrowding and address corruption, with a strong commitment to zero tolerance and measures underway to combat corruption.<sup>189</sup> In Colombia, the Penitentiary Institute, in collaboration with the Ministry of Justice, has launched a campaign called 'Súmate, Soy Transparente' ('Join the campaign, I am accountable') aimed at prison staff nationwide to combat corruption in prisons.

A new guide for detention monitors published in 2024 by Penal Reform International and the U4 Anti-Corruption Resource Centre on corruption aims at supporting detention monitors. With their unique access to prisons, to assess and document evidence of corruption, the guide seeks to build the monitors' capacity and knowledge so they can contribute to anti-corruption measures in prisons.<sup>190</sup>

## Prisons in fragile and conflict-affected situations

The last year has seen rising levels of conflict from Gaza and Sudan to Ukraine, and tensions continue to rise in Haiti, Venezuela and Somalia, among other places. The violence and deteriorating situations in fragile and conflict-affected contexts around the world are felt severely by people detained, whether under criminal justice systems or for conflict-related reasons (the latter falling outside of the scope of this report).

Conflict exacerbates the common challenges faced by prison systems. Prisons often suffer from severe overcrowding, inadequate resources, and deteriorating infrastructure, which lead to substandard living conditions and human rights violations. The instability caused by conflict disrupts the administration and oversight of prisons, resulting in weakened security and an increased risk of violence, both within the

prison and from external forces. Additionally, the influx of detainees, including political prisoners and those accused of involvement in the conflict, typically strain already limited resources. Rehabilitation and reintegration programmes frequently become secondary concerns, as the primary focus shifts to basic survival and maintaining order. These factors collectively undermine the ability of prison systems in conflict-affected

areas to fulfil their rehabilitative and protective roles, often leading to a cycle of neglect, abuse and recidivism.

People in criminal justice-related detention in fragile and conflict-affected settings face profound and often long-lasting problems in accessing essential resources like water, food and basic medical supplies. For instance, Lebanon's prisons budgets, amid an ongoing socio-economic crisis, have been drastically slashed. This funding cut has coincided with an increase in communicable diseases and hunger, leading to a significant rise in deaths within these facilities—33 reported in 2023, with eight deaths recorded so far in 2024, up from an annual average of 5 or 6 before the crisis.<sup>191</sup> In Sudan, the cholera outbreak in Wad Madani Prison in November 2023 highlighted the dire health risks commonly faced by people in prison in conflict-affected areas.

Prisons are constantly under threat where armed conflict wages. In Haiti around 12 people died in the deadly assault in April 2024 after gangs stormed the main prison (See Security and violence). In Ukraine, the Ministry of Justice has reported that the country has lost 20% of its prison population in regions that have fallen under the control of Russia, and three facilities were destroyed. More than 5,000 people detained were moved from 12 prisons in the eastern part of the country

as a preventive measure to losing control over more prisons.<sup>192</sup> In New Caledonia, seven independence activists linked to deadly riots in 2024 were transferred to mainland France for pre-trial detention due to the 'sensitivity' of the case, facing accusations of orchestrating violence in which nine people died.<sup>193</sup>

The Wagner Group continued to recruit people in prison in Russia from 2023 until early 2024. While official statements from authorities are lacking, civil society monitors indicate that thousands of people in prison joined. Recruits underwent basic physical tests and two to three weeks of training before deployment, being promised a monthly salary of EUR 2,500 and release after six months of service.<sup>194</sup> Reports in June 2024 suggest some prisons were being shut due to the significant number of people recruited from prisons.<sup>195</sup>

In many fragile and conflict-affected settings, there are dire detention conditions and a lack of safety, often linked to a breakdown in the rule of law and high levels of corruption, coupled with a lack of budgetary means. In the Central African Republic, where only 12 of 32 prisons in the country are operational and under government control, research by PRI that included interviews with 86 detainees found seriously deficit detention conditions. The 12 prisons that are operating have varying levels of overcrowding including one prison

operating at 574%, and 75% of people held are awaiting trial. The study found widespread violence by prison staff: corrupt practices, physical and sexual violence, and humiliation, with detainees telling researchers they must pay to be allowed to see their families, to receive food or medicines or to go to hospital.<sup>196</sup>

High rates of pre-trial detention continue to be a common problem in fragile and conflict-affected settings as justice institutions break down. In Haiti, most children held in detention are awaiting trial (many for several years) after the Port-au-Prince Juvenile Court stopped functioning in 2019 due to gangs operating in the area.<sup>197</sup> Another example can be found in Nigeria, where the Boko Haram insurgency has significantly impacted the judicial system. Many people in prison, including children, are held in pre-trial detention for extended periods due to the collapse of judicial processes in conflict-affected regions.<sup>198</sup>

Furthermore, the rise in armed conflict has seen justice institutions being affected in many countries over the past year. In April 2024, the main Palestinian court in Gaza, known as the Justice Palace, was bombed by Israeli forces. The destruction of legal facilities is expected to have long-term impacts on the rule of law, governance and civil order in Gaza.

## Prison staff

Many prison systems face problems in recruiting and retaining prison staff, which is often – but not solely – linked to working conditions and terms and conditions of service. Other reasons include location of prisons (with many being in rural locations) and stigma associated with working in prisons.<sup>199</sup> Demanding admission procedures have also been cited in Europe as a challenge which has led some authorities to

reduce recruitment requirements, including by introducing on-the-job training instead of higher educational qualifications. Prison administrations also continue to face problems in recruiting professionals into the service, including doctors, psychologists, and IT specialists. For example, during 2022, recruitment in Spain for 40 prison doctor positions brought in only 22 applications and resulted in only nine job offers.

Prison administrations also report that levels of sick leave among prison staff tend to be higher than across comparable civil service positions. In Sweden, staff sickness rates are reported to have increased since COVID-19 and have been linked to overcrowding across the prison estate. A similar trend in England and Wales with over 40% of days taken by the prison and probation workforce for 'sick leave' are due

**Many prison systems face problems in recruiting and retaining prison staff, which is often – but not solely – linked to working conditions and terms and conditions of service.**



Prison officers attend the parade during the Independence Day ceremony in Dar es Salaam, Tanzania.

to mental health issues; in the year leading up to March 2024, 282,457 working days were lost to mental-ill health, equivalent to over 770 years, constituting a 148% increase since 2018.<sup>200</sup>

A lack of security and dangerous working conditions for prison staff have led to fatal incidents for both people detained and prison staff. In 2023 and 2024, prison staff have been killed while on duty in Kenya, Catalonia, US and France, among other countries. In Ecuador, more than 150 prison staff were held hostage in prisons across

the country during January 2024.<sup>201</sup> In Colombia, 506 staff from the Penitentiary Institute are under death threats, including 27 who are prison directors.<sup>202</sup> These incidents and others have triggered prison strikes recently seen in at least France, Belgium, Sri Lanka and Australia. (See Security and violence)

Staff shortages have led to some countries using temporary, short-term contracts to boost their work force. The UN Special Rapporteur on Torture cautioned against this in 2024 noting that this can increase the risk of abuse and neglect of people in prison and that lack of trained staff leads to people in prison spending more time confined to their cells, reduced visiting hours and fewer rehabilitation opportunities. In the

US, for example, a prison officer staffing crisis has led some prisons to enlist other professionals working in the prison system, such as case workers, counsellors and teachers who do not have relevant training to serve as frontline officers.<sup>203</sup>

The lack of sufficient and properly qualified prison staff has a clear impact on people in prison, and often results in people being detained or confined to their cells for long periods. There is ample evidence available that shows staffing issues impact a range of aspects of prison life, including access to visits from family, rehabilitation programmes and healthcare.

Authorities continue to look for ways to increase recruitment and improve retention, including through pay rises, prison service branding and using different routes to advertise jobs. In Fiji, while police were given pay rises, prison staff had none for a decade, and now the government is undertaking a job evaluation exercise to ensure competitive pay rates.<sup>204</sup> In Uganda, a 'huge' salary rise was announced in a June 2024 budget which will benefit prison leaders and staff.<sup>205</sup>

The prison service in Slovakia and the Netherlands has introduced a 'recommend a friend scheme' for existing officers, and in France, interested candidates can now register their interest in the prison

service via their smartphone. Staff positions in Jordan are advertised in print media. Virtual Reality (VR) technology is being used in prison staff training to simulate real life prison scenarios to help understand what prison work is like in reality,<sup>206</sup> and in England, a VR app provides an overview of prison healthcare work to encourage healthcare professionals to consider a career working in prisons.<sup>207</sup> Efforts to improve staff retention include the recent introduction of new kitchens, canteens and free meal provision for staff in Georgia and the use of mentors for newly appointed prison staff during their trial period in Slovakia.

Initiatives to recruit more female staff into the prison service continue in numerous countries in recognition that this is critical to ensuring gender-responsive policy and practice to lead culture change. A new law in Sierra Leone now requires all public or private organisations to reserve 30% of their jobs for women with equal pay, including in leadership positions.<sup>208</sup> The Philippines has recently implemented a national prison breastfeeding policy for both people in prison and staff.<sup>209</sup> In California, US, a pledge to increase female staff (to at least 30% of new cadets) entails several measures including recruitment teams attending female-targeted events.<sup>210</sup>

### Spotlight on:

## Transgender people in prison

Global data on the number of transgender persons in prisons remains unclear due to limited data collection practices. This is exacerbated by safety concerns for transgender people, which studies have found that coupled with a lack of privacy and transparency in data collection processes, contribute

to underreporting and discourage self-identification.<sup>211</sup> In some cases, prison authorities have been found to rely on biased or stereotypical assumptions about gender identity, further complicating efforts to accurately identify and support transgender people in prison, as reiterated by the UN Independent

Expert on Protection against violence and discrimination based on sexual orientation and gender identity (IESOGI).<sup>212</sup>

There are few places where data is publicly available. For example, in the UK, the number of transgender people in prison increased by 17% in

2023, with 268 transgender people recorded, most of whom were legally male and housed in male prisons.<sup>213</sup> Spain reported 79 transgender people in prison as of April 2023, a notable increase from previous years.<sup>214</sup> In the US, nearly 5,000 transgender people were held in state prisons in 2020.<sup>215</sup>

Limited available statistics from very few countries reveal the persistent invisibility of this population within the prison system. Research suggests that there were 68 imprisoned transgender persons in Queensland, Australia, between 2014 and 2020.<sup>216</sup> In New Zealand, 35 transgender individuals were in custody in 2020, of which 30 who were assigned male at birth were residing in male prisons; the remaining five were housed in women's prisons, three of whom were assigned male at birth.<sup>217</sup> In Canada, 99 openly transgender, non-binary, and Two-Spirit individuals were in federal custody in 2022.<sup>218</sup> Few countries in Latin America and the Caribbean record the number of transgender women in prisons. For example, the Peruvian National Preventive Mechanism surveyed 18 prison establishments in 2022 and only 11 reported housing LGBTQ+ people.<sup>219</sup>

There is evidence that imprisonment of transgender people is often linked to the criminalisation of same-sex sexual relations, sex work, drug possession and use, and HIV positive status, as well as various other social and economic challenges.<sup>220</sup> Moreover, studies point to disproportionate levels of disadvantage and marginalisation among transgender people in prison. For example, a 2022 study in Argentina showed transgender people in prison are often from disadvantaged socioeconomic backgrounds and face unemployment and discrimination.<sup>221</sup> Similarly, in Peru the National Preventive Mechanism reported a significant proportion of transgender persons surveyed in prison had not completed basic education, further exacerbating situations of vulnerability.<sup>222</sup> In Canada, alarming rates of trauma and childhood abuse among gender diverse people in

prison were reported in 2024, with a disproportionate number belonging to Indigenous communities.<sup>223</sup>

International attention has been brought to the need to provide guidance on the placement and protection of transgender persons in prison.<sup>224</sup> A highly mediated case around the placement of transgender women in a women's prison in Scotland led to a policy review in February 2023. One year later, a new prison policy was enacted that precludes placing a transgender woman who is or has previously been convicted, or who is remanded before trial or awaiting sentence, for a list of crimes where the victim was female, in an annex titled 'Violence against Women,' and is still deemed a risk to women.<sup>225</sup>

PRI's recent research on the placement of transgender people in prisons found that the decision-making processes vary widely across jurisdictions, reflecting differing approaches to inclusion and respect for gender identity. In some jurisdictions, such as Catalonia and Switzerland, policies emphasise gender self-determination and seek to eliminate barriers to placement based on individual preference.<sup>226</sup>

Others, like Canada, England and Wales, and Scotland, have implemented policies that require the involvement of transgender people in prison in case conferences and decision-making processes, while decisions based on someone's sex assigned at birth continue, like in Turkey and Bolivia, for example. In Canada, Catalonia, California, US, and New South Wales in Australia, policies stipulate that transgender people with legal recognition of their gender identity should be housed in prisons corresponding to their gender identity. In England, a dedicated wing was created in a women's prison to house transgender women with legal recognition of their gender, which has considerably restricted their contact with the rest of the prison.<sup>227</sup> In Thailand, policies mandate transgender people to be separated,

which means that they must sleep in the infirmary or in a separate cell at night.<sup>228</sup>

However, where available, data in Latin America shows high levels of gender-based violence, including sexual exploitation and forced participation in prostitution networks run by prison staff.<sup>229</sup> In Brazil, the average life expectancy of a transgender woman upon release from prison is less than 35 years.<sup>230</sup>

Reports from different jurisdictions and contexts continue to show the heightened levels of violence and harassment that transgender people in prison face. Reports have emerged from Japan, Kuwait, Cameroon and Kazakhstan about transgender people being subjected to violence, including rape, beatings and verbal abuse.<sup>231, 232, 233</sup> A recent report by the Correctional Service of Canada revealed that many gender-diverse people in prison faced high levels of violence and discrimination in detention.<sup>234</sup>

Instances of degrading strip searches and restrictions on gender expression undermine the dignity and autonomy of transgender people.<sup>235, 236</sup> In May 2024, formerly incarcerated women, transgender and gender diverse people alongside advocacy and human rights groups highlighted decades of calls to end strip searching in their joint submission to the Australian Law Reform Commission's inquiry into legal responses to sexual violence, denouncing it as state-sanctioned sexual abuse, and ineffective and unnecessary for contraband detection, with viable alternatives like body scanners readily available, prompting calls for its abolition in Australian prisons.<sup>237</sup> In the US, transgender people in prison continue to face numerous barriers to gender affirmation.<sup>238</sup> The provision of hormone treatment, sexual health services, and mental healthcare is often inadequate or inaccessible, in some cases because of legal prohibitions or restrictions like in the UK or the US.<sup>239, 240</sup>

## Environmental sustainability, climate change and prisons

As countries around the world continue to contend with natural hazards, conflict, economic insecurity and the impacts of the climate crisis, more attention is being paid to how prisons can become resilient to climate change and more self-sufficient in times of crisis. The environmental impact of prisons is also under increasing scrutiny.

People detained and working in prisons often have no escape from extreme weather conditions and natural hazards. It is also increasingly clear that the impact of climate change on prisons goes beyond immediate hazards to include living and working conditions, the health of people in prison, power supply and food security. However, according to the Group of Friends of the UN Nelson Mandela Rules, composed of 40 UN member states, there is reason for hope as prison authorities and civil society organisations around the world take proactive steps to promote sustainability and mitigate the effects of climate crisis and related disruption on prisons.<sup>241</sup>

Many prisons are in high-risk areas for natural hazards, like in Peru where half of the country's prisons are known to be in high-risk areas. In Asia, the International Committee of the Red Cross (ICRC) has undertaken climate and environmental risk screening to prisons in the Philippines, Bangladesh, Sri Lanka and Cambodia with the aim of helping authorities make prisons more climate resilient.<sup>242</sup>

Prisons consume huge amounts of energy and produce vast amounts of waste. In the UK, buildings belonging to the Ministry of Justice, incorporating prisons, probation centres and courts, represent over 20% of the government's carbon

emissions, water consumption and waste footprint and 45% of paper use.

There are some efforts to incorporate prisons in sustainability planning, albeit still limited in number and reach. For instance, the Irish Prison Service's 2023 Climate Action Roadmap includes the reduction of energy and fossil fuel related emissions, and projects such as upgrading of lighting and replacement of windows have seen a 17% decrease in energy consumption.<sup>243</sup> In Washington State, US, every prison has implemented sustainable operation programmes as part of a state-wide commitment to sustainability.<sup>244</sup>

'Green prisons' are being planned, including in India, where the Odisha state government has decided to build its first green prison with zero carbon emissions.<sup>245</sup> Bulgaria has built its first 'green prison', a joint initiative with Norway, which involves training staff and detainees in green economics and the integration of these concepts into agriculture, organic farming, healthcare, sustainable energy resources and a healthy prison environment. In Belgium, a new prison is to be built according to sustainability principles, including reducing energy consumption, reusing water and the addition of green zones and green roofs.<sup>246</sup>

In the UK, a new prison – described as the country's greenest prison – opened in June 2023 and was built with greener fuels. The prison includes nearly a thousand solar panels and contract has also recently been awarded to build a new prison run solely on electricity.<sup>247</sup> A new prison in Scotland plans to be the first carbon net zero prison in the country.<sup>248</sup> Some penal reform advocates have expressed concern

over the 'greenwashing' of prisons, also noting that investment in housing, employment and health services would be more effective in reducing crime and making communities safer.<sup>249</sup>

Many prisons have access to substantial areas of land which can be used for sustainable purposes, including food production and planting for the environment. So-called prison farms or similar initiatives have been popular, particularly in Africa, for decades, leading to a renewed interest. South Africa's prison population is reported to be self-sustained in terms of food provision<sup>250</sup> and there are many examples of prison farms producing their own food, often to mitigate the risks of food shortages and improve nutrition. In Malawi, where the harvest from prison farms amounts to 30% of the annual food requirements in the country's prisons, efforts have been made to improve productivity and resilience to climate change through environmentally friendly irrigation systems using underground water and solar energy.<sup>251</sup> However, during 2023, chronic food insecurity linked to rising food and energy prices led to calls for a more comprehensive approach to food security in prisons, including efforts to reduce prison overcrowding.<sup>252</sup>

Food insecurity has also led to the creation of sustainable agriculture projects in prisons. In Sri Lanka, food inflation has reached 95%. In the Democratic Republic of the Congo, a project for justice reform aims to respond to the joint challenges of food insecurity and malnutrition in prisons by promoting food self-sufficiency.<sup>253</sup> In South Sudan, the 'Green Corrections Initiative' aims to support the National Prisons Service through the creation of a

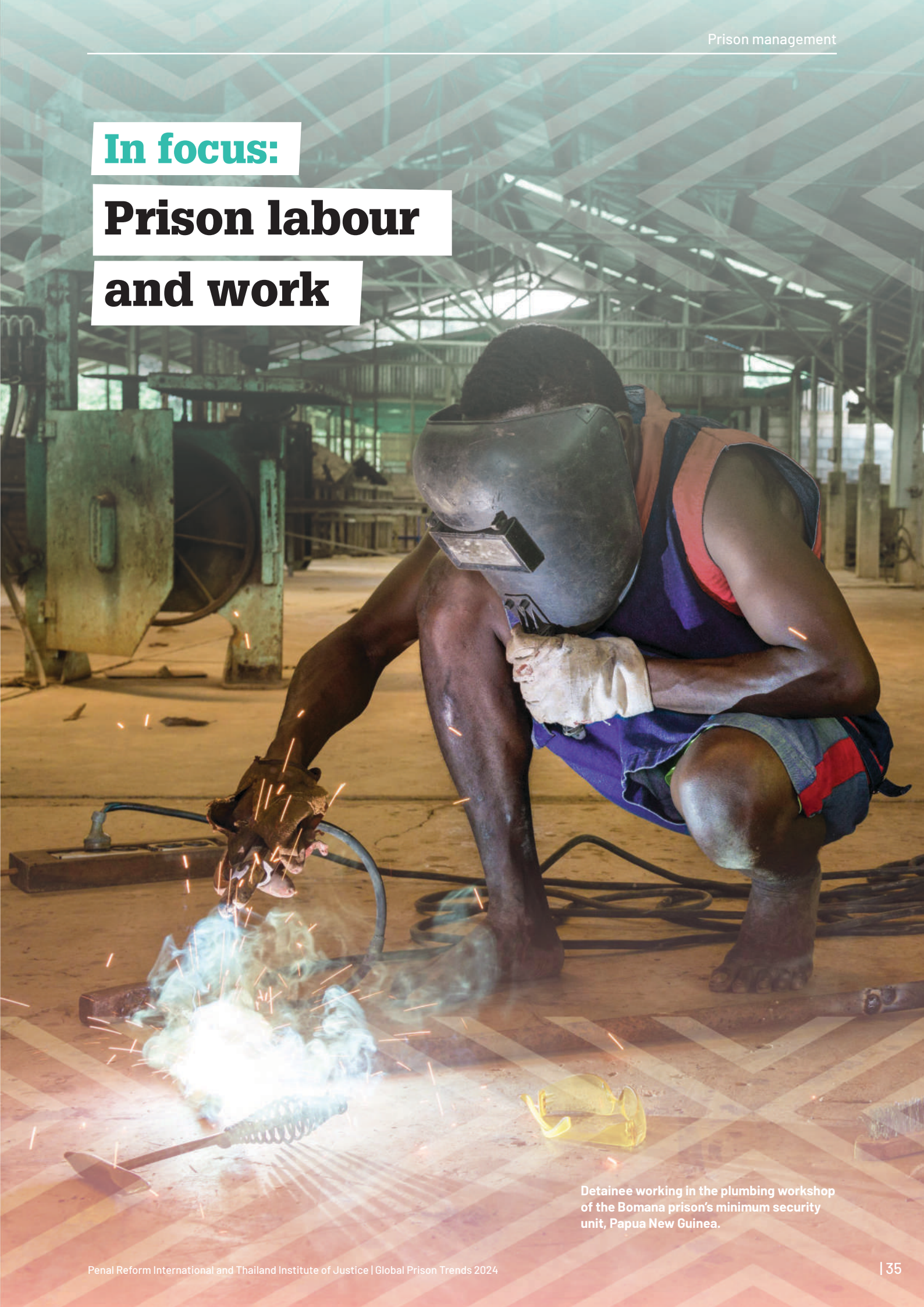
prison farm to boost food security and provide agricultural training to people on short term sentences – all against a backdrop of shortfalls in food production following floods and prolonged dry spells and in the context of regional conflicts.<sup>254</sup>

Sustainable practices are proving to also be economically beneficial and promote real work opportunities for people detained. For instance, a new prison farm in Portugal featuring 40 aeroponic towers produces

around 1,800 plants per month of crops to feed people detained and benefit local families.<sup>255</sup> One facility in France has access to an organic grocery store, which also serves as an educational tool to train people in prison in retail.<sup>256</sup> Also, South Africa's Department of Correctional Services has reported significant savings through its self-sufficiency and sustainability programme.<sup>257</sup>

**In focus:**

# **Prison labour and work**



Detainee working in the plumbing workshop of the Bomana prison's minimum security unit, Papua New Guinea.

## IN FOCUS

# Prison labour and work

## Global status

Many people participate in some form of work during their imprisonment. The type of work varies greatly from daily operational tasks such as cooking, cleaning and general maintenance to large scale farming projects, civil construction and on-the-job vocational training programmes. Agriculture, construction, cleaning, metalwork and carpentry are commonly seen across Sub-Saharan Africa. In many prison systems, people in prison handle in-house tasks like daily maintenance or meal prepping and distribution. Making handicrafts to sell is often common in women's prisons as seen in Nepal and Thailand.

People in prison work both inside and outside of prison facilities, employed directly by the prison administration, the public sector, by NGOs or private companies. Prison classification may allow people to leave the establishment temporarily to undertake work outside. In Colombia, new legislation now includes the option of independent employment, allowing people in prison to acquire materials and carry out occupational activities on their own account.<sup>258</sup>

People detained are sometimes employed in the public sector cleaning government offices and military facilities or sewing uniforms and shoes for officials. Jobs in the private sector for people in prison include textile work, call centre work, factory work and food preparation, for instance.

Global trends show that prison work is adapting to changes in local labour markets, as witnessed in numerous European jurisdictions. During the COVID-19 pandemic, many work programmes were adjusted or introduced to involve production of personal protective equipment. With the tech industry in Finland, people in prison are now employed in digital industries as 'click workers', training artificial intelligence to perform specific tasks by feeding it large amounts of data.<sup>259</sup> In the US, prison labour is increasingly linked to disaster mitigation and response, with some minimum-security prisons now designed specifically to provide training to people in prison to assist in responding to emergencies such as fires and floods, although it has attracted some criticism.<sup>260</sup>

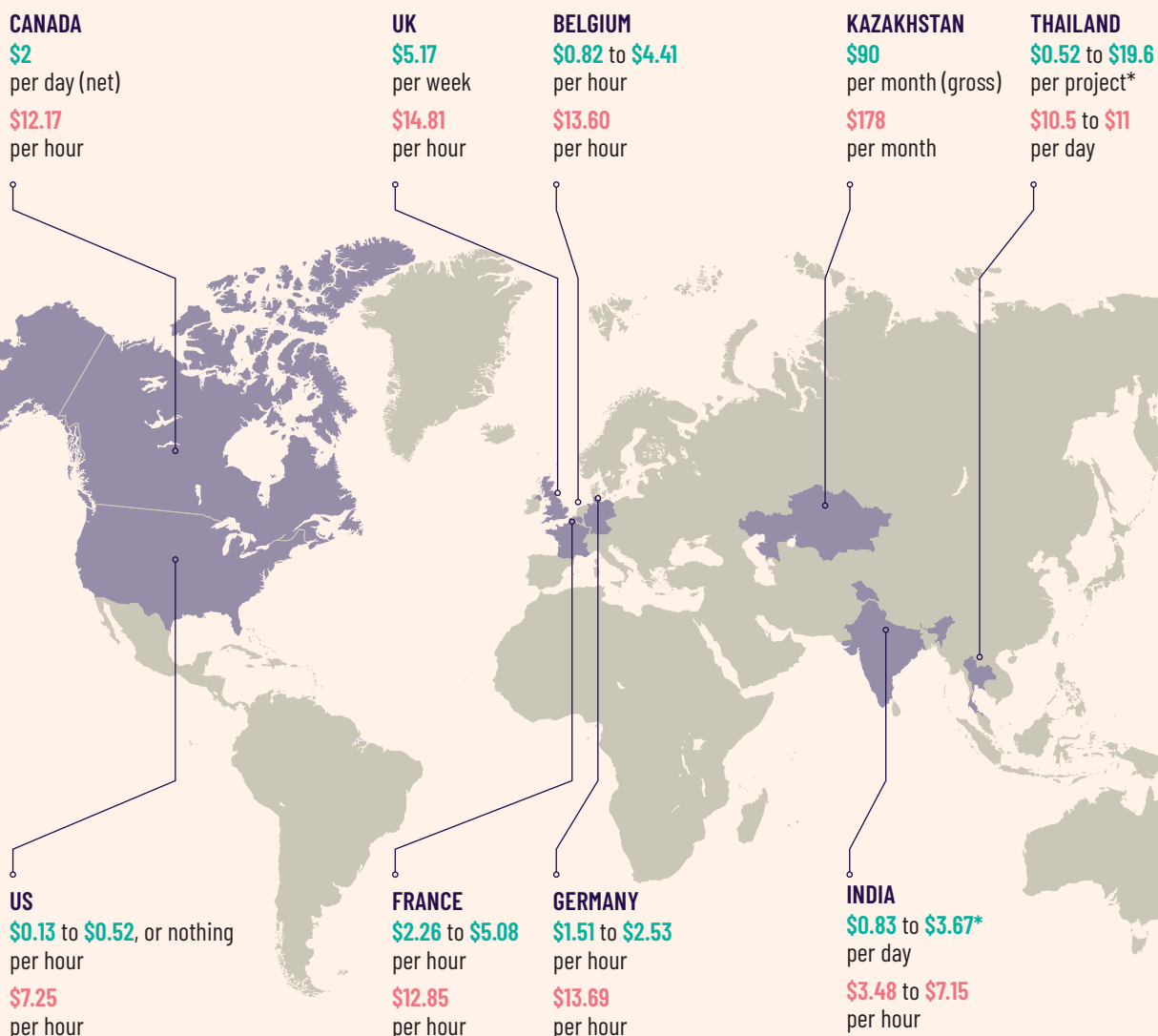
Access to work in prison is not guaranteed for those who want to participate; issues such as corruption, overcrowding and poor prison conditions continue to be reported as the major challenges. Infrastructure also impacts work opportunities. For example, in France, only a third of people in prison had access to work opportunities in 2022 due to increases in the number of people in prison and lack of opportunities, with 40% of jobs offered estimated to be low-skilled and less relevant to the job market.<sup>261</sup> In Italy, research by the NGO Antigone found there was a lack of space for work in 32% of the prisons they visited, while in other facilities everyone had an opportunity to perform some type of work.<sup>262</sup> Opportunities may also be limited for specific groups, often due to factors such as criminal offence, status as a foreign national, or the nature of their sentence (with those serving life sentences or on death row frequently excluded). In Morocco, people convicted of drug offences are excluded from opportunities to work.<sup>263</sup>

## Remuneration

There is a huge disparity in approaches to paying people for prison work across the world. In most Middle Eastern countries prison labour is not compensated, and similarly in Latin America, if

it is compensated, wages are low. North American countries provide pay for prison labour, but there is much criticism of exploitation schemes in the US and Canada. In Asia, some countries provide pay

for prison work like in South Korea and Taiwan, albeit minimum, but in contrast forced labour without pay has been documented in China and Myanmar. The picture in Europe is mixed with Scandinavian countries

A SNAPSHOT: PRISON LABOUR WAGES VS. NATIONAL MINIMUM WAGES, PER COUNTRY (IN US\$)<sup>264</sup>

Key: **PRISON LABOUR WAGE** (in green) / **NATIONAL MINIMUM WAGE** (in red)

\*projects can range from two days up to several weeks.

adopting a more progressive approach to pay for prison work, whereas other parts do provide pay but levels and access to fair and equitable work programmes vary greatly.

Where prison work is not compensated, it is sometimes justified on the grounds of providing vocational training as a rehabilitation opportunity or offsetting the costs of imprisonment. In Jordan, prison work is often unpaid, as it is designed to provide vocational training for rehabilitation, helping people in prison learn trades and professions

to support their reintegration into society. In Japan, work inside prisons is not covered by the relevant minimum wage legislation because it is not based on a contract between an employee and an employer, leaving detainees without the legal protections and fair compensation typically afforded to workers. Under the country's penal code, prison labour is considered a form of punishment and rehabilitation, and not necessarily a means to earn an income, although detainees can request to use some of their earnings to buy daily amenities.<sup>265</sup>

Where prison labour is paid, the rates vary greatly. A common approach is for salaries to be based on a nominal wage that is significantly lower than the national minimum wage. Pay based on or close to market rates is a less common approach but exists in Norway and Sweden. Some countries differentiate based on who the employer is. In Romania, for instance, people in prison who are employed by external companies receive the minimum wage and are not required to contribute to social security.

Typically, the money earned from prison work is insufficient for purchasing items needed or to keep in contact with people outside. Exploitation is also a concern often raised by watchdogs or NGOs. In Niger, workers on prison farms barely receive any salary and have no social protection.<sup>266</sup> An investigation into prison labour in the US by the American Civil Liberties Union found that people in prison earn a pre-tax hourly average wage of between 13 and 52 cents, and in some states, they receive nothing. This is even though every year imprisoned workers in the US produce more than \$2 billion in goods and commodities and over \$9 billion in services for the maintenance of the prisons.<sup>267</sup>

In Canada, the Office of the Correctional Investigator has stated that the payment system for people in prison is so flawed that it fails to encourage participation in vocational and work programmes. People in prison are paid a maximum of \$6.90 a day – a rate that has remained the same since 1981 – with the majority

earning less, and with significant discrepancies in pay for Black people in prison. Mandatory deductions for prison-related costs mean that the net pay is approximately \$2.78 per day,<sup>268</sup> contrasting with the current minimum wage in Canada of \$16.65 per hour.<sup>269</sup> A similar trend can be found elsewhere, including in Germany and Australia where prison wages are also paid disproportionately lower than free-market wages.<sup>270</sup> In 2023, Germany's Federal Constitutional Court ruled that the current prison wages, ranging from €1.37 to €2.30 per hour, were too low and should provide people in prison with a tangible benefit over those who do not work.<sup>271</sup> In the State of New York, a proposed Prison Minimum Wage Act is under debate, which would set a minimum wage of \$3 per hour for prison work.<sup>272</sup>

Corruption and bribery leading to unequal access to work and rehabilitation programmes continues to be reported in many parts of the world.<sup>273</sup> (See Spotlight: Corruption

in prisons) In self-governing prisons or where gangs are dominant, people in prison in positions of power can control who has access to employment and what they get paid. In Lebanon, for example, it is reported that richer people in prison delegate cleaning tasks to poorer prisoners, who work in exchange for food and protection.<sup>274</sup> In El Salvador, while wage protections for people in prison are in place, they are reported to be regularly flouted in practice.<sup>275</sup>

The impact of low wages in prisons combined with the high cost of imprisonment can leave people in prison with little spending power and few opportunities to support their families, save for release or pay for legal fees. Goods available for purchase by people in prison are often sold with a higher margin. In many cases people in prison report having to spend all their pay on basic commodities. This has been reported by people released from prison in Cambodia and in Japan.<sup>276, 277</sup>

## Forced labour in prison

Compulsory or forced labour is when someone is forced to do work they have not agreed to under threat of penalty. In prisons, forced labour violates international law when carried out for private individuals or companies.

Reports indicate that abuses of compulsory labour take place in public and private prisons in most regions. The Global Slavery Index found such abuses in Brazil, China, North Korea, Poland, Russia, Turkmenistan, Vietnam and Zimbabwe.<sup>278</sup> In 2023, the UN Mechanism on Racial Justice in Law Enforcement described unpaid or poorly paid convict labour in the US

as a 'contemporary form of slavery',<sup>279</sup> where people in prison are required to work and can face punishment such as solitary confinement or loss of family visits if they refuse to do so.<sup>280</sup> The UN Special Rapporteur on contemporary forms of slavery is currently investigating the links between imprisonment and slavery among both currently and formerly imprisoned people.<sup>281</sup>

There have been cases of forced labour connected to global supply chains. In 2023, two large international retailers opened investigations into their supply chains in Cambodia following allegations that women in prison

were being forced to make clothing for export as part of a purported rehabilitation programme. An investigation revealed the women were paid between \$1.75 to \$5 per month and punished if they refused to work. Three local companies had previously been fined for using people in prison to make goods for export to a value of approximately \$190,000.<sup>282</sup> An investigation into US prisons also found that agricultural goods produced by people in prison under coerced conditions end up in the supply chain of the country's biggest food companies and brands.<sup>283</sup>

## Improving prison work conditions

A new report published in August 2024 by the UN Special Rapporteur on contemporary forms of slavery advocates for recognising people in prison as 'workers' under national law, ensuring they receive labour protections such as fair wages in line with the national minimum wage and adjusted for inflation, reasonable working hours, and safety measures. The report also recommends investing in education and vocational training to aid in their rehabilitation and reintegration upon release.<sup>284</sup>

There have been some recent efforts to improve protections for prison workers, such as in France where a 2022 decree improving work-related rights of persons in prison includes an employment contract specifying responsibilities, working time and minimum amount of remuneration. However, the pay rate remains below the minimum wage.<sup>285</sup> Several US states have reformed their constitutions in recent years to protect against forced prison labour, with others aiming to follow suit soon.<sup>286</sup> Similar efforts are underway at the federal level.<sup>287</sup> In the UK, the prison officers' union has called

for people in prison to be paid the national minimum wage, noting that this would create a better work ethos and allow people in prison to save for their release.<sup>288</sup>

A recent international report cast doubt on the extent to which prison work benefits people in prison, prison leavers and society, noting that the work rarely meets expectations because so much is unskilled and simply sustains the prison's operations.<sup>289</sup> The UN Special Rapporteur on Torture has also pointed out that work and education programmes in prisons often only provide for rudimentary skills rather than equipping people with marketable skills upon release.<sup>290</sup>

For prison work to benefit people, adequate systems and protections need to be in place. Benefits include relieving stress and boredom, improving chances of successful reintegration, and reducing recidivism. Many people in prison report that they wish to be productive while in prison, to have the opportunity to earn money and acquire skills useful for future

employment.<sup>291</sup> When opportunities to work were reduced during the COVID-19 pandemic, some described missing the daily routine of work, giving them something to look forward to and the chance to socialise.<sup>292</sup>

Cooperation with community organisations and potential future employers has been shown to be useful for the success of prison work programmes and ensuring post-release opportunities. In Mexico, the National Committee for Penitentiary Labour Promotion is working with private companies to promote the importance of including people in prison in the workforce.<sup>293</sup> In Malaysia, authorities are encouraging more employers to come forward to give opportunities to people released from prison,<sup>294</sup> and in Singapore 6,516 employers supported the hiring of people released from prison during 2023.<sup>295</sup> Finally, Brazil has recently legislated to incentivise private companies to contract prison labour and employ people released from prison.<sup>296</sup>

## Prison work for women

For women, work programmes often reinforce a domestic role with many centred around gendered stereotypes including beadwork, sewing and laundry.<sup>297</sup> In Belgium, one report pointed to discriminatory practices towards women in prison who face limited access to work and education, with job opportunities often being rare, gendered, and low paying, such as sewing, which

provide little training or social benefits. Compensation for prison work in Belgium is minimal, ranging from €0.75 to €4 per hour, with no job security or social protection, making it difficult for them to save money for legal fees or daily expenses, thereby exacerbating the financial burden of women in prison.<sup>298</sup> There are some efforts to address this issue, as seen with an innovative aquaponics

programme for women in Botswana's prisons<sup>299</sup> and new programmes for women in prison to code in the US.<sup>300</sup> PRI has also implemented small business training for women in prison including in Uganda and Georgia to tackle this issue.

## PART FIVE

# Role and use of technologies

Digitalisation of justice systems has become a priority in many regions, particularly seen with the expansion of electronic monitoring or virtual hearings, which is increasingly becoming a concern for human rights advocates.<sup>301</sup> Like the rest of the criminal justice system, the rapid growth of technologies in prisons has continued, albeit moving at different rates from one context to another. Some of the most advanced Artificial Intelligence (AI) systems are currently operating in prisons in parts of Asia, including in Singapore, South Korea and China.<sup>302</sup> The introduction or expansion of technologies in prisons is slower or even reversed in lower income settings where their use is more limited generally and, moreover, investment in prison infrastructure is poor.

The move towards digital technologies in prisons is motivated by different priorities. Digitisation of hearings has seen an investment in infrastructure and prison staff training in Cabo Verde, for example.<sup>303</sup> However, for the day-to-day running of prisons, security remains the most common reason for the expansion of technology, as seen in Turkmenistan, where video surveillance is used to prevent torture and ill-treatment.<sup>304</sup> Biometric identification systems such as fingerprinting, eye scans, facial and voice recognition have been described as a 'game-changer' for prison security<sup>305</sup> including for access control, preventing unrest and detecting suspicious behaviours. Biometric technology can be linked to digital calendars, including prison appointment systems, enabling people in prison to move within

prisons without the need for physical escort, but with real-time data available to staff about their location, as seen in places like Northern Ireland. There the benefits reported include reducing pressure on staff, empowering people detained, and improving monitoring.<sup>306</sup>

In Nigeria, the collection of the biometric data of people in prison was driven by frequent escapes.<sup>307</sup> In Bangladesh, the government was directed to store biometric data to avoid mistaken identity and wrongful imprisonment.<sup>308</sup> With prison staff shortages a common challenge, technological companies offer solutions with one company describing their bands worn by people in prison linked to sensors embedded in walls as useful for situations where staff is stretched thin, describing the technology as 'like having a set of eyes on [the prisoners] at all times. And not just their location, but also their biometric data.'<sup>309</sup>

Technologies are also being increasingly used for purposes of rehabilitation and reintegration, healthcare and to facilitate day to day prison operations. A new report by the UN Interregional Crime and Justice Research Institute (UNICRI) details the potential benefits and risks of introducing new technologies in prisons to facilitate rehabilitation. Several examples detailed include the provision of online training and digital literacy courses that have become more commonplace in all corners of the globe, including in Thailand, and virtual reality (VR) for training people in prison in France and Spain.<sup>310</sup>

Telemedicine, telepsychology and biometric identification for medication management continues to develop. In Hong Kong, a new private sector collaboration will introduce new technology to existing smart prisons, including the installation of sensors under hospital mattresses to monitor the health of people in prison with medical conditions, including heartbeat and breathing rate.<sup>311</sup> Increasingly, worn devices can alert staff to potential health problems and suicide attempts. An evaluation of people in prison and staff experiences of medication dispensing lockers using fingerprint access in England found this freed up time for staff, was faster and more reliable, and reduced disruption to other activities of people in prison. People in prison reported that the system reduced anxiety and concerns in relation to medications collection,<sup>312</sup> although the potential benefits, risks and effectiveness are still to be fully understood.

The use of virtual reality for staff training and rehabilitation of people in prison is another growth area, though questions remain about its reach, purpose and effectiveness. It has been noted that studies of the benefits of using VR in prisons remain limited.<sup>313</sup> Developments include patents of VR systems which could supplement or entirely replace in-person visits, devices to monitor gaming sessions, indicating the individual's mood, and augmented reality devices which could be used to track the activities and movements of staff.<sup>314</sup> In Pennsylvania, US, prisons are

Telemedicine pilot project in seven North Rhine-Westphalia prisons, enabling prisoners to access round-the-clock medical care via digital technology, Germany.

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using VR headsets for virtual visits between imprisoned parents and their children and to simulate social scenarios for reintegration preparation, including possible post-release scenarios such as family conflicts.<sup>315</sup> In other prisons, it is possible to navigate self-checkouts in virtual supermarkets to prepare for release.<sup>316</sup>

The growth in the criminal justice technology market has seen an increase in private sector involvement.<sup>317</sup> Innovations in prison technology and communication are increasingly moving from smaller to large-scale projects designed and delivered by global corporations with some companies having an increasingly large share of the market.<sup>318</sup> In Hong Kong, where smart prisons are already in operation, a new public-private partnership will include the establishment of a 'penal lab' in prisons where new technologies will be tested in the operating environment.<sup>319</sup> In the US, private companies provide access to communications technologies for people in prisons,<sup>320</sup> a sector which is reported to generate \$1.4 billion in phone call revenue alone.<sup>321</sup> Following criticism of the high prices of calls, forcing many families into debt, an act was passed

in January 2023 requiring regulation of communications charges in detention facilities.<sup>322</sup>

With the private sector's increasing role, attention has turned to their selection and ways of operating. The Council of Europe has reiterated that public authorities must remain fully responsible with oversight over how companies design and deliver technologies, noting rehabilitation must trump profit. The European Union Artificial Intelligence Act adopted in May 2024 lays down a framework for private companies providing public services, and the Council of Europe is expected to adopt a recommendation on the ethical and organisational aspects of the use of AI and related digital technologies by prison and probation services – the first instrument of its kind.<sup>323</sup>

The adoption of technologies in prisons, and wider criminal justice systems, is seeing impacts on human rights, respect for private life, data protection and safety. In Singapore, human rights groups have questioned the accuracy, necessity and fairness of technology used for headcounts and monitoring in prisons. People in prison described feeling dehumanised

and disrespected due to constant surveillance and lack of privacy.<sup>324</sup> The lack of a data protection law in India has raised concerns over the misuse of technologies in prisons, including the disproportionate targeting of marginalised communities. In Australia, rights groups warn that facial recognition technology is riddled with racial biases and that a \$12.8 million deal to roll out the technology in prisons will exacerbate negative impacts on Aboriginal and Torres Strait Islander peoples.<sup>325</sup>

Observers point out that technologies cannot address deep-seated issues faced by people in prison or replace human interaction, including dealing with past trauma, mental health issues and social alienation.<sup>326</sup> The use of technologies may also be challenging for some, including older people, neurodiverse individuals, people with mental health problems and those with sensory difficulties. Studies in Belgium raised concerns that in-cell computer access could result in vulnerable individuals spending most of their time in the cells, effectively withdrawing from the public life of prisons.<sup>327</sup>

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