

**Committee:** United Nations Office on Drugs and Crime (UNODC)

**Issue:** Prison Reform and the Alternatives to Imprisonment

**Student Officer:** Eleftherios Staikos

**Position:** Deputy President

---

## PERSONAL INTRODUCTION

Dear delegates,

My name is Eleftherios Staikos and I will have the pleasure and honor to serve as your deputy president in the UNODC. Firstly, I would like to congratulate you for taking part in the 2<sup>nd</sup> ACGMUN, a conference which will introduce newcomers to Model United Nations and will enforce the willingness and stamina to be active and form great resolutions for everyone.

The study guide refers to the second topic, namely Prison Reform and the Alternatives to Imprisonment. It includes main aspects of the above-mentioned topic and some general information that you ought to be aware of. However, acknowledge the fact that this is just a starting point for you to research in depth on your own.

For any questions that might occur feel free to contact me at: [staikoslefteris@gmail.com](mailto:staikoslefteris@gmail.com)

Kind regards,  
Eleftherios Staikos

## TOPIC INTRODUCTION

Imprisonment (in 3<sup>rd</sup> millennia BC) was a foundation that almost every major civilization had implemented as a means to deprive political rights and freedom from offenders. At that time, a person would be immured till the actual punishment could be carried out. Thus, prisons were mostly used as a temporary place that would host suspects of a crime or guilty ones before sentencing their penalty (death penalty, slavery etc.). But, as civilizations developed, prisons turned into correctional facilities that aspire to rehabilitate prisoners and focus more on what led them to acquire a criminal behavior instead of punishing them for the crime they committed.

The birthplace of modern imprisonment is none other than 19<sup>th</sup> century England. The pioneer that reformed prisons was Jeremy Bentham, a philosopher that was against death penalty. So, Bentham created a concept of a penal institute that would host offenders as a form of punishment. During the 19<sup>th</sup> century, governments (especially in the USA and the UK) were introduced to the concept of rehabilitation and started thinking more about prisoners' health and even started reconsidering their views on solitary confinement<sup>1</sup>. In the beginning of the 20<sup>th</sup> century -as a side effect of World War 2- over 300 detention centers and concentration camps were formed by the Nazis. In such institutes political opponents, Jews, gypsies, criminals and others were detained without judicial process<sup>2</sup>.

The modern imprisonment system was finalized by the end of the 20<sup>th</sup> century where a lot of changes were implemented<sup>3</sup>. Some reforms were designed to make prisons less brutal places, to give prisoners some self-respect. Firstly, young offenders were removed entirely from the adult justice system<sup>4</sup>. In an attempt to deal with unemployment and family breakdown, which often led ex-prisoners back to crime, they were given an allowance, meaningful work, and family visits were made easier<sup>5</sup>. Moreover, flogging was abolished in 1948. A lot of penal institutes were aiming to make sure that prisoners after their sentence would not relapse. Thus, they started providing the inmates with workshops and prisoners were allowed to earn some money to tide them over when they were released.

In the 1960s prisons started getting overcrowded due to high crime rates. A larger number of inmates and longer sentences led to massive over-crowding, which led to worse conditions and fewer opportunities for education and workshop time.

---

<sup>1</sup> Prison history net, history of prisons.

<sup>2</sup> Prison history net, history of prisons.

<sup>3</sup> National archives UK, crime and punishment, case study 2.

<sup>4</sup> National archives UK, crime and punishment.

<sup>5</sup> National archives UK, crime and punishment.

Nowadays a lot of questions have been raised concerning the effectiveness of imprisonment.

## DEFINITION OF KEY TERMS

### Hindered foundations

The term refers to the socially and economically disadvantaged backgrounds that the prisoners come from. More specifically: poverty, unemployment, lack of housing, broken families, psychological problems and mental illnesses, drug and alcohol abuse, and domestic violence<sup>6</sup>

### Solitary confinement

Solitary confinement is a form of imprisonment in which inmates are isolated from any form of human contact. That was a primary source of the increased numbers of insane, suicidal and catatonic prisoners<sup>7</sup>.

### Prison reform

Prison reform is the effort to improve conditions inside prisons, establish a more effective penal system, or implement alternatives to incarceration.

### Alternatives to imprisonment

Alternatives to imprisonment are alternative -to imprisonment-forms of punishments to an offender that are given by court. (i.e. community service)

### Flogging

Hurt someone with a whip or stick as a form punishment. It was mostly used in prisons as a correctional method.

## BACKGROUND INFORMATION

Penal institutions nowadays suffer from severe over-crowding. This phenomenon actually jeopardizes governments' economic growth, inmates' health and safety, inmates' families and last but not least, communities as a whole. Firstly, imprisonment has a variety of duties. It hosts people that are accused of committing a crime in captivity until their innocence or guilt has been proven by court.

---

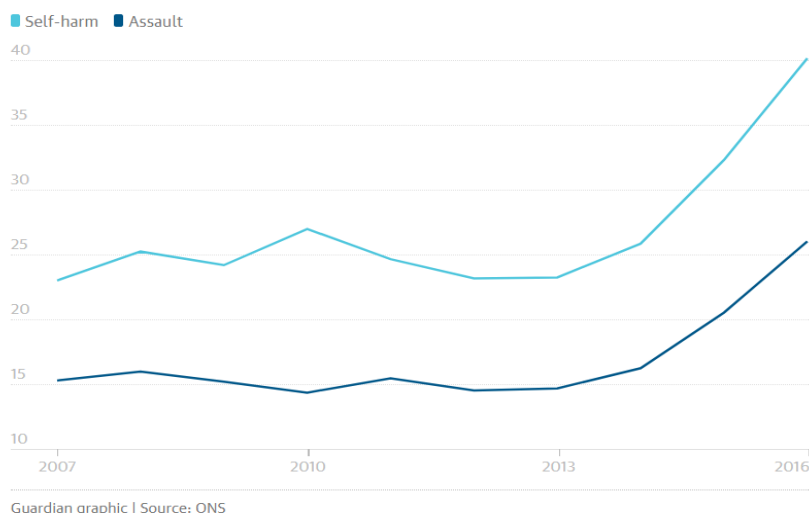
<sup>6</sup> UNODC document, Justice and prison Reform, Custodial and Non-Custodial Measures, Alternatives to Incarceration.

<sup>7</sup> Prison history net, history of prisons.

Moreover, it keeps lawbreakers from committing further crimes and thus allows them to rehabilitate while assessing punishment. Having said that, the main goal of rehabilitation in prisons is not to only punish prisoners for the reason that cost them their liberty but to figure out what led them to acquire criminal behavior so as to reduce criminal rates. However, imprisonment doesn't seem to correspond to its aspirations. The greatest majority of inmates are associated with hindered foundations and by addressing the issue with imprisonment to all offences; many questions are being raised, since imprisonment does not constitute a sustainable solution. Thus, imprisonment affects many groups of people and sectors.

### Prisoners

Prisoners are the group of people that is mostly affected by imprisonment. As mentioned before, the greatest majority of them come from disadvantaged backgrounds that led them acquire delinquent behavior. But do penal institutes actually correspond to their rehabilitation purpose? It is a fact that rehabilitation and correctness is not achieved by imprisonment for a cornucopia of reasons. Criminologists have argued that a prison doesn't alter criminal behavior and there's a very high likelihood that inmates will re-offend once they finish their term and leave prison.<sup>8</sup> Moving on, prison seems to be an inappropriate place for people to rehabilitate since their mental and physical health is threatened. That happens since racism, violence, drug trafficking and assaults are, unfortunately, common in prisons.



#1 Prison assaults and incidents of self-harm from 2013 to 2016

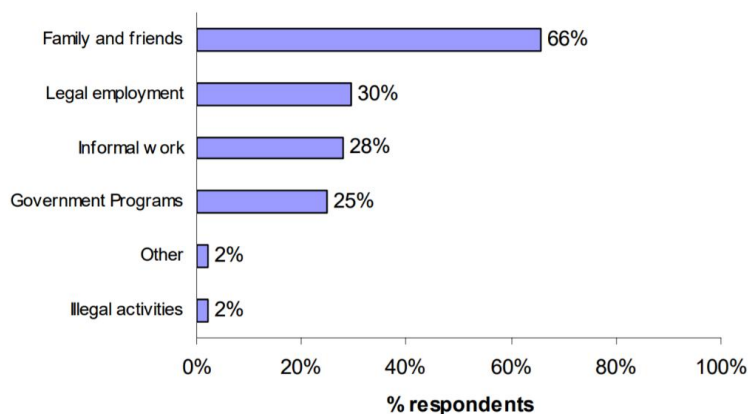
### Inmates' families

Imprisonment does not only punish prisoners that have committed a crime. It also applies to their families as well. A lot of inmates have their own families that they are allowed to see roughly once a week. When it comes to children, prisons are

<sup>8</sup> LawTeacher Net, criminology

a place that they ought not to interact with. With that being said, offenders -even the ones accused with low-class crimes- lose contact with their families (mostly their children), something that can have a really negative impact to a child when growing up without one or both of its parents. Most families experience financial losses as a result of parental incarceration and that loss is the greatest for those families who try to maintain the convicted individual as a family member. There are the costs of maintaining the household as well as the loss of income of the imprisoned parent who was contributing to the household, legal fees associated with criminal defense and appeals, the costs associated with maintaining contact during imprisonment and the costs of maintaining the prisoner while he is in prison. At first glance, it appears that since, many prisoners were not employed and a high percentage had drug problems, they weren't actively contributing to the family's income and that their imprisonment placed families in a better, rather than worse, financial position. This is no doubt the case in some situations.<sup>9</sup> Moreover, a large proportion of former prisoners have low levels of educational attainment and work experience, health problems, and other personal characteristics that make sure that the chances that a prisoner would be hired after their sentence are minimum if nonexistent. Having said that, former prisoners cannot contribute to a family's income and thus it is being decreased. What is more is, due to unemployment, a lot of former offenders re-embrace delinquent behavior so as to be able to afford the essentials.<sup>10</sup>

**The most common source of income for formerly incarcerated people 2 months after release was family and friends.**



*#2 Common sources of income for formerly incarcerated people*

## Governments

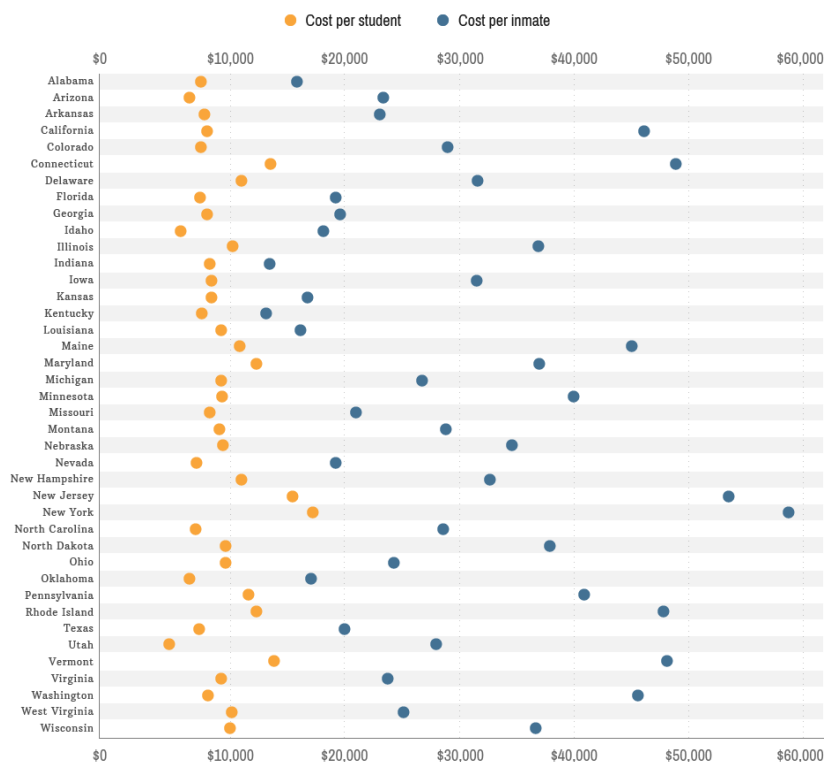
Due to the severe prison over-crowding, governments all around the world need to invest in correctional institutes. That means that should imprisonment continue to exist, they need to either build new centers or to enlarge the already

<sup>9</sup> U.S. Department of Health & Human Services

<sup>10</sup> Urban institute, Justice Policy Center

existent ones. If that were implemented, it would cause a huge wound to a governments' economy and to communities too. In any case governments would be charged with enormous amounts of money, something that raises a lot of questions such as: where would the money come from? And what would the government prioritize when it comes to investing?

Housing an inmate (in the USA) for a year costs anywhere from \$10,000 for a low-security inmate in a state where correction officers are paid modestly to more than \$100,000 for maximum-security inmates in states with high prison-guard salaries.<sup>11</sup> It has been proven that a lot of countries and states actually invest more money in correctional institutes rather than education.



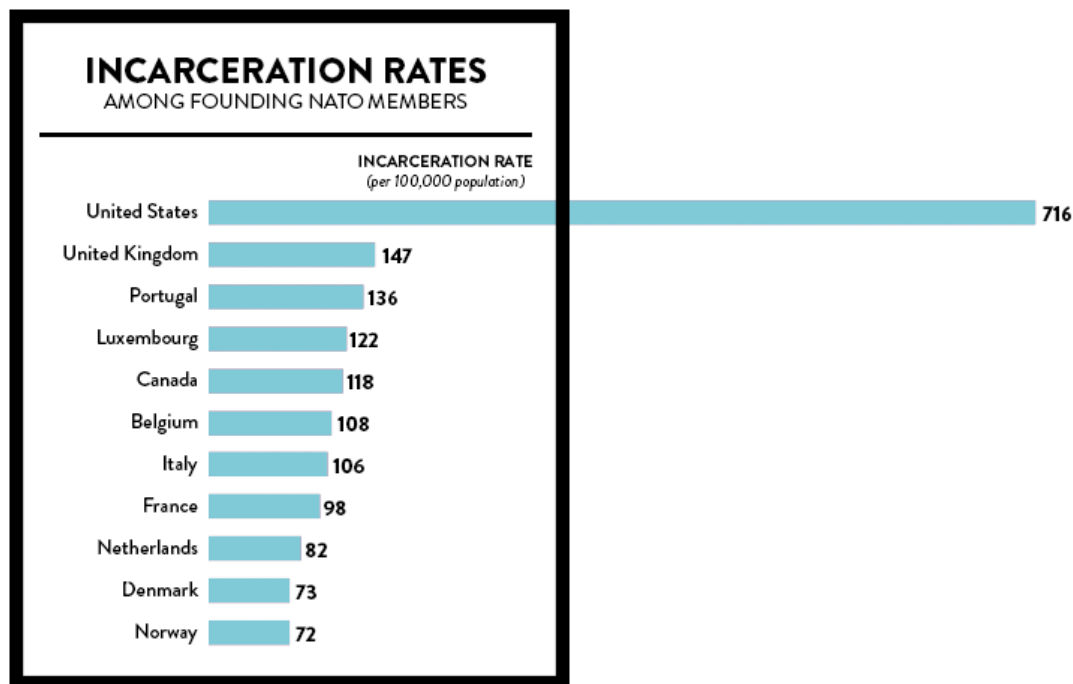
#3 This is data from 40 states depict how much government money is spent per year to educate an elementary/secondary school student compared to the cost of keeping an inmate imprisoned. Even though the above graph concerns the USA, it is a representation

### Communities/Society

Due to mass incarceration, unfortunately communities all around the world have to pay the price because that phenomenon clearly affects communities in various ways. Economics aside, the toll that mass incarceration takes on communities is immeasurable. Children losing one or more parents to incarceration can set a child up for a life of poverty and detrimental mental health issues.

<sup>11</sup> Nationalaffairs.com, responsible prison reform.

Furthermore, communities that suffer from a high rate of mass incarceration often are impacted by “zero-tolerance” policies in schools. Thus, children often experience their first arrest in their early teenage years and quickly find themselves on a path of repeated incarceration. One of the most heartbreaking pieces of the mass incarceration story is the repeated injustices that inmates find themselves faced with.<sup>12</sup>



Source: <http://www.prisonpolicy.org/global/>

#4 The above graph shows the countries that have the greatest percentages of incarceration per population. It is clearly shown that imprisonment is not only inefficient when it comes to limiting crime activity but it is also unable to manage the increasin

### Children and the criminal justice system

Children are among the most vulnerable members of society. The law of the state protects children until they are deemed to be able to interact in society as adults. For this reason children are treated differently from adults by the criminal justice system. The law which deals with children found in breach of the criminal law is contained in the Children Act, 2001.

The Children Act 2001 Act became a law in July 2001 and since then most of the provisions of the 2001 Act and the amendments have been brought into force. The 2001 legislation is based on the philosophy that children in conflict with the law should only be detained (custody) by the state as a last resort. There are many

<sup>12</sup> Catholic Charities, how mass incarceration affects communities

community-based measures, which must be explored and exhausted before detention can be considered.

Lastly, Criminologists have explored over many years the relationship between incarceration and crime. The relationship turns out to be more complex than one might assume at first, and a challenging one to measure as well. But the era of mass imprisonment adds new wrinkles to this relationship, essentially due to the scale at which prison is used. We can see this in two dimensions. First, as a prison system expands, it is almost inevitable that there will be a point of diminishing returns in crime control. That is, the additional costs expended to apprehend and imprison offenders will not outweigh the costs of crimes prevented.<sup>13</sup>

## MAJOR COUNTRIES AND ORGANISATIONS INVOLVED

### United States of America (USA)

The United States' prison population has increased 500% in the last forty years with the current number of American inmates nearing 2.3 million.<sup>14</sup> The USA needs to take drastic measures when it comes to prison reform. Since there is a continually increasing number of prisoners, it would be crucial for the US to find alternatives to imprisonment so as to reassure that in prisoners, in inmates' families and in communities, clarity and balance will prevail.

### Russian Federation

Non-EU member Russian Federation is mostly affected by severe overcrowding. This country has the largest number of inmates in comparison with other countries that belong in the EU and also an increasing crime rate, a phenomenon unexpectedly due to the increasing prison population. A similar situation is observed in the UK.

### Netherlands

While the UK and much of the world struggles with overcrowded prisons, the Netherlands has the opposite problem. It is actually short of people to incarcerate. In the past few years 19 prisons have closed down and more are slated for closure next year.

---

<sup>13</sup> WALTER C. RECKLESS MEMORIAL LECTURE, Thinking About Prison and its Impact in the Twenty-First Century

<sup>14</sup> Archdiocese of New Orleans



### Scandinavian countries

Norway, Finland, and Sweden share many commonalities. The main commonality between the Scandinavian countries in the penal policy realm has been the reservation of prison as a punishment of last resort for only serious offenders, in an effort to limit social marginalization and to maintain equality among all citizens. Consequently, the countries' penal policies have traditionally been characterized by low and stable imprisonment rates and much shorter average prison sentences than are seen in most other penal environments in the Western industrialized world.

### Prison Policy Initiative

The non-profit, non-partisan Prison Policy Initiative produces cutting edge research to expose the broader harm of mass criminalization, and then sparks advocacy campaigns to create a more just society. Peter Wanger co-founded the Prison Policy Initiative in 2001 to document and publicize how mass incarceration punishes our entire society.

### BLOCS EXPECTED

The alliances that are mostly expected in this topic are really flexible due to the fact that this issue concerns every single country/organization. However, a better outcome would come if delegations were facing the same problems. For instance, USA and the UK are actually facing tremendous issues with over-crowding. On the other hand, Scandinavian countries namely Norway, Finland, and Sweden do not face a problem with over-crowding and their policies are similar.

### TIMELINE OF EVENTS

Date	Description of event
1779	Penitentiary Act included the concept of the "rehabilitation" to the UK prisons
1791	Philosopher Jeremy Betham created designs for his "perfect prison", where government could spy on unknowing inmates
1815	For the first time in history, UK government started paying the wages of Jailers and inspected conditions in prisons
1817	Elizabeth Fry fought for prison reform, solutions of the problem of overcrowding, women's prisons and

	children correction centers
1890	Great amounts of insane, suicidal and catatonic prisoners brought some concerns to the legal system that enforced mandatory solitary confinement in US prisons
1902	In this year, first reform school for delinquent boys is opened in Borstal, Kent
1948	UK Criminal Justice Act created a model of all modern prisons
1983	This year marked the first occurrence of "permanent lockdown" mode in US prisons (23h long periods of cell isolation, with communal yard time for all inmates, work, educational programs and meals in cafeteria)
1991	The Criminal Justice Act introduced the concept of "Probation Service" for all prisoners that served the sentence that was longer than 12 months
1993	Modern UK Prison Service was formed

## RELEVANT RESOLUTIONS, TREATIES AND EVENTS

### Resolution 2004/25

Rule of law and development: strengthening the rule of law and the reform of criminal justice institutions, with emphasis on technical assistance, including in post-conflict reconstruction. This resolution focuses on the changes that have to take place in order for clarity and well-being to prevail in prisons.

### Resolution 2004/35

Combating the spread of HIV/AIDS in criminal justice, pre-trial and correctional facilities. The above resolution covers an important aspect of prison life, which is none other than transmitted diseases, and the measures that ought to be taken in order to eliminate such phenomenal.

### Resolution 2006/22

Providing technical assistance for prison reform in Africa and the development of viable alternatives to imprisonment. The resolution proposes ways so as to “replace” imprisonment with other forms of legal punishment and improve technical facilities in correctional institutes in African states.<sup>15</sup>

<sup>15</sup> UNODC documents, Justice and Prison reform

## PREVIOUS ATTEMPTS TO SOLVE THE ISSUE

Using alternative dispute resolution as a means of decongesting the prison system. In Nigeria they are piloting a 'Front Loading' restorative justice program in Lagos and Enugu, in which program prison authorities identify cases that have been awaiting trial for lengthy periods of time and refer them to the Director of Public Prosecution. After analyzing the files, if the Director of Public Prosecution finds that the case is minor, they are approved for 'front loading'. Contact is then made with both the offender and the victim and both are referred to the mediation center where a trained facilitator attempts to bring the two parties to an agreement of restitution and reconciliation. Where this is achieved, a written agreement is signed and sent to the magistrate to sign in order to release the inmate. This frees up time for magistrates to deal with more serious cases and helps to reduce the overcrowding in prisons.<sup>16</sup>

New York City, the largest city in the United States, has created important alternatives to incarceration (ATI) program for its prison system. Judges have the option of sending those with misdemeanors or felonies to this program instead of giving them a prison sentence. The program has four categories: general population, substance abusers, women, and youth. The program has a 60% success rate, which is relatively high. Offenders who fail the program receive a mandatory prison sentence, which gives them good incentive to succeed. Those who don't succeed tend to have a past with incarceration. As the biggest city in the United States, New York City is often a trendsetter for other cities. This program could be the first of many in the United States, which could help lower incarceration rates.<sup>17</sup>

It is crucial to understand how alternatives to incarceration or detention for minors are developed and implemented. Investigations show that incarceration and education are closely associated. Restorative justice in the forms of boot camps and military programs adopted into public education options is starting to be considered. A variety of programs for anger management, self-esteem, etc. have been developed and those working with academics are called upon to develop such alternatives. It is shown that people in society are willing to pay for rehabilitation for juvenile offenders as opposed to other forms of punishment. A solid example would be Kentucky that has passed a bill in which the state encourages community-based treatment over detention for juveniles. Some of the measures introduced early intervention process, evidence-based tools for screening and assessing juveniles, or place limits the maximum out-of-home placement.

---

<sup>16</sup> pri\_admin. "Ten African Solutions to the Problem of Prison Overcrowding in Africa." Penal Reform International, Nikhil Roy, 25 Feb. 2013, [www.penalreform.org/blog/ten-african-solutions-problem-prison-overcrowding-africa/](http://www.penalreform.org/blog/ten-african-solutions-problem-prison-overcrowding-africa/).

<sup>17</sup> "Balancing Punishment and Treatment: Alternatives to Incarceration in New York City" (PDF).

Despite the efforts of organization groups, such as the American Bar Association, in promoting alternatives to imprisonment, they seem to be ignored when it comes to the federal government. Some alternatives introduced in this article include confinement, community service, tracking devices, and expanded terms in halfway houses. Some other ideas include an increase in supervision for a decrease in time as an alternative to long-term imprisonment. This technically wouldn't be an alternative to incarceration, but rather to full-term supervision. There are often cases such as with parents and drug abusers that need special attention and aren't so easy to incarcerate. When it comes to parents, the court should determine what kind of parent the defendant is. Actions should be made based on that alone. Those addicted to drugs should be looked at carefully. For less dangerous criminals, treatment facilities should be the first option. The Residential Drug Abuse Program helps inmates addicted to drugs get released early, through the overcoming of their addiction.

## POSSIBLE SOLUTIONS

The topic by itself is urgent since it affects many political organs and groups of people. The possible solutions that should be addressed are; Firstly, giving the opportunity to more inmates to be able to reduce their sentence through credit for good behavior. Many federal prisoners are eligible to get months or years chopped off of their sentences, but only if they participate in a particular drug treatment program. So, the number of rehabilitation programs that offer credits for earlier, to the one planned, release for those who participate should be increased. Moreover, speeding releases would help decreasing this problem. Organize volunteer lawyers or paralegal volunteers to help inmates prepare for bail hearings and thus reduce the amount of time they may have to wait for their cases to be heard.

Moreover, alternatives to imprisonment that could improve and eliminate situations like massive overcrowding and poor conditions in prisons are: Community service for offenders that committed a low-class crime. Taking into account nowadays' penal system, all kinds of criminal behavior are facing the same form of punishment which is none other than the imprisonment. If imprisonment embraced the character of rehabilitation and captivity of the most dangerous offenders, (as a last resort) and gave the opportunity to the ones who committed a low class crime to rehabilitate by means such as community service it would set the foundation of a sustainable solution. Lastly, so as to prevent a former prisoners' reengagement with criminal activity, correctional institutes in cooperation with governments ought to improve their reintegration methods in order to provide them with a profession and the ability to readapt to a community.

## BIBLIOGRAPHY

"History Of Imprisonment." Crime Museum. N.p., n.d. Web. 02 Jan. 2018.

"History of Prisons." History of Prisons - From Ancient to Modern Prisons. N.p., n.d. Web. 02 Jan. 2018.

"Welcome to the Home of JusticeAction." Justice Action. N.p., n.d. Web. 02 Jan. 2018.

Iulia.lazar. "United Nations Office on Drugs and Crime." Prison Reform and Alternatives to Imprisonment. N.p., n.d. Web. 02 Jan. 2018.

Prison Abolition & Alternatives. N.p., n.d. Web. 02 Jan. 2018. In-text Citation

"Responsible Prison Reform." National Affairs. N.p., n.d. Web. 02 Jan. 2018.

Prisoners and Families: Parenting Issues During Incarceration." ASPE. N.p., 23 Mar. 2017. Web. 02 Jan. 2018.

"Does Prison Work | LawTeacher." Law Teacher. N.p., n.d. Web. 02 Jan. 2018.

Jateam. "Failures of Imprisonment." Justice Action. N.p., n.d. Web. 02 Jan. 2018.

Initiative, Prison Policy. "About the Prison Policy Initiative." About | Prison Policy Initiative. N.p., n.d. Web. 02 Jan. 2018.

"How Does Mass Incarceration Affect Communities?" CCANO. N.p., 25 Oct. 2016. Web. 02 Jan. 2018.

Employment after Prison: A Longitudinal Study of Releasees in Three States. [www.urban.org/sites/default/files/publication/32106/411778-Employment-after-Prison-A-Longitudinal-Study-of-Releasees-in-Three-States.PDF](http://www.urban.org/sites/default/files/publication/32106/411778-Employment-after-Prison-A-Longitudinal-Study-of-Releasees-in-Three-States.PDF).

Schmallegger, Frank, and , Cassandra Atkin-Plunk. Prison History. Trentham Corrections Staff College, 1996.

For an in-depth discussion of the limited relationship between crime rates and incarceration rates, see *The Crime Drop in America*, Alfred Blumstein and Joel Wallman, eds. (New York: Cambridge University Press), 2000.

Bosworth, M. (2009). *Explaining US Imprisonment*. Sage Publications.

Bottomley, A. K. (1990). Parole in transition: a comparative study of origins, developments,

and prospects for the 1990s. *Crime & Justice*, 12, 319-374.

Brochmann, G., & Hagelund, A. (2012). *Immigration policy and the Scandinavian welfare state 1945-2010*. Palgrave Macmillan.

Brush, M. (1968). The Swedish Penal Code of 1965. *Duke Law Journal*, 67, 67-93.

Life Imprisonment Worldwide (2015, unknown author). *Life Imprisonment Worldwide: Principles and Practice*. Criminal Justice Research Center, University of Nottingham UK.

O'Brien, P. (1998). The prison on the continent: Europe, 1865-1965. In N. Morris, & D. J. Rothman. *The Oxford History of the Prison. The Practice of Punishment in Western Society* (pp. 178-201). New York, Oxford: Oxford University Press.

Whitman, J. Q. (2003). *Harsh justice: Criminal punishment and the widening divide between America and Europe*. Oxford, New York: Oxford University Press.

Wright, J. H. (1990). Life-without-parole: an alternative to death or not much of a life at all? *Vanderbilt Law Review*, 529.

Wright, J. H. (1991). Life without parole: the view from death row. *Criminal Law Bulletin*, 27, 334-57.

Wyller, T., van den Breemer, R., & Casanova, J. (Eds.). (2013). *Secular and Sacred?: The Scandinavian case of religion in human rights, law and public space* (Vol. 15). Vandenhoeck & Ruprecht.

Zimring, F. E., & Hawkins, G. (1995). *Incapacitation. Penal confinement and the restraint of crime*. New York, NY: Oxford University Press.