People in a Mexican prison make face masks for use in the community.

This executive summary includes extracts from the full report published in English.

Global Prison Trends is Penal Reform International’s annual flagship publication (since 2015), published in partnership with the Thailand Institute of Justice. The report provides insights and analysis on recent developments and challenges in criminal justice, prison policy and practice.

The 2021 edition includes analysis on:

Trends in prison policy and practice
Such as:
→ Crime and imprisonment, overcrowding, drug policies and petty offences
→ New offences and prison releases in response to COVID-19
→ Pre-trial detention and the use of capital punishment and life imprisonment.

Prison populations, and issues for people belonging to specific groups in custodial settings
Such as:
→ Women, children and older people
→ LGBTQ+ people
→ Foreign nationals, minorities and indigenous people.

Prison management issues and challenges
Such as:
→ Responses to the COVID-19 pandemic in prisons, including health provision, restrictions on movement and the use of solitary confinement
→ Security, violence and deaths in prison
→ The situation for prison staff
→ Challenges in data collection and transparency
→ Rehabilitation of people in prison—including through sport
→ The role and use of new technologies, including in the coronavirus pandemic response.

Special focus: Prisons in crises
Includes analysis on:
→ Health crises
→ Fragile and conflict-affected settings
→ Natural hazards and extreme weather
→ Involvement of prison populations in times of crisis

The full report can be downloaded at:
www.penalreform.org/global-prison-trends-2021

Full references for all figures in this publication can be found in the full report.
Introduction

Over a year on from the declaration of the COVID-19 pandemic, this seventh edition of Global Prison Trends is published jointly by Penal Reform International (PRI) and the Thailand Institute of Justice (TIJ). This report documents key trends over the past year, especially the impact of the pandemic on prison populations and staff, and how prisons worldwide have responded to these challenges.

The dangers posed by COVID-19 to people detained and staff working in cramped, overcrowded conditions in prison were acknowledged in the earliest stages of the pandemic. High-level United Nations (UN) and government figures made statements highlighting the risk to life and health in prisons and, as Global Prison Trends 2021 describes, most countries implemented some form of emergency releases to reduce the prison population. As countries continue to navigate new waves of the pandemic, prisons remain hotbeds for virus transmission. Also, new offences for breaching COVID-19 regulations and the resumption of court processes have led to increases in prison numbers.

The challenges faced by prisons over the past year have been compounded by decades of inadequate funding and criminal justice reform. The pandemic has exposed the impact of overcrowding and under-resourcing of prisons in the gravest of terms – through the loss of life. We mourn every death in prison, both people detained and staff, and encourage all actors to learn from the experience of the past year, as detailed in Global Prison Trends 2021, to ensure prison systems protect the human rights of those they hold.

Health crises and other emergencies are not unprecedented in prisons. This year’s Special Focus examines prisons in crises, and how authorities respond to health crises, natural hazards and extreme weather, or in fragile and conflict-affected settings. We look at how prisons and the people within them are affected, as well as the involvement of prison populations in times of such crises and consider what measures authorities can put in place for better preparedness and response.

For human rights to be most effectively protected – especially in emergencies – we need fewer people in prison. Therefore, addressing prison overcrowding and promoting the use of alternatives to imprisonment are key priorities for both PRI and the TIJ. In this vein, 30 years after the adoption of the UN Standard Minimum Rules on Non-custodial Measures (the Tokyo Rules), and 10 years since the adoption of the UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), we must all work to increase the use of alternatives to imprisonment. Global Prison Trends 2021 documents some good progress towards implementation of these standards, as well as the new challenges faced by probation services during the pandemic.

In March of this year, the Kyoto Declaration was adopted at the 14th UN Congress on Crime Prevention and Criminal Justice in Japan by all UN member states, setting out the crime prevention and criminal justice agenda for the next five years. Building rehabilitative criminal justice systems remains a core issue for many governments and actors in this field as reflected in the Declaration – and this is much needed and an area in which civil society and institutions play a key role.

The global pandemic has been a solemn reminder there is much more work to be done to protect the most vulnerable people in our societies. With less than nine years remaining to achieve the Sustainable Development Agenda 2030, Global Prison Trends 2021 addresses the specific challenges faced by women, children, older people, and other marginalised groups in the justice system. With limited or no disaggregated data publicly available in many prison systems, our combined research, operations and expertise allows us to continue to identify and highlight key trends affecting these populations to ensure ‘No one will be left behind’ as we build back better from this global crisis.

Olivia Rope
Executive Director
Penal Reform International

Phiset Sa-ardyen
Executive Director
Thailand Institute of Justice
Key facts & figures

The global prison population continues to rise

**People in prison**
- 11+ million

**Women in prison**
- 740,000+
- 17% since 2010

**People in pre-trial detention**
- 3+ million
- 30% since 2000

70% of prison populations are awaiting trial, presumed innocent in 14 countries

**Chronic overcrowding**
Prisons in many countries operate above their capacity

- >100% capacity in 118+ countries
- >250% capacity in 11 countries

**Staff shortages**
Staff to prisoner ratios vary widely across countries

- 1:1 from 11 countries
- 1:28 to 118+ countries

Suffering in prisons during the pandemic

**People in prison**
- 3,931+ COVID-19 deaths reported in 47+ countries
- 532,100+ COVID-19 cases reported in 122+ countries

**Prison staff**
- STAFF EXHAUSTION
- COVID-19 cases reported in 48+ countries

IMPACT ON MENTAL HEALTH

PROTESTS & VIOLENCE
Prisons took measures in response to COVID-19

**Medical isolation**
- **Most common measure** for cases/symptoms
- Used in 46+ prison systems globally
- Conditions often akin to solitary confinement

**Visitation bans**
- Impacting access to:
  - Family contact
  - Food & medicines
  - Healthcare
  - Rehabilitation
  - Legal representation
  - Detention monitors

**Vaccination plans**
- Prisons prioritised in 13+ countries
- Prisons included in 11+ countries

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**Key facts & figures**

**COVID-19 impacted on the number of people in prison**

**Factors that helped reduce prison population**
- **Emergency releases**
  - 109+ countries adopted release mechanisms in 1st COVID-19 peak
  - <6% global prison population released under these measures*
- **Suspension of court proceedings**
  - <6% of countries did not explicitly include women†

**Factors that led to an increase in prison population**
- **Many new offences** for breaching COVID-19 related rules
  - Imprisonment or fines
- **Clearing the backlog of court cases**
  - High numbers admitted to prisons

**Prisons included** in X X countries

**Prisons prioritised** in XX countries

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* March - June 2020, Harm Reduction International; † March – July 2020, DLA Piper.
COVID-19 release schemes have done little to halt the rise in prison populations. There are 11 million people in prison globally – a rise of about 8 per cent over the last 10 years. Prisons are operating above capacity in 119 countries, and measures to reduce prison populations have been inadequate. At least 109 countries adopted measures to release people from prison in response to the pandemic, but many were abandoned or ineffective. Arrests for COVID-19-related offences and clearing court backlogs increased overcrowding in some places.

People continue to face increased risk of COVID-19 in prison. A reported 3,931 people in prison have died due to COVID-19 in 47 countries, and over 532,100 people in prison have tested positive in 122 countries, but the true numbers are much higher. People in prison are especially vulnerable due to cramped living conditions, lack of hygiene supplies and poorer health status.

The overuse of pre-trial detention continues despite the pandemic. Three million people are in pre-trial detention, a rise of 30 per cent since 2000. While some people on remand benefitted from release schemes, COVID-19-related arrests led to an increase in the use of pre-trial detention.

The pandemic has exacerbated failures in prison healthcare. Many prison systems have failed to implement critical COVID-19 preventive measures. Low levels of medical staff and resources for healthcare have been further stretched, which, coupled with restrictive regimes, has affected healthcare provision in prisons – both for COVID-19 and other health conditions.

The prevention of COVID-19 outbreaks in many prisons came at a cost to human rights. Many rights have been violated under severe restrictions. Regimes of solitary confinement, or at least measures where people were isolated, quarantined or confined in groups, have been in place for months. Levels of violence and unrest have risen, and people have been cut off from the outside world, including access to essential supplies.

COVID-19 measures in prisons have had a devastating effect on mental health. The pre-pandemic mental health crisis in many prisons globally has reached grave new levels due to COVID-19 restrictions, and the suspension or downgrading of mental healthcare provisions. Data shows that self-harm and suicide rates have risen among some prison populations.

People in prison have widely protested against shortcomings in COVID-19 responses. Reports of protests and violent incidents in prisons are linked to the handling of COVID-19, including restrictive measures imposed, fear of infection and the lack of action and provisions. Excessive use of force by authorities in responding to such protests has led to death and injury of people detained.

New offences under COVID-19 regulations have affected the most marginalised. Criminalisation of non-compliance with COVID-19 regulations has effectively criminalised poverty and affected the most marginalised. Enforcement of restrictions has been racially biased and discriminatory. In some countries, such offences attracted pre-trial detention or prison sentences.
There are major issues in data collection and transparency in prisons

Long-standing shortcomings in data collection and transparency in prisons have been highlighted during the pandemic. Rates of COVID-19 among staff and people detained remain unknown in many countries, as do the implementation and the impact of release mechanisms.

More women are in prison than ever before

New analysis shows that 740,000 women are in prison globally, an increase of over 100,000 in a decade. Women have suffered increased hardship in prison during the pandemic. COVID-19 response strategies have left women behind, including in release schemes.

Children were left behind in COVID-19 responses

At least 410,000 children are in prison every year. Despite the risks and impacts of COVID-19 restrictions on children, including solitary confinement, children were not explicitly included in many release schemes; where they were, data is scarce as to whether they benefitted.

Prison staff have suffered during the pandemic

Prison staff have endured changes in their workloads and conditions, even living or being locked down on site for weeks or months. They have faced an increased risk of contracting the virus, accounting for up to 88 per cent of COVID-19 cases in some prison systems. Staff shortages and low prisoner-to-staff ratios have worsened during the pandemic.

There has been an increase in alternatives to imprisonment, but with some challenges

There was an expansion and growth of alternatives to imprisonment in response to COVID-19, although the impact varied significantly. The implementation of non-custodial sentences has faced practical issues due to government restrictions and overburdened probation agencies.

New technologies have offered a lifeline to many people detained, but not to all

Communication technologies have been installed or expanded to facilitate contact with families and provision of telemedicine, rehabilitation and other vital services in many places. However, the digital divide has meant people in prisons without online access have been left behind.

Racism in criminal justice systems has been put in the spotlight

The Black Lives Matter movement led to some immediate action to address systemic racism, although the attention of protests and policymakers largely focused on police and law enforcement reform rather than sentencing or prisons. Ethnic minorities continue to be over-represented in many prison populations.

Life imprisonment sentences are on the rise, causing human rights violations

Almost half a million people are serving a formal life imprisonment sentence, and an unknown number are under informal life sentences. A rise in life sentences is replacing death sentences, as punitive approaches to crime persist.

Punitive prohibition-based drug policies are driving up prison populations

An estimated 2.5 million people in prison are convicted of drug-related offences, 22 per cent of them for drug possession for personal use. There have been some moves towards decriminalisation of certain drug-related offences.

Universal abolition of the death penalty remains on track, with some setbacks

The movement towards the universal abolition of the death penalty continues to grow, and 2020 saw a record low number of executions worldwide. However, at least 463 people were executed in 18 countries.
Global Prison Trends 2021: Executive Summary
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Enquiries should be addressed to publications@penalreform.org

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References

Penal Reform International Headquarters
The Green House
244-254 Cambridge Heath Road
London E2 9DA
United Kingdom

The Hague Humanity Hub
Fluweelen Burgwal 58
2511 CJ Den Haag
Netherlands

info@penalreform.org
☑️ @PenalReformInt
facebook @Penalreforminternational
www.penalreform.org

Central Asia
Syganak str. 29
Nur-Sultan
Kazakhstan

96 Toktogul street, office 7
Bishkek
Kyrgyzstan

pricentralasia@penalreform.org

South Caucasus
prisouthcaucasus@penalreform.org

Middle East and North Africa
22 Amro Bin Dinar
Amman
Jordan

priamman@penalreform.org

Sub-Saharan Africa
Plot 8, Kisozi Close
Kisozi Complex
Nakasero
Kampala
P.O. Box 11455
Uganda

africa@penalreform.org

Thailand Institute of Justice
GPF Building 15th–16th Floor
Witthayu Road, Pathum Wan
Bangkok 10330
Thailand

info@tijthailand.org
☑️ @TIJthailand
facebook @tijthailand.org
www.tijthailand.org