

Forum: Special Committee on SDG 16

Issue: Ensuring adequate access to health care and education in prisons

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Introduction

A student from Marymount Bedford Hills Program who has been engaged in research wisely stated “Prison education is a means of rehabilitating and redirecting. If you release someone with the same skills with which she came in, she’s going to get involved in the same activities as she did before.” Prison education is often not recognized as a concern as the purpose of a prison is not only to be a punishment but to be a space for rehabilitation where the individual is able to focus. Globally observed the latter is not given required attention as rehabilitation is often something that prison management believes comes with time which leads to lack of information resourced.

In several prisons, the conditions of living are deplorable as the necessities of hygiene and space are not met. Food, clothing, and hygiene are not the only problems that a prison faces; one of the leading issues is healthcare for prisoners; which includes physical and mental aspects. It is often observed prisons don’t have access to counselors or psychiatrists due to the lack of mental health facilities available which often leads to the rehabilitation period to often become less effective.

Mental health facilities, health care facilities are a challenge which is constantly faced by prisons and prisoners. Most times there is no medical expert or doctor on the premise which causes inconvenience as the experts then must be called which is very inconvenient and is also risky for the patient-cum-prisoner. Hence, it is noticed that this violates the human rights of the individual as these are rights that cannot be intruded with, not forgetting rarest cases where not all fundamental rights have been humiliated . The World Health Organization (WHO) has constantly been involved in dissolving the issue of health in locations such as prisons such as the Rikers Island Prison in New York. Previously in a meeting which was held in Lisbon, 2017 it was recognized that prisoners have a high use of drugs and toxic substances which are harmful to the body.

A prison is supposed to be a place where the prisoners are able to resettle and rehabilitate however, the condition of the prison which plays an important role in the rehabilitation of the individual the current prisons don’t have access to any spiritual, physical, social, and or mental well-being in any

sort which often leads to bullying, boredom, mobbing and social discharge which means the purpose of the individual being in the prison is not being solved because it is not helping the individual rehabilitate.

Definition of Key Terms

Prisoner

A prisoner is an individual who has committed a crime and is legally sent to the prison as a punishment.

Rehabilitation

Rehabilitation is the step that is taken to restore someone's life this is often therapy which is done after an immense action such as a addiction, imprisonment and or illness.

Recidivism

Recidivism, is the action of committing another negative (bad) action again after a bad action has already been conducted in the past.

Correctional

Correctional, is related to the punishment which is given to an individual for the crime they have committed.

Overcrowding

Overcrowding, is an accommodation where there are more than the expected number of people.

Confinement

Confinement, an act where an individual is blocked out and or is confined.

Patient-cum-prisoner

A patient-cum-prisoner is an individual who is a prisoner along with a patient.

Background Information

Recidivism

The federal and state prison populations have been rather increasing over the past decade, which could mean that the rehabilitation process is taking longer than required. Rehabilitation is a process where the individual is provided with an environment where the person can reflect over the mistake and overcome the mistake and understand the importance of not committing crimes. The first step to rehabilitation is education this is because studies conducted over the past two decades demonstrate that higher education programs in prisons reduces recidivism and has led to the decrease of reduction in crime, which means taxpayers will not be having to pay a large amount of taxes. The long-term benefits being the safety and well-being of the community.

A recent study which was conducted by the Institute for Higher Education Policy (IHEP) in 2011 clearly stated that nearly 7 out of 10 people who were formerly in prison would commit another crime in the upcoming 3 years of being released. It is noticed from previous research that 95 out of 100 prisoners will rejoin society, thus making it crucial to develop a program that is effectively reducing recidivism.

Correctional Education

Education and training prisoners have helped them have a smoother transition into communities after their release. This is one of the most important steps in improving employment along with reducing recidivism. Prison education is far more effective in reducing recidivism than boot or shock camps such examples being incarceration or vocational training as stated by the National Institute of Justice. This happens because prison education is taught meant to be taught more than once a week, however, boot camps happen once in a month, where prisoners deal with shock, leading to a lack in knowledge provided to the individual. One study was done by Correctional Education Association the “Three State Recidivism Study”, this study clearly explained how the education correlates with long-term recidivism by approximately 29%.

UN Standard Minimum Rules for the Treatment of Prisoners

According to the UN Standard rules for prisoners, all prisoners must have all of the following: accommodation, personal hygiene, clothing, bedding, and food. These are some of the fundamental rights which each individual is given and these rights are not to be taken away from one when they are in prison. However, it is noticed that their health is one of the most concerning issues as they are not given all the necessities such as proper accommodation, personal hygiene, clothing, bedding, and food. As per the UN standard rules for prisoners the space they are accommodated with firstly if that space is shared the people sharing it should be rightly chosen. Secondly, space should meet all climatic conditions such as the cubic content of air, floor space, enough lighting (natural) which meets the requirement for an individual's Vitamin D intake, the heating and ventilation depending on the climate in that region. Each prisoner should have access to sanitary installations which enables the prisoner to adequate bathing and

showers as per the need of climate, however, at least once a week including all kinds of weathers. This is a simple necessity which must be considered as this is general hygiene (personal.)

If a prisoner is not allowed to bring and wear their own clothing, then they should be provided with a set of clothing that is appropriate for the weather conditions. The individual should also be provided to access to wash the set of clothing and keeping it in the proper condition. Underclothing should be washed as often as possible due to hygiene purposes. A prisoner should be provided with their own bed not disregarded of the crime they have committed they should along with being provided with enough bedding which is clean. The prisoner should have access to water whenever necessary for the individual. Along with the food provided to the prisoner, it should be nutritious and meets the health requirements and is prepared with quality raw materials, and no rotten should be served.

Prison Overcrowding

It is observed that prison overcrowding is one of the leading factors in poor prison conditions globally. This is an issue which is a redundant threat which is faced by the prison in charge and prisoners, as this problem is so severe it leads to a lack of functionality in a prison. Currently, more than 115 countries are facing overcrowding in prisons which measures that crime rates are significantly increasing which thus undermines the prison capacity as crime rates were not expected to go so high in a short period of time. This in turn undermines the quality of facilities which are provided in a prison such as healthcare, food, hygiene, recreational activities, rehabilitation programs, and accommodation. Overcrowding leads to lack of privacy which increases the mental health problems one might face, violence rate increases such as self-harm and or suicide.

Solitary Confinement

Often noticed that the way of punishment is isolation or a lockdown from the outer world which has lead to lack of knowledge about the outer world as a prisoner is staying locked down for 22 to 24 hours a day which means it will be a hard time for settling back into the society. For example, member states justify their use of solitary confinement as a disciplinary punishment whereas some justify it as a manner for prison staff to manage the prison. Relatively for mental illnesses where the individual should be helped and supported, the individual is shut down from the world which can lead to a syndrome called isolation syndrome.

Major Countries and Organizations Involved

United Nations Office on Drugs and Crime (UNODC)

UNODC aims to work on improving areas such as but not limited to prosecution service, restorative justice, police reform, and judiciary.

Police Reform

In brief police reform is the how police is given and is authorized to do actions which other citizens are not entitled to do such as putting someone to jail. However, in various environments these privileges are misused causing serious human right violations which leads to civilians not being able to trust the police and government. Therefore it is a necessity to make sure that the authorities that a police officer is entitled to are being used in the right services such as strengthening public confidence in authorities, decreasing the crime rates and helping improve the law.

Prosecution Service

Public prosecution is a rule that is to uphold which means it is to be ensured that everyone receives a fair trial. If there is no justice then there will be damage in the integrity of criminal justice systems which often violates the trust of public leading to people often not seeking any service in the future. It thus is an imperative to protect the service of fair trial.

Judiciary

Judiciary is an important aspect of stabilizing the power within a government it is also a method to help build public confidence against violence that occurs and if any police officer has done wrong actions against an individual. According to the Universal Declaration of Human Rights (Article 10) each human has the right to competent, impartial tribunal and independent rights.

Restorative Justice

This is an approach which is including the victim, justice agencies, offender, social networks, and the community. These programmes are based around the idea that it is not acceptable for criminal behavior to occur not only because it is against the law but it also violates fundamental human rights of others who live in the community. Any step that is taken to solve the issue involves both parties the offender and the injured party. Whilst making the decision a fair and justified decision.

United States of America (USA)

Various USA news channels portray US jails as being a life-changing time for them there. However, when looking at the facts it is a different story. According to the US policy, all mental illness

patients have the right to receive the right care and treatment. All have the right to adequate services, objection to treatment, privacy and etc. various of these aspects are not ensured by some jails in the United States. Some US jails such a specific jail in New York where inmates have protested the prison guards due to reasons of food, recreational services etc.

A recent incident which happened in the New York jail where groups of prisoners protested with hunger strikes and not doing the required jobs because they were not being given recreational time throughout the day. Quoting Eddie who is a Jailhouse speak organizer “They have suspended all recreation so that we are in our cells literally 24/7.” This shows how important the issue of rehabilitation is and how this is an issue that has to be dealt with. This is not the only prison strike that has happened in the year 2018 there have been various strikes which causes a big ripple in the prison.

USA is also the nation with the highest incarceration rates which has also led to the decline in the prime age labor force which also shows how US has resulted in having a large fraction of it's workforce not participating as it is a result of incarceration. Those who leave the jail and look for jobs are rejected due to hiring restrictions which also leads to a less-spread labor force.

National Commission on Correctional Health Care (NCCHC)

NCCHC is an organization which was founded in USA which represents the various fields of health, and law. They aim to be committed to providing health care in jails and juvenile confinement facilities. NCCHC is an organization which started the the late 1970's when a study completed by the AMA found about the disorganized health facilities which are not meeting the national standards. With collaboration, AMA established the program which is now known to be NCCHC and this is a nonprofit organization.

Currently, NCCHC is setting standards for health facilities which involve the correctional facility. As, NCCHC is an organization which is organized by health professionals it thus has standards present for correctional professions, along with re-enforcing the different management of prisons, jails, juveniles, along with manual mental health services with treatment programs. Such resources have helped prisoners to return into the community with a smooth transition, along with increasing health services delivery.

Thailand

Bang Kwang Prison which is in Bangkok has been rated as one of the deadliest prisons on the planet. This is a prison which is severely crowded and is underfunded. This prison can hold local and foreign prisoners. This prison is known to be one of the worst due to the unfair sentencing and the abuse that prisoners go through. This is a prison which was built in the early 1930's it was originally a prison which was only capable of holding 3,500 prisoners, however, right now is holding more than 8,000

prisoners which have been sentenced for 25 years. The inmates who are on a death row are to be penalized with shackles which are to be welded to their legs. Along with, shackles are used to identify new prisoners as they must wear them for the first three months.

Noting, all the actions that are committed in the jail and the treatment and noticing that the food provided to all prisoners is one bowl of rice and soup,, however,, there are rich prisoners who are given more luxurious food which then again is not equal treatment. This jail also has not been providing clean water whenever it is required which shows why most inmates are malnourished and diseased. No justice is given as a murder is given 11 years of punishment where drug dealing is sentenced for 50 years. As the environment in the prison is so bad it is observed that there are no recreational activities, rehabilitation programs etc.

Russia

Another prison which has been ranked as one of the deadliest prisons is in Russia. This prison is Petak Island Prison, located in Vologda, Russia. This prison is known as the “Alcatraz of Russia,” this island holds some of the most dangerous criminals worldwide. The criminals living there go through mental torture along with 22-23 lockdowns in a room with two people in it. They are allowed a maximum of two prisoners throughout the year. This is the only hope that the inmates have in their lives, as the location is an island and is surrounded with freezing waters of White Lake.

The security levels are tight around the island if the inmate tries to dig, they will freeze to death due to the temperature of the water. If they try to swim, they will be shot by the guards. This is directly the words of the Head Guard Vasily Smirnov. A well-known psychologist Svetlana Kiselyova, who has investigated this prison in detail states this prison does not rehabilitate the prisoners it rather destroys them. This is because the first nine months are the adjusting period then the next 4 years their personalities are deteriorated. This then leads to no prisoner being able to live in that prison for more than 25 years.

One of the inmates summarized the prison as “This is the worst. There are no lavatories, no proper washing facilities and you spend your whole life in a cell. When I came here, I told my wife to get a divorce. She cried a little and we’ve never seen each other since.” In the same interview another inmate named Vladimir stated “I’ve made this room my home. One day it will be my mausoleum.” These two specific examples show how these prisoners are meant to have no life as soon as they arrive in this prison. At no point have they gone through rehabilitation.

Timeline of Events

Date	Description of event
1970	American Medical Association (AMA) identifies health services in prisons as an issue
1973	AMA allocates \$50,000 for improving medical services
1975	Six medical societies tend to decrease the issue for 30 jails
1976	AMA is recognized as the first accreditation program
1979	AMA published the health standards for prisons
2005	Judge announces to take control of prison healthcare systems
2009	Judge Panel creates a cap on prison population
2011	The U.S. Supreme court ordered the state to shed prisoners

Relevant UN Treaties and Events

- Basic Principles for the Treatment of Prisoners, 14 December 1990 **(A/RES/45/111)**
- Right to freedom of opinion and expression, 11 April 1997 **(E/RES/1997/27)**
- Declaration on the Critical Economic Situation in Africa, 3 December 1984 **(A/RES/39/29)**
- Torture and other cruel, inhuman or degrading treatment or punishment, 11 April 1997 **(E/RES/1997/38)**
- Development of public information activities in the field of human rights, including the World Public Information Campaign for Human Rights, 11 April 1997 **(E/RES/1997/41)**
- United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), December 15 2015 **(A/RES/70/175)**

Previous Attempts to solve the Issue

In the year 1970 the problem of prisons of having inadequate health facilities which were demonstrated in the standards of living of a prisoner. This research was conducted by the American Medical Association (AMA) with the initiative taken by Vice President Bernard P. Harrison.

In the year 1973, it came to the attention of AMA that there is a lack of services and medical facilities thus the AMA allocated \$50,000 to start and plan a remedial program which aimed to improve medical services or add medical services in some location.

In 1976 with funding which was provided by the Department of Justice's Law Enforcement Administration, the jail program was launched in 1975 where medical societies such as Georgia, Indiana, Maryland, Michigan, Wisconsin, and Michigan were selected to provide facilities for the selected prisons.

These six medical societies were to provide aid to selected 30 prisons. However, by 1976 the program was advanced in which it was recognized that these prisons now had health services with proper health facilities. Along with health services being provided by the end of 1976 minor changes were made by AMA to the program.

The year 1979 led to huge success for the program as this program was now expanded into 23 states in the United States of America. This was a big step as it started with 6 medical societies providing facilities but this change occurred because it was noticed that the more than half of the prisons which started in 1976 were meeting the health standards of AMA. While running that program it was expanded into more states to decrease the lack of healthcare. By the year 1982, the program moves outside whilst working with the Robert Wood Johnson Foundation.

In California during the year 1995 a lawsuit a patient- cum-prisoner where the mental programs were under control of the receiver which is medically incorrect as it could mean that a patient going through a procedure which was wrong as the patient was in control rather than the doctor. The judge thus criticized the state officials for the “recalcitrant refusal” which meant they would now have to provide psychiatric care for prisoners which were up to the mark.

In 2009, a judge panel orders to cap the prison population at 137.5% of the population which meant that 43,000 of the prisoners were to be released by 2011 which meant that even if they were not fully ready to face the society where they committed a crime. This order was directly put on hold as the way the prisoners were living was a place where they were not given the perfect education for rehabilitation which could mean that they would go out in the world a commit crime again.

Possible Solutions

Educational Pack

Some solutions that can be implemented in an issue like this is having a pack. A pack which consists of educational resources for the prisoners who are somewhat educated the pack is given to the prisoner before they enter the prison. This can help them be guided through the process this then ensure that all prisoners are given the same education to all prisoners which means that there is no biases towards a prisoner. This pack will be inclusive of how to react when someone is in need of a CPR for example. Not only reaction it can be inclusive of the basic medication they might need after the health test which occurs in some countries before they enter a prison. This is one initiative which could be encouraged in countries to make sure that the prisoner is receiving the healthcare that they need to receive rather than providing the individual with healthcare that they don't require.

5-Step Plan

One method to overcome overcrowding can be done in a 5-step plan which starts with investing in non-custodial alternatives which means that these can be done pre-trial and post sentencing, which is looking for alternate methods as whole rather than sentencing the individual to prison. Secondly, minor cases to be given through a different criminal justice system. Thirdly, this is a long-term process which is complex however investing in strategies to decrease crime. Fourthly, reducing the prices of pre-trial this can be done by improving the access people have to justice. Lastly, having an alternative arrangement which is user friendly specially for groups who are dependent on the person in the prison such as children, mother and others with health issues.

Creating a system where the prisoners have to work to achieve healthcare unless they are not capable to work due to disability. The system involves doing all the duties which are assigned to the individual and being rewarded with a health care.

Treatment Services

A system could be developed where in some countries prisoners start receiving treatment and in some they have a program which has a list of all the individual's health risks. This includes all the possible medication they are allergic to and etc in brief their whole medical history to ensure that their rehabilitation process is being conducted well. One disadvantage is that not all countries have the technological advancements to ensure this process occurs in that case the person can have a diary which is kept by the prison officer. The diary is shifted if the prisoner goes to another prison.

Bibliography

Freudenberg, Nicholas. "Adverse Effects of US Jail and Prison Policies on the Health and Well-Being of Women of Color." *NCBI*, Dec. 2002, www.ncbi.nlm.nih.gov/pmc/articles/PMC1447348/. Accessed 20 Oct. 2018.

Government West Law. "Title 10 Department of Health." *Govt West Law*, 2018, [govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=I51d21d50ac3d11dd9f72c1eb90efe723&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)&bhcp=1](http://govt.westlaw.com/nycrr/Browse/Home/NewYork/NewYorkCodesRulesandRegulations?guid=I51d21d50ac3d11dd9f72c1eb90efe723&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default)&bhcp=1). Accessed 29 Oct. 2018.

---. "27.1 Background and intent." *Govt West law*, 2018, govt.westlaw.com/nycrr/Document/I502dbecccd1711dda432a117e6e0f345?viewType=FullText

[IText&originationContext=documenttoc&transitionType=CategoryPageItem&contextData=\(sc.Default\)](#). Accessed 15 Oct. 2018.

Hawley, Jo. "Prison education and training in Europe current state-of-play and challenges." *EUROPA*, May 2013, ec.europa.eu/dgs/education_culture/repository/education/library/study/2013/prison_en.pdf. Accessed 4 Oct. 2018.

Holodny, Elena. "The number of men behind bars in the US is mind-boggling." *Business Insider*, www.businessinsider.com/america-incarceration-rates-2017-11. Accessed 17 Oct. 2018.

JBL Learning. "The Philosophy and History of Prisons." *JBL Learning*, 25 Sept. 2005, www.jblearning.com/samples/0763729043/Chapter_01.pdf. Accessed 9 Oct. 2018.

Jones, Briana. "The Five Most Terrifying Prisons On The Planet." *All That is Interesting*, 11 Mar. 2018, allthatsinteresting.com/worst-prisons. Accessed 13 Oct. 2018.

Klein, Steven. "Correctional Education." *ERIC*, files.eric.ed.gov/fulltext/ED543577.pdf. Accessed 19 Oct. 2018.

Megerian, Chris. "Prisons timeline: A scramble to comply after years of controversy." *Articles* *Latimes*, 9 Sept. 2013, articles.latimes.com/2013/sep/09/local/la-me-pc-california-prison-deadline-scramble-2013-0909. Accessed 9 Oct. 2018.

NCCHC. "About Us." *NCCHC*, 2018, www.ncchc.org/about. Accessed 24 Oct. 2018.

---. "NCCHC Historical Time Line." *NCCHC*, 2018, www.ncchc.org/time-line. Accessed 24 Oct. 2018.

OHCHR. "Standard Minimum Rules for the Treatment of Prisoners." *OHCHR*, 2018, www.ohchr.org/en/professionalinterest/pages/treatmentofprisoners.aspx. Accessed 2 Oct. 2018.

Penal Reform. "Overcrowding." *Penal Reform*, 2018, www.penalreform.org/priorities/prison-conditions/key-facts/overcrowding/. Accessed 7 Oct. 2018.

- . "Solitary confinement." *Penal Reform*, 2018,
www.penalreform.org/priorities/prison-conditions/key-facts/solitary-confinement/.
Accessed 24 Oct. 2018.
- Piklington, ED. "US inmates mark end of prison strike with push to regain voting rights." *The Guardian*, 9 Sept. 2018,
www.theguardian.com/us-news/2018/sep/09/us-prison-strike-latest-demands-voting-rights
. Accessed 16 Oct. 2018.
- Prison Studies Project. "Prison Education." *Prison Studies Project*, 2018,
prisonstudiesproject.org/prison-education/. Accessed 27 Oct. 2018.
- . "Why Prison Education?" *Prison Studies Project*,
prisonstudiesproject.org/why-prison-education-programs/. Accessed 17 Oct. 2018.
- RAND. "Correctional Education." *RAND*, 2018,
www.rand.org/jie/justice-policy/correctional-education.html. Accessed 25 Oct. 2018.
- SDG Fund. "Goal 16: Peace, justice and strong institutions." *SDG Fund*,
www.sdgfund.org/goal-16-peace-justice-and-strong-institutions. Accessed 29 Oct. 2018.
- UNESCO. "Basic Education in Prisons." *UNESDOC*,
unesdoc.unesco.org/images/0011/001116/111660eo.pdf. Accessed 29 Sept. 2018.
- UNHRC. "United Nations Commission on Human Rights Resolutions- 1997." *HRLibrary*, 1997,
hrlibrary.umn.edu/UN/Resolutions97.html. Accessed 21 Oct. 2018.
- UNODC. "Addressing the global prison crisis." *UNODC*, 2017,
www.unodc.org/documents/justice-and-prison-reform/UNODC_Strategy_on_Addressing_the_Global_Prison_Crisis.pdf. Accessed 27 Oct. 2018.
- . "Standard Minimum Rules for the Treatment of Prisoners." *UNODC*, 1977,
www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf. Accessed 29 Oct. 2018.
- US News. "US Prisons." *The Guardian*, www.theguardian.com/us-news/us-prisons. Accessed 5 Oct. 2018.

WHO. "Health in prisons." *WHO*,

www.euro.who.int/_data/assets/pdf_file/0009/99018/E90174.pdf. Accessed 5 Oct. 2018.

Wilper, Andrew. "The Health and Health Care of US Prisoners: Results of a Nationwide Survey."

NCBI, Apr. 2009, www.ncbi.nlm.nih.gov/pmc/articles/PMC2661478/. Accessed 22 Oct.

2018.