

# The Scale and Health Consequences of Pretrial Detention Around the World



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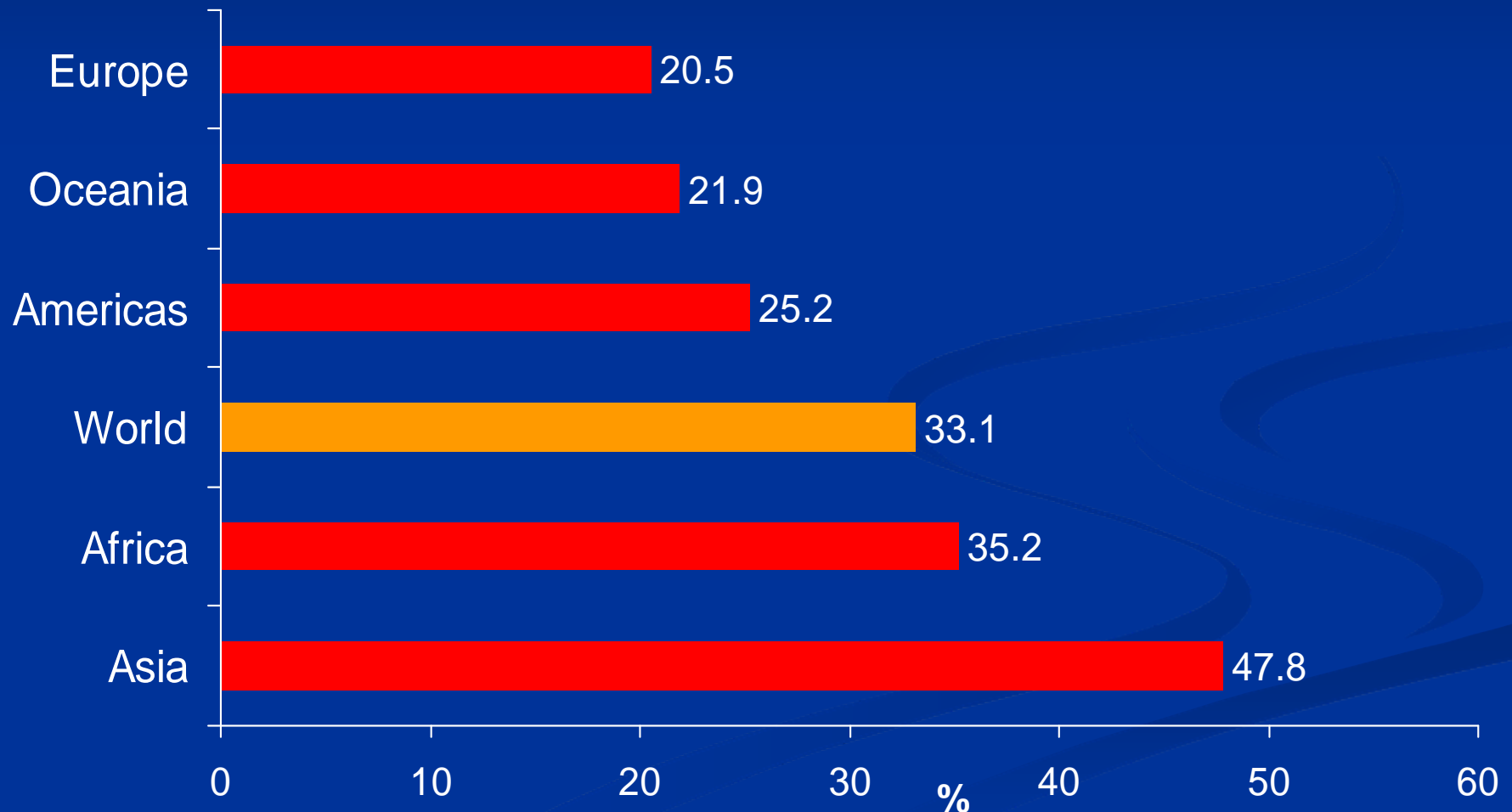
# What is Pretrial Detention?

- The incarceration of a *suspect*.
- Detention of the accused *before* s/he has been found guilty or are acquitted of the crime charged.

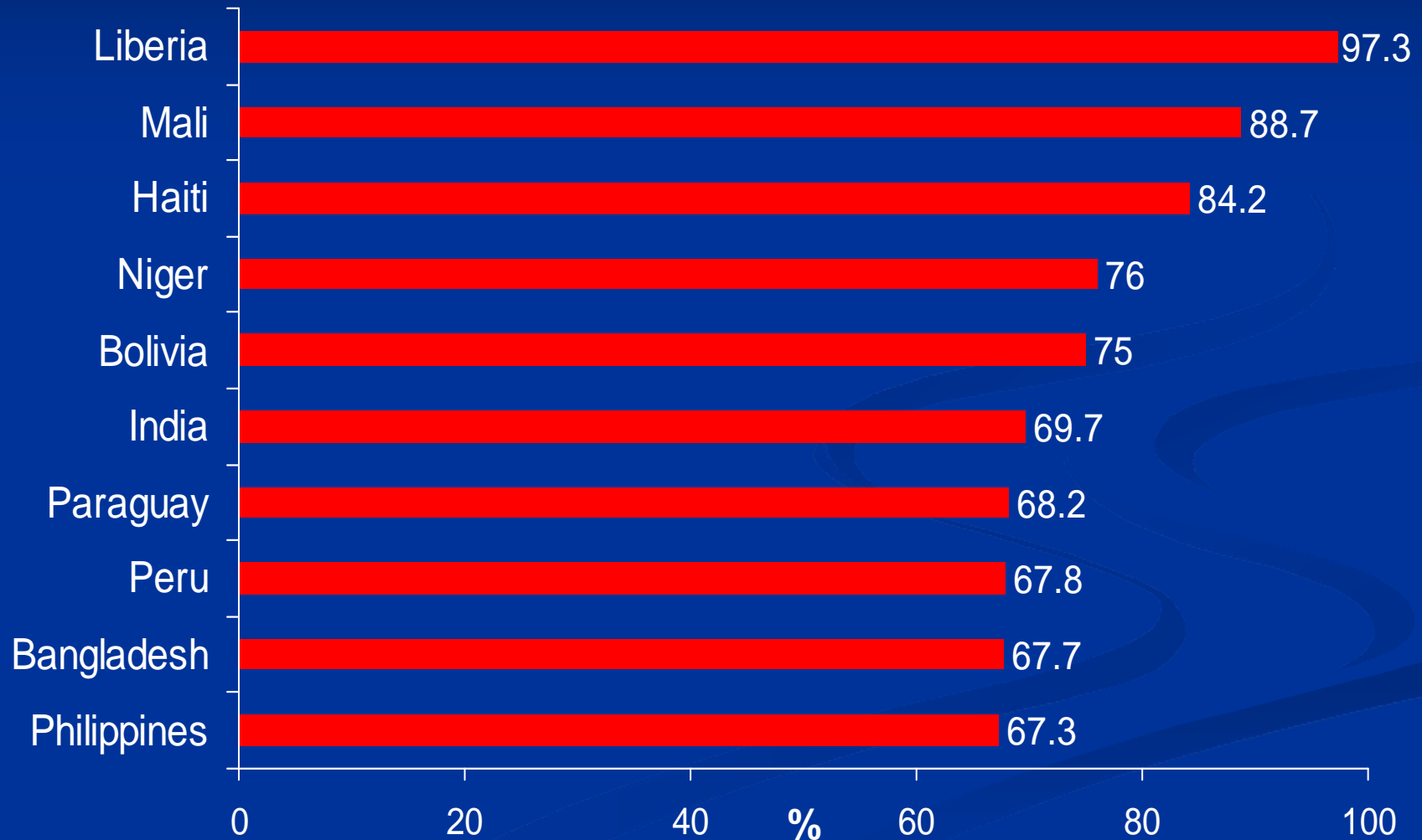
# International standards

- Pretrial detention to be used only if there is a demonstrable risk that an accused person will:
  - abscond;
  - interfere with the course of justice; or
  - commit a serious offense.
- The widest possible use to be made of alternatives to pretrial detention.

# No. of persons in pretrial detention as % of all prisoners, 2006

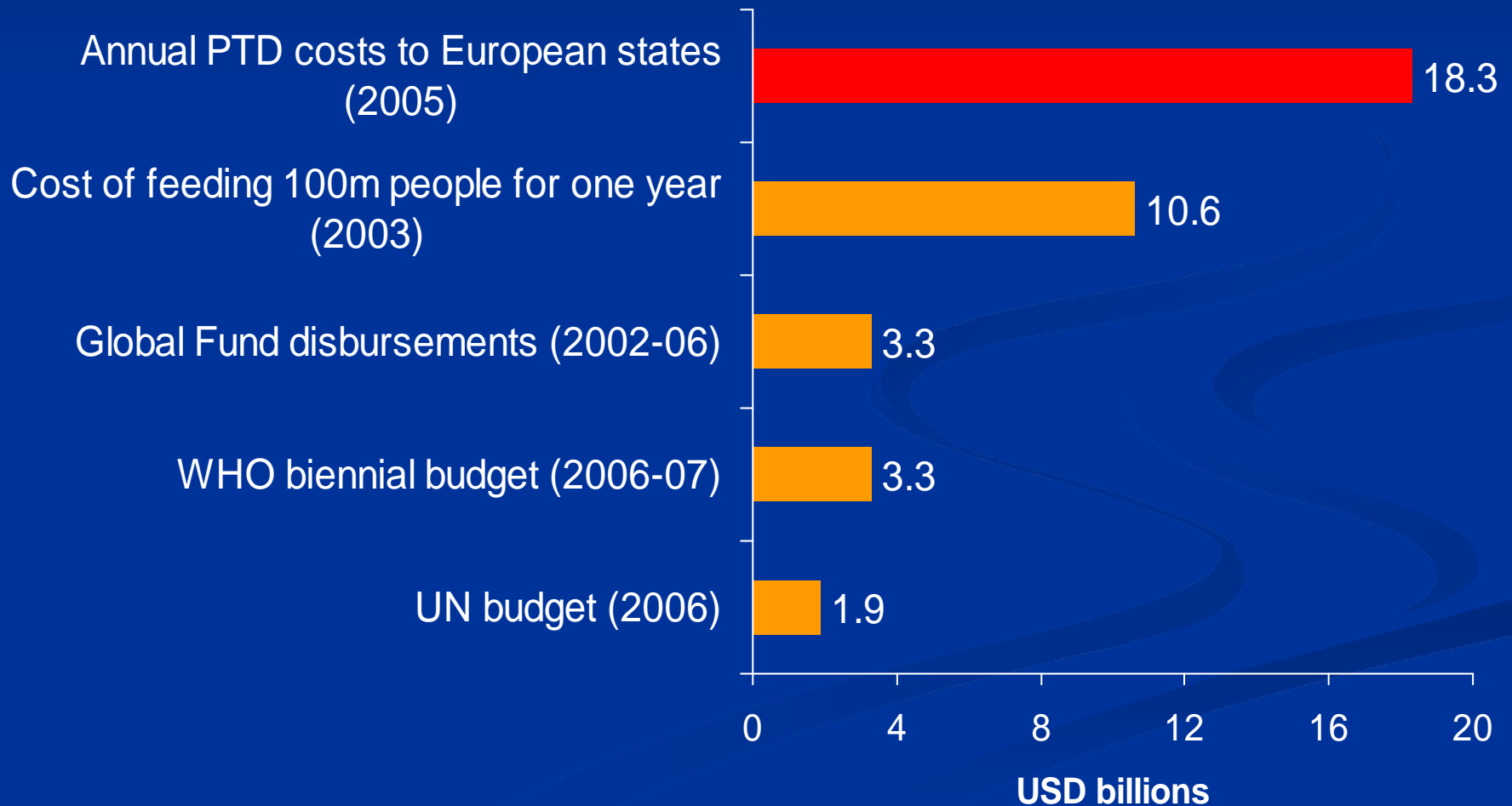


# % prisoners in pretrial detention, selected countries, 2007



# COSTS OF PTD

## European expenditure on PTD vs selected global humanitarian, health & governance expenditures



# Why is overuse of PTD a problem?

- As seen:
  - Guilt not established
  - Expensive
- But also:
  - Mostly minor crimes
  - Largely poor
  - Safe alternatives
  - Ineffective / Social consequences

# Pretrial detention poses particular health risks

- Extreme & erratic overcrowding
- Transient populations
- “Stepchild” of prison system:
  - Limited access to health care
  - Lack of exercise, work & education
  - Limited oversight & control

# Pretrial detention poses particular health risks

- Lack of medical screening / care interruption
- Heightened risk of abuse, assault and torture
- Little or no protection for vulnerable detainees
- Little or no segregation between:
  - Accused persons and convicted criminals
  - Adults and juveniles

# Causes of excessive pretrial detention

- Restrictive laws
- Poor application of the law
- Slow moving criminal justice process
- Lack of coordination between criminal justice agencies
- Inadequate legal representation
- Corruption
- Lack of interest by prosecutors & judges
- Punitive environment

# What can be done

- Develop a network of pretrial reform experts
  - common agenda for 'PTD reform' and 'health in places of detention'.
- Recognize PTD's central place in rights-based criminal justice reform.
- Increase global awareness, expertise & resources to detention reform.

# ...what can done

- Implement programs and interventions that provide safe and effective alternatives to PTD
  - Evaluation
  - Legal aid
  - Supervision alternatives
  - Medical waiver

# Thank You



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