

**17. PENAL REFORM
INTERNATIONAL – WORKING
FOR HUMAN RIGHTS AND
ACCESSIBLE JUSTICE
WORLDWIDE**

By: Jenni Gainsborough*

There are more than eight and a half million people known to be imprisoned in the jails and detention centers of the world. In some regions, as many as 70% of prisoners are pre-trial detainees and often they spend more time in prison awaiting trial than they would under the maximum sentence for the crime they are charged with. Sickness, malnutrition and brutality are day-to-day realities for many prisoners, including women and children.

Increasingly, prison has become the first response to crime instead of the last resort. As a result prison populations are increasing in most countries of the world with extremely damaging social and economic consequences for individuals, communities and nations.

In response to these problems, a group of people with extensive experience in working for reform in many countries founded Penal Reform International (PRI) in 1989. The improvement of the conditions and treatment of prisoners and the development of effective and accessible justice systems are the foundation of the work of the organization which has now grown to be the world's largest penal reform organization.

PRI seeks to achieve penal reform, recognizing diverse cultural contexts, by promoting:

- The development and implementation of international human rights instruments with

regard to law enforcement, prison conditions and standards;

- The elimination of unfair and unethical discrimination in all penal measures;
- The abolition of the death penalty;
- The reduction of the use of imprisonment throughout the world;
- The use of constructive non-custodial sanctions which encourage social re-integration while taking into account the interest of victims.

It is a key tenet of PRI's work that they only establish projects where they have the support of the government and of local non-governmental organizations. Without those ingredients sustainable change is very unlikely to occur. While the organization can bring seed money with it – much of it from international governments and aid organizations – it recognizes that long-term success will depend on projects working within existing economic realities.

For the same reason, PRI places a great deal of emphasis on training and in particular on train-the-trainer programs to be sure that the knowledge “belongs” to the system and will continue to be extended and reinforced after PRI's direct involvement has ended.

PRI is headquartered in London and Paris and has regional programs in Sub-Saharan Africa, Eastern and Central Europe and Central Asia, South Asia, Latin American and the Caribbean and North Africa and the Middle East. Its first US office was opened in Washington DC in September. The organization has consultative status with the United Nations and with the Council of Europe and observer status with the African Commission on Human and Peoples' Rights

PRI works closely with the Special Rapporteur on Prison and Conditions of

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Detention in Africa, facilitating her visits on investigative missions and the publication and dissemination of the visit reports. It has also initiated programs to improve the treatment of juveniles and developed community service programs in several African countries. Publications describing the programs are disseminated widely and translated into many languages and model programs are adapted and replicated to other countries as appropriate.

In Rwanda at the end of 2000, there were more than 124,000 defendants in jail awaiting trial accused of genocide and crimes against humanity. This was a huge burden on a country struggling to re-establish economic and social normalcy. The Rwandan parliament passed a law introducing *gacaca* (popular) tribunals to try the less serious of these cases. Penal Reform International (PRI) was asked to assist in the design and introduction of community service as one of the sentences available to the *gacaca* tribunals with programs based on principles developed by consensus among justice officials, survivors of the genocide and NGOs. PRI subsequently trained a Rwandan national to take over coordination of PRI's support work and assembled a team of experts to research and report on community responses to the *gacaca* program.

In Malawi, PRI supports a paralegal advisory service bringing people from civil society into prisons to educate prisoners about the legal process they face and to ensure individual prisoners are dealt with according to the law and that their cases are not "lost" within the system. As a result, hundreds of remand prisoners being held unlawfully have been released and others have been able to leave prison as a result of bail, discharge or release on compassionate grounds. This program is now being adapted and replicated in Benin.

In South Asia, work on juvenile justice and women and children in prison are particular features of PRI's program activities. In Russia and Eastern and Central Europe, alternatives to imprisonment and prison health – particularly

ways to reduce the levels of HIV/AIDS, tuberculosis and hepatitis-C – have been the main focus.

PRI has developed an international training program and materials for prison staff on human rights in prison and the use of the UN Standard Minimum Rules for the Treatment of Prisoners. Training of trainers workshops have been conducted in Moscow and Bucharest to prepare teams of skilled trainers across Central and Eastern Europe, and Central Asia. Each of the workshops was held in conjunction with a policy-oriented conference. The initial group of trainees subsequently carried out workshops for government officials, prison staff, NGOs and others, including journalists and community leaders to promote alternatives to imprisonment, penal reform and a more humane and fair application of justice. Training programs are also being developed in Latin America, Iran, Pakistan and Bangladesh and other countries world wide.

A program for training lawyers involved in defending capital cases has been developed in the Caribbean.

While PRI works primarily with national governments and local NGOs to instigate and support penal reform, it also provides technical assistance to international organizations. A PRI team recently visited Afghanistan to meet with UN officials, other international government organizations, Afghan authorities, prison administration and NGOs to identify the steps necessary for the reestablishment of the penal system in the devastated country in conformity with international standards for human rights.

The role of the United States in influencing penal policies in developing countries receiving international aid was a primary factor in the decision to open a PRI office in Washington DC. The office will facilitate contacts with international aid and development organizations headquartered in Washington and encourage them to see issues of access to justice and penal reform as central to

the establishment of democracy, good governance and improved public health in developing nations.

The Washington office will also establish working relationships with U.S. organizations active in penal reform, juvenile justice and the abolition of the death penalty to provide an international perspective on these issues, and to facilitate the exchange of information and best practices between reformers, policy makers and criminal justice professionals here and overseas.

PRI-Washington will also provide a resource for journalists and others looking at U.S. criminal justice policy within an international framework – comparing and contrasting our policies and practices with those of other nations and those required by international standards, agreements and covenants.

PRI's international board includes Alvin J. Bronstein, the founding Director and now Director Emeritus of the National Prison Project of the ACLU. He will play a major role in advising and guiding the PRI-Washington office director, Jenni Gainsborough.

For more information about the organization and its work in the U.S. and the rest of the world, visit the PRI web page www.PenalReform.org or contact PRI's Washington office director, Jenni Gainsborough, at 202 721 5610 or email at JGainsborough@PenalReform.org.