

International Prison Chaplains Association (IPCA)



AGEING IN PRISON

Statement following the OHCHR Multi-stakeholder meeting on the human rights of older persons, Geneva, 29/30 August 2022.

September 2022

Organisation in Special Consultative Status with the Economic and Social Council of the United Nations since 2014

Statement

Excellencies, distinguished delegates, panellists, and colleagues,

The International Prison Chaplains Association (IPCA) thanks the OHCHR for its invitation to the multi-stakeholder meeting on the human rights of older persons held in Geneva on 29/30 August 2022.

Broadly speaking, all the issues faced by older persons discussed during the meeting are faced, in increased measure, by older persons deprived of liberty.

Reduced recourse to the death penalty and demographic change have resulted in ageing prison populations in many countries. To take just one example, that of Japan: *“Of those who entered the prison system in 2020, 2,143 were aged 65 or older, a 2.4-fold increase from 2000 and 12.9% of the total number.”*¹

ALL THE ISSUES FACED BY OLDER PERSONS DISCUSSED DURING THE MEETING ARE FACED, IN INCREASED MEASURE, BY OLDER PERSONS DEPRIVED OF LIBERTY.

IPCA welcomes initiatives such as those adopted by Japan, which amended its penal code in June 2022, notably because of the existence of elderly inmates, introducing ‘confinement sentences’. These *“will allow prison staff to spend more time on providing education without being limited by the work hours required of the inmates. For elderly inmates and those with disabilities, the staff will be able to provide treatment focusing on improving physical fitness and other aspects without the pretext of ‘work.’”*²

Bearing this ageing demographic in mind and the need to address protection gaps in human rights legislation with respect to the prison environment, IPCA wishes an amendment to the UN Standard Minimum Rules for the Treatment of Prisoners (the ‘Mandela Rules’) to be considered: the addition of the word “age” after the word “birth” in Basic Principle 6.(1)³ as follows:

*There shall be no discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth, **age** or other status.*

IPCA remains open to discussion with other stakeholders in this forum as to how best to ensure the human rights of prisoners, especially ageing prisoners, are upheld.

Thank you for your consideration.

David Buick

President, IPCA Worldwide

¹ <https://japannews.yomiuri.co.jp/society/crime-courts/20220613-37240/>

² Ibid.

³ <https://previous.ohchr.org/EN/ProfessionalInterest/Pages/TreatmentOfPrisoners.aspx>