 31 August 2023

***Introduction***

Taiwan Mad Alliance (TMA) is the only representative organization for people with psychosocial disabilities in Taiwan. We are committed to (1 ) develop various peer support models and services . (2) deepen the localization and complexity of East Asian crazy culture (3) monitor government mental health policies , lobby for adequacy and equality of resources allocation. (4) promote and advocate for the right of people with psychosocial disabilities to live independently in the community and to participation in political and public life.

**prison labour is forced labour**

In Taiwan, according to the "Prison Act" and its administrative regulations, If a person refuses to work without reason, he or she will be given a "warning", and / or, "7 to 14 days of not being able to use self-purchased items", "14 days of being moved to an illegal dormitory", etc. In addition, the labour status of the sentenced person will be recorded and evaluated according to the item and will have an impact on whether he or she can qualify for parole, whether or not can meet with family, etc. . Therefore, in law and in reality, prison labour is a kind of forced labour. Moreover, the income from such forced labour is much lower than basic wage stipulated in Labour Law. (current basic wage in Taiwan is NT$27,470 per month and the basic hourly wage is NT$183 per hour) .

**Types of work performed**

the work styles of prisons in correctional institutions can be divided into four types, and according to the investigation conducted by the Taiwan authorities, the number of people corresponding to these four types of work and the average monthly income are very different, which are hereby sorted out as follows:

|  |  |  |  |
| --- | --- | --- | --- |
| Job title | Nature of work | Number and Proportion of prisons (2018, Control Yuan) | Monthly income(2021, Ministry of Justice) |
| self-operated work(In-prison work) | Prisons are self-operate in raw materials, production and sales. | 3,692 (6.0%) | NT$ 2820 |
| commissioned work(In-prison work) | Outside companies commissioned prisons to manufacture or OEM  | 35,758 ( 58.4%) | NT$ 567 |
| comparable work(In-prison work) | cooking, cleaning, nursing, and other tasks designated by prisons. | 6,927 (11.3%) | Non information |
| External work | prisoner working in specific places beyond the prison management. | 609 ( 1.0%) | NT$ 7363 |

**Prison labour is extremely low wage exploitation.**

According to the above table, we can find two problems of labor income-

1. There is a huge gap in the income due to the nature of their work：

Assuming that there will not be a significant difference in the number of people working between 2018 and 2021, more than half of the interned population will be earning an average of only NT$567 per month in 2021, whereas the self-operated workers, who accounted for 6 per cent of the total in 2018, will be earning 4.6 times as much as the commissioned worker in 2021 (NT$ 2820) . There is a clear lack of "a system of equitable remuneration of the work of prisoners" (A/RES/70/175, Rule 103).

2. Distributable income unable to meet prison demand：

the Taiwan Agency of Corrections stated in its 2018 announcement that"consider the needs of the residents in purchasing daily necessities, medical supplies, dietary supplements, and other related expenses,. recommended that the minimum monthly cost of living for a sentenced person is NT$3,000. However, until 2021, the monthly income of commissioned and self-operated workers will be less than NT$3,000. Moreover, 40 percent of the monthly labour income will be deducted by the prison authorities and diverted to vocational training, improvement of living facilities, care for the inmates and their families, and compensation for victims of crimes (even for victimless drug and sex work offenders), leaving only 60 percent of the funds available for free distribution. As a result, between 105 and the end of July 107, 57,966 people had to pay for universal health insurance on behalf of the Ministry of Justice, and 462 people were unable to pay at all.

**worse labour conditions for the person with disability in prison**

Taking commissioned work, which has the largest number of workers, as an example, the average monthly income of prisoners with disabilities in Taoyuan Women's Prison (with the highest average monthly wage) is NT$513, while prisoners with non- disabilities is NT$798, while that of prisoners with disabilities in Pingtung Prison (with the lowest average monthly wage) is NT$243, which is lower than that of prisoners with non-disabilities, which is NT$316. This shows that the phenomenon of unequal pay for equal work on the basis of disability clearly exists in prisons.Worse still, those in receipt of Disability Allowance or Low and Middle Income Household Supplement have their benefits withdrawn from the moment they enter prison, on the grounds that the subsidy will not be repeated and that the prison will take care of the prisoner's daily needs.