

INTERVENTION BY THE MINISTRY OF JUSTICE, PROF. MARTA CARTABIA, AT THE 14th UN CONGRESS ON CRIME PREVENTION AND CRIMINAL JUSTICE

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(VIDEORECORDED SPEECH)

Good morning!

I am pleased to greet the Japanese Chairmanship and delegates at this important UN Congress on Crime Prevention and Criminal Justice.

I would like to touch on a sensitive point, that I believe of fundamental importance for crime prevention. I am referring to prisons, the treatment of prisoners and, above all, the re-habilitation activity necessary for their reintegration into society, linked to the idea of justice as *reconciliation*.

Much has been said and written about the nature and purpose of the penalty.

Today we can say that modern societies agree on the fact that treatment in prisons must always ensure full respect for the individual and that the punishment should aim at rehabilitation, re-education and at the return of the offender to social life.

The time spent in detention is not a time of mere waiting but it must be a time of change, aimed at the social reintegration of the offender.

This need has been embraced by the international community, and the UN itself adopted minimum standards on conditions in prisons, defined, in honor of the great South African leader, “*the Nelson Mandela Rules*”.

Also my country, which I have the honor to represent today as Minister of Justice, considers these standard rules essential and is increasingly committed to the respect and rehabilitation of detained persons. These

principles are also written in our Constitution, which states in its Art. 27, (para.3) that “*Punishments may not be inhuman and shall aim at re-educating the convicted*”.

I believe that today, gathered in a global forum, we cannot but ask ourselves how our legal systems ensure that punishment is never a revenge and it rather points at hope: hope for the convicted persons and hope for society.

Despondere spem munus nostrum: spreading hope is our task. This is the motto of the Prison Police in my country.

We must give those who have made a mistake the opportunity to repair the prejudice caused to the offended people and to society, through positive and responsible action for the future.

Building upon these principles, the Italian prison system has increased the opportunities of work for detainees, developed training activities, empowered inmates through individualized forms of treatment.

The “*Community work*” project [*Lavori di pubblica utilità*] responds to this notion of penalty, being an innovative model of social inclusion.

Agreements have been signed with municipalities, metropolitan areas, public institutions, private sector entities and large companies interested in starting collaboration to promote the social and occupational reintegration of individuals serving their sentences. The number of these agreements is constantly increasing and testify to the incremental overcoming of cultural barriers between prison and free society. The number of inmates involved in community work, such as road maintenance, maintenance of public parks, restoration of environmental heritage, is now significant.

These activities are supplemented by education and training courses aimed at developing prisoners' skills which will prove to be valuable for their reintegration into society and, consequently, for a significant reduction in the rate of recidivism.

Ladies and Gentlemen, statistical and sociological data show that to a more constructive prison treatment corresponds a lower level of recidivism which, in turn, leads to an increase in the level of public security. An appropriate prison treatment is an essential element for crime prevention.

In this context I would also like to mention a special project, "*I redeem myself for the future*" (*Mi riscatto per il futuro*), based on an agreement between Italy and Mexico, under the auspices of UN Office on Drugs and Crime.

A further development of this notion of penalty that "looks at the future" is given by the experimentation of forms of restorative justice, once again inspired by South African experience with the Commission for "Truth and Reconciliation".

As that page of history teaches, the idea of justice as "reconciliation" must not step back even in cases of serious offences. I believe that our societies can do more, or - to use Gustav Radbruch's famous words - can do "*something better*", by focusing on models of criminal justice based on mediation, conciliation and reparation, and thus promoting the "overcoming of the conflict", bringing the offender, the crime victim and community together, with patience and through a shared language.

In short, we can and must seek together wider room for action in order to achieve a *better justice*.

Meetings like this 14th UN Congress on crime prevention and criminal justice are precious opportunities for sharing views and experiences. We must move

forward together in the field of crime prevention, aiming the goals set by the 2030 Agenda for sustainable development.

Thank you.