REGIONAL TRAINING ON MEASURING SDG 16 IN AFRICA
PEACE, JUSTICE AND STRONG INSTITUTIONS

MEASURING SDG 16.3.2 UNSENTENCED DETAINES

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The value of data on pre-trial detention

SDG Indicator 16.3.2

Current global trends

UN-CTS data availability and quality

Next steps

**Indicator 16.3.2:** Unsentenced detainees as a proportion of overall prison population
The indicator signifies overall respect for the principle that persons awaiting trial shall not be detained in custody unnecessarily. This, in turn, is premised on aspects of the right to be presumed innocent until proven guilty.

From a development perspective, extensive use of pre-sentence detention when not necessary (for reasons such as the prevention of absconding, the protection of victims or witnesses, or the prevention of the commission of further offences), can divert criminal justice system resources, and exert financial and unemployment burdens on the accused and his or her family.

Measuring the relative extent to which pre-sentence detention is used can provide:

Evidence to assist countries in lowering such burdens  
Ensure its proportionate use

Target and indicator

Target 16.3: Promote the rule of law at the national and international levels and ensure equal access to justice for all

Unsentenced detainees: The total number of persons held in detention who have not yet been sentenced, as a percentage of the total number of persons held in detention, on a specified date.

Data source and methods

Data source
- National prison authority, through UN-CTS Focal Point

Computation method
Unsentenced detainees = $\left(\frac{\text{Total number of persons held in pre-trial detention}}{\text{Total number of persons held in detention}}\right) \times 100$

Reference period
- Calendar year or 12 months

Recommended disaggregations
- Sex and age
- Length of pre-trial (unsentenced) detention
Globally, the number of prisoners has risen between 2003 and 2016 by 14% from 9.1 to 10.4 million prisoners.

Though, the number of prisoners per 100,000 population has remained constant since 2003, but with notable regional variations.
Globally, the % of unsentenced detainees out of all prisoners has receded slightly since 2003, with large decreases in Africa, Asia and Europe, while Oceania has seen increases.
In Africa, Central and South America and Southern and South-Eastern Asia, several countries have many more detainees than prison capacity.

Current Trends: Prison overcrowding

Overcrowding in prisons: percentage of countries where prisoners outnumber the prison capacity
(2018 or latest year)
Data collection mechanism: UN Crime Trends Survey

- Persons held by sex, age status and citizenship
- Persons held for intentional homicide, rape, bribery, drug possession and drug trafficking
- Persons held by sentencing status and sex
- Persons held unsentenced by length of detention
- Mortality in prisons
- Persons entering prisons by sentencing status
- Convicted persons held under other types of supervision by sex
- Prison personnel by sex
- Prison personnel by function
- Official prison capacity by sex and age status
- Number of prison facilities
- Type of legal representation

= Core annual variables
= New additions
UN-CTS Prison Data Availability and Quality

Data Availability in Africa

Issues of Comparability

- **Counting rules**
  - Stock vs. flow of prison population

- **Application of principle offence rule**
  - Total number of prisoners vs. Prisoners in relation to an offence

- **Age status**
  - Adults vs. Juveniles

- **Inclusion of alternatives**
  - Persons held in alternatives & electronic monitoring
Conclusion and next steps

• In Africa, low prison population but **high levels of unsentenced detention and overcrowding**

• We are committed to strengthen data collection on:
  
  • Annual prison variables and disaggregation (**SDG 16.3.2**)
  
  • Alternatives to pre-trial and sentencing
  
  • Special groups such as juveniles and women
  
  • Disseminate data and produce analytical reports

→ **How can you strengthen prison data at national level with more disaggregation and/or analytical outputs?**
THANK YOU FOR YOUR ATTENTION


UNODC Data: https://dataunodc.un.org/

For any further questions: unodc-sdg@un.org