

Jindal Institute of Behavioural Sciences and International Society of Criminology Appeal to Government for Release of Undertrials and Petty Offenders to Avoid Overcrowding During COVID-19

With the outbreak of 100 plus positive cases in Arthur Road Jail, an appeal has been sent to senior Union Home Ministry officials, Chief Secretaries of State Governments and DGPs/IGPs of Prisons/Correctional Services for safeguarding the rights of prisoners and prison staff of jails all over the country. The appeal highlights the possible outbreak of the novel COVID-19 within entire prison institution in India after the recent news of the outbreak in prisons.

As per NCRB 2018, the total prison population in the country accounts to more than 4,66,000 prisoners with an overall occupancy level of 117.6%, 77000+ undertrials have spent more than 1 year in Indian Jail despite not being held guilty by any court. Of them 5000+ are those languishing in prisons for more than 5 years without being convicted plus the thousands of employees who work in correctional institutions, all of whom are in a high risk category.

In such a scenario, the International Society of Criminology has appealed for safeguards for the prison population and to issue directives towards temporary release of as many prisoners as possible from incarceration, provided they do not pose serious public safety threats or petty offenders, for the duration of the pandemic. This effort should focus on prisoners especially undertrials that comprises of more than 65% of prison population including those who are vulnerable to infection.

On behalf of the International Society of Criminology, Professor (Dr.) Sanjeev P. Sahni, Member of Board of Directors, Internal Society of Criminology and Member Governing Body, O.P. Jindal Global University has written to the concerned officials. *“It is urgent and imperative to take a critical look at overcrowding in jails and consider possibilities for temporary release of those prisoners who are not a threat to public safety as this could lead to more and more prisoners/prison officials being affected by this pandemic,”* said **Professor (Dr.) Sanjeev P. Sahni**.

Based on the current situation in curtailing this novel virus and its extremely contagious nature, the Central and State Governments have taken difficult policy decisions by issuing stay-at-home, public transportation restrictions, closing doors to non-essential businesses, and providing guidance about social distancing - all in the interest of public safety. *“Unfortunately, behind boundary walls of these correctional institutions, social distancing is not an option and hand sanitizer, in most of the cases, is a prohibited item. With prisoners cramped in such a small space, our prisons are essentially open casket for disease transmission. These conditions not only pose grave dangers to incarcerated people but also professionals who work as guards, counsellors and medical staff,”* said **Dr. Sahni**.

Complementing the efforts of the Prof. (Dr.) Emilio Viano, President International Society of Criminology (ISC) taken to curb the rampant spread of COVID-19, Dr. Sahni also suggested various preventive measures that need to be taken to effectively control the spread of this pandemic within the prison population.