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**Thematic discussion on enhancing the functioning  
of the criminal justice system to ensure access to  
justice and to realize a safe and secure society**

### **Statement submitted by Graduate Women International (GWI), a non-governmental organization in special consultative status with the Economic and Social Council\*\***

The Secretary-General has received the following paper, which is being circulated in accordance with paragraphs 36 and 37 of Economic and Social Council resolution 1996/31.

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\*\* Issued without formal editing.



## Enhancing the functioning of the criminal justice system to ensure access to justice and to realize a safe and secure society

The famous French writer Victor Hugo notably wrote, “He who opens a school door closes a prison”. As an international non-government organization (NGO) of women graduates, advocating for women’s rights, equality, and empowerment through access to quality secondary and tertiary education and lifelong training up to the highest levels, Graduate Women International (GWI) celebrates Hugo’s remarks and emphasizes that education is today still the most powerful means of reducing crime rates, improving criminal justice, accessing justice, and progressing toward safe and peaceful societies.

Criminal justice is the area of law that defines behaviours that are harmful to society and determines the different responses to those behaviours by society. The improvement of criminal justice and its systems aims at the reduction of crime to create safe societies. In order to sustain effective criminal justice, three main elements must be considered. On the one hand, to reduce the crime rate. On the other hand, to improve access to education for offenders, and finally, to provide criminal justice systems with tools aimed at reducing reoffending by offenders.

GWI notes that leaving school early increases the arrest and incarceration rate of the young people concerned, rates that vary from country to country but always go in the same direction.<sup>1</sup> Indeed, although it is a provable multifactorial phenomenon, crime is mainly caused by the lack of opportunity and education. When a child or teenager leaves school early, they are often alone, on the street, without income or support. Not having other suitable opportunities to proceed in life, the criminal path is taken.

There is a verifiable correlation between the investment of public funds in schools and a reduction in the crime rate. For example, students who attended better-funded schools in the United States of America were 15 per cent less likely to be arrested through age 30.<sup>2</sup> A one-year increase of schooling reduces murder and assault by almost 30 per cent, motor vehicle theft by 20 per cent, and arson by 13 per cent.<sup>3</sup> In Honduras, which has one of the highest crime rates in the world, the authorities have decided, in a sectoral plan put in place from 2018 to 2030, to use education as a springboard to reduce violence, having identified that young people from undereducated backgrounds were more prone to criminality.<sup>4</sup>

However, as stated above, crime is a multifactorial phenomenon, and people have always defied the rules imposed by society. It seems impossible to eradicate criminality completely. However, improving the criminal justice system is undeniably based on providing an adequate penal response to offenders. The penal response to an offence has two objectives: on the one hand, to punish the perpetrator for having violated a legal rule, and on the other hand, to reinsert him in society so that he does not reoffend.

Today approximately 11 million people are in penal institutions worldwide,<sup>5</sup> including 261,200 children and young people under 18 years.<sup>6</sup> The right to education, which implies a right to lifelong learning, is a fundamental human right recognized

<sup>1</sup> Anderson, D. (2014) “In School and Out of Trouble? The Minimum Dropout Age and Juvenile Crime”, *Review of Economics and Statistics* 96: 318–31 ; Bell, B, R Costa and S Machin (2018) “Why Does Education Reduce Crime?”, CEPR Discussion Paper No. 13162.

<sup>2</sup> <https://record.umich.edu/articles/public-school-investment-reduces-adult-crime-study-shows/>.

<sup>3</sup> Lochner, L and E Moretti (2004) “The Effect of Education on Crime: Evidence from Prison Inmates, Arrests and Self-reports”, *American Economic Review* 94.

<sup>4</sup> [www.globalpartnership.org/fr/blog/combattre-la-violence-par-leducation-au-honduras](http://www.globalpartnership.org/fr/blog/combattre-la-violence-par-leducation-au-honduras).

<sup>5</sup> [www.uil.unesco.org/en/adult-education/prison-education](http://www.uil.unesco.org/en/adult-education/prison-education).

<sup>6</sup> [www.penalreform.org/global-prison-trends-2022/children/#:~:text=Around%20261%2C200%20children%20are%20estimated,\(UNICEF\)%20in%20November%202022](http://www.penalreform.org/global-prison-trends-2022/children/#:~:text=Around%20261%2C200%20children%20are%20estimated,(UNICEF)%20in%20November%202022).

in many international United Nations declarations signed by member States.<sup>7</sup> Education is also a fundamental human right for those imprisoned or detained. However, many prisoners and detainees globally face “institutional and situational barriers”<sup>8</sup> during their studies. This is mainly attributable to the absence of libraries, access to educational material, qualified teachers, and prison administrators.

The lack of access to education in prison is costly for society with socio and economic implications. There is a significant reduction in reoffending rates for prisoners participating in prison education programmes. In fact, incarcerated individuals who participated in correctional education were 43 per cent less likely to return to prison within three years than prisoners who didn’t participate in any correctional education programme.<sup>9</sup> Moreover, the higher the education achieved, the lower the reoffending rate:<sup>10</sup> 14 per cent for those who obtain an Associate degree, 5.6 per cent for those who obtain a Bachelor’s degree, and zero for those who obtain a Master’s degree.<sup>11</sup> Undeniably, education in prison reduces reoffending rates, whether among young people or adults.

In addition, studies consistently show that it is financially more cost-effective to invest in prison education than in the incarceration and punishment of individuals. A study, for instance, found that in the United States, a \$1 million investment in incarceration will prevent about 350 crimes, while that same investment in prison education will prevent more than 600 crimes.<sup>12</sup> In the United Kingdom of Great Britain and Northern Ireland, it is estimated that every British pound spent on prison education saves taxpayers more than two British pounds. Education and training in prison help offenders to develop the necessary skills for rehabilitation and reintegration and thus makes our societies safer.

GWI supports Kofi Annan’s 1997 remarks at the World Bank Conference: “Knowledge is power. Information is liberating. Education is the premise of progress, in every society, in every family”.<sup>13</sup>

GWI applauds previous UNODC initiatives such as the Global Program for the Implementation of the Doha Declaration<sup>12</sup> that highlights the importance of universal education for children and youth, including those in detention, the Education for Justice (E4J) Initiative, and the United Nations Sustainable Development Goals (SDG), namely SDG 4 on access to quality education.

GWI affirms its support of the Kyoto Declaration and urges its full implementation by all member States.

<sup>7</sup> Universal Declaration of Human Rights, 1948, (art. 26); International Covenant on Economic, Social and Cultural Rights, 1966 (arts. 2, 13 and 14); International Convention on the Elimination of All Forms of Racial Discrimination, 1969 (arts. 1, 2 and 5); United Nations Standard Minimum Rules for the Treatment of Prisoners, 1977 Convention on the Elimination of All Forms of Discrimination against Women, 1979 (arts. 1 and 10); Convention on the Rights of the Child, 1989 (arts. 2, 9, 28 and 29); European Convention on Human Rights, 1950 (art. 2 of the First Additional Protocol).

<sup>8</sup> United Nations Report on Education in Detention, 2009, <https://justiceaction.org.au/wp-content/uploads/2020/09/EdnRtsUNppr.pdf>.

<sup>9</sup> Rand Social and Economic Well-Being, [www.rand.org/well-being/justice-policy/portfolios/correctional-education/policy-impact.html#:~:text=According%20to%20a%20%E2%80%A6,in%20any%20correctional%20education%20programs.%22](http://www.rand.org/well-being/justice-policy/portfolios/correctional-education/policy-impact.html#:~:text=According%20to%20a%20%E2%80%A6,in%20any%20correctional%20education%20programs.%22).

<sup>10</sup> [www.sciencedirect.com/science/article/abs/pii/B9780128153918000094#:~:text=Evidence%20on%20the%20effects%20of%20school%20quality%20improvements,some%20cases%2C%20in%20creases%20contemporaneous%20violent%20crime%20among%20juveniles](http://www.sciencedirect.com/science/article/abs/pii/B9780128153918000094#:~:text=Evidence%20on%20the%20effects%20of%20school%20quality%20improvements,some%20cases%2C%20in%20creases%20contemporaneous%20violent%20crime%20among%20juveniles).

<sup>11</sup> <https://bjs.ojp.gov/content/pub/pdf/ecp.pdf>.

<sup>12</sup> Bozos, Audrey; Hausman, Jessica (March 2004). "Correctional Education as a Crime Control Program.

<https://press.un.org/en/1997/19970623.sgsm6268.html>.

<sup>13</sup> [www.unodc.org/dohadeclaration/fr/news/2017/02/education-as-a-tool-to-preventing-crime-and-promoting-a-culture-of-lawfulness.html](http://www.unodc.org/dohadeclaration/fr/news/2017/02/education-as-a-tool-to-preventing-crime-and-promoting-a-culture-of-lawfulness.html).

Finally, having noted the importance of education in improving criminal justice, access to justice, and progress toward achieving the SDGs, GWI urges Member States to:

Provide schools and learning for every child worldwide, including children with disabilities or belonging to minorities, by investing in school construction, teacher training, and access to school materials.

Provide offenders with access to vocational and technical training and educational programmes to support them in developing the necessary skills for reintegration.

Provide specialized training to all those in criminal justice systems, including police officers on the special needs of women and girls, minors, disabled people, or those unable to read who face many barriers to access to justice.

Integrate into educational curricula a time dedicated to learning and understanding each country's national justice systems, its institutions, citizens' rights, access to a lawyer, etc.

To continue implementing the excellent measures developed and recommended in the UNODC's Education for Justice (E4J) initiative.

Ensure access to qualitative education in prison by investing in language-appropriate books, qualified teachers, and appropriate access to online educational services.

Furthermore, GWI urges member States to follow through on their pledges under the Kyoto Declaration to mainstream a gender perspective into the criminal justice system by promoting measures that address the gender-specific needs of both offenders and victims, including protecting of women and girls from revictimization.

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