

Indicator 16.3.2

Indicator Name, Target and Goal

Indicator 16.3.2 Unsentenced detainees as a proportion of overall prison population

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

Goal 16 Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels

Definition and Rationale

○ Definition

The ratio of defendants, suspects, inmates sentenced to death and others in penal institutions to total inmates

○ Concepts

defendant : a person who is thought to be guilty of a crime, and accused in a court

suspect : a person who is thought to be guilty of a crime, but yet to be accused

inmate sentenced to death : a person who is sentenced to the death penalty and is detained

others : inmates other than sentenced persons, defendants, suspects and inmates sentenced to death

○ Rationale and Interpretation:

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 the evidence to assist countries in lowering such burdens and ensuring its proportionate use.

Data Sources and Collection Method

Correctional Statistics: the statistic report published annually by Ministry of Justice

Method of Computation and Other Methodological Considerations

- Computation Method

$$I_{16.3.2} = \frac{\text{suspects} + \text{defendants} + \text{inmate sentenced to death} + \text{others}}{\text{total inmates}}$$

- Comments and limitations
N/A

Data Disaggregation

Disaggregation by sex is available.

References

Ministry of Justice-Correctional Statistics (available in Japanese only)
https://www.moj.go.jp/housei/toukei/toukei_ichiran_kousei.html

Custodian Ministries of Data

Ministry of Justice

Custodian Ministries of Related Policies

Ministry of Justice

International Organizations

United Nations Office on Drugs and Crime (UNODC)