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# Prisoner Death Statistics

Professor Philippa Tomczak and Dr Róisín Mulgrew



Illustrating the 'tip of the iceberg,' prisoner fatalities indicate the state of rights, health and safety within prison systems.

# *prison*DEATH

DEATHS IN PRISON WORLDWIDE

Prisoner mortality rates are up to 50% higher than rates in the community, forming a global human rights and health equity concern, and producing tremendous harms and costs.

Multidisciplinary team from the University of Nottingham (Philippa Tomczak), University of Galway (Róisín Mulgrew) and the Norwegian University of Science and Technology (Catherine Appleton) sought to:

- ensure prisoner deaths are on the global penal reform agenda
- reduce the harms of deaths in prison and improve the quality of prison life globally

# The UN and Prisoner Death Data

2013

- **UN Secretary General** – called for ‘in-depth analysis of the underlying problems and structural shortcomings’ in relation to deaths in detention

2019

- **UN High Commissioner for Human Rights** - Prisoner deaths was one of the most ‘important challenges pertaining to the protection of persons deprived of their liberty’

2019

- **Human Rights Council** recommended that States collect, compile and analyse prisoner death data

2023

- **UN Special Rapporteur on Extrajudicial, Summary or Arbitrary Executions** – called prisoner deaths ‘a silent global tragedy’ and flagged that such deaths were often preventable

*Original Article*



## **Making prisoner deaths visible: Towards a new epistemological approach**

**Philippa Tomczak  <sup>1</sup> and Róisín Mulgrew<sup>2</sup>**

### **Abstract**

In custodial contexts, the duty of states to protect the most fundamental right – to life – is heightened. Nevertheless, prisoner deaths are a universal and frequent concern. The mortality rate among the 11.5 million prisoners globally is up to 50% higher than amongst non-imprisoned persons, forming a human rights and health equity concern. It is therefore peculiar that prisoner deaths have attracted only piecemeal scholarly attention. In this article, we problematize epistemologies of prisoner death, highlighting obfuscations and agglomerations in existing datasets based on poor definitions, reductive statistics and constrained medico-legal categorizations. We provide a springboard towards a new epistemological approach that makes the scale and breadth of prisoner deaths and deceased prisoner characteristics more visible to facilitate prevention. We advance three tenets: *count prisoners who die* rather than deaths in prison, *disaggregate* prisoner death data through rights-informed dimensions and adopt *explicitly defined, mutually exclusive categorizations*.

# What did we do?

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Analysed the two international datasets in light of;

**Cross-disciplinary literature** identified using ProQuest,  
and

**Prison oversight reports** from around the world, relying  
on

- a) UN Subcommittee for the Prevention of Torture (22 countries 2007-2021)
- b) European Committee for the Prevention of Torture (29 countries 1990-2021)
- c) Inter-American Commission on Human Rights (10 countries 1993-2021)



# Prisoner Death - Datasets

## Council of Europe SPACE I



UNIL | Université de Lausanne  
Ecole des sciences criminelles



COUNCIL OF EUROPE  
CONSEIL DE L'EUROPE




SPACE  
Council of Europe  
Annual Penal Statistics

Prison Populations


**SPACE I - 2023**

Marcelo F. Aebi  
Edoardo Cocco

## UNODC Mortality in Prison



United Nations




UNODC  
United Nations Office on Drugs and Crime

dataUNODC

Data by topic | Country profiles

Home » dp-prisons-mortality

 Prisons & Prisoners

- Persons held
- Mortality in prison**
- Persons entering prison

**Mortality in prison**

Dimension:  Total  by type of death

Unit of measurement:  Counts

Category:  Total

# SPACE I

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Table 28 of SPACE I entitled 'Inmates who died inside penal institutions' provides the annual number and rates of (certain) deaths within penal institutions in Council of Europe member States (where available).

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The data is organized around counts and percentages for homicides, suicides and other deaths, alongside overall mortality and suicide rates per 10,000 inmates per country.



## Preventing Prisoner Deaths in the Council of Europe

COUNCIL OF EUROPE



CONSEIL DE L'EUROPE

- Existing data approaches disguise the scale of the issue, invisibilise prisoner characteristics and mask the circumstances of deaths
- Reliance on a narrow handful of categories conceals the avoidable nature of many deaths and, importantly, points of prevention
- Important to place on penal reform agenda at the Council of Europe

# Tenets for Improving Prison Death Data

## Comprehensive

### Count 'prisoners who die' not deaths within prison

Include *all deaths of persons subject to ongoing detention orders*, including: in external medical facilities; during escape; of prisoners on temporary leave; of prisoners pre-trial and awaiting sentence

### Indicate how prisoner(s) died

Report manners of death that are: i) *detailed* (reduce reliance on 'other' categorisation; represent all major forms of death); ii) *distinct* (reduce overlap between manners); iii) *specific* (have clear definitions and boundaries); and iv) *verified* (submitted by independent body and source(s) made clear)

## Disaggregated

### Which prisoners died?

Extend data to indicate *which prisoners died* by including a range of rights-required identifiers such as gender (identity), race, ethnicity, age, sexuality, disability and legal status

## Contextualised

### Who or what was involved in the death?

Add descriptive tags to enhance death prevention potential. Were drugs, alcohol, fire, sexual violence, restraints or weapons involved? Was the prisoner detained pre-trial or sentenced? Where did the death occur and who was responsible? Were mass fatalities or mass perpetrators involved?

# COMPREHENSIVE DATA

## Count Prisoners who Die

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From 2018 until 2022, statistics were only provided for deaths inside penal institutions, omitting those who died in hospital or on leave

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SPACE I remains focused on deaths **inside prison facilities** – but in 2022, additional data included on the number of persons who died outside prisons


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This inclusion of data on prisoner deaths outside penal institutions in SPACE I is welcomed and vitally important to ensure **the true scale of prisoner deaths** within the Council of Europe is represented.




# COMPREHENSIVE DATA

## Count Prisoners Who Die



IMPORTANCE - The number of prisoners that **died outside prison** was significant in many countries (Poland, Spain, Ukraine) and in some cases, higher than the number of deaths in prison (Albania, Belgium, Georgia, Greece and Turkey).



CHALLENGES - Practical challenges in securing **comparable data**: not available from **13 member States**

# Comprehensive Data – Recommendation

Urge the Council of Europe to support the collection of this data by member States.

The deaths of all persons subject to **an ongoing detention order** be included in SPACE I statistics

COMPREHENSIVE

Manner of  
Death

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DETAILED (reduce reliance on other categorisation; represent major forms of death)

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DISTINCT (reduce overlap between manners of death)

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SPECIFIC (clear definitions and boundaries)

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VERIFIED (independent source)

# Disaggregated Data

SPACE I only provides disaggregated statistics for death by suicide

Gendered data on deaths and suicides included from 2010

Pretrial prisoner deaths included since 2014

No data on deaths of transgender prisoners or prisoners from indigenous or minority ethnic populations

# Invisibilising... (What we cannot see)

**(Trans)Gender**

**Sexuality**

**Race**

**Ethnicity**

**Legal status/ Nationality**

**Disability**

Groups that are susceptible to  
discrimination





# Disaggregated Data

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Datasets makes important characteristics of prisoners who die invisible

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Disaggregation is necessary to ensure prevention policies are underpinned by evidence, particularly for groups susceptible to discrimination

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Move away from data collection approaches that mask 'underlying disparities' and towards the incorporation of data on disadvantaged or marginalized groups



Disaggregated  
Data

Recommendation

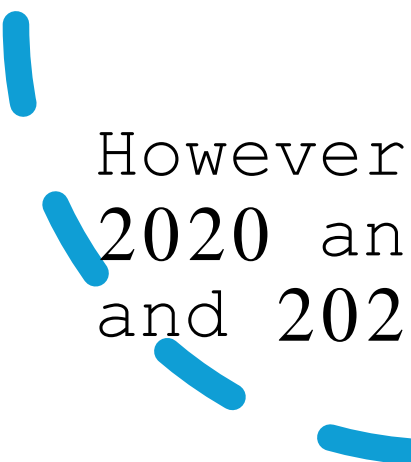
The Council of Europe should support States to collect and publish prisoner death data disaggregated by important grounds of discrimination such as gender identity, sexuality, race, migratory status and disability




# Contextualised Data

Until 2011, suicide was the only specific death category in SPACE I

SPACE I now refers to three categories of deaths: homicide, suicide or other



However, **two thirds** of all prisoner deaths in 2020 and **over half of deaths** in the 2021, 2022 and 2023 reports were classified as 'other'.

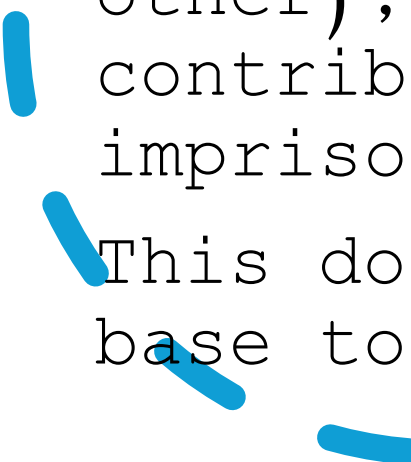


# Contextualised Data

A table used in 2011 brought greater clarity by including data on deaths caused by homicide, accidents, intoxication and other causes (including illness).

The current categorises (homicide, suicide, other), introduced in 2016, conceal factors that contribute to deaths caused by or because of imprisonment.

This does not provide a comprehensive evidence base to facilitate death prevention



# Classification Issues

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NATURAL DEATHS - label can deflect attention from eminently preventable deaths – failure to provide adequate or timely medical treatment, deflecting attention from eminently preventable deaths





HOMICIDE – dark figure of unrecorded homicides, or recorded as natural causes, or misrepresented as prison suicides (hanging)

ACCIDENTAL – can be utilised to facilitate misclassification and therefore underreporting of suicide and homicide rates



# Contextualised Data – Recommendation

We recommend the (re)inclusion of **further, exclusive prisoner death categories.**

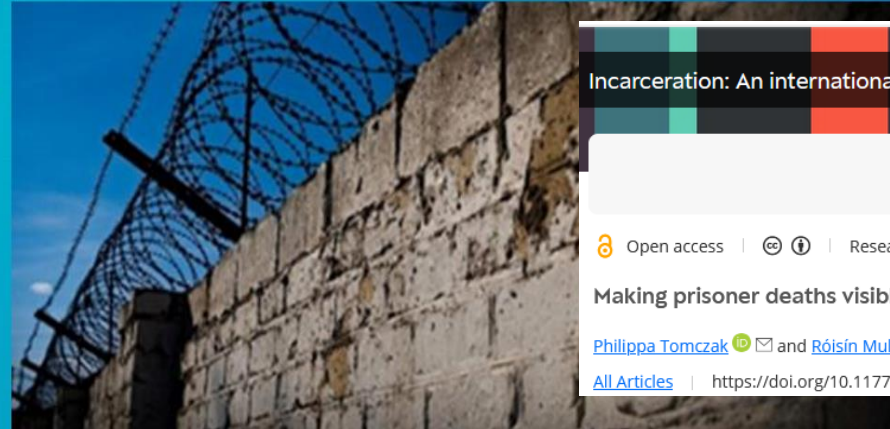


**Descriptive contextual information** on the location and means of death, and who was involved in the death, should be added to enhance prevention potential



# Improving prisoner death statistics

Policy Brief - October 2024<sup>1</sup>



Incarceration: An international journal of imprisonment, detention and coercive confinement

[Journal indexin](#)

Open access | | Research article | First published online March 6, 2023

Making prisoner deaths visible: Towards a new epistemological approach

[Philippa Tomczak](#) and [Róisín Mulgrew](#) [View all authors and affiliations](#)

[All Articles](#) | <https://doi.org/10.1177/26326663231160344>

## Tenets for prisoner death data

1. Prisoner death data should be **comprehensive**
  - i) *count prisoners who die*, not only deaths occurring within prison facilities and
  - ii) indicate *how prisoners died* by reporting detailed, distinct, specific and independently verified manners of death
2. Prisoner death data should be **disaggregated**

Indicate *which prisoners died* by including a range of rights-required identifiers such as gender (identity), race, ethnicity, age, sexuality, disability and legal status
3. Prisoner death data should be **contextualised**

Indicate *who and what was involved* in the death by adding descriptive tags. Were drugs, sexual violence, restraints or weapons involved? Was the prisoner detained pre-trial or sentenced? Where did the death occur and who was responsible? Were mass fatalities or mass perpetrators involved?

# How to implement these recommendations?

A. Review/ **commission a review** of

- existing prisoner death statistics gathered nationally across the Council of Europe
- local/ national data sources that could facilitate disaggregation and contextualisation e.g. prisoner death investigation reports, death certificates, inquest verdicts

B. **Pilot a study** of comprehensive, disaggregated and contextualised prisoner death data collection in a country with adequate data sources, apply its findings and evaluate it

C. **Create guidance** to enhance international and national policy and practice in relation to prisoner death data collection and evidence-based prisoner death prevention policies



Thank you  
and we  
welcome  
any  
questions

### **Professor Philippa Tomczak**

Faculty of Social Science, University of Nottingham  
Email: [Philippa.Tomczak@nottingham.ac.uk](mailto:Philippa.Tomczak@nottingham.ac.uk)  
Visit: [www.safesoc.co.uk](http://www.safesoc.co.uk)



### **Doctor Róisín Mulgrew**

School of Law, University of Galway and Irish  
Centre for Human Rights  
Email: [roisin.mulgrew@universityofgalway.ie](mailto:roisin.mulgrew@universityofgalway.ie)





DEATHS IN PRISON WORLDWIDE

## Articles

### **Making Prisoner Deaths Visible: Towards a New Epistemological Approach'**

Philippa Tomczak and Róisín Mulgrew  
(2023) *Incarceration*, 4 :1-21

### **'Prisoner Lives Cut Short: The Need to Address Structural, Societal and Environmental Factors to Reduce Preventable Prisoner Deaths'**

Róisín Mulgrew (2023) *Human Rights  
Law Review*, 23 (2):1-25

## Policy Briefs with



### ***Deaths in prison: Examining causes, responses, and prevention of deaths in prison worldwide*** (2022)

### ***Investigating deaths in prison: A human rights-based approach*** (2023)