

PRI's Bangkok Rules E-bulletin: June 2014

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## Bangkok Rules E-Bulletin

*Women in the Criminal Justice System*

June 2014



### Toolbox on the UN Bangkok Rules

Welcome to Penal Reform International's quarterly Bangkok Rules E-Bulletin, a round-up of news and developments from PRI and others around the world on women in detention, and the implementation of the UN Bangkok Rules. The views expressed in the news items are not necessarily those of PRI.

We welcome contributions to the e-bulletin and do let us know what you think by emailing [publications@penalreform.org](mailto:publications@penalreform.org)

### *What's in this issue?*

- [In the spotlight](#)
- [Recent PRI activities on women and the Bangkok Rules](#)
- [New research on women in detention](#)
- [A news round-up from the Bangkok Rules network](#)
- [Other news relating to women in criminal justice systems worldwide](#)

## WHAT ARE THE BANGKOK RULES?

The Bangkok Rules are a set of standards adopted by the UN General Assembly on 21 December 2010, which supplement existing standards for the treatment of prisoners by addressing the specific needs of women in the criminal justice system for the first time. For more information on the Rules see PRI's [short guide](#) on the Rules.

## IN THE SPOTLIGHT

### **Human Rights of Women in Detention**

On 17 June, coinciding with the Annual Day of Discussion on Women's Rights at the Human Rights Council in Geneva, PRI co-hosted a side-event on the human rights of women in detention, together with [DIGNITY](#) (Danish Institute Against Torture), [OHCHR](#) and the Permanent Missions of Denmark and Chile.

The event was webcast live - [watch the recording!](#)

The panel discussion was moderated by PRI's Policy Director, Andrea Huber, who pulled together the presentations from some of the key actors on women's rights at the international level, including:

- **Frances Raday**, Chair of the UN Working Group on discrimination against women in law and practice, discussed gender-specific offences;
- **Norul Rashid**, UN Women, examined women and criminal justice in the post-2015 agenda;
- **Mari Amos**, Subcommittee on the Prevention of Torture (SPT), looked at the reality for women in prison;
- **Federica Donati**, OHCHR, on behalf of Rashida Manjoo, Special Rapporteur on violence against women, presented the Special Rapporteur's report, [Pathways to, conditions and consequences of incarceration for women](#); and
- **Therese Rytter**, Director of Legal Affairs and Advocacy at DIGNITY, who analysed UN jurisprudence against international standards and presented DIGNITY's new research report, [Conditions for Women in Detention - Needs, vulnerabilities and good practices](#) (see more on this report [below](#)).

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## **PRI NEWS**

### **PRI celebrates 25 years of penal reform**

This year, PRI celebrates its 25th anniversary. To mark the occasion, PRI has launched a new short animated film, [Is a prison sentence always the solution?](#), looking at the damaging effects of imprisonment and promoting greater use of non-custodial alternatives, as well as an [expert blog series](#), addressing current trends and challenges in criminal justice on the 25th of each month until the Crime Congress in 2015. The second blog in the series is from Shane Byrnes, a former UK prison governor and criminal justice expert, examining the challenges of radicalisation in prison. [Read the blog](#) or listen to a [podcast](#).



PRI also held an anniversary event on 25 April, with a panel debate, *[If prison doesn't work, what does?](#)* Vicky Pryce, former Chief Economist at the Home Office and author of *Prisonomics*, spoke at the event, inspired by her own experience in the British penal system. She focused on the overuse of imprisonment, particularly for women, and the costs not only to the individual and their families, but also to governments, including loss of opportunity – people not in education or employment. Watch a video or listen to a podcast of the event [here](#).

### **PRI Annual Report 2013**

PRI's 2013 annual report, *[Working towards fair and effective criminal justice: the PRI way](#)*, outlines how PRI operates and how we achieve impact. It focuses on highlights from the year, including our work on women and the Bangkok Rules, in terms of research carried out, resources published, international advocacy and partnerships with civil society.



### **Women and the UN Principles and Guidelines on Legal Aid**

On 24-26 June, the International Legal Foundation hosted an [International Conference on Access to Legal Aid in Criminal Justice Systems](#) in Johannesburg, South Africa. PRI's Policy Director, Andrea Huber, spoke at the conference on gender aspects in legal aid, welcoming the [UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems](#) and their acknowledgement of the need for special measures to ensure legal aid for women, but also warning that they are just a first step to ensuring that women are not disadvantaged at any stage of the criminal justice system. [Read a blog adapted from her presentation](#).

### **PRI input to the Committee on the Elimination of Discrimination Against Women**

PRI sent a [submission for the examination of Georgia](#) ahead of CEDAW's 58th Session, taking place in Geneva from 30 June - 18 July. The submission addresses issues specific to women in prison, drawing on the Bangkok Rules and PRI's research report *[Who are women prisoners? Survey results from Armenia and Georgia](#)*. The session will also consider reports from the Central African Republic, India, Lithuania, Mauritania, Peru, Swaziland and Syria.

PRI also sent a [submission on the examination of Kyrgyzstan](#) ahead of CEDAW's Pre-Sessional Working Group for its 60th Session, from 21-25 July, which will also consider upcoming reviews of Eritrea, Gabon, Ecuador, Maldives, Tuvalu, Azerbaijan and Denmark.

### **PRI side-event at the Crime Commission on implementation of the Bangkok Rules**

The UN Commission on Crime Prevention and Criminal Justice took place in Vienna from 12-16 May. PRI, together with [UNODC](#), [Thailand Institute of Justice](#) (TIJ) and the Permanent Mission of Thailand, hosted a side event looking at ways that the Bangkok Rules can be put into practice. The discussion, [The Bangkok Rules on Women Offenders and Prisoners: Towards Implementation](#), was opened by HRH Princess Bajrakitiyabha Mahidol, Permanent Representative of Thailand to the UN in Vienna, and panellists included Regional Director of PRI's MENA Office, Taghreed Jaber, and Policy Director, Andrea Huber.



### **Human Rights and HIV in Prison**

Also at the Crime Commission in Vienna, PRI co-hosted a side-event with UNODC, discussing HIV in prisons, with a focus on human rights related issues and best practices. PRI's Executive Director, Alison Hannah spoke at the event about PRI's programme to reduce the spread of HIV/AIDs and TB in two women's prisons in Kazakhstan. This two-year EU-funded project ran from December 2010 until December 2012. Among other results, tests showed that the number of women contracting HIV in Karaganda prison fell from 24 in the first half of 2011 to zero in 2012.

### **PRI to run workshop on women offenders and reintegration for US parole and probation officers**

[The American Probation and Parole Association's 39th Annual Training Institute](#) will take place in New Orleans on 3-6 August 2014. PRI will run a workshop on women in the criminal justice system, looking at the challenges and solutions of rehabilitating women offenders, drawing on the Bangkok Rules and case studies from PRI's [multi-regional research project](#). For more information on this and all workshops, [click here](#).

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## **NEW RESEARCH**

### **PRI and AdvocAid Sierra Leone**

The third and final report from PRI's [multi-regional research project](#) will be published

shortly, examining the backgrounds and impact of imprisonment on women in Tunisia and Jordan. Inspired by Rule 67 of the Bangkok Rules, the project aims to improve the evidence-base on the characteristics of women offenders and highlight priority areas where women would most benefit from changes in law, policies and practice. Previous reports from the project have profiled women in prison in [Armenia and Georgia](#) and [Kazakhstan and Kyrgyzstan](#). [AdvocAid Sierra Leone](#) has also used PRI's methodology to profile the backgrounds of women in prison in Sierra Leone.

### **DIGNITY - Danish Institute Against Torture**

DIGNITY have launched a new report, [Conditions for Women in Detention - Needs, vulnerabilities and good practices](#). The study has two parts: a legal desk study analysing the jurisprudence of four UN bodies against international standards, and an empirical study on the needs, vulnerabilities and violations of women in detention in Albania, Jordan, Guatemala, the Philippines, and Zambia.

### **The Dui Hua Foundation**

During the second half of 2013, a team at Renmin University of China Law School, led by Professor Cheng Lei, carried out research on the conditions in China's women's prisons. The final report is now available: [Research Report on the Treatment of Women Detainees in China - Using the Bangkok Rules as the Starting Point of Analysis](#).

This [research was first presented](#) at *Women in Prison: An International Symposium on the Bangkok Rules* in Hong Kong in February (read the [Summary of Recommendations and Proceedings](#) from the symposium). The symposium was attended by officials from China's Supreme People's Court (SPC), where the death sentence of a domestic violence survivor who killed her husband in 2010 was recently overturned - [read more here](#).

### **Howard League for Penal Reform**

A new report from the Howard League, [Mitigating Motherhood: A study of the impact of motherhood on sentencing decisions in England and Wales](#), finds inter and intra judge inconsistency in the application of mitigation for caring responsibilities of defendant mothers, depending on knowledge, experience and use of pre-sentencing reports. The Commission on Sex in Prison, set up by the Howard League to conduct the first ever review of sex inside prisons in England and Wales, has also published the second in a series of briefing papers, [Women in prison: Coercive and consensual sex in prison](#).

### **American Civil Liberties Union (ACLU)**

In a new briefing paper, [Worse Than Second Class: Solitary Confinement of Women in the United States](#), ACLU highlights the unique harms and dangers of subjecting women to solitary confinement and calls for reforms to address gender-specific harms of isolation.

### **Irish Penal Reform Trust (IPRT)**

A new report from IPRT, [Travellers in the Irish Prison System: A Qualitative Study](#), finds

Traveller women face a risk of imprisonment 18 to 22 times higher than that of the general population, as well as a higher risk of imprisonment than Traveller men.

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## NEWS FROM THE NETWORK

### **"In the Dry Season"**

In this short video from [AdvocAid Sierra Leone](#), a woman in Kenema Female Prison recites a poem she has learnt in a literacy class run by EducAid and AdvocAid and supported by the Sierra Leone Prison Service.

### **I would give up... women's imprisonment**

Frances Crook, CEO of the [Howard League for Penal Reform](#), says the women's prison estate is 'a scar on the nation', and calls for the abolition of women's imprisonment.

### **Call to action: Empower women. Resist injustice. Transform lives.**

The [Centre for Crime and Justice Studies](#) (CCJS), in collaboration with [Women in Prison](#), has issued a call to action challenging the harms faced by women in criminal justice systems and support services. [Read the call and sign up](#) to show your support!

### **The Nature of the Relationship between Debt and Women's Offending**

A new briefing from UK-based charity [Clinks](#) examines the impact of financial difficulties on women's offending, drawing on case study examples submitted by their members.

### **El encarcelamiento y la reincidencia femenina**

This fourth edition of the Prison Law Magazine from the Centre for Criminal and Penitentiary Studies (Faculty of Law, Universidad Mayor) includes an analysis of women's imprisonment and recidivism. Available in Spanish only.

### **Rape as Torture in the DRC: Sexual Violence Beyond the Conflict Zone**

This new report from [Freedom from Torture](#) analyses 34 forensic medical reports and finds that rape is being used as torture by state security forces in prisons across the country to stop women speaking out about politics, human rights and, in some cases, rape itself.

### **Road to Reduction? Women's Custodial Estate Review: Six Month Assessment**

In this traffic light report, [Women in Prison](#) assess progress made by the UK Government in the six months since the [Women's Custodial Estate Review](#) was published. Approaching the review recommendation by recommendation, the report awards red for no progress, amber for some progress and green for implementation.

### **Integrating gender into security sector oversight**

DCAF, OSCE/ODIHR and OSCE Gender Section have published three guidance notes on integrating gender into internal police and armed forces oversight, as well as oversight of the security sector by Ombuds Institutions and National Human Rights Institutions. These are available now in English, and shortly in Russian, French and Bosnian.

### **Eliminate the Detention Bed Quota - The Impact on Women and Families**

The [National Immigrant Justice Centre](#) in the US has published a fact sheet on the impact on women and families of placing men in lengthy periods of immigration detention for likely deportation. The problems are similar to those for imprisonment for any crime and, as with all imprisonment, spouses and children are secondary victims.

### **SPS Custodial History and Substance Misuse 2014**

The Scottish Prison Service has published the 14th edition of its bi-annual Custodial and Substance Misuse Bulletins. In its [survey of female prisoners](#) for 2013, the majority of women reported that they were treated with respect by prison staff (88 per cent) and also rated their relationships with other prisoners in positive terms (95 per cent). Satisfaction with food and cleanliness of accommodation has also increased overall since 2011.

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## **OTHER NEWS**

- Afghanistan: [Life inside Badam Bagh women's prison](#)
- Australia: [Audit on women in prison makes 61 recommendations](#)
- Australia: [Woman's strip search described as "one-off"](#)
- Australia: [Women prisoners say they are hungry as increasing numbers put pressure on crowded jails](#)
- Australia: [Inquest told women's prisons are 'awash' in illicit drugs](#)
- Canada: [Ashley Smith's prison death the subject of one-woman play](#)
- Canada: [Expanding rarely used programme that lets mothers live with children in minimum security prisons](#)
- Canada: [Watchdog 'disappointed' by scope of mental health project for female inmates](#)
- China: [Supreme Court overturns death sentence of domestic violence survivor](#)
- China: [Visiting women's prison in Southeast China](#)
- Denmark: [Justice Ministry considering women-only prisons](#)
- DRC: [Rape 'routine' in DR Congo prisons](#)
- Haiti: [New custody area for women in Les Cayes prison](#)
- Hong Kong: [Bangkok Rules gain traction at Hong Kong's largest women's prison](#)
- Ireland: [Prison report uncovers Traveller discrimination](#)
- Ireland: [Nearly half of females jailed out on release](#)
- Ireland: [Chronic overcrowding and alarming drug use in Dóchas Women's Prison](#)
- Kenya: [Yoga bends the trends at Langata Women's Prison](#)

- Malaysia: [Transgender women imprisoned for 'cross dressing'](#)
- Malta: [Female inmates to work for private factory from prison](#)
- New Zealand: [Women's prison adopts a commercial approach to rehabilitation in bid to reduce numbers returning to prison](#)
- Scotland: [Women's prison population rises by 120%](#)
- Scotland: [Why are so many women held in prison?](#)
- Spain: [Women behind bars: Spain tops EU table](#)
- Sudan: [Sanitary conditions in Torit state prison inadequate, say women's group](#)
- Thailand: [Thai women in prison pay high price for drugs](#)
- Turkmenistan: [New women's prison is opened](#)
- UAE: [A prison where the children come first](#)
- UK: [Planned closure of two women's prisons halted by legal action](#)
- UK: [Why prison isn't working for women](#)
- UK: [Inspectors impressed by Eastwood Park women's prison](#)
- UK: [Women's prison stories to be centre stage of new play Key Change](#)
- UK: [Update on delivery of the Government's strategic objectives for female offenders](#)
- US: [I've served 15 years of my life sentence for a drug crime. Can I go home now?](#)
- US: [Hundreds of children visit incarcerated moms for mother's day](#)
- US: [Inside the 'snake pit' at Tutwiler: Prison psychologist explains obstacles he faced trying to provide mental healthcare](#)
- US: [Women prisoners complete college domestic violence course](#)
- US: [Orange is the New Black in real life is a prison epidemic of too many women in jail - and taxpayers like you in the red](#)
- US: [Naked holding cells and debtor's prison - the latest injustices for women in the prison system](#)
- Yemen: [Female prisoners: Between bitterness and social rejection](#)
- Zambia: [More female warder jobs coming](#)
- Zimbabwe: [Smaller prisons hit with sanitary wear shortage](#)

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*Do you have new publications or resources to share on women and criminal justice?*

*We hope that our newsletter is used to share information and resources among a growing network of individuals and organisations interested in the issue of women and detention, and would like to encourage colleagues to send us materials, feedback, news items, information about events etc to include it in our bulletins. We are also always interested in your feedback on our publications, projects and the bulletin itself. We hope to hear from you! Send your contributions to [info@penalreform.org](mailto:info@penalreform.org).*

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News on women in detention: Bangkok Rules E-bulletin

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