



Call to Action: Protect the human rights of women in the criminal justice system

10 December 2020

As we approach the 10th anniversary of the adoption of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), we, the undersigned, express alarm at the increase in the global female prison population by around 100,000 since the adoption of the Rules – which aim to reduce the imprisonment of women – and the continuing discrimination and abuse experienced by women in criminal justice systems.

We call on all governments to review their laws, policies and practices with a view to fully implementing the UN Bangkok Rules, and work to ensure the rights of women that come into contact with the criminal justice system. Specifically, we call for governments to urgently:

1. **Reduce the imprisonment of women** by ensuring laws and policies promote diversion for low level offences; consider mitigating factors such as a lack of criminal history, relative non-severity and nature of the crime, caretaking responsibilities and typical backgrounds in sentencing of women; and use gender-sensitive alternatives which address the most common causes of offending as a first response both pre-trial and post-conviction.
2. **Promote the rehabilitation and social reintegration of women** by ensuring gender-specific classification methods are used to facilitate the appropriate and individualised planning and implementation of programmes towards early rehabilitation, treatment and reintegration into society, and that prison and probation staff are trained to address the special social reintegration requirements of women.

3. **Ensure women's rights are respected** at all stages of the criminal justice system, including during detention. Search procedures must respect a woman's dignity and be carried out by female staff. Appropriate healthcare must be provided, including pre- and post-natal care. Measures should also be in place to prevent and report any violence or mistreatment, including through monitoring bodies and increased contact with community services.
4. **Facilitate mental healthcare provision in prison** and undertake specific efforts to mitigate negative mental health impacts of COVID-19 measures affecting women, including by working with community-based services. Mental health crisis plans, and longer-term mental health provision needs to be prioritised, with healthcare plans developed by healthcare staff together with women in prison and staff.

The number of women in prison is rising at an alarming rate, even though women are typically convicted of low-level non-violent crimes. Women are disproportionately impacted by punitive drug policies and often commit crimes in poverty to keep themselves and their families alive. Many find themselves in prison as a direct result of discrimination.

As a minority in prisons, representing on average 2-9% of national prison populations, women are often not provided with access to programmes and services to support their rehabilitation that address their specific needs and characteristics. There is also a mental health crisis among women in prison, with up to 80% living with an identifiable mental illness, which has been compounded by measures related to preventing and addressing the spread of COVID-19.

Women around the world continue to face threats to their dignity and humanity in detention. They are often unable to access adequate healthcare and are at particularly high risk of sexual assault and humiliation in prison. In some countries, women are even restrained during labour and birth or placed in solitary confinement whilst pregnant or caring for an infant child.

We therefore call for the full implementation of the UN Bangkok Rules and, specifically, the recommendations above to urgently reduce the number of women in prison and end the hardship they face.

Endorsed by:

A Fairer Chance

ABA ROLI

ACAT Canada (Action des chrétiens pour l'abolition de la torture)

ACAT España catalunya (Acción de los Cristianos para la Abolición de la Tortura)

ACAT Italia (Action by Christians for the Abolition of Torture)

AdvocAid

AFEW International

Africa Network of People who use drugs (AfricaNPUD)

African Agency for integrated development (AAID)

Aksion Plus

Amnesty International

Asociación Internacional de Magistrados y Jueces de Juventud y Familia

Association for the Prevention of Torture
Awareness Center for Training in Human Rights (مركز وعي للتدريب في حقوق الانسان)
Centre on Drug Policy Evaluation
Centro de Investigación Drogas y Derechos Humanos
Civil Society in the Penal System Association
Clean Start Kenya
Comisión Mexicana de Defensa y Promoción de los Derechos Humanos
Commonwealth Human Rights Initiative
Community Legal Aid Institute
Community-based Justice
Cornell Center on the Death Penalty Worldwide
Corporación Viso Mutop
COUNTERfit Harm Reduction Program
Cross Cultural Foundation Thailand
CRTG Working Group
Documenta, análisis y acción para la justicia social AC
EuroNPUD
Evolvexe Consulting
Faraja Foundation
Friends of the Press Network, Cameroon
Harm Reduction Australia
Harm Reduction International
Hermanas en la sombra
Human Rights Advocacy Center
Il Cammino Cooperativa Sociale Onlus
Indian Social Institute, Bengaluru
Institute of Peace and Development (INSPAD)
Instituto RIA AC
International Commission of Jurists
International Drug Policy Consortium
Irish Penal Reform Trust
Irish Rule of Law International (IRLI)
ITTC - Instituto Terra, Trabalho e Cidadania
Justice Health Unit, University of Melbourne
Justice Project Pakistan
Ludwig Boltzmann Institute of Fundamental and Human Rights
Metzineres: Entornos de Cobijo para Mujeres que Usan Drogas Sobreviviendo Violencias
Mujeres unidas x la libertad
Netherlands Helsinki Committee
Observatorio Venezolano de Prisiones
Paralegal Alliance Network (PAN)
PeerNUPS
Penal Reform International
Perkumpulan INISIATIF-Indonesia
Prison Reform Trust
Prison Systems Support
Quaker United Nations Office

Questscope
Release
Rights Reporter Foundation
SolitaryConfinement.org
StoptheDrugWar.org
Students for Sensible Drug Policy
SWRaP (Social Work Research and Practice)
Thailand Institute of Justice (TIJ)
The Dui Hua Foundation
The Gender and Justice Unit
The Georgian association "Women in Business"
The International Legal Foundation
The National Center for Human Rights, Jordan (المركز الوطني لحقوق الإنسان)
The Sentencing Project
Todos Unidos contra el Populismo Punitivo
Transform Drug Policy Foundation
Transmedia Communications Ltd
University of Nottingham
Washington Office on Latin America
WHRIN
Womxn's Voice
Yayasan rehabilitasi untuk anak mandiri indonesia (YUAMI)
Youth RISE
Zimbabwe Civil liberties and Drug Network

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