

PRI's Bangkok Rules E-bulletin: October 2016

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Bangkok Rules E-Bulletin

Women in the Criminal Justice System

October 2016



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.

What's in this issue?

- [In the spotlight: New report: Community service and probation for women: a study in Kenya](#)
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Do you have new publications or resources to share on women and criminal justice?

We encourage you to send us any new materials, feedback, news items, blogs, etc... to share with this network of people interested in women and the criminal justice system. Please send to: info@penalreform.org.

And connect with us on twitter @penalreformint

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 more information on the Rules see PRI's [short guide](#) on the Rules.

IN THE SPOTLIGHT

Community service and probation for women: a study in Kenya

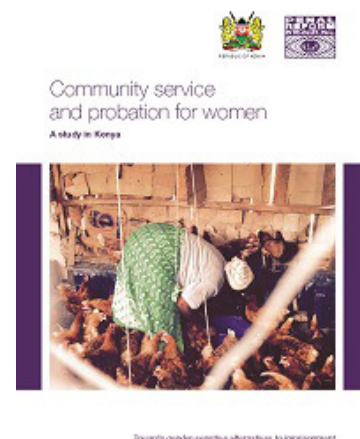
On 3 October, PRI, together with the Kenya Probation and Aftercare Service launched a [new report](#) and [short film](#) in Nairobi following pioneering research on alternatives to prison for women.

Read the [press release here](#), which notes that the pilot project provides useful lessons on implementing alternatives for women offenders in the African region and internationally.

The report examines the context in which women serve community sanctions (Community Service Orders and Probation Orders) in Kenya and their interactions and experiences of it.

Community sanctions are often a much better option for women than a prison sentence, but like many other aspects of criminal justice systems, the system is usually set up with male offenders in mind, paying little attention to the reality of women's lives.

This report identifies challenges women face (how do they balance serving the Order with childcare commitments and their casual jobs, for example: Are their health problems taken into account when allocating work? Do they feel safe?) and what



they need to maximise their chances of successfully completing the Order, and makes recommendations for improving the gender-sensitivity of the community sanctions system.

This report was produced as the first step of a project to develop a gender-sensitive approach to the delivery of community sanctions in Kenya, in line with the [UN Bangkok Rules](#) and was funded by the [Thailand Institute of Justice](#).

Update! Kenya's correctional services principal secretary announced this week that [Kenya would take steps to decongest prisons](#), citing in particular offences of illegal brewing and illegal collection of firewood which penalise the poor, and especially women, as highlighted in PRI's report.

Coming soon: A briefing will be published soon which identifies lessons and recommendations for other countries to better implement the Bangkok Rules on non-custodial measures and sanctions, drawing on this research report from Kenya.

[Short film: 'Equal justice': making community sanctions work for women in Kenya](#)



Watch our short film about the research [here](#), which highlights the benefits of community service for women as well as the challenges they face.

Feedback needed! Following the film there is a short survey and PRI would be grateful if you could tell us what you think.

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Read more about the background to and what this project seeks to achieve in an article written by PRI's Programme Officer, Olivia Rope for [the Thailand Institute of Justice's newsletter](#) (issue 3, May 2016 pp 10-11).



PRI RESOURCES, NEWS AND EVENTS



[Les Règles de Bangkok des Nations Unies concernant le traitement des détenues et des délinquantes: Petit guide](#)

[Short Guide to UN Bangkok Rules now available in French](#)

The short illustrated guide to the Bangkok Rules covers:

- the profile of women prisoners and why international standards were needed
- who the Rules protect
- what the Rules say
- who should be involved in their implementation

It is also available in [English](#), [Arabic](#), and [Russian](#).

Research and advocacy on rights of women in the criminal justice system in Georgia

PRI is currently implementing a project to improve the rights of women in the criminal justice system of Georgia. The first step of the project entailed research to identify the shortcomings in the policy and legislative frameworks with regards to gender-specific aspects. Research findings established that while some governmental policy documents included provisions about gender-specific approaches, there are no clear guidelines as to how they should be implemented in practice or monitored. Furthermore, legislation fails to stipulate what gender-specific factors are to be considered in decision-making processes, and the caretaking responsibilities of women or any history of victimisation – commonly experienced by women offenders - are often disregarded in responses by the criminal justice system.

The project is funded by the [Open Society Foundation Georgia](#), which aims to mainstream gender-sensitive approaches through the justice system.

Contact PRI's [Tbilisi office](#) for further information.

PRI delivers Training of Trainers workshop for 25 prison and probation staff in Kenya



On 27-29 September a “Training of Trainers” workshop for correctional staff on the UN Bangkok Rules was delivered by PRI. The 6 modules focused on all aspects of the Bangkok Rules, drawing on experience of corrections in Kenya (prison and probation) and included discussion of the new research on non-custodial sanctions for women (see above). The workshop was delivered under a project with the [Swedish Prison and Probation Service](#), funded by the [Swedish International Development Cooperation Agency \(SIDA\)](#).

NEW BLOGS

[Peru has adopted a protocol for the treatment of women in prison](#)



based on the UN Bangkok Rules

Maria Eva Dorigo, an independent researcher and expert on gender-specific treatment and programmes for women prisoners, has written a blog about the adoption by Peru of a protocol for the treatment of women in prison based on the UN Bangkok Rules

What can restorative justice offer victims of domestic violence?

Dr Marian Liebmann, international expert and consultant on restorative justice, explores the arguments for and against restorative justice for domestic violence cases, concluding that it can in some circumstances serve as an alternative to court if stringent preconditions are met.

NEWS FROM THE UNITED NATIONS

UN Working Group reports on unequal access to health and safety for women in detention

This [report](#) by the [UN Working Group on discrimination against women](#) notes the specific physical and mental health issues facing women deprived of their liberty, unequal access to hygiene and health services and the ongoing use of prohibited practices such as shackling during labour.

The report was presented to the Human Rights Council at its 32nd session in June.

PRI [provided information](#) to the Working Group for this report.

Oral statement: Violence against indigenous women prior, during and after imprisonment

PRI and the [Quaker UN Office](#) delivered a joint oral statement at the Annual Day of Discussion on Women's Rights at the [32nd Regular Session of the Human Rights Council](#) on 16 June 2016. The oral statement highlighted the fact that violence plays a significant role in the pathways to prison for many women and exacerbates the negative impact of detention and social exclusion post-imprisonment. For Indigenous women this is

compounded by intersectional discrimination based on race and gender.

Panel on human rights of women in conflict with the law at the Human Rights Council

A summary report of discussions at a side event organised at the [32nd Human Rights Council](#) on the various human rights issues faced by women in conflict with the law. The expert panel included representatives of member states, UN bodies and Penal Reform International.

OTHER REPORTS, RESOURCES AND ARTICLES

Russian Government commission approves bills on status of convicted mothers in prison

The Government Commission for Legislative Drafting Activities has approved bills aimed to improve the status of convicted mothers in Russian prisons, by making the following changes:

- the setting aside of prison sentences for expectant mothers, women and single fathers with children under 14 years (not only during the pre-trial/sentencing stage but also post-conviction);
- women and single fathers with children under 14 years or a disabled child would gain the right to four meetings with their children per year outside the prison grounds;
- the transfer of convicted pregnant women will only be allowed if there is a medical report and the woman is accompanied by a healthcare worker;
- to allow some prisoners to live and work outside prison under supervision six months before the end of the prison term.

PRI is a member of the official working group on this issue.

Gender-neutral versus gender-informed approaches

A meta-analysis published this year in the journal *Criminal Justice and Behavior* supports recent research that girls and women respond well to gender-informed interventions leading to decreased involvement in the criminal justice system.

Building gender informed practices at the pretrial stage – lessons learned

This article by the US [National Resource Center on Justice Involved Women](#) reflects on a project to implement a pre-trial risk assessment process for women (Inventory of Need Screening Tool) in Dutchess County New York. It highlights how gender neutral tools may miss critical gender specific factors which, if recognised, can achieve more successful outcomes for women and discusses the lessons learned in Dutchess County.

A survey on women prisoners and children in Nigeria

[Citizens United for the Rehabilitation of Errants](#) (CURE-Nigeria) has published a [report of the survey on women prisoners and children living in Nigerian prisons](#). The survey was conducted by CURE-Nigeria in partnership with the Federal Ministry of Justice and the National Human Rights Commission, Abuja in 2015.

Overlooked: women and jails in an era of reform in the US

A [report](#) from [the VERA Institute of Justice](#) and the John D and Catherine T MacArthur Foundation's [Safety and Justice Challenge](#) reports that the number of women in jail - most of them mothers - is growing faster than any other group, but has been largely overlooked by reform efforts.

The report sets out what is known about women in jail in order to begin to include them within the reform process. It found that the experiences women have in jail can exacerbate the problems that contributed to their incarceration in the first place - trauma, mental illness, single-parenthood, and poverty - and that more research is needed in order to understand what interventions work to set women on a better path. A [video](#) is available on the report's findings, together with a [factsheet](#).

Read this [Huffington Post article](#) on the report.

Disadvantaged women offenders in Washington DC

A report from the [Washington Lawyers Committee for Civil Rights and Urban Affairs](#) has found that women offenders from Washington DC are disadvantaged as a result of their gender. The report found inadequate provision of work programmes and healthcare for women and that the small number of female correctional facilities in the state made maintaining family contact difficult.

Resources on drug policies and women

[Video from Open Democracy: Is the war on drugs destroying women's lives?](#) Across the world, women are being incarcerated at an alarming rate for drug offences. The vast majority are single mothers, and facing situations of extreme poverty.

[Free legal services provided in Indonesia for women caught up in the drugs trade](#). The Indonesian government ignores the conditions that trigger the involvement of everyday people in drug trafficking. [LBH Masyarakat \(Community Legal Aid Institute\)](#), a Jakarta-based human rights organisation, seeks to challenge this injustice by providing free legal services to people who use drugs and people on death row for drug offences.

[Report on Qarchak women's prison in Iran reveals inhumane medical and psychological conditions](#)

The [Human Rights' Activists News Agency](#) (HRANA) has published a detailed report about the prison saying it held the worst reputation among women's prisons in Iran.

The report confirms that there are only 600 beds in the prison, which currently houses more than 2,000 prisoners. There is insufficient food and prisoners have been the victims of all forms of torture, including rape.

[UK reports on women offenders post-release and serving community sanctions](#)

This [thematic inspection of community-based sanctions for women offenders](#) in the UK by [HM Inspectorate of Probation](#) highlights the impact of reduced funding and uncertainty about funding, a lack of strategic and operational focus on outcomes for women, and inadequate monitoring and evaluation.

Six in 10 women do not have homes to go to on release from prison, [a report](#) published by the [Prison Reform Trust](#) and [Women in Prison](#) has found. [Home truths: housing for women in the criminal justice system](#) says that the failure to solve a chronic shortage of suitable housing options for women who offend leads to more crime, more victims and more unnecessary and expensive imprisonment.

IN THE MEDIA

Afghanistan: [most Afghan women serve sentences in elders' homes not prison](#)

Australia: [Brisbane women's prison 'most overcrowded' in Queensland](#)

Ireland: [Irish Prison Service report shows overall numbers sent to prison rose to highest in five years, with non-payment of fines the reason for 80% of female committals](#)

Malaysia: [Beauty spa at Kajang Women's Prison a hit with customers](#)

New Zealand: [Prisoners support a women's refuge by renovating a house into a home that will shield women and children from violence](#)

Sierra Leone: [The Ministry of Social Welfare condemns gender-based violence](#)

UK: [MOJ figures show that women account for a disproportionately high number of deaths](#)

[by suicide over the 12 months to March 2016](#)

UK: [Blog entry by Frances Crook, Chief Executive of the Howard League, on how women on community sentences are being failed by the system](#)

UK: [Concerns raised about the treatment of pregnant women in prison in England and Wales](#)

UK: [Independent Monitoring Board says it is concerned for the welfare of vulnerable women once Holloway Prison closes](#)

UK: [Overcrowding warning over Scottish women's prison plans](#)

UK: [Housing shortage means that many women feel safer in prison](#)

US: [Public speaking and leadership skills taught to women in prison in eastern Idaho](#)

US: [Use of force questioned following the release of video from September 2015 showing officers using force on a crying female prisoner in Barnalillo, Albuquerque](#)

US: [High rates of suicide and attempted suicide at the California Institute for Women](#)

US: [The US Labor Department is offering \\$1.9M in grant funding to expand apprenticeships and support for women in non-traditional occupations](#)

US: [US Justice Department files a gender discrimination lawsuit against the Michigan Department of Corrections over staffing issues at the state's only women's prison](#)

US: [How private prison companies increase recidivism: a new research brief from In the Public Interest](#)

Zimbabwe: [Plans for an open prison for women as part of a strategy to rehabilitate and integrate](#)

HIGHLIGHTS FROM PRI'S RESOURCES

Guidance Document and Index of Implementation

The Guidance Document and Index of Implementation on the UN Rules for the Treatment of Women Prisoners and Non-Custodial Sanctions for Women Offenders (the Bangkok Rules), co-published with the Thailand Institute of Justice as part of [PRI's Toolbox on the UN Bangkok Rules](#).

Both documents are designed to assist stakeholders with working towards implementation of the Bangkok Rules, other international standards and best practices.



**Toolbox
on the UN
Bangkok
Rules**

Free online course: Women in detention: Putting the UN Bangkok Rules into Practice

Combines analysis of the Rules, interactive assessments and application of the Rules to real life situations, with a certificate issued on completion. Developed with [Human Rights](#)

Education Associates.

Please note! We are currently producing a printed workbook version of this e-course (English). Available on our website from early next year.



Who are women prisoners?
Survey results from Uganda



Towards a gender-sensitive penal policy

Research series: Who are women prisoners?

The results of surveys with women prisoners in seven countries in four regions, these reports contribute to the very limited evidence base on the background and characteristics of women offenders and are designed to support the development of effective law, policy and practice to support the gender-sensitive treatment of women prisoners.

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