

WHY THE BANGKOK RULES ARE NEEDED AND THEIR IMPLEMENTATION FIVE YEARS ON

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As the introductory speaker, this presentation will set the scene by covering five key points introducing the background of the Bangkok Rules, the typical profile of women offenders and observations on the state of implementation:

I. THE BACKGROUND TO THE BANGKOK RULES

There is a gap in the specific international standards on women offenders (the SMR only has a few provisions, and the Tokyo Rules are silent), gender-neutral systems globally. Due to the leadership of HRH Princess Bajrakitiyabha and the Government of Thailand, the Bangkok Rules were adopted in December 2010. From roughly 2000 to the beginning of 2013, the number of women in prison has increased by over 40 per cent.

II. TYPICAL, SPECIFIC CHARACTERISTICS OF WOMEN OFFENDERS/ PRISONERS

Unique profile of women offenders and their corresponding needs:

- particular role of poverty and marginalisation for women offenders
- educational profile reflects discrimination in education in society
- high percentage are mothers, often sole or primary caretakers or lead a single-headed household
- high number have experienced violence in their lives, including sexual abuse
- as a consequence high rates of mental health illness, substance dependencies and susceptibility to self-harm and suicide among women prisoners
- typical offences committed by females are drug-related offences, property and other non-violent crimes
- violent female offenders often experienced extreme violence themselves, or respond to domestic violence
- higher percentage of first-time offenders
- lower recidivism rates
- greater stigmatisation than that faced by their male counterparts.

This specific profile is illustrated, for example, by PRI's research series '*Who are women prisoners?*' conducted in 2013-14 which involved surveying almost 1,200 women in prison in 3 regions and 6 countries (Armenia and Georgia, Kazakhstan and Kyrgyzstan, Jordan and

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Tunisia). The findings show commonalities across countries including poverty, discrimination and damaging long-term consequences from imprisonment.

Most women said that they were of very poor to average income, and 7 or 8 out of ten women had children. Economic offences (theft and fraud) were the most common offences women were charged with or convicted of (with the exception of Armenia). In Georgia, Kazakhstan and Kyrgyzstan around a third of convicted women were in prison for drug-related offences. The main consequences of imprisonment for women were loss of employment and housing, stigma, and family breakdown. Also, across all six countries, the women surveyed had extremely high rates of depression and insomnia.

III. PUSH FOR IMPLEMENTATION

To date, implementation is still sporadic and not concerted. To assist in the implementation of the Rules, PRI has developed a set of resources, the ‘Toolbox on the UN Bangkok Rules’ (multilingual and free), together with the Thailand Institute of Justice, including a Guidance Document and Index of Implementation. Further resources to support states in implementation are a free online training course and a guide to gender-sensitive monitoring.

In line with the objective of the workshop to share good practice, two examples of efforts towards implementation from the Middle East North Africa region will be described. The participants will be briefly introduced to the available Toolbox on the Bangkok Rules, designed to assist different stakeholders in assessing their system and implementing a gender-sensitive one in line with the Rules and other international standards.

IV. OBSERVATIONS COMMON ACROSS COUNTRIES AND REGIONS

Observations will be shared, drawing on PRI’s extensive work on the Bangkok Rules from the past five years, common to a variety of countries/regions, which will be the basis for the concluding recommendations:

- Extreme stigma of women in conflict with the law by their families
- Disparities in the provision of rehabilitation programmes for women prisoners in time, quality and variance
- Little understanding on how to design and deliver gender-sensitive non-custodial measures
- Need to holistically address mental health issues of women offenders and prisoners

V. RECOMMENDATIONS

Our recommendations point to three issues that should be addressed in terms of additional research and pilot projects in order to create good practice in PRI’s view:

- a. Focus on initiatives to develop gender-sensitive alternatives to imprisonment;
- b. Addressing the mental health issues among women offenders;
- c. Countering the disparity in rehabilitation programmes for women prisoners and providing after-care.