

**GROUP 3**

**CURRENT TRENDS AND PROBLEMS OF PRISONERS,  
 AND MEASURES FOR EFFECTIVE TREATMENT**

---

|  |                                |             |
|--|--------------------------------|-------------|
| <b>Chairperson</b>                     | Mr. Wayne Albert Moody         | (Belize)    |
| <b>Co-Chairperson</b><br>(Sub-topic 1) | Mr. Akihiko Sakamoto           | (Japan)     |
| <b>Co-Chairperson</b><br>(Sub-topic 2) | Mr. Takahiro Terasaki          | (Japan)     |
| <b>Co-Chairperson</b><br>(Sub-topic 3) | Ms. Hiromi Kobayashi           | (Japan)     |
| <b>Rapporteur</b>                      | Ms. Sivakorn Kuratanavej       | (Thailand)  |
| <b>Co-Rapporteur</b><br>(Sub-topic 1)  | Mr. Shigeru Nakasato           | (Japan)     |
| <b>Co-Rapporteur</b><br>(Sub-topic 2)  | Mr. Gunarathna Kuruppu         | (Sri Lanka) |
| <b>Co-Rapporteur</b><br>(Sub-topic 3)  | Ms. Martina Davila Jimenez     | (Peru)      |
| <b>Advisors</b>                        | Deputy Director Keiichi Aizawa | (UNAFEI)    |
|  | Prof. Hiroshi Tsutomi          | (UNAFEI)    |
|  | Prof. Akihiro Nosaka           | (UNAFEI)    |

---

**I. ACKNOWLEDGEMENT**

Acknowledgement is made to Deputy Director Keiichi Aizawa, Professors Hiroshi Tsutomi and Akihiro Nosaka who have advised us throughout the whole discussion process. Special mention must also be made to our visiting experts, especially Mr. Luke Grant and Dr. Larry Motiuk, whose contributions have been immeasurable. We are indebted to all participants who contributed to the accessing of relevant information and gave their input in our group discussion in order that their views could be reflected. We also felt most grateful for our linguistic advisor and our interpreters for having made great contributions for the completion of this document.

**II. GENERAL INTRODUCTION**

The discussion of Group 3 highlighted trends, conditions, and treatment of three

groups of prisoners: foreign, drug-related, and female prisoners. These are groups of prisoners who definitely have special needs. Mention must be made to other special groups that are as important but were unable to be highlighted such as young, elderly, hard-core, AIDS/HIV infected, mentally ill and indigenous/minority prisoners. In view of the worldwide trend of change, we attempted to draw out the problems concerning the treatment programs for these three groups of prisoners and to highlight the effective countermeasures.

Participants related to foreign, drug-related, and female prisoners were proportionally allocated to the group, giving rise to three sub-groups that were adequately able to address the sub-topics. The participants of each sub-group have utilized their expertise in discussions and have provided a rich outcome in this

document. Each sub-group has smoothly facilitated the plenary meetings related to their sub-topics.

### **III. FOREIGN PRISONERS**

#### **A. Introduction**

According to the worldwide trend, the phenomenon of globalization has effected every sphere of life including the capacity to move from one place to another. People get more access to travel across borders bringing their diversified cultures and languages. When such persons violate the laws of other countries, they have to receive the results that may come in the form of detention or incarceration. One of the problems that correctional systems in various countries have encountered is the increasing number of foreign prisoners.

As paragraph 6 of the Standard Minimum Rules For The Treatment of Foreign Prisoners (hereinafter referred to as “SMRs”) stated, “The following rules shall be applied impartially. There shall be no discrimination on grounds of race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.” As for the treatment of foreign prisoners these rules should be respected. Due respect should also be given to the “Recommendations on the treatment of foreign prisoners” approved by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in 1985.

#### **B. Definition**

##### **1. Differences in Definition of Foreign Prisoner**

The term “foreign prisoner” has many shades of meaning. Generally speaking, it means a prisoner who has a foreign nationality, but sometimes it includes “foreign-born prisoner” or “foreign detainee”. It was found during the discussion that each country has a different

definition of foreign prisoners. Some countries like Peru, Sri Lanka, and Belize define foreign prisoners as persons of different citizenship or nationality, while in Thailand, foreign prisoners cover a number of hill tribes or minority groups who have no nationality but reside in the country. Japan defines foreign prisoners as those with foreign nationalities, but designates those offenders who need different treatment from local prisoners as F-class prisoners.

##### **2. Definition Resulting from Discussion**

On the ground that each country has its own definition, the group has broadly discussed and has unified an appropriate definition of foreign prisoners. It is agreed that citizenship or nationality is the first important component. The other supporting component that should be taken into account are the prisoners’ needs for different treatment and the fact that they shall be deported to their respective country after the end of their detention.

Resulting from the discussion, our group has come out with the definition of foreign prisoners as those persons having citizenship and/or nationality of another country, who are in custody. Such persons have special needs related to their treatment and welfare, and are normally deported after completion of sentence or detention.

#### **C. Trends (See Annex 1)**

Although some countries lack statistics corroborating this upward trend, in many countries the number of foreign prisoners seems to be on the increase. As for the type of crimes committed by these prisoners, most countries reported that drug-related crimes are shooting up.

The characteristics of crime classified by nationality, in Japan, larceny is the most

115TH INTERNATIONAL TRAINING COURSE  
REPORTS OF THE COURSE

prevalent offenses committed by foreigners. In Belize reports, illegal entry and prostitution account for most foreign prisoners. In Sri Lanka, there are many foreigners committing child abuse. Peru reports that members of terrorist groups who come from neighboring countries are in custody.

As for Thailand, a lot of foreign prisoners have committed drug-related crimes, mostly drug trafficking. Since drug trafficking is considered as one of the most serious crimes, the offenders shall receive the most severe punishment, which consequently result in the long-term imprisonment of foreign prisoners. While for Japan, there is not a high number of long-term foreign prisoners. Other countries like Belize, Peru and Sri Lanka have reported relatively low rates of foreign prisoners. Annex 1 shows the rate of foreign prisoners in some countries discussed by the group.

#### **D. Problems**

##### **1. Difficulty in Communication**

Being in custody in a foreign land with different languages, one will certainly have a lot of difficulties in adapting himself/herself. The stress, anxiety, and frustration are compounded by the fact that communication is minimal.

Foreign prisoners who can not speak the local language shall inevitably have difficulties in communication with local prisoners. Due to language barriers, they cannot express their feelings, their ways of thinking, and the differences in custom. Lack of communication aggravates misunderstanding and may cause serious conflicts with local prisoners.

Foreign prisoners also have disadvantages in communicating with prison officers. They cannot easily understand prison regulations and the

instructions of officers. Gradually, some foreign prisoners come to feel estranged and reflect their problems by filing objections to various authorities expressing negative reports on prison administrations.

##### **2. Difference in Lifestyle (Culture, Food, and Religion)**

Foreign prisoners have different life styles, in terms of culture, food, and religion, which need to be taken care of. If the prison does not take good care of this problem, the prisoners may suffer from serious loss in their mental/physical health. For effective treatment of foreign prisoners, some specific facilities and activities have to be provided to satisfy the need of health care, religious practice and food restriction. However, this may not be practiced in some countries due to budgetary constraints.

##### **3. Difficulty in Obtaining Information Concerning the Prisoners**

It is difficult to obtain information concerning the prisoners from agencies, namely criminal justice agencies of the home country of the prisoners, because criminal justice agencies of different countries do not share information on a regular basis. In some countries, there is no system of identifying or classifying foreign offenders, which result in insufficient information. Lack of information may lead to an underestimation of risks, such as the possibility of escape. In this regard, the treatment of foreign prisoners can not be handled in an effective way.

##### **4. Lack of Assistance from Family/Relatives**

Unlike local prisoners, foreign prisoners have less possibilities to receive assistance from their relatives or friends. They basically have to depend upon their diplomatic representatives. However they are not able to provide personal care which

should be provided by the family, relatives and friends. Without such assistance, foreign prisoners may have more difficulties in adapting themselves to life in prisons.

### **5. Less Chance of Obtaining Privileges**

Due to administrative and/or legal reasons, foreign prisoners are sometimes not allowed to have access to early release scheme such as parole or conditional release. In some countries, an early release mechanism is performed with an unequal basis among local and foreign prisoners. While Japan grants parole to both local and foreign prisoners, Sri Lanka and Belize, on the contrary, apply parole to only local prisoners, but not to foreign prisoners. In the correctional services of Peru, remission days are accumulated upon the work of each prisoner. The prisoners, both local and foreign, who engage in the work remission scheme are applicable for early release. As for Thailand, the early release derived from good conduct allowance system is awarded only to local prisoners, but not to foreign nationals.

In the same vein, they sometimes have less chances of being allowed leave, work release, etc. Also, they may be more likely to put in a maximum-security institution (which itself could lead to longer imprisonment). Such disparity found in the treatment of foreign prisoners may invite criticism calling such practice a form of discrimination.

## **E. Countermeasures**

### **1. Careful Assessment**

Having a foreign prisoner in custody can be problematic if prison officers do not have sufficient information on that prisoner. Individual assessment is one of the activities that should be done upon the intake of each prisoner. In case of foreign prisoners, it is important for the prison

officers to get sufficient information, so that proper custodial measurements and/or rehabilitative programs can be arranged. In this regard, careful assessment has to be conducted for each foreign prisoner.

### **2. Provision of Materials to Facilitate Communication**

On entering an institution it is important that all relevant information is made available to the inmates. This is even more needed for foreign prisoners. The production of materials or publications can alleviate many basic problems that would normally arise and can facilitate better communication. Rules and regulations, prepared in the languages of the prisoners will be an assistance to better communication. In the case where the prisoners are illiterate, video productions can be used to give such relevant information. As paragraph 30 (3) of SMRs prescribes the arrangement for interpreters should be made in the disciplinary punishment procedures.

### **3. Staffing and Training**

In order to communicate with foreign prisoners, it is necessary to have basic knowledge in foreign languages.

This problem can be solved by:

- (i) Recruitment and training of staff and volunteers that are able to communicate in foreign languages, and providing them with necessary training
- (ii) Providing of local language courses for foreign prisoners
- (iii) Exchange of skilled staff should be encouraged as it relates to different institutions.

### **4. The Cooperation with Volunteers and NGOs**

In order to deal with foreign prisoners, it is worthy to search for the assistance from volunteers and NGOs in the community. Appeals can be made to

115TH INTERNATIONAL TRAINING COURSE  
REPORTS OF THE COURSE

volunteers to assist in language barrier problems that come with difference in languages such as letter writing and censoring. Volunteers and NGOs can also perform other rehabilitative activities with foreign prisoners within the prisons as well as aftercare programs. For example, an NGO named “Ansar Burni Advocate” in Pakistan provides some programs which assist foreign prisoners be deported.

**5. Promoting Cultural Awareness**

The need for cultural awareness is another countermeasure that can alleviate unnecessary stress caused by lack of understanding. Such events as cultural awareness weeks or months can be a very good means of sensitizing the foreign prisoners, local prisoners, and the staff. This will also result in more harmony in the diverse groups being held in custody. There should also be meetings between the parties involved in the life of foreign prisoners, so as to seek better treatment programs.

**6. Cooperation with Embassies**

Assistance extended by embassies is valuable because it comes from the prisoner’s compatriots and it makes a linkage of the foreign prisoners with their respective countries. Paragraph 38 of SMRs guarantees the foreign prisoners the right to contact the diplomatic or consular representatives of their own countries. Prison officers should seek cooperation with embassies of foreign prisoners. The contact with embassies can also lead to smooth implementation of deportation or transfer of foreign prisoners.

**7. Provision of Special Resources  
Attending to the Needs of  
Prisoners**

Recognizing that foreign prisoners are those in need of special treatment, prison officers should provide special resources attending to their needs. In this regard,

certain facilities and necessities should be provided such as books, newspapers, food, religious ornaments and specific room for prayers. As paragraph 41 of SMRs prescribes, specific consideration should be given to the religious needs of foreign prisoners.

**8. Legislative and/or Administrative  
Changes to Offer Equal Treatment  
to Foreign Prisoners**

Legal and administrative changes are required to overcome obstacles resulting in unequal practices such as unfair application of early release mechanisms to foreign prisoners. Relevant bodies, legislative and/or administrative, should recognize the fact that the problem exists and should pay efforts to minimize it.

**9. Reducing the Number of Foreign  
Prisoners**

The following are steps that can assist in alleviating the overpopulation of foreign prisoners:

- (i) **Deportation:** Deportation can render the speedy return of inmates out of the correctional system instead of a long detention period. This would assist greatly as it relates to illegal-entry inmates. Prior to deportation, the mechanisms such as diversion, early release, and speedy trial should be encouraged.
- (ii) **Transfer of Prisoners:** Treaties between states which allow sentences to be carried out in the country of the foreign offender. Thailand is an example where foreign inmates are transferred back to their home where the sentence is carried out. Such treaties are bilateral.

**F. Conclusion**

It is quite obvious that all countries need to review their policies and procedures as it relates to the treatment of foreign

offenders. In many cases, there is no clear and concise account of what the mission is, with respect to care, custody and control. When there are clear statements of principle that should be applied to the life of such inmates, there are measurable components that can be used to evaluate whether the mission is being accomplished. It is the hope that serious considerations and actions would be taken as it relates to the countermeasures suggested in this paper.

#### **IV. DRUG-RELATED PRISONERS**

##### **A. Introduction**

Substances such as heroin, cocaine, cannabis and amphetamines have a dependency nature. Therefore many people are hooked on drug abuse and face difficulty to dissociate themselves from the spell of drugs. In view of the globalization of production, trafficking and the consumption of these drugs, we discussed the problems and countermeasures of drug-related prisoners.

##### **B. Definition**

This group has defined “drug-related prisoners” as prisoners who are in custody for drug offenses as well as those who are in custody for other offences and are dependent on drugs. In the prisons of some countries, even in those countries where drug abuse does not constitute criminal offence, there are many drug-dependent prisoners who are imprisoned for other crimes such as theft or robbery.

In addition we define “drug offenders in prison” as those who are in custody for drug offences.

##### **C. Situation & Trend (See Annex 2)**

The ratio of drug-offenders in prison to the total prisoner population is relatively high in each country. In Thailand, it was 58.6% in 1999, the highest portion among

the countries respected in our group. Next comes Sri Lanka with 39.4%. In four of five countries we surveyed drug offenders occupy more than a quarter of their prison population. The ratio of drug-related prisoners is expected to be much higher than this.

Furthermore, the number of drug offenders in prisons is on the increase in most of the countries firstly by more active law enforcement efforts and harsher sentencing usually accompanied by legal reforms asking for heavier punishment drug offenders, and secondly by the infusion of drug abuse into society. Consequently, the number of drug-related prisoners is also on the increase.

Other common trends found in many countries are as follows:

- There is an increasing number of female drug-related prisoners.
- In some countries, the recreational use of drugs among juveniles is becoming prevalent.
- Drug distributors and smugglers are found to be involved with gangsters.
- There is a relationship between poverty and drug trafficking.

However, the situations are not completely the same in each country. First there are differences in the legal system of each country. For instance in Peru, drug abuse is not a crime, while in other countries, it is a crime to which penal sanction is applied. Thus, in Peruvian and Thai Prisons, the number of drug traffickers is more than that of the number of abusers while in Belizian and Sri Lankan prisons, the number is almost the same. Japan is the only country where the number of abusers overwhelms the number of traffickers.

Also, there are differences in types of drugs socially causing problems. In

115TH INTERNATIONAL TRAINING COURSE  
REPORTS OF THE COURSE

Central America, the most serious problem is cocaine. In South Asia and the South-eastern part of Asia, the heroin problem is historically serious and, in Eastern Asia and recently Southeastern Asia, some countries are affected by the wide spread of amphetamines. The globalization of drug trafficking is making the situation more complicated than ever.

#### **D. Problems**

##### **1. Access to Drugs in Prison**

In some countries, it has been the most serious problem that prisoners get access to drugs within the prison. Some inmates may receive drugs from visitors, from mail, or from other smuggling means. Thus, prisoners develop a drug-trafficking network within prison. Further, it was found that some prison officers intentionally overlooked the traffic of drugs in prisons, and sometimes, themselves traffic drugs. If drugs exist inside the prison, it is quite clear that the control of prisoners becomes more difficult, that drug dependants cannot get rid of their habit, and that treatment programs cannot be implemented properly.

##### **2. High Recidivism Rate of Drug-Dependents**

Drug-dependents have a high tendency of recidivism: upon their release from prisons, they have to go back to the same community where drugs are available. High recidivism rates can lead to concentration of drug dependents in prisons, which pushes up the prison population.

In contrast, it is found out that the recidivism of traffickers is not high, and that they benefit from treatment programs offered to general offenders such as vocational training. So the issue of re-offending of traffickers will not be discussed in this paper.

#### **3. Physical and Mental Health Problems**

Narcotic drugs basically do harm to the physical/mental conditions of the abusers. For example, heroin addicts are physically dependent on drugs and have to go through a physically tormenting period when they undergo detoxification. Also, long-term abuse of amphetamine/methamphetamine may cause a symptom called "flash back" that refers to a sudden and unintended re-experiencing of the situation which the abuser experienced when he/she abused the drug even when he/she is sober. In addition, it is known that the mental conditions of drug-dependants are usually volatile and unstable. The treatment of drug-related prisoners consequently needs to take into consideration the conditions of their physical and mental health.

#### **E. Countermeasures**

##### **1. The Control of Drugs in Prison**

Drug control efforts in prison are basically categorized into two parts. First, there are efforts to eradicate the access to drugs available in prison. For example, the check of incoming mail and the inspection of carried-in personal belongings, body/pat search of visitors, officers and new prisoners entering the institution, and the restriction of the sale of goods allowed to be brought into premises of institutions to authorized stores, are carried out.

Second, there are efforts to deter drug abuse by maximizing the probability of detection of drug abuse. These efforts include cell searches, urine testing and intelligence work (e.g. cooperation with police, use of informers, etc.). In addition, to coordinate these efforts, the establishment of an anti-drug committee within institutions are considered to be effective. If the incident is found, perpetrators should be sanctioned accordingly. For example, if an officer conspires in the drug trafficking, he/she

should get not only receive penal sanction, but also an administrative sanction such as discharge.

Of course the prison staff should be well trained so that they are experienced in the implementation of all the drug control efforts.

## **2. Treatment Programs to Prevent Drug Recidivism**

Treatment programs for drug dependants should focus on the core problems of drug abuse: physical dependence and mental dependence.

To deal with first dependence, medication is available for some types of substances. For example, methadone, known as a substitute for heroin, is the most widely used and reliable medication. However, medication for cocaine dependents and amphetamine/methamphetamine dependents are not yet developed and are still at the research stage.

Mental dependence should be dealt by psychological treatment. Although there are so many types of psychological treatment, a treatment method which has been found to be the most effective is cognitive-behavioral treatment. Cognitive-behavioral treatment has been used in Canada, the U.S., the U.K. and other countries and evaluated favorably. TC (Therapeutic Community: a program which allows prisoners to run a drug-free unit as a community) and similar self-help type groups have been found to be effective and now introduced to Asian countries such as Malaysia and Thailand. Some TC programs have religious backgrounds and this testifies to the success of spiritual/religious programs such as conducted in Sri Lanka.

Support from family members as well as peers is also crucial. Schemes facilitating the interaction with family members such as Family Days (when an institution is open to family members) should be introduced and encouraged.

Supplementary programs including vocational, educational, PE (physical-educational) and recreational programs are also expected to contribute to the reduction of recidivism by stabilizing the drug dependent prisoners into the normal life.

Aftercare services such as halfway houses and continued community treatment are also essential because re-adaptation to social life is the key to the success of drug treatment. Lay/professional volunteers, NGOs and other community service organizations will be beneficial in this respect.

Programs discussed in this section are mainly available to convicted prisoners, but the correctional authority has to pay every effort to put their inmates in contact with effective programs.

## **3. Reduction of Contact with Drug-Related Prisoners**

Further, the influence of drug-related prisoners on non-abusers cannot be overlooked. Through interaction with drug-related prisoners, non-abusers may be introduced to and get interested in drug abuse.

Regulation of contact with/among drug-related prisoners is necessary to control drug abuse in prison, prevent the formation of drug offender networks, and nurture the prison environment conducive to the success of drug treatment programs.

To reduce contact, classification, categorization, and/or segregation must be utilized. This should be based upon the



115TH INTERNATIONAL TRAINING COURSE  
REPORTS OF THE COURSE

introduction as to how offenders were related to each other before they enter the prison.

In addition, the control of movement of inmates, which do not allow the interaction of inmates belonging to different groups (e.g. groups set up according to workshop, wings, etc.), is effective to cut off the trafficking of goods within institutions. Also the control of conversation of inmates which is meant to reduce the exchange of information on occasions where supervision is minimal is effective to reduce communication related to drug abuse/traffic within institutions.

#### **4. Medical and Psychological Care**

To provide special medical/psychological care, meeting the unique needs of drug abusers, correctional institutions need to carefully assess drug dependent prisoners. To meet their medical needs, correctional institutions need to recruit psychiatric doctors, nurses and other competent staff. These staff are required to monitor the conditions of the drug dependent prisoners who need special health care, to counsel and provide medication and to advise custodial staff. Wise and careful use of single cells should be made upon the recommendation of medical staff.

To take care of their psychological needs, interviewer schemes which enable prisoners to talk to officers/volunteers who are psychologically trained at any time should be developed.

#### **F. Conclusion**

Many countries in the world are afflicted with the plague of drug abuse. Severe health, social and economic problems are emerging associated with the abuse of drugs. It is also turning law abiding young people into criminals.

From the statistics shown in Annex 2, it is seen that more than a quarter of prisoners are drug offenders except in Belize. It is easily seen that drug-related offenders occupy a much higher percentage (conceivably, almost half) of the prisoner population.

With the influx of this large number of drug related offenders, many countries are now confronted with a host of new problems hitherto not experienced in the past.

First of all it is necessary to keep the drug abusers separated from other categories of offenders in their own interest and that of others. But it is not an easy task to keep them separated in overcrowded institutions, thus there is a great possibility of their mixing with others and promoting the habit of drugs amongst other offenders.

With these difficulties drug related offenders who are in the penal institutions must be assisted by correctional officials in order to return to society to lead a normal and productive life. These countermeasures and treatment programs which we highlighted here in this report in detail, should be applied effectively with their cost-effectiveness being monitored regularly.

### **V. FEMALE PRISONERS**

#### **A. Introduction**

Paragraph 6 of SMRs, which is cited, relating to the treatment of foreign offenders, states that there shall be no discrimination on the grounds of sex. However, the discrimination does exist and various reasons have been given for the lack of priority for treatment of female prisoners. One such is the fact that they make up such a small proportion of the correctional population, secondly the criminality is not serious. Also the

correctional system has failed to recognize the diversity among female prisoners by putting them into one category. However, in recent years, the number of female prisoners has been increasing in a lot of countries.

In view of this situation, the treatment system for female prisoners should take account of their specific needs which are different from that of male prisoners while attending to their individual variety.

Therefore, we discussed the effective treatment system for female prisoners, based on the actual circumstances in each country.

### **B. Characters & Trends (See Annex 3)**

In recent years, the number of female prisoners has increased. There are different social backgrounds in female criminality. The penal system in each country differs too. In some countries, female prisoners are incarcerated in the same prisons with male prisoners, but are placed in separate wings of the prisons. In this case, female prisoners may not be able to get access to sufficient treatment of the prisons. Characteristics and trends of female prisoners found in the discussion are:

1. Female prisoners represent a minority scale compared to male prisoners (5 % - 15 %).
2. There is an increasing trend of population of female prisoners in many countries.
3. There is an increasing trend of female prisoners committing drug related crime and crime against property (theft/robbery).
4. Most female prisoners have low education backgrounds and are unemployed.
5. Most female prisoners are victims of abuse or are forced/introduced to crimes by male partners.

### **C. Problems**

Since female prisoners make up only a small proportion of the total prison population, treatment services and programs are basically designed for male rather than for female prisoners. Upon the discussion, the group has found that most services and programs are male-centered, which have led to problems concerning the treatment of female prisoners as follows:

#### **1. Male-Centered Services**

##### **(i) Male-Centered Allocation of Space**

In some countries, there are correctional institutions for female prisoners, while in other countries, female prisoners are incarcerated in a section within the same campus of male prisoners. Relating to this point, paragraph 8 of SMRs recommends that different categories of prisoners shall be kept in separate institutions or parts of institutions taking account of their sex and specifically that men and women shall as far as possible be detained in separate institutions; in an institution which receives both sexes the whole of the premises allocated to women shall be entirely separate.

However, space and facilities provided for female prisoners are overlooked and are relatively small. It is found that female prisons or female sections become easily overcrowded due to the prison authority's delay in responding to the increase of female prisoners and in adjusting the space allocation between male and female prisoners. For example, it is recognized by Japan and Peru that sizes of female sections in male prisons and, in case of Japan, female prisons are small and do not share an equal space allocation to that of male prisoners. Also, it should be pointed out that there is a tendency that female sections specially set up within male prisons suffer from worse conditions than female prisons do.

115TH INTERNATIONAL TRAINING COURSE  
REPORTS OF THE COURSE

(ii) Male-Centered Attention to Daily Basic Needs

Women in general have specific needs for underwear, cosmetics, and some other feminine necessities. Although these are the basic needs of women, correctional systems often do not recognize them and do not allocate enough budget to satisfy these needs. This is another reflection of male-centeredness of correctional treatment. Basically, Thailand provided clothes for prisoners, but there is no difference between male and female; and the clothes are likely to be more useful to men. In Japan, even though some special necessities such as underwear are provided for female prisoners, there are still problems concerning the quality and variety of those necessities that do not serve the real needs of female prisoners.

(iii) Male-Centered Provision of Health Care (including Insufficient Child Care)

A lot of correctional institutions for females do not have sufficient health care services. Despite the fact that women need special medical services such as genealogical medical care, breast cancer and uterine cancer checks, most female institutions are poorly equipped and staffed in terms of medical services.

An extreme example can be seen in Thailand. The only correction hospital of the country lacked an in-patient ward for female prisoners for very long time. In case of operation, female prisoners would receive an operation and would be brought back to women's prison within the same day. In recent years a female ward has been established within the said hospital.

Apart from general needs of medical care, female prisoners sometimes need extra services concerning their pregnancy and child care. These needs require special food, clothes, and facilities, but they tend

to be overlooked in prisons.

**2. Male-Centered Programming**

(i) Male-Centered Availability of Programs

Female prisoners have historically not been given the same range of opportunities as male prisoners. Their special needs have been overlooked when programs have been designed and resources allocated. Treatment facilities for education, vocational training, sports and recreation are always located in the main part of the prisons where only male prisoners can get access. This problem does not occur in some countries like Japan and Sri Lanka; but it is found quite seriously in correctional systems of Belize, Peru, and Thailand.

However, in cases where those programs are available to female prisoners, the varieties of the programs are more restricted than that arranged for male prisoners. The smaller number of female prisoners and the smaller size of female prisons have been used as an excuse for not providing female prisoners with equal opportunities to choose programs. This program management has generally put the female prisoners at a disadvantage.

(ii) Male-Centered Content of Programs

Most programs provided for prisoners have been historically introduced and practiced in prisons for a very long time, regardless of the change of market needs. Prisoners are given works or vocational training programs that are already available in prisons. In Peru, female prisoners will get access to works and vocational programs such as cooking, clothes making, hair dressing, and handicraft making. Actually, these types of work do not respond to the need of the labor market that needs more modern skills such as using computers. When new programs are introduced into prisons, they

are likely to be practiced in male sections first.

Female prisoners have needs for special programs. Because their job market is different from that of male prisoners, the content of vocational training should not be the same. Also, they have their specific taste for recreational activities that is different from male prisoners. However, these needs specific to women are not well taken into consideration, and, as a result, the content of programs available to female prisoners does not differ much from that available to male prisoners.

#### **D. Countermeasures**

Considering the characteristics, trends, and problems of female prisoners, the group has found those necessary countermeasures to be operated so as to alleviate the problems of treatment of female prisoners and to increase effectiveness in the treatment programs.

##### **1. Fair Allocation of Resources**

Fair allocation of resources, taking specific needs of female prisoners, is the most important countermeasure to be taken. Physical resources (e.g. space and facility), financial resources (e.g. budget for daily goods such as underwear) and human resources (e.g. the number and qualified staff) should be equally available to female prisoners. Further, it is recommended to establish separate institutions for female prisoners where treatment programs specially catering for the needs of female prisoners are provided by female staff. This recommendation is related to paragraph 53 of SMRs.

##### **2. Assessment and Classification**

Assessment and classification regarding the specific needs of female prisoners should be conducted to attain the treatment programs responsive to their needs. The specific need areas include

family, peer, anti-social associates, and anti-social cognition.

### **3. Establishing Programs for Female Prisoners**

#### **(i) Educational Programs**

Since it is found that female prisoners have low levels of education, which relates to unemployment, it is necessary to provide them with education programs; so that they can have sufficient backgrounds, which can lead to employment after their release.

#### **(ii) Vocational Programs**

Vocational training programs suitable for females are encouraged in regards to the unemployment problem. It was also found that female prisoners have been abused or forced/introduced to commit crime by male gangsters. It may be helpful if the female prisoners can afford some vocational skills that enable them to find work and avoid being abused by male gangsters.

#### **(iii) Drug/Substance Abuse Prevention Program**

Many female prisoners are drug/substance abusers. To change their drug/substance abusing behavior, correctional institutions should provide drug/substance abuse programs specially modified for women prisoners. Different from programs for men, programs for women need to emphasize the effect of drugs/substances on a reproductive system, on an effect of their association with male partners (on drugs/substance abuse), on a constructive use of leisure time, and on a building of support systems.

#### **(iv) Victims of Abuse Program/ Relationships Program**

Women prisoners have a history of being abused or forced/introduced to commit crime by male partners. To help them recover from trauma related to physical, mental and emotional abuse, and to help

115TH INTERNATIONAL TRAINING COURSE  
REPORTS OF THE COURSE

them reconstruct their relationships with their male partners, special programs should be provided. These should help them recognize the destructive effects of their relationships with intimate partners and motivate them to change their way of building interpersonal relationships.

**4. Establishing Health and Child Care Services**

(i) Health Services

Recognizing that women have some specific needs concerning their physical health as is mentioned in Paragraph 23(1) of SMRs, it is necessary to provide them with sufficient medical care, especially genealogical care. Firstly, female prisoners, if pregnant, need to be taken care of according to their progress of pregnancy, even after the delivery of their children. Secondly, female prisoners, in general, should get access to regular physical checks (e.g. breast cancer checks, etc.).

(ii) Child Care Services

Most countries adopt the practice of allowing the female prisoners to raise their children in prison for a period of time, which may range from 1 year to 3 years. During this period, correctional institutions are required to guarantee the access to milk diet, and other items necessary to the development of children. Further, it is desirable to establish a nursery center for children within the prison compound or vicinity, as is recommended in SMRs paragraph 23(2). In cases where children become older than the specific age and are looked after outside the prisons, the prison authority is also expected to pay extra attention to facilitate the contact between imprisoned mothers and their children. For example, in the U.S., a center established within a correctional institution provides activities, mostly initiated by inmates, such as tape recording of mothers reading books;

summer camps (for children housed with neighborhood host families); and overnight weekend visiting programs.

**E. Conclusion**

Female prisoners have been long disadvantaged in prisons. However, in accordance with the international society's emphasis on the improvement of situations of women in general, the situations of imprisoned women need to be focused on. Female prisoners should be recognized as having specific needs, and "equality" needs to be redefined as providing opportunities relevant to their needs, not as providing equal resources based the number of male and female inmates. Our discussion is an effort to step forward to this direction.

**VI. GENERAL CONCLUSION**

It is quite obvious that "Foreign prisoners", "Drug-related prisoners" and "Female prisoners" all have specific needs and require special treatment. The correctional system of each country must consider what necessary action can be taken. In some countries, there may be limitation of resources; but this must not be an excuse for sitting back and doing nothing. It is the intention of the participants of this group to motivate the concerned systems to take actions that are appropriate and applicable to each country. With available human resources, there can be some effective and measurable changes. We cannot change the world, but we can change the part of the world where we are.

**ANNEX 1 (Foreign Prisoners)**

**Table 1  
Trend of Belize**

|                             | 1996  | 1997  | 1998  | 1999  |
|-----------------------------|-------|-------|-------|-------|
| Number of Prisoners         | 1,544 | 1,389 | 1,193 | 1,313 |
| Number of Foreign Prisoners | 492   | 446   | 397   | 451   |
| Rate of Foreign Prisoners   | 31.9% | 32.1% | 33.3% | 34.3% |

\*Total number of admissions of each year

**Table 2  
Trend of Japan**

| Year                        | 1989   | 1990   | 1991   | 1992   | 1993   | 1994   | 1995   | 1996   | 1997   | 1998   |
|-----------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| Number of Prisoners         | 50,481 | 46,858 | 45,193 | 45,082 | 45,525 | 46,120 | 47,398 | 49,414 | 50,897 | 52,715 |
| Number of Foreign Prisoners | 1,505  | 1,380  | 1,342  | 1,369  | 1,424  | 1,568  | 1,801  | 2,038  | 2,153  | 2,359  |
| Rate of Foreign Prisoners   | 3.0%   | 2.9%   | 3.0%   | 3.0%   | 3.1%   | 3.4%   | 3.8%   | 4.1%   | 4.2%   | 4.5%   |

\*As of 31 December of each year

**Table 3  
Trend of Sri Lanka**

|                             | 1993   | 1994   | 1995   |
|-----------------------------|--------|--------|--------|
| Number of Prisoners         | 18,644 | 16,241 | 15,893 |
| Number of Foreign Prisoners | 2      | 9      | 26     |
| Rate of Foreign Prisoners   | 0.0%   | 0.1%   | 0.2%   |

\* Total number of admissions of each year

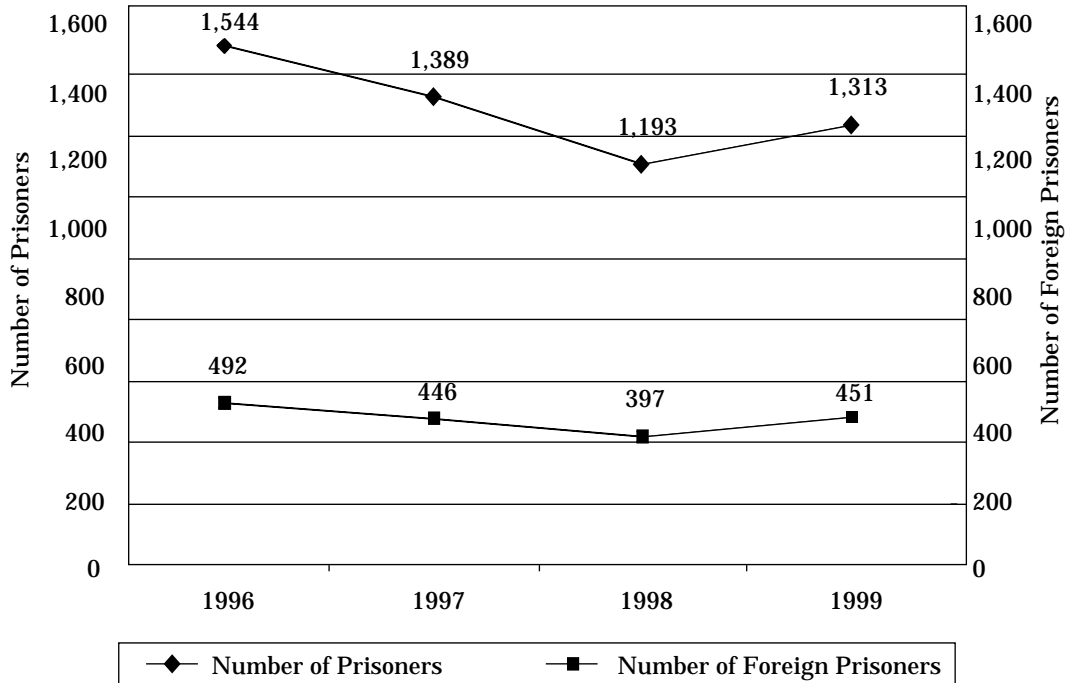
**Table 4  
Trend of Thailand**

|                             | 1997    | 1998    | 1999    | 2000    |
|-----------------------------|---------|---------|---------|---------|
| Number of Prisoners         | 125,955 | 164,451 | 205,340 | 200,310 |
| Number of Foreign Prisoners | 4,579   | 4,931   | 5,235   | 5,526   |
| Rate of Foreign Prisoners   | 3.6%    | 3.0%    | 2.5%    | 2.8%    |

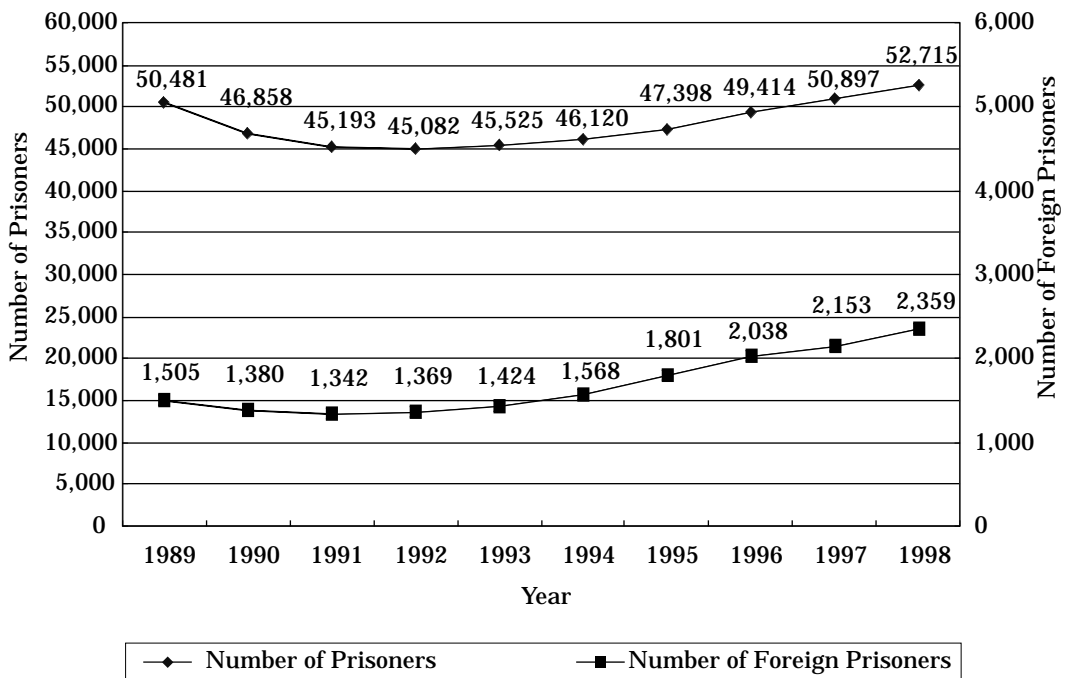
\* As of 30 September of each year

115TH INTERNATIONAL TRAINING COURSE  
REPORTS OF THE COURSE

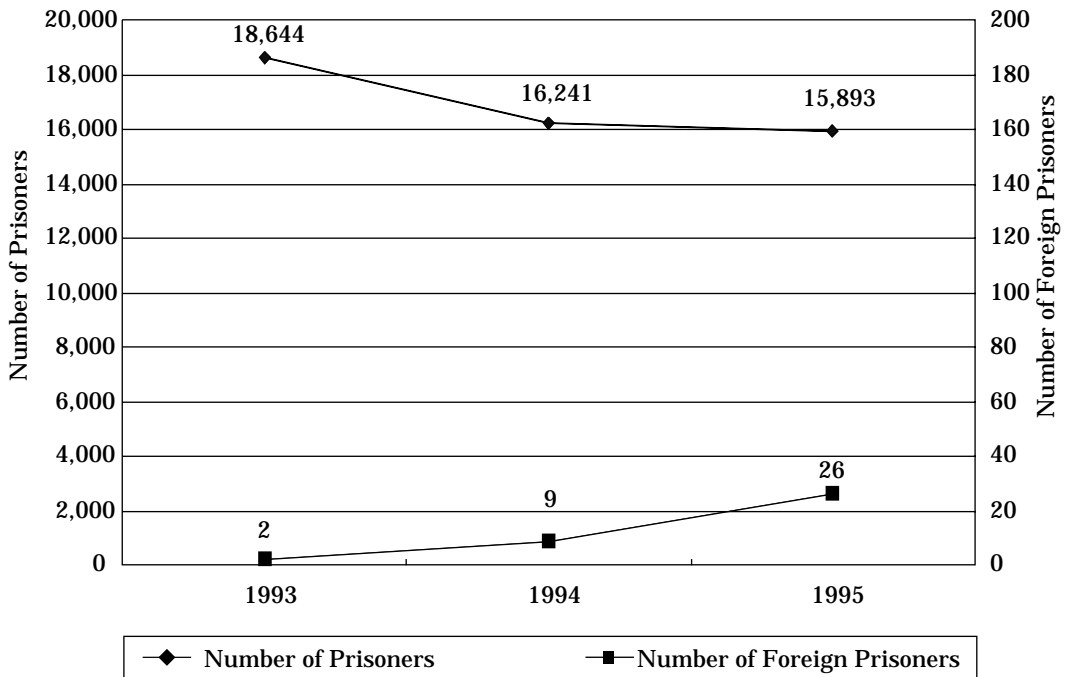
**Figure 1:**  
**Number of Prisoners and Foreign Prisoners (Belize)**



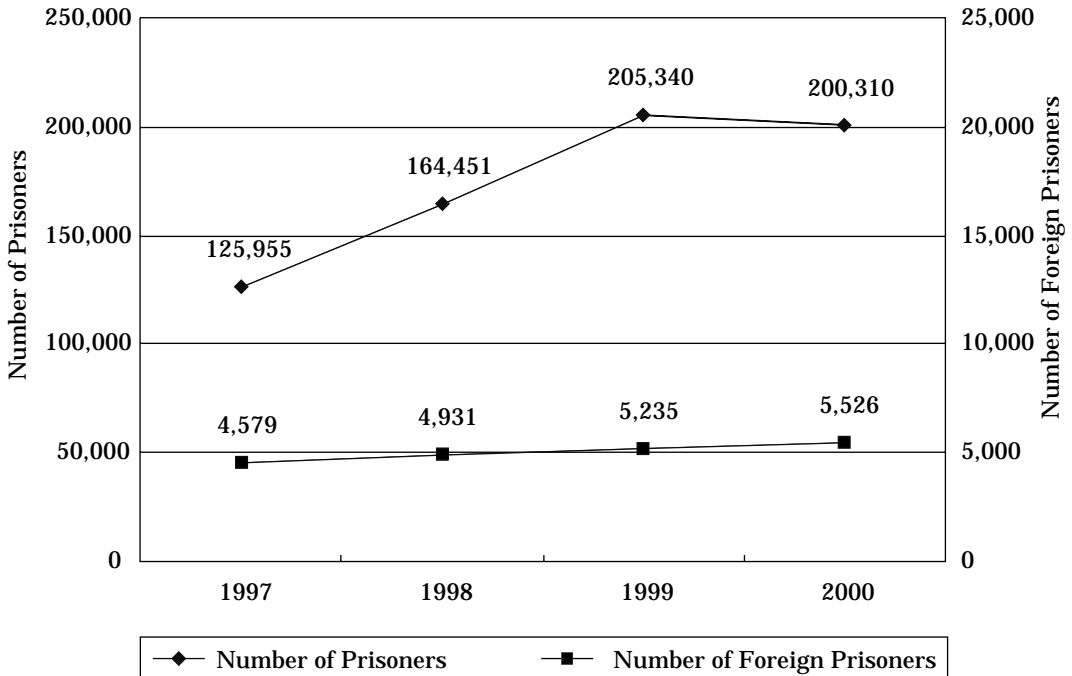
**Figure 2**  
**Number of Prisoners and Foreign Prisoners (Japan)**



**Figure 3**  
**Number of Prisoners and Foreign Prisoners (Sri Lanka)**



**Figure 4**  
**Number of Prisoners and Foreign Prisoners (Thailand)**





115TH INTERNATIONAL TRAINING COURSE  
REPORTS OF THE COURSE

**ANNEX 2 (Drug-related Prisoners)**

**Table 1  
Number of Drug Offenders**

| Belize | Japan  | Peru   | Sri Lanka | Thailand |
|--------|--------|--------|-----------|----------|
| 127    | 12,605 | 7,004  | 8,199     | 67,473   |
| 12.5%  | 29.1%  | 25.6%  | 39.4%     | 58.6%    |
| (1999) | (1998) | (1999) | (1998)    | (1999)   |

**Table 2  
The Comparison of the Number of Drug Traffickers  
and Drug Abusers among the Prison Population**

|  | Belize | Japan | Peru | Sri Lanka | Thailand |
|--|--------|-------|------|-----------|----------|
| The number of Drug Traffickers are <u>more than</u> that of number of Abusers          |        |       | X    |           | X        |
| The number of Drug Traffickers are <u>almost the same</u> as that of number of Abusers | X      |       |      | X         |          |
| The number of Drug Traffickers are <u>less than</u> that of number of Abusers          |        | X     |      |           |          |

- In Peru, drug abuse is not a crime.

**Table 3  
Types of Prevalent Drugs**

| Belize              | Japan        | Peru    | Sri Lanka          | Thailand               |
|---------------------|--------------|---------|--------------------|------------------------|
| Cannabis<br>Cocaine | Amphetamines | Cocaine | Heroin<br>Cannabis | Amphetamines<br>Heroin |

**Table 4  
Trends of Drug offenders**

| Belize                | Japan                                | Peru                               | Sri Lanka                          | Thailand                             |
|-----------------------|--------------------------------------|------------------------------------|------------------------------------|--------------------------------------|
| Increase              | Increase                             | Increase                           | Increase                           | Increase                             |
| N.A.<br>127<br>(1999) | 10,555<br>12,650<br>(1994)<br>(1998) | 4,727<br>7,004<br>(1995)<br>(1999) | 7,139<br>8,199<br>(1997)<br>(1998) | 24,523<br>67,473<br>(1995)<br>(1999) |

**ANNEX 3 (Female Prisoners)**

**Table 1: Number**

| Belize | Japan  | Peru   | Sri Lanka | Thailand |
|--------|--------|--------|-----------|----------|
| 88     | 1,199  | 2,353  | 5,441     | 32,720   |
| 9.2%   | 5.2%   | 8.6%   | 6.3%      | 15.9%    |
| (1999) | (1998) | (1999) | (1995)    | (1999)   |

**Table 2  
Trends**

| Belize   |              | Japan           |                 | Peru            |                 | Sri Lanka       |                 | Thailand        |                  |
|----------|--------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|-----------------|------------------|
| Increase |              | Increase        |                 | Increase        |                 | Increase        |                 | Increase        |                  |
| N.A.     | 88<br>(1999) | 1,071<br>(1996) | 1,199<br>(1998) | 1,836<br>(1996) | 2,353<br>(1999) | 4,270<br>(1994) | 5,441<br>(1995) | 6,401<br>(1996) | 19,235<br>(1999) |

For Thailand, the number of convicted prisoners is only available.

**Table 3  
Institutions**

| Country<br>Institutions                         | Belize               | Japan | Peru | Sri Lanka | Thailand |
|---|----------------------|-------|------|-----------|----------|
|   | for female prisoners | 0     | 6    | 8         | 0        |
| Prisons with separate wing for female prisoners | 1                    | 184   | 62   | 9         | 115      |

**Table 4  
Type of Offense**

**4.1 Belize  
(1999)**

| Type of Offense | Number | %    |
|-----------------|--------|------|
| Drug related    | 20     | 22.8 |
| Robbery /Theft  | 14     | 16.0 |
| Assault         | 9      | 10.2 |
| Illegal Entry   | 37     | 42.0 |
| Others          | 0      | 0.0  |
| Total           | 88     | 100  |

115TH INTERNATIONAL TRAINING COURSE  
REPORTS OF THE COURSE

**4.2 Japan (Convicted prisoners only)**  
(1998)

| Type of Offense  | Number | %    |
|------------------|--------|------|
| Drug related     | 583    | 48.3 |
| Against property | 373    | 31.3 |
| Assault          | 37     | 5.1  |
| Murder           | 55     | 4.6  |
| Others           | 151    | 10.7 |
| Total            | 1,199  | 100  |

**4.3 Sri Lanka (Convicted prisoners only)**  
(1995)

| Type of Offense | Number | %    |
|-----------------|--------|------|
| Drug related    | 47     | 9.0  |
| Excise Offense  | 203    | 38.8 |
| Prostitution    | 135    | 25.8 |
| Murder          | 5      | 0.1  |
| Theft           | 68     | 13.0 |
| Others          | 65     | 12.3 |
| Total           | 523    | 100  |

**4.4 Peru**  
(1999)

| Type of Offense           | Number | %    |
|---------------------------|--------|------|
| Drug related              | 612    | 26.0 |
| Against property, Assault | 894    | 38.0 |
| Murder, against life      | 259    | 11.0 |
| Others                    | 588    | 25.0 |
| Total                     | 2,353  | 100  |

**4.5 Thailand (Convicted prisoners only)**  
(1999)

| Type of Offense  | Number | %    |
|------------------|--------|------|
| Drug related     | 4,604  | 23.9 |
| Against property | 13,314 | 69.2 |
| Assault          | 120    | 0.6  |
| Murder           | 308    | 1.6  |
| Others           | 889    | 4.6  |
| Total            | 19,235 | 100  |

**REFERENCES**

- Lightfoot Lynn O. Offender Substance Abuse Pre-Release Program. Correctional Service Canada
  
- Carroll, Kathleen M. Therapy Manuals for Drug Addiction -A Cognitive-Behavioral Approach. U.S. Department of Health and Human Services
  
- Jeremy, Travis. Women Offenders: Programming Needs and Promising Approaches. National Institute of Justice/ U.S. Department of Justice
  
- Amnesty International. United States of America "Not Part of My Sentence" Violations of the Human Rights of Women in Custody. Amnesty International