



## Women Prisons in North-Eastern Thailand: How Well Do They Meet International Human Rights Standards?

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### Abstract

Thailand has one of the highest incarceration rates of women in the world. With an increasing prison population overall as well as an increasing proportion of female inmates, the country faces one of its most challenging tasks in penitentiary administration: reforms to its legal landscape and its correctional practices in line with international standards. A response to such a crisis is to undertake a prison evaluation project to ensure proper implementation of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (also known as the 'Bangkok Rules'). The primary objective of this research article is to assess and identify a prison model that can inspire the development of other prison facilities, while supporting a firm commitment to maintain and improve the status of current model facilities.

### Keywords

Bangkok Rules; treatment of women prisoners; prison model; prison evaluation.

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## Introduction

In 2016, the picture of a poor mother carrying her little daughter in her arms after being arrested by the police for allegedly stealing baby formula from a store, captured public attention and attracted widespread criticism in Thailand. The story was shared on the Thailand Police Story Facebook page. The woman was nearly put in jail under the Thai Criminal Code. Fortunately, she was saved when a good Samaritan offered to pay a large penalty in exchange for her freedom and the safety of her child. The public response to such a situation was mixed, a combination of resentment and sympathy. The fact that she avoided jail greatly relieved those who heard about her fate because of the likely effects of her incarceration on her offspring.

Thailand has faced harsh criticism for failing to live up to international standards for its treatment of prisoners and conditions of incarceration. 'Inmates routinely shackled, beaten, and stuffed into overcrowded cells' (AP News 2017) is a typical description of Thai prisons as reported by human rights groups. Such a view is also shared among the international community, as indicated in the recommendations following the Universal Periodic Review and adopted by Thailand in 2016 (Ministry of Foreign Affairs 2016).<sup>1</sup> Ranked as a country with the sixth highest prisoner population in the world, and the highest incarceration rate among Southeast Asian nations according to the International Federation for Human Rights (FIDH) (2017), Thailand's prison situation has continued to attract international criticism.

In efforts to meet the standards of the international community, the Thai government has amended and adopted new correctional legislation, known as *Penitentiary Act 1936*, amended 2017', as well as promoted the implementation of imprisonment policy in accordance with international law. Among these efforts, a female imprisonment policy has been introduced pursuant to the United Nations Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (the 'Bangkok Rules') and its operation is being closely watched.

The Thailand Institute of Justice (TIJ), an independent research institute founded in collaboration with the United Nations' Commission on Crime Prevention and Criminal Justice, has endorsed a Women Prison Model project. Aligned with the TIJ's vision to enhance the capability of the country to safeguard and ensure criminal and social justice, the primary objective of the project is to search and identify female correctional facilities that can serve as a model of best practice and a precedent for the treatment and conditions of the country's other domestic facilities for women prisoners.

The project was initiated and undertaken because of a current lack of a good model for the proper treatment of female prisoners in the country. The absence of such a model has delayed the implementation of the Bangkok Rules and diluted its effectiveness in the country. The initiative will serve as a stepping stone towards improving the physical and mental conditions for this vulnerable group. Thus, evaluating prison conditions and identifying models of women's prison that meet the requirements of the Bangkok Rules are the core objectives of this research article, with the hope that these prison models can help set a new standard that will inspire improvements in the conditions of other women's prisons in the country.

## Review of the literature

### *Thailand's prison crisis*

An overcrowded prisoner population has become one of the most challenging issues for Thailand; it has also hampered effective rehabilitation and proper treatment of inmates. According to the latest statistics from the Department of Corrections, as of March 2018, the nationwide prisoner population is 334,279, of which 13.7% are female inmates (Department of Corrections 2018). The total prisoner population represents all categories of inmates, consisting of convicted inmates, pre-trial and remand inmates, juveniles and detainees. This number has increased from last

year's (2017) figure, which was 286,861, of which 13.5% were female inmates. As the total number of nationwide facilities (n = 143) have the capacity for 112,348 inmates (Department of Corrections 2018), the current number of inmates exceeds the nation's official capacity threefold. With a limited number of officers in charge per inmate, the situation also gives rise to issues of security. The occupancy levels are particularly high in the south, north-east and central Thailand.

Further, data available in the World Prison Brief show that Thailand has one of the highest incarceration rates of women in the world (FIDH 2017). The annual rates of incarceration of women in the country are presented in Table 1. The annual rates of incarceration of women in the country are presented in Table 1.

**Table 1: Rate of incarceration of women in Thailand (2011–2018)**

Year	Female Prison Population (as at January 1)	Incarceration Rate (per 100,000 of the national female population)
2018	43,426	129*
2017	39,336	113
2016	45,132	130
2015	46,912	136
2014	42,232	123
2013	36,986	108
2012	32,810	97
2011	31,734	94

\* As the calculations for 2018 was not covered by the FIDH report, this calculation was based on the reported total population of Thai women in 2018 (N = 33,780,000; Mahidol University Institute for Population and Social Research 2018). Source: FIDH 2017: 15

Given the rising trend in the prison population, especially of incarcerated women, achieving the correctional standards in line with international recommendations has become a national priority. As a result, adjustments to the legal framework and administrative practices were made to address these challenges.

### *Domestic legal framework*

Thailand's *Penitentiary Act 1936* has become the subject of criticism for its failure to meet the standards prescribed by the Bangkok Rules, especially in relation to the use of instruments of restraint (FIDH 2017). This legislation was originally adopted in 1936, a few years after the major political transition from a system of monarchy to that of democracy in 1932 (Daoreung Hongsa 2015). Given the year in which the legislation was introduced together with the changes to the sociopolitical landscape of the country since the legislation has been inadequate in terms of responding to new challenges and changing perspectives on crime and punishment. A lack of alternative sentences and the proper means with which to treat inmates under the legislation had weakened its effectiveness in criminal justice administration and crime prevention. Incompatibility with the international standard, along with problems related to conditions of incarceration and prisoner's admission, classification and treatment, became an impediment to achieving the goals of effective rehabilitation and treatment. Prisoners' individual needs and requirements were often overlooked. These underlying issues forced the country to amend the original legislation.

A new set of rules for prison administration is at the heart of the amended *Penitentiary Act*, which was adopted in 2017. Under the amended legislation, the penitentiary committee, consisting of high-level officials from the Ministry of Justice, Ministry of Social Development and Security, Ministry of Interior, Ministry of Labour, Ministry of Education, Ministry of Public Health, Office of the Judiciary, Office of the Attorney General, Royal Thai Police, National Human Rights Committee and experts in relevant fields, was established with the powers to propose and set up guidelines

and policy concerning the management of prison affairs and administration. With the primary goals of effective inmate rehabilitation and treatment, the formation of the committee with flexible exercises of powers will enable penitentiary management as required by the circumstances.

In addition, the use of force and instruments of restraint are generally prohibited and only permitted under specified situations pursuant to Articles 20 and 21 of the legislation (*Penitentiary Act 1936*, amended 2017). A clear and specific guideline on the use of weapons by prison officials is also provided to strike a balance between the inmates' human rights and the officials' safety and public security (Articles 22 and 23 *Penitentiary Act 1936*, amended 2017).

In relation to the treatment of women inmates and with reference to the Bangkok Rules, the legislation places greater emphasis on the welfare of pregnant inmates and inmates with babies. For instance, comprehensive medical services are provided for both mother and child. Personal information about children born inside the facility is protected (Articles 57 and 58, *Penitentiary Act 1936*, amended 2017). These new provisions also comply with the country's most recent constitution, which guarantees individual rights and liberties in life and wellbeing, requires that the arrest and detention of individuals be in accordance with the rule of law, and considers torture and inhumane treatment to be illegal (e.g., Article 28 *Constitution of the Kingdom of Thailand 2017*). Therefore, the introduced legislation intended to address the Bangkok Rules (*Penitentiary Act 1936*, amended 2017) is consistent with the constitutional framework.

### **Bangkok Rules**

The Bangkok Rules were the outcome of an initiative by Her Royal Highness Princess Bajrakitiyabha, who was concerned about the increasing number of women in custody with specific needs and who require special accommodation (United Nations Office on Drugs and Crime 2017, Penal Reform International and Thailand Institute of Justice 2013a). Being the primary proponent of these international rules, Thailand has a great responsibility and is under the most pressure to ensure that the Bangkok Rules are adopted and effectively implemented.

With respect to this research article, there are two relevant parts of the Bangkok Rules to be elaborated. The first part of the Bangkok Rules covers the general aspects of prison conditions and environment, admission, visitation, sanitation and health care and searches; the second part deals with the additional treatment of special category prisoners, namely convicted prisoners and prisoners awaiting trial (Penal Reform International and TIJ 2013b).

The evaluation checklist used in the research includes the following items, namely 1) admission, registration and allocation (rules 2–4), 2) hygiene and health care (rules 5–18), 3) safety and security (rules 19–25), 4) contact with the outside world (rules 26–28), 5) prisoner rehabilitation (rules 40–47), 6) pregnant women, breastfeeding mothers and mothers with children in prison (rules 48–52) and 7) special category prisoners (rules 36–39, 53–56) (Penal Reform International and TIJ 2013a).

As an international human rights instrument, the Bangkok Rules focus on the protection of (at least) the physical wellbeing of female inmates and is the legacy of efforts by social movements in the early 20th century to improve understanding and treatment of women in the criminal justice system. It acknowledges the special needs of women and the nature of their offences, which set them apart from those of male prisoners (Hine 2019: 8).<sup>2</sup>

Though grounded on feminist concerns about the treatment of female prisoners, the criteria checklist based on the Bangkok Rules (mentioned above) can be perceived as addressing minimum physical needs, such as physical health, sanitation and safety, whereas those measures that directly address women's mental health and provide mental support seem to be lacking. However, this checklist should not be judged accordingly, as 'there is a strong link between

mental and physical health' (Ohrnberger, Fichera and Sutton 2017: 42). Ensuring inmates' physical wellbeing in prison facilities can, at the very least, benefit their mental wellbeing both directly and indirectly. There are also recreational programs such as yoga lessons that help promote the peace and health of women inmates.

This argument is not to suggest that the existing checklist completely addresses the mental health needs of female inmates. After all, the checklist is based upon the Bangkok Rules, which provides broad criteria applicable to women inmate populations across the international community. There may be areas of the checklist that need to be developed further to accommodate individuals with specific needs. Such a tailored checklist is worth exploring as another option for future evaluation by the project.

### *Women's imprisonment experiences*

Eaton (1993: 45) conducted a study of the lives of women after their release from prison. Interviews with a select group of former inmates revealed experiences of their lives as well as the changes they had gone through during the period of imprisonment. According to her study, these women struggled 'to retain a sense of self' and used strategies of withdrawal, retaliation, even self-mutilation. Her study concluded with a proposal for certain key policy changes, such as more humane treatment and an aftercare program that is well funded, given that women are among one of the most vulnerable groups in society generally.

In line with Eaton's study, Scraton (2016) suggested that prison violence and brutality against women were still prevalent. As most prisons lack a comprehensive gender-specific program to properly care for female inmates, these inmates are likely to suffer from mental breakdown, self-harm or even suicide. Issues affecting women in prison, such as victimisation, trauma, damaged family relationships and addiction have led corrective services in several jurisdictions to undertake gender-responsive penal policy reforms, such as developing women-only treatment strategies for substance abuse and raising awareness of special needs required for female inmates (Weber, Fishwick and Marmo 2014).

### *Theory of rehabilitative punishment and the Women Prison Model project*

The Women Prison Model project is based upon the idea of rehabilitative punishment, whose focus is not on the punishment of the offender for her past actions but rather on prevention and control of future crime. This forward-looking aspect of rehabilitative theory has been viewed as adopting a consequentialist approach whose justification rests upon the benefits of the outcome rather than on the symbolism of punishment. Thus, in theory, rehabilitative punishment aims to reduce the likelihood of individual recidivism and increase the likelihood of change in personal attitudes and behaviours (Cavadino and Dignan 2007).

Further, a group of scholars perceive penal rehabilitation to be outside the scope of criminal punishment, as they believe that negative sanctions in the form of punishment are comparable to poison affecting the mental health and wellbeing of an offender. This perspective gave rise to the idea of rights-based rehabilitation (Rotman 1990). Research has also indicated a link between the use of incarceration as a sole instrument of punishment and an increased rate of recidivism. Both state and federal recidivism studies suggested high rates of reoffending by former inmates within a period of fewer than three years from their release (Leipold 2006).

Different forms of rehabilitation, such as vocational training and education, counselling, therapeutic rehabilitation and therapeutic recreation, focus on the idea of securing inmates' rights as another way of upholding social justice (Brooks 2012). The concept of rehabilitation is also understood to include 'strategies, measures and programs applied during incarceration in preparation for release' (Gisler, Pruin and Hostettler 2018: 6). The idea of rights-based rehabilitation is closely connected with upholding fundamental human rights in criminal justice

systems pursuant to the Universal Declaration of Human Rights, which is an instrument of international customary law (Hannum 2014).

Although one may argue that rehabilitative approaches are more effective than improving prison standards, ensuring that the prison environment meets basic standards will nonetheless serve as a fundamental foundation to enable rehabilitative processes to succeed. As the concept of rehabilitation ‘encompasses not only measures and programs taken in prison, but [also] serves as an umbrella term for programs and structures inside and outside prison, aimed at preparing and supporting the release of offenders ... back to society’ (Gisler, Pruin and Hostettler 2018: 6), its direct implication is that implementing and achieving international prison standards are prerequisites for the rehabilitative process.

MacKenzie’s studies also showed that ‘recidivism was reduced by certain forms of cognitive behavioral therapy and vocational education programs in prisons’ (Gisler, Pruin and Hostettler 2018: 7). These programs are arguably part of the physical conditions required for greater success of rehabilitation. Therefore, in the absence of proper physical conditions in prisons, opportunities for self-reform and personal development are arguably limited.

Improving prison standards not only serves as a foundation for prisoner rehabilitation but, more importantly, it also ensures that ‘the legitimate penological purposes of imprisonment’ are achieved. Different forms of unnatural deaths inside prisons, such as suicides and murders, are forms of punishment that are disproportionate to any legal sentence or the original crime and undermine the fundamental principle of human rights and dignity (Liebling 2017: 20).

## **Methodology**

### ***Objectives***

The research has the following primary objectives:

- to evaluate the management and conditions of women prisons in the north-eastern region of Thailand;
- to identify those prisons with best practices that can serve as models for others to emulate in compliance with the Bangkok Rules.

### ***Units of analysis***

As part of the process to implement the Bangkok Rules, the Department of Corrections in collaboration with TIJ conducted a search of central and provincial prisons in the north-eastern region of Thailand who were willing to take part in the Women Prison Model project. The staff of volunteering prisons would be trained before the evaluation and evaluated according to the standards outlined in the Bangkok Rules. Prisons that pass the evaluation criteria will serve as models for the region.

As a result of this process, Rattanaaburi District Prison and Nakorn Ratchasima Central Prison were selected as units of evaluation.

### ***Data collection***

The study is a qualitative research project for which the researchers gathered information and data, using a triangulation technique through:

- (i) documentary analysis of selected units of evaluation consisting of relevant work instructions, work manuals and self-assessment reports by the operational officials of the prisons
- (ii) a focus group discussion consisting of relevant government officials at senior and operational levels within the correctional facilities

- (iii) observations (with limited engagement) of the facilities, environment and activities in the female inmate zone of the prisons for a total period of one day at each prison to assess the surroundings, living conditions and treatment of female inmates as well as to have brief conversations with inmates regarding their routines and incomes.

### **Research tools**

A prison evaluation form was created by the Penal Reform International in accordance with the Bangkok Rules, and further developed by the Justice Development and Correctional Institute. The form consists of 153 indicators grouped into nine areas or aspects of prison management and administration, as follows:

1. prison policy (13 indicators)
2. admission and registration (9 indicators)
3. sanitation and health care (42 indicators)
4. security and safety (19 indicators)
5. outside contact (17 indicators)
6. inmate classification and treatment (6 indicators)
7. special inmates: foreign nationals (4 indicators), minorities (3 indicators), pre-trial inmates (4 indicators)
8. pregnant or lactating inmates or inmates with babies (25 indicators)
9. prerelease orientation program (11 indicators).

The TIJ and Ministry of Justice collaborated with Penal Reform International to create the anchored scale for the evaluation scores that were calculated in the project. The scores (percentage) and their anchors are as follows:

- 96–100%: excellent
- 91–95%: good
- < 91%: fail.

### **Evaluation analysis**

The contents of the documents and the researchers' personal observations were analysed with the information from the focus group discussion to derive an evaluation score for all nine areas/aspects of prison treatment.

### **Evaluation outcome**

The results showed that two prisons can serve as best practice prison models, specifically in their treatment of female inmates: the Rattanaaburi District Prison and Nakorn Ratchasima Central Prison. Based on all 153 indicators across the nine areas assessed, Rattanaaburi District received a total score of 92.1% while Nakorn Ratchasima Central received 91.1%. Both these total scores indicate good performance according to the Bangkok Rules.

The results of the two best prisons (Rattanaaburi District and Nakorn Ratchasima Central prisons) that can potentially serve as best practice models, based on the Bangkok Rules indicators, are summarised in Table 2.

**Table 2: Performance of two Thai prisons based on the Bangkok Rules**

Aspect of the Prison	Number of Indicators	Rattanakaburi District*	Nakorn Ratchasima Central*
		Score (Percent)	Score (Percent)
1. Prison policy	13	13/13 (100%)	13/13 (100%)
2. Admission and registration	9	9/9 (100%)	9/9 (100%)
3. Sanitation and health care	42	39/42 (92.9%)	39/42 (92.9%)
4. Security and safety	19	18/19 (94.7%)	19/19 (100%)
5. Outside contact	17	17/17 (100%)	16/17 (92.9%)
6. Inmate classification and treatment	6	6/6 (100%)	6/6 (100%)
7. Special inmates			
Foreign nationals	4	1/4 (25.0%)	2/4 (50.0%)
Minorities	3	3/3 (100%)	2/3 (66.7%)
Pre-trial inmates	4	4/4 (100%)	4/4 (100%)
8. Pregnant inmates/lactating inmates/inmates with babies	25	25/25 (100%)	25/25 (100%)
9. Prerelease orientation program	11	11/11 (100%)	11/11 (100%)
<b>Total</b>	<b>153</b>	<b>146/153 (92.1%)</b>	<b>146/153 (91.1%)</b>

\* Assessment of Rattanakaburi District Prison was conducted on 13 September 2018 and that of Nakorn Ratchasima Central Prison on 24 September 2018.

The results in Table 2 are based on data gathered through observation, documentary analysis and focus group discussion pursuant to the evaluation framework outlined in the Bangkok Rules, across nine areas of prison treatment. These results are described below.

### *Prison policy*

Both Rattanakaburi District and Nakorn Ratchasima Central prisons demonstrated strengths in prison policy: both facilities scored 100% in this domain. This performance demonstrates that high-ranking officials have paid close attention to formulating prison policies in accordance with the standards outlined in the Bangkok Rules. Work instructions and manuals were made available to personnel and strictly enforced, while staff were well informed of their contents. Its location in the city centre was advantageous for Nakorn Ratchasima Central prison, as its policy implementation benefited from facilitated coordination with other government agencies to accommodate inmates' needs.

However, there were some potential areas of improvement for both facilities. Nakorn Ratchasima Central prison could take further advantage of its convenient location by being more proactive in building stronger networks and cooperating with governmental and non-governmental organisations to assist inmates' wellbeing, such as better waste management inside the prison facility. Conversely, Rattanakaburi District Prison, located outside the city centre, was restricted in its access to, and coordination with, other government agencies, which has resulted in policy weakness in some areas. An example is its waste management policy, which required municipal involvement.

### *Admission and registration*

As admission and registration procedures are important aspects of prison policy, both Rattanakaburi District and Nakorn Ratchasima Central prisons have well-organised admission and registration processes: both facilities scored 100% for this aspect of prison management. The authorities in these prisons have paid close attention to the admission and registration process for each individual inmate, including the careful recording of personal information. Officers in both facilities have been trained, especially in terms of correctional procedures in accordance

with the principles of human rights and personal dignity, understand the scope of their duties and were capable of advising and providing inmates with basic legal assistance.

In addition, a Garrett metal detector was used in Rattanaaburi District prison specifically for the admission of female inmates. Despite limited space in Nakorn Ratchasima Central Prison, the admission room was specifically designed to provide female inmates with additional privacy. While certain prison facilities provide only curtained partitions, the facility at Nakorn Ratchasima Central has a private room for a body search.

However, in addition to having available printed documents in English and ASEAN languages, further improvements can be made to the channels of communication for foreign national inmates about their legal rights and criminal procedure. Equipment or technology that translates information into a foreign language should also be provided or serve as an alternative to a court interpreter.

### *Sanitation and health care*

Rattanaaburi District and Nakorn Ratchasima Central prisons shared the same score (92.9%) for sanitation and health care. Their scores reflected a comprehensive healthcare service that is equally accessible by all inmates, including inmates with special needs such as expectant inmates and inmates with health conditions. All inmates receive a regular medical check-up and screening for potential health issues, such as cancer, diabetes, HIV. There are registered nurses and physicians, including dentists, therapists and psychologists from local hospitals who provide primary care, diagnostic screening and treatment. Care and treatment outside the facility are also available if required by the physician.

The Rattanaaburi District Prison currently has 83 female inmates, which is well under its capacity of 106. The facility also provides a leisure corner where inmates can relax and read books. Unlike Rattanaaburi District Prison, Nakorn Ratchasima Central Prison is challenged by limited space. The inmate ratio per square metre per room ranges from 0.81–1.78, while the recommended ratio adopted by the Department of Corrections is 1.2 per square metre. As a result of space restrictions in Nakorn Ratchasima Central Prison, there was no separate zone for inmates suffering mental problems and those with special needs.

Inmates in both Rattanaaburi District and Nakorn Ratchasima Central prisons have inadequate personal lockers, which at times raises problems of privacy and personal hygiene, as personal items can get mixed up.

### *Security and safety*

In the area of security and safety, Nakorn Ratchasima Central Prison scored 100% in terms of security management. As the principal prison in the district, Nakorn Ratchasima Central Prison has facilities that are strictly controlled and equipped with advanced technology to conduct Garrett metal scans and body scans in the female inmate zone. The officers are well trained, knowledgeable and understand the procedures for personal inspection that takes human dignity and human rights into account.

Rattanaaburi District Prison, despite scoring slightly lower (94.7%), still performed well in the area of security management. Much like Nakorn Ratchasima Central Prison, it is well equipped with advanced security technology and staffed by personnel who are trained well to avoid intrusive body searches while still maintaining strict security control.

Nonetheless, Rattanaaburi District Prison currently lacks clear information in print about the available channels of complaint and a clear reporting procedure in the event of physical and psychological abuse suffered by the inmates; this aspect of security and safety can be improved.

### ***Outside contact***

Rattanaaburi District Prison has the advantage of having good collaborative relationships with other government and non-governmental agencies, as its head administrator also holds the top position in the Justice Provincial Office, which allows him to form networks with external organisations. The capacity to access and build these networks enables this small district prison to provide better legal counselling for its inmates and create and maintain relationships with the inmates' families by allowing them to participate in various activities as part of its prerelease program. While the Bangkok Rules do not specify the frequency of annual visits by an inmate's family, the facility is open for family visits in a designated visitation zone on regular business days and closed visits can be organised approximately twice per year.

Although Nakorn Ratchasima Central Prison scored well in this domain at 92.9%, it lacked clear guidelines and regulations for inmate visitation.

### ***Inmate classification and treatment***

Both Rattanaaburi District and Nakorn Ratchasima Central prisons had well-established classification and treatment procedures. All inmates were classified appropriately to the level of physical security of the facility and treated according to the individual's needs and circumstances. Moreover, an activity plan is formulated for each inmate upon her admission, to be followed until the date of release to occupy her in various basic programs, such as education, vocational training and pre-release preparation programs.

However, potential areas of improvement are to extend the use of these individualised plans to other purposes such as monitoring personal development, thereby actively involving inmates in their own progress and compliance with the plans, as well as encouraging them to self-evaluate in preparation for reintegration into normal society.

### ***Special inmates (foreign nationals/minorities/pre-trial inmates)***

In their treatment of special inmates, Rattanaaburi District and Nakorn Ratchasima Central prisons scored differently, specifically in relation to foreign nationals and minorities; however, this difference was minor.

Both facilities have a policy that ensures foreign nationals, minorities and pre-trial inmates—as well as children born to foreign inmates—have equal access to welfare and healthcare services. With regard to the treatment of foreign inmates and minority inmates, a point of concern for the Nakorn Ratchasima facility was the lack of a clear measure and practice guideline if the children accompanying these inmates need to be sent away from their parents. Thus, a clear practice guideline is required to ensure collaboration of outside organisations and the comprehensive assistance of these children.

Conversely, a strength of the policy and practices of Rattanaaburi District Prison in relation to minority inmates was that it secured the collaboration of outside organisations and government agencies with preparing inmates for release and return to their home communities. Both facilities scored 100% for the treatment of pre-trial inmates by having a policy to ensure inmates have access to welfare and healthcare services while awaiting trial. A clear measure, as well as guidelines and regulations, have been implemented.

### ***Pregnant inmates, lactating inmates and inmates with babies***

Rattanaaburi District and Nakorn Ratchasima Central prisons received full scores for having a strong policy with regard to the treatment of pregnant inmates, lactating inmates and inmates with babies. Both facilities prioritised this special group of inmates with respect to welfare, health care, nutrition and the required facilities to attend to their needs. Among the special care programs for these inmates were education about their health care during pregnancy and after

birth, proper childcare services, as well as the arrangement of prenatal care and compulsory vaccination.

### *Prerelease orientation program*

Rattanaaburi District and Nakorn Ratchasima Central prisons each scored 100% for their prerelease preparation program. The program, which focuses on legal education, vocational training and living skills necessary for reuniting with their families and reintegrating into society, has been given high priority by both prisons. The program is designed to provide career guidance and build a sense of social conscience and draws on the cooperation of both public and private sectors to assist inmates after their release.

A distinctive feature worth noting here is the establishment of the Center for Assistance with Reintegration and Employment, also known as 'Care Center', designed to assist inmates with developing their occupational skills. Within the Care Center, inmates are introduced to various kinds of activities in factory workshops that they perform routinely daily. These activities help to generate a small income and savings to start a new life upon release.

In addition, an occupational fund is also available for those in need. The facilities have a clear and transparent policy regarding the management of revenue from sales of inmates' products. For instance, Rattanaaburi District Prison earns approximately THB 600,000 per month from sales of such products, of which THB 200,000 is profit. It also earns THB 700,000 from a vocational training program, of which 50% (to be adjusted to 70% in the future) is distributed to the inmates for their labour, 15% to prison officers and 35% is used to offset the expenditure costs incurred by the training program. According to the current policy, the program recently launched food sales in the prison shop, the entire profits of which are directed to supporting the facility.

Despite this strong performance, there is room for potential improvement for both facilities. From our observations, the prerelease preparation program often prioritises the vocational training of male inmates, whose labour skills are presumably in demand in the job market. There should also be a review of the participants' qualifications in the prerelease preparation program based on their remaining sentence and a mechanism for monitoring and following up former inmates.

### **Conclusion**

In conclusion, Rattanaaburi District and Nakorn Ratchasima Central prisons were found to meet the minimum standards of the Bangkok Rules. The two correctional facilities made efforts to implement these standards at the policy level, to ensure that female inmates are treated properly and humanely according to their special needs. Both facilities provide well-trained officers, good facilities, vocational training and rehabilitative programs. The officers were trained to treat inmates with respect and on the basis of human rights principles.

Rattanaaburi District Prison also maintained a green and environmentally friendly atmosphere with the objective to improve the inmates' mental health. The overall supportive environment is aimed at behavioural improvement and capacity building of inmates to prepare and smooth their transition and reintegration into society.

The contributory factors to both these prisons' strong performance are worth further study. From preliminary observations, these factors include the vision and foresight of senior officers, their ability to build a network and engage various private organisations and government agencies to collaborate and provide more comprehensive support for women inmates.

Nonetheless, areas for improvements remain, such as sanitation, health care and the treatment of special inmates. The way that Rattanaaburi District and Nakorn Ratchasima Central prisons have

responded to the challenges of women inmates is important and provides critical lessons for other prison facilities.

Both correctional facilities in the north-eastern region of Thailand, assessed to have met the minimum international standards for women prisoners, can be role models of best practice and represent the country's awareness of the issue and its commitment to take action.

It must also be noted that the study faced certain limitations due to budget and time constraints, which rendered it a less comprehensive study. For example, extensive prisoner interviews were not undertaken. Researchers were only able to have casual conversations with prisoners with regard to their routines and needs during their observations of the facilities. However, the collaboration of the facilities and their willingness to meet the challenges will serve as a first step towards improving female inmates' quality of life while inspiring other facilities struggling to meet the expectations of the international community to fulfil their obligations. The Women Prison Model project will also open up opportunities for other non-government organisations to visit and re-assess the facilities to ensure their continued compliance with the Bangkok Rules.

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<sup>1</sup> The recommendations of the Universal Periodic Review included '[u]pdat[ing] the 1936 *Law on Prisons* and includ[ing] provisions on alternative sanctions in order to decongest prisons ([proposed by] Morocco), and [a]mend[ing] the *Penitentiary Act* of 1936 with a view to a suitable reform of the Thai penitentiary system ([proposed by] Congo)' (Ministry of Foreign Affairs 2016: 4).

<sup>2</sup> However, there are scholars who have argued that male theories are applicable to females, but they do say that it is important to consider the interaction of individual and social factors (Rodermond et al. 2015).

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