

KEY ISSUES OF WOMEN PRISONERS: LESSONS LEARNED FROM THAI PRISONS

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I. INTRODUCTION

It could be said that the treatment of women prisoners has been ignored by people in the criminal justice system for a long time as the female prison population is usually outnumbered by men. Although recently there is a general rise in the number of female inmates in many countries around the world, it still would not trigger any noticeable change in their treatment. More importantly, it seems that there is an insufficient focus on the special needs of female prisoners which are fundamentally different from the needs of male prisoners.

This paper aims to briefly explore the major aspects of female inmates in Thailand and offer some examples of their movement and changes, particularly the adaptation to the problems and the greater awareness of this issue of female prisoners among Thai society, which has been primarily caused by the gracious work of *HRH Princess Bajrakitiyabha*, who has dedicated her great knowledge and remarkable ability to work closely with the *Kamlangjai Project*. In addition, in the final part, the topic of the implementation of the *Bangkok Rules* in Thailand will be discussed, especially the overall strategies and the factors facilitating its successful implementation. It is hoped that people from other countries who are interested in the treatment of women prisoners will gain benefits from learning about Thailand's experiences.

II. CURRENT ISSUES FOR WOMEN PRISONERS IN THAILAND

In order to precisely understand the female inmates in Thailand, there are various significant topics which should be highlighted. They can range from the inmates and their problems to the programmes and projects provided. To be more specific, the current issues regarding the women prisoners in Thailand are discussed below.

A. Prison Overcrowding

The most important issue is that there is a prison overcrowding crisis affecting the female prison population which is likely caused by the fact that Thailand is generally considered as one of the countries which has the largest number of women incarcerated in prisons while the total prison capacity available is clearly insufficient.

According to the 2011 World Female Imprisonment List of the International Centre for Prison Studies (ICPS), it was found that in terms of the proportion of male and female prisoners, the percentage of female prisoners in Thailand was about 14.6% of all prison population and was ranked number seven in the list of countries having the highest percentage of female prisoners in the world.

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Table 1: List of the Countries Having the Highest Percentage of Female Prisoners

	Country	Percentage of Female Inmates (%)
1.	Maldives	21.6
2.	Hong Kong — China	20.0
3.	Bahrain	18.5
4.	Andorra	16.4
5.	Macau — China	14.8
6.	Qatar	14.7
7.	Thailand	14.6

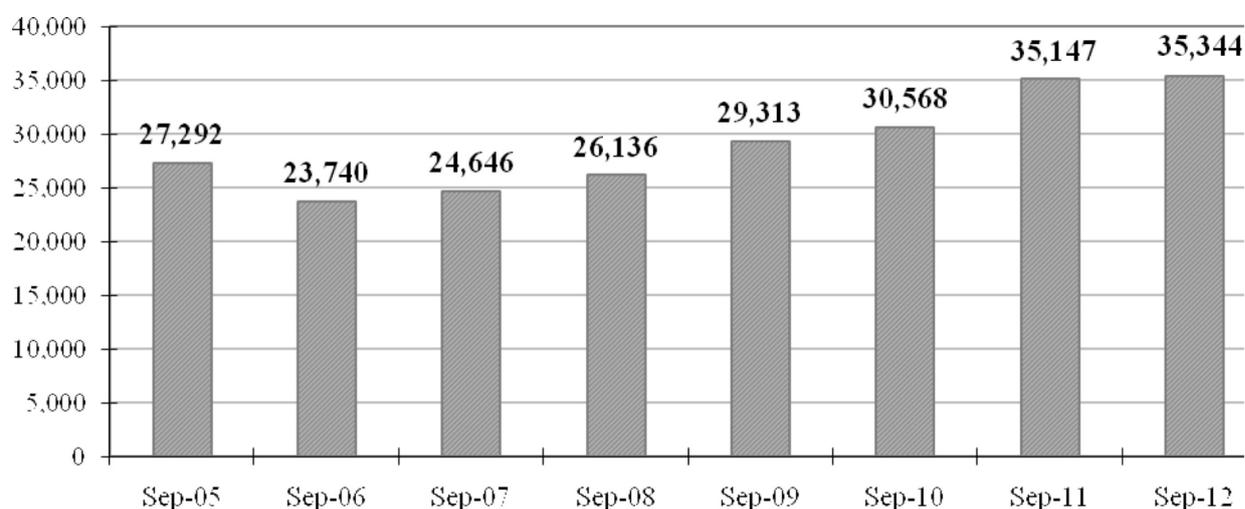
Source: Walmsley, R. (2011) World Female Imprisonment List (2nd Edition),
International Centre for Prison Studies (ICPS)

With respect to the establishments for women prisoners, it should be noted that in reality there are two types of correctional facilities for women prisoners: women's correctional institutions, or prisons for only female inmates, and secondly, a small female prisoner unit existing inside the same perimeter of a men's prison, but their areas are clearly separated from each other. While the first type has the total of 8 women correctional institutions, the latter has 21 composed of 7 large units and 14 small units for women inmates in men's prisons.

As for the large women's prisoner unit, it can range from 700-1,000 prisoners, and the smaller one can detain approximately 300-700 inmates. The most severe overcrowding tends to happen in the small unit in men's prisons in which its total capacity should be only 50-70 female inmates. On the contrary, in practice it has been doubled to incarcerate about 100-300 women. As a consequence, the female prisoners have been imprisoned in a tiny space, without an area for taking physical exercise or doing other activities, such as education and vocational training programmes, because the establishment was initially designed to imprison only 50 people.

Apart from the fact that all prisons and correctional institutions for women in Thailand have been extremely crowded, it is worth noting that the female prison population is increasing. As illustrated in Figure 1, it is clear that since September 2006 the number of female prisoners has gradually increased from 23,740 to 35,344 in 2006 and 2012, respectively.

Figure 1: Female Prison Population (including remandees), 2005 — 2012



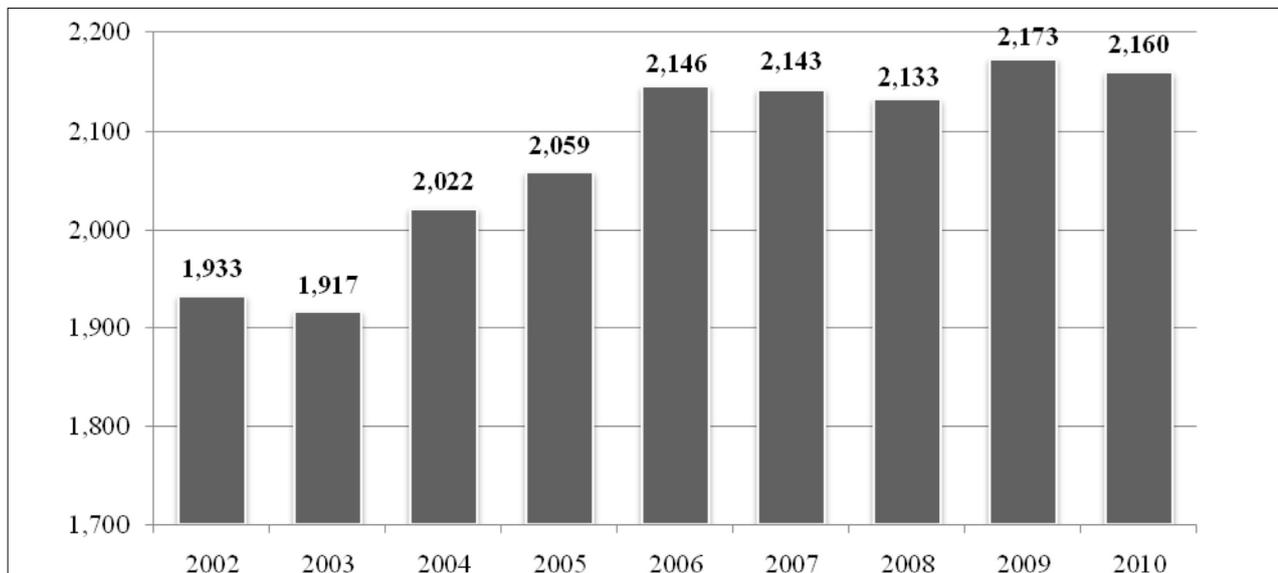
Source: The Centre of Prisoner Statistics, Planning Division, Department of Corrections

It is believed that the reason why the female prison population in Thailand has been gradually rising year by year is that the women tend to be tricked or lured into the drug trade. Presently, about 82% of all female inmates are drug-related offenders, while 65% of the total prison population in Thailand committed crimes against the Narcotic Laws. Another reason causing the large female prison population in Thailand is that there is no effective measure for providing alternatives to prison in the Thai criminal justice system. Consequently, it is seemingly unavoidable for the female offenders to be continuously sent to prisons or correctional facilities. In fact, even when the laws allow using the alternative-to-imprisonment measures, for example probation and detention in other places which are not prisons/correctional institutions under the Criminal Procedure Code, section 89, paragraphs 1 and 2, these practices have not been adopted seriously or used often. As a result, the trend is an increasing number of female prisoners in prisons every year.

B. Shortage of Staff

The second key issue for Thai women prisoners is that there is a serious challenge in terms of the shortage of female prison staff since the total number of female prisoners has increased but the government, on the contrary, does not have any plan to increase the manpower in the public sector. The statistics in Figure 2 show that the number of female officers has been quite steady, which is very different and completely disproportionate to the rising number of female prisoners in Figure 1.

Figure 2: Number of Female Officers at the Department of Corrections, 2002 — 2010



Source: Personnel Division, Department of Corrections

More importantly, in practice many of the female officers do not perform the custodial tasks for female inmates. In fact, approximately 70% of them work in office buildings, doing some administrative jobs, such as dealing with finance and accounting as well as producing paper documents. They are normally appointed to replace the understaffed male officers who have to work inside the custodial units. Consequently, there are only about 2 — 4 females working in a female unit within men’s prisons where more than 100 female inmates are detained. In some large women’s units, there might be 7 — 8 female officers working in a 700 — 800 inmate unit. Under these circumstances, the female prison officers have to work in genuine hardship, with difficulty and at risk of catching numerous diseases behind bars. On top of that, it seems very hard for the female staff to have a chance to launch any treatment programmes to develop and rehabilitate the female inmates because each day they must spend most of their time on disciplinary and security matters, such as preventing prison riots and escapes.

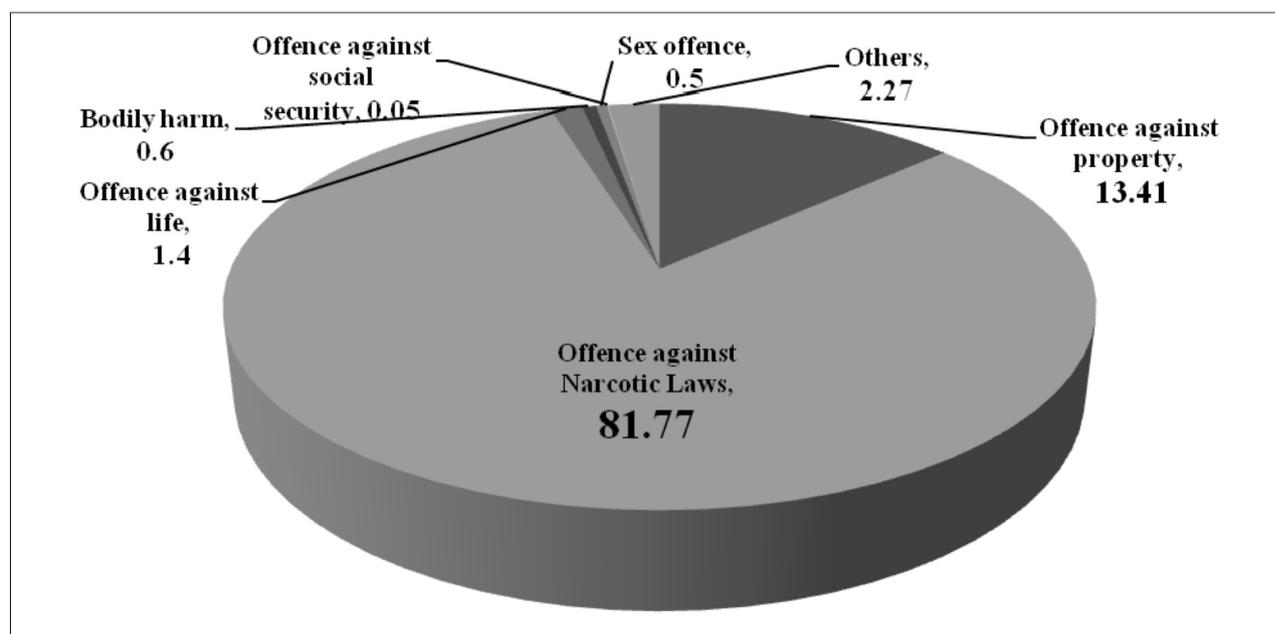
C. Characteristics of Women Prisoners

Interestingly, if it is necessary to explain and specify some characteristics of female prisoners in Thailand, from my point of view, they can be described as: “drug-related; economic problems; un-

employed; being deceived; and harmless". The first reason is that normally the majority of female prisoners are offenders convicted for crimes against the Narcotic Laws.

Figure 3 below shows the offence types and their percentages committed by female convicted prisoners. The statistics, collected on 31 May 2012, indicated that among all 25,912 convicted female inmates, about 81.77%, or a total 21,189, were offenders convicted for crimes against the Narcotic Laws.

Figure 3: Percentage of Convicted Female Inmates Classified by Offence (as of 31 May 2012)



Source: The Centre for Prisoner Statistics, Planning Division, Department of Corrections

According to the statistics on female inmates convicted for drug offences in Tables 2 and 3, the majority of them were involved in methamphetamine (approximately 95%), particularly by selling and possessing for selling drugs (nearly 74%).

Table 2: Number of Female Inmates Convicted for Crimes against Narcotic Laws Classified by Type of Drugs (as of 31 May 2012)

Type of Drugs	Number of Female Convicted Inmates
Heroin	287
Cannabis	146
Opium	33
Methamphetamine	20,235
Inhalant	6
Morphine	0
Cocaine	188
Others	294
Total	21,189

Source: The Centre for Prisoner Statistics, Planning Division, Department of Corrections

Table 3: Number of Female Inmates Convicted for Crimes against Narcotic Laws Classified by Type of Drug Offence (as of 31 May 2012)

Type of Drug Offence	Number of Female Convicted Inmates
Category “Drug Use”:	
- Use	415
- Possession	2,047
- Both use and possession	2,208
Category “Selling”:	
- Selling	6,973
- Possession for selling	8,704
- Others	842
Total	21,189

Source: The Centre for Prisoner Statistics, Planning Division, Department of Corrections

Regarding the range of age, the majority of female convicts are from two age groups: 20 to 30 years of age; and 30 to 40 years of age. Alternatively, it can be concluded that more than half of the female prison population in Thailand is in the age range between 20 and 40 years old.

Table 4: Number of Convicted Female Inmates Classified by Age (as of 31 May 2012)

Age	Number of Female Convicted Inmates
Less than 18 — 20 years	809
More than 20 — 30 years	10,094
More than 30 — 40 years	8,857
More than 40 — 50 years	4,763
More than 50 — 60 years	1,067
More than 60 years	322
Total	25,912

Source: The Centre for Prisoner Statistics, Planning Division, Department of Corrections

Another reason to confirm that Thai female prisoners tend to be harmless is that more than half of them (about 61 per cent) were given relatively short prison sentences ranging from less than 3 months to 5 years. This means that they did not commit violent crimes and were perceived as not dangerous for society.

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Table 5: Sentence of Female Convicted Inmates (as of May 31, 2012)

Sentence/Length of prison sentence	Number of Female Convicted Inmates
Less than 3 months — 2 years	6,570
More than 2 — 5 years	9,280
More than 5 — 10 years	4,178
More than 10 — 15 years	1,583
More than 15 — 20 years	1,085
More than 20 — 50 years	3,015
Life imprisonment	195
Death penalty	6
Total	25,912

Source: The Centre for Prisoner Statistics, Planning Division, Department of Corrections

In a nutshell, all above-mentioned tables and figures support my previous description of Thai women prisoners at the beginning of this part to the extent that they are acknowledged as drug sellers, young adults, harmless due to short prison sentences and so on.

D. Treatment Programmes

It is also important to highlight the rehabilitation of women prisoners as there have been various successful treatment programmes in Thai prisons. Generally speaking, these programmes aim at enhancing all fundamental aspects of female prisoners' lives, including vocational and education training programmes, mental development and welfare. Furthermore, they are provided to prepare the prison inmates to be ready for their new lives after release. In short, the rehabilitation programmes for women in the Thai correctional system cover the areas of:

- *Education*: the educational programmes range from the basic level, vocational education, degree level at the Open University to some courses in foreign languages.
- *Vocational training*: there are varieties of vocational training programmes for female prisoners, such as handicraft making, cooking, fashion design and Thai massage.
- *Recreation and mental development*: the recreation activities behind bars basically include art, music and sports. Some examples of the projects are: "Art for all" project; prison choir; female boxing, etc.
- *Changing and improving lives*: in addition to treatment programmes involving many activities, such as education, vocation, recreation and sports, recently Thai women prisoners have also been provided with the rehabilitation based on the idea to change and improve the inmates' lives, especially the Kamlangjai Project and Sufficiency Economy Project, which can be useful for the inmates during the pre-release period.

(More information about the treatment programmes of women prisoners in Thailand can be found in the paper: "Too many women in prison: a case study of an Effective Treatment of Female Inmates in Thailand").

It is crucial to point out that in reality all treatment programmes mentioned above cannot be launched similarly in every prison and correctional institution even though there are some positive outcomes as there are several limitations in terms of the shortage of staff, budget and physical conditions in prison settings. Combined with some current issues of women prisoners discussed earlier,

the increasing female prison population in the last six consecutive years can lead to more difficulties of providing the women prisoners with effective custody and treatment. Therefore, the Kamlangjai Project can be considered as a major initiative to effectively deal with these difficulties.

III. KAMLANGJAI PROJECT

Before the Kamlangjai Project was initiated in 2006, the condition and status of women prisoners had not gained sufficient attention. At that time, the Thai prison system still placed a low priority on the treatment of female prisoners as the difficulties in providing male prisoners with effective custody and treatment were usually dominant and placed in a top list of priority. Because of this, it could be said that the turning point was the Kamlangjai Project initiated by HRH Princess Bajrakitiyabha who recognized the root of the problems about the custody and treatment of female prisoners, which tended to be immensely complicated and more sensitive than those of male inmates. The aims of the project are to give considerable assistance and provide development opportunity to female prisoners while they are behind the prison walls and also to those prepared to be released from prisons. At present, this project has been formally established in many prisons and correctional institutions nationwide. To put it briefly, the Kamlangjai Project has created various new perspectives on the treatment of female prison inmates, which had never happened before.

Furthermore, HRH Princess Bajrakitiyabha also started a project called “Enhancing Lives of Female Inmates: ELFI” to raise the standards for the treatment of female prisoners. ELFI is an international project which can trigger a worldwide change in the insufficient standards of the treatment of female inmates. It should be noted that these standards are very crucial and necessary as the UN Standard Minimum Rules for the Treatment of Prisoners were created more than 50 years ago. Obviously, there are some parts of the minimum rules which are outdated and inappropriate to the world today. More importantly, they cannot respond to the basic and specific needs of female inmates. Because of this, HRH Princess Bajrakitiyabha had initiated the idea to develop the Draft UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, which were finally approved and adopted by the 65th United Nations General Assembly. The UN Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders are usually known as the Bangkok Rules, which were named for the place where the rules were initially developed.

IV. LESSONS LEARNED FROM THE KAMLANGJAI PROJECT

The Kamlangjai Project has been carried out in many prisons and women’s correctional institutions in Thailand in order to improve the custody and treatment of female prisoners and to support the project to be widely acknowledged at the international level through an ELFI project which later led to the formulation of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders. From my experience in working in the project, there are some interesting lessons which can be learned from its implementation so far as follows:

A. Special Needs

According to my increasing experience of working closely and focusing on the topic of women prisoners, it is obvious that female inmates have special needs and basic necessities which are more sensitive and clearly different from men’s, particularly the maternity issue which previously had not received special attention by many people in Thai corrections and also in some other countries. For this reason, in the past there had been no apparent difference between the treatment of female and male prisoners. More importantly, in some cases women prisoners had been treated worse than men or below the treatment standard due to the physical condition and environment of prison and also the fact that women prisoners were usually the minority of the prison population. Although there has been an increase in the number of women prisoners recently and their problems appear to be spotted easier, it can be argued that they still did not receive much attention. In other words, the prison authority might not be keenly interested in overcoming the problems about women prisoners.

B. Non-Violent Offenders

In Thailand, it is believed that the majority of female prisoners are not the real criminals. To put it simply, many of them do not have a true criminality. In fact, they perpetrated crimes because of

economic and financial necessity, in particular those crimes committed against the Narcotic Laws (see above, Figure 3 and Tables 2 and 3). Normally, they tend to be just an inmate group categorized as small-scale drug dealers, which is about 82–85% of the total female prison population. It is found that among these women prisoners, some of them had been deceived into possessing, selling or delivering drugs; and some had been tempted into joining drug gangs on the grounds that they could earn huge amounts of money. Having said this, there might also be a small number of female inmates who were large-scale drug dealers or professional drug offenders.

As shown in Figure 3, besides a group of drug-related criminals, the others were those convicted of crimes against property usually caused by the high and chronic stress of dealing with economic and financial problems as women must become more financially responsible for their own lives and their families as well. Also, there are some women prisoners who committed crimes against life and bodily harm particularly against their husbands or boyfriends. In the latter case, it is found that the majority of them had been mentally and physically abused for a long time by men. Because of this, they believed that they must do something to stop the experience of being victims of abuse. To put it simply, the women are often recognized as *“both offenders and victims at the same time”*. In brief, it can be argued that there is just a small group of female inmates who are real criminals or are genuinely bad or evil. For this reason, the treatment and custody of female prisoners tends to be much easier than that of men.

C. In Need of Diversion

Some aspects of the demographic characteristics of the prison population can reflect the criminal justice system of each country. To be more specific, if a nation has many prisoners who in reality should not have been strictly imprisoned in correctional establishments, it can be assumed that this country apparently lacks the legal mechanism and effective measures for analyzing and classifying offenders before sending them to prisons. For instance, in the case of Thailand, it is found that there are many female prisoners who should not have been incarcerated in prisons, but they were finally sent to do time inside prison walls because there is no effective diversion or alternative measure and efficient classifying system. As a result, there are too many women in Thai prisons who exceed the total capacity of correctional facilities, leading to the overcrowding crisis. Inevitably, it causes serious difficulties in the custody and treatment of women prisoners, especially in terms of facilitating the implementation of the Bangkok Rules. Central to this point is that the first step, in my opinion, in order to successfully implement the Bangkok Rules in Thailand, is the proper use of alternative measures or diversion in the criminal justice system. In other words, any country which does not try to employ the alternative measures will find it extremely difficult to put the Bangkok Rules into practice.

D. Negative Attitudes

Previously, Thai society had a specific view of the offenders, particularly in a negative way. For example, Thai people tended to believe that all offenders must be severely punished for their crimes. Therefore, the idea of providing prisoners with rehabilitation and treatment programmes was perceived as a soft measure on criminals since many ordinary people who were in an underprivileged group of the society did not have opportunities as good as the prisoners did, or the same special assistance that the inmates received. However, since the Kamlangjai Project was implemented, it seems that people have changed their attitudes towards prisoners due to the charismatic personality and gracious works of HRH Princess Bajrakitiyabha. Crucially, the Thai people have seen and realized that even the royal family is interested and truly dedicated to work on helping prisoners. Accordingly, Thai society should begin to pay more attention, to view the inmates in the better way, and to lend their hands to inmates, as well as to provide them with some mental support. Many activities in the Kamlangjai Project have been overwhelmingly supported by the public and private sectors which are willing to help the project, including commercial companies, a group of actors, artists, writers, academics and researchers as well. To give some examples, the “Bra Charity”, a campaign aiming to donate ladies’ underwear and lingerie to women prisoners, was participated in by many leading department stores. Also, the “Kamlangjai Foundation Fund” has received increasing donations from many people and private companies who want to help the prisoners.

In fact, in the initial phase of the Kamlangjai Project, HRH Princess Bajrakitiyabha expressed some concern that the activity could have run into resistance from society if the project had targeted all groups of prison inmates to obtain special assistance. Because of this, the Kamlangjai Project in an early

period tended to focus on a group of mothers in prisons and their accompanying babies and children because this issue was very sensitive. Obviously, people in Thai society quite agreed that the women prisoners' babies and children did not do anything wrong and should not be punished in prisons like their mothers. For this reason, many parties were willing to support the project. After that, other activities have been added to the Kamlangjai Project such as the campaigns for improving health and hygiene of women prisoners, for giving the inmates inspiration, and vocational training, as well as the pre-release programmes and so on.

E. International Cooperation

The massive support of the Kamlangjai Project, which obtained international recognition and led to the adoption of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, can confirm to some extent that the problem of women prisoners does not occur only in Thailand but also happens at a universal level. It is clear that many countries encounter the same type of difficulty regarding the treatment of female prisoners as there are some similarities in the characteristics of their women offenders, especially their special needs. Moreover, the women prisoners do not usually have real criminality or aggressive behaviours. As a consequence, the international cooperation in enhancing the standards in the treatment of women prisoners in all nations is absolutely crucial. By so doing, it possibly can elevate the next level of development in prison systems of human beings.

V. IMPLEMENTATION OF THE BANGKOK RULES IN THAI PRISONS

It was the first time that Thailand could perform the key role in successfully bringing about one of the United Nations standards and norms to be internationally recognized: "The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders" or usually known as "The Bangkok Rules". Basically, these rules should be adhered to by all nations as recommended guidelines for the treatment of female prisoners in their own countries.

In Thailand, it could be said that the adaptation of the Bangkok Rules is still in the beginning phase. Although it is not officially compulsory for all countries to apply the rules, Thailand as the country originally proposing the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders, which were approved by the 65th U.N. General Assembly, should be able to show its capability to become the role model for other nations in implementing all relevant measures and performing prison work in accordance with the rules as much as possible.

However, it must be accepted that Thailand is still a developing country. Some of the measures on the custody and treatment of prisoners have achieved relatively slow progress compared to other western nations. As such, Thailand has to focus its efforts on improving the treatment of prison inmates in various aspects but must be still in the consideration of the "less eligibility" principle, which works properly on the characteristics of Thai society. To put it simply, the treatment given a prisoner should not be superior to that provided a member of the lowest significant social class in the free society.

To put it briefly, the implementation of the Bangkok Rules in Thailand can be separated into two different levels of strategies: macro and micro frameworks.

A. Macro Level

At the macro level, or the broader picture of the Thai criminal justice system, there has been an increasing effort to use diversion or alternatives to prison more often because it is believed that the major obstacle to putting the Bangkok Rules into practice is the overcrowding of the female prison population in Thailand. Therefore, it is absolutely crucial to find more alternatives to prison for women prisoners, such as the following measures:

- The increasing adoption of the temporary release measures during court proceedings by using the Electronic Monitoring (EM) devices to raise society's confidence
- The measures on detaining offenders in places other than prisons must be employed more

often; for example, home detention by using EM to monitor the offenders

- The greater use of suspension of sentences by placing the offenders on probation and by using EM, which will be able to convince the courts to become more confident of putting the offenders on probation instead of sending them to prisons
- There shall be more prisoners who get parole together with probation by using EM in cases where there are still some doubts about placing the prisoners on probation

B. Micro Level

In a lower level of analysis, generally there are many practical approaches and processes to help the implementation of the Bangkok Rules in Thailand, in particular those relevant to each individual and agency within the criminal justice system. To give some examples:

- There must be at least a prison which becomes the “role model” of the correctional establishment succeeding in the implementation of the Bangkok Rules. From my perspective, the unit of women prisoners at Ratchaburi Central Prison possesses the highest capability to perform this role. By doing this, the prison authority must develop the settings and relevant issues in order to accomplish the adoption of all 70 rules in this unit
- The following step is to select other prisons to become the next role models after the success at Ratchaburi Central Prison, especially those 12 prisons which have already participated in the Kamlangjai Project, and HRH Princess Bajrakitiyabha previously went to work on the project. Besides these 12 correctional facilities, other prisons are ready and are already well prepared to implement the Bangkok Rules, so they should also participate. In fact, according to the plan, it is hoped that in the future on an annual basis there will be about 10 prisons which should be able to consecutively achieve the implementation of the Bangkok Rules
- It is also profoundly important to launch training programmes to provide the prison officers nationwide with useful knowledge and new perspectives on the prisoners in order to make them better understand how to work properly and effectively with women prisoners in accordance with the Bangkok Rules
- In terms of academic and scholarly approaches, there is a plan to conduct many studies and and much research regarding the implementation of the Bangkok Rules in Thai prisons by hiring professional experts from other countries to work as the advisors of the study

However, in order to effectively implement the Bangkok Rules it seems particularly complicated since there are various relevant factors which can lead to the success of the practical implementation. Therefore, I conducted a small study to explore the critical factors influencing the adoption of the Bangkok Rules in Thai prisons which will be discussed in the subsequent part.

C. Crucial Factors Facilitating the Implementation of the Bangkok Rules in Thai Prisons

The key questions which I wanted to find the answers to were how to successfully implement the Bangkok Rules in Thailand, particularly in the sphere of prison work and what factors could assist in the implementation. As a result, I decided to undertake an informal study during my time as a visiting lecturer for a training programme at the Department of Corrections.

The data were gathered from 200 female prison officers from four groups of different sessions who participated in the training programme. The programme was called “*Working by conforming to the United Nations Rules for the Treatment of Women Prisoners*”, which was held at the Correctional Staff Training Institution. The participants had completed the questionnaires and then joined in a group discussion, which in turn became useful material for the qualitative data analysis. The study found that the crucial factors affecting the success of the Bangkok Rules implementation are as follows:

1. Prison Overcrowding

The majority of prison officers stated that overcrowding in prisons was the greatest obstacle to the

adoption of the Bangkok Rules in Thailand. As previously discussed in the earlier parts, the Thai prison system has encountered a prison overcrowding crisis for a long time among both male and female prisoners. In addition, according to the statistics (see Figure 1), since 2006 the female prison population has gradually increased because of the fact that more women have entered into the vicious cycle of crime, in particular crimes committed against the Narcotic Laws. This rising trend tends to occur every year. The chronic problem is that the number of prison officers and prison facilities are still almost the same.

The inverse relationship between the increasing female prison population and understaffing, together with the stagnant number of prisons, poses real difficulties in following many rules of the Bangkok Rules, especially about 20 rules regarding the medical service and the proper care for the children living with their mothers who are inmates in prisons.

Accordingly, the most necessary condition in implementing the Bangkok Rules in Thailand is that the number of women prisoners must be somewhat decreased by various possible alternative-to-prison measures. This idea is actually in the line with the Bangkok Rules, which clearly support the proper use of non-custodial measures. At present Thailand had already amended the related laws which can facilitate the idea, particularly section 246 and section 89 paragraphs 1 and 2 of the Criminal Procedure Code related to other places used to detain inmates instead of prison. In terms of the other measures, they should be adopted, such as probation and parole as well as temporary and conditional release by using the electronic equipment, which can enhance the public confidence in the custody of prisoners in the community. It is believed that if the number of female inmates can be decreased by these alternatives to prison, the Bangkok Rules will be more efficiently implemented. Hence, it is quite obvious that the most crucial factor in implementing the Bangkok Rules in Thailand is that the number of women prisoners must be decreased by various alternative-to-prison measures.

2. Actual Situation and Atmosphere in Prison

The actual situation or atmosphere in prison is another crucial factor. This can refer to both the specific atmosphere and the current situation in each correctional facility, and also the overall atmosphere of all prisons or the prison system in the country. To give an example, when there are drugs and mobile phone smuggling prevention strategies, the prison atmosphere is entirely surrounded by a custody-oriented ambience and strict regulation. All correctional establishments tend to enhance the security measures by assigning most of their prison staff to conduct the thorough search at the main prison gate for visitors and vehicles and also inside the prison units to prevent the contraband smuggling. Consequently, other types of activities, i.e. education and vocational training, recreation and social welfare activities, as well as the medical service and a good care of children staying with their inmate-mothers, have been rather limited or more strictly monitored. In other words, under these circumstances, the operation in terms of the rehabilitation and other non-custodial activities, including the implementation of the Bangkok Rules, seems to receive little attention and gets affected to some extent. For instance, Rule 28 states that:

Rule 28

Visits involving children shall take place in an environment that is conducive to a positive visiting experience, including with regard to staff attitudes, and shall allow open contact between mother and child. Visits involving extended contact with children should be encouraged, where possible.

As previously discussed, under the circumstance that all prison visits must be strictly provided and the prison authority maintains a custody-oriented atmosphere to prevent the smuggling of the contraband and all prohibited items into prison, it seems that the children who visit their mothers in prison cannot have a positive experience or even have physical contact with their mothers behind bars.

The possible solution for this issue might be that all prisoners should be appropriately and effectively classified. The good classification procedures shall be able to separate a group of dangerous prisoners, who pose high risks for causing trouble and disturbances, to be strictly kept in custody while another group of well-behaved inmates can be imprisoned in a facility which promotes the rehabilita-

tion or creative activities in a less custody-oriented atmosphere and hence can work in accordance with the Bangkok Rules.

3. The Number of Prison Officers and Support from Various Sectors

The majority of participants in this study tended to agree that the adoption of the Bangkok Rules will not be successful if the prison authority cannot get adequately prepared in terms of the availability of manpower and the right attitudes of prison staff, although doing so is an official policy of the Department or even under direct orders from the prison directors.

As partly mentioned above, the shortage of prison officers has been the major obstacle of the Department of Corrections for the last ten years as the prison population, conversely, has gradually increased from about 160,000 in 2003 to nearly 230,000 in 2012. Further, the quantity of correctional establishments has risen from 125 to 143. On the contrary, the number of prison officers has not been proportionately added because of the government policy to freeze the total number of civil servants in the public sector.

To alleviate the crisis, the Department of Corrections has tried to recruit more government employees, but there are still some legal limitations on the grounds that they are not legitimately regarded as civil servants. Therefore, according to all relevant laws and regulations, due to their status as government employees, they could not fully perform custodial work in prisons. In reality, it is very normal to see a small group of prison officers working in prison units compared to the considerable number of prisoners. For example, in a large prison where many units are clearly separated, there are about 1,000 inmates controlled and supervised by nearly 10 prison officers.

Obviously, understaffing can lead to some difficulties in working in accordance with the Bangkok Rules. To illustrate, one of the Bangkok Rules states:

Rule 13

Prison staff shall be made aware of times when women may feel particular distress, so as to be sensitive to their situation and ensure that the women are provided appropriate support.

It must be noted that if the number of prison officers are still inadequate, it is almost impossible for the prison staff to be fully aware of times when the female inmates suffer the above-mentioned distress or to provide active support in time as mentioned in the rule.

Moreover, the prison operation in accordance with the Bangkok Rules must be also derived from the cooperation from the prison officers working in other sections of prisons, as well as the clear policy of the prison executives. In order to provide the inmates with many rehabilitative programmes and development activities, it seems that more officers from custody units, supervision sections and other divisions must also engage in facilitating the programme events. Having said this, the prison officers in the female prisoner unit usually have not gained full support because other officers tend to perceive that the assistance is an extra burden apart from their normal duties. Because of this, it is very important that all individuals behind bars must have the same attitude towards the inmates and similar understanding as well as the explicit policy from the prison executives so that they all can work harmoniously towards the common direction.

4. Knowledge, Understanding and the Recognition of the Importance of the Bangkok Rules

Another crucial factor influencing the dedicated work on implementing the Bangkok Rules is the knowledge, understanding and recognition of the importance of the Bangkok Rules. It is believed that normally the prison officers, who have been working hard for a long time in the custody of inmates causing most of the trouble in prisons, tend to personally have a specific negative perspective of prisoners. To put it simply, this group of prison officers maintains that all prisoners cannot be changed in a positive way. In other words, no matter how many treatment programmes are provided by the prison authority, the prisoners will never be successfully rehabilitated. Hence, the rehabilitative activity is actually an unnecessary and burdensome task. This view was largely found among the prison staff, both male and female, who have been working in the prison service and quite close to the

inmates for a long time. The negative attitude is indeed a major obstacle for the implementation of the Bangkok Rules. Although these prison officers do not completely obstruct the Bangkok Rules project, they choose to apparently ignore it and do not provide any support. They just focus on their routine functions and pass the time each day without thinking of the effective results of their work.

This difficulty could be overcome by providing the prison officers with more knowledge and a better understanding about the concept and ideology of the treatment of female prisoners in accordance with the Bangkok Rules. Furthermore, it should be noted that many prison staff still do not have enough profound knowledge of the Bangkok Rules, which in turn leads to the lack of support for and dedication to the adoption of the rules. For instance, some male prison officers or even the female officers, who do not have any official role in adopting the rules, do not provide enough assistance or are not willing to give support. Accordingly, it appears seemingly inevitable to provide them with the complete knowledge of the advantages and the significance of the implementation of the Bangkok Rules.

5. Motivation in Prison Officers

According to the questionnaires and the group discussion of the participants, the majority of them suggested that the personal motivation was very important. It should be highlighted that to work in accordance with the Bangkok Rules can be accomplished successfully by the strong motivation of the practitioners, not because of the perception that it is a demanding task that they must fulfill. As already discussed, the shortage of prison staff has continuously existed, and the prison officers have to work very hard around the clock. In each unit, there might be only 3 – 10 officers managing about 100 prisoners. Most of their daily working hours are usually spent on completing routine and repetitive missions. Therefore, to assign the correctional officers with new and challenging duties, they must be extremely motivated. By doing so, it is very necessary to highlight the real benefits of this project for the development of correctional work in Thailand, which can be greatly improved to the international standard. If it succeeds, all practitioners taking part in the adoption of the Bangkok Rules will be truly honored and appreciated for their work. Also the officers who are dedicated and devote a great deal of effort should be well paid and properly rewarded so that they will gain great inspiration and encouragement to keep working. In Thailand, last year the prison officers at the practitioner level from Ratchaburi Central Prison had an opportunity to do a study tour in Singapore as it was a prison achieving the most remarkable progress in the implementation of the Bangkok Rules. In cases of other prisons, there might be different types of motivation and reward, namely job promotion, the chance to receive special training, scholarships to study or to be trained, and study or exchange visits, etc. Although there is a wide range of motivating factors, it is very necessary for the prison officers to be well motivated in order to succeed in adopting the Bangkok Rules.

VI. CONCLUSION

To sum up, Thailand has encountered various difficulties in managing women prisoners, especially the prison overcrowding and the shortage of staff. On top of that, there seems to be a general neglect of special needs and the treatment of female inmates. However, due to the Kamlangjai Project initiated by HRH Princess Bajrakitiyabha, some major changes have occurred. Apart from the increased awakening and awareness of the women prisoners, the project also led to the adoption of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders. Thailand as the leading nation in proposing the Bangkok Rules must perform a major role in supporting the implementation of the rules worldwide. Having said this, firstly Thailand must be able to work in accordance with the rules in our own country, which tends to primarily rely on various key factors. It is hoped that these findings could be regarded as guidelines for other countries in order to overcome their own nations' difficulties or to focus on their key factors, which can help them to succeed in the implementation of the Bangkok Rules.