

14 January 2025

English only

**Asia and Pacific Regional Preparatory
Meeting for the Fifteenth United Nations
Congress on Crime Prevention and
Criminal Justice**

Bangkok, 21–23 January 2025

**Conference room paper submitted by the Thailand Institute
of Justice (TIJ)***

**Meeting Report of the Asia-Pacific Regional Consultative Meeting
to Advance the Application of the United Nations Rules for the
Treatment of Women Prisoners and Non-custodial Measures for
Women Offenders (the Bangkok Rules), held from 28 February to
1 March 2024, Bangkok, Thailand**

Background and Introduction

It is widely recognised that most women in conflict with the law do not pose a significant risk to public safety. Women are typically charged with, and convicted of, non-violent, minor breaches of property and drug laws, and their lawbreaking is often related to poverty and familial caretaking responsibilities. Research further reveals that many women in conflict with the law, including those imprisoned for violence, have endured abuse (including gender-based violence) and trauma. Women recurrently break the law for exacting behaviours of survival within contexts of societal gender inequity and harm.¹

The United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules), adopted by the General Assembly on 21 December 2010, are the first international instrument to offer specific and detailed guidance on the gender-specific needs of women and girls in the criminal justice system. These rules were designed to safeguard the rights and well-being of women and girls in prison while also advocating for the use of non-custodial measures, whenever appropriate. Since 2010, commendable efforts have been made towards the practical application of the Bangkok Rules in many regions and countries around the world, but challenges persist.

It has been nearly 14 years since the adoption of the Bangkok Rules. It is crucial to acknowledge the significant contributions and efforts of national prison and probation services as well as the United Nations and other international or non-governmental

* This conference room paper is reproduced in the form in which it was received by the Secretariat.

¹ Jefferson, A. M., & Jeffries, S. (Eds.). (2022). *Gender, criminalization, imprisonment and human rights in Southeast Asia*. Emerald Publishing.



organisations in addressing the needs of women in conflict with the law. While progress has been made, there is still much work to be done to achieve tangible and sustainable progress.² Notably, a recent study revealed that most entities at both domestic and international levels struggle to access adequate funding and have limited financial resources to fully implement their work, including those aimed at providing essential support for formerly detained women and girls.³

The Thailand Institute of Justice (TIJ) and the United Nations Office on Drugs and Crime (UNODC) are collaborating on a new initiative called “Renewing Our Promise: Fostering Progress and Investments to Advance the Application of the Bangkok Rules.” To better address the needs of women impacted by the criminal justice system, this initiative aims to reinvigorate international commitment to the Bangkok Rules, to work together, mobilise funding to address the gaps and bring promising practices to scale. The overall objectives are to advance the application of the Bangkok Rules globally by:

1. Taking stock of the progress made in fostering the application of the Bangkok Rules (including national good practices, innovative programmes, and efforts by relevant stakeholders to address the needs of women prisoners and ‘offenders’).
2. Identifying persisting gaps and challenges and fostering a joint commitment and understanding amongst relevant governmental and non-governmental stakeholders on the priority areas where technical assistance and funding are most needed.
3. Determining funding constraints and deliberating a new funding mechanism to support women impacted by the criminal justice system as part of a renewed commitment to advance the practical application of the Bangkok Rules.

To achieve this, Regional Consultative Meetings are planned to be conducted across five regions, namely in the Asia-Pacific, the Middle East and North Africa, Latin America and the Caribbean, Africa, and Europe, to yield valuable insights on the treatment of women in prisons and develop recommendations going forward.

The Asia-Pacific Regional Consultative Meeting took place in Bangkok, Thailand, from 28 February to 1 March 2024. It was the first in a global series in which key stakeholders were invited to share their experiences, exchange best practices at local, national, and regional levels, identify gaps and formulate strategies to mobilise resources to overcome barriers. By drawing on a diversity of perspectives and experiences, this regional consultation, along with others scheduled to take place throughout 2024 and 2025, will contribute to a roadmap aimed at reinforcing the practical application of the Bangkok Rules on a global scale.

The meeting brought together 62 participants from various organisations, including governmental entities, the United Nations and other international affiliated organisations, academia, and non-governmental bodies. Nineteen countries from the Asia-Pacific region were represented. Participants included policymakers, prison and probation practitioners, representatives from international organisations, academia, and non-government organisations who work on the Bangkok Rules frontline, supporting gender-responsive approaches and services for women in conflict with the law (see Appendix 1 for a full List of Participants).

On the first day, participants visited the Central Women’s Correctional Institution (CWCI) in Bangkok, which the Department of Corrections of Thailand has designated

² Chuenurah, C., Owen, B., & Rao, P. (2022). Expanding the Promise of the Bangkok Rules in Southeast Asia and Beyond. In Jefferson, A.M., & Jeffries, S (Eds), *Gender, Criminalization, Imprisonment and Human Rights in Southeast Asia*. Emerald Publishing. www.emerald.com/insight/content/doi/10.1108/978-1-80117-286-820221009/full/html.

³ Cordua, I & Mahtani, S. (2021). *Forgotten by Funders: An Exploratory Report on the Challenges of Resourcing Work with and for Incarcerated Women and Girls Worldwide*. Women Beyond Walls. www.womenbeyondwalls.org/forgottenbyfunders.

as a Bangkok Rules Model Prison,⁴ and visited a pre-release vocational training centre for women prisoners of CWCI. The first day equally included a visit of the TIJ Common Ground⁵ and the Restart Academy,⁶ which catered for the welcome dinner at TIJ later that evening.

Over the following two days of discussion, participants shared promising practices and exchanged on three thematic areas:

1. *Assess the progress made in the practical application of the Bangkok Rules* and identify persisting challenges to advance gender-responsive prison and ‘offender’ management.
2. *Identify priority areas for future advancements*, technical assistance needs and the potential contributions from relevant governmental and non-governmental stakeholders.
3. *Discuss key considerations for establishing a new funding mechanism* to support women impacted by the criminal justice system through local, regional, and international initiatives.

Overview of Female Imprisonment in the Asia Pacific

Worldwide, more than 740,000 women and girls are confined in prisons, including as pre-trial detainees, and convicted prisoners. Incarcerated women and girls constitute a minority (6.9 per cent), of the global prison population. The female world imprisonment rate is 9.7 per 100,000.⁷ The Bangkok Rules contain weighty obligations concerning non-custodial measures and gender sensitivity at the sentencing stage. Despite this, global female imprisonment numbers and rates have increased since the Bangkok Rules were adopted. In the year 2000, there were around 466,000 women and girls imprisoned around the world. By 2022, this number had increased by 60 per cent. This compares to a 22 per cent increase in global male prisoner numbers.⁸

Proportionally speaking, the largest increases in female imprisonment have occurred in the Asia-Pacific region. In Oceania, between 2000 and 2020, there was a

⁴ In 2015, the Thailand Institute of Justice, in cooperation with the Department of Corrections of Thailand, established the Model Prison Project with the aim of 1) enhancing the understanding of prison staff about the Bangkok Rules, 2) encouraging female prison/correctional institutions across Thailand to carry out their policies and practices in line with the Bangkok Rules, and 3) selecting prisons that have been evaluated to be specialised learning centres for other prisons to emulate. Becoming a Bangkok Rules Model Prison requires scoring at least 95 per cent on an evaluation using the TIJ ‘index of implementation’, which comprises nine sections with 154 indicators. The nine sections are (1) Prison policy, (2) Admission and registration, (3) Hygiene and health care, (4) Safety and security, (5) Contact with the outside world, (6) Inmates’ classification, (7) Special categories, (8) Pregnant women, breastfeeding women, and mothers with children in prison, and (9) Pre-release programme.

⁵ With the belief that “justice is everyone’s matter” TIJ recognises the role of the community in addressing issues of justice. Common Ground is a public space within the TIJ building with semi-permanent/rotating exhibitions, activities and meeting areas aimed at opening community discussion and exchanging ideas on social justice.

⁶ A sandbox project created by TIJ to experiment with directly supporting the rehabilitation and reintegration of prisoners, Restart Academy provides training in both vocational and personal/soft skills for people formerly imprisoned to ensure that they can successfully reintegrate back into society. With an initial focus on skills for the food and beverage industry, Restart Academy currently has plans to expand into other sectors as well to both expand capacity and provide more career options for training.

⁷ Fair, H., & Walmsley, R. (2022). World female imprisonment list www.prisonstudies.org/resources/world-female-imprisonment-list-5th-edition.

⁸ Penal Reform International and the Thailand Institute of Justice. Global Prison Trends, 2023. www.penalreform.org/global-prison-trends-2023/ The World Prison Brief Oceania - www.prisonstudies.org/map/oceania; The World Prison Brief Asia - www.prisonstudies.org/map/asia; UNODC data matters snapshot www.unodc.org/documents/data-and-analysis/briefs/DataMatters_NM_Day_2023.pdf.

114 per cent increase in the number of women and girls incarcerated. Likewise, in Asia, there was an increase of 112 per cent in female prisoner numbers.⁹ Further, female imprisonment rates are above the global average in most Asia-Pacific nations and especially high, i.e. between two to five times greater, in Thailand, Brunei Darussalam, Macau, Laos, Taiwan, Hong Kong and American Samoa.¹⁰

Certain groups of women in the Asia-Pacific region are especially vulnerable to imprisonment. This includes, but is not limited to, ethnic and racial minorities, foreign nationals, older women, younger women, women living with a disability and LGBTIQ+ individuals. In particular, there is the persistent issue of Indigenous women in New Zealand (Māori) and Australia (Aboriginal and Torres Strait Islander Peoples) being grossly overrepresented in prison, a situation that has worsened, and continues to deteriorate, since the Bangkok Rules were adopted.¹¹

The drivers of women's imprisonment in the region include increased punitiveness towards drugs, human trafficking, immigration, and the growing use of custodial remand/pre-trial detention. Notably, women's pathways into the criminal justice system are impacted by social structural oppression (gender and other intersectional subjugations) often being marked by gender-based violence, trauma, poverty, and familial caretaking responsibilities.

Meeting discussions

The following summary encapsulates two days of meeting dialogue by key themes under the specific topic discussion headings:

1. Assessing the progress made:
 - (a) Good practices, innovative programmes, and efforts to address the needs of women in conflict with the law.
 - (b) Persisting gaps and challenges to advancing gender-responsive prisons and the management of women in conflict with the law.
2. Priority areas for future advancements, technical assistance needs and potential contributions from relevant stakeholders.
3. Considerations for establishing a new funding mechanism to support women impacted by the criminal justice system through local, regional, and international initiatives.

⁹ Penal Reform International and the Thailand Institute of Justice. Global Prison Trends, 2023.

¹⁰ The World Prison Brief Oceania; The World Prison Brief Asia.

¹¹ While 17 per cent of the total New Zealand population identifies as Māori, close to 70 per cent of imprisoned women are Māori. The number of Māori women imprisoned has increased by 10 per cent since the adoption of the Bangkok Rules (see the Ministry of Justice, New Zealand, www.justice.govt.nz/justice-sector-policy/key-initiatives/justice-sector-long-term-insights-briefing/). In Australia, even though Aboriginal and Torres Strait Islander women make up only 3.8 per cent of the total population, they constitute 41 per cent of women prisoners. Aboriginal and Torres Strait Islander women are imprisoned at a rate of 434 per 100,000. This is 20 times the non-Indigenous female rate, 45 times the global average and has more than doubled since the Bangkok Rules were endorsed (see, Australian Bureau of Statistics, Prisoners in Australia, www.abs.gov.au/statistics/people/crime-and-justice/prisoners-australia).

I. Assessing the progress made

A. Good practices, innovative programmes and efforts to address the needs of women in conflict with the law

Legislation, policy, and practice

Changes to prison policy and practice to better support women in conflict with the law as per the Bangkok Rules are occurring throughout the Asia-Pacific. For instance, in the Maldives, there are separate units for women and remand prisoners as well as provisions allowing children to stay with their mothers in prison. In Vietnam, the Bangkok Rules are being used to improve imprisoned women's living conditions, healthcare, and legal rights.

Several countries reported making gender-sensitive modifications to the physical environment of prisons. In Brunei, the Bangkok Rules are guiding the construction of a new female prison which will include mother-child accommodation. In the Philippines, child-friendly visitation areas have been built to promote mother-child bonding. China mentioned that each province now has at least one dedicated female prison with significant strides toward gender-sensitive prison construction.

The Bangkok Rules are enshrined in domestic law, correctional policy, and practice in several countries. For instance, in India, the Rules are contained within the Model Prison Act (2023) and the accompanying Prison Manual. Likewise, the Bangkok Rules are integrated into Malaysia's Prison Act (1995) and Standard Operating Procedures. Malaysia emphasised the importance of these legal frameworks in legitimising the Bangkok Rules in Malaysia. In Nepal, elements of the Bangkok Rules are found in the Criminal Code, Penal and Sentencing Acts. Similarly, the Rules are reflected in the newly updated Indonesian Penal Code, which contains regulations to support women's reproductive health care and enable pre-trial vocational training. The Philippines has recently implemented a national prison breastfeeding policy (for prisoners and staff), and conjugal visits have been extended to both women and men.

The catalyst for promising changes to law, policy and practice is an openness to learn, and growing awareness about the Bangkok Rules through training and capacity-building initiatives. Non-government organisations and UN-based organisations and affiliates are playing a vital role in awareness-raising and change-making through advocacy and coalition building.

In the Philippines, pressure from human rights groups and non-government organisations alongside correctional staff participation in TIJ's Bangkok Rules training, had collectively made change possible. In Indonesia, partnerships with non-government organisations, the UN, and government entities, aided the development of gender-responsive prison programmes, and the provision of reproductive and mental health care. In Australia, successful advocacy by Sisters Inside was mentioned to have contributed to the abolition of female strip-searching in Queensland's women's prisons. Likewise, in Cambodia, This Life stressed the vital role of non-government organisations in collaborating with governments to bring about positive change. This Life reported numerous successes from projects done in partnership with the Cambodian Government, such as facilitating connections between incarcerated individuals and their families. This Life urged government/non-government collaborations to uphold the dignity of individuals. The UNODC South Asia reported that in India, the UN, government, and non-government organisations are liaising to develop reform. Here, changes to policy supporting menstrual hygiene in Indian prisons were sparked by the rights advocacy of a non-government organisation.

Compliance

UN and other international and non-governmental organisations play an important and positive role in holding governments accountable for ensuring the rights of women in conflict with the law as per the Bangkok Rules. In India, the Fair Trial Fellowship Programme hold state authorities accountable for ensuring the suitable

treatment of all prisoners, particularly women. India also has a Board of Visitors system, including Police, non-government organisations, health, and other agencies, who visit prisons and make recommendations for change. Additionally, there is a parliamentary standing committee on Prison Reform. In Queensland, Australia, an independent inspector of detention services regularly reports to the government. This inspector consults with relevant non-government organisations and imprisoned women via a steering committee where experiences and concerns are freely shared without the presence of correctional authorities.

Capacity-building

The Thailand Institute of Justice highlighted that many Asia-Pacific countries are prioritising Bangkok Rules training, and there is an increasing number of capacity-building programmes supported by international organisations. Several participants noted that staff training is a priority and taking place in their respective countries. For example, there is progress in applying the Bangkok Rules in Papua New Guinea, including staff training. Singapore has dedicated training programmes for officers and those providing counselling services for women in conflict with the law. These training programmes cover topics such as the women's pathways into the criminal justice system and their unique needs, as well as key gender-responsive principles (e.g. trauma-informed, strengths-based) for the effective management and engagement of women. In Cambodia, all prison officers receive Bangkok Rules training. Fiji places a great emphasis on capacity-building with staff training at the academy incorporating the Nelson Mandela, Bangkok, and Tokyo Rules.

Again, collaborations with non-government organisations, UN--based organisations and affiliates were crucial to training and capacity-building programmes. For example, Sisters Inside in Queensland (Australia) and This Life (Cambodia) indicated having made significant contributions to prison officer training. This Life impelled that non-government organisations can play a significant role if governments are willing to participate and engage.

Access to justice

Several jurisdictions conveyed promising initiatives to improve women's access to justice oftentimes through collaborative partnerships. For example, UN Women provided an overview of the Women in Conflict with the Law Initiative in the Philippines, which was implemented as part of the Regional Women's Access to Justice Programme. This initiative enhanced the capacity of paralegal women volunteers in the communities, jail officials, and women deprived of liberty. This initiative is the result of partnerships between the Bureau of Jail Management and Penology (BJMP), the Commission on Human Rights, and local women's non-government organisations. The UNDP provided updates on a project supporting the ASEAN judiciary, focusing on enhancing access to justice through collaboration with judges. In India, the Fair Trial Fellowship Programme train women prisoners as paralegal volunteers. The importance of holistic and gender-responsive legal representation for women in conflict with the law was emphasised.

Research

Numerous studies in the Asian-Pacific region examine women's pathways into the criminal justice system, imprisonment, and post-prison life. Several countries highlighted the importance of research in understanding and responding to the needs of women in conflict with the law. In Cambodia, This Life noted the centrality of research to programme design e.g. interviewing imprisoned mothers with children in and out of prison to understand their needs and support requirements. The Thailand Institute of Justice reported in country studies about women prisoners and the application of the Bangkok Rules, women's pathways to prison, re-entry, and the needs of especially vulnerable groups. In Singapore, local research has been undertaken to understand women's pathways into the criminal justice system, and the

challenges women face while incarcerated and after release. These studies have then been used to enhance correctional interventions.

Rehabilitation and re-integration

Several countries described their promising rehabilitation and re-integration practices, including psychological and mental health support, substance misuse treatment, vocational training, and post-release assistance. For example, Singapore noted being committed to providing comprehensive psychological support and rehabilitation services tailored to the needs of incarcerated women. These services are provided by psychologists or specialists with relevant backgrounds in psychology, counselling, and social work. Further, Singapore also taps into the Desistor Network, comprising “ex-offenders who have remained crime-free for an extended period, to provide peer support for offenders and ex-offenders in their reintegration journey”. In India, prison authorities work closely with the Ministries of Health, Women and Children, Social Development and Education to promote women’s rehabilitation and re-integration. UNODC South Asia is also working closely with the Indian Government and non-government organisations to provide reintegration services. In Malaysia, each prison has at least one social worker available to support women with pre-release planning, which is comprised of identifying reintegration needs such as family, accommodation, and employment. The House of Blessing Foundation in Thailand shared insights into their organisation’s mission to support women both inside and outside of prison. This foundation is committed to aiding women's reintegration.

Non-custodial measures

Penal Reform International reported that in their general assessment, most jurisdictions in the Asia-Pacific have the possibility for non-custodial measures. This statement was supported by numerous countries. Changes have been made to existing criminal law and penal codes to allow for non-custodial alternatives, and new legislation is being enacted to further support this effort. For example, the 2019 Community Service Act of the Philippines. China shared that criminal procedural and prison law had been modified to allow pregnant and breastfeeding women to serve their sentences in the community under a two-year supervised release arrangement. This has resulted in a significant proportion of women, especially those on short sentences, not having to go to prison with their babies. In Malaysia, plans are underway to introduce home detention as a non-custodial alternative for vulnerable people in conflict with the law, such as pregnant women and those with children.

Awareness-raising

Concerted efforts are being made in Asia-Pacific to raise public awareness about women’s pathways into the criminal justice system, their prison experiences and effective support mechanisms inside and post-release. Collaborative partnerships are again crucial to these efforts. In Indonesia, the UN and government entities have cooperated to raise awareness. In Queensland (Australia) Sisters Inside, a non-government organisation, uses media to raise public awareness and actively educates the public, members of parliament and ministers about women’s lawbreaking. Sisters Inside also provides women and girls who are in conflict with the law with creative outlets to express themselves, for example, through art exhibitions, attended by community members and criminal justice system actors, including judicial officers.

Singapore shared several community awareness-raising initiatives driven by the government, including the Yellow Ribbon project,¹² which has enhanced community understanding and acceptance and initiated action. Singapore is also harnessing the media as an awareness-raising tool. As a result of this, several documentaries about

¹² www.yellowribbon.gov.sg.

prison life and prisoners' needs have been aired on social media and mainstream media such as Channel News Asia, YouTube and Netflix.

Inspired by Singapore, Thailand has implemented its version of the Yellow Ribbon Project. The Thailand Institute of Justice spoke about two other awareness-raising initiatives. First, the Ruan Pathamarong Museum,¹³ where the public can interact with women prisoners in a real-life business setting and listen to their stories. The second initiative is the Beauty of Opportunity Project, which uses artistic creations and design to educate the public.¹⁴

Brunei uses Instagram to raise community awareness, while in Malaysia, the Ministry of Home Affairs encourages all departments to have a social media presence. Through documentaries and magazine articles, the Malaysian media has also shown the public the hardships female prisoners face, their stories, and their experiences. Several countries indicated that they have utilised celebrities to raise community awareness.

Women personnel

In numerous countries, gender equity in staffing and support for women working within correctional systems is being prioritised because female practitioners are critical to gender-responsive policy and practice. Singapore has one women's prison staffed entirely by women. In recognition that corrections are male-dominated and thus challenging work environments for women, numerous initiatives are utilised to meet the needs of women staff and bolster their well-being e.g. team-building exercises and women committees that dialogue and work with women officers. Likewise, Malaysia noted that women correctional staff are essential to advancing the application of the Bangkok Rules, as such, their welfare and needs are a priority.

The necessity of having women in correctional leadership roles was also discussed. In Cambodia, women are now being promoted to senior correctional positions. The forthcoming prison inspired by and modelled after the Bangkok Rules in Cambodia, will, for the first time, have a woman prison head, and the plan is for this prison to be fully women-staffed. In Papua New Guinea, women prison staff have been actively recruited since the 1980s. Today, in the country's largest prison, the female division is headed by a woman officer-in-charge who is a senior inspector. India and Malaysia both noted that the UN Convention on the Elimination of all Forms of Discrimination against Women has provided a platform to increase the number of women correctional staff in their respective countries, including into more senior roles. Thailand, Singapore, Malaysia, India, Indonesia and Fiji also indicated that women occupy senior management positions within their respective nations.

B. Persisting gaps and challenges to advancing gender-responsive prisons and the management of women in conflict with the law

Over-incarceration and prison over-crowding

Prison overcrowding poses severe obstacles to safeguarding prisoners' rights and managing prisons in line with international minimum standards and norms. In the Asia-Pacific region, increases in the number of females being confined alongside concomitant prison overpopulation were presented as one of the most persistent challenges to advancing gender-responsiveness. This equally includes community-based corrections. For example, in Thailand, the Department of Probation highlighted challenges, to a predominately female front-line workforce, due to being overloaded with work. The Fair Trial Fellowship Programme argued that the issue in India primarily lies with the inflow of women into prisons. Sri Lanka noted that while inroads to the practical application of the Bangkok Rules are being made, prisons operate in excess of three times their official capacity.

¹³ <https://knowledge.tijthailand.org/en/article/detail/from-dark-to-light-the-ruean-pathamarong-museum>.

¹⁴ www.tijthailand.org/en/highlight/detail/detail/bangkok-rules-11-anniversary.

The reasons for increased prison inflows are three-fold. First, women in conflict with the law in the region have difficulty accessing justice. In India, for example, state-sponsored legal services were described as subpar, and women charged with serious offences are ineligible for such support. Second, a lack of gender awareness and, thus, responsiveness in the criminal courts was noted. For example, in India, it was highlighted that the judicial officers are unfamiliar with the Bangkok Rules, which results in gender considerations rarely being considered. For women, incarceration is frequently used as a first rather than last resort. In Malaysia, due to limited awareness of relevant international standards and norms among magistrates, there is no effort to divert women away from custody, particularly at the pre-trial stage. The number of pre-trial prisoners has significantly increased.

Awareness of the Bangkok Rules at higher levels of government, including among criminal justice policymakers and practitioners beyond the prison and probation domain, amongst prosecution services and the judiciary, was also thought to be lacking. In Australia, for example, Sisters Inside noted the absence of a national Human Rights Act and the lack of governmental discussion or engagement regarding the Bangkok Rules. Thus, prisons are being used as a default solution to social service shortages and failures.

Third, as noted by Penal Reform International, prison inflow is impacted by harsh law and justice policies, overuse of pre-trial detention, and punitive approaches to illicit drugs as well as minor offences related to life-sustaining activities (e.g. lawbreaking in response to poverty). In particular, the International Drug Policy Consortium highlighted that harsh drug laws are impelling regional expansion in women's imprisonment. For instance, a recent upward trend in the number of imprisoned Nepalese women was notably due to drug-related cases. Likewise, a 2016 to 2020 spike in women prisoners in the Philippines was attributed to the war on drugs and criminality. The International Corrections and Prisons Association noted significant governmental pressure being placed on police and courts to arrest and incarcerate people who breach illicit drug laws, rather than on rehabilitation, with disproportionate impacts on women. Sisters Inside cautioned meeting participants to remember the role of social structural oppression, including colonialism, as a driver of women's imprisonment e.g. the ongoing and rapidly increasing over-incarceration of Indigenous women.

Limited funding, resourcing, support, and collaboration

It was consistently noted that, throughout the region, correctional departments and staff are dedicated to applying the Bangkok Rules but limited funding and resourcing, pose significant challenges to advancing gender-responsive prisons and the management of women in conflict with the law. For example, it was mentioned that in Bangladesh, efforts to apply the Bangkok Rules were being made; there is an ongoing commitment to ensuring the welfare and rights of female prisoners. However, operating with limited funding while striving to uphold these standards is a considerable challenge. Beyond the prison, limited resourcing was also reported to be negatively impacting on the application of non-custodial measures. For instance, in Thailand, limited funding and associated high workloads are proving challenging for front-line probation/parole staff who are predominantly women.

Gaps in government funding and resourcing are being alleviated to some extent through collaborations with non-government and UN organisations/affiliates. However, as explained by UN Women, it can be challenging to find local partner agencies to deliver gender-responsive and comprehensive services. Further, there has been a sharp decrease in the funding availability over time. Securing sustainable sources of support is demanding and difficult. Papua New Guinea raised the question of how governments, alongside UN, other international and non-governmental organisations, can more effectively coordinate to provide better support to women's prisons.

Areas where funding, resourcing and support were noted to be especially challenging included:

- Women's access to justice
- Healthcare
 - Mental health support
 - Treatment for substance misuse
- Vocational training
- Rehabilitation
- Reintegration
 - There are limited post-release support programmes and resources for women after release throughout the Asia-Pacific
- Capacity-building/training
- Research to gain a deeper understanding of the profiles of women in conflict with the law

Male-dominated criminal justice systems

While the number of female prison and correctional staff is increasing, the number of women in senior management positions throughout the Asia-Pacific region remains low, such as at the level of Director General, Commissioners, and Deputy Commissioners. For example, in Cambodia, it was noted that men still dominate the leadership of the system. The scarcity of women's voices at senior levels was cited by participants as inhibitive to gender-responsive criminal justice system policy and practice. For example, the imbalance of women front-line staff (many) to women directors (few) in Malaysia, particularly in mixed-sex prisons, was seen as an impediment. As noted by Thailand above, male-dominated criminal justice systems can also create challenges for probation and parole.

Non-custodial measures

As has been mentioned, there are provisions in most Asia-Pacific countries for non-custodial measures to be utilised at various stages of criminal justice. The challenge, nevertheless, is for this possibility to more frequently translate into practice. UNODC Indonesia, for instance, relayed that while legal provisions exist for non-custodial measures, these are being underused. Pre-court diversions are not automatic in the minds of the police and attorneys because agency key performance indicators are based on arrest and prosecution rates. Judicial officers are wary of using non-custodial measures because they are not provided with sentencing guidelines on when it is appropriate to use them, and they fear community backlash. This Life noted that in Cambodia, 77 per cent of women prisoners are incarcerated for non-violent crimes, highlighting an issue with the limited use of non-custodial measures. It was explained that sometimes it takes one judge to get things moving. In Cambodia's case, it was in 2017 that laws were implemented to allow for non-custodial measures for juveniles but it was 2022, before a judge finally implemented a diversion order. Persisting cultures of punitiveness and the resultant over-criminalisation of women, as noted above, also obstruct non-custodial alternatives.

II. Priority areas for future advancements, technical assistance needs and potential contributions from relevant governmental and non-governmental stakeholders

The prison and beyond: Awareness-raising and capacity-building

Several participants noted that moving forward, it will be important to further strengthen awareness and investments in advancing the practical application of the Bangkok Rules within prisons. However, the promise of the Rules must be expanded beyond carceral settings. Awareness-raising, capacity-building, and training, it was argued, should be extended to all key stakeholders in the criminal justice system and beyond. This includes various groups such as governments and legislators, police, legal services, judiciary/courts, immigration (including detention centres), drug rehabilitation facilities, parole/probation departments, re-integration support providers, other social services (e.g. employment and housing), the public and relevant non-government organisations. The need to bring key players together to have ownership over the Bangkok Rules was consistently emphasised. Moving forward, gender-responsive justice in the Asia-Pacific needs to be a collective effort.

Ongoing and sustainable capacity-building to increase the number of trained personnel within prisons alongside training for law enforcement and court actors was considered especially important. Police officers, prosecutors, and judicial officers who are fully aware of the Bangkok Rules could reduce the overreliance on imprisonment for women, and reduce prison numbers, concomitant over-crowding, and the difficulties this creates. The International Corrections and Prisons Association explained that given the central role of courts in women's journeys through corrections, the judiciary needs to learn and advocate for better policies. UN Women highlighted that while having fully trained judges and prosecutors on the Bangkok Rules is critical, it is equally important to ensure gender-responsive and comprehensive post-release support programmes and resources for women, particularly at the community level. Likewise, capacity-building initiatives, including training for the judiciary, prosecutors, and enforcement agencies in Malaysia were seen as essential to improving the system.

In terms of technical assistance/needs, participants expressed requiring support to develop Bangkok Rules E-learning in local languages and training programmes for trainers to ensure a wider impact and sustainability of a capacity-building programme. The International Corrections and Prisons Association commented that there is a shortage of funding for training, especially train-the-trainer programmes, which can create ongoing and sustainable impacts.

Strengthening the community of support

To better support women in conflict with the law, participants emphasised the importance of sustainable partnerships, enhancing pre-existing collaborations and generating buy-in from new sources.

At a basic level, knowing which UN, other international and non-government organisations and affiliates work within Bangkok Rules' pertinent areas is important. UNODC India illustrated an in-country governmental initiative whereby a list was being compiled of all organisations working on prison reform, including focus areas (e.g. healthcare, re-integration etc.). Technical assistance to compile such lists at a regional and country-specific level would be useful.

Furthermore, partnering with organisations for whom criminal justice is not a core business might sustain future progress. For example, it was noted that in the Philippines, the Medical Association, Rotary, Lions and other similar organisations etc., are unaware of the Bangkok Rules and as such, are not positioned to support programmes for women in conflict with the law. We need to encourage agencies like this to work in parallel with criminal justice-focused stakeholders. Likewise, Indian mental health support services and organisations concerned with gender justice work

in silos, when ideally, they would be collaborating. The meeting recognised that organisations for women and those with feminist agendas sometimes overlooked the needs of women in conflict with the law and as such, opportunities for establishing collaborations and further advancing the Bangkok Rules were being missed.

The possibility of involving and collaborating with the private sector was also raised and discussed as an effective measure to ensure sustainability for projects and initiatives supporting the application of the Bangkok Rules. Notably, private companies are already providing support, often through in-prison and post-release employment opportunities, in several countries. Local governments may also be useful especially when it comes to the provision of re-integration support.

Furthermore, it was highlighted that it would be important to foster continued engagement in experience-sharing initiatives between countries in the region. The need to share success stories with like-minded partners and stakeholders was strongly emphasised.

Prison policy, practice, and reducing population numbers

Moving forward, within the context of correctional policy and practice, prison healthcare and special needs groups (e.g. LGBTIQ+ prisoners, and women in prison with their children) were considered areas of priority alongside staff well-being and increasing the number of women in correctional senior leadership positions.

Several participants also raised that it will be important to empower and support women in conflict with the law to identify priority areas and meaningfully participate in change-making. It was suggested that there should be training for women in prison to be Bangkok Rules advocates. These prisoner-advocates could then work with and provide regular advice to, prison administrators. To safeguard women, it was cautioned that there might be a risk of re-traumatisation, and it is important to proceed with care. Furthermore, it was highlighted that research, including needs assessment inside prisons, provides a platform for women's lived experience.

Participants emphasised that ideally, efforts should be undertaken to reduce the number of women prisoners through diversionary initiatives, non-custodial measures and preventing future law breaking through rehabilitative and reintegrative support mechanisms. Decreasing the inflow of women into prison would also require changes to relevant national legislation as well as ongoing advocacy to address criminal justice punitiveness (e.g. drug laws).

III. Considerations for establishing a new funding mechanism to support women impacted by the criminal justice system through local, regional, and international initiatives

The scarcity of resources and funding often presents a significant challenge to criminal justice agencies and organisations striving to promote gender-responsive policies and the fair treatment of women in the criminal justice system. As highlighted by UN Women, funding for women in conflict with the law is limited and dwindling compared to other groups, such as victims of violence against women (VAW), despite obvious linkages (i.e. research indicates a definite correlation between VAW and their subsequent incarceration).

In this discussion, participants were encouraged to share their views and aspirations for potentially establishing a new funding mechanism to support the application of the Bangkok Rules. Although a concrete plan is yet to materialise, participants openly shared their thoughts and ideas on defining the scope and priority areas for this envisioned initiative.

Defining the beneficiaries

A crucial aspect discussed was the clear definition of beneficiaries for the new funding. Given the broad scope of the Bangkok Rules, it was suggested that beneficiaries may include, inter alia, women in prison, those serving non-custodial sanctions and measures, women reintegrating into society after release, children of incarcerated mothers, and pregnant women in prison. Priority consideration could also be given to women in prisons facing severe resource shortages and overcrowding, as they may be particularly vulnerable to human rights violations.

In certain countries, external funding is frequently allocated to capacity-building programmes for prison staff or the procurement of new equipment. It was emphasised that it is crucial to ensure that such funding directly translates into tangible benefits at the operational level, thereby genuinely benefiting incarcerated women. In this context, some participants argued for the necessity of financial support to establish essential infrastructures for women in prison. It was suggested that even a small amount of funding could have a substantial impact on women's lives, such as constructing a door in a cell to safeguard their privacy and dignity.

Exploring potential donors

During the meeting, there was a discussion about the potential involvement of the private sector as donors, with a suggestion to provide them with opportunities to gain a deeper understanding of the realities of life within prison settings.

Key principles for an effective use of funds

Several key principles were identified to guide the effective utilisation of funds for supporting women impacted by the criminal justice system including:

- *Sustainability* – The meeting recognised sustainability as fundamental to the success of the application of the Bangkok Rules. Given the likelihood of limited funding, it was recommended that priority be given to initiatives targeting changes at the policy level and mobilising political commitment. This strategic approach aims to achieve high-impact and sustainable outcomes over the long term.
- *Supplementary financial resources* – It was noted that while the State is obliged to provide safe custody, the new funding should serve as a supplementary financial resource. Emphasis was placed on the importance of ensuring that the new funding does not replace the State's core budget and responsibility to provide adequate facilities and care for incarcerated individuals.
- *Needs-based approach* – The meeting emphasised the significance of addressing the actual needs of women in conflict with the law and involving the community of formerly incarcerated women. To ensure that funded projects truly benefit incarcerated women, it was recommended to conduct consultations with women with prison experience or needs assessments among women in prison. This approach ensures that funding initiatives are tailored to meet the specific needs of the target population.

Priority areas

Meeting participants identified the following priorities for a future funding mechanism.

- *Keeping women out of prison* – Funding for schemes seeking to keep women out of prison, including but not limited to, initiatives related to strengthening the use of non-custodial measures such as promoting gender-responsive sentencing guidelines, supporting bail, and providing legal aid tools for lawyers representing women.
- *Investing in promising practices* – Funding to maintain and extend the already established and successful initiatives led by prison authorities, UN, other

international as well as non-government organisations, as well as to promote a new initiative allowing for innovation to take place.

- *Capacity-building, training, and awareness-raising* – Funding for training-the-trainer programmes for prison administrations, as well as training and awareness-raising activities aimed at enhancing the capacity of other stakeholders such as legislators, the police, prosecution services, the judiciary, human rights institutions, legal aid providers, parole and probation departments, and other relevant entities.
- *Strengthening collaboration between the government and non-government organisations* – Funding to foster collaboration and cooperation between governments and UN, other international as well as non-government organisations, which are crucial for ensuring that women in conflict with the law receive the support they need during and after imprisonment.
- *Knowledge and experience-sharing* – Funding should support sharing between countries where promising practices/successes have been achieved regarding the concrete introduction of a new initiative or legislation.

Appendix 1: List of Participants

GOVERNMENTAL ENTITIES			
	Country	Name	Position
1	Bangladesh	Ms. Umme Salma	Jailor, Netrakona District Jail
2	Brunei	Ms. Hajah Rosni Binti Kurus	Acting Prison Superintendent, Woman Prison Department
3	Brunei	Ms. Siti Saharah Ahmad	Prison Officer, Woman Prison Institution
4	Cambodia	Mr. Tangbunnat Samol	Deputy Chief of Department, Operation Department
5	Cambodia	Ms. Kanika Klot	Chief of Prison, Correction Center 2
6	China	Mr. Pang Yan	Principal Staff Member, Bureau of Prison Administration
7	Fiji	Ms. Latu Niurua Rokotuwei	Officer In Charge, Suva Women's Corrections, Centre
8	India	Mr. Ravi Joseph Lokku	Inspector General (IG), Bureau of Police, Research and Development (BPR&D)
9	Indonesia	Ms. Nala Mazia	Cooperation Analyst, International Cooperation
10	Indonesia	Ms. Kristiana Hambawani	Head of Semarang Women Prison
11	Japan	Mr. Yusuke Suzuki	First Secretary, Embassy of Japan
12	Malaysia	Ms. Zulia binti Khamis	Deputy Director of Prisons Policy (Head of Assessment & Recidivism Section)
13	The Maldives	Mr. Hassan Zareer	Commissioner of Prisons
14	The Maldives	Mr. Ibrahim Mohamed Didi	Deputy Commissioner of Prisons
15	The Maldives	Ms. Fathimath Zoonaa	Head of rehabilitation program section, Maafushi prison
16	Nepal	Mr. Kamal Prasad Pandey	Director of Department of Prison Management
17	Papua New Guinea	Ms. Luki Gerason	Chief Inspector, PNG Correctional Services
18	The Philippines	Ms. Leilani M. Banotan	Jail Senior Inspector, Chief, Behaviour Management Section, Directorate for Welfare and Development, Bureau of Jail Management and Penology
19	The Philippines	C/SSUPT Daisy Castillote	Acting Superintendent, Correctional Institution for Women, Department of Justice, Bureau of Corrections
20	The Philippines	Attorney Mauricio Ulep	Attorney/BuCor Consultant, Bureau of Corrections
21	Singapore	Ms. Doris Ng Bee Goh	Superintendent of Institution A4 (women-only institution)

22	Singapore	Ms. Phua Xue Wei	Assistant Director of Correctional Rehabilitation Services Branch (Women)
23	Sri Lanka	Mr. Jagath Chandana Weerasinghe	Commissioner of Prisons, Department of Prisons
24	Thailand	Ms. Archaree Srisunakhua	Director of Central Women's Correctional Institution
25	Thailand	Ms. Phanaorn Kijpitak	Social worker acting in position vocational training technical officer Senior professional level, Department of Corrections
26	Thailand	Ms. Vichada Chittikornyuthana	Probation officer, Department of Probation
27	Vietnam	Mr. Le Duc Anh Tuan	Officer of General Advisory Division of Viet Nam Police Department of Prison Management
UN, OTHER INTERNATIONAL AND AFFILIATED ORGANISATIONS			
	Organisation	Name	Position
28	OHCHR	Ms. Shivani Verma	Human Rights Officer
29	OHCHR	Ms. Nichapa Chanwisitkul	National Human Rights Officer
30	UNDP	Mr. Tomas Kvedaras	Project Specialist, JIN ASEAN project
31	UNDP	Ms. Yenny Widjaja	Gender Specialist
32	UNDP	Ms. Suparnee Pongruengphant	Gender Equality and Social Inclusion Advisor
33	UNDP	Ms. Nattawut Worakhanta	Partnership and Engagement Coordinator
34	UN WOMEN	Ms. Kanae Tanaka	International Legal Consultant, Governance, Peace and Security
ACADEMIA AND NON-GOVERNMENTAL ENTITIES			
	Organisation	Name	Position
35	CQ University of Australia	Assoc. Prof. Adele Baldwin	Associate Professor, School of Nursing, Midwifery and Social Sciences
36	House of Blessing Foundation Thailand	Pastor Wuthichai Wongjiroj	Director
37	International Corrections and Prisons Association (ICPA)	Ms. Natalie Boal	Executive Director
38	International Drug Policy Consortium (IDPC)	Ms. Gloria Lai	Regional Director for Asia
39	Penal Reform International (PRI)	Ms. Olivia Rope	Executive Director
40	Project 39A	Ms. Medha Deo	Programme Director, Fair Trial Fellowship Programme, National Law University, Delhi
41	PUSKAPA	Ms. Shaila Ticken	Research and Advocacy Associate, Centre on Child Protection and Well-being at the University of Indonesia (PUSKAPA)

42	Second Chance Foundation	Ms. Elia Surya	Deputy Director
43	Sisters Inside	Ms. Deborah Kilroy	Chief Executive Officer
44	This Life	Mr. Billy Gorter	Executive Director
UNODC			
		Name	Position
45	UNODC HQ	Ms. Claudia Baroni	Crime Prevention and Criminal Justice Officer, Team Leader (Gender in Criminal Justice)
46		Mr. Philipp Meissner	Inter-regional Advisor, Team Lead (Prison and Penal Reform)
47	UNODC	Mr. Masood Karimipour	Regional Representative for Southeast Asia and the Pacific
48	South-East Asia and the Pacific	Ms. Aki Okanan	Crime Prevention and Criminal Justice Officer (Prison Reform)
49	UNODC	Ms. Karen Peters	Drug Control and Crime Prevention Officer
50	South-East Asia and the Pacific	Ms. Uruya Krisanachinda Miyazawa	National Project Officer
51	UNODC South-East Asia	Mr. Rabby Pramudatama	National Programme Officer, Programme Office in Indonesia
52	UNODC South Asia	Ms. Seema Joshi Arya	National Programme Officer, Regional Office for South Asia
OBSERVERS AND OTHER ENTITIES			
	Organisation	Name	Position
53	Ministry of Foreign Affairs, Thailand	Ms. Chaksuda Chakkaphak	Minister-counsellor, Social Division, Department of International Organizations
THAILAND INSTITUTE OF JUSTICE (TIJ)			
		Name	Position
54	TIJ	Dr. Phiset Sa-ardyen	Executive Director
55	TIJ	Ambassador Adisak Panupong	Advisor
56	TIJ	Dr. Nathee Chitsawang	Advisor
57	TIJ	Ms. Chontit Chuenurah	Director of Office for the Bangkok Rules and Treatment of Offenders
58	TIJ	Dr. Samantha Jeffries	Consultant
59	TIJ	Ms. Yodsawadi Thiphayamongkoludom	Project Manager
60	TIJ	Ms. Napat Rakkitsiri	Project Coordinator
61	TIJ	Mr. Chaat Sathirathaya	Policy Advocacy Assistant
62	TIJ	Ms. Phrae Dithipeng	Project Coordinator