

Index of Implementation

United Nations Rules on the Treatment
of Women Prisoners and Non-custodial
Measures for Women Offenders
(The Bangkok Rules)



**Toolbox
on UN
Bangkok
Rules**

Index of Implementation: United Nations Rules on the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders (The Bangkok Rules)

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Penal Reform International (PRI) is an independent non-governmental organisation that develops and promotes fair, effective and proportionate responses to criminal justice problems worldwide. We promote alternatives to prison which support the reintegration of offenders, and promote the right of detainees to fair and humane treatment. We campaign for the prevention of torture and the abolition of the death penalty, and we work to ensure just and appropriate responses to children and women who come into contact with the law. We currently have programmes in the Middle East and North Africa, Central and Eastern Europe, Central Asia and the South Caucasus, and work with partners in East Africa and South Asia.

Thailand Institute of Justice (TIJ) is a public organization established by the Government of Thailand in 2011. One of the primary objectives of the TIJ is to promote and support the implementation of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (or “the Bangkok Rules”), both nationally and internationally. In addition, the TIJ aims to enhance other aspects of crime prevention and criminal justice knowledge through evidence-based research and capacity-building activities.

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INTRODUCTION

The adoption of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) in December 2010 represented an important step forward in recognising the gender-specific needs of women in criminal justice systems and providing the standards that should be applied in the treatment of such women. Until their adoption, international standards had not properly reflected the specific needs of girls and women, both as for conditions of detention and with regard to alternatives to imprisonment. The Bangkok Rules are also the first international instrument which specifically addresses the issue of the children of women prisoners.

The challenge now is to ensure that these standards are put into practice. This means the incorporation of the Bangkok Rules into domestic legislation, sentencing policies and prison rules, and most importantly, the implementation of the Rules into practice around the world.

Many of the Rules do not require additional resources for their implementation, but a change in awareness, attitude and practices. One main investment needed is in training criminal justice actors on the Bangkok Rules and sensitising them to the typical backgrounds and needs of women offenders.

Much more data collection and research is also needed to understand the characteristics of women in conflict with the law, the most common reasons that lead women to commit offences, the impact on children of their mothers' confrontation with the criminal justice system and the most effective means of support to help women build positive, self-supporting lives in different regions and countries. The Bangkok Rules require such research in Rule 67, forming a key starting point to changing awareness and practices.

Finally, it is important to reiterate that the Bangkok Rules do not replace but supplement the Standard Minimum Rules for the Treatment of Prisoners (SMR) and the Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules).

HOW TO USE THE *INDEX OF IMPLEMENTATION*

The *Index of Implementation* accompanies the *Guidance Document on the Bangkok Rules*. It seeks to assist key actors and others to assess the extent to which the Bangkok Rules are reflected in their criminal justice systems, to help identify gaps in implementation and, together with the *Guidance Document on the Bangkok Rules*, to provide a basis for developing policies, strategies and action plans to improve implementation.

The *Index of Implementation* is designed as a set of checklists, allowing both a rapid assessment with questions that merely require positive or negative responses, and an in-depth and detailed assessment through follow-up questions.

As the Bangkok Rules supplement the Standard Minimum Rules for the Treatment of Prisoners (SMR) and the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) questions included in the *Index of Implementation* incorporate, where relevant, an assessment against provisions of these two other instruments. This enables a full understanding of the extent to which the specific provision of the Bangkok Rules is implemented.

Structure of the Index

As the Bangkok Rules are not structured according to the various actors it addresses, the *Index of Implementation* seeks to make it easier for the relevant stakeholders to identify the Rules within their area of responsibility and to assess to which extent the Rules have been implemented or require legal, policy or practical change.

The *Index of Implementation* has **nine chapters, each addressed to a different key actor**. Questions are posed under the relevant Rules for each actor, to enable an assessment of progress towards implementation, and perhaps more importantly, to help those responsible identify the questions they need to ask of themselves and their staff.

As each chapter includes those Rules which are relevant to that particular actor, Rules may appear in several chapters if they require the involvement of more than one institution or a more complex set of measures to ensure they are put into practice.

The table on page 7 provides an overview of which Rules are relevant for the respective actors.

Limitations

While useful, check-lists have their shortcomings in assessing and understanding complex issues, in particular where they are linked to cultural, economic and social factors outside the sphere of the criminal justice system. Additional policies, strategies and measures are therefore required to address the underlying causes of women's confrontation with the criminal justice system and aspects of discrimination of women beyond the scope of the Bangkok Rules.

Other resources in PRI's Toolbox on the UN Bangkok Rules

Guidance Document on the UN Bangkok Rules

The Guidance Document (available in hardcopy and electronically) is a reference document for use in reviewing legislation, developing gender-sensitive policies, and in training criminal justice actors. It offers practical guidance including measures for implementation, with examples of good practices. Together with this Index of Implementation, the Guidance Document provides a basis for developing policies, strategies and action plans to improve implementation. Co-published with the Thailand Institute of Justice.

Briefing on the discrimination of women in the criminal justice system

The briefing maps concerns relating to the discrimination of women as alleged offenders in the justice system, indicates references by human rights bodies, and gives examples of concerning practices as well as good practice in the following areas: gender-specific/ status offences, disadvantages during penal procedures, non-custodial measures, vulnerability to sexual abuse, imprisonment/ detention, girls in prison and rehabilitation.

Guide on gender-sensitive monitoring

A guide to help bodies monitoring places of detention incorporate a gender perspective into their work and address violence against women and girls in detention. Jointly published with the Association for the Prevention of Torture (APT).

Online course: Women in detention: putting the UN Bangkok Rules into practice

A self-paced online course combining analysis of the Rules, interactive assessments and application of the Rules to real life situations, with a certificate issued at completion.

Briefing on girls and detention

This Briefing will examine the nature of the challenges faced by girls in detention, the international and regional standards in place to address them and makes recommendations for States and civil society for strengthening the rights of girls who are held in detention.

PRI e-bulletin

A quarterly round-up of information on women in the criminal justice system, the Bangkok Rules and activities by PRI and others on the Rules. Sign up [here](#).

Tools available in multiple languages at www.penalreform.org



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on UN
Bangkok
Rules**

TABLE: KEY ACTORS AND RULES WHICH REQUIRE THEIR ACTION

Rule No.	Policymakers, including relevant ministries	Legislators/ Parliamentarians	Law enforcement/ criminal justice actors	Prison authorities/ prison staff	Prison health care services	Prison staff responsible for rehabilitation/ social workers/ social welfare officers	Probation and parole services, social welfare and child welfare agencies	Health-care services in the community	Prison monitoring bodies
1	✓			✓	✓	✓		✓	
2		✓		✓					
3		✓		✓					
4	✓			✓					
5				✓	✓				
6	✓	✓	✓	✓	✓			✓	
7	✓	✓	✓	✓	✓			✓	
8	✓	✓		✓	✓			✓	
9	✓	✓		✓	✓			✓	
10	✓			✓	✓			✓	
11				✓	✓				
12	✓	✓		✓	✓			✓	
13				✓	✓			✓	
14	✓	✓		✓	✓			✓	
15	✓	✓		✓	✓		✓	✓	
16	✓			✓	✓				
17	✓			✓	✓			✓	
18	✓			✓	✓			✓	
19	✓	✓		✓				✓	
20	✓	✓		✓					
21				✓					
22	✓	✓		✓					
23	✓	✓		✓					

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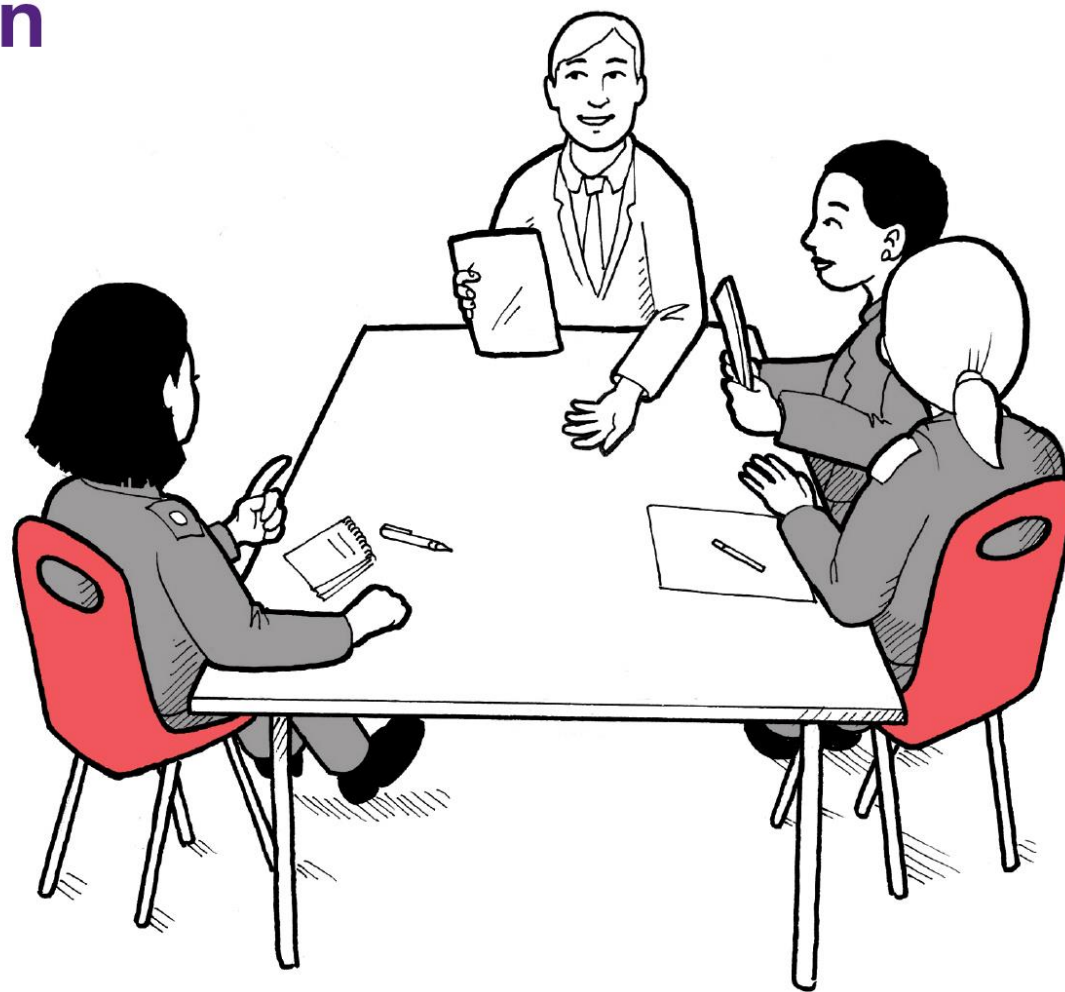
Rule No.	Policymakers, including relevant ministries	Legislators/ Parliamentarians	Law enforcement/ criminal justice actors	Prison authorities/ prison staff	Prison health care services	Prison staff responsible for rehabilitation/ social workers/ social welfare officers	Probation and parole services, social welfare and child welfare agencies	Health-care services in the community	Prison monitoring bodies
24	✓	✓		✓					
25	✓	✓	✓	✓	✓		✓	✓	
26	✓	✓		✓		✓			
27	✓	✓		✓					
28		✓		✓					
29	✓			✓					
30	✓			✓					
31	✓			✓					
32	✓			✓					
33				✓	✓		✓		
34				✓	✓		✓		
35				✓	✓		✓		
36	✓			✓					
37	✓			✓		✓			
38	✓			✓	✓		✓		
39	✓			✓	✓		✓		
40	✓			✓	✓	✓			
41	✓			✓	✓	✓			
42	✓			✓	✓	✓			
43	✓			✓		✓			
44	✓			✓		✓			
45	✓			✓					
46	✓			✓	✓	✓	✓	✓	
47	✓			✓	✓	✓	✓	✓	
48	✓			✓	✓		✓		
49	✓	✓		✓	✓	✓	✓	✓	

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Rule No.	Policymakers, including relevant ministries	Legislators/ Parliamentarians	Law enforcement/ criminal justice actors	Prison authorities/ prison staff	Prison health care services	Prison staff responsible for rehabilitation/ social workers/ social welfare officers	Probation and parole services, social welfare and child welfare agencies	Health-care services in the community	Prison monitoring bodies
50	✓			✓		✓			
51	✓			✓	✓	✓		✓	
52	✓	✓		✓	✓	✓	✓		
53	✓	✓		✓		✓	✓		
54				✓		✓	✓		
55	✓			✓	✓	✓	✓	✓	
56	✓	✓		✓				✓	
57	✓	✓	✓				✓	✓	
58	✓	✓	✓				✓	✓	
59	✓	✓	✓	✓					
60	✓	✓	✓				✓	✓	
61	✓	✓	✓				✓		
62	✓	✓	✓				✓	✓	
63			✓	✓			✓		
64	✓	✓	✓				✓		
65	✓	✓	✓				✓		
66	✓	✓	✓				✓		
67	✓		✓	✓	✓	✓	✓	✓	
68	✓		✓	✓		✓	✓		
69	✓		✓	✓	✓	✓	✓	✓	
70	✓		✓	✓					

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United Nations Rules on the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (The Bangkok Rules)



1 Policymakers

1: POLICYMAKERS

The term ‘policymakers’ in this chapter covers the key ministries who have responsibility for, or a contribution to make to, the management of prisons where women are held. Such ministries include, firstly the ministry directly responsible for prison administration (Ministry of Justice, Interior, Security or Home Affairs), and secondly, ministries which have important contributions to make, such as the Ministries of Health, Social Welfare (or similar), Education, Labour and Human Rights. If there are separate ministries responsible for women and/or children, they are also key among policymakers to whom this chapter is addressed.

NON-CUSTODIAL MEASURES

Alternatives to detention and imprisonment

Rules 57, 58 and 60

1. Is there a dialogue in place among policymakers, legislators and criminal justice institutions with the aim of developing policies and measures to reduce the imprisonment of women, as far as possible, in line with the provisions of the Tokyo Rules and the Bangkok Rules?

Yes

No

If yes, please provide relevant details.

2. Have resources been allocated to identify the most common underlying causes which lead women to come in contact with the criminal justice system, in order to build a reliable knowledge base for the development of appropriate, targeted non-custodial measures and sanctions to respond to the needs of women offenders?

Yes

No

If yes, please provide relevant details.

3. Based on existing knowledge about the typical background of women offenders, has consideration been given to developing, or steps been taken to establishing, alternatives to imprisonment for women offenders, such as therapeutic courses and counselling for victims of domestic violence and sexual abuse, suitable treatment for those with mental disabilities and educational and training programmes to improve employment prospects?

Yes

No

If yes, please provide details.

4. Have steps been taken to strengthen the administrative and financial capacity of the national system of non-custodial measures, which respond to the gender-specific needs of women offenders?

Yes

No

If yes, please provide details.

Drug related offences

Rule 62

5. Have resources been allocated to the understanding of the extent and particularities of drug dependence among women offenders in the country being assessed?

Yes

No

If yes, please provide details.

6. Are policymakers encouraging a multi-sectorial collaboration among law enforcement agencies, health and justice ministries/institutions, civil society organisations, social welfare and drug control institutions to assist in developing frameworks of action to support voluntary and community-based services for women who are drug dependent?

Yes

No

If yes, what does such collaboration consist of? Which agencies participate?

7. Does legislation provide for alternatives to imprisonment for women who commit certain drug related offences, as well as providing for the establishment of drug treatment services in the community for those who are drug dependent themselves?

Yes

No

If yes, please provide details.

8. Have relevant ministries allocated adequate resources for the provision of gender-sensitive, accessible, evidence-based drug treatment programmes in the community both in urban and rural areas?

Yes

Yes, to a limited extent

No

9. If yes, do such services cater for the needs of pregnant women? Do they offer women-only programmes and care for children of mothers?

Yes, they cater for the needs of pregnant women

Yes, they offer women-only services

Yes, they offer care for children

They do not offer any of these services

10. Have effective coordination mechanisms been established between the health/drug dependence treatment system and the criminal justice system to divert women who have committed drug related offences and who are dependent on drugs themselves, to treatment programmes in the community?

Yes

No

11. Have female oriented guidelines and quality standards been introduced into drug policies, in order to maximise coherence with existing activities, efficient allocation of resources and positive outcomes for drug-dependent women and their children?

Yes

No

Please provide any relevant details.

Pregnant women and women with dependent children

Rule 64

12. Have policy and decision makers, in particular the Ministry of Justice, encouraged the development of policies and strategies to reduce the imprisonment of pregnant women and women with dependent children?

Yes

No

13. In this context, have they encouraged/facilitated the introduction of legislation which allow for courts to consider non-custodial measures and sanctions in the case of women offenders, who are pregnant or who have dependent children?

Yes

No

If yes, what are the provisions of such legislation?

14. In addition is any guidance provided to courts, for example via sentencing guidelines or criteria established in law, to ensure that courts only consider custodial sentences for pregnant women and women with dependent children as an exceptional measure and after taking into account the best interests of the child or children?

Yes

No

If yes, please provide further details.

Sentencing: taking into account mitigating factors

Rule 61

15. Have policy and decision makers encouraged/facilitated the development of strategies and policies which allow courts sufficient discretion when sentencing women offenders, so that they can take into account a range of mitigating factors, such as the crime history of the offender, any history of victimisation, her caretaking responsibilities, the reasons for committing the offence and the severity of the offence, among other factors deemed to be relevant to the commitment of the offence?
- Yes
- No
16. If yes, has legislation or sentencing guidelines been reviewed/revised to give courts such powers?
- Yes, legislation has been revised
- Yes, sentencing guidelines have been amended
- No
17. If yes, are specific factors, such as violent offences in response to domestic violence or drug trafficking due to poverty and coercion, referred to in the commentary to the laws or in sentencing guidelines? Please explain.

Women who need protection

Rule 59

18. Have policy and decision makers, including those responsible for justice, women and human rights collaborated amongst each other and with non-governmental organisations to develop a strategy and policy to protect women against gender-based violence?

Yes

No

If yes, does the policy and strategy include the following:

→ Legislation is in place to protect women against gender-based violence

→ Law enforcement and criminal justice practices ensure that maximum protection is provided to victims of gender-based violence

→ Financial and human resources have been allocated to the establishment of safe houses / shelters in the community managed by social services or by another relevant body, such as the ministry responsible for women or for human rights

→ Effective collaboration mechanisms have been set up with bodies / organisations who run such shelters to ensure that women who need such protection are referred to them on a timely basis and under conditions of strict confidentiality

19. Are women ever detained in official places of detention for their protection, due to the lack of better alternatives?

Yes

No

20. If yes, have laws and measures been put in place to ensure that such women receive treatment appropriate to their situation? For example, are the measures listed below applied:

- The women are free to leave whenever they wish, having received all information relevant to their situation, including the risks they may face if they leave
- The women concerned must express a desire, in writing, to receive such measures of protection
- They are provided with all the information relating to the conditions of such places of protection, services provided and procedures for leaving them
- Such women are held in strictly separate accommodation from the prisoners
- Staff responsible for their supervision and care are properly trained to respond to these women's particular needs, recognising their vulnerability and the trauma that they may have experienced
- The women are offered psycho-social assistance and legal aid
- Places of such detention are supervised regularly by an independent judicial authority

Children in conflict with the law/Juvenile female offenders

Rule 65

21. Is there a policy and strategy in place to reduce the imprisonment of children, including girls, to the minimum possible?

- Yes
- No

If yes, are the measures listed below included in the policy and strategy:

- Legislation includes a sufficient number and variety of alternatives to detention and imprisonment suitable to the needs of children in conflict with the law, including to the particular needs of girls
- Legislation and/or sentencing guidelines ensure that appropriate scope for discretion is allowed at all stages of criminal proceedings and at the different levels of juvenile justice administration (or the criminal justice administration), to direct juveniles away from the criminal justice process, taking into account the particular vulnerabilities and needs of girls
- Mechanisms of coordination have been established between community services and criminal justice actors, starting with the police, to ensure effective implementation of diversionary measures
- Investment has been made in developing appropriate services and community measures suitable to respond to the needs of children in conflict with the law, in particular, girls

Victims of human trafficking / foreign nationals

Rule 66

22. Have the *United Nations Convention against Transnational Organized Crime* and the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing that Convention, been ratified and if not, are there plans to ratify them?
- Yes, ratified
- Signed, but not ratified
- No, but work is underway to ratify them
- No
23. If they have been ratified, have the provisions of the Convention and Protocol been incorporated into domestic legislation?
- Yes
- No
- In progress
24. Irrespective of the above, have strategies and policies been developed to protect victims of human trafficking from secondary victimisation and have resources been allocated to implement these policies and strategies?
- Yes
- No
- In progress

THE ADMINISTRATION OF WOMEN'S PRISONS

Non-discrimination of women prisoners

Rule 1

25. Have policymakers, including the ministry responsible for prisons, working together with the prison authorities, been engaged in developing gender-sensitive prison management policies, in order to ensure that the gender-specific needs of women prisoners are taken into account in the entire management ethos and the treatment of prisoners?

Yes

No

Admission, registration and allocation

Allocation

Rule 4

26. Have any strategies and plans been developed to ensure that women prisoners are housed closer to their homes as required by the Bangkok Rules?

Yes

No

If yes, what do such strategies and plans include?

For example, have steps been taken by governments and the ministry responsible for prisons to establish a larger number of small units to house women offenders, to be located close to places where most women prisoners come from?

Yes

No

If yes, please provide further details.

Hygiene and health-care

Medical examinations on entry: ill-treatment and torture

Rule 6(e)

27. Is torture a criminal offence in the domestic legislation and does the definition of torture explicitly include custodial rape as a form of torture?

- Yes
- No
- Other – please explain

28. Does legislation include other forms of sexual abuse in places of detention as forms of ill-treatment or torture, depending on their nature and severity?

- Yes
- No
- Other – please explain

29. Is there a legislative requirement in place to ensure that all women admitted to prison (pre-trial detention facilities and prisons) undergo a medical examination to detect any signs of ill-treatment and torture, including sexual abuse? (Please refer to **Rule 8** on permission required for vaginal examinations.)

- Yes
- No

30. Have policymakers, including the ministry responsible for prisons introduced policies and rules to ensure that all medical examinations on admission include an examination for signs for any abuse or ill-treatment?

- Yes
- No

31. Have legislative and practical measures been put in place to ensure that prisoners who become victims of sexual violence have access to an independent judicial investigation of their cases, and that they are provided with free legal assistance during this process?

Yes

No

If yes:

→ In which law/act/code are these provisions enshrined?

→ What do such legislative provisions and measures consist of?

→ Who can prisoners turn to in order to initiate such an investigation:

Medical confidentiality

Rule 8

32. Has the Ministry responsible for prisons and the Ministry of Health developed clear guidelines on medical confidentiality, including a prisoner's right to refuse to provide information on her reproductive health history and the prohibition of vaginal examinations without the consent of the prisoner?

Yes

No

33. Are virginity tests on arrested, detained or imprisoned women explicitly prohibited in legislation?

Yes

No

It is not prohibited in legislation, but such a practice does not exist in prisons or the community

Gender-specific health-care**Rule 10**

34. Has a general policy been agreed between the ministry responsible for prisons and the Ministry of Health on women's gender-specific health-care needs in prisons, to ensure that they receive the same level and quality of health-care as women in the community?

Yes

No

If yes, does the gender-specific health-care provided to women prisoners cover any or all of the following:

→ Primary health-care needs

→ Reproductive and sexual health

→ Pre- and post-natal care

→ Child birth

→ Preventive health-care services

→ HIV/AIDS prevention, treatment and care

→ Mental health

→ Treatment for substance dependencies

→ Other (please specify)

35. Have mechanisms for cooperation between the Ministry of Health and prison health-care services been established to effectively respond to the gender-specific health-care needs of women?

Yes

No

If yes, please explain whether such cooperation is based on a formalised agreement and to what extent and how it is implemented.

Mental health and care**Rule 12**

36. Have the Ministry of Health and the ministry responsible for prisons developed specific policies and strategies to ensure that the prison environment and prison management practices promote the mental health of women prisoners?

Yes

No

If yes, please list some key components of such policies and strategies.

37. Have the ministry responsible for health and the ministry responsible for prisons developed policies and allocated resources to ensure that treatment for mental health disorders are individualised and aim to address the reasons that provoke distress and depression, as well as psychiatric problems, based on an integrated approach of counselling, psychosocial support and medication, if necessary, taking into account women's typical background and needs?

Yes

No

If yes, please provide further details.

38. Have legislative and practical measures been introduced to ensure that, where appropriate, women whose mental health-care needs require specialised treatment unavailable in prison, are transferred to community health-care services?

Yes

No

If yes, what do such legislative provisions and practical measures entail?

HIV and AIDS treatment and care**Rule 14**

39. Have the ministry responsible for prisons and the Ministry of Health collaborated to develop a national policy and strategy to provide HIV/AIDS prevention, treatment and care in prisons, including to respond to the unique needs of women prisoners, within a coherent national framework?

Yes

No

40. If such a national policy and strategy has been developed, what provisions do they include, which respond specifically to the gender-specific needs of women prisoners?
41. Do programmes and services relating to HIV/AIDS in prisons include measures to prevent mother-to-child transmission?
- Yes
- No
- If yes, what measures are included?
42. Have mechanisms for collaboration between the ministry responsible for prisons and the ministry of health been developed in the prevention, treatment and care of HIV and AIDS in women's prisons, in order to promote quality and sustainability?
- Yes
- No

Substance abuse treatment

Rule 15

43. Have the ministries responsible for health and prisons collaborated to develop strategies to respond to drug dependence among women prisoners, taking into account women's prior victimisation, history of mental health problems and trauma?
- Yes
- No
44. Do such strategies and programmes respond to the special needs of pregnant women and women with children, as well as the different cultural backgrounds of women prisoners?
- Yes
- No
45. Is treatment for drug dependence being offered on a voluntary basis?
- Yes
- No
- If no, please provide details of the compulsory treatment regime.

Preventive health-care services**Rules 17 and 18**

46. Have the ministries responsible for health and prisons established mechanisms of cooperation to ensure that women in prison receive all preventive health-care services available to women in the community, including regular screenings for cervical cancer and breast cancer, by qualified health-care professionals?

Yes

No

47. Have the ministries responsible for health and prisons collaborated to ensure that women prisoners have access to education and information about preventive health-care measures?

Yes

No

If yes, does such information cover:

→ Gender-specific health conditions

→ HIV and AIDS

→ Sexually transmitted infections

→ Blood-borne diseases

Safety and security

Searches

Rules 19 – 20

48. Is there a total prohibition in legislation and practice of all personal searches, including pat-down searches, strip searches and invasive body searches of women by male staff?

Yes

No

If no, which types of searches can be carried out by male staff?

49. Are efforts in place to develop alternative methods of screening to replace invasive body searches or have such methods already been developed?

Yes

No

If yes, please provide details.

50. Does domestic legislation define when strip searches and invasive body searches of women prisoners can be carried out, if at all, and are the circumstances when such searches are allowed by law, limited to exceptional circumstances?

Yes

No

If such searches are allowed at all, in what circumstances can they be carried out?

Discipline and punishment

Rules 22 and 23

51. Have policymakers and decision makers ensured that legislation (including prison regulations) and prison policies clearly prohibit the use of close confinement/ solitary confinement as a punishment in the case of pregnant women, women with infants and breastfeeding mothers in prison?

Yes

No

52. Have policymakers and decision makers ensured that legislation (including prison regulations) and prison policies clearly state that a prohibition of family contact, as a disciplinary sanction, is not allowed in the cases of women prisoners?

Yes

No

Instruments of restraint

Rule 24

53. Have policymakers and decision makers ensured that prison regulations or rules include an explicit prohibition of restraints on women who are in labour, who are giving birth or who have just given birth?

Yes

No

Information to and complaints by prisoners and inspections

Rule 25 – Complaints by prisoners

54. Have policymakers ensured that complaints submitted to the central prison administration, judicial and other independent bodies are not subject to censorship, as required by SMR, Rule 36(3)?

Yes

No

If yes, what mechanisms and safeguards are in place to ensure the confidentiality of the complaints?

55. Have policymakers ensured that there are laws, policies and guidelines in place relating to the use of force, violence and sexual misconduct by staff?

Yes

No

Other – please explain

56. If yes, do such laws, policies and/or guidelines include the requirement to conduct an independent investigation of allegations of ill-treatment and torture?
- Yes
- No
57. If yes, is there a requirement that such investigations must respect the women's right to confidentiality (i.e. in cases of sexual abuse where the victim does not wish the event to be known due to socio-cultural pressures or personal reasons, the physician who carries out the medical examination, investigative agencies and the courts have an obligation to cooperate in maintaining the victim's privacy.)¹
- Yes
- No
58. If a woman who has been abused wishes to take legal action, does the State ensure that she has access to legal aid?
- Yes
- No
59. Do the laws, policies and guidelines include a requirement for women who report abuse to be provided with immediate protection, support and counselling?
- Yes
- No
- If yes, please provide details of the relevant provisions and explain who is responsible for providing the requisite support and counselling?
60. Do the laws, policies and guidelines include a requirement for women who have become pregnant as a result of rape to be given immediate access to qualified medical professionals, independent of the prison service?
- Yes
- No

¹ See PRI Bangkok Rules Guidance Document, p44.

Prison inspections/ monitoring

61. Which internal inspection bodies exist in the country being assessed?

62. Do all official bodies (including internal inspection bodies of the prison administration) responsible for the inspection of places of detention where women are held include women members?

Yes

No

63. In addition to the internal inspection system, is there a functioning, effective and independent monitoring mechanism in place?

Yes

No

If yes, please provide further details, including whether such bodies include women members?

Yes

No

64. If OPCAT has been ratified, has a National Preventive Mechanism (NPM) yet been set up, as required by its provisions?

Yes

OPCAT has been ratified, but an NPM has not been designated

OPCAT has not been ratified

If yes, does the NPM include women members?

Yes

No

Contact with the outside world

Rule 26

65. Have policies and strategies been developed by the ministry responsible for prisons to improve women's contact with their families and children, especially when they are disadvantaged in such contact due to long distances from home?

Yes

No

If yes, please provide relevant details.

Rule 27

66. Do all prisoners have the right to conjugal visits?

Yes

No

Male prisoners have the right, but not female prisoners

Prisoner rehabilitation

Rules 40 – 47

67. Is there a dialogue in place between ministries responsible for prisons, education, labour, social welfare and health-care to work together to improve the social reintegration of women prisoners?

Yes

No

If yes, please provide details.

68. Have the ministries responsible for justice/prisons, social welfare and health-care established a budget and made funds available for the successful social reintegration of women's prisoners?

Yes

No

If yes please provide further details.

69. Have the ministries responsible for justice/prisons, social welfare and health-care, developed a joint strategy and framework of action to ensure the successful social reintegration of women released from prison?

Yes

No

If yes, please list the key components of the strategy and plan of action.

Pregnant women, breastfeeding mothers and women with children in prison

Rule 48

70. Have the ministry of health and the ministry responsible for prisons developed a policy and plan of action to ensure that pregnant women, breastfeeding mothers and women with children in prison are provided with pre- and post-natal health-care services equivalent to that available in the community?

Yes

No

Other – please explain.

71. If yes, do they include requirements for the accommodation, access to sanitary facilities, nutrition, exercise and fresh air of pregnant women, breastfeeding mothers and women with children to comply with their and their children's particular needs?

Yes

No

72. Has a budget been allocated to ensure that the requisite measures can be put into practice?

- Yes
- No
- Partly

Rules 49 and 52

73. How are decisions taken to allow children to stay with their mothers in prison and to remove the children from prison?

74. If such decisions are not taken on an individual basis, based on case-by-case assessments, have policymakers, including the ministry responsible for child welfare and the ministry responsible for justice and prisons developed a dialogue / consultation process to review how decisions are made to allow children to stay with their mothers in prison and to remove children from prison and to ensure that such decisions are taken following individual assessments, taking into account the best interests of the children concerned?

- Yes
- No

75. If yes, have legislative amendments been made accordingly?

- Yes
- No

76. Do legislation and policies ensure that children accompanying their mothers in prison are never treated as prisoners?

- Yes
- No

If yes, please provide details of such legislation and policies.

Rule 51

77. Have the ministry of health and the ministry responsible for prisons developed a policy and plan of action with a budget to ensure that children living with their mothers in prison are provided with ongoing health-care services and their development is monitored by specialists, in collaboration with community health services?

Yes

No

78. Has the ministry responsible for prisons developed a policy and plan of action with a budget to ensure that the environment provided for children living with their mothers in prison is as close as possible to that of a child outside prison?

Yes

No

If yes, please list the key components of the policy and plan of action.

SPECIAL CATEGORIES

Prisoners under arrest or awaiting trial

Rule 56

79. Are policies and strategies in place to ensure that women who are under arrest or awaiting trial are protected from ill-treatment and torture, including sexual abuse and rape?

Yes

No

If yes, do such policies and strategies include the following components:

- Separation of women from men
- Supervision of women prisoners by women staff
- Legislative measures, including a requirement to undertake an independent investigation of all allegations or ill-treatment and torture and to hold to account the perpetrators of such acts
- Medical examinations by independent medical practitioners on admission to custody and on release or transfer to prison
- Training of law enforcement officials and prison staff
- External scrutiny/ monitoring of places of detention
- A functioning, independent complaints mechanism

Juvenile female prisoners

Rules 36 – 39

80. Have policymakers developed any policies, strategies and plans to ensure that the gender- and age- specific needs of juvenile female prisoners, including access to education, vocational training and health-care, are met?

Yes

No

81. Have sufficient funds been allocated to enable such policies, strategies and plans to be implemented?

Yes

No

Foreign nationals

Rule 53

82. Are there bilateral or multinational agreements for transferring foreign national prisoners to their home country in place? Are such transfers based on an application by the prisoner or on the informed consent of the prisoner?

Yes

Yes, but they do not require informed consent.

No

83. If yes, has the ministry responsible for prisons ensured that non-resident foreign-national women prisoners' transfer to their home country, especially if they have children in their home country, is considered as early as possible during their imprisonment, based on their informed consent or application?

Yes

Yes, but not based on informed consent

No

84. Do bilateral or multinational agreements of transfer provide for the relocation of children of imprisoned mothers to their home countries, taking into account the best interests of the child/children and in consultation with the mother, the child/children, relatives in the home country and/or others who will be responsible for the care of the child/children?

Yes

No

Minorities and indigenous peoples

Rules 54 – 55

85. If the country has a significant population of prisoners from minority groups and/or indigenous peoples, have policymakers, in particular the ministry responsible for prisons, developed a strategy and policy to ensure that the special needs of these groups, including the gender-specific needs of women, are provided for in prisons?

Yes

No

If yes, please list the key components of such policies and strategies.

86. If yes, were the policy and strategy developed in consultation with representatives of these groups in the community, including relevant women's organisations/ groups?

Yes

No

87. Have sufficient funds been allocated to enable such policies, strategies and plans to be implemented?

Yes

No

INSTITUTIONAL PERSONNEL AND TRAINING

Rules 29 – 35

88. Have policymakers, in particular the Ministry responsible for prisons, developed a policy and strategy to provide for the capacity building of women prison staff to enable them to address the special social reintegration requirements of women prisoners and to manage safe and rehabilitative prison facilities?

Yes

No

89. Are the personnel and training policies guided by UN standards and norms relevant to the treatment of prisoners?

Yes

No

90. Are there policies which ensure that women prison staff have equal access to training as male staff?

Yes

No

If no, are there any restrictions that apply to women's access to training?

91. Do training policies cover the requirement for all staff involved in the management of women's prisons to receive training on gender sensitivity?

Yes

No

92. Do training policies cover the requirement for all staff involved in the supervision and care of women prisoners to receive training on the gender-specific needs and human rights of women prisoners?

Yes

No

93. Do training policies cover the requirement for all staff assigned to work with women prisoners to receive training on health related topics, including:

- Basic training on the main issues relating to women's health
- First aid and basic medicine
- Awareness raising on child development and basic training on the health-care of children
- Capacity building programmes on HIV
- Training on mental health-care to enable staff to detect mental health-care needs in women prisoners
- Training to identify prisoners who are at risk of self-harm and suicide

Combating discrimination and sexual harassment against women staff

94. Is there a policy level commitment to non-discrimination of women staff and a policy in place to prevent and address gender-based discrimination against women staff?

- Yes
- No

If yes, please provide further details about the key components of such policies.

95. Do policies and strategies relating to the recruitment and promotion of staff ensure that women staff have access to senior positions, on an equal basis with men, and are women encouraged particularly to take up senior positions that have responsibility for the development of policies and strategies relating to the treatment and care of women prisoners?

- Yes
- Yes, they have equal access to senior positions, but they are not encouraged in any way to take up particular positions.
- No

If no, what restrictions apply?

USE OF FORCE BY STAFF

96. Are there clear policies and regulations in place on the conduct of prison staff, aiming to reduce to a minimum the use of force by staff, as set out in the Standard Minimum Rules for Prisoners, Rule 54 (1)?

Yes

No

97. Do such policies and regulations clearly prohibit the use of any gender-based physical or verbal violence, sexual abuse or harassment, as required by the Bangkok Rules, Rule 31?

Yes

No

RESEARCH, PLANNING, EVALUATION AND PUBLIC AWARENESS RAISING

Rules 67 to 69

98. Have policymakers taken measures and allocated resources to ensure that research and data collection is integrated into their work relating to women and the children of women in the criminal justice system?

Yes

No

If yes, please provide details.

99. Have resources been allocated by policy and decision makers to conduct research on the most common factors that lead women to commit offences and the impact of imprisonment and non-custodial sanctions on women?

Yes

No

If yes, please provide details.

100. Have resources been allocated by policy and decision makers to conduct research on the number of children affected by their mothers' confrontation with the criminal justice system and the impact of their mothers' imprisonment on children?

Yes

No

If yes, please provide details.

101. Have resources been allocated to undertake research and data collection on the special health-care needs of women prisoners to inform planning and policy formulation?

Yes

No

If yes, please provide details.

102. Have resources also been allocated to research on special categories of women prisoners (such as foreign nationals, minorities, indigenous peoples and girls) including their backgrounds, the impact of imprisonment and non-custodial sanctions and measures, their special needs and to what extent their needs are being addressed?

Yes

No

If yes, please provide details.

103. Have policymakers and criminal justice institutions ensured that regular internal and independent evaluations of policies and programmes for women in the criminal justice system are carried out to assess outcomes, modify/change them where necessary and replicate and disseminate good practice examples?

Yes

No

If yes, please describe any good practice examples identified.

Rule 70

104. Have policymakers put in place practical measures to ensure that the outcomes of the data collection and research are made available to the public?

Yes

No

If yes, how is this done?

105. Do policymakers and criminal justice institutions cooperate closely with relevant NGOs in disseminating information about women in the criminal justice system, and their children?

Yes

No

106. Do policymakers and criminal justice institutions cooperate with relevant NGOs in awareness raising and training activities relating to women offenders and women prisoners?

Yes

No

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United Nations Rules on the Treatment
of Women Prisoners and Non-custodial
Measures for Women Offenders
(The Bangkok Rules)



2 Legislators

CHAPTER 2: LEGISLATORS

The term 'legislators' covers individuals and bodies responsible for writing and passing laws. In democratic societies legislators are politicians who have been elected by the citizens of a country. They include parliamentarians, members of a legislative assembly or a national assembly.

NON-CUSTODIAL MEASURES

Alternatives to detention and imprisonment

Rules 57, 58 and 60

1. Is there legislation in place which aims to reduce the detention and imprisonment of women, as far as possible, in line with the provisions of the Tokyo Rules and the Bangkok Rules?

Yes

No

If yes, please provide details.

2. Has work also been undertaken on the criminal code and criminal procedure code, as well as other relevant laws to ensure that judicial authorities have sufficient alternative options to pre-trial detention and imprisonment, which address gender-specific needs?

Yes

No

Please provide details.

Drug related offences**Rule 62**

3. Does legislation provide for alternatives to imprisonment for women who commit certain drug related offences, as well as providing for drug treatment services in the community for those who are drug dependent themselves.

Yes

No

If yes, please provide details.

4. Does legislation ensure that women, who contact drug treatment centres in the community to undergo treatment for their drug dependence are treated as patients, rather than offenders, even where drug possession and use is an offence in criminal legislation?

Yes

No

If yes, please provide details of the application of such laws – do any restrictions or conditions apply?

Pregnant women and women with dependent children**Rule 64**

5. Does legislation allow for courts to consider non-custodial measures and sanctions in the case of women offenders, who are pregnant or who have dependent children?

Yes

No

Please provide details of such laws.

6. If sentencing guidelines are used, do such guidelines discourage the use of imprisonment in the case of pregnant women and women with dependent children?

Yes

No

If yes, please provide details of the provisions of the sentencing guidelines.

If sentencing guidelines are not used, have other measures, such as the establishment of specific criteria in law, been taken to ensure that courts give preference to non-custodial measures and sanctions instead of imprisonment, when sentencing women who are pregnant or who have dependent children?

Yes

No

Please explain.

Sentencing: taking into account mitigating factors

Rule 61

7. Does legislation allow any discretion to courts when sentencing women offenders, so that they can take into account mitigating factors, relating to the crime history of the offender, her social circumstances, including any history of victimisation, her caretaking responsibilities, the reasons for committing the offence and the severity of the offence, among other factors deemed to be relevant to the commitment of the offence, so that leniency may be applied?

Yes

No

Please provide relevant details.

8. Are there sentencing guidelines or other forms of guidance in place which encourage judges to use their discretion when sentencing women, taking into account their background, circumstances and vulnerabilities, as well as their caretaking responsibilities?

Yes

No

Please provide relevant details.

9. Are probation services or social services required to compile social inquiry reports in the case of some or all women offenders prior to sentencing?

Yes

No

Please provide details – in which cases are social inquiry reports mandatory, if at all, and who is responsible for compiling them?

Women who need protection

Rule 59

10. Have legislation, policies, programmes and practices relating to crime prevention and criminal justice matters been recently reviewed, with reference to the updated *Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice*, adopted by the United Nations General Assembly in March 2011, to determine if they are adequate to prevent and eliminate violence against women? ²

Yes

No

11. If yes, has legislation been recently modified in order to ensure that women are protected against violence, in line with the updated *Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice*?

Yes

No

If yes, please provide details of what revisions have been undertaken.

² Resolution A/RES/65/228, 31 March 2011, see operative para. 9, www.un.org/ga/search/view_doc.asp?symbol=A/65/PV.71

12. Where women are detained in official places of detention for their protection, due to the lack of better alternatives, do laws ensure that such women are not treated as prisoners? For example, are there legislative provisions that include those listed below.
- The women are free to leave whenever they wish, having received all information relevant to their situation, including the risks they may face if they leave.
 - The women concerned must express a desire, in writing, to receive such measures of protection
 - They are provided with all the information relating to the conditions of such places of protection, services provided and procedures for leaving them
 - Such women are held in strictly separate accommodation from the other prisoners
 - Staff responsible for their supervision and care are properly trained to respond to these women's particular needs, recognising their vulnerability and the trauma that they may have experienced
 - The women are offered psycho-social assistance and legal aid
 - Places of such detention are supervised regularly by an independent judicial authority

Children in conflict with the law/Juvenile female offenders

Rule 65

13. Does legislation provide an appropriate scope for discretion at all stages of criminal proceedings and at the different levels of juvenile justice administration (or criminal justice system), to direct juveniles away from the criminal justice process?

Yes

No

If yes, please explain relevant details.

14. Do legislation, sentencing guidelines or criteria established to guide court decisions, include any particular provisions with respect to juvenile female offenders, aiming to reduce their imprisonment to an absolute minimum, given their particular gender- and age-based vulnerability and the potentially harmful impact of imprisonment on their social reintegration?

Yes

No

Please explain.

15. Does legislation include a sufficient number of special alternatives to pre-trial detention and imprisonment suitable to respond to the special needs of children in conflict with the law, including the particular needs of girls?

Yes

No

If yes, what are they?

Victims of human trafficking/foreign nationals

Rule 66

16. Have the *United Nations Convention against Transnational Organized Crime* and the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing that Convention, been ratified and if not, are there plans to ratify them?

Yes, ratified

Signed, but not ratified

No, but work is underway to ratify them

No

17. If the *United Nations Convention against Transnational Organized Crime* and the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing that Convention been ratified, have their provisions been incorporated into national legislation?

Yes

No

18. Does legislation provide maximum possible protection for victims of human trafficking from further victimisation?

Yes

No

For example, does legislation, ensure that:

→ Trafficked persons are not detained, charged or prosecuted for the illegality of their entry into or residence in countries of transit and destination?

Yes

No

→ Trafficked persons are not prosecuted for trafficking-related offences, such as holding false passports or working without authorization, even if they agreed to hold false documents or to work without authorisation?

Yes

No

→ Whether prostitution is legal or not, persons who have been trafficked into sexual exploitation are not prosecuted, even if the person originally agreed to work in the sex industry?

Yes

No

→ Trafficked persons are effectively protected from retaliation by traffickers, both before and after testifying against them, which may include providing the victims with permanent or temporary resident permits in the country of destination (both before and after testifying), as well as other protection measures, such as protecting their identity, including by providing them with a new identity where necessary.

Yes

No

Please provide details of the above and any other relevant provisions of the laws relating to the protection of victims of trafficking.

THE ADMINISTRATION OF WOMEN'S PRISONS

Admission, registration and allocation

Rules 2-3

19. Does legislation allow for a temporary suspension of sentence to allow for a mother who has been sentenced to arrange for the care of her children/child, before being imprisoned?

Yes

No

Please provide any relevant details, such as period of suspension, whether the law is applicable to all cases involving women, among any others.

Hygiene and health-care

Medical examinations on entry: ill-treatment and torture

Rule 6(e)

20. Does legislation include torture is a distinct criminal offence, and does the definition of torture include explicitly custodial rape as a form of torture?

It includes torture as a criminal offence but does not refer explicitly to custodial rape

It includes torture as a criminal offence and does refer explicitly to custodial rape

It does not include torture as a criminal offence

21. Does the definition of rape include oral sex and vaginal or anal penetration through the use of objects or any part of the aggressor's body?

Yes

No

22. Are other forms of sexual abuse in places of detention included in legislation, as forms of ill-treatment or torture, depending on their nature and severity?

Yes

No

If yes, please explain the provisions of the law.

23. Is there a legal requirement for medical examinations of all prisoners, including women prisoners, to be offered, on an individual basis, on their admission to prison (including pre-trial detention facilities), to determine any ill-treatment or torture, including sexual abuse and rape, suffered by the woman, with full respect to principles of confidentiality? (See **Rule 8**)

Yes

No

If yes, please explain the provisions of the law.

24. Do women prisoners who allege to have been victims of ill-treatment or torture, including sexual violence, have access to an independent medical assessment of their cases?

Yes

No

If yes, please explain the provisions of the law.

25. Do women prisoners who allege to have been victims of sexual violence have access to an independent judicial assessment of their cases?

Yes

No

If yes, please explain the provisions of the law.

26. How can such a judicial assessment be initiated? Who is responsible for conducting investigations?

27. Are such prisoners provided with free legal assistance during this process?

Yes

No

Medical confidentiality**Rule 8**

28. Is there legislation, including prison regulations, in place which guarantee medical confidentiality?

Yes

No

29. Do such provisions explicitly apply to a women's right to keep her reproductive health history confidential?

Yes

No

Other – please explain

30. Does legislation explicitly prohibit the vaginal examinations of women prisoners without their consent?

Yes

No

31. Are virginity tests on arrested, detained or imprisoned women strictly prohibited in legislation?

Yes

No

No, but such a practice does not exist

Medical examinations of children admitted to prison**Rule 9**

32. Do prison regulations or any other laws, rules or guidelines ensure that admission procedures in women's prisons make provision for the medical examination of any accompanying children, requiring a child health specialist to be made available for this purpose?

Yes

No

Mental health and care**Rule 12**

33. Is there legislation in place to enable women prisoners who need specialised mental health-care needs, unavailable in prison, to be referred to community health-care services?

Yes

No

If, yes, please provide details, such as the conditions which apply and how specialised mental health-care needs are determined?

34. Is there a legal requirement for full information about treatment options, risks and expected outcomes to be given to the woman concerned and that they participate in treatment planning and decision-making?

Yes

No

HIV prevention, treatment, care and support**Rule 14**

35. Is there legislation in place to ensure that women prisoners can receive HIV/AIDS prevention, treatment and care, including to respond to their gender-specific needs, within a coherent national framework?

Yes

No

If yes, please explain what exactly the legislation provides for.

Substance abuse treatment programmes

Rule 15

36. Is there legislation in place to ensure that drug treatment services can be provided to prisoners, including in women's prisons, to be offered to prisoners on a voluntary basis?

- Yes
- Yes, but treatment is compulsory for drug dependent prisoners
- No

If yes, please explain what exactly the legislation provides for.

Safety and security

Searches

Rules 19-20

37. Is there a total prohibition in legislation and practice of all personal searches, including pat-down searches, strip searches and invasive body searches of women by male staff?

- Yes
- No

If no, which types of searches can be carried out by male staff?

38. Does legislation require that, if there is suspicion that a woman prisoner is concealing an illegal item in her body, alternative methods of screening, rather than invasive body searches, should be used to detect the item?

- Yes
- No

39. Does the law define when strip searches and invasive body searches of women prisoners can be carried out, if at all, and are the circumstances limited to very narrowly prescribed circumstances?

Yes

No

If allowed at all, what are the circumstances when (a) strip searches; (b) invasive body searches can be carried out?

40. Is there a legal requirement for strip searches and invasive body searches to always be authorized by the chief executive officer, in writing?

Yes

Yes, such searches must be authorised but not in writing

Only invasive body searches must be authorised

Only invasive body searches must be authorised, but not in writing

No

41. Is there a legal requirement for the reason for the search to be put on record?

Yes

No

42. Does the law prescribe who may carry out invasive body searches, if at all, and if they are unavoidable?

Yes

No

43. If yes, who can carry out invasive body searches?

- Medically trained female staff who is not part of the regular health-care service of the prison
- Female staff with sufficient medical knowledge and skills to safely perform the search
- A physician
- A nurse
- Security staff or other staff member (with no reference to training)
- Other: please specify

44. If the invasive body search may be undertaken by a physician, does the law require that it should not be undertaken by the physician who will also subsequently provide medical care to the prisoner?

- Yes
- No

Discipline and punishment

Rules 22, 23 and 24

45. Does legislation clearly prohibit the use of close confinement/ solitary confinement as a punishment in the case of pregnant women, women with infants and breastfeeding mothers in prison?

- Yes
- No

46. Does legislation clearly state that a prohibition of family contact, as a disciplinary sanction, is not allowed in the cases of women prisoners?

- Yes
- No

47. Does legislation include an explicit prohibition of restraints on women who are in labour, who are giving birth and who have just given birth?

- Yes
- No

Information to and complaints by prisoners and inspections**Rule 25**

48. Does legislation require that a confidential complaints system is in place for prisoners to be able to submit complaints to the central prison administration, judicial and other independent bodies without censorship?

Yes

No

49. Does legislation require for an independent investigation to be conducted by judicial or other competent authorities (eg. parliamentary body), of all complaints of abuse, ill-treatment and torture, including sexual abuse and rape, submitted by women prisoners, with full respect to the principle of confidentiality? (ie. in cases of sexual abuse where the victim does not wish the event to be known due to socio-cultural pressures or personal reasons, the physician who carries out the medical examination, investigative agencies and the courts have an obligation to cooperate in maintaining the victim's privacy).³

Yes

No

Other – please explain

If yes, please explain who is responsible for carrying out such investigations and who is responsible by law in acting on the findings of the investigations.

50. Does legislation require the establishment of an independent mechanism to monitor all places of detention?

Yes

No

51. Has OPCAT been ratified and has a National Preventive Mechanism (NPM), as required by its provisions, been established to strengthen measures to protect all prisoners, including women and girls, from any kind of ill-treatment and abuse?

Yes

No

³ See PRI Bangkok Rules Guidance Document, p45

52. Do the relevant laws and/or regulations require that all independent bodies, which carry out the monitoring of places of detention, ensure that their membership includes a sufficient number of women?

Yes

No

Contact with the outside world

Rule 26, 27 and 28

53. How many visits, letters and telephone calls are women prisoners allowed per month/ year and how does that compare with male prisoners?

54. Does the law (including prison regulations or prison rules) allow prison authorities to increase the number of visits/letters/telephone calls women prisoners are allowed, at their own discretion, to reduce the impact of the women's separation from their families/children and to counterbalance any disadvantages they face due to the long distance from their homes?

Yes

No

Other – please explain.

55. Does the law give prison authorities the authority to grant prison leave on medical, educational, occupational and family grounds; and to do this as soon as and as frequently as possible, following imprisonment, taking into account risk factors and family circumstances related to the prisoner concerned?

Yes

No

56. Does the law allow prisoners to have conjugal visits, and do women prisoners have the right to receive conjugal visits, on an equal basis with men?

Conjugal visits are not allowed at all

Male prisoners have the right, but not female prisoners

Yes, but different conditions apply to female prisoners

Yes

If different conditions apply to female prisoners, what are they?

57. Does the law (including prison regulations or prison rules) allow for physical contact during visits involving children of women prisoners?

Yes

No

Pregnant women, breastfeeding mothers and mothers with children in prison

Rules 49 and 52

58. Does legislation require that, in taking decisions whether to allow children to stay with their mothers in prison and to remove them from prison the best interests of the child should be the primary consideration and that such decisions should be based on individual assessments?

Yes

No

If no, please explain what the legislative provisions relating to permission to children to stay with their mothers in prison and removal of such children from prison consist of.

If no, is there any decision-making process which takes into account individual circumstances, within the permitted age limits and is a reasoning provided, in writing, for decisions?

If yes, check questions to assess legislative provisions:

- Children can stay in prison until an indicative age determined in legislation for an assessment to be undertaken with a view to considering the removal of the child from prison, taking into account the best interests of the child concerned
- There is no indicative age, maximum or minimum ages in law: the law requires individual assessments to be undertaken at periodic intervals (eg. yearly)
- There is no indicative age, maximum or minimum ages in law: the law requires individual assessments to be undertaken on the advice of the specialist team responsible for the care and protection of the child in prison (eg. psychologist, social worker, health-care staff)
- The assessments are undertaken by child welfare agencies in coordination with prison management and specialist staff in prisons (health-care staff, social worker and psychologist), and in consultation with the mother and the child
- Issues that are taken into account include: the conditions in prison; the quality of care children receive in prison and what quality of care they can expect to receive outside prison; the children's access to schooling depending on their age; and the remaining length of sentence of the mother
- The decision to remove a child from prison is taken only when satisfactory alternative care arrangements have been identified

SPECIAL CATEGORIES

Prisoners under arrest or awaiting trial

Rule 56

59. Does legislation require women detainees to be strictly separated from male detainees and supervised exclusively by women staff?

Yes

No

They must be separated from male prisoners, but male staff may be involved in their supervision

60. Is there a legal requirement in place for medical examinations of prisoners to be undertaken promptly after admission to pre-trial detention facilities, as required by the SMR, Rule 24, the Body of Principles, Principle 24 and the Bangkok Rules, Rule 6(e)?

Yes

No

61. Is there a legal requirement for these medical examinations to be carried out by a medical doctor independent of the prison service, answerable to the Ministry of Health?

Yes

No

62. Is there a legal provision which ensures that, if a women detainee/ prisoner requests to be examined by a female doctor, her request is fulfilled, unless access to a female doctor is impossible promptly following admission?

Yes

No

63. If a female doctor is not available for the examination does legislation ensure that the prisoner can have a female chaperone during the examination?

- Yes
 No

64. Does the law require medical examinations to be undertaken when and if prisoners are convicted and transferred to prisons, to determine whether any ill-treatment has taken place during the pre-trial detention period (**See Rule 6(e)**), and if so, for appropriate action to be taken?

- Yes
 No

65. Are legislative measures in place to ensure that a pre-trial prisoner has immediate access to legal counsel and in any case not later than forty-eight hours from the time of arrest or detention?

- Yes
 No

66. If a detained woman does not have access to legal counsel, is there a legal requirement for prison authorities to assist her in contacting a lawyer, eg. by providing information about lawyers and organisations which provide legal assistance and/or paralegal aid services and providing facilities for her to contact lawyers or organisations which can help?

- Yes
 No

67. Is legal aid provided to the detainee, if the prisoner cannot afford a lawyer?

- Yes
 No

If yes, please provide details about the process and actors involved.

68. Is legislation in place which gives pre-trial prisoners the right to inform immediately their families of their detention and are pre-trial prisoners given facilities for communicating with family and friends, and for receiving visits from them? What are the permissible restrictions that apply to such visits, if any, and who takes the decision on restrictions applied?

[See also **Rule 25** regarding complaints of abuse]

Juvenile female prisoners

69. Does legislation require the accommodation of juvenile female prisoners to be strictly separated from boys and from adult female prisoners?

- Yes
- No
- They must be separated from boys, but not from adult female prisoners.

70. Does the law require that the supervision of juvenile female prisons is undertaken exclusively by female staff?

- Yes
- No

[See also **Rules 6(e), 7 and 25**]

Foreign Nationals

Rule 53

71. Are there bilateral or multinational agreements in place for transferring foreign national prisoners to their home country in place in line with the *Model Agreement on the transfer of foreign prisoners and recommendations for the treatment of foreign prisoners*, based on the application or informed consent of the prisoner?

- Yes
- Such agreements are in place, but transfers do not require the informed consent of the prisoner
- No

72. Do bilateral or multinational agreements of transfer provide for the relocation of children of imprisoned mothers to their home countries, based on individual assessments, taking into account the best interests of the child/children and in consultation with the mother, the child/children, relatives in the home country and/or others who will be responsible for the care of the child/children, as well as consular representatives?

- Yes
- No

If yes, please explain what these provisions include, including when a relocation / transfer of the child/children is considered and how the best interests of the children are protected.

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3

Law enforcement and criminal justice actors



CHAPTER 3:

LAW ENFORCEMENT AND CRIMINAL JUSTICE ACTORS

This chapter includes questions addressed to the police, prosecution service and the judiciary. Questions to prison authorities/staff are covered in Chapter 4. The specific institutions/actors to whom the individual questions are addressed are indicated under each rule or cluster of rules.

NON-CUSTODIAL MEASURES

Alternatives to detention and imprisonment

Rules 57, 58 and 60

All criminal justice institutions

1. Is there a dialogue/consultation process in place among policymakers, legislators and criminal justice institutions aiming to develop policies and measures to reduce the imprisonment of women, as far as possible, in line with the provisions of the Tokyo Rules and the Bangkok Rules?

Yes

No

If yes, please provide relevant details.

Drug related offences**Rule 62****All criminal justice institutions**

2. Has a multi-sectorial collaboration been established among law enforcement, health, judiciary, human rights, social welfare and drug control institutions to assist in developing frameworks of action to support voluntary and community-based services for people who use drugs, including offenders with drug dependencies, as an alternative to imprisonment?

Yes

No

If yes, please provide relevant details.

3. If drug dependence treatment programmes have been established in the community, has effective coordination between the health/drug dependence treatment system and the criminal justice system been established to divert women who have committed drug related offences and who are dependent on drugs themselves, to treatment programmes in the community?

Yes

No

If yes, please provide relevant details.

Pregnant women and women with dependent children**Rule 64****Courts/judiciary:**

4. Has domestic legislation, and where applicable, sentencing guidelines, been reviewed and, where necessary, revised, to include provisions that allow for courts to consider non-custodial measures and sanctions in the case of women offenders, who are pregnant or who have dependent children, have these provisions yet been implemented?

Yes

No

Please provide details, and examples.

5. Where sentencing guidelines are not used, have any other additional guidance or criteria been developed to ensure that courts give preference to non-custodial measures and sanctions, instead of imprisonment, in the case of pregnant women and women with dependent children to the maximum extent possible?

Yes

No

Please provide details.

SENTENCING: TAKING INTO ACCOUNT MITIGATING FACTORS

Rule 61

Courts/ judiciary:

6. Has legislation and/or sentencing guidelines been reviewed and, where necessary, revised to allow courts discretion when sentencing women offenders, so that courts can take into account various mitigating factors, such as the crime history of the offender, her social circumstances, including any history of victimisation and her caretaking responsibilities?

Yes

No

If yes, is such discretion being used in practice? Please explain and provide examples, if available.

Post-sentencing dispositions

Rule 63

If courts responsible for parole decisions:

7. Do courts consider favourably the information provided on women's caretaking responsibilities and social reintegration needs, when making parole decisions? Please explain how these factors influence decisions, if at all.

Women who need protection

Rule 59

The police, prosecutors and judiciary

8. Do law enforcement and criminal justice practices provide maximum protection to victims of gender-based violence?

Yes

No

If yes, please explain how.

9. Does the training of law enforcement and criminal justice officials include training on law enforcement and criminal justice strategies and practices that aim to protect women from gender-based violence, including training on gender sensitivity and relevant human rights standards, in line with the guidance provided in the *updated Model Strategies and Practical Measures on the Elimination of Violence against Women in the Field of Crime Prevention and Criminal Justice*, adopted by the United Nations General Assembly in December 2010.⁴

Yes

No

If yes, please provide further key details about the components of the training.

10. Have law enforcement and criminal justice officials developed an effective cooperation mechanism with organisations/bodies, which manage shelters/safe houses for women who need protection?

Yes

No

If yes, please provide details of the nature of the cooperation mechanism.

⁴ Resolution A/RES/65/228, 31 March 2011

The judiciary

11. If women are detained in official places of detention for their protection, are such places of detention supervised regularly by an independent judicial authority?
- Yes
 No

Children in conflict with the law/Juvenile female offendersRule 65

12. Are the police, prosecutors and courts able to use their discretion at all stages of criminal proceedings and at the different levels of juvenile justice administration, to direct juveniles away from the criminal justice process?

The police Yes No

Prosecutors Yes No

The courts Yes No

13. Have criteria or guidelines been established in legislation that empower the police, prosecution or other agencies dealing with juvenile cases to deal with such cases at their discretion, without having to resort to formal hearings?

The police Yes No

Prosecutors Yes No

The courts Yes No

14. If yes, do such criteria or guidelines make any reference to the particular, gender-based vulnerability of juvenile female offenders in this context? Please explain.

15. Do criminal justice institutions take into account the gender-based vulnerability of juvenile female offenders and give preference to cautions, diversion and other non-custodial measures, rather than imprisonment? Please provide examples if available.

Victims of human trafficking/foreign nationals

Rule 66

16. If the *United Nations Convention against Transnational Organized Crime* and the *Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children*, supplementing that Convention have been ratified and national legislation revised accordingly:

- Yes
 No

17. Have the provisions of the Convention and Protocol been incorporated into the training of law enforcement and criminal justice officials?

- Yes
 No

18. Irrespective of whether the above instruments have been ratified and incorporated into domestic legislation, does the training of law enforcement and criminal justice officials emphasise the need to protect victims of human trafficking and to prevent their secondary victimisation, including by not imprisoning them and by protecting them from retaliation from the traffickers themselves, if the victims testify? Please explain.

THE ADMINISTRATION OF WOMEN'S PRISONS

Admission

Rule 2

19. Does legislation allow for a temporary suspension of sentence to allow for a mother who has been sentenced to arrange for the care of her children/child, before being imprisoned?

- Yes
 No

If yes, please explain how the law is implemented in practice, including statistical information on how many such temporary suspension of sentences have been passed and whether the right is applied only in certain categories of cases (eg. minor offenders).

Hygiene and health-care

Medical examinations on entry: Torture and ill-treatment

Rule 6(e)

The prosecution service and the judiciary

20. On admission, if prisoners complain of having been victims of ill-treatment or torture, including gender-based violence, do they have access to an independent judicial assessment of their cases, in law and practice?

- Yes
- No
- Other – please explain

21. Do such persons have access to free legal assistance during this process?

- Yes
- No

Safety and security

Information to and complaints by prisoners

Rule 25(1)

The judiciary

22. Are complaints submitted by prisoners to judicial bodies subject to censorship? Are there mechanisms and safeguards in place to ensure the confidentiality of the complaints? Please explain.

23. Are all allegations of torture and ill-treatment, including sexual violence in detention, investigated promptly, effectively and impartially? Please explain the procedures and institutions responsible.

24. Who carries out the investigation?

Prison inspections/monitoring

Where prison inspections are carried out by the judiciary:

Rule 25(3)

25. If the judiciary has responsibility for monitoring places of detention where women are held, do they ensure that their membership includes women?

Yes

No

RESEARCH, PLANNING, EVALUATION AND PUBLIC AWARENESS RAISING

Rules 67 – 70

26. Have criminal justice authorities taken any measures and allocated resources to ensure that research and data collection is integrated into their work relating to women and the children of women in the criminal justice system?

Yes

No

If yes, please explain what is being done.

27. Have criminal justice institutions ensured that regular internal and independent evaluations of policies and programmes are carried out to assess outcomes, modify/change them where necessary and replicate and disseminate good practice examples?

Yes

No

If yes, please explain what is being done.

28. Have links/ mechanisms for sharing information been established between those responsible for gathering data on behalf of criminal justice institutions, and those responsible for formulating policies and plans?

Yes

No

If yes, please explain how this works.

29. Do criminal justice institutions disseminate information about women in the criminal justice system, and their children, including the most common offences committed by women, the sentences they receive, their typical backgrounds, the number of children affected by their mothers' confrontation with the criminal justice system, among others relevant to raise the awareness of the public on the issue of women, criminality, imprisonment and the number of children affected?

Yes

No

If yes, please explain how this is done.

30. Do criminal justice institutions take part in awareness raising and training programmes undertaken by other bodies, including such NGOs, to raise awareness about women in the criminal justice system and their children? Please explain and provide any examples.

31. Have relevant ministries and criminal justice institutions reviewed the training curricula for their staff and revised them to incorporate the provisions of the Bangkok Rules?

The Police Yes No

The Prosecution Service Yes No

The Judiciary Yes No

Where the answer is negative, are there plans or efforts to do so?

32. Have special training programmes on the Bangkok Rules, supported by other training materials developed on the basis of the Bangkok Rules, been developed for the police, prosecutors, judges and public defenders where relevant?

The Police Yes No

The Prosecution Service Yes No

The Judiciary Yes No

Where the answer is negative, are there plans or efforts to do so?

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4 Prison authorities /staff



CHAPTER 4: PRISON AUTHORITIES/PRISON STAFF

The questions in this chapter are addressed to the managers of the prison system, starting with the Director General and his/her deputies, managerial staff in individual women's prisons or in prisons which have sections where women are held and all other staff who are involved in the supervision and care of women prisoners.

NON-CUSTODIAL MEASURES

Post-sentencing dispositions

Rule 63

1. Have gender-sensitive assessment tools been developed to reliably assess all the relevant information about a woman prisoner, including her social reintegration needs and caretaking responsibilities, in order to enable bodies responsible for making parole decisions to take appropriate decisions in each individual case?
 Yes
 No
 In progress
2. Are bodies responsible for making parole decisions provided with information relevant to the social reintegration needs of women prisoners, in particular with information about any children they may have inside or outside prison and their best interests, whether or not assessment tools have been developed?
 Yes
 No
3. Is there a legal requirement or guidelines/rules for bodies responsible for making parole decisions to consider favourably the information provided with regard to the woman's caretaking responsibilities and social reintegration needs?
 Yes
 No

4. Do prison authorities coordinate with staff of the parole system, social services or other bodies responsible for the supervision of prisoners released on early conditional release to ensure that released women receive assistance and support during the period of transition?

Yes

No

If yes, please explain how this coordination is undertaken.

5. Do prison authorities, if necessary, work with health-care services for any continuum of care the women released on early conditional release may require, for example for treatment for substance dependence or mental illnesses?

Yes

No

If yes, please explain how the cooperation mechanism works.

Women who need protection

Rule 59

6. Are women ever detained in official places of detention for their own protection?

Yes

No

7. Where, in exceptional circumstances, women are detained in official places of detention for their protection, due to the lack of better alternatives, do prison authorities take all measures to ensure that such women are not treated as prisoners. For example, are the below listed measures applied?
- The women are free to leave whenever they wish, having received all information relevant to their situation, including the risks they may face if they leave
 - The women concerned must express a desire, in writing, to receive such measures of protection
 - They are provided with all the information relating to the conditions of such places of protection, services provided and procedures for leaving them
 - Such women are held in strictly separate accommodation from the other prisoners
 - Staff responsible for their supervision and care are properly trained to respond to these women's particular needs, recognising their vulnerability and the trauma that they may have experienced
 - Women are offered psycho-social assistance and legal aid
 - Places of such detention are supervised regularly by an independent judicial authority

THE ADMINISTRATION OF WOMEN'S PRISONS

Non-discrimination of women prisoners

Rule 1

8. Have prison authorities developed gender-sensitive prison management policies in order to ensure that the gender-specific needs of women prisoners are taken into account in the entire management ethos and the treatment of prisoners?

Yes

No

If yes, please explain the key components of such policies.

9. Do gender-sensitive prison management policies and practices take into account the specific needs and vulnerabilities of different groups of women prisoners, based on their ethnicity, race, nationality, sexual orientation, age or other minority status?

Yes

No

If yes, please explain.

10. Have all key stakeholders that should be involved in the treatment and rehabilitation of women prisoners participated in the development of such policies, within a comprehensive consultation process?

Yes

No

If yes, who in particular has been involved?

Admission, registration and allocation

Admission

Rule 2

11. Are there policies, laws, regulations and or rules in place which ensure that detained or imprisoned women with caretaking responsibilities are given the opportunity to arrange for the care of their children before being admitted to prison, so that the child/children receive the protection and care which is necessary for their well-being?

Yes

No

If yes, please provide further details.

12. Have special reception areas for women being admitted to prison been set up, where they are provided facilities to inform their family of their detention and place of detention?

Yes

No

13. Have prison staff received special training to deal professionally and sensitively with newly admitted women and where applicable, their children?

Yes

No

Other – please explain.

14. Do prison staff provide newly admitted women prisoners written information relating to their rights and obligations, the procedures that they must follow to enjoy their rights and fulfil their obligations and where to seek additional information, in a language which they understand? Is such information explained to them orally as well, in the case of illiterate and literate women, to ensure that they have understood the rules and give them a chance to ask questions?
- Yes
- No
- Other – please explain.
15. Do prison staff also provide information on how to access legal counsel, and legal aid if necessary, and offer assistance with contacting lawyers or other legal aid providers, if the woman requires such assistance?
- Yes
- No
- Other – please explain.

Registration

Rule 3

16. Do procedures which relate to the registration of prisoners include the registration of any children accompanying their mothers in prison, with at least their names and their ages?
- Yes
- No
17. Is information also recorded on any children the woman prisoner has outside prison, including their address and custody or guardianship status?
- Yes
- No
18. Is an explanation given to the women about the purposes for which this information is being collected and do the rules and practices ensure that women are never forced to provide information about their children outside prison?
- Yes
- No

19. Is the information about children of imprisoned mothers kept confidential, which means that they are not shared with any other person or institution, without the consent of the mother?

Yes

No

If no, with whom is the information shared?

20. What, if any, measures are in place to ensure that the information is never used in a way which may not be in the best interests of the children?

Allocation

Rule 4

21. How many women's prisons exist in the country and what proportion of women is imprisoned far away from their homes (eg. further than an hour's journey by transport)?

22. Do prison authorities pay special attention to the need to allocate women as close as possible to their homes? What measures have been taken or considered to ensure that women are allocated close to their homes?

Hygiene and health-care

[See Chapter 5, Prison Health-care Services, for questions requiring more detailed information on health-care related issues]

Hygiene

Rule 5

23. Do women prisoners have regular access to hot water for the personal care of themselves and their accompanying children? Please explain. (eg. constant access, a certain number of times per week, etc)

24. Is special attention paid in particular to the hygiene needs of women involved in cooking, those who are pregnant, breast-feeding, menstruating and those going through menopause?

Yes

No

If yes, please explain what rules or measures are in place in this respect.

25. Do women have easy access to hygiene articles, including soap, toothbrushes, toothpaste, towels and sanitary towels or pads, free-of-charge?

Yes

No

26. Please explain how such articles, and which articles, are provided to women and how often.

Health-care services

Rule 6

27. Are women offered a full medical screening on admission to prison by qualified health-care professionals, including a medical doctor and a psychologist?

Yes

No

28. If arranging for a doctor to examine each prisoner immediately on admission poses challenges, when is the medical examination undertaken?

29. Is the medical examination undertaken in a manner that ensures confidentiality, which means that it is undertaken on an individual basis, away from other prisoners and not in the presence of non-medical staff? **(See Rule 8)**

Yes

No

30. If a woman prisoner requests to be examined by a female doctor, is this request granted? **(See Rule 10)**

Yes

No

If yes, what arrangements are made to invite a female doctor to the prison to undertake the medical examination, if a female doctor is not available in the prison?

31. Do all medical examinations on admission include an examination for signs for any abuse, torture or ill-treatment?

Yes

No

32. If a woman complains of having been tortured or ill-treated, including by having been subjected to sexual violence, is she examined as a priority, immediately on admission to prison?

Yes

No

33. Do women who complain of ill-treatment and torture, including rape or other forms of sexual violence, have the right to be examined by an independent health professional?

Yes

No

If yes, how is this right implemented in practice?

34. Have guidelines/written procedures been developed on the measures that must be taken by prison staff when a woman complains of having been ill-treated or tortured when she is admitted to prison?

Yes

No

If yes, please explain what the guidelines/written procedures say.

35. Have prison staff and prison health-care staff received specific training on responding to women who complain of ill-treatment and torture, in a sensitive and professional manner?

Yes

No

Rule 7

36. Are women who have been victims of ill-treatment and torture, including sexual abuse and rape, provided with a full and clear explanation as to their legal rights to make an official complaint about their treatment to independent judicial authorities?

Yes

No

37. If the woman does not speak the language most commonly used in the prison, is the explanation provided with the assistance of a qualified interpreter?

Yes

No

38. Are the women assisted in accessing legal counsel before they take a decision whether to make a formal/legal complaint or not?

Yes

No

39. If the woman decides to take legal action, is she assisted to access a lawyer, provided to her free-of-charge, if she cannot afford to pay for a lawyer?

Yes

No

If yes, please explain who provides the lawyer.

40. Are there rules and procedures in place to ensure that all women who have been sexually abused are provided with appropriate and professional psychological support, for as long as it is necessary?

Yes

No

If yes, please explain how such support is organised and who provides it?

41. Are there rules and procedures in place to ensure that appropriate medical tests are undertaken and treatment prescribed for any sexual and reproductive health complications resulting from the incident, in all such cases?

Yes

No

42. Have measures been put in place to protect women who have complained of ill-treatment and torture from retaliation by prison staff?

Yes

No

If yes, what do such measures consist of?

Rule 8

43. Do prison rules and regulations relating to health-care in prisons include the principle of medical confidentiality and measures to ensure medical confidentiality?

Yes

No

44. Are there rules and procedures in place to ensure that no staff, with the exception of the health-care staff, have access to a prisoner's medical records or medical information?

Yes

No

If yes, how are medical files protected?

45. Are there rules and procedures in place to ensure that women prisoners are not obliged to provide information about their reproductive health history and that no vaginal examinations are undertaken without the consent of the woman prisoner?

Yes

No

46. In countries where virginity tests are used, are virginity tests on arrested, detained or imprisoned women explicitly prohibited?

Yes

No

If no, in what circumstances are virginity tests carried out and for what purpose?

Rule 9

47. Do admission procedures in women's prisons make provision for the medical examination of any accompanying children and is a child health specialist made available for this purpose?

Yes

No

Medical examinations of accompanying children are undertaken, but not by a child health specialist.

If yes, what are the procedures?

Rule 10

48. Which ministry is responsible for health-care services in prisons, and if the prison health-care services are not within the Ministry of Health, to what extent does the prison health-care service collaborate with the civil health services?

49. Have the ministry responsible for prisons and the Ministry of Health collaborated to develop a strategy and policy to provide for the gender-specific health-care needs of women prisoners, to ensure that they receive the same services available for women in the community?

Yes

No

50. Are there rules and procedures in place to ensure that, wherever possible, women receive medical treatment from women nurses and doctors?

Yes

No

51. If a female prisoner requests that she be examined or treated by a female physician or nurse, is a female physician or nurse invited to the prison establishment, to the extent they are available, except for situations requiring urgent medical intervention?

Yes

No

Please provide further details about the availability of female health-care staff in women's prisons and arrangements, if any, for ensuring that requests by women prisoners to be examined by a female doctor or nurse are met.

Rule 11

52. Is the principle of medical confidentiality upheld during medical examinations, which means that staff other than health-care staff or other prisoners are not present during such examinations?

Yes

No

53. Do all consultations with doctors take place in private consulting rooms, and never in the presence of other prisoners or non-medical staff, unless the woman being examined has specifically asked for a female chaperone?

Yes

No

If no, please explain what the arrangements for medical consultations consist of.

54. What happens if a doctor specifically requests a member of staff to be present, due to security concerns?

55. What happens if the patient herself requests a woman staff to be present, if the doctor undertaking the examination is a man?

Mental health and care**Rules 12-13**

56. Are there policies, strategies and measures in place to promote mental health in prisons, including specifically women's prisons, covering the prison environment, regime, practices and staff attitudes, as well as to respond to the individual mental health-care needs of women prisoners?

Yes

No

57. Is gender sensitivity training provided to all staff working in women's prisons, including on times when women may feel particular distress and be in need of support?

Yes

No

58. Do prison authorities cooperate with services in the community, including non-governmental organisations and other community organisations working on mental health and women's issues?

Yes

No

If yes, please explain what such cooperation entails.

59. Can women who require specialised treatment unavailable in prison be referred to community health-care services – if necessary, with a judicial decision?

Yes

No

If yes, please explain how the procedure works in practice.

HIV prevention, treatment, care and support

Rule 14

60. Are there national policies and strategies in place to provide HIV prevention, treatment, care and support in prisons, including to respond to the unique needs of women prisoners, within a coherent national framework?

Yes

No

Substance abuse treatment programmes

Rule 15

61. Have drug treatment services, which take into account the gender-specific needs of women prisoners, been established in women's prisons?

Yes

No

62. Is treatment for drug dependence offered on a voluntary basis?

Yes

No

Suicide and self-harm prevention**Rule 16**

63. Have strategies been developed to prevent suicide and self-harm and to provide appropriate, gender-sensitive and individualised psychosocial and psychiatric support to those at risk?

Yes

No

If yes, please explain what the main components of such strategies are.

64. Has the reception area and procedures been organised in such a way as to minimise mental distress?

Yes

No

Have facilities been provided to enable prisoners to make early contact with their families and do procedures ensure that all prisoners receive and understand the information given?

Yes

No

Please explain.

65. Are all acts of self-harm or attempted suicide approached from a therapeutic standpoint or are there circumstances where acts of self-harm and attempted suicide may incur punishment?

66. Have staff been trained to detect risk of self-harm and suicide, and offer assistance, by providing support and referring such cases to specialists?

Yes

No

67. Have staff been trained to develop positive relationships with prisoners so that prisoners feel able to talk to staff when in distress?

Yes

No

Preventive health-care services**Rule 17**

68. Are women provided with written information materials on the main gender-specific health conditions, modes of transmission of sexually transmitted infections (STIs) and blood borne diseases, risk factors and measures that can be taken to protect themselves from these conditions?

Yes

No

69. Is such information provided in a language that is easy to understand and also in multiple languages, most commonly spoken in the prison?

Yes

No

70. Are information and education sessions offered on a regular basis on key issues relating to preventive health-care measures, in cooperation with community health-care services and non-governmental organisations?

Yes

No

If yes, please provide details and examples.

Rule 18

71. Do women prisoners have access to preventive health-care services, including regular screening for cervical cancer and breast cancer, by qualified health-care professionals?

Yes

No

If yes, please explain how such services are organised and what is included.

How frequently is cancer screening provided?

Which preventive health-care services are provided to women outside of prison?

72. Are preventive health-care services available in all women's prisons? If the requisite health-care services cannot be provided in prisons, are women transferred to community health-care providers/hospitals for the screenings?

73. Do women have access to contraceptive pills?

Yes

No

74. Do women have access to condoms and dental dams?

Yes

No

Safety and security

Searches

Rules 19-20

75. Are there clear policies and procedures in place with regard to the searching of women prisoners?

Yes

No

If yes, do such policies and procedures ensure that there is a total prohibition of all personal searches, including pat-down searches, strip searches and invasive body searches of women by male staff?

Yes

No

If no, please explain when male staff may be involved in the searching of women prisoners.

76. Has staff awareness about women's particular sensitivity and vulnerability during searches been raised?

Yes

No

77. Does staff training include searching procedures and methods, which comply with the requirement to protect the privacy and dignity of the person being searched?

Yes

No

If yes, please explain.

Strip searches and invasive body searches

78. Are strip searches and invasive body searches conducted on women prisoners?

Yes

No

If yes, please explain. In which circumstances? Are the circumstances prescribed by law?

79. Have alternative methods of screening been developed / or are being developed to replace invasive body searches?

Yes

No

If yes, please provide details.

80. If carried out at all, do strip searches and invasive body searches need to be authorised by the chief executive officer, in writing, and the reason for the search be put on record?

Yes

No

81. Is strict documentation maintained on the reason, authorising official, witnesses and findings of the search?

Yes

No

Strip searches

82. If strip searches are used, are staff trained/qualified to carry out strip searches in a way that respects the dignity of the person being searched?

Yes

No

83. Are such searches carried out in private and are women who are searched ever required to strip completely during the search?

Yes

No

Invasive Body Searches

84. If invasive body searches are carried out at all, are the following principles and measures applied:

- An invasive body search is never carried out if it is likely to cause injury to the prisoner
- Invasive body searches are carried out by a physician
- The physician who will subsequently provide medical care to the prisoner is not involved in carrying out the search
- An invasive body search is carried out by a medically trained female staff member who is not part of the regular health-care service of the prison or a female staff member with sufficient medical knowledge and skills to safely perform the search
- Invasive body searches are restricted to digital intrusion and the use of instruments such as anoscope, otoscope, vaginal speculum and simple forceps
- If an item is located, it is removed by means of one of the instruments referred to above

Searches of children**Rule 21**

85. Are there procedures in place for the searching of visiting children and children living with their mothers in prison, defining clearly in which circumstances children may be searched, by whom and in what way?

Yes

No

If yes, please explain the procedures.

86. In what circumstances are children staying with their mothers in prisons searched and who carries out the search?

87. Are strip searches carried out on children?

Yes

No

If yes, in which circumstances?

88. If strip searches on children are allowed at all, is there a clear written policy explaining the legal grounds and specific procedures for conducting a strip search on children – whether living with their mother in prison or visiting their mothers?

Yes

No

Only for visitors in general

89. Are there rules and measures in place to ensure that such searches are carried out only in narrowly prescribed circumstances and in a way which does not violate the human rights and dignity of the child?

Yes

No

If yes, what do such rules and measures entail?

90. Is the guardian or mother allowed to be with the child during the search?

Yes

No

91. Is there a clear prohibition of invasive body searches of children who are visiting their mothers or living with their mothers in prison?

Yes

No

If no, in what circumstances are such searches carried out and what are the procedures?

92. Has staff awareness on searching children been raised and staff trained to carry out searches, professionally and with sensitivity, ensuring that the dignity and privacy of the children are protected?

Yes

No

Discipline and punishment

Rule 22

93. Do prison regulations/rules clearly prohibit the use of close confinement/solitary confinement as a punishment in the case of pregnant women, women with infants and breastfeeding mothers in prison?

No

Yes, for pregnant women

Yes, for women with infants

Yes, for breastfeeding mothers

94. Is this prohibition included in prison staff training and is staff also trained to respond in a gender-sensitive and constructive manner to rule breaking by women prisoners?

Yes

No

Rule 23

95. Do prison regulations or rules clearly state that a prohibition of family contact, as a disciplinary sanction, is not allowed in the cases of women prisoners?

Yes

No

96. Is this prohibition included in prison staff training?

Yes

No

Instruments of restraint**Rule 24**

97. Do prison regulations or rules include an explicit prohibition of restraints on women who are in labour, who are giving birth and who have just given birth?

No

Yes, for women in labour

Yes, for women giving birth

Yes, for women who have just given birth

98. Is this prohibition included in prison staff training?

Yes

No

Information to and complaints by prisoners and inspections**Rule 25**

99. Are all women, on their admission to prison, provided with written information, in a language they understand, on their rights to complain and procedures to make complaints to the prison director, to central prison authorities, to prison inspection bodies, judicial authorities or other competent authorities?

Yes

No

100. Are the rules also explained orally to all women, and especially to those who are illiterate?

Yes

Yes, to illiterate women only

No

101. Is such information also provided in other languages corresponding to the language requirements of prisoners, who do not speak the national language?

Yes

No

102. Is censorship of complaints to the central prison administration, to judicial and other independent bodies prohibited?

Yes

No

What mechanisms are in place to safeguard the confidentiality of the complaints?

[See Standard Minimum Rules for the Treatment of Prisoners, Rule 36(3)].

103. Has the prison administration developed clear policies and procedures with regard to the correct response to complaints of abuse by all prisoners, including sexual abuse by women prisoners? Do these policies and procedures include the following:

- Immediate protection to be offered to the women who report abuse (which may include a leave of absence for the alleged perpetrator)
- Immediate access to an independent medical examination to be ensured to assess the reported abuse, as well as any additional medical complications, and to provide advice and treatment
- Psycho-social counselling to be offered to all women who report abuse by qualified independent Health-care professionals who have experience in dealing with cases of gender-based violence, for as long as necessary
- Full and clear explanation to be given to victims of sexual abuse and rape as to their legal rights to make an official complaint about their treatment to independent judicial authorities and their right for an independent investigation of their case to be undertaken by competent authorities
- Assistance to be provided to the woman in accessing a lawyer or legal aid before she takes any decision about taking legal action
- Referral of the case to the competent (independent) authority if the woman decides to take legal action
- In cases where the victim does not wish the event to be known due to socio-cultural pressures or personal reasons, all actors involved (including prison authorities and prison staff) to cooperate in maintaining the victim's privacy
- Access to independent medical advice and psycho-social counselling and/or therapy for women who become pregnant as a result of rape

104. Are all staff trained in implementing the policies and procedures?

- Yes
- No

Contact with the outside world

Rule 26

105. How many visits/letters/telephone calls are women prisoners allowed and how does this compare with male prisoners?

106. Do prison authorities have the authority to increase the number of visits/letters/telephone calls at their own discretion?

Yes

No

107. Do prison authorities have the authority to grant prison leave on medical, educational, occupational and family grounds; and can they do this as soon and as frequently as possible, following imprisonment, taking into account risk factors and family circumstances related to the prisoner concerned?

Yes

No

Please explain the legal provisions and practices. What are the criteria to be applied by prison authorities?

[See also **Rules 43 and 44**]

Access to legal counsel

108. Is information provided to women on admission to prison about their right to access legal counsel, with contact details of legal aid and paralegal aid services, as applicable?

Yes

No

109. Do prison authorities explain this information orally to those who are illiterate?

Yes

No

110. Is such information provided in the languages most commonly spoken among the prisoners in the prison, and interpreted where required?

Yes

No

111. Are facilities provided for women to meet with their legal representatives in private?

Yes

No

112. Are interpretation services provided where required?

Yes

No

113. Do prison authorities assist women to contact relevant non-governmental organisations and paralegal aid services to assist them, especially in countries and communities where legal aid may be limited or unavailable?

Yes

No

Conjugal visits**Rule 27**

114. If conjugal visits are allowed at all, do women prisoners have the right to receive conjugal visits, on an equal basis with men?

- Yes
- Conjugal visits are not allowed
- Only male prisoners have a right to conjugal visits
- Women have the right to conjugal visits, but different conditions apply

If different conditions apply to conjugal visits in the case of women, please explain what the differences are between men's rights and those of women.

115. Where conjugal visits are allowed, have the prison authorities established accommodation suitable for conjugal visits in women's prisons, where women can spend time with their spouses or partners in private?

- Yes
- No
- Not in all women's prisons

Visits involving children**Rule 28**

116. Does legislation, prison regulations and/or rules allow for physical contact during visits involving children of women prisoners?

- Yes
- No
- On special occasions only or other – please explain.

117. Are staff specially trained for visits being conducted in an atmosphere of human dignity?

- Yes
- No

118. Have visiting rooms which facilitate informal communication in a pleasant and comfortable environment been established in women's prisons?

Yes

No

119. Do both prisoners and their visitors have access to sanitary facilities during visits?

Yes

There are sanitary facilities for the visitors, but not for the prisoners.

No

120. Do children have play areas?

Yes

No

Prisoner rehabilitation

Classification and Individualisation Rules 40-41

121. Have gender-sensitive risk assessment and classification methods and tools addressing the gender-specific needs and circumstances of women prisoners been developed?

Yes

No

If yes, who participated in their development?

122. Do the tools take account of the following:

- Women prisoners' typical backgrounds
- The types of offences women usually commit
- The high level of mental health-care needs among women, often due to past victimisation
- High levels of substance dependence
- Parental and other caring responsibilities

123. Do prison authorities allocate women to prisons or sections of prisons which match their risks and needs, based on the principle of accommodating all women in the least restrictive environment and lowest security level necessary?

Yes

No

If yes, please explain the security levels applied and how they are determined. If no, please explain why.

124. In developing the sentence plans of women prisoners, do prison authorities take into account the women's backgrounds, including any violence they may have experienced, existence of any mental health-care needs or substance dependence, as well as parental and other caretaking responsibilities?

Yes

No

If yes, please provide relevant details about the process.

125. Do prison authorities house women with mental health-care needs in accommodation which is at the lowest possible security level?

Yes

No

Prison regime**Rule 42**

126. Do women prisoners have access to a balanced and comprehensive programme of activities, which respond to their gender-specific needs, including education depending on individual needs, vocational training, meaningful and remunerated work, recreation and sport activities? Are there also programmes offered that are particularly relevant to women prisoners, such as those for developing parenting skills, education on gender-specific health-care and pregnancy?

Yes

No

Some

Please provide details.

127. Is the prison regime in women's prisons flexible enough to allow for the full participation of pregnant women, breastfeeding mothers or women with children in all activities on an equal basis with others?

Yes

No

If yes, please explain how flexibility is applied.

128. Have childcare/nursing facilities been established in women's prisons, so that children accompanying their mothers can be taken care of in these facilities while their mothers participate in activities and programmes? **[See Standard Minimum Rules, Rule 23(2)]**

Yes

No

Only in some women's prisons

Visits

Rule 43 and 44

129. Do prison authorities implement some or all of the following measures to encourage and facilitate visits to women prisoners:

- Assisting with transportation, especially where visits to mothers are concerned
- Establishing special days where all families can visit together and initiating special events, which may be organised in cooperation with non-governmental organisations, with expenses covered by the prison administration
- Extending the length of visits, when families confront difficulties in visiting due to the long distances involved, lack of resources and/or transport
- Providing overnight accommodation for families traveling a long way, free-of-charge
- Developing cooperation with social services and non-governmental organisations to assist with contact between women prisoners and their families
- Developing other means of enhancing communication with families, via taped, videoed or e-mail messages

Is there anything else which is done to encourage visits to women prisoners?

130. Do prison regulations and rules include a requirement to consult with women prisoners when compiling a list of people who can visit them and is this rule strictly applied in practice?

- Yes
- No

Social relations and aftercare**Rules 45 – 47**

131. Has the prison service developed a policy and/or guidelines in relation to women prisoners' preparation for release and post-release support?

Yes

No

If yes, do such policies and/or guidelines require the following:

- The provision of clear and comprehensive information covering the support which women can receive following release and the agencies responsible
- Financial assistance for transport to enable women to travel to their place of social reintegration
- Granting home leave to women prisoners during the period prior to release, to help them readjust to life outside prison and to re-establish contacts
- Transferring women to open prisons, to halfway houses and other community-based programmes and services for former prisoners to women gradually re-establish relationships, to seek assistance with employment, housing and other practical or legal matters, in preparation for their eventual release
- Prison service cooperation with probation services, where they exist
- Prison service cooperation with relevant social welfare agencies
- Prison service cooperation with non-governmental organisations and other community groups which work on women's issues
- Prison service cooperation with housing services in the community
- Referral of individual women to the relevant social welfare and housing agencies, directly by the prison service, where necessary
- Cooperation between prison health-care services with health-care services, including mental health-care services, in the community to ensure that women who need to continue any treatment, psycho-social, psychiatric or counselling support and care following release from prison, receive the continuum of care necessary
- Provision of the contact details of legal aid services and relevant organisations to women who require legal assistance

What other components do the policy, guidelines and practices include?

Pregnant women, breastfeeding mothers and mothers with children in prison

Rule 48

132. Have the prison authorities and prison health-care services developed policies and programmes to respond to the health-care needs of pregnant women, breastfeeding mothers and children living with their mothers in prison?

Yes

No

133. If yes, have adequate financial and human resources been allocated to implement these policies and programmes?

Yes

No

134. Are pregnant women and breastfeeding mothers accommodated in cells/dormitories, with adequate hygiene and sanitary facilities, regular access to hot water, to ventilation, fresh air and heating?

Yes

No

135. Do such women have access to regular exercise?

Yes

No

136. Do prison rules and practices ever discourage mothers from breastfeeding their babies, if there is no medical reason for doing so?

Yes

No

If yes, please explain why and in which circumstances.

Rules 49 – 51

137. Does staff training, prison policies and programmes ensure that children staying with their mothers in prison are never treated as prisoners?

Yes

No

138. What, if any, effort has been made to eliminate as far as possible the differences between life in prison and outside prison for such children? Please explain.

139. Have prison nurseries been established in women's prisons?

Yes

No

140. Are such nurseries furnished and decorated in a way which promotes mental wellbeing and reduces the negative impact of institutional starkness?

Yes

No

141. Have the prison authorities developed cooperation with non-governmental organisations working on children's, women's and prisoners' issues to improve the circumstances of such children?

Yes

No

If yes, please provide details.

142. Are mothers allowed to spend the maximum possible time with their children? Please explain what the rules and practices consist of.

143. Is a health and nutritional programme developed for each child accompanying his/her mother following admission to prison and are such children examined by a child health-care specialist at regular intervals to review the children's health and nutritional programme? Please explain how the system works. **(See Bangkok Rules, Rule 9)**

The removal of a child from prison

Rule 52

144. How is the decision taken to remove a child living with her/his mother in prison? Who is responsible for decision-making; is there a strict age limit or is there a requirement for individual assessments to be undertaken before taking decisions to separate children from their mothers? Please explain.
145. Are satisfactory alternative care arrangements identified before a decision to remove a child from prison is taken?
- Yes
 No
146. Are the mother and the child involved in decision-making about the alternative care arrangements and are they provided with clear information as to how the mother and child will be able to keep in contact with each other following their separation?
- Yes, only the mother
 Yes, both the mother and child
 No
147. Once a child has been removed from prison and placed with other family members, relatives or an institution for children, do prison authorities and those responsible for the child's continued upbringing work in cooperation to ensure that the child can visit his/her mother as frequently as possible and that the mother is allowed frequent home leave to visit her child, unless exceptional security considerations exist? Please explain the procedures/ rules and practices.

SPECIAL CATEGORIES

Prisoners under arrest or awaiting trial

Rule 56

148. Are women detainees separated from men? **[See Standard Minimum Rules, Rule 8(a)]**
- Yes
 No

149. Are women detainees supervised by women staff only? **[See Standard Minimum Rules, Rule 53]**

Yes

No

150. Are medical examinations undertaken promptly after admission to pre-trial detention facilities?, [See Standard Minimum Rules, Rule 24, the Body of Principles, Principle 24 and the Bangkok Rules, Rule 6(e)]

Yes

No

151. Are such examinations carried out by a medical doctor independent of the prison service, answerable to the Ministry of Health?

Yes

No

152. If the woman requests to be examined by a female doctor is her request fulfilled, unless access to a female doctor is impossible promptly following admission?

Yes

No

What is done in such cases? Please explain.

153. Are medical examinations undertaken when and if prisoners are convicted and transferred to prisons, to determine whether any torture or ill-treatment has taken place during the pre-trial detention period and if so, for appropriate action to be taken? **[See Bangkok Rules, Rule 6(e)]**

Yes

No

154. Do prisoners under arrest have immediate access to legal counsel and in any case not later than 48 hours from the time of arrest or detention?

Yes

No

If no, please explain what the legislation requires.

155. Are they informed of this right promptly after arrest and provided with reasonable facilities for communicating with legal counsel?

Yes

No

156. If a detained woman does not have access to legal counsel, do prison authorities assist her with making such contact, and is a lawyer assigned to the detainee, if she cannot afford a lawyer?

Yes

No

157. Are pre-trial prisoners allowed to inform their families immediately of their detention?

Yes

No

Are they given facilities for communicating with family and friends, and for receiving visits from them?

Yes

No

What, if any, restrictions apply?

158. Have clear policies and guidelines been introduced, relating to the use of force, violence and sexual misconduct by staff?

Yes

No

If yes, what do these guidelines consist of?

159. Do all staff working in pre-trial detention facilities for women receive training on the prohibition of torture and ill-treatment, including sexual misconduct?

Yes

No

160. Is there a legal requirement to conduct an independent investigation of allegations of ill-treatment and torture, including rape and other forms of sexual violence?

Yes

No

[See also Bangkok Rules, **Rules 6(e), 7, 8, 9 and 25**]

Juvenile female prisoners

Rule 36-37

161. Are there specific policies and strategies for the supervision and care of juvenile female prisoners in place, with guidelines for staff working in prisons accommodating juvenile female prisoners?

Yes

No

If yes, please specify. Who participated in the development of such policies and strategies?

162. Is the accommodation of juvenile female prisoners strictly separated from boys and from adult female prisoners?

Yes

No

Separated from boys, but not from adult women

163. Are prisons where girls are held supervised by women staff?

- Yes
- No
- Only some of them

164. If men are employed in prisons where girls are held, what positions can they have?

165. Please explain the staff selection and recruitment procedures for staff to work in juvenile prisons, and in particular those of female juvenile prisons?

166. Do staff of female juvenile prisons receive special training to fulfil their tasks in a manner that is sensitive to the emotional and developmental needs of juvenile female prisoners? Please explain.

167. Do juvenile female prisoners have access to a confidential and independent complaints mechanism?

- Yes
- No

168. Is written and oral information about the complaints mechanism given to them on admission to prison, in a language that they understand, on how to make complaints? **[See also Bangkok Rules, Rule 25]**

- Yes
- No

169. Are all complaints by juvenile female prisoners in relation to abuse, sexual abuse and other forms of alleged violence taken seriously and investigated by an independent body? **[See also Bangkok Rules, Rule 25]**

- Yes
- No

If yes, who is in charge of investigating into such complaints?

170. Are those who have complained protected from retaliation by staff? **[See also Bangkok Rules, Rule 25]**

Yes

No

If yes, please explain how.

171. Do independent monitoring bodies and prison inspectors regularly visit prisons where juvenile female prisoners are held? **[See also Bangkok Rules, Rule 25]**

Yes

No

If yes, how often do they visit?

Rehabilitation programmes

172. Do juvenile female prisoners have equal access to education and vocational training programmes available to juvenile male prisoners?

Yes

No

173. Is the level and content of such educational programmes equivalent to those available outside prison?

Yes

No

174. What does the law/regulations say and what happens in practice with regard to access to education and training programmes for juvenile female prisoners?

Health-care for juvenile female prisoners**Rules 38 – 39**

175. Are prison policies in place and the relevant budget allocated to ensure that juvenile female prisoners have access to the same level of gender-specific health-care services, including counselling for sexual abuse, and preventive health-care services, as adult female prisoners?

- Yes
- No
- Partially – please explain

176. Are prison policies in place and relevant budget allocated to providing the requisite support and medical care to pregnant juvenile female prisoners, equivalent to that provided to female adult prisoners?

- Yes
- No
- Partially – please explain

177. In addition, is the health of pregnant juvenile female prisoners monitored by a medical specialist, taking into account possible health complications, due to the age of the prisoner?

- Yes
- No

Foreign nationals

Rule 53

178. Where bilateral or multinational agreements for transferring foreign national prisoners to their home country are in place, do foreign national women who are non-resident in the country of imprisonment and whose country is party to such agreements, receive comprehensive and clear information in a language they understand about the possibility of transfer to their home country?

Yes

No

If yes, does this information include how to apply for a transfer, the requirements for a transfer and the consequences of a transfer, including the consequences for any children who are with them in the country of imprisonment?

Yes

No

Please provide details.

179. At what stage after the sentence is passed is a transfer considered?

180. Are foreign national women who are considering applying for a transfer to their home country assisted in accessing legal counsel to discuss their situation, and are they provided with legal aid, if they cannot afford a lawyer themselves?

Yes

No

181. If a non-resident foreign national woman continues to serve her sentence in the country of imprisonment with an accompanying child, and when the removal of the child (or children) from prison is being considered, is consideration given to relocating the child to his/her home country?

Yes

No

If yes, what are the procedures and rules that apply?

182. Are such decisions based on individual assessments?

Yes

No

183. Who is consulted during the decision-making process?

Minorities and indigenous peoples

Rule 54

184. Do prison management strategies, policies and practices make special provisions for the needs and cultural backgrounds of women prisoners who are members of ethnic and racial minorities and indigenous peoples?

Yes

No

If yes, please provide details.

185. Do prison authorities consult with the prisoners concerned and collaborate with indigenous and minority community groups who work with women to develop programmes suitable for the needs of female minority or indigenous offenders?

Yes

No

If yes, please provide details.

Rule 55

186. Do prison authorities coordinate with social services in the community and indigenous and minority community groups who work with women, with respect to preparation for release and post-release support of women from minority groups and indigenous women?

Yes

No

If yes, please provide further details.

187. Where links between the prisoner and her family have been disrupted due to long distances from home or the stigma faced by the woman due to her imprisonment, do prison services make every effort to re-establish contact?

Yes

No

If yes, what measures are taken?

INSTITUTIONAL PERSONNEL AND TRAINING

Rules 29-35

188. Are the personnel and training policies guided by UN standards and norms relevant to the treatment of prisoners?

Yes

No

189. Does the curriculum include special training programmes for all staff assigned to supervise female prisoners, including on the human rights of women prisoners, with specific components on their special social reintegration requirements? Is the training guided by the provisions of Standard Minimum Rules for the Treatment of Prisoners (SMR) and the Bangkok Rules?

Yes, but only by the SMR

Yes, by both the SMR and the Bangkok Rules

No

If no, are there current plans or efforts to introduce special training on the treatment on women prisoners, incorporating the provisions of the Bangkok Rules?

Yes

No

190. Are there clear policies and regulations in place on the use of force by staff, which include provisions to protect women prisoners from gender-based physical or verbal violence and abuse, and are their provisions included in the training of all staff employed in women's prisons?

Yes

No

191. Do female prison staff have the same level of access to all training as their male counterparts?

Yes

No

If no, why and what restrictions apply?

192. Are there women staff in senior positions in the prison service, with responsibility to lead the development of strategies, policies and programmes for the management of women's prisons, and the rehabilitation of women prisoners?

Yes

No

Please provide details.

Combating discrimination and sexual harassment against women staff

193. Is there a clear commitment by the prison management to eliminating discrimination and sexual harassment against women in the prison service and is this commitment made clear in the prison service's vision and strategic plans, and reflected in the policies of the prison service?

Yes

No

If yes, how is this commitment expressed?

194. Do recruitment procedures, training programmes and access to them, rules for promotion and salary levels reflect the principle of non-discrimination against women staff?

Yes

No

195. Is the principle of non-discrimination included in the training of all staff?

Yes

No

196. Is there an independent and confidential complaints procedure in place for women staff to be able to bring their situation to the attention of senior staff, as well as of independent inspectors and other competent authorities authorised to monitor compliance with human rights standards and national law in prisons?

Yes

No

Awareness raising and training on basic health-care

197. Does the training of staff assigned to work in women's include basic training on the main issues relating to women's health, in addition to first aid and basic medicine?

Yes

No

Please provide details of this training.

198. Where children are allowed to stay with their mothers in prison, do prison staff assigned to work in women's prisons also receive basic training on child development and the health-care of children?

Yes

No

199. Does the training curriculum of prison staff include capacity-building programmes on HIV?

Yes

No

If yes, are issues such as gender and human rights, with a particular focus on their link to HIV, stigma and discrimination, included in the curriculum?

200. Are prison staff trained to detect mental health-care needs and risk of self-harm and suicide among women prisoners?

Yes

No

If yes, please provide details of this training, including in what form and who it is provided by.

RESEARCH, PLANNING, EVALUATION AND PUBLIC AWARENESS RAISING

Rules 67 – 69

201. Is there a regular practice of data collection on the offences committed by women, the characteristics of women offenders (eg. their education and employment levels, economic and social circumstances, nationalities etc), the number of children that they have, their ages and their circumstances following their mothers' imprisonment, with full respect to women's right to personal confidentiality?

No

Data collected on offences committed by women

Data collected on education and employment levels of women

Data collected on economic and social circumstances

Data collected on the nationality and ethnicity of women offenders

Data collected on the number of children they have, their ages and circumstances following their mothers' imprisonment

Other – please explain.

202. Are regular internal and independent evaluations of policies and programmes carried out to assess outcomes, modify/change them where necessary and replicate and disseminate good practice examples?

Yes

No

If yes, please provide more detail on who conducts such evaluations, how frequently, which agencies are involved/consulted and in what form evaluations are undertaken?

203. Have links been established between those responsible for gathering and recording data and those responsible for formulating policies and plans?

Yes

No

If yes, what are the mechanisms for a regular information exchange?

Rule 70

204. How, if at all, is statistical information communicated to the press and the public?

205. Do prison authorities cooperate closely with relevant non-governmental organisations in disseminating information about women in the criminal justice system, and their children, and in awareness raising and training programmes undertaken by such organisations?

Yes

No

Please explain.

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5

Prison health-care services



CHAPTER 5: PRISON HEALTH-CARE SERVICES

This chapter is addressed to managers of prison health-care services and all health-care staff employed by prisons, irrespective of whether the prison health-care services are subordinated to the ministry responsible for prisons or the ministry of health or whether a mixed system is used, with part responsibility by each ministry.

THE ADMINISTRATION OF WOMEN'S PRISONS

Non-discrimination of women prisoners

Rule 1

1. Have prison health-care services participated in the development of gender-sensitive prison management policies and practices, which take into account the particular needs, including gender-specific health-care needs, of women prisoners, as well as their accompanying children?
 Yes
 No

Hygiene and health-care

Rule 5

2. Do women prisoners have easy access to hygiene articles, including soap, toothbrushes, toothpaste, towels and sanitary towels or pads, free of charge?
 Yes
 No

If no, please explain what the restrictions or shortcomings are.

If yes, how are such articles, including sanitary pads/ towels given to women prisoners and how often?

Medical examinations on entry**Rule 6**

3. Are women offered a full medical screening on admission to prison?

Yes

No

4. How soon after admission is the health screening undertaken and who undertakes the screening?

5. Is the medical screening confidential?

Yes

No

If no, please explain.

If yes, how is confidentiality ensured?

6. Is an individual and comprehensive health-care plan developed for each woman based on the findings of the screening?

Yes

No

7. Is the health screening repeated at reasonable intervals while a woman is in prison?

Yes

No

If yes, how often are such screenings undertaken?

Sexually transmitted infections (STIs) and blood-borne diseases**Rule 6(a)**

8. Does screening for STIs and blood-borne diseases comprise an important component of the initial screening for all women prisoners?
- Yes
 No
9. Is voluntary HIV testing and counselling offered to all prisoners during medical examinations or physical check-ups?
- Yes
 No
 HIV testing is compulsory
10. Do health-care staff, while keeping in mind the voluntary nature of the process, recommend HIV testing and counselling to prisoners with signs, symptoms or medical conditions that could indicate HIV infection, and to female prisoners who are pregnant?
- Yes
 No
11. Do health-care providers provide women with the information they require to understand the implications of HIV testing and counselling and follow-up procedures?
- Yes
 No
12. Is information given to prisoners on the institutional consequences of a positive HIV test?
- Yes
 No

13. In particular, are they informed (a) in case the test result will not be treated confidentially, (b) whether they will be segregated if found to be HIV-positive, and (c) whether there is a likelihood that they could be denied access to certain programmes, family visits or jobs?

- Informed in case the test result will not be treated confidentially
- Informed whether they will be segregated if found to be HIV-positive
- Informed whether there is a likelihood that they could be denied access to certain programmes, family visits or jobs
- Not informed of any institutional consequences

14. Are health-care staff trained to provide testing and pre- and post-test counselling and the process of obtaining informed consent?

- Yes
- No

Mental health

Rule 6(b)

15. Does the on-entry screening include an examination of the prisoner's mental health by a qualified mental health practitioner, to determine her mental health-care needs, including the existence of any post-traumatic stress disorder?

- Yes
- No

Please provide any relevant details about the process.

16. Are women with mental health problems channelled into the least restrictive housing?

- Yes
- No

Please explain the accommodation arrangements.

17. Is an individualised health-care plan developed for women with mental health-care needs?

- Yes
- No

18. Does risk of suicide and self-harm form an essential element of the assessments on admission, undertaken by a qualified mental health practitioner?

Yes

No

Reproductive health

Rule 6(c)

19. Does the medical examination on entry record the reproductive health history of the prisoner, including recent pregnancies, childbirth, abortions and any related reproductive health complications?

Yes

No

20. Are the findings of the medical examination used to ensure that appropriate treatment and care are provided from the outset of imprisonment, based on an individualised health-care plan?

Yes

No

21. Do women have the right not to provide information about their reproductive health history, for example, recent pregnancies or abortions?
[See Bangkok Rule, Rule 8]

Yes

No

22. If abortions are illegal and if a woman has undergone an illegal abortion, is she ever forced to provide information about the person who conducted the abortion as a condition for providing medical treatment?

Yes

No

23. Do the prison health-care services incorporate the needs of this group of women prisoners and provide the physical and psychological care such women need, on an impartial and non-discriminatory basis?

Yes

No

Please explain.

Substance dependence

Rule 6(d)

24. Are women being admitted to prison offered screening for substance dependency by a qualified team of health specialists, including a psychologist, to ensure that appropriate treatment and care is provided to women with substance abuse problems?

Yes – by health specialists

Yes – by the general prison health-care staff

No

25. Is the informed consent of the women sought before any examination for substance dependency is undertaken?

Yes

No

26. Is the purpose and possible consequences of the screening, including the treatment and services available for drug dependency in the prison and the extent to which such treatment can remain confidential explained to the women, before such screening is undertaken?

Yes

No

Torture and ill-treatment, including sexual violence**Rule 6(e)**

27. Do health-care services ensure that all medical examinations on admission include an examination for signs for any abuse, torture or ill-treatment?

Yes

No

28. Does a woman who complains of ill-treatment and torture, including rape or other forms of sexual violence, have the right to be examined by an independent health professional?

Yes

No

Please provide details on how women can initiate such an examination and how it is arranged in practice.

29. Have prison health-care staff received specific training on responding to women who complain of ill-treatment and torture in a sensitive and professional manner?

Yes

No

30. Have prison health-care staff received specific training on facilitating women who have been subjected to ill-treatment and torture, including sexual violence, to talk about their experience?

Yes

No

31. If a woman complains of having been ill-treated, including by having been subjected to sexual violence, is she examined as a priority?

Yes

No

Please explain what happens in practice.

32. Are such examinations performed by an expert in documenting sexual assault?
- Yes
- No
33. Are there adequate physical and technical facilities for appropriate examination of survivors of sexual violation by a team of experienced psychiatrists, psychologists, gynaecologists and nurses, who are trained in the treatment of survivors of sexual torture?
- Yes
- No
34. Please explain who undertakes the examination, who the team consists of (if a team), and what the technical facilities are at the disposal of the team?
35. Do the health-care professionals who carry out the examination provide advice and, if appropriate, reassurance, with regard to issues such as sexually transmitted infections, HIV, pregnancy, and permanent physical damage?
- Yes
- No
36. Are women who have been exposed to a risk provided with post-exposure prophylaxis (PEP) in appropriate cases?
- Yes
- No

Rule 7

37. In cases of sexual abuse where the victim does not wish the event to be known (eg. due to socio-cultural pressures or personal reasons), does the physician who carries out the medical examination, have an obligation to cooperate in maintaining the victim's privacy?
- Yes
- No

38. Are all women who have been victims of sexual abuse and rape provided with appropriate and professional psychological support, for as long as it is necessary, for them to overcome the trauma and for the psychological scars to be healed?

Yes

No

If yes, who is such treatment provided by?

39. Are appropriate laboratory tests undertaken in all cases and treatment prescribed for any sexual and reproductive health complications resulting from the incident?

Yes

No

Medical confidentiality

Rule 8

40. Do prison rules and regulations relating to health-care in prisons include the principle of medical confidentiality and measures to ensure medical confidentiality?

Yes

No

41. Are there clear laws or guidelines on medical confidentiality, a prisoner's right to refuse providing information on her health history, including on her reproductive health history, and the prohibition of vaginal examinations without the consent of the prisoner?

Yes

No

42. Is the consent of the prisoner requested if health personnel wish to provide prison managers or judicial authorities with information that will assist in the treatment and care of the patient?

Yes

No

43. Have measures been taken to ensure that the following practices are applied:

→ If disclosure of information is sought by a third party, then the patient is made aware of it, and her consent to disclosure

→ All medical records of prisoners, including those which relate to the findings of the initial medical examination on entry are kept confidential.

If yes, how is such information stored and protected?

→ Patients are made aware that information will, of necessity be shared within the medical team and where necessary with health-care services in the community (eg. if a prisoner has to be transferred to treatment in the community)

→ Nurses, pharmacists, therapists and members of the medical team must work within the same ethical guidelines as doctors

44. Do all consultations with doctors take place in private consulting rooms, and never in the presence of other prisoners or non-medical staff, unless the woman being examined has specifically asked for a female chaperone?

Yes

No

45. Are vaginal examination ever undertaken without the consent of the woman prisoner?

Yes

No

46. Are virginity tests undertaken?

Yes

No

If yes, in which circumstances and for what purpose are virginity tests undertaken?

[See also Bangkok Rules, Rule 11]

The medical examination of children being admitted to prison**Rule 9**

47. Do admission procedures in women's prisons make provision for the medical examination of any accompanying children and is a child health specialist made available for this purpose?
- Yes
- No
- Yes, but the examination is not carried out by a child health specialist
48. Is the health screening used as a basis for developing a health-care plan for each child, with services offered equivalent to that in the community, to be reviewed at regular intervals by qualified health-care staff?
- Yes
- No
49. Are the mothers of children being admitted to prison allowed to be with their children during the medical examination, taking into account the best interests of the child?
- Yes
- No

Gender-specific health-care**Rule 10**

50. Have prison health-care services developed specific policies relating to health-care provision for women prisoners, in coordination with community health services, to ensure that they receive health-care services equivalent to that available in the community?
- Yes
- No

51. Has a mechanism for cooperation between the Ministry of Health and prison health-care services been established to effectively respond to the gender-specific health-care needs of women?

Yes

No

If yes, please explain the areas and mechanism of cooperation.

52. Are specialists in women's health-care available for ongoing consultation in prisons, with arrangements in place for regular visits by gynecologists?

Yes

No

If yes, how often do gynaecologists visit women's prisons?

53. Do women enjoy the right, in law and practice, also to the following:

→ Women can receive medical treatment from women nurses and doctors, if they so request

→ If a female physician or nurse is not available in the prison, a female doctor or nurse is invited to the prison for this purpose from community health-care services

→ If the situation is urgent and a female physician or nurse is not available, the woman prisoner may be accompanied by a member of staff, who should be a woman, during her examination

→ The female member of staff accompanying the woman prisoner must be out of hearing of the health-care specialist undertaking the examination/ treatment and the woman prisoner and the woman prisoner's dignity and privacy should be protected

Rule 11

54. Are non-medical staff or other prisoners present during the medical examinations of individual prisoners?

Yes

No

If yes, please explain who else is present and what their role is.

55. If exceptional circumstances exist – for example, if the woman prisoner is violent and staff are concerned about the doctor’s safety – what measures are taken to protect the safety of the doctor, while upholding the principle of confidentiality of the prisoner in a gender-sensitive way?
56. What happens if the woman prisoner herself requests a woman staff to be present, if the doctor undertaking the examination is a man?

Mental health and care

Rules 12 and 13

57. Is there a comprehensive programme aiming to promote mental health in prisons which includes the provision of a varied, balanced and flexible prison regime, including access to education, vocational training, recreation, family contact, physical exercise, a balanced diet and opportunities to participate in arts, among others?

Please provide details.

58. Is the initial screening on entry used to develop an individual programme of treatment for those in need, by a qualified prison health-care team, including a psychologist and where necessary a psychiatrist?

Yes

No

59. Is treatment individualised, aiming to address the reasons that provoke, distress and depression, as well as psychiatric problems, based on an integrated approach of counselling, psychosocial support and medication, if necessary?

Please explain.

60. Are prisoners provided with full information about treatment options, risks and expected outcomes and do they participate in treatment planning and decision-making?

Yes

No

61. Do prison health-care policies and programmes include training for all staff working in women's prisons to respond appropriately to women's needs, with understanding and sensitivity, and to take timely and accurate decisions on when to refer them to specialised support?

Yes

No

62. Do prison health-care services cooperate with services in the community, including non-governmental organisations and other community organisations working on mental health and women's issues, to the maximum possible extent, to provide better services and programmes for women, while increasing their links with the outside world?

Yes

No

If yes, please provide examples.

HIV prevention, treatment, care and support

Rule 14

63. Have the ministry responsible for prisons and the Ministry of Health collaborated to develop national policy and strategy to address HIV/AIDS in prisons, including to respond to the unique needs of women prisoners, within a coherent national framework?

Yes

No

64. Has collaboration between prison health-care and community health-care services been developed, in order to promote quality and sustainability in HIV prevention, treatment, care and support in prison, including for women prisoners?

Yes

No

65. Do gender-sensitive, HIV prevention, treatment, care and support services include the following components:

- Providing information on the transmission of STIs and HIV, and ways to reduce those risks, as well as on testing, and treatment for STIs
- Providing voluntary confidential HIV testing and counselling services
- Providing access to essential prevention commodities such as male and female condoms, sterile injecting equipment and safe tattooing equipment
- Diagnosing and treating STIs
- Providing drug dependence treatment, including substitution therapy for opioid dependence
- Providing appropriate diet and nutritional supplements
- Providing antiretroviral treatments, preventing and treating tuberculosis, other opportunistic infections and other blood-borne diseases such as hepatitis B and C
- Providing access to reproductive health and family planning services
- Care during pregnancy and delivery in appropriate settings and antiretroviral therapies to HIV positive pregnant women to prevent mother-to-child transmission
- Providing post-exposure prophylaxis (PEP) to women having been exposed to risk
- Care for children, including those born to HIV-infected mothers
- Prevention of transmission through medical or dental services
- Protecting staff from occupational hazards
- Palliative care and compassionate release for prisoners who are terminally ill with AIDS

66. Are women prisoners involved in developing and providing health programmes and services to respond to HIV/AIDS? Do health authorities in prison encourage and support the development of peer-based education initiatives?

Yes

No

If yes, please explain and provide examples.

67. Is effort made to involve non-governmental organisations in the development of HIV prevention, treatment, care and support programmes in prison, as well as to create links between prison programmes and community HIV prevention and treatment services?

Yes

No

If yes, please provide details and examples.

Substance abuse treatment programmes

Rule 15

68. Have drug treatment services, which take into account the gender-specific needs of women prisoners, been established in women's prisons?

Yes

No

69. Is treatment for drug dependence offered on a voluntary basis?

Yes

No

70. Is programme planning and development based on a comprehensive needs assessment, with mechanisms built in to monitor achievement of objectives and outcomes?

Yes

No

71. Does the comprehensive assessment address areas particularly relevant for women, such as relationships, pregnancy, mental health problems including suicide, history of abuse and domestic violence?

Yes

No

Partially

72. Do the components of the strategy include any or all of the following:

- Advice and information services
- Drug education, pharmacotherapies – detoxification, withdrawal and maintenance treatments
- Harm reduction programmes
- Psychosocial programmes including family based initiatives – structured group work, counselling/ psychotherapy and residential drug treatment
- Rehabilitation programmes
- Drug free wings, combined with appropriate treatment
- Physical activity and sports programmes
- Peer support and education support

73. Are pharmacological interventions for opioid dependence, particularly for pregnant, opioid-dependent women, offered?

Yes

No

If yes, please provide further details of the procedures, any restrictions that apply and whether or not they are offered in combination with other interventions, such as psychosocial support?

What, if any, treatment and support is offered to substance dependent women who are imprisoned for short periods and how is their treatment continued following release from prison? Please explain.

Suicide and self-harm prevention

Rule 16

74. Have strategies to prevent suicide and self-harm and to provide appropriate, gender-specific and individualised psychosocial and psychiatric support to those at risk, been developed within the context of mental health-care services in prisons?

Yes

No

75. Are the following part of such strategies and policies?

- The suicide risk assessment undertaken on entry to prison and regular follow up assessments
- An individualised mental health-care plan developed on the basis of the assessment
- A reception area and procedures which minimises the distress of admission to prison and which enable prisoners to make early contact with their families and receive comprehensive information about the prison regime, health-care and other services offered, rights and obligations
- Staff are trained to develop positive relationships with prisoners, to detect risk of self-harm and suicide, and offer assistance by providing support and referring such cases to specialists
- Peer support/listener programmes have been introduced, where prisoners are trained in peer support skills in order to monitor prisoners' distress, at critical times, for example, following admission to prison
- Prisoners who are at risk of self-harm or suicide are never held in solitary confinement/disciplinary segregation
- Family links and other social contacts are promoted for all prisoners, and in particular in the case of those prisoners who are at risk of self-harm and suicide

Preventive health-care services

Rule 17

76. Are all women provided with written information materials on the main gender-specific health conditions, modes of transmission of STIs and blood borne diseases, risk factors and measures that can be taken to protect themselves from these conditions?

- Yes
- No

77. Is such information provided in a language that is easy to understand and also in multiple languages, most commonly spoken in the prison?

- Yes
- No

78. Are women encouraged to ask questions, if they do not understand any of the information provided and is health-care staff available to respond to such queries on a confidential basis?

- Yes
- No

79. Are information and education sessions provided on a regular basis on key issues, in cooperation with community health-care services?

Yes

No

If yes, please provide examples.

80. Has cooperation been developed with non-governmental organisations in the community which work on the health-care of women and are such organisations encouraged to run programmes in prisons to raise the awareness of women?

Yes

No

If yes, please provide examples.

Rule 18

81. Do all women prisoners have access to preventive health-care services, equivalent to services offered to women of the same age group in the community, including regular screening for cervical cancer and breast cancer, by qualified health-care professionals?

Yes

No

82. Are preventive health-care services available in all women's prisons? In cases where the requisite health-care services cannot be provided in prisons, are women transferred to community health-care providers/ hospitals to receive the screenings?

Yes

No

Please explain.

83. If women require contraceptive pills, for whatever reason, are they able to discuss their requirements with a gynaecologist and be given access to such pills, if deemed necessary?

Yes

No

84. Do women have access to condoms, especially where conjugal visits are permitted, and to dental dams in all cases, to prevent the transmission of STIs?

Yes

No

Safety and security

Information and complaints by prisoners

Rule 25(1) and (2)

85. Is an independent medical examination carried out in all cases where a woman prisoner complains of ill-treatment or torture, including sexual abuse or rape?

Yes

No

If yes, who is responsible for carrying out such medical examinations?

[See Bangkok Rules, Rules 6(e) and 7 for further questions]

86. Where women prisoners report abuse are they offered and given access to counselling, by independent, qualified health-care professionals, such as psychologists with experience of dealing with cases of sexual violence?

Yes

No

87. Are women prisoners who have been subjected to sexual abuse, and especially those who have become pregnant as a result, given immediate access to qualified medical professionals so that they can discuss their pregnancy and options available to them?

Yes

No

If yes, is such support provided by community health services, specialising in sexual and reproductive health-care? Please explain the procedures and practices.

Prisoner rehabilitation

Rules 40 – 41

88. Have gender-sensitive risk assessment and classification methods and tools addressing the gender-specific needs and circumstances of women prisoners been developed?

Yes

No

If yes, did the prison health-care services participate in their development?

Yes

No

Rule 42(4)

89. Are women who need psycho-social support or counselling due to victimisation and sexual abuse offered counselling by qualified mental health-care professionals?

Yes

No

If yes, please provide details about the procedure and mental health-care professionals engaged for this purpose.

90. Are psycho-social support and therapy programmes offered in women's prisons in cooperation with non-governmental organisations or agencies in the community?

Yes

No

If yes, please provide examples.

Social relations and aftercare**Rules 46 and 47**

91. Have prison health-care services participated in the development of a policy and guidelines in relation to women prisoners' preparation for release and post-release support, in cooperation with health-care services in the community, probation services, where they exist, relevant social welfare agencies, non-governmental organisations and other community groups which work on women's issues?

Yes

No

If yes, please provide details, including the key health-care related components of the policy and guidelines.

92. Do prison health-care services work closely with health-care services, including mental health-care services, in the community to ensure that women who need to continue any treatment, psycho-social, psychiatric or counselling support and care following release from prison, receive the continuum of care necessary?

Please explain how such coordination works, where it exists.

93. If a woman has substance dependencies, has received treatment for such dependencies and requires continued treatment and monitoring, is she referred to relevant drug treatment services in the community?

Yes

No

Pregnant women, breastfeeding mothers and mothers with children in prison**Rule 48**

94. Have prison authorities and prison health-care services developed policies and programmes to respond to the health-care needs of pregnant women, breastfeeding mothers and children living with their mothers in prison and ensured that adequate financial and human resources are allocated to implement them?

Yes

No

Policies and programmes have been developed but financial and human resources are lacking

Please provide any relevant details.

-
95. Are pregnant women, breastfeeding mothers and other women who have recently given birth examined regularly by a qualified health-care practitioner, responsible for drawing up a programme of health and diet for each woman?
- Yes
- No
96. Are the nutritional and other health-care requirements of these women provided by the prison authorities?
- Yes
- No
97. Is written information provided to all such women about the key issues about pregnancy, giving birth and health-care following the delivery of the baby, including what they can do to improve their and their children's health and how to prepare for delivery?
- Yes
- No
98. Is such information provided in multiple languages, including those languages most frequently spoken among women prisoners, in the particular prison and is it explained orally to illiterate women?
- Yes
- No
99. Do policies and practices in prison ensure that women are never directly or indirectly discouraged from breastfeeding, unless there are medical grounds to do so? For example is the prison regime flexible enough to allow mothers to breastfeed their babies and are mothers allowed to spend maximum possible time with their babies?
- Yes
- No

Rule 51

100. Are children living with their mothers in prison examined by a child health-care specialist at the time of their admission and a health and nutritional programme drawn up for each child at this time? **[See Bangkok Rules, Rule 9]**

Yes

No

101. Are children's health and development monitored by qualified child health-care specialists, in close collaboration with community health-care services throughout their stay in prison?

Yes

No

102. Do services provided include the children's regular vaccinations and any other preventive health-care and treatment provided for children in the community?

Yes

No

If yes, please provide relevant details.

103. Are the psychological/emotional needs of such children closely monitored to assess any adverse effects of living in a closed institution and are measures taken to reduce the negative psychological impact of institutionalisation, based on individual needs? Please explain.

Rule 52

104. Are prison health-care specialists involved in children's health-care provision consulted when and if assessments are undertaken to decide whether a child can or should be removed from prison or not?

Yes

No

SPECIAL CATEGORIES

Juvenile female prisoners

Rules 38 and 39

105. Is a gender-sensitive health-care assessment of juvenile female prisoners undertaken on their admission to prison, with the participation of a specialist in child psychology, in order to determine their needs?

Yes

No

106. Have prison authorities and prison health-care services worked together with national health services and other relevant services in the community and non-governmental organisations to develop gender-specific programmes and services for juvenile female prisoners, including counselling for sexual abuse or violence, by specialists in child psychology, based on individual needs?

Yes

No

Please explain.

107. Do all juvenile female prisoners receive preventive health-care services, equivalent to those offered to girls of the same age group in the community, as well as education on women's health-care issues?

Yes

No

If yes, how are such services, education and information provided?

108. Do juvenile female prisoners have regular access to gynecologists, similar to adult female prisoners?

Yes

No

109. Do juvenile female prisoners, who are pregnant or have just given birth receive the same quality of pre- and post-natal care as adult female prisoners and women in the community?

Yes

No

110. Is special attention paid to their medical and psychological requirements, due to their age and physical and mental vulnerability, taking into account the stigma which may be associated with an early pregnancy? Please explain.

INSTITUTIONAL PERSONNEL AND TRAINING

Rules 33 and 34

111. Have staff assigned to work in women's prisons received basic training on the main issues relating to women's health, in addition to first aid and basic medicine?

Yes

No

If yes, who has delivered the training?

112. Where children are allowed to stay with their mothers in prison, have prison staff assigned to work in women's prisons also received basic training on child development and the health-care of children, in order for them to respond appropriately in times of need and emergencies?

Yes

No

If yes, who has delivered the training?

113. Does the training curriculum of prison staff include capacity-building programmes on HIV, including issues such as gender and human rights, with a particular focus on their link to HIV, stigma and discrimination?

Yes

No

If yes, who has delivered the training?

114. Have prison staff also been trained to detect mental health-care needs and risk of self-harm and suicide among women prisoners and to respond appropriately, by providing assistance and referring such cases to specialists?

Yes

No

If yes, who has delivered the training?

RESEARCH, PLANNING, EVALUATION AND PUBLIC AWARENESS RAISING

Rules 67 and 69

115. Are prison health-care services involved in gathering data on the special health-care requirements of women prisoners, including their mental health-care needs, to assist with planning and policy formulation, while fully respecting the principle of confidentiality?

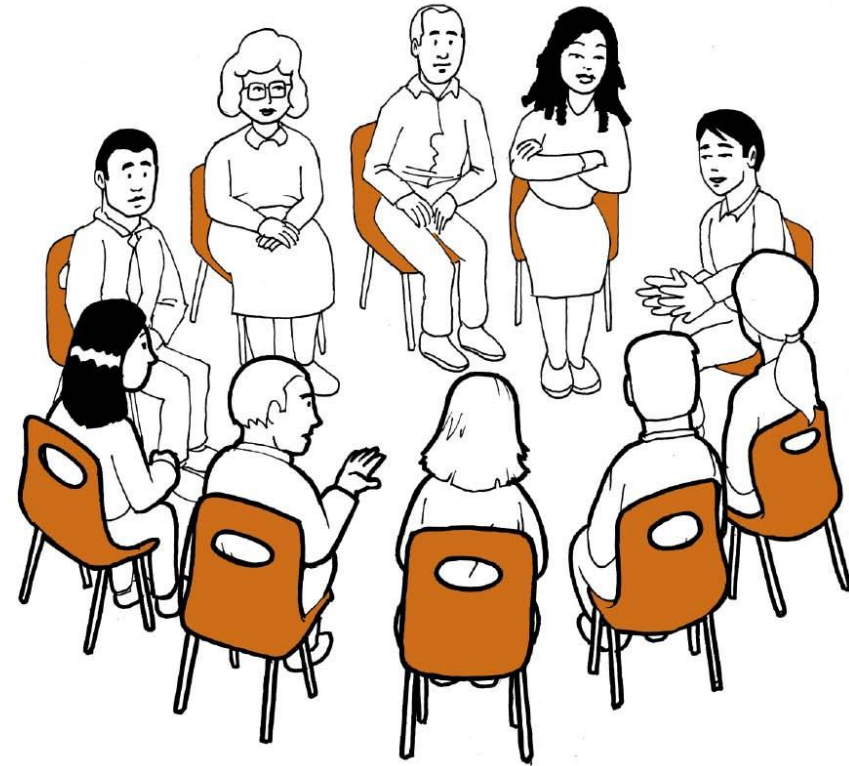
Yes

No

If yes, please provide details of the type of data collected and the methods used.

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6

Prison social workers, social welfare officers, staff responsible for rehabilitation and resettlement

CHAPTER 6: PRISON SOCIAL WORKERS, SOCIAL WELFARE OFFICERS, STAFF RESPONSIBLE FOR REHABILITATION AND RESETTLEMENT

The questions in this chapter are addressed to staff assigned to take care of responsibilities which relate to social relations, social welfare, rehabilitation and resettlement. Such staff may be referred to as social workers, social welfare officers and there may also be a separate team or member of staff responsible specifically for pre-release preparation and post-release support. This chapter is relevant to all of these members of staff.

THE ADMINISTRATION OF WOMEN'S PRISONS

Non-discrimination of women prisoners

Rule 1

1. Have prison social workers, social welfare officers and other staff responsible for rehabilitation and resettlement (also referred to as 'specialist staff' in this chapter) been involved in the development of gender-sensitive prison management policies and practices, which also take into account the specific needs and vulnerabilities of different groups of women prisoners, based on their ethnicity, race, nationality, sexual orientation, age or other "minority" status?

Yes

No

Other – please explain.

Contact with the outside world

Rule 26

2. Do specialist staff facilitate or assist with reestablishing and/or maintaining contact between women prisoners and their families?

Yes

No

[See also Bangkok Rules, Rules 43 and 44]

Prisoner rehabilitation

Rules 40 – 41

3. Have specialist staff been involved in the development of gender-sensitive risk assessment and classification methods addressing the gender-specific needs and circumstances of women prisoners?

Yes

No

Rule 42

4. Do women have access to a balanced and comprehensive programme of activities, on an equal basis with men, which also take into account their gender-specific needs?

Yes

No

5. Does the programme of activities include education programmes responding to individual needs, vocational training, meaningful and remunerated work, recreation and sport activities? Do activities also include programmes that are particularly relevant to women prisoners, such as developing parenting skills, education on gender-specific health-care and pregnancy?

- No
- Includes education programmes
- Includes meaningful and remunerated work
- Includes recreation and sport activities
- Includes programmes to develop parenting skills
- Includes education on gender-specific health-care and pregnancy

Please provide details of the programme of activities offered.

6. Have the programme of activities been developed with the contribution of specialist staff and what is the role of specialist staff in facilitating and delivering such programmes?

- Yes
- No

Please provide examples.

7. Are pregnant women, breastfeeding mothers and women with small children offered educational programmes relevant to their particular circumstances and needs?

- Yes
- No

If yes, please provide examples of programmes offered.

Social relations and aftercare**Rules 43 – 44**

8. Have specialist staff, in particular staff responsible for resettlement/social reintegration provided input to policies and practices that help increase contact between the women and their families, especially when the women concerned face disadvantages due to the long distance of the prison from their places of residence?

Yes

No

Where reintegration policies exist, do they include any of the following:

- Where possible assisting with transportation, especially where visits to mothers are concerned
- Establishing special days where all families can visit together and initiating special events, which may be organised in cooperation with non-governmental organisations, with expenses covered by the prison administration
- Extending the length of visits, when families confront difficulties in visiting due to the long distances involved, lack of resources and transport
- Providing overnight accommodation for families traveling a long way, free-of-charge
- Developing cooperation with social services and non-governmental organisations to assist with contact between women prisoners and their families
- Developing other means of enhancing communication with families, via taped, videoed or e-mail messages

9. Is there anything else which is done to encourage visits to women prisoners?

10. Are women always consulted as to whom, including which family members, may visit them, without any requirement for the women to provide a reason for refusing visits from a particular person?

Yes

No

Other – please explain

Rules 46 – 47

11. Have specialist staff been involved in the development of policy and guidelines in relation to women prisoners' preparation for release and post-release support, in cooperation with probation services, where they exist, as well as relevant social welfare agencies, relevant NGOs and other community groups, as well as housing and health-care services in the community?

Yes

No

12. Where such policies, guidelines and programmes exist, do they include any or all of the following measures:

- The provision of clear and comprehensive information covering the support which women can receive following release and the agencies responsible
- Financial assistance for transport to enable women to travel to their place of social reintegration
- Granting home leave to women prisoners during the period prior to release, to help them readjust to life outside prison and to re-establish contacts
- Transferring women to open prisons, to halfway houses and other community-based programmes and services for former prisoners to women gradually re-establish relationships, to seek assistance with employment, housing and other practical or legal matters, in preparation for their eventual release
- Prison service cooperation with probation services, where they exist
- Prison service cooperation with relevant social welfare agencies
- Prison service cooperation with non-governmental organisations and other community groups which work on women's issues
- Prison service cooperation with housing services in the community
- Referral of individual women to the relevant social welfare and housing agencies, directly by the prison service, where necessary
- Cooperation between prison health-care services with health-care services, including mental health-care services, in the community, to ensure that women who need to continue any treatment, psycho-social, psychiatric or counselling support and care following release from prison, receive the continuum of care necessary
- Provision of the contact details of legal aid services and relevant NGOs to women who require legal assistance
- Practical measures to ensure that women who have been victims of violence in their relationships or community not to have to return to the same house or community on release.

13. What other components do the policy, guidelines and practices include?

Pregnant women, breastfeeding mothers and women with children in prison

Rules 50 – 52

14. Are decisions to remove children living with their mothers in prisons taken on an individual basis?

Yes

No

Who has primary responsibility for assessing the advantages and disadvantages of removing a child from prison? Is/are the prison social worker(s) consulted?

15. Who is responsible for the actual separation and what are the procedures?

16. Are the women and children always given advance notice of the time of separation, clear and comprehensive information about the reasons why the child/children is/are being removed from prison?

Yes

No

17. Are they also given information about who will be responsible for their care, how the mother and child/children can stay in contact and how frequently they can see each other?

Yes

No

18. Once a child has been removed from prison and placed with other family members, relatives or an institution for children, do prison specialist staff have responsibility to work in cooperation with the caretakers of the child to ensure that the child can visit his/her mother as frequently as possible?

Yes

No

If yes, what measures do specialist staff take enable such contact?

SPECIAL CATEGORIES

Juvenile female prisoners

Rule 37

19. Do juvenile female prisoners have access to education and vocational training programmes available to juvenile male prisoners?

Yes

No

Only in some prisons

Only the general ones offered to all prisoners

Please describe the nature and content of these programmes.

20. How does the level of education to which girls have access compare with the education available to their age group in the community?

21. How do the education and vocational training programmes compare to the ones offered to male juvenile prisoners?

Foreign nationals

Rule 53

22. Is the decision to remove the children of foreign national women from prison based on individual assessments, taking into account the best interests of the children involved, in full consultation with the mother, consular officials, and in communication with family members, relatives or agencies which will take care of the child / children?

Yes

No

If yes, are prison specialist staff involved in the decision-making?

Minorities and indigenous peoples

Rule 54

23. Is special effort made or specific measures taken to ensure that minority and indigenous prisoners are given an opportunity to gain job skills and education, taking into account their generally disadvantaged socio-economic background?

Yes

No

If yes, what measures are taken? Please provide examples of any special programmes.

24. Are prisoners concerned consulted and collaboration with indigenous and minority community groups who work with women established to develop programmes suitable to the needs of minority group or indigenous women, and are specialist staff involved in this process?

Please explain.

Rule 55

25. Do staff responsible for resettlement cooperate with social services in the community, probation services, where they exist, organisations of civil society/community groups representing or providing support to minority groups and indigenous peoples to facilitate culture and gender-sensitive assistance to be provided to released women prisoners during the period of transition from prison to liberty?

Yes

No

If yes, please explain and provide any examples.

RESEARCH, PLANNING, EVALUATION AND PUBLIC AWARENESS RAISING

Rules 67-69

26. Do specialist staff have responsibility for gathering information and data in areas relevant to women's social reintegration?

Yes

No

Does the information gathered include the following elements?

Housing requirements

Employment requirements

Education requirements and challenges

Challenges faces in reunifying with children and other family members

Psycho-social support requirements

Others, please specify

To what extent are these needs addressed?

27. Are regular internal and independent evaluations of policies and programmes carried out to assess outcomes, modify/change them where necessary and replicate and disseminate good practice examples?

Yes

No

If yes, please provide more detail on who conducts such evaluations, how frequently, which agencies are involved/consulted and in what form evaluations are undertaken?

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7

Probation and parole services and social welfare agencies



CHAPTER 7: PROBATION AND PAROLE SERVICES, SOCIAL WELFARE AND CHILD WELFARE AGENCIES

The chapter is addressed to services that have responsibilities in relation to non-custodial measures and sanctions that require supervision, the supervision of offenders on early conditional release (or parole) and child protection and welfare agencies, who should play a key role in decisions relating to children who stay with their mothers in prisons. The chapter takes into account that probation and parole services do not exist in all countries and that in such countries social welfare services may have responsibility for some of the services that are offered by probation and parole service in other countries. The institutions/actors to whom the questions are addressed are indicated for each rule or cluster of rules.

NON-CUSTODIAL MEASURES

Alternatives to detention and imprisonment/sentencing: Taking into account mitigating circumstances

Rules 57, 58, 60, 61, 62 and 64

Probation services or social services

1. Are probation services or social services required to compile social inquiry reports in the case of some or all women offenders?

Yes

No

If yes please provide further details: for example, does this requirement apply to all cases or only some categories and is this requirement applied in practice?

2. Are judicial authorities provided with all relevant information about women offenders before they pass sentence, in order to for them to take appropriate decisions?

No

Yes, please specify information

→ On caretaking responsibilities

→ On the history of victimisation

→ On mental health-care needs

→ On substance dependencies

→ Other relevant personal details and circumstances

Drug related offences

Rule 62

Probation services or social services

3. Have social services and probation services been involved in a multi-sectorial collaboration to assist in developing frameworks of action to support voluntary and community-based services for women offenders who are drug dependent?

Yes

Such a framework for action and services does not exist

Such a framework for action and services exists, but social welfare agencies or probation services have not been involved

Post-sentencing dispositions

Rule 63

Parole boards or other bodies responsible for making early release decisions

4. Have gender-sensitive assessment tools been developed to reliably assess all the relevant information about a woman prisoner, including her social reintegration needs and caretaking responsibilities, in order to enable bodies responsible for making parole decisions to take appropriate decisions in each individual case?
 Yes
 No
 In progress

5. Do bodies responsible for making parole decisions consider favourably the information provided on a woman's caretaking responsibilities and social reintegration needs?
 Yes
 No

6. Is the prisoner herself provided with an opportunity to participate in the decision-making process?
 Yes
 No

Staff of the parole system, social services and/or other bodies responsible for the supervision of prisoners released on early conditional release

7. Do prison authorities, staff of the parole system, social services or other bodies responsible for the supervision of prisoners released on early conditional release coordinate to ensure that released women receive assistance and support during the period of transition?
 Yes
 No
If yes, what are the mechanisms of coordination and what kind of support and assistance is provided?

8. Do staff of the parole system, social services or other bodies responsible for the supervision of prisoners released on early conditional release work with health-care services for any continuum of care the women may require, for example for treatment for substance dependence or mental health?

Yes

No

Children in conflict with the law/Juvenile female offenders

Rule 65

Probation services and social services

9. Does the law require social inquiry reports to be made available to the courts about a child suspect before a sentence is passed and is this implemented in practice?

Yes

No

There is a legal requirement, but this is not always implemented in practice/is rarely implemented in practice.

10. If there is such a requirement, who is responsible for compiling social inquiry reports and what do such reports cover? Do they, for example, take into account the particular vulnerability of girls in detention, as well as their special needs? Please explain.

11. Are there appropriate services and community measures/sanctions suitable for children in conflict with the law, in particular juvenile female offenders?

Yes

No

If yes, please provide examples.

12. Have mechanisms of coordination been established between probation services, relevant social services and criminal justice actors, to ensure effective implementation of diversionary measures, if they exist?

Yes

No

THE ADMINISTRATION OF WOMEN'S PRISONS

Hygiene and health-care

Substance abuse treatment programmes

Rule 15

Probation and social services

13. Have probation and social services been involved in the development of substance abuse treatment programmes/demand reduction strategies for women prisoners, in particular in the aftercare and social reintegration components?

Yes

No

If yes, please provide further details about the role of probation and/or social services in this context.

Prisoner rehabilitation

Social relations and aftercare

Rules 46-47

Probation services and social services

14. Do probation services and/or social welfare services cooperate with prison authorities during women's preparation for release and what areas does such cooperation cover?

Yes

No

15. Has the ministry responsible for social welfare services established a budget and made funds available to support the social reintegration of former women's prisoners, by providing the requisite financial support to relevant agencies, such as those which assist with housing, and employment?

Please explain.

16. Do social welfare agencies or probation services assist released women prisoners with rebuilding relationships, where necessary and desirable?

Yes

No

If yes, please explain measures taken to assist.

17. What other support, if any do probation services and/or social welfare agencies provide women prisoners following their release from prison?

Pregnant women, breastfeeding mothers and mothers with children in prison

Rules 49 and 52

Child welfare agencies and services in the community responsible for the care of children

18. Do child welfare agencies have primary responsibility for assessing the advantages and disadvantages of allowing a child to remain with his/her mother in prison and for removing a child from prison?

Yes

No

If yes, how and when are such assessments undertaken?

19. Is there legislation, rules and guidelines in place to ensure that the decision to remove a child from prison is only undertaken when satisfactory alternative care arrangements have been identified?

Yes

No

If yes, please explain to what extent this is applied in practice.

20. Are the child and mother involved/consulted in the identification of alternative care for the child, including placement with family members, relatives or an institution?
- Yes
- No
21. Once a child has been removed from prison and placed with other family members, relatives or an institution for children, do prison authorities and those responsible for the child's continued care work in cooperation to ensure that the child can visit his/her mother as frequently as possible and that the mother is allowed frequent home leave to visit her child, unless exceptional security considerations exist?
- Yes
- No

SPECIAL CATEGORIES

Foreign nationals

Rule 53

Child protection and welfare agencies in country of imprisonment and in the home country of the prisoner

22. If a non-resident foreign national woman continues to serve her sentence in the country of imprisonment with an accompanying child, and when the removal of the child (or children) from prison is being considered, are child protection and welfare agencies in both the country of imprisonment and the home country of the woman involved in decision-making?
- Yes
- No
- If yes, what is the extent and nature of their involvement?

Minorities and indigenous peoples

Rule 54

Parole boards and other bodies responsible for parole decisions

23. Do parole decisions or decisions to lower the security level of women from minority groups or indigenous women rely on the completion of a certain number of programmes by such women, even where no appropriate programmes, responding to their specific needs were accessible to them?
- Yes
- No
24. Are such decisions based on individual assessments by qualified staff, rather than on the number of programmes completed?
- Yes
- No

Rule 55

Probation services and social services in the community

25. Are probation services and social services in the community involved in the preparation for release and post-release support of women from minority groups and indigenous women?
- Yes
- No

If yes, please explain what, if any, special measures are taken to respond to the special needs of these groups?

RESEARCH, PLANNING, EVALUATION AND PUBLIC AWARENESS RAISING

Rules 67 – 69

Parole and probation services

26. Have parole and probation services taken any measures and allocated resources to ensure that research and data collection is integrated into their work relating to women and the children of women in the criminal justice system?

Yes

No

27. Are parole and probation services subject to regular internal and independent evaluations of their policies and programmes to assess outcomes, modify/change them where necessary and replicate and disseminate good practice examples? Please explain and provide any good practice examples.

28. Have links been established between those responsible for carrying out data collection and research and those responsible for formulating policies and plans?

Yes

No

If yes please explain what measures have been taken to communicate information to policy and decision makers.

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8

Prison monitoring bodies

CHAPTER 8: PRISON INSPECTION AND MONITORING BODIES

The questions are address to internal prison inspection bodies and independent monitoring bodies, including National Preventive Mechanisms (NPMs), where they exist.

THE ADMINISTRATION OF WOMEN'S PRISONS

Rules 25(3)

1. Please provide information on:

- How often pre-trial detention facilities are visited
- How often prisons are visited
- How often women's prisons and juvenile female prisons, in particular, are visited
- Whether visits are unannounced
- To which authority the reports of visits are submitted
- The responsibilities of the authority who receives the report
- Whether or not monitoring bodies can publish their reports

2. Does your inspection body/monitoring body include women?

Yes

No

If yes, please explain the rules on women members, if any, including the proportion of women members.

3. What qualifications and backgrounds do women members of your inspection/monitoring body need to have to be eligible for membership?

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9

Female offenders and prisoners

CHAPTER 9: FEMALE OFFENDERS AND PRISONERS

The questions in this chapter aim to understand the beneficiaries' experiences in relation to the implementation of the Bangkok Rules. The chapter is therefore extremely important in assessing the actual impact of any legislation, policies and programmes on the women for whom these were developed.

In order to protect the women from any possible adverse consequences of sharing information about their experiences, it is essential that the questions are asked on a voluntary and anonymous basis and that the confidentiality of the women offenders and prisoners is guaranteed.

It should be noted that challenges are likely to be encountered in gaining access to women who are serving alternative sentences. Therefore some questions have been included for women in prison, who could have been considered for alternatives, taking into account the nature of their offences, the length of their sentences and their caring responsibilities.

In addition, a number of the questions relating to non-custodial measures and sanctions may not elicit clear responses, as the women questioned may not be in a position to know the answers. But when evaluated together with other chapters in the Index the responses of the women can shed further light on the reality in relation the implementation of alternatives to imprisonment and the appropriateness of specific non-custodial sentences to the women's needs.

The chapter does not include sensitive questions on ill-treatment and torture, including sexual abuse, and details of medical examinations to detect whether such abuse has taken place, since interviews on such topics need specific expertise and qualifications on the part of the interviewer and a totally private and appropriate interview setting, so that the interview itself does not cause any further psychological harm to the women concerned. In addition it is unlikely that the interviewers would gain access to women who allege having been subjected to such acts. The chapter also does not include any questions addressed to women who need protection and victims of human trafficking in order to protect the privacy and safety of such women to the maximum possible extent.

More questions could have been included on many of the issues covered. However, the aim of the Index is not to enable a detailed and in-depth assessment of the implementation of all the topics included in the Bangkok Rules, but to facilitate an understanding as to whether the key requirements of the Bangkok Rules are being implemented. Such an understanding will be gained by an examination of the responses of all the actors interviewed, including women offenders and prisoners.

NON-CUSTODIAL MEASURES

Alternatives to detention and imprisonment

The following questions may be addressed to pre-trial detainees, women prisoners who are serving short sentences, in particular sentences for which alternatives are available in legislation and women who are serving alternative sentences, as indicated below.

Rule 58

Pre-trial detainees:

1. Do you know whether the judicial authority who decided on your pre-trial detention considered alternative options, such as diversion from the criminal justice system, release on bail, supervision, restrictions on movement, house arrest or any other measure, which does not require deprivation of liberty?

- Yes it did
- No it did not
- I do not know

If yes, did the judicial authority explain why it decided on the pre-trial detention option?

- Yes
- No

2. Do you have children or any other caring responsibilities?

- Yes, I have children
- I don't have children, but have other caring responsibilities (eg. elderly parent/relative, disabled parent/relative)
- No, I do not

3. Do you know whether the judicial authority took into account your special circumstances as a woman, such as your caring responsibilities, family circumstances and the needs of your children, if any, before deciding on pre-trial detention?

- Yes it did
 No it did not
 I do not know

If yes, who did the court receive this information from?

Women serving short prison sentences or prison sentences for which non-custodial alternatives are available in legislation:

4. Were the judicial authorities provided with information about your background and circumstances, including, where applicable, your caring responsibilities, history of victimisation, mental health-care needs or any substance dependencies, before it passed sentence?

- Yes
 No

If yes, who provided the judicial authorities this information?

5. Do you know whether the court which sentenced you to prison considered alternative sanctions, instead of imprisonment, before deciding on a sentence of imprisonment?

- Yes it did
 No it did not
 I do not know

If yes, in what way did the court justify or explain its decision to pass a prison sentence, if at all?

Rule 60Women serving a non-custodial sanction such as community service, treatment or training programme

6. What is the sentence which you are serving?

- Community service
- Treatment/counselling for mental health problems
- Treatment for substance dependence
- Educational programme
- Vocational training programme
- Other

If 'other', please specify.

7. If you have any children, who takes care of them while you are fulfilling your obligations as per your sentence?

- Spouse/partner
- Mother/parents
- Mother/parents-in-law
- Relatives
- Friends
- Care is provided by the State
- Nobody

8. Did the authorities or the managers of the programme you are attending offer care for your children, free-of-charge?

- Yes
- They offered care, but not free-of-charge
- No

Rule 62Women undergoing treatment for drug dependence as an alternative to imprisonment

9. Have you agreed to receive treatment for your drug dependence on a voluntary basis?

Yes

No

10. Do you feel that the treatment offered responds to your needs?

Yes

No

Please provide information as to what services are provided as part of the treatment.

11. Is the programme you are attending a mixed gender programme or for women only?

Mixed gender

Women only

If it is for women only, do you feel that this is helpful or not and why?

12. If you have any children, has care been offered for them, free-of-charge?

Yes

Care was offered, but not free-of-charge

No

13. Is your confidentiality guaranteed?

Yes

No

Rule 64Pregnant women prisoners and women with dependent children in prison

14. Were you pregnant or did you have dependent children when you received your sentence of imprisonment?

Yes

No

15. What is the category of crime of which you were convicted? (The women should be reminded that they should only respond if they do not mind sharing this information)

→ Violent offence

→ Drug trafficking

→ Drug possession or use

→ Minor property offence (theft, fraud)

→ Serious property offence (robbery, major fraud)

→ Other

16. What is the length of the sentence you received?

→ One year or less

→ Two years or less

→ Three years or less

→ Five years or less

→ Between five and ten years

→ Over ten years

17. Was the court provided with information about your pregnancy status and/or the fact that you had dependent children?

Yes

No

If yes, who provided this information to the court?

18. Was other information provided to the court relating to your background and reasons why you committed the offence?

Yes

No

If yes, who provided this information to the court?

19. Do you know whether the fact that you were pregnant or that you had dependent children had any influence on the sentence you received?

Yes, it resulted in a shorter prison sentence

No

I do not know

Children in conflict with the law/juvenile female offenders

Girls who have received a non-custodial sentence

20. Do you know whether a social inquiry report (a report about your background and circumstances) was prepared for the court before it passed the sentence?

Yes it was

No it was not

I do not know

21. Did the police, prosecutor, judge and any probation officer involved listen to you and respond in a sensitive manner?

Yes

Yes some of them did, but not all

No

If only some did or no, please explain who you refer to and in what way you were not treated sensitively.

22. What sentence did you receive?

Girls who are pre-trial detainees or sentenced prisoners

23. Do you know whether a social inquiry report (a report about your background and circumstances) was prepared for the court before it remanded you in custody/sentenced to prison?

Yes it was

No it was not

I do not know

If yes, who prepared it?

Sentenced girls

24. Was the offence you committed one of the following: (The girls should be reminded that they do not have to provide this information and that the questionnaire is anonymous.)

→ Violent offence (eg. murder, violent assault)

→ A drug related offence

→ A property offence (eg. theft)

→ Other offence

If another offence, please explain.

25. What is the prison term you have to serve?

→ One year and below

→ Between 1 and 2 years

→ Between 2 and 3 years

→ Between 3 and 5 years

→ Over 5 years

THE ADMINISTRATION OF WOMEN'S PRISONS

Admission, registration and allocation

Admission

Rule 2

26. On admission to prison were you provided with facilities to contact your family to inform them of your place of detention?
- Yes
- No
27. On admission were you given information on how to access legal counsel, and legal aid, if necessary?
- Yes – legal counsel
- Yes – legal aid
- No
28. On admission were you provided written information relating to your rights and obligations, procedures that you must follow to enjoy your rights and fulfil your obligations and where to seek additional information, in a language which you understand?
- Yes
- Some information was provided, but it was not detailed
- No
29. Was the information explained to you orally as well?
- Yes
- No
- Information was provided only orally

30. If you are a foreign national, were you asked whether you wanted to contact your consular representatives and were you assisted in contacting them?

Yes I was informed

Yes I was assisted

No

31. Did the staff treat you professionally and humanely on admission?

Yes

No

32. If you have dependent children, were you given time to arrange for the care of your children before or shortly after admission to prison?

Yes

No

I don't have dependent children

If yes, please explain at what stage of the process you were given time to arrange for the care of your children and by whom? (eg. was this a suspension of sentence, home leave or other mechanism?)

33. If you have nobody to care for your children, were you given information about alternative care arrangements, including the long-term consequences of arranging for such care and how you can keep in contact with your children?

Yes

No

RegisterRule 3

34. If you were admitted to prison with a child or children, where their names and ages registered?

Yes

No

If any other information about the children was entered into the register, please explain.

35. If you have children living outside prison, did the prison authorities register information about their address and guardianship status?

Yes

No

36. Was your permission asked to record such information?

Yes

No

37. Was it explained to you why such information was being requested?

Yes

No

38. Was it explained to you that the information about your children would be kept confidential – that is that it would not be shared with anyone else without your explicit permission?

Yes

No

Allocation**Rule 4**

39. Is this prison close to your home?

Yes

No

If not, how far away is it from your home and how long does it take for your family to travel here?

Hygiene and health-care**Personal hygiene****Rule 5**

40. Do you have regular access to water? (Regular access means accessible throughout the day without restrictions.)

Yes, both hot and cold

I have limited access

No

If no, how much water per day do you have access to?

41. Do the prison authorities provide you with the following on a regular basis?

→ Soap

→ Toothbrushes

→ Toothpaste

→ Towels

→ Sanitary towels or pads

42. Are these provided free-of-charge?

Yes

No

43. By whom and how regularly are sanitary towels/pads provided?

Medical screening on entry

Rule 6

44. Did you receive a thorough medical examination on admission to prison?

Yes

No

If yes, who examined you?

→ A nurse

→ A doctor

→ A doctor and a psychologist

→ First a nurse, later a doctor

→ First a nurse, later a doctor and a psychologist

→ Other

If 'other', please explain.

45. How soon after admission were you examined?

→ On the day of admission

→ The day after admission

→ Within three days of admission

→ Within a week of admission

→ Between a week and a month after admission

→ More than a month after admission

46. To your knowledge which of the following did the medical screening cover?

- General health (primary health-care needs)
- Reproductive health-care needs (including pregnancy, recent pregnancy)
- Sexually transmitted infections (STIs)
- Blood-borne diseases (eg. Hepatitis B and C)
- Psycho-social support needs
- Drug dependency

47. Were you offered voluntary HIV testing and counselling?

- Yes
- No

If yes, while offering you the HIV test, did the health-care staff provide you with the information required for you to understand the implications of HIV testing, counselling and follow-up procedures? (Such information would include, for example, the benefits of a test, the potential risks, services available if tested positive, the institutional consequences of a positive test and your right to decline a test.)

- Yes
- Limited information was provided
- No

48. Were you examined to identify any signs of ill-treatment and torture, including sexual abuse, you may have suffered prior to admission? (For example, in pre-trial detention or police custody.)

- Yes
- No

Medical confidentiality**Rule 8**

49. Have prison health-care services explained to you that you have a right to medical confidentiality, similar to any other person in the community, which will be respected by the prison health-care services at all times?

Yes

No

50. To your knowledge, are any of the following safeguards to protect the confidentiality of prisoners' health status applied?

→ No staff within the prison, with the exception of health-care staff, have access to prisoners' medical records.

→ If information about a prisoner's health status is sought by a third party, the consent of the prisoner/patient is sought in writing, and without coercion, before passing on such information.

→ Medical consultations are undertaken on an individual basis without the presence of any non-medical staff or other prisoners

51. On admission (or later) were you obliged to provide information about your reproductive health history (eg. about abortions and pregnancies) or was the information requested on a voluntary basis?

→ Voluntary

→ Obligatory

→ Not requested at all

52. Were you ever subjected to a vaginal examination without your consent?

Yes

No

If yes, what was the purpose of the examination?

→ To search for forbidden articles

→ Medical examination

→ Virginit test

Please explain the reason for and circumstances of the examination.

The medical examination of children being admitted to prisonRule 9

53. If you have any children with you in prison, were they examined by medical staff on admission?

Yes

No

54. Do you know whether the medical staff who examined your child or children were child health-care specialists?

Yes

No

I do not know

55. Were you allowed to be present during the examination?

Yes

No

56. Was a health-care plan developed for your child or children based on the findings of the examination?

Yes

No

I do not know

Gender-specific health-care**Rule 10**

57. Do women's health-care specialists/gynaecologists visit the prison for consultations with women prisoners on a regular basis?

Yes

No

If yes, how often do the visits take place?

58. Are you examined by women nurses or doctors or men?

→ Women

→ Men

→ It varies

59. Have you ever requested to be examined by a female doctor or nurse?

Yes

No

If yes, was your request granted?

Yes

No

[See Rule 11 for further questions]

60. Are you satisfied with the treatment and services you are offered for your gender-specific health-care needs and do you feel that they are equivalent to the services and treatment you received before your imprisonment?

Yes

No

The right to confidentiality during medical examinations**Rule 11**

61. Do your consultations with a doctor or nurse take place on an individual basis, without the presence of non-medical staff or other prisoners?

Yes

No

If no, who is present during medical consultations?

→ Male security staff

→ Female security staff

→ Other prisoners

62. Have you ever requested to be examined by a woman doctor or nurse?

Yes

No

If yes, was your request granted?

Yes

No

If no, did you have the right to have a female member of staff present during your examination as a 'chaperone'?

Yes

No

If yes, were precautions taken for your consultation to be confidential? (ie. the female staff member was out of hearing of your consultation.)

Yes

No

Mental health and care**Rules 12 and 13**

63. Do you feel that the prison management style and practices promote mental wellbeing?

Yes

No

If no, please explain why.

64. Do you take part in a comprehensive and varied programme of activities, including education, vocational training, recreation, family contact, physical exercise and opportunities to participate in arts, among others?

Yes

No, as there is a limited programme of activities

No, as I do not wish to take part

65. Is psycho-social support, consultations and special rehabilitation programmes available for women who experience mental distress?

Yes

No

If yes, who provides such consultations and programmes?

→ Prison psychologists

→ Psychologists and other specialists from community health-care services

→ Non-governmental organisation

→ Other

If 'other', please explain.

66. Is there a positive relationship between staff and prisoners, and do staff respond sensitively and offer support when you or other prisoners are in distress at particular times?

- Yes
- No
- There are positive relationships with some staff who are supportive of our needs

HIV prevention, treatment, care and support

Rule 14

67. Which, if any, of the following components of prevention and treatment for HIV/AIDS are provided in this prison?

- Information on the transmission of STIs and HIV, and means of protection
- Testing and treatment for STIs
- Voluntary confidential HIV testing and counselling services
- Access to essential prevention commodities such as:
- Male condoms
 - Female condoms
 - Sterile injecting equipment
 - Safe tattooing equipment
- Antiretroviral treatment for all HIV positive prisoners
- Antiretroviral therapies for HIV positive pregnant women to prevent mother-to-child transmission
- Post-exposure prophylaxis (PEP) to women who have been exposed to a risk
- Special care for children, including those born to HIV-infected mothers
- Palliative care for AIDS and terminally ill patients
- Compassionate release for AIDS and terminally ill patients

68. Are you or other prisoners involved in developing and providing health programmes and services on HIV/AIDS?

- Yes
- No

Substance abuse treatment programmesRule 15

69. Are there any substance dependence treatment programmes in this prison?

Yes, alcohol dependence treatment

Yes, drug dependence treatment

No

If yes:

70. Is treatment offered on a voluntary basis?

Yes

No

71. Was the purpose and possible consequences of the screening, including the treatment and services available for drug dependency in the prison and the extent to which such treatment can remain confidential, explained to you before you consented to the screening?

Yes

Some information was given but not full information

No

72. Does the programme include any of the following:

→ Advice, information and education services

→ Detoxification, withdrawal and maintenance treatments

→ Harm reduction programmes

→ Psychosocial programmes including family based initiatives – structured group work, counselling/psychotherapy

→ Rehabilitation programmes

→ Physical activity and sports programmes

→ Support groups

Suicide and self-harm prevention**Rule 16**

73. Do you feel that the prison administration is making efforts to prevent suicide and self-harm in this prison by:

- Promoting a positive prison environment and management approach which is sensitive to women's needs
- Encouraging a positive relationship between staff and prisoners so that prisoners are able to ask staff for support when in distress
- Assessing prisoners' risk of suicide and self-harm on admission and providing supervision and support to such women during their imprisonment
- Paying particular attention to admission procedures, when prisoners are allowed to contact their families, receive full information about the prison, prisoners' rights and obligations and where to seek help when in need
- Establishing peer support groups, training 'buddies' or 'listeners' to monitor and support prisoners at risk of self-harm and suicide
- Not placing prisoners who are at risk of self-harm or suicide in segregation units/isolation cells
- Always responding to self-harm and suicide attempts from a therapeutic standpoint, rather than from a disciplinary one

Preventive health-care services**Rule 17**

74. Were you provided with written information materials on the main gender-specific health conditions, modes of transmission of STIs and blood borne diseases, risk factors and measures that can be taken to protect yourself from these conditions?

- Yes
- No
- Partly

If yes or partly, was the information provided in a language that is easy to understand and also in different languages to meet the needs of those who do not speak the language most commonly spoken in prison?

- Yes in a language that is easy to understand
- Yes in multiple languages
- No

75. Were/are you encouraged to ask questions, and are health-care staff available to respond to such queries on a confidential basis?

Yes

No

76. Are information and education sessions provided on a regular basis on key issues relating to women's health?

Yes

No

Rule 18

77. Do you have access to preventive health-care services, including regular screening for cervical cancer and breast cancer, by qualified health-care professionals?

Yes

No

78. Do you have access to contraceptive pills or do you know whether other prisoners have access to them?

Yes

No

79. Do prisoners have access to condoms and to dental dams?

Yes

To condoms

To dental dams

No

Safety and security

Searches

Rules 19 and 20

80. Are male staff ever involved in the personal searches of women prisoners?

- Yes – pat-down or frisk searches
- Yes – strip searches
- Yes – invasive (intimate) body searches
- No

Strip searches

81. Are strip searches conducted at all in this prison?

- Yes
- No

If yes, when are strip searches conducted?

- On admission
- Before and after visits
- Before and after prison activities/programmes
- Any time when there is suspicion that a prisoner is concealing contraband
- Arbitrarily – no pattern
- Other

If 'other', please explain when.

82. Do you know whether there is a requirement for strip searches to be authorised by the chief executive officer in writing?

- Yes
 No
 I don't know

83. During strip searches, are women prisoners required to be completely naked at any time?

- Yes
 No

84. Are strip searches carried out in a manner that provides privacy from other prisoners and staff members who are not required for the search?

- Yes
 No

If no, please explain who is present during a strip search.

Invasive body searches

85. Are invasive or intimate body searches carried out in this prison?

- Yes
 No

If yes, in which circumstances are invasive body searches carried out?

- On admission
 → Before and after visits
 → Before and after prison activities/programmes
 → Any time when there is suspicion that a prisoner is concealing contraband
 → Arbitrarily – no pattern
 → Other

If 'other', please explain when.

86. Do you know whether there is a requirement for invasive body searches to be authorised by the chief executive officer in writing?

- Yes
- No
- I don't know

87. Who conducts invasive body searches?

- Male Staff
- Female Staff
- Prison doctor
- Doctor from outside the prison

88. Are searches undertaken manually or by digital intrusion and the use of instruments?

- Manually
- With instruments

89. If the search is carried out by a doctor, does he/she explain to the prisoner that the usual conditions of medical confidentiality do not apply and that the result of the search will be revealed to the authorities?

- Yes
- No

Rule 21

90. Are children staying with their mothers in prison ever searched?

- Yes
- No

91. In which circumstances are children staying with their mothers in prison searched?

- Whenever there is suspicion that the mother has concealed a forbidden article on her child
- Before and after visits
- Before and after a child goes out of the prison and returns (to school, kindergarten etc)
- Arbitrarily
- Other

If 'other', please explain when.

92. Are children visiting their mothers searched?

- Yes
- No

93. What types of searches are conducted on children visiting their mothers and staying with their mothers in prison?

- Pat-down/frisk searches
- Strip searches
- Invasive body searches

94. If children are ever subjected to strip searches, in what circumstances and how often are such searches conducted?

95. Are mothers allowed to be present during strip searches?

- Yes
- No

96. If children are ever subjected to invasive body searches, in what circumstances and how often are such searches conducted?

Discipline and punishment

Rule 22

97. Are pregnant women, women with infants and breastfeeding mothers ever held in solitary confinement?

- Yes, pregnant women
- Yes, breastfeeding mothers
- Yes, women with infants
- No

If yes, in what circumstances are such women held in solitary confinement?

- Depending on a woman's security level, on a constant basis
- As punishment for disciplinary offences
- Those who are considered to be a suicide or self-harm risk, on a constant basis or periodically
- Those who have mental health problems, "for their protection and protection of others"
- Other

If 'other', please explain.

Rule 23

98. Do the disciplinary sanctions used in this prison ever include total prohibition of family contact?

- Yes
- Yes, but not for women with children
- No

Rule 24

99. Are instruments of restraint ever used on women prisoners?

- Yes
 No
 I do not know

If yes, are the following principles applied?

- Instruments of restraint are never used as punishment
→ Instruments of restraint are only used when there is a genuine justification to believe that a prisoner may attempt escape during transfers
→ Instruments of restraint are used following the instruction of a doctor due to the imminent danger of harm or self-harm
→ Instruments of restraint are used for the shortest possible period in all circumstances

100. Are instruments of restraint ever used on women during labour, child-birth or immediately after child-birth?

- Restraints are used on women during labour
→ Restraints are used on women during child-birth
→ Restraints are used on women immediately after child-birth

Information to and complaints by prisoners; inspections**Rule 25**

101. On your admission to prison were you provided with written information on your rights to complain and procedures to make complaints to the prison director, to central prison authorities, to prison inspection bodies, judicial authorities or other competent authorities?

- Yes
 No

102. Were the rules and procedures also explained orally?

- Yes
 No

103. Where the written rules and procedures available in languages spoken by foreign national prisoners as well?

Yes

No

104. Do women who complain ever face intimidation and retaliation by staff?

Yes

No

105. If a woman prisoner complains of abuse are her allegations investigated?

Yes

Sometimes

No

If yes or sometimes, is the investigation carried out by an independent body?

Yes

No

106. Are women prisoners who report abuse provided immediate protection?

Yes

Sometimes

No

If yes or sometimes, what kind of protection is provided?

107. Are women who complain about abuse offered and given access to counselling?

Yes

No

If yes, who provides the counselling?

108. Is this prison ever visited by official and/or independent inspection of monitoring/inspection bodies?

Yes, official inspection bodies

Yes, independent monitoring bodies

No

As applicable:

Do bodies responsible for the monitoring/inspection of this prison include women members?

Yes

No

Contact with the outside world

Rule 26

109. How many of the following means of communication are you allowed per month?

→ Telephone calls

→ Letters

→ Visits

110. Can and does the prison administration increase the number of telephone calls, letters and visits you have on a discretionary basis?

- Yes it can, but it never or very rarely does
- Yes
- No

111. Does the prison administration employ any of the following measures to encourage and assist with prisoners' links with their families:

- There is never a charge for prison visits
- The prison administration assists with transportation, especially for visits to mothers
- Visiting rooms have a pleasant and comfortable environment. with sanitary facilities for prisoners and visitors and play areas for children
- The prison administration increases the telephone calls allowed if families are unable to visit due to the long distance
- The prison administration allows the extension of the length of visits, when families confront difficulties in visiting due to the long distances involved, lack of resources and/or transport
- The prison administration provides overnight accommodation for families traveling a long way, free-of-charge
- The prison administration has developed cooperation with social services and non-governmental organisations to assist with contact between prisoners and their families

112. Does the prison administration grant prison leave on medical, educational, occupational and family grounds?

- Yes
- No

113. Have you received written information about your right to access legal counsel, with contact details of legal aid and paralegal aid services, as applicable?

- Yes
- No

114. Does the prison administration assist in accessing legal counsel and legal aid services?

Yes

No

115. Are there facilities are provided for women to meet with their legal representatives in private?

Yes

No

116. During their meetings with lawyers or paralegal aid services are women provided with interpretation services, if required?

Yes

No

Conjugal visits

Rule 27

117. Are conjugal visits allowed to male prisoners in this country?

Yes

No

118. Are conjugal visits allowed to women prisoners?

Yes

No

If yes, is the right of women to conjugal visits exactly the same as that of male prisoners?

Yes

No

If no, please explain what the difference is.

119. Is there comfortable accommodation with adequate facilities (eg. bed, bedding, sanitary facilities, table and chair) in this prison for conjugal visits to take place?

Yes

There is accommodation but it is not comfortable and lacks facilities and furniture

No

Visits with children

Rule 28

120. Is physical contact allowed during visits with children?

Yes

Only to certain categories of women

Only on special days

No

Prisoner rehabilitation

Classification and individualisation

Rules 40 – 41

121. On admission or soon after admission did the prison authorities undertake a risk assessment and classification to determine your background and needs?

Yes

No

If yes:

Who was the assessment and classification undertaken by?

Did it include an assessment of the following:

→ Background

→ Mental health-care needs

→ History of domestic violence

→ Experience of sexual abuse

→ Substance dependence

→ Parental and other caring responsibilities

122. Was a sentence plan (a plan which sets out the activities and programmes suitable to your requirements, with reviews to be undertaken at regular intervals) developed for you?

Yes

No

Prison regimeRule 42

123. Do you have regular access to any of the following:

- Education programmes
- Vocational training
- Meaningful work
- Remunerated work
- Recreation and sport activities
- Education on gender-specific health-care

124. Is psycho-social support or counselling provided to women who have experienced victimisation and sexual abuse?

- Yes
- No

125. Are there any programmes for pregnant women, breastfeeding mothers and women with children in prison, responding to their specific needs, such as:

- Education on pregnancy and child birth
- Programmes to develop parenting skills
- Health-care and nutrition for pregnant women and infants
- Other

If 'other', please specify.

Social relations and aftercareRule 44

126. Does the prison administration consult you when compiling lists of people who can visit and strictly prohibit visits from those who you do not wish to visit you?

Yes

No

Rules 45 – 47Women who are due to be released soon or women who have recently been released from prison

127. Does the prison have a special unit or a team of staff with responsibility for the resettlement of prisoners?

Yes

No

If yes, do you know whether the unit or staff responsible for resettlement cooperate with any of the following to plan and prepare for women prisoners' release?

→ The families of prisoners

→ Probation services

→ Relevant social welfare agencies

→ Non-governmental organisations in the community

128. Do prison authorities transfer women to open prisons, to halfway houses or other community-based programmes and services towards the end of their sentences to enable the women to gradually re-establish relationships, to seek assistance with employment, housing and other practical or legal matters, in preparation for their eventual release?

Yes

No

I don't know

If yes, please provide further details about the place to which women are transferred and services offered.

129. Prior to release, are women prisoners provided with clear and comprehensive information in a language they understand, about the support which they can receive following release and the agencies responsible?

- Yes
- No
- I do not know

130. Are individual women referred to relevant social welfare and housing agencies, if necessary, directly by the prison service unit or staff responsible for resettlement?

- Yes
- No
- I do not know

131. Is financial assistance for transport provided to enable women to travel to their place of social reintegration?

- Yes
- No

132. Do social welfare agencies or probation services assist women who have been released?

- Yes
- Sometimes
- No

If yes, in what way?

133. Do prison health-care services work closely with health-care services in the community to ensure that women who need to continue any treatment, psycho-social, psychiatric or counselling support and care following release from prison, receive this continuum of care?

- Yes
- No
- I don't know

Pregnant women, breastfeeding mothers and mothers with children in prison

Pregnant women, breastfeeding mothers and mothers with children in prison

Rule 48

134. Are you examined regularly by a qualified health-care practitioner?

Yes

No

135. Has a health-care practitioner drawn up a programme of health and diet for you?

Yes

No

Pregnant women and breastfeeding mothers:

136. In your cell or dormitory do you have the following:

- Adequate hygiene and sanitary facilities
- Regular access to hot water
- Regular access to cold water
- Access to ventilation
- Access to fresh air
- Heating

137. Do you have access to regular exercise?

Yes

No

138. Are you ever discouraged from breastfeeding your baby, either directly or due to an inflexible prison regime?

Yes

No

If yes, in what way are you discouraged and for what reason?

Rules 49 – 52

Mothers with children in prison

139. Do you feel that children staying with their mothers in prison are ever treated as prisoners?

Yes

No

If yes, please explain in what way.

140. How much time can mothers spend with their children?

141. Is there a nursery in the prison for children staying with their mothers, staffed by qualified personnel?

Yes

No

142. Are the mothers allowed to spend the night with their children?

Yes

No

143. Are mothers encouraged and enabled to take part in prison activities, while their children are taken care of by qualified staff and nurses?

Yes

No

144. Do health-care services offered to children include the following:

- Regular vaccinations
- The same health-care treatment provided to children outside prison
- Psychological and developmental support, by a qualified child psychologist

145. Have you been informed of when and on what basis the decision will be taken whether to remove your child from prison, or if this has already happened, how the decision was taken?

- Yes – the age of removal is prescribed by law
- Yes – the age of removal is prescribed by law but individual circumstances are taken into account
- Yes – decisions are taken on an individual basis, based on individual assessments
- No, I have not been informed

146. If decisions are taken on an individual basis, do you know who has primary responsibility for assessing the advantages and disadvantages of removing a child from prison?

- Child welfare agencies
- Prison authorities
- Judicial authorities
- Other

If 'other', please explain.

147. If decisions are taken on an individual basis, do those who are responsible for decision-making consult with the prison health-care specialist, social worker, psychologist, mother and child during individual assessments?

- Yes, the prison health-care specialist
- Yes, the prison social worker
- Yes, the prison psychologist
- Yes, the mother
- Yes, the child
- No
- I don't know

148. If decisions are taken on an individual basis, which of the following factors are taken into account:

- The availability of alternative care options in the community
- The conditions in prison and the services and care available to the child
- Education opportunities
- The security of the child
- Other

If 'other', please explain.

149. When a child is going to be removed from prison, is information provided to the mother and the child about the care arrangements for the child and how the mother and child will be able to keep in contact with each other following their separation?

- Yes
- No

150. Is the actual separation undertaken with sensitivity?

- Yes
- No

If no, please explain.

151. Once a child has been removed from prison and placed with other family members, relatives or an institution for children, are arrangements made for the child to visit his/her mother as frequently as possible?

Yes

No

Special categories

Prisoners under arrest or awaiting trial

Rule 56

152. Since when have you been held in pre-trial detention?

153. Are you always held separately from male prisoners?

Yes

No

If no, please explain.

154. Are you supervised only by women staff?

Yes

No

If no, what are the responsibilities of male staff employed in this facility?

155. Did you have a medical examination promptly after your admission to the pre-trial detention facility?

Yes

No

If yes:

→ How soon after admission was the medical examination carried out?

→ Are you aware whether the doctor who carried out the medical examination was independent of the prison service?

→ Was the medical examination undertaken in private and on an individual basis?

Yes

No

156. Were you informed of your right to access legal counsel immediately on your admission to pre-trial detention?

Yes

No

157. If you do not have a lawyer or cannot afford a lawyer, was a lawyer assigned to you, free-of-charge?

Yes

Yes, but the services of the lawyer are not free-of-charge

No

158. Were you allowed to inform your family of your detention immediately?

Yes

No

If no, when and by whom were your family informed of your detention if at all?

159. Have you ever been subjected to any kind of verbal or physical sexual harassment or other kind of ill-treatment or abuse by the staff in this facility?

Yes

No

If yes, please explain.

160. Have you ever made a complaint about your treatment in pre-trial detention to the central prison administration or to independent judicial or other authorities?

Yes

No

If yes, please explain to whom you sent a complaint and what the result has been.

161. Do independent monitoring bodies visit this prison?

Yes

No

If yes:

→ Do you know who they are?

→ How often do they visit and do they interview prisoners in private?

Juvenile female prisoners

Rules 36 – 39

162. Are you strictly separated from boys and from adult female prisoners at all times?

Yes, from boys

Yes, from adult women

No

Rehabilitation programmes

163. Do you have access to education and vocational training programmes?

- Yes, education
- Yes, vocational training
- No

If yes to any of the questions, please provide further details about the type of education and/or vocational training you receive, how often you attend classes and who the classes are run by, if you know.

Health-care and special programmes

164. Which of the following health-care services are offered to you in prison:

- Preventive health-care services, such as screening for sexually transmitted infections and cervical cancer
- Reproductive health-care services, including pre- and post-natal care, for those who are pregnant or who have given birth
- Counselling for sexual abuse or violence
- Treatment for HIV and AIDS
- Treatment for drug and alcohol dependence

165. Do you have regular access to a gynecologist?

- Yes
- No

If yes, how often does the gynaecologist visit or how often are you taken to see the gynaecologist?

166. Do you receive education and information on women's health-care issues?

- Yes
- No

If yes, how is the education and information provided and by whom?

Foreign nationals

Rule 53

167. Have you received any information about the possibility of a transfer to your home country?

Yes

No

If yes, how long after you were admitted to this prison were you informed of your right to a transfer?

Did the information provided to you include the following:

→ The fact that the transfer depends on your application or voluntary consent

→ How to apply for a transfer

→ The requirements for a transfer

→ The consequences of a transfer for you

→ The consequences for any children who are with you in prison

Non-resident foreign nationals who have children with them in prison:

168. Were you informed whether consideration will be given to relocate your child to your home country, when it is time for your child to be removed from prison?

Yes

No

Institutional personnel and training

Rules 31 – 33

169. Is this prison managed exclusively by women staff?

Yes

No

If no, what responsibilities do male staff have in the prison?

170. Do you feel that the management and staff of this prison are striving to maintain a positive prison environment with respect for your human rights?

Yes

No

If no, briefly explain why.

171. Have you ever experienced verbal or physical abuse or sexual harassment from staff?

Yes

No

If yes, please explain.

172. Do you have any other reasons to complain about the way in which staff treats you?

Yes

No

If yes, please explain.

173. Do the staff working in this prison have some knowledge about any of the following:

- Women's health-care issues
- First aid
- Basic medicine
- Child development
- Health-care of children
- HIV/AIDS

174. Are staff sensitive to prisoners' mental health-care needs and do they offer support and assistance when a woman is in distress?

- Yes
- No

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