

International profile of women's prisons

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International profile of women's prisons

Phase One and Phase Two

Executive summary: some key points arising from the material

This work was commissioned by the Ministry of Justice and the Department of Health and was carried out in two phases. Phase One looked at 18 countries and collected data on women's prison populations in relation to the general prison population, and the arrangements made to house women prisoners. Sources were mainly governmental statistics and descriptive reports on the design and appearance of women's prisons where available.

Phase Two examined eight countries in more detail and looked to establish how far these countries were providing a prison service based on the needs of women, taking into account that in most countries women make up a small minority of the prison population. Sources in Phase Two were governmental policy documents, other external evaluations and commentaries.

Women prisoners

For an overview of all countries studied please see table on pages 7 and 8. This table also gives an overview of women in prison in England and Wales for the purpose of comparison.

Female /Male population

The available data shows significant variations in the proportion of women to men imprisoned in different jurisdictions, from 3.7 per cent (France) to 9.1 per cent (United States). This suggests that countries have different attitudes and policies about the use of imprisonment for women as compared with men. The policies in some countries lead to a more sparing use of imprisonment of women than those in others. One consequence of these policies is that in some countries women are being held in overcrowded conditions whilst in others the issue of overcrowding does not arise or is unlawful (Denmark).

Trend in the female prison population

The changes over time in the imprisonment of women compared with that of men is very different across the countries surveyed. Some have had a much more rapid increase in the women's prison population (United States, Australia) compared with other countries where the numbers have remained fairly stable (Finland, France) which could be seen as indicating a different approach to imprisoning women.

Nature of the women's population

The average age is around or above 30.

There are also similarities in the crimes for which women have been imprisoned. Offences connected with illicit drugs are a major cause of women's imprisonment. Countries where the numbers imprisoned are very low such as Finland have a higher number of prisoners convicted of very serious crimes of violence.

Needs of women in prison

There are similarities in the type of women imprisoned in each country. The information collated for this review suggests that in all countries they are a very disadvantaged group even amongst the disadvantaged and many come from backgrounds of abuse and violence, and have problems of addiction. A higher proportion of physical and mental health problems is noted amongst women prisoners.

Policies for dealing with women prisoners

Nearness to home

Countries have adopted different approaches to the question of how to provide for a group that is a small minority in a system designed for the majority male population. Some countries have regarded women as men in all but gender and have reproduced the system used for men with only slight adaptations for women (New Zealand, USA) although with different consequences in terms of distance from home. Others have a hybrid system, with some women's prisons as well as small units attached to men's prisons so that the women can be nearer their home area (Spain). The system in Spain seems to lead to the outcome often predicted with small dispersed women units, that women get fewer resources and are an afterthought when the policy for the wider prison is being decided.

Size of units

The size of the units differs widely across the countries studied in Phase Two. The average size of unit in Western European countries has space for 60 women prisoners. The US States studied has the largest unit, with capacity for 2,302 prisoners, closely followed by Russia with space for 2,000 women.

Security

Most of the countries use very traditional security measures on the same basis as in men's prisons and it is clear that in most of the countries studied many of the imprisoned women are being held in security greater than needed. Anti-discrimination studies in Australia assert that women are discriminated against by being held in prisons with a security level higher than justified. Moving to a women-centred approach involves designing new tools for classification. Routine strip-searching as a security measure is also heavily criticised in these reports.

Mothers and children

The perennial dilemma of how to deal with women prisoners' young children is resolved in different ways. Those countries that allow children to stay with their mothers (all the countries surveyed in Phase Two but only in one of the three US States) have very different ages at which it is felt desirable to take the child away (six years in one state in Germany, three in Spain, four in one prison in Western Australia, 12 months in Sweden).

There are also different ideas about how the imprisoned mother should be treated, varying from the arrangement that allows the child and the mother to stay together all day, to the system where the child goes to an outside nursery so that the mother can work (Germany). The most child-centred system we found is that in the prison in Frondenberg, Germany where 16 mothers live with their children up to the age of 6 in self-contained flats with balconies and the staff do not wear prison uniforms.

Visiting arrangements

Visiting arrangements reflect the cultural differences found in prisons all around the world about attitudes to family life. In some countries private family visits (including conjugal visits) are accepted as normal and a right that cannot be taken away. Women in this respect are treated in the same way as men.

In other respects some countries make special arrangements for visits for imprisoned women who have children outside the prison. These can be whole day family visits at weekends. In New South Wales Sundays are family visiting days and the family stays all day though with a break for lunch. At Hinseberg in Sweden there is a special flat where children can stay overnight with their mothers.

The provision of health care

Health care features in all the countries as a priority issue for women prisoners. The health needs of most women prisoners are significant and in the reforming countries a change in the provision of health care is seen as a basic necessity for a woman-centred approach. The New South Wales system of a separate health trust devoted to the justice system but part of the National Public Health Service and operating a public health preventive approach is an interesting model. An issue in most of the countries is what to do with a small group of highly disturbed and presumably very disruptive women. Canada is approaching this by moving back from the dispersed model and having two national units. In Australia special health-based units are being built for this group – one in New South Wales which will hold men and women and one in Victoria which will provide specialist care to women prisoners only.

Design of women's prisons

The countries studied in Phase Two of the review demonstrated a wide range of approaches to prison design; in New Zealand the 'standard' prison segregation unit design is used even for its at-risk unit for suicidal women and in Canada there are a range of shared houses, in Germany one prison provides flats with balconies whilst Halle prison has a pay-laundry, a piano room and a large garden. In Western Australia at Boronia prison there are 'pleasant gardens and well maintained houses that more closely resembled a well-kept suburban landscape than institutional setting'.

Financial costs of women's prisons

Information about costs is hard to find and, where available, difficult to interpret. It is not unreasonable to assume that small special units for women are more expensive in immediate revenue terms but that this could be mitigated against potential longer term benefits in reducing re-offending.

Regimes

Based on the countries surveyed, those that have moved to reform have moved to de-institutionalise and restore responsibility to the women. The 'self-care' approach where women live in small groups, budget, shop, cook, clean and live together as a small community is the outcome of wholesale reforms in Canada and Australia. In Denmark it has been part of the system for many years and one of the principles of the prison service for all prisoners

Wholesale reform of the women's prison system

Reforming women's imprisonment to develop a model that is women focused and takes into account the different needs and different situation of women has been a feature in some countries. Anti-discrimination laws have been the spur to such changes in Australia (Victoria and Queensland). In Western Australia a political change led to a reform. In Canada a series of scandals including the suicides of seven women in a 15 month period in what was then the only federal prison for women, and the political will to change led to a decision in the 1990s to develop an entirely new model of imprisonment in dealing with women. From this work the elements of a women-centred approach to custody, aiming to be responsive to 'women prisoners', rather than 'prisoners who happen to be women,' have emerged and can be summarised as:

Women should:

- feel and be safe;
- not suffer further detriment in terms of their physical, mental and emotional health, and ideally have improved health at the end of their time in prison;
- feel their culture is respected;
- have the necessary support to survive the regime without resorting to self-harm;
- be supported in dealing with pressing domestic concerns, particularly when these involve children;
- have adequate and appropriate contact with their children.

The prison system might aim to:

- encourage women prisoners' independence through relevant, culturally appropriate, women-centred educational, recreational, therapeutic, and work opportunities;
- encourage and promote well-functioning relationships between women prisoners and significant others, especially their children; and
- promote self-knowledge and self-esteem in women prisoners.

Some practical consequences of these policy aims are:

- Different assessment and classification methods are needed for women
- Health care is a high priority and should play a central part in the provision
- Staff working with women prisoners need special training

Lessons learnt

The Correctional Service of Canada embarked on one of the earliest attempts in recent years to introduce major reform in the way women were treated in prisons. The lessons from the Canadian reform are worthy of note. Undoubtedly it represents a huge step forward, compared with, say, the traditional and male-based approach in New Zealand. In Canada, with its huge distances, most women are held near home. In the Canadian Federal system prisoners may be released and whilst technically remain prisoners may be placed in a variety of other non-prison environments. They have private family visits, trauma counselling by outside bodies and live in self-care housing. Yet there are still problems. The lesson seems to be that Canada changed the arrangements but did not change the culture of the staff. It is worth noting that in

Denmark, where men and women prisoners live together and the basic approach is to approximate outside life as closely as possible, staff have three years training.

Country (A-Z)	Population ¹ (July 2007 estimate)	Total Prison Population	Prison Population Rate Per 100,000 ²	Women Prison Population	% of Prison Population that are Women	Number of Women's Prisons (or women's units within male prisons)	Size of Women's Prisons (or Units) - Smallest and Largest	Mother and Baby Units; Maximum Age for Children to Stay with Mother Inside Prison	Single/Mixed Accommodation or Both
England and Wales ^{3,4,5}	54,250,000	82,180	151	4,433	5.4	14	66-557	Yes; from 9-18 months	Single
Australia	20,434,176	27,224	130	1,987	7.3	26	25-280	Yes; up to 12 months in at least one prison (Bandyup Women's Prison)	Both
Brazil	190,010,647	419,551	219	26,012	6.2	159	Not available	Yes (27 prisons have separate unit for pregnant prisoners);	Single
Canada	33,390,141	35,110	108	1,756	5.0	8 federal plus other provincial	10-113	Yes; up to age 4	Single (federally), Both (provincially)
Denmark	5,468,120	4,198	66	189	4.5	5 units for female prisoners	Most female units small housing approximately 30	Yes; up to age 3	Both (including mixed-sex units)
Finland	5,238,460	3,595	68	252	7.0	11	3-120	Yes; up to age 2	Both

¹ Obtained from CIA 'The World Factbook' resource available at <https://www.cia.gov/library/publications/the-world-factbook/>

² Obtained from ICPS Prison Brief, information for each country available at <http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/>

³ Obtained from ICPS Prison Brief for United Kingdom: England and Wales, available at http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=169

⁴ Obtained from HM Prison Service website, Publications and Documents, General Information, 'Working with Women Prisoners' from 2003 and 'List of Prisons with Contact Details' from 2007, documents available at <http://www.hmprisonservice.gov.uk/resourcecentre/publicationsdocuments/index.asp?cat=86>

France	64,057,790	56,279	91	2,082	3.7	3 women only, 61 units within male prisons	Not available	Not available	Both
Germany	82,400,996	75,719	88	4,089	5.4	6 women only, others mixed	12-75	Yes; up to age 3 in certain prisons, 4 in others, and 6 in 'open' prisons	Both
Greece	10,706,290	11,120	99	600	5.4	2 units within male prisons	Not available	Yes;	Mixed
Italy	58,147,733	44,350	75	1,951	4.4	5 women only, 61 units within male prisons	Not available	Yes; up to age 3	Both
Japan	127,433,494	81,300	63	4,797	5.9	Not available	Not available	Not available	
Netherlands	16,570,613	16,331	117	1,051	6.4	5	Approximately 60 persons per unit	Yes; up to 9 months (conditional)	Both
New Zealand	4,115,771	8,372	197	502	6.0	3 women only	138-286	Yes; currently up to 6 months (may be changed to 2 years)	Single
Norway	4,627,926	3,048	75	146	4.8	3 women only, 4 units within male prisons	4-45	No	Both
Russia	141,377,752	888,227	627	63,952	7.2	45	500-2,000	Yes;	Single
Spain	40,448,191	67,100		5,592	8.3	3 women only, plus units within male prisons	15-300	Yes (in 'family' cells);	Both
Sweden	9,031,088	10,500	79	711	6.8	4 women only, 2 mixed	10-95	Yes; up to 12 months	Both
Switzerland	7,554,661	5,888	76	336	5.7	2 women only	54-108	Yes, up to age 3	Both
Turkey	71,158,647	90,000	121	3,240	3.6	5 mixed	Not available	Not available	Both
United States	301,139,947	2,316,424	751	209,980	9.0	108	58-2,302	Yes; up to 3 months	Both

Australia

Background

Australia is a federal country. The prison system is a state responsibility and there are wide differences in approach between States and territories, depending on size, culture and which political party is in power. There is one prison in the Australian Capital Territory (Canberra) which is shortly to open.

Women in prison in Australia – key facts

Each of the eight states and territories of Australia have the power to enact their own criminal laws and also have their own police, court, and prison systems. Women make up 7% (or about 1,987 female prisoners) of the entire prison population of Australia, which stands at 27, 224.

The average female prisoner is approximately 30 years old and is most likely to be incarcerated for illicit drugs or actions which are intended to cause injury to others, including the most serious crime of homicide.

Most women spend slightly over 2 years in prison (27 months) serving their sentence, which is 15 months less than male prisoners. Australian female prisoners can be confined in institutions ranging from a capacity of 25 prisoners to as many as 280, with 26 institutions in Australia deemed suitable for female inmates. These institutions can be female specific or mixed, in which case the genders are physically separated.

There was one death of a woman prisoner in Australia in 2006, in the state of Victoria. This meant that the rate per 1000 women prisoners in Australia for 2006 was 0.5 per cent, the lowest rate since 1992. Since 1980 there have been 51 deaths of women in prisons in Australia with highs of five in 1994 and 2002.⁶

Policy

The policies of the states and territories vary greatly. The imprisonment rate of aboriginal people is disproportionately high throughout Australia. Policies on women in prison have been affected considerably by the application of anti-discrimination laws and the intervention of anti-discrimination groups and official bodies. Current policies have been found to be discriminatory under the law and changes are in train in some of the states.

The following report looks at women's prisons in the States of Western Australia, Queensland, Victoria and New South Wales.

⁶ Joudo, J. and Curnow, J. (2008) *Deaths in custody in Australia: National Deaths in Custody Program annual report 2006*. Canberra: Australian Institute of Criminology.

Western Australia

Western Australia covers a huge territory and women are mainly held in two prisons, Bandyup in Perth and Boronia pre-release centre. Small numbers of women from rural areas are held in four regional prisons also holding men. In June 2005 there were 52 women in regional prisons. In 2006 there were 254 women in prison in Western Australia out of a total prison population in the state of 3,468.

In Western Australia a survey of the women in prison is undertaken every two years.⁷ A summary of the findings of the survey carried out at the end of 2005 gives some background information:

Status

Over one-third of the sentenced women were in prison for breaching the conditions of their release orders, with Aboriginal women displaying higher rates of non-compliance than non-Aboriginal women;

A significant decrease has been recorded in the percentage of women who expect to serve less than twelve months in prison, (sentences of less than six months were abolished under Part 5 of the Sentencing Legislation and Repeal Act 2003).

Health care

A high percentage of women reported a link between their criminal activity and their use of alcohol or drugs. The use of amphetamines prior to imprisonment had increased in both Aboriginal and non-Aboriginal women. Sixty nine percent of women reported a connection between their criminal activity and their use of alcohol or drugs. Thirty nine percent of non-Aboriginal women and 73% of Aboriginal women reported being under the influence of alcohol or drugs at the time their offences were committed.

Unipolar depression remained the most frequently reported mental health issue although there was a large decrease in the percentage of women who reported this condition. Anxiety was the second most frequently reported mental health issue in all studies.

In 2005, a smaller percentage of women had seriously thought about or attempted suicide before their imprisonment than in either 2003 or 2001 and far fewer women seriously had thought about or attempted suicide since they were imprisoned. A similar decrease has been seen in the number of women self-harming in prison.

Regime activities

Participation in programmes had increased since 2001 and there was an increase in the levels of satisfaction with programmes offered.

⁷ Government of Western Australia Department of Corrective Services (2006) *Profile of Women in Prison 2005*. Perth: DCS.

Suggestions offered by the women for the types of programmes they felt were most needed by were alcohol and substance misuse programmes followed by personal development, life skills and parenting skills programmes.

Family relationships and visits

47 per cent of the women reported being carers of dependent children, other family members, or other non-family dependents and almost half of all women with children were single mothers.

The majority of women who were caring for their children immediately before their imprisonment intended to carry on caring for their children upon their release, but for those who expected to encounter problems, the most reported reason indicated problems finding suitable accommodation.

In almost half the cases, dependent children of the women surveyed were currently being cared for by either their grandparents or by their fathers.

About a third of the women who had cared for dependents immediately before their imprisonment received visits from them at least once a fortnight. More than a third of women reported receiving no visits by former dependents though almost half of the women would like daily visits from their former dependents, with three quarters desiring visits once a fortnight or more often.

The most frequently expressed concerns about the visiting process were that it was uncomfortable for visitors, there were issues around the security process, the lack of flexible visiting hours, lack of privacy and the small size of the visiting area.

Backgrounds of abuse

In 2005, 88% of women reported having experienced some form of abuse as an adult or in their childhood. Half of the women surveyed had experienced abuse in both childhood and as an adult. As in the 2001 survey, the proportion of Aboriginal women who reported a history of abuse was lower than that reported by non-Aboriginal women.

The most common types of abuse in adulthood reported by women were physical abuse followed by emotional abuse.

Relationships with staff

Almost 7 in 10 women described their relationship with prison staff as 'good' or 'okay', an improvement on the 2003 survey.

When asked to describe the prisoner-staff relationship for other prisoners more women saw these as 'good' or 'okay' in 2005 than they had in 2003.

The five attributes that prisoners felt made a good prison officer were: being able to listen, being respectful, showing understanding, acting with professionalism at work and being non-judgemental.

Eighty percent of all women reported that they felt safe or very safe in prison.

Bullying

Thirty six percent of women reported that they had been victims of bullying in prison, a reduction of 9% from 2003. The identified source of the bullying in 2005 was spread across staff and prisoners. Women were asked to offer suggestions for reducing bullying in prison and 70% provided responses. Of these 37% stated either that bullying cannot be reduced or that it does not exist or is under control. The remainder suggested that increased awareness by prison officers, punishing and/or educating the bully and separating prisoners would be the most effective strategies for reducing the bullying incidents.

Policy and organisation

In the past 5 years there have been changes in the provision of women's imprisonment in Western Australia. In his 2006 report on Bandyup Prison (the central women's prison which takes all security categories) the Inspector of Custodial Services (an office modelled on the UK prison inspectorates) said:

*'The prison was [in 2002] in a state of near-crisis: disorderly, directionless and unsafe. Staff morale was low, and Management confused and despairing. Health services were very poor, industries tokenistic, programs almost non-existent, welfare support services threadbare, visiting opportunities and facilities sub-standard. There was no leadership from Head Office to support on-site Management.... Bandyup was at that time a male prison occupied by females.... There was no grasp within the Department of the idea that the imprisonment of women must be based upon a women-centred philosophy.'*⁸

He went on to show how the prison had improved and described the process that the Department of Custodial Services went through to achieve change.

First of all they set up a Directorate of Women's Custodial Services to implement a woman-centred approach to custody. A woman-centred approach emphasises women's roles as mothers and carers, their backgrounds of abuse, their chronic health needs and the crucial importance of building self-esteem through giving them skills and education.

Strategies that address the needs of women in custody 'must be informed by an understanding that custody is not a woman's life, rather it is one of a woman's life experiences. This concept is fundamental to a women-centred ideology and demands that services designed to address a woman's needs in custody are not confined to the time she is physically incarcerated, but must inevitably consider her life before, during and after custody, as well as her connections outside of prison'.⁹

The Director of Women's Custodial Services recognised that a woman-centred approach called for a profound cultural change and put a change management team

⁸ Office of the Inspector of Custodial Services (2006) *Report of an Announced Inspection of Bandyup Women's Prison*. Perth: OICS.

⁹ Office of the Inspector of Custodial Services (2006) *Report of an Announced Inspection of Bandyup Women's Prison*. Perth: OICS.p.8.

into Bandyup prison. The first aim of the change management team was to devise a structured day for all prisoners. The payment scheme changed so that prisoners were paid as much for using their time constructively as for the more traditional work activities.

The staffing was changed to increase the number of women in the staff overall, achieving a staff gender ratio of 60 to 40 weighted towards women, and in senior positions where the team managing the prison comprises 50 per cent males and 50 per cent females. Plans were drawn up and are being implemented to build 40 house-style blocks where the prisoners look after themselves and improved visiting facilities. The Inspector of Custodial Services is of the view that the position of Director of Women's Custodial Services is crucial.

'Issues relating to the imprisonment of women will always need a high-level champion in any Prison Service, and Western Australia, having recognised this and achieved real improvements in the provision of services to women in custody, should stick to a winning formula.'

Part of the reform programme was the opening of the Boronia Pre-release Centre with 70 places in May 2004. The Inspector of Custodial Services set out a blueprint for women's imprisonment which has been incorporated into the design and structure of the Boronia centre.¹⁰



Above: Residences at Boronia



Above: Family residence for mothers with children living with them or staying for an extended period

The key steps towards appropriate women's imprisonment were, according to the inspector:

To re-conceptualise women's imprisonment to remove it from the cultural context of men's imprisonment and be responsive to 'women prisoners', rather than 'prisoners who happen to be women'.

Women-centred aims of imprisonment need to be developed. At the very least, women should:

¹⁰ Office of the Inspector of Custodial Services (2007) *Report of an Announced Inspection of Boronia Pre-Release Centre for Women*. Perth: OICS.

- feel and be safe;
- not suffer further detriment in terms of their physical, mental and emotional health, and ideally have improved health status at the end of their time in prison;
- feel their culture is respected;
- have the necessary support to survive the regime without resorting to self-harm;
- be supported in dealing with pressing domestic concerns, particularly when these involve children;
- have adequate and appropriate contact with their children.

Additional women-centred aims might be:

- to encourage women prisoners' independence through relevant, culturally appropriate, women-centred educational, recreational, therapeutic, and work opportunities;
- to encourage and promote well-functioning relationships between women prisoners and significant others, especially their children; and
- to promote self-knowledge and self-esteem in women prisoners.

Reform in the area of assessment, classification and placement for women prisoners is fundamental and requires the following:

- An assessment and classification tool for all prisoners that weights gender appropriately
- Health care services for women prisoners should follow women's health care models, embrace a shared care philosophy, be sensitive to issues of abuse and shame,
- Female staff in particular should be recruited and trained specifically for the women's prisons

He noted ways in which the Boronia centre exemplified these principles. Women in the Boronia centre are referred to as residents rather than inmates or prisoners.¹¹

- Women at Boronia are offered the opportunity to make choices relating to their education, employment, health, family and personal development. All women at Boronia are employed, and employment and training is linked with real jobs in the community.
- The provision of residential, permanent accommodation for children up to four years, with extended day and overnight visits for children up to 12 years, assists both the mother and the child's development. A family friendly visits centre and a flexible visits system are indicators of the implementation of this principle.
- All residents are encouraged to contribute to reparation to the community by being involved in activities within the community.

¹¹ Office of the Inspector of Custodial Services (2007) *Report of an Announced Inspection of Boronia Pre-Release Centre for Women*. Perth: OICS. P.1

- The buildings reflect the philosophy and are as like normal living as possible whilst still maintaining adequate security for a low-security women's prison. Thus, the accommodation provides for up to seventy women to live in domestic style housing in groups of up to five per house. The work undertaken by the gardens and maintenance staff and the residents who work in these areas had resulted in pleasant gardens and well maintained houses that more closely resembled a well-kept suburban landscape than institutional setting.
- Staff are specially trained to work there.
- A household budget amount is allocated depending on the number of residents living in a house. Each household has its budget updated every day on the prison-wide computer system, except at weekends. The budget ranged from A\$8 per person per day for one person living alone in a house to A\$5 per person per day for five people sharing a house. Different houses were allocated different days for shopping at the supermarket.
- The café in the visits centre catered for residents and visitors during visits sessions at the weekends, and for staff and official visitors at all times. The café operated on the same electronic card payment system as the supermarket and canteen. Visitors could also purchase cards for use in the café from a vending machine.
- Two female GPs attended for one or two half-day sessions per week depending on the number of patient bookings, and their own availability.

Costs of Boronia

The cost per resident per day at Boronia was A\$324.69. The average cost per day for the entire prisoner population (in 2004/05) was A\$239.10. Boronia was therefore well above the average but the average cost would go down when all the places were filled.

A noted commentator has said of Boronia Pre-Release Centre. 'if there can be a good prison, this is it.'¹²

Queensland

In Queensland the number of women prisoners has increased from around 75 in 1993 to 358 in 2004-5 and Queensland too has been moving to reforming its system of dealing with women prisoners. The Anti-Discrimination Commission Queensland began a review of the treatment of women prisoners in 2004. Before the review was published in 2006 some changes were underway.

The Commission report notes that:

¹² From personal interview with Dr Dot Goulding from the Centre for Social & Community Research, Murdoch University

‘Women prisoners are victims as well as offenders. Very few are serious violent offenders. They pose little risk to public safety. Many are single parents with dependent children. More than half have been diagnosed with a specific mental illness. Significant numbers have been drug users, and more than 40% have been victims of non-consensual sexual activity, often as young girls.’

Its main findings are that:

- The security classification tools result in over-classification
- Legislative and sentencing reform is needed to reflect the priority to the best interests of the child
- Mental health issues are often ignored
- Indigenous women are especially at risk of discrimination

It goes on to recommend that:

- More training for prison staff on discrimination, sexual harassment, mental health should be provided
- The office of Chief Inspector of Prisons should be created
- Future custodial facilities for women should be smaller, and based on community living
- A security classification tool specific to women should be developed
- Women prisoners be held in the least restrictive environment possible and in the case of mothers placement should be based on the best interests of the child
- The use of strip-searches be reviewed
- The over-representation of women with mental illness in prison be reviewed and measure taken to reduce it
- Non-prison based organisations should be involved in providing expertise on substance abuse, mental health and sexual assault
- Mother and children units be developed and expanded¹³

Changes that have taken place in Queensland to make prison policies more appropriate to women include:

- Special escort procedures have been developed for pregnant and nursing mothers
- A target of 70 per cent female staff has been set for women’s prisons
- There are no maximum security facilities for women prisoners
- Women are not to be classified as maximum security
- Women’s prisons have more access to forensic mental services than men’s prisons
- Methadone may be provided to women prisoners but not normally to men¹⁴

¹³ Anti-Discrimination Commission Queensland (2006) *Women in Prison: A report by the Anti-Discrimination Commission Queensland*. Brisbane: ADCQ.

¹⁴ Queensland Government Department of Corrective Services (2003) *Addressing the needs of female offenders: Policy and action plan 2003-2008*. Brisbane: DCS.

Victoria

In the state of Victoria the Equal Opportunity Commission was asked by two community organisations to carry out a formal investigation into systemic discrimination against women in Victorian prisons. This it declined to do. Instead it called on the prison service, Corrections Victoria, to conduct its own review and to take into account that some of the allegations of discrimination were serious, namely women being over classified to high levels of security,¹⁵ distressing and over-frequent strip searches, and the failure to meet medical needs.¹⁵

The Victorian government meanwhile produced its own document, *Better Pathways: an integrated response to women's offending and re-offending*.

The document notes that the women's prison population in Victoria increased between 1998 and 2003 by 84 per cent.¹⁶ It notes the differences between men and women in contact with the criminal justice system and argues for a new approach that reflects 'the unique needs, characteristics and life experiences of women'.¹⁷

The essence of the new approach will be nine future directions for the medium to long term and 28 deliverables to be implemented between 2005 and 2009.

Some of the key initiatives to be introduced are:

- additional transitional housing for women on bail
- specialist sexual assault counselling, advocacy and support services for women prisoners;
- upgrades to women's prison facilities, including renovations to the medical centre, visits centre, and education and prison industries facilities at the maximum security women's prison
- a policy framework to guide the delivery of women's correctional services;
- improved training and employment opportunities for women offenders and prisoners;
- a pilot to assist women prisoners to manage and minimise debt; and
- an extension of the post-release support period for women leaving prison.¹⁸

Particular initiatives will include:

- Development of new standards for prison health care for women in prison
- Creation of a new 20-bed flexible intensive support unit to accommodate and provide specialist care to women prisoners with mental health care needs containing acute, sub-acute and physiosocial beds, crisis care beds and beds for elderly women prisoners. The unit will have 24-hour nurse staffing

¹⁵ Equal Opportunities Commission Victoria (2006) *Women Prisoners in Victoria. A report on the considerations and conclusion of the Equal Opportunities Commission of Victoria in determining whether to seek the Attorney-General's consent to conduct a formal investigation into systemic discrimination against women in Victorian prisons*. Melbourne: EOCV. P.5

¹⁶ Victorian Government Department of Justice (2005) *Better pathways: an integrated response to women's offending and re-offending*. Melbourne: State Government Victoria. P.6

¹⁷ Ibid p.9

¹⁸ Ibid p.12

An update of the Better Pathways strategy issued in 2007 contains the women's correctional service framework, a set of principles for dealing with women that are derived from the differences between men and women offenders. It also sets out details of work in hand to

- Develop a gender specific security classification tool
- Develop a model for a health and wellbeing clinic at the maximum security prison
- Develop gender-specific operating standards
- Develop a training programme for staff working in women's prisons
- Develop specific security review modules for women's prisons
- Devise new disciplinary procedures for women's prisons
- Review the limitations on using new communications technology
- Implement gender specific strip searching procedures
- Establish a separate use of force policy for women's prisons
- Test out alternative procedures to urinalysis for drug testing purposes¹⁹

Should this programme of work be completed it could constitute a new rule-book for women's imprisonment that would be of great value to other jurisdictions.

New South Wales

The most interesting aspect of the prison system in New South Wales is the health care system. Health care is delivered to the prisons by a state-wide trust, a specialist trust within the structure of public health organisations in New South Wales called Justice Health. The Trust describes its role as follows:

Prisoners and detainees are members of the general population: they come from and usually return to the community. Justice Health fulfils a valuable role in improving the health status of this group while also minimising the health consequences of incarceration on individuals, their families and the general community. As unfortunate as an individual's interaction with the criminal justice system may be, it does provide unique opportunities to improve the health status of a group who on the whole experience poor health and have had minimal contact with health services in the community.

The service aims at continuity of care after release and programmes of diversion, especially in the areas of mental health and drug problems. In 2003 the service took on responsibility for the health care in the juvenile justice system. In 2004, a Centre for Health Research in Criminal Justice started work. The Board which manages Justice Health has a number of sub-committees. One of these sub-committees, the Consumer and Community Group, has as members one male and one female prisoner who participate in the meetings via video-conferencing. The group meets about 6 times a year.²⁰

¹⁹ Victorian Government Department of Justice (2007) *Better pathways in practice: the Women's Correctional Services Framework*. Melbourne: State Government Victoria.

²⁰ Justice Health (2006) *Annual Report 2005-2006*. Matraville: Justice Health.

Information from a prisoner health survey in 2001 showed that:

- The average age of female prisoners is 31 years
- 32% of women prisoners are Aboriginal and/or Torres Strait Islander, compared with 2% of the general community in NSW.
- 30% of women prisoners warrant mental health referral for major depression.
- 83% of females smoke compared to 20% of women in the general community
- 44% of females have asthma
- 43% of females have abnormal PAP smears compared to 12% – 23% in the general community
- 66% of women prisoners are hepatitis C positive.
- 31% of women prisoners have been exposed to Hepatitis B and 6% of women are currently infected

The juveniles with which Justice Health deals ‘commonly report experiences of neglect and physical, emotional or sexual abuse. This is particularly the case with young women’. A survey done in 2003 of young people aged under 18 in the system showed:

- 24% of the women had seriously considered attempting suicide at some time in the past.
- 56% of young women had been diagnosed with asthma.
- 30% of young women had mild hearing loss.
- 47% of young women had injected drugs in the twelve months prior to custody.

Justice Health has six major clinical programmes one of which is women’s health. Some recent activities in health generally and in women’s health in particular include:

- 100% of new patients coming into prisons were maintained on existing pharmacotherapy treatment regimes unless clinically contraindicated
- 100% of patients released who were eligible had pharmacotherapy care arranged in the community
- Long Term Health Plans were completed on 43% of patients with a sentence of over 6 months which represents an increase of 17%
- 100% of women aged 14 years and over were offered a pregnancy test within 24 hours of reception into custody
- More people in custody received influenza vaccination
- Structured smoking cessation programmes were conducted for eligible patients at John Morony, Dillwynia women’s prison, Emu Plains women’s prison, Grafton and A pilot of two ultrasound clinics at Emu Plains and Dillwynia women’s prisons to improve access was carried out
- A reduced average waiting time for outpatient appointments for ophthalmology, pain management, and diabetes clinics was achieved
- The range of services provided by Public Health and Sexual Health Nurses was expanded
- A review of Hepatitis Services was conducted

Initiatives in the pipeline include:

- Increasing access to Hepatitis B vaccination
- Improving breast cancer and cervical screening rates
- Implementing the Framework for the Care of Pregnant Women in Custody
- Continued improvement of health services to women with the opening of the new Clinic and Mental Health Screening Unit at Mulawa women's prison
- Obtaining agreement to fund the appointment of a midwife to develop practice improvement initiatives around clinical pathways
- Developing shared care arrangements with Nepean Hospital to improve pre and post natal care for women and babies

Building is in progress of a new 135-bed Forensic Hospital which will be within a perimeter wall equal to that for a maximum-security prison, but the internal environment will be a modern psychiatric hospital. The hospital will cater for adults and young people, both men and women. It will principally focus on mentally ill patients within the criminal justice system, but it will also have capacity for mental health patients from around the State whose management requires a high level of security and a high clinician to patient ratio.

Canada²¹

Background

Convicted persons sentenced to two years or more of custody are placed under the jurisdiction of the federal government agency, Correctional Services Canada (CSC), which operates prison institutions throughout Canada. Persons sentenced to 'two years less a day' and those held on remand are the responsibility of provincial governments and are housed in provincial prisons

Women in prison in Canada – basic facts

Combined, women make up approximately 5% of the prisoner population or 1,756 female prisoners of a total of 35,110 prisoners in Canada. Of these 1,756 female inmates, approximately 379 are federally sentenced. Of these federal female prisoners, 37% serve less than 3 years and 31% serve between 3 and 6 years in custody which translates to slightly over 2/3 (68%) of federal female inmates serving less than 6 years in prison.

Women between the ages of 20-39 represent more than 2/3 (69%) of the inmate population. More than half of the women (56%) are incarcerated for violent offences, excluding 1st and 2nd degree murder, and another 20% for serious drug related offences. Together, these two groups account for slightly over 75% of all federally sentenced female offenders.

Most of these women stay in one of the regional federal facilities (spread out from coast to coast) which are multi security level institutions built as campus style cottages which allow the women some freedom of movement and require them to live and work co-operatively with other inmates who also share the facilities. Each institution has a mother-child programme and young children can stay with their mother until age 4 on a full time basis. In the provincial system, women are usually placed in female units attached to male institutions

Policy

As with other examples of progress, the foundation of CSC's accomplishments is based on the combined dedication and efforts of many individuals and organizations over time, including staff, volunteers and representatives from various government and non-government organizations. I gratefully acknowledge all those – and there are many – whose commitment has served to strengthen CSC's work with women offenders. I am also appreciative to the

²¹ This report deals only with convicted women serving two years or more who are held in the custody of the Correctional Service of Canada. Those on remand or serving sentences of less than two years are held in provincial prisons. In Ontario, for example, there is one unit for 124 women which is part of a much larger male prison and other women are also held in special units of local jails, detention centres, prisons where men are housed (Council of Elizabeth Fry Societies of Ontario: www.cefso.ca). We have not found any examples of good practice in the provincial systems.

women offenders who, along the way, have shared their experiences with us, and in doing so, have helped shape women's corrections.
Anne Kelly, Deputy Commissioner for Women, 2006.²²

The history of the treatment of women prisoners in the federal Correctional Service of Canada (CSC) is a useful case-study for prison policy-makers. Over the last ten years CSC has responded to a crisis in its women's prison system by devising new policies which are 'women-centred' and based on principles such as 'empowerment' and 'respect'.²³ In 2006 the Service took the opportunity to review progress, to assess what it had achieved and to consider what lessons could be learned.²⁴

The problems in the federal system came to public prominence with seven suicides over a 15-month period between 1988 and 1991 by prisoners held in what was then the only federal prison for women in Kingston, Ontario. The government appointed a task force which involved people from inside and outside government to make recommendations for a policy which would be more responsive to the needs of women prisoners. This task force recommended changes in philosophy, geography and regimes. These were accepted by the government and between 1995 and 1997 five regional prisons for women were opened:

- the Edmonton Institution for Women in Alberta
- the Grand Valley Institution for Women in Ontario
- the Joliette Institution in Quebec, Nova Institute for Women in Nova Scotia
- the Okimaw Ohci Healing Lodge in Saskatchewan (see Annex B for details of these institutions)

The largest of these prisons had 99 places, the smallest five. In 2000 the Kingston Prison for Women was closed as part of this restructuring. In 2004 an additional prison was opened in British Columbia, the Fraser Valley Institution for Women.

²² Correctional Service Canada (2007) *Ten-Year Status Report on Women's Corrections 1996-2006*. Ottawa: CSC

²³ Pollack, S. (2008) *Locked in, locked out: Imprisoning women in the shrinking and punitive welfare state*. Ontario: Wilfred Laurier University.

²⁴ *ibid*



Above: The Nova Institution for Women

The need to introduce radical changes in the treatment of women prisoners was reinforced by a much-publicised incident in 1995 when the videotape of an all-male emergency response team strip-searching women prisoners was made available to the Canadian Broadcasting Corporation. This incident and the events which preceded it led to an inquiry by Justice Louise Arbour whose report²⁵ found a considerable level of abuse and failure by the prison staff to observe the law and regulations. Seven years later a report by the Canadian Human Rights Commission found that women in federal prisons were still experiencing discrimination on the basis of gender, race and mental or physical disability.²⁶ The report noted in particular the discriminatory effect of male-based security classification tools, lack of appropriate counselling, limited employment training opportunities and inadequate complaints mechanisms to deal with harassment.

The new policies adopted with the opening of the new prisons between 1995 and 1997 were based on a detailed analysis of the problems of women in prison in Canada. The task force recommended that women's imprisonment be based on five principles:²⁷

- empowerment and enhancing self-esteem
- giving opportunities for responsible and meaningful choices
- mutuality of respect among prisoners, among staff and between prisoners and staff
- a supportive living environment
- a wide involvement of the agencies outside prison.

The task force recommended that there should be:

²⁵ Arbour, L. (1996) *Commission of Inquiry into certain events at the Prison for Women in Kingston*. Toronto: Commission of Inquiry.

²⁶ Canadian Human Rights Commission (2003) *Protecting Their Rights: A Systematic Review of Human Rights in Correctional Services for Federally Sentenced Women*. Ottawa: CHRC.

²⁷ Correctional Service of Canada (1990) *Creating Choices: The Report of the Task Force on Federally Sentenced Women*. Ottawa: CSC.

- five Regional Women's Facilities across Canada
- a Healing Lodge where Aboriginal federally sentenced women could serve all or part of their sentences
- additional community release centres for women in more communities across Canada which would include traditional halfway houses, Aboriginal centres, satellite units, home placements, addiction treatment centres, and multi-use women's centres and offer a wide variety of programmes and services to women who no longer needed, or were legally required to be held in, closed custody.

The task force specified the design of the new units as follows:

The new style facilities will utilize all environmental factors known to promote wellness. These will include natural light, fresh air, colour, space, privacy, and access to land. The design will also incorporate small cottages, independent living areas and non-intrusive security measures.

The task force envisaged very flexible methods of working:

The number of staff in each cottage will be determined by the needs of the women living in the cottage. For example, a cottage designated for long term prisoners who have settled into the routine of their sentence will likely need a very low level of staffing or security, whereas a cottage designated for prisoners who are unsettled or display signs of disturbance will require a much higher level of staffing and support.

Some of the cottages will be designated for special use. For example, a cottage might be reserved for a group of women actively working on the problems associated with addiction; another might be designated for women who are nearing the end of their sentence and require a very high level of independent functioning before being transferred to a community release centre; one might be for Aboriginal women who choose not to be at the Healing Lodge but who wish to live according to their Aboriginal spirituality and traditions; yet another might be for those who are especially high risk or high need and require high levels of staffing, support, counselling and other aspects of dynamic security. Each facility will designate the specific or general use of each cottage depending on the women who are there at any given time. Self-sufficiency and choice in the management by the women's daily living activities will be fostered in the cottage setting.

The task force recommended specialised staff with additional mandatory training in 'counselling, communications and negotiation skills and will also include training focused on sexism, sexual orientation, racism, Aboriginal traditions, spirituality, as well as issues relating to power and class'. The primary responsibility of the staff would be 'to provide positive interaction, to be role models and to support women's efforts to develop self-esteem and self-reliance.

Each prisoner should have 'a staff member as her primary Support Worker' and 'an individual resource person from the community...as her Community Worker'.

The task force envisaged that the programmes in the facilities would be provided by community groups or agencies or by the appropriate provincial authority and the health care by a community health group.

It recommended that all the facilities should have a visiting cottage for private family visits and an environment where a prisoner's child can live with its mother. This is in keeping with arrangements in other CSC prisons, where there are facilities for families to stay in private with their imprisoned family member for up to 72 hours.

The new arrangements for women prisoners in the CSC were based on the thinking in the report of the task force. Ten years after the last of the five units was opened one can assess some of the outcomes.



Above: Joliette Institution

The outcomes

The current situation suggests that the implementation did not deliver what the task force had envisaged.

In October 2007 19-year old Ashley Smith was found dead in the segregation unit in the Grand Valley Institution for Women.²⁸ She had killed herself. Apparently she had been kept in segregation for long periods of time; most of her convictions came from conflicts with authorities inside the prison, and she had a history of serious mental health problems. Three prison staff were charged under 'a section of the Criminal Code that relates to "omitting to do anything that it is his (or her) duty to do, shows wanton or reckless disregard for the lives or safety of other persons."'

²⁸ "Warning signs for months ahead of inmate's death. *CTV.ca*, October 27, 2007. http://www.ctv.ca/servlet/ArticleNews/story/CTVNews/20071026/prison_death_071026/20071026?hub=TopStories



Above: Grand Valley Institution for Women

According to a press report²⁹ ‘Grand Valley houses 138 inmates. Most live in minimum- or medium-security conditions, in "cottage" units where women interact every day, and have access to cooking and laundry facilities. Ms. Smith, however, had spent the past two years in isolation after a series of confrontations with guards and prison administrators. Despite the millions spent on upgraded prisons, Ms. Smith found herself in an environment not very much different than the one at P4W [the prison for women which was closed], surrounded by concrete, bulletproof glass, and bars.’

A report by the Auditor-General of Canada in 2003³⁰ found that ‘Correctional Service Canada has made a significant investment in changing the conditions of incarceration for women offenders and strengthening programs and services for them. A great deal of effort and funds have gone into the construction of regional women's in the facilities across Canada and later their expansion.’

However, the Auditor General found that there were still problems. He was critical of:

- the tools used to classify offenders
- the failure to design a comprehensive programme for women with substance abuse problems
- the failure to use temporary absence and work releases which the prison service could authorise itself under the *Corrections and Conditional Release Act*

²⁹ Cheney, P. (2007) ‘Teen death sparks prison furor. Guards, supervisor face criminal charges.’ *Globe and Mail*, 20 November 2007.

³⁰ Office of the Auditor General of Canada (2003) *Report of the Auditor General of Canada to the House of Commons. Chapter 4 Correctional Service Canada – Reintegration of Women Offenders*. Ottawa: Office of the Auditor General of Canada

- the failure to provide adequate access to programmes and services in the community

The Annual Report of the Correctional Investigator for 2006-7³¹ has a number of recommendations designed to improve the situation in women's prisons in Canada. The Investigator recommends that 'All front-line staff in women's institutions should receive annual refresher training in women-centered approaches'. He is critical of the use of security classification tools for women that lead to women being held in levels of security that are too high with a gross disproportion of aboriginal prisoners being held in the highest security category. He notes that women get too few of the opportunities to be given conditional release by the prison service to take up work as part of preparation for releases. He is dissatisfied with the mental health provision.

A research study carried out between 2004 and 2006 of a representative sample of women in federal prisons³² found that women prisoners were disappointed and disillusioned that prisons provided relatively little support and were not safe places for coming to terms with the past and moving on.

One woman told the researchers:

*Sometimes I think it would be better to go back to the old way, you know - where you got nothing, you didn't expect anything. And you got nothing and, you know, that was the way it was.*³³

It seems that the Correctional Service of Canada is responding to its continuing difficulties by making some changes. For example, two specialist units are to be established for women with very severe mental health problems. The principle of nearness to home will be abandoned for these women and they will be found a place in one of two national units, regardless of where they come from. A solution is still being sought for a very small number of violent women who take hostages and have until now been held in segregation units.³⁴

The lesson to be drawn from this history is that the development of the best designed buildings, in locations near prisoners' homes, with prison staff not wearing uniforms, will not provide the improvements that reformers envisage without some fundamental changes in the staff culture and the delivery capacity of management. Recently, for example, the staff working in women's prisons have reverted to wearing uniforms.³⁵

³¹ The Correctional Investigator Canada (2007) *Annual Report of the Office of the Correctional Investigator 2006-2007*. Ottawa: The Correctional Investigator Canada.

³² Pollack, S. (2008) *Locked in, locked out: Imprisoning women in the shrinking and punitive welfare state*. Ontario: Wilfred Laurier University.

³³ The Correctional Investigator Canada (2007) *Annual Report of the Office of the Correctional Investigator 2006-2007*. Ottawa: The Correctional Investigator Canada. P.17

³⁴ From personal interview with Keith Coulter, Commissioner of Corrections, Canada.

³⁵ From personal interview with Kim Pate, Executive Director of the Canadian Association of Elizabeth Fry Societies.



Above: Okimaw Ohci Healing Lodge

Health and regimes

The population of women in prison in Canada is typical of that in other countries in that it includes a high proportion of women with health problems. The number of federal prisoners with significant, identified mental health problems has gone up from seven per cent of men and 13 per cent of women who identified themselves in 1997 as having such a need to 12 per cent of men and 21 per cent women in 2007. According to the Correctional Investigator ‘the mental health services offered by the Correctional Service have not kept up with this dramatic increase and, in some instances, the services have deteriorated.’ The Correctional Service itself reports that mental health problems are up to three times more common among prisoners than among the general Canadian population. More than one out of ten male prisoners and one out of four women prisoners have been identified on admission as having mental health problems, an increase of 71 per cent and 100 per cent respectively, since 1997.

Another study suggests that 54 to 59 per cent of all federal female prisoners report engaging in ‘self-injurious’ behaviour (defined by actions such as cutting, slashing, head-banding, or burning). Rates of attempted suicide are reported as around 48 per cent of federally sentenced female prisoners and 34 per cent of women in provincial prisons.³⁶

³⁶ Blanchette, K. & Brown, S.L. (2006). *The Assessment and Treatment of Women Offenders: An Integrative Perspective*. West Sussex: John Wiley & Sons LTD. p. 110

The research study cited above found that 97 per cent of the sample had been addicted to drugs or alcohol.³⁷ It also found that since there is little provision for treatment in the provincial prisons some women reported that they asked the judge to give them a sentence long enough to get them into a federal prison.

It is important to note that the Correctional Service has the power to release imprisoned women to other settings where they remain technically prisoners but are held elsewhere, maybe in halfway houses or drug treatment facilities. Section 17 of The Correctional and Conditional Release Act, the legislation guiding the Correctional Service of Canada, specifically allows prisoners to exit prison “for medical... [or]... personal development for rehabilitative purposes.” In 2006, of the 909 federal women offenders, 44% (401) were in prison on the day the count was taken and 56% (508) women were on conditional release.

The programme offered in women’s federal prisons for addictions is called Women Offender Substance Abuse Program (WOSAP). The research study *Locked In, Locked Out*³⁸ asked women about this treatment programme. Some women responded that the relapse prevention aspect of the programme was helpful in identifying triggers and patterns of their drug use. But for women with longer sentences ‘the program felt disconnected from their outside lives and they had few opportunities to apply the relapse prevention principles. ...Many women felt that, once released, the WOSAP program was a distant memory and/or did not offer them a space to process the role that addictions played in their life, in particular the relationship to trauma’. The women who had been released to live in addiction treatment centres reported that the approach was more helpful because, as one said:

*...it’s not just alcohol here [at the addiction treatment centre], it’s everything. It’s your relationships with men, your relationships with your family, family dynamics, guilt and shame, grief...*³⁹

Each women’s prison is required to provide a sexual abuse/past trauma counselling service. The research study reports that the women greatly valued the experience. ‘Participants who had one-to-one counselling sessions spoke about the insight they had gained into both their addictions and other behaviours and feelings. In all regions, the sexual abuse counselling program was viewed in very positive terms and respondents felt this type of therapy had a significant impact on their post-prison lives.’ One reason the women gave was that the counsellor came from outside and did not work for the Correctional Service.⁴⁰ Another was that the approach taken by the counsellors was founded on ideas of respect, confidentiality and support.

There is another program run in CSC [Correctional Service of Canada], but not through CSC, which was very beneficial to me. And it’s called Trauma and Abuse, for survivors of trauma and abuse, and it’s run by an independent group of social workers who are actually paid by CSC but don’t work through

³⁷ Correctional Service Canada (2007) *Ten-Year Status Report on Women’s Corrections 1996-2006*. Ottawa: CSC

³⁸ Pollack, S. (2008) *Locked in, locked out: Imprisoning women in the shrinking and punitive welfare state*. Ontario: Wilfred Laurier University.

³⁹ Ibid p.19

⁴⁰ Ibid p.20

CSC, so...and that's voluntary as well, it's not a part of anybody's correctional plan, so the people that were in that program wanted to be in that program, and that made a huge difference. – Caitlin



Above: Edmonton Institution for Women

The views of prisoners themselves

The women interviewed in the research study made a number of recommendations themselves for improvements to the system. They suggested:

- the establishment of a system of having a key worker among the staff
- more flexibility in the programmes
- more support from women who had had similar experiences
- advocates to help them to know their rights
- development of an addictions treatment model which incorporates a variety of methods of treatment and includes a peer support component
- increased opportunity for women to have temporary absence passes to attend addictions counselling in the community from organisations that specialise in trauma and addictions
- increased opportunity for women to serve their time or be released on day parole into addiction treatment centres that have a woman-centred understanding of trauma, loss and addiction
- an expansion of the sexual abuse counselling programme and the continued use of outside counsellors

The Correctional Investigator lists in his report the areas of complaint most frequently identified by women prisoners by number of complaints. These are:

Area of complaint	Number of complaints
Health Care	63
Staff Performance	36
Administrative Segregation	33
Temporary Absence Decision	28
Cell Effects	24
Security Classification	23
Case Preparation	21
Safety/Security	21
Cell Placement	20
Programme Access and Content	20

Conclusion

In his foreword to the Ten Year Status Report, Commissioner Keith Coulter writes:

While CSC has come far in addressing the unique needs of women offenders, our work is by no means complete.

That would indeed appear to be the case.



Above: Fraser Valley Institution

Denmark

Context

Imprisonment in Denmark is shaped by Scandinavian approaches to social policy. The imprisonment rate is one of the lowest in Europe and has remained relatively stable for about 20 years at a time when the prison population in other countries has increased substantially. Prison policy is based on the principle of making life in prison as like normal life as is possible.

Women in prison in Denmark

In July 2007 there were 193 women in prison in Denmark, making up 4.6% of the total prison population of 4,198. There are 5 units for female prisoners in Danish prisons. Denmark does not have any prisons for women only. The two open prisons "Horseroed" and "Moegelkaer" have each 8 single cells for women only. The closed prisons in "Eastjutland" and "Herstedvester" have respectively 6 and 10 single cells for women.

The average age of women held in prison in Denmark is 37.6 and the offences for which women are most commonly imprisoned are drug offences followed by homicide and robbery.

On the whole separate statistics on women in prison are not felt by the Danish Prison Service to be of use in policy formation, and they do not keep statistics on suicide or escapes by women.⁴¹

All prisoners in Denmark are allowed to vote by letter in parliamentary and municipal elections, and also have the right to be involved in other forms of legal political activity.⁴²

Policy

The principle of normality in the Danish Corrections Act (section 4) states that the conditions of living in prison should approximate, as far as is possible, those of living in freedom. Overcrowding of prisons is forbidden by Danish law.⁴³

The principles governing the prison service are:

- Openness: contacts between the prison and the community are strengthened.
- Exercise of Responsibility: this principle acknowledges that the 'lodging and service functions' of a prison lessen the prisoners' ability to cope with daily life and states that prison service work should be organised to develop offenders' 'sense of responsibility, self-respect and self-confidence', and motivate them to live a crime-free life.
- Security: protecting the community and prisoners from criminal acts.

⁴¹ From personal correspondence with colleague from Aarhus Universitet, Denmark.

⁴² Taken from Danish Prison Service website <http://www.kriminalforsorgen.dk/>

⁴³ Dunkel et al (2005) *International Study on Women's Imprisonment*. Greifswald: University of Greifswald

- Least Possible Intervention: the problem solving methods that intrude the least in prisoners' lives should be used and early intervention is encouraged to 'prevent the development of unacceptable situations'.
- Optimum Use of Resources: using resources flexibly, effectively and in relation to perceived needs and therefore employing well-qualified, capable staff.
- None of these principles overrule others and all should be used on a daily basis to ensure outcomes that are consistent with all other principles.⁴⁴

A special feature of the Danish principle is the concept of "self-management". The prisoners themselves carry out daily tasks such as shopping, cooking, washing and cleaning (see section 43 I of the Danish Corrections Act). As a result, every institution has facilities for shopping and communal kitchens. The institution does not supply food but the prisoners buy their groceries themselves and prepare their own meals. Prisoners who do not have work and therefore cannot earn money are handed a certain amount for self-catering purposes.⁴⁵

Prison regimes

Ringe prison

Conditions inside the high security prison at Ringe aim to approximate normal life as much as possible. It holds only 86 prisoners, both men and women. Men and women live together, usually in sections of 10 people. They share a communal kitchen and bathrooms/showers. If a couple has a child, it can stay with them until he/she is 3 years old and during the day it is sent to the nursery in the nearby town.

The decision about whether to have children living in prison with their mother is not made by the prison; if the local authorities say that the mother is fit to look after her child then it is the mother's decision whether to have her child with her or not. All efforts are made to ensure mother and children are not separated when the child reaches her/his third birthday. There is a halfway house in Copenhagen and if possible, depending on the length of sentence, a mother and her child can be transferred there.



Above: Ringe prison

⁴⁴ Kriminal Forsorgen, Vigtig information [on-line], available at <http://www.kriminalforsorgen.dk/>

⁴⁵ ibid

At Ringe prison visiting children are allowed to see their mother's or father's room once to give them an understanding of the way their parent is living. This applies to all prisoners.

Visits are at the weekends in three-hour slots, and two slots can be booked at a time if there are rooms available and the visitor comes from far away. If visitors cannot come at the weekend, staff are flexible in allowing the visit to take place at another time.

A delegation from the Quaker Council for European Affairs (QCEA) reported on the visiting arrangements. The visiting rooms are on the ground floor near the entrance. There are two detectors that scan for metal and drugs. Small visiting rooms (off a long corridor) are equipped with a sink, sofa bed, chairs and table; a door leads out onto enclosed grounds and a small play area for children. Chains had been fitted to stop the outside doors opening fully because prisoners had been going outside and threatening each other. There is a much bigger family room which has lots of toys for children's visits. Two prisoners would never be expected to share the room for their visits but if they wanted to have a joint visit with another family this may be allowed.

There are phones on all the units and calling time is unlimited. Prisoners are restricted to calling only four phone numbers. Prisoners have to buy their own phone cards. Writing paper is free. Prisoners with sentences over a certain length can apply for home leave.

There is a full kitchen at the end of the corridor. No special arrangements need to be made for conjugal visits as all visits are in private rooms so there is no difference between conjugal and non-conjugal visits. A guard will only sit in on the visit if staff members have good reason to suspect drugs will be passed. According to the Quaker delegation this rarely happens.⁴⁶

Couples who are both in prison are allowed to stay on a unit together. If one half of a couple is placed in a low security prison he or she can choose to serve his or her time in a high security prison to be with his or her partner.

A woman prisoner can only visit a male prisoner if they are a genuine couple and have been together for at least one month. To make sure that they are a genuine couple, members of staff from the men's and women's sections have a meeting and discuss this. This is done to avoid prostitution. The two female prisoners interviewed by the Quaker delegation on the visit thought that this was a very good rule and said it made prostitution (for drugs) by female prisoners less likely although it does still happen.⁴⁷

Horseroed prison

Horseroed prison has one drug treatment unit for women only and four other mixed sex units. However, men and women resident in single sex units work alongside each other. In a visit to this prison by the QCEA in 2006, staff described the mixed sex unit as relaxed as it was more normal. Women themselves choose whether to serve their

⁴⁶ Quaker Council for European Affairs (2007) *Women in Prison: A Review of the Conditions in Member States of the Council of Europe*. Brussels: QCEA

⁴⁷ *ibid*

sentence in a mixed or single sex unit. Women who had experienced male violence or abuse often choose a single sex unit.⁴⁸

There is a mixed, semi-closed unit for 'inmates who cannot manage on an open unit'. As this phrasing suggests, prisoners are not in the semi-open section for disciplinary measures but for their own protection. Sex offenders who are likely to be bullied or ostracised are kept there, also drug-abusers, who may be pushed by others to take drugs. Unlike the rest of the prison there is an obvious fence surrounding the unit; however this is there to keep other prisoners out rather than prisoners in. These prisoners are granted home leave on the same basis as the other prisoners.

A fourteen-bed family unit provides accommodation for parents with children of less than three years of age and for married couples where both partners have committed a crime. This is for couples who were together before the start of the sentence. There is one cell for a couple with children which consists of a room for the parents and a connecting door to a room for the child.

Visits at Horseroed are two hours, twice per week. The visiting rooms are next to the main reception area: small rooms leading off a corridor are equipped with a sofa bed, sink, mirror, chairs; condoms and towels are provided. As in Ringe prison (the closed prison), no special arrangements need to be made for conjugal visits as all visits take place in private rooms. The QCEA found that the rooms were not very cheerful but were quite spacious. There was a special visiting room for children with toys and this was carpeted (unlike the other rooms). There was also a small, fenced garden with table and chairs and a play house, seesaw and swings. Visitors are allowed to bring food into the prison but drinks are forbidden as it is too easy to hide drugs in them. Prisoners are allowed to take food back to their rooms.⁴⁹

The prison called Vestre Faengsel, located to the west of Copenhagen, has a total capacity of 430. There were thirty-seven women in the women's unit in 1998. The prison is equipped with a gymnasium, a church, a library, a school and conference rooms for the prisoners. There is a penitentiary hospital with thirty-seven beds. Møgelkær State Prison has 126 places and receives female prisoners from counties west of the Great Belt. There is a thirty-place semi-open unit.⁵⁰

Most inmates in an open prison receive regular leave every third weekend ("orlov") if their custodial sentence is of 5 months or more. They can first be allowed a leave after 4 weeks residence in the prison and, in some cases, this will be even longer. If their custodial sentence is shorter, they can receive a leave in connection with a visit.

Leaves from a closed prison are not so common and are not granted as early as in an open prison.⁵¹

Prisoners are entitled to exert influence on general conditions in the penal institution or local prison. This can be exercised by spokesmen elected by the inmates.⁵²

⁴⁸ *ibid*

⁴⁹ ⁴⁹ Quaker Council for European Affairs (2007) *Women in Prison: A Review of the Conditions in Member States of the Council of Europe*. Brussels: QCEA

⁵⁰ *ibid*

⁵¹ Taken from Danish Prison Service website <http://www.kriminalforsorgen.dk/>

Men and women follow a daily routine of work and education (part of Denmark's normalisation principle) and after work they can rest and socialise in the common spaces. They are allowed to form relationships and after they have demonstrated they are together they both apply and arrange to have private visits.

Health

People with mental health problems are diverted outside the prison system and drug users have a treatment guarantee. If they give up the habit while in prison they might be released earlier but if they start taking drugs they get sent back to prison. Once drug users leave prison they are given a place to stay, help to find a job or a grant to study.

Information on addiction problems suggests that:

- 15.4 per cent of Danish women prisoners have alcohol problems and treatment is available for 11.5 per cent of these
- 34.5% of women wish to receive treatment for drug problems and 27.6% are already receiving help.
- 11.1% of women are receiving treatment for psychological problems whilst 37% of women need help, showing a large gap in service provision.
- 40.7% show heightened or high symptoms of depression and 17.9% have a heightened or high self-harm risk.⁵³

Ringe prison

Self-harm is not common in Ringe prison and, unusually, is at the same level amongst men as it is with women.

Horseroed prison

Horseroed prison has a thirteen-bed, all-women drug treatment unit receiving women from all over Denmark who volunteer for drug treatment. There is no compulsory drug treatment. Women in this unit have 'hard histories' and have often been prostitutes prior to imprisonment with histories of abuse. The unit is run according to 'project humanity' principles. The project is half-funded by the Ministry of Social Affairs and run by external workers assisted by prison-employed staff. Family issues are addressed on the programme. Children are not allowed on the unit. The project includes confidence-building workshops and rehabilitative work, e.g. massage classes, as women on the programme frequently have histories of violence and abuse and have never experienced touch as a positive thing. Members of staff told the QCEA they are understaffed.

There are secure cells for suicide prevention. There is a suicide approximately every five years. An officer told the QCEA she did not think there was any self-harm in the

⁵² *ibid*

⁵³ Dunkel et al (2005) *International Study on Women's Imprisonment*. Greifswald: University of Greifswald

prison. Sex-specific health care information is not targeted at women. Abortion can be arranged in an external hospital and information is available. Female contraception is available. The prison has no HIV reduction plan. There are information leaflets but there is no structured plan for disseminating information. Free condoms and bleach are available.⁵⁴

Design of buildings

Ringe prison

There is a five metre high wall around the prison. The prison is built on the side of a hill which allows prisoners to see out over the surrounding countryside. According to the QCEA there is also a high fence, which is not overly conspicuous, and CCTV. The fence is a recent addition and is to stop drugs, mobile phones and weapons being thrown over the wall rather than to stop prisoners escaping. ‘Close contact between personnel and detainees’ is also cited as a security measure by the Ministry of Justice, what would in England be called ‘dynamic security.’ There have been a few escapes in the last ten years, but not recently.

Every prisoner has his or her own cell. Cells are a minimum of 7.4m², although this varies. When furnished they feel cramped, according to the QCEA.⁵⁵

All cell doors have two locks; one for the prisoner and one for the staff. The staff have the keys to both locks. At night time all doors are locked with the staff locks. In free time (after 15:00), prisoners can wander freely into the grounds behind their section where they can meet prisoners from other sections. Prisoners have to get permission to visit another section.

Horseroed prison

There is no external fence to the prison and the prison looks more like a university campus. There is CCTV but it is not fully monitored as there are not enough staff to watch the screens. There are approximately 100 escapes per year and ‘we have settled for that’ senior staff told the QCEA. The situation would be reviewed if the number changed. Men escape more than women. Some prisoners have asked to be in a higher security prison because they think they would break the rules in a low security prison and get into trouble.

Prisoners have the key to their own cells and are never locked in. The front doors to departments are locked at 21:15. There are morning and evening roll calls. In all parts of the prison frisk searches are carried out and sniffer dogs used. Prisoners can use the well-kept grounds freely during the day. Staff told the QCEA that the relaxed atmosphere helps with security and lowers the suicide risk. An officer told us she had never been verbally or physically assaulted by a prisoner. Dumbbells are used in the gym and knives in the kitchen and the staff were not concerned that these heightened the risk of violence within the prison: ‘they will always find something, or use their fists’. The QCEA guide could only remember one case when someone had been

⁵⁴ ibid

⁵⁵ ibid

attacked with a bread knife. There are some racial tensions in the prison. In harassment cases the harasser would be moved to a closed prison.



Above: Horseroed prison

There is a unit holding prisoners awaiting trial, which, unlike the other units, is surrounded by a high barbed wire fence. This is a central government initiative and reflects the very strict conditions on pre-trial prisoners imposed by the legal system. The QCEA reported that staff were unenthusiastic about the facility and said that prisoners are being held there who could be held in one of the open units.

Staff members have offices in the main corridors near the prisoners' rooms. This minimises any division between staff and prisoners.

There are large common rooms which contain well-equipped kitchens. Prisoners can use these whenever they want and are able to mix with prisoners from other units. The common rooms varied; some contained books, pool tables and table football, TVs and one had two birds in a cage. Outside there was a barbecue that prisoners can use.

There is a library with a piano staffed by a librarian. There is a solarium and there is a reasonably large gym with all the usual equipment.

There are solitary confinement cells which are used for disciplinary purposes. Prisoners spend a maximum of three days there. Prisoners are sometimes confined to their own room if the solitary confinement cells are full. Prisoners are put in solitary confinement if they refuse to work. The other punishment is transferral to a closed prison or fines.⁵⁶

The main prison in Copenhagen has approximately thirty-six women prisoners. Approximately half the guards are women. It is an old building with small cells and long corridors. The cells do not have toilets; prisoners have to use a bucket at night. Prisoners are body searched after visits but visitors are not.⁵⁷

Staffing and relationships

⁵⁶ Quaker Council for European Affairs (2007) *Women in Prison: A Review of the Conditions in Member States of the Council of Europe*. Brussels: QCEA

⁵⁷ *ibid*

Staff and prisoners mix very freely during the day. Their interaction is mostly focused in trying to ensure that when prisoners leave prison they are better able to survive outside without crime.

The QCEA noted that the principles of the prison service (see above) could be seen in the atmosphere of Ringe prison and in talking to prison staff. Staff and prisoners appeared relaxed in each other's company. There was far less emphasis on the control of prisoners and less bureaucracy. Operating in this way also eliminates certain issues; for example, time out of cell is not a difficulty because prisoners are always out of their cells; conjugal visits are not complicated for the prison to arrange because they take place as a matter of course during normal visits.⁵⁸

At Ringe prison there are 120 employees, most of whom are 'prison personnel'. Members of staff do not have any gender awareness training although the three-year prison officer training does touch on this. Prisoners told the QCEA that staff members were aware of gender differences, although the social worker appeared more doubtful and said staff could be better. The social worker said that gender made a difference in her work, for example, women have more family problems leading to more frequent liaisons with foster families and arranging of family visits.⁵⁹

Although prisoners in Ringe prison are strip-searched before and after a visit, the prison does not rely on searches to find drugs but on the close contact between staff and prisoners which leads staff to notice changes in behaviour. This is successful and a lot of drugs are confiscated (cannabis most regularly and harder drugs more rarely).

Horseroed prison has 150 staff, including personnel who are employed on an hourly basis. Staff are organised according to the 'AUF model'; this model involves four months staff work as occupational supervisors in prison workshops, and twelve months as security officers (dealing with disciplinary problems). Staff also work as case or liaison officers (dealing with issues concerning individual prisoners) and as instructors in leisure and hobby activities.⁶⁰

⁵⁸ Quaker Council for European Affairs (2007) *Women in Prison: A Review of the Conditions in Member States of the Council of Europe*. Brussels: QCEA

⁵⁹ *ibid*

⁶⁰ Quaker Council for European Affairs (2007) *Women in Prison: A Review of the Conditions in Member States of the Council of Europe*. Brussels: QCEA

Germany

Context

Germany is a Federal Republic, made up of sixteen states known as Länder. In September 2006, the constitutional order was changed and legislative competence was passed to the Länder. There is now no central prison authority in Germany, so the sixteen individual Federal Länder, legislate and operate the prison service on their own. Although the Federal Prison Act is still in effect, the Länder can draft their own Prison Acts. This means that there are sixteen independent prison systems in Germany with potentially sixteen different Prison Acts. So far, none of the Länder has drafted their own prison act.

Women in prison in Germany – basic facts

In March 2007 there were 4,088 women in prison in Germany, making up 5.4% of the total prison population of 75,719. Only six of the Länder have single-sex women's prisons whereas other Länder have women's units attached to men's prisons.

Policy

One of the principles of imprisonment is to imprison prisoners as close to their homes as possible. However, information provided by the Federal Government states: 'since female prisoners are accommodated predominantly in central institutions in view of their small numbers, their families have to travel long distances and bear the costs incurred'. Also, arranging relaxation of prison conditions and leave is much harder to organise for female prisoners because of the distances involved.

Germany, like some other countries in northern Europe, operates under a principle of normalisation. 'The object of imprisonment is to enable prisoners to lead a life of social responsibility without committing criminal offences. This means that life in penal institutions shall be approximated as far as possible to general living conditions outside [and] that detrimental effects of imprisonment shall be counteracted', writes the Federal Government. This should govern all aspects of imprisonment including contact with families.⁶¹

Prison regimes

In Frondenberg Prison in the State of North Rhine-Westphalia in North West Germany the State prison service runs an open unit for women with children up to the age of six. It only holds 16 mothers as it is quite expensive. Mothers live with their children in self contained flats which consist of a kitchen, bathroom, one bedroom and a living room. They do not have the appearance of cells but look more like well-equipped family houses. The building also does not look like a prison but more like a student flat from the outside. The majority of women are there for theft or fraud.

According to a prisoner, children do not notice that they are in a prison. There are no

⁶¹ Quaker Council for European Affairs (2007) *Women in Prison: A Review of the Conditions in Member States of the Council of Europe*. Brussels: QCEA.

bars at the windows and every flat has its own balcony. Also, mothers can go outside.

According to a prison guard, the prison is very open and there are no fences. Staff do not wear uniforms because they do not want to create distance between themselves and the children (the rationale is that children are not being punished therefore, the environment has to be as normal as possible for them.). If a woman disobeys the rules the staff will try and resolve the issue by talking to the mother though this never happens in the presence of the child. The staff do not want the children to see their mothers being punished, because the mothers will lose their authority over the children.

Generally, in the mornings, the children over the age of two go to the kindergarten while their mothers work. In the afternoons the mothers play with their children and in the evening women can watch TV (though no TVs are allowed in the rooms). Staff are also there to give advice and help to women to raise their children. In addition, women are allowed 21 days of holiday. The rules about the times when women are allowed to play with the children, work or watch TV are quite strict. Also, if a woman commits an offence while she is in prison she immediately gets transferred to a closed prison and she is separated from her child. However, in the last 11 years only 8 women have been transferred to a closed prison and only 10% of the women have been reconvicted.

On the whole, according to a BBC radio report, it seems a very successful system which makes women quite happy and helps them to learn parenting skills.⁶²

There are mother and baby units in eight of the Länder where children can live with their mothers until the age of three. Open prisons in some Länder accommodate children up to the age of six (the age at which children start school). Guidelines are the responsibility of the Länder, not the Federal Government. Specialist staff are available to train women in child care. There are a number of special provisions which allow mothers to leave the prison with their children.

In Hessen, a mother and baby unit was set up in 1975 for eight mothers and twenty children. In 1998, a second unit was built so that there is now one open regime and one closed regime mother and baby unit.¹¹ In Bayern, there is a mother and baby unit for ten women and children can stay until they are four years of age. In Bayern, women prisoners who are over six months pregnant are sent to Aichach, which has a mother and baby unit with places for ten women.

⁶² From BBC Radio 4 report 20 November 2001.



Above – The mother and child unit at Aichach prison in Bavaria

Prisoners who are not at risk of absconding or committing further crimes are granted leave and relaxation of certain conditions to help prepare them for reintegration on release. Prisoners have twenty one days of leave per year and extra leave may be granted for special reasons including family events. Prisoners from the open prison in Freistaat Thüringen can go out to visit family at weekends.

The administration in Bavaria states that they are keen to support social contacts and family ties. Marriage guidance and family counselling are available and NGOs are brought in to support prisoners. Prisoners are given home leave and the prison tries to be sensitive to family needs during visits. Bavaria reports that thirty-one per cent of adult female prisoners are married, compared to twenty-five per cent of men; and twenty-seven per cent of female prisoners are divorced, compared to twenty per cent of men.⁶³

In 2005 the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) visited Halle Prison No. 1 in Schleswig Holstein which holds 61 female prisoners. The reported noted that “the female section was sealed off from the men’s accommodation, ensuring separation by gender but not by age. Within the female accommodation there was mixing of age groups including, on the remand unit, cell sharing on occasion between a juvenile and an adult inmate. Apparently, a few days before the CPT’s visit, and even though there were several empty cells in the unit, a juvenile aged 17 was sharing a cell with an adult woman accused of a serious violent offence and in a state of considerable distress.”⁶⁴

Health

⁶³ Quaker Council for European Affairs (2007) *Women in Prison: A Review of the Conditions in Member States of the Council of Europe*. Brussels: QCEA.

⁶⁴ Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2007) *Report to the German Government on the visit to Germany carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 20 November to 2 December 2005*. Strasbourg: CPT.

The Federal Government, in correspondence with the Quaker Council for European Affairs (QCEA), writes that psychosomatic symptoms are more common amongst women prisoners than male prisoners e.g. skin diseases, headaches and stomach problems. In Bremen, basic health care is offered in prison and a dentist comes in to treat the prisoners. Women go out to see specialists. In Freistaat Thüringen, women go to the medical department of another prison where men are also treated. Doctors are brought in from the outside, e.g. for gynaecology. Prisoners can be taken to external facilities if necessary.⁶⁵

In response to the survey sent out by the QCEA, a respondent from Bremen estimated that 50-75 per cent of women in prison at Aichach prison (Bayern) had been sexually abused prior to imprisonment. Also in response to questions from the QCEA the German government wrote ‘many women have experienced violence before being imprisoned and are therefore sensitive and aggressive in their reaction to every form of coercion.’⁶⁶

Mental health

Mentally ill offenders in Germany are subject to certain legal regulations. Offenders who are not criminally responsible (i.e. they are considered not guilty on the grounds of diminished responsibility) and are not considered dangerous are hospitalised in general clinical psychiatric institutions. Offenders deemed likely to commit further offences who are also considered to have at least diminished responsibility are sent to special secure forensic psychiatric hospitals ‘regardless of the therapeutic prognosis’. 5,118 prisoners were held in such institutions on 31 March 2003.

All other mentally ill offenders, such as those suffering from schizophrenia (who are held criminally responsible despite their illness), may be sentenced to prison. There is no empirical base for determining whether there is increasing mental disorder amongst prisoners in Germany have because of the closure of mental hospitals. Indeed, research dealing with the treatment needs of prisoners ‘seems to be in its infancy’. ‘Where treatment needs are investigated by research, a large number prove to be unmet.’ Konrad recommends screening for mental ill health on admission to prison, pointing out that although prisoners are required to undergo a medical examination on entering prison this does not include screening for mental health problems.⁶⁷

A survey by the University of Greifswald in 2005 found that, out of the 116 women prisoners in five German prisons that they surveyed, 30.3 per cent experienced heightened symptoms of depression and 22.2 per cent experienced high symptoms of depression. 17.5 per cent of women reported suffering from sleep problems. There were no suicide attempts in the five prisons that were surveyed.⁶⁸

⁶⁵ Quaker Council for European Affairs (2007) *Women in Prison: A Review of the Conditions in Member States of the Council of Europe*. Brussels: QCEA.

⁶⁶ *ibid*

⁶⁷ Konrad, N., ‘Managing the Mentally Ill in the Prisons of Berlin’, *International Journal of Prisoner Health* 1, no. 1 (March 2005), pp. 39-42.

⁶⁸ Dunkel, F. et al (2005) *International Study on Women’s Imprisonment: Current situation, demand analysis and “best practice”*. Greifswald: University of Greifswald.

With regard to women, Konrad writes that: ‘while the percentage of women has a slight preponderance in the general psychiatric and criminally responsible populations, the 1:30 female: male ratio found in hospitalised mentally ill offenders approximately corresponds to the ratio for prisoners in the penal system.’⁶⁹ Women prisoners who require hospitalisation usually have therapy outside prison.

According to the 2005 report by the University of Greifswald, 22.2% of women in prison in Germany exhibited high levels of depressive symptoms, while 30.3% showed heightened depressive symptoms. The same report shows that 2.8% of women had a high risk of self-harming and 9.2% had a heightened risk of self-harming.⁷⁰

Substance addiction

The number of female drug addicts fluctuates between thirty-five and seventy per cent of the total number of women in prison compared to that of between ten and forty per cent for male prisoners. The study by the University of Greifswald found that 5.7 per cent of women prisoners they surveyed need help for alcohol problems but only 0.9 per cent of women receive such help. In addition, 24.6 per cent of the women prisoners they surveyed were receiving help for a drug problem but 34.8 per cent were in need of such help. Many of these women were long term drug addicts who did not believe they were capable of staying free of drugs. In Germany there is drug rehabilitation both within prisons and in external institutions. Not all women’s prisons offer drug substitution although the majority of men’s prisons do. Women in prison are more likely to take up the offer of drug rehabilitation than when they are free as it is an escape from prison. However, there are few drug rehabilitation places that are tailored to the needs of women with past prison experience.

In Bremen, forty-six per cent of female prisoners are addicted to drugs. Treatment includes: counselling, health education, substitution, psycho-social treatment, medical treatment, and referral to external rehabilitation for women in the open section.⁷¹

In the state of Freistaat Thüringen Prisoners with drug or alcohol problems are not eligible for open prisons, according to the administration.⁷²

Needle exchange programmes were started in three prisons in 1996, including a women’s prison. After a two-year pilot phase needle exchange programmes were expanded to four other prisons. However, over the last two years, six of these programmes have been cancelled ‘despite the encouraging results of scientific evaluation, and positive practical experiences of the prisons’. This was, according to Lines et al, due to the ‘increasing attack from German political leaders, elected to office on a zero-tolerance to drugs platform, and who have used the issue of prison

⁶⁹ Konrad, N., ‘Managing the Mentally Ill in the Prisons of Berlin’, *International Journal of Prisoner Health* 1, no. 1 (March 2005), pp. 39-42.

⁷⁰ Dunkel, F. et al (2005) *International Study on Women’s Imprisonment: Current situation, demand analysis and “best practice”*. Greifswald: University of Greifswald.

⁷¹ Quaker Council for European Affairs (2007) *Women in Prison: A Review of the Conditions in Member States of the Council of Europe*. Brussels: QCEA.

⁷² *ibid*

needle exchange programmes to advance their political interests.’⁷³ Only Lichtenberg women’s prison still has a syringe dispensing machine.

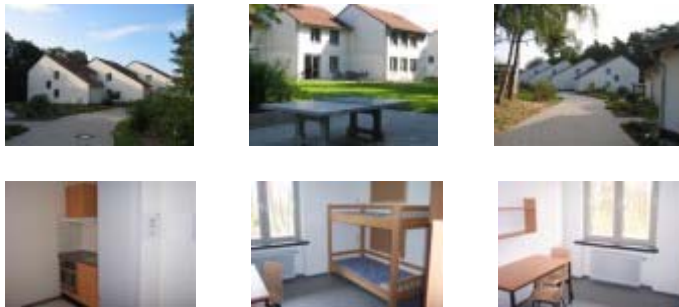
Design of buildings

The CPT, during their visit in 2005 to Halle Prison No. 1, noted that the separate closed section for female prisoners of all ages had been fully refurbished in recent years and conditions of detention were on the whole good, although the official capacity was slightly exceeded. The cells were of a good size (about 10m²) for single occupancy and just about adequate for two inmates, with good access to natural light and ventilation; in addition, there was a multi-occupancy room for four prisoners on each of the three floors. The in-cell toilet areas were fully partitioned, but (unlike the rest of the cells) poorly ventilated.

Each floor also had pay-laundering facilities, a recreation room with a television, and a gym room, regrettably without much working equipment. A piano room was located in the adjoining building next to the visits rooms. A very fine garden had been laid out in the grounds, but offered no shelter from inclement weather.⁷⁴



Above :The grounds of the women’s prison in Bremen



Above: Pictures from the women’s section of Bielefeld-Brackwede prison in the State of Nordrhein-Westfalen.

Staffing and relationships

⁷³ Lines, R. et al (2005) “Taking action to reduce injecting drug-related harms in prisons: The evidence of effectiveness of prison needle exchange in six countries” in *International Journal of Prisoners Health*. Vol 1, no.1 March 2—5, p53.

⁷⁴ Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (2007) *Report to the German Government on the visit to Germany carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 20 November to 2 December 2005*. Strasbourg: CPT.

Rule 3 of the Standard Minimum Rules for the Treatment of Prisoners states that “Women prisoners shall be attended and supervised only by women officers”, however Germany employs men in women’s prisons to facilitate a more “normal” environment.⁷⁵

⁷⁵ Office of the High Commissioner for Human Rights (1955) *Standard Minimum Rules for the Treatment of Prisoners Adopted by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, held at Geneva in 1955, and approved by the Economic and Social Council by its resolution 663 C (XXIV) of 31 July 1957 and 2076 (LXII) of 13 May 1977*. Strasbourg: OHCHR.

New Zealand

Context

The New Zealand prison system has faced a number of problems, not least a very rapid increase in the number of prisoners to a level of 197 per 100,000 of population, the highest of any Western country apart from the United States. However, a sudden drop in the number of prisoners in the second half of 2007 has brought the number down from 8,372 to 7,600 and the rate to 179 per 100,000. There are 1,600 unused prison places currently.

Women in prison in New Zealand – basic facts

At 24 January 2006, female prisoners accounted for 461 of the 7,477 imprisoned people in New Zealand, making up approximately 6 percent of the total prison population. There are 3 prisons solely for women, and the majority of women are serving sentences of two years or less. The New Zealand female prison population can be briefly described as predominantly young (under 30 years of age), not well educated, and in prison mainly for violent offending, property and drug offences.

Policy

The prison system in New Zealand has been through a difficult period. A report by the Ombudsman carried out in 2005 on all prisoners⁷⁶ concluded ‘Encouragingly we did not find any systemic abuse of prisoners nor abuse of power, but were disturbed to find a lack of meaningful occupation for prisoners in terms of employment, training, physical exercise and general recreation. We were concerned also about the lack of adequate rehabilitation programmes and the paucity of drug and alcohol abuse programmes in particular.’

In response to the Ombudsman’s report the Department of Corrections responded by increasing the availability of drug and alcohol programmes, expanding employment opportunities for prisoners and addressing other matters of concern. The Chief Executive of the Prison Service said in August 2007:

‘In addition to demand for beds well exceeding forecasts, the change of focus from incarceration to rehabilitation and reintegration has had a profound impact on Corrections. Prison Services has re-evaluated its direction and we are planning very carefully for our future.’

A report on the Criminal Justice System commissioned by the Prime Minister from a former Ombudsman concludes:

*‘Over recent times the Minister of Corrections and the department have endured some highly scathing comment by politicians, the public, interest groups and the media. Among other matters, there has been publicity about:
· cost overruns for new prisons*

⁷⁶ Office of the Ombudsman (2005) *Ombudsman’s Investigation of the Department of Corrections in Relation to the Detention and Treatment of Prisoners*. Auckland: Office of the Ombudsman.

- *contraband in prisons*
- *drugs in prisons*
- *alleged corruption of some prison staff*
- *unsafe prisoner transport*
- *escapes*
- *rioting.*

The report noted that because of the growth in the size of the prison “over 50 per cent of frontline prison staff have less than five years experience”⁷⁷ and also noted that the Corrections Department reported:

- *very few escapes (following an 83% reduction in escapes over the last ten years)*
- *the second lowest rate of serious assaults by prisoners on fellow prisoners*
- *unnatural deaths, suicides and incidents of self-harm declining steadily for several years*
- *drug usage by prisoners declining sharply (a reduction in positive random drug tests, from 34% in 1998 to 12.7% currently)*
- *an average per day cost of housing prisoners substantially lower than that of other countries.*

The health situation of New Zealand prisoners

Information on the health status of women prisoners could not be found in the time available. However a 2005 Prison Health Survey carried out by the National Health Commission found:

- *45% of female prisoners had a gambling problem at some stage in their lives*
- *over half of all prisoners were overweight or obese*
- *more than half reported a diagnosis of a chronic condition*
- *two thirds of prisoners were smokers*
- *almost half of the prison population had experienced tooth pain while eating or drinking in the last month*
- *one in three prisoners had a history of one or more of the communicable diseases asked about (these included chlamydia or other STI, scabies and lice, hepatitis B or C, rheumatic fever and tuberculosis)*
- *almost two thirds of prisoners had suffered a head injury in their lifetime*
- *one in three prisoners was unable to see a nurse when they wanted to at some time in the previous 12 months.*

On mental health and substance abuse, the National Health Commission reported:

- *grossly elevated mental health issues within the prison population as compared to the community; in particular post traumatic stress disorder*

⁷⁷ Smith, M. (2007) *Report of Mel Smith, Ombudsman following a reference by the Prime Minister under section 13 (5) of the Ombudsman Act 1975 for an investigation into issues involving the Criminal Justice Sector.* Auckland: Office of the Ombudsman.

(PTSD), bipolar disorder, major depressive episode and obsessive compulsive disorder

- *89% of prisoners had substance abuse and dependence issues*
- *83% of prisoners with mental illness had a co-morbid substance abuse condition*
- *approximately one fifth of prisoners had high levels of suicidal ideation*
- *57% of prisoners had one or more personality disorders.*

The Ombudsman report suggests that the Ministry of Health intends to propose to the Government that responsibility for prison healthcare should be taken over from the Department of Corrections by the Ministry of Health ‘on the basis that Corrections’ tasks of custody and control impede the medical ethics of care and protection.’⁷⁸

A report by the Auditor General on mental health services for prisoners published in March 2008 found that:⁷⁹

- It was not clear who was responsible for prisoners with personality disorders
- The agencies’ ability to plan services effectively was limited by the quality and currency of data, particularly on service use and the number of prisoners with mental health needs.
- Areas where services failed to meet needs were;
 - access in good time to inpatient services
 - provision of services for those with mild to moderate illness
 - forensic inpatient services for women
 - services for those with personality disorders
 - services that were responsive to Māori needs.
- The Department did not have a system for periodic mental health screening of the prison population. Beyond initial screening procedures, identification of a mental health need relied on prison staff recognising signs that mental illness may be present. This led to a risk that prisoners with mental health needs that were not picked up through initial screening or those who developed mental illness during imprisonment would not be identified and get access to treatment.
- The Department needed to ensure that prison staff had enough awareness to be able to recognise situations where they should seek input from health staff .
- Mental health promotion and education was an integral part of care for prisoners receiving mental health treatment, but there was minimal promotion for the wider prison population.

The report also notes that ‘Women prisoners requiring forensic mental health services have different needs from men’.

Developments in the women’s prisons

⁷⁸ Smith, M. (2007) *Report of Mel Smith, Ombudsman following a reference by the Prime Minister under section 13 (5) of the Ombudsman Act 1975 for an investigation into issues involving the Criminal Justice Sector*. Auckland: Office of the Ombudsman

⁷⁹ Controller and Auditor General (2008) *Mental health services for prisoners*. Wellington: Office of the Auditor General.

The Auckland Region Women's Corrections Facility, which opened in August 2006, is New Zealand's newest and first purpose-built women's prison and holds 286 prisoners. The Department of Corrections claims that the building 'provides prisoners with as normal an environment as is possible in a prison,' The prison can employ 'up to 115 prisoners at any one time in textiles, catering, laundry, ground maintenance, and release to work programmes.' The prison also has self-care units on the Canadian model with groups of prisoners living together in four bedroom houses. The self-care units also provide for some mothers with their babies.



Above: Auckland Region Women's Corrections Facility

According to the Corrections Department: 'Within the walls and other internal security fencing, the environment is designed to allow prisoners to take some responsibility for their lives. This includes encouraging them to create a normal routine of a structured day with a mix of work, education training, treatment and recreation. For example, prisoners may be responsible for getting themselves to work on time, attending treatment programmes, or going to the health facility.'⁸⁰

The Ombudsman reported in his 2007 report⁸¹ that women whose offences had been against children were being excluded from the Self Care Units. Thus, their resettlement needs were not being met. The Ombudsman regarded this decision as discriminatory and proposed that a section of the self-care unit buildings should be set aside for women whose offences had involved children.

A story in the Corrections News about the At Risk Unit at Arohata Women's Prison suggests that serious reform is not on the agenda. The story begins 'In the corridor of the At Risk Unit at Arohata Women's Prison is a cupboard containing several dark-blue denim "strip nighties". They are a generously-sized, simple T-shape, with no buttons or ties.'⁸²

⁸⁰ "Our new prisons: Designed to change lives." *Corrections News* August 2007. pp.8-9

⁸¹ Office of the Ombudsman (2007) *Report of the Ombudsmen Nga Kaitiaki Mana Tangata for the year ended 30 June 2007*. Auckland: Office of the Ombudsman.

⁸² "At risk and in prison". *Corrections News* March 2007. pp.6-7.

These are the strip suits women wear when 'at risk'. When they arrive, 'as part of their induction process, all new prisoners are strip-searched and their possessions are taken for storage by a receiving officer.'

One imminent change in New Zealand is the Corrections (Mothers with Babies) Amendment Bill which has come back to Parliament for approval after consideration by the law and order committee. The Bill would extend the time mothers could keep their children with them while in custody from the current six months to two years.

Spain⁸³

Context

With the exception of the province of Cataluña the prison system in Spain is administered by the Dirección General de Instituciones Penitenciarias (DGIP). That administration is also responsible for the prison system in the Balearic and Canary Islands, and in Ceuta and Melilla. Regulation of the system is based primarily on the organic law of 1979 (Ley General Orgánica Penitenciaria 1/79) which is significant in that it was the first organic law promulgated under the constitution of 1978. That law, together with subsequent prison regulations, sets out a very detailed framework for the administration of the penal system and the treatment of prisoners. Article 25 of the constitution determines that the purpose of imprisonment is the re-education and social reintegration of prisoners.⁸⁴

Women in prison in Spain – basic facts

In February 2008 there were 5,592 women in prison in Spain, making up 8.3% of the total prison population of 67,100. Women in Spain are distributed in three types of prison establishment:

1. Small modules, units or departments situated within men prisons (aprox 75 modules that house between: 15 and 40 women each, though in some cases the number could reach 707)
2. Small prisons for women within big penitentiary structures (maxi prisons) originally designed for men (numbers increasing) for example: Briens Centre houses over 1600 prisoners of which only 240 are women.
3. Prisons designed specifically for women.

There are only 3 establishments exclusively dedicated to women, compared with over 80 dedicated to men, with a capacity for housing between 200 and 300 women: Alcala de Guadaira (Seville), Brieva (Avila), and Madrid I Women.

Policy

The prison population in Spain has increased very substantially in the past 15 years from 35,000 in 1992 to nearly 68,000 in February 2008. A new prison building programme was approved in 1991 which, over the next 15 years, saw the addition of almost 15,000 new places. During the same period, however, the prison population grew by 28,000.⁸⁵ Most of that new development is based on modular closed “maxi-prisons”, the Centros Penitenciarios (CP). These have a typical design capacity of approximately 1000, based on single cell accommodation, but because of

⁸³ This report deals primarily with the treatment of women prisoners who are held under the jurisdiction of the Dirección General de Instituciones Penitenciarias. It does not deal specifically with those women who are held under the separate jurisdiction of Cataluña although some of the general data are applicable to the country as a whole.

⁸⁴ Dunkel, F. et al (2005) *International Study on Women's Imprisonment: Current situation, demand analysis and "best practice"*. Greifswald: University of Greifswald.

⁸⁵ Defensor del Pueblo Andaluz (2006), *Mujeres privadas de libertad en centros penitenciarios de Andalucía*. Andalucía: Defensor del Pueblo Andaluz p203

overcrowding they usually hold about 1500 prisoners. The prison administration has also began to develop smaller open resettlement prisons, Centros de Inserción Social (CIS). A further building programme was approved at the end of 2005 to add a further 18,000 places by 2012. This programme is designed to include significant expansion of the CIS and also provides for five separate units for mothers with young children.

Spanish prison law provides for classification of sentenced prisoners into three grades, First grade are prisoners classified as needing closed conditions of the highest security level. Third grade are prisoners who are assessed as suitable for open conditions with benefits which include working in the community and temporary release to home. The majority of sentenced prisoners are classified at second grade.

Profile of women prisoners

Women are more likely to have been sentenced for drug offences than men (53% of women prisoners as opposed to 29% of men) but are less likely to have been sentenced for crimes against property (28.3% of women as against 53.7% of men).⁸⁶ A greater proportion of women prisoners are unconvicted remand prisoners (26.8% as against 22.5% of male prisoners). In general, however, they are perceived as being at a lower level of dangerousness than men and are less likely to have been charged with violent crimes.

Since changes to the penal code in 1996 women are more likely to receive longer sentences since sentences have been increased for drug-trafficking. There has been a significant rise in the numbers of foreign prisoners. In the case of women the largest group, by country of origin, are from Colombia and they are likely to be serving long sentences.

Prison infrastructure

Most women prisoners are held in separate modules within the large Centros Penitenciarios (CPs). In addition there are three separate prisons specifically for women. With the exception of those three units and a small number of units planned for mothers and small children, accommodation for the majority of women prisoners is in units designed for men. Two new units for mothers and small children are currently under construction in Sevilla and Palma de Mallorca with a further two at the planning stage.⁸⁷ Current provision for women with children is in converted accommodation where facilities for the children can be poor. The new units are designed around the needs of the children with appropriate educational and play facilities. The Centro Penitenciario, in Aranjuez, which was opened in 1998, has a unit for couples with children where both partners are sentenced prisoners. Children are able to stay with their mother until the age of three.

Some of the older prisons, which have been replaced by the Centros Penitenciarios, have been converted into open units which are dependencies of the CPs. These generally house male prisoners, although there is a small provision for women in some units.

⁸⁶ Almeda, E. (2005) "Women's Imprisonment in Spain" in *Punishment and Society* vol.7, no.2. pp183-199. London: Sage Publications.

⁸⁷ www.ciep.es

Classification and separation

The profile of women prisoners is quite distinct from that of men. Amongst sentenced male prisoners 12.65% are classified at third grade whereas the proportion of women in the same category is almost 22%.⁸⁸ The nature of the prison accommodation for women means, however, that they are less likely to be located in units which allow them to take full advantage of the benefits of their classification.

The nature of the Centros Penitenciarios is such that they generally have sufficient residential units to allow for male prisoners of different status – remand/convicted, young adult/adult, first/repeat offender, second/third grade - to be held separately within the separate prison. That is generally not possible for women prisoners who are usually all held in one residential unit regardless of their status and classification. This raises particular difficulties in the case of young female adults (18-21) and prisoners categorised as third grade. Young adult women appear to be routinely held in the same unit as adult women. Reports suggest that, because they are all held on the same unit, women prisoners who are working towards progression to third grade or who are anticipating temporary release, may have their benefits compromised by other prisoners provoking fights.⁸⁹

Location of women prisoners

Although the fact that women prisoners are dispersed over a large number of predominantly male prisons means that they have a reasonable prospect of being held in their home province, in practice the fact that they are limited to one module means that they are at greater risk of being transferred further away with the consequent disruption to family ties. In cases of serious conflict between male prisoners there exists the possibility of moving them to another residential unit within the same prison. That option is not generally available for women. The only solution for women in cases of serious conflict will be transfer to another prison further away from home.

The Defensor del Pueblo Andaluz (a type of Ombudsman) reported in 2005 that the distance from home was one of the most common themes which his office had had to deal with during the previous ten years.

Programmes and treatment

The arrangements for accommodating women prisoners place them at significant disadvantage by comparison with men. The prisons in which they are held have generally been designed with men in mind. Not only is there less flexibility in the separation of different categories of women prisoners but there is a more limited availability of programmes designed to meet their specific needs. Because they are generally a small minority of the prisoners in each prison they are also less likely to be able to command a share of the resources that are available. For example, a number of prisons in Andalucía offer Drug Therapeutic facilities but these are generally not

⁸⁸ Defensor del Pueblo Andaluz (2006), *Mujeres privadas de libertad en centros penitenciarios de Andalucía*. Andalucía: Defensor del Pueblo Andaluz p60

⁸⁹ Ibid, p92

available to women because there may be only one such module in each prison. The provision for young adult women is even more precarious. Of the nine prisons in Andalucía which hold women prisoners, six hold young adult women. The number of young women held in each unit is between one and seven, which means that there are unlikely to be any programmes specific to their needs.

The programmes which are offered to women tend to be more limited and to reinforce a traditional view of the role of women in society.⁹⁰

Healthcare provision

Mixed prisons often have only one hospital unit which will usually mean that women prisoners will be nursed in their own cell rather than in a hospital bed unless their condition is so acute as to require transfer to an outside hospital.

Suicide and Self Harm

Information specific to women within the prison system is limited. There was a significant increase in concern with regard to a general rise in prison suicides in 2004 and in 2005. Studies suggest that the typical profile of a prisoner likely to commit suicide is male, under 40 and single. In late 2005 the DGIP developed a detailed procedure for monitoring and responding to those vulnerable to attempts at suicide. An indication of the perceived risk to women is that they are given a lower score than men on the evaluative checklist produced as part of that procedure.⁹¹

Relationships between staff and women prisoners

The DGIP regulations on staff uniforms do not appear to make any distinction between units for men and women prisoners. There is a clearly defined uniform which all staff are required to wear although this is optional for staff involved in educational and treatment programmes. Medical and workshop staff are expected to dress appropriately to their role.⁹²

The Defensor del Pueblo Andaluz carried out a detailed study of all women's prison units in Andalucía in 2005 and concluded that relationships between staff and women prisoners were generally better in the women's prison than they were in the women's units in predominantly male prisons. The professionals who were interviewed for the report generally felt that it would be beneficial to have more prisons specifically for women since it provided a greater opportunity for staff to be agents of socialisation rather than merely guards.⁹³

Visiting arrangements

⁹⁰ Almeda, E. (2005) "Women's Imprisonment in Spain" in *Punishment and Society* vol.7, no.2. pp183-199. London: Sage Publications.

⁹¹ DGIP Circular 14/2005, Annex 12 www.mir.es/INSTPEN/INSTPENI/Archivos/c-2005-14.pdf

⁹² DGIP Circular 1/2008

⁹³ Defensor del Pueblo Andaluz (2006), *Mujeres privadas de libertad en centros penitenciarios de Andalucía*. Andalucía: Defensor del Pueblo Andaluz. p181

Spanish prison regulations stipulate that all prisoners are entitled on prior application to receive intimate (private) visits once a month which may last between one and three hours. They are also entitled to a visit of up to six hours with their partner and children under the age of ten.⁹⁴

A recently published study of men and women in the same prison (Topas in Salamanca) reported that contact between male and female prisoners was not forbidden and that 77% of the women prisoners in the sample interviewed had developed a relationship with a partner inside the prison whereas this was true for only 13% of the men.⁹⁵ That difference is unsurprising given the much greater number of men in the prison. The same study found that sexual satisfaction might contribute to better psychological health and noted that in the prison the psychological health of women was generally better than that of the men. Other studies have indicated that the deprivation of heterosexual relationships, which is often a key feature of imprisonment, contributes to increasing prisoners' levels of distress.

*“As we have seen, lower levels of social loneliness and higher levels of sexual satisfaction were associated with higher levels of psychological health for both sexes”.*⁹⁶

⁹⁴ Article 45, Real Decreto 190/1996 approving the Prison Regulations

⁹⁵ Rodrigo J. Carcedo et al.(2008) ” Men and Women in the Same Prison: Interpersonal Needs and Psychological Health of Prison Inmates” in *International Journal of Offender Therapy and Comparative Criminology*, Volume XX, Number X, London: Sage Publications

⁹⁶ Ibid, p11

Sweden

Context

The prison system in Sweden conforms to the Scandinavian model of a low use of imprisonment and a philosophy of making imprisonment as much like normal life as possible, though the consensus supporting this model has been under pressure in recent years because of some high profile escapes.

Women in prison in Sweden – basic facts

The Swedish Prison and Probation Service report that, in 2006 there were 711 women in Swedish prisons – accounting for 6.8 per cent of all prisoners. The figure is relatively stable.

2003	730	6.8 per cent
2004	775	6.8 per cent
2005	717	6.7 per cent

113 women were held on remand in 2006. Five women were serving life sentences. No woman under the age of 18 was sentenced to prison in 2006.⁹⁷

Women prisoners are held in four prisons solely for women in different parts of the country, as well as one wing of a prison that also holds male prisoners in the south.⁹⁸

All prisoners have single cells but the women share a bathroom and kitchen, apart from at Hinseberg prison where new cells have recently been built in which women have their own bathrooms.⁹⁹ Three of the women's prisons were originally built for men. One is an old mansion converted into prison.

Policy

During 1997–1998 a trial with intensive supervision and electronic monitoring was carried out in Sweden. Since 1999 this system has been a permanent alternative to serving a prison sentence. This innovation has markedly changed the prison population. The percentage of those convicted of serious crime and sentenced to one year or more has risen. The number of women prisoners has been reduced by about 250–300 per year. This number will increase if the present upper limit for the use of intensive supervision with electronic monitoring is raised to include those sentenced to more than three months imprisonment.¹⁰⁰

⁹⁷ Basic Facts about the Swedish Prison and Probation Service 2007, Kriminalvarden. 2007
www.kriminalvarden.se

⁹⁸ Quaker Council for European Affairs (2007) *Women in Prison: A Review of the Conditions in Member States of the Council of Europe*. Brussels: QCEA

⁹⁹ From personal correspondence with female prison officer at Hinsenbergs prison

¹⁰⁰ Swedish Government (2000) *Principles for the Treatment of Women Sentenced to Imprisonment: A National Report from Sweden*. Stockholm: Swedish Government.

Swedish prisons policy emphasises maintaining links with the community and some prisoners are held in small neighbourhood prisons where they use the services, health and education, of the local community.

Since 1 January 2007 four measures have been available which aim to assist prisoners' reintegration into society. These are:

Conditional release – which allows for the prisoner to spend time outside the prison during the day and to work, partake in educational or vocational programmes or organised activities.

Care service – allows for the prisoner to spend time at a family care home or care and treatment centre for the purpose of participating in various treatments.

Half-way house – allows for the prisoner to interact with an environment that is more exposed than an open prison.

Extended conditional release – allows for the prisoner to serve his or her sentence at home under controlled circumstances (intensive supervision with tagging). The prisoner must be working or attend educational or vocational programmes, receive treatment or participate in organised activities.

Under Swedish law, prisoners may receive as many visits as it is possible to arrange. In reality, limitations may be placed on this by small visiting facilities or a small number of staff. Prisoners may be visited by their children, other relatives and friends. Children under eighteen may visit if the person who has custody of them gives their written permission. Children under the age of fifteen must be accompanied by an adult. All visitors must be approved by the institution and are subject to checks carried out by the institution before the visit. Prisoners may also receive visits from their lawyer or probation officer, a police officer investigating a crime, a potential employer or others whom it might be important for the prisoners to meet.

Visitors may come at special visiting times and visits last for one or two hours. Visitors who come from longer distances may visit a prisoner for up to a whole day. At open institutions prisoners may receive visits in their cell.

Most closed institutions have child-friendly visiting rooms, and at some of the larger institutions there are special visiting apartments where prisoners can be with their family for longer periods.

Staff may remain present and supervise proceedings throughout the entire visit.¹⁰¹

The opportunity for prisoners to go 'on leave' is very important for the maintenance of family ties, and for other specific purposes (work interviews, arranging accommodation, etc.). Swedish penal legislation provides for leaves of this kind and considerable use of these prison leaves is made.

Regimes for women

Women prisoners who have a child aged up to twelve months may have their child with them at the institution. The social welfare committee in the municipality decides

¹⁰¹ *ibid*

in conjunction with the National Prison and Probation Service whether or not the child may stay in prison. Things are arranged in a way that provides the best possible situation for the child. Hinseberg, a large closed prison solely for women, has an equipped flat with a small garden where children can have overnight visits.



Above: Inside Hinseberg women's prison

In order to ensure that long-term prisoners are placed in a prison of the appropriate level of security, a Reception Centre was opened at Kumla prison in 1997. This Reception Centre receives all male prisoners sentenced to imprisonment for four years or more. A similar Reception Centre for women prisoners opened in 1999 at Hinseberg prison which is Sweden's largest and most secure prison for women. All women offenders sentenced to four years or more, or, if they are convicted of a serious drug offence, two years or more are received into this Reception Centre. At the Reception Centres an assessment is made of a prisoner's security classification by a forensic psychiatrist who uses an instrument for assessing a person's propensity for being violent and dangerous. The staff also inquires into the prisoner's need for treatment for drug misuse, need for an education or vocational skills as well as his or her social network, or lack thereof. The National Prison and Probation Administration then decides on the prison or wing to which the prisoner is to be sent and sets the earliest possible date when the prisoner may be transferred to a more open prison or wing, or be granted regular leave.¹⁰²

Health

A 2004 report by the European Committee for the Prevention of Torture (CPT) discusses a gender and age specific facility, Rebecka Home, for women aged 18-25 in Stockholm that is intended for those with present or past serious drug abuse issues. The facility officially can accommodate up to 14 women and was judged by CPT officials as being adequately staffed and well equipped to carry out the treatment programme, as well as other recreational and educational/vocational training type programmes. Additionally, the physical characteristics of the facility itself were deemed for the most part quite good and the CPT officials did not hear any complaints from the women concerning how they were being treated.¹⁰³

¹⁰² Swedish Ministry of Justice (2004) *Information about the Swedish Prison and Probation Service*. Stockholm: Swedish Ministry of Justice.

¹⁰³ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) (2004) *Report to the Swedish Government*

Women can do programmes of Cognitive Behaviour Therapy, Enhanced Thinking Skills, a cognitive behaviour programme called 'One-to-One' and the Twelve Step programme for prisoners addicted to alcohol or drugs.

Half of the women prisoners received into prison have young children. Two-thirds of these women have charge of the child. A number of research studies of women prisoners show that those who are mothers find relations with their children the hardest part of serving the sentence. To have responsibility for, and influence over, the family – especially the children – taken away from them is especially hard for women sentenced to imprisonment. Parenthood programmes that have been developed for use in prisons will be offered to women prisoners. The programmes emphasise child development in all its various stages and how relationships can be maintained during imprisonment.¹⁰⁴

The Swedish system is noted for its 'Contract treatment' provision. Contract treatment is primarily intended for recurrent drug users where there is clear link between the crime and the addiction. Instead of serving a prison sentence of up to two years, the convicted person signs a contract with the court to undergo a treatment programme at an institution or at home and/or to partake in non-custodial care. If the person discontinues the treatment or chooses not to comply in any other way, the contract treatment is changed to a prison sentence. In 2006, 160 women participated in this arrangement.¹⁰⁵

Design of buildings and escapes

In 2006, 652 prisoners escaped, 137 directly from the prison. 123 escaped from open prisons and 14 from high security prisons. 2 escaped whilst being transported and 513 in connection with visits outside the prison. Information is not available on how many of these were women, if any. However, according to a report by the Swedish Government, "Experience and documentation suggest that there is little risk of any external liberation of women prisoners. Very few women escape directly from prison. In accordance, therefore, with the principle that the enforcement of the sanction shall take place under the most open conditions that are realistically possible, the view taken has been that there are no grounds for providing a Category I prison for women. The degree of security to be found at the largest prison for women (89 places), Category II Wing, has been assessed as fully satisfactory."¹⁰⁶

Staffing and relationships

45.6 % of the employees of the Swedish prison service are women.¹⁰⁷ A research study carried out in Hinseberg women's prison suggests that relations between staff

on the visit to [Sweden](#) carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 27 January to 5 February 2003. Strasbourg: Council of Europe. P50-51

¹⁰⁴ Swedish Ministry of Justice (2004) *Information about the Swedish Prison and Probation Service*. Stockholm: Swedish Ministry of Justice.

¹⁰⁵ Basic Facts etc

¹⁰⁶ Swedish Ministry of Justice (2004) *Information about the Swedish Prison and Probation Service*. Stockholm: Swedish Ministry of Justice.

¹⁰⁷ Basic Facts

and female prisoners are often marred by significant distrust by one group of the other. There is an un-written ‘code’ most women prisoners follow which requires them to spend as little time interacting with prison officials as possible (even at the expense of taking part in treatment programmes that may be helpful in dealing with their problems before returning to society) and to not trust anyone, other prisoners and prison officials alike. Similarly, prison officials (especially those with a higher rank or seniority) do not want to be perceived by their colleagues as being “too close” to the prisoners and these combined measures reproduce negative stereotypes of each group by the other.¹⁰⁸

According to the Swedish Government, basic staff training should include a module providing opportunities for gaining knowledge about the special problems faced by women. A further point of equal importance is that staff working with women prisoners should receive training that enables them to learn about the results of contemporary research on women. This would promote an understanding of a gender-based conceptual framework and make for a qualitative development of staff work. Recurring training for staff in the topics mentioned above should be provided through seminars, conferences and collaboration with other professionals both within and external to the Prison and Probation Service.¹⁰⁹

¹⁰⁸ See Abstract of Lindberg, O. 2005. “*Prison Culture and Social Representations. The Case of Hinseburg, a Women’s Prison in Sweden*”, in *International Journal of Prisoner Health*, June-December, 1(2-4): 143-161.

¹⁰⁹ Swedish Ministry of Justice (2004) *Information about the Swedish Prison and Probation Service*. Stockholm: Swedish Ministry of Justice.

United States

Context

The United States has the highest rate of imprisonment in the world. One in 100 of all American adults is imprisoned. The prison population has increased by one million since 1992, from 1.2 million to 2.2 million. The United States has three main levels of imprisonment. The Federal Bureau of Prisons holds those convicted of violating state or federal laws and serving sentences of more than 1 year.¹¹⁰ Each State has its own prison system and holds those sentenced under State laws. In addition there are thousands of local jail systems holding those awaiting trial or sentencing, or those serving sentences of less than one year, or those awaiting transfers. It is therefore very difficult to generalise about the system.

Women in prison in the United States –basic facts

Size and proportion of women’s prison population compared to male prison population:¹¹¹

Gender	Local	State & Federal	Total	%
Male	661,329	1,445,115	2,106,444	91
Female	98,577	111,403	209,980	9
Total	759,906	1,556,518	2,316,424*	100

The number of women prisoners is increasing proportionately much faster than the number of men. Between 2000 and 2005 the women’s prison population (in the Federal and State systems) grew by 2.9 per cent. The male prison population (in the Federal and State systems) grew by 1.8 per cent.¹¹²

The latest data suggests that:

of all women resident in the US aged 35-39, one out of 265 is imprisoned
of all white women resident in the US aged 35-39, one out of 355 is imprisoned
of all Hispanic women in the US aged 35-39, one in 297 is imprisoned
of all black women resident in the US aged 35-39 one in 100 is imprisoned¹¹³

Number of women’s prisons (or women’s units within male prisons):

The most recent information on female custody facilities in the USA comes from a 2003 report by the American Correctional Association which estimated that there

¹¹⁰ <http://www.ojp.usdoj.gov/bjs/glance/corr2.htm>

¹¹¹ Prison and Jail Inmates at mid-year 2006, available at:

<http://www.ojp.usdoj.gov/bjs/pub/pdf/pjim06.pdf>

¹¹² <http://www.ojp.usdoj.gov/bjs/prisons.htm>

¹¹³ The Pew Center on the States (2008) *One in 100: Behind Bars in America 2008*. Washington: The Pew Charitable Trusts.

were 108 facilities for female prisoners.¹¹⁴ Data is available for the Federal Bureau for 2006 and shows that there are 4 female only federal facilities (consisting of 1 'institution', 2 'prison camps', and 1 'medical centre') as well as 3 mixed 'complexes' and 'institutions' and 12 other types of facilities (ranging from 'metropolitan detention centres', 'federal detention centres', and a 'federal transfer centre').¹¹⁵

Policy

As the US is so big and so varied, it is difficult to describe prison policy for women. However, it can be said that little has been done to adapt a prison system designed for men to make it more appropriate to women. Many women prisoners in the US are accommodated in large dormitories. Very few systems allow women to keep their children with them. Most systems require women to wear uniforms. Many of the women's prisons have a large number of male guards and sexual abuse has been a big issue for human rights groups.

For this report we have chosen to report on three States, chosen for their geographical spread.

¹¹⁴ Young, V. and R. Reviere (2006). *Women Behind Bars: Gender and Race in US Prisons*. Lynne Rienner Publishers Inc: Boulder, Colorado. See p. 47-55.

¹¹⁵ Information obtained via Sourcebook of Criminal Justice Statistics Online. Available at <http://www.albany.edu/sourcebook/pdf/t11062006.pdf>

Arizona

Facts and figures

In December 2004 there were 31,106 people in state prisons in Arizona, 2,545 (8.2%) of whom were women, giving a female imprisonment rate of 89 per 100,000 of the population, the 7th highest in the country. 68% of these women were aged 30 or over, and 88% were imprisoned for non-violent crimes.¹¹⁶

According to the 2000 Census of State and Federal Correctional Facilities, Arizona has 18 correctional facilities. Of these:

- 10 house only male prisoners
- 8 house both male and female prisoners
- None house only female prisoners.

Family relationships

The Arizona Department of Corrections (ADC) has developed an agency-wide programme that helps prisoners maintain relationships with their families. The programme includes such initiatives as arranging car sharing and providing transport information for families visiting the prison, acting as a liaison between prisoners and family members when contact has been discontinued and working with community support groups to assist families with problems including eviction, medical problems, and utility, food, clothing and rent subsidies.¹¹⁷ The latter is particularly important for prisoners convicted of drug related offences as in Arizona these prisoners are ineligible to receive TANF (Assistance for Needy Families). Since women are disproportionately likely to be the caregivers of their children and also disproportionately likely to have been convicted of a drug related offence they are hit particularly hard by this ban.

Staff – prisoner relationships

In the 1997 lawsuit *United States v. State of Arizona, et al.*, the US Department of Justice charged the Arizona Department of Corrections with violating the Civil Rights of Institutionalised Persons Act (CRIPA) by demonstrating indifference to allegations by female prisoners that they were not adequately protected from correctional staff. An agreement was reached that the charges against the State would be dismissed following enforcement of improved procedures by the Department.¹¹⁸

Some of the key points to which the ADC agreed included giving oral and written information to female prisoners on what constitutes inappropriate behaviour, offering psychological services to any prisoner involved or alleged to have been involved in inappropriate behaviour, stringent pre-employment screening for all individuals hired

¹¹⁶ Women's Prison Association (2004) *Focus on Women and Justice: Arizona Up Close*. New York: WPA.

¹¹⁷ *ibid*

¹¹⁸ See Arizona Department of Corrections website
www.azcorrections.gov/adc/divisions/women/cripa.asp

to positions with female contact, a revised training curriculum for all staff regarding inappropriate behaviour and a new policy whereby male staff will notify their supervisors when they will be alone with a female prisoner.

The position of CRIPA Administrator (CA) was created, with female prisoners permitted to correspond in confidence with the CA about allegations of inappropriate behaviour. The CA can also conduct random interviews with staff and prisoners.

The ADC has developed a training curriculum “Working with the Female Offender” which is taught in the Correctional Officer Training Academy to all new cadets.¹¹⁹

Women’s Services

The Women’s Services Department of the ADC has responsibility for managing all family and prisoner related issues. The Department runs several services including the confidential CRIPA point of contact for female prisoners (see below), family programmes, re-settlement plan management for the Women in Recovery substance abuse treatment programme, and re-settlement programme co-ordination.¹²⁰

Community based programmes

Women Living Free

Women Living Free (WLF) is a community based transitional programme which is funded by grants and private donations. The programme began in the Santa Cruz unit at the Arizona State Prison Complex – Perryville in 2002. It is a year long programme within the prison followed by an additional two years working with WLF on release. Twenty female prisoners are enrolled on the year long in-prison programme.

During the programme the prisoners are taught such things as financial literacy, non-violent communication, family reunification, meditation and holistic health and nutrition. WLF assists the released prisoners with housing, job placement and other services. Several community based organisations provide the services in 12 week blocks.

Habitat for Humanity

Ten women prisoners from ASPC – Perryville are involved in a Prison Partnership Programme, a joint initiative between Habitat for Humanity, Rio Salado College and the ADC. The women work eight hours a day, three days a week to build a house in Avondale. Before beginning on-site work the prisoners go on basic construction courses which include carpentry, plumbing and basic electrical work. In addition to this training the women can pay to take other classes through Rio Salado College so they can complete an associate’s degree. If completed, the coursework allows recently released prisoners to possibly work for the Arizona Builders Alliance.¹²¹

¹¹⁹ See Arizona Department of Corrections website www.azcorrections.gov/adc/divisions/women/cripa.asp

¹²⁰ See Arizona Department of Corrections website www.azcorrections.gov/adc/divisions/program/women.asp

¹²¹ See Arizona Department of Corrections website www.azcorrections.gov/pio/rebuilding.html

Specialist Units

There are a number of units within the Arizona State Prison Complexes (ASPC) which deal with the specific needs of groups of female prisoners.

The ASPC – Perryville has several specialist units. The Minors Unit has capacity for six female prisoners under the age of 18. The Unit is staffed only by female staff, who are uniformed. Women under 18 must be housed separately from the adult prison population. Programmes offered to the female prisoners under 18 include substance abuse programmes, mandatory adult basic education, life skills, work skills, vocational programmes and literature studies.

The Complex Detention Unit has capacity for 36 female prisoners who are placed there for a variety of reasons including suicide watch, administrative detention for pending disciplinary infractions, protective segregation and investigative detention. Special Education services are provided for these prisoners, apart from those being held in protective segregation who are provided with programmes consistent with the rest of the population.

The Brent Lumley Unit holds 703 female prisoners and has 135 uniformed and 24 non-uniformed staff. Programmes offered include substance abuse programmes, work programmes, Work Incentive Pay Plan (WIPP) and recreational activities.

The same programmes are offered at the Santa Cruz Unit, which holds 708 prisoners and has 96 uniformed and 18 non-uniformed staff, the Santa Maria Unit (586 prisoners, 78 uniformed and 15 non-uniformed staff) and the San Pedro Unit (444 prisoners, 66 uniformed and 9 non-uniformed staff).

Health services

The Alhambra Behavioral Health Treatment Facility (ABHTF) within the ASPC – Phoenix is a 175 bed Level I Behavioral Health Facility licensed by the Arizona Department of Health Services. George Ward, a 20 bed ward of the ABHTF provides a structured treatment environment for mentally disordered female prisoners who require acute psychiatric care or intensive mental health services, including therapeutic counselling and activities, staff supervision, training, and activities of daily living or support and assistance.

‘Women in Recovery’ is an intensive gender-specific substance abuse treatment programme for women in the San Pedro, Santa Cruz and SACRC Units at ASPC – Perryville. Prisoners participate in weekly group therapy sessions conducted by a licensed independent substance abuse counsellor. As part of the programme prisoners are also given pre-release treatment services and post-release follow up. Since 2002, over 500 prisoners have completed the programme. Of that number 447 have been released to the community with only 17 percent returning to prison on new charges.¹²²

¹²² See See Arizona Department of Corrections website www.azcorrections.gov/adc/news/2007/052407_women_in_recovery_finish.html

In March 2008 the US Supreme Court refused to consider an appeal from the Maricopa County Sheriff's Office on whether it should be forced to take female jail prisoners to abortion clinics.

Judges in the Maricopa County Superior Court and Arizona Court of Appeals ruled that the Sheriff's Office must provide the transport. The case stems from a 2004 incident in which a prisoner from jail asked to be transported to a prescheduled appointment for an abortion. The Sheriff's Office refused to do so without a court order.

After the court order was obtained and the woman had the abortion, the American Civil Liberties Union of Arizona filed suit in Maricopa County Superior Court to ensure that imprisoned women would not lose the right to have abortions, which by law must be done within a specified time period.¹²³

Pre-release facilities and programmes

The **Southern Arizona Release Centre** (SARC) is a 180 bed adult female prisoner, level II facility housed within the ASPC – Tucson, with 30 beds designated for offenders preparing for release. These prisoners are placed in a structured environment while making the transition from institutional living to community living. Prisoners enter the SARC 18 months prior to their earliest release date.

Strengthening Families is an initiative being run in the medium security Santa Maria Unit at ASPC – Perryville. It aims to treat addiction by placing special emphasis on re-settlement and family reunification during and after treatment. It has four stages – Self-Awareness, which prepares the participant for treatment, Addictions Treatment which delivers substance abuse treatment in conjunction with family unification activities, Pre-release Planning which begins two months before the prisoners' release date and which continues family reunification activities, provides relapse prevention and initiates pre release planning, and After Care and Case Management. The latter stage begins when the prisoner is released from prison and offers thirty day transition housing. Ninety six prisoners are on this programme.¹²⁴

In February 2000 the ADC entered into a collaborative agreement with the Maricopa County Adult Probation Department to access the services of the **Women's Treatment Network** for female prisoners released to community supervision. The Network works with substance abusing women in an integrated, coordinated system of assessment, supervision and delivery of treatment and services.

ADC female prisoners are identified for participation in the Network prior to their release from prison. In addition to a history of substance abuse the prisoner must have a minimum of five months community supervision to serve and have no history of violence. Upon release from prison the prisoner must report to the ADC parole officer assigned to the Network. The parole officer establishes and monitors the prisoner's

¹²³ Kiefer, M. (2008) 'Supreme Court refuses to hear Arpaio's appeal of rulings on abortion' in *The Arizona Republic*, March 25, 2008

¹²⁴ See Arizona Department of Corrections website
www.azcorrections.gov/adc/divisions/women/family.asp

adherence to the Conditions of Supervision which include twice weekly urine analysis. The parole officer works with the assigned Network case manager to coordinate referrals to the substance abuse treatment programme and appropriate support services identified in the assessment. These may include housing, child care, health care, legal services and mental health evaluation and medication. The programme's capacity is 45.

Washington State

Facts and figures

At December 2004 there were 16,503 prisoners in Washington prisons. Of these 15,200 were male and 1,303 were female (8.6%). According to the 2000 Census of State and Federal Correctional Facilities, Washington has 30 facilities, 15 housing only male prisoners, three housing only female prisoners and 12 housing both male and female prisoners.¹²⁵

The main offence for which women are in prison in Washington is drugs offences (40%), followed by property crimes (24%). The average age of a female prisoner is 34.4 years.¹²⁶

Organisation

Design history

In the 1966 election, Washington State voters approved the construction of a separate, stand-alone women's correctional facility. Prior to that time, female prisoners were housed in an annex at the Washington State Penitentiary (an adult male facility) located in Walla Walla. Construction of the new women's institution was completed in early 1971 and 92 women were transferred to the Purdy Treatment Center, as it was known at that time. Originally designed to house 162 offenders, the facility avoided almost all prison-like appearances with dormitory-type housing and no fencing.

During the late 1970s and early 1980s, the facility required significant modifications due to security concerns as a result of an increased population and offender profile changes. In 1992, a minimum-security facility consisting of seven structures was constructed, adding 272 minimum-security bed spaces, along with education, administration, and kitchen/dining room facilities.

During 1994 and 1996, a 102-bed close-custody unit and a 256-bed medium-security unit were constructed, respectively. In 2000, the Special Needs Unit (SNU) structure was constructed to house incoming offenders in the reception living areas, as well as segregation and acute mental health care living units. In addition, a kennel building was constructed to house the dog training program.

Since its inception, WCCW has served as both women's Reception Center and Corrections Center. Until the early 2000s, WCCW was Washington's only major correctional facility for adult women.¹²⁷

¹²⁵ Women's Prison Association (2004) *Focus on Women and Justice: Washington Up Close*. New York: WPA.

¹²⁶ From State of Washington Department of Corrections (2008) www.doc.wa.gov

¹²⁷ See <http://www.doc.wa.gov/facilities/washingtoncc-women.asp>

Health and regimes

Women report mental health concerns at far higher levels than men do. The prevalence study conducted by the University of Washington discovered that the overall prevalence of serious mental illness in all of Washington State institutions was 13%. At the Washington Corrections Center for Women, the rate was 34%. A far greater proportion of women are diagnosed with depression than men: in the University of Washington's 2002 study of mentally ill offenders released from prison (Psychiatric Services), they found that 40% of the women classified as mentally ill were diagnosed with depression, vs. 12% of the men. It appears that much of the greater prevalence of mental illness among women is due to their greater proclivity to seek help for depression. They also found that far more of the women than the men in this study had reported abusing heroin, cocaine, or amphetamines (69% vs. 39%).¹²⁸

The Pine Lodge Corrections Center for Women (PLCCW) is a minimum security facility with a capacity of 359 prisoners. The cost per prisoner per year is \$29,172. It has two main living units – Unit 1 has two floors consisting of dorms, and Unit 2 has four sections or halls. The PLCCW employs 121 staff members.

The PLCCW offers basic education classes and computer skills. In addition the facility operates a Therapeutic Community (TC) for female prisoners who are transitioning from higher custody levels and are 48 months before their Earned Release Date. In addition, Correctional Industries offers jobs that assist in meeting production schedules for Airway Heights Corrections Center's Food Factory.

Washington Corrections Center for Women (WCCW) is a 75 acre facility which includes living units, administration buildings, a health clinic, education buildings, a gymnasium, a chapel, industries building, food service building and support facilities. It employs approximately 495 staff members, and has a capacity of 738 prisoners at a cost of \$42,179 per prisoner per year.

Tacoma Community College provides basic educational programmes and vocational programmes that include Information Technology, Technical Design and Ornamental Horticulture. The Prison Pet Partnership Programme (PPPP) provides rehabilitation through the human-animal bond. The PPPP rescues adult dogs from animal shelters and brings them to WCCW where prisoners train them to become service dogs. The Residential Parenting Programme promotes healthy mother-child bonding and attachment that research has shown is essential to healthy, intellectual, social and psychological development. The Braille Programme trains prisoners in the use of Braille Translation computer software.

Correctional Industries provides educational training and an opportunity to gain marketable job skills through programmes such as embroidery and Trades Related Apprenticeship Coaching (TRAC). Correctional Industries, in partnership with local area union organisations, has developed a programme that trains prisoners in the proper use of hand tools and construction and welding techniques. Successful graduates of this programme may be employed upon release in non-traditional trades

¹²⁸ From personal correspondence with Dr David Lovell, Research Associate Professor, Psychosocial & Community Health, University of Washington, Seattle.

for women such as carpenter, ironworker or labourer union apprenticeship programmes.

Mission Creek Correctional Facility, near Bremerton, can hold 80 women.

Design of prisons

According to Dr David Lovell of the University of Washington, compared to men, women are rarely subjected to long-term solitary confinement in Washington. Women represent 8% of the State's prison population, but only one woman is on Intensive Management Status in Washington, compared to approximately 400 men.¹²⁹

Staffing and relationships

Over 600 community volunteers serve WCCW in many capacities, including academic internships, chemical dependency counselling, transition planning, tutoring, creative writing, diversity awareness, HIV/AIDS education, speech classes, theatrical movement, meditation, and staff aids. Nationally known groups such as Toastmasters International, Alcoholics Anonymous, and Narcotics Anonymous also provide volunteer services. Girl Scout Totem Council offer the Girl Scout Behind Bars Program, where offender mothers act as leaders to provide craft and educational projects for their daughters. Community service crews conduct grounds maintenance, light repairs, and planting and harvesting tasks. In addition, over 40 female prisoners work on outside crews for facility-related tasks such as general facilities and grounds maintenance, and sundries store operations to include stocking, order fulfilment and inventory tasks.

¹²⁹ From personal correspondence with Dr David Lovell, Research Associate Professor, Psychosocial & Community Health, University of Washington, Seattle.

New York State

Facts and figures

As of January 2008, there were 59,823 men in New York State prisons and 2,821 women (4.7%). Nearly one third (905) of the women were imprisoned for a drug offence. About 84% of women sent to New York's prisons in 2007 were convicted of non-violent offences, mainly drug and property crimes. It costs almost \$37,000 to incarcerate a person in a New York State prison for one year.

According to the 2000 Census of State and Federal Correctional Facilities, New York has 72 correctional facilities. Of these, 62 house male prisoners only, five house female prisoners only and five house both male and female prisoners.

Organisation

Family relationships

More than 72% of women in New York's prisons reported being a parent.¹³⁰

Almost 41% of the women in prison in New York are incarcerated at Albion Correctional Facility, more than 370 miles (about 8 hours away) from New York City where a majority of the imprisoned people are from and where their children still reside.

Many visiting rooms in New York's prisons have limited space and little opportunity for parents and children to meaningfully interact with each other. Mothers in prison can only make collect telephone calls for short periods of time during certain limited hours each day. They also have little or no ability to participate in foster care planning meetings and have difficulty accessing their lawyers and participating meaningfully in Family Court proceedings.¹³¹

The New York State prison system has two nursery programmes that allow imprisoned mothers to keep their infants with them for up to 18 months: one at Bedford Hills Correctional Facility, in New York's Westchester County, which has the capacity to house 26 mothers and infants, and another at Taconic Correctional Facility, also in Westchester County, which can house 17 mothers and infants.¹³²

There is a large discrepancy in resources at each prison. Some, such as Bedford Hills, offer a wide range of programmes for women prisoners and their children, including family reunion programmes and a summer camp programme. But others do not have these.¹³³

¹³⁰ Women in Prison Project (2008) *Imprisonment and Families Fact Sheet*. New York: WiPP/

¹³¹ *ibid*

¹³² Women in Prison Project (2006) *Why focus on incarcerated women?* New York: WiPP.

¹³³ Pasko, J.M. (2008) 'Advocates pushing for legislative reforms for incarcerated women' in *Times Union*, March 3, 2008

Visits

According to the 2006 report on Conditions of Confinement at Albion Correctional Facility by the Correctional Association of New York, Albion Correctional Facility allows visiting on Saturdays, Sundays and public holidays. Because not all visitors for the entire population can be accommodated each day, the facility rotates visiting days: women with last names starting with A to L are allowed visitors on Saturday, while M to Z-named prisoners are allowed visitors on Sunday; these groups switch visiting days every other weekend. Officers assigned to process visitors and officers assigned to the visiting room reported that visitors usually arrive at about 6:30am to line up outside the facility's front gate, which opens at 7:15am. Visiting hours begin at 8:00am and end at 2:30pm.

Albion's visiting room has approximately 40 tables and can accommodate up to 179 people. The facility's Children's Center can hold only a small number of children. Officers explained to the inspectors from the Correctional Association of New York that prisoners are allowed to go into the Center with their children if it is not too crowded. Usually the Center is crowded, however, and prisoners are forced to drop their children in the room by themselves and sit at a table in the regular visiting room to wait.

Prisoners' overall evaluation of Albion's visiting programme was mixed: some were mainly satisfied with the visiting programme while others reported experiencing a variety of problems. This situation may be due, in part, to the fact that some prisoners at Albion are able to participate in programmes run by outside agencies that facilitate family visiting and communication. The Osborne Association, a non-profit organization based in New York City, coordinates one such programme, Family Ties, which flies children to Albion to have extended visits with their mothers and offers parenting and family reunification services. Step by Step of Rochester, Inc. also provides parenting classes at the facility.¹³⁴

Security

At the time of the visit by the Correctional Association of New York in January 2007, Bedford Hills had finished installing more than 180 cameras with audio/visual capabilities and 30-day recording maximums. Cameras are located in store houses, recreation areas, the gym, the mess hall, disciplinary hearing rooms, and all housing units (both in the corridors and entrance ways) but not in the general population yard, visiting room or cells.¹³⁵

Health and regimes

Healthcare

¹³⁴ Correctional Association of New York (2006) *Report on Conditions of Confinement at Albion Correctional Facility*. New York: CANY.

¹³⁵ Correctional Association of New York (2007) *Report on Conditions of Confinement at Bedford Hills Correctional Facility*. New York: CANY.

More than 83% of women in New York's prisons reported having an alcohol or substance abuse problem prior to arrest, and 70% of women in treatment report having been abused as children compared with 12% of men.

In July 2007 the State Legislature passed a Bill which allows prisoners in New York to suspend their Medicaid (which provides health care to people of limited means) coverage whilst in prison, then have it immediately reinstated on release. Previously people leaving prison would have to reapply for Medicaid coverage, a process which could take 45 – 90 days. This meant that prisoners who had been ordered by their parole officer to get treatment for substance abuse were unable to comply with this order immediately on release as they could not pay for it, and released prisoners with health problems could not get the treatment they needed for their condition.¹³⁶

Albion Correctional Facility offers six on-site specialty clinics: podiatry, optical, ultrasound, phlebotomy, gynaecology and physical therapy. Prisoners requiring emergency medical attention or specialty care beyond the clinics offered at Albion are sent either to Erie County Medical Center, to Strong Memorial Hospital or to one of the Regional Medical Units at either Bedford Hills Correctional Facility (a women's maximum security facility in Westchester, New York) or Wende Correctional Facility (a men's maximum security facility in Alden, New York). Albion's medical team reported that two to three prisoners require hospitalisations per month.

HIV and Hepatitis C

New York has the largest number of HIV infected prisoners in the country. New York also has the largest number of HIV positive women prisoners of all the prisons systems in the United States. 12% of women in New York's prisons are HIV positive – a rate of infection almost double the rate for male prisoners (6.7%) and 80 times higher than the rate in the general public (0.15%).

An estimated 22.1% of women and 12.8% of men in New York State prisons are infected with Hepatitis C. The rate amongst New York's women prisoners is more than 14 times higher than the rate in the general public (1.6%).

A report by the Correctional Association of New York on conditions at Albion found that only 54% of the HIV positive population at Albion were on treatment – a very low figure in comparison to other women's facilities visited during 2006. Bedford Hills Correctional Facility's HIV treatment rate is just over 89%; Taconic Correctional Facility's is about 98%; and Bayview Correctional Facility's is 100%.¹³⁷

The Coalition for Women Prisoners reported that incarcerated women infected with HIV and Hepatitis C experience delays in transfers to hospitals for medical procedures, in receiving medication and test results, and long waits for specialists, and

¹³⁶ Feldman, C. (2007) 'In New State Law, a Wait-Free Return to Medicaid Rolls After Prison in *The New York Times*, July 27, 2007.

¹³⁷ Correctional Association of New York (2006) *Report on Conditions of Confinement at Albion Correctional Facility*. New York: CANY.

said there is a lack of HIV and Hepatitis C certified medical providers caring for incarcerated women suffering from the virus.¹³⁸

Drug treatment

Over 83% of women prisoners in New York report having a substance abuse problem before their arrest. However alternative to imprisonment specifically for women are few, and prison-based treatment opportunities are severely limited.¹³⁹

Mental health

Women prisoners in New York suffer from mental illness at far higher rates than male prisoners or women in the general public. The New York State Office of Mental Health has classified 30% of women in New York's prisons as currently or potentially in need of either psychiatric treatment for a major mental disorder, or of short term therapy with medication, as compared to 11% of male prisoners.¹⁴⁰

Albion Correctional Facility Residential Crisis Treatment Program (RCTP), which opened in 2005, has nine dorm beds which provide short-term, in-patient care for inmates with mental illness and six observation cells for prisoners in psychiatric crisis. At the time of the visit by the Correctional Association of New York there were three prisoners in the RCTP – a number consistent with the figure the Unit Chief estimated for Albion's usual census: four to six prisoners. The Unit Chief also informed the Association that the average length of stay for prisoners in the RCTP is three to five days. There was one recorded incident of "self-inflicted injury" by an prisoner at Albion in 2004 and one in 2005.¹⁴¹

Bedford Hills is designated as a mental health level one facility, which means that it has the capability to provide women with the most intensive mental health services available in the state prison system. The facility has a 16-bed Intermediate Care Program (ICP), a 15-bed Residential Crisis Treatment Program (RCTP) with nine dormitory beds and six observation cells, a 16-bed Therapeutic Behavioral Unit (TBU), a 50-person Mentally Ill Chemically Addicted (MICA) program, and a 60-person Network program. Bedford's MICA and Network programs, ICP, and TBU are the only programmes of their kind for women prisoners in DOCS custody.¹⁴²

Regimes

Women prisoners do not have access to the same programmes as male prisoners. New York State's Department of Correctional Services (DOCS) offers over 30 vocational programmes in male correctional facilities, compared to only 11 such programmes in the women's facilities.¹⁴³

¹³⁸ Senison, H. (2008) 'Coalition fights for the rights of women behind bars' in *Legislative Gazette*, March 10, 2008.

¹³⁹ Women in Prison Project (2006) *Why focus on incarcerated women?* New York: WiPP.

¹⁴⁰ *ibid*

¹⁴¹ Correctional Association of New York (2006) *Report on Conditions of Confinement at Albion Correctional Facility*. New York: CANY.

¹⁴² Correctional Association of New York (2007) *Report on Mental Health Programs and Services at Bedford Hills Correctional Facility*. New York: CANY.

¹⁴³ Women in Prison Project (2006) *Why focus on incarcerated women?* New York: WiPP.

Women commonly receive less than adequate services, including insufficient family reunification planning, substandard health care and little opportunity for rehabilitation through substance abuse treatment, trauma counselling, and vocational and educational programmes.¹⁴⁴ However it is reported by the Women in Prison Project of the Correctional Association of New York that women who participated for more than six months in the Family Violence Programme at Bedford Hills Correctional Facility had a recidivism rate of just over 10% compared to nearly 24% for those who did not participate.¹⁴⁵

Bedford Hills had five vocational instructors running five vocational programmes : Cosmetology, Printing, General Business, Horticulture, and Career Development. However staff vacancies and limited programme capacity have resulted in long waiting lists for many of Bedford's vocational programmes: there were 11 prisoners enrolled in Cosmetology and 87 on the waiting list; 40 enrolled in General Business and 110 on the waiting list; 40 enrolled in Horticulture and 21 on the waiting list; 40 enrolled in Printing and 18 on the waiting list; and, 40 enrolled in Career Development and 12 on the waiting list. In total, 248 women at Bedford Hills – 30% of the total population – were on a vocational program waiting list.

Staffing and relationships

According to the report on Albion Correctional Facility by the Correctional Association of New York in 2006, “staff conduct” was by far the most highly grieved issue in 2002, 2003, 2004 and 2005. The number of grievances in this area increased significantly from 116 in 2004 to 144 in 2005.²⁸ According to the Department of Correctional Services' *Inmate Grievance Program Annual Report 2005*, this and this staff conduct grievances included allegations of “verbal harassment, profanity, voyeurism, the use of physical force and threats.”

Some prisoners reported that, with the exception of certain individuals, disrespectful treatment was more prevalent among officers new to working in a women's facility. The corrections staff that the inspection team from the Correctional Association of New York spoke to acknowledged that it sometimes takes a while for officers transferred from men's facilities to change their attitudes and “become accustomed” to working with women prisoners.¹⁴⁶

Similar problems were found at Bedford Hills Correctional Facility. At the time of the visit prisoners “shared a general sense that front line officers and higher ranking correction staff had been instructed to adopt a more punitive stance in dealing with inmates and to refrain from taking an active role in resolving problems through talking and communication. As a result, certain officers were increasingly opting to issue tickets, place inmates in pre-hearing confinement, or allow situations to devolve into more serious confrontations. These changes seemed to have a particularly

¹⁴⁴ *ibid*

¹⁴⁵ Women in Prison Project (2008) *Survivors of Abuse in Prison Fact Sheet*. New York: WiPP.

¹⁴⁶ Correctional Association of New York (2006) *Report on Conditions of Confinement at Albion Correctional Facility*. New York: CANY.

detrimental affect on certain officers, encouraging – instead of tempering – their negative attitudes and harmful behavioral tendencies.”¹⁴⁷

More seriously, prisoners reported that a small number of correction staff consistently engaged in overly aggressive behaviour and, in the most severe cases, using force not to restrain or control, but to inflict pain. Recent examples cited by prisoners included: an officer who punched a prisoner in the face; an officer who closed a cell door on an prisoners’ leg for a lengthy period of time; an officer who grabbed an older prisoner forcefully by the throat; and multiple officers who had kicked, kneed, and vigorously twisted arms while restraining prisoners. The view among women was also that less was being done by the prison administration to prevent unwarranted force and respond to situations when they did occur.¹⁴⁸

Bedford Hills’ April 2007 monthly grievance report notes that only 30% of grievances heard by the Inmate Grievance Resolution Committee (IGRC) and 47% of grievances heard by the Superintendent were within the time frames laid out by Directive 4040.24 The facility’s 2006 year-end report indicates that only 60% of grievances heard by the IGRC and 80% percent heard by the Superintendent in 2006 were within the designated time frames. By comparison, in its year-end report for 2006, Albion Correctional Facility reported that 76% of grievances heard by the IGRC and 98% of grievances heard by the Superintendent were within appropriate time frames.¹⁴⁹

¹⁴⁷ Correctional Association of New York (2007) *Report on Conditions of Confinement at Bedford Hills Correctional Facility*. New York: CANY.

¹⁴⁸ *ibid*

¹⁴⁹ *ibid*

ANNEX A

Name of Country: Australia

Summary

The eight states and territories have powers to enact their own criminal laws, while the Commonwealth of Australia has powers to enact laws, including sanctions for criminal offences, in relations to its responsibilities under the Constitution. Each state and territory has its own police, courts and prison systems.

Women make up 7% of the prison population, a number of 1,984 with an average age of 30, imprisoned across the eight states and territories. During 2004-5, a custodial sentence accounted for only 3% of principal sentences for women.¹⁵⁰

The number of women in prison in Australia has increased more rapidly than the number of men. Between 1996 and 2006 the number of female prisoners increased by 90%, from 964 at 30 June 1996 to 1,827 at 30 June 2006. The number of male prisoners increased by 39% from 17,229 to 23,963 for the same period¹⁵¹.

Anti-discrimination laws have led to more interest in women's imprisonment from a discrimination point of view. In Queensland the Anti-Discrimination Commission produced a report in 2006 making recommendation on the lines of the Corston Report.¹⁵² In Victoria the Equal Opportunities Commission asked Corrections Victoria (the prison administration of the State of Victoria) to produce an anti-discrimination audit of the prison system.¹⁵³ The women's prison population in Australia is described as highly disadvantaged, with a high proportion of mentally ill women, those with addictions and a history of abuse.¹⁵⁴

The newly-built Australian Capital Territory Prison has been hailed as a "world-first" in terms of design and human rights principles. Accommodation includes self-contained cottages which have been designed to promote "normal" living. Prisoners will enter and leave the cottages using a swipe-card security system. The prison is for men and women but the facility will provide for total physical separation of prisoners. Australian prisoners have the right to vote though there are problems in exercising this right.

Size and proportion of women's prison population¹⁵⁵

Men	25,237	92.7 %
Women	1,987	7.3 %

¹⁵⁰ www.aic.gov.au

¹⁵¹ <http://www.aic.gov.au/stats/cjs/corrections/females/index.html>

¹⁵² http://www.adcq.qld.gov.au/pubs/WIP_report.pdf

¹⁵³ Equal Opportunity Commission Victoria (2006) *Women Prisoners in Victoria*. Melbourne: EOCV.

¹⁵⁴ See Anti-Discrimination Commission Queensland (2006) *Women in Prison*. Milton: ADCQ.

http://www.adcq.qld.gov.au/pubs/WIP_report.pdf, Walsh, T. (2003) Diverting mentally ill women away from prison in New South Wales: building on the existing system. In *Psychiatry, Psychology and Law Vol 10, no 1*, pp 227-238 (12), and

http://www.justiceaction.org.au/index.php?option=com_content&task=blogsection&id=11&Itemid=32

¹⁵⁵ From World Prison Brief at www.prisonstudies.org

TOTAL 27,224 100 %*

Number of women's prisons:

26 (not counting the Canberra prison under construction)

Size of women's prisons (or units):

Considerable variety ranging from 280 beds to 25.

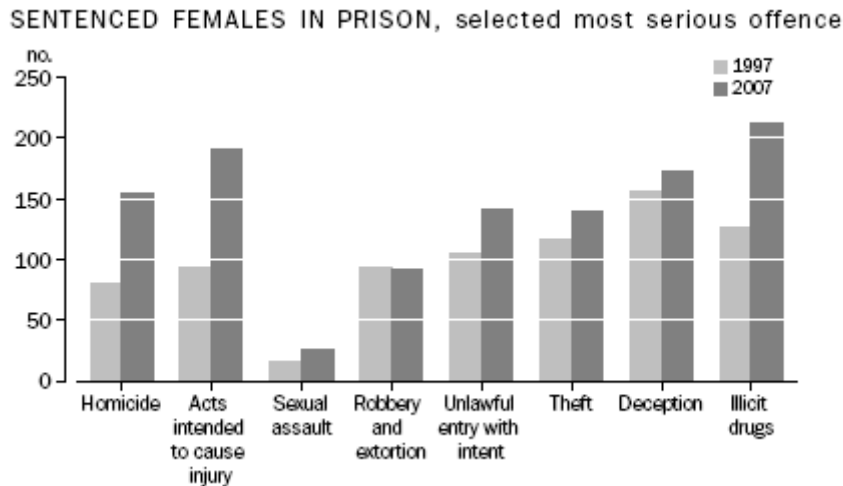
Time spent in custody:

Median aggregate sentence was 27 months for women, compared to 42 months for men.¹⁵⁶

Nature of the women's prison population:

Median age for women on June 2007 was 30 years old

The primary offence resulting in a custodial sentence was illicit drugs, followed by acts intended to cause injury. The increase in the female prison population is attributed to rises in acts intended to cause injury/homicide and illicit drugs¹⁵⁷



Type of custodial accommodation used

There is a range of accommodation. The majority of prisons are purpose-built.

Examples of women's prisons in each state.

South Australia

¹⁵⁶ www.abs.gov.au/AUSTATS/abs@.nsf/Previousproducts/1301.0Feature%20Ar

¹⁵⁷ www.abs.gov.au/AUSSTATs/abs@.nsf/Latestproducts/4517.0Main%20Feature

Port Augusta¹⁵⁸ is a multi-purpose prison providing 280 beds, with up to 8 for women prisoners. The prison houses high, medium and low security prisoners including those needing protection and special needs prisoners. Port Augusta is one of one two prisons in South Australia that provides accommodation specifically for female prisoners, and the only prison which houses both men and women. The Mobile Outback Work Camp operates from the prison which benefits the community through its work in surrounding National Parks. The prison operates community service projects in conjunction with the Corporation of Port Augusta where work gangs undertake graffiti removal, park construction and general maintenance of the foreshore area.

Adelaide Women's Prison¹⁵⁹ has two main sections to accommodate a total of 71 prisoners with catering for high, medium and low security and remand prisoners in cellblock accommodation. The Living Skills Unit (LSU) houses low security women in transportable units enabling them to be responsible for their own domestic needs where they are provided with their own kitchen and bathroom. The unit is for women given a release date, who are given educational or work programmes outside the prison and special development programmes inside the prison. Four units are provided for nursing mothers in the LSU and one in the Mainstream Unit.

Queensland

Numinbah¹⁶⁰ is an open custody prison for 104 men but with an annex accommodating 25 women serving short and long-term sentences. The prison concentrates on community work and pre-release programmes with a wide-range of educational and vocational programmes. Strong links are maintained between the local community and the centre with support groups visiting daily.

Townsville¹⁶¹ is a secure prison for both men and women with a range of therapeutic programmes for inmates of all security classifications. There is a farm complex, a women's residential area, a six-bed Crisis Support Unit and a four-bed hospital.

Brisbane Women's Correctional Centre¹⁶² was commissioned on May 28, 1999 and is the only reception, assessment and placement centre for female prisoners in southern Queensland. There are a total of 264 cells, divided into two accommodation areas of 122 secure cells and 142 residential cells.

A purpose-built area accommodates up to eight women who are able to keep their children with them in custody. The centre facilitates a number of programs, activities, events and services related to women and children.

There is a structured daily programme consisting of industry, education and vocational training programs that provide opportunities to address offending

¹⁵⁸ www.corrections.sa.gov.au/prisons/port_augusta_prison.htm

¹⁵⁹ www.corrections.sa.gov.au/prisons/adelaide_womens_prison.htm

¹⁶⁰ www.correctiveservices.qld.gov.au/About_Us/The_Department/Custodial_Corr

¹⁶¹ www.correctiveservices.qld.gov.au/About_Us/The_Department/Custodial_Corr

¹⁶²

http://www.correctiveservices.qld.gov.au/About_Us/The_Department/Custodial_Corrections/Brisbane_Womens_Correctional_Centre/index.shtml

behaviour, and a comprehensive range of activities designed to enhance personal development and self esteem.

New South Wales

Dillwynia Women's Correctional Centre¹⁶³ houses 200 minimum and medium secure women in the first purpose-built correctional centre in NSW. There is a focus on rehabilitative programmes to prepare inmates for re-integration and all prisoners are expected to attend programmes to address offending behaviour.

Emu Plains Correctional Centre was a prison farm for male prisoners for 80 years until it was converted in 1994 into an institution to prepare women for release from prison. The housing is in small units and the prison has a history of very close links with the local community and the local welfare services.

Victoria

The Dame Phyllis Frost Centre¹⁶⁴ was the first privately designed, financed, built and operated prison in Victoria, and was taken back into the public sector in 2000. The centre provides maximum security, medium security and specialist accommodation for 260 remanded and sentenced women prisoners. Prisoners are housed in single-cells within self-contained units. 20 inmates are held in two special cell blocks for protection prisoners and those with behavioural problems. Medium security units house ten prisoners in separate rooms while minimum security units house only five prisoners. Each unit has individual kitchen and dining facilities and prisoners are required to cook and prepare their own meals and do their own washing, ironing and housework. Groups of prisoners share activity areas, and a quiet area for reading and writing.

Under the 2005-09 strategy, *Better Pathways: An Integrated Response to Women's Offending and Re-offending*, the Medical Centre, Visitors' Centre, Education facility and Prison Industries facility are being extended and modified. There will be new buildings for intensive support, programs and staff amenities.

Leaked documents about an ombudsman inquiry into this prison suggested procedures were not being following and some practices resulted in inhumane treatment (ref 6)

Western Australia

Bandyup Women's Prison¹⁶⁵ is the only female prison in Western Australia that caters for all security classifications. It holds 147 inmates in standard-living units. Women can reside in a drug-free unit; earn privilege self-care accommodation or transitional accommodation, which focuses on developing life skills to ensure a smooth transition from prison life to the community or a pre-release centre. A mother and baby unit allows babies up to 12-months old to live with their mothers. Bandyup is developing a self-care accommodation unit on the existing prison site to provide for another 40

¹⁶³ <http://www.aic.gov.au/research/corrections/facilities/nsw.html#brokenhill>

¹⁶⁴ <http://www.justice.vic.gov.au/wps/wcm/connect/DOJ+Internet/Home/Prisons/Prisons+in+Victoria/JUSTICE+-+Prison+Profiles+-+Dame+Phyllis+Frost+Centre>

¹⁶⁵ <http://www.correctiveservices.wa.gov.au/B/bandyupprison.aspx?uid=1923-2530-4717-2043>

women prisoners. The prison works with the Boronia Pre-release Centre for Women, which manages suitable women ready for a minimum-security environment.

Broome Regional Prison¹⁶⁶ is the oldest prison in the state with 66 male and female prisoners of all security ratings from across the Kimberley region with a high percentage of Aboriginal prisoners.

Northern Territory

Darwin Correctional Centre¹⁶⁷ is a multi-classification prison with a capacity for 450 prisoners. Facilities exist for housing remand and sentenced adult males and remand and sentenced adult females. Darwin Correctional Centre holds illegal immigrants and is generally the processing point for those subject to deportation on behalf of the Department of Immigration and Multicultural Affairs. A new low security facility known as the Living Skills Unit has recently been completed with a capacity for up to 130 low security prisoners.

Australian Capital Territory

The ACT Prison¹⁶⁸ will accommodate men and women held on remand and sentenced prisoners. It will include an external facility for low-security transitional release prisoners.

Inside the primary campus-style facility, low, medium and high-security accommodation will be constructed in the form of single cells, double cells and cottage units. The facility will be a campus-style design, incorporating separate accommodation units around a central facilities area (including rehabilitation program spaces, education areas and health areas) with open spaces between buildings and groups of buildings.

While the facility will provide for total physical and visual separation of males from females and the separation of those held on remand from sentenced prisoners, it will also take into account, within bounds, the concept of normalisation in contemporary prisoner management. Because the centre will be the only prison in the ACT, it will be important for there to be a variety in accommodation design and prisoner management regimes to both encourage and recognise a prisoner's progress through his or her sentence.

The prison, which has been billed "world first" in design and human rights principles, has a campus-like design including varying accommodation types. Accommodation includes self-contained cottages and traditional cell blocks. The cottages have been designed to promote "normal" living, with inmates responsible for their own cooking, cleaning and laundry.

Each has a spacious wood-look kitchen, lounge/dining area with television, individual bedrooms with shelving and a combined share laundry/bathroom. Inmates can enter

¹⁶⁶ <http://www.correctiveservices.wa.gov.au/B/broomeprison.aspx?uid=4854-1244-4830-3763>

¹⁶⁷ <http://www.nt.gov.au/justice/graphpages/corrservs/custodial/index.shtml>

¹⁶⁸ <http://www.cs.act.gov.au/amc/home/ACTCorrectionalCentre>

and leave the cottages by swipe-card security which can be disabled by prison staff when necessary at night.¹⁶⁹

Visits and family contact:

There are no private or conjugal visits in Australian prisons.

Some examples of visiting times:

Bandyup - Monday to Sunday: 1.30-3.45pm. A maximum of three adults and children per visit.

Broome Regional Prison - Everyday: 9am-3.30pm

Dillwynia Women's Correctional Centre - Saturdays, Sundays and Public Holidays - 9:00 am to 3:00 pm

Changes to the family visiting days on Saturdays, Sundays and Public Holidays at Emu Plains prison in 2006 which meant that the families had to leave the prison at lunchtime and then return an hour later led to campaigning and the matter being raised in Parliament.¹⁷⁰ Before the changes the family and the prisoner spent the whole day together and the local Rotary club provided a barbecue lunch.

Level and nature of security

Most of the women's prisons in Australia have traditional security measures. The new ACT prison will have no razor wire, bars on windows or guard towers. Instead, corrections officers are stationed in small office huts across the site and conduct regular patrols. There is also a radio frequency identification network which logs the whereabouts of staff and inmates at all times with both wearing a tracking device.¹⁷¹

Financial data:

ACT prison - with an operating budget of \$24.5 million, the ACT Government anticipates it will cost taxpayers \$336 a day for each inmate at the \$131 million prison, based on a population of 200 prisoners. At its capacity of 300 inmates, which the ACT Opposition expects it will not reach in the foreseeable future, the cost would fall to \$219. There is no data available as yet for the different costs for men and women.

¹⁶⁹ <http://canberra.yourguide.com.au/articles/1193996.html?src=topstories>

¹⁷⁰ <http://www.parliament.nsw.gov.au/prod/parlment/hanstrans.nsf/v3ByKey/LC20060907>

¹⁷¹ <http://canberra.yourguide.com.au/articles/1193996.html?src=topstories>

ANNEX B

Name of country: Canada

Canada is a Federal country. All prisoners sentenced to two years or more go to a Federal prison. All remand prisoners and those sentenced to less than two years are imprisoned in the provincial system.

Over the past 15 years Canada's Federal system for women has seen substantial changes. Until 2000 all federally sentenced women were held in one women's prison in Kingston, Ontario. However, since the distances from home were so great, by 1988, 40% of federal female prisoners were serving their sentence in provincial prisons by agreement.¹⁷² Following a scandal in 1994 over treatment of some women prisoners by male prison staff and a judicial investigation the only Federal women's prison was closed in 2000 and replaced with a number of smaller units, nearer to where the women came from and with particular institutions catering for the needs of indigenous women.¹⁷³

The changes have meant that the Correctional Service of Canada (the Federal Prison Service) moved towards a more community, campus style accommodation and away from the traditional bars and cells of the past. Ideas of open and supportive environments were incorporated into prison officer training. Prison officers were trained to recognise the specific experiences of women prisoners' lives and there is increased interaction between officers and prisoners.

Women account for 5% of the total prison population with 1,705 incarcerated in 2007.

Indigenous women are disproportionately represented in the prison population

The prison population in Canada is not increasing and the number of women in prison has not risen significantly. In 2004/2005, female offenders accounted for 6% of prisoners in provincial custody, 4% of offenders in federal custody and 6% on remand. Since 1995/1996, the number of women serving a sentence in a provincial institution has declined by 8% while the number in remand has more than doubled and has pushed the total number of women in provincial custody up 30%.¹⁷⁴ (ref 10)

Size and proportion of women's prison population compared to male prison population (includes both federal and provincial inmates):¹⁷⁵

Men	33,354	95.0 %
Women	1,756	5.0 %
TOTAL	35,110	100 %*

¹⁷² Hayman, S. (2006). *Imprisoning Our Sisters: The New Federal Women's Prisons in Canada*. P.17. Entire paragraph from ch. 1-4.

¹⁷³ Stern, V. (1998). *A Sin Against the Future: Imprisonment in the World*. London: Penguin Books.

¹⁷⁴ <http://www.statcan.ca/english/freepub/85-002-XIE/85-002-XIE2008001.pdf>

¹⁷⁵ From World Prison Brief at www.prisonstudies.org

Number of women’s prisons (or women’s units within male prisons):

Federal Institutions^{176, 177}

Nova Institute for Women – Multi-security levels - Truro, Nova Scotia
 Joliette Institution – Multi-security levels - Joliette, Quebec
 Grand Valley Institution for Women - Multi-security levels- Kitchener, Ontario.
 Isabel McNeil House¹⁷⁸ - Minimum security- Kingston, Ontario.
 Edmonton Institution for Women - Multi-security levels- Edmonton, Alberta
 Okimaw Ohci Healing Lodge – Minimum and medium security levels – Maple Creek, Saskatchewan.
 Fraser Valley Institution for Women – Multi-security levels- Abbotsford, British Columbia.
 Regional Psychiatric Centre- Psychiatric Hospital for both male and female offenders – Saskatchewan.

Total of 8 Federal Institutions for women.

Size of women’s prisons (or units) as of March 2005¹⁷⁹:

Federal Institutions only, therefore numbers do not match total number of female prisoners given in #2 (1,705).

Institution	Reg. Beds	Secure Unit Beds	SLE ¹⁸⁰ /Mental Health	Total
Nova Inst.	53 (52* ¹⁸¹)	10	8	71
Joliette Inst.	81	10	8	99
Grand Valley	80	15	8	103
Isabel McNeil	10	0	0	10
Edmonton	90 (87*)	15	8	113
Okimaw	28	0	0	28
Fraser	45 (44*)	0 (10*)	8	53
Regional Psy.	0	0	12	12
Totals	387 (385*)	50 (60*)	67	504 (512*)

¹⁷⁶ Obtained courtesy of Corrections Services Canada website available at <http://www.csc-scc.gc.ca/text/region/nat-fac-dir-eng.shtml#o3> and cross referenced with:

¹⁷⁷ Hayman, Stephanie. (2006) *Imprisoning Our Sisters: The New Federal Women’s Prisons in Canada*. McGill-Queen’s University Press: Montreal and Kingston.

¹⁷⁸ Expected to close March 2007, see <http://www.cbc.ca/canada/ottawa/story/2007/02/20/isabel-mcneil.html> however, still listed under CSC website which was last updated on December 28, 2007 <http://www.cbc.ca/canada/ottawa/story/2007/02/20/isabel-mcneil.html>

¹⁷⁹ Hayman, Stephanie. (2006) *Imprisoning Our Sisters: The New Federal Women’s Prisons in Canada*, see table on page 234. McGill-Queen’s University Press: Montreal and Kingston.

¹⁸⁰ SLE refers to ‘structured living environments’ designed specifically for women designated as ‘high risk/high needs’; p. 232 of Hayman (2006), full citation above.

¹⁸¹ Corrections Services Canada website available at <http://www.csc-scc.gc.ca/text/region/inst-profil-eng.shtml#atlantic>

*These are the different figures given for each institution on CSC website, see footnote 7 below.

<i>Province</i>	<i>Facilities</i>	<i>Fem. Only/Mixed Max.Capacity</i>	
British Columbia ¹⁸²	Prince George Regional Correctional Centre	Mixed	26
	Surrey Pre-Trial Services Centre	Mixed	65
	Alouette Corr. Centre for Women	Female Only	144
Alberta ¹⁸³	?		
Saskatchewan ¹⁸⁴	Pine Grove Correctional Centre	Female Only	85 ¹⁸⁵
Manitoba ¹⁸⁶	Brandon Correctional Centre	Mixed	4
	Portage Correctional Centre	Female Only	45
	The Pas Correctional Centre	Mixed	7
	Winnipeg Remand Centre	Mixed	?
Ontario ¹⁸⁷	Vanier Centre for Women	Female Only	124
	Central East Correctional Centre	Mixed	32 ¹⁸⁸
	Central North Correctional Centre	Mixed	32

Time spent in custody¹⁸⁹:

Picture of Federally Sentenced Inmates on April 11, 2004. (n=379)

	# of prisoners	% of total population
Less than 3 years	140	37
3 years to under 6 years	117	31

¹⁸² Figures obtained from British Columbia Corrections Branch website at <http://www.pssg.gov.bc.ca/corrections/in-bc/index.htm>

¹⁸³ According to Canadian Heritage website, there are no female only institutions in Alberta; see http://216.239.59.104/search?q=cache:raw8hxnbf8J:www.pch.gc.ca/progs/pdp-hrp/docs/int_report/1_e.cfm+Ontario+Correctional+Institute+female+offenders&hl=en&ct=clnk&cd=3&gl=uk&client=firefox-a

¹⁸⁴ Government of Saskatchewan website at <http://www.cps.gov.sk.ca/Adult-Correctional-Facilities>

¹⁸⁵ Figure obtained from Human Resources and Social Development Canada website at <http://216.239.59.104/search?q=cache:z11WoEazKugJ:www.hrsdc.gc.ca/en/cs/sp/sdc/pkrf/publications/nlscy/uey/community/2002-000083/page11.shtml+capacity+of+Pine+Grove+Correctional+Centre&hl=en&ct=clnk&cd=5&gl=uk&client=firefox-a>

¹⁸⁶ Manitoba Government website at <http://www.gov.mb.ca/justice/corrections>

¹⁸⁷ Ontario Ministry of Community Safety and Correctional Services website at http://www.mcscs.jus.gov.on.ca/english/corr_serv/adult_off/facilities_lists/corr_centres.html

¹⁸⁸ <http://ogov.newswire.ca/ontario/GPOE/2006/04/27/c1439.html?lmatch=&lang=e.html>

¹⁸⁹ Reproduced from information obtained on pages 166-167 in Balfour, Gillian and Elizabeth Comack, (2006). *Criminalizing Women*. Fernwood Publishing: Blackpoint and Winnipeg.

6 years to under 10 years	39	10
10 years to under life sentence	15	4
Life sentence or indeterminate sentence	68	18
Total	379	100

Nature of the women's prison population ¹⁹⁰(age breakdown, offence for which imprisoned, number of foreign prisoners etc):

Picture of Federally Sentenced Inmates on April 11, 2004. (n=379)

Age	# of prisoners	% of total population
18-19	6	2
20-29	125	33
30-39	138	36
40-49	73	19
50+	37	10

Offence	# of prisoners	% of total pop'n
1st Degree Murder	16	4
2nd Degree Murder	50	13
Schedule I* (excluding sexual offences)	214	56
Schedule I (sexual offences)	9	2
Schedule II**	74	20
Non-Scheduled	44	12
Total	407***	100

*Schedule I comprises sexual offences and other violent crimes excluding first and second degree murder

**Schedule II comprises serious drug offences and conspiracy to commit serious drug offences

***Individuals can appear in more than one category' (Balfour and Comack, 2006, p. 167)

Racial Origin (n=379)

Aboriginal: 108 (28%)*
Non-Aboriginal: 271 (72%)

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

¹⁹⁰ Reproduced from information obtained on pages 166-167 in Balfour, Gillian and Elizabeth Comack, (2006). *Criminalizing Women*. Fernwood Publishing: Blackpoint and Winnipeg.

When the prison for women was finally closed in 2000 other federal institutions were constructed for female prisoners, varying in size, design, security level, location, and purposes amongst other things. What follows is a brief description of each:

Nova Institute for Women¹⁹¹:

Built in 1995, multi-level security, fenced in premises.

Contains 8 'campus style' living units which can hold up to 7 minimum and medium security offenders. Each living unit has a kitchen, two bathrooms, a living room (communal room), a dining room, a study, and laundry facilities.

Additionally, there are 8 spaces in the Structured Living Environment (SLE) for minimum and medium-security prisoners with mental health problems and the Secure Unit which can hold 10 maximum security inmates.

Finally, within the institution there are health services, education/treatment facilities, a Chapel, and recreational facilities, as well as a Private Family Visiting Unit.

Joliette Institution¹⁹²:

Built in 1997, multi-level,

Contains 10 living units which each can house up to 8 minimum and medium level prisoners in the same way as in the Nova Institute for Women The Institution also contains 8 Structured Living Environment spaces, 10 Secure Unit spaces, and 2 Private Family Visiting Units.

The Institution provides specialized treatment programmes including substance abuse, living skills, programme for survivors of abuse, along with several other psycho-social treatment programs.

Finally, the institution, like other federal institutions, offers a mother-child programme, that allows for young children to live with their mothers within the institutions on a part-time or full time basis as long as it is seen as beneficial to the child.

Grand Valley Institution for Women¹⁹³:

Opened in 1997, multi-level security, fenced in perimeter.

Responsible for 'reception, assessment, and placement' of federally sentenced females in Ontario.

8 Campus style living units, same as above. 10 SLE and 15 Secure Units. 2 Private Family Visiting Units.

Isabelle McNeil House¹⁹⁴:

Opened in 1990, minimum security

A transition home designed to provide female prisoners with programmes (both vocational and psycho-social) to help with their re-integration into the community.

Max capacity is 10 minimum security inmates.

Edmonton Institution for Women¹⁹⁵:

Opened in 1995, multi-security levels, fenced perimeter

¹⁹¹ <http://www.csc-scc.gc.ca/text/facilit/institutprofiles/nova-eng.shtml>

¹⁹² <http://www.csc-scc.gc.ca/text/facilit/institutprofiles/joliette-eng.shtml>

¹⁹³ <http://www.csc-scc.gc.ca/text/facilit/institutprofiles/grandvalley-eng.shtml>

¹⁹⁴ <http://www.csc-scc.gc.ca/text/facilit/institutprofiles/isabelmcneil-eng.shtml>

¹⁹⁵ <http://www.csc-scc.gc.ca/text/facilit/institutprofiles/edmonton-eng.shtml>

9 Campus style living units each of which can hold up to 10 minimum or medium level prisoners. Plus 8 Structured Living Environment Units and 15 Secure Units for maximum security prisoners. Also, contains 2 Private Family Visiting Units. Has specific programs and areas for Aboriginal use for various ceremonies. Also, contains an herb/medicine garden. Has an employment programme which requires approximately 80 part or full time positions. Type of work various from maintenance to other services in the institution, but also may involve working in computers/technology in the graphics shop.

Okimaw Ohci Healing Lodge¹⁹⁶:

Opened in 1995, minimum and medium security.

Houses and is intended for aboriginal women serving a federal sentence.

28 'shared-accommodation' beds within the facility.

Intended to promote self and/or spiritual healing amongst the women. Unique concept to Canada's prison system.

Description given on CSC website after 10 years of operating the Healing Lodge:

The Okimaw Ohci Healing Lodge (OOHL) was built specifically to meet the diverse and unique needs of federally sentenced women. It follows the requirements for Aboriginal correctional initiatives noted in Creating Choices, the 1990 report of the Task Force on Federally Sentenced Women: the participation of Aboriginal women and Elders, the connection of the lodge to the Aboriginal community and an approach that is meaningful to Aboriginal women.

The lodge, located on the Nekaneet Reserve near Maple Creek in southwest Saskatchewan, recently celebrated its 10th anniversary. The philosophy of Aboriginal life enriches and guides the day-to-day work carried out by lodge staff, and sets this lodge apart from traditional Correctional Service of Canada (CSC) institutions. Staff members all say that after 10 years there is cause for celebration¹⁹⁷.

Also,

"The programmes of the lodge are focused on healing and presented in a manner that is culture and gender sensitive. Elders and the traditional teachings are the foundation on which all programs are based"¹⁹⁸.

Fraser Valley Institution for Women¹⁹⁹:

Opened in March 2004, multi-level

8 'living units' which can house 6 minimum to medium security female prisoners.

Also has a Structured Living Environment unit with 8 spaces and 10 Secure Unit spaces. 1 Private Family Visiting Unit.

Regional Psychiatric Centre²⁰⁰:

Multi-level security provides treatment for prisoners with mental health disorders.

Has 12 beds available for both male and female prisoners.

¹⁹⁶ <http://www.csc-scc.gc.ca/text/facilit/institutprofiles/okima-eng.shtml>

¹⁹⁷ <http://www.csc-scc.gc.ca/text/pblct/lt-en/2006/31-1/7-eng.shtml>

¹⁹⁸ <http://www.csc-scc.gc.ca/text/pblct/lt-en/2006/31-1/7-eng.shtml>

¹⁹⁹ <http://www.csc-scc.gc.ca/text/facilit/institutprofiles/fraservalley-eng.shtml>

²⁰⁰ http://www.npb-cnrc.gc.ca/victims/Victims_Project_2006/Prairie/rpc_1_e.htm

When describing their institutions on the website, almost all are characterized as an institution which *'promotes an open and supportive environment reflective of community living. Its goal is to model, promote and empower women to make meaningful and responsible law-abiding choices with a focus on safe and timely reintegration'*. With few exceptions, this ideology is reflected in the design of the facilities ('campus style' living in 'houses' or something similar to 'cottages' and having all service areas available within the institution), size (relatively small) location (spread fairly evenly across the entire country, from coast to coast), security level (most are multi-level with special accommodations for certain types of prisoners requiring special care) and purpose (which seems to have a focus on rehabilitation, healing, and re-integration, provided through special programs within each institution).

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

A mother-child programme is available in all federal institutions²⁰¹, with the benefit to the child being the main criteria under which such arrangements are implemented and sustained which can be part-time (up to age 12) or full-time (up to 4th birthday)²⁰². Also, most of the Federal institutions have Private Family Visiting Unit(s). These units usually consist of 2 bedroom units with a kitchen, bathroom, and living room. These visits are, according to CSC, intended 'to encourage offenders to develop and maintain family and community ties in preparation for their return to the community and to lessen the negative impact of incarceration on family relationships. The PFV is more than a conjugal visit as it seeks to enhance the inmate's capacity to pursue his/her correctional plan'²⁰³. Visits usually do not exceed 72 hours and can occur once every 2 months. For more info on this see footnote 28.

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc):

As discussed previously, all but one (Healing Lodge) of the federal institutions for females do have perimeter fencing, much of it quite low²⁰⁴. However, as for having bars on windows, cells, etc., this approach has been largely abandoned. When discussion and debate arose from 'Creating Choices' (1990), those individuals involved in the planning and developing of the new female-only institutions about to be built were very careful as to not give it that penitentiary feel and some made their support for the project 'contingent on not building a bars and cells penitentiary but rather a place where troubled people live while learning to deal with their problems' (quoted in Hayman, 2006, p. 123). Further, the design of the institutions (CSC and others involved were careful not to use the term 'prison'²⁰⁵) wanted to create environments that "were to incorporate 'all environmental factors known to promote

²⁰¹ <http://www.csc-scc.gc.ca/text/facilit/institutprofiles/joliette-eng.shtml>

²⁰² For more on this topic, see <http://www.csc-scc.gc.ca/text/plcy/cdshtm/768cd-eng.shtml> or <http://www.csc-scc.gc.ca/text/prgrm/fsw/pro02-5-eng.shtml>

²⁰³ From CSC website available at <http://www.csc-scc.gc.ca/text/pblct/visit/index-eng.shtml>

²⁰⁴ Hayman, S. (2006), p. 141.

²⁰⁵ Hayman, S. (2006). P. 123

wellness...natural light, fresh air, colour, space, privacy, and access to land””
(TFFSW, 1990, p. 115; quoted in Hayman, 2006, p. 140).

Financial data (i.e. operational costs of the women’s estate, costs of building the prisons etc):

The cost of confining a federally sentenced female prisoner ranges from \$150,000-\$250,000 per year. In comparison, the cost to incarcerate a male federal offender is \$87,665 per year²⁰⁶.

Our estimate: Total correctional budget for year 2004/2005 was \$2.8 billion. So, 379 prisoners in April 2004 (from # 6 above) X \$150,000=\$56,850,000 is lower estimate. 379 X \$250,000= \$94,750,000 is high estimate.

Any other relevant information:

²⁰⁶ http://www.prisonjustice.ca/politics/facts_stats.html

ANNEX C

Name of Country: Denmark

The overall prison population in Denmark is low compared with England and Wales, and although it is increasing the growth is slow. The absolute number of women prisoners is therefore small.

Several prisons in Denmark accommodate both male and female prisoners. For example, at Ringe Prison prisoners live in single rooms within mixed units with communal kitchens. Work and leisure time is spent together with married couples living together in a special wing.

When the prisoner has been sentenced the court decides whether the prisoner can be sent home to await a letter giving a date when the sentence will begin or is to remain in custody and serve the sentence immediately. This allows prisoners to make the necessary arrangements before they are imprisoned for example, to ensure their children are looked after.

Size and Proportion of women's prison population compared to the male prison population:²⁰⁷

Men	4,009	95.5 %
Women	189	4.5 %
TOTAL	4,198	100 %*

Number of women's prisons (or women's units within male prisons):

5 units in prisons that also hold men.

Size of women's prisons (or units):

The number of women held in the units varies depending on demand

Time spent in custody:

Nature of the women's prison population (age breakdown, offences for which imprisoned, number of foreign prisoners etc):

The number of ethnic minority women doubled between 2000 and 2006. Most of these women come from Europe and Latin America.

The average age is 37.6.²⁰⁸

The offences most commonly committed by women are drug offences, followed by homicide and robbery.²⁰⁹

²⁰⁷ From World Prison Brief at www.prisonstudies.org

²⁰⁸ <http://quaker.org/qcea/prison/Country%20Reports/Denmark%20Report%20-%20Final.pdf>

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

As a general rule the prisoner has a cell/room of about seven sq. metres. The local prisons also typically have single cells, but they also have cells for two or three prisoners. Generally custodial sentences are served in association with other prisoners, but prisoners who so wish can normally serve their sentence in segregation. The number of prisoners wishing to serve their sentence in segregation has been increasing because an ever-increasing group of vulnerable prisoners have felt threatened and intimidated by negatively dominant inmates.²¹⁰

Most closed prisons and some of the major local prisons have protective cells. A protective cell is a completely bare cell with a bed bolted to the floor, where it is possible to restrain the inmate with a body belt and possibly ankle and wrist straps. When mechanical restraints are applied, a doctor must be summoned immediately, and a constant guard must attend the prisoner. Protective cells are used if necessary to avoid threatening violence, to overcome violent resistance or to prevent suicide or other self-mutilation.²¹¹

Ringe State Prison is a high-security, mixed-sex prison for 86 offenders who have committed serious crimes such as murder and armed robbery. The prison accommodates both male and female prisoners, who live in single rooms in mixed units with communal kitchens, and also working time and leisure time are spent together (married couples live in a special wing). Children can live with their parents in prison until the age of three. Sex between inmates is permitted if wardens are convinced that the relationship is serious. There is a special drug-free unit in a small outbuilding, and all prisoners can access drug treatment services.

Each day, prisoners are woken up at seven to go to workshops, to clean and do their laundry, or study for exams. The idea is that prison existence should approximate normal life where possible. When Ringe prisoners are discharged into the community, they are offered a place to live, an income in return for work or education, and a contact to call if they think they are at risk of getting into trouble again²¹²

When the prison came into operation, many aspects of the structure and daily life were arranged in a radically different manner from those of conventional prisons. Unit officers were to perform four main tasks with regard to security/order, welfare work, management of the workplaces and management of the prisoners' leisure time activities²¹³.

Horsørød State Prison

²⁰⁹ ibid

²¹⁰

<http://www.kriminalforsorgen.dk/English/DanishPrisonAndProbationService/GeneralConditions.html>

²¹¹ ibid

²¹² <http://www.ippr.org/articles/?id=2304>

²¹³ <http://www.kriminalforsorgen.dk/English/DanishPrisonAndProbationService/ThePrisons.html>

150 prison officers look after 221 prisoners housed in 10 units. Prisoners have the key to their own cells and are never locked in. There is a family unit with 14 places where the prisoners can bring their small children (up to approximately three years old). There are drug-free units accommodating 23 prisoners. No actual drug treatment takes place here. Both units prioritise a calm, considerate environment, free of alcohol and drugs. The unit strongly emphasises that it is free of alcohol, drugs and other intoxicants. Therefore prisoners who wish to be admitted to these units must declare in writing that they will observe the rules and that they realise that violation of the rules will result in transfer to another unit. There is a half-open unit where prisoners can be placed as an alternative to a closed prison²¹⁴.

Other prisons

The main prison in Copenhagen holds remand prisoners awaiting trial in court or prisoners serving a short sentence with approximately thirty-six women prisoners at any one time. Approximately half the guards are women. It is an old building with small cells and long corridors. The cells do not have toilets; prisoners have to use a bucket at night. Prisoners are body searched after visits but visitors are not.

The Western Prison – Vestre Faengsel, a cross-shaped panoptic cell prison of four storeys, has a total capacity for 430 prisoners, with accommodation for 30 women. The prison is equipped with a gymnasium, a church, a library, a school and conference rooms for the prisoners. There is a penitentiary hospital with thirty-seven beds.

Møgelkær State Prison has 126 places. The prison receives those sentenced to imprisonment from East Jutland and metropolitan Copenhagen as well as female prisoners from counties west of the Great Belt. The prison has a half-open unit with room for 30 inmates.

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

In general, prisoners can receive visits from relatives in single rooms or in their own cells and only in very rare cases will visits be supervised. Conjugal visits are arranged and take place as a matter of course during normal visits. At Ringe, a woman prisoner can only visit a male prisoner if they are a genuine couple and have been together for at least one month. To make sure that they are a genuine couple, members of staff from the men's and women's sections have a meeting and discuss this. This is done to avoid prostitution.²¹⁵

Ringe Prison – prisoners can have their children in prison until the age of three. Children living in the prison will be in the drug-free section or in the women's section. In Denmark, kindergartens only receive children over two years old. Younger children at Ringe are sent to day care, so their mothers are able to work and take educational classes.

²¹⁴ <http://www.kriminalforsorgen.dk/English/DanishPrisonAndProbationService/ThePrisons.html>

²¹⁵ *ibid*

Horserød State Prison has a family unit providing accommodation for parents with children and for married couples. A fourteen-bed family unit provides accommodation for parents with children of less than three years of age and for married couples where both partners have committed a crime. This is for couples who were together before the start of the sentence. There is one cell for a couple with children which consists of a room for the parents and a connecting door to a room for the child.

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc):

As a general rule, closed prisons and local prisons have electronic surveillance of the prison and the perimeter walls, while as a main rule open prisons have no similar surveillance. This makes demands on the prisoner's self-discipline, since, as a rule, unauthorised departure from an open prison will entail transfer to a closed prison.²¹⁶

At Ringe, security is achieved through a combination of the five-meter high perimeter wall, television surveillance and close personal contact between staff and prisoners. As the only closed prison in the country, this prison has an atrium for each unit. The prisoners have free access to the atrium during daylight hours. The prison is built on the side of a hill which allows prisoners to see out over the surrounding countryside. The fence is a recent addition and is to stop drugs, mobile phones and weapons being thrown over the wall rather than to stop prisoners escaping. During the summer, outdoor exercise is possible for one and a half hour on workdays and four hours and 45 minutes on non-workdays. During the winter, outdoor exercise is possible for one hour on workdays and two hours on non-work days.

Horserød State Prison – There is no external fence to the prison and the prison looks more like a university campus. There is CCTV but it is not fully monitored as there are not enough staff to watch the screens. There are approximately 100 escapes per year. Prisoners can use the well-kept grounds freely during the day. According to staff, the relaxed atmosphere helps with security and suicide risk.

Financial data (i.e. operational costs of the woman's estate, costs of building the prisons etc):

Any other relevant information.

²¹⁶ <http://www.kriminalforsorgen.dk/English/DanishPrisonAndProbationService/ThePrisons.html>

ANNEX D

Name of Country: Germany

Germany is a Federal Republic, made up of sixteen states known as Lander. There is no central prison authority in Germany, so the sixteen individual Federal Länder, legislate and operate their own prison services. Although the Federal Prison Act is still in effect, the Länder can draft their own Prison Acts. This means that there are sixteen independent prison systems in Germany with potentially sixteen different Prison Acts. So far, none of the Länder has drafted their own Prison Act.

4,088 women were in custody in 2007 making up 5.4 % of the total prison population. Property and drug offences account for why nearly 65% of women receive custodial sentences

Size and Proportion of women's prison population compared to the male prison population:²¹⁷

Men	71,630	94.6 %
Women	4,089	5.4 %
TOTAL	75,719	100 %*

Number of women's prisons (or women's units within male prisons):

Only six of the Länder have single-sex women's prisons. Other Länder have women's units attached to men's prisons. Many prisons holding women have mother and baby units but juveniles and women with young children in Bremen have to be sent to another Land.²¹⁸

Size of women's prisons (or units):

Some examples:

The prison of Aichach in Bavaria which was originally only for female prisoners with 439 places, now has male prisoners kept separately from the women. The department for women prisoners in Würzburg in Bavaria has 75 places. The prison in Munich has a capacity of 72 women. In the 6 other prisons with departments for women, between 12 and 60 women prisoners can be kept.²¹⁹

Time spent in custody:

²¹⁷ http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=139

²¹⁸ <http://www.quaker.org/qcea/prison/Country%20Reports/Germany%20Report%20-%20Final.pdf>

²¹⁹ <http://www.justizvollzug-bayern.de/JV/English/10female/>

Nature of the women's prison population (age breakdown, offences for which imprisoned, number of foreign prisoners etc):

A survey of 116 women prisoners in five German prisons showed the top four crimes for which women are imprisoned are property offences (36%), drug offences (28.8%), robbery (14.4 %) and homicide (9%).²²⁰

7. Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

Prisoners should have individual cells but can lawfully be held together if being accommodated in an individual cell endangers the prisoner.²²¹

8. Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

The law guarantees prisoners one visit per month. Extra visits are organised for mothers in prison which last for one hour. Family days are also arranged.

Prisoners have twenty-one days of leave per year and extra leave may be granted for special reasons including family events. Prisoners from the open prison in Freistaat Thüringen can go out to visit family at weekends.

There are mother and baby units in eight of the Länder where children can live with their mothers until the age of three. Open prisons in some Länder accommodate children up to the age of six (the age at which children start school). Guidelines are the responsibility of the Länder, not the Federal Government. Specialist staff are available to train women in child care. There are a number of special provisions which allow mothers to leave the prison with their children. It is unusual for women awaiting trial to be accommodated with their child in a mother and baby unit. In such cases, approval from the judge and the Guardianship Court is required. In Bavaria, there is a mother and baby unit for ten women and children can stay until they are four years of age. In Bavaria, women prisoners who are over six months pregnant are sent to Aichach, which has a mother and baby unit with places for ten women.²²²

9. Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc):

10. Financial data (i.e. operational costs of the woman's estate, costs of building the prisons etc):

11. Any other relevant information

²²⁰ <http://www.quaker.org/qcea/prison/Country%20Reports/Germany%20Report%20-%20Final.pdf>

²²¹ ibid

²²² ibid

One of the principles of imprisonment is to imprison prisoners as close to their homes as possible. However, information provided by the Federal Government states: ‘since female prisoners are accommodated predominantly in central institutions in view of their small numbers, their families have to travel long distances and bear the costs incurred. Also, arranging relaxation of prison conditions and leave is much harder to organise for female prisoners because of the distances involved.’

An estimated 50-75 % of women in Aichach prison have been sexually abused prior to imprisonment.

The number of female drug addicts fluctuates between 35 and 70 % of the total number of women in prison compared to that of between 10 and 40 % for male prisoners. Prisoners with drug or alcohol problems will not be put in open prisons, according to the administration in Freistaat Thüringen.

ANNEX E

Name of country: New Zealand

Summary

The New Zealand female prison population can be briefly described as predominantly young (under 30 years of age), not well educated, and in prison mainly for violent offending, property and drug offences. Women also have a somewhat lower rate of re-imprisonment than men.

Whilst 14.6 per cent of the New Zealand population is Māori 55 per cent of women prisoners are Māori.

The female prison population is severely disadvantaged with high levels of mental health and past abuse problems.

The number of women prisoners is rising rapidly and much faster than the population of men.

Size and proportion of women's prison population compared to male prison population:²²³

Men	7,870	94.0 %
Women	502	6.0 %
TOTAL	8,372	100 %*

The number of women in prison has doubled over the last six years.²²⁴

Number of women's prisons (or women's units within male prisons):

3 (exclusively women)

Size of women's prisons (or units):

Auckland Region Women's Corrections Facility (ARWCF): Holds up to 286 prisoners

Arohata Women's Prison: Holds up to 154 minimum, low-medium and high-medium security remand and sentenced prisoners.

Christchurch Women's Prison: Holds up to 138 sentenced and remand female prisoners of all ages and security classifications.

Time spent in custody:

²²³ From World Prison Brief at www.prisonstudies.org

²²⁴ CEDAW report <http://www.mwa.govt.nz/news-and-pubs/publications/international/cedaw-report.html#art15>

Sentences usually two years or less.

Nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

Typically unemployed prior to prison, low levels of educational achievement, high incidence of mental health issues. If parent, usually single childcare provider prior to prison. Histories of abuse and trauma, high incidence of alcohol and drug issues, high health needs.²²⁵

Of the 461 female prisoners in custody on 24 January 2006, 371 were sentenced prisoners, 86 were remand prisoners and four were being held temporarily in police station cells. Ethnicity information for the 371 sentenced female prisoners shows that 55 percent identified themselves as Māori, 34 percent as European, 9 percent as Pacific peoples and 2 percent as Asian.

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

Auckland Region Women's Corrections Facility (ARWCF) is the first purpose-built women's prison in New Zealand. It claims to provide prisoners 'with as normal an environment as is possible in a prison'. It has employment places for 115 prisoners, laundry, ground maintenance, and release to work programmes. 32 prisoners nearing release can live in the self-care units, which are like flats and shared with a small number of other prisoners.

Arohata (means 'bridge' in Maori) Women's Prison was built in 1944 as a women's borstal. It became a youth prison in 1981 and women's prison in 1987. Some prisoners from this prison go out into the community in the day to work. Arohata operates the Prison Services' national 20-bed Drug Treatment Unit for women. The six to nine-month fulltime programme enables participants to graduate through four phases designed to address alcohol and drug addictions, addictive behaviours and related offending patterns. Arohata also has four self-care units each accommodating up to four approved prisoners. The prisoners do their own cooking, laundry and cleaning, manage their grocery budget and attend a weekly trip to the supermarket, escorted by a member of staff.

Christchurch women's prison opened in 1974 and replaced two other women's prisons. Christchurch prison has nine self-care units which accommodate four prisoners in each.

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

²²⁵ Information in sections 3-6, 11 from <http://www.corrections.govt.nz/public/aboutus/factsheets/managingoffendersinprison/women-in-prison.html>

There are no unsupervised or conjugal visits in New Zealand prisons

A prisoner may have a maximum of three adults (16 years and over) and three children visiting at any one time.

Prisoners can have at least one visit each week for a minimum of half an hour, within prison visiting times.

Mothers in prison

A small number of women give birth while serving a sentence of imprisonment and some others have young children at the time of sentencing.

Some prisoners with babies may be eligible to live in self-care units where they have greater ability to manage their own living arrangements

Mothers with babies cared for in the community that are less than six months old who are not eligible for a self-care unit are permitted daily visits in secure, purpose-built facilities where they can feed and bond with their child.

Some women with young babies may also be eligible to apply for home detention, either at the time of sentencing or if serving sentences longer than two years three months before their parole eligibility date.

The Parole Act 2002 allows the New Zealand Parole Board to grant early release on compassionate grounds to a prisoner who has given birth during her sentence. Prison management first assesses the prisoner's suitability taking account of security classification, welfare of offender and child and the views of Child, Youth and Family. A report will then be submitted to the Parole Board for decision.

A Bill, the Corrections (Mothers with Babies) Amendment Bill, is currently passing through the New Zealand Parliament and is likely to become law. The Bill will extend the time that mothers can keep their children with them while they are in custody, from the current six months to two years, and it will extend the possibility of keeping a baby to remanded women and those with a high security classification.²²⁶

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc

The women's prisons in New Zealand have traditional security measures.

Financial data (i.e. operational costs of the women's estate, costs of building the prisons etc)

Any other relevant information

Other initiatives for women

²²⁶ <http://www.scoop.co.nz/stories/PA0711/S00188.htm>

In recent years the Government has implemented a number of initiatives aimed specifically at female prisoners. They include:

The development and pilot of a programme tailored to the multiple needs of women offenders, the ongoing effects of abuse, the social and cultural context of women offenders and the relationship between rehabilitation and reintegration issues.

Assessing and addressing the cultural needs of Māori women prisoners. This includes the continuation of the Specialist Māori Cultural Assessment pilot, which provides a greater depth of cultural information for sentence planning, and the Cultural Supervision pilot, which provides a support function which enables staff involved in sentence planning to reflect on and enhance their interactions with Māori offenders. A Tikanga Māori Programme for women offenders has also been implemented

In 2007 a controversial new behaviour management system was introduced and implemented in Auckland women's prison. Under the system well-behaved prisoners would be given more freedom of movement and flexible visiting arrangements, and allowed to keep more possessions in their cells. Bad behaviour would be punished with sanctions such as solitary confinement or losing access to rehabilitation programmes. The Howard League for Penal Reform president Peter Williams, QC, said "Very serious harm can be done to people who are left in solitary confinement for any meaningful period of time. I'm very much against it. It almost comes to a form of torture."²²⁷

²²⁷ <http://www.stuff.co.nz/4147951a11.html>

ANNEX F

Name of country: Spain

5,592 women prisoners are distributed in three types of prisons: 1. Small modules situated within men's prisons, 2. Small prisons for women within "maxi" prisons 3. Three prisons, in Seville, Avila and Madrid, designed specifically for women.

Size and proportion of women's prison population compared to male prison population:²²⁸

Men	61,508	91.67%
Women	5,592	8.33 %
TOTAL	67,100	100 %*

Number of women's prisons (or women's units within male prisons):

Total number of penal institutions (2007): 77.²²⁹

Size of women's prisons (or units):

Women prisoners in Spain are distributed in three types of accommodation:

Small modules, units or departments situated within men's prisons (approximately 75 modules house between 15 and 40 women each.

Small prisons for women within big prisons originally designed for men (numbers increasing). For example: Brians Centre houses over 1600 prisoners of which only 240 are women.

Prisons designed specifically for women. There are 3 establishments exclusively dedicated to women, compared with the over 80 dedicated to men, with a capacity for housing between 200 and 300 women: Alcala de Guadaira (Seville), Brieva (Avila), and Madrid I Women.²³⁰

Time spent in custody:

Nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

*By age*²³¹

	Men	Women	Total
18-20	546	44	590

²²⁸ http://www.mir.es/INSTPEN/INSTPENI/Gestion/Estadisticas_mensuales

²²⁹ *ibid*

²³⁰ Almeda, E. (2006) *Women and Prison: Past and Present of Women's prisons in Spain*. Barcelona: Universitat de Barcelona

²³¹ http://www.mir.es/INSTPEN/INSTPENI/Gestion/Estadisticas_mensuales

21-25	5.856	397	6.253
26-30	9.630	788	10.418
31-40	17.185	1.375	18.560
41-60	11.882	1.112	12.994
+60	1.021	107	1.128
TOTAL	46.120	3.823	49.943*

By current offence type (according to the Law 10/1995, from the 23rd of November, belonging to the Penal Code). Exclusively women.²³²

Offence	Total
Homicide	172
Injuries	117
Against liberty	20
Against sexual liberty	41
Against honor	0
Against family relationships	19
Against property and the socioeconomical order	1.292
Against public health	1.756
Against traffic regulations	5
Falsifications	65
Against public administration	2
Against justice admin.	33
Against public order	71
Rest of offences	70
For faults	5
Offence not registered	58
TOTAL	3.726*

By legal situation²³³

Legal Situation	Men	Women	Total
Protective Custody	14.428	1.709	16.137
Charged	46.120	3.823	49.943
Security measures	571	39	610
Weekend arrest	46	1	47
Non payment of fine	112	6	118
Traffic	231	14	245
TOTAL	61.508	5.592	67.100*¹

Around 25% of women prison inmates in Spain are Roma women. This is an overrepresentation 20 times greater than in comparison with the general population (Roma are about 1.4% of the Spanish population)

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

²³² http://www.mir.es/INSTPEN/INSTPENI/Gestion/Estadisticas_mensuales

²³³ *ibid*

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

Aranjuez Prison, Spanish officials say, is the only one in the world with cells for families. The spacious units, dubbed "five-star cells," come with cribs, Disney characters on the walls and access to a prison playground.

The idea is for children to bond with their jailed parents while young enough not to fully grasp the reality of prison, and to teach parenting skills to inmates seeking rehabilitation. Some parents have two toddlers in the prison, and the total currently stands at 32. Spanish authorities say the family cells have been a success but acknowledge a child may suffer emotionally when separated from his or her parents. They have no plans to expand the program.

Neither the prison psychologist nor the parents themselves think it is an ideal situation. But they say it beats the pain of separation.

The prison in this town 25 miles south of Madrid began operating family cells in 1998 and now has 36, although only 16 are currently occupied, most with Latin American immigrants who have no one to look after their children.

All candidates have to pass a two-month observation period to prove they are prepared to live together as couples and raise a child. Sex offenders are excluded.²³⁴

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc)

Security in Spanish prisons relies on traditional methods

Financial data (i.e. operational costs of the women's estate, costs of building the prisons etc)

Any other relevant information

²³⁴ http://www.usatoday.com/news/offbeat/2007-02-10-familyprison_x.htm

ANNEX G

Name of country: Sweden

Four prisons are for women only, the largest having places for 95 prisoners.

Under Swedish law, prisoners may receive as many visits as it is possible to arrange. In reality the small visiting facilities and a small number of staff may not make this possible. Considerable use is made of the right to home leave where prisoners are able to go 'on leave' for a specific purpose and to maintain family ties.

Size and proportion of women's prison population compared to male prison population:²³⁵

Men	9.789	93.2%
Women	711	6.8 %
TOTAL	10.500	100 %*

Number of women's prisons (or women's units within male prisons):

Hinesberg, a large closed prison solely for women, has an equipped flat with a small garden where children can have overnight visits.

Women prisoners are held in four prisons solely for women in different parts of the country, as well as one wing of a prison that also holds male prisoners in the south.²³⁶ An open unit connected with the wing but located a few miles away opened very recently.²³⁷

Size of women's prisons (or units):

The largest prison for women has 95 places, and it is a Category II wing (this is a security level)

Three more prisons, with a range of 20-47 places, are reserved solely for women prisoners.

In 2 prisons there are special female units, with 10 and 30 places, completely separated from those for male prisoners.

Time spent in custody:

—

Nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

By age

²³⁵ http://www.kriminalvarden.se/templates/KVV_InfoMaterialListing_4022.aspx

²³⁶ <http://www.kriminalvarden.se/upload/Informationsmaterial/Basic%20Facts%2007.pdf>

²³⁷ From personal correspondence with Anne Marie Dahlgren, Swedish Prison and Probation Service

Under 18: No women under 18 were imprisoned in 2006.

By offence type (2006)

Offence	Total
Drunken driving	69
Theft, excluding robbery	136
Drug offences	203
Fraud, embezzlement	64
Causing public danger, offences against public order etc.	45
Against life, health, liberty and peace(violent crime)	66
Other traffic offences	93
Robbery	8
Sexual offences	5

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

All prisoners have single cells. Three of the women's prisons are originally built for men. One is an old mansion converted into prison. They all have visiting rooms and visiting apartments.

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

Under Swedish law, prisoners may receive as many visits as it is possible to arrange. In reality, limitations may be placed on this by small visiting facilities or a small number of staff. Prisoners may be visited by their children, other relatives and friends. Children under eighteen may visit if the person who has custody of them gives their written permission. Children under the age of fifteen must be accompanied by an adult. All visitors must be approved by the institution and are subject to checks carried out by the institution before the visit. Prisoners may also receive visits from their lawyer or probation officer, a police officer investigating a crime, a potential employer or others whom it might be important for the prisoners to meet.

Visitors may come at special visiting times and visits last for one or two hours. Visitors who come from longer distances may visit a prisoner for up to a whole day. At open institutions prisoners may receive visits in their cell.

Most closed institutions have child-friendly visiting rooms, and at some of the larger institutions there are special visiting apartments where prisoners can be with their family for longer periods.

Staff may remain present and supervise proceedings throughout the entire visit.

The visiting facilities at her prison were described by one ex-prisoner as of average cleanliness but as unattractive/depressing and as too small. In the last few years better visiting facilities have been built in the women's prisons. Women can have private or conjugal visits.

The opportunity for prisoners to go 'on leave' is very important for the maintenance of family ties, and for other specific purposes (work interviews, arranging accommodation, etc.).

Swedish penal legislation provides for leaves of this kind and considerable use of these prison leaves is made.¹⁷

Babies in prison

Women prisoners who have a child aged up to twelve months may have their child with them at the institution. The social welfare committee in the municipality decides in conjunction with the National Prison and Probation Service whether or not the child may stay in prison. Things are arranged in a way that provides the best possible situation for the child. Five children were together with their mothers in 2005. The average time for children in prison was five months.¹

7 children accompanied their mothers to prison in 2006. The children spent on average 7 months in prison.²³⁸

There are no mother and baby units. The few babies in prison live with their mother among the other prisoners.

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc

Two of the prisons have security D, one is E/F, one is E and one is F. (A – F) The F prisons have no fences. The others have fences, none has a wall.

Financial data (i.e. operational costs of the women's estate, costs of building the prisons etc)

A woman in prison costs about 2000 SKR (183 Euro) per day, everything included. There is no difference between costs for women and men in prisons on the same security level. Male inmates in the highest security cost about 500 SKR more per day.

Any other relevant information

2,903 foreign nationals were sentenced to prison in 2006, i.e. 28 percent of all prisoners. 157 of these were women, i.e. 5.3 percent. Foreign prisoners represented 114 countries. There are no statistics relating to immigrant prisoners holding a Swedish residency.²³⁹

²³⁸ <http://www.kriminalvarden.se/upload/Informationsmaterial/Basic%20Facts%2007.pdf>

²³⁹ <http://www.kriminalvarden.se/upload/Informationsmaterial/Basic%20Facts%2007.pdf>

ANNEX H

Name of country: United States of America

The United States has three main levels of imprisonment. The Federal Bureau of Prisons holds those convicted of violating state or federal laws and serving sentences of more than 1 year²⁴⁰. Each State has its own prison system and holds those sentenced under State laws. In addition there are thousands of local jail systems holding those awaiting trial or sentencing, or those serving sentences of less than one year, or those awaiting transfers. It is therefore very difficult to generalise about the system.

Size and proportion of women's prison population compared to male prison population²⁴¹:

Gender	Local	State & Federal	Total	%
Male	661,329	1,445,115	2,106,444	91
Female	98,577	111,403	209,980	9
Total	759,906	1,556,518	2,316,424*	100

The number of women prisoners is increasing proportionately much faster than the number of men. Between 2000 and 2005 the women's prison population (in the Federal and State systems) grew by 2.9 per cent. The male prison population (in the Federal and State systems) grew by 1.8 per cent.²⁴²

Number of women's prisons (or women's units within male prisons):

The most recent information on female custody facilities in the USA comes from a 2003 report by the American Correctional Association which estimated that there were 108 facilities for female prisoners²⁴³. Data is available for the Federal Bureau for 2006 and shows that there are 4 female only federal facilities (consisting of 1 'institution', 2 'prison camps', and 1 'medical centre') as well as 3 mixed 'complexes' and 'institutions' and 12 other types of facilities (ranging from 'metropolitan detention centres', 'federal detention centres', and a 'federal transfer centre')²⁴⁴.

Size of women's prisons (or units):

Of the 108 facilities mentioned above, a calculation of their 'size' (in this case either 'capacity' if available or 'average daily count' whenever capacity was unavailable)

²⁴⁰ <http://www.ojp.usdoj.gov/bjs/glance/corr2.htm>

²⁴¹ Prison and Jail Inmates at mid-year 2006, available at:
<http://www.ojp.usdoj.gov/bjs/pub/pdf/pjim06.pdf>

²⁴² <http://www.ojp.usdoj.gov/bjs/prisons.htm>

²⁴³ Young, V. and R. Reviere (2006). *Women Behind Bars: Gender and Race in US Prisons*. Lynne Rienner Publishers Inc: Boulder, Colorado. See p. 47-55.

²⁴⁴ Information obtained via Sourcebook of Criminal Justice Statistics Online. Available at
<http://www.albany.edu/sourcebook/pdf/t11062006.pdf>

was possible for all but 5. The reason for the 5 being excluded was due to them being classified as ‘co-gender’ which makes deciphering the male and female capacity for them next to impossible.

Total Size (capacity or average daily count) = 64,584 (2003 figures obtained by simply adding the numbers available for each institution. This does not paint the most accurate picture especially since some facilities were over while others were under capacity. Finally, due to the recent steady increase in the female prison population, this size or capacity is undoubtedly much higher today)

Time spent in custody:

Nature of the women’s prison population (age breakdown²⁴⁵, offence for which imprisoned²⁴⁶, number of foreign prisoners²⁴⁷, etc):

Age # of Prisoners

18-19	4,900
20-24	29,600
25-29	30,300
30-34	36,000
35-39	39,800
40-44	32,000
45-54	24,600
55+	4,700

Total 203,100

Offence # of Prisoners* % of Female Prison Population

<i>Violent (total)</i>	29,100	34.0
<i>Murder</i>	8,500	9.9
<i>Manslaughter</i>	1,700	2.0
<i>Rape</i>	400	0.5
<i>Other Sex. Assault</i>	1,300	1.5
<i>Robbery</i>	7,200	8.4
<i>Assault</i>	7,600	8.9
<i>Other Violent</i>	2,400	2.8
<i>Property (total)</i>	26,500	30.9
<i>Burglary</i>	5,600	6.5
<i>Larceny</i>	8,300	9.7
<i>Motor Vehicle Theft</i>	1,400	1.6
<i>Fraud</i>	9,400	10.9

²⁴⁵ Prison and Jail Inmates at Mid-year 2006, table on p. 9. Available at <http://www.ojp.usdoj.gov/bjs/pub/pdf/pjim06.pdf>

²⁴⁶ Most recent available statistics are for year-end 2004 from *Prisoners in 2006*, p. 24. Available at <http://www.ojp.usdoj.gov/bjs/pub/pdf/p06.pdf>

²⁴⁷ Prison and Jail Inmates at Mid-year 2006, table on p. 18. Available at <http://www.ojp.usdoj.gov/bjs/pub/pdf/pjim06.pdf>

<i>Other Property</i>	<i>1,800</i>	<i>2.1</i>
<i>Drug Offences</i>	<i>24,600</i>	<i>28.7</i>
<i>Public Order Offences</i>	<i>4,700</i>	<i>5.5</i>
<i>Other</i>	<i>800</i>	<i>0.9</i>
<i>Total</i>	<i>85,800</i>	<i>100</i>

*These are estimates only for convicted females incarcerated in state facilities .

Number of Foreign Prisoners (referred to as ‘non-citizens’) held in state or federal prisons. Note: excludes the local jail systems which likely hold a significant amount of illegal immigrants awaiting trial, sentencing, or deportation

State	1,555
Federal	2,145
Total	3,700

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women’s prisons (i.e. are the units purpose built or converted men’s prisons):

Most women in most US prisons are held in dormitories. For example in Gatesville prison in Texas a typical room holds 102 women each living in a space the width of a narrow bed and room for one person standing beside it framed by a cubicle on three sides about 2 foot 6 inches high. Single cells are commonly used for punishment and segregation. In the same prison in Texas an administrative segregation block held 78 women each in a cell with a heavy door with a panel about 6 inches by about 2 feet covered with netting and rolls of razor wire inside between each of the three floors. The exercise cage was a cell with wire walls about 6 foot by 10 foot with the block.²⁴⁸

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

Some visits take place in visiting rooms. Some visits take place via video conferencing. Some States have conjugal visiting arrangements but we have not been able to ascertain yet whether these are available to women.

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc)

The security in almost all US prisons is extremely pervasive and in some States firearms are used.

Financial data (i.e. operational costs of the women’s estate, costs of building the prisons etc)

²⁴⁸ Notes of a visit to Texas by ICPS staff, April 2006 (unpublished)

ANNEX J

Overview of countries studied in phase 1 but not included in the in-depth study on phase 2.

Name of country: Brazil

Brazil is a Federal State and apart from one Federal Prison in Brasilia the prisons are the responsibility of the States and therefore vary greatly on a spectrum from modern high-security institutions to poverty-stricken lock-ups.

Size and proportion of women's prison population compared to male prison population:²⁴⁹

Men	393,539	93.8 %
Women	26,012	6.2 %
TOTAL	419,551	100 %*

Number of women's prisons (or women's units within male prisons):

Women's prisons:	40
Industrial, Agricultural (other) colonies:	3
Hostel Houses (others)	7
Observational Centres	1
Halfway Houses	94
Custody and Psychiatric Treatment Hospitals	7
Other Hospitals	7
*all the above exclusively female.	
Total:	159 ²⁵⁰

Size of women's prisons (or units):

Prisons with a special unit for pregnant mothers: 27.²⁵¹

Time spent in custody:

Nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

Nature of imprisonment:

-Protective Custody	5802
-Closed Regime	8183
-Semi Opened Regime	3051
-Open Regime	1647
-Security Measure (conducted inside)	91
-Security Measure – ambulatory treatment.	6

²⁴⁹ From World Prison Brief at www.prisonstudies.org
²⁵⁰

<http://www.mj.gov.br/depen/data/Pages/MJD574E9CEITEMIDC37B2AE94C6840068B1624D28407509CPTBRNN.htm>

²⁵¹ *ibid*

By age (exclusively women)

18-24 : 4553

25-29 : 4164

30-34 : 3241

35-45 : 3466

46-60 : 1196

60+ : 136

No information available: 143

By sentence length (exclusively women) in years

Less than 4 years :4609

4-8 2980

8-15 1325

15-20 552

20-30 317

30-50 279

50-100 19

100+ 4

By nationality:

Brazilian born 16493

Brazilian nationalized 103

Foreigners 553²⁵²

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

Most prisons in Brazil will have conjugal visits as a matter of course but in some States these are available to men but not to women.²⁵³

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc

There is a very wide variety since this is a Federal system but some women's prisons in Brazil have very low and unobtrusive security²⁵⁴

Financial data (i.e. operational costs of the women's estate, costs of building the prisons etc)

Regarding women penitentiary system:

²⁵²

<http://www.mj.gov.br/depen/data/Pages/MJD574E9CEITEMIDC37B2AE94C6840068B1624D28407509CPTBRNN.htm>

²⁵³ Information provided by expert Baroness Vivien Stern

²⁵⁴ *ibid*

Payment of active officers	3,088,009,687
Payment of inactive officers	23,998,716
Costs of custody	698,323,680 (in Brazilian Reales). ²⁵⁵

255

<http://www.mj.gov.br/depen/data/Pages/MJD574E9CEITEMIDC37B2AE94C6840068B1624D28407509CPTBRNN.htm>

Name of country: Finland

The number of women in prison in Finland has increased in recent years and they now make up 7 per cent of the prison population.

One quarter of the 250 women serving a custodial sentence in 2006 were imprisoned for homicide.

Size and proportion of women's prison population compared to male prison population:²⁵⁶

Men	3,343	93.0 %
Women	252	7.0 %
TOTAL	3,595	100 %*

Number of women's prisons (or women's units within male prisons):

11

Size of women's prisons (or units):

There are 270 places altogether (no overcrowding)

120 in HÅmeenlinna closed prison (also holds men)

There is one open facility (Vanaja) for women only with 50 places

38 places in the new Turku prison (which in 2007 replaced the old one, which was shut down)

The rest are placed in small units, around 3-20 in 8 prisons

Altogether 75 per cent are in closed prisons and 25 per cent in open conditions

Time spent in custody:

Nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

168 Prisoners serving a sentence

Fine defaulters

Remand prisoners

Robbery: 6,1%

Theft: 16,2%

Other property offences: 5,1%

Homicide:24,9%

Crime of violence:17,3%

Sexual Offence:0,5%

Other penal code offences: 3,0%

²⁵⁶ From World Prison Brief at www.prisonstudies.org

Drunken Driving: 11,2%
Narcotics Offence: 15,7
Other: 0,0%²⁵⁷

The average age of the women prisoners is the same as the men, 37 years.

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

HÄmeenlinna prison still has slopping –out.

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

HÄmeenlinna prison provides unsupervised visits for 3 hours once a month (more often with children)

Open Prisons: Close relatives and acquaintances can visit prisoners at weekends and each visit can last up to 45 minutes per inmate, during which any physical contact is absolutely prohibited. Prisoners may apply for the right to family meeting, which may be granted for a prisoner's spouse, cohabitant or for the next of kin. Such visits are conducted in a specially reserved room and the ban on physical contact does not apply.²⁵⁸ These visits can be allowed twice a month. Supervised visits can take place every weekend

HÄmeenlinna prison has a mother-child unit with 6 places (the child can be in prison with the mother up to 2 years of age).

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc

Walls and fences have been removed in favour of unobtrusive camera surveillance and electronic alert networks. Instead of clanging iron gates, metal passageways and grim cells, there are linoleum-floored hallways lined with living spaces for inmates that resemble dormitory rooms more than lockups in a slammer.²⁵⁹

Financial data (i.e. operational costs of the women's estate, costs of building the prisons etc)

Operating expenses (net) - 173.3 million euro
Income -19.2 million euro
Gross usage of operating expense
appropriation per prisoner 45 870 euro
Income per prisoner -5 080 euro

²⁵⁷ The Statistics of Prison Administration and Probation Administration of Finland in 2006

²⁵⁸ (<http://acta.uta.fi/pdf/978-951-44-7070-7.pdf>)

²⁵⁹ General Information, the New York times, 2003, obtained on 27/02/2008 from <http://query.nytimes.com/gst/fullpage.html?res=9807E4DB103FF931A35752C0A9659C8B63>

Cost of a prison day -126 euro

Prison Service finances in 2006

Operating expenses- 13.9 million euro

Enforced community sanctions on average- 4 593

Operating expenses per client -3 000 euro

PRISONER WAGES AND SOCIAL SECURITY EXPENSES

PRISONER WAGES 3 752 250.49

PRISONER ACTIVITY ALLOWANCE 593 230.99

PRISONER EXPENSE ALLOWANCE 2 488 917.86

PRISONER SOCIAL SECURITY EXPENSES 150 062.38

TOTAL 6 984 461.72 ²⁶⁰

Any other relevant information:

60% of female prisoners have drug dependence ²⁶¹

²⁶⁰ The Criminal Sanctions field, Annual Report 2006

²⁶¹ *ibid*

Name of country: France

The proportion of women in the French prison population is small, and the number of women in prison was smaller in 2005 (1957) than it was ten years earlier (2226)²⁶².

There are 3 prisons for women and 61 institutions holding both men and women.

Size and proportion of women's prison population compared to male prison population:²⁶³

Men	54,197	96.3 %
Women	2,082	3.7 %
TOTAL	56,279	100 %*

Number of women's prisons (or women's units within male prisons):

Female prisoners are detained in 61 of the 188 French prisons in accommodation that separates them from male prisoners and a further three penal institutions are reserved²⁶⁴ exclusively for women.²⁶⁵

Size of women's prisons (or units):

Time spent in custody:

Nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

According to the law, each prisoner should have an individual cell. However, overcrowding is at a high level. At the Prison de Loos, Lille, four or five female prisoners slept in a cell of 12m² and one of the women had to sleep on a mattress on the floor. At Maison d'arrêt de Toulon, three prisoners were in a cell of 10 or 11m² (which included the toilet) and some prisoners slept on mattresses on the floor.²⁶⁶

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

Prisoners awaiting trial have a right to one visit a week and convicted prisoners three a week. Supervisors can see and hear what goes on. Prisoners and their families can see each other without any glass or barrier between them. Pilots of conjugal visits have been launched in three prisons including one women's prison: Rennes.

²⁶² <http://www.quaker.org/qcea/prison/Country%20Reports/France%20Report%20-%20Final.pdf>

²⁶³ From World Prison Brief at www.prisonstudies.org

²⁶⁴ <http://www.quaker.org/qcea/prison/Country%20Reports/France%20Report%20-%20Final.pdf>

²⁶⁵ http://ec.europa.eu/employment_social/equal/practical-examples/employ-07-europacte_en.cfm

²⁶⁶ <http://www.quaker.org/qcea/prison/Country%20Reports/France%20Report%20-%20Final.pdf>

Baumettes in Marseilles has a mother and children space for longer visits. Children who live far from the prison can have whole day visits and their birthdays can be celebrated.²⁶⁷

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc)

The security in French prisons is traditional and some prison staff are armed.

Financial data (i.e. operational costs of the women's estate, costs of building the prisons etc)

The resources available for the education and training of female inmates and their pre-release programmes are proportional to the percentage of women amongst the total number of detainees but the per capita cost ratio tends to be significantly higher for working with these smaller groups of women.²⁶⁸

Any other relevant information

²⁶⁷ <http://www.quaker.org/qcea/prison/Country%20Reports/France%20Report%20-%20Final.pdf>

²⁶⁸ Ibid

Name of country: Greece

Two main units accommodate approximately 600 women prisoners held in single cells; one in Athens and one in Thessalonikis.

Size and proportion of women's prison population compared to male prison population: ²⁶⁹

Men	10,520	94.6 %
Women	600	5.4 %
TOTAL	11,120	100 %*

Number of women's prisons (or women's units within male prisons):

1 women's unit within Korydallos Prison (The main Prison of Greece)*
1 women's unit within the Prison of Diavata, Thessalonikis²⁷⁰

Note that within the next few months, the women's prison of Korydallos will be transferred to another, new prison near to the city of Thebes. There is no information about these prisons but, it is most likely that there will be many differences in the type of accommodation.

Size of women's prisons (or units):

Total Capacity: 260 people²⁷¹

Time spent in custody:

From 0-18 months²⁷²

Nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

251 of the female prisoners are foreign

The main nationalities of the foreign women prisoners are: Albanian, Bulgarian, Rumanian, Russian, Ukrainian, African and Roma²⁷³

AGE*

During the year 2005, approximately:

6 women were 14-18 years old

35 women were 19-21 years old

190 women were 22-29 years old

131 women were 40-49 years old

²⁶⁹ From World Prison Brief at www.prisonstudies.org

²⁷⁰ Nikos Varvatakos, www.femnetsalonica.gr/amygdaleza.htm, www.arsis.gr/amygdaleza.htm

²⁷¹ (www.enet.gr, 25/02/2008)

²⁷² Nikos Varvatakos, www.femnetsalonica.gr/amygdaleza.htm, www.arsis.gr/amygdaleza.htm

²⁷³ *General Secretariat of national statistical service of Greece, 2005, www.statistics.gr*

79 women were 50-59 years old

18 women were 60+

In addition, in Korydallos prisons there are 18 mothers with their children (15 children from 0 - 3 years old)²⁷⁴

*Includes women into custody

MARITAL STATUS*

163 were single

93 were single with children

52 were married

203 were married with children

99 were widowed²⁷⁵

*Includes women into custody

EDUCATIONAL BACKGROUND*

181 were illiterate

213 graduated from primary School

153 graduated from high School

55 have graduated from university or a technical School²⁷⁶

*Includes women into custody

PROFESSIONAL BACKGROUND*

17 had high paid jobs either in the public or private sector

19 were worked in the arts or sciences

26 were working in offices

89 were working as sales assistants

13 worked as in the field of agriculture etc

114 had low paid, heavy, manual jobs

7 were students

14 were pensioners

99 were unemployed

136 were housewives²⁷⁷

*Includes women into custody

(General Secretariat of national statistical service of Greece, 2005, www.statistics.gr)

OFFENCES

9 committed forgery

32 committed crimes against life

32 committed manslaughter

6 committed bodily harm

14 committed crimes against morality

²⁷⁴ General Secretariat of national statistical service of Greece, 2005, www.statistics.gr

²⁷⁵ ibid

²⁷⁶ ibid

²⁷⁷ ibid

10 committed pimping
63 committed crimes against property
38 committed thefts
14 committed robbery
25 committed property crimes
20 committed fraud
26 committed drug use
176 were dealing drugs (includes 30 drug users)
14 Breaching of immigration laws²⁷⁸

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

Single cells (each cell is 7 square meters)²⁷⁹

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

Women have no conjugal visits. There is a mother and baby unit in the Korydallos prison.²⁸⁰

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc

Metal detectors, CCTV cameras, bars in all windows²⁸¹

Financial data (i.e. operational costs of the women's estate, costs of building the prisons etc)

Any other relevant information

²⁷⁸ General Secretariat of national statistical service of Greece, 2005, www.statistics.gr

²⁷⁹ <http://www.e-tipos.com/newsitem?id=2030> obtained at 27 February 2008

²⁸⁰ Nikos Varvatakis, www.femnetsalonica.gr/amygdaleza.htm, www.arsis.gr/amygdaleza.htm

²⁸¹ www.enet.gr, 25/02/2008, Nikos Varvatakis, www.femnetsalonica.gr/amygdaleza.htm, www.arsis.gr/amygdaleza.htm

Name of Country: Italy

Five women-only prisons and 61 men's prisons hold 1,951 women. Approximately 63% of women given a custodial sentence are aged between 31 and 50 years old.

Size and Proportion of women's prison population compared to the male prison population:²⁸²

Men	42,399	95.6 %
Women	1,951	4.4 %
TOTAL	44,350	100 %*

Number of women's prisons (or women's units within male prisons):

There are 5 women-only prisons and 61 men's prisons which can accommodate women inmates. For example, at San Vittore prison in Milan, the number of male prisoners is between 1,300 and 1,400, while the number of women is between 120 and 140.²⁸³

Size of women's prisons (or units):

Time spent in custody:

In San Vittore, the average sentence for women is six months. In September 2005, almost 50% of women prisoners received a sentence of between one and five years. More than 40% of sentences were for at least 6 years.²⁸⁴

Nature of the women's prison population (age breakdown, offences for which imprisoned, number of foreign prisoners etc):

34.1% aged 31 – 40.
29.5% aged 41 – 50
20.1 % aged over 50.
15.3 % aged 21 – 30
1% aged 18 – 21²⁸⁵

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

On the Giudecca in Venice, there is a prison for women and girls only. The building, which has not undergone maintenance for about ten years, is old and inadequate particularly inside the cells, which do not ensure respect for human dignity. However,

²⁸² http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=147

²⁸³ <http://www.quaker.org/qcea/prison/Country%20Reports/Italy%20Report%20-%20Final.pdf>

²⁸⁴ ibid

²⁸⁵ ibid

Antonio De Poli, (PPE-DE) of the European Commission, visited the prison in 2005 and did not find it overcrowded.

The introduction of experimental projects designed to educate the prisoners (such as running a pottery workshop, the cultivation of gardens producing vegetables, fruit and flowers and a laundry service, which should soon be expanded to take on work from outside) has produced excellent results, creating an atmosphere of cooperation and solidarity and allowing the prison authorities to pursue a similar policy.²⁸⁶

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

Prisoners are entitled to make two telephone calls each month. The women at San Vittore are allowed six hours a month for visits from family and friends. Visits are normally taken an hour at a time except when visitors have come from far, in which case, the time can be taken altogether. Women may be granted additional visits if they have children. There is a mother and baby unit for eight mothers and their babies with a paediatric nurse.

At Giudecca, babies can stay with their mothers until the age of three, if suitable facilities are available. The prison provides a day nursery and has established a programme to prepare mothers for when the child has to leave at the age of three. Help is also given to find suitable accommodation for their children once they leave.²⁸⁷

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc):

A prison police corps, the Polizia Penitenziaria, is responsible for security in Italian prisons. Female prisons and female sections are entirely managed by women, but the organisation and the rules that govern them are the same for men and women, with no particular allowance for gender.²⁸⁸

Financial data (i.e. operational costs of the woman's estate, costs of building the prisons etc):

Any other relevant information

In 2001, the Finocchiaro Law introduced the opportunity for special house arrest for mothers of children under the age of ten. It is dependent on women having served one third of their sentence. Though an innovative measure, it has not been extensively used as many imprisoned mothers do not meet the criteria. Even though many women

²⁸⁶ <http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+WQ+E-2005-0392+0+DOC+XML+V0//EN>

²⁸⁷ <http://www.quaker.org/qcea/prison/Country%20Reports/Italy%20Report%20-%20Final.pdf>

²⁸⁸ *ibid*

have spent long periods of time awaiting trial in prison, the law cannot be applied until they are sentenced.²⁸⁹

Health

San Vittore – On arrival the women are given a medical check up which may include a voluntary HIV/AIDS test and an evaluation by a psychologist. A higher proportion of women prisoners than male prisoners present multiple problems related to sexually transmitted diseases. There is a separate wing for women prisoners with drug addictions

²⁸⁹ Ayre, L., Philbrick, K., & Reiss, M., 'Children of Imprisoned Parents – European perspectives on Best Practice (April 2006).

Name of country: Japan

Size and proportion of women's prison population compared to male prison population:²⁹⁰

Men	76,503	94.1 %
Women	4,797	5.9 %
TOTAL	81,300	100 %*

Number of women's prisons (or women's units within male prisons):

Size of women's prisons (or units):

Time spent in custody:

Nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

There are no conjugal visits in Japan²⁹¹

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc

Security in Japanese prisons is stringent²⁹²

Financial data (i.e. operational costs of the women's estate, costs of building the prisons etc)

Any other relevant information

Official websites:

Crimes in Japan report. (2006)

<http://www.npa.go.jp/english/seisaku5/20071019.pdf>

Japanese Statistics, particularly on offence type, but not based on a male/female distinction

<http://www.stat.go.jp/english/data/nenkan/1431-25.htm>

²⁹⁰ From World Prison Brief at www.prisonstudies.org

²⁹¹ Information provided by expert Baroness Vivien Stern

²⁹² *ibid*

Name of country: Netherlands

Half of the women sent to prison are sentenced for offences under the Opium Act.

Size and proportion of women's prison population compared to male prison population:²⁹³

Men	15280	93.6%
Women	1051	6.4 %
TOTAL	16331	100 %*

Number of women's prisons (or women's units within male prisons):

There are in total 5 women's prisons. These are located at Penitentiary Institution Amsterdam (het Veer), Breda Zuid-Oost (Ter Peel), Utrecht (Nieuwersluis) and Overijssel (Zwolle). There are 5 detention centres for administrative detainees, including women. Further there are several treatment centres for prisoners, including women, with hospitalisation orders.

Size of women's prisons (or units):

Depends on the infrastructure of the building but it can be around 60 persons per unit.²⁹⁴

Time spent in custody:

Nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

Half the women inmates are sent to prison for offences under the Opium Act. Besides drug-trafficking, theft and vandalism are the crimes for which women are usually sentenced. A small number of women are imprisoned for violent crimes, which are usually committed against relations or people they know. The average age of the largest group of women inmates is 20 to 30.²⁹⁵ Around one quarter of the prison population does not have the Dutch nationality.

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

There are various types of accommodation. In 2004 double cells were introduced in the Dutch penitentiary institutions. Some women's prisons have special facilities for mothers to stay in a 'house' setting with their young children for a weekend. In Nieuwersluis there is a special 'mother & child' house for mothers who will return soon home. In Ter Peel there are a few places for women who can keep their young

²⁹³ <http://www.dji.nl/main.asp?pid=150>

²⁹⁴ From personal correspondence with Femke Van Der Meulen of Prison Watch

²⁹⁵ <http://www.dji.nl/main.asp?pid=150>

children with them. During the day when the mothers are working the children go to an outside daycare centre.²⁹⁶

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

Conjugal visits are permitted

Children

More than half of the women in prison have children. Women prisoners who are mothers must observe the visitation rules of the prison in which they are serving their sentence. This means they only see their children during the weekly visiting hour. Several women's prisons have separate accommodation where visiting children can stay, under supervision, with their mothers. The use of this accommodation must be requested before each visit.

Children of women prisoners stay as much as possible with their fathers or members of their families. Children who do not have anyone to care for them are placed under the supervision of the Child Care and Protection Board. The Board arranges foster parents or placement in a home.

Pregnancy and birth

Sometimes women are pregnant when they are sentenced to go to prison. When they give birth, most women are taken to a nearby hospital. Afterwards, they return to the prison with their baby, unless it can be looked after by someone else. The mother and child are given all the necessary medical attention in prison.

Babies are only allowed to stay with their mothers in prison in exceptional cases:

1. A baby can stay with its mother in a closed prison until it reaches the age of 9 months if:
 - the mother is due to be released within this period, or
 - takes part in a programme outside the prison, or
 - is transferred to an open prison with special mother & child cells where children up to age 4 are allowed to stay with their mothers.
2. A baby can stay with its mother until it reaches the age of six months if the mother is serving a sentence of 9 months or longer in a closed prison. In this case, the mother and child will therefore be separated.

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc

The level and nature of security depends on the type of institution. In most cases there are bars on the windows (or secured glass) and the buildings are surrounded by walls.

Financial data (i.e. operational costs of the women's estate, costs of building the prisons etc)

²⁹⁶ From personal correspondence with Femke Van Der Meulen of Prison Watch

The average cost for a prisoner is € 190 per day.

Any other relevant information

Name of country: Norway

146 women are distributed between the three prisons for women only and a further four have permanent capacity reserved for women.

Prisoners can leave prison under escort to visit their children at home.

Size and proportion of women's prison population compared to male prison population:²⁹⁷

Men	2,902	95.2 %
Women	146	4.8 %
TOTAL	3,048	100 %*

Number of women's prisons (or women's units within male prisons):

3 prisons exclusively for women, another four have permanent capacity reserved for women²⁹⁸

Size of women's prisons (or units):

The biggest prison for women only is Bredtveit with forty-five places for women. It takes both remand and sentenced prisoners, and prisoners with long sentences.

The second largest women's prison is Ravneberget with sixteen places.

The joint third largest women's prisons are Sandefjord and Bergen; the former is an open prison with thirteen places; Bergen is a mixed sex prison holding prisoners with short, medium and long sentences including both remand and sentenced prisoners.

The fifth largest is Stavanger, a new, mixed prison with thirteen places for women, both sentenced and remand; the sexes are mostly divided but come together for joint activities.

The next largest are Bredtveit avd Østensjø and Bergen avd Osterøy (departments of Bredtveit and Bergen respectively). The latter is an open mixed prison with four places for women; in the former the prisoners have usually served part of their sentence elsewhere and there is an opportunity for work and education outside the prison.²⁹⁹

Time spent in custody:

Nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

AGE:

15-17: 0%

18-20: 7%

21-24: 12%

²⁹⁷ http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=158

²⁹⁸ <http://www.quaker.org/qcea/prison/Country%20Reports/Norway%20report%20-%20Final.pdf>

²⁹⁹ *ibid*

25-29: 16%
30-39: 32%
40-49: 24%
50+: 9%

17.2 are foreign

Crime involving public danger (including serious narcotics crime): 173 women

Larceny: 108 women.

Fraud and breach of trust: 54 women

Crime of violence against the person (including wounding or inflicting bodily harm, murder and manslaughter): 38 women

Blackmail and robbery: 20 women

The most common sentence length is between six months and two years (29.7 per cent) This was closely followed by a sentence length of between two years to twelve years (28.1 per cent of women), and fourteen days to six months (twenty-five per cent of women). Generally, women serve two thirds of their sentences.³⁰⁰

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

By law, prisons can only refuse to grant visits if the visit would be used to carry out a criminal act or disturb the order or safety of the prison. Prisoners have to apply for their visits one week in advance. Their visitor has to have a security check before permission is granted and permission is then valid for a year. On their first visit, visitors will be searched and a guard will sit in on the visit. Visits are usually for an hour unless the visitor lives more than 400 kilometres away.

Prisoners can leave prison under escort, for example to visit their family at home, so mothers can visit their children.

In Norway, children and babies do not stay with their mother in prison. They are usually cared for by their father or other relatives, or by foster carers.³⁰¹

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc

Financial data (i.e. operational costs of the women's estate, costs of building the prisons etc)

Any other relevant information

³⁰⁰ <http://www.quaker.org/qcea/prison/Country%20Reports/Norway%20report%20-%20Final.pdf>

³⁰¹ ibid

Name of Country: Russia

The Russian prison system is organised into pre-trial prisons (traditional prison-like buildings) called SIZOs, and colonies, which are more camp-like institutions with varying levels of security.

As of 1st February, 2008 women accounted for 64,660 out of 855,000 of the total prison population. Typically women's prisons hold between 500 and 2000 inmates with an average age of 36. Theft is the most common offence, with increasing numbers sent to prison for drug offences. According to data from 2002, murder and grievous bodily harm accounted for 11,427 women in prison.

A sentence may be postponed/cancelled/reduced for pregnant women or a woman with a child under 14, unless her sentence is for more than 5 years. The decision is made after arriving in prison, not by the courts, and the option is only available 6 months after arriving at the prison. In reality it is rarely practised. It has been suggested that the courts should make any decision regarding postponing etc of a custodial sentence.

Size and Proportion of women's prison population compared to the male prison population:³⁰²

Men	824,275	92.8 %
Women	63,952	7.2 %
TOTAL	888,227	100 %*

Number of women's prisoners (or women's units within male prisons):

Women are held in SIZOS (pre-trial), and in colonies with a general regime or a half-open regime. As of November 2006, there were 45 general regime colonies and 3 to house juvenile girls (Since 2004, due to criminal code amendments, women are no longer held in high-security regimes).³⁰³

Size of women's prisons (or units):

500 – 2,000³⁰⁴

Time spent in custody:

Average time is 4.5 years.³⁰⁵

Nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

The average age of a woman prisoner is 36.³⁰⁶

³⁰² http://www.kcl.ac.uk/depsta/law/research/icps/worldbrief/wpb_country.php?country=147

³⁰³ <http://www.quaker.org/qcea/prison/Country%20Reports/Russia%20Report%20-%20Final.pdf>

³⁰⁴ Information provided by Russian prison expert Anton Shelupanov

³⁰⁵ Figure according to Moscow Centre for Prison Reform <http://www.prison.org/penal/stat/doc011.htm>

³⁰⁶ <http://www.quaker.org/qcea/prison/Country%20Reports/Russia%20Report%20-%20Final.pdf>

Theft is the most common offence though now increasing numbers are now serving time for drug offences. The second most common crime is murder/grievous bodily harm with 11,427 women serving custodial sentences for this.

At Ryazan women's prison, most prisoners are convicted for manslaughter, followed by robbery and theft. Almost all prisoners come from low income, broken homes.

7. Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

SIZOs are composed of large dormitories holding perhaps 50 or more detainees. The colonies also have dormitories but are more spacious. Individual cells are not used except for punishment.³⁰⁷

The European Committee for the Prevention of Torture reported findings from Colony 12 with a population of 1,080. Some cells measured 80m square with 56 prisoners. Concerns with basic hygiene continue³⁰⁸

8. Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

Convicted prisoners are entitled to a minimum of six family visits a year, with governors being able to award more as incentives. The visits last up to 72 hours each, with family members coming to live with the prisoner for that period of time in special accommodation. Almost all facilities for convicted prisoners have hostel-style rooms on the perimeter, usually with three or four sleeping spaces, as well as a common room, and bathroom and cooking facilities. Prisoners or relatives need to book these rooms in advance, and they must be paid for like a hotel room, although the cost is heavily subsidised by the establishment. Only immediate family members may visit – parents, grandparents, siblings, children, grandchildren and spouses. Both families and prisoners are searched before entering visiting accommodation. Food may be purchased from the prison shop to cook once there.³⁰⁹

In a number of colonies are there facilities for joint accommodation for mothers with babies. Women who have recently given birth are not required to undertake work or placed in punishment wards or wards with cells. Fewer women's colonies mean women serve their sentence outside their home region, often taken to the colony where there is a space, regardless of where it is situated. For example, transit may take a prisoner up to two months passing through collection stations of the five regions they pass through. Stationery is in short supply for letters home.

³⁰⁷ Information provided by Russian prison expert Anton Shelupanov

³⁰⁸ <http://www.cpt.coe.int/documents/rus/2003-30-inf-eng.pdf>

³⁰⁹

<http://www.hmprisonservice.gov.uk/resourcecentre/prisonservicejournal/index.asp?id=3314.3124.11.3148.0.0>

Eleven children's homes at women's colonies are currently accommodating 730 children.³¹⁰

9. Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc):

One specific example -a colony for 14-18 year old girls staying at a correctional colony outside Ryazan, is surrounded by a 3 metre high fence with two rows of razor wire inside. This type of security is to be found in most penal institutions in Russia.³¹¹

10. Financial data (i.e. operational costs of the woman's estate, costs of building the prisons etc):

11. Any other relevant information

³¹⁰ <http://www.quaker.org/qcea/prison/Country%20Reports/Russia%20Report%20-%20Final.pdf>

³¹¹ *ibid*

Name of Country: Switzerland

In accordance with the federal structure of Switzerland, the implementation of the penal system is structured within individual Cantons.

314 women were in custody in 2007 compared to 5,401 men. The largest women-only penal institution is Anstalten Hindelbank where single cells accommodate 108 women.

Size and Proportion of women's prison population compared to the male prison population:³¹²

Men	5,552	94.3 %
Women	336	5.7 %
TOTAL	5,888	100 %*

Number of women's prisons (or women's units within male prisons):

2

Size of women's prisons (or units):

2 prisons are for women inmates. Anstalten Hindelbank is exclusively for women with 108 places and another in Lonay, Canton de Vaud with 54 places for women¹.

Time spent in custody:

Minimum stay is 3 months.³¹³

Nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

Switzerland has one of the highest rates of foreign inmates in Europe³¹⁴

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women's prisons (i.e. are the units purpose built or converted men's prisons):

Single cells at Anstalten Hindelbank.

Visits and families (i.e. what are the arrangements for visits, can women have private or conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

³¹² From World Prison Brief www.prisonstudies.org

³¹³ www.portal-statadmin.ch/prison/index.php/de/institutions/

³¹⁴ www.pnr51.ch/f_module.cfm?Projects.Command=details&get=32

The women's prisons have facilities for babies/children to stay with their mothers up until 3 years old. Weekly visits are possible for children to visit their mothers in prison. Family visits are allowed 3 times per month for 2 hours at a time.³¹⁵

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc):

At Anstalten Hindelbank, there is perimeter fence and bars on the windows.

Financial data (i.e. operational costs of the women's estate, costs of building the prisons etc):

Any other relevant information.

AIDS prevention education and sterile needles made available for prisoners. 80-100% of women prisoners are enrolled on an educational programme³¹⁶

³¹⁵ <http://www.quaker.org/qcea/prison/WIP2index.htm>

³¹⁶ *ibid*

Name of Country: Turkey

Turkish prisons are divided into three security categories: F-type, which are maximum-security; E-type and special type, which are medium-security; and, open prisons and juvenile reformations, which are minimum-security.³¹⁷

Currently, there is an ongoing €10.7 million EU-funded project - the Judicial Modernisation and Penal Reform Programme -- to support the reform process of the judiciary and penal systems in Turkey.³¹⁸

There were 3,189 women in custody in 2007. Izmir (Buca) closed prison is one of the largest prisons in Turkey where the female population comprised 78 women prisoners, compared to 1937 male prisoners in 2004.

Size and proportion of women's prison population compared to male prison population:³¹⁹

Men	86,760	96.4 %
Women	3,240	3.6 %
TOTAL	90,000	100 %*

Number of women's prisons (or units):

Izmir, Mugla, Bayrampasa, Bakirkoy and Odemis accommodate women inmates. (Bakirkoy also contains children as prisoners).

The F-type Closed Prison Project began in 2000 to provide high security, purpose built prisons, with individual rooms to replace dormitories. There will be 103 rooms with 3 inmates and 59 single rooms with a total capacity of 368 people. Men and women will be housed in the blocks.³²⁰

With an official capacity of 1600, Izmir (Buca) Closed Prison is one of the largest penal establishments in Turkey. In 2004, it was accommodating 1937 inmates, approximately 85% of whom were pre-trial prisoners. The inmate population included 143 juveniles as well as 78 adult women.³²¹

nature of the women's prison population (age breakdown, offence for which imprisoned, number of foreign prisoners etc):

Based on a study published in 2005, of 85 women held at Izmir, Mugla and Odemis prisons the age breakdown is:

4.7% under 15
21.2% - 16 to 20

³¹⁷ <http://www.irb-cisr.gc.ca/en/research/rir/?action=record.viewrec&gotorec=451312>

³¹⁸ <http://www.jp.coe.int/CEAD/JP/Default.asp?ID=15824&ActSyn=True>

³¹⁹ From World Prison Brief www.prisonstudies.org

³²⁰ www.cte.adalet.gov.tr/english/events/f-type.htm

³²¹ <http://www.cpt.coe.int/documents/tur/2005-18-inf-eng.pdf>

18.8% - 21 to 25
11.8% - 26 to 30
22.4% - 31 to 40
12.9% - 41 to 50

The types of offences are:

1. Murder or/and wounding by knife etc. – 35.3%
2. Theft – 14%
3. Counterfeit document – 11.8%
4. Violation of the forest law – 7.1%³²²

Type of accommodation used (i.e. single cells, double cells, houses, dormitories etc) and other information regarding the physical aspects of women’s prisons (i.e. are the units purpose built or converted men’s prisons):

In 2003, Mugla prison transferred from large dormitory system to cell system, in accordance with the United Nations and Council of Europe standards for prisons. Dormitories have been turned into 58 rooms for 505 inmates divided up into rooms for 1, 3, 6, 8, 10 and 14 beds.³²³

The F-type prisons will have separate indoor and outdoor reception rooms for men and women.³²⁴

Visits and families (i.e. what are the arrangements for visits, can women have private of conjugal visits, are there special arrangements for women whose children are visiting the prison, is there a mother and baby unit?):

The F-type prisons will have kindergartens with two floors for the children of women prisoners with an outdoor sports ground.¹

Level and nature of security (i.e. are there bars on the windows, perimeter fencing etc):

Financial data (i.e. operational costs of the women’s estate, costs of building the prisons etc):

Any other relevant information.

The European Committee for the Prevention of Torture reported the sexual exploitation of prisoners at Izmir (Buca) Closed Prison. Two female prisoners from one of the women’s units were being used as prostitutes for male prisoners, prison staff making the necessary arrangements.³²⁵

³²² www.informaworld.com/smpp/section?content=a727348118&fulltext=7132409

³²³ <http://www.hri.org/news/turkey/anadolu/2001/01-02-03.anadolu.html>

³²⁴ www.cte.adalet.gov.tr/english/events/f-type.htm

³²⁵ ibid

ANNEX K

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