



Gender and imprisonment in Thailand: Exploring the trends and understanding the drivers

Samantha Jeffries ^{a,*}, Chontit Chuenurah ^b

^a School of Criminology and Criminal Justice, Griffith Criminology Institute, Griffith University, Mount Gravatt Campus, 176 Messines Ridge Road, Mt Gravatt, Queensland, 4122, Australia

^b Thailand Institute of Justice, GPF Building 15-16th Floor, Witthayu Road, Lumpinee, Pathum Wan, Bangkok, 10330, Thailand

Abstract

In this paper we explore and offer possible explanations for trends in the incarceration of women and men in Thailand from 2003 to 2013. Women in Thailand are far less likely than men to be in prison but fluctuations in incarceration saw gender gaps expand/contract over the decade. Exploration of variation in the composition of prison populations, arrest and sentencing suggest that regardless of gender, changing responses to less serious types of offending, especially drug crimes, are driving incarceration. More broadly, rather than any fundamental transformation in the offending of women or men *per se*, imprisonment is being impacted by shifts in law, policy and criminal justice practice. War on drugs' policies, changes to parole and use of the Royal Pardon provide plausible explanations for the trends we report. The question of whether or not women have been disproportionately impacted by Thailand's punitive approach to drug crime is also explored.

© 2015 Elsevier Ltd. All rights reserved.

Keywords: Gender; Women; Prison; Thailand; Drug offending; Trends

1. Introduction

While women comprise only a small proportion of prison populations world-wide their numbers have been increasing exponentially over the last few decades (Jeffries, 2014; Greene

* Corresponding author.

E-mail addresses: s.jeffries@griffith.edu.au (S. Jeffries), c.chuenurah@gmail.com (C. Chuenurah).

and Pranis, 2006; McIvor, 2010). As observed by McIvor (2010, p. 557), “one of the most striking phenomena in recent years has been the dramatic increase...in the numbers of women imprisoned, resulting in female prison populations reaching unprecedented levels”. This rise in the incarceration of women has resulted in extensive discussion, analysis and scholarly debate particularly within United States, the United Kingdom and more recently in Australia and New Zealand (e.g. see Bush-Baskette, 1998; Mauer et al., 1999; Kruttschnitt and Gartner, 2003; Chesney-Lind and Pasko, 2004; Gelsthorpe, 2006; Hedderman, 2004, 2012; McIvor and Burman, 2011; Jeffries and Newbold, 2015).

Aside from New Zealand, analyses of upward trends in women's imprisonment in Western nations suggest that criminal justice policy and practice rather than any fundamental change in female offending is the likely cause of prison population growth (Jeffries and Newbold, 2015). For example, in the United States, scholars theorize that determinate and mandatory sentencing in conjunction with ‘war’ on drugs policies are the key reasons underpinning growth; these initiatives have had a large and disproportionate impact on women (Mauer et al., 1999, p. 2; Bloom et al., 2004; Kruttschnitt, 2010, p. 33; McIvor, 2010, p. 560). More generally, the United States criminal justice system has become more punitive at all levels of decision making and in regards to all types of crime, including those relatively minor offences (e.g. petty property crime and drug use) that are traditionally committed by women (McIvor, 2010, p. 560).

Similarly, researchers in the United Kingdom report that, “the criminal justice system's response to women seems to be changing as much if not more than women's underlying behaviour” (McIvor, 2010, p. 561). Rather than the result of more serious offending, increases in the imprisonment of women are explained by legislative change including determinate sentencing and harsher penalties for drug offending. This tougher sentencing climate has also impacted on the penalties meted out for less serious crimes i.e. those typically associated with women. The crimes that women customarily commit are thus now more likely to result in prison sentences (McIvor, 2010, p. 562).

Likewise, results from Australian studies suggest that increasing female prisoner numbers over the last decade are likely explained by changes in criminal justice policy and practice rather than any palpable transformation in female offending *per se* (Jeffries and Newbold, 2015). More specifically, according to Jeffries and Newbold (2015): a) the Australian criminal justice system is responding more harshly to the types of crimes women predominately commit, including petty drug and property crime, b) shifting police practices toward pro-arrest in cases of domestic violence could be resulting in victims, who are predominantly women, being increasingly and perhaps wrongly charged with domestic violence offences.

In New Zealand, growth in the female prison population is also attributed, at least in part, to a punitive turn in legislation, policy and practice; in this case with regard to illicit drugs and violence. Contrastingly however, upward trends also appear to be resulting from an increased female propensity towards violence (Jeffries and Newbold, 2015).

Compared to western nations there are few analyses of imprisonment trends by gender in the South East Asian region. Preliminary analyses of eight countries (Cambodia, Indonesia, Vietnam, Thailand, Singapore, the Philippines, Malaysia and Myanmar) over an approximate period of two decades (1990's to 2012) showed that aside from Myanmar, there was a significant increase in women's prisoner numbers, rates and share of those incarcerated with growth corresponding to but generally outstripping that found for men (Jeffries, 2014).

A comparison of imprisonment data between these eight countries revealed that Thailand had the largest number of women in prison, the highest female rate of incarceration and the second highest proportion of female prisoners. There had been significant increases in the

Download English Version:

<https://daneshyari.com/en/article/1097810>

Download Persian Version:

<https://daneshyari.com/article/1097810>

[Daneshyari.com](https://daneshyari.com)