

## **PLIGHT OF FEMALE PRISONERS IN PAKISTAN**

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The conditions faced by female delinquents and convicts in the criminal justice system of Pakistan are deeply dismaying. Prisons in Pakistan resonate the helplessness of women, who apart from being in emotional trauma, prior to conviction, are often subjected to coercion and torture after being incarcerated.

According to a survey of female prisoners conducted in 1998 in Punjab (both convicts and pre-trials), about 78 percent alleged ill treatment during police custody and about 72 percent alleged that they had been sexually assaulted by police officials<sup>1</sup>. In 2014, the Justice Project Pakistan initiative revealed compelling evidence of abuse against 134 female prisoners, of which 82 had to endure sexual abuse in Faisalabad prison<sup>1</sup>. Women, who face domestic violence or sexual abuse prior to conviction, are more susceptible to serious mental health problems like anxiety, depression and low self-esteem during the period of their imprisonment, which oftentimes leads to suicide attempts. Delay in conviction, sexual harassment, poor medical facilities, lack of ante-natal care, and deficiency of proper care facilities for their children, lack of psychological support are amongst the few problems<sup>2</sup>.

A major problem that prevails in the criminal justice system of Pakistan is that most women are detained before they are convicted of any felony or criminal offense. According to the committee, of the 1,121 women in prison as of mid-2020, 66 percent had not been convicted of any offense and were detained while awaiting conclusion of their trial by courts. More than 300 women were detained in facilities outside the districts

where they lived, making family visits nearly impossible. These prisoners included 46 women over the age of 60 and 10 girls under the age of 18<sup>3</sup>.

Sexual harassment is very common in various prisons of Pakistan; Women are more likely than men to be infected with HIV as well as STIs like chlamydia, gonorrhea, and syphilis when they first enter prison<sup>4</sup>. One-fifth of respondents claimed to have had a STI within the previous six months, according to a survey of female prisoners in Pakistan, and only 18% reported receiving the necessary treatment for these infections. Slightly more than half of respondents were aware that STIs existed<sup>4</sup>.

The committee constituted by former Prime Minister of Pakistan, Mr. Imran Khan to probe the issues faced by female prisoners in 2020 found that 134 women had children with them in prison, some as old as 9 and 10, despite the legal limit of 5 years. At least 195 children were housed in prisons as of 2020<sup>2</sup>.

Pregnancy and care of pregnant women prisoners is a very important issue that is in dire need of attention. Female prisoners in Pakistan are denied their fundamental pre-natal and post-natal rights, which make them prone to contract infections while also putting the health of their newborns in jeopardy. Nursing and expectant females in Pakistani prisons do not have access to adequate nutrition and their predicament is further exacerbated by the fact that only 24 female health workers are available to provide full-time care to women and girls in prisons across the country. Moreover, female prisoners often give birth in the unhygienic jail conditions, which escalate infant mortality rates in the prisons of Pakistan. Due to the dearth of adequate facilities and resources, prisons are not able to fulfill the sanitary and menstrual requirements of women prisoners. During the Covid-19 pandemic, there was no enforcement of stringent measures to ensure that Standard Operating Procedures were being

implemented, putting the lives of aged women with suppressed immune systems at stake<sup>4-5</sup>.

Compared to male prisoners, female prisoners have higher rates of hepatitis and tuberculosis (TB). Women in prison are more likely than men to have hepatitis C (HCV) infection, especially if they have a history of injecting drugs. Inmates who are female are more likely than male inmates to contract HCV. Similar to HIV, HCV is spread through blood-sharing activities like sharing injection supplies or through sexual contact<sup>6</sup>. Compared to men, women are much more likely to contract hepatitis C from sexual activity. Coughing or sneezing can spread TB, which spreads through the air. The greatest risk of infection exists for people who stay in the same residence as those who have active tuberculosis. People cannot contract tuberculosis by shaking hands, sitting on toilet seats, or sharing dishes and utensils with a patient. Numerous prisons have tuberculosis rates that are 10 to 100 times higher than those in the general population due to overcrowding and subpar nutrition<sup>7-8</sup>.

Children whose mothers were incarcerated may have suffered the trauma and loss brought on by their mothers' incarceration as well as other issues, and they may also have some attention issues and developmental delays<sup>8</sup>.

In light of these deplorable conditions, the government of Pakistan needs to ensure gender-specific services for female prisoners in order to alleviate their plight and cope with their psychological, emotional and social needs. The prison environment does not always take into account the specific needs of women, such as accessibility to free personal sanitary products for menstruation such as sanitary pads and enabling female prisoners to dispose them of properly to maintain hygiene<sup>7-8</sup>.

Female prisoners, who suffer from psychological issues after incarceration should be given the right to seek counseling for their mental health problems from psychiatrists and psychologists, appointed by the state<sup>8</sup>.

Furthermore, the government of Pakistan needs to make arrangements for keeping women in separate prison cells, based on the type of offense they have been convicted with to resolve the issue of overcrowding in jails.

There is an exigent need for the government to make genders sensitive training available in all Pakistani prisons. Like pregnant women, lactating mothers have certain health and nutritional requirements which need to be fulfilled. Meals of high nutritional value should be provided regularly and flexibly to breastfeeding mothers and their newborn babies.

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