

Situational Analysis of Female Offenders in Jails: A Case Study of Central Jails of Dera Ismail Khan, Haripur & Peshawar

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Abstract

Crime means violation of a law of a state and criminal is a person who has committed punishable crime in a state. Crimes are symptoms of social disorganization. The study aims to find out the problems of female offenders imprisoned in jails with an aim to suggest measures for improvement of life in jails. A qualitative survey using purposive sampling to solicit responses from female offenders with the help of interview guide was used. The results show that women were illiterate and were mostly imprisoned for drugs smuggling. The women inmates were not satisfied with the services including improper sanitation, food and bedding facilities. The suggestions include skill trainings, awareness raising sessions for inmates during their imprisonment and rehabilitation and integration of offenders back in the society by family counseling services.

Keywords: Female Offenders, Jails/Prison, Pakistan,

Crime can be generally defined as any divergence from the standards of the general public which is in opposition to law is called criminal behavior. Crime can also be defined as a mindful act of a person that violates the norms of the society. According to Pakistan Penal Code, crime is an act which can undeniably be established and forbidden by the laws of the country. It is said that mostly men commit crimes and women due to their delicate nature cannot commit crimes, but it is seen that women had committed crimes as serious as murders in this society (William, 1990). Researchers have argued that there is positive relationship between family and development of female's criminal behaviors (Salisbury & Voorhis, 2009). But crimes are considered to be committed because of either free will or a caused behavior. This caused behavior is due to two main reasons; either it is because of internal determinants where a person is supposed driven by dominant instinctual drives or external determinants where the behavior is a cause of societal situation. But it is also argued by Adler, Mueller, & Laufer, (1996) that human behavior is not based on free will and humans has no control on their behavior but they actually are slaves of their social situations and the environment they live in.

A criminal law can be defined as a set of rules for people to carry out their societal functions which are made by political authorities of the country and which are applicable to all citizens referred by the rule and are enforced as punishable by the state (Samuel, & Gue, 1976). There are three types of crimes generally known; professional crimes which are committed with great skills acquired by training and practice like pick-pocketing, shoplifting, forgery and counterfeit of documents, second type is of organized crimes which are committed by structured groups of distinct qualities, third type is white color crimes which are committed by high status people like tax evasion, manipulation of accounts and employee thefts etc (Samuel, & Gue, 1976).

Becker and McCorkel (2011) had marked “Gender Typical” term for crimes that are related to women and the term “Gender Atypical” for crimes that are related to men and they also opined that small percentage of women commit crimes that are solely related to men. Erez and Berko (2010) have suggested that for most of the female offenders in Arab countries and in most of the Palestine, women commit crimes because of abusive home environment, relationship with men who are into crimes, women commit crime when they try to release from oppression, and also when they have to manage their family’s honor expectations from them. Estrada and Nilsson (2012) revealed that women who commit crimes and end up in prisons are mostly from poverty stricken families, or might have been into drugs, or psychological stresses or disorders, or they might have been subject to abuse in childhood or as an adult. Banwell (2010) argued that the mostly the relationship and the situation of women after her marriage is the cause of women falling in the traps of crimes. Salisbury and Voorhis (2009) suggested that women commit crimes because of psychological illnesses, problems in relationship with their partners or families, lack of resources specifically financial. Cherukuri, Britton, and Subramaniam (2009) argued that there are four reasons of women committing crimes in Indian or most of Asian states which included the practice of dowry, intimate partner violence on women, the patriarchal society, and lack of financial resources.

Context in Pakistan

According to UNDP’s Human Development Report of 2014, India ranks at the position of 135, Bangladesh at 142 and Pakistan at 146; among 187 total countries of the world. India and Bangladesh stands with medium human development and Pakistan as low human development. The

population in prison per 100,000 people of adults and juveniles prisoners including pre-trial detainees also in 2013 for India was 30, Bangladesh was 42 and Pakistan was 39 (UNDP, 2015).

According to UNODC (United Nations Office on Drugs and Crime, Country Office Pakistan)'s report of 2011, most of the women in jails are imprisoned for the cases including 40% for murder, 24% for drug trafficking, 13% for kidnapping cases, 12% for prostitution, 7% for theft cases, 4% for other offenses (UNODC, 2011).

According to Bureau of Statistics (BoS), Government of KP's report of 2014, total murders reported in KP in 2012 were 2982, total kidnapping and abduction cases reported were 1071, total theft cases reported were 1265, and total *Zina* (adultery) cases reported were 128. The police stations in 2012 in Dera Ismail Khan were twelve, in Haripur were ten and in Peshawar were twenty nine. The district wise profile state that in 2012, in Dera Ismail Khan total murder cases reported were 126, abduction cases were 55 and money theft cases were 42, in Haripur total murder cases reported were 83, abduction cases were 36 and money theft cases were 03, while in Peshawar total murder cases reported were 601, abduction cases were 40 and money theft cases were 81 (BoS, 2014).

Objectives of Study

The purpose of the study was to find out the circumstances that led to crimes, the problems faced and the facilities provided to female offenders in jails and to suggest measures for improvement of situation of female offenders in jails.

Methodology

Three central jails i.e. Dera Ismail Khan, Haripur and Peshawar of the province Khyber Pakhtunkhwa were selected as universe of the study. Total number of women in central jail of Dera Ismail Khan were thirty three, in central jail of Haripur were thirty three and in central jail of Peshawar at the time of study were thirty nine. A qualitative survey employing purposive sample was used to draw the sample of fifty female prisoners from these three central jails. The selected sample of female prisoners included fifteen (30%) convicted and thirty five (70%) under trial women (under trial who after getting punishments have appealed to courts for revision in verdicts). An interview guide was used to solicit responses from the inmates and an informed consent was taken before conducting the interviews.

Findings

Table 1 show that 44% of the respondents were in the age group of 24-29 years, 24% were in age group 18-23. 22% were in age group 30-35, and 10% were in age group 36-41. Table further shows that 24% of the respondents were literate and 76% of the respondents were illiterate. For the marital status of the respondents, 60% of the respondents were married, 26% were widow, 12% were divorced, 2% were unmarried.

Table 1: Respondent's age, their education and marital status

Age (years)	F	Educational Status		Marital Status	
		Literate	Illiterate		
18-23	12 (24%)	02 (17%)	10 (83%)	Unmarried	01 (2%)
24-29	22 (44%)	05 (23%)	17 (77%)	Married	30 (60%)
30-35	11 (22%)	04 (36%)	07 (64%)	Divorced	06 (12%)
36-41	05 (10%)	01 (20%)	04 (80%)	Widow	13 (26%)
Total	50	12 (24%)	38 (76%)	Total	50 (100%)

Table 2 shows that majority of the respondents (78%) had committed the crime of narcotics or drugs smuggling, 6% each committed the crimes of murder, abduction and prostitution, while 4% had committed adultery. The table further shows that 36% of the respondents committed crime because of provocation by others, 30% because they needed money, 20% committed crime incidentally, 10% due to stress, and 4% because of rivalry. The duration of stay in jails for 42% of the women was one to two years, while 22% each for less than one year and 3-4 years, 10% were in jails for 5-6 years, and 4% were for above six years.

Table 2: Type of crime committed, circumstances that led to commit crime, duration of imprisonment in jail

Type of crime committed	F	Circumstances that lead to crime	F	Duration of imprisonment	F
Murder	03 (6%)	Incidentally	10 (20%)	Less than one year	11 (22%)

Abduction	03 (6%)	Needed money	15 (30%)	1-2 years	21 (42%)
Narcotics	39 (78%)	Provocation	18 (36%)	3-4 years	11 (22%)
Adultery	02 (4%)	Under stress	05 (10%)	5-6 years	05 (10%)
Prostitution	03 (6%)	Rivalry	02 (4%)	Above 6 years	02 (4%)
Total	50 (100%)	Total	50 (100%)	Total	50 (100%)

Table 3 shows that 82% of the respondents were not satisfied with the facilities and services provided in jail to them, while only 18% were satisfied. Among those who were not satisfied, 41% told that there are poor sanitation facilities in jail for inmates, 27% reported poor food quality, 17% reported improper facilities of bedding and clothes, and 15% said that management does not have proper attitude with them.

Table 3: Satisfaction with facilities provided in jail and reasons for satisfaction and lack of satisfaction

Satisfied or not?	F	Reasons for Satisfaction		Reasons for Lack of Satisfaction			
		Quality of Food	Clothing and Beddings	Food Quality is not Good	Improper Bedding and Clothing Facilities	Poor Sanitation Facilities	Improper attitude of Management
Yes	9 (18%)	06 (67%)	03 (33%)				
No	41 (82%)			11 (27%)	07 (17%)	17 (41%)	6 (15%)
Total	50 (100%)						

Table 4 shows that 46% of the respondents said that they are allowed to have visitors fortnightly, while 38% said visitors are allowed after a week, and 16% reported that visitors can come after a month. Most of the respondents (42%) said that no one came to meet them in jail, while 34% said that family comes to meet them, and 16% said that their friends came and 8% said that their well wishers came to meet them in jails. The reasons they told for people not visiting them was that their families live far

away from jails (43%), while 24% each for nature of the crime they have committed and fears of considered to be allies was the reason of people not coming to meet them in jails, while 9% reported that no one cares for them so they do not come to meet them. The majority of the respondents (44%) said that they are free almost whole day in jails, while 24% said that they are free for 12 hours, and 16% each said that they are free for 8 or 5 hours in jails. They spend this leisure time by socializing and chatting with other inmates of the jail (40%), and 24% reported that they perform religious activities in leisure times, while 20% said that they do nothing during leisure time and 16% reported that they sleep during leisure time in jails.

Table 4: Visitor's time, type of visitors, reasons for not having visitors, duration of leisure time in jail and how it is spent?

Allowed to meet visitors after how much duration?		Who comes to visit?		Reasons for no visitors		Durati on of leisure time in jail	F	Activit ies during leisure time	F
Daily	0	Fami ly	17 (34 %)	Nature of crime commi tted	05 (24%)	5 hours	08 (16%)	Sleepi ng	08 (16%)
Wee kly	19 (38 %)	Frie nds	08 (16 %)	Live too far away	09 (43%)	8 hours	08 (16%)	Sociali zation	20 (40%)
Fortn ightl y	23 (46 %)	Well Wis her	04 (8%)	No one cares	02 (9%)	12 hours	12 (24%)	Religio us activiti es	12 (24%)
Mont hly	08 (16 %)	Non e	21 (42 %)	Fear to be consid ered allies	05 (24%)	24 hours	22 (44%)	Nothin g	10 (20%)
Total	50 (100 %)	Tota l	50 (100 %)	Total	21 (100 %)	Total	50 (100%)	Total	50 (100 %)

Discussions

The findings suggest that young, married and illiterate women were imprisoned in jails of Dera Ismail Khan, Haripur and Peshawar. The women were convicted in jails because of organized and professional crimes that they have committed and mostly had been involved in narcotics

or drugs smuggling. Due to the cultural values and traditions of the province, mostly women cover and veil themselves and thus could not be body searched at most of the places as it is a taboo that a woman cannot be touched by strangers either men or women, so it is easy for women to conceal drugs in their clothes as they knew no one will search them. Some of the women had also committed the serious crimes of murder, abduction, adultery and prostitution for which they were serving imprisonment in jails.

As women were illiterate and young so they had committed crime because of provocation by others and they were thus trapped in the criminal act. Poverty is also a reason due to which people commit crime in the country to ease the financial burden of their families as reported by some of these women. Some of the women were living in jails as they incidentally were caught in the criminal act and they did not commit crime on purpose. The province is also known for honor and rivalry issue that led some of the women to commit crime. Most of the women were living in jails for last one or two years but there were some also who had been in jails for as long as more than six years.

Most of the jails of the country lack basic facilities as reported by most of the women inmates of the three jails by their lack of satisfaction with the facilities and services they were offered in jails as they complained of poor sanitation, food, bedding, clothes facilities and few also reported improper attitude of management of jails with them.

The jail administration allowed the inmates to have visitors after fifteen days or a month. Mostly women who commit crimes are considered of low esteem and respect in the society and people shun them from their lives when they are convicted and imprisoned in jails, thus most of the inmates reported that people do not come to meet them in jails. The reasons for not having visitors included as their families live far away from the jails, or the families have shun them from their lives because of the nature of the crime they had committed. It is also a general misconception that if a person visits someone in jails, he or she would be considered an ally in her criminal act so not to come under suspicion of the law enforcing agencies, people avoid visiting their relatives in jails.

There are mostly no healthy activities like skill trainings, informal education classes, vocational trainings, religious and awareness classes being offered in most of the jails in the country thus most of the inmates remain free whole day in jails as told by the interviewed women and they

kill this leisure time by socialization with other inmates or by fulfilling their religious obligations or just by sleeping in their compartments.

Implications

As the women were mostly illiterate so there should be non-formal education services available in all the jails for their inmates. Along with this, as most of the women committed crime because they needed money, so skill development training should be provided to female inmates of the jails so the women get skills to earn and bear the expenses of their families when they go out of jails. Awareness raising workshops should also be arranged in jails so women know their rights to avoid provocation by others as reported in the study. Non Governmental Organizations (NGOs) can play an active role in this regard for the welfare of the female offenders in jails.

There should be family counseling services available in jails with the help of social workers and psychologists so people who do not want to keep in touch with inmates because of fear to be labeled allies or because of their avoidance of female offenders because of the nature of their crimes, could be minimized from the society. This is important as when the women would release from the jails they have to go back to their families and to the society, and if people will not accept them they would not be integrated successfully back as a contributing member of the society.

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