



Commonwealth Human Rights Initiative



March 8, 2018

JAIL MAIL: INTERNATIONAL WOMEN'S DAY: SPOTLIGHT ON WOMEN PRISONERS

Dear Friends,

Greetings from CHRI!

While the International Women's Day (March 8) commemorates the women's rights movement and celebrates women's achievements across all spheres, it also serves as a stark reminder – of another reality that women are still fighting for genuine gender equality. Quality of education, healthcare and safety for women is a far cry from what it should be, as such instances of violence against them are omnipresent. The situation is even worse when it comes to women in detention.

Women in detention face everyday challenges ranging from issues affecting physical and mental safety, menstrual hygiene, and lack of care needed for lactating or pregnant women and lack of care for children living with their mothers in jail. Of the 17,834 women inmates, two-thirds are still awaiting trial. (A [factsheet](#) containing pertinent information regarding women in detention in India and their challenges is attached.)

Yet not all hope is lost as Parliament has paid significant attention to issues affecting women prisoners. On Women's Day, CHRI commends these initiatives by Parliament, particularly the Committee on the Empowerment of Women.

In December 2017, the Committee submitted a report on 'Women in Detention and Access to Justice', in the Lok Sabha and the report gave a slew of recommendations highlighting the vast gulf between rights promised by the legal system and the realities of women prisoners. It emphasised the need to revise existing prison manuals to bring them in tune with gender-based requirements. (The report can be found [here](#))

This is the second report by the Committee on women prisoners, an earlier one on Women in Detention was tabled in 2001.

The following observations sums up the findings:

"Women in prison have experienced victimization, unstable family life, school and work failure, substance abuse and mental health problems. Social factors also marginalize their participation in mainstream society and contribute to the rising number of women in prison... (There is) a general disregard to the gender specific needs of women, as well as denial of many services and opportunities accessible to male prisoners."

CHRI calls upon readers to make this International Women's Day about unity, celebration, reflection, advocacy and action. Let's make a difference, and do what we can to reinforce the call for gender equality, equal opportunities, and the protection of women within and outside the criminal justice system. Towards this, you can:

- Write to the relevant government departments to check whether any steps have been taken to implement the Parliamentary Committee recommendations and the directions of the Hon'ble Supreme Court in [R.D.Upadhyaya Vs. State of Andhra Pradesh and Ors](#) (Civil Writ Petition No. 559 of 1994).
- Call upon members of Legislative Assemblies to call for action on these recommendations.
- File petitions in court seeking implementation of the recommendations.
- Conduct studies to identify challenges faced by women inmates and their children and document the staff strength of women in your state in the police and prison services.

- Engage with civil society groups to spread awareness of these issues and strategize avenues for joint advocacy.
- Engage with journalists and the media to constantly call attention to the lack of women in the police and especially to write about the systemic and everyday challenges faced by women inmates.
- Facilitate collaboration between the prison and civil society to ensure that basic needs of women inmates (social, psychological, medical, and economic) and their children (healthcare, education, recreation) are taken care of.

Write to us at chriprisonsprog@gmail.com with your comments and suggestions. Please send us an email if you wished to subscribe to these updates.

Best Regards,
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About *Jail Mail*

Jail Mail is a regular series of Prison Reform Updates from CHRI for readers interested in the rights of prisoners and the reform of prisons as a matter of public concern. The engagement of civil society in the management and monitoring of prisons and the rights of prisoners is vital to the transparency of this traditionally closed institution and to ensure the practical realisation of the rights of those behind bars. *Jail Mail* invites discussion between civil society members and those entrusted to oversee and manage prisons.

Evidence-based research and watch reports of CHRI's Prison Reforms Programme, interviews with critical stakeholders, topical issues and developments concerning the liberty of prisoners, and health of prisons in India and around the world will form the sources of *Jail Mail*. Its periodicity will depend on the urgency of issues and the interest they generate.

About CHRI and the Prison Reforms Programme

The Commonwealth Human Rights Initiative (CHRI) is an independent, non-governmental, non-profit organisation headquartered in New Delhi, with offices in London, United Kingdom and Accra, Ghana. CHRI works for the practical realisation of human rights across Commonwealth countries. It has specialised in the areas of Access to Justice (Police and Prison Reforms) and Access to Information for over two decades. It has special consultative status with the UN Economic and Social Council and is recognised for its expertise by governments, oversight bodies and civil society. It is registered as a society in India.

The Prison Reforms Programme of CHRI is more than 15 years old. The programme focuses on improving prison monitoring through the strengthening of undertrial review mechanisms and prison visiting system nationally, and ensuring early safeguards against unnecessary pre-trial detentions, specifically in Rajasthan and West Bengal. The programme also advocates for timely repatriation of foreign national prisoners and immediate release of asylum seekers. Evidence-based research, advocacy, capacity-building of actors of the criminal justice system including prison officials, welfare and probation officers, criminal defense lawyers, magistrates, legal aid functionaries and civil society actors are the regular activities of the programme.

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