

**Alternative to
Female Imprisonment**
A Study of Public Opinion in British Society

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Tahsina Akhter



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Dedicated

To my Late Mother who, all through her life wanted to see me as a University Teacher what I am today and to my Father, who showed me the ways of enlightenment through his visions so dynamic from science to religion to current politics to the unobserved astronomies in the space yet our generations to reach.

Preface

My motivation for the book is to share the wider community of people in Bangladesh as well as outside of the country to abridge the scholarly and practical issues of incarceration of women. This was an opportunity to work on my dissertation as a part of partial fulfilment of my MA degree at the Durham University, UK, to reflect on the effect of public attitudes on policies towards women prisoners, which have been neglected by national research over in recent years in the United Kingdom. This is also important when access to such a sensitive issue is crucial at the primary level of any research to explore the public sentiment and their views to approach the ways for effective research. It has been felt important for Bangladesh as well where the country falls back with considerable reform work in the field with limited scholarly publications.

My motivation for the present book is also to evaluate how far Bangladesh, as an independent nation, falls behind or came forward to optimize the public awareness and confidence on Social Justice in relation to women prisoners in the country and their family. However, little literature and no e-literature been found on the proposed topic in the present discussion of the book for the country for international review or for intellectual studies in the country.

Another prime concern of the book is the growing interest and involvement of the government, national and international agencies, grassroots and non-governmental organizations, researchers and feminists in issues regarding women and the criminal justice system.

The book aims to disseminate to national and international Social and Criminal justice scholars, policy makers, concerned Government and Non-Government officials and organizations , researchers, students to give a social concern about the public perception towards the existing imprisonment system and process.

Any kind of suggestion or opinion is welcomed about the book.

Tahsina Akhter

Assistant Professor

Department of Sociology

University of Dhaka.

Acknowledgement

First I would like to express my sincere gratitude to the Almighty to give me the opportunity and strength to conduct such a research work.

Next, I would like to especially thank to the Commonwealth Commission for providing me the funding without which it would not been possible to pursue my work so dedicatedly.

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I would like to thank Durham University IT Service for the online survey support; and Louise Greener and Terri Edwards of Durham University Language Centre for proofreading the dissertation at different stages. I would also like to convey special thanks to my friend, Dr. Elizabeth for her proofreading.

My heartiest thanks go to my respondents from: Durham Police, The Children's Society, Mr. Alan Kingston, Michael Ayton, Lynn, Claypath Leisure Centre, Meadowfield Surgery and Chemist, Neville's Cross School, and Argos Superstore.

Thanks must also go to the wonderful family of Grace and Gareth whose daughter played with mine while I was at work, and to my friend Khaza Mohammad Mizan without whose help the research would have been much less easy.

Last but not the least, special thanks goes to the Osder Publications to kindly take the pains of publication after all the scrutinized process for a high quality publication.

Forward

This research constitutes the addition to knowledge of an important social issue - that of the imprisonment of women. As Tahsina highlights in her book, there are many factors that are specific or amplified in the case of female prisoners compared with male prisoners. Tahsina discusses these issues in detail.

The next part of Tahsina's book describes the empirical research she conducted during her postgraduate degree at the School for Applied Social Sciences at Durham University. It describes the opinions of the public about women's imprisonment. As she points out, there is an urgent need for similar, comparative research to be conducted in Bangladesh.

Tahsina's desire for the situation of women prisoners to be improved, not only in the UK and Bangladesh, but internationally, comes through clearly in this book. It is this that led Tahsina to do this important research and I hope that it will contribute towards greater understanding of the situation of women prisoners and ultimately lead to an improvement in their conditions internationally.

Dr Nicole Westmarland
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UK.

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Chapter 1

Introduction

The research on women imprisonment took the advantage of starting this chapter with a speech given by Anne Owers, HM Chief Inspector of Prisons, UK, at the ‘What works with women offenders?’ conference, Italy, June, 2005, which starts with the words of a woman in prison:

*No one knows how I really feel
Is this a nightmare or is it real?
The tears I cry, the tears I shed, praying each day that I was dead
Everything I do seems to be or go wrong
I feel no reason for my life to carry on
Why won't God just take me away?
I don't want to feel like this every day
I can't handle no more, sorrow and tears
I'm full of mixed feelings, confusion and hate
I just want to walk through heaven's gate
I'm a lost and lonely fucked up girl
This ain' no life
This is hell*

This was found in Jane's diary the day after she killed herself in prison. She was 25, serving a two-year prison sentence for robbery. She had been in care. By the time of her prison sentence, she was using crack cocaine, heroin and speed, and abusing alcohol. She said she had been sexually abused. She was epileptic and asthmatic. She had been treated for depression and paranoia earlier in her sentence, though this information was not passed on to the prison (HMIP 2005).

Jane is typical of many of the 4,500 women and girls in prison in the UK, and even more typical of the 29 who killed themselves in the UK prisons over the years of 2003-2005 in the UK prison. However, similar kind of prison report or document is absent in the literature or research for Bangladesh.

Worldwide the number of women offending and re-offending rate is increasing alarmingly (Bastick & Townhead 2008:1:QUNO) PRI 2011:2), no matter whether public is aware of it or not. From a very sociological point of view, this incarceration issue does have

connection with and effects on the social institutions in our existing societies being women as our primary carer.

Crime and punishment doubtless constitute an extensive area of research in Law and for the Criminal Justice System. Accordingly, imprisonment as a form of punishment falls also within the domain of the Law and the Criminal Justice System. But the phenomena of crime and punishment occur in the society where we live and affect the people around us with whom we live. Some of us are victims or offenders experiencing direct or indirect effects making us eager for more security or raising questions as to what led her/him to act like that. Thus, legal phenomena do not always remain within the boundaries of codes, courts or prisons. They affect the total system of society from the individual to the highest level of the State. So, crime, punishment and imprisonment are social phenomena require social understanding and extensive explanation of the merits-demerits of the issue from a Socio-Criminological point of view. Besides, the competing rise in numbers of female prisoners to male prisoners is also becoming a central issue for criminal justice analysis. The issue does not only embrace the discipline of law. Rather it draws the disciplines of sociology, feminism and criminology together. However, very little research has been integrated into a holistic approach in this field least of all about the opinions of the public on these issues, especially about the way in which female imprisonment is stigmatized by the society of Bangladesh.

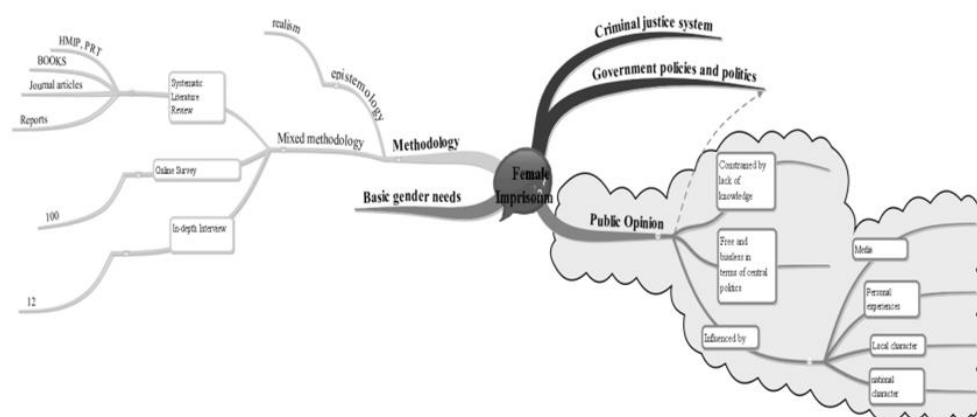
My motivation for the dissertation as a part of partial fulfilment of my MA degree at the Durham University was the opportunity to reflect on the effect of public attitudes on policies towards women prisoners, which have been neglected by national research over in recent years in the United Kingdom. My motivation for the present book is to evaluate how far Bangladesh, as an independent nation, falls behind or came forward to optimize the public awareness and confidence on Social Justice in relation to women prisoners in the country. However, little literature and no e-literature been found on the proposed topic in the present discussion of the book for the country for international review or for intellectual studies. However, in England and Wales, increasing public confidence in the justice system has recently become a government priority (Roberts and Hough 2005:31) and British Crime Survey (BCS) has now become deeply embedded in the British government's approach to performance management in criminal justice (Maxfield, Hough and Mayhew 2007:304).

However, major measures of public opinion in the UK, such as the British Crime Survey have not focused specifically on ‘Alternatives to Female Imprisonment’. In terms of Bangladesh there is no evidence of Public opinion poll ever engaged with the issues of women prisoners because of the stigmatization and tabooing on the discussion of the topic.

In recent years policies in the UK, pertinent to female imprisonment have become more all-embracing with the introduction of the ‘Women’s Offending Reduction Programme’ (Home Office: 2004), the recent ‘Corston Report’ (2007, 2010), ‘Alternatives to Imprisonment’ (UN Office on Drug and Crime: 2007) and the Kyiv Declaration (WHO: 2009). There is still lack of concerns among the legal and social scholars in Bangladesh to focus the issue nationally or internationally. Thus, the present literature might work as a spot light to an unmitigated and extremely important issue of women prisoners in Bangladesh, where these women are our mothers, sisters, daughters, wives-the primary carers of the family structure, still rooted with patriarchy and conservatism. To put the issue in front of public is still a matter of major controversies and debate in the country.

The research conducted in the UK, Durham, with 20 in-depth interview and 100+ on line survey, using NVivo software, reflected the concerns about women imprisonment in relation to mental health, poverty, drug misuse, motherhood, single parenthood and short term imprisonment. However, more intensive and long term survey with public attitude and opinion is still required. The research was extremely difficult to reach to the heart of the answers of the respondents beliefs and thus had to make planning for the interviews and on line survey, attempting a Mixed Methodology. Having all these thoughts in mind, the research was mapped as follows for the research to conduct.

Figure 1 Mind map of the dissertation. Map of the Book



Methodology

Measuring Public Attitudes: Objective of the Research

The principal decision confronting a researcher working in the area of public attitudes concerns the category of research tool: qualitative or quantitative (Roberts and Hough 2005:19) answering two major research question of the research :

1. What British people think and know about the female imprisonment of the country?
2. What British people suggest best for the alternatives to female imprisonment in their country?

Quantitative research is preferred over qualitative design when any specific policy driven research is to be done. If the policy-makers' intention is to know whether the public stands with respect to a particular policy question, there is no substitute for a representative survey, from which conclusions about popular responses can be reasonably drawn from a small sample.

The major limitation of survey is that it quantifies public values. To achieve a broad- brush picture of public views regarding criminal justice through generalization it will by definition do some injustice to the diversity of individual viewpoints(Roberts and Hough 2005:4).

The importance of qualitative research tools in public attitude measures has been urged by scholars throughout the literatures. Researchers who use qualitative methods seek a deeper truth (Greenhalgh and Taylor 1997:740). Especially Roberts and Hough (2005) tells about the implication of Focus Groups for understanding public views. But the limitation found in the present research during its piloting that in the group discussions some people speaks and some do not participate much. In the field of public opinion research qualitative research is as yet very limited, though its importance has been emphasized to ascertain an in-depth understanding of the viewpoint of the public. To full fill the aim of to “study things in their natural setting, attempting to make sense of, or interpret, and phenomena in terms of the meanings people bring to them” (Denkin 1994 in Greenhalgh and Taylor 1997:744), individual In-depth interviews have been done.

It is an attempt to partially full fill the gaps in the methodology as well as in the scholarly research where in an ideal world, one would want to see a judicious mix of qualitative and quantitative research methods, though one rarely gets both (Roberts and Hough 2005:24).

Ethical Considerations

Throughout the research, it was necessary to reflect upon various ethical considerations set out in the Research Ethics and Risk Assessment Policy and Procedures document (University of Durham, 2009) and in the British Sociological Association Guidelines. The first consideration centres upon the notion of ‘Sensitive Topics’. Sieber and Stanley (1988:49) define this as “Studies in which there are potential consequences or implications, either directly for the participants in the research or for the participants in the research or for the class of individuals represented by the research”. Whilst the initial dataset includes people’s opinions about alternatives to female imprisonment that if there is any second thought for the correction of female offenders (except the serious violent offenders), especially when some of them are mothers or pregnant, mentally ill and when the prison is not a cost- effective correctional procedure.

Voluntary informed consent is also a key consideration given that it provides participants with an opportunity to reflect upon their involvement in the research. In this respect details regarding the design and purpose of the research were explained prior to the interview stage. Participants were also made aware of their right to withdraw from the research at any point.

For the purpose of maintaining confidentiality and flexibility in the research process, interview arrangements were organized directly with participants and rescheduled where necessary. All interviews were conducted at an agreed location. All interview transcripts were devoid of personal details and stored away from public access, and only relevant personnel had access to the data. The possibility of causing harm to both the participants and the researcher was addressed in two ways. First, the design of interview questions endeavoured to minimise any foreseeable discomfort to the participant. Second, a cautionary approach was exercised with regards to researcher burnout as mentioned by Ensign (2003). Finally, a concise effort on the part of the researcher ensured that there was no attempt to deceive the participants in any way. At all times, the design, aims and objectives of the research were adhered to.

Research Design

From the outset, I adopted the epistemological position of realism in which the differences between quantitative and qualitative research are regarded as technical rather than epistemological. Blaikie (1993, p. 58) provides a useful summary of this stance and states that realism “does

not insist on an identity of methods. Rather, it is concerned with developing methods appropriate to the particular subject matter of the Social Sciences, methods based on realist principles". In this respect, my choice of research was solely determined by the nature of the research and initially I preferred a mixed method of research. Because, there may be questions like "What are the percentage of population interested on Female Imprisonment issue depending on their Gender" that could and should be answered with a quantitative methods. Whereas, questions like "What is your view as a British Citizen, can be done at the family level for the Alternatives to female imprisonment" should be answered with qualitative method. We need to listen what people say and explore the different ideas for the alternatives to female imprisonment from which a pattern may emerge and if necessary a further quantitative analysis can be done with quantitative methods. Thus, without unnecessary opposition the usefulness of mixed method research can be realised and feminist perspectives on research can be acknowledged simply as "good" research (Westmarland 2001:9).

The present research design thus combined both the methods. It started with systematic literature reviews and then went through 16 in-depth interviews and while the pattern emerged as what is the percentage of population in answering several dimensions of issues, an on line survey has been done with 100 target population. Bristol University IT department assisted with the On-line survey.

The study, thus employ a mixed methodology approach and comprised three interrelated work-packages (WPs):

WP1: Systematic Literature Review

The research started with a Systematic Review of literature through the library catalogues, relevant e-journals, 50 online reports and articles, newspapers and obviously with books for the following reasons (Petticrew & Roberts 2006: 21):

1. When there is uncertainty, for example about the effectiveness of a policy or a service, and where there has been some previous research on the issue.
2. In the early stages of development of a policy, when evidence of the likely effects of an intervention is required.
3. When it is known that there is a wide range of research on a subject but where key questions remain unanswered.
4. When a general overall picture of the evidence in the area of a topic is needed to direct future research efforts.

5. When an accurate picture of past research, and past methodological research is required to promote the development of new methodologies.

Data collection and analysis

In terms of Secondary Data Sources the Internet was used to access four local university Library Catalogues: Durham, Sunderland, Teesside and Newcastle. In addition the following databases were accessed : British Journal of Criminology, the Howard Journal, Crime and Society Journal, HM Prison Women Website for the United Kingdom, Web of Knowledge, Google Scholar, Allplus, TripleMe and so on using the key words: female imprisonment, alternatives to female imprisonment, public attitudes to imprisonment/crime/female imprisonment etc. The internet was also used to access various Legislative Acts, reports and inquiries relating to the collection, storage and dissemination of intelligence information.

The systematic review led to the questionnaire formulation and next most useful method for the study of WP2 and WP3.

WP2 : In-depth Interview

Then the research included 16 in-depth Interviews with a semi-structured Interview Schedule (Appendix 1) as part of the primary, qualitative research. Gerson and Harowitz (2002:223) indicate that somewhere between sixty and one hundred and fifty interviews is an acceptable number from which conclusions can be drawn though no time limit was not mentioned for that, however this research included 16 interviews due to access issues, workloads and time restrictions. The kind of question asked in qualitative interviews are highly variable (Kvale, 1996 in Bryman 2008:326-327) though the rapport and neutrality (Rapley 2007:19) of the interview process has been considered and maintained seriously in the present research.

Data collection and analysis

A mixture of initial open-ended, intermediate and ending question were used in this study (Charmaz, 2002). These questions were not designed to elicit an immediate response, rather they were worded to encourage expressing responses. There was a set format of questions with an option for expressing any view needing to be expressed not covered by the questions. Bowler (1997:70) notes that semi-structured interviews can be problematic,

“Where there is a difference in expectations and expressions between interviewee and interviewer, the interview depends upon the active

participation of the research subject who needs to share the general objectives of the researcher. And to provide information or articulate views and opinions”.

In this respect, the research sought to facilitate a successful interview by ensuring that both the interviewee and the interviewer were aware of their role, the research objectives and of actively engaging in the interview process. Accordingly to Fontana and Frey (1990:76) “the use of language and specific terms is very important for creating a ‘share of meanings’ in which both the interviewer and respondent understand the contextual nature of the interview”. Therefore, the researcher used simple language and explained technical terms like ‘what did I mean by alternatives to female imprisonment’ or ‘why it is needed to be thought at the family level as a primary institution of the society’ etc., which arose during the interview itself. Interviews were recorded and transcribed with the participants consent. Each transcript was analysed immediately to avoid a build up of work as Bryman (2004:332) warns that “procrastination may give the researcher the impression that he or she faces a monumental task”. Caution was exercised with regards to possible transcribing errors such as incorrect hearing, tiredness and sloppiness (Poland, 1995). It is necessary to mention that 5 of the interviews were made on line where the “Generic Interview form” was sent to the interviewee’s email address because of the lack of suitable time schedule and distance. Rest 11 interviews were done in different places of Durham, with suitability of the respondent’s time table and place.

NVivo software has been used to analyse the data set to manage coding, sorting and retrieval of data along with shaping and modelling sooner (Wong 2008:15; Bazeley 2009:1).

WP3: On Line Survey

Last of all An Web based On line Survey (Appendix 2) basing on ‘Likert’ scale (Foddy 2001:154) has been done using email lists and snowball sampling technique (Bryman 2008: 184), as a part of the quantitative research method, to satisfy the percentage of quantity of response.

Limitations in Fieldwork

During the whole period of research several constraints made the research delayed. Interview and also the survey was influenced by the personal characteristics of the interviewer, including race, class, ethnicity and gender (Denzin and Lincoln 1994: 353). Not to mention that the factors described above acted as a negative factor in several

places, such as declined the interviewees in several places, whereas it became a positive source for people to speak and share the views cordially.

While started to launch the survey 100 of survey questionnaires delivered to the shops, most of them were thrown away from the shops when went to collect them in the next day whereas some of the shops in the city cared them to answer. This is one reason why the present research shifted its quantitative data collection through on line method.

Social changes also played vital role to consider the online survey (Maxfield, Hough and Mayhew 2007:305). There are a significant number of people who are students, homeless people, and there is second home concepts, which are disturbing for face-to-face survey.

Language barrier and understanding pattern of the interviewee and interviewer were sometimes a slight problem but the digital recorder helped to get rid of this problem a lot.

My supervisor worked as the prime gatekeeper for my research who was very suspicious about my work whether I can finish my work and commented at the end that if it was she to conduct such a research in Bangladesh she would not be able to do so. So, the whole 5 months research was a really challenging research being a foreign national in the UK from Bangladesh.

All the work in the UK was computer based which was a very big point of difference between UK and Bangladesh and also took time to be a *computerholic* and start research, when 95% of the study materials were computer based.

Map of the Book

2nd chapter will systematically evaluate the existing literature on the issues of 'Female Imprisonment', 'a very short historical overview for the UK', 'Public opinion about female imprisonment and its importance', 'Alternative thoughts for female imprisonment', 'Research work done on public attitudes towards alternatives to female imprisonment in the UK'. It should be mentioned here that very little research has been undertaken on the issue of public opinion and female imprisonment, whether nationally or internationally both in the UK and Bangladesh. The dissertation methodology emerges from this literature review. Besides, this research updates both readers and researcher with

current work that has been done in order to avoid unnecessary repetition. .

Chapter 3 offers the heart of the research, the research findings and limitations.

Chapter 4 describes the analysis. The analysis uses the NVivo software for interesting diagrammes and connections between the variables.

Chapter 5 summarises the recommendations of the British public opinion for alternatives to female imprisonment and draws the conclusion with the suggestion for the necessity of conducting public opinion surveys also in Bangladesh.

Chapter 2

Literature Review

Female criminal offenders have traditionally been underrepresented in reports by the mass media and in studies by the scientific community (Adler and Simon 1979:2) which is still now applicable to the society of Bangladesh. It is since the publication of Carol Smart's *Women, Crime and Criminology: A Feminist Critique* in 1976, that there has been a much more sustained focus upon lawbreaking women, a topic almost ignored by criminologists prior to the mid-1970s (see Adler, 1975; Simon, 1975; Smart and Smart, 1978; Heidensohn, 1985; Carlen et al., 1985; Messerschmidt, 1986; Naffine, 1987; Adelberg and Currie, 1987; H. Allen, 1987; Carlen and Worrall, 1990 in article by Carlen 1995, Naffine (ed) 1995). For a long time, Feminism as a substantial body of social, political and philosophical thought, didn't feature prominently in conventional criminological writing: rather, it was formally allocated a place in a textbook, like, the *Oxford Handbook of Criminology* and other texts of Criminology, kept a chapter named 'Gender and Crime' where material is found focussing on women and crime, but not on gender (Naffine 1997:3) issue holistically. The potential of feminist analyses in criminology at large was, therefore, widely misunderstood and underestimated and this had been reflected in the government policies on various occasions. The message to the reader was that feminism is about women, while criminology is about men. Today, however, we find a huge lot of scholarly writings focusing on women issue in the UK, namely Pat Carlen, Anna Worrall, Mary Eaton, Emma Wincup, Elaine Player, Helen Codd, Alison Lieblich - the list will go on and from Canada Hannah Moffat-Kelly, Stephanie Hayman and so on. All these scholarly work is based on both primary and secondary level research and data. But unfortunately there is yet something to start for Bangladesh.

Other Focuses Behind the Research

The number of female prisoners is comparatively lower than male prisoners worldwide. But still we need to do research on female imprisonment for several reasons:

1. The number of female prisoners is increasing around the world alarmingly, which the literature will discuss in detail later. The aim

is to discover the reasons behind this and to search for a solution to reduce the number through the opinions of public as a partial contribution to the whole issue.

2. What social institutional failures make loving mothers become criminals?
3. Research says the experience and needs of female prisoners are different. But little research has been focused on challenging the policy shifts to respond these differences (Corston Report 2007; Carlen and Worrall 2004).
4. It is one of the most critical decisions for the Government of any country and its policy makers to ensure that the children of female offenders receive proper care and shelter.
5. Recent researches such as the Queensland Women prisoner's Health survey (2002), Kyiv Declaration (2009) suggests that any research concerning the health issues of female prisoners will get high priority as it is the one of the basic human rights of a person.
6. Besides the government organizations, international organizations like WHO and others are getting involved in the issues of alternatives to female imprisonment.
7. All these researches emphasise more extensive and in-depth research on the issue.
8. Public safety is one main reason for the custodial and penal system. So, it is important to understand to appreciate this concern as well as taking public opinion into account. However, the limitations of knowledge are an important concern which researchers should be aware of while generalizing the research outcomes from public opinions targeting policy impact

History of Female Imprisonment in the UK and Bangladesh

Due to constraints of space, the details of the historical contexts of female imprisonment cannot be discussed elaborately here. In brief, the historical context offers a picture of change and evolution in each of the prisons in England which had tremendous effects over the worldwide change about the childcare issue of the female prisoners. Over a period of decades at least three separate, ideological strands of feminisation, domesticisation and medicalisation concerning the nature of womanhood in general and 'criminal womanhood' in particular can be identified in the discourse of prison administrators and reformers who together have shaped women's imprisonment over the centuries (Carlen and Worrall, 2004:2). The reforms undergone were the reflections of multiple reasons from inside and outside of the prisons. As for example, in 2001 two inmates from Askham Grange launched a

High Court battle for the right to keep their babies with them in prison beyond the age of 18 months. The challenge failed, but launched a wider debate in the media about mothers' rights and their children in prison. Lord Woolf spoke of the case as involving "very moving problems", and asked for an urgent review adding, "the longer the babies remain with their mothers the more difficult it is to separate them"...Lawyers for the women called the judgment "very disturbing" and said very young children would suffer as a result. (BBC News, 17th May, 2001) .

The history of the composition of the female prison population does not only concern the offending histories of women prisoners, but also queries the relationships between classes, racism, gender and imprisonment, because the debates and arguments are framed solely in terms of evidence that the majority of jailed women have committed less serious offences than male prisoners and that, on the whole, they also have shorter and less violent criminal records along with their poverty situation (Carlen and Tchaikovsky 1996:213). Maybe this context for historical understanding will be researched at other times, but the important point here is that the history of female imprisonment is arguably the history of poverty relationships primarily, for the larger body of female prisoners in the United Kingdom. Similar but not same kind of historical past is required to study from sociological point of view for Bangladesh to understand the chronological background of the imprisonment system in the country for women to reform in the future in line with development and understanding at policy level.

Some scenarios from Canada and United kingdom

Most significant work done in Canada

The Report in the year 1990, *Creating Choices: The Report of the Task Force on Federally Sentenced Women* encapsulated the achievement of the Task Force in Canada which led the closure of infamous Prison for Women at Kingston in the year 2000 and made its replacement by five regional prisons, among them an Aboriginal healing lodge (Hayman, 2006:4).

Women prisoners in the United Kingdom (UK)

The recent publication of PRT states that on 6th August 2010 the number of women in prison in England and Wales stood at 4,230¹ and in the last decade the female prison population has gone up by 33% (PRT 2010).

¹ Ministry of Justice (2010) Offender Management Caseload Statistics 2009, London: The Stationery Office

Table 1 Women prison population in the last decade in England

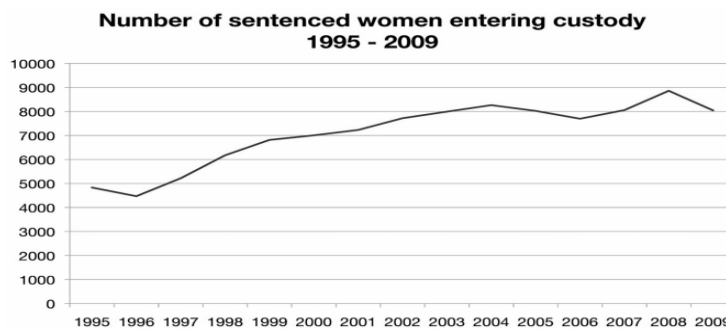
Year	Total Prison population
1995 (Mid-year)	1979
2000	3355
2005	4510
2007	4283
2010	4230

Source: Collected from several publications of Prison Reform Trust (PRT) and National Offender Management services (NOMS).

In 1996, 4179 women were sentenced to immediate custody whereas by 2006 the number stood at 7391, an increase of 77% (Patel and Stanley, 2008:11, cited in Goldhill 2009: 81). Comparing the numbers of female prisoners illustrates the trend in the female prison population, which has more than doubled in 14 years from 1995 to 2009.

These statistics confirm the findings offered by Black et al (2004); Carless (2008); Deakin & Spencer (2003); Carlen & Worrall (2004); Chesney-Lind (1995) suggesting that the of women remanded in custody is increasing at an alarming rate (Raikes 2009:3).

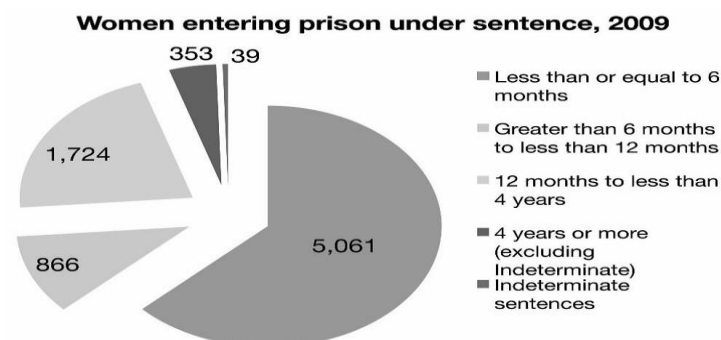
Figure 2 Increasing number of Women Prisoner in the UK; 1995-2009



Source: Ministry of Justice (2010) *Offender Management Caseload Statistics 2009*, London: The Stationery Office, Cited in PRT 2010.

The pie chart below indicates that there are a vast number of short term prisoners in the present system which requires revision and reviewing.

Figure 3 Women entering prison under sentence, 2009



Source: Ministry of Justice (2010) *Offender Management Caseload Statistics 2009*, London: The Stationery Office, cited in PRT (2010).

Women Prisoners in Bangladesh

‘At present, a large number of women are being detained in different prisons/jails of Bangladesh...there is no available statistics about the arrest of women in the country’ (Firoze 1995:1). However, the only available figure can be found is the Research done by the ICPS (International Centre for Prison Study) of King’s College:

Table 2: Number of Female Prisoner in South Asia

South Central Asia	Female prison population (number of women and girls in penal institutions)	Female prisoners—percentage of the total prison population
Bangladesh	2,043	2.8
India	13,355	4.0
Iran	4985	3.5
Nepal	218	8.3
Pakistan	1,323	1.5
Sri Lanka	906	3.8

Source: Walmsley, Roy World Prison Population List (Seventh edition)ICPS, 2006.

In the year 1994-95, there were only 210 women prisoners in the country (Firoze 1995). Thus, though it may seem that the number is very tiny the actual number of women prisoners is increasing at an alarming rate.

In Bangladesh women are put into three categories of detentions as follows:

1. Convicted
2. Under Trial
3. Safe Custody

Children born in the custody live with their mother up to the age of 6 years. There is no separate prison system for the mothers. They live with the convicted prisoners. Ibid: 57). There is no alternative option to avoid imprisonment through community level sentencing for petty offenders or mothers being the primary carer of their children. No base line socio-cultural survey or research has been conducted to explore the health and hygiene condition or any other important issues of the female inmates in the country which leaves the field barren for urgent exploratory research. This is because, already it has been delayed to look through this immensely important human right issue to activate the reform work and start the good practice to success the correction system of the prison system in the country and most importantly when justice delayed means justice denied.

The prison administration in the country is regulated by the Bengal Jail Code including Prisoners Act of IX of 1894 as amended, Prisoners Act (No. V of 1871), Prisoners Act (No. III of 1900), The Bengal State Prisoners Regulation, 1818 (III of 1818 Bengal Code) for the confinement of State Prisoners, Act XXIV of 1855, Act (VIII OF 1897) the Reformatory Schools Act 1987 as amended, Children Act, 1974 (Act XXXIX of 1974) (Ibid 86).

The point here to mention is that even after Independence in 1971, the country lacks reforms in its Law, let alone the Criminal or Social Justice system. In law it is said that prisoners under trial should be kept separate from convicted prisoners. However, the rules have been violated (Ibid 90) due to the lack of adequate prison accommodation before 1997. This point was echoed by the CEDAW committee working in Bangladesh as follows. The Committee expressed serious concern at the absence of special prisons for women, who posed serious threats to the security and protection of women. (CEDAW, Concluding Observations: Bangladesh, U.N. Doc. A/52/38/Rev.1, Part II paras.409-464, 1997).

The overcrowding in the prisons led to the demand for the creation of a separate prison for women in Bangladesh recently and a new female prison was set up in December 2008. Today there is a separate prison for women but there is no standard regime for its internal operation.

The reasons for imprisonment are also very peculiar in nature, such as for loitering, keeping someone safe inside the prison. Though there are no accurate statistics on the causes of the imprisonment, still a summary has been attempted as follows:

Table 3: Reasons for Imprisonment in Bangladesh.

Reasons for Imprisonment
For Safe Custody, with no criminal record
Economic exclusions, such as migration in search of employment
Social exclusions, such as, migration from rural community to urban community/ no knowledge of legal rights/ marriage against the will of family/ illiteracy as an indirect reason
Religious/ Informal fatwas (Rules)
Drug dealing
Killing/ Murder
Theft
Loitering

N.B. No prisoners have been identified with mental health problems. This could be a limitation of the research and literature gathered in this country.

Source: Adopted from the study of Firoze, Munir and Ali 1995.

Not only are the laws up to date, but there are also many cases of violations of laws and rules in the country being practiced. The following case study is one of the many examples of such violation which also constitutes a serious violation of Human Rights.

Ajmiri Alias Jotsna

Case No. 16 (9) 92

Narayngonj

Ajmiri was in the safe custody. While visiting to the physician from the prison Ajmiri was raped by the Guard called Ramjan provoking her to marry. Later he was transferred to another place and denied his guilt when he learnt she was pregnant. (Case studies from Firoze 1995: 110 *Study on Women Prisoners of Bangladesh*. BNWLA).

It is worth noting here that only a small number of scattered materials could be found in e-newspaper forums and international organization's publication sites. Thus, elaborate discussions could not be presented in comparison with the UK or Canadian statistics and literature. This leaves for the present research an opportunity for in depth research as a part of the indigenous requirements of the proposed alternative model for imprisonment in Bangladesh for women.

First Female Prison in the Country

The overcrowded parts of the prisons led to the demand for the creation of a separate prison for women in Bangladesh. For the first time the new Female Prison was set up in December 2008 in Bangladesh. The experience is better expressed by the following description of the first day in the prison by prisoners while they were in another prison.



Mother and Daughter in Cell, Momena Jalil, 2008

They were some 21 women, some with children who were free but had nowhere to go, so they stayed with their mother in captivity. It was a rare chance for us; it was the opening of the new women's prison on eight acres of land situated on the western edge of Kashempur. We were allowed because we were women and in those ten minutes we

learnt what we could not have learnt in a lifetime. Losing one's freedom strips us of the right to live. It is the strangest feeling, a chilling feeling. Freedom denied is freedom lost in the ... "It is difficult to cope with all that goes within the walls of a prison," she says. "There were times when the prison guards molested me... they do sexually abuse women," she says softly, hiding her face behind her white saree. As soon as the guards walk in her expression changes and she mutters, "We have no problems at all".

(1 December 2008 in Documentary, Photojournalism Tags: Bangladesh, Chobi Mela, Drik).

Summary characteristic commonality/difference of women imprisonment in the UK, Canada (Developed) and Bangladesh (Developing)

Table: 4 Common and different character of women imprisonment in the UK, Canada and Bangladesh

No.	Common		Different
1.	In both of the countries the number of female prisoners is increasing which is an indication of the failing system.	1.	The systems are different. In Bangladesh 1937 laws still exist whereas in the UK major reforms made.
2.	In both countries, the majority of incarcerated women represent the poorest section of society in terms of education or economy.	2	Health concerns are been treated differently in each country. In the UK, mental health problems have been prioritized whereas in Bangladesh they are ignored
3.	In both countries motherhood is severely affected as a result of imprisonment	3	The level of research and literature is very different between the two countries.
4.	Imprisonment does help improve the condition of women who face short term sentences in either country, with rare exceptions.	4	Individual experiences are different.
5.	In both countries research indicates that the children of incarcerated women are more prone to crime.	5	Conditions of indigenous women are not found in any published reports.
6.	Resettlement in society becomes difficult because of the inherent stigmas attached to the system.		
	The overall health, economic and social condition deteriorates when women are incarcerated for short terms.		

In both countries women have specific different gender needs which require a radically different alternative system of imprisonment.

Gender-sensitivity as different Needs, womanhood, motherhood: Studies from UK

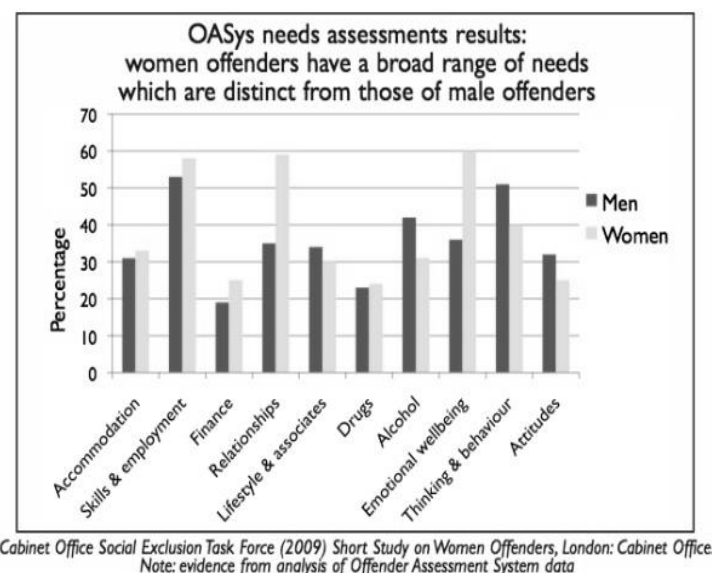
There is a gender dimension in the research for several reasons discussed under points such as, womanhood, motherhood and, different gender needs. Gender sensitivity in the present research does not mean excluding men from women or *vice versa* from this analysis but rather to understand the overall subject matter. Where necessary, male issues will be included because the research takes into account the fact that women's issues are somehow connected with their counterparts which is a vital part of any discussion, but the main focus and interest of the research is feminine discourse.

In the year 1990, there were riots in six men's prisons in the UK upon which Lord Justice Woolf made a report with recommendations of major reforms for the prison system in England and Wales over the next twenty five years (Player 2001). The important point here is that only one month ago there was a disturbance in the Risley Remand Centre for Women but the government did not take it seriously. According to Player (2001:203) "...they [*women*] do not riot badly enough, or publicly enough, to vitalise official concern...". She also explained that the recommendation based on male prisoners would also be implemented on women prisoners, which will have serious consequences for the female prisoners and suggests a total failure of the government to understand the gender specific needs of the prisoners (Wilkinson 2004:159). Another reason for failing to neglecting women's need could be that they constitute an insignificant number against the male offenders (Carlen & Worrall 2004; Carless 2006; Home Office 2007; Fawcett Society 2007; Kruttschnitt 2005; Quaker Peace & Social Witness 2007 cited in Raikes 2009: 4).

Both Research Studies (e.g., Carlen and Worrall 2004; Gelsthorpe et al 2007) and the government sponsored Corston report (2007) concluded that most women offenders have complex, multiple problems (Corston 2007 cited in Goldhill 2009:81) which not only are ignored structurally but also women are being trapped in a male dominated society with structures made by men for men (QUNO 2008:1; PRI 2008 (1):3). Examples can be borrowed from some countries like Uganda or Afghanistan where women are incarcerated for adultery (including remarriage after divorce) or for running away from home (PRI 2008:2).

Besides the common problems of poverty (Carlen and Tchaikovsky 1996:213; Dobash, Dobash and Gutteridge 1986; Byrne 1897; Bull and Wilding 1983), substance misuse and various social exclusion for both men and women, significant qualitative differences (Corston 2007, Cabinet Office social Exclusion Task Force 2009) in terms of women's experiences have been identified specifically with emotional aspects relating to reproductive, biological (e.g., menstruation, pregnancy and giving birth), prolonged sufferings from sexual and/or other physical violence (Rumgay 2004b cited in Goldhill 2009:82; Queensland Women prisoner's Health survey, 2002). These physical and/or sexual abuse might not be the only factor leading a woman to be criminal but taken into consideration along with other social and psychological factors, greater offending risk can be predicted (Goldhill 2009). Being the sole carer of younger and/or elders along with their simultaneous dealing with own problems (Carlen and Worrall 2004:42) can be significant factor for women offending (Goldhill 2009:81-82) out of desperation or hopelessness and/or mental illness. Especially, in terms of health concerns, after the recommendations of Baroness Corston and government to take taken actions on it at policy levels to introduce health promotion in prisons, little evidence can be found to the extent which this has been effective (Douglas, et al. 2009). Recent systematic literature review of 62 surveys worldwide suggests '*Worldwide, several million prisoners probably have serious mental disorders, but how well prison services are addressing these problems is not known*' (Fazel et al. 2002)

Figure: 4 Different gender needs of the Prisoners



Source: Cabinet Office Social Exclusion task Force 2009.

Motherhood, whilst in prison, is a very crucial point which most governments find it difficult to deal effectively with (Kyiv Declaration 2009). However, general perception of magistrates and judges are like that, if one has left her husband and that her child is already in care...it may seem a very good idea to send her to prison for three months (Carlen 1988:1). On the contrary, Research (e.g., Women's Equality Group study 1987; Home Office 1997; Codd 2008; Raikes 2009) suggests that many women, enter prison in a confused and highly anxious state; many are in poor health due to substance abuse and unlike most male prisoners who appear to adjust to the practical realities of incarceration by, as far as possible, shutting their mind off from the world outside, most women do not leave their outside concerns behind them and worry about their children or other relatives or homes and property. Around 55% of all women in prison in the UK have child under 16 and over one-third have a child under five (HM Prison Service, UK, 2003:3). In 1995 only 35% of women remanded in custody receive a custodial sentence and 61% of convicted women received a sentence of less than six months (Ibid: 4). This six month period of imprisonment may not have severe effects for an adult but can be a devastating life experience for a child's future psychological development (Home Office 2005; HM prison Service 2003:4).

Putting these already vulnerable and socially excluded women in the prison not only instigates their previous malfunctioning life into the vicious cycle but also leads to social problems of their children's behaviour at school and on the streets (matrix Knowledge Group 2007, cited in Goldhill 2009: 82).

All major and vital Research reports (e.g., Corston Report 2007, Fawcett Society Report 2008; Quaker Peace & Social Witness 2007; Raikes 2009) suggest greater recognition for gender needs and community or alternative sanctions for women offenders to play larger roles accordingly.

Research can also take place around the less focused theory provided by Durkheim on gender and crime described by DiCristina (2005) with three main points of focus of:

- a. Differential Social Location
- b. Differential Socialization
- c. Societal Development.

After prison: Reoffending, Resettlement

It is not likely most of the time that imprisonment is the end of doing crime for the women offenders. Rather, most of them get involved with re-offending and suffers from re-settlement issues after imprisonment,

regardless of length or causes of their sentencing. Government in the UK responded to the Corston Report (2007) with creating an Inter Ministerial Group (IMG) to take appropriate action targeting reducing reoffending though no report or outcome is still published on the progress of the group. Main reason behind these problems is connected with the stigmas attached with imprisonment (Carlen 1988; Goldhill 2009:83-84). Malin's study (2007) reveals that resettlement after imprisonment becomes difficult for women.

Reasons for the Increasing Number

This section will identify the crimes for which women in the UK are imprisoned, political and public influences and treatment of female offenders by the criminal justice system and reasons why women committing crime is rising or incarceration rate is getting higher.

It has been highlighted that the increase in the prison population is a result of cumulative factors that cannot solely be explained by an increase in female criminality in the UK (Millie et al., 2005).

Table 6 shows the offences for which the women got imprisoned and the number of prisoners.

Table 6 shows the number of women on each date by main offence category (charged or convicted).

Offence by the offenders	No. Of Prisoners	No. Of Prisoners
	ON 12/10/1996	ON 6/12/1997
1.Murder/manslaughter	216	214
2.Other violence	249	274
3.Child cruelty	10	17
4.Arson	64	66
5.Drug offences	309	328
6.Sexual offences	14	15
7.Fraud and Deception	122	142
8.Robbery	179	171
9.Theft	346	384
10.Burglary	91	94
11.Breach of order	17	16
12.Criminal damage	26	22
13.Drug importation	330	326
14.Vehicle and motoring offences	35	42
15.Handling or receiving stolen goods	66	59
16.Illegal Immigrant	18	26
17.Other	85	94
18. Not known	131	154
TOTAL	2308	2444

Source: Home Office, UK, 1997.

A list of the specific offences² contained in each category³ is provided in the footnote section.

Much of the literature surrounding the sentencing of women stresses concern about the over-use of custodial sentences for female offenders. A woman convicted of theft or handling at Crown Court is now twice as likely to go to prison as in 1991. At the Magistrates' Court, custodial sentencing of women has increased seven-fold since 1991 (Carter, 2004, in HMIP, 2005).

Research into the increase in the number of women receiving custodial sentences has pointed to sentencers' lack of awareness about the availability and effectiveness of non-custodial penalties. Not fining women on their first court appearance risks more severe penalties being imposed in the event of subsequent convictions (Hedderman & Gelsthorpe, 1997, in HMIP 2005).

² Included in category:

1. Murder, manslaughter, attempted murder, conspiracy to murder
2. Abduction, actual bodily harm (ABH), affray, assaulting a police constable, assault with intent to cause ABH, assault with intent to cause grievous bodily harm (GBH), false imprisonment, grievous bodily harm, kidnap, poisoning, possession of a firearm with intent, possession of an offensive weapon, threats to kill, violent and disorderly behaviour, wounding, wounding with intent and other violent offences
5. Conspiracy to supply drugs, possession of drugs, possession with intent to supply, supplying drugs and other drug related offences
6. Incest, indecent assault of a child, rape and other sexual offences
7. Attempted deception, deception, forgery and fraud
8. Assault with intent to rob, attempted robbery, conspiracy to rob and robbery
9. Attempted theft, conspiracy to theft and theft
10. Burglary, burglary of a dwelling and conspiracy to burgle
11. Breach of community service order, breach of probation order, breach of supervision order and breach of bail
12. Criminal damage and attempted criminal damage
13. Customs evasion (drugs) and drug importation
14. Driving whilst disqualified, drunk driving, death by reckless driving, taking and driving away, reckless driving, road traffic offence and other driving offences
18. Assisting an illegal immigrant, attempting to pervert the course of justice, blackmail, bomb hoax, customs and excise evasion (and others), contempt, escape, explosion, failure to surrender, keeping a brothel, loitering, malicious damage, procurement, prostitution, and other crimes.

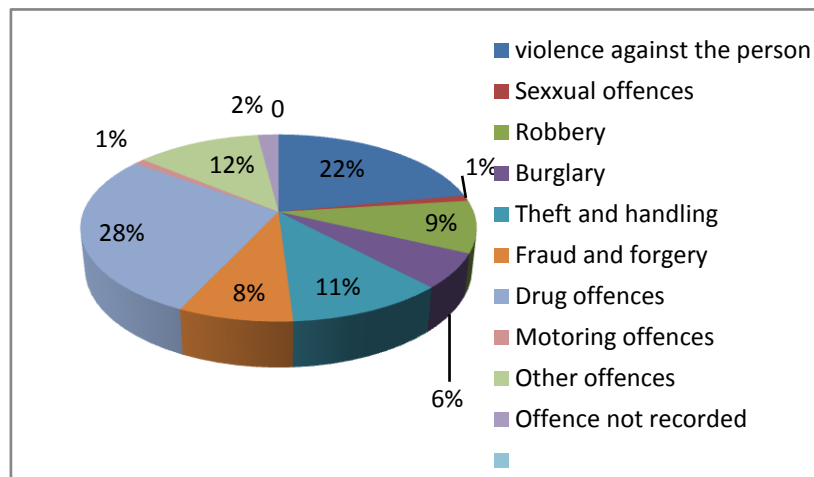
³ WOMEN IN PRISON: A THEMATIC REVIEW BY HM CHIEF INSPECTOR OF PRISONS Crown Copyright 1997 ISBN 1858939011 Printed in England Published by Home Office. by the Home Office, London 50 Queen Anne's Gate London SW1H 9AT.

Statistical analysis by the Home Office (1998) of the growth in the female prison population between 1992 and 1996 suggested that it was a result of the interaction of three factors:

- An increase in the number of women appearing before the courts
- An increase in the proportion of those women receiving a custodial sentence.
- An increase in the length of prison sentences being imposed.

Figure 3 illustrates the offence profiles of women and the statistics of each offence.

Figure 5 Offences Committed by Women



Source: Ministry of Justice, Population in Custody (December 2007).

What is most striking about these figures is that the vast majority of crimes are drug offences. Carlen (1998) indicates that the regulatory panic surrounding the increase drug use and related crime, in that the changes in drug classification and the war on drugs campaign have contributed to increased numbers of convictions for possession of drugs, beside the public pressure on sentencing, but do not necessarily mean that women are more involved in drugs than before they were criminalized.

Political influences have certainly been prominent in the increase in the female prison population. The 1988 Home Office publication, *Punishment, Custody and the Community*, proclaimed that it wanted to see a reduction in the prison population and introduced heavily punitive non-custodial sentences, in an attempt to make sentencers more confident in using them, and in 1992, there was an overall decline in the prison population (Carlen, 1998).

However, in 1993, punitive prison measures were once again revisited in Michael Howard's speech, *Prison works*. It ensures that we are protected from murderers, muggers and rapists and it will make

many who are tempted to commit crimes think twice (Rutherford, 1996:128 cited in Carlen, 1998).

The important point here is, whether the speech represents women as rapist., if not, then the speech is gender blind. Taking into account figure 3, the vast majority of women are not murderers, muggers or rapists; therefore their imprisonment cannot be justified on grounds of public protection.

The 1980s and 1990s also saw an attack on single mothers with punitive approaches to welfare and housing in an attempt to deter single parenting (Carlen, 1998). This generalised pattern of sentencing towards single mothers has affected their passage through the criminal justice and penal system, exacerbating the link between poverty and crime (Edwards, 1994, Eaton, 1986 and Worrall, 1990, cited in Carlen, 1998). There have been a number of studies that have indicated disparity of sentencing between men and women (Gelsthorpe, 2007).

Theories on Female Incarceration

A number of theories contradict each other regarding the rising trends in female imprisonment, of which a very few argument is represented here in the literature.

The chivalry or paternalism theories state that women are treated more leniently than male offenders by the criminal justice system (Belknap, 1996).

Because of the children and for family reasons, which coincides with Eaton's, (1985, cited in Heidensohn, 1996) explanation that women who conformed to familial roles were more favourably treated? Durkheim ([1897] 1951:341-2) also contained similar views that women get more lenient treatment from the criminal justice system which could lead women to get involved with more homicidal cases.

Here, three points seem important:

- a. Whether women really get lesser degrees of punitive measures on grounds of gender, needs to be empirically researched.
- b. The reason for the lower rate of homicide was explained on the basis that women did not participate in collective life in the same way as men did in society.
- c. The reasons for the increasing crime rate could be framed out for empirical research with the theory of Durkheim, which influenced sentencing to be harsher for women today.

These sociological factors of differential social location, socialization process, societal development and involvement in community activities

should be incorporated in the analysis of gender and crime and opens a new challenge as the number of female offenders are rising.

In contrast, the evil woman hypothesis states that women are treated more harshly by the criminal justice system. Female offenders are seen as doubly deviant, and are punished for the offence *and* for defying gender and social norms (Heidensohn, 2002), representing a threat to the stability of family life and social order (Mason and Mercer, 1999). A number of studies in the 1980s (Worrall, 1983; Carlen, 1983; Farrington and Morris, 1983 and Dominelli, 1984, cited in Carlen, 1998), suggest women were sentenced, not primarily on the seriousness of their crime, but by the courts judgment of them as wives, mothers and daughters, and whether or not the woman fits into the preconceived stereotype will ultimately have some influence of the court's perception of her (Edwards, 1984). Cook (1997:82) claims that the justice women receive depends on who they are, rather than what they have done.

Belknap (1996) draws links between the chivalry/paternalism theory and the evil woman hypothesis and notes that women may receive lenient treatment for minor crimes but receive harsher treatment for more serious crimes.

When women and men are different, it needs to be thought twice whether equal treatment of men and women results or should result in equal outcomes (The Corston Report, 2007:16). Carlen (2003, cited in McIvor, 2007) has noted that this increased tendency to imprison women reflects the growing influence of risk assessment in the criminal justice sphere, influencing sentencers to impose custodial sentences for those women deemed to be at risk, not to the public but to themselves and because they think prison can help with mental health and substance misuse problems, which in a general sense cannot be an acceptable justification for female imprisonment (Noblet, 2008).

Therefore the attitudes and perceptions of the judiciary have a significant impact on the decision to impose a custodial sentence (Morris, 1991). Thomas (2002, cited in Carlen and Worrall, 2004) is convinced that a major explanation for the rise in women's imprisonment is the decline in the use of the suspended sentence, which also coincides with the statistical analysis by the Home Office (1998) mentioned above. This can result in greater leniency (discharge) or severity (a community penalty), the latter meaning that in the event of a subsequent conviction, the sentence imposed will be excessively severe (Hedderman and Dowds, 1997 cited in Noblet, 2008). An

example is that in 1995, 8.9% of women convicted of an indictable offence were sent to prison compared to 15.2% in 2005 (Home Office, Sentencing Statistics, 2005, cited in PRT, 2007).

To understand how women become involved in crime is crucial to the understanding of women's imprisonment. Research findings suggest several factors that apply to both genders, such as poor cognitive skills, anti-social attitudes and feelings, strong ties to and identification with anti social/criminal models, weak social ties, difficulty with self management, dependency on alcohol and drugs, adverse family or social circumstances, unemployment and literacy problems (Gelsthorpe and Morris, 2002; Walklate, 2004). However, it has been identified that female offenders follow a different pathway of offending to men (Wedderburn, 2000; Walklate 2004; Naffine, 1997) which signifies women's structural positions and economic marginalisation (Box and Hale, 1983, cited in Morris, 1991), in making them more vulnerable to financial difficulties. Poverty, oppression and debt can also be linked to crime (Carlen, 1988; Ferraro, 2006; Devlin, 1998). For single mothers, stress following child-care responsibilities may be a causal factor in creating narrowing options for employment (Box and Hale, 1983, cited in Morris, 1991).

A Home Office study in 1997 found that in the opinion of magistrates, women committed crimes out of need not greed, such as shoplifting food or clothes to provide for their children (Hinsliff, 2002). Female offending behaviour often reflects a history of childhood abuse and stressful life events (Sheehan et al., 2007; Marshall et al., 2000), illustrated by the table next page:

Table 7 Stressful Life events of Female Offenders

Stressful life event	Remand Prisoners	Sentenced Prisoners
Violence at home	51%	48%
Bullying	21%	26%
Sexual abuse	34%	31%
Serious illness/injury	16%	13%
Violence at work	3%	4%
Relationship breakdown	46%	46%
Death of close friend or relative	41%	47%
Death of parent or sibling	30%	30%
Death of spouse or child	17%	15%
Stillbirth of baby	10%	11%
Expelled from school	41%	33%
Running away from home	59%	50%
Homelessness	52%	34%
Serious money problems	50%	48%

Source: Singleton et al (1998).

Oppression by men can form a route into criminal activity for some women (Corston Report, 2007). Such offences may include prostitution or drug smuggling.

In an extreme situation, the manslaughter of a partner is often the response to a long history of domestic violence (Wedderburn, 2000). It should be recognised that such circumstances are fairly rare and it would be wrong to assume that the jails are full of women who have killed their abusive partners. However, it does point out that there is often complex reasoning behind women's offending.

Sentencing practice is also driven by external factors, such as legislation and pressure from politicians and the media to be more punitive (Owers, 2007). Miller (1998: xv) refers to the crime control policies of the 1990s being driven blindly by political expediency, popular sound bites, sloganeering, with most policies ignorant to the impact they exert on citizens who vary by gender, race and social class. It has been argued by HM Inspectorate of Prisons (2005) that, following the Court of Appeal ruling that sentencing must to some extent reflect public opinion, harsher sentencing has occurred in response to what is perceived as public demand. In the words of Lord Bingham:

'The increase in the prison population is not explained by any increase in sentencing powers, and I have no doubt that it is related to the pressure of public opinion.' (Evidence to the Home Affairs Select Committee inquiry into alternatives to prison 1998)

The Coulsfield Inquiry into Alternatives to Custody (2004) also reported that while most crimes have significantly decreased in recent years, the public thinks that crime has increased, which has led to greater pressure for more severe sentences.

Importance of Public Opinion

Public opinion has always played a significant role in the administration of criminal justice, and information about public attitudes is clearly important to politicians and criminal justice professionals (Sundt 1994, cited in Roberts and Hough 2005: 2), as also mentioned in the previous chapter. Here in summary are the reasons why the public opinion is important:

Penal Populism

Sometimes politicians promote policies simply for popularity, regardless of their actual value in reducing crime rates or promoting justice. A number of scholars have explored and explained the rise of penal populism across Western nations (Garland 2001; Roberts et al.,

2003; Hutton 2005; Pratt and Clark 2005), which had tremendous negative effects on the rise of the female population in prison.

Gauge the Level of Public Confidence

The existence of a wide discrepancy between the views of the public and the practice of the justice system will undermine the legitimacy of the institution of criminal justice (Roberts and Hough, 2005:2). This is one very important reason for conducting public opinion surveys to gauge public confidence on various issues that affect policies and where the government is at crucial metaphor for a decision.

Reducing the Mismatch

To find a way to reduce the mismatch between public knowledge and opinion with criminal justice practice, a public opinion survey is a very effective measure.

Keep in Pace with Shifting Modes of Public Attitudes

Image, ideas, knowledge, and views always keep changing within the population. To remain up-to-date with these ever changing, ever evolving shifts of public views, it is important for all governments to conduct public opinion surveys at different levels. For successful public opinion surveys or research it is important to determine the factors that shape public opinion, and we need to consider the impact of public opinion on the functioning of the justice system.

Factors Influencing Public Confidence in Justice

According to Hough and Roberts (2004), all public services should command confidence, precisely because they are publicly funded and tax-payers can reasonably expect that:

- Public services are efficient and effective;
- Public servants operate ethically and with integrity;
- Services are delivered equitably to all sectors of the public.

The ‘drivers’ of confidence can be primarily broken down to two levels- the local and the national (Hough and Roberts, 2004:78). Local response is more important as it expresses the respondent’s own experiences and pertains to the respondent’s own community whereas perceptions of the national response are more likely to be media driven.

Moreover, there is no such single entity as the ‘British’ or ‘Americans’, but a multitude of publics, broken down by gender, age, race, ethnicity and many other variables, several of which are linked in important ways to opinions about crime and justice (Wood and Viki, 2004, in Roberts and Hough, 2005:4)

Hutton (2005) reports, the findings of a survey of Scottish respondents that capture one of the central paradoxes in the area: interest in criminal justice is very high but knowledge levels are low. Most people feel a connection with a case that has been published in the media, and feel confident enough to make judgements about guilt or innocence, whether right or wrong in actual context. Attitudes depend upon knowledge; and levels of public knowledge vary across the different branches of the criminal justice system depending on people's access to the branch of criminal justice system. For example, people can easily offer an opinion on the police force of a city while they can hardly answer questions on the penal codes of a particular prosecution. Thus it is one very important area of concern for research to be careful in generalizing the public opinion survey when conducted.

In Britain, while there has been a high level of analysis and discussion and some significant theoretical contribution to the understanding of women's imprisonment, this does not appear to have had much impact on policies relating to women offenders (Shaw, 1996). In other countries, feminist approaches have influenced certain policies and programmes for women in prison (Carlen, 1990, in Shaw 1996). Australia, for example, was one of the first countries where feminist approaches helped shape public enquiries into women's imprisonment (e.g. New South Wales Task Force, 1985) and a number of states in the USA such as Minnesota, Wisconsin, New York, District of Columbia and North Carolina have undertaken studies or introduced prison-based programmes for women influenced by a feminist analysis of women's offending (see Immarigeon and Chesney-Lind, 1992; Kendall, 1993b, in Shaw, 1996). There have been major changes in public attitudes towards issues affecting women in Canada over the past twenty years. This has been largely the product of effective lobbying by women's organizations which have been accompanied by a flood of academic research and policy analysis (Shaw, 1996).

Media and Prison Literature : UK context

Scheffler (2002) in her editorial introduction of the book, *Wall Tappings*, described the limited literature found from the prisoners themselves. One of the first and most basic undertakings, according to her, of feminist literary criticism, i.e. the recovery of lost texts, remains central to research in women's prison literature, where most works have been forgotten, as can be seen from its status in the 1998 publication *The Oxford History of the Prison: The Practice of Punishment in Western Society*. The writing of women prisoners

continues to remain outside the mainstream literary context limiting the audience and reader. Literary critics who venture beyond the scope of current scholarly interest in prison literature to acknowledge that writing from the world's prisons includes works by women too, might consider this line from James Joyce's *Ulysses*: "The supreme question about a work of art is out of how deep a life does it spring." Readers would search far to find works springing from a deeper life than does women's prison writing (Scheffler 2002).

Unfortunately, the research did not find any text or article on the effect or relation of media on female imprisonment. However, scattered discussions are randomly scattered in reports and related issues of imprisonment or crime analysis.

Niche - where does the research stand: Explaining the focus and specific statements on the research

Nearly 40% of the women prisoners thought that prison had improved them in no way at all, which are 90 respondents out of 238 women in prison (Home Office, 1997). 75 respondents reported that their conditions had deteriorated as a result of prison. 13% of the others thought they had become more criminally wise since coming to prison and over one in ten claimed their health had deteriorated. Others felt that it had put a great strain on family ties, made them angry, bitter, depressed, and frightened and increased their level of stress (Home Office, 1997).

All these statistics make it clear that prison does not function effectively for offenders, which is a marked indication for alternatives to imprisonment for women.

Her Majesty's Inspectorate of Prison (2005) describes three key factors about women in prison in the UK.

- First, that more women are imprisoned (nearly three times as many as 10 years ago), mostly for non-violent offences.
- Second, many of those women arrive with identifiable vulnerabilities.
- Third, the experience of imprisonment often adds to that vulnerability – not least because of separation from children – in spite of recent improvements to the treatment and support of imprisoned women.

It also elaborates its analysis with the recommendation that improvements in prison must not be allowed to let society at large off the hook. For example, the fact that mental healthcare is improving in

prisons does not mean that prisons are the right place for the mentally ill; the fact that education is increasing does not make them the places to teach our children; the fact that drug treatment is still more readily available in our prisons than in our communities is wrong in principle and in practice. Prisons have become society's 'too difficult' tray. They are not primarily agents of social welfare, though they can provide space for offering support to some of those who have previously been excluded from it (HMIP, 2005).

The paradox of improving the conditions and treatment of women in prisons, while making imprisonment a less attractive option for sentencers, politicians and the public is one that the government continually faces in its Inspectorate. It is key to finding out what works for women offenders (HMIP, 2005).

Prisons are still self-contained, hidden places that society would prefer to forget, which is one reason why they are removed from the cities (Othmani, 2008). However, it should be remembered that the prevention of crime, non-custodial alternatives in the community and rehabilitation are not possible if the general population are not assessed and remaining outside of general population.

Intensive research is urgently needed wherever in the UK or Bangladesh. Research on public opinion is very limited, which is an important factor to influence the total institution. The research recommends that the research and extensive use of public opinion surveys and research on the government level and by other large organizations in any country should get immediate high priority in order to update the population with proper knowledge and to reflect their diversified ideas for think tanks to consider for effective alternatives to female imprisonment. This is it, where the research interest stood for the present book to start with a very keen interest in the issue.

Chapter 3

British Public Opinion Regarding Female Imprisonment

In response to the question “*What are the primary reasons for female Imprisonment*” it was found that most British people think ‘Drug /Alcohol’ and ‘Theft’ related issues are primary reasons responsible for lawbreaking by female prisoners in the United Kingdom. They also added that most of the offences committed by women are petty crimes resulting from poverty, unemployment, an outmoded legal and penal system, and growing up in a culture of crime.

“It is a Social class raised in a ‘Culture of Crime’, where they have grown up and got involved in a culture of crime”.

The next most important cause of female offending, according to the interviewees, addressed were the Mental Health problems and repeated offending.

A number of other reasons as to how and why they get involved in crime are referred to, such as the night-time economy, rising aggressiveness in comparison to male alcohol abuse and difference in life style.

Some suggested the “Underclass” characteristics of female offenders who are deprived of educational and other social facilities, which result in them being isolated in society and getting connected with criminal activities.

Nevertheless, some of the respondents assert that poverty is not the only reason for female offending. Rather, it is an outcome of several factors involving behavioural change in women.

Figure 6 Primary Reasons for female Imprisonment

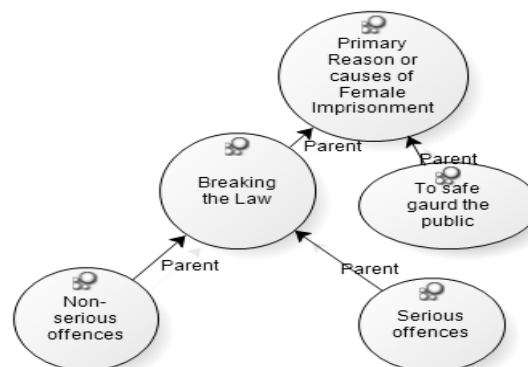
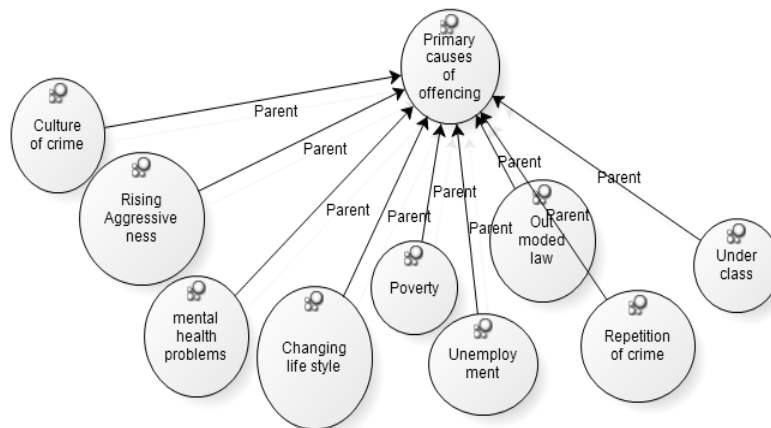


Figure 6 summarises the reasons interviewees gave as the primary reasons for female offending, for which they are imprisoned; whereas Figure 7 expands on the reasons behind their offending.

Figure 7 Primary causes of Offence



Role of ‘Institutions of Socialization’ Today on the Individual’s Life: British Public Opinion

This chapter is designed to explore the role of primary and secondary socialization agents involved in Female Imprisonment. Family, education, religion, peers, media, neighbourhood and/or community, state/government and law enforcement agencies are taken into account for the explanation and understanding of female imprisonment and what alternatives can be developed from within these institutions to reduce female offending.

Role of the ‘Family’ Today on the Individual’s Life: British Public Opinion

Given present social trends, more of those coming before the courts are likely to be in those social categories that have histories of childhood institutionalization (Carlen 1987, 1988). More are likely to be divorced, and more are likely to have their children in residential Care (See Carlen 1990:11 which notes that the family has a significant role in criminalizing a woman).

Most of the interviewees said that unfortunately family life for many in this country is not what it used to be. The typical model of a married father and mother is no longer the norm. Too many children are born to single mothers who are too young, ill educated and lack the moral attributes to be an effective role model. They easily become absorbed into a state benefit culture and a life of crime. Quite often there is no male figure in their lives and if there is, he sets a bad example which is a very frustrating picture found by the present research.

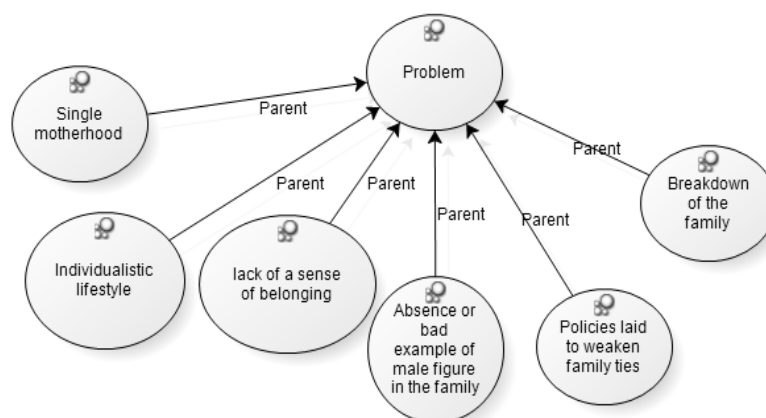
It is also added that these days it has become easy to walk away from problems and escape, instead of facing problems together and solving them like people used to do in the old days.

Breakdown of the family, not just lack of support within the family, but a more general concept that even the government is against the family, has been identified as crucial to the problems of families (as shown in Figure 6) in the UK today.

“...The British family is dying and has been killed and it is a deliberate policy of the government and politicians to weaken the bonds within the family, within society and the position/ role of the family within society, so that children do not see their parents as their primary caregivers”.

It is also expressed that modern society does not necessarily place the same kind of value on family ties like: Family times, doing simple things like sitting down to dinner together or going out together. The family has been fragmented; one is playing on their computer in one room, another is watching TV in another. Parents coming home late at night from work, and eat their dinner separately.

Figure 8 Problems within the family



Role of ‘Education’ Today on the Individual’s Life: British Public Opinion

One of the interviewees states: “Recent statistics and comments by head teachers have shown that many children attending school for the first time are unable to dress themselves or eat properly, and are not toilet trained. This displays a lack of parental concern and influence from a very early age. These most basic life skills are not the responsibility of teachers, who should be primarily involved in academic education and imparting values”.

It is also said by the interviewees that there is a big academic drive within schools; school is more about academics and less about valuing

children as individuals and valuing community and valuing family. We have learned too far towards academics and too far away from the family aspect of education.

Thus, it is thought that education at primary and secondary stages has become more involved with intellectual concerns and less with moral teachings. This not only decreases the capacity for moral judgement among the students, it also limits the overall influence on the lives of the students. This is a major change that has taken place in British Schools, as mentioned below:

Some interviewees express the fear that, “If a teacher at school tries to punish a child, quite often what happens have a row with the parents nowadays. When I was a kid I never dared to go home and tell my parents to say I got wrong in the school”.

Role of ‘Religion’ Today on the Individual’s Life: British Public Opinion

Most of the answers to this question were along the lines of “I am not quite sure” or “I am not interested” or “I don’t know how religion can be related to female imprisonment”. For some, religion is not about doing, but about accepting, trusting and receiving divine grace. Other answers also mentioned that in former years British people used to go to church more often, as a family, but nowadays this has been eroded and going to church has become outdated. There was Sunday school, hymns and songs used to be sung together; but now church is often a gathering of a few like-minded people, or an opportunity to fund-raise for charity.

We encounter statements such as

“It is generally accepted that those with a faith should have good moral values and cause no harm to society. This is true up to a point but history shows that religion has also been instrumental in dividing cultures. We live in a secular country where church attendance is declining rapidly; and, whilst accepting that not all those with faith worship in a church, mosque or temple, it must be acknowledged that formal religion has very little influence on the vast majority of the inhabitants of this country”.

Role of ‘Peers’ Today on the Individual’s Life: British Public Opinion

Present survey affirms that peer pressure is very strong in England. The influence of the peer group is being used by business in order to sell products. There is this overriding message with the young that one

has to conform to certain norms. He or she got to buy expensive items, like hip-hops, the latest brands to maintain peer standard.

The example was given of a young child of 5-6 coming with a top range mobile phone and little Jimmy from the council estate wants one too and the parent says 'no', immediately this is hostility to little Jimmy, and turns against the parent, in favour of the friend at school.

The fear of gang culture in London and in other big cities has been also expressed. Sometimes the development of such a culture is attributed to a lack of parental guidance and care expressed in the statement "Some parents have the attitude that when their kid has walked out of the door, it is no longer their responsibility to care and these kids get into more trouble. Out of sight, out of mind".

Role of 'Media' Today on the Individual's Life: British Public Opinion

"In a word, nothing. Freedom of the press has long been regarded as one of the great prizes of a democratic society and extends across the printed word, television, radio and the internet".

Most educated people have read or seen *Oliver Twist* by Charles Dickens or *Les Miserables* and similar world renowned novels. But a famous character or a heroine who has been imprisoned had never been portrayed in any of those novels. It is one of the denials of social reality in literature, which could instead offer an example of social reality which is a part of our life. It was only in the early twenties, and in the recent Oscar winning movie 'The Reader', where some attention has been focused on female prisoners, apart from drama serials while movies like 'Chained Heat' is described as a feminist movie. What the media portray through newspapers, magazines, television or radio, involves publicity and glamour, as has been described by each of the interviewees. This is why, it is not very likely that society can expect help from the media in drawing people's attention to matters of reality. One respondent responses to the question of the media's role in alternatives to female imprisonment "*Once we could open the newspaper for reliable news and people used to depend on the newspaper as the most reliable source of information on national and international issues. But today the situation is completely different, and need to consider what influences may slant a news item*".

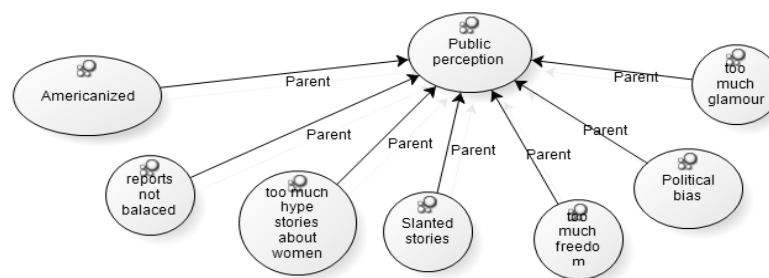
Besides, the important issue of imprisonment, which the general public should be informed about, is generally neglected in the daily or even weekly newspapers or electronic media, whereas there are one or more pages are reserved for football or other sports, or for entertainment issues or meeting singles, etc.

From the present research it is found that most of the British people think the media are not balanced in producing the news, or the way in which they portrays everyday stories, or the crime they describe, like the mother of baby ‘P’. This leads people to believe, that there are more demonic mothers like that, but actually there are very few, and they should be given some background on the issue. Most prisons are full of petty offenders, not like mothers like her.

It is strongly felt by the respondents that media slant a particular story to suit their views. The roles the media set s are sometimes very damaging for the new generation like footballer Wayne Rooney is much famous for his wife for her glamorous life displayed by the media.

One of the male interviewee indicates that media have been glamorized and Americanized. On Television, they have cops and robbers, and prison shows. Anybody with intelligence would realize that it’s just a film, something made up. It again goes back to parental guidance. Parents should help their child to understand what is true to life or not credible. All of the features explained above are displayed in figure 7.

Figure 9 Problem countered by the Media



The Role of ‘Neighbourhood/Community’ Today on the Individual’s Life: British public Opinion

It is stated by the interviewees that the provision of a good, safe, clean environment with decent housing and accommodation has been the ambition of all political parties for generations, as witness slums being torn down and new housing estates being built complete with shops and social amenities. Unfortunately it is arguably the case that these changes for the better have not been matched with improvements in moral codes of conduct and behaviour and relevant education.

Rather, community spirit has declined, as expressed in statements like these;

“We no longer have a neighbourhood environment. I put this down to Margaret Thatcher; she did her level best to destroy the concept of

community life in Britain. Have you heard her famous sentence ‘there is no such thing as society’, so self-interest comes first, and then, if you have everybody looking out for themselves, somehow society will work itself out. But it’s gone”.

He added that 20 years ago they used to have street parties, but today he does not know who the next door neighbour is. So society has become weakened as well as well as the community He gave an interesting example of 4/5 years ago, when the Tsunami hit India. People helped each other to build up the locality again, whereas in New Orleans people were busy stealing and fighting for other people’s property. Others added the experience during the World War II in Britain that had the Bulldog spirit, which Britain has lost totally.

Role of ‘State/Government’ Today on the Individual’s Life: British Public Opinion

Respondents’ comments state that many policies have been initiated both at national and local level to cut down on crime and disorder, but some of them have succeeded whereas others have failed. The arguments as to root cause involve the issues of education, the benefits culture, deterrents and rewards. Some of these policies need to be revised, such as the night-time economy, as a few years ago the government extended licensing hours to 24 hours, which has greatly changed the cultural practices of the generations. So all these things have extended freedom, but people tend to take advantages of them in a negative way.

Another root cause of imprisonment- which has been promoted by the government, according to respondents- is the growing division between rich and poor. Besides, it is said by the respondents that politicians are busy thinking about their votes!

Figure 10 Problems within the Government

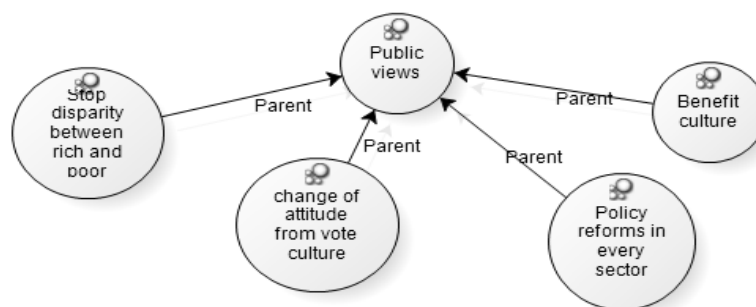


Figure 10 points to the basic areas on which government should focus, to improve its understanding of areas for policy reform, to minimize its limitations in understanding for policy reform.

Role of 'Law Enforcement Agencies' Today on the Individual's Life: British Public Opinion

It is expressed by the respondents that the Police, Courts and Probation Service act in accordance with legislation and directives passed by central government. These three organizations have different aims which do not always agree and sometimes their hands are tied. All three are regularly criticized by the public. Whilst it is perceived that the police are quite good at solving major crimes they are not so good at dealing with minor local problems of anti-social behaviour. It is also expressed by the respondents that real fully trained are rarely seen and the number of inferior Community officers has grown significantly. One female respondent commented like that, sentences passed by the courts are often regarded as too lenient, and even judges themselves have expressed frustration at being hampered by legislation foisted on them by the government. Probation is a reasonable option but they have too many clients to cope with which impinges on their performance levels, she added.

Besides, it is also said by her that these agencies are still male dominated.

While some expressed less confidence in these agencies, others stated that in this country they are fairly good, whereas in other countries they can be worse.

Figure 11 Problem areas in Law enforcement agencies

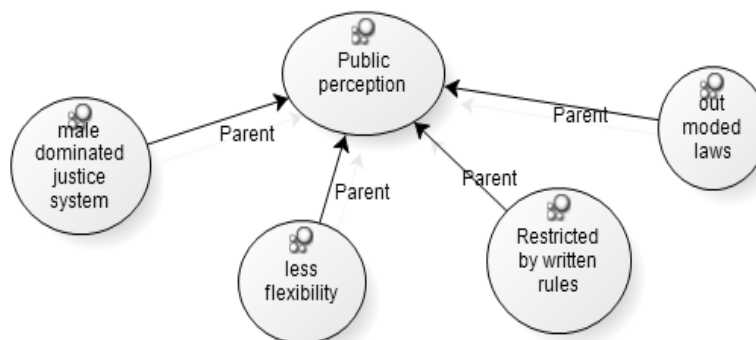


Figure 11 identifies some areas where law enforcement agencies should focus in order to minimize female offending.

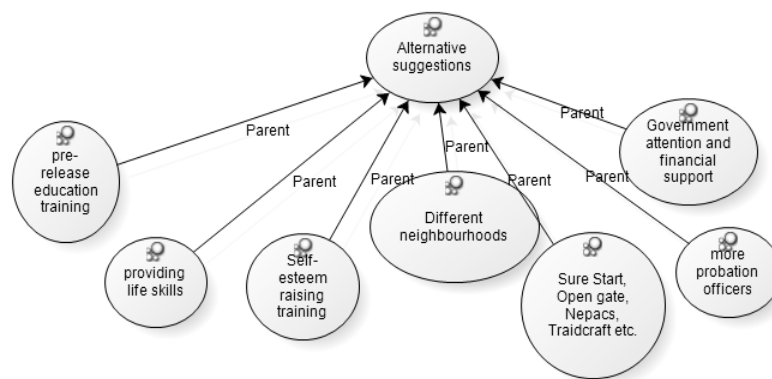
Resettlement Issues: Views of the British Public

On the resettlement issue respondents mentioned lots of alternatives as well as resettlement options, like getting engaged with charitable organizations like 'Sure Start', 'Open Gate', 'Nepacs', 'Traidcraft' in Newcastle, which can advise and help people to resettle in society, as described in figure 10. More probation officers are recommended, so

that support can be continuous. Instead of dogmatizing, the community, neighbours, family and friends should come forward to help resettle ex-prisoners in society, as expressed by some of the respondents.

Some respondents had close experience of female prisoners (Appendix 3). Their viewpoint is that most of the time it is their lifestyle and mental health problems that get them involved in crime. While deciding about resettlement or other alternatives to female imprisonment, present research suggests that such concerns should be given serious attention.

Figure 12 Alternative Suggestions for resettlement



Responses on Gender Needs: Views of the British Public

A particularly interesting outcome found while interviewing that emerged in the course of interviews that people have varying responses according to their gendered and professional background. It was observed by the researcher that male respondents were more soft and sensitive regarding female imprisonment, while women and respondents connected with law enforcement agencies all saw no difference between male and female offenders. Some said that it depends on the individual context, that needs to be taken into account, such as a single mother with a child, with no other form of income or support yet some other individuals might manipulate this, so it would be risky to stereotype everyone in that category, because it depends on factors such as the crime they have committed and, what sort of support they have. If this is a simple case of shoplifting, it wouldn't be necessary to go to prison, providing there is an alternative penalty that would suffice.

Beside this, two other contradictory views more or less occupy the British public, that men and women should be punished similarly for similar offences; or that gender sensitive needs like motherhood and pregnancy should be treated with more care.

Assaults Inside the Prison: Views of the British Public

Answers to this question also varied with different profession and experiences and knowledge of the respondents. The general opinion is that most people would hope there is no assault in female prisons whereas they suspect there may be assaults and bullying in the female prisons with resulting high suicide rates. However, a typical statement is: “Not as much as in a male prison although there are always bullies amongst the prisoners who will take advantage of others where they can to procure cigarettes and other favours. Lesbian activity will also be a feature within all women’s prisons”.

‘Society’ vs. ‘Criminal Justice System’: Society Received the Greater Blame

On the question who is most to blame for the rising trends of female imprisonment, the British population expressed mixed attitudes with three frequent answers, “Society, where we are raised”, “The Criminal Justice System, or the Government who are pushing the system as the solution to all the problems” and “Both, how we were brought up and also the Criminal Justice system whose hands are tied by written rules and codes”.

Explanation of the Don’t Know Responses (DK) of the British Public:

To virtually any attitude, opinion, or belief question in a survey, a possible reply is “I don’t know” (Schuman and Presser 1996:113) which is also a response that we found in the present research during the interviews. Some theoretical discussions give the DK response a more important meaning. Bogart (1967:337, in Schuman and Presser 1996), for example, writes that “what people think about public issues is really secondary to...whether they think about them at all.... The first question to ask is:’... Do you have an opinion?” An obvious interpretation of this correlation is that DK often reflects lack of knowledge or opinion about the issue contained in the question (ibid, 114). In each of the questions the research found at least one response with a DK answer, which means that the general population sometimes lack understanding and knowledge on the issue. This finding is not very unusual as the Prison system and more obviously the issue of Female imprisonment is still a very isolated and stigmatized issue in society where people lack in-depth knowledge.

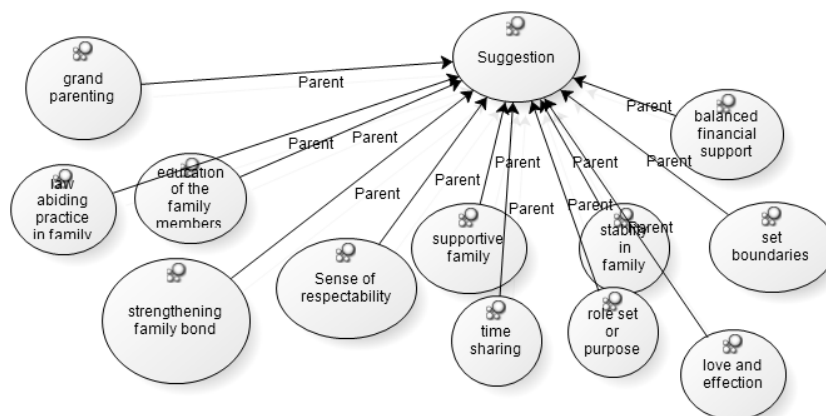
Chapter 4

Alternatives to Female Imprisonment

Alternatives to Female Imprisonment that the ‘Family’ can Offer: British Public Opinion

A number of publications, including the report of the Social Exclusion Unit (2002) on preventing reoffending by ex-prisoners, and the most recent Home Office research findings on resettlement outcomes (Home Office 2005), have reiterated the important role played by supportive family ties in facilitating the successful community re-entry of ex-prisoners and in preventing reoffending (Codd 2007:255). It has also been expressed by the British Population that the ‘Family’ can play a very important role considering its functions and typologies on individuals to reduce the need for imprisonment. Several points of view have been expressed on this as summarized in figure 13.

Figure 13 Family as a Source of Alternatives to Female Imprisonment



It has been said by some of the respondents that this depends on the type of family. If other members of the family are prone to a criminal way of life, this will not have a positive effect on the female in question. If, on the other hand the family is law-abiding and honest, their support can be of great help in the rehabilitation of the offender.

Support, spending time together, stability, respect, having a purpose or role in the family and sense of belonging, family love, and set boundaries -all of these are important, according to respondents, as positive factors to reduce the likelihood of women ending up in prison. It was also added that it would be better if the extended family with

grandparents could be involved, though it may be rather complicated in some instances to bring in the older members of the family.

Respondents were also concerned that ‘Mental health problems’ should have been identified earlier by family members.

It was also suggested by some that encouraging self-worth and confidence in children from an early age will help them succeed as adults.

Alternatives to Female Imprisonment that ‘Education’ can Offer: British Public Opinion

This research was particularly aware that children spend most of their time during the day in schools and colleges, so schools and colleges could have a very important role in affecting the likelihood of imprisonment.

It has been suggested by the respondents that schools and community need to value children, and teach much more about how they should behave towards each other in society; how they could be fair to each other, maybe doing more work for charity, and how to improve their self esteem; lots of teenagers have very low self-esteem, especially in poor areas; they can’t achieve anything, they can’t go to university, they get pregnant, get a council house. It is important to empower these kids , giving them proper skills and the self-esteem with which they can do something productive for society. It was also noted by interviewees that schools have started to realize this. They have citizenship courses now in the school curriculum, and need to line up with the parents or guardians to work jointly to achieve the desired goal,

It has been suggested and emphasized by several respondents that ‘Previous offenders’ can be introduced at school to share their experiences of how miserable life can be in prison with the young generation. Also, some employment opportunities could be presented in the schools/colleges.

It is also suggested by a male respondent that all students need lessons in “Accountancy”, because they need to know how to budget, how to look after their money, as he continued, “when I was a young kid I was given pocket money, but I also had a paper round and I valued my money, and it came very hard... people criticise the old Victorian values, but it was a good sound solid foundation, it’s like Victorian building, Victorian engineering”.

Figure 14 Education as a Source for Alternatives to Female Imprisonment

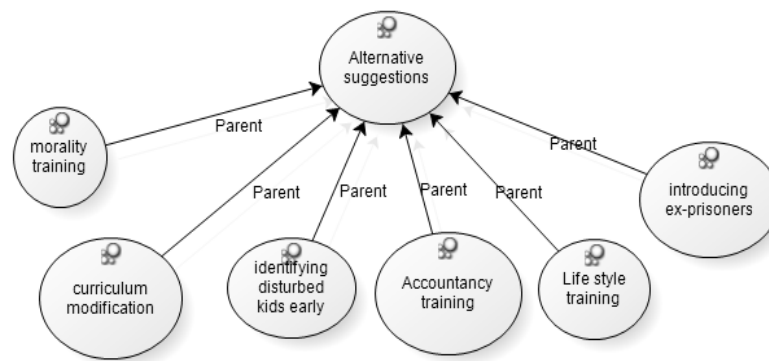


Figure 14 identifies some of the views of the British Public as to how education can be a positive resource in minimising imprisonment for women.

**Alternatives to Female Imprisonment that ‘Religion’ can Offer:
British Public Opinion**

It has already been said that most British citizens declined to discuss matters of religion. However, the responses that came from others, not a small percentage, was that wrong messages should be stopped from misleading people, and that religion can be made to act as a force for social good, and so work against crime.

**Alternatives to Female Imprisonment that ‘Peers’ can Offer:
British Public Opinion**

It has been argued by the respondents that government level policy implementation and media hype have increased peer pressure in the United Kingdom in an unbalanced way, so, these issues need to be handled with care along with other socio-economic ingredients as depicted in figure 13.

As one male respondent said, “There are more selfish attitudes, dating from the 1960s era and free love. These are cultural sort of things. The family and parents should be more responsible in pointing out the right direction”.

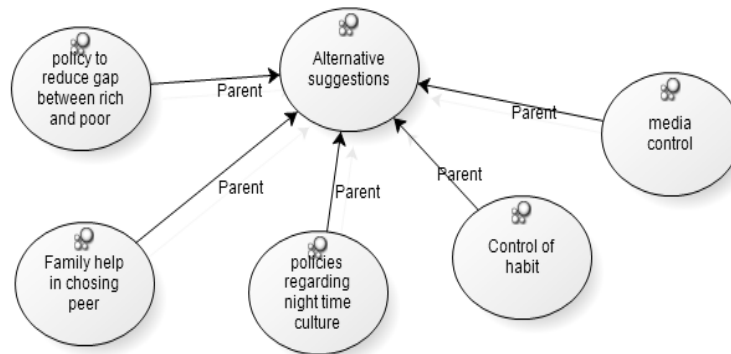
Respondents have also urged that the family should make an effort to choose the right kind of friends for their kids.

Concern about Government level actions was expressed by statements such as:

“I think basically, we’d all like to live in a happy kingdom, where everything is flower-powered, everyone has an equal share, and there is enough on the planet to provide everybody with water and food. But

we've seen frantic attempts to kill the planet with pollution. People have so much they don't really need it. And the government may force issues, like for example, in France the dairy farmers, poured a million tons of milk on the ground as they were not getting targeted money. The government supported this, the dumping of milk. And it is because of unfair taxes and the socio-political system that some people have and some people haven't".

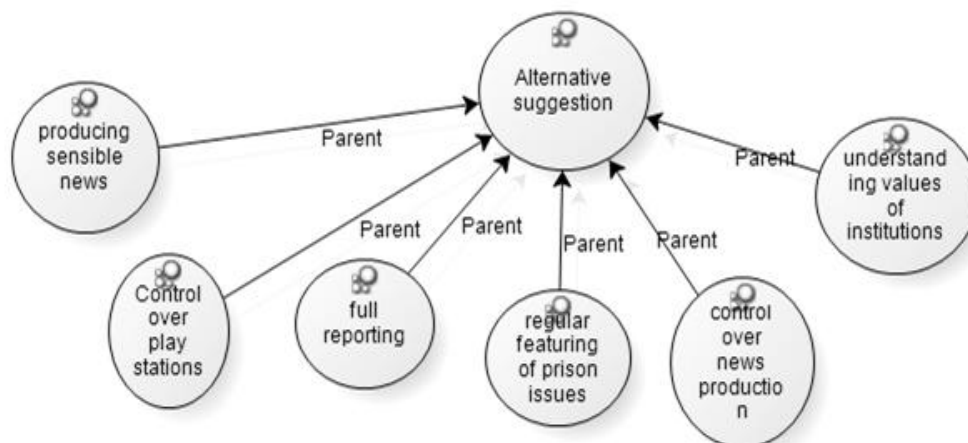
Figure 15 Peer group as a source for anti-imprisonment to women



Alternatives to Female Imprisonment that the 'Media' can Offer: British Public Opinion

Female criminal offenders have traditionally been underrepresented in reports by the mass media and in studies by the scientific community (Adler and Simon 1979:2). It is argued by the British nationals interviewed, that the media could do a lot to challenge social stereotypes and reveal the patterns of deprivation which often lie behind criminal behaviour as structural causes. It is also suggested that reporting should be accurate and fair, not hyped up into something intriguing or tending to promote crime. Most of the suggestions have been shown in figure 16.

Figure 16 Media as Hype or Help



Alternatives to Female Imprisonment that ‘Neighbourhood/Community’ can offer: British Public Opinion

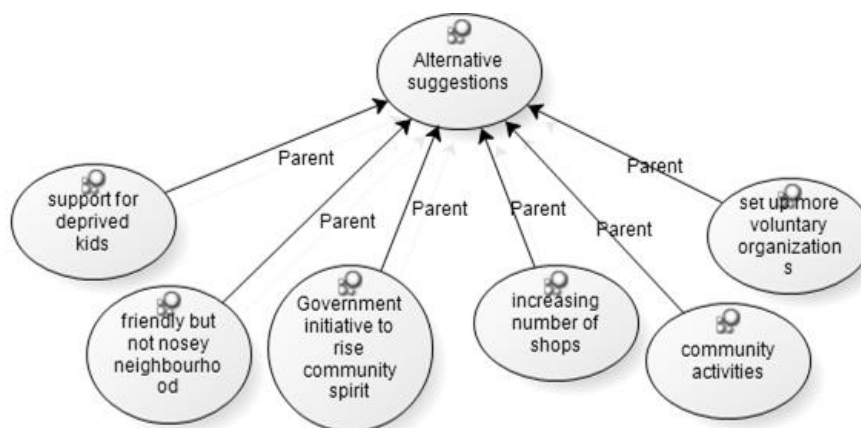
It is asserted by some respondents that good ‘Neighbourliness’ can play a part in helping to prevent crime, not just by offering protection against it but also by combating loneliness and isolation which is another breeding ground for crime

One recommendation was that there should be more centres for re-education of deprived students should be there in the community and neighbourhood, because there are bright students who can have more opportunities to be successful in their later life, and there are other students too who may be in need of better facilities.

It is emphasized by the respondents that the government should encourage community spirit, involvement and engagement. This needs to come from the top first, and once the system is set in place, then the community can take responsibility. It is also reported by the Fawcett society “Offender-only projects for women appear to have certain benefits, including a greater understanding on the part of staff of the association between women’s ‘problems’ and their offending, and mutual support between service users” (Fawcett Society, 2007, p.52).

Thus, a community spirit along with governmental and non-governmental intervention can produce alternatives to female imprisonment and these suggestions are summarised in figure 17.

Figure 17 Neighbourhood or Community as an antidote to female Imprisonment



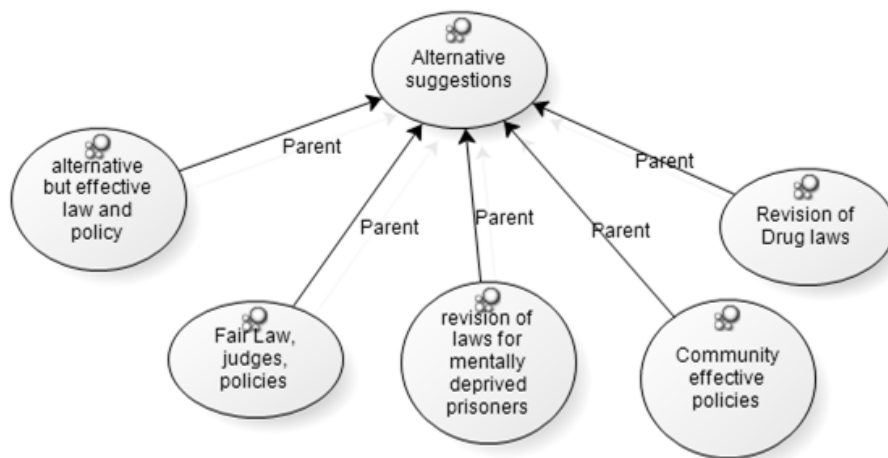
Alternatives to Female Imprisonment that ‘state/Government’ can Offer: British Public Opinion

It is been suggested by the respondents that more opportunities to get educated and to find work should be ensured with fair policies, fair laws and fair juries.

It was also suggested that the state should work to combat social disadvantage by diminishing the gap between rich and poor, which in the UK has been increasing for a long time now. The government should come forward because it oversees a welfare society. The government should know and understand better what to do as the central agent in playing a positive role to stop the increase in female offending (figure 16).

“...It needs to go to the grassroots level, like from the moment a child is born, looking after her/him, helping that child, helping the family, fostering good strong relationships and continuing the relationship- that could be a good start from the government, ‘Sure Start’ is a good organization that looks after new families, if having problems, and other courses like cooking, self-esteem, parenting courses. It’s really fantastic...”

Figure 18 Government at the Centre or Top



Alternatives to Female Imprisonment that ‘Law Enforcement Agencies’ can Offer: British Public Opinion

It was suggested by the public, that the policies, codes and rules should be revised according to the needs of a changing society. They should be representative of community themselves, rather than dictated by the state. For example, what is needed for London could be very bureaucratic, expensive and time-consuming for Durham, as explained by Mike and Hough (2008) that local and national interests should be acknowledged.

Suggestion came from the British public that it needs to be categorised as to suitability for the prison. First, there are really a very small number of people who should be in prison for the safety of the public. Secondly, those who could be kept in prison in order to rehabilitate them, otherwise “prison as punishment does not work”, said one male respondent.






1920 was a landmark in history when Mrs. Rackham, along with over 200 other women, became one of the first of her sex to take her place on the magisterial bench as a justice of the peace (JP) following the Sex Disqualification (Remove) Act (Logan 2008:1). Now again after nearly 100 years the need for a further change was felt to ‘champion’ women within the criminal justice system, and the role is to be fulfilled by Maria Eagle, MP, who is at present Parliamentary Under-Secretary-of State and the Ministry of Justice (Ministry of Justice, 2007b, p.14), in response to the Corston Report (2007, recommendation number 12). This research thus wants to address the male dominance issue expressed by the public, that the government should prioritize female understanding on female issues before it is too late.

Alternatives to Female Imprisonment and Public Opinion in British Society: Answering the Research Question Quantitatively

This section will describe the numerical value of the survey findings (Appendix 2). This is a non-hypothetic quantitative analysis. This is because; most of the answers are already derived from the qualitative interviews. There was no need to take any hypothesis to reject or accept and generalize a particular question or point of view. The purpose was to quantify some of most important existing perceptions and to see how much they coincide with the mass public population, though due to the time limit only 100 respondents were targeted.

The first issue was to assess how much people are interested in this issue. The survey statistics reveal that about half the population belong in-between interest and lack of interest, whereas a quarter of the population is fairly interested in the issue, and 17.90% population is very interested in the issue. This implies that most of the population is inclined to know more about female imprisonment issue, regardless of their age, gender, existing knowledge or profession.

Table 8 British Public Interest in the issue of Female Imprisonment

Are you interested in the issue of Female Imprisonment?			
Yes, fairly Interested:		21.7%	23
Very Interested:		17.9%	19
Neither interested nor disinterested:		43.4%	46
Fairly disinterested:		12.3%	13
Disinterested:		4.7%	5

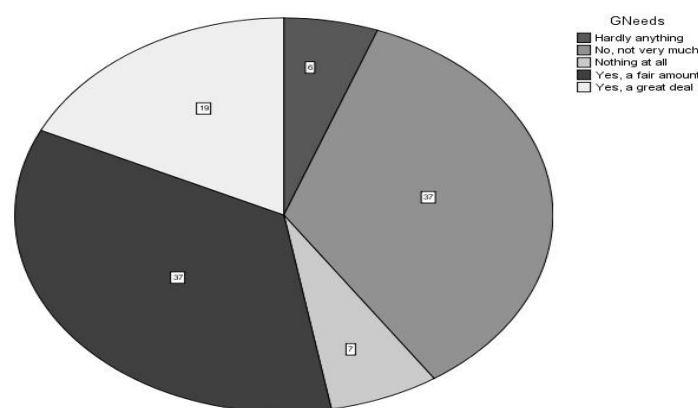
In the qualitative analysis the research has already noted that British people think that female offenders are highly likely to be involved in drug and alcohol related crimes. The survey result also quantifies the fact with 91 respondents among 265 cross referenced population answering drugs or alcohol as the prime offence for which women are imprisoned. The next reason given by survey respondents was poverty as a basis for female crimes.

Table 9 Reasons for female offending, according to public opinion

Why, by your opinion, women commit crime? (Maximum answer is 3)			
Poverty:		n/a	70
Lack of discipline in family:		n/a	47
Lack of discipline in the school:		n/a	13
Family problems:		n/a	60
Drug/ alcohol:		n/a	91
Quest for excitement:		n/a	9
Other (<i>please specify</i>):		n/a	14

Some other reasons were identified such as mental health, prostitution, peer pressure, repetition of offending, some combination of several reasons, male abuse in the family etc. to identify the causes of female crime.






Figure 1 Percentage of population responding with Different Gender



needs issue

An interesting finding is that in regard to the Gender sensitivity question people answered 'Yes' and 'No' in fair amount at a similar rate of 37% on each side, in a largely similar way to the interview responses. However, 17.9% population assumes that a great deal of concentration should be put into the issue which contrasts with the more negative answers.

Table 10 Number of people concerned about Gender needs

How do you feel that we should think about alternatives to female imprisonment in context of gender role and needs in the society?			
Yes, a great deal:		17.9%	19
Yes, a fair amount:		34.9%	37
No, not very much:		34.9%	37
Hardly anything:		5.7%	6
Nothing at all:		6.6%	7

In terms of the mental health question, British citizens responded with sensitivity with a very high rate of answers - 45%- willing to think about alternatives to female imprisonment.

Figure 19 Percentage of Population with Mental Health Concerns

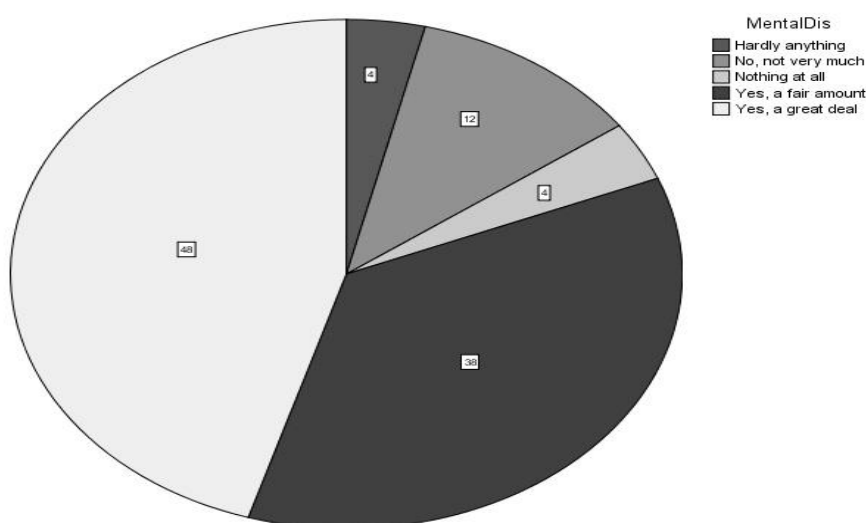









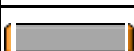




Table 11 Number of people concerned with mental health of female prisoners

How do you feel that we should think about alternatives to female imprisonment in context of when they are mentally ill?			
Yes, a great deal:		45.3%	48
Yes, a fair amount:		35.8%	38
No, not very much:		11.3%	12
Hardly anything:		3.8%	4
Nothing at all:		3.8%	4

The most important part of the survey was the question of what the British Population most want to see mostly as an alternative to Female Imprisonment. The answer was that British citizens want “Better treatment facilities for mentally ill female offenders”. Next, they would like more preventive measures against female imprisonment, and more community correction facilities.

Table 12 Suggestion by the British public for Alternatives to Female Imprisonment

What alternatives to female imprisonment in context of non-violent female offenders, would you prefer? (Max answer is 3)			
More community correction facilities:		n/a	52
Electronic tagging:		n/a	25
Better treatment facilities for mentally ill female offenders:		n/a	71
More strong punitive system:		n/a	12
More preventive measures:		n/a	53
Introducing prisoners to describe their experiences in the schools/ colleges:		n/a	36
Other (please specify):		n/a	13

Some cross tabulations were done with the poverty situation and with mental health problems as follows:

“How do you feel that we should think about alternatives to female imprisonment in the context of their poverty?”

Table 13 Alternatives with Poverty Situation

What alternatives to female imprisonment in context of non-violent female offenders, would you prefer? (Max answer is 3)	Yes, a great deal	Yes, a fair amount	No, not very much	Hardly anything	Nothing at all	Totals
More community correction facilities	16	18	14	1	4	53
Electronic tagging	5	8	7	1	4	25
Better treatment facilities for mentally ill female offenders	20	27	20	0	5	72
More strong punitive system	0	4	5	0	3	12
More preventive measures	16	24	11	1	2	54
Introducing prisoners to describe their experiences in the schools/ colleges	13	14	8	0	1	36
<i>Other</i>	5	1	5	0	2	13
Totals	75	96	70	3	21	265

Results are cross tabulated by question "How do you feel that we should think about alternatives to female imprisonment in context of when they are mentally ill?"

Table 14 Alternatives with Mental Health Problems

What alternatives to female imprisonment in context of non-violent female offenders, would you prefer? (Max answer is 3)	Yes, a great deal	Yes, a fair amount	No, not very much	Hardly anything	Nothing at all	Totals
More community correction facilities	29	18	4	0	2	53
Electronic tagging	12	8	2	1	2	25
Better treatment facilities for mentally ill female offenders	41	25	2	2	2	72
More strong punitive system	3	6	2	1	0	12
More preventive measures	32	18	2	1	1	54
Introducing prisoners to describe their experiences in the schools/ colleges	22	11	1	1	1	36
<i>Other</i>	8	1	2	0	2	13
Totals	147	87	15	6	10	265

The results reveal that when questions of poverty or mental health problems are involved, alternatives to imprisonment should be considered seriously.

The research finds that both qualitative and quantitative support each other in understanding the issues relating to alternatives to female imprisonment. While the qualitative findings create the opportunity to understand the most recurring points to emerge from British people's concerns, the quantification could be an added benefit for policymakers and the government, to enable them to be skilful in handling the sensitive issues outlined in present research.

Chapter 5

Winds of Change: Recommendations and Conclusion

Similar kind of research about the public perception on female imprisonment is required in Bangladesh not only to know and understand the knowledge level of the public but also to make aware the general population and Law-enforcement agency of the country thus minimising the gap of knowledge about imprisonment among the mass population. This can also lead the policy makers and reformers of the country to work on the modern reforms of the present century for the country with alternatives and other possible changes where necessary.

The key to understanding any specific policy innovation is the question of language: how the policy problem is constituted within the documents, and the intended and unintended consequences of such construction (Phoenix 2002:355). It is thus recommended through this research that ,as all social institutions are directly connected with Government policy formulation and its implications, the Government should understand the language it constructs for the welfare of society at large before it is implemented as ‘Alternatives to Female Imprisonment’. Science and scientific achievements have reached to the stars and moons but have failed to understand the needs of people near at hand, living in hunger and poverty.

British people have expressed their views along these lines of a female respondent as follows and needs to listen the public voice now in Bangladesh:

“Prison Chaplains and voluntary care-workers often play a major ‘listening’ role. We all have our ‘stories’ but do we really truly listen with our hearts to the stories these women bring with them to prison. Many of our thoughts/anxieties are built on fear, fear that the woman next door just released from prison may be ‘dangerous’. It is ‘we’ in society who needs to be educated as how we can best ‘befriend’ and help those who return, showing that they are ‘accepted’ and welcome and leaving all prejudices behind. Chaplains and care-workers are very often from one particular faith background. But does a prison really

provide for ethnic minorities and those who have language difficulties...this alone can create extreme isolation”.

All the scholarly literature along with the British public opinion survey and interviews had more or less the same suggestions for the ‘Alternatives to the Female Imprisonment’ as summarised below:

1. Whilst making decisions about female imprisonment, mental health and maternal health laws and issues should be highly prioritized. (Do we know anything for Bangladesh on this issue?)
2. Courts and probation centres should be given the maximum information regarding the context of a female crime. (Do we know anything from Bangladesh?)
3. Only female offenders who are a serious threat to the public should be in prison. (Do we know anything from Bangladesh?)
4. More community penalties and probation facilities with dedicated and trained officers should be introduced. (Do we know anything for Bangladesh?)
5. Social institutions should be encouraged by Government policies to regain their lost spirit of bonding and togetherness. (Do we know anything from Bangladesh?)
6. More preventive measures through institutional programmes at different levels of socialization should be encouraged to reduce crime for both men and women. (Do we know anything from Bangladesh?)
7. Media, such as, daily newspapers should keep a positively-framed section on female prisons or prisoners for any type of selected publication. The media could have a very positive impact on the citizen by regular and authentic publication about female imprisonment to inform public opinion and help the government for policy reforms. (What in Bangladesh?)

For the UK, unless radical steps are taken immediately to reduce the female prison population and eventually abolish women’s imprisonment in its present form, more and more women are likely to be imprisoned in the future (Carlen 1990:11). This is because, prior to the Corston report, (Home Office, 2007), and despite the launching of the Women’s Offending Reduction Programme and the Together Women’s Programme, Juliet Lyon, director of the Prison Reform Trust stated that; “*Women’s prisons are not full of serious and violent offenders, instead they are being used as stopgap, cut-price providers of drug detox, mental health assessment and shelter – a dumping*

ground for those failed by public services” (Prison Reform Trust, 2007b).

Some of the government responses (Ministry of Justice, 2007b) to the Corston Report (Home Office, 2007) and other feminist efforts already indicate a wind of change in perception from the governmental level, that has changed for a long time from ‘Prison Works’ (Conservative Home Secretary, Michael Howard in Carlen and Worrall 2004:17) to ‘Prison doesn’t work, but we’ll make it work’ (Labour Home Secretary, Jack Straw, *ibid*) to ‘Search for Alternatives to imprisonment’ (Home Office, 2007) in the UK. This research on the views of the public will hopefully add impetus for radical alterations to female imprisonment in the United Kingdom.

Now it is high time to learn the lessons for a developing country like Bangladesh what government of any ages, policy makers and reformers would like to do regarding the country context for the women prisoners in Bangladesh where most of these women represent the most vulnerable and poorest section of the society.

Appendices

Appendix 1

Informant Consent Form University of Durham Dissertation Interviews

This information will be treated as Confidential and only Dr. Nicole Westmarland, Tahsina Akhter, and staff employed by the University of Durham; Social Research Section will have access.

—

MODULE : MA SOCIAL RESEARCH DISSERTATION

—

About the research

This research intends to investigate the views, opinions and suggestions of British people about alternatives to female imprisonment. The aim is to research what people think can be alternatives to female imprisonment.

I myself will be responsible for any ethical issue raised during the research.

—

Please Tick (√)

I Confirm That -

I am willing to take part in the above module as an interview subject. I have been offered the opportunity to ask questions and I am satisfied with the answers to all my questions.

The Researcher has explained the nature and purpose of the interview and informed me of any foreseeable uses of the information I provide.

I understand that I am free to withdraw from the interview at any time without giving reason and without this affecting me in any way.

I understand that I am free to change any information I give at a later date, without giving reason.

I have received full contact information for the interviewer, should I wish to add, remove or change any comments made during the interview.

SIGN

(Interviewee).....Date.....

SIGN (Researcher).....Date.....

Generic Interview Guide

Of the topic

‘British Public opinion about the Alternatives to Female Imprisonment’

Part 1

What can be done as an alternative to female imprisonment?

1. What do you think is the primary reason for female imprisonment?
2. What can be done at the family level ?
3. What can be done at the school/college level ?
4. What can be done in terms of religion ?
5. What can be done with peer relationships?
6. What can be done with media ?
7. What can be done with neighbourhood environment?
8. What can the state/ government do ?
9. What is your view about the law enforcement agencies (Police, court, probation centres etc.) ?
10. What can the community do?
11. What can be done in terms of the resettlement of female prisoners back in to mainstream society
12. Do you think there is difference between male and female imprisonment?
 - a. Please specify what, why, how they differ.
13. Are women victimized inside the prison? (Sexually, physically, mentally...) what is your opinion?
14. Why is the number of female prisoners increasing? Do you think it as a failure or a problem of the criminal justice system or society? Whom do you blame more?
15. Do you have any other opinion you would like to share?

Part 2

Any known female prisoners?

Yes/ No

If Yes,

- a. How did you come to know her?
- b. What was the reason for her imprisonment?
- c. What is your opinion about her crime and punishment?
- d. What can/ could be done?
- e. How do you feel her to get her back to the society and start a new life?

- f. How can she re-integrate into mainstream society and start a new life?
g. Will you help/ support her?

Appendix 2

Online survey link: www.survey.bris.ac.uk/durham/tahsina






Survey Result:

Section 1






1. Are you

Male:		34.0%	36
Female:		66.0%	70








2. How old are you?

16-25:		23.6%	25
26-35:		28.3%	30
36-45:		22.6%	24
46-55:		17.9%	19
56-65:		4.7%	5
66 or above:		2.8%	3

3. Are you interested with the issue of Female Imprisonment?

Yes, fairly Interested:		21.7%	23
Very Interested:		17.9%	19
Neither interested nor disinterested:		43.4%	46
Fairly disinterested:		12.3%	13
Disinterested:		4.7%	5

4. Why, by your opinion, women commit crime?
(Maximum answer is 3)

Poverty:		n/a
Lack of discipline in family:		n/a
Lack of discipline in the school:		n/a
Family problems:		n/a
Drug/ alcohol:		n/a
Quest for excitement:		n/a
Other (<i>please specify</i>):		n/a

become involved in crime with a male partner

I think it is likely that all of the above (in some combination or singly) are possible factors depending on the person.

I think that reasons for female criminality are likely to vary depending on the type of criminal activity, and even then will be highly complex.

I would imagine there are many reasons.

Low self esteem which in many cases is caused by a history of sexual abuse which has lead to drug and alcohol abuse and subsequently crime to support the habit. I also believe that their are a lot of women with mental health issues in prison.

Male violence

mental health issues/ anger management

mental health problems

mental health problems lack of education

Peer group development


Prostitution

same reasons men do

Women of what age? Different ages are likely to generate different reasons.

5. Do you think Imprisonment is always a right decision for female imprisonment?

Yes, always:  11.3% 12

Yes sometimes:		61.3%	65
Don't Know:		9.4%	10
No, never:		5.7%	6
Other (please specify):		12.3%	13

Depends on crime she has done.

Depends on nature of crime committed.

Depends on the crime and their previous convictions, if any.

If the individual is a threat to society, which cannot be stopped through treatment or support outside a prison environment In very rare cases exclusion is necessary

It depends on the crime committed; is the person likely to be a danger to the public in the future.

It depends upon the crime committed

It is sometimes right to imprison women, yes.

No, not always not always. Only in extreme cases. Only when they are a danger to society. If not then other forms of rehabilitation should be used

6. Have you ever thought of any alternatives to female imprisonment?

Yes, a great deal:		10.4%	11
Yes, a fair amount:		20.8%	22
No, not very much:		43.4%	46
Hardly anything:		9.4%	10
Nothing at all:		16.0%	17

7. How do you feel that we should think about alternatives to female imprisonment in context of rising number of female prisoners?

Yes, a great deal:		22.6%	24
Yes, a fair		40.6%	43

amount:

No, not very much:		25.5%	27
Hardly anything:		2.8%	3
Nothing at all:		8.5%	9

Section 7

8. How do you feel that we should think about alternatives to female imprisonment in context of gender role and needs in the society?

Yes, a great deal:		17.9%	19
Yes, a fair amount:		34.9%	37
No, not very much:		34.9%	37
Hardly anything:		5.7%	6
Nothing at all:		6.6%	7

Section 8

9. How do you feel that we should think about alternatives to female imprisonment in context of when they are mentally ill?

Yes, a great deal:		45.3%	48
Yes, a fair amount:		35.8%	38
No, not very much:		11.3%	12
Hardly anything:		3.8%	4
Nothing at all:		3.8%	4








Section 9

10. How do you feel that we should think about alternatives to female imprisonment in context of their poverty?

Yes, a great deal:		23.6%	25
Yes, a fair amount:		33.0%	35
No, not very much:		31.1%	33
Hardly anything:		1.9%	2
Nothing at all:		10.4%	11

11. What alternatives to female imprisonment in context of non-

violent female offenders, would you prefer? (Max answer is 3)

More community correction facilities:		n/a	52
Electronic tagging:		n/a	25
Better treatment facilities for mentally ill female offenders:		n/a	71
More strong punitive system:		n/a	12
More preventive measures:		n/a	53
Introducing prisoners to describe their experiences in the schools/colleges:		n/a	36
Other (<i>please specify</i>):		n/a	13

Aim for reformation rather than punishment.

better drug treatment facilities rather than prison/ drugs on prescription with a process of weaning off Community and rehabilitation orders.

Community sentences

More support officers in the community
community service

Drug and alcohol treatments tailored for women

More refuges for victims of domestic violence

More safe houses for women who work in prostitution

Having drug treatment facilities instead of prison for minor drugs related offenses. helping offenders to gain self esteem None.

None. They are all offenders and should be dealt with the same.

Restorative Justice? Interventions to eliminate the root causes of crime?

Through probation, social work and support group development

Appendix 3

Case studies described by the Respondents

1. Yes. We worked together. She was addicted and was imprisoned for theft. She had a boy friend who was addicted too and used to inject themselves, why I don't know... She was a nice woman. Their lifestyle was different. Repeat of offence, Difficult. It's up to her, her willingness to get stopped and start a new life. If I could I would have helped her, yes.
2. Yes I know, she killed her own baby, reason: she was ill, she didn't say her family that she was pregnant as she wasn't married, psychologically disturbed. She found guilty, imprisoned, kept in the prison until trial and deported to her country. I don't know what after. It's a very difficult case, I don't know, it was a professional capacity when I was a nurse. I was in a difficult situation to handle that, because I thought she could have left the child and flee, how one could do that, after that another nurse was there for her because I just could not bear that anymore. I couldn't understand her. I couldn't deal with that any more.

In the past I have dealt with women offenders in my work as a police officer but I do not know any of them personally. Many are responsible for their own way of life and come from a criminal family/background, they are a product of a fractured and divided society. Other women may have merely fallen into the wrong company and been coerced into a life of crime or may be illegal immigrants forced into prostitution and crime. Then there are the odd ones from good backgrounds who may retaliate after years of domestic violence. Whatever the cause, the bad news is that there would appear to be no immediate answer to the situation.

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