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Assessing on Female Criminality: A Case Study of Varanasi District Jail

Dr. Bibha Tripathi*

Abstract

The paper is written with an objective of understanding female criminality with special reference to a case study of Varanasi District jail containing almost eighty-three under trial and convicted prisoners. The aim of the paper is to compare the de- facto condition of women prisoners with the de- jure provisions mentioned in U.P. Jail manual. Since the jail manuals are framed in the light of Prison Act, 1894, several suggestions have been given for reformation in jail by making amendments in the provision of Prison Act, 1894 and Model Prison Act, 2003. The paper also attempts to compare the U.P. Jail manual with the provisions of Model Prison Act, 2003 with special reference to women prisoners, so that viable suggestions can be made to improve and reform the condition of women prisoners.

Introduction

There are some issues which always demand a particular method of study so that the theme could be understood properly. There are several theories propounded to understand criminality and victimity in criminology and victimology respectively. Each theory has its positive and negative dimensions. Neither the theory is wrong, nor is the interpretations, but as per the context they may work well or go miserable. If Sutherland's Differential Association theory¹ is applied in cases of primary deviance, it will miserably fail and similarly if the victim precipitation theory² is applied in cases of rape or similar offences, it would

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¹ Edwin Sutherland, *Principles of Criminology*, Lippicott Company, Philadelphia, 1947.

² James J. Gobert, Victim Precipitation, vol. 77, *Columbia Law Review* p.511, 1977, p.553.; Menachem Amir, Victim Precipitated Forcible Rape, vol. 58, *The Journal of Criminal Law, Criminology, and Police Science* p.493, 1968, p.502; Menachem Amir, *Patterns In Forcible Rape*, The University of Chicago Press, Chicago, 1971.

certainly be having a distorting affect in the notion of justice. Feminism³, as a method of study⁴, when applied in the field of criminology certainly puts forward something, which is hidden in the main text and even if written, those go are gender biased, reflect prejudiced mindset and bear 'male', 'sexist' or 'gendered'⁵ notion.

There are different strands of feminism that are, Liberal Feminism, Marxist / Socialist Feminism, Radical Feminism, Legal Feminism, Postmodern Feminism, Black Feminism, Lesbian Feminism, Multiracial Feminism etc. Each version of feminism has some common as well as some contradictory strands. The contradictions between liberal and radical feminist approach become very relevant to discern an approach towards female offenders and women in criminal justice system. The liberal feminism only demands equality, and, if in the same manner applied in cases of female offenders, it would demand equal punishment. Whereas, the radical feminist scholars attack upon gendered notion and emphasise upon previous victimization of women offenders as a central issue. They also advocate for replacement of men by women in position of power in general, and in criminal justice system in particular. A police station for women, woman advocate and a lady judge concept is framed for sensitization and doing justice to women. There seems a contradiction within the radical feminist approach, because, on one hand they submit that women are made not born, and on the other hand, while advocating the replacement of men by women, they rely on the very feminine qualities of women regarding caring, and guarding of women offenders.

This study is framed, thus, to understand and highlight the issues and challenges relating to incarceration, reformation and rehabilitation of female prisoners. Being an empirical research, this study also helps to understand the major causes behind female criminality on the basis of case study of Varanasi District jail. The study was conducted in the month of September, 2014⁶. This paper has adopted doctrinal method for critically analysing the literature on female criminality. Then after, the data sheet containing details of female offenders regarding their name, father/ husband's name, case number, sections under which they have been convicted, related police station, date of entry in jail, their age and educational status along with the details of those children who are below six years of age and living with their mothers has been examined. The under trial female prisoners

³ Ann Acales, 'The Emergence Of Feminist Jurisprudence: An Essay', *Yale Law Journal*, 1986, cited in Akhilendra Kr. Pandey, 'Feminist Versions And Law' ,*Banaras Law Journal* p.87, 2004, p.104.

⁴ Jane Freedman, *Feminism*, Viva Books Private Limited, New Delhi, 2002; Caroline Ramazanoglu, *Feminism and the Contradictions of Oppression*, Routledge, London and New York, 1989.

⁵ Legal feminists derive their strength from social and political feminist thinkers. The entry of feminist thinkers has turned law into a site of struggle rather than being taken as a tool of struggle. Their major submission is that 'law is sexist', 'law is male' and 'law is gendered'.

⁶ S.P. Singh, A Study: Involvement of Women in Violent Crimes, *The Indian Police Journal*, 2004

(UTFP) and convicted prisoners (CFP) are separately analysed through tables and pie charts. For analysis of data, category wise percentage is calculated and result is interpreted on the basis of total percentage.

Theories of Female Criminality

The theories of female criminality can be divided into two groups. First, theories propounded by classical or mainstream criminologists like Cesare Lombroso, Otto Pollock, Sigmund Freud etc. And second, theories propounded by feminist criminologists as a reaction on mainstream criminology. The theories propounded by feminist criminologists can also be divided into two groups, first, early feminist theories and secondly, late feminist theories.

a) Cesare Lombroso

Cesare Lombroso described female criminality as an inherent tendency of women who are biological atavists. Female offenders were characterized by physiological immobility, psychological passivity, and amorality featuring a cold and calculating predisposition. Criminal women, then, were in fact more masculine than men in some ways. Lombroso observed that criminal women could adjust more easily than men to mental and physical pain. He argued that criminal women often adjusted so well to prison life that it hardly affected them at all. For Lombroso, criminal women were abnormal⁷

b) W. I. Thomas

W. I. Thomoshas put emphasis on physiological explanations of female crime. In his book on *The Unadjusted Girl*⁸, Thomas shifted his position on female criminality in two directions. First, he argued that female delinquency was normal under certain circumstances if given certain assumptions about the nature of women. But Thomas did not specify the nature of these assumptions. Second, he shifts his focus from punishment of criminals to rehabilitation and prevention as a radical departure from the Lombrosian approach of locking away the criminal or sterilization as a preventive strategy. Thomas relied on the dichotomy of good and bad women.

c) Sigmund Freud

Freud is considered to be a mainstream classical criminologist who emphasized upon anatomical inferiority. According to Freudian theory of female criminality, a deviant woman is one who is attempting to be a man.

⁷ C. Lombroso and G. Ferrero, *La Donna Delinquente*, Roux and Co, Turin and Rome, 1893; C. Lombroso, *Crime, Its Causes and Remedies*, Boston, 1911 cited from Frances Heidensohn, 'The Deviance of Women: A Critique and an Enquiry', vol.19, *The British Journal of Sociology* p.160, 1968, p.175; C. Lombroso and W. Ferrero, *The Female Offender*, Fisher Unwin, London, 1895.

⁸ Willain Issac Thomas, *The Unadjusted Girl*, Little Brown and Company, New York, 1923.

Female aggression and rebellion, for example, were expressions of longing for a penis, and if not treated, women would only end up neurotic⁹. Freudianism has been used for decades to maintain female sexual repression, sexual passivity, and the woman's place in the nuclear family. Although he has been considered as a very controversial and discredited theorist, his early legacy influenced the writing of many scholars including Pollak¹⁰.

d) Otto Pollak

Pollak extended the idea that women were inherently deceitful because of physiological reasons. This deceitful nature permitted them to commit undetectable crimes¹¹. False accusation and shoplifting are the crimes which are mainly committed by women. He failed to consider that female criminals often were poor or were women who had stepped outside of chauvinistic, class-ist, and racist definitions of women's proper roles¹².

Feminist Criminology

Feminist Criminology is a critique to mainstream criminology. It questions on how women were represented and misrepresented in conventional criminological literature. Feminist criminology is essentially a critique of "accumulated wisdom". It deals with three major dimensions i.e. women as criminal, women as victim of crime and women in criminal justice system. Feminist criminology has survived the growing pains of its development during the 1970s to emerge as a mature theoretical orientation¹³. Two of the most significant contributions of feminist criminology since the 1970s are the documentation of (1) the significant amount of violence against women and girls perpetrated by men and boys; and (2) how girls' and women's victimization and trauma, often at the hands of abusive men, are risk factors for their subsequent offending or being labeled as "offenders"¹⁴. Carol Smart lambasted the way in which women as offenders and victims had

⁹ Dorie Klein, 'The Etiology of Female Crime: A Review Of Literature', *Issues In Criminology*, 1973 cited from, J. Robert Lilly, Francis T. Cullen & Richard A. Ball, *Criminological Theory; Context and Consequences*, Sage Publications, New York, 2007; Sigmund Freud, 'Some Psychological Consequences of the Anatomical Distinction Between the Sexes', in J. Stachey (ed) *Standard Edition of the Complete Psychological Works of Sigmund Freud*, Hogarth Press, London, 1964; H. Deutsch, *The Psychology of Women: Motherhood*. Grune & Stratton, New York, 1944.

¹⁰ Ibid, pp.212-13

¹¹ Ibid

¹² Ibid, p.213

¹³ Amanda Burgess, 'Intersections of Race, Class, Gender, and Crime Future Directions for Feminist Criminology' *Feminist Criminology*, 2006 available at <http://journals.sagepub.com/doi/abs/10.1177/1557085105282899> accessed on 2 May 2017; Richard A. Wright, 'Women as Victims and as Resisters: Depictions of the Oppression of Women in Criminology Textbooks', vol. 23, *Teaching Sociology* p.111, 1995, p.121.

¹⁴ Joanne Belknap source, 'Offending Women: A Double Entendre', vol. 100, *Journal of Criminal Law and Criminology* p.1061, 1973, p.1081.

been anathematized; and she proposed that their reinstatement within an analytic framework emphasizing the workings of patriarchal power and male myopia.

The major contradiction between liberal and radical criminology is that the liberal feminist criminologists opine that women criminality should be dealt with sameness approach. Whereas, the radicals opine that Women's victimization should be a central issue and there should be replacement of men with women in position of power, especially with justice system and government organizations. Feminist criminologists question whether theories that explain male deviance can also be used to explain female deviance? And do women experience different levels of criminogenic conditions, or do they react to them differently? With the help of theories on feminist criminology, attempt has been made to answer such questions.

General Strain Theory

Robert Agnew, the profounder of this theory opines that men and women react differently in general stress situation. Men become angry and commit crime whereas women become sad and depressed resulting in self destruction or drug abuse. When women commit crime, strain theory views it as some sort of 'weakness' which betrays the double standard.

Power-Control Theory¹⁵

This theory by John Hagan suggests that family class structure shapes the social reproduction of gender relations and in turn the social distribution of delinquency. Different work patterns for mothers and fathers lead to different levels of gender authority in workplace and power in the home. It often ends in resulting different parenting styles for boys and girls, having a combined affect on free-floating patriarchal ideologies. Evelyn K. Sommers¹⁶ has been supportive of Hagan's theory. He has used common themes to explain women criminality which involve; economy, drugs, anger, fear, need etc. Sommers concluded that women's criminality is based on two underlying issues;

- 1) The effort to maintain connections within relationship (such as mother and child, sometimes fiancé- murder of husband)
- 2) As a personal quest for empowerment (as single mothers are expected to be independent and capable of providing for themselves and their children).

¹⁵ John Hagan, *Structural Criminology*, N. J. Rutgers University Press, New Brunswick, 1989 cited from Frank Schmalleger, *Criminology Today*, Pearson, New Jersey, 1999.

¹⁶ Evelyn K. Sommers, *Voices from Within: Women Who Have Broken the Law*, University Of Toronto Press, Toronto, 1995 cited from Schmalleger (n 22).

Blurred Boundary Theory

This theory believes that women's offending is intimately linked to their previous victimization. Victimization during childhood or adolescence is a risk factor for both male and female. Offending is a stronger predictor among females¹⁷. Studies have shown that women in prison are six times more likely to report prior sexual abuse than their male counter-parts. Also, women are much more likely than men to be first time offenders or to have committed only nonviolent offenses previously thus the rate of recidivism is much lower in women compared to men.¹⁸

Emancipation Theory

Emancipation theory appeared in 1975 with the publication of Freda Adler's, *Sisters in Crime*¹⁹ and Rita James Simon's, *Women and Crime*. Adler and Simon both contended that women's lower rates of participation in criminal activity could be explained by their confinement to domestic roles and by discrimination that limited their aspirations and opportunities²⁰. With the advent of the women's movement, the situation could be expected to change, however. Adler saw increasing participation in violent crime as inevitable as women became more like men as a result of their social and political emancipation. Simon believed that opportunities created by women's higher levels of formal labor market activity would lead to higher arrest rates for property and occupational crimes, such as fraud, larceny, and embezzlement. This argument has obvious appeal for opponents of the feminist movement, but empirically, the theory has received very little support²¹. There is now fairly broad consensus that Adler's and Simon's work would not fall within the purview of feminist criminology²². This raised an important question: If increased occupational opportunities do not explain increased female crime, then what it does? Steffensmier and Cobb²³ provided data indicating that law enforcement and court attitudes toward female offender are changing and that now there is a greater willingness to arrest and prosecute women.

¹⁷ Elizabeth Cauffman, 'Understanding the Female Offender, The Future of Children', vol. 18, Future of Children, p.119, 2008, p.142; Sibylle Artz, *Sex, Power and the Violent School Girl*, Teachers College Press, New York, 1999.

¹⁸ Meda Chesney-Lind & Lisa Pasko, *Sentencing Women to Prison: Equality without Justice (In Race, Gender, and Class in Criminology the Intersection)*, Garland, New York, 1996.

¹⁹ Freda Adler, *Sisters in Crime: The Rise of the New Female Criminal*, McGraw-Hill, New York, 1975.

²⁰ Kathleen Daly & Meda Chesney-Lind, 'Feminism and Criminology', vol.5, *Justice Quarterly* p.497, 1985.

²¹ Dana M. Britton, 'Feminism in Criminology: Engendering the Outlaw', vol. 571, *The Annals of the American Academy of Political and Social Science*, p.57, 2000, p.76.

²² Beverley Brown, 'Women and Crime: The Dark Figures of Criminology', vol.15, *Economy and Society* p.355, 1986, p. 402.

²³ S Darrell J. Steffensmier & Michael J. Cobb, Sex difference in Urban Arrest Patterns, vol.29, *Society for the Study of Social Problems* p.37, 1981, p. 50.

However, in addition to documenting the levels of women's criminal offending, feminist criminologists have drawn attention to women's (and men's) treatment by the police, courts, and the prison system. Contradicting popular stereotypes, studies of women's experiences with the criminal justice system have revealed that women do not benefit, at least not uniformly, from chivalry at the hands of police, prosecutors or judges. In some instances, such as juvenile status offenses, girls are subjected to a much harsh treatment than boys²⁴. Feminist studies have shown that women who are married and have children sometimes receive more leniency than other defendants. This effect is double edged, however; women who do not conform to traditional stereotypes of wives and mothers or who are perceived to shirk their responsibilities may be dealt with in a severe manner.²⁵

Case Study of Varanasi District Jail

In the case study of Varanasi District jail, it was informed by the jail authorities that the capacity of jail is limited only to keep seventeen prisoners but total eighty three female prisoners are kept there. Chandauli has been created as a separate District but there is no jail in Chandauli to keep its female prisoners. So the offenders from Chandauli are also kept in Varanasi District jail. There is no female officer in jail. Authorities have not only mentioned the crisis due to non availability of female officers but also informed their effort to get the same from respective government. But nothing could be done in this regard. So far the understanding of etiology of female offending is concerned, the data has been analyzed with the help of six tables and pie charts dealing with offences committed or alleged to be committed by convicted and under trial female prisoners respectively. Their educational qualification, age group and the children living with their mothers are shown in the following tables and pie charts.

Table A.1.
Category of Offences Committed by Under Trial Female Prisoners (UTFP)

Total No. Of U.T.F.P	Murder		Cruelty & Dowry Death		Other Offences	
	NO.	%	NO.	%	NO.	%
70	16	22.85	26	37.14	28	40

²⁴ Meda Chesney-Lind, *Girls Crime and Women's Place: Toward a Feminist Model of Female Delinquency*, Sage Publications, New York, 1989.

²⁵ Morris Allison & Anya Wilczynski, *Rocking the Cradle: Mothers Who Kill Their Children*, University of California Press, Berkeley, 1994.

Pie Chart A.1.

Category of Offences Committed by Under Trial Female Prisoners (UTFP)

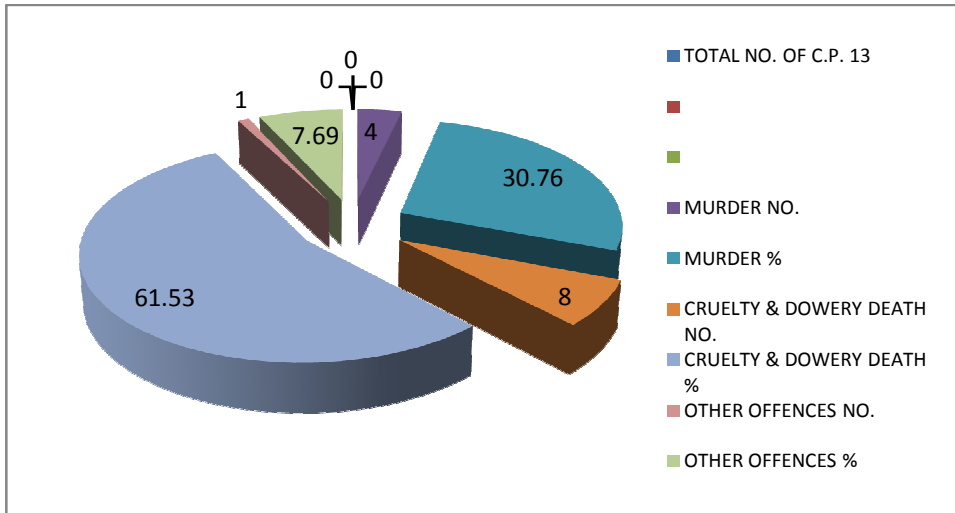


Table A.2.

Category of Offences Committed by Convicted Female Prisoners (CP)

Total No. Of C.P.	Murder		Cruelty & Dowry Death		Other Offences	
	No.	%	No.	%	No.	%
13	4	30.76	8	61.53	1	7.69

Pie Chart A.2.

Category of Offences Committed by Convicted Female Prisoners (CP)

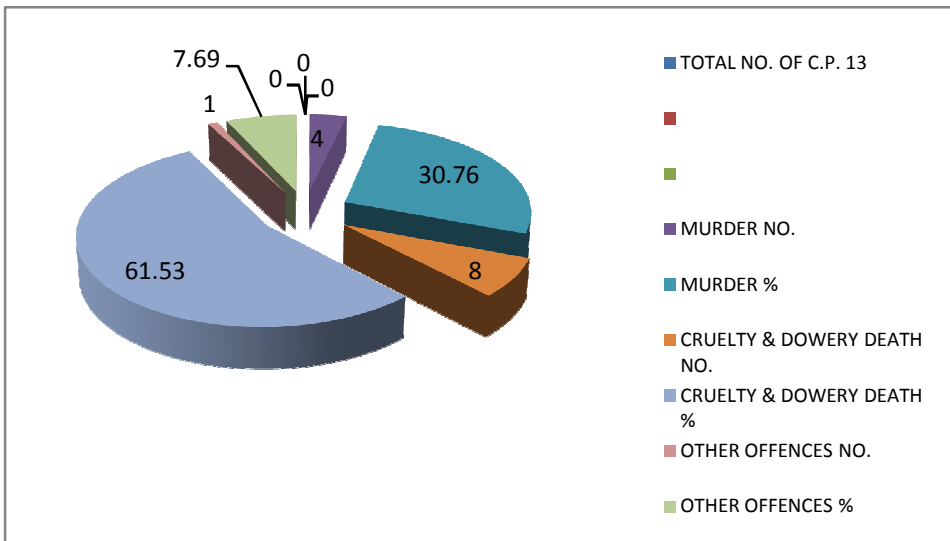
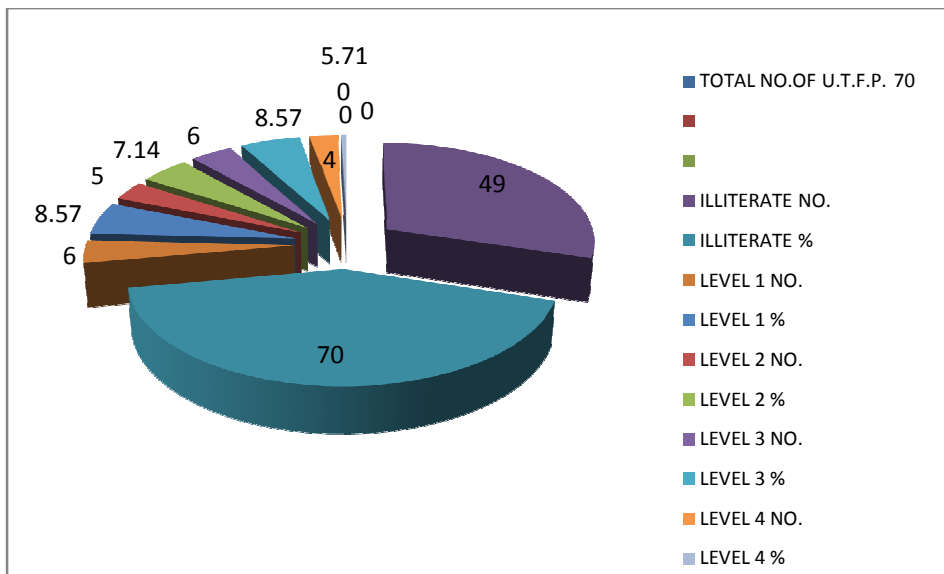


Table A.2. also shows that maximum number of C.F.P is imprisoned for cruelty and dowry death. This interpretation compels the researcher to discuss the case of Arnesh Kumar V. State of Bihar²⁶. In this case the Supreme Court opined that, in recent days, section 498A and 304B of IPC are grossly misused. Though the decision has been severely criticized by feminist scholars²⁷ but its observation becomes very relevant in the present case study in which maximum number of women are either charged or convicted for cruelty or dowry death. It is submitted in the present paper that protecting the right of a woman should not mean violating the rights of other woman. Therefore, a serious exercise is suggested through the paper on procedural aspect of both the sections so that fake or false imprisonment could be avoided.

Table A.3.
Educational Qualification of UTFP

Total No. Of UTFP	Illiterate		Level 1(Primary-Up To 5 th)		Level 2(Middle Up To 8 th)		Level 3(Higher Secondary Up To 12 th)		Level 4(Higher Education Up To P.G)	
	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
70	49	70	6	8.57	5	7.14	6	8.57	4	5.71

Pie Chart A.3.
Educational Qualification of UTFP



²⁶ Arnesh Kumar v. State Of Bihar, AIR 2014, SCC 273.

²⁷ Indira Jaisingh, 'Concern for the Dead, Condemnation for the Living', vol. 49, *Economic and Political Weekly*, 2014.

Table A.1 shows that seventy person under trial prisoners are simply illiterate and have no safety guard at all. Neither there is any advocate to fight for their case nor are they aware about their rights as prisoners. Therefore, it has been advised to make attempts to increase literacy rate before anything else. Besides that, the organizations which are concerned with prisoner’s rights must file public interest litigation for safeguarding the rights of such prisoners. So far the rehabilitation program is concerned; it was informed by jail authorities that an NGO named Hope Arts visited every Tuesday to run development and child care program in jail. It is urged through the paper that such arrangements are just to stop the gap since there is no accountability of such NGO’s. Thus, the state should make efforts for education in general and legal education in particular.

Table A.4.
Age Group of UTFP

Age Group	NO.	%
18 TO 20	8	11.42
21 TO 30	13	18.57
31 TO 40	15	21.42
41 TO 50	17	24.28
51 TO 60	10	14.28
61 TO 70	7	10
71 TO 80	0	0

Pie Chart A.4
Age Group of UTFP

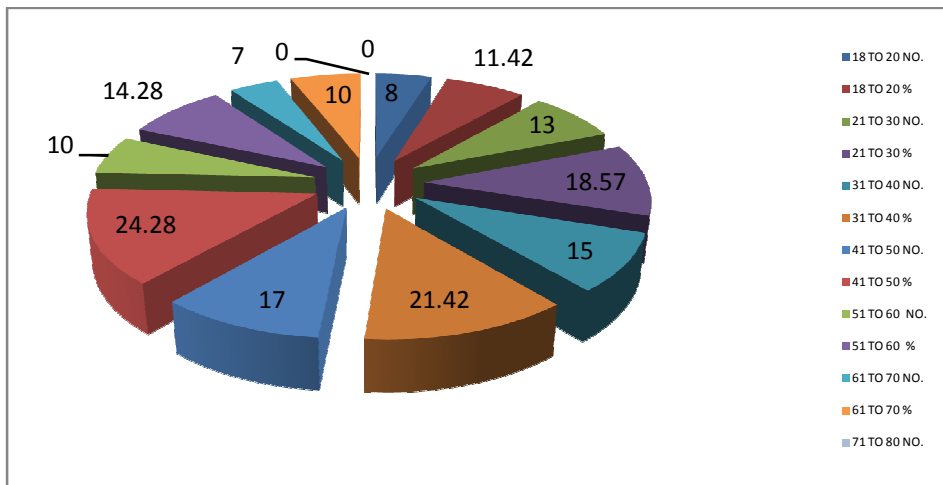
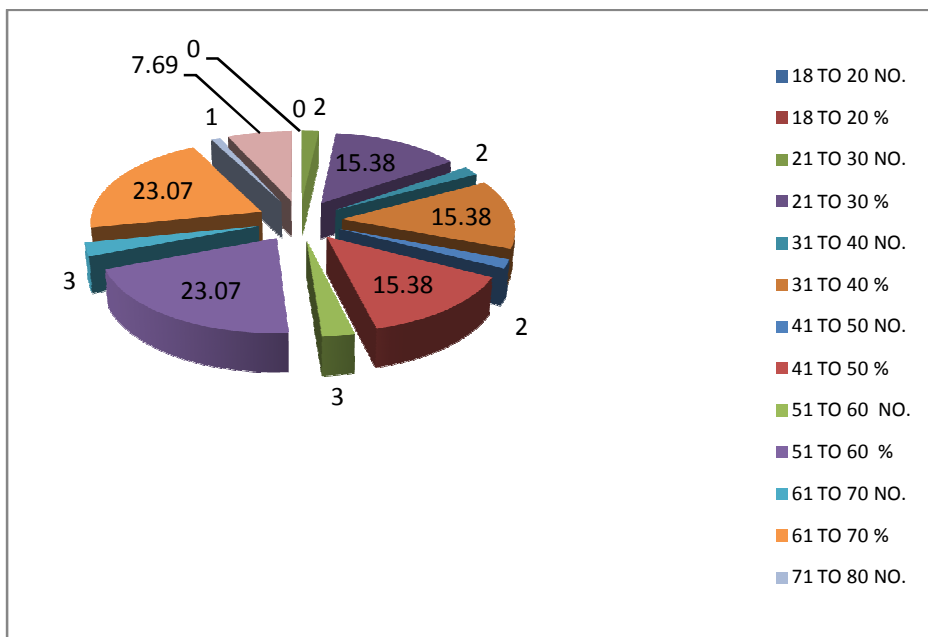


Table A.5.
Age Group of CP

Age Group	NO.	%
18 TO 20	0	0
21 TO 30	2	15.38
31 TO 40	2	15.38
41 TO 50	2	15.38
51 TO 60	3	23.07
61 TO 70	3	23.07
71 TO 80	1	7.69

Pie-Chart A.5.
Age Group of CP



If Table A.4. and Table A.5. are interpreted together then it becomes clear that in case of U.T.F.P only eight women containing 11%, are representing the adolescent group of offenders and seven women containing just 10 % are belonging to elderly women group. In the category of seventy one to eighty years there is no woman at all. In case of C.F.P, no woman is there from adolescent group and only one woman containing seven percent is there from seventy one to eighty year’s age group. When an adolescent female has no past criminal record and is imprisoned for the first time, some leniency has to be shown towards her. It has been suggested that women belonging to seventy one to eighty years should not be incarcerated rather they should be allowed to live in old age homes.

Table A.6.
Children Living with Female Prisoners

Total No.	U.T.F.P		C.F.P	
	No.	%	No.	%
6	5	83.33	1	16.66

Pie Chart A.6.
Children Living with Female Prisoners

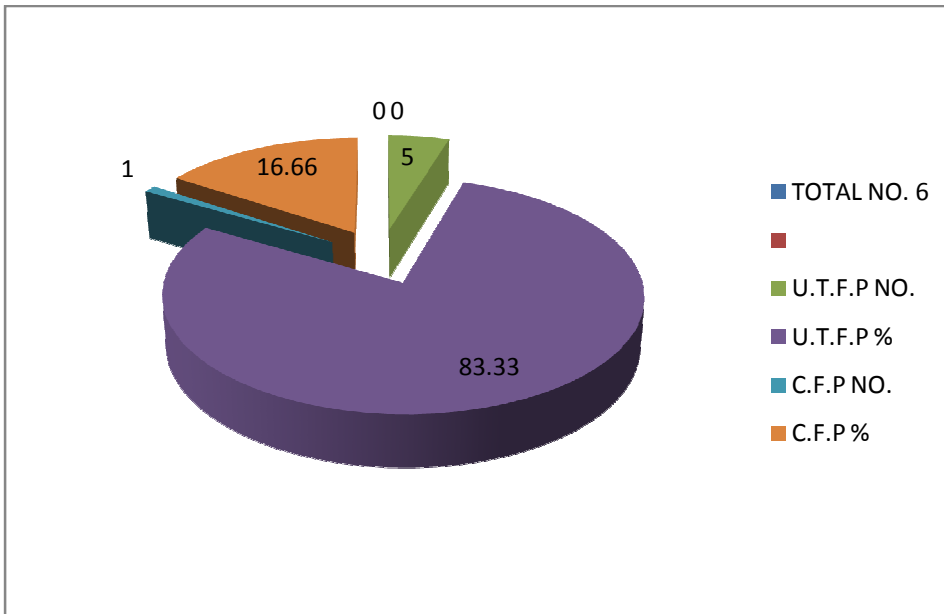


Table A. 6 shows the details of those women who have children below six years of age. Among six women, five women are UTFP, containing more than eighty three percent. Therefore, it is voiced in the present paper that serious attempt should be made to either pardon or suspend their sentence so that, the children could get relief from the criminogenic influences of jail atmosphere. So far the arrangement for sending the children to school is concerned, it was informed by the jail authorities that they are sent to primary school, Ghausabad, Varanasi, but it is just a formality, in reality, no child is going to school because of less employee and other problems relating to security.

Comparison of Women Prisoners of Varanasi District Jail With The Provisions Relating to Women Prisoners Under U.P Jail Manual And Model Prison Act 2003²⁸

There are separate chapters dealing with under-trial women prisoners and convicted prisoners in both the documents. The U.P Jail Manual, under section 340 divides female prisoners into three groups, first consists of those juveniles who are under 16 years of age, second of those adolescents who are 16 to 20 years of age and third of adult prisoners who are over 20 years of age. Section 341 provides for separation of different classes of female prisoners i.e. un-convicted from convicted prisoner, juveniles and adolescents from adult prisoners, habitual from non- habitual and prostitutes and procuratrix from respectable women. Superior class undertrial or convicted prisoners should be kept apart from ordinary prisoners where possible. Section 358 says that in an advanced stage of pregnancy, her case shall be reported by the Inspector General for reference to the State Government with a view to the suspension or remission of her sentence or otherwise. Sec. 359 says that as far as possible a child birth in jail shall be avoided, but if this be not possible, the services of a qualified midwife shall be requisitioned, if the matron is not trained in midwifery, or when she requires additional help. In districts where there is a maternity and child welfare centre, midwife to attend any case of confinement in the female ward shall be requested to depute. Sec.360 says that the cases of under trial female prisoners excepting confinement shall be referred to the District Magistrate with a view to the release of such prisoners on bail, but if release on bail is found to be impossible or inexpedient the services of a qualified midwife shall be requisitioned. Section 361 says that in the event of a child being born in a jail, notice of the birth shall be sent to the Municipal Officer of Health if the jail is situated within the limits of a municipality, or the Station Officer- in – Charge of the Police Station if the jail is situated in a rural area. Section 362 says that female prisoners shall be allowed to keep their children with them in jail till they attain the age of six years. Section 363 says that no female prisoner shall be allowed to keep a child who has attained the age of six years. On a child becoming disqualified for further retention, or when a female prisoner dies or is executed then leaves a child, the superintendent shall inform the magistrate of the district where the convict resided and the latter shall arrange for the proper care of the child. Section 364 and 365 respectively deal with diet and clothing for children and care of children. The Model Prison Act, 2003 says, under clause 22.61 that, women under trial prisoner should normally be escorted by women police. When there are no women police available, they should be accompanied by woman Prison Guard. As far as practicable, separate conveyance should be provided for the transport of women under trial prisoners. Clause 22.62 says that women staff members shall be in-charge of women under-

²⁸ In the present paper, only those provisions are mentioned which are compared through the case analysis.

trial prisoners. The Lady Assistant Superintendent or Senior Matron should be present at the time to admission and release of women under-trial prisoner. She should attend to all works pertaining to the women undertrial prisoners. Under clause 24.02 of the Model Prison Act, 2003, it is written that women prisoners shall be classified and kept separately as:

- i. Under-trial prisoners shall be kept completely separated from convicted offenders, even when their number is small.
- ii. Habitual prisoners shall be separated from casual offenders
- iii. Habitual offenders, prostitutes and brothel keepers must also be confined separately.
- iv. In no circumstances, should adolescent girls be confined with adult women prisoners.
- v. Political and civil prisoners shall be kept separately from convicts and undertrial prisoners.

For child birth in jail, the Model Prison Act, 2003 provides under clause 24.22 that, as far as possible (provided the prisoner has a suitable option) arrangements for temporary release (or suspension of sentence in the case of a casual offender) will be made to enable a prisoner to deliver child outside the prison. Only when there is high security risk in the case of any particular woman prisoner, the facility to deliver child outside the prison shall be denied.

Issues Relating with Children Below Six Years of Age

The importance of children and child care is well established; and criminological perspective attempts to theorize juvenile delinquency to remind the society in general and the policy makers in particular are gateway of adult criminality. The Human Development Report (HDR) released in July 2014 lays great emphasis on early childhood as the most sensitive phase in the formation of life capabilities.²⁹ The first 1,000 days of life, between a woman's pregnancy and her child's second birthday, are recognised as the critical window of time for influencing lifelong health and intellectual development by child development authorities. Though the jail administration opines that all children are properly cared in the very jail premise, it is a million dollar question that how a barrack which has the capacity to accommodate only seventeen prisoners is now accommodating almost five times the number. When it is not hygienic or even worth living for adult prisoners, the children below six years must be living there under traumatic situations.

²⁹ Zakia Kurrien, 'Ensuring a Healthy Start to Life', *The Hindu* (October 2014) available at <http://www.thehindu.com/opinion/op-ed/ensuring-a-healthy-start-to-life/article6482172.ece> accessed on 2 May 2017.

Implications of Feminist Criminology for Corrections

The human rights movements in general and feminist criminology in particular have called attention to several major problems being faced by women. Clearly, women bring different needs to prison. Women are more family oriented than men, they do most of the child caring, and that women inmates express more anxiety over their children than do male inmates. In women's prison, the staff is predominantly male. Feminists, concerned with patriarchy, have special reason to be interested in the fact that women placed in prison are under more male control than those outside. Undoubtedly it has created awareness of a gender angle in offending, victimisation, and the practice of the criminal justice system and emphasised on the victim in criminology. A conservative approach is applied in the whole criminal justice system from trial to sentencing in cases of women offenders. As a result, gender stereotypes prevail in criminal justice system. Feminist criminology emphatically submits that violent women should not be cast as cold, callous, calculating, and vicious and bitch as antithesis of the caring, nurturing wife and mother. Its major submission is that female criminals should be considered as "doubly oppressed". Poverty and illiteracy double contribute in female criminality. Effective prevention and treatment programs for female offenders must address their unique mental health and other needs. It should be recognized that female offenders are likely to require continued support. Without such support, these offenders may be unable to avoid passing on their legacy to future generations. Specific needs of female prisoners, which have been thoroughly ignored, should be identified. The inadequate police and criminal justice response to women's victimisation should be reformed.

Conclusion

The paper concludes with a note that there are several strands and angles of women's rights movement. Advocating one's right may involve the issue of violation of others' rights. Therefore, the cases of female prisoners should be judged in a holistic and comprehensive manner.
