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# Challenges and Dilemmas in Social Rehabilitation of Women Prisoners: A Case Study of Naribandi Niketan Mahila Karagar in Uttar Pradesh, India

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FARZEEN BANO<sup>1</sup>

## ABSTRACT

*The aim of this research paper is to investigate the challenges and dilemmas faced in implementing and accessing social rehabilitation programs for women prisoners in Naribandi Niketan Mahila Karagar, a women-specific jail in Lucknow, Uttar Pradesh, India. Social rehabilitation is essential for reintegrating convicts into society, yet numerous barriers impede this process for women prisoners. This research tries to explore the primary barriers to social rehabilitation and how they impact the reintegration of women prisoners. Fundamental objectives include examining the challenges faced in accessing educational facilities, vocational training, and healthcare, as well as understanding the effect of societal stigmatization and infrastructural inadequacies. The separation from families and communities, inadequate living conditions, and lack of regular communication with family further make difficult the rehabilitation efforts. Additionally, the lack of appropriate allocation, categorization and classification methods for prisoners hinder successful rehabilitation. Pointing out these challenges needs a extensive approach, including improving infrastructure, enhancing access to education and healthcare facilities, and encouraging societal acceptance.*

*The methodology includes a case study approach, utilizing qualitative data from interviews with women prisoners and prison's staff, and observations method within the prison. The findings explain significant barriers, such as limited access to educational and vocational opportunities, lack of healthcare facilities, societal stigmatization, and low infrastructure. This paper underscores the importance of developing effective intervention strategies and policies tailored to the specific needs of women prisoners, aiming to inform policymakers and stakeholders in creating extensive rehabilitation frameworks that advocate successful social reintegration.*

**Keyword:** *Social Rehabilitation, Challenges, Dilemma, Women Prisoners, Reintegration.*

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<sup>1</sup> Author is an Assistant Professor at Shri Guru Nanak Degree College, Rudrapur, U. S. Nagar, Uttarakhand, India.

## I. INTRODUCTION

Women comprise the minority of prisoners around the world, constituting an estimated two to nine percent of national prison populations. Prison systems and prison regimes are almost invariably designed for the majority male prison population from the architecture of prisons, to security procedures, to facilities for healthcare, family contact, work and training. As a consequence, few prisons meet the specific needs of women prisoners, and often do not prepare them for release with gender-appropriate rehabilitation. The women prisoners have to face more challenges regarding their future life in compare to the men prisoners. Women has to face personal crisis to social crisis, it's hard on her part to relive again in society. The women prisoner lacks medical care and often the jail administrators ignore the health aspect of the prisoners which is a human rights issue, as well as has psychological consequences.<sup>2</sup>

Women, one of sizeable marginal groups in India, suffer gender injustice starting from everyday sexual harassment to deprivations and discriminations in many forms with varying degrees across spheres. Particularly, women inmates in the Indian jails face disadvantages and are found to be more vulnerable in the criminal justice system. While on the one hand there are limited separate women jail is very limited in India, on the other hand many such women in the criminal justice system belong to poor, illiterate and weaker sections of society and the legal awareness for them is neither available nor affordable. A large majority of women who are being detained not only lack economic means to afford a legal help but also found to be unaware of their legal rights. Such disadvantages put them in vulnerable circumstances and always remain at risk of signing documents with serious legal consequences.

Women's participation in various illegal activities is on the rise. Their jail population is steadily increasing. However, there hasn't been much research done on women in jail. Though few studies (Ahuja;1969,<sup>3</sup> Kawale;1982,<sup>4</sup> Rani;1983,<sup>5</sup> Bhatnagar; 1990<sup>6</sup>) on inmates have primarily focused on male prisoners or prisoners in general, few researches on women in jail have been done in India (Sharma; 1965,<sup>7</sup> Nagla;1982,<sup>8</sup> National Commission of Women (NCW); 2008,<sup>9</sup>

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<sup>2</sup> Craig Haney, *Mental Health Issues in Long-Term Solitary and "Supermax" Confinement*, 49 *Crime & Delinq.* 124 (2003).

<sup>3</sup> Rama Ahuja, *Female Offenders in India* (Meenakshi Prakashan 1969).

<sup>4</sup> K.G. Kawale, *Nature of Crimes Committed by Women in Nanded Readings in Criminology*, *News Bull., ISC*, Calcutta, 1982.

<sup>5</sup> B.M. Rani, *Homicides by Females*, *Indian J. Criminology*, No. 1, Jan. 1983.

<sup>6</sup> R.R. Bhatnagar, *Crimes in India: Problems and Policy* (Ashish Publ'g House 1990).

<sup>7</sup> R.K. Sharma, *Women Offender of U.P.: A Psychological Social Study of Women Convicts and Undertrial Prisoners in U.P. Jails* (Unpublished Ph.D. thesis, University of Lucknow, 1965).

<sup>8</sup> B.K. Nagla, *Women and Crime: A Sociological Analysis of Women Criminality in India*, 43 *Indian J. Soc. Work* 273 (Oct. 1982).

<sup>9</sup> <http://ncw.nic.in/ncw-reports/report-improving-condition-women-inmates-prisons>, access on 05/03/2025.

Rao; 1982,<sup>10</sup> etc.), particularly in the instance of Uttar Pradesh. Women's inmates have always received less attention since the beginning. Hence, there is an urgent need to conduct research on women's incarceration and lives.

### **(A) Objectives and Methodology**

Addressing the identified research gaps, the primary objective of this paper is to examine the obstacles, dilemmas, and challenges that hinder the effective social rehabilitation of women convicts. Specifically, it aims to identify a range of issues affecting the rehabilitation of female prisoners, including social, legal, economic, mental or emotional, physical, and familial factors. These challenges encompass limited access to education and vocational training, inadequate healthcare facilities, societal stigmatization, and insufficient infrastructure.

Given the sensitivity of working with women prisoners, this study adopts a qualitative approach, utilizing case studies. The research is based on case studies involving 30 women convicts from Naribandi Niketan Mahila Karagar, accounting for approximately 10% of the total female prisoner population in Lucknow, Uttar Pradesh. The respondents were categorized into four age groups: 54% were above 50 years old, 41% were between 31 and 49 years old, 3% were aged 26 to 30, and only 2% belonged to the 18–25 age group.

Regarding residential backgrounds, 76% of the women were from rural areas, while 24% hailed from urban regions. In terms of occupation, 76% were housewives whose circumstances—such as work pressure, maladjustment, rigid marital relationships, lack of income, and societal norms—contributed to their involvement in criminal activities. Only 22% of the respondents were employed in private companies, government sectors (e.g., teaching), or family-owned shops such as medical stores, grocery shops, cosmetic outlets, or tailoring businesses. These women faced various challenges, including workplace harassment and sexual abuse.

The respondents' familial backgrounds also revealed significant disparities. Approximately 68% of the women came from families dependent on daily wages, 22% belonged to families with private jobs, and only 2% came from families with government jobs. Family income data showed that 53% of the women had a monthly average income below ₹10,000, 28% between ₹10,001 and ₹20,000, 14% between ₹20,001 and ₹30,000, while merely 5% earned over ₹30,000.

The educational profiles of the respondents indicated that 70% were illiterate. This lack of education was attributed to factors such as poverty, societal attitudes towards female literacy,

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<sup>10</sup> S. Venugopal Rao, *Female Criminality, Readings in Criminology, Souvenir Volume*, Calcutta, 1982.

and early marriage. These socio-economic disadvantages underline the systemic barriers faced by women convicts, further complicating their path to rehabilitation and reintegration into society.<sup>11</sup>

## **II. FINDINGS AND DISCUSSION**

### **(A) Difficulties and Dilemmas Faced by Women Prisoners**

Through case study method from women prisoners, several concerns were uncovered which is explained below:

#### **1. Psychological Disturbance and Loneliness**

Prisons are institutions where criminals are imprisoned and given the opportunity to rediscover themselves. Unfortunately, the prison and correctional systems were shown to be a form of torture because they had poor psychological effects in many of the detainees. Delusions, dissatisfaction with life, claustrophobia, despair, panic attacks, stress, denial, phobias, nightmares, sleeplessness, drug abuse, criminal behavior, and, on rare occasions, suicidal ideation are among them. Samyukta and Thotakura's (2015) study found the same problem: a high percentage of female prisoners suffer from psychological disorders like schizophrenia, bipolar disorder, hopelessness, post-traumatic anxiety disorder, etc., but many of them go undiagnosed. Many women may put off getting therapy until they are in jail.

In addition to increased stress, jail conditions are distinguished by the difficulty that prisoners confront in adapting to changes in their living environment. They must acclimatize to their new circumstances and overcome the bad affects they are experiencing. According to A study, the new environment included poor living conditions, a criminal subculture with matching leaders, frequent interpersonal confrontations, rudeness, ill will, and pressure from both staff, administration, and other convicted women (Mahmood, Tripodi, Vaughn, Bender, & Schwartz, 2012;<sup>12</sup>). All of these factors contributed to the emergence of personality disorders, depression, the development of feelings of loneliness in imprisoned women, and even suicide attempts.

Therefore, the researcher discovered that women in prison experienced loneliness, both socially, as a result of their limited social contacts, and familiarly, as a result of either their limited visiting rights, contacts with family members, their spouses (partners), their friends, as a result of divorce, the refusal of kin to maintain any contact, or in rare instances, the loss of a loved

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<sup>11</sup>All the data described in the methodology is based on the analysis of data collected from the field (Nari Bandi Niketan Mahila Karagar, Lucnkow) during the study.

<sup>12</sup>S.T. Mahmood et al., Effects of Personality Disorder and Impulsivity on Emotional Adaptations in Prison Among Women Offenders, 83 *Psychiatric Q.* 467 (2012), <https://doi.org/10.1007/s11126-012-9215-5>.

one. The results of recent research indicate that women in prison facilities had a great sense of loneliness, despair, uneasiness, and worry, among other things, which had an impact on them physically and mentally. Accordingly, recent research amply demonstrates the jail's lack of a mental health program. Such inmates need to be counselled and comforted, and the jail management needs to give them access to all services.

## **2. Lack of Family Support**

In comparison to men, women who are incarcerated receive less assistance from and communicate with family members. A survey found that 30 percent of women who were convicted in Pakistan divorced or split up either while they were detained or after they were released. Lack of support from family members significantly worsens the mental health of female convicts. In order to support the mental health of female convicts, it is crucial to cultivate strong familial ties. In one of its publications titled "Tools and Strategies for Service Providers Working with Female Prisoners," UNODC made improvements in this area for NGOs and the prison administration.<sup>13</sup>

Several studies have found that maintaining family relationships while incarcerated helps convicts improve their normal behaviors in jail and after they are released. Individuals who have family contact while incarcerated are less likely to recidivists (Bales & Mears, 2008;<sup>14</sup> Barrick, Lattimore, & Visher, 2014;<sup>15</sup> De Claire & Dixon, 2017<sup>16</sup>; Mears, Cochran, Siennick, & Bales; 2012<sup>17</sup>), more likely to have and secure post-release employment opportunities (Liu et al., 2016;<sup>18</sup> Visher, Bakken, & Gunter, 2013<sup>19</sup>). These favorable effects, however, are not uniform. According to Kupers (2000), the better a prisoner's post-release reintegration with his or her family and community, the greater the quality of visiting during his or her incarceration.<sup>20</sup>

Maintaining family ties appears to have a good impact on the social rehabilitation of all

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<sup>13</sup>[https://www.unodc.org/documents/pakistan/briefs%202/Briefs\\_and\\_strategies\\_for\\_NGOs\\_working\\_with\\_Female\\_Prisoners\\_B\\_opt.pdf](https://www.unodc.org/documents/pakistan/briefs%202/Briefs_and_strategies_for_NGOs_working_with_Female_Prisoners_B_opt.pdf). Pg.5 Access on 5th may, 2022.

<sup>14</sup> W.D. Bales & D.P. Mears, Inmate Social Ties and the Transition to Society: Does Visitation Reduce Recidivism?, 45 *J. Res. Crime & Delinq.* 287 (2008), <https://doi.org/10.1177/0022427808317574>.

<sup>15</sup> K. Barrick, P.K. Lattimore & C.A. Visher, Reentering Women: The Impact of Social Ties on Long-Term Recidivism, 94 *Prison J.* 279 (2014), <https://doi.org/10.1177/0032885514537596>.

<sup>16</sup> K. De Claire & L. Dixon, The Effects of Prison Visits From Family Members on Prisoners' Well-Being, Prison Rule Breaking, and Recidivism: A Review of Research Since 1991, 18 *Trauma, Violence, & Abuse* 185 (2017), <https://doi.org/10.1177/1524838015603209>.

<sup>17</sup> D.P. Mears, J.C. Cochran, S.E. Siennick & W.D. Bales, Prison Visitation and Recidivism, *Justice Quarterly* (2012), [http://purl.flvc.org/fsu/fd/FSU\\_libsubv1\\_scholarship\\_submission\\_1461944713](http://purl.flvc.org/fsu/fd/FSU_libsubv1_scholarship_submission_1461944713).

<sup>18</sup> Huinan Liu et al., Trauma Exposure and Mental Health of Prisoners and Ex-Prisoners: A Systematic Review and Meta-Analysis, 89 *Clin. Psychol. Rev.* 102069 (2021), <https://doi.org/10.1016/j.cpr.2021.102069>.

<sup>19</sup> C.A. Visher, N.W. Bakken & W.D. Gunter, Fatherhood, Community Reintegration, and Successful Outcomes, 52 *J. Offender Rehab.* 451 (2013), <https://doi.org/10.1080/10509674.2013.829899>.

<sup>20</sup> J.B. Folk et al., Behind Bars but Connected to Family: Evidence for the Benefits of Family Contact During Incarceration, 33 *J. Fam. Psychol.* 453 (2019), <https://doi.org/10.1037/fam0000520>.

convicts, particularly older ones. However, elderly inmates who have been in jail for a long time lose contact with their families and communities, becoming increasingly reliant on the jail. The loss of familial ties, as well as the death of relatives and friends, has an impact on elder inmates' mental health and their chances of effective reintegration after release. In countries where the family, extended family, and local community are vital aspects of the social fabric, and women play a prominent role as caretakers, older female convicts suffer significantly from separation from their families and communities. In the present research, an attempt has been made to know through the case study method, what is the effect of not meeting family and relatives or friends on women prisoners. According to this, it has been found that women who did not come to meet them were affected in two ways, one was their mental and physical health was affected, the other effect was on their social behaviour, due to which she was not able to learn anything new. In some women, it has caused insomnia, headache, nervousness, high blood pressure, even heart disease. One of these cases shows that no one ever comes to meet women prisoners who are in jails far away from their homes and even so, once in a year. The administration needs to take some strong steps in this direction.

### **3. Lack of Legal Assistance**

The term "legal aid" refers to legal help offered to individuals who cannot pay it in order to prevent them from suffering injustice. According to Justice P.N. Bhagwati, legal aid entails making a societal arrangement so that the mission of administering justice is easily accessible and not out of reach of those who need it for enforcement, i.e., the poor, illiterate, and even prisoners should be able to approach the courts, and their ignorance and poverty should not be an impediment to them obtaining justice from the court.<sup>21</sup> Despite the fact that legal help is a fundamental right granted to all citizens, prisoners are denied it when they are incarcerated due to a lack of legal assistance. Article 39A of the Indian Constitution imposes a duty on states to ensure that the legal system operates in a way that promotes justice on an equal footing, and it makes it mandatory, in particular, to provide free legal aid through appropriate legislation or schemes or in any other way to ensure that no citizen's access to justice is denied due to economic or other disabilities. The goal of this provision is to promote fairness in the legal system.

The issue in India's legal aid system is well-known, and it is frequently cited as a fundamental flaw in our criminal justice system. Bad quality of legal counsel, insufficient remuneration to legal aid professionals, pervasive corruption, and poor administrative procedures has all come

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<sup>21</sup> ROHIT SONI, ANALYSIS OF POSITION OF LEGAL AID TO PRISONERS IN INDIA, LATEST LAWS.COM (2018).

up in discussions about India's legal aid system. While the problem in India's legal aid system has been extensively chronicled, the extent to which legal aid lawyers are used for court representation has gotten little attention. A study highlighted the magnitude of underutilization of legal aid services among convicts across the country in this essay, which is based on publicly available data (data provided by NCRB and National Legal Service Authority- NALSA). According to the data, just 7.91 percent of the undertrials sent into jails used the legal aid services to which they were entitled throughout a four-year period, from 2016 to 2019. This underutilization phenomena raises uneasy issues about the efficacy of India's legal aid system, particularly in the context of inmates' socio-economic fragility.<sup>22</sup>

The current study has found that jail administration is more focusing on discipline and infrastructure of the jail than providing basic necessities of the prisoners. Most significantly, the government should engage directly in the jail to raise legal awareness and ensure that inmates are given legal education on a monthly or weekly basis. The finding of the current study clearly express corrupt legal system, corrupt practices of police administration, and lack of legal assistance for disadvantaged prisoners within the jail. Government should give free and fear legal assistance for such needy prisoners.

#### **4. Lack of Basic Facilities and Implementation of Welfare Program**

According to Viano (1976), prison must be healthy places for rehabilitation with a suitable atmosphere for the development of the offender's character. They should rehabilitate them so that when he or she is freed, he or she lives a tranquil and socially responsible life and does not return to crime. Mondejar (1995) stated that the supply of basic requirements such as food, education, clothing, clean drinking water, regular water supply, emergency medical facilities, recreational activities etc. should be provided in the jail.<sup>23</sup>

An Important approach towards prison reform services is the focus on improvement of correctional facilities. The term "facilities" refers not just to the buildings and grounds, but also to the services they provide. Its scope extends to other services and initiatives provided by jail officials. Despite the fact that numerous jails have improved, focusing on topics like as nutrition, clothes, and sanitation, many prisons around the country continue to have unacceptable living circumstances. After the murder of a famous businessman at India's high-security Tihar Central Jail in 1995, a special committee of inquiry found that 10,000 detainees there faced major health

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<sup>22</sup> Anup Surendarnath & Gale Andrew, *Legal Aid and Undertrials: Are There No Takers?* (Equal Just. Equal Opportunity 2022).

<sup>23</sup> <https://www.ijser.in/archives/v6i8/IJSER1891.pdf>, access on 4<sup>th</sup> March, 2025.



risks, including overcrowding, awful sanitary conditions, and a lack of medical staff.<sup>24</sup> To improve prison circumstances, it is not necessary to make life easier for inmates; rather, it is necessary to make it more humane and sensible for them.

Several cases of the study clearly shows the negligence of administration towards health of prisoners. While the Supreme Court ruled in the landmark case of *Parmanand Katara vs Union of India* (1989 AIR 2039), the state has a duty to maintain life regardless of whether the individual is innocent or guilty of a crime, establishing a strong precedent for prisoners' rights in India, particularly the fundamental right to health guaranteed by Article 21 of the Indian Constitution.<sup>25</sup> In 2016, the Supreme Court announced another landmark decision on the legal and constitutional rights of Indian convicts, notably those detained in deplorable circumstances in jails (AIR 2016 SC 993). The lawsuit was brought to address the status of prison reforms in India and to offer instructions, and the court's rulings resulted in the development of the New Model Prison Manual, 2016, by the Ministry of Home Affairs. Even after so many instructions, no development is visible in this direction.<sup>26</sup> The Home Ministry's overarching Model Prison Manual for all operations in prisons, published in 2016 (MPM 2016), as well as the United Nations' Bangkok Rules protocol, both define protocols for the welfare of women convicts with children.<sup>27</sup> These, as well as the Supreme Court decision, have all had a "good influence" on their well-being, but experts believe there is still a "gap between execution and policy."

The current research cases talk about the lack of the implementation of Supreme Court Judgement. As a result of living in a restricted correctional environment, their children seldom have access to learning and frequently lack social skills. Children are taken from their mothers at the age of six and placed in state-run facilities until their mothers are released or they are able to make a living. Rules established by a Supreme Court (SC) of India ruling in 2006 for the welfare of women convicts and their children mandate that these youngsters be permitted to visit their mothers in jail at least once a week, although this is rarely followed.

### **5. Lack of Post -Release Program**

Evidence on the effectiveness of post-release programmes for women is lacking. Post-release programmes (also known as re-entry, reintegration, and resettlement) are community-based treatments (Baldry;2010) and Borzycki;2005). According to research conducted in jails

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<sup>24</sup> SHUBHAM KASHYAP, MAJOR PROBLEMS OF PRISON SYSTEM IN INDIA, TIMES OF INDIA, JAN. 2022.

<sup>25</sup> <https://indiankanoon.org/doc/498126/>, access on 4<sup>th</sup> March, 2025.

<sup>26</sup> <https://www.aironline.in/legal-judgements/AIR+2016+SUPREME+COURT+993>, access on 4<sup>th</sup> March, 2025.

<sup>27</sup> <https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-rules-treatment-women-prisoners-and-non-custodial>, access on 3<sup>rd</sup> March, 2025.

throughout the world,<sup>28</sup> prisoners become emotionally hardened and wary of new situations as a result of their confinement. Ex-convicts who have completed long terms are particularly susceptible since they are suddenly freed from prison settings that are vastly different from what they would encounter in the outside world. These people no longer have the physical, financial, or psychological resources they need to adjust to their daily lives. Many convicts face challenges in obtaining enough housing, healthcare, job, and social assistance. Today, prisoner rehabilitation is seen as a worthwhile objective of punishment that should be sought by all criminal justice systems.

Similarly, programs that do not effectively help freed inmates have been reported in different part of the country. An article published in *Youth Ki Awaz* (2022) revealed that many inmates in Tamil Nadu used family resources to travel to community centres to apply for financial help, but were continually refused down by officials who did not believe their needs to be urgent. According to independent research conducted at Delhi's Tihar Prison, just 1.27 percent of offenders who spent at least 15 years and were freed between 2018 and 2020 received government rehabilitation funds. Ex-convicts in Karnataka are "doubly marginalised," according to former IPS officer ST Ramesh, who noticed that they are "doubly isolated" because they face great public shame and little departmental action to satisfy their requirements.<sup>29</sup> The Aim of the correctional justice system should not be based on '*Once an Offender, Always an Offender*'. Furthermore, many of these programs are only available to a select group of offenders based on characteristics such as economic disadvantage, physical ability, gender, sentence length, and relationships with prison officials.

As the result of findings many offenders refuse to engage in rehabilitation programmes based on arbitrary, uncontrolled selection methods. Most jails consider the availability of skill-enhancing programs' or 'vocational training programs aimed to rehabilitate offenders destined for release when evaluating facilities for rehabilitation. In actuality, offenders are compelled to labour in professions such as incense stick manufacturing, plumbing, carpentry, footwear and mask manufacturing, or working in gas stations; jobs that do not equip inmates with necessary skillsets or employment opportunities of their choosing.

## 6. Stigma of Imprisonment Among the Children's of Women Prisoners

The imprisonment of a parent has a significant impact on children who may have already

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28 Christine Jarrett, How Prison Changes People, BBC Future (2018), <https://www.bbc.com/future/article/20180430-the-unexpected-ways-prison-time-changes-people>.

29 Devaprashad, Asna, 2022. Once An Offender, Always An Offender: Life Of A Released Prisoner In India." *Youth Ki Awaz*.

experienced a variety of life challenges. Parental incarceration is becoming an increasing worldwide problem, not just because of the impact of social, economic, and ethnic disparities on incarceration, but also because the impact of mass incarceration "extends well beyond parents to whole families and neighborhoods" (Wakefield and Wildeman, 2011).<sup>30</sup>

Enforced separation of parents and children, infrequent and restricted contact, and irregular caregiving arrangements are all consequences of parental imprisonment, all of which can put children at danger (Kobak and Madsen, 2008).<sup>31</sup> This separation is unrelated to the degree of societal support given to other types of separation, such as a parent's death (Phillips and Gates, 2011).<sup>32</sup> Indeed, the loss connected with parental incarceration removes the kid not just from their parent, but also from their friends and community. It is a loss that goes well beyond the absence of a parent (Geller et al., 2012).<sup>33</sup>

According to findings of current research separation from their parents as a result of incarceration has been shown to impair children's behavior, cause feelings of alienation anxiety, and sadness, and have an impact on their schooling. Stigma is linked to parental incarceration and has been shown to have a negative influence on one's health and well-being.

Parental imprisonment requires immediate attention, including programs that build on children's coping methods to create resilience (Dawson et al., 2012). Manning (2011) argues that the repercussions of parental incarceration have been generally disregarded in public policy debates, while Boudin (2011) observes that considering children's needs within the criminal justice system is seen as 'discretionary, as a matter of privilege' rather than mandatory.<sup>34</sup>

Policymakers should take the lead in reducing the negative consequences of parental imprisonment for children. Nurses and other health professionals must utilize their power to influence and establish legislation that protects children and, more crucially, keeps families out of the criminal justice system.

## **7. Absence of Proper Care of Elderly Women Prisoners in the Jail**

Life in jail can be difficult for anyone, but it can be more difficult for those whose bodies and

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<sup>30</sup> <https://onlinelibrary.wiley.com/doi/abs/10.1111/j.1745-9133.2011.00741.x>, access on 3<sup>rd</sup> March, 2015.

<sup>31</sup> R. Kobak & S. Madsen, *Disruptions in Attachment Bonds: Implications for Theory, Research, and Clinical Intervention*, in *Handbook of Attachment: Theory, Research, and Clinical Applications* 23 (J. Cassidy & P.R. Shaver eds., 2d ed. 2008).

<sup>32</sup> S.D. Phillips & T. Gates, *A Conceptual Framework for Understanding the Stigmatization of Children of Incarcerated Parents*, 20 *J. Child & Fam. Stud.* 286 (2011), <https://doi.org/10.1007/s10826-010-9391-6>.

<sup>33</sup> A. Geller et al., *Beyond Absenteeism: Father Incarceration and Child Development*, 49 *Demography* 49 (2012), <https://doi.org/10.1007/s13524-011-0081-9>.

<sup>34</sup> D. ANGELA, B. LORNA, & C. BERNIE, 2013. "STIGMA, HEALTH AND INCARCERATION: TURNING THE TIDE FOR CHILDREN WITH A PARENT IN PRISON", *JOURNAL OF CHILD HEALTHCARE*, VOL. 17, (MARCH).

minds are deteriorating due to ageing (HRW, 2012).<sup>35</sup> According to socio-psychological study (Kessler, 2002<sup>36</sup>), the happiest old persons are those who can remain active, have close relationships with family and friends, and feel they are still contributing in some meaningful way. We definitely live in an ageist society, and none of us look forward to becoming old, but old age may be negotiated more or less effectively when we have access to great health care, some level of financial stability, and supportive social networks to join.

In prisons across the world, including the United States, the United Kingdom, Australia, New Zealand, Japan, and Canada, senior inmates represent the fastest rising age category (Aday & Krabill, 2012)<sup>37</sup> Given the growing population of older convicts, correctional services require an awareness of older persons in prison in order to develop efficient planning and management methods. Aging in prison is a very different experience. The majority of elderly offenders have lost touch with their family and friends, who are either deceased, too old to visit, or have just gone on with their life. Health issues are a daily preoccupation, as is the fear of death, which is grist for nightmares when you're alone in a small cell. Possibility to appreciate the tiny pleasures in life that become increasingly significant as we age. The issue of handling the elderly in prisons has surfaced as one of the most major and unanticipated issues in corrections. The minor amount of literature suggests that elderly prisoner populations across the world have major physical, mental, and social issues, as well as hurdles to safe and productive involvement in the jail facility.<sup>38</sup> Though it may be of most concern in wealthy countries, where life expectancy has gradually and dramatically improved, the problem is expanding rapidly in developing countries, where extended prison sentences are becoming the norm. Many jurisdictions throughout the world have been caught off guard by the age of their prisoner population. It is definitely a scenario that necessitates action in accordance with several statements of respect for human rights adopted by the majority of the world's countries. The elderly in prison, like all prisoners, have the right to be treated with respect for their humanity and inherent human dignity; to be free of torture and other cruel, inhuman, or degrading treatment or punishment; to receive adequate medical and mental health care; to have reasonable accommodations for their disabilities; and to be provided with activities and programs to aid in their rehabilitation.<sup>39</sup>

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<sup>35</sup> Human Rights Watch, *Old Behind Bars*, 2012 p.4

<sup>36</sup> R.C. Kessler et al., *Short Screening Scales to Monitor Population Prevalences and Trends in Non-Specific Psychological Distress*, 32 *Psychol. Med.* 959 (2002), <https://doi.org/10.1017/s0033291702006074>.

<sup>37</sup> Ronald H. Aday & Jennifer J. Krabill, *Older and Geriatric Offenders: Critical Issues for the 21<sup>st</sup> Century*, in *Special Needs Offenders in Correctional Institutions* (Lior Gideon ed., 2012), <https://doi.org/10.4135/9781452275444.n7>.

<sup>38</sup> S. Baidawi & Chris Trotter, *Psychological Distress Among Older Prisoners: Literature Review*, 5 *J. Forensic Soc. Work* (2015).

<sup>39</sup> Frank J. Porporino, *Managing the Elderly in Corrections*,

According to the findings of this research, the majority of women over the age of 50 were not interested in rehabilitation programs. The reason for this was that such institutions were designed with the needs of young inmates in mind, rather than the needs of elderly inmates. Apart from this, there was a lack of facilities related to the health of elderly women prisoners in this jail. The facilities in any way were not made keeping in mind the aged links, even the jail staff did not treat them well. Older people are more diverse than others and have different needs, depending on their socio-economic and health backgrounds. It has been noted that in general elderly people are more heterogeneous than any age group. This places an additional burden on prison systems because more attention to individualized assessment, programming, planning and monitoring is required. Prisoner programmes are often tailored to the requirements of younger inmates, with the goal of reducing reoffending after release by improving their employment skills and education. The majority of senior inmates have different requirements and talents than their younger colleagues. Many elderly inmates, for example, may be uninterested in vocational training classes if they were over retirement age and will not be looking for work when they were released. Elderly prisoners who have been out of school for a long time may be unmotivated to participate at all, or may be hesitant to enrol in classes alongside younger prisoners. Some elderly prisoners may be unable to work as a result of physical limitations or health issues if job assignments are not modified. Due to impairments or health concerns, many elderly may be unable to participate in leisure activities and outdoor exercise. Because of their age, the sorts of crimes they commit, and the duration of their sentences, older convicts have particular requirements in terms of offending behaviour programmes, treatment, and counselling.

To safeguard the health of elderly prisoners and avoid significant health consequences, prison officials should guarantee that unique nutritional demands are met. Despite the fact that no specific standards for the treatment of older prisoners have been adopted, the United Nations Principles for Older People, adopted in 1991, provide general principles that apply to the rights and needs of all older people, including the principles that should guide policies and programs developed for older prisoners. Furthermore, the United Nations Standard Minimum Rules for the Treatment of Inmates apply equally to all prisoners. The European Prison Rules, which were established in 2006, include no mention of senior convicts. However, the Council of Europe's Committee of Ministers has issued a resolution on the treatment of long-term inmates, which addresses concerns raised by a substantial number of senior inmates.<sup>40</sup>

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[https://www.unafei.or.jp/publications/pdf/RS\\_No94/No94\\_VE\\_Porporino2.pdf](https://www.unafei.or.jp/publications/pdf/RS_No94/No94_VE_Porporino2.pdf).

<sup>40</sup> Tomris Atabay, Handbook on Prisoners with Special Needs, Criminal Justice Handbook Series (U.N. Off. On

### III. CONCLUSION

According to an analysis of the circumstances of women prisoners in Naribandi Niketan Mahila Karagar, the goal of incarceration is still custodial. Jail administration is focusing only on discipline and infrastructural development of the prison based on Bentham's model of 'panopticon'<sup>41</sup> which is based on security and discipline but not focusing on the implementation of welfare programs for the rehabilitation. Prisons do not provide institutional correctional programs for the rehabilitation and reintegration of women prisoners. After-care services for women who have been released from prison and did not have family support were minimal. Both national and state prison statutes, do not address the requirements of women prisons. No one can expect good implementation of welfare programs and decent treatment of inmates, especially for women, while laws are flawed.

Following a thorough examination of the qualitative method in the contemporary research, it was revealed that there are two types of difficulties in social rehabilitation. In general, both male and female prisoners confront obstacles to successful rehabilitation and reintegration into society. Some of these impediments are structural, while others are due to personal situations. The first is due to the prison administration's inadequate, unplanned facilities, and the second is that the prisoners themselves do not want to participate in these programs due to a lack of awareness or knowledge, lack of interest or motivation and poor health.

While on the other hand, prisoners had been reported to have a high level of insecurity, worry, and frustration. They were likewise concerned about their children's well-being and happiness. They expressed concern for their future as a result of the stigma of jail. Elderly women were more stressed because of their weak health and disability to do any work freely. The findings regarding the emotions of prisoners were reached in the current study.

Further, as per the findings of the research, the nature of work provided in the jail was not based on personality development and future growth. There was no permanent rehabilitation facility available. The Planning Commission Report (2006) and National Commission of Women Report (2010) also presented same result about the lack of reintegration facility provided in the jail. The respondent expressed their view that the administration should look into the concern so that they could become economically independent after their release. The respondents also emphasised that the government action is urgently needed to provide the fundamental human rights of women prisoners to food, water, healthcare, education, energy, and other resources.

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Drugs & Crime, U.N. Publ'n 2009).

<sup>41</sup> Panopticon is a model of jail infrastructure to keep an eye on prisoners it was developed by Jeremy Bentham.

The government should ensure that these basic goods and services are easily available to all prisoners. These provisions must be guaranteed by national and state governments, and they must be made easier by a UN statement.

Rehabilitation of prisoners is an extremely difficult process. Prisoners are segregated from the general public and forced to live in a society with people for whom crime is a way of life. For many, time spent behind bars will push them farther into a life of crime, but for others, the horrors of prison life and the lessons they learn there are enough to deter them from committing crimes again in the future.

#### **(A) Policy Interventions from a Gender Lens**

Hence, it can be highlighted that rehabilitation is not a linear process and it has many layers and several significant stakeholders play a role in this course of action. The process of rehabilitation begins right from the time of imprisonment and continues much after the release of the prisoners. The outcome of reintegration programmes should include the protection of the victims' rights and interests. It calls for opportunities for offenders to make amends and help them desist from crime. Offenders can make positive contribution to their communities and must be provided with opportunities.

Imprisonment is a costly penal sanction. A debate about its efficacy has many perspectives. Do we follow a forward-looking approach or are we stuck with the past, focusing on revenge and retribution? While investment in new prison buildings and hi-tech security gadgets may conjure a feeling of security, there are many other complex dimensions that need to be addressed. Smart investment in the penal system is in terms of future goals, with attention on the reintegration of prisoners back into society.

Lastly, the researcher would like to suggest that to develop a comprehensive model of rehabilitation the prisons settings must be perceived as a continuum of a total unit working towards reformation, rehabilitation and reintegration of prisoners.

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