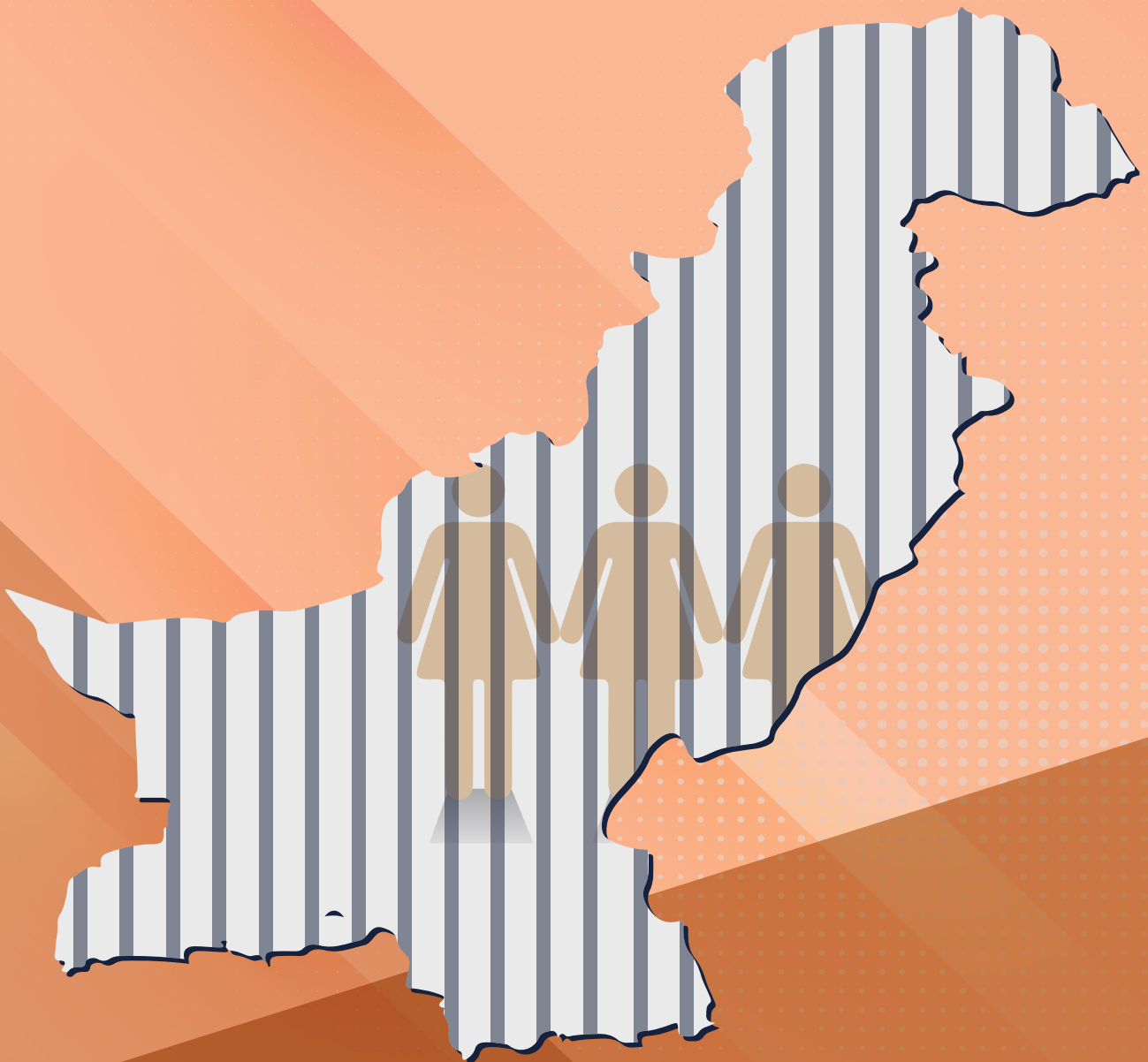


Drug use amongst **women** detainees:

correlates of substance abuse amongst
under trial women in Sindh, Pakistan.



In Pakistan, substance abuse among women has either been masked by national denial or by a lack of research approach which would give equal attention to female subjects. This lack of interest and research has given rise to an anecdotal understanding of female offenders and the offenses they commit.

Recent studies have shown an ever-increasing rise in drug-use; at least

4.25 million drug users are in need of long-term treatment (Ghazal, 2018).

A 2014 UNODC report revealed that

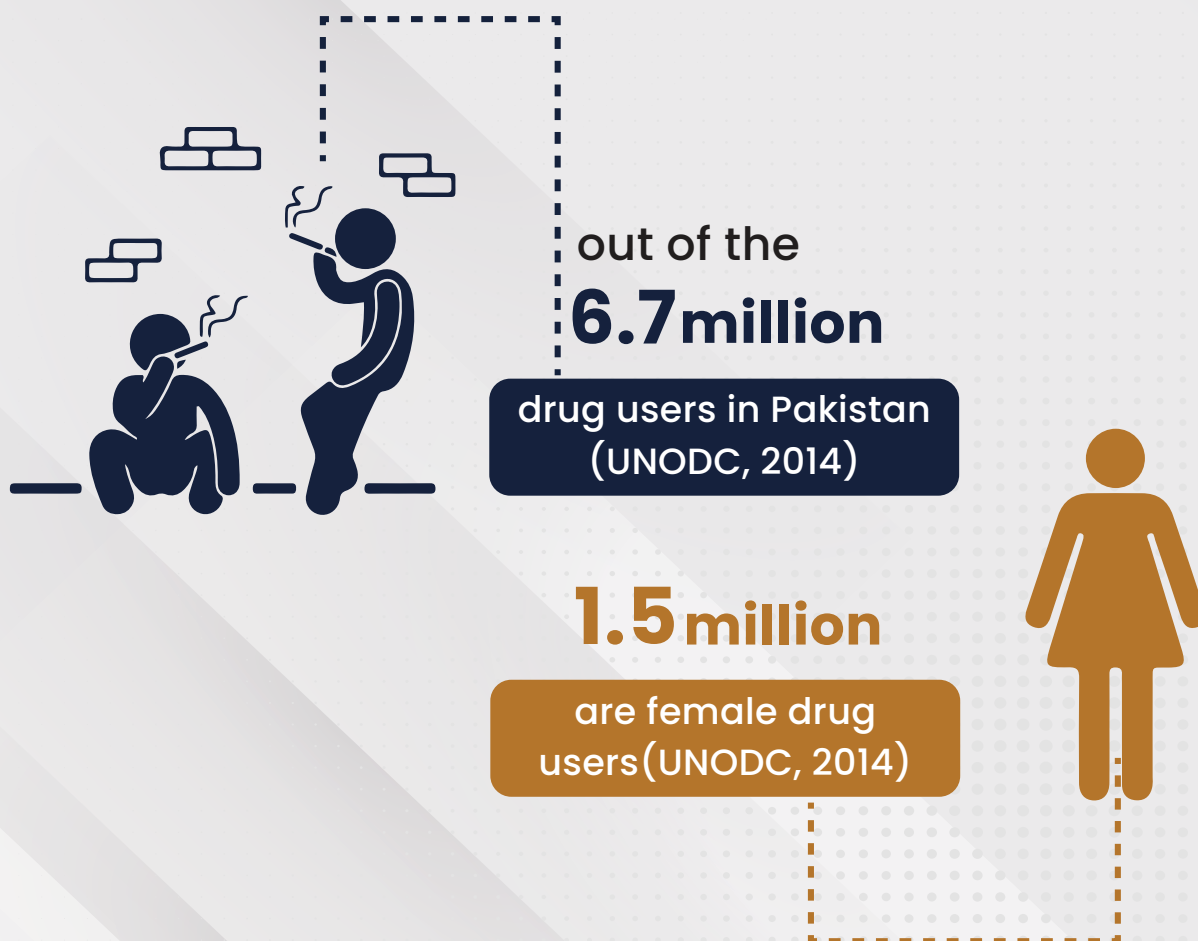




Figure 1: Drug related statistics

Literature has established connections between drug use and criminality. Pierce et. al (2017) argues that the crime drug use association falls under the following categories: forward causation i.e., crime caused by economic necessity to fund drugs; reverse causation i.e., crime causes drug use; and confounding i.e., crime and drug use share a common set of causes.

Considering the connection between drug use and criminality, there is an urgent need to better understand this relationship so that effective interventions are developed for the future. The aim of this research is to examine drug use among women detainees across prisons in Sindh, Pakistan to explore patterns/correlations between substance abuse and criminality amongst women.



1) This figure was calculated after reviewing prison population for convicted and under-trial prisoners for each women prison within Sindh, identifying the number of women convicted or under-trial for drug-related crimes and calculating cumulative percentage for the entire province

Local Context



The Control of Narcotic Substances for the province of Sindh:

Sindh's narcotic policies and laws are guided by 'The Control of Narcotic Substances Act, 1997' which defines the punishment and imprisonment for drug use, abuse, smuggling and trafficking.

In terms of substantive provisions, the Control of Narcotic Substance Act 1997, lacks a gender-sensitive and rehabilitative approach. While the act lists down certain provisions such as the registration of addicts by the Provincial Government for

treatment and rehabilitation, cost-bearing by the Federal Government for first time de-toxification or de-addiction, and the establishment of treatment centers by the Provincial Government for de-toxification, de-addiction, after-care, rehabilitation, and social integration of addicts; none of the points pay any special attention to the different needs of women drug users and abusers.

The National Anti-Narcotics Policy:

The Control of Narcotic Substances Act, 1997 is supplemented by the Anti Narcotic Force (ANF) Act 1997, under which the Anti-Narcotic Force was established to undertake and oversee investigations of narcotics and drug-related crimes.



Figure 2: Functions of Anti-Narcotics Policy 2019

The National Anti-Narcotics Policy 2019 is not too different from its predecessor (2010 policy). When compared, both the 2010 and 2019 policies focus on creating awareness through civil society, media, and educational institutions (Iqbal, 2019).

The 2019 policy does, however, take a more gender-sensitive approach as compared to the 2010 policy. The ANF 2019 policy focuses on improved affordability and accessibility to gender sensitive treatment and rehabilitation programs along with increased number of dedicated facilities for women (ANF, 2019).

Anti-Narcotics Policy 2010



Separate arrangement and facilities for treatment and rehabilitation of women



Separate treatment centers for female drug users in 5 cities.

Anti-Narcotics Policy 2019



improved affordability



enhanced gender sensitive drug treatment



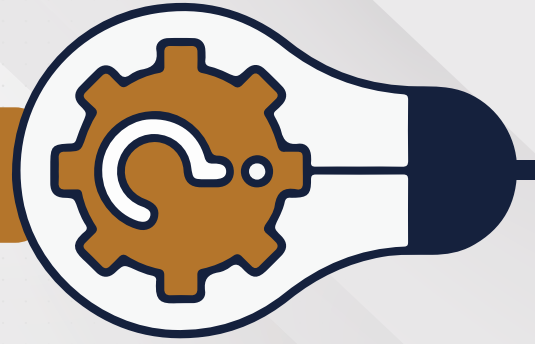
dedicated facilities



increased number of gender-sensitive drug treatment and rehabilitation centers.

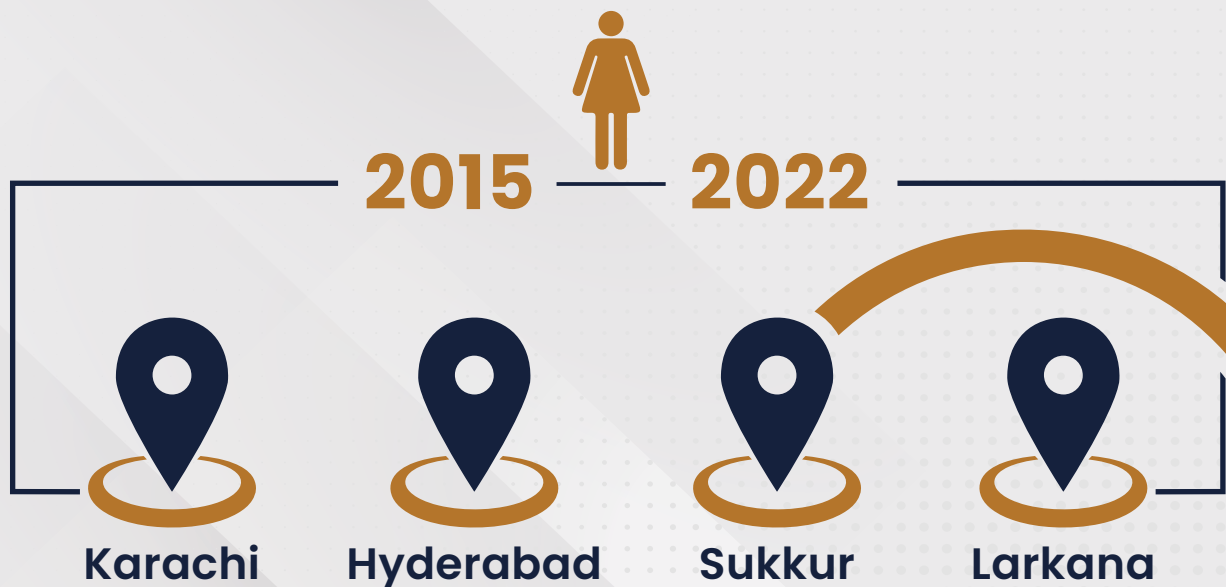
Figure 3: A comparison of gender-sensitive approach taken by Anti-Narcotics Policy 2010 and 2019

Research Methodology



As discussed above, while Pakistan has laws and policies relating to drug use, the inclusion of gender-specific laws and policies is for the most part missing. In the context of Sindh, there is hardly any data or information available about drug use among women in general and among women detainees in particular.

This study utilized a quantitative analysis of existing data on Under Trial Prisoners (UTPs) available on the Case Management System maintained by Committee for the Welfare of Prisoners, Legal Aid Office. For the purpose of this study, data on female detainees in Karachi, Hyderabad, Sukkur and Larkana from the years 2015 to 2022 was examined.



What our data suggests?



Data from
849



detainees from 2015 to 2022 was examined and variables such as recidivism, income, religion, and parental supervision were looked at.

Marital status and increasing dependent count showed a positive relationship with drug use.



Figure 4: Marital status and drug use show a positive relationship with increased drug use.

Marriage is often considered an important lever for criminal desistance; the 'marriage effect' is one of the most widely studied topics of life course criminology (Andersen, Andersen and Skov, 2015). The idea of marriage as an inhibitor of crime was demonstrated by a former delinquent (Sampson, Laub and Wimer, 2006). The idea can be illustrated in three different processes: first, attachment or bond developed as a result of

marriage may alter criminal behavior; second, marriage results in significant changes in everyday life and patterns- it is already established that lifestyle and routine are a source of variation in exposure to crime and victimization; and third, marriage comes in a stylized 'package' involving a number of identities which may change one's sense of self through cognitive transformation (Sampson et.al, 2006).

Our study reveals that higher percentage of divorced women were drug users as compared to married or single women



16.7%

Divorced



5.08%

Married



0.87%

Single

In Pakistani society, women occupy a subordinate position to men; in terms of their contribution, based on their location and social set-up, women are either involved in reproductive work, unpaid work or in the low paying informal economy. For a large part, women are dependent on male family members for both financial and social security. Any dent in these relationships has serious consequences for women in the

form of loss of social and financial capital. Furthermore, women, crime and drug use have been linked to poverty and/or tough financial situations, family responsibilities and exploitation of women by men (Sinno, 2002). This particular link between crime and drug use can be explained through reverse causation, as economic insecurity increases, women find themselves resorting to criminal behaviour which may lead to increased probability of drug abuse.



Correlation between financial strain and drug abuse is further established when accounting for women who are responsible for providing for their families. In the context of Pakistan, increased use of drug among women has been attributed to the transition of women from traditional roles i.e., that of a mother and homemaker to the economic provider for the family (UNODC, 2011).

Results from our study reveal that a greater proportion of women with higher number of dependents (2 dependents) were involved in drugs

compared to women who had only one or no dependents (refer to Figure 5). Changing lifestyles, and transition from traditional roles and financial responsibilities of the family bring with itself, additional stress. While a step towards financial independence is a positive transition, it may expose women to higher levels of stress and anxiety; such situations can be a driver of confounding causation were drug use and crime share a common set of causes. Drug use in such cases may be a way of coping with stress (UNODC, 2011).

CORRELATION BETWEEN DRUG USE AND NUMBER OF DEPENDENTS

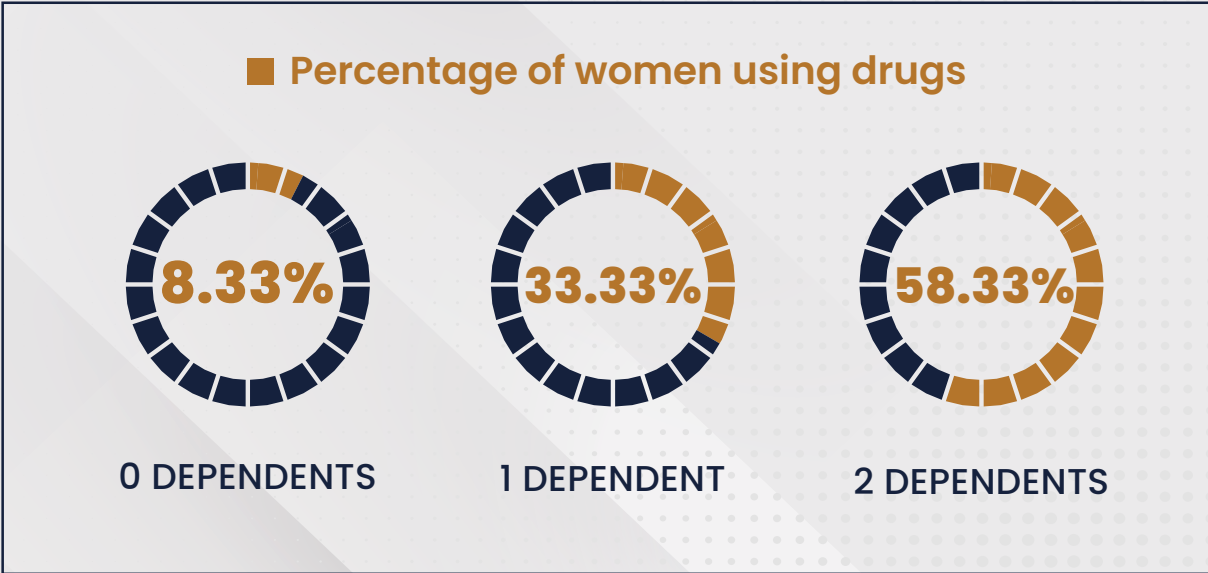


Figure 5: Correlation between drug use and number of dependents

Comparative Analysis of Sindh Prison Rules with International Laws



In order to assess whether Sindh Prison Rules adhere to the internationally recognized standards, a comparative analysis between Sindh Prison Rules and the Bangkok Rules was carried out. The 'United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women

Offenders', more commonly known as the Bangkok Rules, are universally recognized international standards on the treatment of female offenders and prisoners. These rules were adopted by the United Nations in 2010 (Plight of Women in Pakistan's Prison Report, The Ministry of Human Rights).



initial registration



safety and security



hygiene and healthcare



contact with the family



non-custodial measures



rehabilitation

For the purpose of our research, we reviewed the Sindh Prison Rules 2020 in light of Bangkok Rules to assess compliance with gender-specific needs in terms of healthcare and rehabilitation of female drug users. Table 1 summarizes the findings:

| Bangkok Rules | Sindh Prison Rules |
|---|--|
| <p><u>Rule 6 – Screening of women prisoners including for:</u></p> <ul style="list-style-type: none"> ■ The existence of drug dependence | <p><u>Rule 747 – Screening of Women Prisoners</u></p> <ul style="list-style-type: none"> ■ Should include examination for drug dependency. |
| <p><u>Rule 12 – Gender-sensitive healthcare & rehabilitation programs</u></p> <ul style="list-style-type: none"> ■ The existence of drug dependence | <p><u>Chapter XXXII – Directorate of Corrections – Prisoner Wellbeing and Rehabilitation</u></p> <ul style="list-style-type: none"> ■ There are provisions addressing rehabilitation however, these are not specific to women. |
| <p><u>Rule 15 – Health services for women substance abusers</u></p> | <p><u>Chapter XXXII – Directorate of Corrections – Prisoner Wellbeing and Rehabilitation</u></p> <ul style="list-style-type: none"> ■ There is a need to amend rule 727 to include gender-specific rehabilitation. |
| <p><u>Rule 62 – Women-only substance abuse treatment programs</u></p> | <p><u>Chapter 31 Rule 727 (1)(q) Substance abuse program directives are present.</u></p> <ul style="list-style-type: none"> ■ These directives are not women-specific. These are not detailed enough to present a proper system to rehabilitate and support substance abusers. |

Table 1: A comparison of gender-sensitive approach taken in Sindh Prison Rules in light of Bangkok Rules.

What can be done



Ample literature around the world has established the irrefutable connection between drug use and criminality. Drug use among women particularly has, however, not received enough attention in Pakistan. Social disadvantage, specific vulnerabilities, changes and transitions in roles all appear to increase risk of drug use independently as well as through complex interconnections.

According to the Sindh Prisons and Corrections Services Act 2019, the

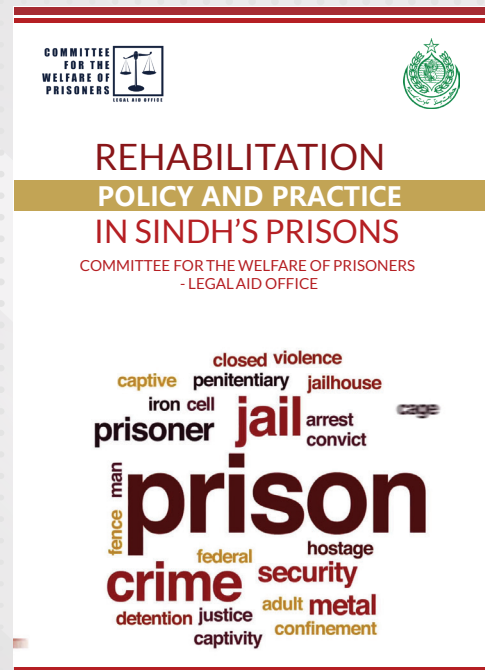
purpose of the prison is defined as to assist in the welfare and rehabilitation of prisoners and their reintegration into the society as law abiding citizens through provisions of reformation programs.

Based on the two identified critical drivers of drug abused amongst women, the following section puts forward recommendations in light of international gender-specific rehabilitation & reintegration laws as well as the Sindh Prisons & Correction Services Rule 2019.

Recommendations



The existing rehabilitative approach within prisons does not take into account understanding of particular needs of prisoners (Rehabilitation Policy and Practice in Sindh's Prison, 2018). In order for interventions to be successful and sustainable, they must be established on a thorough needs assessment and should engage key stakeholders who can provide initial and ongoing support especially in terms of resources (Section 2, Prison Policy Act 2019).



2 An enabling environment has been created in Sindh with the revamping of laws, yet the newly devised policy conduits for prison reform i.e., Prison Policy Board, Prison Management Board and Directorate of Corrections are all seemingly non-functional. It is critical that the operationalization of these bodies is prioritized by the Government so as to stay true to its commitment of contributing to the maintenance and protection of a just, peaceful and safe society by assisting in the welfare and rehabilitation of prisoners and their reintegration into the society as law abiding citizens through provision of reformation programs (Section 2, Prison Policy Act 2019).



The Prison Policy Board needs to develop a Substance Abuse/ Drugs Strategy for Prisons which covers the demand and supply side of the issue. Demand and supply reduction strategies will require the engagement of a wide range of professionals, NGOs, community groups and coordination with other departments in the criminal justice system.

3

4 The Prison Policy Board in discharging its functions on 'the review and recommendation of infrastructure needs of Prisons²' and 'development of rehabilitation framework and policy³' must ensure implementation of gender-sensitive measures including availability of adequate physical and mental health facilities in women's prisons.



2) Rule 23, sub-section 1, Sindh Prisons and Corrections Service Act and rules 2019.

3) Rule 23, sub-section 3, Sindh Prisons and Corrections Service Act and rules 2019

5 Further to this, post-release re-integration plans for prisoners also lie within the mandate of the Prison Policy Board⁴. The board should be responsible for:

(a) Developing and implementing community-based drug dependence and abuse treatment interventions through detoxification services and residential programs as post-release plans in collaboration with relevant government departments such as the Anti-Narcotics Force and the health department, civil society and non-governmental organizations. These programs should be developed on basis of existing resources to ensure long term sustainability. Post release programs can also be provided by community-based agencies who can be given access to prisons to meet and work with prisoners who are about to be released as this can be an important step in ensuring they continue with after care services.



(b) Facilitating and coordinating with National Database Registration Authority (NADRA) to ensure prisoners have required legal identity documents such as CNICs to access post-release rehabilitation processes and programs.



The Control of Narcotic Substances Act 1997 makes provision for treatment and rehabilitation of drug addicts. Despite elucidation on the registration of addicts by the provincial government, free-of-cost first time treatments, and establishment of treatment centers, the law falls short of paying heed to the different needs of women drug users. The law may be amended to include a gender-sensitive rehabilitative approach covering areas such as separate centers for women to promote improved access to treatment, retention, and outcomes. These centers should be equipped with specially trained female staff and should include access to facilities like childcare, prenatal care, and vocational rehabilitation.

6

⁴) Rule 23, sub-section 4, Sindh Prisons and Corrections Service Act and rules 2019

7 Existing social welfare schemes such as BISP may adopt a more targeted approach in order to prioritize women who are divorced and those with a higher number of dependents as they are more likely to use drugs due to greater financial stress and anxieties. Increasing access of single-income households run by women to microfinance and vocational training opportunities is increasingly important considering the current economic crisis. Decreasing financial stress is critical to containing use and merchandising of drugs amongst financially deprived.



8 There is a need to provide drug education to all prisoners upon their admission or at the earliest possible opportunity following initial risk assessment processes. This can be delivered sustainably where prisons are currently running prisoner led paralegal programs.

9 Sports and use of gyms in prisons can be an effective means of reducing stress and managing anxiety and depression which are key parts of drug treatment plans. There are limited sporting activities that are offered to women prisoners at the moment and this is an area for exploration.



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WELFARE OF
PRISONERS**



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