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RESEARCH ARTICLE

Assessing the Welfare of Female Prisoners in Bangladesh: A Gendered Analysis

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ABSTRACT

This study examines the conditions of female prisoners in Bangladesh through a gendered lens, emphasizing the urgent need for reform in prison management and legal protection. While imprisonment is an important tool for preserving the rule of law, it must also respect and defend the fundamental human rights of prisoners, particularly women. Female prisoners in Bangladesh face particular challenges such as overcrowding, inadequate healthcare, discrimination and sexual harassment, which are often exacerbated by societal stigma and patriarchal norms. The paper contends that incarceration should be rehabilitative rather than punishing, and that gender-sensitive policies are critical to ensuring justice and dignity for women. The recommendations include gender-specific prison architecture, proper healthcare for pregnant convicts, vocational training, legal safeguards, and institutional accountability. Aligning jail policies with international norms has the potential to transform prisons into places of reform rather than places of suffering. This study advocates for proactive, inclusive reforms that improve gender equity, safety, and humane treatment of female convicts.

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1. Introduction

Punishment for wrongdoing is a prevalent legal consequence. Every country enforces laws that prescribe punishment for both men and women to ensure a nonviolent society and a peaceful way of life. Without punishment, the law loses its authority, and the state cannot protect its citizens. In the face of societal disorder and criminal activity, punishment is essential for upholding the rule of law. The rule of law applies equally to everyone[2]. The four major functions of law are setting norms, keeping order, resolving disputes, and defending liberties and

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[2] UN General Assembly, *Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment* (adopted 9 December 1988) A/RES/43/173 https://www.ohchr.org/en/instruments-mechanisms/instruments/body-principles-protection-all-persons-under-any-form-detention accessed 30 June 2025.

rights[3]. If someone violates the law, it can lead to chaos in society. Therefore, the legal system imposes penalties to deter individuals from breaking the law. The most common form of legal punishment for offenders is imprisonment. A prisoner is someone who is detained or confined against their will. A person may be deprived of their liberty due to committing a civil or criminal offence. However, becoming a prisoner does not mean losing all fundamental human rights, prisoners' rights are also protected by law[4]. The goal of imprisonment is to maintain order in society, and the rule of law also ensures that justice is served to all[5]. The primary goal of law is to reform the delinquent, not only punishing them but also protecting their human rights. Thus, any country's legal authority should implement a reformative approach for controlling criminals and condemning people for unethical and illegal activities[6]. Inmates must be treated equally and in a suitable atmosphere for prison to serve as the most effective deterrent to crime. Like males, women are subject to the law, and the growing number of female inmates in Bangladesh is cause for grave concern. There are several problems, including overpopulation, inadequate sanitation, sexual harassment, discrimination, and infringement of rights. Gender-sensitive treatment and legal protection are necessary for the unique requirements of female prisoners. The purpose of this study is to explore the living conditions and challenges of female prisoners in Bangladesh, review the domestic and international legal framework for their rights, identify gaps in the prison administration and implementation of legal safeguards and propose gender-responsive reforms to ensure humane treatment, rehabilitation and successful reintegration of female prisoners into society.

2. Methodology

The study adopts a doctrinal and qualitative research methodology. It is based on the examination of constitutional provisions, statutory laws, prison regulations, international human rights instruments, judicial pronouncements, and relevant academic literature. Comparative references to India, Nepal, and Scandinavian countries are drawn to identify best practices and assess possible reforms for Bangladesh. The study is based on secondary sources and does not involve any empirical fieldwork or interviews.

[3] 'The Meaning And Purposes Of Law | Introduction To Business [Deprecated]' (*Courses.lumenlearning.com*) <https://courses.lumenlearning.com/wmopen-introbusiness/chapter/meaning-and-purposes-of-the-law/> accessed 30 June 2025.

[4] Habiba Zaman, 'Violence against Women in Bangladesh: Issues and Responses' (1999) 22 *Women's Studies International Forum* 37 https://doi.org/10.1016/S0277-5395(98)00093-4 accessed 30 June 2025

[5] Jayaram Swathy, 'Rights Of Prisoners' (*Legalserviceindia.com*) https://www.legalserviceindia.com/legal/article-75-rights-of-prisoners.html accessed 30 June 2025.

[6] Reformative Theory Of Punishment - Academike' (*Academike*, 2014) <https://www.lawctopus.com/academike/reformative-theory-of-punishment/> accessed 30 June 2025

3. Conceptual Framework: Gender and Incarceration

It is impossible to comprehend women's incarceration without taking into account the gendered dynamics of crime, punishment, and prison systems. Traditional theories of criminology, according to feminist criminology, exclude women because they do not take into consideration the particular social, economic, and psychological circumstances of their life. Because mainstream justice systems do not sufficiently address poverty, abuse, mental health conditions, and gender-based violence, these factors frequently influence women's paths to crime[7].

From their first encounter with law enforcement to how they are treated in jails, women's experiences with the criminal justice system are greatly influenced by patriarchy. Historically created by and for males, the criminal justice system ignores the unique needs of women, including those related to childcare, reproductive health care, and trauma-informed support programs[8].

Gender-sensitive standards have been developed by international human rights agreements to remedy this disparity. Of special importance are United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) and United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).

These regulations prioritize access to quality healthcare, gender-sensitive risk assessments, non-custodial alternatives, and protection against violence in correctional facilities[9]. Even though the Rules are soft laws, they are an essential benchmark for evaluating national practices, particularly in Bangladesh and other nations where these factors are frequently disregarded.

4. Legal and Institutional Framework in Bangladesh

Although there are many obstacles to implementation, Bangladesh's legal framework for female inmates consists of international obligations, statutory laws, and constitutional guarantees. The Constitution forbids torture and discrimination and requires equality before the law (Articles 35 and 27) and protects fundamental rights such as the right to life and personal liberty (Article 32)[10].

Prisoners have certain privileges under the Prison Act of 1894. Section 4 specifies that the government must provide adequate accommodations in jails per the laws

[7] Meda Chesney-Lind and Lisa Pasko (eds), The Female Offender: Girls, Women, and Crime (3rd edn, SAGE Publications 2013)< https://doi.org/10.4135/9781483387567> accessed 30 June 2025.

[8] Kathleen Daly and Lisa Maher, 'Crossroads and Intersections: Building from Feminist Critique' (ResearchGate, 2016) <https://www.researchgate.net/publication/288937682_Crossroads_and_intersections_Building_from_feminist_critique> accessed 30 June 2025.

[9] UN General Assembly, United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (adopted 21 December 2010) https://www.ohchr.org/en/instruments-mechanisms/instruments/united-nations-rules-treatment-women-prisoners-and-non-custodial accessed 30 June 2025.

[10] The Constitution of Peoples' Republic of Bangladesh

and that convicts must be separated[11]. Section 27(1) specifies that female inmates must be imprisoned in different buildings or parts of the same buildings so as not to view, converse with, or have any intercourse with the male prisoners[12]. Section 37 stipulates that if a prisoner seeks medical attention or someone appears before the authority on their behalf, the officer in immediate control of such prisoners must submit their identity to the jailer[13]. The Prison Act 1900 focuses on lunatic prisoners' rights. If the government has reason to suspect that a person detained or imprisoned under a court order or sentence is insane, it may order their transfer to a lunatic asylum or another secure place within Bangladesh[14].

It must be emphasized that jails still adhere to archaic statute books drafted by British colonial rulers in the nineteenth century. The primary goal of the jail system was to contain and protect prisoners using repressive and punitive means[15]. As previously stated, female convicts in Bangladesh confront numerous challenges due to ambiguous legislation regarding female inmates, as well as weak enforcement of laws and rules.

Despite these measures, women in Bangladeshi prisons frequently face overcrowding, poor healthcare, particularly limited access to hygienic and prenatal needs, and few possibilities for rehabilitation. Additionally, Bangladesh has ratified international norms like the UN Bangkok Rules[16], which place a strong emphasis on treating female prisoners with dignity. However, there is still inconsistency in the actual application of these rules and norms, underscoring the need for better circumstances and more robust protection of the rights of female inmates.

5. The Realities of Female Inmates in Bangladesh

As mentioned before, Bangladesh's unclear laws pertaining to female prisoners and inadequate enforcement of the law present several difficulties for female prisoners. Here are a few of the points covered in brief:

Overcrowding: The number of women incarcerated is rising rapidly. This is not attributable to an increase in the severity of the female crime but rather to a doubling of incarceration for less serious summary offences. A high number of people are being held in pre-trial detentionf[17]. Several academic studies in

[11] Section 4 of The Prisons Act, 1894
[12] Section 27 of The Prisons Act, 1894
[13] Section 37 of The Prisons Act, 1894
[14] The Prisoners Act, 1900
[15] 'Prisoners' Rights And The Reality In Bangladesh — Lawyersclubbangladesh.Com' (lawyersclubbangladesh.com, 2020) <http://lawyersclubbangladesh.com/en/2020/10/15/prisoners-rights-and-the-reality-in-bangladesh/> accessed 8 September 2025.
[16] UN General Assembly, United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (adopted 21 December 2010) mechanisms/instruments/united-nations-rules-treatment-women-prisoners-and-non-custodial accessed 30 June 2025.
[17] Tahsina Akhter, 'Women Prisoners in Bangladesh: Some Sociological Insights for Reform' in Proceedings of SOCIOINT14 – International Conference on Social Sciences and Humanities (8–10 September 2014, Istanbul, Turkey) <SOCIOINT14 conference paper PDF> accessed 30 June 2025.

Bangladesh confirm that its prisons are overcrowded. In May 2018, the Ministry of Home Affairs (MoHA) and GIZ collaborated on a project. According to the report, the actual capacity of the country's jails for prisoners is 36,614, but the existing population of prisons is 86,433. This is more than twice as much. Women convicts are also included among these[18]. Additionally, in some overcrowded prisons, male and female inmates are occasionally housed together. In this environment, women are more likely to be assaulted physically and sexually. Serious abuses have occurred in the past, such as at Khulna Jail in the 1980s[19]. Also, a female inmate may have children. There is no proper environment for them as it is tough for them to stay in prison when there is insufficient space; it also hinders adequate vocational training and medical services[20].

Insufficient food Supply: In Bangladesh's women prisons, the food is subpar and insufficient. The main reason for this is that there have been numerous incidents of food theft in Bangladeshi jails, and the personnel in charge of feeding the convicts are often negligent. Furthermore, there is discrimination in the prisons between male and female inmates. Many situations occur in jails in which women are denied adequate meals but men are not[21]. As a result, women are more likely to be malnourished. In Bangladeshi jails, both the quality and quantity of meals are in jeopardy. There have been certain situations involving inadequate food supply to mothers who have children. In most cases, mothers who have recently given birth require adequate care in terms of having appropriate foods and feeding the newborn. However, these facilities for female convicts are not sufficient in this country's prisons. Pregnant inmates require a particular diet. The Rules for the Superintendence and Management of Jails in Bangladesh, on the other hand, stipulates a diet for all convicts. The guideline makes no mention of exceptional diet for pregnant inmates[22].

Medical Treatment: Women in prison generally have more significant primary health-care needs than men. Their status in jails may deteriorate because of a lack of adequate health care, hygiene, a poor diet, and overcrowding. Furthermore, all women need gender-specific health care and regular access to women's health care specialists. Routine health care, such as HIV or skin disease prevention,

[18] Nazia Wahab, 'Women Prisoner's Rights in Bangladesh and Bangladeshi Rules and Regulations: A Critical Analysis of International Standards' (2019) 5 Commonwealth Law Review Journal 462 <PDF version> accessed 30 June 2025.

[19] ibid

[20] Tahsina Akhter, 'Women Prisoners in Bangladesh: Some Sociological Insights for Reform' in Proceedings of SOCIOINT14 – International Conference on Social Sciences and Humanities (8–10 September 2014, Istanbul, Turkey) <SOCIOINT14 conference paper PDF> accessed 30 June 2025..

[21] Rimple Mehta, *Women, Mobility and Incarceration: Love and Recasting of Self across the Bangladesh–India Border* (Routledge, 2018)< https://www.routledge.com/Women-Mobility-and-Incarceration-Love-and-Recasting-of-Self-across-the-Bangladesh-India-Border/Mehta/p/book/9781138039292> accessed 30 June 2025.

[22] Nazia Wahab, 'Women Prisoner's Rights in Bangladesh and Bangladeshi Rules and Regulations: A Critical Analysis of International Standards' (2019) 5 *Commonwealth Law Review Journal* 462 < Kshitij_Nazia-Wahab_Women-Prisoner's-Rights-in-Bangladesh-and-Bangladeshi-Rule-and-Regulations-A-Critical-Analysis-of-International-Standard.pdf> accessed 30 June 2025.

support, particular therapies for pregnant women, and so on, is crucially needed. However, as previously stated, the Prisons Act of 1894 in Bangladesh only provides general medical care[23]. All women have gender-specific medical needs and must have regular access to women's health care specialists. In Bangladesh, women's prisons include many children living with their mothers, and medical treatment for pregnant women and nursing mothers remains inadequate. Most jail facilities are unprepared to provide proper medical treatment to them. Also, convicts suffering from mental illnesses do not receive enough care during a sudden breakdown or psychiatric disorders[24].

Water, sanitation, and personal hygiene: The provision of clean drinking water in Bangladeshi prisons is quite rare. In this country's prisons, the use of ordinary tap water is the norm. The restroom facilities are also inadequate. Nonetheless, the Prisons Act of 1894 only mentions particular essential medical treatments but does not specifically refer to proper sanitation for women prisoners. Furthermore, the Rules for the Superintendence and Management of Jails in Bangladesh only addressed a few general sanitary standards. The statute makes no mention of gender-specific hygiene. This indicated that male and female prisoners would have separate washrooms in the jails. However, this remained only a word[25].

Safety and Security: Women in Bangladesh are sometimes abused in jails by law enforcement officers and prison employees. Verbal abuse, inappropriate touching during pat-down searches, repetitive and needless searches and spying on prisoners are all examples[26]. Sexual abuse and other forms of violence are sometimes used to coerce women into confessing to crimes they haven't committed while in detention. The treatment of women with disrespect by male officers is more likely to have sexual overtones or implications. This abuse can be a "re-traumatization" for women who have already been traumatized by sexual abuse perpetrated by males [27] Several incidents of sexual abuse against women and girls in prison have been reported in Bangladeshi print media. For example, on August 6, 2019, one of Bangladesh's reputable publications reported that one Office in Charge (OC), along with several officers, raped a woman. On August 5,

[23] ibid

[24] *UNODC, Handbook on Women and Imprisonment (2nd edn) (United Nations Office on Drugs and Crime, 2014) https://www.unodc.org/documents/justice-and-prison-reform/women_and_imprisonment_-_2nd_edition.pdf accessed 30 June 2025.*

[25] Nazia Wahab, 'Women Prisoner's Rights in Bangladesh and Bangladeshi Rules and Regulations: A Critical Analysis of International Standards' (2019) 5 *Commonwealth Law Review Journal* 462 < Kshitij_Nazia-Wahab_Women-Prisoner's-Rights-in-Bangladesh-and-Bangladeshi-Rule-and-Regulations-A-Critical-Analysis-of-International-Standard.pdf> accessed 30 June 2025.

[26] Tahsina Akhter, 'Women Prisoners in Bangladesh: Some Sociological Insights for Reform' in *Proceedings of SOCIOINT14 – International Conference on Social Sciences and Humanities* (8–10 September 2014, Istanbul, Turkey) <SOCIOINT14 conference paper PDF> accessed 30 June 2025.

[27] Sarmin Akhter, 'Female Criminality: A Way Out' (*New Age | The Most Popular Outspoken English Daily in Bangladesh*, 2019) <https://www.newagebd.net/article/67468/female-criminality-a-way-out> accessed 19 September 2021

2019, another news outlet, bdnews24.com, reported that police officers had gang-raped a woman in Khulna[28].

Pregnant women and women with children: Pregnant convicts and prisoners with newborns or children are particularly vulnerable when housed in the same facility as more dangerous types of criminals. The children are imprisoned for the first six years before being released to live with family or in a government facility if they are too young to live apart or have no family members to care for them outside[29]. Overcrowded Bangladeshi prison cells leave mothers of children and pregnant women in harsh and unhygienic conditions. For her and her child's sake, a woman in prison has the right to be treated equally as other mothers. Prisons, on the other hand, are not child-friendly. In prison, the country's newborn and small child health care are lacking. Mothers rarely get enough time with their kids, which is harmful to both of them. A bad prison environment can permanently harm children's mental health. Because many women in jail are mothers, their imprisonment has a cascading effect on their children, increasing the chance of future re-incarceration[30].

Though the above discussion was a summary to show how the prison situation is degrading mental and physical well-being, other factors make prison life more complicated for female prisoners. For example, overcrowding is increasing due to the growing use of imprisonment for petty offences. Also, most prisoners are pre-trial detainees, and they have to sometimes live with hardened criminals which worsen the situation more. Due to the lack of reform in Bangladesh's prison, the recidivism rate grows, and prisoners keep returning to the jail for new offences and cannot be reformed or reintegrated into a proper life[31]. Moreover, the country's current prison system does not conform to international human rights rules and conditions. Among the many issues discussed, corruption and other malpractices by jail authorities, criminally-minded prisoners in prison, lack of proper recreation arrangements, and inadequate vocational training programs are currently the most severe violations of the rights of prisoners in prison cells.

6. Comparative Insights from Other Countries

Comparing procedures in other jurisdictions, especially those in South Asia and more progressive criminal systems, helps evaluate the situation of women prisoners in Bangladesh.

[28]Nazia Wahab, 'Women Prisoner's Rights in Bangladesh and Bangladeshi Rules and Regulations: A Critical Analysis of International Standards' (2019) 5 *Commonwealth Law Review Journal* 462 < Kshitij_Nazia-Wahab_Women-Prisoner's-Rights-in-Bangladesh-and-Bangladeshi-Rule-and-Regulations-A-Critical-Analysis-of-International-Standard.pdf> accessed 30 June 2025.

[29]Zyma Islam, 'Prison Babies: Childhood Behind Bars' (*The Daily Star*, 2017) <https://www.thedailystar.net/star-weekend/spotlight/prison-babieschildhood-behind-bars-1478830> accessed 10 September 2025

[30]UNODC, Handbook on Women and Imprisonment (2nd edn) *(United Nations Office on Drugs and Crime, 2014)* https://www.unodc.org/documents/justice-and-prison-reform/women_and_imprisonment_-_2nd_edition.pdf accessed 30 June 2025.

[31] ibid

The Indian Supreme Court has been actively involved in promoting the rights of female inmates. The Court established comprehensive standards for the care of pregnant inmates and children in R.D. Upadhyay v. State of Andhra Pradesh, stressing the importance of humane treatment, wholesome food, and prompt medical attention.[32] Aspects of the Bangkok Rules are also incorporated into India's Model Prison Manual 2016, albeit state-by-state implementation varies.[33] By creating distinct women's jails and assigning female staff to oversee them, Nepal, on the other hand, has started to improve conditions for female prisoners. Nonetheless, congestion and structural flaws continue to exist, reflecting some of the difficulties in Bangladesh.[34]

In the meanwhile, rehabilitative jail systems are modeled by Scandinavian nations such as Norway. Even for women, the focus is on reintegration, dignity, and a low rate of incarceration. Recidivism rates are decreased in these systems because jail staff members receive training in gender sensitivity and trauma-informed care.[35] These models serve as aspirational frameworks that emphasize the significance of gender-responsive changes, even though they might not be entirely reproducible in South Asia due to resource limitations.

Ways for improving the current state of female convicts and alleviating their suffering:

Punishment cannot be the ultimate remedy for wrongdoers; instead, the authority must establish or secure an atmosphere in which a prisoner can realize the true worth of liberty, be reformed, and lead a better life. As women's crime rates rise in Bangladesh, fair and ethical laws must be implemented, and investigations must be conducted to preserve the fundamental rights of women even while they are imprisoned so that they do not become repeat offenders. A captive life cannot be the only punishment for a wrongdoer. As previously indicated, the status of women in prison is intolerable, and essential steps should be taken as soon as feasible. The United Nations Standard Minimum Rules for the Treatment of Prisoners (known as The Mandela Rules) obligate states to adhere to the fundamental principles of life, health, and personal integrity, non-discrimination in the treatment of prisoners, and the creation of conditions that allow prisoners to adapt and integrate into normal community life. The primary objective of these rules was to create essential criteria accepted by the international community as a whole. However, prisons and prison management differ significantly around the world. The Nelson Mandela Rules are considered "soft law," which implies they

[32] R.D. Upadhyay v. State of Andhra Pradesh (2006) SCC 1 194.
[33] Government of India, Ministry of Home Affairs, *Model Prison Manual 2016* (2016) https://www.mha.gov.in/sites/default/files/2025-04/PrisonManualA2016_20122024_2.pdf accessed30 June 2025.
[34] Advocacy Forum Nepal, Monitoring the Conditions of Women Prisoners in Nepal (2020) <https://www.advocacyforum.org/> accessed 30 June 2025.
[35] Penal Reform International, Global Prison Trends 2023 (PRI 2023) <https://www.penalreform.org/> accessed 30 June 2025.

are not legally binding[36]. Though these principles are not legally binding, and the regulations cannot be observed all at once, a drastic reform in Bangladeshi jail system is not possible overnight. However, small actions lead to significant changes, and the country may adopt some basic guidelines out of all the Mandela Rules to minimize the challenges stated.

According to Rule 2, eliminating discrimination is achievable if rules of impartiality are followed correctly, and the individual needs of female convicts must be considered[37]. Female criminals differ from their male counterparts in ways that affect their participation in the criminal justice system and, consequently, decisions about their incarceration. Women's offenses, as opposed to men's, are often less serious, such as drug and property offences, as opposed to major crimes. Female offenders are also less likely to have a prior crime history, and they recidivate at a lower rate than male offenders. For many female offenders, these features alone suggest that community-based punishments are a suitable first choice[38]. Rule 3 states that imprisonment for a crime cannot be a proper measure of enforcing law especially for women; rather the sense of self-determination and sense of liberty can make a criminal concerned for her liability and responsibility[39]. Some data suggest that frequent encounters with female staff members benefit female convicts. The ability to communicate with people in positions of authority without obstacles is the start of a state of trust, which is necessary for good order and positive behavioural change in offenders[40]. This country does not have enough female employees in these prisons, and they aren't adequately trained. As a result, the prisoners are constantly terrified of them. There is a communication gap that must be bridged by providing sufficient training to the staff to become more friendly and reassuring to the female prisoners[41]. Rule 5 also discusses the concept of liberty. According to rule 5, it is critical to distinguish between the preceding and afterlife of captivity. The misery

[36] 'Nelson Mandela Rules History' (*United Nations : Office on Drugs and Crime*) <https://www.unodc.org/unodc/en/justice-and-prison-reform/nelsonmandelaruleshistory.html> accessed 11 September 2025.

[37] United Nations Office on Drugs and Crime, United Nations Standard Minimum Rules for the Treatment of Prisoners *(the Nelson Mandela Rules) (United Nations, 2015)* https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf accessed 13 May 2026.

[38] '"Minus The Urinals And Painted Pink"? What Should A Women's Prison Look Like? - Penal Reform International' (*Penal Reform International*, 2015) <https://www.penalreform.org/blog/10020/> accessed 12 September 2021.

[39] United Nations Office on Drugs and Crime, United Nations Standard Minimum Rules for the Treatment of Prisoners *(the Nelson Mandela Rules) (United Nations, 2015) https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf accessed 13 May 2026.*

[40] '"Minus The Urinals And Painted Pink"? What Should A Women's Prison Look Like? - Penal Reform International' (*Penal Reform International*, 2015) <https://www.penalreform.org/blog/10020/> accessed 12 September 2021.

[41] UNODC, Handbook on Women and Imprisonment (2nd edn) *(United Nations Office on Drugs and Crime, 2014)* https://www.unodc.org/documents/justice-and-prison-reform/women_and_imprisonment_-_2nd_edition.pdf accessed 30 June 2025.

of female prisoners cannot be alleviated until there is a sense of self-purification[42]. This rule also specifies that prison administrations must make all reasonable accommodations and adaptations to ensure that convicts with physical, mental, or other disabilities have equal access to prison life[43]. Proper vocational training is critical for this. The prison system should make it essential for women prisoners to receive appropriate tools and skill development in sewing, bamboo, and cane work for rehabilitation. These training programs will also ensure that they lead a proper life after jail by earning and not becoming repeat offenders.

Rules 7-10 define effective file management to protect the prisoner's moral and legal rights[44]. According to these, inmates should also have sufficient privileges to report to the authorities about anything going on in the prison that does not seem right for her, such as being abused or bullied, medical treatment, food and so on. If somebody does not feel safe there, it is an infringement of her human rights, which cannot occur in any way. As a result, the entire prison system should be controlled so that convicts can interact and enjoy a safe prison existence. Furthermore, Rule 11 specified that males and females must be handled differently in terms of accommodations and offence categories. Untried prisoners must be kept apart from convicted prisoners and people imprisoned for debt, or other civil matters must be maintained apart from anyone detained for a criminal offence and young inmates must be kept apart from adults[45]. This guideline is critical to implement since children occasionally live with their mothers, and when there is no categorization, they may have to live with serious offenders. Hardened detainees can also have a negative impact on pretrial detainees if they are kept together. However, by enforcing these standards, inmates may be adequately supervised, their rights will not be jeopardized, and the reform process will be expedited.

Moreover, Rules 14 specifies that the jail's living and working areas must be built to treat prisoners with little discomfort and be healthy for any physical activity[46]. Women's hygiene is one of the most essential issues that jail authorities must address. They should be provided with suitable clothing, beds, sanitary facilities, toiletries, and other personal hygiene items as they have some gender-specific needs. Then, according to Rules 22 and 23, inmates must be provided with adequate food, exercise, and sports in order to maintain good mental and physical

[42] United Nations Office on Drugs and Crime, United Nations Standard Minimum Rules for the Treatment of Prisoners *(the Nelson Mandela Rules) (United Nations, 2015) https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf accessed 13 May 2026.*

[43] ibid

[44] ibid

[45] United Nations Office on Drugs and Crime, United Nations Standard Minimum Rules for the Treatment of Prisoners *(the Nelson Mandela Rules) (United Nations, 2015) https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf accessed 13 May 2026.*

[46] ibid

health[47]. Health care services differ between men and women, and in Bangladesh, women prisoners do not receive adequate and up-to-date health care. It is essential to give psychological healthcare services in addition to physical health treatment and adequate food. Pregnant inmates should receive quick medical attention for any physical instability, as well as prenatal and postnatal care. It is also critical that all detainees and their children have the services of a trained and experienced physician[48]. Women's suffering can also be alleviated by providing them with adequate information and facilities. For example, Rules 54-57 stipulate that a prisoner has the right to obtain information and file complaints on any topic[49].
Proper implementation of this right can reduce sexual violence in prison since women in jail will be more vocal about their suffering, and the authorities will be aware of the actual situation within the prisons. Thus, heinous sexual offences such as molestation and rape can be prevented. As per Rule 109 of the Nelson Mandela Rules, mentally ill convicts should be monitored and treated in specialized facilities by skilled healthcare personnel. The particular health service should treat all other inmates in need of psychiatric therapy[50].
So, by following the above-mentioned Nelson Mandela Rules, this country can gradually alleviate women inmates' challenges. Decreasing pre-trial detainees, enhancing female prisons, female staff and medical facilities, and reducing corruption will alleviate overcrowding and the suffering of inmates. Officers who abuse female convicts should be punished appropriately. These will make Bangladeshi women's prisons safe. Furthermore, by adhering to Regulations 83-85[51]proper investigations and external and internal inspections by higher authorities can be maintained in addition to adopting these initiatives. Following the implementation of these initiatives, the authorities must inspect and monitor the jails to ensure that the rules are consistently observed and are not violated.
The government should implement gender-responsive reforms modeled after regional and global best practices in order to improve the conditions of women convicts in Bangladesh. Bangladesh should provide adequate healthcare, nutrition, and childcare facilities for female detainees, particularly those who are pregnant or nursing, in accordance with the Supreme Court's ruling in R.D. Upadhyay v. State of Andhra Pradesh and India's Model Prison Manual 2016. To

[47] ibid
[48] Nazia Wahab, 'Women Prisoner's Rights in Bangladesh and Bangladeshi Rules and Regulations: A Critical Analysis of International Standards' (2019) 5 *Commonwealth Law Review Journal* 462 < Kshitij_Nazia-Wahab_Women-Prisoner's-Rights-in-Bangladesh-and-Bangladeshi-Rule-and-Regulations-A-Critical-Analysis-of-International-Standard.pdf> accessed 30 June 2025.
[49] United Nations Office on Drugs and Crime, United Nations Standard Minimum Rules for the Treatment of Prisoners *(the Nelson Mandela Rules) (United Nations, 2015) https://www.unodc.org/pdf/criminal_justice/UN_Standard_Minimum_Rules_for_the_Treatment_of_Prisoners.pdf accessed 13 May 2026.*
[50] ibid
[51] ibid

improve safety and dignity, the nation should build additional distinct women's jails with trained female officials, just like Nepal does. A thorough framework for humane treatment would be provided by incorporating the UN Bangkok Rules into prison policy.

Additionally, incorporating aspects of Scandinavian models, like trauma-informed care, rehabilitation-focused programs, and gender-sensitive staff training, can enhance reintegration and lower recidivism. Bangladesh can prioritize the rights and welfare of women who are detained, establish oversight systems, and update the Jail Code gradually but firmly, even though full replication may be limited by resources.

7. Conclusion

"and as diseases vary, aids must vary; a thousand kinds of ill, a thousand cures."- Jeremy Bentham[52]. It is evident from Jeremy Bentham quotes that people cannot treat all inmates the same way. The plight of women prisoners in Bangladesh is a critical human rights concern. Notwithstanding constitutional and legislative provisions recognizing the rights of all persons, women in imprisonment remain vulnerable to overcrowding, inadequate health care, poor sanitation, restricted options for rehabilitation and greater dangers of abuse and discrimination. Pregnant, nursing and women with children in jail have unique obstacles which are not adequately handled by present prison legislation and procedures. The study shows that the prison administration of Bangladesh has not yet adopted gender-sensitive standards enshrined in international instruments like United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules). Therefore, incarceration often does not fulfil its rehabilitative objective and instead perpetuates the marginalisation of women.

A gender sensitive, rights-based jail system is vital to defend the dignity, health and wellbeing of female convicts. Targeted legislative and structural reforms can support Bangladesh to improve its jail system to better meet the demands of constitutional protections, international human rights responsibilities and principles of substantive equality.

[52] Jeremy Bentham, *Theory of Legislation* (Google Books) <https://books.google.com.bd/books/about/Theory_of_Legislation.html?id=QM0DAAAAQAAJ&redir_esc=y> accessed 13 May 2026.