



Josna at work in her shop



Paralegals and the Rehabilitation Supervisor who supported Josna



Sign for Josna's tailoring shop



Josna in her village

## From Prisoner to Business Woman – An Outcome of Gender Mainstreaming

Josna (name changed) lives in Rangpur, in the north of Bangladesh. Nowadays she is very busy running her tailoring business and contributing to her family's earnings. At age 25, Josna is living a life she had been dreaming of for a long time.

She grew up in a poverty ridden family in a rural village in the Kurigam district. When Josna was 11 years old, she got into trouble with the family of her distant cousin. A case of abduction and trafficking under the 'Women and Children Repression Prevention Act 2000' was filed against her and her family. As the family had no information about the case, no knowledge about the criminal justice system and no access to a lawyer, a trial was held in absence of Josna and she was convicted to 15 years in prison and a fine of 5,000 Taka. The police arrested her and she was sent to an adult prison far away from her hometown. At that time, she was 13 years old, already married and mother to a ten month old baby. Her daughter stayed in prison with her until she was 6 years old. Then, the shelter home of the Department of Social Services took her in.

Towards the end of her sentence, Paralegals working in prison found her and started to work the case. With the help of the Paralegals, Josna was able to pay the 5000 Taka fine and was released after 12 years in prison. The Rehabilitation Supervisor helped in finding her family who had thought that they would never see her again. Her daughter lived in a shelter home thinking that she had no family.

Josna was identified as a candidate for training outside of prison. She wanted to learn how to earn her own living because she had a daughter and an almost blind husband to take care of. The Rehabilitation Supervisor arranged training on multiple locally marketable trades for her at the local partner NGO RDRS Bangladesh Shelter Home for Women.

While in the RDRS Shelter Home, the Rehabilitation Supervisor and the Paralegals talked to the community where she lives in order to facilitate her reintegration into society. Furthermore, her case was brought to the Case Coordination Committee (CCC) of the District, where it was decided that Josna, as she and her family were homeless, was eligible to get land allocated from the government. After finishing the training, Josna went back to her village with her family and a sewing machine in her hand, ready to make a living for her family. With the help of the Paralegals, the rehabilitation supervisor and the CCC, Josna was able to reintegrate into society and start her new life with her family.

*"We are really grateful to the Paralgels, the Rehabilitation Supervisor and GIZ for their support. Paralegals assisted Josna in jail and after her release; the Rehabilitation Supervisor assisted her to receive skills development training. If the programme had not assisted us, I could never even dream of getting back my family" – Josna's husband*

### The situation

In the current Sixth Five Year Plan (SFYP), Bangladesh propagates 'access to justice for all', but in practice, the vast majority of the population has little access to justice. The criminal justice system is chronically underfinanced and perceived as corrupt. It offers limited legal aid, particularly to vulnerable groups, including those in prison. 70% of prisoners in prison are under trial. They often spend longer periods waiting for a trial than their prison sentence would be if they were convicted. Prisons

are overcrowded and at 200% of their capacity. One reason for this is that too many cases unnecessarily end up in the formal criminal justice system because people are not fully aware of alternatives to the formal system, such as village courts or mediation services. Prisoners also lack access to rehabilitation and reintegration services.

Women are particularly vulnerable as the current system is often characterized by gender-based discrimination and is not set to accommodate the needs and rights of women.



Patriarchal structures and laws dating back to colonial times do not reflect the progress that has been made internationally regarding women’s rights in the past 50 years.

Most women in Bangladesh end up in prison due to poverty, vulnerability, limited options for earning a living and lack of access to justice. Most of the offences are minor and serve to escape the cycle of poverty.

Women, regardless of whether they are victims, perpetrators or witnesses often face discrimination in criminal trials as judges, lawyers and authorities are not sufficiently sensitized to the needs of women. This discrimination continues in prison. Detainees often have to wait years in prison for their trial. As a consequence, Bangladesh is far from complying with the UN Bangkok Rules on women offenders and prisoners.

After being released, reintegration back into society is very difficult for women due to stigmatization. Many families don’t want to take their ‘disgraced’ daughters or wives back into their families. Single women are often outcasts in the society in Bangladesh. They are, therefore particularly vulnerable to poverty, violence and discrimination. Poverty, limited income options and drug-addiction are amongst the most common reasons for recidivism and women are often caught in this vicious cycle of reoffending.

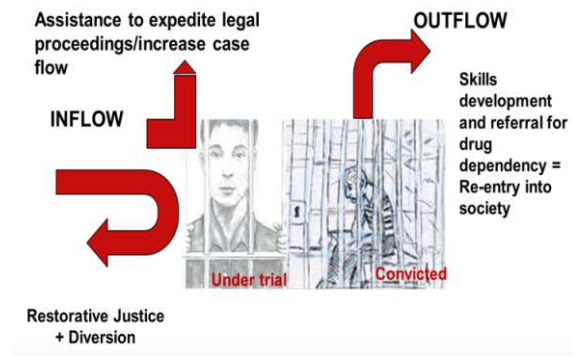
**Project:** Justice and Prison Reform for Promoting Human Rights and Preventing Corruption in Bangladesh  
**Commissioned by:** German Federal Ministry for Economic Cooperation and Development (BMZ)  
**Co-financed by:** UK Department for International Development (DFID); Spanish Agency for International Development Cooperation (AECID)  
**Duration:** 2012-2018  
**Offer price:** 32.425 Million Euro

## The approach

In 2008, the Ministry of Home Affairs (MoHA) and the Prison Directorate supported by the German Federal Ministry of Economic Cooperation and Development (BMZ) through GIZ and the Spanish Agency for International Development Cooperation (AECID) initiated the project for the ‘Improvement of the Real Situation of Overcrowding in Prisons in Bangladesh’ (IRSOP). Work in the pilot sites was so successful that the project was exponentially expanded from 3 districts in 2008 to 40 districts by 2018. In 2013, the United Kingdom’s Department for International Development (DFID) started to co-finance the expansion of the program

as well as the development of measures for restorative justice, diversion, rehabilitation and reintegration.

The project aims to reduce the case backlog in court and the overcrowding in prisons in Bangladesh. Strategies include legal aid and assistance in order to expedite legal procedures. The inflow of people into prisons is reduced by diverting cases away from the formal justice system to village courts, mediation or restorative justice. Another essential strategy is the reduction of recidivism which is achieved through skill development and referral for drug-dependent prisoners.



The project was assigned the GG-1 marker and thus considers gender equality as one of the main goals of the project.

Currently, 152 Paralegals (50 women, 102 men) work in prisons, police stations and at court providing legal aid, educating prisoners and other people about their rights and the legal system and working with families of accused. They are employed by one of the three partner NGO’s of the programme. Paralegals bridge the gap between the judicial system and prisoners, and thereby make a key contribution to law and justice. In a recent study (Justice Audit) on people’s perceptions of access to justice in five pilot districts of Bangladesh findings show that women prefer to use the informal justice system. In their daily work, Paralegals have a special focus on diverting women and children victims away from prisons. Union Organizers in rural communities promote the diversion of minor cases from police stations and courts. At the community level, women applicants make up 51% of all the disputes dealt with through mediation and restorative justice.

Case Coordination Committees (CCC) were introduced in order to facilitate cooperation between the different stakeholders in the criminal justice system and rehabilitation work and to solve long-pending cases more

“Skill development training helps a woman to be self-dependent, increase earning capacity and she can make her own decisions” Paralegal, Rangpur



Parts of an animation used for presenting the activities of the Paralegal Advisory Services



Paralegals working in prison



Paralegals working in police station



Paralegals talking to family members in the village

quickly. CCC's are essential for exploring local solutions to local problems related to the prison population and the case backlog. Paralegals attend the monthly CCC's and present cases. In the CCC's priority is given to cases of women and juveniles.

*"When I heard about Josna's story, I was really upset. I am happy that RDRS came to me for assistance and I will do everything in my power to assist her reintegration into society"*

Deputy Director of Social Services, Rangpur (at a CCC meeting)

The work of Paralegals and Case Coordination Committees is supported by means of 'diversion' measures, whereby less serious cases are identified and 'diverted' for alternative conflict resolution or rehabilitation. Rehabilitation of serving or released prisoners through skills development training, counselling and drug treatment measures also contribute towards reducing the number of repeat offenders and, as a result, prison overcrowding.

The majority of prisoners were unskilled and poor before they came into prison, so after prison they are often stigmatized and are not able to find any sort of gainful employment. Rehabilitation of (ex-) prisoners is relatively new in Bangladesh. Since women have more difficulty facing society after being released, the project has taken a holistic approach to address poor women who are criminalized due to a set of vulnerability factors. The field staff regularly coordinates among themselves to effectively address issues of prevention, early intervention, diversion and rehabilitation.

Furthermore, the programme works with the Prison Directorate to deter recidivism. Rehabilitation Supervisors currently work in 7 districts and Counsellors in 4 districts. At the moment, 2 Counsellors are women. From January 2016 there will be Counsellors in every district and female Counsellors in every prison with a female section. They counsel prisoners on what they want to do after being released and then cooperate with the Prison Directorate and Rehabilitation Supervisors to organize appropriate skills development training.

The skills development training is organized in cooperation with actors from the public and private sector. It is a major success of the programme to build a bridge between the private sector and people in need of employment. The type of skills development training offered depends on the interest of prisoners and the demand of the labour market. Women mostly opt for training in tailoring, embroidery, block batik and in becoming a beautician. The courses also include a part on how to be an entrepreneur.

Moreover, Rehabilitation Supervisors provide information on possible drug treatment options and facilitate contact with the relevant facilities for interested prisoners. Counsellors provide group counselling and life-skills training. In six sessions prisoners are motivated to lead a drug free and productive life. This counselling continues after release.

From 2016, special funds will be kept in the PNGO budgets to provide holistic support for rehabilitation and reintegration of women, juveniles and disabled persons.

*"It is a good initiative. The success of skills development training depends on the will of a person. Because it is not easy to create a working opportunity after getting release or bail, trainings show a path to prisoners. The society and community have a vital role to reintegrate them".*

Sr. Jail Super, Rangpur

## Gender mainstreaming

Gender mainstreaming is an integral part of all programme activities and its successful implementation is one of the main success factors for achieving gender equality in the justice system. Among others, the following gender mainstreaming initiatives are carried out.

The contracts of the partner NGO's cite that at least 30% of staff recruited for the project have to be women. Moreover, more than 30% of all Paralegals are women despite the fact that only 4% of the prison population are female.

Out of all staff recruited to work on rehabilitation inside prisons and restorative justice, mediation and diversion at



community level, 47% are women. Moreover, 34% of restorative justice facilitators are women.

Gender competence of all of the project staff is a key element of the project. Therefore, all staff recruited under contracts of partner NGO's receives mandatory gender training in order to get oriented with basic gender concepts, concerns, their implications within the project activities and organizational gender related policies. Gender training is also embedded in the training of every Paralegal.

At a local level, locally elected representatives and stakeholders receive gender training as part of a workshop on the criminal justice system. Approx. 50 workshops have been held so far, with 1/3 of the participants being women.



*Certificate giving ceremony for skills development training provided by the private sector for female prisoners*

Apart from mainstreaming gender into all project activities, empowerment measures are taken. Female Paralegals and Rehabilitation Supervisors, and all other field staff benefit from the training they receive through the project. Their new jobs gain them respect in their communities and families. With their new standing, they are able to influence the life and decisions of their community towards a more gender equal environment.

*“Self-dependency is important for a person, especially a woman, for empowerment. When a woman receives skill development training and engages herself with IGA, she becomes financially self-dependent. Self-dependency helps a woman to take part in the decision-making process. Through my work, I am helping women like Josna to be economically and socially empowered and gain respect in their families and communities”*

Rehabilitation Supervisor, Rangpur

Wherever possible, monitoring and evaluation is done in a sex-disaggregated manner to monitor exactly who the beneficiaries of the interventions are and whether all target groups have been reached. A report containing key figures and statistics as well as information on activities and case studies is prepared every month and sent to all

staff members as well as government counterparts and partners. Josna's story was presented in the Monthly Report of March 2015 as a best practice example.

Paralegals, Rehabilitation Supervisors and all other field staff take the different needs of women and girls and men and boys into account in their daily activities. All project staff exhibits a high level of gender sensitivity. Therefore female prisoners and other beneficiaries in the community feel comfortable bringing their issues to them as they believe their voices will be heard.

The case of Josna exemplifies the importance of gender mainstreaming throughout all project activities.

### Success Factors and Challenges

Until October 2015 the project had released 8.950 people from prison (988 women, 7.792 men and 170 juveniles). 51.897 persons (17.826 women) were assisted in court and 8.113 (2.396 women) at police stations. 895 persons (196 women) attended skills development training and 1.317 (219 women) identified drug users were referred to counselling and other services.

The main success factors of the programme include a consistent gender mainstreaming throughout all project activities, an excellent cooperation between all stakeholders of the project and a high ownership by the Government, the Prison Authority as well as Paralegals, Rehabilitation Supervisors, Counsellors and all other staff.

The project staff will continue to work together to tackle remaining challenges such as combatting social stigma against female prisoners and the restricted time frame of the project.

The case of Josna serves as a best practice example of cooperation and gender mainstreaming. Through frequent refresher trainings and coordination meetings between the different districts, a spill-over effect of best practices is enabled. In the future, the project aims to conduct all activities in a gender sensitive manner to ensure the inclusion of all members of society and promote gender equality



*Case Coordination Committee meeting*

