

Women and criminal justice systems: a gender-sensitive approach

2022 - 2024

→ Background

Although women represent a minority in detention (around 7% globally), their number is increasing at an alarming rate. When in contact with the criminal justice system, women are at higher risk of discrimination, ill-treatment and torture. Risky moments and practices include arrests; interrogations; transfers; admission to a place of detention; body searches; solitary confinement; and the use of means of restraint. Women deprived of liberty have to confront a system designed for men, often failing to meet their distinctive needs. They experience multiple and unique forms of discrimination based on gender and its interaction with other factors such as age; disability; ethnicity; religion; sexual orientation; gender identity and expression; social status; being pregnant, breastfeeding or the primary caretaker; and post traumatic experiences.

In this context, the APT launches a three-year project supported by the government of Canada. The project will take place in eight different countries and will address the manifestation, gender-based root causes and intersectional factors of abuse and risky practices against women. With this in mind, the project will focus on two main issues: 1) the treatment and conditions of women in the criminal justice system; 2) the use of gender-responsive alternative measures to detention for women. The project will also contribute to implementing one of APT's strategic goals: "Identify and address the specific needs of women, people on the move and LGBTIQ+ persons when deprived of liberty".



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association for
the prevention
of torture

→ Objectives

This project aims at increasing the protection of women against torture and ill-treatment in criminal justice systems in priority countries. This shall be achieved by:

Influencing policies and laws

At national and international levels, based on accurate and reliable data gathered by oversight bodies (National Preventive Mechanisms - NPMs) on women in contact with criminal justice systems. At the end of the project, NPMs' ability to conduct effective gender-sensitive monitoring and advocate for legal and policy-related protection will be strengthened.

Preventing risky practices

By criminal justice actors, including through the implementation of alternative measures to detention. At the end of the project, criminal justice actors and NPMs will increase awareness about standards, alternatives to detention, and discriminatory and risky practices leading to abuses of women. NPMs will also engage into dialogue with criminal justice actors on the basis of their findings and recommendation, and engage collaboratively with civil society organisations and families of detainees.

→ Drivers for change

At national level, detaining authorities and law enforcement officials, judicial actors, independent oversight bodies and civil society organisations are key drivers to reduce the risks of ill-treatment and torture faced by women in contact with the criminal justice system. NPMs are uniquely placed to gather reliable and accurate information on how women are affected by the criminal justice systems, and propose concrete solutions to bring about long-lasting changes. The project will focus particularly on strengthening the role and capacities of NPMs and mobilising them to engage in dialogue with criminal justice actors, judicial authorities and civil society organisations.

→ Scope



The project will be implemented at different degrees of intensity in each of the priority countries, and will include peer-to-peer exchanges between all of them. The project will also have a regional and international reach.

→ Activities

The project involves a combination of complementary activities that will mutually reinforce and sustain each other:

Applied research and comparative analysis of root causes of mistreatment of women in the criminal justice system, including looking at the implementation of alternatives measures to detention, the treatment of women in police custody and prison and identification of good practices. This includes thematic reports by NPMs in priority countries as well as a compilation of NPM findings and recommendations into a global report serving as a basis for national and international advocacy.

Capacity building of legal & judicial actors on root causes and standards related to the treatment of women in the criminal justice system, as well as implementation of alternatives to detention

Strengthening synergies and cooperation amongst national oversight institutions, national authorities and civil society, promoting regular dialogue, as an effective measure towards change.

Capacity building of national oversight institutions to gather accurate and reliable information through gender-sensitive monitoring and engage into dialogue with criminal justice actors. This includes webinars, technical advice, exchange of practices amongst NPMs, digital learning, development of tools, and face-to-face workshops.

Coordinated outreach and mobilisation with national oversight institutions and civil society organisations, to increase visibility of the risks of abuse and protection needs of women in criminal justice systems (including through the Women & Prisons Campaign).

Advocacy and awareness-raising with law and policy actors, judicial actors and international/regional human rights bodies on women's specific needs and risks in detention and the need to implement alternative measures to detention.