



IMPROVING PRISON CONDITIONS FROM A GENDER PERSPECTIVE

BRAZIL'S CASE

FEMALE PRISON POPULATION IN BRAZIL

Brazil is in third place in the ranking of countries with the largest population of incarcerated women.

Among 42.000 incarcerated women:


- **75%** were arrested for non-violent crimes
- **63%** are black
- **74%** are mothers
- **56%** have two or more children





ACCORDING TO THE LAW...

In 2016, the Brazilian law was amended providing that the judge can replace the provisional arrest of pregnant women and mothers of children up to 12 or people with disability. But the crime committed can not involve violence or serious threat. The replacement is by house arresting, which is usually followed by electronic monitoring.



The Federal Public Defender's Office

- Brazil has a consolidated and spread legal aid system.
- The Federal Public Defender's Office is a governmental branch from Federal Government, with an autonomy budget.
- The Public Defender's Office has constitutional missions and one of them is to promote human rights.
- Public defenders can file class actions to guarantee the rights of vulnerable groups, like women in prison.





Brazilian Federal Supreme Court's Decisions

- **2018:** first lawsuit filed for an organization of human rights lawyers for pregnant women and mothers.
- **2020:** second lawsuit filed by Federal Public Defender's Office to benefit anyone responsible for minors and people with disability.

Conclusion

Not only changes in the law are enough to guarantee alternatives to prison. Institutions of the justice system and the promotion of human rights must be engaged to guarantee alternatives to imprisonment in practice.





Thank you!

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