

**A STUDY OF INCARCERATED WOMEN
DRUG TRAFFICKERS IN PENANG PRISON,
MALAYSIA**

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**A STUDY OF INCARCERATED WOMEN
DRUG TRAFFICKERS IN PENANG PRISON,
MALAYSIA**

by

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LIST OF SYMBOLS

α	Cronbach Alpha
<	Less Than
>	More Than
%	Percentage
N	Group Size

LIST OF ABBREVIATIONS

AGC	Attorney General's Chambers
AIHW	Australian Institute of Health and Welfare
ATS	Amphetamine-type Stimulants
DOSM	Department of Statistics Malaysia
EMCDDA	European Monitoring Centre for Drugs and Drug Addiction
IDPC	International Drug Policy Consortium
IPDC	International Penitentiary Development Committee
MDA	Methylenedioxyamphetamin
MDMA	3,4-Methylenedioxymethamphetamine
METH	Methamphetamines
NCRB	National Crime Records Bureau
NEP	New Economic Policy
OAS	Organization of American States
PDEA	Philippine Drug Enforcement Agency
PDRM	Polis Di-Raja Malaysia
PRI	Penal Reform International
PRIDE	Prison Department of Malaysia
SPSS	Statistical Package for Social Sciences
UN	United Nations
UNCND	United Nations Commission on Narcotic Drugs
UNODC	United Nations Office on Drugs and Crime
YBGK	National Legal Aid Foundation

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**SUATU KAJIAN MENGENAI BANDUAN PENGEDAR DADAH WANITA
DI PENJARA PULAU PINANG, MALAYSIA**

ABSTRAK

Penglibatan wanita dalam jenayah pengedaran dadah dalam konteks Malaysia merupakan suatu isu yang memerlukan penyelidikan ilmiah disebabkan pengaruhnya yang pelbagai. Kajian ini memberi tumpuan kepada banduan pengedar dadah wanita di Penjara Pulau Pinang dan meneliti tiga aspek utama: (1) memperihalkan profil banduan pengedar dadah wanita di Penjara Pulau Pinang, (2) mengkaji hal keadaan sosioekonomi yang menyumbang kepada penglibatan wanita dalam jenayah pengedaran dadah, dan (3) mengenal pasti kesan sistem keadilan jenayah terhadap wanita-wanita ini. Kajian ini memberikan analisis menyeluruh mengenai penyertaan wanita dalam jenayah pengedaran dadah serta pengalaman mereka dalam sistem keadilan jenayah. Kajian ini mengumpulkan data daripada 300 orang banduan pengedar dadah wanita di Penjara Pulau Pinang menggunakan soal selidik berstruktur untuk mendapatkan maklumat mengenai profil mereka, keadaan sosioekonomi dan pengalaman peribadi mereka. Analisis deskriptif dan kaedah tabulasi silang telah digunakan untuk menunjukkan profil wanita-wanita ini, termasuk umur, kewarganegaraan, pendidikan, status pekerjaan dan keadaan hidup mereka yang memberikan gambaran yang jelas mengenai ciri-ciri umum dalam kalangan banduan pengedar dadah wanita di Penjara Pulau Pinang. Sebagai tambahan kepada data soal selidik, kajian ini turut melibatkan 42 temu bual terperinci dengan pengedar dadah wanita dan 10 temu bual dengan pakar sistem keadilan jenayah termasuk hakim, timbalan pendakwa raya, pegawai polis, peguam dan pegawai penjara. Di samping itu,

analisis tematik juga digunakan untuk mengkaji aspek sosioekonomi yang menyumbang kepada penglibatan wanita dalam pengedaran dadah seperti kesulitan kewangan dan masalah keluarga. Kajian ini juga mengkaji bagaimana latar belakang wanita-wanita ini, termasuk tekanan keluarga dan pendedahan kepada jenayah mempengaruhi keputusan mereka untuk terlibat dalam jenayah pengedaran dadah. Akhir sekali, kajian ini mengkaji kesan sistem keadilan jenayah terhadap pengedar dadah wanita ini dengan memberikan tumpuan kepada bagaimana hukuman yang dikenakan oleh sistem keadilan jenayah mempengaruhi kehidupan mereka. Selain itu, kajian ini menjelaskan cabaran yang dihadapi oleh wanita-wanita ini dalam sistem keadilan jenayah. Dengan memberikan tumpuan kepada tiga aspek utama ini, dapatan kajian ini menawarkan pemahaman yang jelas mengenai profil pengedar dadah wanita, tekanan sosioekonomi yang mendorong penglibatan mereka dalam jenayah pengedaran dadah dan kesan sistem keadilan jenayah terhadap kehidupan mereka. Pada masa yang sama, dapatan kajian ini mempunyai implikasi yang signifikan terhadap dasar, rangka kerja perundangan dan strategi intervensi yang bertujuan menangani penglibatan wanita dalam jenayah pengedaran dadah. Kajian ini menekankan bagaimana kelemahan sosioekonomi seperti pengangguran dan tanggungjawab keluarga mendorong wanita terlibat dalam pengedaran dadah, yang menekankan keperluan bagi program pemerkasaan ekonomi yang disasarkan serta sistem sokongan sosial untuk mencegah penglibatan wanita dalam jenayah. Selain itu, dapatan kajian menunjukkan bahawa sifat punitif sistem keadilan jenayah sering mengabaikan hal keadaan sosioekonomi yang mendasari yang menyebabkan wanita terlibat dalam pengedaran dadah, mencadangkan keperluan pendekatan undang-undang yang sensitif jantina, hukuman berfokuskan pemulihan dan peningkatan akses kepada bantuan guaman. Dengan memberikan pandangan empirikal

mengenai profil, cabaran sosioekonomi dan cabaran perundangan yang dihadapi oleh banduan pengedar dadah wanita di Penjara Pulau Pinang, kajian ini menyokong pendekatan yang lebih holistik dan reformasi dalam menangani kesalahan berkaitan dadah oleh wanita, seterusnya membimbing pembuat dasar ke arah pencegahan jenayah dan pembaharuan sistem keadilan jenayah yang lebih berkesan.

**A STUDY OF INCARCERATED WOMEN DRUG TRAFFICKERS
IN PENANG PRISON, MALAYSIA**

ABSTRACT

The involvement of women in drug trafficking crimes in the Malaysian context is an issue that warrants scholarly investigation due to its multifaceted influences. This study focuses on incarcerated women drug traffickers in Penang Prison and examines three main areas: (1) describing the profile of incarcerated women drug traffickers in Penang Prison, (2) examining the socio-economic conditions contributing to women's involvement in drug trafficking crime, and (3) identifying the impact of the criminal justice system on these women. The study provides a comprehensive analysis about women's participation in drug trafficking crime and their experiences within the criminal justice system. The study collected data from 300 incarcerated women drug traffickers in Penang Prison using a structured questionnaire to capture their profiles, socio-economic conditions and their personal experiences. Descriptive analysis and cross-tabulation method were employed to outline the profiles of these women, including their age, nationality, education, employment status and living condition providing a clear picture of the common characteristics among incarcerated women drug traffickers from Penang Prison. In addition to the questionnaire data, this study also involved 42 in-depth interviews with women drug traffickers and 10 interviews with criminal justice system experts including judges, deputy public prosecutors, police officers, lawyers and prison officers. Despite that, thematic analysis was also used to examine the socio-economic aspects that contribute to women's involvement in drug trafficking such as financial

hardship and familial difficulties. The study also examines how these women's backgrounds, including family pressures and exposure to crime influence their decisions to engage in drug trafficking crime. Finally, the study examined the impact of the criminal justice system on these women drug traffickers by focusing on how the punishments imposed by the criminal justice system affect their lives. Moreover, the study highlights the challenges faced by these women in the criminal justice system. By focusing on these three main aspects, the findings of the study offer a clearer understanding of the profiles of women drug traffickers, the socio-economic pressures driving their involvement in drug trafficking crime and the impacts of the criminal justice system on their lives. At the same time, the findings of this study have significant implications for policy, legal frameworks, and intervention strategies aimed at addressing women's involvement in drug trafficking crime. The study highlights how socio-economic vulnerabilities such as unemployment and family responsibilities drive women involved in drug trafficking, emphasizing the need for targeted economic empowerment programmes and social support systems to prevent women's involvement in crime. Besides that, the findings reveal that the punitive nature of the criminal justice system often overlooks the underlying socio-economic circumstances that lead women into drug trafficking, suggesting the necessity of gender-sensitive legal approaches, rehabilitation-focused sentencing and improved access to legal aid. By providing empirical insights into the profiles, socio-economic challenges and legal challenges faced by incarcerated women drug traffickers in Penang Prison, this study advocates for a more holistic and reformative approach to addressing women drug-related offences, ultimately guiding policymakers toward more effective crime prevention and criminal justice system reforms.

CHAPTER ONE

INTRODUCTION

1.1 Introduction

Drug trafficking stands as a grave transnational concern that transcends geographical and legal boundaries. Drug trafficking is categorically prohibited under drug laws spanning various jurisdictions reflecting a shared commitment to combat the multifaceted challenges posed by the trade in controlled substances (Bean, 2014). Amid this global context, the European Union and the United Nations have meticulously defined the scope of drug trafficking encompassing a wide spectrum of actions from the initial stages of drug production and manufacturing to the final stages of distribution, smuggling, sale and delivery. This range extends to cover associated actions such as brokerage, dispatch, transportation, as well as importation and exportation (UNODC, 2022a). Given this, criminal organizations and networks play a central role in orchestrating these intricate operations of drug trafficking making it particularly formidable. These criminal organizations employed highly sophisticated methods to facilitate the distribution of illicit drugs in the presence of multiple layers within their organizational structure involving a hierarchy that spans from drug producers and suppliers to intermediaries, traffickers and street-level dealers. This layered structure contributes to the resilience and adaptability of drug trafficking networks (Bagley & Rosen, 2015). The global drug trade's adaptability to changing market and enforcement conditions has long been a hallmark of its resilience. As noted by Lee (1995), international drug traffickers have demonstrated a capacity to adjust their operations in response to global pressures, necessitating enforcement strategies that are equally dynamic and coordinated.

The activities of criminal organizations not only involve the distribution of illegal substances but also necessitate a nuanced understanding of the substances themselves. Several types of substances are commonly involved in international trafficking due to high demand and profit. Heroin has long been trafficked, first from Turkey and later from Southeast Asia's Golden Triangle and is still widely smuggled because of its high street value. Cocaine, mainly produced in South America is one of the most heavily trafficked drugs with thousands of tonnes distributed through illegal markets each year. Methamphetamine, known as "METH" or "ice" is another powerful stimulant and is illegally manufactured and sold in many parts of Asia, Oceania and the United States. Cannabis is also widely trafficked, even though it is legal for medical or recreational use in some countries like Canada and parts of the United States. Temazepam, a drug used to treat insomnia, is often illegally produced in Eastern Europe and traded internationally. These five drugs heroin, cocaine, methamphetamine, cannabis and temazepam are among the most commonly trafficked worldwide (Diwan, 2023).

Although drug trafficking encompasses various illicit substances, not all substances fall under the category of illegal drugs as they must satisfy specific criteria (Bewley-Taylor, 2012). Drugs that are lawfully prescribed for medical purposes and used within the prescribed dosage are excluded from the classification of illegal drugs. Illegal drug classification is determined by specific attributes, such as their influence on the central nervous system, adverse effects on health and social well-being, non-medical utilization and unauthorized acquisition (Hart & Ksir, 2018). These characteristics and their associated impacts are present in numerous products available in the market. The American Psychiatric Association (2013) provide

examples of substances that falls into the realm of illegal drugs such as morphine, heroin, amphetamine-type stimulants (ATS), cannabis, codeine, barbiturates and tranquilizers.

Expanding on the complex network of drug syndicates and the wide array of substances under their purview, it becomes crucial to explore the central figures involved in this illicit drug trade. These figures are often labeled with different terms such as drug traffickers, drug dealers, drug mules or drug couriers (Urquiza-Haas, 2015). While all of these terms refer to people involved in illegal drug activities, they carry different meanings and can affect how a person is viewed and treated in the legal system. The term drug trafficker is usually linked to someone seen as a major player in drug crime, someone who plans, controls or profits from the drug trade with various roles. In contrast, words like mule or courier are often used for low-level dealers, especially those who physically carry drugs. According to Urquiza-Haas (2015) and Fleetwood (2014), these terms are not just neutral labels, they reflect certain ideas about guilt, control and responsibility. For example, “mule” is often used to describe person who are poor, vulnerable or acting under pressure. This can lead courts to view them either as less responsible or, sometimes, as easier to punish. Meanwhile, the term “trafficker” may suggest more agency and criminal intent, leading to harsher sentences. Therefore, the way these terms are used has real consequences, not only in legal records and databases but also in court decisions and sentencing outcomes. Notwithstanding any perception to the contrary, in Malaysia, any individual who participates in activities related to illegal drugs whether directly or indirectly, including but not limited to the production, manufacturing, distribution, transportation, sale, possession or transaction of controlled substances is legally

recognized and categorized as a drug trafficker. The term “drug trafficker” therefore carries significant legal weight and is frequently invoked in judicial proceedings to denote individuals involved in various stages of the illicit drug supply chain. While the law does not provide a precise definition of a “drug trafficker,” the interpretation is guided by the meaning of “trafficking” as set out in section 2 of the Dangerous Drugs Act 1952 [*Act 234*], which includes activities such as manufacturing, importing, exporting, distributing, selling and possessing dangerous drugs for such purposes. Individuals found engaging in these acts, particularly involving quantities that trigger statutory presumptions under the Dangerous Drugs Act 1952 are typically prosecuted as drug traffickers within the Malaysian legal framework. These individuals often operate within organized criminal networks, assume pivotal roles in the illicit drug trade by facilitating the movement of controlled substances across national and international borders and within countries. In doing so, they perpetuate a clandestine global economy that thrives on the sustained demand for illicit drugs.

In recent years, there has been a gradual increase in global drug trafficking, involving a diverse spectrum of individuals as drug traffickers hailing from various demographic categories, including differences in gender, age, race and religious background (UNODC, 2022a). As the prevalence of drug trafficking continues to escalate on a global scale, it is essential to recognize that women are assuming increasingly prominent and varied roles within the structures of drug trafficking organizations (Denton, 2001). The historical context of women’s involvement in drug trafficking is intricate, spanning different regions of the world and various historical epochs. Dating back to as early as 1986, Rosa del Olmo, a criminologist from Venezuela was among the pioneering scholars to acknowledge and document the

active involvement of women in drug trafficking crime. Subsequent research has underscored the substantial involvement of women in drug trafficking (Fleetwood, 2017). Added to this, Campbell (2008) notes that women have been involved in drug trafficking since the 1990s. Given that, it is imperative to acknowledge that women have played a notable role in this domain although drug trafficking has traditionally been associated predominantly with men. It has also been recognized that women are involved in various aspects of drug trafficking including transportation, distribution and even taking leadership positions (Denton & O'Malley, 1999).

Although women's involvement in drug trafficking has not yet surpassed that of men in terms of sheer numbers, their involvement is undeniably on the rise. This phenomenon is discernible through the increasing presence of women involved in drug trafficking across numerous countries in recent years (UNODC, 2022b). As reported in the World Drug Report in 2016, women represented approximately 11% of all individuals brought into formal contact with the criminal justice system for drug trafficking crimes between 2010 and 2014 based on the data collected from 100 countries. The report highlights pronounced regional variations with the highest proportions observed in Oceania (19%), the Americas (15%) and the lowest in Africa (2%), reflecting diverse patterns of women's involvement in drug trafficking globally (UNODC, 2016). To illustrate further, the punitive drug legislation on a global scale will have a more pronounced impact on the incarceration of women with an estimated 35% of the projected 714,000 women being sentenced to imprisonment for drug trafficking crimes as opposed to 19% of men among ten million cases. This emerging trend is already manifest in neighbouring Thailand, where

women detained for drug trafficking constituted a substantial 84% of the total women prison population in 2020 (Andrews-Briscoe et al., 2021). Considering that, Malaysia is strategically situated within the region known as the Golden Triangle, an area notorious for its significant involvement in drug trafficking crimes. This region is primarily under the control of large-scale international drug syndicates and the involvement of women as drug traffickers has emerged as a noteworthy concern within this geographical area (UNODC, 2024). To provide concrete insight, in the year 2018, a staggering 95% of women on death row in Malaysia were incarcerated for drug trafficking crimes with 86% of these women being foreign nationals (Amnesty International, 2019). Women from various countries, including Thailand, China, Indonesia, Iran and the Philippines, accounted for the highest proportion of drug trafficking imprisonments in Malaysia between 1983 and 2019. In the Asia Pacific region, Malaysia ranks fourth, following China, Pakistan and Bangladesh concerning the prevalence of death penalty and the incarceration rate of women implicated in drug trafficking crimes (Harry, 2021). Both aspects are reflected in Table 1.1.

Table 1.1: Nationalities of Women Convicts for Drug Trafficking Crimes in Malaysia from 1983 to 2019

No.	Nationality	Frequency
1.	Australia	1
2.	Cambodia	3
3.	China	15
4.	Hong Kong	1
5.	India	5
6.	Indonesia	14
7.	Iran	14

8.	Japan	1
9.	Kenya	2
10.	Malaysia	12
11.	Mongolia	2
12.	Unascertained (Not Clear)	15
13.	New Zealand	1
14.	Nigeria	6
15.	Philippines	12
16.	Republic of Guinea	4
17.	Singapore	1
18.	South Africa	1
19.	Thailand	24
20.	Togo	1
21.	Uganda	1
22.	Uzbekistan	2
23.	Vietnam	6
24.	Zambia	2
	Total	146

Source: Harry (2021)

In light of this, Malaysia has witnessed a noticeable uptick in the imprisonment of women due to their involvement in drug trafficking crimes bringing to the forefront the issue of women drug traffickers (UNODC, 2018). For decades, Malaysia has adopted a resolute and uncompromising stance in addressing drug trafficking concerns, enacting a comprehensive set of legislations designed to effectively combat this problem. These statutes encompass Acts such as the Dangerous Drugs Act 1952 [Act 234], the Drug Dependents (Treatment and Rehabilitation) Act 1983 [Act 283], the Dangerous Drugs (Special Preventive Measures) Act 1985 [Act 316], the

Dangerous Drugs (Forfeiture of Property) Act 1988 [*Act 340*], the Poisons Act 1952 (Revised 1989) [*Act 366*], and the Sale of Drugs Act 1952 (Revised 1989) [*Act 368*]. These statutes collectively provide a comprehensive legal framework addressing various aspects of drug control, including the enforcement against drug trafficking, regulation of controlled substances, forfeiture of property and preventive measures. By upholding this comprehensive legal framework, Malaysia consistently reaffirms its unwavering commitment to effectively combat the scourge of drug-related crimes, including drug trafficking. However, despite the presence of stringent drug laws and severe penalties, these legislative measures have not proven entirely successful in dissuading or deterring women from becoming drug traffickers (Harry, 2022). According to Amnesty International (2019), as of 22 February 2019, there were 34 women under sentence of death in Kajang Prison. Among them, 7 were Malaysian women and 27 were non-Malaysian women. Most of these women, totalling 30, had been convicted of drug trafficking crimes, while 3 were convicted of murder and 1 was convicted of kidnapping and murder.

It becomes evident that, despite the presence of stringent legislative measures, women continue to be disproportionately targeted by drug syndicates and drug cartels. Criminal organizations exploit the vulnerability of impoverished women, strategically ensnaring them in a complex network of criminal activities (Giacomello, 2020a). Thus, to understand the background of these women drug traffickers it requires a multifaceted approach that extends beyond relying solely on a legal framework. To establish such an effective approach, it is imperative to gain a comprehensive understanding of the diverse aspects and background of women drug traffickers. This endeavour allows us to identify the background of women drug traffickers that

demands our attention. Thus, this study emphasizes the need to look beyond legal frameworks and delve deeper into the profile, socio-economic conditions and the ways the criminal justice system affects these women drug traffickers. By focusing on the profiles of women involved in drug trafficking crimes, including conditions such as their socio-economic backgrounds, this approach can uncover the patterns and underlying conditions related to women drug traffickers. Additionally, by exploring how the criminal justice system impacts these women, it can understand the barriers women face in the criminal justice system, including their ability to access legal resources, the consequences of their incarceration and the long-term effects on their reintegration into society.

Notwithstanding the pervasive challenges that women encounter in openly discussing their conditions, there is also conspicuous lack of research dedicated to comprehending the background and socio-economic condition of women engaged in drug trafficking within the distinct context of Malaysia. The available information is limited to summaries found in reports such as the annual United Nations World Drug Reports (UNODC, 2018). This paucity of comprehensive research on their backgrounds and socio-economic conditions hampers our ability to thoroughly examine the circumstances about women drug traffickers. Despite the extensive body of research conducted by local social science researchers on various drug-related topics, including drug abuse behaviour, treatment programmes, health consequences and the application of the death penalty, there remains a conspicuous gap in the literature concerning comprehensive discussions about the profile, socio-economic conditions and the impact of criminal justice system on women drug traffickers within the Malaysian context.

Hence, this study aspires to go beyond the surface-level perceptions of their circumstances, delving deeply into their profiles, socio-economic realities, and the intricate ways the criminal justice system impacts them. By doing so, it uncovers trends that reflect broader societal issues, emphasizing the need for nuanced approaches to address drug trafficking issues among women. Through examining these women lived experiences, the study aims to shed light on the individual and structural factors that intersect in their paths, challenging stereotypes and urging a rethinking of policies that impact their lives. The findings not only contribute to academic discourse but also aim to inspire actionable strategies that align with the observed trends. Ultimately, this study serves as a call to bridge the gap between punitive measures and restorative solutions, fostering a legal and social system that recognizes the complexities of human vulnerability and resilience. By understanding the multifaceted background of these women, society takes a step closer to breaking cycles of challenges and creating pathways for meaningful change.

1.2 Problem Statement

The involvement of women in drug trafficking crimes has witnessed rapid growth in Malaysia emerging as one of the fastest-growing segments (Harry, 2022). Drug trafficking syndicates are increasingly targeting women from diverse backgrounds and dire circumstances to be involved in drug trafficking crimes both within and across the nation (Gelsthorpe, 2010). As noted by UNODC (2018), drug trafficking organizations have recognized the utilization of women as drug traffickers as an exceptionally effective method for drug trafficking. This is primarily because women tend to arouse less suspicion from law enforcement authorities (Mnguni & Thobane, 2022). In Malaysia, the Dangerous Drugs Act of 1952 [*Act 234*],

which serves the purpose of preventing and prohibiting the proliferation of drug trafficking has had a limited impact on curbing the rise of women drug traffickers (Amnesty International, 2019). The existing punitive measures and death sentences imposed on drug traffickers in Malaysia along with the potential consequences of detection have not proven to be the effective deterrent expected for women drug traffickers, who have increasingly assumed pivotal roles in drug trafficking operations (Harry, 2021).

In the domain of research, the background and conditions of women drug traffickers has received relatively limited attention when compared to other facets of drug trafficking (Coomber & Maher, 2014). This is a noteworthy observation, considering that the backgrounds of women who become drug traffickers have been somewhat overlooked by policymakers at the United Nations in Vienna. This oversight can be attributed to, at least in part, to the language employed in the United Nations Conventions on Drug Control of 1961 and 1971, which notably lack any reference to the terms “gender” or “women”. The inclusion of the terms such as “gender” or “women” in legal frameworks and international conventions is significant for several reasons. By explicitly recognizing “gender” or “woman” in legal documents acknowledge and address the distinct experiences, vulnerabilities and rights of individuals based on these socially constructed roles and identities. Therefore, the inclusion of the words “gender” or “woman” in legal frameworks is crucial for ensuring that laws and policies are inclusive, responsive and effective in promoting justice and human rights for all individuals (Charlesworth et al., 1991).

In recent years, scholars and researchers have embarked on efforts to explore the unique profiles, surroundings and circumstances of women who are involved in drug trafficking crimes. Most of the existing research in this domain has primarily concentrated on women from Latin America, the Caribbean and West Africa, especially those apprehended for trafficking drugs into regions such as the United States, the United Kingdom or within the African continent (UNODC, 2018). Harry (2021) addresses this gap by examining the experiences of women sentenced to death for drug trafficking in Malaysia. In the Asian context, despite studies focusing on Thai women detained for drug trafficking crimes in Cambodia, there is a conspicuous scarcity of academic research concerning women involved in regional drug trafficking crimes in Southeast Asia, particularly in Malaysia (Jeffries & Chuenurah, 2019).

Women's involvement in drug trafficking also often occurs in concealed or less visible roles, a phenomenon highlighted by Bailey (2013). Their involvement is frequently overshadowed or minimized in comparison to the more prominent roles played by men in drug trafficking operations, making it easier for their involvement to go unnoticed. This gender perception can result in a biased emphasis on men's roles, leading to a relative neglect of women's involvement. Women may often be involved in behind-the-scenes positions within drug trafficking networks, such as serving as traffickers or providing logistical support. These roles may not attract as much attention or scrutiny as the higher-level positions occupied by men, such as leaders or key operatives. Consequently, the women drug traffickers can be easily underestimated or overlooked, presenting a challenge in comprehending the full extent of their presence (Adler, 1993). Furthermore, the concealment of women's roles in

drug trafficking can also be a deliberate strategy employed by criminal networks. These networks may intentionally engage women in less visible roles to minimize the risk of detection and scrutiny by law enforcement agencies. Women may also be perceived as less suspicious or encounter fewer obstacles when carrying out certain aspects of drug trafficking due to societal perceptions and stereotypes (Barlow & Weare, 2019). The research gap highlighted in this context underscores the lack of comprehensive knowledge and recognition regarding the background of women drug traffickers, primarily due to their often concealed and underestimated roles.

Given the association of women with drug trafficking crimes, a failure to promptly undertake a comprehensive examination of their backgrounds and socio-economic conditions may lead to the emergence of severe social issues that threaten national safety. Drug trafficking is not only a criminal activity, but also one fraught with significant risks for the women involved, their families and society as a whole (Chesney-Lind, 1997). By recognizing and addressing their background and socio-economic conditions, it becomes possible to disrupt the cycle of drug trafficking and mitigate its adverse impact on communities. Furthermore, women may confront specific challenges and vulnerabilities that diverge from those encountered by men involved in drug trafficking. In Malaysia, the situation is no different, as an increasing number of women are incarcerated for drug trafficking crimes. Yet, the socio-economic conditions, gender dynamics and unique challenges faced by these women within the criminal justice system have not been sufficiently examined in scholarly works. While global studies have highlighted the interplay between socio-economic conditions and crime, and local research has examined drug trafficking trends broadly, little attention has been paid to the specific profiles,

socio-economic realities and experiences of women within the criminal justice system (Samuel & Omar, 2012). Existing literature often overlooks how these aspects intersect to create distinct patterns and challenges unique to women drug traffickers (UNODC, 2018).

Studies by Moe (2006) stated that women who become involved in drug trafficking frequently face financial instability, limited employment opportunities and limited social support networks. These conditions create a context in which drug trafficking may appear as a means of economic survival, particularly for women facing familial pressures. For instance, Chesney-Lind and Pasko (2004) emphasize that women's socio-economic aspirations, often intertwined with histories of abuse and social marginalization, can lead to their involvement in criminal networks that exploit their vulnerabilities. Moreover, women's involvement in drug trafficking is often tied to gendered expectations and experiences of coercion, where they may be manipulated or forced into these activities by male partners or criminal organizations, further exacerbating their vulnerability (Amnesty International, 2019). Furthermore, the role of the criminal justice system in shaping these women's involvement in drug trafficking and their subsequent experiences of incarceration also warrants considerable attention. While the criminal justice system aims to deter crime and rehabilitate offenders, the gendered dimensions of incarceration, particularly for women, can have profound implications on their experiences and rehabilitation outcomes. In the context of drug trafficking, the criminal justice system's impact on women is especially pronounced as they navigate the legal and correctional systems, which may not always account for the socio-economic and gender-specific challenges they face (Harry, 2021).

Thus, building on the gaps identified in this problem statement, this study focuses on Penang Prison as a critical site for understanding the dynamics surrounding incarcerated women drug traffickers. With one of the highest concentrations of women incarcerated for drug trafficking in Malaysia, it provides a unique opportunity to examine the profiles, socio-economic conditions and experiences of these women. The socio-economic profiles of incarcerated women drug traffickers in Penang Prison reflect broader trends, where marginalized women are overrepresented in drug crimes. By utilizing both quantitative and qualitative data, this study aims to offer a comprehensive analysis of the profiles of these women, investigating how their socio-economic conditions influence their involvement in drug trafficking. Through this approach, the study strives to uncover patterns of women drug traffickers that are often overlooked in traditional drug trafficking research, providing insights that can inform more targeted and effective policies and interventions.

At the same time, this study recognizes the influence of gendered power relations in shaping women's involvement in drug trafficking. While the thesis primarily focuses on socio-economic vulnerabilities, systemic challenges and legal implications, these aspects are inherently linked to gendered power imbalances. Women from disadvantaged backgrounds often face structural barriers such as limited economic opportunities, financial dependence and coercion by male counterparts, which can lead them into drug trafficking. Although gendered power relations are not the central theoretical framework of this study, they are embedded within the broader discussion of women's socio-economic conditions and criminal justice experiences.

This study builds upon and complements previous research, particularly the works of Harry in 2021 and 2022, which provide critical insights into the disproportionate impact of the death penalty on women especially foreign nationals convicted of drug trafficking in Malaysia. However, this study seeks to address several gaps left unexamined in Harry's work. Specifically, it examines both Malaysian and non-Malaysian women, focusing on their distinct socio-demographic, legal and economic profiles to offer a more nuanced understanding of the aspects contributing to their involvement in drug trafficking. Furthermore, it adopts a mixed-methods approach, combining quantitative data with qualitative interviews to generate empirical evidence and rich, contextual insights into the lived experiences of incarcerated women. Finally, this study aims to bridge the gap between academic research and policy application by addressing the socio-economic drivers behind women's involvement in drug trafficking an area that remains underexplored in Harry's earlier studies.

In summary, the limited research dedicated to understanding the profiles, socio-economic conditions and the impact of the criminal justice system on women drug traffickers has contributed to their lack of visibility and an incomplete understanding of their pathways into drug trafficking. The significance of this study lies in addressing critical knowledge gaps by focusing on the profiles of incarcerated women drug traffickers in Penang Prison, their socio-economic conditions, and the specific ways in which the Malaysian criminal justice system affects their lives. By examining these dimensions, the study provides a localized and gender-sensitive perspective, offering valuable insights into the broader background, societal and systemic aspects at play. By delving into their backgrounds and socio-economic

realities and assessing how the criminal justice system interacts with their lives, this study aims to identify recurring patterns and contributing aspects. Such insights are essential for crafting targeted, evidence-based policies and interventions that not only address the issues at hand of their involvement in drug trafficking but also promote rehabilitation and proper reintegration in future.

1.3 Scope of the Study

This study explores the profiles, socio-economic conditions and the impact of the criminal justice system on women drug traffickers incarcerated in Penang Prison. Although these women are incarcerated in Penang Prison at Seberang Perai, the sole correctional facility designated for women prisoners in Penang State, the term “Penang Prison” is used throughout this study, including in the title, to denote the institution within its broader regional and institutional context. Using “Seberang Perai Prison” alone does not fully capture the wider regional concept and state boundaries where these women are held. Therefore, “Penang Prison” is employed to better reflect the institutional, geographic and administrative context within Penang State, ensuring the study accurately represents the location and scope of the correctional facility housing these women. While the issue of women in drug trafficking is vast, this study narrows its scope to their involvement in activities such as distribution, manufacturing, possession, dealing, smuggling, and selling of illegal drugs. The primary objectives are to construct detailed profiles of these women, analyze the socio-economic conditions associated with their involvement in drug trafficking, and evaluate how the criminal justice system shapes their experiences and outcomes. To achieve these goals, the study utilized both quantitative and qualitative methodologies. A questionnaire was

administered with 300 incarcerated women drug traffickers in Penang Prison to obtain a broad quantitative perspective on their backgrounds, involvement in drug trafficking and interactions with the criminal justice system. In-depth interviews with 42 women drug traffickers from Penang Prison provided rich qualitative insights into their personal experiences, motivations and challenges. Additionally, interviews with 10 criminal justice system experts, including representatives from courts, the Royal Malaysia Police (PDRM), the Attorney General's Chambers (AGC), the Prison Department, and the National Legal Aid Centre, offered a systemic perspective on the issues faced by these women. This study is grounded in strain theory, enabling a nuanced understanding of the profiles and situations of women drug traffickers. By addressing the specific socio-economic conditions and personal contexts of these women, the study emphasizes the need for a more responsive and equitable criminal justice system that acknowledges and addresses the unique situations faced by women drug traffickers.

1.4 Research Questions

Research questions build the foundation of a study. According to Blaikie and Priest (2009), "Research questions are needed to define the scope and nature of the study by selecting questions which may provide ways to determine what is to be studied and to what extent and how to be studied in the selected area." Considering that, three research questions were developed to achieve the objectives of this study. The research questions for this study are as follows:

- (a) What is the profile of incarcerated women drug traffickers in Penang Prison?
- (b) What are the socio-economic conditions that contribute to women's involvement in drug trafficking in Malaysia?

- (c) In what ways does the criminal justice system in Malaysia impact women drug traffickers?

1.5 Research Objectives

The research objectives were set as follows:

- (a) To describe the profile of incarcerated women drug traffickers in Penang Prison;
- (b) To examine the socio-economic conditions that contribute to women's involvement in drug trafficking in Malaysia; and
- (c) To identify in what ways does the criminal justice system in Malaysia impact women drug traffickers.

1.6 Definition of Key Concepts

To facilitate a comprehensive understanding of the concepts central to this study, it is crucial to define the key terms that guide the ensuing discussions and analyses. By establishing clear and precise definitions for these fundamental concepts, the study ensures a consistent framework for interpreting data and deriving meaningful insights, thereby enhancing the clarity and coherence of the study findings.

1.6.1 Profile

According to Babbie (2016), in social research, a profile consists of a set of characteristics or attributes that are used to define or categorize individuals or groups for analytical purposes. It is a comprehensive description that provides insights into

an individual's or a group's background, behaviour or experiences, based on specific concepts such as demographic information, social, economic or living condition (Creswell & Creswell, 2018). In the context of this study, profiles refer to the collection of personal and socio-economic attributes of incarcerated women drug traffickers in Penang Prison. These attributes may include characteristics such as age, nationality, ethnicity, marital status, education level, employment and living condition (Siegel, 2016). By analyzing these profiles, the study aims to understand the patterns of involvement in drug trafficking that led to such involvement by women drug traffickers. Profiles also help to create a deeper understanding of individuals or groups by organizing and interpreting these attributes, thus offering a clearer picture of the conditions that influence their decisions and actions. In the context of this study, examining the diverse profiles of women drug traffickers incarcerated in Penang Prison offers an opportunity to explore their background that have shaped their involvement in drug trafficking.

1.6.2 Socio-Economic Condition

Socio-economic aspects refer to the interconnected elements of an individual's social and economic conditions that influence their life choices and opportunities (Sen, 1999). These include income, employment status, social standing and living conditions. The socio-economic condition determines an individual's ability to access resources, participate in societal activities, and make life decisions (Creswell & Creswell, 2018). In the context of women involved in drug trafficking, socio-economic condition plays a crucial role in shaping their decision and involvement in criminal activities, especially when faced with economic hardship and limited opportunities

for social mobility (Fleetwood, 2014). This study focuses on analyzing socio-economic patterns and trends among women drug traffickers from Penang Prison to uncover common characteristics and recurring trends related to their social and economic conditions. These patterns may include low-income levels, unstable employment, lack of education and significant familial responsibilities (Chesney-Lind & Pasko, 2004) emphasize that women's socio-economic aspirations, often intertwined with histories of abuse and social marginalization, can lead to their involvement in criminal networks that exploit their vulnerabilities. For instance, women involved in drug trafficking often come from lower socio-economic backgrounds, where economic instability and limited access to education increase their vulnerability to engaging in illicit activities (Adler, 1993). By studying these trends, one can observe how socio-economic changes, such as shifts in unemployment rates or changes in household income, may influence the involvement of women in drug trafficking. In this context, trends can reveal whether certain socio-economic conditions become more prevalent or evolve over time among women drug traffickers, reflecting societal shifts or emerging economic challenges. Together, the pattern and trend approach help to better understand how socio-economic conditions not only shape the current experiences of women involved in drug trafficking but also how these conditions may change in response to broader societal or economic developments.

1.6.3 Criminal Justice System

The criminal justice system refers to the network of institutions and processes involved in upholding the law, sentencing and administering justice (Neubauer &

Fradella, 2018). It encompasses law enforcement agencies, the judiciary and correctional facilities that work together to address criminal activities, including drug trafficking. The criminal justice system ensures that individuals who engage in illegal activities are identified, tried and punished according to established laws (Cole & Smith, 2015). In Malaysia, for instance, the criminal justice system for drug trafficking crimes is primarily governed by legislation such as the Dangerous Drugs Act 1952 [*Act 234*], which imposes severe penalties for drug trafficking, including the death penalty for trafficking large quantities of controlled substances. This legal framework impacts women involved in drug trafficking by influencing their legal experiences, outcomes and access to justice (Harry, 2022). These patterns may include the legal experiences of women, such as the accessibility of legal representation, the fairness of trial procedures and the implications of severe sentencing principles. The study also identifies the experiences of women within the correctional system. This approach provides valuable insight into the broader issues of legal and systemic issues, which can inform future reforms to ensure a more equitable criminal justice system for women involved in drug trafficking crimes.

1.7 Significance of the Study

This study holds significant value in enhancing the understanding of the profiles, socio-economic conditions and the impact of the criminal justice system on women involved in drug trafficking, with a specific focus on Penang Prison. While the literatures on women in crime, particularly in drug trafficking has been extensive, there is a lack of localized research addressing the unique surrounding faced by women in Malaysia's legal and socio-economic environment. This study provides a focused

and in-depth analysis of the profiles and socio-economic conditions of incarcerated women drug traffickers, which is crucial for developing targeted interventions and policies (Moe, 2006). By examining the socio-economic backgrounds of these women, this study offers valuable insights into the complex interplay between economic hardship and the limited opportunities that contribute to women's involvement in drug trafficking. Understanding these socio-economic conditions is vital, as it highlights the systemic conditions that contribute to women's criminal behaviour, which has often been overlooked in prior studies (Alarid & Vega, 2010). The study's significance is also reflected in its examination of how the criminal justice system impacts incarcerated women drug traffickers. Through an analysis of legal penalties, access to legal representation and trial fairness, this study offers a comprehensive view of the systemic conditions faced by these women within Malaysia's criminal justice system. In conclusion, this study provides significant insights into the profiles, socio-economic conditions and legal challenges faced by women drug traffickers incarcerated in Penang Prison.

1.8 Ethical Considerations

Ethical considerations play a vital role in researching sensitive topics like women drug traffickers. In this study, great care has been taken to maintain the confidentiality and anonymity of the collected data as well as the women drug traffickers personal information which is critical for human samples. Before data collection, each women drug traffickers were handled with respect and courtesy, and informed consent was obtained from each. The rights of the women drug traffickers, the risks they may face and the benefits and drawbacks that may arise were all carefully explained and addressed in this study. They were also informed that they had the right to withdraw

from the study at any point before completing the questionnaires and interviews. Prior clearance from the Research Ethics Committee of Universiti Sains Malaysia (USM) was obtained for the aforementioned reasons and to ensure confidentiality (refer to Appendix A). Additionally, approval from the Prison Department was also secured accordingly (refer to Appendix B and Appendix C).

1.9 Organization of the Thesis

This thesis is divided into six chapters. The first chapter is an introduction. This chapter consists of an introduction, a problem statement, the scope of the study, research questions, research objectives, definition of key concepts, the significance of the study, ethical considerations and the organization of the chapters. In chapter one, the study examines the gravity of drug trafficking crimes and examined women in drug trafficking crimes. The researcher also formulated research questions that need to be answered and objectives to be achieved in this study. Furthermore, the chapter illuminates the study's significance by elucidating its potential contributions to societal understanding and the expansion of knowledge within the academic field.

The second chapter presents a comprehensive literature review focusing on the profiles, socio-economic conditions and the impacts of the criminal justice system on women drug traffickers. It begins with an exploration of the specific profiles of incarcerated women drug traffickers in Malaysia, focusing on their backgrounds and personal histories. The chapter then further examines key socio-economic conditions contributing to their involvement in drug trafficking, including financial hardship and unstable employment conditions. Finally, the chapter examines the