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**Sohaib Ali.**

**T**he jail administrators show scant respect for prison rules and seem to have assumed that they have a exercise absolute power over the inmates.

The main victims of this misuse of power are normally the weak and the poor who are unable to offer bribe, which is required even to obtain one's rights. Influential and hardened criminals enjoy privileges far beyond the rules.

As a matter of policy prisoners are never about their rights as given in PPR. This is part of the scheme to rule by harassment and fear which the jail staff feels is essential in discipline the inmates. Those who may ask for a copy of the Prison Rules or to know their rights are targeted for punishment and ridicule.

Awareness of rights by prisoners is an essential condition for protecting human rights in prisons. Therefore, HRCF is planning to publish Urdu translation of PPR and a booklet containing prisoners' rights. This booklet would be of immense help to the prisoners provided it is made readily available to them and followed consistently.

Each jail should display

prominently in a place accessible to all prisoners a chart of their rights, the disciplinary requirements of the prison and the authorised method of making complaints. Since a large number of the prisoners are illiterate, jail authorities must be obliged to explain to prisoners their rights and responsibilities.

Each jail library must contain

essential to ensure observance of human rights in prisons and to make them truly reformatory. New uniform prison rules for all the provinces based on today's needs and in conformity with the UN Standard Minimum Rules for the Treatment of Prisoners should be introduced.

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# *The jail story* News-4.3.07 Society



Urdu and English copies of the Constitution, the Pakistan Prison Rules, important legal documents and the UN Standard Minimum Rules for the Treatment of Prisoners for consultation by inmates.

The jail Manual is primarily based on the Prisoners Act 1894, Prisoners Act of 1900, the Reformatory School Act of 1897 and the Punjab Borstal Act of 1926. The rules based on these acts are inhuman and harsh, their objective is overwhelmingly punitive, retributive and degrading. Therefore, a new legislation is

persistent violations of human rights take place. These abuses are practised under the pretext of maintaining discipline. Undoubtedly, maintenance of discipline in prisons is essential, but if our jail administration tries to achieve this by inflicting cruel, inhuman and illegal punishments then it is a cause of deep concern. Unauthorized and illegal punishments which are inflated on the inmates are abominable. Jails have special torture cells, and some extreme forms of torture reportedly include:

whipping after hanging a prisoner upside down, pulling of hair, scorching of flesh and putting steel reins in mouth.

Some prisoners are forced to remove their excreta and urine from their cells. In some jails immediately on arrival an inmate is told to remove his shalwar and is beaten. Other degrading and illegal

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bowed down in abject submission and not a whisper is allowed. According to the jail administration this is an essential part of discipline. For the self-respecting such humiliation is a painful punishment. This practice must be stopped.

A review of the jail superintendents powers of punishment enumerated in rules 583 and 584 of PPR should be carried out. Use of any form of bar fetters must be immediately prohibited. Cross fetters have been declared illegal by the superior judiciary but these continue to be used. All instruments of torture and restraint should be confiscated, auctioned and

visitors' committees are reluctant to visit a jail. This apathy should be removed; it should be made mandatory for the officials to visit jails. The list of non-official visitors should be expanded to include members from human rights groups, members of the bar, women organisations, NGOs interested in prisoners' welfare, lawyers, journalists, educationists, doctors, social workers and other interested citizens. the present hurdles in visits by non-official visitors should be removed.

The possibility of creating Mohtasibs at the divisional level should be considered. The inmates' grievances should be dealt by the Mohtasib. In the meanwhile this responsibility should be performed by District and Sessions Judges.

No prisoner should be deprived of the right to spend time outdoors. No inmate should be banned from reading and writing and everyone should have free access to books, newspapers and periodicals.

Prisoners should be allowed to keep a watch and an all band radio set, TV should be provided in common rooms or racks.

There should be no restriction on the number of letters received and mailed by prisoners.

According to Rule 456 of PPR, "Prisoners who have been appointed officers of prisons shall be deemed to be public servants within the meaning of the Pakistan Penal Code." These prisoners are placed in positions of authority which they exercise ruthlessly over other prisoners, besides indulging in homosexual activities and other form of corruption. They are also instrumental in drug trafficking in the jail. It is alleged that the prison officials keep the convict officers or warders supplied with their requirement of drugs, which insures that they maintain a firm hold on them while the convict officials maintain brutal discipline in the prison besides meeting other requirements of the staff.

A prisoner must not be placed in a position of authority to carry out duties which should normally be performed by the prison staff. It is suggested inmates should only be employed on works like education, maintenance, repair and upkeep.

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Rules regarding use of handcuffs need to be reviewed. These must not be used as an instrument of humiliation and insult as is done at present. All punishments awarded by jail superintendents should be subject to confirmation by District and Sessions Judges.

Our jails operate under a curtain of extreme secrecy which only shows administration has something to hide. This curtain must be removed by making our jails accessible and open. The ex-office members of jail

punishments which are commonly practised are: laipa poochi, urti, denial of sleep, denial of medical treatment, fatigue work, dietary sanctions, cellular and separate confinements beyond authorised limits, denial of facility to exercise, denial of meeting and communication.

In Pakistan prisons idleness is enforced as a form of punishment: to make the time pass as slowly as possible for the inmates. Through a silencing system the prisoners are forced to sit for hours with heads

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