

Critical Analysis of Prison Rules and Laws about Women Prisoners a Case Study of Hyderabad Women Prison

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Abstract: *The prisons are the part of criminal justice system, prisons are created to correct the offender and to prevent the crime. Time to time concept of prison had changed his faces. The prisons created to confine the offender and prevent crime in the society from the concept of deterrence to rehabilitation. The researcher tried to analyze the situation existing in prison system of Pakistan specifically focusing on the treatment with the women offenders and the existing laws dealing with women prisoners and their implementation in the prisons. As the current report on legislation by Sindh province shows that the Sindh assembly had passed almost unprecedented number of bills especially “The Sindh Prison And Correction Service Act 2019” and Rules under it while changing the prison to the correctional institutions in Sindh The study focuses on the implementation of these new laws existing laws and the current scenario of women prisons.*

Key Words: Prison, Plight of Women, Correctional Institutions, Incarceration, System, Bangkok Rules

Introduction

Historically prisons are considered as correctional institutions (Ali & Shah 2011) and so also the words like correctional facility and penitentiary are used for it (Baloch 2013). The prison literally means an area to confine the prisoners for certain time period and the prisoner are those who are convicted for doing of any crime or are having under process of trial before the court of Law. Historically prisoners were kept in the common jails without any sort of distinction of jail but the gender base distinction has its divine value in any social system. In the era of 18th century of Bloody Code the concept of death sentence was taken into practice and that was just because of the victim's satisfaction or to tackle the pressure of opponent side but the consequences of that practice were negative. The Jhon Howard had and all other sociologists had condemned it and had asked for the permanent jail system with regular monitoring staff and inspection of jail on regular basis. Mostly the women criminals are belong to the young segment, unemployed and having less education with dependent children. They are also facing stigma attached to the female's that they had been hated by their families and the

community for being criminal or having the tag of crime with them. The historical punishments for female offenders were harsh, cruel and brutal and these punishments were remains less effective to reduce the crime and for the correction of women prisoners (Hiremath 2005). Indeed the female prisoners generally are three to ten percent of whole prison population of all over the world but the rate of women prisoners is drastically and significantly increasing with the passage of time. Females in jail usually suffer both physical and mental torture (Shah & Cheema 2006)

Objectives of Prisons

- Keeping the custody of incarcerated inmates and confine in the safe area for the court's satisfaction.
- To maintain and control the prisoners with discipline in jail area.
- Take care of the very basic needs of the jail inmates.
- Giving treatment to the inmates either correctional based on mental psychological and physical or to rehabilitate and reform the convicted one.

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- e. To provide proper scenario and the facilities to the inmates to make them productive and valuable for the society.

Functions of Prisons

- i. To retain the prisoners until their trial concluded or court grants their bail.
- ii. Retain the custody or transfer it
- iii. Care maintenance of custody
- iv. Regulate the expenditure concern with jail management.
- v. Implement all the laws, rules, orders which regulates the prison and the prisoners.
- vi. To provide necessary education and training as well as the trading skills and other vocational disciplines to the inmates.
- vii. Organizing or arranging the recreational programs for their joy and providing psychological counseling and taking welfare measures for the correction and reformation of prisoners.

Plight of Women prisoners in Pakistan

Pakistan had adopted its prison system from Great Britain as the Pakistan were remained its colony up to 1947. The concept of punishment of wrong done by individuals is historical and had faced many faces to reach at the level of punishment through incarceration or confinement in the jails, all is the manifestation of the biased attitudes and will based practices which is aggressive in nature. In Pakistan's prison system the situation of women prisoners is same as other undeveloped countries. In Pakistan women retains less social status and the past with full of discrimination gender base inequalities by our society and the state. Since 1947 to onwards females still have low social status as compare to men and less socio-economic insecurities as well as less opportunities in almost every walk of life and even in sphere of Law. [\[Ali & Shah 2011\]](#) In the era of dictator Zia the Haddood ordinance had been enforced in 1979 and that was remain very controversial because of its consequences. That ordinance had remained one of the causes behind the increase of women population in the jails in earlier 1980's and also was the main reason behind the misconduct of Police and women imprisonment. Accordingly a report on the status of women by the National Commission had disclosed that the 80% of women are in jail because they failed to prove the charges of rape leveled by them and becomes locked-up of adultery convictions. [\[Bureau 2004\]](#). In the year of 1991 the then Prime Minister Mohtarma Benazir Bhutto had promulgated the regulation while prohibiting the Police from retaining the women in the custody overnight even though that

is not remained in practice. That is a reality indeed that the women either while he is confined in prison or she is in the custody of police is not safe. In Pakistan accordingly 80% of women prisoners incarcerated by Police are faced the harassment and raped in custody [\[Rasheed & Najam 2005\]](#). Even more than 70 to 80% of female having in the custody of Police experience the sexual and the physical abuse by the officials of Police. Reported most of the abuses like slaping, beating and suspension in midair by hands tied behind the back of the victim, putting the different objects into the vagina like chili peppers batons and other things to give unbearable pain and gang rape and rectum [\[State of Human Rughts in Pakistan 2006\]](#). The violence by the custodial goes undetected by the concern or the state authorities and also becomes one of the reasons in lacking the women protection and the victims of violence. The population of the female prisoners is increasing dramatically from last ten years [\[State of Human Rughts in Pakistan 2006\]](#), so there is still need of taking serious measures.

Pakistan retains 82 prisons in total and 22 prisons are in Sindh province out of which only four are the women prisons located at Karachi, Hyderabad, Larkana and Sukkur district because of which approximately 25% women prisoner are confined away from their home district. Prison in Pakistan shows very funereal, atrocious and horrifying picture of their mismanagement, psychological/mental torture, over-crowding and social and familial abandonment experienced by the prisoners above all disregard of basic human rights and civic amenities [\[State of Human Rughts in Pakistan 2006\]](#).

That issue firstly taken into account by Chairmen, Pakistan Law Commission in 1996 after the jail visit of Iran (Meshhad) and discussed it in meeting of Law commission which had subsequently formed a committee to draft the recommendations while considering the Iran's pattern. That issue had also subsequently had cached eye of United Nations in 2010-11 and United Nations office on Drugs & crime had published a complete Handbook in this issue in two parts and after an extensive silence over this issue now Pakistan's Prime Minister also had taken this issue very seriously, over which he had constituted a committee which had issued a detailed report (Government of Pakistan Ministry of Human Rights (n. d). on it while also creating a distinction based report with Bangkok Rules 2010 issued by United Nation office on Drugs and crime in 2020 and this report also had observed and appreciated that the only Sindh province is remain successful in introducing the new legal scheme which includes many gender-

sensitized and progressive rules on admissions, classifications rehabilitative initiatives and other entitlements which includes promulgation of Sindh Prisons and correction Services Act 2019 and revision of Sindh Prison Rules 2020 but their implementation and progress is still in question.

That is not ended here the high court of Islamabad and Sindh also had taken this concern in Suo Moto jurisdiction related with current pandemic situation and had ordered the release of some prisoners on bail categorically while order dated 24.3.2020 and order dated 26.3.2020 but that has been recalled by Supreme Court in its appellate jurisdiction and set aside the same and the same kind of direction regarding women prisoners, also been issued by Prime Minister Imran Khan accordingly. Specially the Government of Sindh is working on the issue of prisoners and had formed the Committee for the Welfare of Prisoners (CWP) in 2004 and also had formed Legal Aid Society (LAC) under the umbrella of said committee for the betterment of prisoners incarcerated in Sindh specially women and the juvenile prisoners. But the legacy still needs some practical work on it.

Methodology

Researcher chosen Qualitative method for present research as it need specific area of knowledge and concerned people only can disclose relevant facts. Researcher has conducted

interviews in depth for the purpose of exploring data. Research described all results with reasons in descriptive format.

Women Prison System and Current Structure of Women-prison

The women prisons are the part of the prison system in Pakistan. Evidently the existing prison system of Pakistan is acquired system through British India being colony of it. That system was designed to specially to be used as a tool to subdue their political and social enemies as well as the opponents to counteract any threat to the Crown rule. In 1950, the program of prison reforms was firstly introduced in Pakistan under the supervision of Col Salamat Ullah ex-IG Prisons. After that under the umbrella of the federal government, various reforms committees were established in the provinces for the sole purpose to set the complaints received from prisoners. According to the reports published by the Human Rights Ministry over the plight of women in 2020 states that at present Pakistan have 96 prisons in total and 63 having separate bricks for women offenders and 5 separate women prison in whole Pakistan out of which 4 women prisons in Sindh specifically (one women prison in Larkana, in Karachi, in Sukkur, and one in Hyderabad). And two Borstal Institutions as well as juvenile prisons (B.I and J. jail) Bahawalpur and Faisalabad.

Table 1. Women prison Statistics

Women Prison Population	Sindh	Punjab	KP	Balochistan	Gilgit	Total
Prison with separate female barracks	06	26	17	11	03	63
Number of female prisons only	04	01	00	00	00	05
Total female prisoners population	205	727	166	20	03	1121

Under Trial Prisoners Population

The current report of Human Rights Ministry on the Plight of Women after Incarceration had noted that approximately 66.7% prison population is only of the UTPs and had also suggested that there is an urgent need to sort out this issue first before taking any other step.

Analysis of Present Laws & Rules

Now the position is totally changed specifically in Sindh province as Sindh had repealed the out dated Laws which were dealing with the prisons in Pakistan while passing a bill on 17th may 2019 from Sindh provincial assembly to meet with the required international standards for prison. Before that the prison were dealt with the Prison Act 1894 as well as Prison Act 1900 but now situation had taken turned towards new era for prisoners especially in Sindh. The government of

Sindh had taken some bold steps towards the betterment of prisoners and had promulgated more efficient human friendly and modern laws according to the UN Nelson Mandela's Rules as well as Bangkok rules and while also taking in consideration other international conventions, charter and required standards to act as a more peace full and civilized country in the region.

The Pakistan system currently running through the Pakistan prison Rules 1978 but the Sindh had taken one step ahead to the government by passing the new Act "THE SINDH PRISONS AND CORRECTIONS SERVICES ACT, 2019"unanimously through Provincial Assembly in 2019 with new aspects and dream to change the whole prisons of Sindh into the correctional institutions for the inmates to provide them a perfect environment inside the jail by which they easily learn to be lived without the deviant

behavior as a common man and survive in society after being released and be adjust easily. The Sindh government had also framed new rules for prisons of Sindh under section 18 of said Act to repealed the old and out dated rules to meet the required international standard and build a human loving environment even inside the jails and crush the old thinking of jail system which epics the cruelty, brutality, harsh and demons type picture of prisons as the old and out dated laws were punitive in their essence [\[Salamat 2021\]](#) That Act basically passed on the principal of human dignity, honor and respect of humans incarcerated therein.

Section 2 of the said Act incorporates the basic principal of this act for the treatment of prisoners:-

“That every prisoner had been directed to obey the legal instruction of authority and the authority had been directed to treat the prisons with dignity and with value as human being. That is too mention that all prisoners are sentenced to participate in the steps taken by the authority for the sack of the reformation, rehabilitation and correctional programmers and plan as well as performs every work related with those programs unless particularly MLO certifies that he or she is mentally or physically unfit to remain a part of it. That Act had also provided to create an environment in which the prisoners will live with full dignity and respect and give them platform to develop their abilities to become responsible person and crime free and those opportunities must be available for every inmate without any kind of discrimination. The opportunities shall be created through vocational training to develop their skills, cultural activities, involving in rehabilitation programs while offering incentives by giving remission specially, promotion of self-respect among inmates, provide correctional facilities and service without any discrimination on the basis of color, religion, language, belief, sect, gender, political and other opinion, national or ethnic origin or birth.”

Although feeling these issues that the prison administration had been overburdened now because of many issues and reasons like old and out-dated way of keeping record manual and the untrained and ill-equipped staff of prisons had overburdened department to manage the inundation of the incarcerated inmates and to give them the needed service of which the inmates are entitled and other challenges which Sindh province is facing, the UNODC and the US Mission to Pakistan’s international Narcotics and Law Enforcement (INL) section had joined the hands with Sindh government to work on the prison record to make it automatize and

computerized from manual record of 22 prisons of Sindh through implementing the state-of-the-art Prison Management Information System (PMIS). [\[UNODC 2021\]](#) The INL in addition to these services had also helping to build an academy for the training of prison staff at Hyderabad for their continuous professional development to achieve the needed goals.

The control of overall PMIS system after its implementation was handed over through a ceremony specially organized for that cause by the UNODC with collaboration of US Mission to Pakistan’s International Narcotics and Law Enforcement (INL) to the prison department of Sindh on 2nd November 2021. The Chief Minister of Sindh Syed Murad Ali Shah had chaired this event and many other distinguished guests had attended including guests across the criminal justice institutions. Mr. Jeremy Milsom, the representative of UNODC during his representation in the event had emphasized upon the significance PMIS system of data management to enhance the efficacy and performance of prison administration. For this purpose the training of all relevant staff is very essential to meet sustainability and to provide relevancy to the project.

International Standards to Treat the Women Prisoners

The minimum standards includes Body of principles for the Protection of all persons under any form of detention and imprisonment, United Nations Standard Minimum rules for the Treatment of Prisoners (SMR), basic principles for the Treatment of Prisoners, Inhuman or Degrading Treatment of punishment and code of conduct for Law Enforcement Officials, Bangkok rules, Nelson Mandela rules, Convention against Torture and other Cruel Treatment and many other important regional and international document based on human rights and especially women rights constitutes the very basic and fundamental principles for worldwide systems of prisons and applicable over all the prisoners incarcerated in the world without any sort of discrimination.

The minimum international standard required for the treatment of women prisoner is too consist of many treaties ratified by Pakistan like article 2 of UN convention on eliminating Discrimination against women emphasizes on gender equality and had suggested the state to undergo the provision and state constitutions which relates to the gender discrimination to amend them and make sure that in all the Laws of the state eliminate the gender based elements of discrimination and overcome all the protocols

which causes the discrimination and provide equal legal protection to the men and the women incarcerated in the prisons. According to the rule 1 of Nelson Mandela rules every prisoner must be treated with full respect and dignity and the human values as these rights of human being are inherited rights and no any inmate be made the subject of cruelty and torture as well as inhuman treatment and degrading punishments basing on any justification, the whole staff must be ensured or the compliance of these rules ([UNODC. n.d](#)).

Treatment of Women in Prison

The Women must be treated humanely with full of dignity and human values which owes inherently as that is the right of every human being that he or she must be treated humanely in any case. And the pregnant women must be treated specially and the entire instrument to make them feel restrained must be prohibited during pregnancy and immediately after the birth of child. The solitary confinement is also prohibited for women and the disciplinary segregation too for the women breast feeding or having infants with them.

The Gender Sensitive Measures

Bangkok rules had emphasized on gender base need of women while discussing gender sensitive issue and had considered the incarceration as ineffective way for under trial prisoners and convicted one. The counseling of these women is made necessary to while caring their child to become able to reintegrate in society without any hurdles following their release from prisons.

Health Care for Women

The women in prison while given reproductive health care based on their gender based needs they also need the measure related to their mental health and the abuse they are facing after the allegation of crime or after conviction and they also be given preventive health care facilities like women offered commonly in society like breast cancer screening and other women related diseases.

Protection against Violence

Female inmates are remaining at every time on high risk due to their gender of violence like humiliation by staff, assault, sexual abuse and sometimes even rape. The women remains defenseless or susceptible to misconduct of any nature like improper touching while being searched, sexual, being watched at personal acts like while dressing, taking bath and at toilet by the staff of prison and other person available there.

Fulfill the needs of children living with mother

The rules also had addressed about the needs of mothers living with their new born babies or children of minimum age living therein. The prisons must be kept with the facilities of every kind to treat those child, like hygienic food, psychological or physical medical treatment as the child living there is not a not a prisoner but his life days in prison is an unfortunate for him. And rules also had discussed the issues of mother leaving her children behind to special provision be incorporated in prison rules to deal with the before their admission therein. ([Penal Reform International. n.d](#))

Survey report and Data Analysis from Women Prison

The researcher to collect the data and take the interviews of staff, concern officials and the prisoners had visited the only women prison existing in Hyderabad and met with Jail Superintendent of Police Miss Abida and other official staff concern with women prison as well as taken the interviews of prisoners to explore the ground realities. To reach the conclusion researcher had chosen 5 respondents from UTPs and five from convicted prisoners and one prison from the total three living with their child and six officials for in depth interviews who had cooperated with the researcher. For security reasons they had strictly prohibited from taking pictures of inside the prison and even mobile phones were not allowed inside the jail premises.

Interviews of Officials of women Prison

Respondent no. 1

He was head constable he had discussed about the structure of women prison while visit and told about the existing three barracks that each back have official capacity of 50 women prisoners at a time and in total women prison have the capacity of 150 prisoners and that also have six cells consisting of small rooms having close walls for those who miss behaves with other staff or inmates and against whom any disciplinary action had been made but that is not in practice and he told me that he have not seen it in practice. And also, a play area is there on large scale for children. He had stated that at present 20 under trial prisoners including two women living with their children and 17 convicted including one women living with his child is detained therein. He had also disclosed which also can be seen in barracks that the separate "palangs" are provided and they living together in same barracks and he added that the under trial prisoners and convicted prisoners

are confined separately in different barracks and the timing of opening of all barracks is different as they had divided the total prisoner available currently in all three barracks. On asking about the action against the women who misbehaves he told me that on the first instance we changes her barrack and if she continues her acts of misbehave and misconduct then we send him in the cell until she apologizes and mend her ways and also give notice of her misconduct to the concern magistrate for his acknowledgement and acquaintance but now that is not in practice but instead of taking that action now that women simply transferred to other district's women prison. On asking about the conditions after new enactments either something changed or is the same as it was? He told me that only the name of the prison had been changed but he had not experienced anything new in prison.

Respondent no. 2

Respondent no.2 was a female sub inspector in women Prison. She had discussed about the treatment with women prisoners, she had told me that the concept of harsh and cruel treatment with women is now too old one, with a smile and told that we treats all the women in a same with very polite and soft attitude occasionally if someone misbehaves and denies from following the prison rules then little harsh attitude be made with specifically those women prisoner voluntarily added that the imprisonment is made also on the concept to deter not facilitate the criminal that is right to rehabilitate those only who are the offenders of petty offences or of misdemeanor but the re-offenders must be treated accordingly even though we are trying our best to reach the goal to facilitate and act accordance with the rules to create an atmosphere from which we can make sure that the women offenders must be treated with full humanity and dignity which she owes inherently and their counseling is our first priority through psychological aspects or through medical and religious aspects which ever works.

Respondent no. 3

She was Assistant sub inspector she had told me about the medical facilities available in prison, she had disclosed that there is a post of 17 grade of Female Medico Legal Officer but currently a Female Medical Officer of 19Grade had been deputed by the health department and she is available 24 hours for prison including 8 hours of continue duty with her one female staff nurse whereas there is two posts are available for female staff but only one is working and one post is vacant, and she also provide the quarter within the jail premises and one ambulance is available

for 24 hours as well as if there is the emergency and any other specialist is required then jail authority upon the recommendation of Medico Legal officer calls the concern doctor from health department and the health department is very cooperative in this regard and they send the specialist doctors whoever is required upon the call of jail authorities and also told me that the pregnant women are treated specially but disclosed upon asking that no any separate barracks or rooms with special facilities are available for them. Record shows that at present three women are living with their child two of which are at the age of 18 month and one is the age 12 month. On asking she had disclosed that on every weekend one male nurse comes from health department to take their samples of blood for the purpose of testing and the sample for covide-19 too and that practice is going on since the era of Qaim Ali Shah in PPP's government.

Respondent no.4

He was in charge of food he had told me that before 2018 the food was cooked at the prison but now onwards the system had been changed. Now the food making is given though bid on contract to special cooks who cooked the food inside the jail premises and all the raw material and its hygiene is provided after the check by the Medical Officers of Central prison and after the preparation of food item the hygiene is rechecked by the Medical officers and then distributed among the separate prisons like central prison for males, women prison and the juvenile prison and upon reach at women prison our Medico legal officer is also tests its hygiene and quality after that it is distributed inside the prison among the staff and the prisoners.

Respondent no. 5

He was deputed on record he had disclosed about the programs which held their by Legal aid specially and occasionally too on the special events like on Eid, 12 Rabi-ul-awal, 14 august, 23 march and other occasions but no any special vocational programs counseling and other programs of rehabilitation or reformation are held inside the jail and also had added that there is very need of some NGO's to work specially at this side of our justice system to support women prison. He had told that only one teacher is deputed for the basic study of the child living therein and one tailor master is deputed by the Legal Aid Society but no any special teacher are available for teaching the women and also had stated that the women are also not interested in the education.

Respondent no. 6

She was a jailer she had generally discussed all the facilities and added some more information about the meal that the three time meal is provide with full concentration over it hygienic material and the pure milk is provided specially to the women who are living with their child and to their children as recommended by the Medical officers and one dispensary is also available within the prison. All the concern sanitary is provided separately to each prisoner free of cost and also they are allowed to use their own provided by their relatives. Upon asking she had disclosed yet there is no any concept of meeting between spouses is there. And she had stated that there is only one teacher is deputed by the legal aid for the teaching of the children but no any other teacher is there and upon asking about counseling of prisoners she haven't answered properly and said that women are not interested in learning or taking part in education classes upon asking again about education she had disclosed that no any education is provided inside the jail and about vocational programs she had stated that a women tailor master is also deputed by the Legal Aid Society but no any special programs are held there. She had disclosed that the staff is fully trained and the staff before deputing their takes the special training under the supervision of highly trained senior police officers in training center available nearby the prison. She upon asking about the remission and parole had told that remission is in practice and every occasion like EID the list of prisoners are called by the district and session judge and little bit remission is provide according to the rules but parole is not in practice. She had also disclosed that no any facility of call or phone is provided inside the jail premises for the prisoners and about protection she had stated that if any staff of prison misbehaves or misconducts with any inmates he or she will be given show cause notice and after that if the allegation is proved then he or she will be stands transfer from the prison after enquiry. Upon asking about the steps taken after the National Command and Operation Center direction for the spread of corona virus she had stated that we are following the directions of NCOC with full attention and with strict regards and yet there only one case of positive was reported and we had Courantyne her for 15 day she was promptly recovered.

The Interviews of Under Trial Prisoners

Respondent no. 1

She is facing the trial of murder in Crime no.27/2014 Police Station. Town Mirpur Khas. Under Section. 302 (b), 392 PPC, 6 (2) (1) (a) & 7 (1) (a) of ATA before 1st Additional Sessions

judge/MCTC Mir pur khas. Her age is above 40 she had told me hesitatingly about staff and other officials that they are very cooperative and behaves very politely.

Respondent no.2

She is facing murder trial in crime no. 110/2021 P/S Tando Ghula Ali U/S 302 PPC before District and Sessions Judge Badin. Her age is 39 she had disclosed that the staff behavior is good but occasionally sometimes they misbehaves and upon asking about beating she told me that no I haven't experience it but i have heard that if someone doesn't obeys their directions then she will be treated badly. Upon asking about meal she had told me that Three time meals are provided by the prison authority to every prisoner which is average in taste can't say that it is hygienic or not.

Respondent no.3

She is facing trial in crime no. 44/2021 P/S B-Section Tando Adam U/S 376(ii), 344, 371-B, 34 PPC before Judicial Magistrate II Tando Adam. Her age is 40 she had disclosed that the overall behavior is better but sometimes they misbehaves and upon asking about beating she told me that no I haven't experience with my eyes any such act. All facilities as stated above are provided to her.

Respondent no.4

She is facing murder trial in crime no. 90/2021 P/S Shapur Chakar U/S 302, 34 PPC before Additional Sessions Judge Shahdadpur. Her age is 38 she had disclosed that the behavior of jail staff is well but sometimes they misbehaves and upon asking about beating she told me that no I haven't experience with my eyes any such act.

Respondent no.5

She is facing trial in crime no. 09/2022 P/S B-Section Nawabshah U/S 9-c CNS Act before 5th Addition Sessions Judge/MCTC Shaheed Benazirabad. Her age is 39 she had not made any complain about misbehavior of any officials.

Respondent no.1, 2, 3, 4 and 5 disclosed that three time meals are provided by the prison authority to every prisoner which is good in taste and looks like that it is hygienic. About living she had told us that a "palangs" and the kips are provided to each prisoner by the jail authorities and we all UTPs are lives together in one barrack which is large one in capacity and there is also a play area on large scale in which any swings are installed. UTP and convicted barrack open alternatively and remains close and the 4pm is closing time of whole prison. The sanitary items

are separately provided and no one is bound to use their provided one, if someone's family provides she can use it too. Same facts disclosed about medical and educational, PCO and other facility as other respondent already stated. One tailor master deputed by the Legal Aid Society for facilitating women prisoners. No harassment of any kind by any male or female staff is disclosed. No system for meeting and no vocational and rehabilitation program is organized. Only upon the government events like 23rd march, 12 Rabi-ul-awal, Eid-ul-fitar, Eid-ul-adha and likewise events are celebrated inside the jail sometimes by the Legal Aid Society and sometimes prison authority organizes the same.

Interviews of Convicted Prisoners:

Respondent no. 1

She is convicted for an offence U/S 302(c) PPC in crime no. 298/2008 P/S Tando Adam before Addition Sessions Judge Tando Adam. Her age is 58 Y and she is convicted for life imprisonment on 27.10.2009 and her appeal is pending before Honorable High Court of Sindh Hyderabad. She had disclosed that she confined here in 2008 and had faced many ups and downs in her life she is too old and the oldest lady confined in Hyderabad women prison.

Respondent no. 2

She is convicted for an offence U/S 9-C CNS ACT 1997 in crime no. 233/2008 P/S Gambit before 1st Addition Sessions Judge Khairpur. Her age is 26 Y and she is convicted for R1 for 25 years imprisonment on 04.10.2016 and jail petition no. 342 of 2019 pending before the Honorable Supreme Court of Pakistan (Criminal Branch). Appeal Dismissed by the Honorable Supreme of Pakistan. She had confined in Hyderabad prison 2016 received on transfer here.

Respondent no. 3

She is convicted for an offence U/S 302 PPC in crime no. 14/2004 P/S Korai Taluka moro before Addition Sessions Judge (Hudood) Sukkur. Her age is 27 Y and she is convicted R.1 for 25 Years on 05.05.2009 and Criminal Jail Appeal No: S-105/2009 is pending before Honorable High Court of Sindh Sukkur. She had disclosed that the overall behavior is better but sometimes they misbehaves and upon asking about beating she told me that no I haven't experience with my eyes any such act.

Respondent no. 4

She is convicted for an offence U/S 302, 201 PPC in Crime no. 557/2015 P/S Kotri before

Sessions Judge Jamshoro at Kotri. Her age is 54 Y and she is convicted 1. for life imprisonment and to pay compensation of Rs.100,000 to the legal heirs of deceased and in default of payment of compensation, she shall suffer R.1 for one year. 2. R.1 for two years and fine of Rs. 25000/- or 04 months more. on 31.01.2017 and her appeal is pending before Honorable High Court of Sindh Hyderabad. She is confined here from 12.02.2015 and her age is 54 Y.

Respondent no. 5

She is convicted for an offence U/S 364,A, 371, 6, 372, 376, (1, 363, 34 PPC) in Crime no. 23/2020 P/S Mehmoodabad Mirpurkhas before Addition Sessions Judge-II/GBV Court Mirpurkhas. Her age is 52 Y and she is convicted for(i)U/S 366-A PPC R.1 for 10 years and pay to fine Rs.50,000/- in default of payment she shall s.1 more three(03) months. (ii) U/S 371-a and 371-B PPC R.1 for 25 years and pay to fine rs.100,000/- in default of payment she shal S.1 more three (03) months.Date of sentence is 05.11.2021. UTP period from 24.12.2020 to 04.11.2021.

Respondent no.1, 2, 3, 4 and 5 answering Question about the behavior of staff she had disclosed that the overall behavior is better but sometimes they misbehaves and upon asking about beating she told me that no I haven't experience with my eyes any such act. Three time meals are provided by the prison authority to every prisoner which is good in taste and looks like that it is hygienic. About living she had told us that a "palangs" and the kips are provided to each prisoner by the jail authorities and we all UTPs are lives together in one barrack which is large one in capacity and there is also a play area on large scale in which any swings are installed. UTP and convict barracks opened alternately otherwise the 4pm is closing time of whole prison. Same facts disclosed about medical and educational, PCO, sanitary items and other facility as other respondent already stated. One tailor master deputed by the Legal Aid Society for facilitating women prisoners. No harassment of any kind by any male or female staff is disclosed. No system for meeting and no vocational and rehabilitation program is organized. Only upon the government events like 23rd march, 12 Rabi-ul-awal, Eid-ul-fitar, Eid-ul-adha and likewise events are celebrated inside the jail sometimes by the Legal Aid Society and sometimes prison authority organizes the same.

Interview of women having child with them

That lady is facing trial for an offence U/S 302, 337-j, 34 PPC in Crime no. 65/2020 P/S

Saeedabad before Addition Sessions Judge Matyari. Her age is 35 Y. her child who is a baby boy is the age of 18 months namely Muzamil he did not born in prison but due his age as he is yet suckling baby and needs mother care he is confined with her mother too and it is also pertinent to mention here that only three women are living in prison with their children and none of them is born inside the jail. She had told us about child facilities available there that inside the jail nothing is special for her child lives normally with other inmates without any special treatment for her child and upon asking about the behavior of staff she disclosed that the overall behavior is better but sometimes they misbehaves and upon asking about beating she told me that no I haven't experience with my eyes any such act. About meal and food she had told researcher that three times meal is provided by the prison authority to every prisoner which is good in taste and especially milk and fruits is also given to the mothers for their health who lives with their children and the milk is also provided to the children common and pack milk as recommended by the specialist doctor and upon asking about the quality of meal she said that it looks like that it is hygienic. UTP and convict barracks opened alternately otherwise the 4pm is closing time of whole prison. Same facts disclosed about medical and educational, PCO, sanitary items and other facility as other respondent already stated. One tailor master deputed by the Legal Aid Society for facilitating women prisoners. No harassment of any kind by any male or female staff is disclosed. No system for meeting and no vocational and rehabilitation program is organized. Only upon the government events like 23rd march, 12 Rabi-ul-awal, Eid-ul-fitar, Eid-ul-adha and likewise events are celebrated inside the jail sometimes by the Legal Aid Society and sometimes prison authority organizes the same.

Conclusion

Researcher reached on conclusion after long exercise that Pakistan had taken this issue seriously too and had worked a lot on it as that is a sole concern of provinces in Pakistan upon pressure generated through international community over Pakistan being rectifier of many human rights treaty and convention had taken significant steps towards the legislation but the think which is important here is the current realities which had been explored after this research which shows that the Sindh province had taken bold steps by repealing old and out-dated laws over the control prisons and had enacted "THE SINDH PRISONS AND CORRECTIONS SERVICES ACT 2019" according that Act's section 5 and 6 the all prison of Sindh had been

converted into the correctional facilities. The background of Sindh province shows that it had improved his jail system from 2000 and on wards especially in case of women and juvenile prison by establishing their separate from male prison to curb the imagination of prison being built only for males [\[Walmsley, R.n.d\]](#). As record shows that in whole Pakistan only five women prison had been established. That there is very needs of prison being correctional institutions and rehabilitation centers the counseling and the education for the women as the study upon the causes of women criminality [\[Baloch 2012\]](#). shows that the illiteracy is one of the cause behind the increase in women criminality and that statement is also supported by the primary data of Hyderabad prison as 90% of women offenders incarcerated in the prisons belongs rural class and are uneducated too and counseling is very impotent for them as record shows that almost 95% convicted prisoners are of violent crimes as like murder and the second number is of drug smuggling and that type of criminals needs counseling for their rehabilitation and reformation which is the very essence of the correctional institution and that is lacking in our prisons.

The study had revealed that instead providing counseling for those offenders who are convicted of violent crime the staff treats them inhumanly and no any steps are taken from which they can feel better or even think about to reintegrate in the society. During the study upon that topic that also been noticed that the Sindh government had main focus to legislate the instead of focusing on their implementation in the as the Sindh government had passed 29 bills in the calendar year of 2021 and their implementation is still in question.

Suggestions & Recommendations

After the study and the analysis of primary and the secondary data the researcher had reached at the conclusion to suggest the government to emphasize upon the implementation of the laws in the field and make supervision over the stakeholders and the enforcement authorities to make sure that the Laws enacted are fully implemented in the field on the first step.

The Government must have set a system which is not even exist in our prisons of rehabilitation, reformation and the counseling and for that purpose they should have to create a post in the prison of psychiatrist and the scholar to be appointed by the government to work inside the prison with prisoners to make them able to easily reintegrate in the society on their society.

The Government also have to focus on the education of the prisoners by appointing well qualified teacher to educate them properly about

the norms and ethics of the society to discourage the deviant behavior and acts against the norms of the society and also take interest in arranging the vocational programs on weekly basis of high quality according to the needs of the society instead of just relaying upon out-dated and old concept teaching of tailoring. The inmates must be taught the technology based ideas and learning according to the need of developing society.

And the prison must keep separate the first offenders or the offenders of misdemeanor from the habitual criminals to easily rehabilitate and reformed those who are not habitual but because of some mitigating circumstances they are here

and the very basic concept of prison system based on confined the offender to stop the crime must be remain in force.

The prison must contains the special rooms for those women who are living there with their child because her is confined but child is not so the must be given a healthy environment from which he does not take effect of living inside the jail and he must be given basic education there.

The gender sensitive measure must be adopted by installing emergency call system within the jail premises for inmates from which they easily and promptly record the issue to the concern authorities for prompt action on issue.

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