

WOMEN PRISON REFORMS IN PAKISTAN: A CASE STUDY OF PESHAWAR PRISON

Abstract

Pakistan after becoming independent inherited prisons` rules of the British India. To coop with the requirements of the newly independent state it required drastic reforms in its prisons rules. For the purpose Punjab Prison Development Commission led by Salamat Ullah, I.G Prisons was established. The first meeting of its committee was held on Oct 4, 1950. Due to the efforts of the Committee the prisoner situation improved through the Punjab Jail Manual of 1955. The Law and Justice Commissions of Pakistan has received feedbacks emphasizing amelioration of the condition of prisons. Pakistan is a civilized member of international community and has incorporated fundamental rights in its constitution and is one of the signatories of many conventions and treaties relating to treatment of prisoners. The focus of the study is to gauge the causes of the miserable conditions of the women prisoners in Peshawar jail. Are violations of provisions taking place due to lack of enforcement mechanism of international law? Is it still far behind the minimum standard specified by international community through conventions and treaties? A bird eye view shows that many women prisoners are innocent and unhygienic and congested prisons are affecting them physically and mentally. Children with their mothers in prisons are suffering the most. It is one of the major flaws in the judicial set up of Pakistan that under-trial prisoners have been living there for several years and if proved innocent after completion of the trial, no compensation is provided to them. The factual situation of women prisoners and their children shows violation of the fundamental provisions of the Convention on the Eliminations of all Form of Discriminations against Women (CEDAW), and Convention on the youngster Rights (CRC). Data for the research have been collected from different reports, books, articles and field work. Prisoners and administrative officials, scholars and other stake holders were interviewed to know reality related to the conditions of women prisoners in Peshawar jail and then recommendations have been given on that basis.

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Introduction

All human beings are entitled to fundamental rights. Prisoners are living in most horrible environment and their rights are being violated everywhere in the world, but they are in more disgraceful situation in less developed countries.¹ The Reformation of prisons in Pakistan started with the establishment of Punjab Prison Development Commission led Salamat Ullah, I.G Prisons; the first meeting of the Committee was called on Oct 4, 1950. The Committee looked the overall situation of human rights especially violation of rights of prisoners. The net result of the said Committee was that prisoner situation improved through the Punjab Jail Manual 1955.² Keeping the changing role of the prison and the transformation of the nation from the retribution to reformation and rehabilitation, the position of the prison in Pakistan changed with the passage of time. The goal specified in the international system, is still far behind and required a lot of struggle and devotion to compete the international community. Many commissions and committees were made to recommend changes in Pakistan jail framework. The aims and objectives of modern jail have changed and now custody, connection cure, correction, involvement of the local community and successful readjustment are objectives of prisons.³ Now, prison is used to execute sentences awarded by the courts. The concepts of protection, care, detention of prisoners' care are takes place in modern jail.

The Law and Justice Commissions of Pakistan received many applications and date reporting from many human rights NGOs and recommendations from general public that the current prison system in Pakistan requires reforms with a view to ameliorate the condition of prisons. The collection of data took place from Human Rights Commission of Pakistan as well as Islamic Ideological Council, Jail Training Institute Lahore which contained important suggestions for the improvement of prison system in Pakistan. Many reports leaked on media, asking for review and reforms in prisons. All the suggestions and collected data were analyzed and then incorporated in the report.⁴ Reformation of prison is necessary so that peoples develop confidence on government to improve law and order situation. Therefore in June, 2010 ICCPR⁵ and UNCAT⁶ have been ratified and the government honored fundamental human and monetary assets to meet its legitimate commitments under these worldwide law and arrangements, to guarantee that torment and other sick treatment of prisoners cease and that officers in charge are held liable. On the off chance that Pakistanis prisons stays unaltered, then it will keep on worsening rather to help to determine the nation's major interior security challenge.⁷ A significant pace to reform women prison system and culture in Khyber Pakhtunkhwa is to amend the rules and procedures. The Pakistan Prison Rules are 38 years old and need to be updated. Education of the prison employees at inside the country and overseas is minima especially in Peshawar women prison cell. Likewise, new laboratories should be established. Right to water and proper sanitation are not accordingly and should need to address to overcome diseases among prisoners. Precedent to use leg irons, manacles, chains and cuffs is common. A needless bodily punishment is an integral part of women cell in Peshawar jail. The weaker part, mainly women and juvenile prisoners are more at risk to abuse, including sexual violence.⁸ The life of

women in such cell is miserable and far behind the minimum international standard.

Women Prison Reforms In Pakistan

After self-rule, the confinement offices and prison divisions with everything taken into account remained a low need thing on the Government inspiration. Prisons stayed tip top normal stress in the dynamic constitutions of the Republic of Pakistan. Commonplace nations couldn't attempt significant tries to keep up and improve the present's bundle confinement offices available in the country. All that much two or three amounts of new restorative offices were inherent the latest fifty years, on the recommendations of distinctive confinement offices change gatherings. As the world acculturated, human advantages of detainees started to be seen. The essential remedial office change program was shown in Pakistan amidst the 1950 in the chair of Col Salamat Ullah, ex-IG Prisons. Later, differing changes leading group of trustees were developed in the districts and under the Federal Government support to review the detainees' grumbles. The recommendation and proposition given by these Committees were reliably given the Government regard for upgrading the present structure pervasive in repression workplaces. However productive work was in this connection was delayed as a consequence of budgetary requirements.⁹

Besides social affairs were other than held under the Chair of Principal Secretary to the Prime Minister and in the National Reconstruction Bureau, Islamabad with the coordination of Central Jail Staff Training Institute now overhauled as National Academy for Prison Administration (NAPA), Lahore. A last a duplicate report has been given to all Provinces and to all the Home Secretaries and Inspectorates of Prisons for usage by the Chairman, National Reconstruction Bureau, Prime Minister's Secretariat, Islamabad.¹⁰ Law and Justice Commission of Pakistan in 1997 showed a complete report to change the prisons in Pakistan. This commission proposed the movement of new restorative work environments so that the issue of blockage could be succeed. Law and Justice Commission of Pakistan, has bolstered after targets and parts of modernized control work environments.¹¹

Peshawar Women Prison

The Prisons Act of 1894 keeps on serving as the essential authoritative instrument overseeing jail organization. It manages the upkeep of penitentiaries and officers' behavior; obligations of jail staff; affirmation.¹² It likewise manages sentenced detainees' order, allocating work, rebuffing offenses inside of jail premises and controlling different ranges, for example, wellbeing administrations and visits. Pakistan Prison Rules 1978 direct the normal superintendence and organization of confinement offices, usually called Jail Manual, a boundless edited version of principles including 50 chaps and 1,250 guidelines. Other post-self-rule laws join the Sindh Borstal Schools Act 1955, which suits the making of Borstal Organizations for pre-adult liable gatherings in that area; the West Pakistan Maintenance of Public Order Ordinance(MPO) 1960, authorizing protective containment, regulate peoples and circulations "for reasons connected with open wellbeing, open hobby and the upkeep of open solicitation"¹³,the Probation of Offenders Ordinance, 1960, allowing for discharge on post-trial supervision at times; the Juvenile Justice System Ordinance 2000, accommodating the" insurance

of kids included in criminal case", their "restoration in the public eye" and the "redesign of adolescent courts"¹⁴; furthermore, the Mental Health Ordinance, 2001, directing the review of "rationally disarranged" detainees.¹⁵ Like monitoring, jails are a commonplace subject, with each of the four common governments in charge of their foundation, upkeep and change, enrollment and pay rates of jail staff, and jail related enactment. There are four sorts of detainment facilities in every region.¹⁶

Fazel and Danesh¹⁷ gave an understanding into the frequency of mental issue among detainees, reporting that one in seven detainees experience the ill effects of some sort of mental or psychiatric issue^{18,19}. Present or past medication misuse, unemployment and vagrancy are the regular danger components observed to relate to the rate of psychiatric issue²⁰. Generally speaking, the occurrence of psychiatric issues was observed to be higher among men; as per the discoveries, around half of male detainees and one in five ladies' detainees were determined to have some kind of mental issue. Notwithstanding, an alternate study found that ladies who were remanded in care were at higher danger; 59% had some frequency of mental issue and around 11% had psychosis²¹. The fundamental danger variables for mental issue are socio-political precariousness, monetary instability, savagery, provincial clash and separation for in any event the previous three decades²². Generally it is seen that the frequency of discouragement is higher among ladies than in men. Money related, interpersonal²³ what's more, family issues are the primary components assuming a basic part in the poor emotional wellness of Pakistani ladies.²⁴ Concentrating on Pakistani detainees specifically, most prisons in Pakistan are stuffed with poor living conditions, and wellbeing has reliably been a disregarded issue.

A study by Khan reported a higher recurrence of wretchedness among male prisoners, and solution abuse was one of the essential issues saw to be associated with the rate of mental issue.²⁵ Then again, there have been no studies reporting the general and enthusiastic prosperity of female prisoners in Pakistan. The purpose of this study was to overview female prisoners in a correctional facility in Peshawar for the event of misery and to highlight the parts joined with its rate. The circumstance of ladies' detainees in Peshawar is not distinctive. Ladies have lower income and a past of continual separation by the public at large and Governments. Since 1947 to 2011 ladies are still viewed as second rate compared to men and needs financial security and opportunities in each stroll of life including circle of law. As per I.C.C²⁶ the standard of law must be connected just as to all persons to guarantee that all people appreciate equal rights independent of race, shading, doctrine or sex. Equity implies fairness of all persons in their legitimate and human rights. Judiciary assumes a fundamental part as the protected watchman correspondences i.e.

- i. Equivalent access to business
- ii. Equal working environments
- iii. Abolition of discriminatory dealing
- iv. Abolition of discriminatory laws²⁷

Ladies are misused by numerous reasons, because of lack of education, absence of control to assets, provocation at work place by head honcho and male partners and numerous conventional practices make her defenseless. Sexual orientation disparities and raising class contrasts influence ladies as well as drive them to include in criminal exercises²⁸. The proportion of ladies' culprits is rising quickly. Larger part of ladies is unconscious of rights and laws, can undoubtedly detained for wrongdoings. It is imperative to give a chronicled outline of Laws identified with ladies' detainees. The Hudood Ordinance of Zia time in 1979 has turned into a dubious report. The Hudood Ordinance represent a significant part of the increment in the ladies' jail populace since the mid 1980's and was one of the real reasons of ladies' detention and police wrongdoing. As per a report by the National Commission on the Status of Women an expected 80% of ladies' detainees were in prison on the grounds that they neglected to demonstrate assault charges, and discovered themselves secured up infidelity feelings²⁹. In 1991, Pakistan's Prime Minister declared regulations restricting police from keeping ladies overnight in care, although they have not been practically speaking³⁰. Ladies either in prisons or in police authority are not protected and face shocking circumstance. More than 80% of ladies' detainees captured by police are assaulted in the lockups³¹. Thus over 70% of ladies in police authority experience physical misuse including sexual misuse by their police authorities. Reported misuse including beating and slapping, suspension in midair by situation is practically hopeless in the face of the casualty's good faith, the insertion of outside items including police rod and stew peppers into the vagina and rectum and pack assault³². The Protection of Women Act has corrected two out of five Hudood orders. The banning to whip law was incapable all whippings with the exception of in instances of hadd. The offense of *zina* statute has been profoundly revised. The denial request and offenses against property mandate still remain untouched. The Qazf statute has been corrected in an indiscreet way and viability of progress yet to be required³³. The bill profited numerous female detainees in the nation; around 1, 3000 to 1700 female detainees incorporating 250 imprisoned infringing upon Hudood Ordinance were discharged instantly out of more than 6,000 imprisoned ladies^{34,35}. Since the elucidation of law can't be isolates from the particular social connection in which it is found, standards and acknowledged practices significantly influence the application and understanding of law. Ladies legal counselors rehearsing in different parts of Pakistan affirm that: Judges are prepared to trust the most exceedingly terrible about ladies³⁶. Besides ladies' detainees who live with their youngsters or have kids outside the correctional facility go up against more mental issues than others. They all accomplished despairing and felt humiliated from their children by virtue of their confinement. These women need specialist and as showed by jail powers they organized an examiner in jail. As demonstrated by Human Rights Commission of Pakistan report reasonably wiped out patients don't get fitting treatment in detainment facilities. In December 2005, it was stated that in central remedial office Peshawar various sanely wiped out women prisoners were in jail. Although these ladies went to the healing center of mental maladies for treatment yet their circumstance is not improving. Other jail principles concerning ladies are routinely disregarded. For instance, the jail tenet obliging promptly therapeutic examination of approaching female prisoners is once in a while took after³⁷. The International Committee of the

Red Cross (ICRC) had a simultaneousness with forces to allow free visits to confinement offices all through the country, yet this perception was simply mostly respected.³⁸ The ICRC had portion to the Peshawar Central Prison, where it began a water-sanitation change wind. ICRC visits were not permitted to some confinement areas in the Khyber Pakhtunkhwa and Baluchistan. Powers at the reach, standard, or national level permitted some human rights social affairs and editorialists to screen therapeutic office conditions for youngsters and female prisoners, however visits of prison conditions for male detainees, whose conditions were poorest, happened every so often and on adhoc premise. The general wellbeing and personal satisfaction of detainees is an ignored issue in Peshawar ladies jail. Likewise, the jail framework in Pakistan experiences regulatory, money related and lawful issues, of which congestion is a standout amongst the most vital. In Pakistan, there are 97 penitentiaries with an authorized limit of 41873, yet with a jail populace of 92, 01³⁹. Moreover, there are no different correctional facilities for ladies and the detainment facilities' majority are in a vile circumstance. General living conditions are the most exceedingly terrible, barely giving somebody a legitimate spot to rest. The larger parts of detainees are kept in gatherings in a phone and are made to think about the floor, which is one of the primary wellsprings of irresistible ailment. Especially for kids and ladies in these prisons there is a lack of legitimate wellbeing, sanitation, sustenance, and medical offices. Moreover, the establishments of the emotional wellness idea for detainees don't even exist in the Pakistani jail framework. About 89 female prisoners are mulling in the Central Jail Peshawar alongside their 16 kids. The ladies' detainees had been moved to the garrison huts inside the jail implied for male detainees when the old bit of the correctional facility was wrecked.⁴⁰ The eating routine of ladies and kids detainees is an issue of concern. In all nations, ladies constitute a little portion of the aggregate jail populace – the world normal being 4 %⁴¹. Be that as it may, this rate has been expanding as of late. Indeed, even in many nations, it has dramatically multiplied in the most recent six years⁴² what's more, just in Spain; the number has expanded right around 800% between, 1980-94⁴³. Data around the world show that most of the women prisoners are mothers⁴⁴, which implies significant health care to be considered. Assessments of the rate of pregnant ladies in penitentiaries and correctional facilities range from 4-9%, which must be comprehended as a high-hazard circumstance, both restoratively and mentally, for detainee ladies and their kids. The inadequacies in the restorative reaction to the needs of pregnant prisoners incorporate absence of pre-birth and postnatal consideration, including sustenance⁴⁵. Ladies detainees, reported protestations of low vitality level in diet prompting other related inconveniences⁴⁶. Female offenders as often as possible enter correctional facilities and penitentiaries in weakness, and they encounter a greater number of genuine wellbeing issues than do their male partners. The overall health facilities in the central women jail Peshawar is derogatory and deficiency of basic facilities due to which doctors instead of providing treatment within the jail premises, prefer them to other hospitals. In view of Dr. Iftikhar⁴⁷, that the present health condition of the females' offenders and the health facilities provided by the government to these prisoners is very desperate and bad. Numerous diseases, especially those which is the result of bad food stuff and populated water in taking by these prisoners are common in them. Similarly, HIV/AIDS, Hepatitis etc. are emerged and spreading

very rapidly due to the non-availability of proper health care and cure. Non-availability of medicine, non-functioning of machinery is also a reason for such disaster. When a patient becomes a bit serious, then we recommend it other hospitals. Their poor health is often due to several factors including inadequate nutrition^{48,49}, nutritional care of these population groups in prison becomes even more important. Female offenders represent a growing percentage of prisoners' population in the jails⁵⁰. There have been studies showing female and children prisoners had increased in number since 1980⁵¹. It is claimed that pregnant women are not provided medical attention or special food in prison. However, data regarding the nutritional sufficiency of women prisoners is fragmentary. The dietary scales of female prisoners, given in Peshawar Central Jail as provided by Pakistan Prison Rules⁵², about the ingredient composition of morning, midday and evening meals was used for calculation of nutrients and energy of these three large meals in a day. Nutrients from these dietary scales were calculated using various food composition tables⁵³. The computations are for each of the seven days of a week and supplements and vitality admission for a solitary day were ascertained just by separating the aggregate admission for a week by the quantity of days in a week. Four sorts of heartbeats are cooked, on the other hand, for early afternoon suppers and the same is valid for planning night dinners aside from the way that meat likewise included twice every week for night suppers. For, our convenience of calculation, we used the average chemical composition of four types of pulses for calculating the chemical composition of the whole meal⁵⁴. No specific vegetables or fruit are mentioned to be served on a particular day but in practice, seasonal vegetables and fruits are served. Thus, calculations were made on the basis of average chemical composition of such common vegetables and fruits. No specific vegetables or fruit are mentioned to be served on a particular day but in practice, seasonal vegetables and fruits are served. Thus, calculations were made on the basis of average chemical composition of such common vegetables and fruits. Energy was calculated from protein, fat, and carbohydrate using the Atwater method as described by Merrill et al (1973), which is: Vitality was computed from protein, fat, and sugar utilizing the Atwater strategy as depicted: Energy (kcal) = (4 kcal/g protein 1 g protein) + (9 kcal/g fat 1 g fat) + (4 kcal/g starch 1 carbohydrate). Meal. Nutrient densities of various meals for PNPNL, PP, PL women and children (< and above 1 year) are shown in table 1 & table 2. The nutrient density of PNPNL women meals were 83 g protein, 2772 Kcal energy, 502 mg Ca, and 34 mg Fe. The nutrient density of PP women meals were 116 g protein, 3089 Kcal energy, 1983 mg Ca and 54 mg Fe. The nutrient density of PL women meals was 101 g protein, 3380 Kcal energy, 1363 mg Ca and 16 mg Fe. The nutrient density of children (< 1year) meals were 0.35 g protein, 759 Kcal energy, 32 mg Ca, and 0.8 mg Fe. The nutrient of children (> 1year) meals were 19.6 g protein, 533 Kcal energy, 61 mg Ca and 1.1 mg Fe. The % adequacy of protein, energy, Ca and Fe for the PNPNL women meals were 148, 128, 63, and 141%, respectively. The % adequacy of protein, energy, Ca and Fe for the PP women meals were 175, 123, 165, and 66 %, respectively. The % adequacy of protein, energy, Ca and Fe for PL women meals were 148,128, 63, and 141%, respectively. The % adequacy of these nutrients for children (< 1 year) meals was 15,63, 4, and 7 %, respectively. The % adequacy of protein, energy, Ca and Fe for the children (> 1 year) meals were 76, 42, 8, and 10 %, respectively⁵⁵. The %

adequacy of nutrients of women prisoners shows enough energy and protein. However, the protein seems to chiefly come from plant sources, which is inferior in quality. Furthermore, % adequacy of iron in women diet is inadequate and it is further worrisome as much of its part is from nongame⁵⁶ sources (pulses and cereals) and hence must be poor in nutritional quality. The situation is more serious in case of children. Their diets seem to fail in providing nutrients adequately⁵⁷. There is a need to incorporate protein rich nourishments in their everyday diets. The U.N. Rules for the Protection of Juveniles express that adolescents should get nourishment "of a quality and amount to fulfill the guidelines of dietetics, cleanliness, and wellbeing"⁵⁸. The Pakistan Prison Rules recommend the dinners that detainees are to be furnished with impressive specificity. Detainees are qualified for 58 grams of milk consistently at breakfast, along with roti (unleavened bread) and tea⁵⁹. Their early afternoon and night dinners should comprise of dall, vegetables, and roti; twice every week, meat is to be substituted for dal at the rate of 58 grams for every detainee⁶⁰. Ladies detainees are frequently the sole or essential professions for little youngsters: it suggests that the mother's detainment can't be considered in separation. It is regular for infants and youthful kids to be brought into jail with their mothers. This may well be desirable over isolating them. On the other hand, it additionally raises complex issues, especially those identified with nourishment. In detained ladies: 66 % of female detainees were moms; 55% percent of female detainees had no less than one tyke under 16, over 33% of the ladies had one or more youngsters under 5 years of age; 34 percent of ladies were single folks before jail, with the extent ascending to 43 percent for the individuals who anticipated that would be single folks on discharge. Assessments considering the overview results propose that overall, 4,500 youngsters under 16 had a mother in jail⁶¹ amid 1998. Eating regimens of ladies and kids are regularly imbalanced both regarding amount and quality⁶². Ladies who are pregnant or breastfeeding in jail additionally have specific needs. Sufficient medicinal services, both preventive and therapeutic, is of essential significance for both the mother and kid. A previous detainee reported that pregnant female detainees were prevented any kind from securing vitamin supplement⁶³. Elderly ladies' detainees need specific wellbeing and nutritious consideration. It has been noticed that elderly detainees may experience the ill effects of interminable sick wellbeing; emphysema, joint inflammation, heart, hypertensive issue, osteoporosis, growth, stroke and so forth, and that detainees are physically, by and large, ten years more seasoned than their sequential ages⁶⁴. Accessible information around the world recommend that prison detainees are at expanded danger of contracting pneumonic tuberculosis⁶⁵. Components, for example, swarming, mal-nourishment and restricted access to social insurance administrations put jail prisoners at high hazard. Kids and young people are much more defenseless⁶⁶. Adjusted eating regimen, to ladies and youngsters' detainees will help keep up their typical physiology. Adjusted sustenance additionally has great impact child the demeanor advancement of youngsters, specifically. Solitary conduct in jails, including brutality, are decreased by vitamins, minerals, and key unsaturated fats with comparable ramifications for those eating with less than stellar eating routines in the group. Further prescribe a need to improve dietary guideline and moreover giving all the more encouraging eating regimens. Such dietary preparing has shown more convincing at reducing recidivism than routine

probation programs. As women much of the time come to imprison with shortcoming as indicated by different past studies, subsequently most compelling thought must be given to them, particularly, to the extent awesome sustenance. That the dietary scales for women and adolescents' prisoners are not nutritiously balanced. It is endorsed that the scales be investigated in the light of present day support data. Further take a shot at dietary affirmation of prisoners is proposed. Neelam Toru is a socio-political activist; she sorted out numerous workshops on numerous issues identified with the ladies inside of the Jail premises. She described⁶⁷ the inside story that points to the failure of the administration. The performance of every section is very bad. Majority of prisoners are illiterate and don't know their rights. The sanitation, health, food, living rooms, each and every thing is disturb and a lot of reforms and improvement is required. The law of the land and International Convention is not implementing in their true spirit and there is abuse of power, maladministration and corruption on its peak, which makes the things worse. We try to educate these offenders as such concept is totally missing in the jail. The women ruined in the jail because there is no proper check and balance of the authority. Sexual abuse and harassment cases are noted and we try to highlight those who are behind them. Every member of the society must work for the betterment of these peoples. An officer in Khyber Pakhtunkhwa home and tribal affairs disclosed while in a meeting that the dilemma is the passive response of the central as well as provincial authorities in respect of reforms, which are achieved by the developed states⁶⁸. As indicated by him jail is an organization of transformation. Be that as it may, here the circumstance is absolutely inverse, as slightest consideration was given to this organization as entire and similarly in our territory Khyber Pakhtunkhwa the circumstance are preferably more awful than change. Peshawar ladies jail cell is over-burden, missing of the essential needs that an individual requirements for survival. Transformation idea is completely disregarded and turns into a nursery for the guilty parties and similarly invested⁶⁹.

Conclusion

Keeping the changing role of the prison and the transformation of the nation from the retribution to reformation and rehabilitation, the position of the prison in Pakistan changed with the passage of time. The goal specified in the international system, is still far behind and required a lot of struggle and devotion to compete the international community. The aims and objectives of modern jail had changed and now custody, connection cure, correction, involvement of the local community and successful readjustment are objectives of prisons. Presently, jail are utilized to execute sentences granted and executed by the court, upkeep, care, guardianship of detainees consideration did in cutting edge prison. The Law and Justice Commissions of Pakistan received many applications and data reporting from many human rights NGO and recommendations from general public that the current prison system in Pakistan requires reforms with a view to ameliorate the condition of prisons. The collection of data took place from Human Rights Commission of Pakistan as well as Islamic Ideological Council and Jail Training Institute Lahore which contains important suggestions for the improvement of prison system in Pakistan. Many reports had been published on media, asking for review and reforms in prisons. All the suggestions and collected data were analyzed and then incorporated in the report. Awarding of punishment is quite old

in human society. Prisoners may be deprived of some of the rights but the fundamentals rights available to every human being, are equally enjoyable by the prisoners. With the evolution of international human rights law, much has been done in this respect. Pakistan being the civilized member/actor of international community has incorporated fundamental rights in their constitution and is one of the signatories of many conventions and treaties relating to treatment with prisoners. However, repeatedly violation of provision is being made due to lack of enforcement mechanism of international law. Condition of the prisoners in the prison is miserable especially, women prisoners are in disgraceful condition. Every right and facility is just in words and the reality is bitter to face. Most of the women are not actual culprits, they are exploited by harden criminal due to number of reasons as women are easily granted bail and concession in our criminal justice system. Overcrowded, unhygienic, congested prisons, affect the prisoners mentally and psychologically. The worsen truth of females prison is that they faced lack of proper counselling. Similarly the corrupt police/jail administration and legal system makes the lives of prisoners more difficult. Children with their mothers are suffering the most. An overall survey of the female wards revealed that majority of the prisoners are illiterate and poor, which is the main cause to motivate them to opt this malicious path. It is one of the major flaws in our judicial set up that under-trial prisoners have been living there for several years and if proved innocent after completion of the trial, no compensation is provided to them. Pakistan has affirmed CEDAW, and Convention on the youngster Rights (CRC). By the analysis of the situation of women prisoners and their children, it is now clear that violation of the fundamental provisions of CEDAW and CRC are taking place. The conditions in prisons is worsen and females being the vulnerable group of our society are more miserable and pitiful conditions measures are needed to be adopted to curb this happenings. Females once in prisons is mostly not acceptable by her family and, the society which once again pave her way towards crimes as she is left no other better option. The conditions of the female prisoners can be made better by adopting the minimum standard provided and prevailing in the international community. Steps are needed to be taken for the betterment of the women prisoners inside the Peshawar jail. As jail is a provincial subject according to the constitution, so the provincial government especially the prison department should seriously work on this dilemma to at least reach the minimum standard. Females prisoners should be taught some skills, which enable them to earn livelihood after release to support their family. Counselling Centers should be established in jail and free counsel should be provided to each and every one by the state. For under trial prisoners' legal procedures should be amended for the speedy justice. Separate women prison should be established and the prison cells should be reconstructed that make better for living as well as accommodate them properly as per the standard and rules. Children with their mothers should be guaranteed fundamental rights, which they deserve, as they are innocent so they should not suffer for the mistakes of their mothers. Medical facilities should be provided, as the existing medical facilities are not satisfactory and staff is insufficient, especially deficiency of female doctors be removed along with the adequate modern medical equipment. Basic education especially technical education should be given mandatory to the prisoners, which will help and boost them towards progress and development and not towards criminal life.

Psychiatrists should be appointed for their mental health. As well as religious and moral educations should also be provided. Government should increase funds on nutrition to eradicate and overcome malnutrition, as provided by the ICCPR, CEWAD and CRC. Jail administration should be properly trained according to the need of hour and especially government should enact and amend laws in respect to women prisoners' sexual harassment. Proper centers should be established to adjust the convicted women to spend their lives with honor and dignity. Fund should be raised and legislations should be enacted to educate the children on government expenditure. The most important thing is national legislation; mentioning the specific rights of the women prisoners and their children in jails. Legislation should be done to provide a proper enforcement mechanism and transparent accountability system. Speedy justice should also be ensured by provision of equal footing to the women and same facilities as enjoyed by the class-B prisoners in the jail.

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