

## **Problems Faced by Imprisoned Women in Context with Islam and Review of the Steps taken to Resolve the Same**

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*Islam gives the women a large basic Rights, and provide a honor able place in society, The constricted women have many rights in Islam, Women in Pakistan have always fought to stability their internal and social lives; sometimes their own relatives and blood relations cheat them and make them act a criminal. The situation is getting poorest when they imprisoned. Jails should provide correctional services but ground realities are very different. Laws are made for the protection of women but Government is fail to implement them as well. Women also in police custody or in jail are in quite horrible and horrible situation. 3% of women's children are living in jail, more than 60%, Majority of female prisoners are illiterate and uninformed of their lawful rights. These female prisoners blamed of many crimes actually dedicated by their male It is hard to complete their physical and mental state as they do not easily discuss their problems with anyone.*

**Key word:** *imprisoned women, restrained and captive, constricted women*

### **Introduction:**

Islam is a complete religion and it has specified the rights of every human being. Similarly teachings for treating the prisoners in a good manner are present in Holy Quran and in practice of Holy Prophet (SAW). The good treatment towards the prisoners and feeding them has been declared by the Holy Quran to be the means to earn Allah's, and assets of Moines. Allah says:

ويطعمون الطعام على حبه مسكينا ويتيما واسيرا<sup>1</sup>

“And they arrange food for orphans, paupers and prisoners in His love”

Good treatment with the prisoners has been set as an example by the Holy Prophet (SAW). Sumanas Bin Assail (a prisoner) was kept in the Mosque of Prophet (SAW). The Holy Prophet asked his fellows “Whatever the edible you have with you, collect it and arrange meal for Sumanas Bin Assail. “Similarly The Holy Prophet (SAW) while giving instructions about the rights of the prisoners said, “Treat the prisoners in a good way”.<sup>2</sup>The concept of Islam regarding Peace and crime is that the criminal is also a human being and the punishment might be rigorous as per the severity of offence so that the public may get lesson from it and the society may get more chances to get safe from crimes. Despite all this a criminal does not fall from the level of Humanity therefore before or after implementation of the punishment he cannot be dishonored and degraded.

During the reign of Holy Prophet (SAW) a respected fellow of the Holy prophet (SAW) showed abhorrence towards a criminal who was punished for a serious crime. The Holy Prophet (SAW) disliked it and

said that he has made penitence in such a way that if his penitence is divided on all the people of Madina, their all sins would be forgiven.<sup>3</sup> Similarly, a criminal can neither be deprived of basic humanitarian rights nor his disgrace is allowed. Islam has clearly defined the rights of the prisoners and it has been advised to provide basic humanitarian rights to the male as well as female prisoners during imprisonment. Although no proper prison existed during the reign of Holy Prophet (SAW), yet the criminals were imprisoned, which is evident from some of the following Hadith:-

عن يوز بن حكيم عن ابيه عن جده ان النبي ﷺ حبس رجلا في تهمة<sup>4</sup>

Behaz Bin Hakeem states that he listen from his father who states from his grandfather that Holy Prophet (SAW) imprisoned a person in the allegation of murder.

Holy Prophet (SAW) also imprisoned the one who detain

لى الواجد يحل عر ضه و عقوبته ، قال ابن مبارك : يحل عر ضه يغلظ له و عقوبته يحبس له<sup>5</sup>  
Umar Bin Shared from his father and he from his grand-father states that Holy Prophet (SAW) said "A wealthy creditor who linger on the payment of loan makes him liable to be punished. Ibn-e- Mubarak explained that it means that he should be disgraced and punished. During the reign of Hazrat Abu Bakar (RA) also if a person commit theft after being punished twice, he was put into imprisonment with his order"<sup>6</sup>. In the reign of Hazrat Umar (RA) a proper imprisonment Department was made. "When the department of police was made, the prisons were also made, in this way the System of Prisons was formed in the reign of Hazrat Umar Farooq (RA)"<sup>7</sup>

In the reign of Hazrat Ali (RA) proper reforms were implemented for prisons.

- Prisoners will be given meals or payment to meet their daily expenses from Bait-ul-Mall.
- Prisoners should not be charged to work.
- The prisoner who are charged to work, must be given their wages.
- Prisoners should be allowed to meet their spouses.
- The ones who come to see the prisoners should be treated well.
- The superintendent of the prisons should be wise and pious
- There should be special arrangement for Islamic and Educational rekindling of prisoners<sup>8</sup>.

#### **Female Prisoners and Teachings of Islam about them:**

To imprison a female is conditional and allowed and many verses from the Holy Quran are referred in this regard.

وَاللَّاتِي بَاتَيْنَ الْفَاحِشَةَ مِنْ نَسَائِكُمْ فَاسْتَشْهِدُوا عَلَيْهِنَّ أَرْبَعَةٌ مِّنكُمْ فَإِنْ شَهِدُوا  
فَأَمْسِكُوهُنَّ فِي الْبُيُوتِ حَتَّىٰ يَتَوَقَّاهُنَّ الْمَوْتُ أَوْ يَجْعَلَ اللَّهُ لَهُنَّ سَبِيلًا<sup>9</sup>

In this verse the females who committed adultery are ordered to be imprisoned in the homes. The prisons for the male and females will be separate. Scholars have agreed upon it that the prisons for the females should be separate and not with the males to maintain their Parda so that new complications may be avoided and this is only possible when the prisons are separate for both genders.

ويجعل للنساء سجن على حده نقيبا لو قرع الفتنة<sup>10</sup>

The same is mentioned in “Dur-e-Mukhtar” as follows:

In order to avoid any complications, separate prisons should be made for the women.

ويجعل للنساء سجن عليحدة نقيبا للفتنة<sup>11</sup>

It is mentioned in “Bahr-ur-Raqaik” as follows:

To avoid complications the prisons for the females should be separate, in which such arrangements would be made that at any instance there would be no chance of mingling the female prisoners with male prisoners or the male administrators of the prison or guards. It's more suitable that their administrator or guardian should be a female like them but if it is not possible then such a person may be made responsible for taking care of female prison who is old aged and is pious so that the female prisoners may remain safe<sup>12</sup>.

#### **Rights of female prisoners in Pakistan:**

Female prisoner will get all the rights which a male prisoner keeps.

The conditions of female prisoners in Pakistan is hopelessly miserable. In Punjab there are 32 prisons and in year 2004 to make the system of prisons better it was divided into four regions, in which 9 Central Prisons, 19 District Prisons, 2 Borstle Institutions and Juvenile prisons and for females 1 prison and 1 sub- prison are present<sup>13</sup>.

#### **Female prisoners in Pakistan (according to calculations):**

According to figures obtained from BBC and Ministry of Interior, at this time there are more than 1500 females confined in different prison in Pakistan facing different cases including murder, kidnaping, smuggling of narcotics and Hadood Ordinance. At the moment in Pakistan three prisons have been made for females out of which one is situated in Multan, the Southern city of Punjab, second one in Karachi whereas a camp jail for females has been made in the city Haripur Hazara of Province Sarhad/ Khyber Pakhtoon Khawa. There are more than 90 prisons in the court in which a separate barrack has been made for the female prisoners.<sup>14</sup>

- At this moment the number of female prisoners in all the prisons of the most populated province of Punjab is 313.  
102 in Sindh.  
84 in Sarhad.
- 37 female prisoners are behind the bars in Khyber Pakhtoon Khawa.
- 42 female prisoners are in Death Cell out of which 24 are in Multan Prison whereas the remaining are facing their sentence in other prisons.
- Out of 1587 female prisoners 268 are teenaged whereas four are minors.
- In Adiala Prison at Rawalpindi, there are 278 female prisoners are present alongwith 64 suckling babies<sup>15</sup>.

#### **Old aged female prisoners:**

According to sources there are 7 female prisoners present in different prisons of the country who are more than 60 years of age. They include Sardaran Bibi aged 70 years confined at Faisalabad Prison, Tasleem Mai aged 63 years in the same prison at Faisalabad, Sundran Bibi aged 69 years at Multan, Sughran aged about 71 years at Central Prison Gujranwala, Kubra Bibi aged 69 years at Sialkot and Amna Bibi aged 63 years at Sahiwal prison. Female Prisoners, Under Trial 59, Sentenced 234, Death Sentenced, Teenagers 10, Addicted 1, Narcotic dealers 188, Foreigners 19<sup>16</sup>. For Females there is only one prison in Multan due to which the female prisoners face a lot of hardships<sup>17</sup>. In 32 prisons of Punjab out of forty eight thousand and five (48005) prisoners 3 females are sentenced death penalty. In eight prisons of Faisalabad region 1329 prisoners are sentenced death penalty out of which 10 are female. The number of prisoners who are sentenced death penalty is highest in Faisalabad region which is 429, 222 in Mianwali, 6 male and female prisoners in District Prison Faisalabad, 260 male and 5 female prisoners in Jhang, there is capacity of 5918 prisoners in Faisalabad Region but at present 11808 prisoners including 173 females are behind the bars<sup>18</sup>.

Sr. No.	Name of Jails	Undertrials	Convicted	Condemned	Total
1	Central Jail, Lahore.	85	32	6	123
2	Central Jail, Gujranwala.	47	34	1	82
3	District Jail, Kasur.	17	0	0	17
4	District Jail, Lahore.	0	0	0	0

5	District Jail, Sheikhpura.	31	4	0	35
6	District Jail, Sialkot.	16	30	4	50
7	District Jail, Hafizabad	0	0	0	0
8	District Jail, Narowal	0	0	0	0
9	Central Jail, Sahiwal	6	21	0	27
10	HSP Sahiwal	0	0	0	0
11	District Jail, Okara	16	1	0	17
12	District Jail, Pakpattan	10	1	0	11
13	District Jail, Bahawalnagar.	16	1	0	17
14	Central Jail, Rawalpindi.	52	68	5	125
15	District Jail, Attock.	6	3	0	9
16	District Jail, Gujrat.	23	8	1	32
17	District Jail, Jhelum.	16	6	2	24
18	District Jail, M.B.Din.	0	0	0	0
19	Sub Jail, Chakwal.	0	0	0	0
20	Central Jail, Faisalabad.	0	0	0	0
21	Central Jail, Mianwali	6	3	1	10
22	B.I & J Jail, Faisalabad.	0	0	0	0
23	District Jail, Bhakkar	6	1	0	7
24	District Jail, Faisalabad.	40	58	1	99
25	District Jail, Jhang.	19	1	0	20
26	District Jail, Sargodha.	14	6	0	20
27	District Jail, Shahpur.	13	2	2	17
28	District Jail, T.T.Singh.	10	0	0	10
29	Central Jail, Multan.	0	0	0	0
30	B.I & J Jail, Bahawalpur.	0	0	0	0
31	Central Jail, Bahawalpur.	6	2	0	8
32	Central Jail, D.G.Khan.	11	0	0	11
33	District Jail, Multan.	0	0	0	0
34	District Jail, Muzaffargarh.	0	0	0	0
35	District Jail, R.Y.Khan.	11	2	0	13
36	District Jail, Rajanpur.	0	0	0	0
37	District Jail, Vehari.	13	0	0	13
38	District Jail, Layyah	0	0	0	0
39	Women Jail, Multan.	29	58	12	99
40	Sub Jail, Shujahbad	0	0	11	11
<b>Total:-</b>		<b>519</b>	<b>342</b>	<b>46<sup>19</sup></b>	<b>907</b>

Female prisoners (percentage of prison population)	2.1% (April 2015) <sup>20</sup>
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### **Problems of female prisoners.**

According to resources the world of crime is ruled over by the male in the country because the major crimes requires good physical and mental effort to commit them and the males are involved in big crimes yet females cannot be neglected from the world of crime completely. Where the females commit minor crimes at the same time they are found involved in serious offences / crimes including murdering their husband, parents, sons, daughter and even brother with the help of their lovers but such cases are very few or even negligible. The female has been given a specific social status and accepted round the world in which she is known as wife, mother, sister and thereafter as grandmother (looser/ gainer) and in the same status she is being given respect and reverence but as soon as a crime is being committed by her all the supports prove walls of sand and she becomes helpless.

In our society the ultimate end of the prisoned women is that they lose their social and family status. On the contrary in the western and other developed countries like Canada, Russia, German, Japan etc. the prisoned women are given complete education including such professional skills which may enable them to stand again in the society after getting out of prisons and to pass a better life <sup>21</sup>”.

They need more care, education, guidance, recreation, more attention to their innocent children and complications arising in the period of their delivery as compared to the male prisoners but in actual/practically the prisoned women are facing different problems, psychological complications, diseases and conditions. Some of the problems faced by the prisoned women are as follows

#### **Residential Problems:**

Non-availability of separate prisons for the females, the number of prisoned women is much less as compared to that of other countries. The number of prisoned women is higher in Province Punjab as compared to other provinces. There is only one prison for females whereas in other prisons separate sections have been made for the females prisoners. According to figures 856 females are behind the bars in different prisons of the province, the highest number of female prisoners are in Audial Prison<sup>22</sup>.

#### **Non-availability of separate place:**

One of the major problem the prisoned women are facing is the non-availability of separate place for searching them properly. When the

prisoned women are brought back into prisons after being produced before the court, there is no special arrangement to search them. Although according to Rules a female warden will search out the female prisoners and for this purpose a separate room will be specified at the main gate of the prison but no such arrangement is made in most of the prisons, rather a curtain is being hung in the room where the female prisoners are being searched out due to which their privacy is disturbed and they are in the eyes of every person due to which proper search of prisoned women is not made out<sup>23</sup>.

**Intrusion of males in female wards.**

Lady Assistant Superintendent Asia Batool writes that "According to Prison Manual a male officer cannot intervene into the female area except for the completion of necessary tasks but it is not so in most of the prisons. In case of any problem in female prisons, the male officials try to intervene in the matter. Such complicated condition is faced not only by the female prisoners but also by the female officials because female officials have been appointed to handle all the tasks of the female prisoners but the male officials have not accepted it yet, so they try to rule over all the matters regarding the prisoners. As the female officials are still facing this critical situation themselves therefore it is not possible for them to provide full protection to the female prisoners<sup>24</sup>"

**Non-gradation of prisoned women:**

Over populated prisons are not only creating problems for the administration and male prisoners but it also affects the female prisoners. According to rules of prisons, the prisoned women must be kept separately according to their age and offences committed by them but due to lack of space, they are not graded and kept in a same residential hall which result in to different quarrels and communication of diseases and due to their free contact the prisoned women learn new methods of committing crimes and became a big criminal than the previous one<sup>25</sup>

**Behavior of Administration of Prison:**

It is informed to the committee of Senate regarding interior affairs that in different prisons of the country females are being abused at night. Committee was informed that such incidents cannot take place without active connivance of the prison officials and no any steps were taken against the offenders. In a meeting held by Pakistan People's Party under the supervision of Mr. Rahman Malik it was asked to the Minister of interior Mr. Baleeg-ur-Rehman to collect information

regarding the said incidents and to inform the committee. It was suggested in the meeting that the prisons for the female prisoners must be made at a distance from male prisons and besides female works female superintendents may be appointed<sup>26</sup>.

**Lack of professional skills**

According to prison manual usually the accused women are given work to make fiber and ropes and whenever possible the process of teaching them stitching etc. in only some big prisons. Multan prison is at the top where the female prisoners are being taught stitching whereas the process of teaching skills is slow in the other prisons of the province<sup>27</sup>.

**Selling of goods at high rates:**

At canteens in prisons the common articles are sold at high rates as compared to the market. According to prisoned women they are being overcharged from 2 to 10 rupees over each article. They further told that due to non-availability of gas in prisons they have to burn coals which they have to bought from canteen of prison at high rates<sup>28</sup>

**Lack of recreational facilities:**

In developed countries, different programs are arranged for the betterment and social restoration of the prisoned women. But in Pakistan the condition is quite different. According to Prison Manual, although the prisoners are allowed to play indoor and outdoor games, resultantly the male prisoners are enjoying this facility in prisons all over the Punjab but female prisoners do not have this facili<sup>29</sup>" Different activities are important to keep the prisoners busy which not only help them towards a normal life after being released from prisons but also increase their professional skills and improve their education. Unfortunately, no other facility can be seen in prisons except television to keep the prisoners busy.

**Health problems:**

Miserable condition of pregnant prisoners, problems of feeding prisoners, incomplete medical facilities for ailing prisoners and unhygienic environment are major problems. All over the Punjab the prisoned women face different problems due to lack of medical facilities. Sometimes minor diseases become severe due to non-treatment in time and it becomes a lengthy process to transfer such prisoners from prisons to hospital which result in death of certain prisoners. Lady doctors are lacking in all prisons except Karachi, Larkana and Hyderabad. Most of the prisoned women in Kot Lakhpat prison said that "The medicines given in prison are sub-standard which



do not relief and if the same medicines are provided by their families they get instant relief <sup>30</sup>

#### **Sub-Standard Food:**

Prisoned women at Faisalabad complained that the bread given to them are burnt, gravy is tasteless, tea is so black as if milk is not added in it, meat is so hard like chewing gum and cannot be swallowed even after chewing well, if ever their families bring meal the same is returned on security basis / illegal. From the families of the prisoners it came into knowledge that the meal sent to prisoners is half of the police men at duty and they are not sure that rest will reach to their prisoners or not <sup>31</sup>

#### **Pregnant prisoners:**

During imprisonment the women face a lot of problems in particular pregnant women face a lot of complications. Due to lack of monthly checkup and ultrasound the prisoned women face a lot of complications like abortion, birth of dead child, birth of disable babies etc. but the no any arrangement for ultrasound and other tests for the pregnant prisoners due to which they have to go to District Prison which is a difficult process. No any female doctor has been appointed for prisoned women, if any female doctor is arranged from some NGO she do not listen the problems of the prisoned women with attention. Prisoned women told that a few years back a prisoned woman namely Shaheen Bibi died during labour / delivery. Previous Minister for Prisons Ch. Abdul Ghafoor confessed in October 2010 in Punjab Assembly that there is no arrangement for Obstratics Surgery in the prisons for prisoned women and not even a single gynecologist has been appointed <sup>32</sup>.

#### **Children of prisoned women and their problems:**

In prisons not only the prisoned women are facing different problems but their children are also affected by the environment. According to Prison Rules/ Manual a prisoned woman can keep his child with her till the age of 6 years<sup>33</sup> Those women who are sentenced for murdering their husband, want to keep their children with them instead of putting them to the mercy of their relatives<sup>34</sup> Abdullah Khoso states regarding the miserable condition of the minors living with their criminal mothers as: The most common thing observed in prisons is ,these children face loneliness ,live in isolation ,and they have limited access to the outside world and do not live as natural setting. There are very small area for walking and plying for children <sup>35</sup>

Women prisoners who live with their children or have children outside the jail confront more psychological issues than others. More than 60%

of women prisoners are mothers of little children. 3% of women's children are living in jail with them. Most prisons are overcrowded and few provide rehabilitative services to prisoners. Majority of female prisoners are illiterate and unaware of their legal rights. These female prisoners accused of many crimes actually committed by their ma partners are forced to live behind bars<sup>36</sup>

**Problems of teenage prisoned women:**

Teenaged girls are also kept in prison with the old aged women, the majority of which are addicted, whereas some old aged women are involved in serious crimes and they motivate the teenagers towards crime and succeed in their evil designs. The education of those teenager prisoners is not made at any level and with the passing of age they stray from the right path and become psychological patient. The State of Pakistan ,S Children “The Juvenile Prisoners lack access of necessities like education and skill the augmenated contract white handende criminals, segregation from farruly reconstruction by society and family and family and isolation has a strong effect on the mental health of children<sup>37</sup>

**Lack of female police officials in required number:**

Due to lack of female officials the male officials intrude in female cells and result in a lot of problems.

**Legal problems:**

Lack of legal assistance in prisons, Slow court proceedings, no life safety assurance during course of production before the court etc are major problems. Lack of legal assistance, slow court proceedings to come at a decision cause restlessness and behavioral changes in the prisoners. Rich / wealthy prisoned women arranged their lawyer but poor and family less prisoned women due to lack of funds and non-assistance of court proceedings are forced to live in prisons for years.

**Lack of Legal Assistance:**

A major problem the prisoners are facing in prisons is lack of legal assistance. Most of the prisoned women are poor and they are unable to give heavy fees to the lawyers and due to those heavy fees it is not possible for them to pursue their cases. Although according to rules of prisons the prisoned women have facility of lawyers appointed by the Government but due to lack of, from the Government and administration of prisons cause problems of them. Besides due to inability to pay fines a majority of prisoned women are facing hardships.

**Court proceedings:**

For court proceedings no separate van is not arranged for the female prisoner. A major problem for the prisoned women is that no separate arrangement is made for the female prisoners for transportation and they are forced to sit with the male prisoners and sometimes female constables are not with them. According to Prison Rules, "It is necessary to keep the females from males in every way". These women are taken to the courts to pursue their cases along with male prisoners which is a critical situation. In such cases the relations are built between female and male prisoners, which cause problem for the administration. Besides there are such female prisoners who feel insecurity in the presence of male prisoners, so it is necessary to arrange a separate prisoner van for the females<sup>38</sup>. A news was published in "Daily Pakistan" on 13<sup>th</sup> July which stated that how the drivers of prison vans are found in making efforts to make friendship with the prisoned women and offer of marriage to foreigner prisoners<sup>39</sup>.

**Psychological problems:**

Female prisoners are facing psychological problems like separation from their children, fear of social behavior, and isolation from families and hatred from the other prisoners. Female prisoners are facing hardships of imprisonment. Most of the prisoned women are illiterate and belongs to poor families and about 80% of the females are unaware of the fact that under which law they have been sentenced. Prisoned women need more care and attention as compared to the male prisoners because majority of them are such who are being isolated from their families and they are on the mercy of prison administration and the officials of the prison and hardly succeed in getting facilities according to prison manual. Most of the prisoned women are involved in murder, dacoit, kidnapping and smuggling of narcotics. In survey report of UNDDC (United National office on drug and crime conditions of female prisoners in Pakistan "It is total measures to deal with the mental health issues were reported to be provided by the upper authorities, The psychological problems reported are depression, stress, mental stress, seeking behavior, sleep disease and generalized anxiety<sup>40</sup>. Sarwat Mirza writes about the psychological problems of the prisoned women that 99% of the prisoned women are under mental stress. The females of middle and upper class are being checked from bringing into prisons and only poor women are brought in prisons. Many females are brought in prisons to conceal the crimes

committed by their father or brother. Prisoned women became victim of high blood pressure. Sadness, fear and anger prevails them. Unfair attitude of the prison administration, beatings and cause a lot of psychological problems <sup>41</sup>

**Beatings in prisons:**

are common in prisons and the prisoned women are not safe from it and they are kept in a fearful environment.

**Economic problems:**

During imprisonment all the prisoners are subjected to some work and prisoned women are also asked to stitch or make decoration pieces after giving training and are not given wages for their work which is a critical situation. Providing their wages to the prisoner not only helpful in pursuing their cases but helpful for such women who have minor children behind them and no one to take care of them. In such condition if a prisoned mother is given her wages she can help her children financially and can pursue her case.

**Social problems:**

Although the family is an important support for the prisoners during their imprisonment yet due to their disconnection the hardships of the prisoners increases but if someone keeps in touch with the prisoners and come to the prison to see the prisoners he has to face severe opposition, criticism, social hurdles and at every step he has to face the taunt and neighbors and relatives make their life miserable and the prisoned women have to face such attitude severely. Their children also have to face the attitude which leave bad impression on their psychology. Prisoned women say that their families have disconnected with them and their children are not allowed to see them and they are passing a life of isolation and they think that they have no any place in society for them after releasing from prisons and they feel is better to pass their life in prisons<sup>42</sup> Unfortunately, if a female is sentenced for imprisonment then they have to face much more difficulties than males and their own family refuse to own them, even in most of the cases their husbands kick them out of their life by divorcing them and they are not allowed to see their own children. Prison create enormous on intimate relationship, whether, or not children are involved it is not uncommon for mental relationship to end in divorce during a prisoner term <sup>43</sup>

Prison affects the inter-relations with the close relatives, whether the children are involved or not, in most of the cases the marital life ends in form of divorce. Prisoned women are not accepted by the society

after being released, their families also refuse to own them and such helpless women after being kicked from every door are again imprisoned in committing crimes.

**A view for steps taken for the prisoned women in Pakistan:**

In Pakistan the system of prisons was started by implementation of Prison Act 1894 and Criminal Act 1900 after necessary amendments, however at certain times Government constituted High Level committees so that steps may be taken for the betterment and rehabilitation of the prisoners. So on the recommendations of West Pakistan Prison Reforms Committee 1968-1970, Pakistan Prisoner Rules 1978 were constituted for all the provinces of Pakistan which are also known as Prisoner Manual.

- Religious education
- Curricular education
- Professional and skilled education
- Extracurricular activities
- Arrangements for restoration of isolated women and children in society
- Conditional releasing of the prisoners due to good conduct and performance
- Teachers have been appointed for them to educate and train them at government level by the prison department.

All the steps for the betterment of prisoners are being taken at two levels.

Duties of female wardens are same as that of male wardens. Lady Warden will work under the instructions and supervision of lady superintendent<sup>44</sup>

- Lady Warden will supervise the distribution of meals.
- Lady Warden will not allow any official/ officer of the prison to enter the female ward without permission of competent authority.
- Lady Warden will hand over the appointed work to the prisoned women are sentenced rigorous imprisonment.
- It is the duty of lady warden to get attention of the medical officer towards the ailing prisoned women who complains of ailment or looks ailing<sup>45</sup>

Provincial Minister told that lady doctors, lady health workers and lady dispensers have been appointed in all prisons for providing medical facilities to the prisoned women and all the other facilities of hospital including X-Rays Machine, Ultra Sound Machine, ECG Machine and

Clinical Laboratory etc. are being provided for their medical examination. Government has made arrangements for the prisoned women in their barracks to provide training of stitching, beauty parlour, fine arts, interior designing, home decoration and cooking etc. Further it was told by the provincial minister that special arrangements have been made for the female prisoners who are having suckling babies. Punjab Government is providing Milk, food, warm clothes, toys, educational books and other stuff like this in the barracks of female prisoners

<sup>46</sup> Government has constituted committees in 36 districts of the province who will visit the prisons to evaluate the miserable condition of prisoned women. According to sources, the committee is headed by the advisor of Provincial Ombudsman in every district, other members include Superintendent Prison, DPO or their representative which must be at least officer of grade 18, District Public Prosecutor and SP Investigation. The constituted committees will send their reports after visiting the Pakistan Peoples Party (2010 to 2015) after getting into Government started work about prison reforms which included certain steps to be taken for the prisoned women and in this context suggestions were also requested from all the four provinces but no any proceedings have been made till now<sup>47</sup>.

In the female portion of Idyala Prison the conditions have been changed. Water Coolers for the female prisoners have been implanted there, every prisoners has a bed, stoves have been implanted in the kitchen properly, a library has also been established and a kinder garden for the children of the imprisoned women has also been made along with a stitching school. The most important thing is that a health unit has been established in the prison for the females where a lady doctor is available round the clock<sup>48</sup>”

#### **Steps taken for Health:**

Steps have been taken regarding health e.g. Ultrasound, ECG and facility of laboratory are available. The prison has its own hospital comprising of 20 beds and the most important thing is that a health unit has also been established for the prisoned women where a lady doctor is available round the clock<sup>49</sup>. As per orders of Supreme Court of Pakistan, the Minister of Parliamentary Affairs and Human Rights, Mr. Shahid Qureshi, MPA Zareen Zia and Director Human Rights Department Khyber Pakhtoon Khwa visited the Central Prison Peshawar on Friday and examined the conditions of the prisoners in context with human rights. They advised special care & attention for

the children who are present with the prisoned women so that they may be saved from the negative effects of the prison and become good human beings<sup>50</sup>.

**Arrangements regarding Education:**

15 out of 33 prisoned women are getting proper education from the school whereas the remaining women are getting Vocational Training.<sup>51</sup>

**Arrangement of Professional Training/ education:**

Inspector General Prisons Mian Farooq Nazeer during his online interview said: "Efforts are being made for the betterment of the prisoners in Punjab from a long time, however to enable the male, female and children to earn a respectable livelihood in society after being released from the prison different courses of 6 months have been started with the help of TEVTA which includes computer education for the children and stitching for the females<sup>52</sup>

**Basic necessities of life:**

which have been provided to the prisoned women, While entering in prison each female is given 2 cotton shirts, 2 handkerchiefs, 2 trousers, 2 shawls, 1 towel, 2 belts/Azar Band, 4 handkerchiefs for hygiene and 1 woolen sweater besides this while admitting in hospital a separate uniform will be given with red bands<sup>53</sup>. A coat with sheets, 1 blanket, 1 matress, 1 pillow along with an aluminum cup, plate, mug. Other things: washing powder for clothes, toilet soap for 15 days and 2 combs<sup>54</sup>. The females who are having kids with them they will be provided with feeder nipples, talcum powder, bath soap, toys, shoes, nappies and clothes for the children. Inspector General Prisons Mian Nazeer said that they taste the male first themselves and then it is distributed<sup>55</sup>. Government of the Punjab has provided Electric water coolers, Air Coolers, Sui Gas, Coats and facility of indoor games for the females and minor children<sup>56</sup>.

**Legal aid for poor and waif:**

The class which suffer the most before coming to the prison and after releasing from the prison includes poor and waif male, female and children. There are hundreds of such prisoner in the prisons who are unable to sue their case due to poverty and other problems, therefore, persons and NGOs try to provide legal assistance to such helpless females and they are not only provided advocates but their cases are fully being sued by appointing law knowing workers so that they may be released and get justice, at Government level the prisoners are being released after waiving off their fines.

### **Non-Government Level (Welfare Organizations)**

Two types of organizations and and NGOS are working for these women.

#### **Women Aid Issue:**

This organization arranges religious education for the prisoned women. It provides religious literature among the prisoned women and highly qualified female teachers are being appointed. The members of this organization come to the prison to teach the prisoned women reading of Quran (Nazra) whereas weekly lecture for translation of Quran is being delivered and work is carried out with the help of educated prisoned women.

#### **Hope Foundation:**

This organization is helping in educating the children of the prisoned women<sup>57</sup>

#### **Idara Rehai:**

At non-government level, "Idara Rehai" is providing professional training to the females in different prisons all over the country. Under this organization stitching class, coat weaving, painting, pinning the wire and computer courses are being conducted and appreciating shields are being awarded on completion of course. An over view of annual progress shows that about 500 children have learnt stitching and similarly a lot of prisoned women have become skilled.<sup>58</sup>

#### **Khabib Foundation:**

Courses of stitching, electrical and computer courses for the females and children are under process from Khabib foundation and such courses are conducted for the females which make them skilled when they are being released<sup>59</sup>

#### **Falah-e-Insaniyat Foundation:**

Water Filtration Plants have been implanted in 10 prisons from Falah-e-Insaniyat Foundation so that clean drinking water may be available for the prisoners and they may survive from fatal diseases<sup>60</sup>.

- Human Rights commission
- AlKhidmat Foundation
- Qurshi Foundation & Falahi Idara Sanjoog
- Society For Protection Of Rights Of Children

Above mentioned all organizations and welfare societies are struggling for providing basic rights to the prisoned women and their children and to aware the society for providing proper restoration opportunities to



the released persons from the prisons so that they may get rid of miserable life.

**View of UNO charter:**

for the prescribed steps for prisoned women, Women constitute a vulnerable group in prisons, due to their gender. Although there are considerable variations in their situation in different countries, the reasons for and intensity of their vulnerability and corresponding needs, a number of factors are common to most. These include:

" The challenges they face in accessing justice on an equal basis with men in many countries; " Their disproportionate victimization from sexual or physical abuse prior to imprisonment; " A high level of mental health-care needs, often as a result of domestic violence and sexual abuse; " Their high level of drug or alcohol dependency; " The extreme distress imprisonment causes to women, which may lead to mental health problems or exacerbate existing mental disabilities; " Sexual abuse and violence against women in prison; " The high likelihood of having caring responsibilities for their children, families and others; " Gender-specific health-care needs that cannot adequately be met; " Post-release stigmatization, victimization and abandonment by their families.<sup>61</sup>

**Recommendations and suggestions:**

- Ulfat Kazmi says that in the reign of previous President General Retd. Pervaiz Mushara a proposal for constructing 7 prisons for the females was accepted but the matter was not proceeded after his demise. 90% problems can be solved if overcrowding in prisons is controlled and it is necessary to construct prisons in the districts where prisons are not present and separate prisons should be constructed for the females.
- Special benches / courts may be constituted for the early hearing and disposal of the cases of juveniles and female prisoners. Thousand of prisoners are behind the bars due to non-payment of fine. If their fine is paid, capacity for more prisoners can be made by their release and for this purpose a special fund should be raised.
- Those prisoners who cannot file appeal in the apex courts against their sentence, they must be provided by such facilities that they may file appeals.
- Treatment and delivery facilities for the prisoned women may be improved. It is humanitarian and moral duty of the

- superintendents of prions that they bound the doctors appointed at prions to completely checkup the food supplied in the prions.
- Due to lengthy proceedings of the cases the prisoners have live in the prisons for many years. In this context police should prepare and present the cases in the courts in time so that justice may be ensured.
  - Habitual criminals should be kept separate from the
  - Employees of prisons should be educated regarding human psychology and employees found involved in sexual harassment and bad character may be given exemplary punishment. Officials in a prison should be changed after completion of their tenure.
  - Criminals spending their days in imprisonment should be given lectures on Holy Quran and Islamic education on daily basis so that they may become good citizen after completing their punishment. The salaries of low scale employees of prison must be increased reasonably. It is expected that in accordance with the glorious principles of Islam the prisoners will be provided with such facilities which our religion enforces and advises<sup>62</sup>.
  - Separate prisons for the females
  - Increase in the number of female constables
  - Appointment of female constables for protection of prisoned women
  - Best arrangements be made for protection
  - Legal assistance be provided
  - Government kept on paying fine for the prisoned women with less severe offences
  - A awareness be made in the sympathizers of society for releasing of prisoned women
  - Suckling babies of prisoned women be kept with them and for this child care center be made in prisons
  - Proper care be taken for the pregnant and timely medical assistance be provided to them.
  - Religious Education may be arranged for their reformation
  - They must be provided opportunities to get education and be made skilled.

### **Conclusion:**

In short, prisoned women in prions all over the Pakistan are facing countless problems. If the rights which Islam has given to the prisoner be implemented then a lot of problems can be solved. Prisons should

not be the center of punishment instead the prisoners be made a respectable citizen by reforming & training. They should be given religious education so that they become good human after being released. Female, which is a wimpy social-class, if commit any crime and be imprisoned, they should be given a chance to reform and counseling be made in society and to their families that they should hate crime nor the criminal. At Government level the security of person and property of the prisoned women be ensured. A lot of moral and psychological problems can be controlled in case of separate prisons for the females.

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