

**PRISONS AS PATHWAYS TO REHABILITATION OR
CRIMINALITY? A CASE-STUDY OF THE PRISON'S
EFFECT ON LONG-TERM REHABILITATION
OUTCOMES IN HARIPUR JAIL**

Shujahat Ali, Aamer Raza and Muhammad Fahim Khan
(CGP #04-160)

3RD RASTA CONFERENCE
Thursday 14th & Friday 15th September 2023
Gun & Country Club, Islamabad

This document is unedited author's version submitted to RASTA.



RESEARCH FOR SOCIAL TRANSFORMATION & ADVANCEMENT
Competitive Grants Programme for Policy-oriented Research
Pakistan Institute of Development Economics

ABSTRACT

The primary goal of this study is to examine the efficiency of prison personnel in assisting convicts with their reintegration, with a focus on Khyber-Pakhtunkhwa (Pakistan) facilities. The investigation was conducted using a mixed technique. In the Khyber-Pakhtunkhwa province of Pakistan, one prison was purposefully chosen out of the seven administrative divisions, totaling six high-profile Central jails. Of the total 180 respondents, 105 jail inmates (adults and adolescent male prisoners who were either under trial or convicted) were chosen at random from among the seven prisons in the province and questioned using a semi-structured questionnaire. Prison executives, Jail staff, Probation Officers, and ex-prisoners made up the remaining 75 respondents who were purposefully chosen and interrogated using an interview guide. Additionally, a focus group discussion was organized in order to acquire a deeper understanding of the aforementioned issue. The random sampling technique was used for data collecting and analysis. It was discovered that the jail personnel in Pakistan has the motivation and expertise needed to turn prisons into institutes for correction but there are shortage of funds and infrastructure. The Khyber-Pakhtunkhwa prisons have a long history of their participation in torturing detainees, giving them forbidden items, sexually assaulting them, accepting bribes for granting legal and illegal favors, etc. The suggested solutions to the issue include giving prison staff the best training possible while keeping in mind modern needs, raising their pay in tandem with sound service structures, selecting, promoting, and transferring employees based on merit, hiring the necessary staff to close the enormous staff-inmate gap, and ensuring that prisons have an effective accountability system.

PREFACE

It is with great pleasure and enthusiasm that I present this research work titled "Prisons as Pathways to Criminality or Rehabilitation? A Case Study of the Prison: Effect on Long-Term Rehabilitation Outcomes in Haripur Jail." This study is the result of an in-depth investigation, careful analysis, and a dedication to understanding prison dynamics and how they affect prisoners' long-term rehabilitation results.

This study was inspired by a keen interest in the effectiveness of prisons as facilities for rehabilitation. As a Ph.D. student at the University of Peshawar's Department of Political Science, I have always been fascinated by the complex interactions between government, public policy, and the criminal justice system. The issue of prisons and their function in either supporting rehabilitation or encouraging crime becomes particularly relevant within this context.

In this case study, I pay particular attention to Haripur Jail, a prison in Pakistan renowned for its varied inmate population and a number of rehabilitation initiatives. I want to shed light on the possibility of correctional facilities to function as transforming environments by looking into the lives of those who are behind bars and examining the tactics used there.

I have used a multidisciplinary approach throughout this work, pulling from a variety of disciplines including criminology, psychology, sociology, and public administration. I have been able to investigate the complexity of the prison system and shed light on the complex variables that influence the results of rehabilitation initiatives thanks to my multidisciplinary viewpoint.

In addition to conducting in-depth analyses of official documents, guidelines, and current literature, I also engaged in extensive fieldwork that included speaking with prison employees, prisoners, and other pertinent stakeholders. I have attempted to document the complex experiences, attitudes, and difficulties experienced by those who are detained as well as the efforts made by the prison administration to aid their reintegration into society by using a qualitative research technique.

Although Haripur Jail's particular environment is the main focus of this research, its results and recommendations are meant to add to the larger conversation about criminal justice and rehabilitation. We can learn a lot about the benefits and drawbacks of the rehabilitation programs at this specific jail and contribute to the wider discussion on the efficiency of correctional facilities in influencing long-term outcomes for criminals.

For policymakers, practitioners, academics, and anyone else interested in understanding the intricate dynamics of prisons and their capacity to change lives, it is my goal that this study will be a useful resource. I want to spark additional debate, arouse skepticism, and eventually aid in the continuing attempts to restructure and enhance our criminal justice systems by throwing light on the subtleties of the prison system and its effects on rehabilitation results.

My sincere appreciation goes out to PIDE RASTA 4.0 team for their unconditional support, my mentors, my peers, and the whole research team for their steadfast support, important advice, and insightful observations during this process. I would also like to express my gratitude to Haripur Jail's management and employees for their cooperation and openness to share their stories. Most significantly, I would want to convey my sincere gratitude to the prisoners who took part in this research for their candor, openness, and commitment to further knowledge.

I give my work with real devotion and dedication to thorough study in the hopes that it will add to the continuing discussion on the function of prisons in encouraging rehabilitation and lowering recidivism.

TABLE OF CONTENT

| | |
|---|----|
| INTRODUCTION AND BACKGROUND | 1 |
| 1.1 Types of Prisons | 2 |
| 1.2 Provincial Wise Distribution | 2 |
| 1.3 Distribution on Type Basis..... | 2 |
| 1.4 Prison Population | 3 |
| 1.5 Convicted and Under-Trial Prisoners..... | 3 |
| 1.6 Objectives..... | 3 |
| 1.7 Research Questions..... | 4 |
| LITERATURE REVIEW..... | 4 |
| 2.1 Theoretical Framework..... | 4 |
| RESEARCH METHODOLOGY | 5 |
| 3.1 Sampling for Questionnaires..... | 5 |
| FINDINGS AND DISCUSSION..... | 5 |
| 4.1 A Brief History of Prisons, Prison Laws, and Prison Reforms in Pakistan | 6 |
| 4.2. Prison Department Khyber Pakhtunkhwa | 11 |
| 4.3 Current Conditions of Selected Prisons of Khyber Pakhtunkhwa | 13 |
| 4.4 KP Prison Department Budget and Cost on Prisoners | 18 |
| 4.5 Crime Data Khyber Pakhtunkhwa 2000-2018 | 18 |
| 4.6 Countering Violent Extremism Initiatives in KP Prisons since 2001 | 18 |
| 4.7 The Role of Probation in the Prison System | 22 |
| 4.8 Probation..... | 24 |
| A CASE STUDY OF THE PRISON'S EFFECT ON LONG-TERM REHABILITATION OUTCOMES IN HARIPUR JAIL..... | 27 |
| 5.1 The Current Condition of Jail Infrastructure | 27 |
| 5.2 Skill Development Program..... | 30 |
| 5.3 Prison Management Information System (PMIS)..... | 31 |
| 5.4 Prison Staff Training Academy (PSTA)..... | 32 |
| CONCLUSION..... | 33 |
| RECOMMENDATIONS / POLICY IMPLICATIONS | 35 |
| REFERENCES | 37 |

LIST OF FIGURES

| | |
|----------------|----|
| Figure 1..... | 1 |
| Figure 2..... | 12 |
| Figure 3..... | 12 |
| Figure 4..... | 13 |
| Figure 5..... | 14 |
| Figure 6..... | 14 |
| Figure 7..... | 15 |
| Figure 8..... | 16 |
| Figure 9..... | 16 |
| Figure 10..... | 17 |
| Figure 11..... | 17 |
| Figure 12..... | 18 |

LIST OF TABLES

| | |
|--|----|
| Table 1: Types of Prisons | 2 |
| Table 2 : Province wise prisons..... | 2 |
| Table 3 : Provincial wise distribution of different type of prisons Provinces..... | 2 |
| Table 4: Provincial Wise Statistics of Prison’s Population | 3 |
| Table 5 : Population of Inmates in Pakistan | 3 |
| Table 6: Per prisoner Cost Excluding Development Budget..... | 18 |
| Table 7: Per prisoner Cost Including Development Budget..... | 18 |
| Table 8: De-Radicalization and Emancipation Programs | 19 |
| Table 9: Types of Prisons | 20 |
| Table 10: An Overview of Population and Categorization of KP Prisons | 20 |
| Table 11: Formal Education | 20 |
| Table 12: Religious Education in KP Prisons (Gul & Asad, 2018) | 20 |
| Table 13: Individuals under Skill Development Training in KP Prisons | 21 |
| Table 14: Completed Skills Development Training in KP Prisons..... | 21 |
| Table 15: Scope of Probation..... | 25 |
| Table 16: Strength of Probation and parole officers in all four provinces | 26 |

LIST OF ABBREVIATIONS

| | |
|------------|--|
| AIG Prison | Additional Inspector General of Prison |
| B.I | Bristol Institutions & Juvenile Jail |
| C.J. | Central Jail |
| CCTV | Closed-circuit television |
| CVE | Counter Violent Extremism |
| D.J. | District Jail |
| DIG Prison | Deputy Inspector General of Prison |
| DREPs | De-Radicalization and Emancipation Programs |
| H.S.P. | High Security Prison |
| IG Prison | Inspector General of Prison |
| INL | International Narcotics and Law Enforcement Office |
| J.L. | Judicial Lookup |
| KP | Khyber Pakhtunkhwa |
| NEVTAC | National Vocational & Technical Training Commission |
| O.P. | Open Prison |
| PMIS | Prison Management Information System |
| PSTA | Prison Staff Training Academy |
| S.J. | Sub Jail |
| SDC | Skill Development Council |
| SMR | Standard Minimum Rules |
| TEVTA | Technical Education and Vocational Training Authority |
| UNCTITF | United Nations Counter-Terrorism Implementation Task Force |
| UNDP | United Nations Development Programme |
| UNODC | United Nations Office on Drugs and Crime |
| W.J. | Women Jail |
| WAPDA | Water & Power Development Authority |
| Y.I. | Youthful Offender Industrial School |

INTRODUCTION AND BACKGROUND

A prisoner is a person who commits an offence and gets proper and lawful punishment from the state's justice system to keep him/her in prison (Harigovind, 2013). Prison is the physical space where offenders are kept legally as punishment for their wrongdoings. However, prison also serves as a facility to rehabilitate individuals for better integration back into society. Therefore, it is also called a correctional facility where offenders are held in confinement after conviction or while awaiting trial (Hanser, 2012; McShane & Williams, 2004). The study proposes to assess the effectiveness of prisons in Pakistan, with a special focus on prisons in Khyber Pakhtunkhwa particularly mentioned in the spatial map (figure-1), in provide a space for rehabilitation. By measuring recourse to criminal activities among former inmates, the study analyzes whether prisons contribute to rehabilitation or contribute to increased criminal behavior.

Figure 1



In our preliminary research, we found that previous research findings identify overcrowding as the leading problem in prisons in Pakistan. Prisons become overcrowded when the number of existing prisoners increases in prison outmatching available space (Hough, Allen & Solomon, 2008). In 2009, during the 8th commission on crime prevention and criminal justice, it was concluded that overcrowding in prisons has very serious effects on the health and behavior of the inmates, limiting the possibility of rehabilitation. The standard minimum rules for the treatment of prisoners (SMR) Rule 10 reads “prisons shall provide all the accommodation facilities like sleeping place, health care, climate condition, minimum floor space, heating and ventilation and lighting” but in many prisons around the world, the prisoners sleep in shifts or in congested place on one another with lack of basic facilities. The study investigates the extent and effects of overcrowding and other related issues in prisons in Khyber Pakhtunkhwa and relate it causally with the question of the quality of facilities and therefore to the eventuality of recourse to crime among released inmates.

Pakistan has the 23rd largest prison population in the world while the 5th largest death row population (World Prison Brief, 2019). As noted, the number of prisoners in prisons is more than the available space. According to Malik (2019), the number of total prisons in Pakistan were 120 in all four provinces and the total capacity of accommodation was for 57,712 people, but states had accommodated 77,275 prisoners against the SMR rules and inmates suffered poor physical and social condition (Dawn, 2019). According to the report of World Prison Brief in 2019, in Pakistani prisons 35.5 percent are legal offenders against whom the justice system

has announced imprisonment punishment while 64.5% inmates are pre-trial or awaiting trial. Demographically, 98.6% are male, 1.6% female, 1.7% juveniles, and 1.2% are those who held foreign citizenship (World Prison Brief, 2019).

In 1950, the first program for prison reform was introduced in Pakistan and the Ex-IG (India) Colonel Salamat Ullah was the chairman of the commission. Afterwards, various commissions were constituted for reforms in different provinces of the country under the support of the federal government, and these suggestions were unvaryingly agreed, but no prolific work was completed in the prison system due to financial constraints (Khan, 2010).

Out of 120 prisons in Pakistan, Khyber Pakhtunkhwa has 43 prisons, Punjab has 40 prisons, Sindh owns 26, and Baluchistan holds 11. These prisons are overcrowded because the total authorized capacity for 57,712 prisoners is available while in these prisons 77,275 prisoners are incarcerated (Malik, 2019). Although, the prison rule no. 745 showed that each prisoner should have 18 square meters in a barrack, but still these numbers are on the decline (Niazi, 2016).

1.1 Types of Prisons

They are different types of prisons and among them the number of district jails is 51, central jails are 25 and sub-jails are 21. Beside this, the other types are consisted in low number as mentioned in table No.1

Table 1: Types of Prisons

| S.No | Prison | No of prisons |
|------|--|---------------|
| 1 | High security Prison (H.S.P.) | 1 |
| 2 | Central Jail (C.J.) | 25 |
| 3 | District Jail (D.J.) | 51 |
| 4 | Sub-Jail (S.J.) | 21 |
| 5 | Judicial lock-up (J.L.) | 4 |
| 6 | Bristol Institutions & Juvenile jail (B.I) | 5 |
| 7 | Youthful Offender industrial school (Y.I.) | 6 |
| 8 | Women jail (W.J.) | 7 |
| 9 | Open Prson (O.P) | 1 |
| 10 | Interment Center | 5 |
| | Total | 120 |

Data collected from Prison Department (2020)

1.2 Provincial Wise Distribution

Among 120 prisons, 43 are present in Khyber Pakhtunkhwa, 40 are in Punjab, 26 in Sindh, and 11 are in Baluchistan.

Table 2 : Province wise prisons

| S.No | Province | No. of Prison |
|------|--------------------|---------------|
| 1 | Khyber Pakhtunkhwa | 43 |
| 2 | Punjab | 40 |
| 3 | Sindh | 26 |
| 4 | Baluchistan | 11 |
| | Total | 120 |

Data (2020) from Prison Department of all four provinces

1.3 Distribution on Type Basis

The following table shows the distribution of prison in all the four provinces on the basis of their types.

Table 3 : Provincial wise distribution of different type of prisons Provinces

| Prison types | Punjab | Sindh | Khyber Pakhtunkhwa | Baluchistan |
|--------------------------------------|--------|-------|--------------------|-------------|
| High security Prison | 01 | 00 | 00 | 00 |
| Central Jail | 09 | 06 | 06 | 04 |
| District Jail | 25 | 11 | 08 | 07 |
| Sub-Jail | 02 | 00 | 19 | 00 |
| Judicial lock-up | 00 | 00 | 04 | 00 |
| Bristol Institutions & Juvenile jail | 02 | 00 | 01 | 00 |
| Youthful Offender industrial school | 00 | 05 | 00 | 00 |
| Women jail | 01 | 03 | 00 | 00 |
| Open prison | 00 | 01 | 00 | 00 |
| Internment centre | 00 | 00 | 05 | 00 |
| Total | 40 | 26 | 43 | 11 |

Data (2020) from Prison Department of all four provinces

1.4 Prison Population

The latest data from the prison departments of all provinces shows that the Pakistani jails have the authorized capacity to accommodate 57,712 prisoners, but there are 77,275 in numbers which made the system overcrowded in the country.

Table 4: Provincial Wise Statistics of Prison's Population

| S.no | Province | No. of Prison | Capacity | Prison Population |
|------|--------------------|---------------|----------|-------------------|
| 1 | Punjab | 40 | 32447 | 47077 |
| 2 | Sindh | 26 | 13038 | 17239 |
| 3 | Khyber Pakhtunkhwa | 43 | 9642 | 10871 |
| 4 | Baluchistan | 11 | 2585 | 2088 |
| | Total | 120 | 57712 | 77275 |

Data (2020) from Prison Department of all four provinces

1.5 Convicted and Under-Trial Prisoners

Although, the size of female inmates is less than male among all provinces, but the number of under-trial prisoners is more than the convicted ones, which is the reason for overcrowding in jails. Among the total 77,275 prisoners, only 29,367 are convicted, while the remaining 48008 are under-trial prisoners. Furthermore, there are also 1204 female prisoners in all prisons of the country.

Table 5 : Population of Inmates in Pakistan

| S.No | Province | Prison Population | Male | Female | Convicted | Under Trail |
|------|--------------------|-------------------|-------|--------|-----------|-------------|
| 1 | Punjab | 47077 | 45646 | 769 | 20352 | 26725 |
| 2 | Sindh | 17239 | 16852 | 214 | 4808 | 12431 |
| 3 | Khyber Pakhtunkhwa | 10871 | 10670 | 201 | 3203 | 7668 |
| 4 | Baluchistan | 2088 | 2068 | 20 | 904 | 1184 |
| | Total | 77275 | 74870 | 1204 | 29267 | 48008 |

Source: Malik (2019).

1.6 Objectives

1. To assess the availability of existing financial, human and infrastructural resources in Haripur jail to determine whether these are used effectively to ensure rehabilitation of prisoners.
2. To qualitatively and quantitatively survey the availability of resources and facilities in prisons in Pakistan against international standards, and to measure whether the availability of these facilities in some places resulted in better outcomes.

3. To put forth concrete policy guidelines to improve the effectiveness of jails as a space for rehabilitation of criminals.

1.7 Research Questions

Central Question: 1. Are the resources available in the Haripur jail used optimally to ensure maximum rehabilitation outcomes for the incarcerated population?

Sub Question: 1. What are the human, financial and infrastructural resources available in Haripur Jail?

2. What policy improvements are possible to improve the rehabilitation outcomes for prisoners in Haripur Jail?

LITERATURE REVIEW

Rais Gul (2018) notes that prisons in Pakistan are punitive rather than rehabilitative in the approach. He cites a number of issues such as overcrowding, mental and physical abuse, and the lack of properly trained staff, to name a few, with which the prison system is riddled. The study provides a good theoretical assessment. However, it does not provide empirical data to promote its central hypothesis.

Akbar and Bhutta (2012) note that whereas the government does realize that criminal behavior is often linked with the situation of prisons, and reform commissions have been setup to deal with the issue, there are few practical steps that have been taken in followup.

Bhutta and Siddiqu (2020) provide a comparative study of prisons in Pakistan and India where they note that with slight differences, prisons in both countries face the same situation. There are a number of other useful studies that focus on a specific segment of prison population such as Ahmad and Murtaza who focus on juvenile delinquents, and Khan et, al. (2012) who study psychological depression among women prisoners in Peshawar.

There are other studies that focus on a specific issue related to prisons such as the Gorar and Zulfikar (2010) study that traces the prevalence of hepatitis C among prison population in Pakistan and Ali et, al. (2020) on criminal behavior in the prisons as. Gateway for long term criminality. Interestingly, although all the existing studies on prisons in Pakistan point to a number of problems and the effect of these problems to inmate rehabilitation, none of the studies actually make an empirical investigation to make a causal relationship, and therefore, provide concrete policy proposals.

2.1 Theoretical Framework

The study employs the organizational responsibility theory of prison management expounded by Susan C. Craig. Craig holds that the twin objectives of detaining the criminal away from the rest of the society and to rehabilitate and reintegrate them often come into conflict with each other. On account of the growing prison populations, the need to accomplish day-to-day functioning of the prisons, and related logistical difficulties, prison staff often prioritize control of prisoners over their rehabilitation. This 'control model of management' overlooks the rehabilitation needs of the prisoners and is effective insofar as it minimizes the risk of disorderly conduct in the prisons.

The organizational responsibility approach presupposes the prisoners as responsible subordinates. The prisoners are considered responsible since they are understood as having the capacity to understand the needfulness of their time in the prisons and they are considered subordinate since they are meant to follow the structure which is managed and overseen by the prison staff. This approach calls for greater social cohesion between the prison staff and prisoners. It also allows for a decision making where prisoners play some decision-making role.

Once the incarcerated population feel that their will has been integrated into the structure and programs, they show greater willingness to follow directions, thereby making rehabilitation more effective.

RESEARCH METHODOLOGY

The study adopted a mixed method involving elements of qualitative and quantitative research. It also includes the collection of both primary as well as secondary data. At the outset, the research generated empirical data regarding the state of prisons in KP after 9/11. Such data includes information such as the number and type of prisons in KP, the number and type of prisoners housed by each prison, and the related facilities in each prison. Such data is largely in the public domain. Wherever the data is unavailable online, we reach out to the relevant prisons department or to the prison and district administration.

The second part of the research that narrows down the focused-on Haripur jail generates more primary data. Such data included interviews with prisoners, both current and former, and with the jail staff, both staff of the line agencies and the staff departments. In-depth interviews were conducted especially with repeat offenders. The questions tried to reveal to what degree their stay in jail has resulted in their drift away or into criminality. Five interviews were conducted with individuals who remained incarcerated in the past but have since avoided criminal persecution. These latter respondents were chosen through the snowball method.

Interviews were also held with the provincial bureaucracy concerned with managing the public policy affecting the prisons, even when they may not be directly involved in prison management. The interviews of the prisoners followed representative sampling techniques where the interviewees included the number at which they were incarcerated. We used the snowball method for reaching out to former inmates and to the provincial bureaucracy.

The secondary data focuses on international standards dealing with prisoners. There are a number of UN and Human Rights Watch documents that provide humane practices, norms, and guidelines for treating inmates and training prison staff. Further, some literature is available on prisons in Pakistan that the study would consult for the research.

The interviews will undergo thematic analysis to identify specific areas of concern. The thematic analysis will bring forth comparisons in how different categories of individuals view the challenges and conditions of prisons and how the resources are made available and allocated. The quantitative aspect will make international and interprovincial as well as temporal comparisons. We will also quantitatively trace changes in resource allocation and staff training and correlate them with changes in the conditions of prisons.

3.1 Sampling for Questionnaires

This research study used a random sampling method at central jail in Haripur. Every 9th male and every 5th female prisoner of each central jail was consulted for the survey.

According to sample size average population for the survey in Haripur jail will be 500 (400 males and 100 females). The number of respondents can be increased or decreased if needed. Survey questionnaires were collected through the kobo toolbox and were analyzed through SPSS software with the help of statistics expert.

FINDINGS AND DISCUSSION

This part of the study looks at the development of prisons and prison related laws, rules and regulations. The chapter starts with a discussion of the prison system in the Indian Subcontinent and gradually narrows it down to a discussion of the status and rules of prisons in Pakistan and eventually Khyber Pakhtunkhwa. Understanding the development of prison rules

in the Indian Subcontinent is integral to our understanding of the present-day prisons in Khyber Pakhtunkhwa because the current system is, as the discussion in the subsequent sections highlight, is an extension of the prison rules and administration from the foregone era. Such a discussion also allows us to understand whether some of the issues that plague prison system in Pakistan are in fact caused by the pre-partition prison system.

The latter part of the chapter also discusses international protocols and standards for prison management – especially the UN-backed Mandela Rules. These rules serve as the general guidelines for the maintenance of humane and more rehabilitative prison system. The illustration of these rules permits us to use them as the benchmark and standard against which the effectiveness of current rehabilitation regime can be assessed.

This part also discusses the prison system of Khyber Pakhtunkhwa with its different categories, organogram and structure of upper executive staff, hierarchical order and functionality of different sections of prison department. Counter violent extremism and rehabilitation programmes along with skill development programmes for different age categories and genders in some areas of the province are also the part of this study. Visits of Central, District and Sub jails to report the current situation is also incorporated. Furthermore, crime data since 2000-2018 is also shared in this study. Moreover, probation and parole with its functionality and structure in context of historical perspective and present day situation, role and limitations of probation in the reintegration of offenders in society is also discussed in this study,

4.1 A Brief History of Prisons, Prison Laws, and Prison Reforms in Pakistan

4.1.1. British Era

The available records of prisons in ancient India suggest that prisons were typically places of detention where criminals were held in captivity while they waited for and underwent trial. Imprisonment was rarely seen as punishment in itself. Typically, accused individuals were confined in prisons while they awaited their trials or until their judgements by authorities were pending. The conditions in prisons in ancient India were brutal and lacked basic needs of life. (Mohanty, Narayan, 1990) The same practice continued during the Mughal period with one major distinction – the creation of ‘noble prisons’ where castles were used as prison facilities to detain individual with social or political distinction. Three such facilities existed namely in Gwalior, Ranthambore, and Rohtas – the last falling in the modern-day Pakistan. (Sarkar, 1920)

The British colonial authorities established the idea of modern prisons in India. The new prison system was consistent with the notions of punishment that were becoming commonplace in Europe and North America. These new prisons type that McGowen refers to as the “well-ordered prisons” were run by professionally trained prison administrators. These prisons were cleaner and provided for various aspects of life for the prisoners. (McGowen, 1995) The first British proclamation of the new prison system was the Bengal regulation III of 1819. Imtiaz Omar notes that the regulation established the idea of ‘preventive detention whereby the colonial authorities could detain an individual without having to bring the prisoner to trial. Such measure could be taken in anticipation that the individual might commit a crime. (Omar, 1996) The Committee on Prison Discipline (1838) proposed the establishment of a prison system that involved “monotonous, uninteresting labour” and deprivation from all indulgences “not absolutely necessary to health”. (Yang, 1987) The prison system established under such conceptualisations was fashioned to suit the requirements of the colonial system.

Bombay Act II of 1874 was the first British initiative that demanded the assessment of conditions in Prisons. The provisions of the act were limited to the Bombay Presidency. It called for the appointment of a medical officer by the government. Such a medical officer had the authority to inspect the sanitary conditions of prisons and inform the district judge regarding the state of the prisons and the prisoners. (The Civil Jail Act, 1874) The act that was also titled the Civil Jails Act outlined a number of other initiatives that the staffs of jails or the supervisor

(called naazirs) were supposed to undertake to ensure the wellbeing of the prison population. For our study, it is noteworthy that this act laid the foundation of the idea of treating prisoners more humanely, and for making prisons a more hospitable place.

The most comprehensive legal instrument dealing with the administration of prisons in the British India was Act No. IX of 1894 also referred to as the Prisons Act 1894. The comprehensive law that extended to all of British India detailed all aspects of prison life in its twelve chapters. It included the details of the roles and responsibilities of the prison officials. These officers included superintendents, jailers, medical officers, and other subordinate officers. Further, it provided thorough guidelines on the food and clothing, employment, and health facilities to the prisoners. Further, the Act described the conditions for visits to prisoners and the offenses related to prisoners.(THE PRISONS ACT, 1894)

In 1897, the Reformatory School Act was passed. The Act, also called Act No. VIII of 1897, instituted reformatory schools for youthful offenders. In addition to calling for sanitary and healthy conditions for the prisoners, the law also outlined specific conditions needed to deal with young inmates, such as capacity to separate prisoners at night. Notably, for the purposes of our current study, the Act also called for occupational training to young offenders to facilitate their rehabilitation. (THE REFORMATORY SCHOOLS ACT, 1897) Further legislation was carried out in Punjab to established Borstal Institutions under Borstal Act 1926. These institutions were created to house adolescent offenders. This exhaustive Act provided that the adolescent offenders would receive vocational as well as moral training for better integration into society upon their release.(THE PUNJAB BOSTAL ACT, 1926)

The Prisoners Act of 1900 (Act III of 1900) provided further guidance on carrying out writs, warrants, and orders of courts and other competent authorities in relations to prisoners.(THE PRISONERS ACT, 1900) The first stand-alone detailed manual for prison administration was passed in 1932. The Prison Manual 1932 laid the foundation for later prison administration rules after the independence of Pakistan. The manual that came into force under the Section 59 of the Prisons Act 1894, complemented the aforementioned laws. The manual provides a comprehensive view of issues pertaining to prison management such as dealing with bonds and bails, the procedures for carrying out punishments, dispensing matters related to European prisoners, and for overseeing the question of accidental or natural death of those in custody.(Bhutta & Siddiqui, 2020) It should be understood that the establishment of jails under the British empire was supposed to cater to the needs of a colonial authority to counter resistance, in addition to detaining the criminals. The prison administration, it needs to be understood, followed the systemic “legal construction of racial difference in India”. As Elizabeth Kolsky has highlighted in her seminal work *Colonial Justice in British India*, the legal apparatus, to which the prisons constituted an integral part, deprived the Indian subjects of protections that were available to the white subjects and officials of the British Raj. As we discover in the succeeding lines and sections, many of the features of such colonial practices have seeped into Pakistan’s prison system after independence.

4.1.2. Prison Law and Reform after Independence:

The first important matter pertaining to prisoners that surfaced in the immediate aftermath of the independence was the repatriation of prisoners to and from India. To deal with the matter, the Pakistan (Exchange of Prisoners) Ordinance 1948 was issued. This ordinance was issued in response to the commitment reached by the governments of Pakistan and India. India government also passed a corresponding act to the same effect. Principally, the act laid down conditions and articulated the procedures for repatriation of prisoners to India. It highlighted the role of the provincial governments and outlined the jurisdiction of courts and other authorities in dealing with these prisoners. (THE PAKISTAN (EXCHANGE OF PRISONERS) ORDINANCE, 1948) The interesting aspect of the ordinance is that it was the first instance after

creation of Pakistan where laws dealing with prisoners were issues to correspond to and to comply with international agreements.

The first notable effort at introducing prison reforms in Pakistan was the establishment of Punjab Prison Development Commission in 1950. The Commission was led by Salamat Ullah who had previously served as the Inspector General Uttar Pradesh. The recommendations of the commission resulted in the development of *Punjab Prison Manual 1955*. (Anwar & Shah, 2017) Similarly, East Pakistan Jail Reform Commission was established under the headship of Rehmat Ullah (CSP) who served as the Commissioner Dacca Division. The Commission published a report in November 1957. (Report of the East Pakistan Jails reform commission, 1957) Both these commissions advocated for more humane treatment of prisoners held in the respective regions.

In 1968, the West Pakistan Jail Reforms Committee was constituted under the chairmanship of Mr. Justice S.A. Mahmood. The committee remained operative until 1970. Taking a more practical approach to jail reforms, the committee pointed a number of glaring inadequacies in the prison system of Pakistan. In 1969, the Mr. Mahmood noted that the West Pakistan needed at least ten more jails to fulfill the need for housing incarcerated population. He also lamented the fact that there existed only a single juvenile prison in West Pakistan located in Landhi, near Karachi. The committee proposed the establishment of more juvenile facilities in major cities. It also emphasised the need for broadening vocational training facilities and industries in prison and the need for providing religious and moral training to prisoners. The committee recommended the establishment of a fund to support prisoners upon release until they found themselves a suitable source of livelihood.(Nyrop, 1975)

As a more ambitious effort to deal with the issue of prison reforms, a month-long Jail Reforms Conference was held in mid-1972. The conference participants included provincial home secretaries, jail officials including superintendents of jail, academics dealing with the subject of imprisoned population, and members of the civil society. The conference identified overcrowding as the main challenge for the prison system. At the time, it was estimated that on average the prison system had to deal with 65 percent more prisoners than the capacity of the system. The conference highlighted both the reduction in number of prisoners as well as the establishment of new prison facilities to create jails that fulfilled the needs for better centres of rehabilitation.(Nyrop, 1975) It is important to highlight that the Constitution of Pakistan 1973 vested the responsibility of managing prisons with the provinces.

The currently in-vogue, Pakistan Prison Rules 1978, are largely a product of the Jail Reform Conference 1972.(Human Rights Commission of Pakistan, A Penal System Long Overdue for Change, Lahore, 1996) The 1978 prison rules were adopted by all provinces and have been with some changes the current legal framework for the operations of prisons in Pakistan. The rules are divided in various chapters in which it provides detailed directions on wide-ranging issues. It lays down the type of criminals and detainees and the treatment for each type and class. It also specifies the four types of prisons – these include Central Prisons, Special Prisons, District Prisons, and sub-jails. (Pakistan Prison Rules, 1978)

The rules provide guidelines on admission, transfer, discharge, and removal of prisoners. It provides directives on delivering medical services to prisoners and describes the procedures for medical examination of the prisoners – in particular outlining a separate procedure for the women prisoners. The rules prescribe the procedures for registering and maintaining records, dealing with special cases of prisoners such as mothers with innocent children and foreigners, collecting and dispensing with the fines levied on prisoners, and ensuring the safe custody of prisoners' property.(Pakistan Prison Rules, 1978)

Ultimately, the rules lay down the most elaborate set of procedures for ensuring humane confinement and potential for rehabilitation in Pakistan history. It calls for ensuring health, education, moral development, and special needs of the prisoners. It goes into the minute details

of issues such as vaccination against specific diseases and the intricacies of prison administrative hierarchy and the roles of each officer. (Pakistan Prison Rules, 1978) With some changes, these rules have been the standard for the management of prisons and the treatment of prisoners.

On various occasions since the adoption of the 1978 rules, committees, commissions, and other bodies, both at the federal as well as at the provincial levels, have been constituted with agenda to propose prison reforms. Special Committee on Prison Administration (1981), Prison Reforms Committee (1985), Jail Reforms Committee (1994), Pakistan Law Commission (1997), and Task Force on Prison reforms (2000) are to name a few prominent examples. (Khan,2010) It is notable to mention that in all the reports completed by these reform bodies overcrowding has been identified as the main source of prison challenges in Pakistan. It has been highlighted that all other issues such as inadequate care, lack of proper rehabilitation facilities, under-resourced and under-trained staff, and the lack of space are a consequence of overcrowding in prisons.

Despite the fact that prison reforms initiatives had been introduced with a degree of regularity, the core issues in prisons remained largely unaddressed. Foremost, the issue of widespread overcrowding, as highlighted by almost every reform commission, could not be resolved. In spite of the construction of new facilities of incarceration, the capacity could not keep pace with the overall growth of population, consequently enhancing the growth in prison populations. Similarly, prisons and prison staff were not equipped in dealing with new types of incarcerated populations. Most notably, when the number of individuals confined for terrorism related crimes increased manifold, the prisons did not adopt procedures and programs suited to deal with these individuals. Similarly, the training of prison staff that was a recurring theme in these reform initiatives and proposals was only paid lip service. Even when trainings were made available, it usually had little relevance for carrying out the routine business of prisons.

4.1.3. Prison Law and Reform in Khyber Pakhtunkhwa

As noted, under the constitution of Pakistan, the subject of prison administration falls under the authority of the provincial governments. It is important, therefore, to take into account the specific laws that deal with prisons and prison management in Khyber Pakhtunkhwa. Like other provinces, the aforementioned Prisons Act 1894 and the Prison Rules 1978 remain in vogue in Khyber Pakhtunkhwa. Although all provinces in Pakistan have adopted and to a large degree retained the same acts, these Acts have been amended from time to time. In the following section, we discuss how the KP legal landscape surrounding prison administration changed over the past few decades.

The noteworthy examples of changes in existing laws in Khyber Pakhtunkhwa prison system have been the Prisons NWFP (amendment) Act 1996 that came into force in July 1996 as an amendment to the Prisons Act 1894 (The Prisons N.W.F.P (Amendment) Act, 1996) and the Good Conduct prisoners Probational Release the NWFP (Amendment) Act 1996 that facilitated the waiver of partial sentence for prisoners demonstrating better conduct.(The Good Conduct Prisoners Probational Release The N.W.F.P (Amendment) Act, 1996)

Additionally, in 2011, the Khyber Pakhtunkhwa Borstal Institutions Act was passed to establish Borstal institutions to better manage the affairs of young offenders. The act laid down the groundwork for the establishment of such institutions. It also outlined the responsibilities of the staff at these institutions in particular the director and the principal. Furthermore, the act provided details on handling matters such as the release, transfer, and remission of the inmates, the imposition of penalties for disorderly behaviour, and providing other resources needed at the correctional facility.(Khyber Pakhtunkhwa Borstal Institutions Act, 2011)

In 2018, the Khyber Pakhtunkhwa Assembly passed Khyber Pakhtunkhwa Prison Rules 2018 as an amendment in the 1894 prion rules. The amendment expunged more than 200 rules from the 1894 Act. The aim of these changes was to remove the clauses of act that had become irrelevant over time. Some other clauses were merged together to enhance coherence. Further, the

purported objective of the amendments was to make the rules more closely adhere with the international standards enshrined in the Bangkok and Mandela Regulations. (KP Prison Rules, 2018)

The latest change to the Prison Act 1894 adopted in Khyber Pakhtunkhwa is the Prisons (amendment) Act 2020. The key purpose of the amendment was to establish and regulate facilities for skill training and business activities inside jails. The amendment also aims to organize the use of proceeds that may be generated from these business activities. Specifically, it allows Inspector General of Prisons to use these resources for the welfare of the prisoners and to improve the working and living conditions of the prisoners. (The Prisons (Amendment) Act,2020)

4.1.4. International Rules and Standards for Treatment of Prisoners

Scholars have identified two broad models of prison management – control and rehabilitation. Each category, as denoted in the nomenclature, corresponds to specific goals. Unsurprisingly, therefore, the strategies that either model adopts in dealing with the incarcerated population is different. As the brief history of prisons and prison management described in the previous section highlights, the initial notion behind establishing prisons was to ensure compliance in population. Therefore, the control model was considered more suitable to the purpose. Gradually, however, as the relationship between states and societies continued to change, the treatment of imprisoned population also transformed, and the rehabilitative model was considered more appropriate for the purpose. This latter model is designed to reform rather than control individuals who find themselves on the wrong side of the law.(Craig, 2004) The international standards set in the aftermath of such an academic change run parallel to the change and take a more rehabilitative and reformatory view of prisons. The same view has since become commonplace in many societies, but the Scandinavian countries have elevated it to exemplary levels.

International Penal and Penitentiary Commission (initially called International Prisons Commission) were founded by various European nations in 1872 with a view to develop a common framework on criminal and prison reforms. After the League of Nations was created in 1919, the Commission became associated with the League. The Commission organized conferences in 1926, 1930, and 1935 with the agenda to develop international standards on prisons. In 1926, the IPPC worked on proposing Standard Minimum Rules for the treatment of prisoners. In 1934, the League endorsed 55 rules that the IPPC had proposed. (Clifford, 1972) However, during the Second World War, the League and consequentially the IPPC remained inactive. (The United Nations and Crime Prevention, 1991)

After the creation of the United Nations in 1945, the IPPC was integrated into the new world body. The United Nations had already included in its mandate the development of a justice system that ensures citizens their basic rights. In December 1950, the IPPC was replaced by International Penal and Penitentiary Foundation (IPPF) in 1951. Although the Geneva Conventions had already laid down standards for treatment of prisoners, those standards applied to a specific set of prisoners who were captured in a war – prisoners of war. The first significant effort to codify and apply benchmarks for fair treatment of ordinary inmates under the UN system was the Standard Minimum Rules for the Treatment of Prisoners. (Bassiouni, 1995)

The Standards were adopted in the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders held in Geneva in 1955. The standards, it should be noted, were considered ‘soft sources’ of international law which entails that the standards provide guidelines on matters of international concern but are not legally binding. The rules were adopted by the Economic and Social Council in its resolutions in 1957 and in 1977.(Rodriguez, 2007) The purpose of the rules, it was stated, is to integrate the humanitarian spirit codified in the Universal Declaration of Human Rights into the prison systems.(Besharov & Mueller, 1971)

However, it should also be understood that as the nomenclature suggests, the Minimum Rules lay down the lowest expectations a state should meet towards the treatment of its prison population.

Since then, the Standard Minimum Rules (SMRs) have undergone changes and expansion. The most expansive addition to the Rules came in 2015, when the General Assembly reformed and reintroduced SMRs under the title “Nelson Mandela Rules” – to honour the most noted prisoner in the recent memory. Today, the Nelson Mandela Rules set the standards for the treatment of prisoners whether those awaiting trial or those serving time for sentences. The United Nations Office on Drugs and Crime (UNODC) led the development of the rules and United Nations Office of the High Commissioner for Human Rights (OHCHR) ensured that the Nelson Mandela Rules were consistent with the international standards on human rights. (Gilmour, 2023)

The provisions of Nelson Mandela Rules can be broadly categorized in seven subject areas: “basic principles of treatment; safeguards [against mistreatment]; material conditions of imprisonment; security, order and discipline; prison regime; healthcare; and [the professional and personal suitability of the] prison staff.” Usefully, the areas have been categorized in the UNODC published document titled Assessing compliance with the Nelson Mandela Rules: A checklist for internal inspection mechanisms. (UNODC, 2012) The document is helpful in assessing whether the prison system in a particular jurisdiction is in compliance with the Nelson Mandela Rules. Our current study also uses the checklist as a set of measures against which the efficacy of Pakistani prisons, especially the Haripur Jail, is evaluated.

4.2. Prison Department Khyber Pakhtunkhwa

Central Jail Peshawar is the largest and recently restored jail of KP with the capacity to house 3000 prisoners in a 3 storey building. Central Jail Mardan is the 2nd largest a capacity to hold 2000 prisoners. Third largest jail of KP is the Central Jail Haripur with the capacity to detain more than 1700 prisoners. Total capacity for prisoners in Khyber Pakhtunkhwa has been recently enhanced after the development of several sectors and with the construction of new blocks in different jails. At the moment, the total capacity of prisons in Khyber Pakhtunkhwa has increased to about 13,500 inmates.

The Prison Department is functioning under the administrative control of the Khyber Pakhtunkhwa Home Department. The Inspector General of Prisons is Head of the Department at Provincial level, assisted by Five (5) Circle Headquarters of Prisons in the Khyber Pakhtunkhwa Province i.e. Circle Headquarters Prison (Peshawar, Mardan, Haripur, Bannu, D.I.Khan).

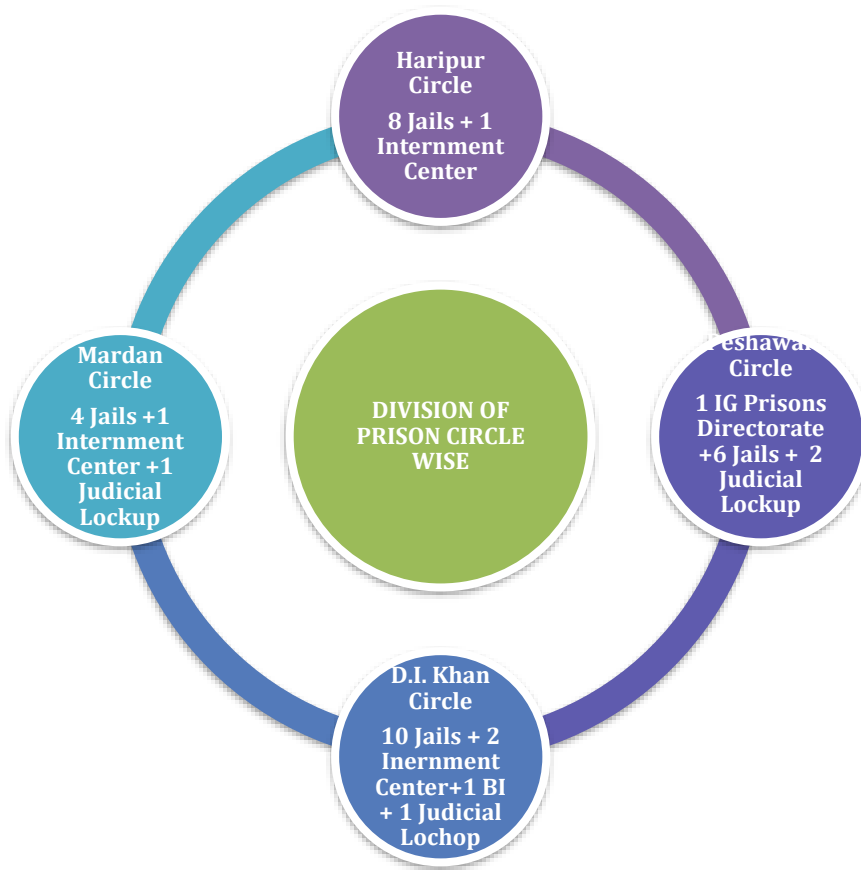


Figure 2

<https://prison.kp.gov.pk/page/overview>

Khyber Pakhtunkhwa Prisons Map



Figure 3

<https://prisons.kp.gov.pk/prisons-map/>

4.2.1. Organogram

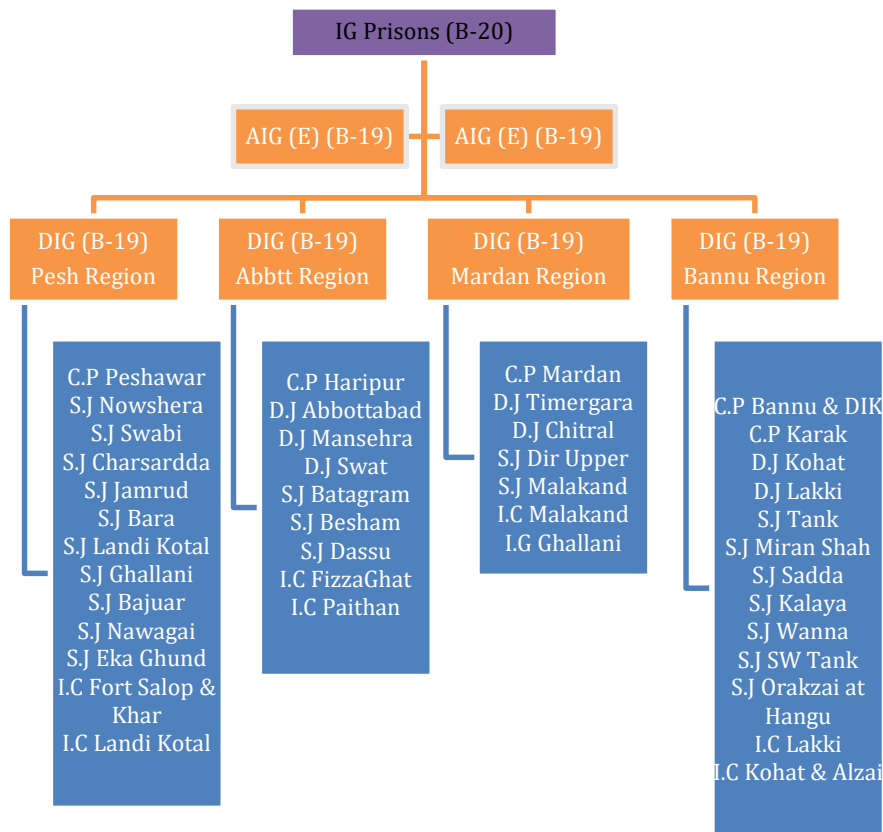


Figure 4

<https://prisons.kp.gov.pk/wp-content/uploads/2021/11/Organogram-Insp.jpgs>

4.2.2. Staff Hierarchy of Prison in Khyber Pakhtunkhwa

4.3 Current Conditions of Selected Prisons of Khyber Pakhtunkhwa

This part of the study provides an overview of the current conditions of select prisons in Khyber Pakhtunkhwa. The analyses in this section look at the various markers, associated by the Mandela Rules, with the quality of imprisonment facilities. Such analyses help set up the study of Haripur Jail in the later sections. It allows us to understand the degree to which the Haripur Jail can be deemed as an exemplar for prisons in Pakistan in general and those in Khyber Pakhtunkhwa in particular.

4.3.1. Sub Jail Swabi



Figure 5

Swabi Jail was established in 1894 as a judicial lockup. It remained in this status until 2018. In 2019, the status of the incarceration facility was upgraded to a sub jail. Our preliminary research found that the jail is overcrowded. The staff told the researchers that the prison housed inmates almost 4-times its capacity. Majority of inmates were said to be undertrial and a large number of them were also drug addicts.

FACILITIES AND ISSUES: Interestingly, there is a 6-bed health facility that has been established by the prison staff. The facility has no record in the government records. Three medical officers and two *hakeem* help run the facility. Needless to say, that the jail does not provide any rehabilitation facility to the large number of drug addicts it houses. It also lacks psychological or psychiatric assistance for the prisoners or prison staff.

In addition to the lack of proper health facilities, the prison has poor hygiene which further deteriorates the health conditions of the prisoners. There are several prisoners who carry Tuberculosis. As noted, many prisoners are drug addicts. The available facilities are much below the expected level.

Another issue that was raised by the staff at the prison was the absence of residence for the staff. Such absence of space makes it difficult for the jail staff to perform their duties, many of whom are from far away areas.

4.3.2. Central Jail Mardan

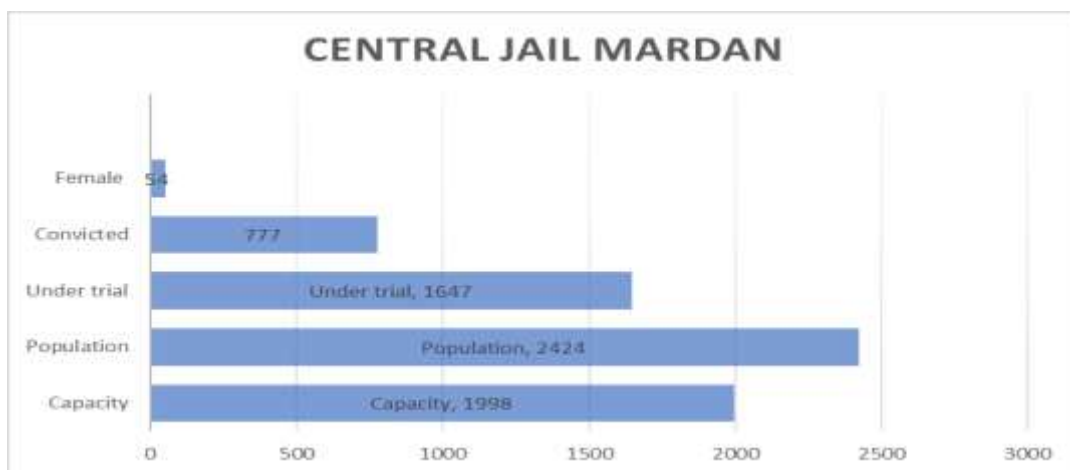


Figure 6

The Jail was established and was handed over to jail department in 2015. A majority of convicted inmates were moved to this jail from the surrounding jails (Swabi, Nowshera, Charsadda, Malakand).

FACILITIES: The jail has a 180-bed hospital with 16 paramedics, 8 doctors and 1 psychiatrist (facilities and staff available for male and female inmates and staff). This facility is quite well equipped and better resourced than most other prisons in the province. The jail also boasts an advanced surveillance system. Additionally, the prison also has a separate Mess for staff members.

SKILL DEVELOPMENT & TRAINING FACILITY: It was reported to us that vocational training facilities were made available to the prisoners. Notably, Marble industry (theory and practical classes) theory classes were completed and currently they were working on practical classes.

The training facilities were also made available for the jail staff. For instance, the jail has the capacity to train staff members inside jail premises. Such training mainly focuses on stress management training, PPR and physical training. The officials claimed that 309 staff members were fully trained and subsequently passed out. Currently, two more batches of 30, 27 are under training process.

The officials conveyed that the prison holds various events such as stage show and surmons from religious leaders, for staff and inmates. Regular Sport gala including games such as Cricket and basket ball between inmates and staff as well with different prison in surroundings.

4.3.3. Sub Jail Malakand

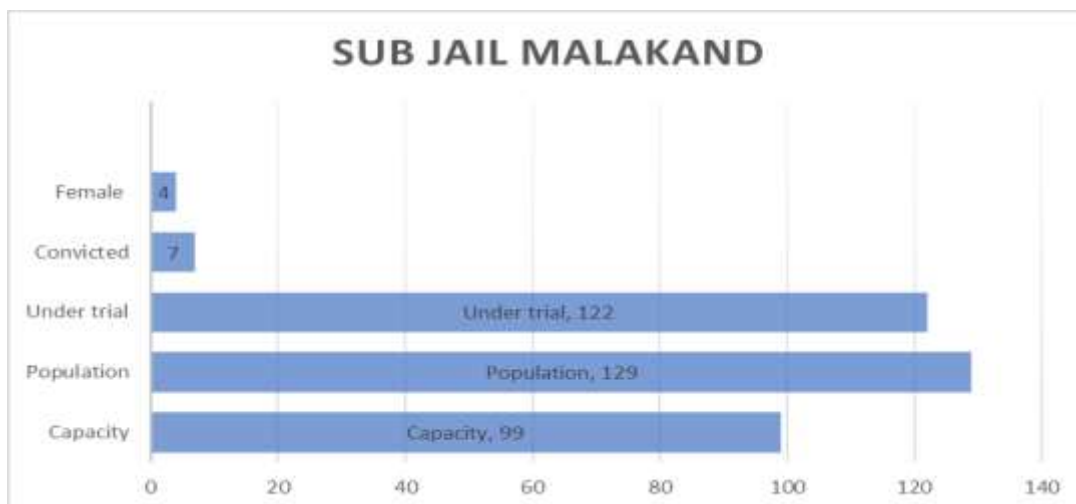


Figure 7

The jail was established in 2003. It has the capacity of housing 99 inmates. However, the current prison population is 129. It should be noted that majority of inmates are under trail. Staff members are 43 male and 3 female.

4.3.4. Sub Jail Charsadda

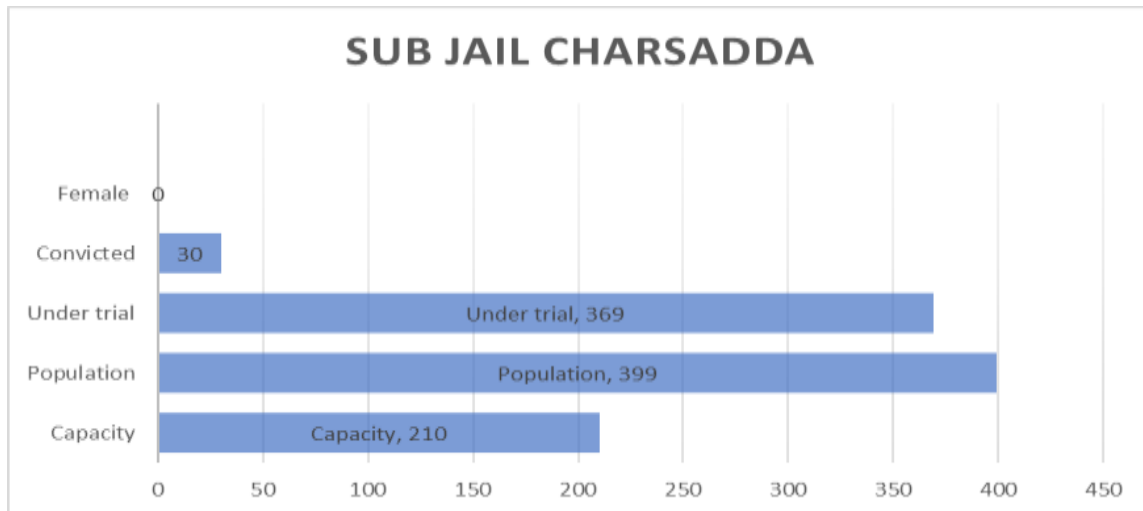


Figure 8

The sub jail has a capacity of 210. However, there are currently 399 inmates in the prison – almost double its capacity. The total Male staff members are 62 and female staff are 7. The covered area is about 10 kanal 11 marlas.

FACILITIES: The Charsadda sub jail has a Detoxification Center. The staff members also include a Medical officer. The advantage that Charsadda Sub Jail has over some other prisons is that it provides residence for staff in the form a colony. The staff noted that, as per the ruling of the High Court, Psychiatrist and other medical facilities are provided outside from the jail.

4.3.5. Sub Jail Nowshera

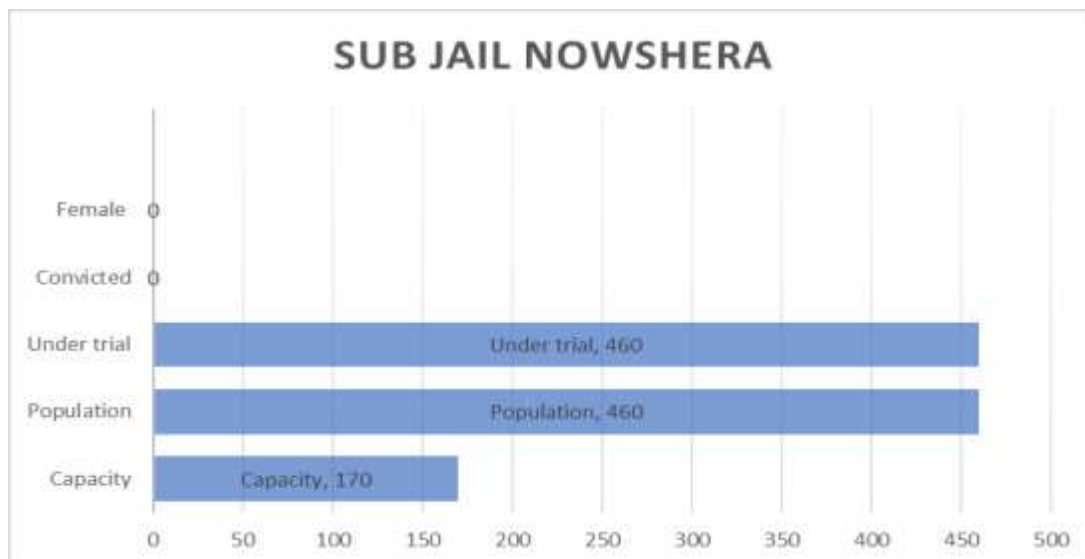


Figure 9

The Sub Jail Nowshera remained a judicial lockup till 2018. It was upgraded to sub jail in 2018. Officially, the jail has a capacity to accommodate 170 prisoners. However, the Jail is almost three-times overcrowded with a population of 460 inmates (male inmates). Interestingly, all the inmates are under trial. Also, there is currently no female prisoner in Nowshera jail.

One of the foremost issues raised was that there were poor residence facilities for staff member. They reside in barrack and quarter. The jail has 60 male and 4 female staff members. It was noted that there were suggestions that the sub jail may be elevated to District jail in near future.

4.3.5. District Jail Buner

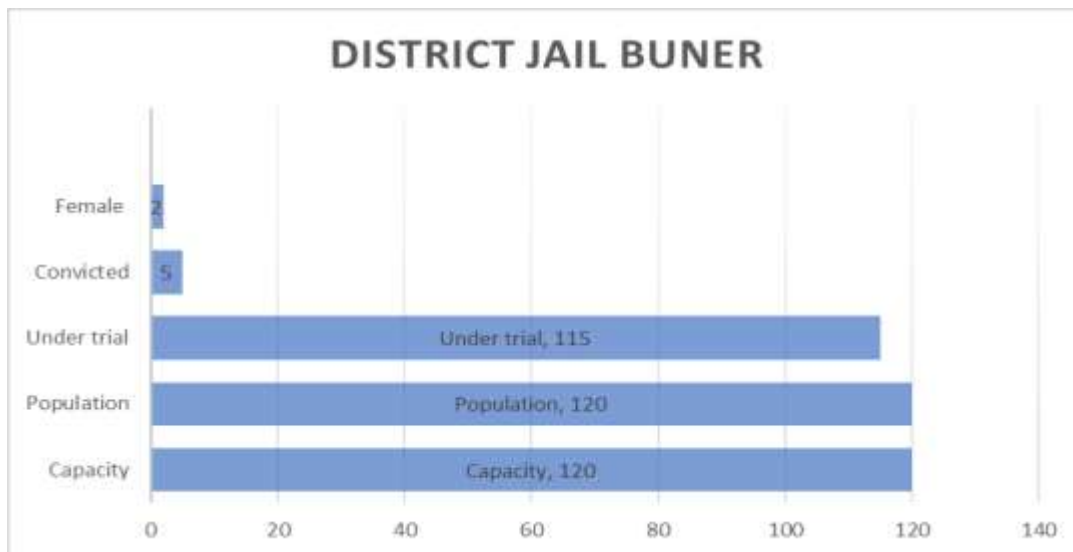


Figure 10

The District Jail Buner houses 118 male and 2 female prisoners. The staff reported that the inmates themselves established a hospital of 4 beds. In addition, a quarantine centre, and other basic health facilities are available. Only 5 convicted inmates are present in the jail and rest are undertrial.

Among the staff members, there are 5 females. There is a Basketball court for prisoners to play. The staff arranges regular sermon from religious leaders. Whenever needed a visit of doctor or another physician is facilitated.

4.3.6. Central Jail Peshawar

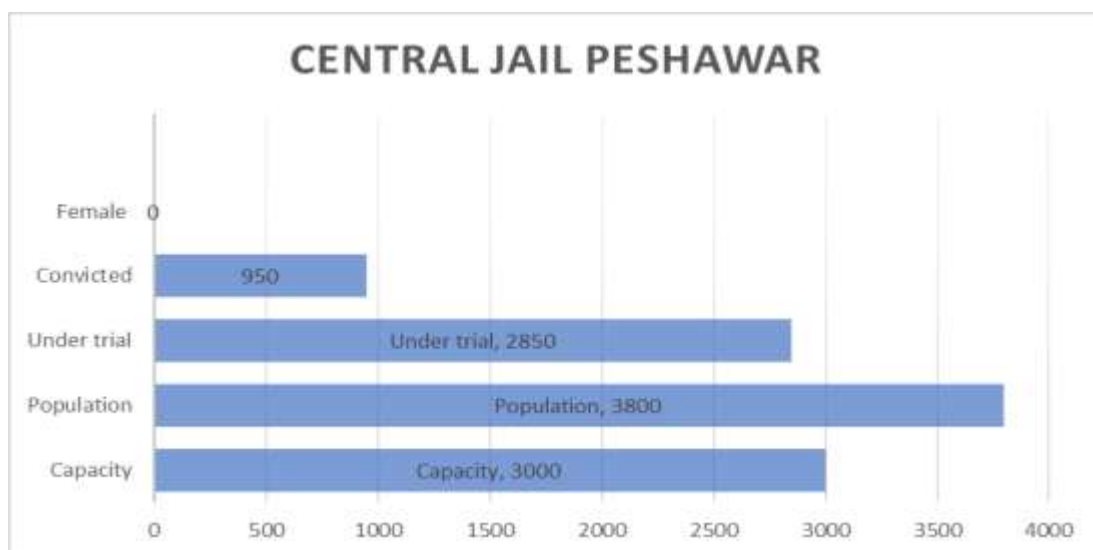


Figure 11

The provincial headquarter Peshawar jail was established in 1854. The jail has skill development for inmates (Leather industry) 3 storey building.

The prison has limited residence facility for staff. There is a hospital and doctors. The jail has separate staff for male and female inmates. The prison is also equipped with Advanced Surveillance system.

4.4 KP Prison Department Budget and Cost on Prisoners

The following data represents the Khyber Pakhtunkhwa Prison Department cost of prison and per prisoner cost, provided by Inspector General Prison Directorate Peshawar.

Table 6: Per prisoner Cost Excluding Development Budget

| | | |
|---|-------------------------------|-----------------------------|
| 1 | Allocated Budget (Salary) | 2,717,098,000 |
| 2 | Allocated budget (non-Salary) | 1,359,0001,500 |
| 3 | Total (Salary + non-Salary) | 4,076,099,500 |
| 4 | Per Prisoner Cost (Per Annum) | 4,076,099,500/14321=284,624 |
| 5 | Per Prisoner cost (Per Day) | 284,624 / 365 = 779.791 |

Table 7: Per prisoner Cost Including Development Budget

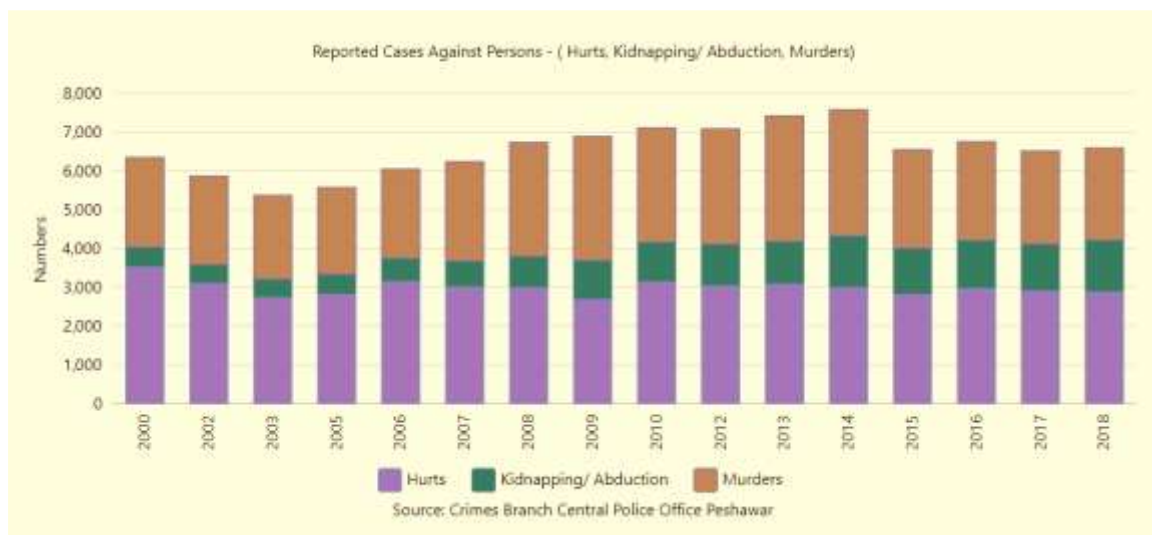
| | | |
|---|-------------------------------|-----------------------------|
| 1 | Total Current Budget | 4,076,099,500 |
| 2 | Total Development Budget | 563,492,000 |
| 3 | Total | 4,639,591,500 |
| 4 | Per Prisoner Cost (Per Annum) | 4,639,591,500/14321=323,971 |
| 5 | Per Prisoner Cost (per Day) | 323,971/365=887.591 |

Source: IG Prison Directorate, Peshawar, Jan 2023

4.5 Crime Data Khyber Pakhtunkhwa 2000-2018

Chart of reported cases against person in Khyber Pakhtunkhwa as a whole.

Figure 12



Source: <https://kpbos.gov.pk/search/indicator-detail?id=724>

4.6 Countering Violent Extremism Initiatives in KP Prisons since 2001

Academics have paid much attention in recent years to the function of deradicalisation and rehabilitation programs in preventing and combatting violent extremism in prisons. Scholars and practitioners have paid close attention to programs like the United Kingdom's "Prevent" component of its counter-terrorism policy, Saudi Arabia's "Prevention, Aftercare, and Rehabilitation," and Indonesia's "De-radicalization." These programs show a substantial change towards a soft' strategy for fighting terrorism and violent extremism, with a primary emphasis on the reintegration of ex-extremists into society (Ahmed & Shahzad, 2021).

Similarly, Pakistan has launched several deradicalisation initiatives in various contexts, collectively called DREPs (De-Radicalization and Emancipation Programs)(Noor, 2013) (see Table I for an overview). Many DREPs have focused on the Pakistani province of Khyber Pakhtunkhwa (KP), especially the (previously federally governed) tribal areas, since violent extremism was understood to be most pervasive there. Although DREPs have yielded the hoped-for outcomes, many experts in the field still need to be convinced about their usefulness. These doubts may be traced back partly to the absence of hard evidence linking the programs with improved rehabilitation or social reintegration outcomes. Furthermore, some academics have pointed out the lack of a coherent and institutionalised method and process for assessing the efficacy and sustainability of the deradicalisation and rehabilitation centres.

This desk study "rethinks" current deradicalisation efforts in Pakistan via the lens of prison-based rehabilitation frameworks, elaborating on the possibility of KP prisons as an alternative vehicle for an organised and lasting rehabilitation process (Ahmad et.al., 2022). It does this by pinpointing vital elements of the 'correctional environment,' or prison system, built on rehabilitation and reintegration. The KP Facilities Department was the primary source of information used here. The data collected helped shed light on the prisons' current (indigenous) infrastructure and its potential for rehabilitation and post-release reintegration into the community. This study claims that the KP Prisons Department is a plausible institutionalised setup for deradicalisation and fighting violent extremism if one views the correctional environment and accompanying infrastructure as the critical element affecting the behaviour of subjects (i.e., inmates/prisoners). The study elaborates on the disciplinary processes used inside prisons, particularly the educational programmes (vocational, religious, and technical training), developed with an eye on the pre-arrest and post-release job (prospects) and community (re)integration.

"Youth" constituted a vast majority of individuals arrested as militants or had (indirect or direct) ties to terrorist groups. Many experts have recognised multiple micro and macro-level socio-economic and psychological elements as structural causes of violent extremism and terrorism. Because of these considerations, it was determined that a "soft" strategy was necessary to guarantee not only their "rehabilitation," but also their "reintegration" into their respective society.

After Operation Rah-e Rast was successfully concluded in 2009 in Khyber Pakhtunkhwa, the Pakistani military publicly began operations to rehabilitate and deradicalize terrorists in Pakistan in light of the above (Shah, 2018). Subsequently, DREPs was expanded to include all of Punjab and some of the former FATA (Afridi et.al., 2014) (see Table I). There are four main components to these types of programmes:

1. Psychological counselling.
2. Countering extremist beliefs with alternative religious narratives.
3. Providing (formal) education, including vocational training and skill development; and easing the individual's transition back into mainstream society.

Table 8: De-Radicalization and Emancipation Programs

| No. | Centre(s) | Audience Intended | Facility Region |
|-----|--------------------------------|---------------------------|-----------------|
| 1. | Khyber Programme (Centers) | Adults | District Khyber |
| 2. | Sahar De-radicalization Centre | Adults | N. Waziristan. |
| 3. | Navi Sahar | Adults | Bajaur. |
| 4. | Mishal | Adults | Mingora. |
| 5. | FEAST | Females | Swat. |
| 6. | Sparley | Families of the militants | Tank. |
| 7. | Sabaoun and Rastun | Juveniles | Malakand. |

Since the NMTDs (Newly Merged Tribal Districts) (Mahmood & Malik, 2022) were included in Khyber Pakhtunkhwa, the province's Prisons Department has operated as an institutionalised apparatus to serve the (provincial) legal system. Table II shows the distribution of correctional facilities by kind throughout the province. The goal of the KP Prisons Department is to help incarcerated individuals change their lives for the better and contribute to society by teaching them life skills, ethics, and vocational trades. The IG Prisons Department has also been very mindful of the need for a well-functioning community reintegration process,(Javaid, 2016) which is a huge plus (personal communication, December 06, 2022). Consequently, the reformation and rehabilitation of the topics are given considerable attention.

Table 9: Types of Prisons

| No. | Type of Prisons | Count |
|-----|-------------------------------------|-----------|
| 1. | Central | 06 |
| 2. | District | 08 |
| 3. | Sub jail | 09 |
| 4. | Sub Jails of Newly Merged Districts | 15 |
| 5. | Internment Centre | 05 |
| | Total | 43 |

(Khan & Muhammad, 2017)

4.6.1. Division of Corrective Centers and KP Prisons

Prisons increasingly emphasise formal, moral, vocational and technical education as part of their corrective strategies. Inmates may use a wide variety of educational opportunities in this area, including electrical technology, tailoring, carpentry, computer science, and IT classes. The primary goal of these classes is to prepare participants for life after incarceration, or "post-release."

Table 10: An Overview of Population and Categorization of KP Prisons

| No. | Category | Under Trial | Convicts | Civil | Condemned | Total |
|-----|-----------------|-------------|----------|-------|-----------|-------|
| 1 | Male adult | 8789 | 2481 | 32 | 337 | 11679 |
| 2 | Female Adult | 154 | 33 | 0 | 01 | 118 |
| 3 | Male Juvenile | 336 | 21 | 0 | 0 | 359 |
| 4 | Female Juvenile | 02 | 0 | 0 | 0 | 2 |
| | Total | 9281 | 2535 | 32 | 378 | 12226 |
| | Percentage % | 75.90 | 20.73 | 0.19 | 3.9 | - |

Table 11: Formal Education

| Degree/ Certificate | No. of Prisoners |
|---------------------------|------------------|
| SSC | 386 |
| HSSC (F.A./F.Sc.) | 286 |
| B.A./B.Sc. | 158 |
| M.A./M.Sc. | 44 |
| Oriental Languages | 1033 |
| Total | 190 |

Table 12: Religious Education in KP Prisons (Gul & Asad, 2018)

| Sanad/Certificate | No of Prisoners |
|---------------------|-----------------|
| Nazira Quran | 577 |
| Tarjuma | 93 |
| Hifz e Quran | 8 |
| Total | 678 |

These efforts to improve employability are coordinated with the NAVTEC (National Vocational and Technical Training Commission), the KP TEVTA (Khyber Pakhtunkhwa Technical Education and Vocational Training Authority), and other appropriate government agencies. The success of the attempts to reintegrate formerly incarcerated individuals back into society depends on the level of cooperation between the many parties involved. Approximately 442 inmates currently participate in technical programmes, and 741 (approx.) have graduated from them. The HEC (Higher Education Commission) of Pakistan approves the testing centres that administer these exams. The management of the KP jails strongly supports the inmates' participation in educational and training programmes, to the point that they provide specific reductions to nudge them into taking part in these necessary forms of rehabilitation. (Waqas & Khan, 2022)

Table 13: Individuals under Skill Development Training in KP Prisons

| No. | Jail/Trade | Haripur | Bannu | Mardan | Abbottabad | |
|-----|------------------|---------|-------|--------|------------|-----|
| 1 | Electric | 25 | 80 | 36 | - | |
| 2 | Tailoring | 63 | 60 | 36 | - | |
| 3 | Computer | 29 | 60 | - | - | |
| 4 | Wood Working | 19 | - | - | - | |
| 5 | Plumbing | 29 | - | - | - | |
| 6 | Mobile Repairing | - | - | - | - | |
| 7 | Non-woven Bags | - | - | - | 05 | |
| | Total | 165 | 200 | 72 | 05 | |
| | Grand Total | | | | | 442 |

Table 14: Completed Skills Development Training in KP Prisons

| No. | Jail/Trade | Haripur | Bannu | Mardan | Peshawar | Abbottabad | |
|-----|------------------|---------|-------|--------|----------|------------|-----|
| 1 | Electric | 42 | 120 | 20 | - | - | |
| 2 | Tailoring | 65 | 120 | 20 | - | - | |
| 3 | Computer | 68 | 62 | - | - | - | |
| 4 | Wood Working | 50 | - | - | - | - | |
| 5 | Plumbing | 09 | - | - | - | - | |
| 6 | Mobile Repairing | - | - | - | 60 | - | |
| 7 | Non-Woven Bags | - | - | - | - | 05 | |
| | Total | 334 | 302 | 40 | 60 | 05 | |
| | Grand Total | | | | | | 741 |

(Waqas & Khan, 2022)

Concerning deradicalisation, the current Khyber Pakhtunkhwa jail system generates an abstract model of interventions at a socio-economic scale. It already represents the "correctional" process that must be used to implement systematic initiatives to fight violent extremism in society. The suggested role of prisons in deradicalisation is not without its (potential) flaws, and as such, it cannot be regarded a "perfect" paradigm. As noted, our jails are overcrowded, understaffed, and poorly managed, which might hinder the rehabilitation process.

However, the prison-based rehabilitation model provides a more accurate picture of the underlying mechanisms, which can be formally established through careful and timely planning and implementation of multifaceted non-linear pathways and the provision of much-required infrastructural support. Like other contributions to the literature, this one recognises the need for more research to completely capture the formulation of prison-based deradicalisation and

its underlying constituent components. Having established the foundational prison-based model, it is proposed that it be expanded based on several ancillary stages throughout the deradicalisation process.

An indigenous and institutionalised framework for deradicalisation is envisioned via the dynamics of the prison system. Such (re)modelling requires regular reviews of counter-radicalisation strategies. Therefore, the present corrective method is only claimed to be applicable in this study with adequate adaption for extremists. Further investigation is also needed to understand better the characteristics and components that might draw people to correctional programmes and ensure their results are sustained. This study will also aid in bringing to light the many hidden features of the KP prison's institutional framework. (Hussain, 2013) This study is just a quick look at the topic, and much is understood. Academics and (security) professionals must work together to develop strategies for the long-term, systemic deradicalisation of extremists.

In our further in-depth investigation, we will explore to what extent has the vocational training and deradicalization programs been successful in shaping the future outcomes for freed individuals. A survey of such individuals and interviews with a number of persons who have been released in the near past will reveal the real-world efficacy of these programs.

4.7 The Role of Probation in the Prison System

Pakistan strengthened the legislation enacted by the Government of British India to maintain the probationary component of the criminal justice system after the subcontinent's partition in 1947. It included the Good Conduct Prisoners Probation Release Act of 1926 and sections 380 and 562–564 of the Indian Code of Criminal Procedure. The Indian Code was then used to refer to the Criminal Procedure Code.

Reclamation and Probation Departments (RPD) were established by all provincial governments in 1927 to manage the parole release of prisoners. At the time of independence, Punjab was the only province in Pakistan with an RPD. RPDs were established throughout 1957 in the rest of Pakistan. With the help of an early conditional social release, convicted criminals who had behaved well were given the opportunity to reintegrate thanks to the Good Conduct Inmates Probation Release Act of 1926. However, only prisoners incarcerated for brief periods of time were eligible to use it. The colonial government of British India made an effort to enact unique probationary laws. The All-India Probation Bill was created in 1931 and submitted for review to each province's administration. But because of the ongoing independence movement, which prevented the bill from becoming law, the country was in a political crisis.

After Pakistan gained independence in 1947, the government passed the Probation of Offenders Ordinance 1960/Rules 1961. The 1960 Probation of Offenders Ordinance mainly modifies the 1931 Probation Bill. However, it mandated the establishment of the department's probation division by the RPDs and allowed for the appointment of probation officers for criminal defendants who were undergoing court-ordered trials.

The Pakistani government's introduction of the Juvenile Justice System Ordinance 2000 (JJSO) in response to its obligations under the United Nations Convention on the Rights of the Child is another recent development. The JJSO's Section 11 places a strong emphasis on young offenders being released on probation.

The pre-trial phase of bail, the sentencing phase of fines and probation, and the post-sentencing phase of parole are the legal foundations of alternatives to incarceration in Pakistan's current criminal justice system. Bail is the most popular non-custodial option in legal situations and is much better known to the general public. The least used option, in contrast, is probation and parole services, which deny offenders their fundamental right to freedom, the capacity to start a family, and the chance to make a positive contribution to society. Retributive punishment has lost favour in recent years in favour of more compassionate theories like restorative justice and

community rehabilitation. In the best interests of both the offender and the victim, these models are frequently more effective at deterring reoffending and elevating the significance of non-custodial sanctions. The community benefits from an effective offender's reintegration into society by being shielded from the negative effects of crime and by receiving a better return on taxpayer money than it would from keeping an offender in jail, according to the evidence.

The majority of Pakistani prisons are overcrowded, which results in subpar jail administration that leads to torture, rioting, and corruption. It also causes poor health and sanitation, high-risk behaviour (such as suicide, unprotected and forced sexual contact, and drug abuse), and poor health and sanitation. Due to the lack of adequate rehabilitation programmes, prisoners who have committed minor or first-time offences are particularly at risk of reoffending. According to the Human Rights Commission of Pakistan, 64 percent of all inmates are remand detainees, who are held in custody while awaiting a court decision. When it comes to the community reintegration of criminals and lowering the prison population, an effective and efficient probation and parole system may be crucial. As a result, prison operations and conditions are enhanced. In order to analyse Pakistan's current probation and parole system, make recommendations for reform, and advance non-custodial probation and parole techniques, Penal Reform International conducted this evaluation.

Information was gathered through focus groups, key personnel interviews with stakeholders, including the provincial directors of probation and reclamation, probation and parole officers, prison officials, legal counsel, and representatives of civil society/NGOs/INGOs, as well as desk reviews of pertinent reports and literature. These conclusions were reached as a result of the review's findings.

4.7.1. Structure and functioning of the Probation and Parole system in Pakistan

In Punjab, Sindh, Balochistan, and Khyber Pakhtunkhwa, provincial Directorates of Reclamation and Probation, which function as departments affiliated with the provincial Home Departments, are responsible for managing the release of inmates on probation and parole as an alternative to jail. A Director of Reclamation and Probation (R&P) oversees each Provincial Directorate, assisted by Deputy Directors, Assistant Directors, probation and parole officers, office superintendents, and other administrative and support employees. The Directorates of Reclamation and Probation have their general mission to "kill the crime, not the criminal," decrease prison congestion, minimise government spending on prisons, and rehabilitate and reintegrate convicts as law-abiding citizens. However, a lack of political will, insufficient human and trained resources, and inadequate infrastructure impede their ability to participate effectively in Pakistan's criminal justice system.

Although there are regional variations in staffing and distribution, the general operation is uniform. It is controlled by the West Pakistan Probation of Offenders Rules of 1961 and the Probation of Offenders Ordinance (XLV of 1960).

The Good Conduct Prisoners' Probation Rules, 1927, and the Good Conduct Prisoners' Probation Release Act, both date from 1926.

4.7.2. Definitions, Procedures and Statistics

With the proviso that if their behaviour after release does not comply with the requirements of the releasing authority, parole, and probation process for the conditional release of convicted criminals or adjudicated delinquents, they may be committed or sent back to a correctional facility. Imagine that an administrative body releases a prisoner who has already served a part of a term in jail. In such situation, the release is often referred to as parole in the US and licence in the UK. If a judge approves this kind of release as an alternative to incarceration, it is sometimes referred to as probation. These regulations were primarily enacted for the benefit of "first-time" offenders and those capable of leading a useful and productive life in order to

reduce the possibility that they may develop into seasoned criminals as a result of the effects of incarceration.

4.8 Probation

The Probation of Offenders Ordinance of 1960 defines probation as the suspension of the execution of a jail sentence or the postponement of the final decision in a legal proceeding. While the offender is subject to additional restrictions that the court may impose for minor offenses, a probation officer will supervise and counsel them. It is a judicial warning that allows the offender to change and commit no more offences. There are presently 15 provisions in the Probation of Offenders Ordinance from 1960. After leaving out two of its sections. Section 3 states that the following courts have the authority to use the authority granted by the ordinance as mentioned above:

Court of Session Judicial Magistrate High Court any other magistrate with particular authority.

The Ordinance gives the courts the authority to sentence qualifying criminals to probation or a conditional discharge. The Trial Court may, in accordance with the Ordinance, discharge any offender after proper admonishment who has committed a crime punishable by imprisonment for a period of not more than two years after, taking into account the offender's age, character, health, and background as well as the nature and circumstances leading to the offence.

The focus group discussion with R&P personnel found that section 4 is either sometimes or never used in court and that probation orders are typically given by section 5 of the ordinance. Its use in court settings must be improved as a result. This is a grey area that needs to be further investigated and brought up with the courts.

Once placed on probation, the concerned probation officer supervises, monitors, and assists with the offender's community rehabilitation. However, a probation officer's job is ineffectual in offenders' rehabilitation because of insufficient institutional and individual competence. A significant part of the procedure of creating and submitting the "social investigation report" (SIR) to the court has been given to the probation officer. A probation officer creates a SIR on the court's instruction and contains details regarding the character, history, commission, and type of the offence, as well as the offender's family environment and other conditions. In reality, most cases were placed on probation without a formal SIR by the court. Further investigation is required into these court procedures because, in many instances, people are placed on probation after confessing without the probation officer being asked for a SIR. This practise may be due to a lack of probation officers, a lack of trust on the part of the court in their professional competence and skills, or simply the length of time it takes to find one. The court can determine whether or not to sentence a criminal offender to probation in any given circumstance. SIRs are ready to help the courts make the best choice possible.

Section 13 of the Probation of Offenders Ordinance 1960 and accompanying Rule 10 outline the responsibilities and obligations of the probation officer when the criminal on probation is released. A probation officer's primary responsibilities and tasks include the following:

He explained the terms and conditions of each probationer under his supervision and worked to ensure compliance with the order, including warnings as needed.

They meet each probationer under supervision at least once every two weeks for the first two months of their probation. They then frequently stay in touch with each probationer, visit them, inquire about their behavior, way of life, and environments, and, whenever possible, make sporadic visits to their homes, all while adhering to the rules set forth by the officer in charge.

Assist, befriend, counsel, and work to improve the behaviour and general living situations of any probationer under their supervision if they cannot obtain employment.

Encourage every probationer under his or her supervision to utilise any reputable organisation, whether statutory or non-profit, to support their welfare and general well-being, and to benefit from the social, recreational, and educational services such agencies may provide.

Suppose a probationer under his or her supervision who has signed a bond with sureties under section 5 is found to have broken any of the bond provisions or behaved improperly in any other way. In that case, the probationer must notify the sureties of the breach or improper behaviour.

Subject to the requirements of these rules, carry out the orders of the court with relation to any probationer placed by the Court under his/her supervision. Maintain the books and records and make reports as required by these rules.

Each district has a Case Committee comprising the district magistrate, who acts as chairman, along with all of the first-class judges in the district, as well as the district probation officer, as per the 1961 Probation of Offenders Rules. The committee is entrusted with receiving and assessing oral or written reports from probation officers and developing recommendations on the status of probationers. The committee acts as an advisory body for the cases that fall within its jurisdiction. These committees should meet once every three months, although, in practice, they typically meet less frequently. The role that the Case Committees once performed has been substantially replaced by the mandatory Criminal Justice Coordination Committees (CJCC) mandated by the Police Order 2002. The District and Session Judge presided over Meetings of the CJCC, with the Superintendent of Police serving as secretary. A District probation officer, Superintendent (director of the Prison), District prosecutor, and District police officer are other members. The CJCC provides a more thorough and fruitful forum for discussing the issues and advancements connected to probation. It has been reported that probation officers only sometimes or symbolically attend these meetings in several areas. Due to their lower service grade and lack of professional competency, probation officers can have trouble carrying out their tasks as needed. There are certain cases when the probation officers participate in these CJCC meetings more actively.

4.8.1. Scope of the Probation of Offenders Ordinance 1960

The scope of the Pakistan Probation of Offender Ordinance of 1960 is limited in that:

Not every kind of offence qualifies for probation. First-time offenders of severe crimes are not eligible for probation because the court considers the offender's needs, personal characteristics, and kind of offence when granting a court probation order. Instead, a thorough risk assessment should precede an offence's character when determining whether a case qualifies for probation.

Both male and female criminals are subject to probation laws. However, the laws are more forgiving of female offenders. The probation legislation does not apply to male offenders guilty of crimes of a severe character as defined in the Pakistan Penal Code of 1860 under the following provisions, in addition to crimes punishable by death or life in prison:

Table 15: Scope of Probation

| | |
|---------|--|
| 216 | harbouring robbers or dacoits, |
| 311 | being a thug, |
| 328 | causing hurt, utilising poison etc., |
| 346 | kidnapping or abducting to murder, |
| 382 | theft after preparation made for causing death, hurt or restraint to commit the theft, |
| 386-389 | putting a person in fear of injury or death to commit extortion |
| 392-402 | the commitment of robbery, dacoity or belonging to a gang of thieves, |
| 413 | habitual dealing in stolen property, |
| 455 | house-trespass or house-breaking after preparation for hurt or |

| | |
|------------------------------------|--|
| | assault, |
| 460 | where several persons are jointly concerned in house trespass or house-breaking by night, and death or grievous hurt was caused by one of them |
| Chapter VI | offences against the state, |
| Chapter VII | offences relating to the Army, Navy and Air Force |
| The Offence of Zina Ordinance 1979 | offences of rape, adultery and fornication |
| The offence of Qazf Ordinance 1979 | the offence of false accusation of Zina (rape) |

On the other hand, female criminals are qualified for probation orders in all cases except those involving the death sentence.

4.8.2. Release on probation for children under the Juvenile Justice System Ordinance, 2000.

By Section 11 of the Juvenile Justice System Ordinance, if the juvenile court determines after an investigation or trial that a child has committed an offence, it may, if it deems it appropriate, order the child offender to be released on probation for good behaviour and place the child in the custody of a guardian or other suitable person who executes a bond with the court.

- a) issue an order requiring the minor offender to be placed in a borstal facility until he becomes 18 years old or for the duration of their sentence, whichever comes first.
- b) The sentence may be reduced if the court determines that further time behind bars or on probation is not required.
- c) The clause mentioned above may be used by juvenile offenders under 18 when the offence was committed.

It is good that probationary releases have grown recently, especially in instances involving juvenile offenders. However, experience reveals that most release orders are given in situations where the state is a party, such as drug offences. In circumstances where a private party is a victim, the courts show a great deal of caution, to the point where even in proper cases, they refrain from passing orders for release on probation out of concern that the victim would seize control and seek retribution outside of the court. The suffocating effects of specific legislation like the Anti-terrorism Act further constrain the use of non-custodial sentences.

4.8.3. Province-wise strength of probation and parole officers

The following table lists the number of probation and parole officers currently employed throughout all provinces:

Table 16: Strength of Probation and parole officers in all four provinces

| Province | Director | Deputy Director | Assistant Directors | Probation Officers | | Parole Officers | | Total |
|-------------|----------|-----------------|---------------------|--------------------|--------|-----------------|--------|-------|
| | | | | Male | Female | Male | Female | |
| Punjab | 01 | 04 | 10 | 53 | 04 | 16 | 04 | 92 |
| KP | 01 | 04 | | | | | | |
| Sindh | 01 | 00 | 02 | 15 | 01 | 14 | 00 | 33 |
| Balochistan | 01 | 02 | 02 | 07 | 02 | 05 | 01 | 20 |

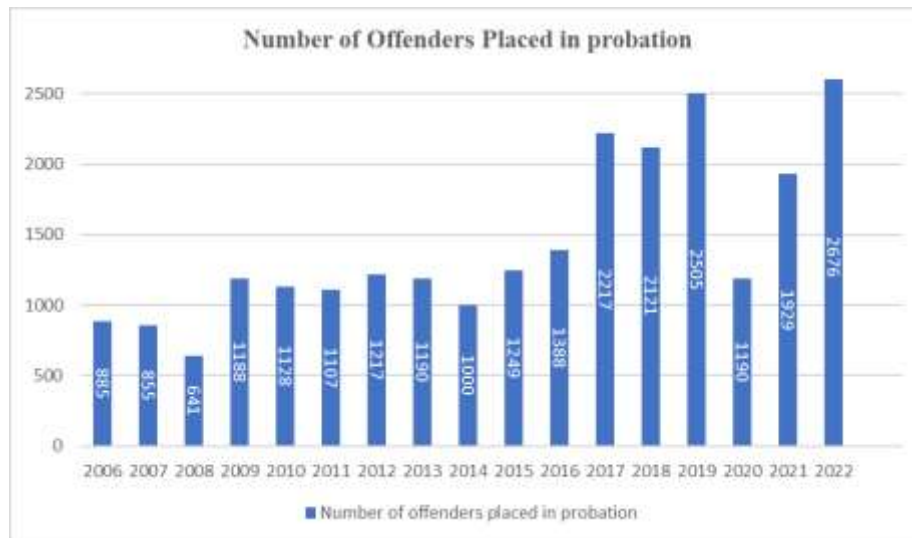


Figure 14

A CASE STUDY OF THE PRISON'S EFFECT ON LONG-TERM REHABILITATION OUTCOMES IN HARIPUR JAIL

Construction Work of Haripur jail was started in 1929 during British rule. After completion, it was delivered to the jail staff in 1932 (Tribune, 2015). Construction material like Steel bars used in construction was prepared by the famous India Company Tata. The brick of the jail was prepared inside the premises of the jail, and there is a myth that this laid the foundation of brick (Bhattas) industries in Haripur.

The land was given by Bani Begum, a Tareen from Darwesh Village. She was distantly related to both former Provincial Assembly Speaker Habibullah Khan Tareen and former President Ayub Khan. According to family lore, the land was given in exchange for two things.

1. Gallows won't be present in the prison.
- 2) The facility would not hold any female inmates.

Although the agreement was never written down, the Tareen clan claims that the government upheld her words and that all executions took place at Abbottabad District Jail until 2005, when the structure was destroyed by a devastating earthquake. Later, the authorities banned executions and padlocked the gallows all around the nation. When the women's section was established in 2005, one of the requirements was broken (Tribune, 2015). In 2015, with the imposition of the death sentence, Bani Begum's second requirement was also transgressed with the establishment of the gallows at the jail (Dawn, 2015).

Haripur Central Jail is the province's 3rd largest jail. Initially, it holds the space of 1500 inmates, but with the passage of time the capacity was increased and now it has 1673 inmates' capacity. The prison is spread over the 890 kanal, 200 Kanal has covered area for inmates, rest of the area is allocated for the Garden, staff colony, Prison Staff Training Academy (PSTA), Residence of Judges, District Administration and some space is under usage of Water and Power Development Authority (WAPDA).

5.1 The Current Condition of Jail Infrastructure

The jail is partially equipped with the CCTV camera to monitor the premises and outside area.

5.1.1. Medical Facilities

There are 126 Beds Hospital in Central Jail Haripur, one senior medical officer, two medical officer, 1 Female doctor, Psychiatrist, Hakeem and qarshi matab is also available to facilitate inmates and staff members. Prison holds partially equipped Laboratory with capacity to do all major test i.e HIV, TB, Hepatitis B & C, Screening Test etc, Detoxification center for drug addict is working and 75 inmates were detox from drug addiction in last few months of the years 2022.

Prisoners received insufficient psychological counselling and training. The prison administration claims that only one psychological counsellor has been assigned by the government to the division's jails. Even though there was a doctor on staff, there was no plan in place for the inmates to receive daily medical checks. The prisoners further stated that, in the event of illness, they were only given one or two tablets per day. Rarely does the psychologist go to the prison. The doctor only infrequently examines the prisoners, according to one of the key informants.

WARDS: 2 wards are fully occupied by Psychiatric patients. Some of these patients are in the worst conditions and don't recognize anyone and some of them are in the process of recovery.

There are 2 ambulances for the patient.

ACCOMMODATION: A vital aspect of a prisoner's life is their accommodations. Unfortunately, the barracks—the facility used to house prisoners—were found to be subpar. In one of the prisons that was being studied, the cleanliness situation was somewhat satisfactory. They create a perfect sketch of the prison in terms of cleanliness and their role in the rehabilitation of offenders while conducting interviews with the prison superintendents of prisons. The situation was discovered to be different after visiting the barracks in person. The rectangular barracks were overflowing with prisoners. Inside the prison, the restrooms and toilets were situated in a barracks corner and emitted a foul smell. The prisoners claimed that because they were accustomed to the smell, they did not experience it in the same way as outsiders. The restrooms and toilets in some prison sections lacked doors and resembled the ablution stations found in mosques. Half-sized doors on toilets and bathrooms could easily be seen through by someone standing close to the door in other areas where people were bathing or using the restroom. The researcher learned that there is a shortage of warm water in the winter while speaking with a respondent. The inmates frequently get sick from the cold water. The inmates bathe once a month out of fear of illness. There was a kitchen area nearby the restrooms. For cooking, the inmates only have access to coal or small pieces of wood because gas and electric heaters were not allowed. The coal smoke in the barracks caused the walls to become black and yellow. There were several clotheslines hanging from the barracks' walls. The clothing of the prisoners lacked proper hangers.

It seems like the walls haven't been white-washed in a year. Moreover, the barracks were white washed two years ago, according to a reliable source. The barracks had no windows, and its longer walls were covered with iron grills. The inmates claimed that the winter winds prevent them from getting any sleep. Plastic was sometimes installed to block the chilly air, but it was destroyed. Prisoners once slept on the dirt. The blankets were too filthy and were firmly attached to the ground. Prisoners' requests for the researcher to improve their barracks because they believe they are receiving a guest who is there to improve the state of prisons. They continued by saying that the summertime heat in the barracks had altered the hue of their skin. The prisons lacked a fan, air conditioner, or air cooler. Inside the unsanitary prison, the inmates wash their utensils. Because standing water was a mosquito breeding ground, the barracks were overrun with them at night. The lack of pesticide and anti-mosquito spray caused the detainees to become mosquito and other bug prey.

5.1.2. Checking and Balancing

The prison regulations require the administration to conduct thorough searches of the barrack for illegal items like drugs, knives, and other dangerous items. Drug users, snuff rounds, and cigarette filters were all present in jail, which was evidence of the ineffectiveness of the prison administration. They nevertheless asserted that they uphold strictness, but the observation was to the contrary.

EDUCATION: Formal Education facilities are available to the students of Matric to M.A. There are regular teachers for this purpose. Jail Staff make arrangements of an exam for Matric to Master level education inside the premises of jail, Haripur jail is also the center of BISE and University exam. Proper religious teacher is also available for religious studies.

School to MA level Free Education.

Center for Board and University Exam (Only for Prisoners)

LIBRARY: Books for formal and informal education are also available in the library of CJ Haripur. It holds the rich amount of more than 3000 books available in the library. Most of the books were provided by different donors. Jail staff allowed donors to bring books according to their requirement and the syllabus of the affiliated Board and University.

INDUSTRY: There is a rich history of jails factory, before the independence this factory was very famous due to its quality product i.e., Furniture, Cloths for the table, towels, carpets, and rug etc. and has won several gold medals and appreciation certificates in United India during British Rule and after independence. However, with the passage of time, it falls gradually after 1970 and was completely closed in 2010. Currently there are rug and furniture factories working partially. Cloth, towels, carpet, and blacksmith factories are not in working order. There are some reasons of decay of factory which are mentioned below:

SHIFT IN POLICY: Furniture and tablecloths were supplied to the government offices and uniforms for inmates were also prepared in the factory, after removal of the liability of uniform in jail and order of furniture and table cloth shifted to local contractor, the factory is in decay.

TERRORISM: Terrorism is one of the major causes of decay in factory, because instruments i.e. scissor, needles handling to dangerous and trained person may cause alarming situation in the jail.

REPRIEVE TO INMATES / LOW CONVICTION RATE: The decrease in punishment and pardon of several years many times in the previous 20 years was also the reason of the shortage of skilled and trained worker and the great imbalance of convicted and under-trial prisoners is also a reason for the fall of the factory department of Jail. Currently, there are approximately 300 convicted inmates excluding terrorist and the total population of the prison is less than 900, rest of the prisoners are under trial prisoner.

GARDEN: We have heard that there is a proper garden in the jail premises, where a variety of vegetables and fruits were cultivated with the help of inmates and supplied to the local market, but we found nothing in our visit.

FISH FARM: Recently a fish farm was renovated after the closure of long time.

Mess: There is a proper arrangement for the supply of food for the inmates. For healthy diet to inmates jail staff has arranged a proper menu for the whole week. The prison administration is in charge of providing food for the inmates. They are required to feed the prisoners hygienic food. He expressed his opinion that they should serve the prisoners clean food during a conversation with a deputy superintendent. He provided a good food schedule that included rice, meat, chicken, vegetables, and pulses; however, the researchers have their own findings. First off, a contractor provides the food. It is blatantly obvious that he sells a small quantity of low-quality goods to make money, and it was noted as such. The vegetables that were given to

cook with weren't fresh. The food items were examined but given the okay. A key informant revealed that the contractor was not obstructed because the contract was allegedly awarded based on collusion. Other than this, there was no cook who only cooked. The prisoners who are skilled cooks prepare the food. Langar is the name of the location where food is prepared. The researchers noticed a foul smell coming from the sanitation water while visiting the langar. The caldrons weren't cleaned up completely. The deputy superintendent added that we use 10 grammes of tomato for one prisoner because the meal appeared to be of poor quality. One kilogramme of tomatoes, which is a very small amount, is used in the meals of 100 prisoners, according to this statistic. The respondent gestures in the direction of the bread's weight. It is true that the bread had a good weight. Even though such bread is not made for sale, there was a problem. The researcher saw a prisoner using his feet to prepare flour for bread while visiting Langar. He received a three-year sentence with labour. He claimed that preparing forty to fifty kilogrammes of flour by hand is very challenging. His body began to perspire in the summer, destroying the flour's and bread's hygiene. There was no filtering of the water used to clean the food and utensils. In terms of cleanliness, the individuals involved in the cooking process as a whole were in poor condition. The barracks lacked clean drinking water in addition to food. The same pipes that supply water to the restrooms and toilets also supply water to the prisoners. One of the main causes of hepatitis in Pakistan is contaminated water. Consequently, it was found that the prisons under study had poor hygiene.

5.1.3. Haripur Jail detention place for political leaders

This jail remained detain house for some of the famous and renowned political leaders i.e Abdul Ghaffar Khan (Bacha Khan) (Awami National Party) (there is a barrack known as bacha khan barrack), Sheikh Rasheed Ahmed (Awami Muslim League), Khawaja Asif (PML N) and many other were detained here in this jail.

5.1.4. The duties and Responsibilities of Staff Members

There are 695 total employees in CJ Haripur, out of which 43 belong to officer ranks and 652 belongs to the other staff category (Warder, Clerical Staff etc).

There are 6 main branches of Central Jail in Haripur i.e Warrant Branch, Hawalat Branch, Bagh Branch etc. All authorities directly report to superintendent on daily basis and take necessary order to run smooth business. Furthermore, below ranks staff are Chief warder, Head Warder and Warder, these staff and executive are generally known and Essential (uniform staff) who are responsible for security and management. There are supporting staff is generally known as Admin (ministerial staff), IT Staff (PMIS), Teachers, Medical Staff working in their own domains and support the essentials.

Duties of Central Jail and rest of divisional jails were assigned to Superintendent of Central jail. He was also appointing authority to grade 5 staff in its region. To remove professional burden from Superintendent, few months ago authorities approved and inducted as "Deputy Inspector General (DIG)", currently Superintendent is performing above mentioned duties but in near future these duties will be assigned to DIG.

5.2 Skill Development Program

Note: No reprieve or relaxation were granted to inmates after completion of these courses. This means these courses were not recognized by KPK Departments. Skill development and technical education programs were initiated in the jails of Khyber Pakhtunkhwa with the collaboration of several National and International Institutions / NGOs i.e. National Commission for human development (NCHD), TEVTA, NAVTEC, and several United Nations agencies. Programs taught to the male inmates were tailoring, plumbing, electrician, computer skill, and technical education, while dressmaking, dress designing, and beautician courses were initiated for female inmates.

The complete detail of taught programs in Central Jail Haripur is mentioned below.

*Session 2017-18: UNCTITF Funded a project on the Rehabilitation of Juvenile offenders
(Date of Commencement 19/10/2017 Date of Completion 20/01/2018)*

| S.No | SDC central jail Haripur | Enrolled students | Pass Out | Remarks |
|--------------|--------------------------|-------------------|----------|-------------------------------------|
| | Technology | 03 Months | | |
| 1 | Electrical | 14 | 07 | 10 Trainees were released from jail |
| 2 | Tailoring | 16 | 13 | |
| Total | | 30 | 20 | |

Session 2021-22: Prime Minister's "Skill for All" Hunarmand Pakistan Programme under Kamyab Jawan Initiative.

Date of Commencement 19-04-2021 Date of Completion: 30-11-2021

| S.No | SDC central jail Haripur | Enrolled students | Pass Out | Remarks |
|--------------------|----------------------------------|-------------------|----------|---------|
| | Technology | 06 Months | | |
| 1 | Certificate in Office Management | 22 | 21 | |
| 2 | Woodwork | 16 | 14 | |
| 3 | Carpet Weaving | 16 | 14 | |
| Total | | 54 | 49 | |
| Grand Total | | 82 | 77 | |

Trade & Year wise pass out trainees in SDC Central Jail Haripur

| S # | Technology | 2017-18 | 2018-19 | 2018-19 | 2019-20 | 2020-21 | 2021-22 | Grand Total |
|--------------|--|-----------|-----------|-----------|-----------|-----------|-----------|-------------|
| 1 | Computer | 0 | 12 | 09 | 09 | 09 | 21 | 60 |
| 2 | Dress Making (Male) | 13 | 08 | 13 | 13 | 15 | 13 | 75 |
| 3 | Electrical | 07 | 11 | 13 | 08 | 09 | 0 | 48 |
| 4 | Wood Work | 0 | 0 | 08 | 08 | 0 | 14 | 30 |
| 5 | Pipe Fitting | 0 | 0 | 0 | 09 | 0 | 0 | 09 |
| 6 | Dress Making/ Hand Embroidery (Female) | 0 | 0 | 0 | 08 | 07 | 08 | 23 |
| 7 | Carpet Weaving | 0 | 0 | 0 | 0 | 0 | 14 | 14 |
| Total | | 20 | 31 | 43 | 55 | 40 | 70 | 259 |

Tailoring courses and games initiatives for the terrorism section were taken in Central Jail Haripur recently. There is a separate arrangement for this purpose; staff serving in the normal area is also serving in the terrorist block after normal du2nd-time classes are arranged in a strict environment and already prescribed limited area to develop the skills of those inmates.

5.3 Prison Management Information System (PMIS)

Launch of the Prisons Management Information System. PMIS is a web-based system that includes an online/computerized record of various prison inmates and staff members, as well as an automated remission system, HR management, and taken-based visiting system.

Two rounds of training for the prison staff using the "Prison Management Information System (PMIS) Khyber Pakhtunkhwa" funded by the U.S. Embassy have been completed successfully. Seven women were among the 84 prison staff members who attended the two 5-day PMIS training sessions that were held at the Prison Training Academy in Haripur from March 6–17, 2023.

With UNODC's technical assistance, the International Narcotics and Law Enforcement Office (INL) of the U.S. Embassy hopes to install computer networking in 40 prison facilities in Khyber Pakhtunkhwa and the merged districts. The project also calls for the development of PMIS, the delivery of IT tools, and training sessions for prison staff members on PMIS administration and use.

Participants in the PMIS training became familiar with the PMIS manual and technical modules, such as barrack allocations, reallocations, barrack history, visitor management, and inmate check-in and check-out. The court production module was taught to the participants, giving them an overview of how effectively the production procedure in the jail is run using the digital module. Hospital admissions, OPD prescriptions, and the addition, transfer, and distribution of medications were all covered by hospital and medical management modules. The HR module, which covered staff profile management, brought the training to a close.

Mr. Saadat Hassan, Inspector General Prisons, presented the participation certificates and congratulated the prison staff on completing the PMIS course on day 5 of each training round. The trainers then gave an overview of their respective modules and invited feedback and inputs to be incorporated into the system. He thanked INL for providing the funding and commended the Judicial Academy's administration for facilitating the training. He also expressed his gratitude to the attendees for their ideas, which will help the system get better.

The security, ministerial, and technical staff from the prison health department, as well as Mr. Saadat Hassan, Inspector General Prisons, Mr. Hashmat Ullah, Additional Inspector General Prisons, Mr. Najam Abbasi, Superintendent Jail, constables, and these individuals participated in the training.

The participants expressed their gratitude for the PMIS course instruction and emphasised the need for additional PMIS skill development and management of prison operations training in the future.

(Press Release, 17/03/2023) (<https://www.unodc.org/pakistan/en/u-s--embassy-funded-pmis-training-concluded-for-prison-staff-in-khyber-pakhtunkhwa.html>)

5.4 Prison Staff Training Academy (PSTA)

There are several training institutes to train prison staff to fulfill their duties. Similar institute was initiated in Central Jail Haripur 4 years ago but, due to lack of funds and commitment, was not functional. Prison Staff Training Academy (PSTA) was officially inaugurated on 5th August 2022, this institute has the capacity to train lower rank staff (Warder, Head Warder) to Assistant Superintendent. PSTA is fully equipped with all facilities to train above mentioned rank. It holds a Library, Multimedia projector classes, halls, and all necessities. Two batches of 100 students were passed out after its swing and functionality.

There is the proper syllabus for students to meet the physical, mental, law, and Pakistan Prison Rule training. Due to the burden of work, it provides 2 month's training courses to the staff (although the recommended course duration is 6 months). 3rd batch induction is in progress. This is the first training academy for the prison staff in Province Khyber Pakhtunkhwa. It is working with the help of local administration, experts of Law, local govt, Judiciary, Information technology experts, physical training (Karate Master), expert in criminology, Pakistan Prison Rule and several other experienced visiting faculties is available to the student. There is a facility of hostel for student as well. PSTA have 4 regular instructors.

In the plan of PSTA, training courses for Deputy Superintendents and Refresher courses will be initiated for already trained prisons to improve their professional skills.

5.4.1. Budget Book PSTA

PSTA Haripur has recently been made functional since August 2022. Presently no major budget under various head of Accounts is provided due to the current financial condition in the Province. However, budget in plant & machinery, other contingency, stationery and pay etc has been available to run the important affairs of Academy. With the passage of time budget in other various heads will be provided by the government.

This Academy provides all possible facilities i.e Boarding Facility, Washing Machine, Iron, Messing Utensils, beds & also arrange a team of Martial Art for trainees on a volunteer basis. It is further added that Undersigned has also sent Head of Account for creation of free Meal for Trainees to Worthy Inspector General of Prisons Khyber Pakhtunkhwa Peshawar.

5.4.2. Per Warder Cost

Approximately about 8000/- per trainee monthly. It's only food charges.

5.4.3. Details of successful pass-out batches

Since August 2022, two basic training courses for Warders and a Promotion Course for the post of Assistant Superintendent of Jail have been completed successfully.

Contribution of Probation

| S.No | District | Adult Offenders on Probation | | Juvenile Offenders on Probation | | Total |
|------|----------|------------------------------|--------|---------------------------------|-------|-------|
| | | Male | Female | Boys | Girls | |
| | Haripur | 105 | 00 | 05 | 01 | 112 |

CONCLUSION

The prison system in Pakistan generally follows the patterns that were established by the British authorities in the 19th century. There have been occasional reforms without significant divergence from the trend. The various reform commissions and the amendments in prison-related laws suggest a general dissatisfaction with the operations and outcomes of prisons. Overcrowding has often been identified as the reason for stunting the effectiveness of prisons as rehabilitation centers. Further, the lack of effective training of the prison staff and resources are also among the challenges.

The amendments in the prison laws aim at making the prisons more humane and by implication increasing the possibility of rehabilitation and reintegration. However, if the Mandela Rules serve as the guidelines for our understanding of prisons, we recognize that the rules and practices of prisons in Pakistan continue to be in effect control mechanisms with little regard for rehabilitation process. Further, there appears to be little coordination between the prison authorities and the authorities that deal with prisoners before prison, such as police and judiciary, and authorities that may deal with prisoners upon release such as the parole and probation officers.

According to the study's findings, there are 43 jails in Khyber Pakhtunkhwa, and they are all severely overcrowded. There are twice as many people behind bars as there are spaces available. The Standard Minimum Rules (SMR) are practically broken by this overcrowding, yet the majority of the convicts were nevertheless held in a single barrack. A staggering 64 percent of those who are currently incarcerated are awaiting trial because their cases have not yet been resolved by the courts. This overcrowding not only has an effect on the rehabilitation of the inmate but also on the burden on the national economy as well. Three key government figures—courts, parole and probation officers—are responsible for balancing jail populations and reducing congestion in the nation. These officials are capable of performing the finest roles in the criminal justice system, but sadly, Pakistan has a relatively small number of these officers,

making it difficult for them to provide services to the large number of probationers and parolees. It is often mentioned that there are fewer courts in the nation than there should be to handle the thousands of cases that need to be resolved, but it is also true that it takes a long time for even one case to be resolved. The only way to reduce prison congestion is for the government to increase the number of parole and probation officials in each province in accordance with convicts' demands. Additionally, courts should move cases forward quickly, concluding them in two to three hearings.

Prisons are designed to house offenders and assist in their rehabilitation. However, the research shows that prisoners are not treated in a way that will allow for their rehabilitation. Prison lighting shows that there were few basic facilities available. The prisoner accommodation offered were not adequate. Barracks environments were unfit for habitation. The prisoners' lack of industrial, technical, vocational, and educational training made them lazy and gave them a chance to form relationships. Lack of games, drill, gymnastics, and sports has a physical impact on them. The prisoners' health problems are exacerbated by the unhygienic food served to them from the communal kitchen. The lack of skilled chefs is a factor in the subpar quality of the food. Lack of adequate checks and balances and alleged official collusion with inmates allow for sexual abuse, possession of forbidden items, and drug use by inmates. Inmates who receive harsh punishments for petty offences develop a hatred of the law in their minds and hearts, which drives them to recidivate in the future. Inmates were subjected to labour that mimicked slavery and had an impact on them. Prisoners' health deteriorates due to inadequate medical attention. The prison administration declared that the government was to blame for the suffering of the inmates. Governments appear uninterested in the rehabilitation of prisoners, which explains why they are hesitant to supply the prisons with trained personnel and other amenities. As a result, it was determined that the prison system could only hope for a society free from crime while vying for offenders' rehabilitation.

While Chief Minister Mahmood Khan approved the K-P Probation of Offenders Act 2018, Khyber Pakhtunkhwa has identified the "rule of law road map" to improve "the service structures of reclamation and probation department." At least 21 of the 25 districts have jails, and four more are building prisons. In the recently merged tribal districts, at least 15 political detention facilities have been designated as sub-jails.

In partnership with Tevta, vocational centres were built in Haripur, Bannu, and Mardan. Before Eidul Fitr, at least 20 criminals were freed after paying a fine of Rs. 6951,755, but the release of 33 prisoners required additional funds totaling Rs. 13237,863.

The following recommendations for a better system that can rehabilitate prisoners are drawn from the study's findings.

1. The government must construct new prisons with a minimum capacity of 1,000 inmates in each district, as well as provide trained staff.
2. The use of digital monitoring by inmates inside of barracks needs to be properly checked and balanced.
3. The officials who are accused of conspiring with inmates should be deterred.
4. A clean environment and hygienic food should be offered to reduce health issues.
5. Upgrades to the lodging options.
6. Providing all prisons with technical, vocational, industrial, and educational facilities.
7. Giving the prisoners psychological counselling.
8. Housing first-time offenders separately from other prisoners
9. Distinguishing criminals who commit minor crimes from those who commit serious felonies.

This study contends that by providing the aforementioned amenities, a sense of hope can be fostered that the prisoners will be rehabilitated and turn into valuable members of society who observe the law.

RECOMMENDATIONS / POLICY IMPLICATIONS

In addition to all other prison-related problems, the administration's difficulties also contribute to the miserable conditions inside and among the inmates. These issues stand in the way of effective offenders' rehabilitation. The prison administration claims that the prison staff, including the police and wardens, is not trained in how to interact with inmates. Most of them are not familiar with the prison regulations. The situation of prisoners is made worse by a lack of understanding of how to deal with offenders. The majority of the prisons used for the study were overcrowded, with an excess of inmates. There is an urgent need for the government to construct new prisons. The majority of these prisons were constructed by the British in the middle of the 20th century. Although at the time these prisons were adequate, there is a need for expansion due to the significant population growth. The prison administration acknowledged that although they have repeatedly brought this issue to the attention of the government, no concrete action has yet been taken. The province's prisons department does not have a large enough budget to construct new prisons in every district. The government's decision to start building new prisons in the province, though, offers some rays of hope. Additionally, facilities for the inmates' training and rehabilitation are needed so they can find employment after their release. Technical, industrial, and educational training are all provided in these facilities. Only three prisons in Khyber Pakhtunkhwa province offer these services: Central Prison Dera Ismail Khan, Bannu, and Haripur. The lack of these amenities in the remaining prisons in the province caused the inmates to become lethargic and preoccupied with forming relationships.

For prisoners to rehabilitate their minds, psychological counselling is absolutely essential. Both anger management and mental therapy are part of it. Several offences can be reduced with anger management (Jeelani, 1999). Such counselling was not seen by the researchers in the prisons. Because the government cannot provide a resident psychologist to counsel inmates, the prison administration added that there is a lack of psychological counselling. Such therapy is only offered at Peshawar's principal jail for the province. Counseling is offered to prisoners in Peshawar by a social welfare group called Dost welfare organisation. This institution is mostly absent from the other jails, which hinders rehabilitation efforts.

The convicts' physical conditioning is essential for their fitness.

Gymnastics, exercises, and games are all part of physical training. A physical education teacher is an essential need in the jail for the convicts' physical education. During their trips, the researchers have never seen any type of physical exercise being conducted by convicts. The prisoners also said that they had never received such instruction. The prison administration believed that physical training for inmates was absolutely essential, but these facilities are not available in the prisons. The administration has not assigned any drill instructors or physical trainers to the prisoners.

For the convicts to have the chance to play games, there aren't enough sports supplies or money. In addition to the aforementioned shortcomings, the jails lack the room necessary to house these services. They also said that they seldom ever put the prisoners in the accessible space. The officials continued by saying that because the government was unable to supply the prisons with trained staff, the prisons needed staff to strengthen their administration. Despite their effort in the shape of PSTA, it will take time for it to mature. Police constables who are unable to handle the detainees properly are moved from the district or border reserve police. These issues are to blame for the miserable conditions in prisons and for the poor rehabilitation of inmates.

REFERENCES

- Afridi, M. K., Yousufi, M., & Khan, M. (2014). Military operation as a response to terrorism: A case study of Malakand division Pakistan. *Mediterranean Journal of Social Sciences*, 5(20), 2000.
- Ahmad, M., Khan, M. J. I., & Shahid, Z. (2022). Challenges of Deradicalization in Pakistan. *Pakistan Journal of Humanities and Social Sciences*, 10(2), 711-719.
- Ahmed, Z. S., & Shahzad, R. (2021). The role of peace education in countering violent extremism in Pakistan: An assessment of non-governmental efforts. *Conflict, Security & Development*, 21(3), 199-222.
- Anwar, Z., & Shah, S. Z. (2017). Women prison reforms in Pakistan: a case study of Peshawar prison. *Journal of the Research Society of Pakistan*, 54(1), 236-249.
- Bassiouni, M. (1995). The contributions of specialized institutes and non-governmental organizations to the United Nations criminal justice program: in honor of Adolfo Beria di Argentine.
- Besharov, D. J., & Mueller, G. O. (1971). The Demands of the Inmates of Attica State Prison and the United Nations Standard Minimum Rules for the Treatment of Prisoners: A Comparison. *Buff. L. Rev.*, 21, 839.
- Bhutta, M. H., & Siddiqui, M. (2020). Situation of prisons in India and Pakistan: shared legacy, same challenges. *South Asian Studies*, 27(1).
- BOMBAY ACT NO. II OF 1874. THE CIVIL JAILS ACT, 1874
- Clifford, W. (1972). The standard minimum rules for the treatment of prisoners. *American Journal of International Law*, 66(5), 232-236.
- Craig, S. C. (2004). Rehabilitation versus control: An organizational theory of prison management. *The Prison Journal*, 84(4_suppl), 92S-114S.
- Gilmour, A. (n.d.). *The nelson mandela rules: Protecting the rights of persons deprived of liberty*. United Nations. Retrieved February 4, 2023, from <https://www.un.org/en/un-chronicle/nelson-mandela-rules-protecting-rights-persons-deprived-liberty>
- Gul, R., & Asad, A. Z. Role of Religious Interventions in the Reintegration of Prisoners.
- Human Rights Commission of Pakistan, A Penal System Long Overdue for Change, Lahore, 1996, p. 7.
- Hussain, B. (2013). The History and Development of Probation Service in Pakistan and in Khyber Pakhtunkhwa. *Pakistan Journal of Criminology*, 5(2), 29.
- Javaid, U. (2016). Evaluating Rehabilitation Process in FATA: Challenges and Prospects. *Journal of Political Studies*, 23(1).
- Khan, I., & Muhammad, N. (2017). A sociological analysis of combined jail life of juvenile and adult prisoners in Khyber Pakhtunkhwa, Pakistan. *Liberal Arts and Social Sciences International Journal (LASSIJ)*, 1(1), 1-9.
- Khan, M. M. (2010). The Prison System in Pakistan. *Pakistan Journal of Criminology*, 2(3), 35-43.
- Khyber Pakhtunkhwa Borstal Institutions Act, 2011
- Mahmood, T., & Malik, M. T. (2022). Protracted social conflict in the globalized world: The case of newly merged tribal districts (NMTDs) in Pakistan. *NUST Journal of International Peace & Stability*, 3(2), 60-70.
- McGowen, R. (1995). The well-ordered prison: England, 1780-1865. *The Oxford history of the prison: The practice of punishment in western society*, 79-109.

- Mohanty, A., & Hazary, N. (1990). *Indian prison systems*. APH publishing.
- Noor, S. (2013). From Radicalization to De-Radicalization. *Counter Terrorist Trends and Analyses*, 5(8), 16-19.
- Nyrop, R. F. (1975). *PAKISTAN, A country study*. US Government Printing Office.
- Omar, I. (1996). *Rights, Emergencies, and Judicial Review*. Martinus Nijhoff Publishers.
- Pakistan Prison Rules, 1978.
- Report of the East Pakistan Jails reform commission November- 1957.
- Rodriguez, S. A. (2007). The Impotence of Being Earnest: Status of the United Nations Standard Minimum Rules for the Treatment of Prisoners in Europe and the United States. *New Eng. J. on Crim. & Civ. Confinement*, 33, 61.
- Sarkar, J. (1920). *Mughal administration:(Patna university readership lectures, 1920)*. MC Sarkar & sons.
- Shah, A. (2018). TALIBANIZATION AND MILITARY OPERATION RAH-E-RAST; THE FINAL KNOCKBACK IN SWAT. *Pakistan Journal of Society, Education and Language (PJSEL)*, 4(2), 142-154.
- The Good Conduct Prisoners Probation Release The N.W.F.P (Amendment) Act, 1996
- THE PAKISTAN (EXCHANGE OF PRISONERS) ORDINANCE, 1948
- THE PRISONERS ACT, 1900. (Act III of 1900).
- The Prisons (Amendment) Act,2020
- THE PRISONS ACT, 1894. (Act IX of 1894).
- The Prisons N.W.F.P (Amendment) Act, 1996
- THE PUNJAB BORSTAL ACT, 1926 (Punjab Act XI of 1926)
- THE REFORMATORY SCHOOLS ACT, 1897 (VIII of 1897).
- United Nations, The United Nations and Crime Prevention, New York: United Nations, 1991, 3-4.
- UNODC, Assessing compliance with the Nelson Mandela Rules A checklist for internal inspection mechanisms, New York: United Nations, 2012
- Waqas, M. M., & Khan, H. (2022). PRISON'S GOVERNANCE IN KHYBER PAKHTUNKHWA PAKISTAN: AN ASSESSMENT OF THE PRISONERS'RIGHTS. *International Journal of Policy Studies*, 2(1).
- Yang, A. A. (1987). Disciplining 'natives': Prisons and prisoners in early nineteenth century India. *South Asia: Journal of South Asian Studies*, 10(2), 29-45.
- Abaninsky, H. (2012). *Probation and parole theory and practice*. London: Pearson.
- Ahuja, R. (1979). Probation act—A sociological appraisal. *The Indian Journal of Social Work*, XL(2), 201-208.
- Barakatullah. (2010). Judicial system of Pakistan. *Pakistan Journal of Criminology*, 2(3), 15-34.
- Bhutta, M.H. (2010). Community based rehabilitation of offenders: An overview of probation and parole system in Pakistan. *Pakistan Journal of Criminology*, 2(3), 51-67.
- Bokil, M.K. (1969). Probation offenders act, 1958. Samaj Seva.
- Dawn (2019, Nov. 12). Overcrowded Jails. <https://www.dawn.com/news/1516217>
- Fayyazuddin, S., Jillani, A., & Jillani, Z. (1998). *The State of Pakistan's Children, 1997*. Delhi: APH Publishing Corporation.

- Gullen F. & Gilbert, K. (1982). *Reaffirming rehabilitation*. Cincinnati, OH: Anderson.
- Hanser, R.D. (2012). *Introduction to corrections*. Sage Publications.
- Harigovind, P.C. (2013). The Indian Jurisprudence on Prison Administration and the Legislative Concerns. *IOSR Journal of Humanities and Social Science*, 9(5), 24-9.
- Hough, M., Allen, R. & Solomon, E. (Eds.). (2008). *Tackling prison overcrowding: build more prisons? Sentence fewer offenders?* Policy Press.
- Khan, M.M. (2010). The prison system of Pakistan. *Pakistan Journal of Criminology*, 2(3), 35-50.
- MacKenzie, D. L. (2002). Probation and parole: History, goals, and decision-making. In *Encyclopedia of Crime and Justice* (Ed J Dressier). New York, MacMillan. Retrieved from <https://www.encyclopedia.com/law/legal-and-political-magazines/probation-and-parole-history-goals-and-decision-making>
- Mahmood, A. (2016, Feb. 9). The neglected probation system. *Express Tribune*. <https://tribune.com.pk/story/1043366/the-neglected-probation-system>
- Malik, H. (2019, Nov. 6). Under-trial prisoners outnumber convicts in jails across Pakistan. *The Express Tribune*. <https://tribune.com.pk/story/2094531/1-trial-prisoners-outnumber-convicts-jails-across-pakistan/>
- McLeod, K.E., Butler, A., Young, J.T., Southalan, L., Borschmann, R., Sturup-Toft, S., & Martin, R. E. (2020). Global prison health care governance and health equity: A critical lack of evidence. *American Journal of Public Health*, 110(3), 303-308.
- McShane, M.D., & Williams, F.P. (Eds.) (2004). *Encyclopedia of American prisons*. Routledge.
- Nabi, M., Hussain, S., & Kamran, M. (2021). OVERCROWDED PRISONS IN PAKISTAN: UNDERSTANDING THE CRITICAL ROLE OF PROBATION, PAROLE OFFICERS AND COURTS. *Pakistan Journal of Social Research*, 3(01), 40-47.
- National Academy for Prisons Administration. (2010). Province-wise authorized capacity, prison staff strength and prison population as on 30-06-2010. Lahore: Ministry of Interior, Government of Pakistan. Retrieved from <http://pscriminology.com/wp-content/uploads/2018/01/PrisonStatisticsinPakistanfor2010.pdf>
- Naz, A., Saeed, G., Ahmad, W., Bangash, S., & Khan, N. (2014). The emergence of the rule of law and policing in Pakistan: A historical overview. *Journal of Law and Society*, 45(65), 127-140.
- Niazi, A.S.K. (2016, Dec.19). Prisons in Pakistan. *Pakistan Today*. <https://www.pakistantoday.com.pk/2016/12/18/prisons-in-pakistan/> Prison Department Khyber Pakhtunkhwa. (2020). <http://www.prisons.kp.gov.pk/> Prison Department Punjab. (2020). www.prisons.punjab.gov.pk.
- Probation of Offenders' Ordinance. (1960). Ordinance No. XLV. https://kpcode.kp.gov.pk/uploads/West_Pakistan_Probation_of_Offenders_Rules_1961.pdf . Sindh Prisons Department. (2020). www.sindh.gov.pk
- Tariq, A. (2019). *Rights of prisoners: A comparative study of Shariah & law with special reference to Pakistani statutes and case law* (Unpublished doctoral dissertation) International Islamic University, Islamabad.
- UNODC. (2009). Commission on Crime Prevention and Criminal Justice Commission on Crime Prevention and Criminal Justice Eighteenth Session (16 - 24 April 2009). Vienna, Austria: United Nation's Office on Drugs and Crime. Retrieved from https://www.unodc.org/unodc/en/commissions/CCPCJ/session/18_Session_2009/CCPCJ_18.html
- Walmsley, R. (2013). *World prison population list*. International Centre for Prison Studies.

World Prison Brief. (2019) Highest to Lowest - Prison Population Total. Retrieved from www.prisonstudies.org

Worldometers. (2020). Pakistan population. Retrieved from <https://www.worldometers.info/world-population/pakistan-population/>

Zhang, Y. (2017). Pakistan, Corrections in. *The Encyclopedia of Corrections*,1-9.