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LIFE IN  
PRISON:  
IMPACT ON  
INMATES AND  
THEIR FAMILIES

DAVID MISSION HIGH SCHOOL.

# CONTENT..

## LIFE IN PRISON: IMPACT ON INMATES AND THEIR FAMILIES.

### About Prison.

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EXECUTIVE

SUMMARY...

The problems Related to imprisonment become even more pronounced in the context of women inmates. Prison Systems are primarily designed to cater to men & are not well equipped to address the particular needs of women in prison. As per latest data available from the end of 2015, Indian prisons were home to 17,634 women.

### PURPOSE:

This report seeks to study the condition of women in prison in India & inform action for improvement. An attempt has been made to build understanding on the entitlements of women in prison, issues faced by them & the possible methods for resolution of same.

### METHODOLOGY:

The study is based on an analysis of primary & secondary data, both quantitative & qualitative in nature. The findings are anchored in review of reports commissioned by conducted by this ministry exclusively for the purpose of this study - these are reports from jail visits conducted by National Commission for women b/w Nov-2017 & May 18 & a comprehensive review of prison manuals carried out by the National Law University, Delhi b/w March & June 2018. National Human Rights

## 01. INTRODUCTION :

Imprisonment as a method of punishment has evolved over centuries. In India, and most of the world today, prisons are viewed as centres for the reform of criminals therapeutic approach--- as an effective method of punishment. Advisories by MHA on prison administration have further stressed on the need for a positive prison environment.

Prison & its administration in a state detailed in List-Schedule VII of constitution of India. Prison established in different states

**"a prisoner is required to be treated as a human being entitled to all basic human rights, human dignity & human sympathy"**

The courts in India have propounded the need to recognize the rights of prisoners & improve their human sympathy - It has further directed the ministry of home affairs & states to take measures to improve the condition of prisons through

There is international agreement that the condition of prisoners, particularly women prisoners is dismal & need of Urgent Improvement. The UN General Assembly adopted the Bangkok rules in 2011, which lay out rules for the treatment of women in prison & prescribe certain non-custodial measures for women offenders in 2015, the Nelson Mandela Rules were adopted by the UN General Assembly, which set out the International minimum Standard for the treatment of prisoners including women.

## 02. METHODOLOGY.

**PURPOSE** - The purpose of Study is build Understanding on the Condition of women.

**Objective**; The objective of these Study.

These Study is based on mixed method design, analysing both quantitative & qualitative sets of primary & Secondary data.

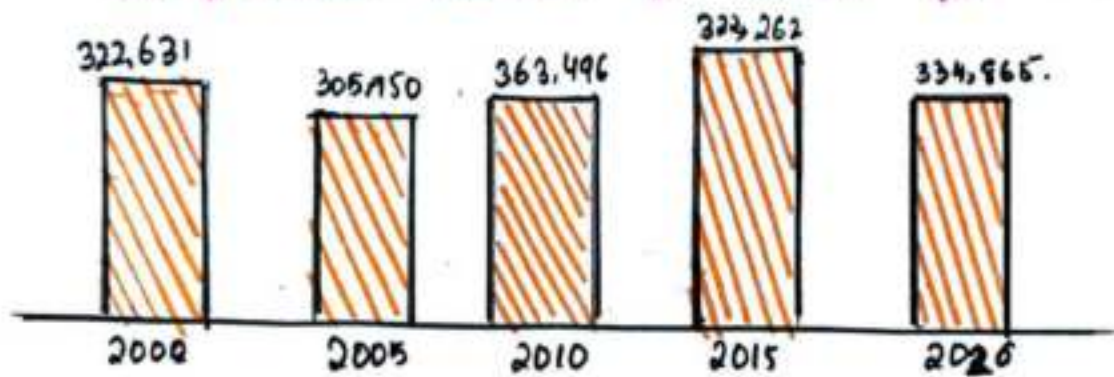
Two qualitative Studies were commissioned by ministry exclusively for the purpose of this report. The finding from these two Studies have formed basis of this report



## 03. BACK GROUND.

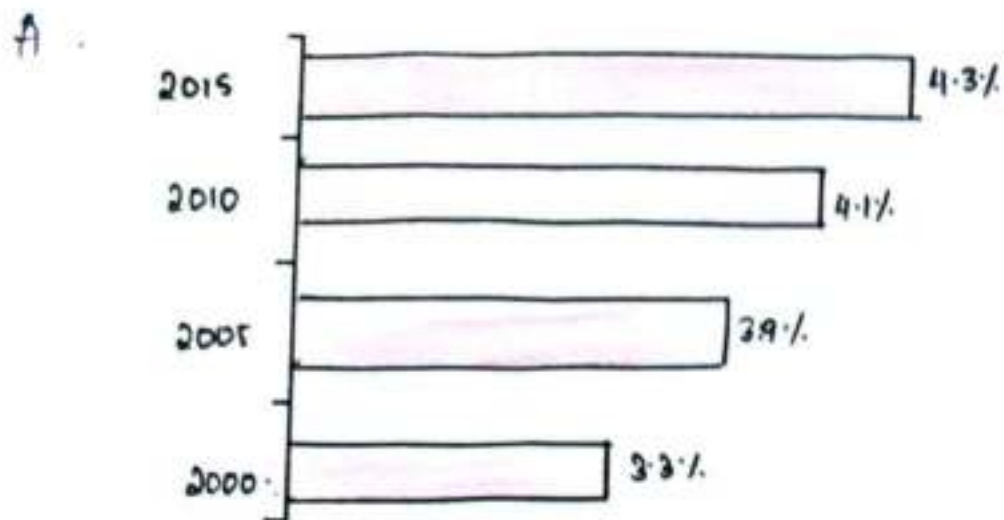
Over 3 lakh women were arrested for crimes Under the Indian Penal Code (IPC) Special & local laws a large no. of these women were arrested for crimes Under the prohibition Act, for cruelty by relatives of husband & rioting etc with this no. of women arrested for various offences 3-3.6 lakh.

*No. of women arrested for various offences under IPC & SL.*



## STATISTICS ON WOMEN IN PRISON.

As per most recent data available from the end of 2015, there are 4,19,623 persons in jail in India. Women constitute 4.3%. Total of 17,834 women of these, 66.8% (11,916) are Undertrial prisoners. In India, an analysis of prison statistics at five-year intervals reveals an increasing trend in no. of women prisoners.



A majority of female inmates are age group of 30-50 years (50.5%) followed in age group of 30-50 yrs (50.5%) total 1,401 prisons in India, only 16 are exclusive for women, housing 2,985 female prisons. Thus, majority enclosures of general prisons.

As can be observed from the geographical spread of women prisoners spread of the women prisoners varies across the country. U.P. by far has the highest no. of number of women in prison. women in prison.

## 04. ENTITLEMENTS & PROBLEMS.

The mulla committee clearly defined a list rights of prisoners which include the right to human dignity, right to communication with the outside world, right to have a manual of rights & duties given. The same list to be displayed in the prison & explained to inmate in language they understand their stage.

### 4.1 PRISON STAFF

National model prison manual 2016

"there is a huge shortage of staff in almost every jail of the country"

The scarcity of supervisory level female officers of staff in almost every jail officers/staff.

It directed all state govt. prison Headquarters in May 2017, court noted huge shortage of staff in almost every jail of country. It directed all state govt. visit by NHRC to over 100 jails etc.

## ACCOMMODATION:

A specified size for cells and barracks in prison is prescribed in the national prison manual. Barracks are meant to ideally only house 20 prisoners and dormitories to house prisoners in need of privacy for the purpose of study etc. as well as segregated cells where prisoners may be kept due to concerns of violence or contagious diseases.

**"Overcrowding is one of the key problems plaguing Indian prisoners".**

Steps need to be taken to ensure that imprisonment is only considered a last mile measure in the case of women, and measures are encouraged.

**"Women did not even have adequate sleeping arrangements in jails and had to sleep on the floor".**

## HEALTH

"Women's health needs, covering mental, physical, sexual and reproductive health' require particular attention"

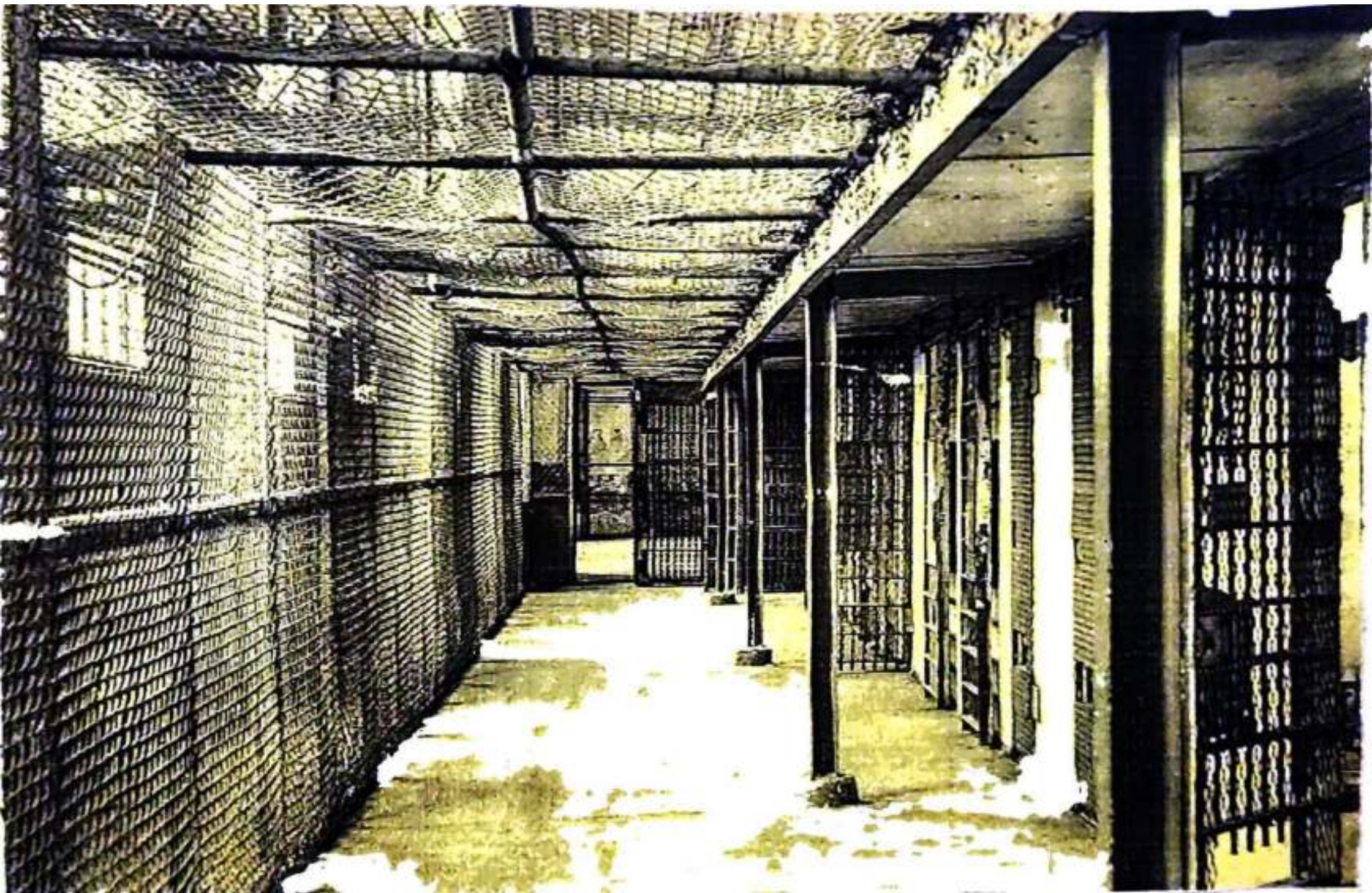
"not only the absence of disease but also the presence of a feeling of wellbeing and happiness"

## EDUCATION:

"Basic education is not universally available to women. prisoners Access to higher levels of education is almost entirely missing."

## RE-INTEGRATION IN SOCIETY AFTER RELEASE.

"Family ties are often lost and economic independence is a major hurdle."





## 5.2 CHILDREN OF WOMEN PRISONERS:

when deciding on the prison to which the woman is to be sent, regard should be had to her caretaking responsibilities if she has a child, and as far as possible, the woman must be given the choice of selecting the prison.

Children must be kept in the prison in a manner that they are not made to feel like offenders.

Administration should ensure that the facilities provided are tailored towards children living under their care. NGOs, schools and paediatricians can be engaged to ensure that children in prisons have access to basic facilities of education, day care, recreation and a healthy lifestyle.

Children should receive a special diet and be regularly examined by a lady medical officer, at least once a month to monitor their physical growth & condition of physical and mental health. They should have access to a lady medical officer as per their need.



### 5.3 PREGNANCY & CHILD BIRTH IN PRISON:

In case of govt prison pregnant prisoners, the provisions of the national model prison manual must be followed strictly to make arrangements for temporary release for delivery of children in a hospital outside the prison. Suspension of sentence may be considered in the case of casual offenders.

Information about a woman's pregnant status should also be made to the court that has ordered the detention, to enable the court to grant bail or modify the detention order as deemed necessary.

The birth certificate of the child born to a woman in prison should never mention the prison as place of birth to protect them against social stigma.



## A FAMILY MEMBER IN PRISON:

They have to live with the consequences. Stigma, Shame, guilt, Isolation, financial, Social, psychological and environmental consequences. are just some of the issues faced by all involved at different stages

## MAJOR PRISON ISSUES:

Over crowding . Gang act. Health care. Mental health care. Racism Assaults . Privatization. These are just a few of major problems, issues and trends facing prisons today.

Many Americans believe our prison. System is broken, while others believe the system is moving in the right direction. Let's take a closer look at three of the most heavily debated prison matters: prison overcrowding, mentally ill inmates and private prisons.

## % Of Avoiding Of Prison.

Results from the study found that about 37% of offenders were rearrested for a new crime and sent to prison again within the first three years they were released. Of the 16,486 prisoners, about 56% of them were convicted of a new crime.

## Effects Of Imprisonment On Prisoner's Families.

To many in our society, the impact of imprisonment on prisoners and their families is matter of little or no importance. In the face of everyday issues such as meeting financial demands, finding a balance b/w work and family commitments. the need of prisoners and their families is not an issue of concern for many members of the public.

the negative effect of incarceration on prisoners and their families critical in the prisons are commonly referred to as the 'secondary' or 'collateral'.

Such unintended punishment of prisoners families has led to their being described as the hidden or forgotten victims of crime.

## The Multiple Effects On Families.

- Deepening disadvantages
- Women bearing the burden
- Stigma
- Impact On children

## Families of political prisoners.

## Families of Non-political prisoners.

## Recognising the Needs Of families.

The conspicuous lack of knowledge about the collateral effects of imprisonment in Ireland exists despite the fact that prisoners and their families have been identified as highly vulnerable of both state and voluntary organisations.

The Govt national Action plan for Social Inclusion 2007 - 2016 recognised prisoners as a group experiencing social exclusion and requiring support and training to increase their potential for labour market participation.

# Limited Support For Families

despite the evidence of some official recognition of the problems faced by prisoners' families, organised state response to their needs has been very limited.

In response to recommendation in the 1972 report of the commission on the Status of women, the govt in 1974 introduced the prisoner's wife's allowance to provide a means-tested social welfare payment for the wives of prisoners and their children.

To be eligible for the payment, spouses had to be under 66 years of age.

In 1997, application for the prisoner's wife's allowance were closed.

## PRISON PROGRAM CASE STUDIES - SUCCESS STORIES.

### THE ART OF LIVING INDIA.

Prison programs helps inmates join mainstream when they are out of prison. It includes self-confidence and helps them let go to the guilt that they develop during their term the course also infuses an overall positive attitude and helps them stay away from any habit of substance abuse that they may develop. Explains Kamath "The best it brings is a whole shift in the attitude of the prisoners".



# CASE STUDY



## CASE STUDY:

# A Drug Addict Prisoner / Now a School teacher.

गोम - प्रकाश / स्टोरीज - किरियों के लिए कार्यालय - Case Studies - Success stories

A Drug Addict, Prisoner & Now A School Teacher



A man ready to kill and a man adored by parents - two different people, right, wrong

DARA SINGH was a simple boy, a farmer's son, growing up in the remote village of Khera in Rajasthan. His turning point came when he had to leave home to attend school. Instead of receiving the right kind of education, he was introduced to highly addictive drugs. Forced into addiction by unscrupulous elements, he became a drug peddler to support his unrelenting habit. The illness of addiction became so severe that he was ready to steal, prepared to kill to get a 'fix.'

Then came another turning point. Dara got caught. Sentenced to 12 yrs in 2001 for trying to smuggle 850 grams of heroin into Bihar. The Rajasthan police flung Dara Singh in a prison cell. All because of a simple breathing technique. Aman, whose life had been packed with crime, would become a model worth emulating.

### SENTENCED TO 12 Yrs, released after 7.

during the YLTP, Dara was motivated to perform both the Sudarshan kriya continuously for 41 days.

### The Sudarshan Kriya Opens up a World of Positive (+ve) Possibilities.

The Sudarshan kriya.

At first, life in prison was not different from the experience. Outside fear continued to gnaw at Dara's insides. He was also consumed by a burning desire to escape and avenge his imprisonment. This changed in 2007 when he attended the Art of Living prison program in an Udaipur jail. His first Sudarshan kriya was a powerful experience making him confront his traumatized emotions. He wanted to make a difference, & he did.



## Once an Alcoholic, this Professor Now Steers Youth de-addiction programs.

Professor Dr. Pambhottam Wayal was once an alcoholic - he fought his odds with extraordinary courage & went on to become a charismatic social worker and leader of the masses.

Dr. Wayal reflects on his poignant journey that has inspired him to transform the lives of thousands of youths & villagers across Maharashtra.

The Art  
of Living

-> A winner all the way.

Recently, Dr. Wayal's noteworthy contribution of to the Society was recognized by prestigious social organization of Maharashtra.

"Indeed it was a proud moment for me and my family the certificate of merit is a testimony of to the transformation that has happened in the society. I want to continue working with more vigor and enthusiasm," he said.

giving him hundred percent in any thing that he does is his secret for all the achievements

66

As a child, he played with hundred percent energy, even when he was consuming alcohol. 22.



# WHAT IS THE PRISON SMART PROGRAM?

The Prison SMART Program transforms the lives of people working in or incarcerated with the criminal justice system. This program teaches skills that reduce stress, heal trauma, & provides practical knowledge of how to handle negative emotions in order to living to one's highest potential and contribute to society in a positive way.

## IMPACT:

- Active in over 45 countries, and continues to grow.
- In India, over 100 prisons have implemented the program.
- More than 500,000 prison inmates have been transformed through these programs.

## BENEFITS OF THE PRISON SMART PROGRAM:

- Improved immunity and physical well being.
- reduced depression and anxiety.
- More respectful relationships b/w prisoners and prison staff
- Normalized Sleep patterns.
- Freedom from traumatic scars of the past
- Better mutual understanding among prisoners
- Removal of tendency to seek revenge as well as feelings of guilt.
- Reduced crime in society...

CONCLUSION

To conclude I would like to state that there is a need for a specific and specialized legislation for defining, and categorizing prisons and prisoners in India.

The prisoners in India are still governed by the Prisons Act of 1894, the Prisoners Act of 1900, and the Transfer of Prisoners Act of 1950, which three Acts do not even exhaustively define the kinds of prisoners nor do they exhaustively define and categorize the different type of prisoners in India.

The categorizing of the various kinds of prisoners and prisons for convicts, undertrial, would I believe keep the undertrials who might be not guilty away from the hardened criminals and hence stop the formation of new criminals. Also putting limits on the prison time of various undertrials by laws would further ensure that the criminal justice delivery system becomes more swift and would in conclusion lead to less burdening of the prisons in India.



The acceptance of the form of categorization of prisoners in the US or some form of modified system of categorization of prisoners in US, in India, will do a great extent help in bringing down the burden on the Indian prisons. It will also help to actually treat the prisoners, rather than keep him untreated in prison.

The no. of women in prison in India is steadily growing. A no. of issues plague the lives of women in prison, many of whom are undertrial. Prisons are not effectively serving their reformatory purpose. There is thus an urgent need to understand the issues of women in prison, recognise their rights and ensure these rights are fulfilled.

By

By improving conditions within prison, providing better support on release and most importantly keeping women out of formal prison system as far as possible, the issue of female criminality in India can be better dealt with

comprehensive and result-oriented research must be encouraged in this field which shall have a +ve impact on policy formulation and programme development, which will help in responding to the social reintegration needs of woman offenders more effectively.

This study may be used as a primer to understand the condition of women in prison, and the concerned authorities should take the recommendations forward.

This Study has been an attempt to build  
understanding on the areas for improvement within  
the prison system. The reader will likely agree  
that there is a definitive need to reform the  
largely male-centric prison system so as to  
make it effective to house and reform  
women prisoners. Policy makers and administrators  
may use this study as background reading  
while taking decisions on prison reform.

