

COMMONWEALTH HUMAN RIGHTS INITIATIVE (CHRI)

REPORT ON

PRISON VISITING SYSTEM  
IN ANDHRA PRADESH  
2005

EXECUTIVE SUMMARY



Commonwealth Human Rights Initiative  
2006

# Commonwealth Human Rights Initiative (CHRI), New Delhi

The Commonwealth Human Rights Initiative (CHRI) is an independent, non-partisan, international non-governmental organisation, mandated to ensure the *practical* realisation of human rights in the countries of the Commonwealth. In 1987, several Commonwealth professional associations founded CHRI. They believed that while the Commonwealth provided member countries a shared set of values and legal principles from which to work and provided a forum within which to promote human rights, there was little focus on the issues of human rights within the Commonwealth.

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**Design & Layout** : Ranjan Kumar Singh, CHRI

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## Commonwealth Human Rights Initiative

**CHRI Headquarters**  
B-117, First Floor  
Sarvodaya Enclave  
New Delhi - 110017, INDIA  
Tel: +91-11-2685-0523, 2686-4678  
Fax: +91-11-2686-4688  
E-mail: chriall@nda.vsnl.net.in

**CHRI London Office**  
C/o Institute of Commonwealth Studies  
28, Russell Square  
London WC1B 5DS, UK  
Tel: +44-020-7-862-8857  
Fax: +44-020-7-862-8820  
E-mail: chri@sas.ac.uk

**CHRI Africa Office**  
C/o The British Council  
PO Box GP 771  
Accra, Ghana  
Tel: +233-21-683068, 683069, 683070  
Fax: +233-21-683062  
E-mail: CHRI@gh.britishcouncil.org

Website: [www.humanrightsinitiative.org](http://www.humanrightsinitiative.org)

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# PRISON VISITING SYSTEM IN ANDHRA PRADESH

2005

## EXECUTIVE SUMMARY

Researched and Written

By

Dr. Murali Karnam  
Consultant, CHRI

Editing & Foreword

By

Maja Daruwala  
Director, CHRI



Commonwealth Human Rights Initiative  
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**Commonwealth Human Rights Initiative  
April 2006**

# Foreword

## Introduction

It is not for nothing that in less enlightened times prisons were sometimes known as *oubliettes* or places of the forgotten. In modern times the world and the Indian criminal justice system has moved away from the inherently cruel and medieval 'lock-em-up and throw away the key' approach towards crime and punishment and espoused - in theory at least - a rehabilitative approach. Prisons are now known nearly everywhere as 'correctional facilities' indicating their purpose as places that, while necessarily designed to hold people in, do so with the ultimate aim of rehabilitating offenders and releasing them back into society as productive members able to contribute positively to their environments. The new philosophy sees incarceration as a temporary phase along the path to rehabilitation: necessary in some circumstances either to punish or to isolate but not compulsory or endless.

Nevertheless, across the world prisons are a low-priority concern. Governments, especially those strapped for cash, provide the least they can and neglect the prisons department, its staff, infrastructure and buildings, as well as pay scant attention to the rights and conditions of the prisoners. Equally, society grudges expenditure or attention given to people perceived as undeserving wrongdoers, especially in a country where millions of poor barely subsist.

This neglect has its costs and society has a stake in ensuring prisons are run well. Staff - themselves often living locked in lifelong environments akin to the convicted - are demoralised and de-motivated. They perform poorly and prisons become places of risk, danger and rights violation that negatively impact the world outside their iron gates.

Unreformed and unsupervised prisons, locked away from societal intervention, become schools for criminality and now hothouses for quick spreading diseases like tuberculosis, sexually transmitted diseases and the terrible HIV/AIDS, that are easily communicable into crowded societies.

Beyond concern for physical well-being, society has a stake in ensuring that prisoners' *rights* are well protected. Our constitutional form of government clothes each citizen with fundamental rights that must be protected in all circumstances – prison is no exception. A citizen in custody suffers no reduction of rights beyond that which is absolutely unavoidable by virtue of being deprived of freedom. In fact, in prison, because it has sole and complete control over the citizen, the State has a special duty of care to ensure that the citizen in custody is not exposed to any additional danger nor put at any greater risk while in custody of the State than when free. The habitual violation of prisoners' rights - that range from not ensuring safety and security, to not ensuring easy access to effective legal aid nor producing remand prisoners in court on hearing dates because no transportation has been arranged - affects each of us because we are subject to the same justice system that habitually demonstrates it cannot ensure the minimum guarantees of access to justice are properly met.

This duty to be concerned with the conditions of incarceration and the rights of persons in custody is underlined by the reality that the majority of persons going through the prison system are not criminals but simply people waiting out their time through the lengthy court process. Under-trial prisoners are almost inevitably poor people in for petty crimes. Much of their crime is driven by desperation, ignorance and poverty. Nevertheless, the creaking criminal justice system bears down much more heavily and much more unfairly on the poor. Often unable to find effective legal representation or the means to bail themselves out, they spend unacceptably long periods – sometimes more than the maximum penalty - deprived of freedom while their guilt or innocence

remains to be decided in a system hallmarked by delays. In Andhra Pradesh, prisoners awaiting trial account for an average of 65% of the total prison population.

Simply said, in prisons of Andhra Pradesh there are just too many people who should not be there. The remedies for stopping this injustice and for reducing the chronic overcrowding that overburdens the jail administration, are all in place in law - bail rather than jail; effective legal defence; periodic jail house hearings by judges aimed at delivering quick decisions; lok adalats; parole for well-behaved and long-term prisoners; probation. But in the absence of anyone looking over the walls of the shuttered prison system, the remedies remain under-utilised and the jails continue to fill and fester creating embittered alienated people who have little support or ability to integrate into society.

The prison visiting system is one more statutory but under-utilised means of mending the chronically ailing prison system. The prison visiting system is legally mandated. It allows regulated social interventions into penal institutions. Laypersons, or non-official visitors, along with *ex officio* members, are appointed by government to sit on a board of visitors (BOV). Its function is to visit prisons, monitor conditions and support and supplement the administration with resources mobilised from society. The aim is to make sure that the prison is running well and in accordance with regulation, reduce its isolation, bring comfort and assistance to inmates, help in their rehabilitation and integration into society, and support the prison administration in ramping up reformatory activities.

This approach of involving communities in prison activities is emphatically advocated the world over and endorsed by the United Nation and other international bodies. In India, the Supreme Court has several times reaffirmed the importance of prison visits by official and non-official visitors in the conservation of the human rights of prisoners. In Andhra Pradesh, after a bit of nudging by the High Court, the government has been appointing non-official visitors to various prisons since 1997.

Nevertheless the prison visiting system works far from well. It is little known and under-resourced. BOVs, if they are constituted at all, rarely meet; visitors are appointed late or not at all; loose criteria for appointment do not draw in the most suitable candidates; diversity of class, gender, and professional experience is poor; all prisons are not equally well covered; for the most part visitors do not know their role and function; visits are irregular, infrequent or do not happen at all; poor quality and incomplete visiting notes are of little assistance to the administration and cannot ground improvements; and, most importantly, no one is held to account for not fulfilling their duties under the system.

Nevertheless, the prison visiting system has great potential for creating change in a system that is increasingly gaining international notoriety, but at present it is in bad need of attention and improvement.

This is the primary assumption of the present study as CHRI believes that if properly chosen, sensitised and trained about their obligations and responsibilities as per the prison manual, non-official and official visitors can together ensure a well-functioning prison visiting system that will act as a catalyst for bringing about positive changes all along the connected chain of the criminal justice system, prodding each of its links to perform better and so improve the whole.

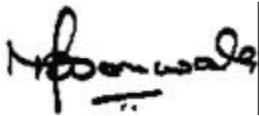
To create a well-functioning prison visiting system does not need more finances or manpower from the State. Nor does it call for any difficult re-organisation of the present system. It merely needs the State to act in obedience of the existing laws, rules and regulations and, for those mandated to make the system work, to carry out their duties with due diligence. It is not too much to ask.

## Objectives

The objective of the study was to examine the present state of the statutorily mandated prison visiting system in Andhra Pradesh and to make practical recommendations for its improvement. In particular, CHRI studied how prison visitors are selected; what criteria is used to identify and finalise nominations; what understanding NOVs have of their roles, responsibilities, rules and laws that govern the prison; whether visitors fulfill duties and functions according to the statutory guidelines in the prison manual and court judgments that form part of the law; what is outlined in the constitution of visiting boards in terms of the periodicity of visits, the processing of visiting notes and of action taken on the observations made by visitors; and the mutual perceptions and the relationships between the NOVs and prison staff.

## Methodology

The report and its observations are based on visits to 20 prisons between January 2005 and July 2005 by a study team that interviewed 66 prisoners, 53 NOVs, 17 prison doctors, 11 judicial and legal aid officers, retired prison officers, social workers in the prisons and 7 district magistrates. The secondary data for the study was collected from prison headquarters. In order to ensure a sound empirical basis for recommendations we reviewed data, administered questionnaires to all the officials and non-officials concerned with the prison visiting system, and supplemented these with personal interviews with prisoners, prison staff, district magistrates, retired prison officers and NOVs.



Maja Daruwala

Director

Commonwealth Human Rights Initiative

New Delhi

May 2006

## MAJOR FINDINGS

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## 1. Official Visitors to Prisons

### 1.1 District Collectors

#### Standard

According to Andhra Pradesh Prison Rules 1979 all official visitors are required to meet and inspect prisons once in a quarter. They must talk to prisoners, hear any complaints and satisfy themselves that living conditions are satisfactory. The district collector as the chair of the board of visitors (BOV) is required to call for a board meeting once in every quarter and arrange a roster for visits and send notices to official and non-official visitors to avail their turn.

#### Reality

1. Almost all the district collectors are unaware that according to the prison manual they are ex-officio chairpersons for the BOVs.
2. Some of them are not aware that they are responsible for constituting BOVs to prisons.
3. Even where visits are made, they rarely record their suggestions to improve prison conditions in the Prison Visitors' Book.

### 1.2 District Judges and Magistrates

#### Standard

All magistrates and judges are required to visit the prisons as frequently as possible to oversee the living conditions of prisoners and address the problems of under-trial prisoners.

#### Reality

1. Though judicial officers visit prisons more frequently than any other category of visitor, they limit their interventions to issues relating to judicial proceedings of cases of under-trial prisoners rather than prison conditions as such.
2. Despite these visits, there are no mandatory prisoners' grievance deposit boxes installed in any of the prisons that would allow prisoners to communicate directly with judicial officers about legal aid, living conditions and health care in the prisons.<sup>1</sup> Nor is attention paid to other legal safeguards or comments recorded in terms of compliance with human rights commissions' guidelines from time to time by the Supreme Court or human rights commissions.
3. Almost all district magistrates confessed that they are not aware of the concept of BOVs in prisons and its functions. Nor were they aware of the provisions in the Prison Manual.
4. Nevertheless, most district magistrates accepted that in order to improve the functioning of prisons and prisoners living conditions, there was a need to hold regular BOV meetings.
5. District magistrates expect prison superintendents to take the initiative to hold regular meetings of BOVs.

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<sup>1</sup>*Sunil Batra II v/s Delhi Administration, 1980 (3) Supreme Court Cases, page 488.*

### 1.3 Director of Medical and Health Services

#### Standard

The director of medical and health services is a member of the BOV of all the prisons. As the head of the public health system, he is expected to contribute to design an effective prison medical service and address the problems of accessing better health services by the prisoners and prison staff.

#### Reality

1. Between 2003-2004, the Director of Medical and Health Services did not visit a single prison in the state. In fact there is no such tradition in practice.
2. In the same period, the district medical officers made 11 visits to 6 prisons but 11 others were not visited even once.
3. They rarely put down their suggestions to the prison officials in black and white.

### 1.4 District Educational Officers

#### Standard

District education officers are part of the ex-officio membership of the BOV. They are included in order to use their particular position to advantage prisoners. Their presence is intended to ensure some degree of exposure to education and improvement in prisoner literacy and vocational abilities so that there is a real chance of their being able to earn a living outside prison. District educational officers' duties include visiting prisons according to the roster and in particular, seeing to the improvement of access to learning opportunities and vocational trainings.

#### Reality

1. Between January 2003 and December 2004 only three District Educational Officers had visited their respective prisons; the rest had not.
2. Even where they had visited, educational officers had made no comments that covered their areas of responsibility or about general conditions. There was no evidence to suggest that they had paid particular attention to the development of libraries or the appointment of regular teaching staff.

### 1.5 Other Ex-officio Visitors

#### Standard

Representatives of industries, fire services, factory inspectorate, members of the legislative assembly are also included in order to broad base the BOV and ensure that the jail administration has assistance and oversight in ensuring adequate work, wages and safe working conditions.

#### Reality

1. Between January 2003 and December 2004, the Director of Industries had visited just two of the 20 prisons.
2. The Chief Inspector of Factories and senior fire officers of the locality had visited only the central prison at Warangal during the period. None of the other 19 prisons had been visited even once.
3. Members of Legislative Assembly, who are ex-officio NOVs to the prisons located in their constituency, had made 11 visits during the period and no people's representative ever visited 6 of the 20 prisons we examined.

## 2. Non-Official Visitors (NOVs) to Prisons

### 2.1 Selection criteria followed in the appointment of NOVs

#### Standard

The prison manual does not provide any explicit criteria for the selection of the non-official visitors. Neither has the government formulated criteria against which to make selections. This is the fundamental and serious flaw in the system.

#### Reality

1. Lack of criteria, most of the time, leads to inclusion of persons as prison visitors for reasons that have little to do with their abilities, the needs of prisoners, or relevance to specific prisons and leads to the identification and appointment of candidates with little discernable interest in prison improvement and oversight.
2. Often, NOVs are drawn from amongst already busy local professionals from medicine, law, business and academics. They have little specific knowledge of prisons and little time to spare to visit prisons regularly and do so only to mark attendance on ceremonial public occasions where there is no possibility of serious interaction with prisoners or observation of conditions.
3. A number of chronically sick or aged NOVs have been appointed who (most of them are retired bureaucrats) never visited prisons but were reappointed again and again. All prisons have at least one or two NOVs of this sort.
4. NOVs with faith based backgrounds, social work and teaching are the most active and functional NOVs.
5. Some of the NOVs are housewives of ward counselors who are unfamiliar with public life.

### 2.2 Number of NOVs appointed

#### Standard

NOVs are required to be appointed to all the prisons in the state. Six NOVs, including 2 female members, are required to be appointed to central prisons and 4 NOVs, including 1 female member, are required to be appointed to district prisons.

#### Reality

1. Appointment of NOVs to sub-jails has never been made although they fall under the category of 'prisons'.
2. Appointment of full complement of prison visitors is not always followed.
3. There is no uniformity in the numbers appointed to the same category of prisons:
  - Between 2 and 6 members, including women members, are appointed to central prisons while between 3 and 4 are appointed to district jails.
  - In district jails where women prisoners are also accommodated, female NOVs had not been appointed.
  - In some cases, the same NOV was appointed to two prisons, but had not visited either.

## 2.3 Procedure followed in the appointment of NOVs

### Standard

Prison regulations require that NOVs be appointed by the government once in two years on the recommendation of the Inspector General of Prisons, who should propose the names in consultation with collectors of the concerned districts.

### Reality

1. The procedure followed in the appointment is cumbersome and lengthy. From the stage proposing names to the publication of appointments in the official gazette, there are 7 stages through which names are processed.
2. On average, it took the government two years and four months to appoint NOVs to each prison between September 1997 and July 2005.
3. Unlike the system followed in other states where appointments of NOVs to all the prisons are made at the same time in a single process, appointments in Andhra Pradesh are made separately for each prison.
4. District collectors depend mostly on lower level revenue officials and prison officials for nominations.

## 2.4 Communication of appointment orders

### Standard

Once the appointment is published in the government gazette, the district collectors are required to call for an early meeting of all the appointees and communicate the same to them.

### Reality

1. Appointments do not get communicated to the newly appointed NOVs for months and sometimes not at all.
2. After appointment and publication of orders in the government gazette, the Home and Prison Departments do not maintain any record on the communication of appointment letters or other communications with NOVs.
3. Despite being appointed, NOVs frequently do not receive their appointment orders and so do not know they are in fact visitors to the prisons. Many hear about their appointments only orally. A number of them had not been informed of their appointments for a year and a half while others had not received their appointment orders at any time throughout the entire two years of their tenure.
4. Where prison officials are involved in the identification of NOVs, they take some responsibility to communicate the appointment orders.

## 2.5 Roster for prison visiting

### Standard

The district magistrate is required to prepare a roster for prison visits once every two years. It is required to fix a schedule of visits to be made by individual visitors both official and non-official. If the roster is adhered to, jails would be visited on minimum 52 times in a year without counting unscheduled and surprise visits, which are also permitted.

### Reality

1. In the absence of meetings of the BOV, most of the NOVs, prison officers and district collectors are not aware of the roster system for prison visits, except in the districts of Kadapa and East Godavari.
2. In the entire state, the responsibility of official visitors was never fixed through a roster.
3. Prison officers were not keen to have rosters prepared for prison visits.

## 2.6 Supply of rules and guidelines for NOVs

### Standard

There is no regulation that requires that rules and guidelines of their role and duties be provided to appointed visitors. However, the government did supply this information to visitors of two prisons in the state.

### Reality

1. 95% of NOVs are not aware of guidelines for prison visits, nor are they aware of their duties and responsibilities.
2. The rules and guidelines for prison visiting were supplied only to those NOVs who were appointed during the years 1997-99.
3. After 1999, no other NOV was supplied with prison visiting guidelines or points to be noted during their visits, either by the prisons department or by district collectors. No district collector claimed to have copies of prison manuals.
4. Only the district collector of Kadapa supplied a few guidelines as part of roster to all the NOVs of Kadapa Central Prison during 2002-2004. As a result, visitors made more visits to this prison.

## 2.7 Display of names of prison visitors

### Standard

The regulations require that the rosters of visits by official and non-official visits are to be displayed at the entrance of prison main gate. This is reconfirmed by the judgment in Sunil Batra (II) case. The need to make norms of functioning public is again reinforced by Section 4 of the Right to Information Act 2005, which also lays down penalties for non-disclosure.

### Reality

1. Prisons in AP do not have a tradition of displaying the names of non-official and official visitors as mandated by the prison manual. This requirement is now reinforced by the new 2005 right to information law.
2. No prison officer claimed to display the names of NOVs even in the past.

## 2.8 Periodicity of visits

### Standard

Every NOV is supposed to make at least 10 visits to prisons in a year, if weekly rosters are prepared by the district collectors.

## Reality

1. 26 % of NOVs never visited the prisons during their entire two-year term.
2. Some of the NOVs who never visited were reappointed for a second term.
3. Only 7 out of 53 NOVs (13%) made the required number of prison visits (20 and above) during their two-year term.
4. More than 50% of visitors only made visits to prisons on three important occasions every year: 2 October, 15 August and 26 January. These occasions are ceremonial and as such do not provide occasions for individual interaction with prison inmates.
5. Collective visits by the NOVs are very rare, except during celebratory occasions.
6. NOVs' visits in association with Official Visitors are even more rare.
7. NOVs appointed to Visaka Central Prison and district jails of Anantapur and Mahaboobnagar in the last term have not visited them even once during their two-year term.
8. Only in the Central Prison of Kadapa do all the six NOVs regularly visit the prison as per the roster arranged by the District Collector.
9. In other prisons such as State Jail for Women in Hyderabad, District Jail of Nalgonda, Central Prisons of Warangal and Rajahmundry only one or two of the total NOVs appointed make regular, if not frequent, visits and rest of them never visit.
10. Only one NOV<sup>1</sup> of the 53 interviewed could provide all the dates of his visits.
11. NOVs with faith based and social work backgrounds visited prisons more frequently than others.

## 2.9 Prison visitors' notes

### Standard

Prison regulations require that visitors write up notes each time they visit on 25 points, which include checking the quality of food and proper payment of wages etc. Their observations and suggestions are expected to be acted upon by jail authorities. There is a system by which their notes reach the BOVs, as well as jail officials and senior ministry officials, and a system by which observations can be reviewed and kept under scrutiny that will ensure adherence to prison rules and regulations and lead to steady improvements.

### Reality

1. Very few visitors, official or non-official, write detailed notes on the conditions of prisons in the Prison Visitors Book.
2. Most write very sketchy undifferentiated comments that do not indicate what action needs to be taken by authorities to right bad practice or make improvements.
3. Almost all the notes written by NOVs and official visitors are sent to prison headquarters but get no response. No suggestion or recommendation made by visitors was ever responded to by prison officials or prison headquarters in the form of action taken reports as required by the prison rules.
4. We observed that without an early follow-up action, some detailed notes and recommendations of interested NOVs deteriorated over time and there was declining interest for recording much of anything following their visits.
5. Contrary to the rules, sometimes officials do not make visitors' books available to the visitors.
6. Frequently prison officials discourage NOVs from recording their comments and suggestions in the Visitors' Book.

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<sup>2</sup> GV Kondappa, a retired prison official of Kadapa Central Prison

## 2.10 Functioning of board of visitors (BOVs) to prisons

### Standard

The executive magistrate or district collector who heads up the district administration is bound to constitute and convene regular meetings of a BOV. The board is made up of several persons who are there as officials of the local administration and the appointed NOVs of the jail/district. The board is required to meet once in a quarter, make at least 4 visits a year, create a roster for individual visits, make surprise visits, and review whether action has been taken on their suggestions and send a report to the government.

### Reality

1. In the past one decade, no district magistrate has ever called for a BOV meeting at any prison.
2. Almost all the NOVs are unaware of the BOV and its functions. Obviously the question of attending its meeting does not arise.

## MAJOR RECOMMENDATIONS

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## 1. Official Visitors

In the list of ex-officio visitors of prisons, the following should be added:

1. Members of National and State Human Rights Commissions - to ensure prisoners' rights are safeguarded;
2. Chairperson and Secretary of State Legal Services Authority - to ensure a coordinated approach to the statutory legal aid that must be provided to prisoners;
3. Commissioner of Juvenile Welfare and Correctional Services - to ensure that children inadvertently caught within the system are immediately removed and safeguarded;
4. Director of Women and Chief Welfare Technical Education - to pay particular attention to the situation of women and assist in providing education toward rehabilitation of all;
5. Commissioner of Agriculture – to assist in providing more avenues for prisoners' activities.

For purposes of better coordination, the following office bearers can be added to the list of ex-officio visitors of all the prisons and subjects falling with their jurisdiction:

1. District Superintendent of Police
2. District Probation Officer
3. District Education Officer (dealing with adult education)
4. Chief Health and Sanitary Inspector

### 1.1 Functioning of official visitors

1. Once a year, the Prison Superintendent should address all the ex-officio visitors and remind them of their obligations as prison visitors. Guidelines for prison visits and prison manuals should be supplied to district magistrates and all official visitors.
2. Prison officials and NOVs should collectively address all the prison issues that come under the jurisdiction of various ex-officio visitors, seeking their intervention for the resolution of problems.
3. The minimum number of visits to be paid by official visitors in a year should be fixed by the heads of the respective departments and government. The number of visits to be made should also be on the information boards.
4. The District Collector should also prepare a roster for prison visits by ex-officio visitors.

## 2. Non-Official Visitors (NOVs)

### 2.1 Selection criteria

The government should formulate criteria for selection of non-official visitors and include this in the prison manual. Potential candidates for non-official visitors should:

- Be public-spirited persons of integrity, interested in prison reforms and the rehabilitation of offenders, preferably having expertise in the field of education, medicine and/or social reforms.
- At least one of the NOVs at central and district prisons shall be a practicing lawyer or a person with a legal or judicial background, or a person having an understanding of the functioning of the criminal justice system or human rights institutions.
- Have proof of involvement in community work.
- Indicate a willingness to spare adequate time and energy to creatively contribute to prison reforms.

## **2.2 Number of NOVs**

1. The government should appoint NOVs for all prisons including sub-jails in the state.
2. The government should appoint 6 NOVs, including 2 female visitors, to all central prisons that accommodate women prisoners.
3. The government should appoint 4 NOVs, including at least one female visitor, to all district jails that accommodate women prisoners.
4. The practice of appointing the same visitors to two prisons should be stopped.
5. There should be at least 2 NOVs, including one female visitor, for each sub-jail in the state.

## **2.3 Procedure of appointment of NOVs**

1. To shorten the process of appointment of NOVs, the government should empower the district magistrates and collectors directly to nominate persons, according to published criteria, to all the prisons and jails in their jurisdiction at one time.
2. If the above change needs amendments in the law, the government should appoint NOVs to all the prisons and jails at the same time to achieve uniformity and shorten the process.
3. The District Magistrate should, through his own sources, draw a list of potential candidates for appointment as NOVs of prisons and send them letters of intent, soliciting their consent. A panel should be prepared out of those candidates who forward their consent.
4. These panels should be forwarded directly to the Home Department for the consideration and final decision of the government.
5. A maximum time limit must be prescribed for appointing NOVs and for convening the board. A time limit for processing appointments of NOVs should be fixed for all officials concerned.
6. No time gap must be permitted between a vacancy appearing and the next appointment. The process of selection of NOVs must start three months prior to expected vacancies on expiry of term of the existing panel. It should be the duty of the officer in charge of the prison to inform the district collector to take this up well in advance, along with providing his opinion on the panel of NOVs working.
7. District collectors, who are expected to play a key role in the selection of NOVs and in involving them in BOVs, should perform this regulatory function with due diligence and follow all the guidelines in the selection process itself.

## **2.4 Responsibility of communication of appointment of NOVs**

1. In place of the district collector who is, at present, expected to inform NOVs about their appointment, the concerned prison superintendent should be given the responsibility of making this information known to the NOV.
2. The process of appointment must be taken as completed only when the nominee has indicated his willingness to accept. If this is not provided within a stipulated time frame it must be taken that he has declined and another person must be chosen in his stead. Prison superintendents should maintain a record of NOVs indicating they have received appointment orders and have agreed to function as such.

## **2.5 Roster for prison visiting by NOVs**

1. Within 30 days of the appointment of NOVs for various jails in a district, the District Collector should call a meeting of all such NOVs and in consultation with them, have their names displayed on a roster of visits for each prison.
2. Responsibility should be fixed on the district collector to ensure a pre-arranged weekly or fortnightly roster of visits to each jail so as to give every category of visitor his/her turn to visit the jail.

3. A visitor who is, for any reason, unable to visit the prison according to his turn in the roster should be bound to visit another month, provided that he informs the officer-in-charge beforehand of his intention to do so.
4. There should be no restriction on visitors visiting prisons on dates other than those fixed by the district magistrate, but visits should be made on a working day and during usual working hours of the institution.
5. An NOV who fails to visit the concerned prison for a period of two months, should be regarded as having vacated office and this should promptly be reported to the district collector by the prison superintendent with a view to providing an immediate replacement.

## **2.6 Supply of guidelines to NOVs**

1. On the day of the first meeting of NOVs and other visitors as the BOV with the district collector, the prison superintendent should supply NOVs with guidelines to visit prisons and should familiarise them with the prison rules and their responsibilities.
2. They should also be supplied with all the list of points to be noted by the prison visitors as provided in rules.
3. The following aspects need to be added to the list of points to report on by NOVs during their visits: working of the Jail Adalats and the Under-trial Prisoner Review Committee, literacy programmes, vocational training programmes, conservation of human rights and the use of parole as an instrument of social rehabilitation.
4. Official and non-official visitors should pay special attention to prisoners on hunger strike and other such prisoners segregated on disciplinary grounds and it should be mandatory that they report these incidents to the district magistrate and all concerned officials.

## **2.7 Display of names and addresses of visitors and roster**

1. In view of the legal obligations under the general law and the new Right to Information Act 2005, it must be the invariable practice for prison authorities to display the names, addresses, and phone numbers of all the visitors – official and non-official – as well as the roster of visits prepared by the district magistrate, at the gate, at prominent places within the prison and at the place of interviews for the use of prisoners and their visitors, as well as information boards.

## **2.8 Frequency of visits**

1. Each BOV, as a whole, must hold its meetings at least once a quarter and these meetings should, as far as possible, be held on the jail premises. Regular meetings of BOVs on the jail premises will ensure all members of the BOV make at least 4 visits a year.
2. In order to monitor the frequency of visits a record must be kept with due diligence by the prison superintendent. Failure to visit for more than two months or failure of official visitors to visit the jail on stipulated occasions or to visit less than previously agreed must be reported to the district magistrate for making alternative arrangements. It should be viewed as a dereliction of duty.
3. Reappointment of NOVs at the end of term must be done with the written consent of the NOV. Reappointments must be based on demonstrable criteria of previous interest and involvement in prison work. No reappointment must be considered if the record of performance does not indicate conscious regular visits by the NOVs and a record of fulsome notes.

## 2.9 Prison visitors' notes

1. A single visitors book for the use of official and non-official visitors must act as a record of visits, recommendations and suggestions and be readily available to all those concerned with prisons. This book/register should not be removed from the jail premises, except for photocopying, which can only be done with the permission of the superintendent.
2. It must be mandatory for every visitor after each visit to enter the date and hour of his\her entry and exit, and remarks or suggestions he\she may wish to make with regard to the internal arrangement of the jail or the state of discipline maintained therein. Entries should be made in the visitor's own handwriting.
3. Notes must be complete and include every point required in the guidelines and according to the prison regulations. Even if the visitors are only able to make brief remarks such as 'good', 'bad', 'nothing objectionable', 'no comments' etc., the point must be mentioned. This note should be in addition to the mandatory general remarks in the Visitors' Book. We would recommend that registers be printed to accommodate lists of items to be observed along with boxes for grades and spaces for special and general comments.
4. Once every two months, the superintendent should forward a copy of visiting notes to the Inspector General of Prisons. The notes should include his comments on each point, as well as the administrative position on the implementation of any suggestions made.
5. A special cell should process all visiting notes received at the prison headquarters within 30 days and send a reply to the superintendent mentioning:
  - Action taken on all suggestions falling within the administrative and financial powers of the Head of the Department;
  - Reference to the administrative department in the government on all suggestions not within the powers of head of the department; and
  - Reasons for disagreement on suggestions found unreasonable or not practical.
6. The superintendent of the jail should forward a copy of the orders, if any, from the Inspector General or the government to the visitor.
7. The superintendent should cause these orders to be copied in brief in the visitor's book for the information of the visitors.
8. Visitors' notes should be discussed at the meetings of the BOV along with action taken reports and recommendations of official and non-official visitors should be endorsed.

## 2.10 Board of visitors (BOV)

1. The prison department should supply a copy of the prison manual to all the district collectors and joint collectors immediately.
2. The official, non-official and ex-officio non-official visitors to all the prisons in the district should constitute a BOV, of which the district collector, or in his absence the joint collector, should be the ex-officio chairperson.
3. The prison superintendents should take initiative to call for BOV meetings in consultation with district collectors.
4. The District Sessions Judge, the Chairperson of District Legal Aid Committee and the Superintendent of Police may depute a surrogate on the BOV, not below next in command.
5. One of the main functions of the BOV, apart from attending to the requests of inmates and making observations on "points to be noted by the visitors" mentioned in rules, should be to advise and help prison administration in the development of correctional programmes by using social resources and mobilising support from outside agencies.
6. A visiting note on all aspects of prison management enumerated in the rules on "points to be noted by the visitors" should be drawn by the district magistrate and sent to the superintendent of the concerned jail as soon as possible.

7. If the chairperson of the BOV has reason to believe that any point raised has been met with undue delay or by an evasive reply, he should communicate directly with the Inspector General of Prisons or the Home Secretary.

### **2.11 General working conditions**

1. The mandate of the BOV must be to ensure transparency in prison management and humane living conditions in the prisons.
2. The BOV must make a collective visit to the prison before meeting on the jail premises at least once every quarter.
3. Notes of all visits must be presented before the BOV by all visitors, suggestions should be addressed and adopted, and action plans drawn with a time limit specified.
4. The BOV must be presented with a quarterly action taken report by the jail authorities and with written reasons for delay or non-acceptance.
5. The BOV may comment on these, keep suggestions for improvement under review, as well as monitor the visits of its own members for quality and frequency. Its full minutes must be send to (a) the prison headquarters (b) the Home Department and (c) the State Human Rights Commission. Government should consider instituting some kind of public recognition or award for performance of demonstrably excellent services as an NOV of prisons.

### **2.12 Prison rules**

Rules framed under section 59 (25) of the Prisons Act 1894, i.e., Chapter IV of AP Prison Rules 1979, which deal with the prison visiting system must be suitably changed to make the system practical and efficacious. A draft of set of amended rules is attached. [Annexure]

## Annexure

Draft of proposed amendments in  
rules framed under sections 59 (25) of the Prisons Act 1894  
(Chapter IV of AP Prison Rules 1979)

## Appointment and Guidance of Prison Visitors

### 1. Ex-officio visitors:

- (A) The following shall be ex-officio visitors of all the prisons and sub-jails in the state:
- (i) Chairperson and Members of National and State Commissions for Women.
  - (ii) Chairman and member secretary of State Legal Services Authority.
  - (iii) Chairperson of AP Human Rights Committee\Commission.
  - (iv) Commissioner of Juvenile Welfare and Correctional Services.
  - (v) Director of Women and Child Welfare.
  - (vi) IG of Police (Force Deployment).
  - (vii) Director of Industries.
  - (viii) Director of Medical and Health Services.
  - (ix) Director of Technical Education.
  - (x) Commissioner of Agriculture.
  - (xi) Members of Legislative Assembly, and those nominated by the Governor under article 171 (3) (e) of the Constitution of India shall be ex-officio non-official visitors.
- (B) The following office bearers shall be ex-officio visitors of all the prisons and sub-jails falling within their jurisdiction.
- (i) Dist Sessions Judge, Additional Sessions Judge, Chief Metropolitan Magistrate.
  - (ii) Chairperson, Dist Legal Aid Authority.
  - (iii) Dist Magistrate and Collector.
  - (iv) Superintendent of Police.
  - (v) Chief Medical and Health Officer.
  - (vi) District Industries Officer.
  - (vii) District Probation Officer.
  - (viii) District Education Officer (dealing with adult education)
  - (ix) Chief Health and Sanitary Inspector.

### 2. Visits by official visitors:

The number of visits to be paid by official visitors in the year shall be unlimited but it shall not be less than four.

### 3. Appointment of non-official visitors:

- (i) The government shall appoint non-official visitors for all prisons including sub-jails in the state.
- (ii) There shall generally be eight non-official visitors for each Central Prison and Prisoners Agricultural Colonies and for each District Jail there shall be four non-official visitors. This includes two lady non-official visitors for each Central Prison and one for each District Jail.
- (iii) There shall be six lady non-official visitors for the State Jail for Women, Hyderabad and Rajahmundry and two non-official visitors, including one lady visitor for each sub-jail in the state.
- (iv) Government will appoint non-official visitors to all the prisons and jails on the recommendation of District Magistrate and Collectors of the concerned districts.

- (v) The non-official visitors shall be drawn from social service sector, criminal justice system, educational institutions, medical field, industries and so on.
- (vi) The District Magistrate shall, through his own sources, draw a list of potential candidates for appointment as non-official visitors of prisons, and send them of letters of intent and soliciting their consent.
- (vii) These panels shall be forwarded directly to the Home Department for the consideration and final decision of the government.

**4. Term of office and removal of non-official visitors:**

- (i) Every non-official visitor shall be appointed for a period of three years, and shall be eligible for reappointment on the expiry of each term of office. Non-official visitors shall not be entitled to any daily allowance but conveyance allowance shall be paid for every visit to jail.
- (ii) Nothing in these rules shall affect the powers of government to appoint, re-appoint or revoke the appointment at any time of any person, official or non-official, as a visitor of any jail.
- (iii) The District Magistrate shall take steps to process the panel of potential non-official visitors three months in advance of the expiry of term of non-official visitors in place.

**5. Training of non-official visitors:**

The Non-official visitors shall be imparted an orientation training of two or three days on all aspects of their assignment within one month of their appointment. Training of non-official visitors shall, *inter alia*, cover subjects, namely use of social resources for correctional work and conservation of human rights in custodial institutions.

**6. Roster for monthly visits:**

- (i) Within 30 days of the appointment of non-official visitors for various jails in a district, the District Magistrate shall call a meeting of all such non-official visitors and in consultation with them, cause their names to be displayed on a roster of visits for each prison or sub-jail.
- (ii). It shall be the duty of the District Magistrate to arrange the roster for weekly visits to the jail so as to give each visitor, official, non-official and ex-officio non-official, visit the jail in the coming week. There shall not be a fixed day of the week for these visits but the visitor shall be left free to visit the jail on any working day that suits him.
- (iii) Nothing in these rules shall prevent visitors visiting the jails on dates other than those fixed by the Chairperson of the Board, but the visit should be on any working day and during usual working hours of the institution.
- (iv) A visitor who is, for any reason, unable to visit the prison according to his turn in the roster may visit it another month, provided that he informs the Officer-in-charge of the prison before hand of his intention to do so.
- (v) Any non-official visitor who fails to visit for a period of two months shall be regarded as having vacated the office and a substitute arrangement shall be made.

**7. Introduction of non-official visitors to the staff and inmates:**

- (i) On receipt of information that Non-official visitors have been appointed, the Superintendent of the prison shall address a letter each to all the non-official visitors, inviting them on a particular day for a formal introduction with the staff and inmates.
- (ii) After a formal introduction, non-official visitors shall not expect any call or invitation from the OIC of the prison for further visits.
- (iii) Non-official visitors shall generally visit prisons during day between unlocking and locking-up time.

**8. Visitor to be accompanied by jail staff:**

- (i) The Superintendent shall arrange that every visitor to the prison be accompanied by a responsible officer.
- (ii) The visitors shall talk to the inmates at an out of hearing distance from but in a full sight of the officer accompanying them.

**9. Names of visitors to be displayed:**

The Superintendent shall cause a board hung up at the jail gate on which the names of all the visitors, official and non-official, as well as the roster for non-official visitors prepared by the District Magistrate, shall be noted. A list of names and addresses together with their phone numbers of all the visitors shall be displayed at prominent places within and at the place of interviews for the usage of prisoners and their visitors.

**10. Duties of visitors:**

- (i) It is the duty of a visitor to satisfy himself\herself that the law, rules and regulations in the management of prison and prisoners are duly carried out in the prison, to visit all parts of the prison and to see all prisoners, and to hear and inquire into any complaints the prisoners may make to him or her.
- (ii) A list of questions indicating some of the points to which a visitor may direct his or her inquiries is appended to these rules.
- (iii) An official or non-official visitor may call for all books, papers and records other than those of confidential nature, which are connected with the administration of any department of the prison.
- (iv) No visitor may issue any order or instruction to any subordinate jail officer.
- (v) Non-official visitors may not visit prisoners who are not allowed to be interviewed on medical grounds.

**11. Visitors' book and visiting notes:**

- (i) There shall be only one visitors' book for the use of official and non-official visitors. The book shall not be removed from the jail premises except for photocopying, with the permission of Superintendent.
- (ii) Every visitor shall, after he\she has completed the visit to jail, record in the visitors' book the date and hour of his\her visit, and may enter therein any remarks or suggestions he\she may wish to make with regard to the internal arrangement the jail or the state of discipline maintained therein. Entries shall be made in the visitors' own handwriting.
- (iii) Every visit by a non-official or official visitors or a group of visitors shall (as soon as possible, but not later than 7 days) be followed by a visiting notes on every point observed. Even if the visitors have to mention brief remarks such as 'good', 'bad', 'nothing objectionable', 'no comments' etc., the point must be mentioned. This note shall be in addition to the mandatory general remarks in the Visitors' Book.
- (iv) The remarks recorded by the visitor in the visitors' book shall be treated as confidential and shall not be communicated to the prisoners or any one outside the jail.
- (v) The superintendent shall, within 3 days of the receipt of the visiting note, forward a copy of visiting note with his comments on each point and the administrative position with regard to the implementation of any suggestions made, to the Inspector General of Prisons.

## 12. Processing of visiting notes:

- (i) All visiting notes received at the prison headquarters shall be processed by a special cell within 30 days and a reply sent to the superintendent mentioning: 1. Action taken on all reasonable suggestions falling within the administrative and financial powers of the Head of the Department; 2. Reference made to the administrative department in the government on all reasonable suggestions not within the powers of Head of the Department, and 3. Reasons for disagreement on suggestions found unreasonable or not practical.
- (ii) The Superintendent of the Jail shall forward a copy of the orders from the Inspector General or the government, if any, to the visitor.
- (iii) The Superintendent shall cause these orders to be copied in brief in the visitors' book for the information of the visitors.
- (iv) The non-official visitors shall have the prerogative of writing directly to the Home Department in the Government on issues they think proper.
- (v) Non-official visitors shall also have the right to refer all instances of alleged or apparent violations of human rights or of ostensible situations leading to the possibility of such violations, to the National or State Commissions for women and Human Rights Commissions.

## 13. Complaints of prisoners:

- (i) Should there be any complaint which a prisoner may make to a visitor about his own treatment or that of any other prisoner or about the conduct of any officer, or should the visitor himself observe any matter of which he feels notice ought to be taken, he should refer it to the Superintendent or if he so desires, make a representation on the matter to the Government.
- (ii) The remarks recorded by a visitor in the visitors' book should include any complaint made to him by a prisoner which in his opinion deserves notice. The visitor shall check and cross check each complaint with other prisoners and he shall satisfy himself that prima facie the complaint is true before recording it in the visitors' book.
- (iii) A complaint proved groundless later shall not attract any punishment to the prisoner who made the complaint.

## 14. Monitoring of visits and of action taken on visiting notes:

Monitoring of visits of both official and non-official visitors and of action taken on visiting notes shall be done at two levels- Prison Headquarters and the Home Department. Any default in following the roster of visits shall be brought to the notice of concerned District Magistrate by the office of the IG of Prisons.

## 15. Board of visitors:

- (i) The official, non-official and ex-officio non-official visitors to all the prisons in the district shall constitute a Board of Visitors, of which the District Collector or in his absence Joint Collector, shall be the ex-officio chairperson.
- (ii) Official and non-official visitor shall jointly visit the prisons in the district at least once in a quarter.
- (iii) Official and non-official visitor shall pay special attention to prisoners on hunger strike and other such prisoners segregated on disciplinary grounds.
- (iv) There shall also be a quarterly meeting of the board of visitors on such day as the Chairperson may determine, which shall be attended by the official, non-official visitors and officers in charge of all the prisons in the district.
- (v) The District Sessions Judge, the Chairperson of District Legal Aid Committee and the Superintendent of Police may depute on this Board a surrogate, not below next in command.
- (vi) One of the main functions of Board of Visitors, apart from attending to the requests of the

- inmates and making observations on “points to be noted by the visitors” mentioned in these rules, shall be to advise and help prison administration in the development of correctional programs by using social resources and mobilizing support from outside agencies.
- (vii) A visiting note on all aspects of prison management enumerated in the rules on “points to be noted by the visitors” shall be drawn by the District Magistrate and sent to the superintendent of the concerned jail within 7 days of the visit. The officer in charge of the jail shall forward this note, with comments on possible implementation of each point raised, to the IG of Prisons within the next 7 seven days.
  - (viii) The position regarding implementation or otherwise on each point raised or recommendation made in the note shall (after obtaining instructions from the Prison Headquarters where necessary) be communicated by the officer in charge of the Jail to the chairperson of the Board, with a copy each to the members, within 3 months of the visit, so that the Board has the clear picture of the progress on previous note before the next visit.
  - (ix) In case the Chairperson of the Board has reasons to believe that any point raised has been met with undue delay or by an evasive reply, he shall communicate directly with the IG of Prisons or the Home Secretary.

#### **16. One state level meeting:**

One state level meeting of official and non-official visitors of all District and Central Prisons shall be held every year. This shall be chaired by the Home Minister and attended by one non-official visitor from each District and Central Prison, superintendents of all the District and Central prisons and officials of Home Department and Prisons Department. An agenda of prison improvement based on the visiting notes of various official and non-official visitors shall be prepared by the Home Department and circulated in advance for discussions at the meeting.

#### **17. General instructions and directive principles:**

- (i) When official and non-official visitors are not on visit, inmates shall at their own cost be allowed to make submissions to them regarding their needs by writing letters.
- (ii) Once in six months non-official visitors shall be asked to make an objective assessment on various aspects of the management of the prison for which they have been appointed. A format on which such assessment can be done should be developed.
- (iii) Government should institute some kind of public recognition or reward for non-official visitors of prisons for performing demonstrably excellent services in promoting correctional work.
- (iv) The most important pre-requisite of a successful social intervention in prisons is a positive relationship between prison visitors and prison staff. While it is expected of non-official visitors to demonstrate through their dedication that they are there to procure and provide a welfare oriented use of social resources in prisons, it is necessary for the prison staff to be respectful and cooperative with non-official visitors.

## **Points to be Noticed by Visitors**

### **1. Buildings**

Are buildings secure and in good repair? Is the actual useable accommodation sufficient for the average prison population? Is the segregation of different categories of offenders, and of sick from the healthy, possible in the existing situation? Is there a proper enclosure for women inmates where they can be kept safely under custody without causing undue and unlawful discomfort?

**2. Overcrowding**

Is there any overcrowding? How many times in a year the prison becomes overcrowded and for how many days? Under such situations where are excess prisoners accommodated? What steps are being taken to solve the problem?

**3. Drainage and sewerage**

Is drainage and sewerage system of prison in a satisfactory state? Have all conservancy toilets changed to flush system? Is the flush system functioning? Is there sufficient supply of water to run the system in order? Is biodegradable material clogging in drains? Are emergency toilets inside residential barracks kept clean with proper supply of water and disinfectants? What other defects exist in the system?

**4. Water supply**

What is the source of water supply? Are the water supply sufficient and good and the means of carriage suitable? Are drinking water wells, sumps and storage tanks cleaned with a periodicity? Is there any wastage of water resulting from defects in the supply system?

**5. Food**

Are articles of food in the storeroom and elsewhere properly kept and in good conditions? Are cooking utensils sufficient, clean and useable? Is the kitchen properly ventilated, clean, safe and well kept? Are rations issued in accordance with the prescribe scales for different categories of inmates? Are women inmates allowed to cook for themselves?

**6. Clothing**

Have prisoners the prescribe amount of clothing and bedding in their possession during different seasons of the year? Is it in serviceable order? Is the storage system correct? Are non-washable beddings properly disinfected and de-odoured?

**7. Bathing**

Are bathing platforms and other bathing places sufficient for the average prison population? Are bathing places for women inmates properly covered and safe? Does water supply reach bathing platforms/ places? Is the source of water accessible to all prison inmates including women?

**8. Labour**

Are prison industries in proper running condition? Is the supply of raw material perennial? Are machines and tools in proper working condition? Is full task taken from each prisoner eligible to work and is the record of 'work done' properly kept? Are prescribe wages paid and accounted for?

**9. Discipline**

Do inmates exhibit confidence in the prison staff? Are inmates and their living places properly and periodically checked for contraband?

**10. Punishment**

Is the ratio of prison punishments unduly high? Is there any instance of unlawful or torturous punishment not prescribed under rules? Are all punishments properly recorded? Are all procedures of enquiry followed before determining the prison offence and punishments for inmates?

**11. Under-trial Prisoners**

Is the 'Under-trial prisoners Review Committee' performing its functions with prescribed periodicity? Are cases of under-trials scanned in accordance with court rulings? Is free legal aid accessible to deserving prisoners? Is there proper facility for under-trial prisoners to meet their lawyers? Are they regularly produced before respective courts on the date of hearing? Is sufficient police guard available for the purpose?

**12. Adolescents**

Are all adolescent prisoners of age ranging from 18 to 21 sent to the Borstal School of Nizamabad?

**13. Medical Care**

Is a medical professional readily available on call for the care of sick? Are medicines available when needed and on time? Is 'in-door medical care' readily available either in the prison or in a general hospital/dispensary? Are services of women medical professional available in prisons where women inmates are in sufficiently large number? Are mentally sick criminal prisoners getting regular and appropriate psychiatric treatment?

**14. Parole**

Is parole liberally granted to all eligible convicts? Are cases of second or subsequent parole subjected to less stringent scrutiny than the first? Does the viewpoint of police and district administration on parole exhibit the understanding that this facility is of great importance in the social adjustment and assimilation of offenders?

**15. Advisory Board Meetings**

Are meetings of Advisory Board held regularly to review cases of premature release, particularly those of lifers? Is there any lifer whose case has not be put up before the Board even after completion of 7 years of imprisonment?

**16. Conservation of Human Rights**

Is there any instance of violation of human rights or of the residuary rights of prisoners? Is there any case that needs attention of National or State Human Rights Commissions? Is there is any ostensible situation that may lead to the possibility of general or specific violation of such rights of persons in custody?

**17. Rehabilitation Programs**

Are programs of academic, vocational education taken up in the prison? Are services of credible voluntary organizations taken for the purpose? Are open camps being utilized to their full capacity? Are inmates exposed to the outside world through print or electronic media? Is there any facility for games, sports or any other healthy engagement?

**18. Infants with women inmates**

Are infants living with women offenders taken care of properly? Can their nutrition, dress, education, and entertainment be supplemented by any benevolent non-governmental agency?

**19. Redress of grievances**

Is there an established system of redress of grievances of inmates? Is the mandatory 'grievance box' kept and operated regularly? Are prisoners free to put up their difficulties to prison officials?

# CHRI Programmes

CHRI's work is based on the belief that for human rights, genuine democracy and development to become a reality in people's lives, there must be high standards and functional mechanisms for accountability and participation within the Commonwealth and its member countries. Accordingly, as well as a broad human rights advocacy programme, CHRI advocates access to information and access to justice. It does this through research, publications, workshops, information dissemination and advocacy.

**Human Rights Advocacy:** CHRI makes regular submissions to official Commonwealth bodies and member governments. From time to time CHRI conducts fact finding missions and since 1995, has sent missions to Nigeria, Zambia, Fiji Islands and Sierra Leone. CHRI also coordinates the Commonwealth Human Rights Network, which brings together diverse groups to build their collective power to advocate for human rights. CHRI's Media Unit also ensures that human rights issues are in the public consciousness.

## ACCESS TO INFORMATION

**Right to Information:** CHRI catalyses civil society and governments to take action, acts as a hub of technical expertise in support of strong legislation, and assists partners with implementation of good practice. CHRI works collaboratively with local groups and officials, building government and civil society capacity as well as advocating with policy makers. CHRI is active in South Asia, most recently supporting the successful campaign for a national law in India; provides legal drafting support and inputs in Africa; and in the Pacific, works with regional and national organisations to catalyse interest in access legislation.

**Constitutionalism:** CHRI believes that constitutions must be made and owned by the people and has developed guidelines for the making and review of constitutions through a consultative process. CHRI also promotes knowledge of constitutional rights and values through public education and has developed web-based human rights modules for the Commonwealth Parliamentary Association. In the run up to elections, CHRI has created networks of citizen's groups that monitor elections, protest the fielding of criminal candidates, conduct voter education and monitor the performance of representatives.

## ACCESS TO JUSTICE

**Police Reforms:** In too many countries the police are seen as oppressive instruments of state rather than as protectors of citizens' rights, leading to widespread rights violations and denial of justice. CHRI promotes systemic reform so that police act as upholders of the rule of law rather than as instruments of the current regime. In India, CHRI's programme aims at mobilising public support for police reform. In East Africa and Ghana, CHRI is examining police accountability issues and political interference.

**Prison Reforms:** The closed nature of prisons makes them prime centres of violations. CHRI aims to open up prisons to public scrutiny by ensuring that the near defunct lay visiting system is revived.

**Judicial Colloquia:** In collaboration with INTERIGHTS, CHRI has held a series of colloquia for judges in South Asia on issues related to access to justice, particularly for the most marginalised sections of the community.

