

Examining the services provided to juvenile offenders in borstal jail Bahawalpur

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Abstract

Juvenile offenders need special attention during their imprisonment in jails and borstal institutions. This case study discusses the availability and suitability of correctional services for 29 juvenile detainees in the Borstal Institution and Juvenile Jail in Bahawalpur. The qualitative nature research includes secondary and primary data. Primary data was gathered through observation, focus group discussion and interviews. Data was gathered from juvenile offenders, jail staff, Social Welfare Officer and non-government organizations. Borstal Institution Bahawalpur had received facility improvements to its interior infrastructure. Educational services lack vocational staff. Vocational training services are notably insufficient. Health, nutrition, religious education and recreational services are reported to be satisfactory. The study suggests the need for enhancement in existing services.

Keywords: Juvenile Offenders, Borstal Jail, Correctional Services, Juvenile Prisoners

Introduction:

Juvenile delinquency is a serious issue worldwide (Mahmood & Cheema, 2004; Malik & Shirazi, 2010; Pal, 2011) and getting very complex while combating measures are limited or missing (Roberson, 2010). When a child or a person under the age of 18 years commits any crime or performs any antisocial acts, he is generally referred to as a juvenile delinquent (Roberson, 2010). This issue related to juveniles would be an alarming threat for social and moral values in the near future (Mahmood & Cheema, 2004). Malik and Shirazi (2010) discuss juvenile delinquency separately in both rural and urban settings. Juveniles get involved in various offences often attributed to low education rate, poor economic conditions, land disputes, water theft, grouping, child trafficking, extortion and money grabbing in rural communities. While in urban areas,

particularly in urban centers, young children are often involved in murder or attempt to murder, violent robbery, housebreaking, and vehicle theft. It is currently very common that teenagers are involved in mobile phone snatching. According to Shamim, Batool, Zafar, and Hashmi (2009), illiteracy is the major reason for juvenile delinquency, and other factors including family disputes and conflicts, crime oriented environment, bad company, poor economic conditions and unemployment also contribute to this trend. Mahmood and Cheema (2004) add sexual assault, honour killing and old enmity as influencing factors of offences. In addition, Javed, Azhar, Anwar, and Sohail (2012) had explored improper supervision as a major factor leading juveniles towards crimes.

In case of any kind of crime or offence, young delinquents need special treatment when compared to adult offenders. Juveniles are considered to be unable to think about good or bad intentions during the teenage years. Malik and Shirazi (2010) give the Islamic point of view also that children should not be punished like adult offenders. Referencing the Holy Prophet (PBUH), it is said that a minor is one of those three categories of human beings who could not be considered responsible for their actions. Unfortunately, juveniles are not treated in a proper way when they commit any offences. It is believed that that young offenders are dealt with in a soft way in comparison to adult offenders, but police are reported to be more authoritative in cases of juvenile delinquency (Siegel & Welsh, 2014). Child offenders are arrested and often jailed in many cases.

Correctional services institutes were initiated during the nineteenth century in public-private partnerships in America (Shoemaker, 2013). However, keeping young offenders in adult jails creates different problems which include their victimization and abuse (Siegel & Welsh, 2014). According to Malik and Shirazi (2010), detention of young offenders in adult jails makes them hardened criminals.

There were 90 jails in Pakistan in 2007, with many (i.e. 32) were in Punjab Province (Malik & Shirazi, 2010). The situation regarding juvenile prisoners is very poor in Pakistan where only two (2) borstal institutions are in functioning condition, i.e. one in Faisalabad and the other in Bahawalpur. It is a question mark that child offenders are kept in adult jails in rest of all areas or if they are detained in Faisalabad or Bahawalpur

borstal jails far from their homes. Further, there is no separate jail for female juveniles in Pakistan, and they are kept with adult women in adult jails. Borstal Jail Bahawalpur was established before the independence of Pakistan (Parekh & Qazilbash, 1999). It is unfortunate that Pakistan presently lacks considerable scholarly work and research, particularly as it relates to juvenile delinquency (Ali, Tanwir, Akram, Raza, & Maan, 2004). This absence has created negligible or slow correctional and rehabilitation services for juvenile detainees in jails. Also, the effectiveness of the provided services has not been routinely measured through research. As a result, this research endeavour was created as a systematic effort to fill the gap regarding services for juvenile delinquents in borstal jails.

Methods:

The major aim of this case study is to describe services for prisoners in juvenile jails and to identify proposals for proper and better service provision. The qualitative research includes discussion on secondary data and primary data to highlight and analyse juvenile delinquency with special reference to services in the Borstal Jail Bahawalpur. Qualitative data include observations about the Borstal Institution and Jail Bahawalpur, juvenile prisoners and services for them. Presently, only 29 juvenile offenders have been detained in the jail. Data from these juveniles was gathered through focus group discussions. Detailed interviews were conducted with the jail staff, NGOs engaged in service delivery, and the Social Welfare Officer. In summary, a plethora of stakeholders have been involved in data gathering about services provided to juveniles prisoners and effectiveness of these services i.e., education, health, social, recreational, nutrition and rehabilitation services.

Borstal Institution and Jail Bahawalpur:

Bahawalpur Borstal Institution and Jail is one of only two in the Punjab Province, and another is in Faisalabad (United Nations Children's Fund, 2006). Society for the Protection of the Rights of the Child (2003) reported poor conditions regarding the services of education, health, drinking water, sanitation and recreation in the jail. SPARC also disclosed the fact of no permanent appointment of doctor in the jail. Practices in

borstal jails are also similar to other jails, as both borstal jails and adult jails are administered by the Provincial Prison Department (Parekh & Qazilbash, 1999). United Nations Children's Fund (2006) pointed out the punishment of young offenders in the jail. Many juvenile delinquents from other areas and regions were also detained in the Borstal Jail Bahawalpur and they face hurdles to meet their families (Society for the Protection of the Rights of the Child, 2003). Further, families were given limited time to visit their children in the borstal jail and are kept separated at distance by prison bars (Save the Children UK, 2009). On the other hand, during the visit of the Human Rights Watch in 1998, the jail administration claimed that they facilitate meetings of juvenile detainees with their families without any hurdles (Parekh & Qazilbash, 1999).

The borstal jail administration has reported that the Deputy Commissioner, Session Judge, and Senior Superintendent of Police used to visit the institute once in three months as per Borstal Rules (Parekh & Qazilbash, 1999). After a few years, United Nations Children's Fund (2006) reported that judges and magistrates made regular visits of the borstal jail to see juvenile offenders. It remained a satisfactory practice by the concerned government authorities to know the conditions of and services provided for juveniles in the jail.

In 1998, during the visit of the Human Rights Watch team to the Borstal Jail Bahawalpur, medical facilities included a dispensary (with some medicine) and two wards. There were some medicines in the dispensary, but only one dispenser instead of qualified doctor (Parekh & Qazilbash, 1999). The jail administration explained that the medical officer was transferred from the borstal jail some time ago. They justified that the rules allow them to shift the juvenile offenders in the Bahawal Victoria Hospital (near to the jail) in case of emergency. The borstal jail administration claimed services of formal education till class 8th (Elementary level) and compulsory religious education for the juvenile offenders (Parekh & Qazilbash, 1999). During the visit of Human Rights Watch in 1998, there were two school teachers and one religious teacher for 278 juvenile detainees. Classes were managed in an open barrack and children sat on the floor. There was no well managed library. At that time Borstal Jail Bahawalpur had vocational training including tailoring, carpet-

weaving, shoe making, carpentry and gardening (Parekh & Qazilbash, 1999). The Human Rights Watch team reported few reservations regarding the health of children during their vocational trainings working.

The reduction in juvenile delinquency or its prevention benefits both the juvenile and society. Greenwood (2008) stated that most of the juvenile offenders become adult criminals if not prevented at early stage, and that prevention can save their lives from despair and also reduces threats to victims and society. Proper provision of services and rehabilitation are the responsibilities of all stakeholders connected to juvenile offenders. The stakeholders include government institutions and authorities, the social welfare office, NGOs and community residents. Civil society and NGOs play a vital role in service delivery for juvenile detainees in multiple ways. This is a very positive and constructive community service. The critical role of community services cannot be neglected in the solution of various social issues including crimes. As far as child offences are concerned, community treatment gives the message that the young offenders are not harmful to the community and can be readjusted in the community (Siegel & Welsh, 2014). Community services could be helpful to connect offenders with the community for making these children active (Thomas & Hunninen, 2008). Many active NGOs are working for the protection of child rights and some of them are also working for juvenile delinquents. The prominent NGOs engaged in services for juveniles are SPARC, Lawyers for Human Rights and Legal action and Law Associates Legal Aid Cell (United Nations Children's Fund, 2006).

Observations:

Borstal Institution is located in the city area near Fareed Gate and the office of the Tehsil Administration City. Security measures were observed very tight from outside. Its area within perimeter wall is 13 Acres. Building structure seems well maintained having admin block, barracks, central tower, hospital, school, library, computer lab, tailoring section, mosque, kitchen, godown, main wall and 8 watch towers. All inside places are also secured with regular watching by jail staff. Presently, only 29 juvenile offenders have been accommodated in the institution in comparison to more than one hundred jail staff. During the visit of the

Human Rights Watch in 1998, there were more than 270 juvenile offenders in the jail. The reduction could be due to some factors which include early correction and releasing of the offenders, shifting of young offenders in juvenile sections of district jails in their respective areas or reduction in crime rate. Inmates have been facilitated with iron cots, mattresses, blankets, pillows, almirah, tiled washroom, and wash basins. There is a kitchen with necessary equipment, dining hall, dining table and chairs and water filtration plant. The separate school section was observed with classrooms, computer lab, library, benches and desks. The library is well equipped with the education related material. All students have same colour uniform and bags. Hospital in the institution has 8 bed general ward, one bed isolation ward, mini laboratory, dispensary and ambulance. The hospital was neat and clean and well managed. Few stitching machines were also observed with tags mentioning donation of the Prisoner Welfare Organization. Juvenile offenders are provided sports material for football, volleyball, badminton, cricket, table tennis and ludo. Juveniles also get media entertainment through television. They were observed in morning PT parade in proper uniform. The office of the Social Welfare Officer is outside the perimeter wall and the officer must go through the checking process before meeting with young offenders in the institution. Overall inside infrastructure seems improved in comparison to the reports made by the Society for the Protection of the Rights of the Child (2003) about poor infrastructure of the institution some years ago. The jail staff remain attentive and leave no prisoner alone at any place. It was felt that juvenile prisoners were hesitant to speak with outsiders and even with other offenders in the presence of jail staff. This is an important issue related to the interaction of the jail staff with detainees which needs to be addressed.

Services for Juvenile Prisoners:

Correctional services include various components for rehabilitation of juvenile offenders (Sickmund & Puzanchera, 2014). The Punjab Borstal Schools Act and Rules provided that juveniles should be facilitated with reasonable accommodation, sanitation, clean drinking water, proper food, clothing, education, health and industrial training (United Nations Children's Fund, 2006). Tufail, Feeny, and Wernham (2004) also

emphasize on provision of education, physical health, proper diet, technical skills, other necessities (clothing, blanket, and mattress) recreation and rehabilitation services for juvenile prisoners. Siegel and Welsh (2014) add visitation, guidance, regular supervision and reading services for young offenders in jails. Sajid (2009) criticizes rehabilitation and correctional services in existing borstal institutions in Punjab. He argues that these institutions fail to rehabilitate and readjust the young offenders as Borstal legislation guides. Further, he mentions that borstal institutions are overcrowded, lack sector inspectors to deal with juveniles, lack recreational services have no formal education services and have no proper health facilities for young offenders. As discussed earlier, many improvements were observed in the Borstal Institute and Jail Bahawalpur regarding various services for young prisoners.

Education

A separate school with classroom, library and computer lab was observed, which was in good neat, and clean condition. During an interview, one of the jail authorities claimed that regular classes of formal education were in place for juvenile offenders from primary to matriculation (10th class). Further probing explored that there was only one teacher for all grade studies in that school and he was a jail employee (warder). It is a serious question mark on claims of formal education service when only one instructor is working and in the absence of a permanently appointed school teacher. It was reported by the United Nations Children's Fund (2009) that proper education and technical training are not provided to prisoners as mentioned in the legislation. There is not a single government run school for formal education of young offenders in any borstal institution in Punjab Province (Malik & Shirazi, 2010). The jail staff argued that offenders come and go on a regular basis, which hinders regular appointment of one or more than one teachers at the jail school. No doubt, young offenders are not in prison for years and are likely better off studying in formal schools out of jail, but the need of at least one permanent teacher in the jail school could not be neglected given the presence of juveniles in correctional institutions. During focus group discussions, juvenile delinquents described their attendance during

educational sessions, library and computer learning. They seem weak in formal education, which could be due to their different educational and family background before incarceration. It is evident that education as a correctional service requires individualized and small-group teaching because inmate learners enter and leave there and also have differences in knowledge range (Thomas, 2008). The school building is better now, but schooling was reported to be better in 1998 when there were two teachers for formal education, as reported by Parekh and Qazilbash (1999). During the interview, a representative of the Child Rights Committee (CRC) Bahawalpur working under Society for the Protection of the Rights of the Child (SPARC) reported the key role of their organization in the construction of school rooms and school flooring in the Borstal Institution a few years back. He also mentioned their role in the provision of school bags and books for juveniles. Despite formal education, religious education is also an important component as a correctional service for juvenile prisoners. Jail staff reported regular religious sessions for the young offenders by religious teachers. They admired the role of Dawat-e Islami, Faizan Quran and Jamiat Trust for the arrangement of religious teachers in the jail. Juvenile prisoners verified the visits of two teachers for religious education which included, *Kalma Class*, *Namaz Class*, *Qaida Class*, *Nazra Quran Class* and *Hafiz Quran Class*. Few young offenders disclosed that religious teacher spent time till *Zuhar Prayer* (afternoon) and the remaining four prayers are managed by juveniles themselves as Imam and followers. Even then, the role of organizations in religious education is appreciated from both juveniles and jail administration. In 1998, there was only one teacher for religious training for more than 250 juveniles Parekh and Qazilbash (1999) and now two teachers visit only 29 offenders which seem satisfactory.

During their time in prison, juvenile delinquents are engaged in learning vocational skills and producing goods (Thomas, 2008). According to borstal rules, all prisoners are given industrial or vocational trainings in addition to formal education (Parekh & Qazilbash, 1999). This is to assist offenders in getting proper training and skills in jail to get ready for respectable earnings after their release from the jail. Jail staff revealed that some stitching machines were donated by an NGO (Prisoner Welfare

Organization) a few years back for vocational training of juveniles and they are used in training. On the other hand, juveniles disclosed that they learn tailoring using paper instead of any kind of cloth. In 1998, Borstal Jail Bahawalpur had different vocational trainings including tailoring, carpet-weaving, shoe making, carpentry and gardening (Parekh & Qazilbash, 1999). The present condition seems very poor in comparison to vocational trainings in the past. At that time, products made by young offenders were sold in market (Parekh & Qazilbash, 1999) and now they are not provided cloth even for learning. All stakeholders need to focus their attention on the reasons for the deterioration of a very essential component of rehabilitation. Although, jail staff claimed that young offenders also get gardening training, juveniles did not speak about this kind of proper and regular training.

Health and Nutrition

Society for the Protection of the Rights of the Child (2003) reported poor health conditions in Borstal Jail has been previously reported by Parekh and Qazilbash (1999). Now, this study found all participants in a satisfactory state regarding health and nutrition facilities in the jail. A permanent and regular doctor renders his services. Jail staff claimed that the jail hospital remained neat and clean and ready for any kind of emergency related to the health of young prisoners. They reported having all necessary medical equipment and medicines. Juvenile also reported their regular medical examination and satisfactory health services. Both jail staff and Prisoner Welfare Organization talked about installation of a water cooler, which was necessary for good health. The Social Welfare Officer mentioned her office's role to conduct seminars and free medical camps on different health issue and diseases i.e., seminar on Dengue Awareness and seminar on TB. The Daily Jang (2015b) reported a seminar on awareness about TB last March. She also claimed to visit juveniles for health related lessons in the jail. The Social Welfare Office conducts these health related activities with the help of NGOs as reported by both the Social Welfare Officer and representatives of Prisoner Welfare Organization and SPARC. The representative of SPARC in Bahawalpur claimed that its organization

helped jail administration in building separate toilets for juveniles outside the barracks.

Jail staff claimed very good quality food provision to all detainees in neat and clean dining hall. They told about a diet plan, which included tea and bread at breakfast and bread, chicken, vegetable, lentil (*Daal*), rice and sweets for both lunch and dinner. Juveniles also showed satisfaction about their food, environment and eating schedule. A permanent chef appointed in jail cooks with the assistance of prisoners.

Recreation

Recreational services have been highlighted, emphasized and suggested for better rehabilitation of juveniles by Sajid (2009), Siegel and Welsh (2014), Society for the Protection of the Rights of the Child (2003) and Tufail et al. (2004). No doubt, different kinds of recreational activities attract children and play a vital role for diverting their attention towards positive practices. Jail staff claimed about involvement of all juvenile offenders in different kinds of indoor and outdoor sports on a regular basis. They mentioned that juvenile prisoners play gymnastics, football, volleyball, badminton, cricket, table tennis and ludo. The participant juveniles also talked about their participation in gymnastics, football, badminton and table tennis regularly. Some of them also played volleyball and cricket. PT Parade was essential for all prisoners in the morning. Representatives of organizations (Prisoner Welfare Organization and SPARC) and Social Welfare Officer also revealed their role for the provision of sports goods and conduct of some tournaments in the jail. The Daily Jang (2015c) reported about a football competition between children of the Borstal Jail and Sadiq Dean High School Bahawalpur conducted in the jail in January. In March 2015, young offenders performed their abilities in Gymnastics on the occasion of the visit of District and Session Judges Bahawalpur and Lodhran (The Daily Pakistan, 2015b). District and Session Judge Lodhran visited the jail and watched gymnastic performance of child prisoners in March (The Daily Jang, 2015d). He also ordered the release of a juvenile offender who had committed a petty offence. Daily Nawa-I-Waqt (2015) reported the visit of the Prison Deputy Inspector General (DIG) to the Borstal Jail Bahawalpur and his table tennis match

with juvenile prisoners. In addition, Superintendent Jail Borstal Jail arranged a football match between two teams in jail for the recreation of juvenile delinquents (The Daily Pakistan, 2015a).

Social Welfare Office and NGOs' Services

The Directorate of Social Welfare and Bail UL Mal Punjab have also established an office in the Borstal Jail Bahawalpur in 2004-05 as socioeconomic and rehabilitation centre for prisoners. This was revealed by the female Social Welfare Officer during her interview for this study. She was given an additional charge of this office by her parent department and she visits the jail when gets free time from her regular posting at the other Social Welfare Office in Bahawalpur. She described very important roles of Social Welfare Office, which included case history preparation of young offenders, arrangement of vocational trainings, liaison between families of offenders and victims, provision of legal aid for juvenile offenders, recreational activities, character building through religious education, the data base of releasing offenders and financial assistance through NGOs. These services could play very constructive role for correction and rehabilitation of juvenile detainees in the case of permanent appointment of Social Welfare Officer as it was some months before conduct of this research. During focus group discussion, few juveniles disclosed that Social Welfare Officer remained very keen regarding their religious education, recreation and health awareness and services. They find the Social Welfare Officer very kind towards them and they felt comfortable to discuss their matters freely. In addition, representatives of the Prisoner Welfare Organization and SPARC emphasized the importance of the Social Welfare Office in the jail. The organizations got connections with the Borstal Jail due to the requests of the Social Welfare Office. During the interview, one representative disclosed that they worked for the establishment of formal education, religious education, drinking water, restitution of offenders, necessities, recreational services, legal assistance, provision of gifts for offenders, and special day's celebration. The Social Welfare Officer and jail staff also indicated their appreciation for the efforts made by NGOs in the jail. Although, Malik and Shirazi (2010) criticized the environment of prisons regarding juvenile delinquents in all provinces,

he also admitted joint efforts of jail administrations and the NGOs for bringing new reforms in jail. The Social Welfare Officer reported the spending of more than one million rupee budget during financial year 2014-15 on various rehabilitation services for juvenile offenders in the Borstal Jail.

Other Findings:

This research focused on correctional services and facilities in the Borstal Jail. There are many other aspects which need added attention and research. It is necessary to point out some findings and gaps were revealed during this research study. During the interview, jail staff revealed that they engaged only those juveniles in cooking, serving and dishwashing who had received a lengthy imprisonment by the court. On the other hand, many juveniles reported they were working in the kitchen and dining hall on instructions of the jail staff. This is contradictory to law provisions as mentioned by the United Nations Children's Fund (2006) that juvenile prisoners could not be involved in a labour job, could not be given corporal punishment, and could not be handcuffed. The involvement of young offenders in labour work is not a strange practice in our societies. Thomas (2008) also has reported the involvement of prisoners in labour jobs in Pakistan like washing, sweeping, food serving and gardening. According to United Nations Children's Fund (2006), child prisoners are punished in a variety of ways while in jail. There is possibility that jail staff treat young offenders like adults in jails, and it is often due to the lack of training and knowledge on the part of jail staff about the rights of children (United Nations Children's Fund, 2006). Secondary data from newspapers and primary data from the jail staff and the juvenile offenders themselves gave a positive picture about frequent visits by different concerned government authorities to the Borstal Jail Bahawalpur. Their visits and discussion with juvenile prisoners (The Daily Jang, 2015e) and other stakeholders proved helpful for better service delivery and even early release of offenders. In April, the Chairperson of Child Protection visited the barracks and school in the Borstal Jail (The Daily Jang, 2015a).

Previous literature mentioned problems of juvenile prisoners and their families regarding meetings in the jail. Jail administration at the time

of the visit of Human Rights Watch in 1998 claimed that the families of juvenile prisoners have been routinely allowed to meet them (Parekh & Qazilbash, 1999). Tufail et al. (2004) and United Nations Children's Fund (2006) have emphasized and recommended regular visits by the parents to their children detained in jails. It could be very alarming and juveniles could lose living skills and community support after their release from jail if they spend a long time in jail without no or limited contacts with family or community members (United Nations Children's Fund, 2006). No doubt, it could place a negative impact on their lives. During their interviews and discussions, both jail staff and young offenders reported that families can see the juvenile prisoners during all six working days according to the office schedule. This is obviously a very positive improvement towards rehabilitation and correction.

Recommendations:

A number of proposals can be made as the result of this research. This study suggests that government authorities recruit regular school teachers for formal education. The vocational skills component is very weak at the present. There is a need to expand vocational training and to coordinate with the assistance of Social Welfare Office and NGOs on the pattern as it was witnessed in the late 1990s during the visit of Human Rights Watch. Currently, jail administration, Social Welfare Office and NGOs need to provide cloth for tailoring skills learning. The Social Welfare Office continues to play a very important role in service provision in the jail on its own and through NGOs. There is a need to appoint permanently a social welfare officer in the jail project with easy access to juvenile offenders without any interference. Community services in the form of local community participation would be helpful for early correction. In addition, the juvenile delinquents also need psychological support and therapies which require the placement of a psychologist in the jail environment. The combination of a social worker and psychologist could enhance the correction and rehabilitation of the juveniles. The jail administration needs to revisit their policy regarding punishment and the involvement of juvenile prisoners in different labour works as it is against the legal rights of these children. It is anticipated that correctional officials

across Pakistan will take the above recommendations into strong consideration.

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