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Unhygienic Environment to Children with Incarcerated Mothers in Selected Jails of Khyber Pakhtunkhwa, Pakistan

Abdullah^{1*}, Niaz Muhammad²

¹ Department of Sociology, Bacha Khan University Charsadda

² Department of Sociology, University of Peshawar

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ABSTRACT

This qualitative study was adopted with the major aim to explore the jail environment confronting the children with incarcerated mothers in selected jails of the province of Khyber Pakhtunkhwa, Pakistan including Peshawar, Timergara, Bannu and Mansehra. Primary data was collected from all 15 incarcerated mothers through in-depth interview. Moreover, five each professional lawyers, members of the jail-staff, representatives of the Child Protection Commission, and eight children with jailed mothers who were able to respond to questions, two female psychologists, two jail-based physicians, and four school teachers assigned to teach the children in jails were also interviewed. Results reflect the Jail environment as perilous for incarcerated mothers and their children. They faced humiliating treatment besides being provided with contaminated water and unhygienic foodstuff, non-availability of basic hygienic facilities, the faulty ventilation in the washrooms causing foul smell in the residential hall even entire cells. Cockroaches, rats, insects, bedbugs, centipedes, and irregular arrangement of disinfecting the toilets and residential places coupled their inconveniences. The study recommends evolving an effective policy and its onward implementation in true spirit by the Government of Pakistan to provide good quality services with main focus on drinking water, adequate sanitation facilities, and trained medical and professional physicians.

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1. INTRODUCTION

Children are considered an asset of the nation all over the world, with the expectations to lead them in the future. They represent a very important asset and integral component of every community. Children possess distinct requirements that vary from the needs of adults due to their early stage of

development, limited physical strength and adaptable cognitive abilities. The development and physical growth of children are influenced by the decisions made by parents, members of the community as well as government entities (Correa et al., 2021). Regrettably, throughout the whole framework of the Criminal Justice System in Pakistan, encompassing the Juvenile Justice System as well, certain fundamental deficiencies are evident, namely the prevalence of congestion and the presence of dehumanizing circumstances within jails and prisons. A significant portion of jails suffer from inadequate staffing levels while instances of abuse and subjection by law enforcement are widespread. Furthermore, the judicial system exhibits weaknesses and the courts face excessive workloads with few alternatives for addressing pre-trial offenses (Abbas et al., 2021; Comack, 2021). Under the Juvenile Justice System of Pakistan (2000), children cohabiting with their jailed moms are not

***Corresponding author:** Abd Ullah, Department of Sociology, Bacha Khan University Charsadda.

E-mail: abdullahsoc3@gmail.com

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subject to the remit of such system. Children who live with their incarcerated mothers experience social isolation, which encompasses the deprivation of financial and social advantages. Additionally, such children carry the burden of stigma that is associated with having mothers in jail; therefore, their prospects for the future are often constrained or limited (Granich et al., 2021). These children imprisoned in jails are not considered offenders and so do not warrant imposition of the same limitations imposed on their mothers. Rasool et al. (2021) have further added that children with jailed mothers shouldn't be regarded as criminals to hurt their emotional, behavioral and psychological trauma they experience.

As stipulated in Rule 326 of the Pakistan Prison Rules (1978), it is permissible for children to reside with their imprisoned mothers in jails until they reach the age of three. Nevertheless, it is worth noting that in three specific provinces of Pakistan, namely Sindh, Punjab, and Khyber Pakhtunkhwa, a provision exists wherein children are permitted to accompany their incarcerated mothers until they reach the age of six years (Butt, 2020). Even they could accompany their mothers up to 10 years at jail in some special cases, like women's act of murdering their husbands or other relatives because there are no guardians or other trust-worthy people outside the jail to look after their children (Pulla et al., 2018).

Prison Structure in Pakistan

The jail system in Pakistan might be regarded as a vestige of the colonial era under British rule. The utilization of this method by the colonial administration was motivated by the objective of deterring political adversaries who posed a risk to the British system. Consequently, individuals engaged in acts of resistance or other forms of transgression were incarcerated within this facility. Instances of communal brutality, excoriations and executions were prevalent within Western society as a whole. The historical period of the medieval era and the earlier ages was characterized by the presence of legally authorized practices such as discrimination, cruelty, revenge and retribution (Hanif and Shabnam, 2021). After independence from the British, the government of Pakistan gave low priority to jails. The constitutions framed, so far in Pakistan, prisons have been made a matter of provincial chapter. Over the past five decades, numerous correctional facilities have been constructed in accordance with recommendations proposed by various committees focused on reforming the prison system. The degradation of institutions and infrastructure can be attributed to the prison system, which is afflicted by issues like corruption along with overcrowded conditions (Jabeen, 2022).

The jail system has increasingly been identified as a conducive environment for the cultivation of criminal behaviour. The individuals in question do not reenter society as reformed and law-abiding members but rather as repeat offenders who engage in violent behaviour, commonly referred to as recidivists. The protracted nature of the criminal justice procedure and the intricate procedural demands has contributed to the exacerbation of the situation. Mirza and Khan (2022) have identified a notable deficiency in administrative personnel and inadequate financial resources. Prisons characterized by antiquated architectural designs from the 19th century are inadequate in fulfilling their contemporary expected functions. The jail system was impeded by economic and organizational

challenges. The absence or ineffectiveness of surveillance cameras is another contributing factor to the lack of improvement. The extant jail regulations in Pakistan have been in effect for a long period and are in requirement of a comprehensive reassessment. The current state of jail training for staff, nationwide as well as globally, is characterized by a significant deficiency (Memon et al., 2022). During emergency situations, the availability of transportation choices is often constrained and perhaps insufficient. The cohabitation of children and adolescents with adult offenders in jails is a consequence of inadequate infrastructure. Incarcerated mothers experience lack of access to fair trial due to the apathy of prison authorities who actively impede their ability to communicate with their legal representatives. The practice of extended imprisonment without affording individuals access to proper procedures is frequently observed. Abdullah and Muhammad (2023) assert that there is a prevalence of physical, psychological, and emotional torment inflicted upon incarcerated individuals, as well as disparities and imbalances, insufficiencies in prison programming, limited access to medical treatments and reintegration, and a dearth of available free legal aid within correctional facilities.

Unhygienic Environment

The prison conditions in South Asian countries, specifically Pakistan, do not reach the globally recognized benchmark. The conditions pertaining to proper sanitation, cleanliness, accommodation and clothing often exhibit downward trend inside the correctional environment. The correctional facility has deficiencies in the provision of nourishment, inadequate medical care, and a hostile environment characterized by aggressive inmate interactions and uncooperative staff members. Insufficient hand washing facilities and inadequate provision of individual cells are prevalent issues in numerous jails (Nargi, 2022). According to Bick (2007), even highly skilled infection prevention specialists may encounter challenges when attempting to develop efficient and feasible strategies to mitigate the transmission of diseases inside unsanitary settings.

The correctional facilities in the Punjab region were found to be in deplorable condition, characterized by lack of significant advancements, particularly in terms of food quality. The incarcerated individuals in Punjab did not experience any positive outcomes as a result of the government's initiatives. The food quality of Khyber Pakhtunkhwa is deemed to be below normal, as evidenced by a tragic incident in October 2017. Specifically, 17 detainees lost their lives due to the consumption of contaminated food given at Swat Jail. Consequently, two employees who were on duty were identified as being accountable and were subjected to suspension (Waqas and Khan, 2022). The prevailing difficulties in Pakistani jails encompass overcrowding, inadequate sanitation, instances of sexual misconduct, brutality and poor healthcare provision. Ali (2022) observes that there is a prevalent occurrence of filthy and inadequate sanitary conditions within correctional facilities nationwide. Approximately 50% of incarcerated women are known to have chronic disease, which places them at heightened risk for future mental and physical health complications. Furthermore, the presence of cockroaches and rats, contamination, accumulation of waste, disorderly surroundings, potential fire risks, inadequate hygiene standards, compromised confidentiality, and high levels of noise all be attributed to ineffective management practices (Lassi, 2022).

Statement of the Problem

As mentioned foregoing, the overall environment in Khyber Pakhtunkhwa jails is not satisfactory in terms of facilities required for human beings. Flaws in the prison structure, lethargy on the part of the government especially the Prison Department, jail staff's no interest behavior, orthodox and paradoxical prison rules and no strategy to keep the inmates of minor crimes from the professional criminals in jail habitat are the major issues. It is quite unjust that innocent children, with no commission of crime but dependent on mothers, are also subject to a detained life at jails. They are treated like adult inmates at jails. Though they are subject to enjoy the open-air environment of childhood but the sizzling heat of their mothers' criminality has also affected the personality of tiny offshoot in regard to their mental and physical health as a major area of consequences. It is a problem across the board with variation in severity of the issue. In Pakistan particularly Khyber Pakhtunkhwa, a little work has been on this issue. The present study was designed to shed light on the terrible jail life for children with imprisoned mothers mainly in the contexts of hygienic environment and other related situations in the four selected jails of Khyber Pakhtunkhwa-Peshawar, Mansehra, Timergara, and Bannu. These jails had sufficient number of target children meeting the requirement of a sample size for the qualitative study.

2. METHODS & PROCEDURES

This study was designed to examine the unhygienic jail environment to children with incarcerated mothers in four different jails of Khyber Pakhtunkhwa: Peshawar, Timergara, Bannu and Mansehra. Primary information for this study was obtained through in-depth interviews from 15 jailed mothers, along with 5 each from members of the prison staff, professional lawyers, members of the Child Protection Commission, 8 children with mothers who were able to give responses verbally, and 2 jail-housed female psychologists, 2 medical professionals, and 4 school teachers through purposive sampling technique. The primary data was analyzed through thematic analysis. Ethical consideration was kept in practice in full letter and spirit. All the study participants were furnished with a free choice to contribute to the data bank or discontinue at any stage they wished.

3. RESULTS & DISCUSSION

During the analysis of in-depth interviews, it was revealed that jail environment exhibited unsanitary conditions, resulting in limited accessibility to neat and adequately kept restroom facilities for children with jailed mothers. Consequently, there was decline in fundamental sanitary practices and an escalation in the transmission of illnesses. It is quite probable that such children could be exposed to severe, degrading, or demeaning forms of treatment due to the lack of their fundamental hygiene needs. Insufficient ventilation in the bathrooms resulted in the dissemination of revolting smell that permeated confines of the cells as well as residential hall. The responsibility for maintaining cleanliness, which encompasses cleaning living quarters and the laundering of their garments, is the responsibility of prisoners only if they possess an adequate supply of necessary amenities, as well as the requisite cleaning supplies for the sanitation of their residential cells. Majority of jailed mothers reported independently managing issues

related to cockroaches, roaches, insects, bed bugs as well as centipedes. The regular disinfection or fumigation of cells, halls, bathrooms, and showers is not conducted as a standard practice. The personnel do not typically offer detainees with detergent toothpaste, towels and sanitary goods. Furthermore, it is worth noting that women's barrack in the central jail of Peshawar is equipped with limited number of 3 washrooms. These facilities are shared among a considerable population consisting of approximately 35 convicts and 11 children. The examination of the drinking water revealed that it contained impurities and lacked proper sanitation. Majority of the participants reported consuming tap water, which consequently leads to the prevalence of waterborne illnesses. The food provided lacks proper hygiene standards, and in addition, there is lack of specialized food arrangements for minor children, with only one milk pack being provided every morning. Due to the issue of jail overcrowding, the women's barracks consistently experience contamination from food remnants, visitors, airborne particles and various other sources. One of the children, named Abbas shared his views as:

Cockroaches, rats and other insects are widespread throughout the residential area. We are unable to take proper breath because of the bad smell coming from washrooms. The smell of water we drink from the taps are also unpleasant.

A jailed mother shared:

There are 35 women living in one barrack. Nine of the jailed women have three to five children. Breakfast, lunch and dinner are all served here. Most of the women remain uninterested in keeping the barracks clean. Children throw things on the ground. Children with these mothers make the floor dirty while eating and their mothers don't prevent or counsel them not to do so.

Additionally, an incarcerated mother in another jail added:

The jail environment is unclean including the rooms, washrooms, food and water. Only three washrooms are used by 35 female prisoners and children. Sometimes, these restrooms become non-functional for many days. The food is of substandard quality. Furthermore, food is prepared with low-quality oil. Water is drunk directly from the taps and no filters are used to clean the water. There is dust everywhere and children smash stuff on the barrack floor.

The jail environment was observed to be quite unfavourable. Most of female participants laid out their opinion that they may be regarded as a marginalized population by the government. The practice of housing 35 inmates in a single barrack, including accompanying children, can be deemed inequitable. The indoor conditions are causing respiratory distress among a significant portion of the incarcerated population and children. They are susceptible to many contagious diseases as a result of unsanitary food. A study carried out in the province of the Punjab also depicts an ugly picture as observed by Ali (2022) who reported that the situation in prisons across Punjab was horrible and unsatisfactory particularly in the quality of food stuff provided to the prisoners. The impact of government initiatives on convicts in Punjab was not found to be good. However, two cops who were on shift were found to be responsible and therefore later terminated. The

enduring challenges faced by inmates in Pakistan include overpopulation, unsanitary food conditions, instances of sexual assault and violence, and inadequate access to medical care. Conditions in most of the Pakistani prisons are unhygienic and lack basic hygiene practices.

An official among jail staff outlined:

We are trying our level best to provide basic facilities within limited resources. The jail building is old and no new construction has been done yet. The unhygienic condition in the women's prisoner barracks is because of the overcrowded population. We have no alternative for them, therefore, we kept them together.

The inability of the Prison Department to build fresh buildings in order to accommodate the growing number of inmates becomes evident. Given the continuous growth of the prison population, it is anticipated that the issue will further challenge correctional staff in their ability to uphold standards of food safety and hygiene, unless appropriate attention is given to the matter. Similarly, a significant proportion of incarcerated individuals are aware that prisons are isolated from the external society, and the inhabitants exhibit a lack of concern for maintaining cleanliness within the premises. The jail-based physician in central Jail Peshawar stated:

Prisoners and mothers in the prison system have an elevated incidence of chronic diseases, including diabetes, heart issues, and mental and behavioural health problem. Infections caused by food-borne diseases because of poor diet, unfiltered water and an unhygienic environment are also commonly found among the jail housed children.

Consistent with the findings of Waqas and Khan (2022), the living conditions pertaining to food, sanitation, and shelter experienced by convicts in Pakistan are continuously characterized by extreme deprivation. The substandard conditions of the prison facilities and the inadequate quality of food are indicative of a significant event that occurred in October 2017, wherein 17 detainees in Swat district jail lost their lives as a result of consuming filthy food. Likewise, Cheema et al. (2022) have referred to miserable state of women inmates in jails and held it responsible for have higher chance of developing chronic diseases and weak physique due to unclean food and contaminated water.

Similarly, in line with the findings of Butta and Siddiqu (2020), incarcerated individuals have substandard conditions of living including inadequate nourishment and limited availability of safe drinking water. The lack of privacy for women in prisons extends beyond the physical infrastructure, such as inadequate bathing and toilet facilities. Avais et al. (2021) have fingered at maximum jails providing prisoners with no safe and health water. Mushtaq and Yasin (2021) found that the hygienic condition in Pakistani jails is below the standardized line as compared to the rest of the countries. They found the presence of sanitary staff but they were not discharging their duty honestly.

4. CONCLUSIONS & RECOMMENDATIONS

It was concluded that incarcerated mothers and their children in jail didn't have access to clean and well-maintained bathrooms. They faced to brutal and dehumanizing/humiliating treatment apart from non-

availability of basic hygienic facilities and necessities. Besides, ventilation system and sanitary arrangements were crippled. Foul smell and dirty environment in the entire residential areas within the jail premises were a big source of making the prisoners' life miserable. The residents dealt on their own with all kinds of insects such as cockroaches, rats, bedbugs and centipedes on their own. Disinfection spray or other sprinkling materials were at large. Contaminated water and down standard food were there which were detrimental to their mental and physical health. It is recommended that an effective policy should be devised by the Government of Pakistan to provide good quality services encompassing the provision of clean and potable drinking-water, suitable sanitary facilities, as well as the availability of qualified doctors and professional physicians.

Competing Interests

The authors did not declare any competing interest.

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