



**COMMITTEE  
FOR THE  
WELFARE OF  
PRISONERS**



# NEWSLETTER

October - December 2022

13<sup>th</sup> Edition

Supporting Sindh's Criminal  
Justice System through  
**Legal Aid, Legal Empowerment  
and Swift Trials.**



## KEY HIGHLIGHTS OF SUCCESS from this quarter



**837**

Vakalatnamas filed in  
the courts



**416**

Bail applications  
granted



**655**

Cases disposed off  
through court orders



**458**

Acquittals (On Merit  
& 265-K & 249-A Cr  
PC)

## EDITORIAL

### Munnawar Shah DIG Prison Sukkur Region

The increasing frequency and intensity of climate crises, including global pandemics and ecological disasters, and the rise of mass incarceration around the world call for a review on disaster resilience and sustainability of prison facilities.

Hazard-induced disasters, those instigated or amplified by climate change, continue to increase in occurrence and intensity around the world, including floods, wildfires, severe storms, and extreme temperatures. The impact of disasters are disproportionately felt first and worst by vulnerable populations, which also face more challenges in receiving support after disasters. There are currently over 23,000 prisoners in Sindh prisons - which make for a vulnerable population. Despite the high number of incarcerations and evidence from previous years disaster evaluation, disaster risk reduction (DRR) is often not a primary concern.

Sindh faced disastrous floods in 2022 the impact of which was also faced by the prison facilities. Luckily, the Prison Administration had planned ahead and therefore no damages were recorded. There is, however, an imminent need to analyze disaster vulnerabilities which requires a focus not only on the facilities, but also the external and internal networked systems which together ensure the safety of prisoners in times of emergency. As the new year commences, there is a need for renewed focus on Sustainable Development Goals in relation to Disaster Risk Reduction firmly establishing the role of disaster risk reduction as a core development strategy.



**Mr. Syed Munawar Ali Shah**  
Deputy Inspector General Prison Sukkur Region

### Canadian High Commission delegation at the Head office

It was an absolute pleasure to host the Canadian High Commission delegation consisting of Mr. Faisal Javaid Khokhar - Senior Consular Officer and Ms. Junko Prefontaine - Second Secretary and Vice Consul. The delegation was given an overview of the scope of work at the Committee. Together we explored synergies to work with dual nationality prisoners in Sindh as well as possible welfare and rehabilitation opportunities for prisoners.



## Repatriation of a Tanzanian national

Foreign National Prisoners (FNP) from developing countries face the challenge of arranging funds to travel back home once their sentence is complete.

Agustino Lusaulwa, a Tanzanian national, had completed his sentence but struggled to arrange to travel back home. Not only was he unable to communicate details of his family but also did not have the funds for air travel. The Committee for the Welfare of Prisoners with the generous support of JAS Travel, was able to arrange for Augustino's travel.

Augustino is now in the company of his family and loved ones. We would like to express our gratitude to JAS Travel for their generous support and look forward to their continued support in the future.



## Children's Day at Early Learning Center (ELC)

20th November marks "International Children's Day". Early Learning Center Karachi and Hyderabad organized celebrations for children where teachers had prepared cards for all students. The room filled with heartwarming laughter as the children indulged in games and activities whilst enjoying cake.

The celebration at ELC Karachi was attended by Ms. Humera, Assistant Superintendent Women's Prison Karachi.



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## Exposure visit to ELC

Early Learning Center provides basic primary education to children between 3-6 years incarcerated with their mothers. Dr. Asghar, President Friends of Education Foundation and board member of Shine Humanity, visited Early Learning Center Karachi. He did an impromptu story telling session with the students and spoke to them about their future aspirations.

**Dr. Asghar** expressed his interest in helping children in prison to continue their education for as long as possible. We look forward to his support in the future!

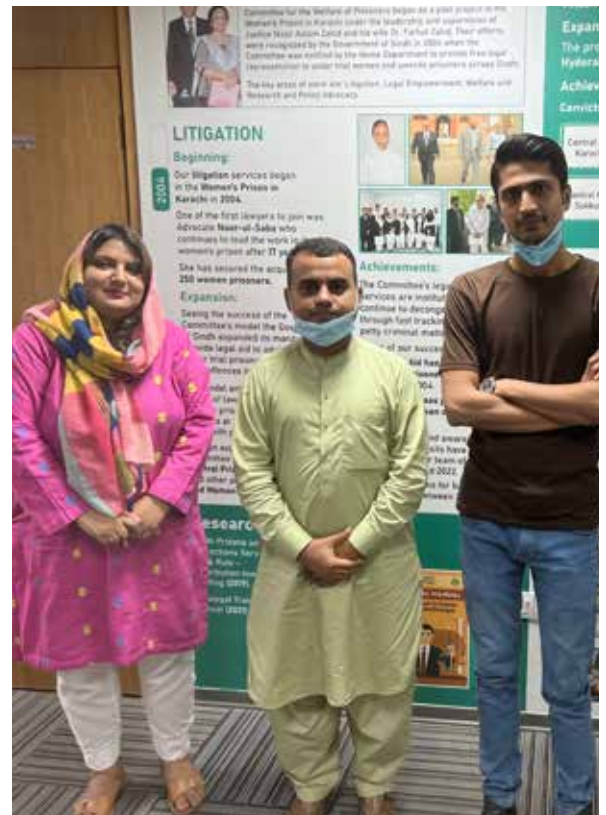


## Empowering communities beyond prison

The Committee for the Welfare of Prisoners has been running a one-of-a-kind convict led Prison Paralegal Program in prisons since 2017. This has proven to empower prisoners through legal education who raise legal awareness in prisons and in communities post-release.

Asim was one of the first to be trained as a prison paralegal for the Prison Paralegal Program in Central Prison Karachi. He visited us at our office and expressed his interest in conducting community paralegal sessions to empower communities with basic legal literacy.

The Committee for the Welfare of Prisoners has also released a podcast featuring subject experts who came together to share their experiences and discuss the impact of legal education in prisons. The podcast is available on our Facebook page and Youtube channel.



## Distribution of winter sweaters in Youthful Offenders' Industrial School (YOIS) Hyderabad

**A**s the cold grips Sindh, the Committee was able to distribute winter sweaters in YOIS Hyderabad through a generous private donation.

We would like to thank donors who came forward for this noble cause.



## Water plant installation in the Women's Prison Hyderabad

**A**fter the devastating floods in Sindh, the water supply to the Women's Prison Hyderabad was severely damaged which led to acute shortage of water. Through a generous donation, the Committee was able to install a water boring plant to ensure water supply.



## Win at Karachi Bar Association 2023!

**W**e would like to congratulate the Committee's advocate, Abid Ali Jatoi for winning the elections as the Member Management Committee, Karachi Bar Association.

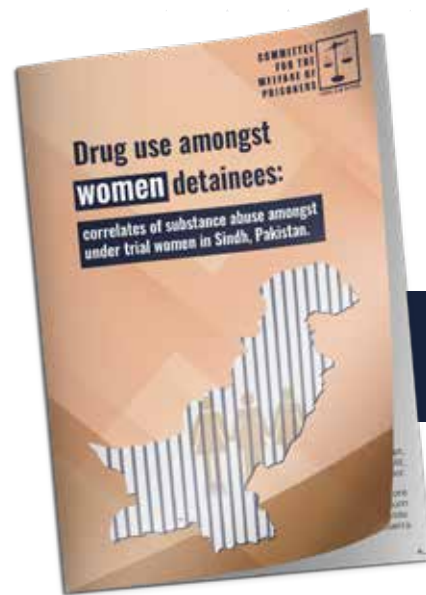
We hope to see him play a key role in improving the bar coordination matters and appreciate all his contributions.



During this quarter, the Committee published three policy briefs - **“Drug use amongst women detainees: Correlates of substance abuse amongst under-trial women in Sindh, Pakistan.”**, **“Drug use among juvenile detainees: Correlates of substance abuse amongst under-trial juveniles in Sindh, Pakistan.”** and **“The plight of Afghan refugees: Incarcerated in Central Prison Karachi.”**

**“Drug use amongst women detainees: correlates of substance abuse amongst under trial women in Sindh, Pakistan”** quantitatively analyzes data on under-trial prisoners available through the Case Management System maintained by the Committee for the Welfare of Prisoners – Legal Aid Office from 2015 to 2022. The study identifies **two critical drivers: marital status and an increasing dependent count**, which show a positive relationship with drug use among women. The policy brief puts forward necessary recommendations for an improved rehabilitative approach within prisons in light of gender-specific rehabilitation and reintegration international laws and after a review of the Sindh Prisons & Corrections Services Rule 2019.

**“Drug use among juvenile detainees: Correlates of substance abuse amongst under-trial juveniles in Sindh, Pakistan”** aims to identify how the prevalence of drug abuse amongst the youth is a contributing factor to increased juvenile delinquency in the country. The study quantitatively analyzes data from **2,072 under trial juveniles** of which **14.2% were drug users prior to their arrest. The research identifies that repeat offending and lack of parental supervision** are some of the highest contributors to increased drug use and consequently criminality amongst the youth in Pakistan. Based on the research findings, this policy brief advocates for interventions across three categories: preventative policy response, in-prison response, and post-release response to allow for improved and targeted age-sensitive policies in the future.



**The plight of Afghan refugees: incarcerated in Central Prison Karachi** is a policy brief Committee for the Welfare of Prisoners - Legal Aid Office has published in collaboration with the National Commission for Human Rights (NCHR). As a result of a recent combing operation in Sindh, 277 Afghans are imprisoned in Youthful Offenders Industrial School (YOIS), Women's Prison and Central Prison Karachi - charged with violating the Foreigners Act 1946 - a law which empowers authorities to deport foreigners lacking proper documentation. These under trial and convicted prisoners include men, women with children and juveniles. The brief aims to summarize the legal status of Afghans in the country, the laws pertaining to foreigners in Pakistan, and present a situational analysis of under trial and convicted Afghans in Central Prison and the Women's Prison in Karachi as of 12th December 2022. This research brief is also available on NCHR's website.



**All policy briefs are available on the Committee's website.**

## Free Legal Advisory Camps

**T**he Committee prioritizes provision of legal aid across prisons in Sindh, including efforts towards increasing prisoners' awareness regarding right to legal aid and how to seek legal aid services.

Between October and December 2022, we successfully organized **21 free legal advisory camps** for prisoners. The camps witnessed the **active participation of 716 under-trial prisoners**, including adult men, women and juvenile prisoners who benefited from free legal advice.





**C** OVID-19 led to a dramatic loss of human life worldwide and presented an unprecedented challenge to public health. The economic and social disruption caused by the pandemic has been undeniable.

Millions of people have been pushed into extreme poverty. One from these millions is Nabila\*. Nabila paced her way through the halls at Malir Court to make it in time to meet her son Asim\*. Asim has been in prison since 2020 - arrested for robbery and dacoity charges.

Nabila has a family of 5 to feed. Her husband used to drive a rickshaw, however due to old age, he slowly lost vision. Prior to COVID-19 Nabila used to work in a factory to provide for the family, when the lockdown was imposed, Nabila, like thousands of other factory workers, lost her job. This is when things got really tough for the family.

She narrated how the family would go days without eating. She believes that these circumstances led her son into choosing the wrong path. Nabila was grateful to the Committee's lawyer for guiding her through every step of court procedure. She mentioned how Asim has been mentored by his lawyer.

Asim is now using his skills to make hard-earned money and has sworn to never take the same path. Most of the time, we are forced to see prisoners through the lens of the offense they commit, rather than the circumstances which force them to enter the world of crime.

**\*pseudonym used to protect privacy.**

Fatima Farooqui





# Justice SUCCESS **STORIES**

Ali\*

**A** 40 years old Ali earned only 7000 PKR as a daily wage laborer to feed his family. On his way back from work, Ali was stopped by the Police. Assuming this was a routine, Ali obliged - he was body searched however nothing was found on him. Police demanded gratification in exchange for his release. When Ali denied paying the officials, he was detained illegally.

While in detention, Ali was also allegedly tortured. An FIR was registered implicating Ali in a false drug case, a few days after he was detained and imprisoned in **Nara Prison Hyderabad**. Considering his financial background, Ali's case was referred to Committee's lawyer, **Ms. Noreen Sheikh** by the 7th Judicial Magistrate Hyderabad on 6th December 2022. His vakalatnama was filed on the same day.

Based on the ambiguities found in the prosecution's witness statements and failure of the prosecution to prove their allegations, the case concluded on acquitting Ali of all charges on 7th December 2022.



**Advocate  
Ms. Noreen Sheikh**

Asia\*

**A** sia, a widow, is a mother of two sons. She had come to Hyderabad for a job. Asia worked as a sales representative for a private company. The company was caught in a drug supply scandal due to which its employees were arrested. Asia was on field during work when she was investigated by the police. When Asia refused to fulfill illegal demands, she was booked in a case of drugs.

She had been imprisoned in **Women's Prison Hyderabad**. Unable to afford a private lawyer, she reached out to the Committee's lawyer for legal representation. Her vakalatnama was filed by the Committee's lawyer, **Mr. Toseef Chandio**.

During the case proceedings, prosecution witnesses' statements were found conflicting. Court declared Asia innocent on 24th Nov 2022. Asia would've faced 14 years imprisonment had she not been provided free legal services.



**Advocate  
Toseef Chandio**

\*pseudonym used to protect privacy.

# Justice SUCCESS STORIES

## Qadir\*

**Q**adir, worked as a farmer earning PKR 10,000 to provide for his 12 dependents in the family. He was married and had three children. He was implicated in a false case as a result of a rivalry.

Due to his financial background, Qadir and his family were unable to hire a private lawyer. Qadir was imprisoned in **District Prison Dadu**. On a regular prison visit, Qadir reached out to the Committee's lawyer. His vakalatnama was filed on 5<sup>th</sup> October 2022 by the Committee's advocate **Syeda Sumbul Kazmi** and case proceedings began.

The Court examined all evidence – based on the loopholes, Court acquitted Qadir of all criminal charges on 3<sup>rd</sup> Nov 2022.



**Advocate  
Syeda Sumbul Kazmi**

## Hyder\*

**A** 16 years old, Hyder had come to Hyderabad from Larkana to look for work. He wanted to contribute to his household expenses and therefore began to work as a daily wage laborer. Unfortunately, Hyder was imprisoned, and accused of robbery.

Hyder was imprisoned in **Youthful Offenders Industrial School (YOIS) Hyderabad**. Since Hyder was away from home, his family was unaware of his imprisonment. Hyder did not have the financial means to hire a private lawyer. His vakalatnama was filed by the Committee's lawyer, **Mr. Abdullah Soomro**, during a routine prison visit.

As the case proceedings concluded, the Court found that the evidence against Hyder was weak. He was acquitted on 29<sup>th</sup> October 2022.



**Advocate  
Mr. Abdullah Soomro**

\*pseudonym used to protect privacy.

# Justice SUCCESS STORIES

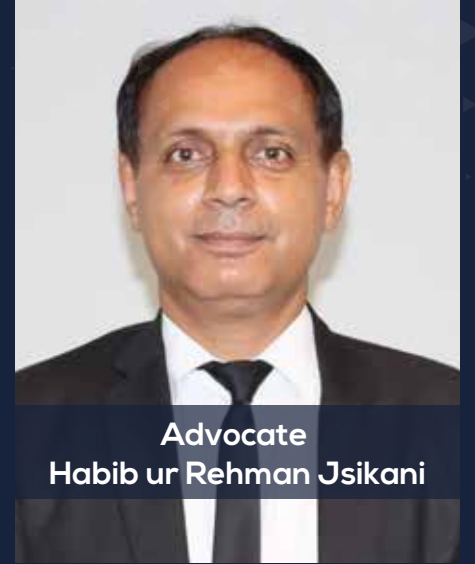
## Aliya\*

**A**liya, 40 years old, lived a content life with her husband and 10 children. Her husband worked as a driver to provide for the family. Their life took a turn for the worse when Aliya was arrested in a fabricated murder case. She was arrested and sent to **Women's Prison Karachi**.

She faced a long trial – it concluded and Aliya was sentenced for life with a PKR 100,000 compensation to the legal heirs of the deceased. Aliya's appeal had been pending in Sindh High Court. Her case was referred to the Committee by the Prison Authorities.

Her appeal was assigned to the Committee's **advocate Habib ur Rehman Jiskani** who filed Aliya's vakalatnama on 14th April 2022. The case proceeded on fast track. During case proceedings it was highlighted that Aliya's statement was recorded 10 days after she was detained, the mobile phone used as evidence to establish a relationship between Aliya and co-accused was not supported by a forensic report, and the statement of the complainant who insisted that the deceased was poisoned was found conflicted with the forensic report. Based on the loopholes highlighted during the proceedings, the Honorable Sindh High Court acquitted Aliya of all charges.

The appeal concluded in 7 months and 18 days.



**Advocate  
Habib ur Rehman Jiskani**

\*pseudonym used to  
protect privacy.

مفت قانونی مشورہ  
صرف ایک کال کے فاصلے پر



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## Podcast series initiated by the Committee

The Committee has recently started a podcast series with a focus on corrections, prisons and prison population.

— The first podcast sheds light on the Early Learning Centers (ELCs) in Women's Prison Karachi and Hyderabad. ELCs provide basic pre primary education to children incarcerated with their mothers.



— The second episode highlights the importance of legal empowerment in prisons. In this podcast we talk about reforms in the context of prisoners through the lens of legal empowerment.



— The latest episode, "Emergency preparedness in times of natural calamities" with Deputy Inspector General Prison Sukkur Region Syed Munawar Ali Shah highlights the impact of the 2022 monsoon in Sindh on prison facilities.



The podcasts are available on our official Facebook page and Youtube channel.

## GET IN TOUCH!

