



The National Centre for Human Rights

**Eighth Periodic Report on the Conditions of Correctional and
Rehabilitation Centers and Places of Temporary Detention
in the Hashemite Kingdom of Jordan**

For the period from 30/6/2010 to 30/6/2011

General supervision

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Introduction

During the last four years correction and rehabilitation centres in Jordan have witnessed a qualitative leap in the field of improving the prison environment in all its facilities and conditions, thanks to the strenuous efforts and the assiduous work of the Public Security Directorate, beginning with the adoption of a strategic plan which has led to important results and to numerous developments in the field of modern prison buildings and installations consistent with international standards, the training and qualification of the human resources working in those centres, and the adoption of social, cultural and recreational programmes for inmates within a vision which has contributed to humanising prison conditions and to giving the prison a new dimension far removed from the stereotypical and traditional image which has accompanied it as a punitive institution, with a view to achieving a correctional purpose far removed from abuse and punishment, in accordance with a legislative and procedural system which observes the international human rights standards and, in particular, the Standard Minimum Rules for the Treatment of Prisoners — all these procedural measures being regarded as a step in the right direction for the protection and promotion of human rights.

By contrast, the conditions of temporary detention and custody centres continue to constitute the greatest challenge facing the Public Security Directorate, in the light of the reports which still indicate the occurrence of violations at certain departments and security centres and complaints of ill-treatment and torture against detainees by the members of those departments, in the absence of transparent accountability of the perpetrators of these crimes, and notwithstanding the amendment of certain legal provisions — which proves their inadequacy and ineffectiveness in practice and has led to the impression that impunity for the perpetrators of those crimes is widespread, in addition to the existence of a custodial environment which is mostly inconsistent with the international standards relating to those places.

Also a matter of concern from the human rights standpoint is the question of the complaints received against certain security departments concerning complaints relating to the failure to respect the rights of detainees, in particular the right relating to the statutory period of arrest (24 hours) specified by Article (100) of the Code of Criminal Procedure, on the basis of the powers granted to the administrative governors under the Crime Prevention Law of 1954, by recommending to the administrative governors the issuance of administrative detention warrants against accused persons, whereby accused persons are kept for a period exceeding 24 hours and sometimes reaching several weeks. These periods of administrative detention at the security departments, which may extend to weeks in isolation from the family, lawyers and physicians, are the period in which most of the violations relating to ill-treatment and complaints of torture occur.

As the National Centre for Human Rights issues its Eighth Periodic Report on the conditions of correction and rehabilitation centres and places of temporary detention, it hopes that its observations and recommendations will find their way into the plans and strategies of the bodies concerned, and hopes also that the reform movement pursued by the Jordanian Government will extend to all sectors, in particular the legislative sector and specifically as regards the amendment of Article 208 of the Penal Code so as to be consistent with the provisions of the Convention against Torture and Other Cruel, Inhuman or Degrading

Treatment or Punishment, which the Kingdom ratified in 1984, and the granting to the regular courts of subject-matter jurisdiction to consider complaints of torture. The National Centre likewise hopes for the amendment of the Crime Prevention Law of 1954 and the transfer of the powers of the administrative governors in respect of detention and subjection to house arrest to the judiciary, in order to provide the required protection to all individuals and to protect the right to liberty and personal security and the right to physical integrity and not to be subjected to torture.

At the close of this introduction we can only extend our profound thanks to our partners at the Office of Grievances and Human Rights and the Correction and Rehabilitation Centres Administration at the Public Security Directorate for their sincere and transparent efforts in facilitating the task of the National Centre for Human Rights in monitoring and following up the conditions of correction and rehabilitation centres and places of temporary detention in the Kingdom. We likewise affirm that we are confident of the existence of a genuine desire and will on the part of the officials to accelerate the pace of the reform pursued by the responsible bodies, so as to achieve, as a result, what we all seek by way of the comprehensive application of the standards of justice and the rule of law.

Taher Hikmat

Chairman of the Board of Trustees

Summary

The Eighth Periodic Report on the conditions of correction and rehabilitation centres and places of temporary detention in the Kingdom sheds light on the totality of the positive and negative measures and developments affecting those places during the period from 30/6/2010 to 30/6/2011, within a methodology which the National Centre has consistently followed since the issuance of its First Periodic Report in 2004 and which rests upon monitoring field visits, both unannounced and announced; upon the complaints and requests for assistance received by the Centre, whether directly or during the visits of the team of the National Centre for Human Rights to those places and their meetings with inmates and detainees individually, or through their relatives or their lawyers, or through certain civil society activists; and the report likewise rests upon the information provided by the administrations responsible for those places and the information obtained through the daily newspapers, news websites and other sources. During the period covered by the report the National Centre carried out (57) visits to correction and rehabilitation centres and (42) visits to places of temporary detention, through which the conditions of those places were assessed, violations and needs were recorded, and the efficiency of performance therein was evaluated.

The report referred to the positive steps which the Public Security Directorate has continued to pursue for more than four years and valued the exceptional efforts of those responsible for the administration of correction and rehabilitation centres. The report also commended the continuation by the Public Security Directorate of the building and construction of new centres consistent with international standards, and of the training and qualification of the human resources working in those places. Perhaps the most important feature of the period covered by the report is the continued implementation of cultural, recreational and social programmes for inmates within a vision which has contributed to humanising prison conditions and has given the prison a new dimension far removed from the stereotypical and traditional image attached to it as a punitive institution. These programmes have contributed to raising public awareness of the role of correction and rehabilitation centres and of those working in them in the process of correction and rehabilitation, and have shown that society too has a role in this continuing process no less than that of those responsible for the administration of correction and rehabilitation centres.

The report described the features of the custodial environment in terms of buildings, installations and service facilities, whether in correction and rehabilitation centres or in places of temporary detention, and shed light on the most important infrastructural problems in those places, consisting in the small size of the buildings, the restricted total area of the land allocated to those centres, the failure to follow precise scientific criteria for determining the holding capacity of each centre, and reliance upon the criterion of the number of existing beds and the area of the places allocated for the accommodation of inmates. The report shed light on the problems of overcrowding in some of those places and the resulting weakness of the services provided to inmates and the difficulty of classifying them, and recommended the closure of some of them because of the dilapidation of the infrastructure and the carrying out of maintenance on others.

The report also set out the most important problems of the custodial environment from which places of temporary detention suffer — these being the lock-ups of the security centres and police directorates and the lock-ups of the other security departments, such as the Anti-Narcotics and Counterfeiting Department, the Criminal Investigation Department, the Preventive Security Department, the Family Protection Department and the Aliens Detention Centre — consisting in the age of the buildings, the limited area and the location of those places on basement floors, which affects temperature and ventilation negatively, together with the severe overcrowding accompanying this in some of those places. The report welcomed certain measures of the Public Security Directorate in this field, consisting in the building and construction of security centres consistent with international standards and the carrying out of maintenance on some places of temporary detention at certain security departments, and calls upon the Public Security Directorate to continue building or renovating temporary detention centres.

The report dealt with the conditions of inmates and their problems inside correction and rehabilitation centres, numbering (14) centres, and recorded all the services provided to inmates, whose number ranged between (7,500-8,500) according to the statistics of the Public Security Directorate. The form, type and standard of the services provided were recorded and assessed in accordance with international and national standards, within the limits of the powers vested in the bodies concerned, whether ministries or other institutions, in the provision of those services. The report noted that the inmates of correction and rehabilitation centres continue to suffer from the weakness of social care services, the limited nature of health, preventive and psychological care services, the continuing weakness of legal assistance services, and the limited nature of educational and literacy programmes — in addition to the continuing problems of administrative detention and the rise in the numbers of administrative detainees, the problems of inmates relating to the length of judicial detention, their continued suffering upon transfer to the courts and hospitals and the administrative procedures accompanying the process of their transfer and restraint, the question of the inadequacy of the breakfast and dinner meals provided to them, and the problem of the spread of insects and rodents owing to the lack of cleanliness and the shortage of water in some centres.

The report also shed light on the totality of the observations relating to deaths inside correction and rehabilitation centres and suicide attempts, and submitted its recommendations to the bodies concerned on the importance of confronting the problem of inmates attempting suicide and devising solutions in that regard. The report called for the establishment of a health directorate specific to correction and rehabilitation centres in order to unify the reference authorities and to advance health care, in the light of a reality indicating a rise in deaths in correction and rehabilitation centres.

The report referred to inmates' strikes, their causes and the importance of addressing them, being the inmates' only weapon for expressing their problems and conditions. The report also drew attention to issues of importance such as the subject of classification in correction and rehabilitation centres and set out the obstacles to its application; and the subject of the transfer of supervision over prisons from the Ministry of the Interior to the Ministry of Justice and the importance of this measure in the process of correction and rehabilitation, calling for legislative

amendments to accompany the transfer process and for the adoption of a judicial police system. The report also set out certain legal violations which occurred during the period covered by the report.

The report referred to the most important problems from which detainees in places of temporary detention suffer, the most important of which are their loss of contact with the outside world, their deprivation of the right to be assisted by a lawyer during the stage of the preliminary investigation (inquiry and evidence-gathering) and the problems of administrative detention. The report also recorded their suffering inside those places in terms of the unfitness of the custodial environment and poor ventilation. The report likewise expressed concern at the continued rise in the pace of complaints and allegations of subjection to beating, torture and other forms of ill-treatment by certain detainees held at certain security departments and security centres, such complaints having reached (41) complaints in 2008, (51) complaints in 2009 and (33) complaints during the first half of 2010.

By contrast, the report valued the improvement achieved in the field of the treatment of inmates in correction and rehabilitation centres and the continued decline in allegations of subjection to beating, torture and other forms of ill-treatment, such allegations having reached (16) cases during the period covered by the report. By contrast, however, it recorded with grave concern the continued rise in complaints of torture and other forms of ill-treatment in places of temporary detention, which reached (87) complaints during the period covered by the report. Following the issuance of this report the National Centre hopes that the reform plans of the Public Security Directorate will encompass all the departments of the Public Security Directorate, and in particular the departments concerned with places of temporary detention, whether as regards the infrastructure or the training and qualification of the human resources working in those places, with a view to confronting the rise in allegations of subjection to beating, torture and other forms of ill-treatment.

At the close the report called upon the bodies concerned to take certain measures in order to remedy the deficiency in some legislation and in administrative and executive procedures, in particular in the field of confronting cases of torture and other forms of ill-treatment, with a view to addressing the question of impunity in cases of torture; and to the necessity of strengthening the available national remedy mechanisms relating to those cases, holding accountable those responsible for them and referring them to the judiciary, providing protection programmes for witnesses and victims, and establishing specialised centres for their rehabilitation.

The report also drew attention to the necessity of harmonising national legislation with the international conventions to which Jordan is committed, and emphasised the necessity of introducing the system of a judge for the execution of penalties and alternative penalties. The report valued the other positive developments in the field of educational and artistic programmes, the opening of knowledge stations, the holding of artistic and theatrical performances, and the adoption of initiatives such as "a library in every centre", the "Mazaya" health wing initiative and the "Musanada" programme initiative for giving up drugs; and welcomed the measures of the Public Security Directorate in the field of designating centres for detainees and others for convicted persons and beginning to draw up a plan for the

classification of inmates. It reiterated its call to all bodies for the necessity of cooperation and coordination in order to achieve the objective of reform, being a shared responsibility borne by all.

The report called upon the bodies concerned, as in the previous periodic reports, to adopt the recommendations of the National Centre for Human Rights, in order to remedy the observations and difficulties, to affirm the developments and to achieve the objectives of correction and rehabilitation.

As it issues this report, the National Centre hopes that its observations and recommendations will be dealt with positively by the ministries concerned and that those recommendations will find their way to implementation, along the lines of the previous recommendations implemented by the Public Security Directorate, particularly in the field of correction and rehabilitation centres.

Methodology

1. Methodology of the preparation of the report

The National Centre for Human Rights has consistently followed a clear methodology and clear bases for the preparation of its reports, through which the conditions of correction and rehabilitation centres and of inmates are assessed and the weaknesses and dysfunctions from which these establishments suffer are identified. This methodology rests upon:

1. Unannounced and semi-unannounced field visits to those centres, in cooperation and coordination between the Office of Grievances and Human Rights at the Public Security Directorate and the team of the Criminal Justice Unit at the National Centre for Human Rights.
2. The documentation reports relating to each of the centres spread throughout the Kingdom.
3. Meetings with inmates, detainees and those responsible for the administration.
4. Observation of the practices, the services provided and the treatment received by inmates and detainees.
5. Meetings with former inmates and detainees, with the families of some current inmates and detainees, and with civil society activists.
6. Use of certain information provided by the Correction and Rehabilitation Centres Administration, the Office of Grievances and Human Rights and certain other security departments.
7. Examination of the training curricula designed for those working in correction and rehabilitation centres.
8. Study and analysis of the complaints and requests for assistance submitted to the National Centre for Human Rights.

2. Methodology of the conduct of the visits

During the period covered by the report, from 30/6/2010 to 30/6/2011, the National Centre carried out (57) visits to correction and rehabilitation centres and (42) visits to security centres, security departments and police directorates. The visits usually begin with a meeting with the directors of the centres and some of their staff, followed by observation of the living conditions of inmates and detainees inside those centres and of the conditions of those centres by comparison with international and national standards. During the visits inmates and detainees are met individually and their complaints and requests are heard, in addition to the examination of the registers and records relating to them in order to verify that the presence of detainees and convicted persons in correction and rehabilitation centres and/or places of temporary detention is consistent with the provisions of the laws and regulations in force.¹

¹The registers and records do not include the social status of inmates and do not permit effective verification of the periods of detention.

The visits conclude with a meeting with the directors of the correction and rehabilitation centres, the security centres and the security departments in order to inform them of the team's observations and to request that certain matters capable of being addressed within the limits and powers of those administrations be addressed (telephone calls, the exercise hour, procedures for transferring inmates to hospitals and courts, meals, etc.).

First: Assessment of the existing situation in correction and rehabilitation centres

The assessment of the conditions of correction and rehabilitation centres, the verification of the form of treatment and care received by inmates, the recording of violations and needs, and the assessment of the efficiency of performance are matters requiring more than the mere method of visits; it is likewise essential to examine the training curriculum for those working in correction and rehabilitation centres and to conduct an individual assessment of their performance and a periodic survey of their needs, on the one hand, and to ascertain the size of the budget allocated to correction and rehabilitation centres and the manner of its expenditure and to study the relationship between the adequacy of the appropriations and performance, on the other.

During the period covered by the report the National Centre for Human Rights carried out a series of unannounced and announced visits to correction and rehabilitation centres, numbering fourteen centres, and to places of temporary detention spread across all the governorates of the Kingdom, within its continuing programme of visits, with a view to inspecting the conditions of those centres and assessing the developments therein since the issuance of the Seventh Periodic Report on the conditions of those centres, which covered the period from 1 January 2009 to 30 June 2010. These visits were carried out in direct cooperation and coordination with the Office of Grievances and Human Rights at the Public Security Directorate, the Centre's team having carried out (57) visits to correction and rehabilitation centres and (42) visits to places of temporary detention, the duration of a visit ranging between two hours and six hours.²

1. The environment of correction and rehabilitation centres: buildings, installations, service facilities and their equipping, and the standard of the services provided

There are (14) correction and rehabilitation centres in the Kingdom, and (4) centres are under construction (Marka Correction and Rehabilitation Centre, Al-Zarqa Correction and Rehabilitation Centre, Irbid Correction and Rehabilitation Centre, Al-Tafileh Correction and Rehabilitation Centre). The expansion of Al-Karak Correction and Rehabilitation Centre is currently in progress. The following table shows the names of the centres, the date of their opening and the capacity of each centre.

²All the centres visited come under the Public Security Directorate and are administered by the Correction and Rehabilitation Centres Administration. They number (14) centres located in eight of the Kingdom's governorates, namely: (Qafqafa – Jerash Governorate), (Al-Balqa – Balqa Governorate), (Birein – Zarqa Governorate), (Jweideh/men – Capital Governorate), (Jweideh/women – Capital Governorate), (Swaqa – Capital Governorate), (Al-Karak – Karak Governorate), (Ma'an – Ma'an Governorate), (Aqaba – Aqaba Governorate), (Al-Muwaqqar 1 – Capital Governorate), (Al-Muwaqqar 2 – Capital Governorate), (Umm al-Lulu – Mafraq Governorate), (Ma'an al-Jadeed – Ma'an Governorate), (Al-Rmeimeen – Balqa Governorate), (Salhoub – Jerash Governorate).

No.	Centre	Date of opening	Capacity
1	Al-Jweideh Correction and Rehabilitation Centre	19/4/1986	1080
2	Qafqafa Correction and Rehabilitation Centre	19/7/1987	1212
3	Birein Correction and Rehabilitation Centre	25/1/1988	614
4	Swaqa Correction and Rehabilitation Centre	1/8/1988	2200
5	Al-Karak Correction and Rehabilitation Centre	14/11/1998	102
6	The Women's Correction and Rehabilitation Centre	1/1/2000	450
7	Al-Balqa Correction and Rehabilitation Centre	7/7/2001	506
8	Aqaba Correction and Rehabilitation Centre	5/5/2004	192
9	Al-Muwaqqar 1 Correction and Rehabilitation Centre	2/5/2007	950
10	Salhoub Correction and Rehabilitation Centre	7/5/2008	40
11	Al-Muwaqqar 2 Correction and Rehabilitation Centre	25/3/2009	240
12	Umm al-Lulu Correction and Rehabilitation Centre	19/4/2009	688
13	Ma'an al-Jadeed Correction and Rehabilitation Centre	1/3/2010	288
14	Al-Rmeimeen Correction and Rehabilitation Centre	29/5/2010	480

It must be pointed out that most of the recently constructed centres are consistent with the international standards as regards construction, with the exception of (Jweideh/men Correction and Rehabilitation Centre). The National Centre for Human Rights renews its call for the necessity of closing this centre in view of the dilapidation of the infrastructure, the dilapidation of the sewage network and the shortage of services resulting from overcrowding in most cases³.

Some of the old centres also need periodic maintenance and rehabilitation (Qafqafa, Birein, Al-Balqa, Al-Karak); and some of them were established by converting buildings not designed for the purpose into correction and rehabilitation centres, such as Al-Balqa Centre.

It is also to be observed that some of the modern centres, such as (Al-Muwaqqar 2 Correction and Rehabilitation Centre), have been built along the lines of maximum-security prisons, or what is known as (Supermax), consisting of cells the area of each of which does not exceed (2x3) and which contain a lavatory, bedding and a bath basin, each cell having an external

³See the Seventh Periodic Report on the conditions of correction and rehabilitation centres and places of temporary detention.

balcony of limited area for standing. These cells do not afford the opportunity of contact between inmates, their purpose being to isolate dangerous or violent inmates. In truth, confinement in these centres is a form of solitary confinement, but for periods longer than the period permitted for keeping inmates in breach of the rules in solitary confinement under Article 38 of the Correction and Rehabilitation Centres Law No. 9 of 2004, namely seven days on each occasion. Among the repercussions of keeping inmates in this type of centre is their being afflicted with psychiatric illnesses and personality disorders. The National Centre hopes that this centre will not be used to impose punishment upon inmates in breach of the rules or dangerous inmates⁴ and to isolate them, and that the mechanism of its operation will be reconsidered, so that the isolation of the inmate does not become another penalty imposed by the law exceeding seven days.

The following are the observations relating to correction and rehabilitation centres from the constructional standpoint:

- Most of the centres are close to residential communities, with the exception of Al-Muwaqqar 1 and Al-Muwaqqar 2 Correction and Rehabilitation Centres and Aqaba Correction and Rehabilitation Centre, which creates difficulty for visitors and also leads to the length of the period of transfer between the centre and the courts, in addition to the high financial cost of travelling to these centres.
- Birein and Al-Balqa Correction and Rehabilitation Centres still suffer from the small size of their buildings and the restricted total area of the land allocated to them, a matter which is directly reflected in the limited service facilities for inmates and the administration alike, leading to the problem of overcrowding and preventing the classification of inmates and their separation into categories according to the criminal dangerousness of each of them; whereas the holding capacity of Al-Karak Correction and Rehabilitation Centre has been expanded from 102 beds to 280 beds.
- The correction and rehabilitation centres of (Al-Balqa, Qafqafa, Birein, Jweideh/men and Swaqa) still suffer from damp and from the absence of good lighting and healthy ventilation in some dormitories. It was likewise observed that there are problems with the lavatories of most of these centres and the leakage of waste water into the dormitories or into parts of the building (the organisations' dormitory at Swaqa and Jweideh/men).
- The individual cells in some correction and rehabilitation centres suffer from being below ground level (Qafqafa), which necessitates general maintenance of these buildings and the carrying out of engineering modifications to them.
- The size, nature and quality of the facilities which must be available in correction and rehabilitation centres have not been determined: by way of example, inmates in some centres still wash their clothes and their bedding in the toilets by hand and by primitive methods, whereas some centres use electric washing machines. Some centres also set a washing programme for the dormitories whereby inmates may wash their clothes every week or two weeks, which is a long interval for the inmates.

⁴The detainees of the Salafist current were kept in this centre for periods exceeding two months.

- Some centres rely upon the international standards for determining the holding capacity, such as Ma'an, Al-Muwaqqar 1, Al-Rmeimeen and Salhoub Correction and Rehabilitation Centres, while the remaining centres still rely upon the criterion of the number of beds existing in the centre or the size of the areas allocated for the accommodation of inmates.
- The continuation of the phenomenon of overcrowding in some centres (Jweideh/men, Birein and Qafqafa), notwithstanding the issuance of the General Amnesty Law of 2011 and the release of more than 1,900 inmates and the issuance of 157 release warrants; overcrowding nevertheless remained continuous in those centres because of judicial detention decisions issued by the public prosecutors and judges, or because of administrative detention decisions issued by the administrative governors.
- Most prisons lack the sanitary infrastructure and the appropriate facilities and equipment, and most of them suffer from the absence of the necessary maintenance, which is reflected negatively upon the health of prisoners, since the infrastructure in most centres is in no way commensurate with the number of inmates — quite apart from the qualitative aspect of the infrastructure — which makes it extremely difficult to apply the criteria of classification and separation.

Certain negative phenomena remain prevalent in some centres, such as the "sale of the right to use equipment", the "sale of services", bribery and favouritism (the right to use a bed, exemption from service in the rooms, the shower, etc.); nor is it surprising to find many poor inmates serving other inmates in such work as washing clothes, cleaning and the like.

The period covered by the report, from 30/6/2010 to 30/6/2011, witnessed a series of developments in the field of buildings and installations. The following table shows some of the developments by centre:

Name of the centre	Buildings and installations
The Women's Centre / Jweideh	A computer hall was equipped and 12 computers, a printer and a modern document-copying machine were brought in for use by the female inmates.
Umm al-Lulu	The special programmes wing was opened — a wing designated for inmates entering the centre for the first time whose cases involve cheques or rent. The ceramics workshop was opened for the production of ceramic works and their marketing for the benefit of the revenues of the craft workshops and the inmates. A special place was equipped for the cafeteria to provide services to the inmates. The confectionery workshop was equipped to produce sweets and sell them to the personnel and the inmates. The knowledge station was equipped to enable inmates to enrol in ICDL computer courses. A multi-purpose playground was established for the inmates of wing (B). A buffet and a dining hall were equipped for the special programmes wing in order to provide meals and beverages inside the wing. The theatre and cinema hall (a multi-purpose hall) was equipped for official and national celebrations and meetings, with a cinema screen.

Name of the centre	Buildings and installations
	The inmates' studio for plastic art was equipped for the painting of artistic works by the inmates and their marketing. The craft workshops wing at Umm al-Lulu Correction Centre was occupied, with a capacity of (160) inmates.
Birein	The sanitary units in the guard company building were rehabilitated for use by the personnel.
Swaqa	Beds were built of brick and cement measuring (190 cm x 90 cm), twenty beds in number, in the cells. A complete western-style bathroom of approximately (3) m ² was created in the craft workshops section.
Al-Rmeimeen	Two canopies were prepared and equipped for the inmates' relatives during the visiting period to protect visitors from the sun's rays and from the rain in the winter season. A barber's salon made of aluminium was equipped for the inmates. A garden was equipped for the visitors of the centre's special visits, and work is still in progress to bring it into use.
Al-Balqa	The construction of a mosque at the expense of one of the donors.
Al-Muwaqqar 1	The creation of a workshop for drawing and plastic arts / craft workshops section. The occupation of the craft workshops wing at Al-Muwaqqar 1 Correction Centre with a capacity of (144) inmates.

2. Conditions of inmates

The number of inmates of correction and rehabilitation centres ranged between 7,500 and 8,500, and the monthly average of the number of inmates in correction and rehabilitation centres during the period covered by the report was (7,136) inmates, according to the statistics of the Public Security Directorate. The following is a description and analysis of the conditions of inmates in terms of the form of the services provided, their quality, the standard of their provision, and the bodies responsible for those services, in the light of the material and human resources allocated to them:

First: Inmates suffer generally from the weakness of legal assistance services such as legal advice and judicial representation, including the taking of legal steps relating to the follow-up of bail procedures, the consolidation of penalties or the payment of fines.

In truth, the limited nature of legal advice and guidance services has contributed to a large extent to the overcrowding of some centres, particularly those designated for detainees (Jweideh/men), and consequently to the deterioration of the services provided to them. The legal advice services provided by the Criminal Justice team at the National Centre for Human Rights during its periodic monitoring visits, and likewise those provided by the Bar Association and some civil society organisations, are all regarded as limited and inadequate. The Public Security Directorate has contributed to providing legal assistance to inmates, without representation before the courts, through the public prosecutors attached by the Legal Affairs Department to correction and rehabilitation centres, and through the judicial sections and the registry sections operating in correction and rehabilitation centres.

The said sections work to forward the petitions and to follow up the requests submitted by inmates to the competent judicial bodies.

It must be pointed out that legal assistance services suffer generally from a general weakness and are still provided on a very limited basis, whether to inmates or to the public, for the totality of the following reasons:

- a. The unavailability of sufficient funding and of the resources necessary for the provision of legal assistance services.
- b. The absence of a mechanism clear to the public regarding the legal assistance services provided by the Bar Association.
- c. The absence of interest on the part of legal educational institutions in highlighting this role and its importance through legal education.
- d. The poverty of some inmates and their ignorance of the importance of obtaining legal assistance.

The Centre calls upon the Bar Association to activate its role in providing legal assistance to those inmates unable to afford it, in implementation of the Basic Principles on the Role of Lawyers.⁵

Second: In the field of educational services, the number of literacy courses held in correction and rehabilitation centres reached (32) courses and the number of beneficiaries thereof reached (686) male/female inmates. The following table shows the number of literacy courses distributed by centre and the number of candidates for the General Secondary Examination:

Centre	Literacy courses	Beneficiaries of literacy courses	Candidates for the General Secondary Examination	Remarks
Birein	1	12	None	
Swaqa	4	52	76	
Al-Balqa	2	19	8	
Al-Rmeimeen	2	26	6	
Salhoub	—	—	—	
The Women's Centre	2	20	—	
Al-Jweideh	12	352	7	
Umm al-Lulu	3	68	11	
Ma'an	—	—	4	
Al-Muwaqqar 1	2	67	13	
Al-Muwaqqar 2	—	—	—	
Aqaba	2	30	3	

⁵Principle (6), which provides that: "Any such persons who do not have a lawyer shall ... be entitled to have a lawyer of experience and competence commensurate with the nature of the offence assigned to them in order to provide them with effective legal assistance ... without payment by them if they lack sufficient means to pay for such services."

Centre	Literacy courses	Beneficiaries of literacy courses	Candidates for the General Secondary Examination	Remarks
Al-Karak	1	10	2	
Qafqafa	1	30	9	
Total	32	686	139	

(20) inmates of correction and rehabilitation centres successfully passed the General Secondary Education Certificate examination for the academic year, winter session (2010-2011), out of (81) inmates who sat the examination. It is worth noting that the Public Security Directorate facilitated the task of those sitting the examinations and provided all the facilities and appropriate conditions inside the correction and rehabilitation centres to ensure that they were able to study.

For the second time a doctoral thesis was defended in correction and rehabilitation centres: the inmate (A. H. A. J.) defended his thesis on 6/1/2011, entitled "Issues of Exegesis in the Work of Al-Rusafi: Presentation and Critique", at Al-Jweideh Correction and Rehabilitation Centre.

During the period covered by the report the Public Security Directorate also held numerous courses in the field of academic and religious education, received student groups in correction and rehabilitation centres, and opened knowledge stations in a number of centres (Jweideh/women, Umm al-Lulu) with a view to raising the level of awareness among inmates and involving them in courses giving them computer skills.

Third: The inmate does not enjoy the right to the preservation of the confidentiality of his correspondence and communications.

Many inmates alleged the existence of security monitoring of their communications (the inmates of the unlawful organisations) over the telephone lines, or as a result of the presence of security monitoring alongside the inmate during the conduct of the weekly visits and the special visits by the inmate's family (the inmates of the unlawful organisations at Jweideh and Swaqa Correction and Rehabilitation Centres and the detainees of the Salafist current at Al-Muwaqqar 1 Correction and Rehabilitation Centre). In addition, the question of inmates' telephone calls continues to give rise to practical difficulties, the duration of calls not exceeding five minutes, in the light of the limited number of booths and their inadequacy, notwithstanding that calls are permitted in most correction and rehabilitation centres once a week.

Fourth: The limited development in social care services:

During the period covered by the report the Ministry of Social Development seconded a number of social workers from the directorates of the Ministry of Social Development to most correction and rehabilitation centres; the Public Security Directorate also appointed social workers in some centres to make up the shortage in the numbers of social workers, which has led to a positive but limited development in the standard of the service provided to inmates. The following table shows the number of inmates whose circumstances were studied by the

social service offices in correction and rehabilitation centres during the period covered by the report and the types of assistance provided⁶:

Number of social studies	4,918 studies
Cash assistance	2,566 dinars
In-kind assistance	1,850 inmates
Physical rehabilitation (spectacles, medical appliances)	80 cases
Care services	79 cases
Follow-up of cases	349 cases
Health insurance and dispensing of treatments	128 inmates
Services in the field of family relations	349 families
Guidance lectures	125 lectures
Individual and group counselling	30 sessions
Visits by juveniles to their parents	150 visits

The collective vocational counselling programme for inmates was activated at Al-Muwaqqar 2 Correction and Rehabilitation Centre, which aims to make the released inmate accept living a life free of crime and delinquency. The Public Security Directorate also implemented the (Tahyi'a) project in most correction and rehabilitation centres with a view to preparing inmates whose terms of sentence are nearing their end for reintegration into society anew. These programmes have nevertheless not proved their effectiveness, particularly in the absence of aftercare programmes.

Finally, it must be pointed out that there is an acute shortage of specialised social studies on inmates by the Ministry of Social Development to identify the causes of crime or the causes of reoffending (recidivism).

Fifth: The continuing weakness of health care services in most correction and rehabilitation centres, for the following reasons:

- a. The shortage of medical staff working in the health units in correction and rehabilitation centres, which affects negatively the standard of the medical service provided in some centres: in some overcrowded centres there is a single physician with a nurse providing the medical service, including examination, to a number of inmates exceeding 1,000, which certainly affects negatively the quality of health care services. In order to address this phenomenon the Public Security Directorate, during the period covered by the report, appointed a number of male and female nurses in correction and rehabilitation centres within the cadres of the Public Security Directorate, in order to make up the acute shortage in the services of this specialisation.
- b. The shortage in the numbers of specialist physicians in most correction and rehabilitation centres, including the specialisations of dermatology, orthopaedics, dentistry and gynaecology at Jweideh/women Correction and Rehabilitation Centre.

⁶Statistics of the Public Security Directorate.

- c. Most of the medical clinics in correction and rehabilitation centres lack the equipment necessary to facilitate the process of examination and screening and the carrying out of laboratory tests.
- d. The continuing acute shortage in the number of beds allocated to inmates in the hospitals of the Ministry of Health — (24) beds — which has resulted in delay in carrying out many surgical operations.
- e. The spread of certain chest diseases in the overcrowded correction and rehabilitation centres because of damp and the permitting of smoking inside the rooms and dormitories.
- f. The continued spread of certain skin diseases such as scabies and allergies in the overcrowded centres and in the centres suffering from damp and poor ventilation.
- g. Non-compliance with the carrying out of initial and periodic medical examinations of inmates, and the unavailability of a medical file for each inmate setting out his medical history or the chronic illnesses from which he suffers.
- h. The ineffectiveness of health supervision over food and over the cleanliness of inmates' clothing.
- i. The unavailability of certain high-priced medicines.
- j. The ill-treatment of some inmates by certain physicians when they attend the public hospitals, according to the allegations of some of them.
- k. The continued absence of the guarantee of medical release in the Correction and Rehabilitation Centres Law, which reinforces the weakness of the health services provided to those with intractable illnesses or to persons with disabilities whose condition requires special health care.

Sixth: The acute shortage of psychological care services provided to inmates, for the following reasons:

- a. The shortage of medical staff working within this specialisation in Jordan generally and at the Ministry of Health in particular, the number of psychiatrists working at the Ministry of Health being estimated at (35) psychiatrists only.
- b. The acute shortage in the number of beds allocated to inmates at the National Centre for Psychiatric Medicine — (55) beds — which has led to the presence of large numbers of psychiatric patients among the inmates inside correction and rehabilitation centres instead of their being placed at the said centre. There are more than (274) inmates who take psychiatric medication and who remain inside correction and rehabilitation centres and often constitute a real danger to themselves, to their fellow inmates or even to the personnel of the centres, particularly as some of them injure themselves or injure others, in addition to their sometimes selling those medicines to other inmates.

It is worth mentioning that the failure to provide psychological specialists in most correction and rehabilitation centres weakens the capacity to rehabilitate psychiatric patients in terms of behavioural therapy and the correction of their conduct in preparation for their reform.

Seventh: The shortage of cleaning materials in some correction and rehabilitation centres and the scarcity of the water necessary for washing, bathing and cleaning, which has led to the spread of foul odours and of lice among inmates, particularly in the overcrowded centres (Jweideh, Qafqafa, Birein, Aqaba).

Eighth: The unavailability of water fit for drinking in most correction and rehabilitation centres, inmates being obliged to purchase water at their own expense.

Ninth: The lack of variety of books in the libraries and their inadequacy in most correction and rehabilitation centres.

Tenth: The spread of narcotic pills in some correction and rehabilitation centres, notwithstanding the continuous endeavour of the administrations of the centres to seize those pills and their traffickers, whether from among the inmates or from among the personnel working in those centres; information nevertheless still indicates their availability in some centres and their being trafficked by some of the personnel.

Twelfth: The spread of insects and reptiles in a number of correction and rehabilitation centres.

Thirteenth: The shortage of coverings, blankets, mattresses and beds because of overcrowding.

Fourteenth: Poor ventilation in some correction and rehabilitation centres (Qafqafa, Jweideh, Swaqa, Aqaba, Birein) and the existence of problems in the sewage network (Jweideh/men Correction and Rehabilitation Centre).

Fifteenth: The shortness of the exercise period in some centres and the failure to allow inmates exercise in others, owing to the unavailability of exercise yards (Al-Karak Correction Centre) or to high temperatures (Al-Muwaqqar and Aqaba Correction Centres).

Sixteenth: The inadequacy of the meals provided, in particular the breakfast and dinner meals; inmates also complained of the manner of preparation of the lunch meals and the manner of their presentation to them, in particular the meals prepared by private companies.

Seventeenth: The weakness of sporting programmes in some correction and rehabilitation centres (with reference to the acute shortage of sporting facilities in some centres such as Al-Karak and Aqaba Correction and Rehabilitation Centres).

Eighteenth: Non-compliance with informing the inmate of his rights and duties inside the centre, notwithstanding the issuance by the National Centre, in cooperation with the Public Security Directorate, of a special guide to the rights and duties of inmates within the national standards, which was distributed to most correction and rehabilitation centres.

It is worth mentioning at the close of this part of the report that most of these problems have previously been referred to in the Centre's earlier reports. The Centre regrets being obliged to refer to them repeatedly, owing to their not being addressed on the pretext of the shortage of

financial and human resources — a matter which requires the Public Security Directorate and the other bodies concerned to draw up a clearly defined timetable to address these problems.

3. Problems of inmates

First: Administrative detention, criminal records and return requests⁷;

The National Centre for Human Rights recorded the excessive continuation by the administrative governors of the use of the powers of administrative detention or of subjection to house arrest on the basis of the provisions of the Crime Prevention Law of 1954. The National Centre for Human Rights also recorded the continued resort by the security departments to return requests and to recommending to the administrative governors the taking of an administrative measure against persons with criminal records in particular, on the ground that these persons constitute a danger to society, so that they are not released save upon giving an undertaking or bail or discharging social or legal obligations (a tribal reconciliation deed). The overall total of the number of persons administratively detained during the period covered by the report reached (11,036) administrative detainees.

It must be pointed out that administrative detention gives rise to numerous problems which affect correction and rehabilitation centres negatively, in terms of increasing the number of detainees, raising the rate of overcrowding in correction and rehabilitation centres, the weakness of the standard of the services provided to inmates as a result of overcrowding, the difficulty of implementing correctional and rehabilitative programmes, and burdening the State treasury with additional expenditure.

The National Centre received a number of complaints and reports relating to administrative detention and the subjection of persons to house arrest during the period covered by the report, amounting to (8) written complaints, apart from the collective and oral complaints submitted by inmates during the visits of the team of the Criminal Justice Unit, which amounted to (44) complaints; these were followed up with the bodies concerned. It must also be pointed out that all administrative detainees were released following the issuance of the General Amnesty Law of 2011, but that most of the administrative detainees were returned to administrative detention anew less than a month after their release, according to the information available to us.

It was also recorded that some administrative governors continue to house administrative detainees, for long periods, in correction centres located in areas far from the place of residence of their families, routinely and continuously, and to transfer them from one centre to another, notwithstanding the distribution of correction and rehabilitation centres across most of the governorates of the Kingdom; nor are their families notified of this sudden transfer of inmates.

The National Centre also recorded other cases of administrative detention, examples of which are the detention of vegetable traders who protested against the treatment they received from market inspectors, the detention of street vendors after their arrest, the detention of persons on

⁷This is a practice customarily followed by the security centres and police directorates, consisting in placing a note on the prisoner's file by the security centre which initially arrested the wanted person, to the effect that the prisoner is to be returned from the correction and rehabilitation centre and handed over to the security centre after his release if he was a detainee, or after his discharge if he was a convicted person.

account of cases pending before the court, and the detention of persons in order to compel them to reconcile with their opponents.

It must be pointed out that the National Centre for Human Rights recorded the continued subjection of persons to house arrest by the administrative governors on the basis of the Crime Prevention Law and upon the recommendation of the police; the number of persons subjected to house arrest in 2010 reached (3,827) persons.

Second: The length of judicial detention;

The number of judicial detainees during the period covered by the report is estimated at (22,711) judicial detainees, held to the order of the courts and the public prosecutors. Persons were met whose detention had exceeded three months without their having been served with an indictment, or brought before the court (the State Security Court and the Grand Criminal Court), or their cases considered by the competent court (the detainees of the Salafist current held to the order of the Public Prosecutor of the State Security Court), or even any productive step taken with a view to the determination of their cases. These inmates complained of the length of these periods and of their effect upon their families. A number of them attributed these causes to interventions and pressures brought to bear upon the judge, while others attributed the length of these periods to the incompetence of the competent judge or to the negligence of his follow-up registry, to the point that detention warrants are sometimes not renewed for such persons by the competent judicial authority.

It is observed that the public prosecutors and the courts continue to resort expansively to detention. It is worth noting that (585) male and female inmates were detained by the Public Prosecutor of the State Security Court in correction and rehabilitation centres during the period covered by the report.

Third: Unpaid and paid employment;

Some inmates complained that they perform cleaning work, cooking work and the service of those in charge of the centre without remuneration; and some also complained that they are employed in cooking, in the bakery and in other facilities of the correction and rehabilitation centre for a wage far below the minimum wage (14-15) dinars per month and for working hours exceeding those permitted under the Labour Law.

Fourth: Provocative search procedures for some inmates (stripping), whether collectively (the inmates of the unlawful organisations) or individually, upon leaving for and returning from the courts or hospitals. In truth, searching in this manner involves inhuman and degrading treatment and detracts from the inmate's humanity.

Fifth: Depriving inmates of visits by friends and relatives, with the exception of foreign inmates, who are permitted such visits.

Sixth: Missed court sessions;

Cases were recorded in which a detainee does not attend the sessions of his trial because there is no place for him in the vehicle on that day, or because there is no vehicle allocated on that day to proceed to the court in which his session is held, or because the notification papers have

not reached the correction and rehabilitation centres, or as a result of the large number of inmates in the transport vehicle, who are distributed to the courts or to hospitals.

Seventh: Inmates still suffer, when being transferred, from having their hands cuffed behind their backs (pursuant to instructions issued by the Director of Public Security), with all the cruelty and humiliation this involves, in addition to the pain it causes to those suffering from chest diseases or spinal problems, since they are prevented from using their inhaler or from adjusting the position of their back because of the restraint, to say nothing of the injuries caused to the elbows. The restraint also impedes the person's movement more than is required to prevent his escape and to ensure the safety of the guards. This suffering is compounded by the time taken to transport inmates from correction and rehabilitation centres to the courts, which may extend to hours because of the number of destinations visited by the vehicles allocated for their transport, inmates being delivered to the various courts and hospitals throughout the Kingdom — all of this by reason of the acute shortage in the number of vehicles allocated for transporting these wanted persons to the various authorities. The National Centre recorded inmates' complaints during transfer operations to hospitals, particularly as the transport vehicles are not equipped for this purpose and lack appropriate ventilation, in addition to high temperatures in summer and cold in winter. The Centre hopes that an appropriate number of vehicles will be provided which secure protection and comfort for inmates during their transfer, and likewise hopes that measures and means will be taken to preserve the safety of inmates, whether during transfer or restraint, and that the use of chains and shackles on the feet will be abolished.

Eighth: Beating, torture and ill-treatment inside some correction and rehabilitation centres.

The individual complaints and reports relating to ill-treatment and torture received by the National Centre for Human Rights, according to the statistics of the National Centre for Human Rights, during the period covered by the report and by comparison with previous years, are as set out in the table below:

Complaints in 2008	11
Complaints in 2009	3
Complaints during the period covered by the report 30/6/2010–30/6/2011, including the complaints of the detainees of the Salafist current	(16) 9 of which are still under follow-up and (4) of them are complaints of detainees of the Salafist current

The period covered by the report also witnessed a decline in the number of individual complaints of ill-treatment submitted by inmates inside correction and rehabilitation centres, amounting to (43) cases distributed across the correction and rehabilitation centres according to the statistics of the Public Security Directorate, as set out in the following table:

Centre	Total cases	Conviction	Barring of trial
Birein	1	1	0
Swaqa	3	1	2

Centre	Total cases	Conviction	Barring of trial
Al-Balqa	1	1	0
Al-Rmeimeen	1	1	0
Salhoub	0	0	0
The Women's Centre	1	1	0
Al-Jweideh	9	2	7
Umm al-Lulu	6	0	6
Ma'an	0	0	0
Al-Muwaqqar 1	9	2	7
Al-Muwaqqar 2	9	1	8
Aqaba	1	1	0
Al-Karak	0	0	0
Qafqafa	2	0	2
Total	43	11	32

It is also observed that the pace of certain individual complaints of ill-treatment by the guards responsible for guarding inmates during transfer to the courts and hospitals has likewise declined (the inmates of the unlawful organisations at Jweideh and Swaqa Centres).

It is to be observed that the Public Security Directorate investigated all the complaints received by it and did not disregard any of them, but that no person was referred under Article (208) of the Jordanian Penal Code — which has proved its ineffectiveness in holding accountable those responsible for torture and referring them to the judiciary on a charge of torture, and the prevalence of impunity in Jordan.

On this occasion the National Centre reiterates its call to those concerned for the necessity of reviewing the grievance and investigation mechanisms in respect of complaints of torture and of studying their effectiveness as well, in order to ensure that the perpetrators of this crime are held accountable and do not escape punishment — particularly as Jordan discussed its combined report (second, third and fourth) before the Committee against Torture at its (44th) session during the month of April 2010, and the said Committee called upon Jordan to undertake a series of legal, administrative and judicial measures in implementation of its contractual obligations under the Convention against Torture⁸, including the amendment of Article 208 of the Penal Code so as to be consistent with the Convention against Torture and the taking of preventive measures to prevent the occurrence of torture. The preventive obligation is necessary in order to guarantee the right to physical integrity and not to be subjected to torture, and this calls for a series of procedures and measures. It likewise requires the taking of legislative measures ensuring that the perpetrators of crimes of torture are held accountable within the jurisdiction of the regular courts rather than the special courts, in which the guarantees of a fair trial are not available, given that the judges of the Police Court are

⁸See the Committee's website and Jordan's governmental report, the report of the National Centre for Human Rights and the report of the civil society organisations, www.ohchr.org.

appointed by the Director of Public Security⁹; and likewise the formation of an independent judicial committee to investigate all cases of torture in order to ensure that the perpetrators of crimes of torture do not escape punishment.

4. The administrations responsible for correction and rehabilitation centres

The correction and rehabilitation centres in the Kingdom are administered by an élite of officers with preparation, training and diversity of previous professional experience. They and the other ranks have likewise received basic training for those working in correction and rehabilitation centres, and the training they have received is regarded as acceptably sufficient to enable them to discharge their functions in the fullest manner — bearing in mind that the members of those administrations have been afforded the opportunity of becoming acquainted with the experiences of States which apply the international standards for the treatment of prisoners and detainees, a matter which may contribute to developing the specialised training programmes in the field of the correctional and rehabilitative process for the administrations and those working in correction and rehabilitation centres, including the establishment of a mechanism of periodic assessment of performance with a view to development and improvement.

Those working in the administrations of the centres enjoy advantages commensurate with the special care required of them (with the exception of certain ranks), and no one can deny that their work involves a degree of danger. Nor does service in correction and rehabilitation centres constitute a sufficient incentive for the best elements to compete for it; on the contrary, a large proportion of police officers ordinarily shun service in the centres and regard it as diminishing their capacities and their opportunities of assuming more important positions. It is therefore essential to adopt a policy of encouraging work in the centres through material incentives or promotion, taking into account the availability of a genuine desire on the part of these elements and their belief in the correctional and rehabilitative role which they will perform inside these centres.

The National Centre observes the absence of clear criteria for determining the staff employed (officers, other ranks and civilian employees) in the various correction and rehabilitation centres in relation to the holding capacity of each centre, which affects the quality of the care and service provided in the centres, there being a clear disparity in the level of the services provided in each of them.

5. Observations relating to certain important issues

For the purposes of completing the description of the situation relating to correction and rehabilitation centres and inmates, we find it necessary to refer to a number of subjects which appear to be of a degree of importance, namely: the process of transferring inmates and restraining them; deaths in correction and rehabilitation centres and cases of suicide; strikes; the system of classification and separation of inmates; and the reality of correction and rehabilitation in correction and rehabilitation centres.

⁹Under the Law amending the Temporary Public Security Law of 2010, which provided for the participation of regular judges in the composition of the Police Court to consider offences committed by members of Public Security: the Police Court is composed of a president of a rank not below colonel and at least two members, one of whom shall be a regular judge nominated by the President of the Judicial Council.

a. Deaths in correction and rehabilitation centres and cases of suicide

The cases of death which occurred during 2010 were not tainted by any factors or causes relating to medical neglect by the physicians working in correction and rehabilitation centres, or to the absence of seriousness in dealing with the inmate's health condition by the administration of the centre or the centre's physician, such as failing to provide him with first aid in the required manner and at the appropriate time, or to torture; rather, most deaths in correction and rehabilitation centres are due in their entirety to being afflicted with serious illnesses, to advancing age, or to the existence of a medical history of the inmate, according to the forensic medical reports issued. Deaths in correction and rehabilitation centres reached (24) deaths in 2008, (11) in 2009 and (10) deaths in 2010, the deaths of (8) of them being considered natural, with the exception of a death at Aqaba Correction and Rehabilitation Centre and a death at Al-Balqa Correction and Rehabilitation Centre by suicide. In the first half of 2011 deaths reached (10), of which (7) were natural, (3) suicides and (1) a killing at Al-Jweideh Correction and Rehabilitation Centre.

The following table shows the number of deaths, their causes and the number of cases of suicide from 30/6/2010 to 30/6/2011:

Centre	Number	Date of death	Cause of death
Al-Jweideh	1	14/1/2011	Natural death following illness
	1	9/6/2011	A case of suicide
	1	18/6/2011	Killing
Al-Muwaqqar	1	22/1/2011	Natural death
	1	1/3/2011	Natural death
	1	30/5/2011	Natural death
Al-Karak	1	24/1/2011	Natural death
Swaga	1	20/2/2011	Natural death
	1	9/4/2011	Natural death
	1	13/4/2011	Suicide

Deaths in 2010

Centre	Number	Date of death	Cause of death
Al-Rmeimeen	1	9/8/2010	Natural death following illness
Swaga	1	10/8/2010	Natural death following illness
	1	10/12/2010	Natural death following illness
Al-Muwaqqar	1	18/8/2010	Natural death following illness
Al-Jweideh	1	4/9/2010	Natural death following illness
Al-Muwaqqar 2	1	13/10/2010	Natural death following illness
Aqaba	1	28/10/2010	Suicide by hanging
Al-Balqa	1	7/12/2010	Suicide
Al-Muwaqqar	1	18/8/2010	Natural death following illness
Al-Jweideh	1	4/9/2010	Natural death following illness

Within this framework, and in order to avoid the difficulties raised concerning deaths in correction and rehabilitation centres, their causes and the forensic medical reports, the Centre recommends the necessity of establishing a health directorate specific to correction and rehabilitation centres in order to unify the reference authorities and to advance health care, in the light of a reality indicating a rise in deaths in correction and rehabilitation centres.

b. Strikes

The period covered by the report witnessed (323) strikes, by comparison with (606) strikes in 2009 and (205) strikes during the first half of 2010. It is worth noting that the strikes of the first half of 2011 were due to inmates' protest against the General Amnesty Law of 2011, which deprived them of release or of obtaining a special pardon as a result of the exclusion of certain offences from its provisions — in particular the inmates of the unlawful organisations at Swaqa and Jweideh Centres and the detainees of the Salafist current at Al-Muwaqqar 1 Centre. Some inmates also carried out a continuous strike for more than ten days as a result of the length of judicial detention (two inmates at Al-Balqa Correction Centre).

The causes of strikes are due in general to the deterioration of inmates' living conditions inside the correction and rehabilitation centre (food, heating, telephone calls, water, exercise, the prohibition of newspapers, books and pens, the treatment of their visitors, the procedures for searching them, not being permitted to have clothing brought in, the shortness of the duration of calls). The escalation of this phenomenon is due to the inmates' desire to inform public opinion of their conditions and suffering inside the correction centre or outside it, in protest against certain unjust administrative decisions by some administrative governors, or because of the suffering endured by them and their families as a result of the length of judicial and administrative detention. In fairness, the team of the National Centre for Human Rights recorded the cooperation of the administrations of the centres in dealing with cases of strikes positively and with a high degree of professionalism, in terms of ensuring the follow-up of the health condition of the strikers, securing daily medical supervision, responding to some of the inmates' demands which do not conflict with the international and national standards, and intervening with certain bodies to resolve some of the inmates' problems. The National Centre also succeeded in mediating with the inmates to end a number of strikes during the period covered by the report, in particular the strikes carried out by some of the inmates of the "unlawful organisations" — as they have come to be termed by the administrations of those centres. The following table shows the cases of strikes distributed by correction and rehabilitation centre:

Centre	Number of strikes	Type of strikes
Swaqa	54	Abstention from food and drink
Qafqafa	17	Abstention from food and drink
Al-Jweideh	34	Abstention from food and drink
Al-Muwaqqar 1	21	Abstention from food and drink
Birein	23	Abstention from food and drink
Umm al-Lulu	12	Abstention from food and drink

Centre	Number of strikes	Type of strikes
Al-Balqa	32	Abstention from food and drink
Ma'an	13	Abstention from food and drink
Aqaba	3	Abstention from food and drink
Al-Rmeimeen	49	Abstention from food and drink
Al-Karak	0	Abstention from food and drink
Al-Muwaqqar 2	53	Abstention from food and drink
The Women's Centre	12	Abstention from food and drink
Salhoub	0	Abstention from food and drink
Total	323	

c. Classification and separation of inmates

The Public Security Directorate remains practically unable to comply with the classification of inmates and the separation of each category from the others in the centres (convicted persons from detainees), (persons with previous convictions from those convicted for the first time), (felonies from misdemeanours) and the other criteria of classification such as age, type of offence, degree of dangerousness and length of sentence, which are set out in the Standard Minimum Rules for the Treatment of Prisoners and in the Correction and Rehabilitation Centres Law — this being for a number of reasons relating to the inadequacy of the buildings, the shortage of facilities and overcrowding.

By contrast, the period covered by the report witnessed a clear development in the system of separating inmates: detainees were separated from convicted persons in separate centres and other centres were designated for detainees, with the exception of three centres which still hold both detainees and convicted persons (Aqaba Correction and Rehabilitation Centre, Ma'an al-Jadeed Correction and Rehabilitation Centre and Jweideh Women's Correction and Rehabilitation Centre). The Correction and Rehabilitation Centres Administration has begun to adopt modern classification on the basis of several criteria and studied scientific bases aimed at determining the actual degree of dangerousness of inmates, whether in terms of his dangerousness to himself, to others, or to himself and others together, relying upon several variables such as age, place of residence, culture, social status, educational level, work, family and peers, criminal history and previous records, his conduct inside the centres, the current case¹⁰, sexual cases¹¹, illnesses¹², and extremism¹³.

d. The complaints of the detainees of the Salafist current

¹⁰By this is meant the criminal act committed by the inmate which led to his entry into the correctional centre. The motives which led the individual to commit an offence indicate to us the nature and gravity of the criminal conduct and whether this criminal conduct was planned or was the product of the moment, so that we may assess the dangerousness of this individual to the persons around him inside the correctional centre.

¹¹By this is meant the sexual conduct of individuals and the extent of its consistency with the culture and social norms prevailing in society, given that every society is governed by customs and traditions differing from those of another society.

¹²Organic illnesses, addiction, psychiatric illnesses, disabilities.

¹³By extremism is meant departure from the familiar in a manner contrary to social norms and values, whether intellectual or otherwise.

During the first half of 2011, following the sit-in carried out by a number of the followers of the Salafist current in the city of Al-Zarqa, which resulted in a number of injuries among the police as a result of the use of certain sharp implements, swords and the like, more than 170 persons from among the followers of the Salafist current were detained by the Public Prosecutor of the State Security Court on charges of carrying out terrorist acts, unlawful assembly and rioting. The detainees and their relatives submitted individual complaints amounting to 23 complaints and collective complaints (2), in which the complainants alleged that they had been subjected to torture and ill-treatment at the hands of the security agencies during the stage of arrest, while 4 of them alleged that they had been subjected to torture and ill-treatment inside Al-Muwaqqar 2 Correction and Rehabilitation Centre. Their relatives also submitted a number of complaints in which they alleged the use of excessive force and the destruction of property during the raids and arrest operations by the security agencies, and alleged that those acts continued against them from the date of the sit-in on 5-4-2011 in the city of Al-Zarqa for a period exceeding two weeks. They also complained of discrimination against their detainees, consisting in their exclusion from the provisions of the General Amnesty Law of 2011 and in their not being permitted visits save at the rate of once a week, unlike the remaining inmates, who are permitted three visits a week. They also complained of their detainees being kept at Al-Muwaqqar 2 Correction and Rehabilitation Centre, given that this centre is far from their place of residence, in addition to the financial cost entailed for them in making the visit. Their families carried out a number of sit-ins in front of the Prime Ministry building and a sit-in in front of the National Centre for Human Rights, and also attended the National Centre on many occasions.

It must be pointed out that the detainees went on strike from food and drink on 21/6/2011, their demands at that time being confined to the non-release of their bail by the State Security Court and their not having been served with the indictment since the date of their detention during the second half of the month of April 2011 up to 21/6/2011. Their requests were followed up with the State Security Court at that time.

The National Centre also followed up the complaints of the detainees and the complaints of their relatives and addressed the bodies concerned in their regard; their requests relating to their inclusion within the provisions of the special pardon were also followed up. As for the complaints of torture and ill-treatment, those who submitted them were interviewed, their statements were collected and referred to the Public Security Directorate for follow-up and for the taking of the necessary legal measures in their regard, bearing in mind that the follow-up is still in progress up to the date of the preparation of this report, and that no official responses in their regard have reached the Centre.

e. Salhoub Correction and Rehabilitation Centre

The construction of Salhoub Correction and Rehabilitation Centre constituted a good model of the semi-open prison models whose counterparts exist in many States of the world. The National Centre has previously referred in its reports to the importance of the existence of such models in the process of the correction of inmates and their rehabilitation, after the taking of the necessary legislative measures.

Salhoub Correction and Rehabilitation Centre is located (10) km from the city of Al-Salt in an elevated area. The area of the land allocated to the centre is estimated at ten dunums and the area of the buildings amounts to (2,200) m². The centre's buildings consist of (5) villas, each containing (4) rooms, a bathroom and a lounge. The maximum holding capacity of the centre is estimated at (40) inmates. Health care services are available at the said centre, while social and psychological care services are not available; the remaining services are regarded as excellent in terms of food, exercise yards, visits, water and other matters.

This centre was opened on 21/10/2010, and (4) inmates were accommodated in this centre pursuant to a decision of the State Security Court. The question of keeping only four inmates in the said centre to the exclusion of the remaining inmates raised certain practical and legal difficulties and opened the door to criticism concerning discriminatory and preferential treatment in their favour over the remaining inmates, in the absence of standard bases and instructions relating to the persons who are kept in semi-open prisons.

The National Centre for Human Rights considers it necessary to take the measures and steps which would preserve the equal rights of inmates, including expediting the laying down of the standard bases and instructions relating to the conditions of residence in the said centre.

f. The transfer of supervision over prisons from the Ministry of the Interior to the Ministry of Justice

Since 2008 the Ministry of Justice, in cooperation with the Ministry of the Interior, the Ministry of Health, the Public Security Directorate and the National Centre for Human Rights, has been studying the importance and feasibility of carrying out the process of transferring supervision over prisons from the Ministry of the Interior to the Ministry of Justice, in line with the international obligations in respect of which Jordan has charted a clear course, with a view to embedding the international standards, which contain provisions pointing to the importance of the task of supervision over prisons being assumed by civil agencies. Among those are the Standard Minimum Rules for the Treatment of Prisoners of 1957, Rule (64/3), Rule (45/2) of the European Prison Rules, and the European Code of Police Ethics. The need for a civil prison system is regarded as an essential condition in the human rights instruments, with a view to humanising prison conditions and to the correction and rehabilitation of inmates. This objective has nevertheless not yet been achieved and requires other conditions alongside this measure, such as conducting a comprehensive review of the legislation relating to criminal and penitentiary reform and harmonising that legislation with the international conventions to which Jordan is committed. In truth, there has become a pressing need for this measure in view of the developments and reforms which Jordan is witnessing. The National Centre for Human Rights hopes that the Ministry of Justice and the bodies concerned will expedite the drawing up of a strategic plan in that regard, so that the wager on reform in prisons does not remain a mere slogan; and that the system of criminal laws and the existing penal policies will be reconsidered, and work undertaken to establish links between the criminal justice system and the other development sectors concerned with prison affairs, such as education, health, social development and other related fields, in order to ensure the provision of the conditions for respecting the dignity of prisoners and their rights to care, rehabilitation and aftercare.

g. Legal violations

On 24/2/2011 one of the inmates was permitted to attend the funeral of his sister on the basis of Article 36 of the Correction and Rehabilitation Centres Law No. 9 of 2004, which provides that "the Minister may permit an inmate, under guard, to attend the funeral of one of his ascendants up to the second degree". The said inmate left the correction and rehabilitation centre on 24/2/2011 and returned on 28/2/2011. The National Centre records a legal violation of the terms of the said Article, inasmuch as the said inmate remained outside the walls of the centre for four days, whereas the terms of the Article permit attendance at the funeral.

On 26/2/2011 it was announced that another inmate had been permitted to travel to receive treatment abroad at his own expense. A statement issued by the Ministry of the Interior said that, in view of the deterioration of the inmate's health condition and on the basis of the medical reports issued by the private physicians treating him, and after those reports had been submitted to the committee for treatment abroad at the Ministry of Health, which comprises specialist physicians from the Ministry of Health, the Royal Medical Services and the University of Jordan Hospital, the committee decided that his health condition required treatment abroad, as it was not possible to treat him in the hospitals of the Kingdom. The statement added that it had been decided to permit him to leave Jordan for the purposes of treatment in the United States of America on the basis of the provisions of Article 25 of the Correction and Rehabilitation Centres Law No. 9 of 2004 and Article 22, paragraph (e), of the Execution Law No. 25 of 2007. Referring to the texts of the said Articles, we observe that Article 25 of the Correction and Rehabilitation Centres Law No. 9 of 2004 provides that "if the condition of the inmate requires treatment in a hospital, the Centres Administration shall, on the basis of a physician's report, transfer the inmate to the hospital and he shall be returned to the centre after the completion of his treatment". It is clearly to be observed that this Article did not provide for the right of the inmate to receive treatment outside the Kingdom, and that the task of transferring him to and from the hospital falls within the competence of the prison administration. Likewise, Article 22(e) of the Execution Law of 2007, which provides that "the President may postpone imprisonment if he is satisfied that the convicted person is suffering from an illness with which he cannot endure imprisonment", and which was relied upon by the Chairman of the Higher Committee for Correction and Rehabilitation, the Minister of the Interior, cannot be relied upon in the case of this inmate, since the President intended in this Article is the President of Execution, who is a judge pursuant to Article 2 of the Execution Law of 2007, and not the Minister of the Interior or the Chairman of the Higher Committee for Correction and Rehabilitation. Accordingly, permitting the inmate to travel is a departure from the legal texts relied upon, and the two inmates obtained preferential and discriminatory measures which as a whole constitute a departure from the legal texts and a breach of the law; and notwithstanding that they are humanitarian measures, they took on a discriminatory character and also led to a clear violation of the rights of the remaining inmates.

Second: Developments during the period covered by the report

1. Positive developments during the period covered by the report.

The period of the report witnessed a number of positive developments, some of which are as follows:

1. On 11/4/2011 the Higher Committee for Correction and Rehabilitation met to discuss a number of subjects of concern to the correctional process and the means of advancing the services provided to inmates.
2. The holding of the second plastic art exhibition for the inmates of correction and rehabilitation centres in cooperation with the Ministry of Culture during the period 14-18.
3. The holding of the third plastic art exhibition for the inmates of correction and rehabilitation centres at the Hussein Gardens in cooperation with the Greater Amman Municipality, which continued from 6/2/2011 to 10/2/2011.
4. The holding of a bazaar for the handicrafts of the inmates of correction and rehabilitation centres in cooperation with the Cultural Programmes Department at the Greater Amman Municipality, from 2 to 25/6/2011 at the Al-Ashrafiyeh Cultural Complex.
5. The supply of Aqaba Correction and Rehabilitation Centre with ten computers by the Ministry of Education for use in training inmates; and the operation of the knowledge station in correction and rehabilitation centres (Swaqa, Umm al-Lulu, Al-Muwaqqar 1, the Women's Centre).
6. The commencement of work in the carpentry and metalwork workshops at Al-Muwaqqar 1 Correction and Rehabilitation Centre after the completion of the receipt of all the raw materials on 3/10/2010.
7. The launching of the "Mazaya" health wing initiative at Umm al-Lulu Correction and Rehabilitation Centre, which aims to create a sound healthy environment in the correction and rehabilitation centre.
8. Developments in the field of the implementation of a greater number of sporting, recreational and cultural programmes.
9. The continuation of the implementation of the "Tahwin" programme¹⁴ in all correction and rehabilitation centres.
10. The developments achieved in the field of training and development for the staff working in correction and rehabilitation centres and in the field of buildings and installations, in terms of the construction of new centres.
11. Continuous networking and coordination by the Public Security Directorate with all the bodies concerned.
12. The launching of a project to raise awareness of the dangers of drugs and AIDS among those working in correction and rehabilitation centres.
13. The launching of the "Musnada" programme for giving up drugs.
14. The launching of the "a library in every centre" initiative.

2. Negative developments during the period covered by the report

¹⁴This programme targets the category of inmates whom circumstances compelled to commit an act which brought them to the correction centre without prior criminal intent or predisposition, such as those involved in running-over accidents or cases of financial trust.

Notwithstanding the positive developments referred to above, there are a number of negative developments which occurred during the period covered by this report, among them:

1. The weakness and limited nature of the legal assistance services provided to inmates generally, which is attributable to the limited provision of such a service by the Bar Association and civil society organisations inside correction and rehabilitation centres, and to the absence of a national body providing legal assistance.
2. The failure to close Jweideh/men Correction and Rehabilitation Centre, in which the humanitarian conditions are difficult as a result of the age of the buildings and the deterioration of the infrastructure, notwithstanding the repeated recommendations of the National Centre in its previous annual reports.
3. The limited nature of the social care services provided to inmates and their families and their ineffectiveness.
4. The limited nature of curative, preventive and therapeutic health care services, including psychological care and psychological counselling services, because of the shortage of psychiatric medical staff working in the centres and the unavailability of certain medical specialisations in those centres (orthopaedics and gynaecology, for example) — bearing in mind that the National Centre received a number of complaints of ill-treatment by the physicians working in the hospitals attended by inmates when the necessary medical service is provided to them.
5. The continued suffering of inmates upon their transfer to hospitals in case of illness as a result of administrative procedures, and their transfer while restrained in a manner involving cruelty and humiliation, in addition to its causing pain to persons suffering from chest diseases or spinal problems; the method of restraint (according to dangerousness) also exposes them to bruising as a result of the movement of the vehicle (the cell), its sudden stopping or its encountering bumps.
6. The continued suffering of inmates from not obtaining water fit for drinking, being obliged to purchase it at their own expense.
7. The inadequacy of the breakfast and dinner meals and the continuation of their complaints of the manner of preparing and presenting food to them.
8. The unsuitability of the lawyers' visiting halls in some correction and rehabilitation centres (Swaqa, Qafqafa, Al-Balqa, Birein and Al-Karak Correction and Rehabilitation Centres).
9. The delay in transferring supervision over prisons from the Ministry of the Interior to the Ministry of Justice.
10. Inequality among inmates and the taking of discriminatory and preferential measures as regards the treatment and keeping of certain inmates at Salhoub Correction and Rehabilitation Centre to the exclusion of others.
11. The breach of the Correction and Rehabilitation Centres Law and the Execution Law and the permitting of one of the inmates to leave the country without any legal or procedural basis.

12. The delay in issuing the instructions relating to the keeping of inmates at Salhouh Correction and Rehabilitation Centre.

Third: Assessment of the existing situation in places of temporary detention

Places of temporary detention mean the lock-ups of the security centres and police directorates and the lock-ups of the other security departments, such as the Anti-Narcotics and Counterfeiting Department, the Criminal Investigation Department, the Preventive Security Department, the Family Protection Department, and the Aliens Detention Centre. Security lock-ups and the lock-ups of the police directorates are spread throughout all the governorates of the Kingdom. During 2011 the Public Security Directorate established temporary custody places at (Aqaba Governorate Police Directorate, Madaba Governorate Police Directorate, South Shuneh Security Centre, West Irbid Security Centre, Al-Wastiyyeh Security Centre), bearing in mind that all the lock-ups created are consistent with the relevant international and national standards in terms of the buildings erected, the readiness and diversity of the facilities, and having regard to the provision of special places for holding juvenile and female detainees and the provision of special rooms for those attending the security centre to wait in. These places are regarded as places of custody in which arrest and apprehension orders are executed. The law permits the detention of persons in security centres for a period of 24 hours, and the judicial police are also permitted the power to arrest persons and to keep them for a period of seven days, where necessary, where they are suspected of having committed any of the offences falling within the jurisdiction of the State Security Court, pursuant to the terms of Article (7) — bearing in mind that this power is regarded as contrary to the general rule laid down by the Code of Criminal Procedure, namely a period of 24 hours, after which they are to be referred to the competent judicial authorities (to the order of the courts and the public prosecutors). Detainees are also kept for a period exceeding a week to the order of the administrative governor under the Crime Prevention Law of 1954.

What happens in practice constitutes transgressions of, and circumventions of, the provision relating to the statutory period of arrest, namely (24) hours: accused persons continue to be held for long periods exceeding a week on the basis of the Crime Prevention Law, and sometimes without reliance upon that Law. The team of the National Centre for Human Rights concerned with the visits recorded that there are detention warrants at the security centres and security departments issued by the administrative governor to extend the custody of persons week after week on the pretext of the investigation, and the issuance of an order by the administrative governor for the continued custody of the persons wanted by him beyond this period. On many occasions the detainee is also transferred to a number of security centres contrary to the provision relating to the statutory period of arrest (the "ka'b dayer" (revolving) phenomenon). In 2011 the National Centre for Human Rights recorded the subjection of two citizens to arbitrary detention for a period exceeding 10 days by the Criminal Investigation Department on the basis of a detention warrant issued by the administrative governor under the Crime Prevention Law of 1954, without their being referred to the public prosecutor, during which they were subjected to beating, torture and cruel and inhuman treatment.

1. The environment of places of temporary detention (buildings, installations, service facilities and their equipping, standard of services)

**** Area and construction:**

It was observed, through the visits carried out by the National Centre for Human Rights to temporary detention centres and the lock-ups of the security centres during the period covered by the report, that the building area of these places varies from one security centre to another, according to the age and modernity of the centre's building, and that the average number of persons detained in these places per day was taken into account. Most of these buildings are regarded as old, with the exception of the buildings of certain security departments such as the Family Protection Department, the Preventive Security Department and the Criminal Investigation Department, and some modern security centres (Tabarbour, Al-Wastiyyeh Security Centre). Damp is widespread in most of them and they are also of limited area, which leads to the overcrowding of those places with detainees.

**** Ventilation and lighting:**

Most of the lock-ups are located on the basement floor of the buildings of the security centres, the police directorates or the security departments; lighting and ventilation are nevertheless well provided in some centres. In addition, foul odours and damp are widespread in some centres, such as (Al-Jweideh Security Centre, Al-Ashrafiyeh Security Centre).

**** Bedding and coverings:**

Available in most of the lock-ups of the security centres, consisting of foam mattresses and blankets, but inadequate on days of severe cold in most centres.

**** Cleanliness and sanitary facilities:**

Cleanliness is generally low in most of the lock-ups of the security centres, except for the lock-ups of the various security departments such as the Anti-Narcotics and Counterfeiting Department, the Criminal Investigation Department, the Preventive Security Department and the Family Protection Department. As regards the sanitary facilities, they are available either inside the lock-up or immediately adjacent to it, and water is generally available.

**** Lock-ups for women and juveniles:**

Lock-ups for women and juveniles are not available in a large number of police directorates and security centres, women being held at the Women's Detention Centre / Jweideh, while juveniles are held at Al-Zuhour Security Centre / Amman, Al-Hassan Security Centre / Al-Zarqa and Aqaba Security Centre; as for female juveniles, they are held at Al-Khansa Centre in Al-Zarqa. The custodial conditions of the women detained at the Women's Detention Centre / Jweideh are regarded as poor in terms of overcrowding, which results in a shortage of the services provided and a lack of cleanliness.

**** The Aliens Detention Centre:**

This centre is located in Amman and is designated for the custody of aliens pending their deportation. They are held and deported by administrative orders, on account of breach of the conditions of residence, or held pending the provision of a guarantor to avert their deportation.

It is worth mentioning that many of the cases dealt with in this manner involved persons who were not bound by the conditions of residence, and a number of them remained in custody for a long period for want of a guarantor; and most of the procedures to which these persons are subjected arise from the expansive use by the police and the administrative governor of their powers.

**** Places designated for the performance of religious rites:**

There are no places designated for the performance of religious rites and acts of worship, prayers being performed inside the lock-ups.

**** Food and clothing:**

Persons wear their own clothing, and one lunch meal only is provided to them inside the temporary custody division, the remaining meals being at their own expense from the canteen located inside the centre, with the exception of the juveniles' lock-ups, where three meals are provided to them.

**** Health conditions and medical care:**

Medical care is secured where necessary at the nearest hospital or health centre, according to what each case requires.

**** Records and the safekeeping of deposits:**

In all the lock-ups there are organised manual registers setting out the reasons for the arrest, its date and the name of the officer who issued the custody order. There are also special places for the safekeeping of deposits (locked cabinets).

**** Classification:**

None of the criteria of classification guaranteed by the international and national standards is followed when holding detainees on the basis of criminal dangerousness.

2. Conditions of detainees in places of temporary detention and their problems

During the period covered by the report the National Centre for Human Rights recorded certain violations which are regarded as transgressions against the rights of detainees guaranteed by the relevant international and national standards, including:

1. The acute shortage in the services provided to detainees in terms of the meal provided and the bedding and coverings with which the detainee is supplied inside the lock-up, as a result of overcrowding in some of those places.
2. Depriving the detainee of the right to be assisted by a lawyer, since the relevant Jordanian laws have not provided this right to the accused save at the stage of the preliminary investigation and the trial only, thereby giving the right to the judicial police officers of the police to investigate with the accused without his having the right to be assisted by a lawyer during the period of the initial investigation. The Centre considers that the legislation in this regard should be amended so as to guarantee the detainee's right to be assisted by a lawyer.

3. The keeping of the accused, at certain security departments during the stage of the initial investigation, in a solitary confinement cell devoid of a sanitary facility and lacking natural lighting and healthy ventilation, for long periods exceeding two weeks, pursuant to a detention warrant issued by the administrative governor.

4. The breach by certain judicial police officers of the law and their exceeding of the powers granted to them under Article (100) of the Code of Criminal Procedure, and their exercise of the power of the public prosecutor to interrogate accused persons instead of adhering to their legally defined power, which is to hear the statements of accused persons and to refer them to the competent public prosecutor within a period of (24) hours. This breach is perhaps the most prominent of the violations to which a detainee is subjected, and constitutes an infringement of the guarantees of a fair trial which must be provided to the detainee at the stage of the preliminary investigation (inquiry and evidence-gathering).

5. The failure to deposit with the public prosecution — which is the competent investigating authority — the investigation papers and apprehension records (case files) drawn up by judicial police officers during the period of the initial investigation, for long periods; persons' liberty and the investigation papers are held by the police and the public prosecution is not notified thereof, owing to the absence of a deterrent measure for breach of Article (49) of the Code of Criminal Procedure. Certain security departments (the Criminal Investigation Department, the Anti-Narcotics Department) have become accustomed to this on several grounds, foremost among them the preservation of the security and safety of citizens from those who break the law.

6. Resort to submitting the cases of wanted persons with previous records to the judiciary successively, and pending the execution of the prison sentence in each case separately, by the Criminal Investigation Department and the Anti-Narcotics Department, on the pretext of protecting the security of society and defending national interests.

7. Resort to depriving persons of their liberty and ordering apprehension measures to be taken against them on the pretext of security considerations and the preservation of the security of society, under the Crime Prevention Law and by means of return requests.

8. The length of the period of custody through continuous resort to administrative detention, in particular for persons detained to the order of the Criminal Investigation Department (the "ka'b dayer" (revolving) phenomenon).

9. Subjection to beating, torture and ill-treatment (insult, abuse and humiliation) during the stage of the preliminary investigation (inquiry and evidence-gathering) at certain security departments, in particular the Criminal Investigation Department and the Anti-Narcotics Department. This matter remains one of the matters which are difficult to prove and which require the taking of immediate measures to ensure the referral of those responsible for such transgressions to the competent judiciary. It must be pointed out that it is difficult to establish the fact of torture in practice, in the light of the following factors:

- a. The prolongation of the period of detention pursuant to administrative detention decisions.

- b. The disappearance of the traces of physical violence owing to the length of the periods of detention at those bodies pursuant to administrative detention warrants.
- c. The impossibility of the existence of witnesses or forensic medical reports, as a result of the loss of contact with the outside world and the confidentiality which accompanies the stage of the preliminary investigation.
- d. The difficulty for victims of identifying the perpetrators from among the judicial police officers, since the person who exercises coercion does not take charge of recording the statement, and consequently that statement is regarded as lawful and as conclusive evidence after hearing the statements of the officer who recorded it to the effect that the person gave it voluntarily and of his own choice.

During the first half of 2011 the National Centre for Human Rights recorded the continuation of transgressions and the commission of crimes of torture by members of certain security departments¹⁵ against citizens, through its unannounced visits to temporary detention centres, its meetings with detainees or members of their families, and the complaints received by it. The Centre also found that there are various forms of torture practised upon accused persons or detainees held to the order of those departments (defamation and humiliation, beating on the soles of the feet, suspension, etc.), with the aim of obtaining a statement or a confession. The complaints received by the National Centre for Human Rights during the first half of 2011, by comparison with previous years, were as follows:

2008	41
2009	51
The period covered by the report	87

In truth, this requires the Public Security Directorate to continue its efforts to limit the transgressions of the members of certain security departments, to pursue the perpetrators of crimes of torture and to bring them before the Police Court, in addition to drawing up training plans which would circulate the Convention against Torture to all Public Security personnel and include it within the basic curricula, lectures and promotion examinations, with a view to preventing torture, alongside strengthening the legal procedures undertaken by the departments concerned within this apparatus to investigate complaints relating to ill-treatment or torture.

3. Issues of a special nature

**** Judicial oversight of places of temporary detention:**

Article (16/1) of the Jordanian Code of Criminal Procedure No. 9 of 1961 and its amendments obliges the public prosecutor to monitor prisons and temporary detention centres, providing that: "The public prosecutor shall monitor the course of justice, supervise prisons and places of detention and the enforcement of the laws, represent the executive authority before the courts and judicial departments, and correspond directly with the competent authorities."

¹⁵The Criminal Investigation Department and the Anti-Narcotics and Counterfeiting Department.

It must be emphasised that the practical reality in places of temporary detention, in the absence of effective judicial oversight of those places and with detainees losing contact with the outside world during the periods of the initial investigation, contributes to the availability of the circumstances and factors which would permit the commission of the crime of torture. Practical reality indicates the limited nature of effective judicial oversight of those places, and the continued keeping of detainees on the basis of administrative detention decisions issued by the administrative governors upon the recommendations of the police, which contributes to a large extent to creating the appropriate environment for the occurrence of violations of torture and ill-treatment and to exposing detainees to physical and psychological coercion — in addition to depriving them of the right to submit a grievance to the competent bodies and to lodge complaints during the period of the initial investigation before the police, given the confidentiality which prevails over the investigation, quite apart from their fear of the members of the police taking revenge upon them a second time if they lodge a complaint against them, and the conviction of some of them of the futility of lodging complaints with the security agencies, these being the bodies competent to conduct the investigation and to consider the complaints. All of this calls for review by the bodies concerned, particularly as the period of the initial detention before the police is often far removed from effective judicial oversight and from the detainees' contact with the outside world, whether with the family or even with a physician. The National Centre for Human Rights affirms that the violations to which inmates and detainees are subjected, as referred to above, are still continuing notwithstanding their being referred to in the Centre's previous reports.

**** Deaths and cases of suicide in places of temporary detention:**

During the period covered by the report the National Centre for Human Rights recorded the death of one of the detainees in the lock-up of the Criminal Investigation Department as a result of his committing suicide by hanging. The Centre considers that it is essential to be alert to and to observe changes and suicidal tendencies among detainees, and likewise that it is necessary to accord the psychological aspect of the detainee the required attention by referring him to psychiatrists if the officer in charge of the lock-up notices symptoms of depression in the detainee.

Fourth: Findings and recommendations

In the light of the conditions described, the National Centre for Human Rights considers it necessary to take effective legislative, executive and judicial measures to improve the conditions of correction and rehabilitation centres and the treatment of inmates in the Kingdom, as follows:

1. Establishing an independent administration for correction and rehabilitation centres attached to the Ministry of Justice, together with the introduction of a judicial police system, entrusting to it the functions of judicial apprehension and all the tasks which assist the course of justice and the execution of judgments.
2. Conducting specialised scientific and field studies and research on the situation of those working in the centres with a view to improving their conditions and raising the level of their qualification.

3. Selecting the appropriate number of staff in the centres after the adoption of a national criterion for determining the number of personnel according to the number of inmates and according to their roles, with a view to raising the level of performance in the field of rehabilitation, while ensuring that they receive appropriate training and granting the staff and guards financial incentives and an occupational-risk allowance.
4. The necessity of adopting a qualitative criterion for determining the holding capacity of correction and rehabilitation centres which takes into consideration a range of factors, circumstances, relationships and material and legal conditions, such as: the total area of the prison; the area allocated to the service facilities; the area allocated to the prison administration; the area allocated for the accommodation of each inmate; the size of the centre's administration in relation to the number of inmates; the quality and standard of the facilities and services and the forms of care provided to inmates; the duties of the bodies concerned with prison conditions; the periods of detention (of the sentence); and likewise social customs and values and other factors which make it possible to apply the international standards in the construction and administration of prisons and the treatment of prisoners.
5. Limiting short-term custodial penalties and replacing them with precautionary measures, financial penalties and employment outside the prison, following the introduction of legislation on non-custodial alternative measures, in a number of contraventions and misdemeanours, with a view to addressing the problem of overcrowding inside correction and rehabilitation centres.
6. Adopting the principle of the individualisation of the execution of the penalty, that is, the principle of individualising the penalty on the basis of treating the individual in a manner suited to the diagnosis of the inmate's condition and the analysis of his problem and needs.
7. Modernising some of the existing centres or replacing them with others designed in accordance with standard bases enabling the provision of care, protection and rehabilitation; and considering the establishment of new patterns and models of prisons (open prisons and semi-open prisons) consistent with modern penological thinking, which would reduce the problem of overcrowding, in addition to reducing the exorbitant costs borne by the State treasury in spending on closed prisons; activating the legislative provision relating to the suspension of the execution of the penalty; and introducing the system of a judge for the execution of penalties and the system of conditional release within the criminal legislation.
8. Constructing a specialised centre for the rehabilitation of drug addicts and addicts of other intoxicants in order to treat them before the end of the term of their sentence; this may be substituted by the designation of a section for the treatment of convicted addicts at the National Centre for Addiction.
9. Addressing the subject of judicial detention and the length of judicial detention before and during trial, by seeking to adopt a national criterion for the reasonable period for the conduct of a trial; working to develop legislation and judicial practices with a view to expediting trial procedures; reducing the problems of notification between the courts and correction and rehabilitation centres; determining a clear mechanism, with emphasis on the renewal of detention warrants within the statutory time limits and on not resorting to renewal as a matter

of course; and activating the mechanism of inspection of correction and rehabilitation centres and places of temporary detention by the judicial authority.

10. Addressing the subject of administrative detention and the increase in the number of administrative detainees, by means of:

- a. Extending judicial oversight to administrative detention decisions and to the apprehension powers of the administrative governors, which would achieve the guarantees of challenging administrative decisions before the regular courts and at more than one level and would ease the costs for individuals.
- b. Ensuring respect for judicial decisions and final judgments of acquittal or of no responsibility and compliance therewith.
- c. Adopting the principle of the proportionality of the apprehension measure to the criminal dangerousness when imposing house arrest by the administrative governors.
- d. Transferring the power to impose house arrest to the judicial authority.
- e. Lifting the umbrella of the administrative governor from the investigation procedures conducted by the police, so that it is not permitted to continue to hold persons and interrogate them for long periods on the basis of detention warrants issued by the administrative governors.
- f. The necessity of referring accused persons and suspects to the public prosecution within the period specified in the Code of Criminal Procedure.
- g. The necessity that the administrative governors comply with the terms of Article (4) of the Crime Prevention Law as regards the procedures to be followed when resorting to administrative detention, namely as regards issuing the apprehension warrant, hearing the statements of the persons concerned, and then issuing the administrative detention warrants.
- h. Establishing a criminal record register at the Ministry of Justice based upon final judicial judgments, instead of reliance upon previous records held by the security agencies, for the sound implementation of the provisions of the law.
- i. Studying and analysing the Crime Prevention Law and seeking its prompt amendment or repeal.

11. The necessity of addressing the recurrent complaints concerning a category of violations by police personnel, consisting of subjection to beating and to cruel, inhuman and degrading treatment — a matter which calls for the adoption of the following legislative and procedural proposals:

- a. Ratification of the Optional Protocol to the Convention against Torture, and the declaration recognising the competence of the Committee against Torture to determine complaints submitted by States and individuals relating to States' violation of their obligations set out in the Convention against Torture, pursuant to Articles (21 and 22).

- b. Ensuring the adherence of officials responsible for the enforcement of the laws, and of those working in the medical sector who participate in the custody of any person deprived of his liberty, to the absolute prohibition of torture.
 - c. Making the legislative amendments capable of affording the victim, or the person harmed by torture, the opportunity of bringing his action before the competent judiciary directly.
 - d. Introducing a system of regular medical examinations by physicians for all persons in prison or custody, and activating this medical file.
 - e. Providing detainees and inmates with written information concerning the regulations applied and the permitted means of requesting information and submitting complaints.
 - f. Establishing a permanent and independent investigation mechanism comprising judges, lawyers and physicians to examine all allegations of torture occurring in correction and rehabilitation centres and to bring those responsible for them to trial.
 - g. Establishing specialised centres for the rehabilitation of victims of torture and implementing programmes for the protection of witnesses and victims of torture.
 - h. Making the necessary legislative amendments to Article 208 as amended of the Jordanian Penal Code so as to be consistent with the Convention against Torture of 1984.
 - i. The necessity that the State undertake to compensate and rehabilitate victims of torture, whether or not the perpetrator has been identified.
 - j. Denouncing acts of torture and ill-treatment officially and publicly through visual, audio and print media campaigns.
 - k. Launching media programmes to raise awareness of lawful and civilised methods of dealing with inmates and detainees, with emphasis on the unlawfulness of any practices contrary to the law, including torture in its various forms and manifestations.
12. The necessity of improving the medical and psychological care provided by the Ministry of Health to inmates, by means of:
- a. Attending to the carrying out of examinations (a comprehensive medical examination) of the inmates of correction and rehabilitation centres and of all those in custody.
 - b. Increasing the number of beds allocated to the inmates of correction and rehabilitation centres in the government hospitals and the National Centre for Psychiatric Medicine.
 - c. The necessity of providing a gynaecologist at the Women's Correction and Rehabilitation Centre / Jweideh.
 - d. Increasing the number of medical staff working in correction and rehabilitation centres (general/dental/dermatological/psychiatric).
 - e. Opening fully equipped health units in the correction and rehabilitation centres in which such health units are not available.

- f. Increasing the number of psychiatrists who follow up the conditions of inmates suffering from psychiatric illnesses, and appointing psychological specialists to perform the task of behavioural therapy.
 - g. Making the legislative amendments to the Correction and Rehabilitation Centres Law so as to permit the guarantee of the medical release of certain inmates afflicted with serious illnesses.
 - h. Establishing a health directorate specific to correction and rehabilitation centres.
13. The necessity of improving the social care of inmates by means of:
- a. Strengthening the effectiveness of the role of the social worker in correction and rehabilitation centres.
 - b. Increasing the effectiveness of the social care services inside correction and rehabilitation centres, so that the concept of the case study is broadened and social studies are conducted to address the problem of recidivism (reoffending).
 - c. Strengthening aftercare programmes and preparing the inmate for release, in partnership between the Ministry of Social Development and civil society organisations.
14. Taking the measures necessary to ensure the preservation of the rights of the inmates of correction and rehabilitation centres, by means of:
- a. Addressing the problem of visits in terms of the long waiting time for visitors and the manner of searching them.
 - b. Devising a mechanism to resolve the problem of correspondence and telephone calls.
 - c. Addressing the subject of food meals and their adequacy, in particular the breakfast and dinner meals.
 - d. Providing cleaning materials and treatment in order to avert the illnesses affecting inmates, and providing care through the occupation of inmates' leisure time and their spiritual, physical and health care.
 - e. Meeting the needs of inmates as regards classification work, fitness of accommodation, work, education, treatment, food, sport and visits.
15. Taking the measures necessary to ensure the preservation of the rights of detainees, by means of:
- a. Building new security centres in accordance with the international standards.
 - b. Designating places for the performance of religious rites in places of temporary detention.
 - c. Providing three meals to detainees instead of one meal, and providing drinking water inside the lock-ups.
 - d. Working to computerise the registers so that they show the reasons for the arrest, its date and all the necessary information.

16. Raising public awareness of the role of correction and rehabilitation centres and of those working in them in the process of correction and rehabilitation, with emphasis on the role of society in this continuing process after the release of the inmate from the centre.

17. Activating judicial supervision over correction and rehabilitation centres as regards the right of visit, inspection and the recording of observations.

18. Permitting non-governmental organisations, and in particular human rights organisations, to visit prisons in order to become acquainted with their conditions and to contribute to providing solutions.