



Second Periodic Report

on the Conditions of

Correctional and Rehabilitation Centers

in Jordan

For the period from 1/4/2004 to 30/10/2004

Disclaimer

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Introduction

- During the period from 31/3/2004 to 30/9/2004 the Centre conducted eleven visits to correction and rehabilitation centres throughout the Kingdom, nine of which fell within its (second) programme of periodic visits, with a view to inspecting the conditions of those centres and assessing them following the issuance of the First Quarterly Report on the conditions of those centres covering the period from 1/1/2004 to 31/3/2004. These visits were carried out in prior coordination with the Public Security Directorate / Correction and Rehabilitation Centres Administration.¹
- A documentation report was prepared for each visit in accordance with the special form adopted for this purpose.
- The duration of the visits ranged between three and four hours.
- The visits began with a meeting with the directors of the centres and a number of their staff, in the course of which each of the administrations was handed a copy of the First Quarterly Report on the conditions of correction and rehabilitation centres together with a copy of the documentation report relating to each of those centres. The observations set out in the documentation reports were examined and discussed with the administrations concerned in those centres in order to verify the extent of the progress achieved in this regard.
- The visiting team inspected the various sections of the centres (buildings and installations, sleeping quarters, sanitary facilities, service facilities, exercise yards, clinics — wherever found — workshops and training areas — wherever found — as well as the registers and records and the facilities allocated to the administration.
- The visiting team also inspected the conditions of the inmates and verified the extent of the improvement and/or deterioration in the standard of health, social, psychological and legal care and of the treatment they receive from the prison administrations and from the judicial and administrative bodies concerned with their conditions, and assessed those conditions by reference to the adopted international and national standards.²
- Receiving the complaints, grievances and requests for assistance submitted by inmates, considering them and addressing them within the powers and capacities of the Centre.

¹All the centres visited come under the Public Security Directorate and are administered by the Correction and Rehabilitation Centres Administration. They number nine (9) centres located in six of the Kingdom's governorates, namely: (Qafqafa – Irbid 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/men – Aqaba Governorate); this prison was subsequently established on 11/12/2003 and began receiving inmates on 5/5/2004.

²The terms (prison/prisons) and (prison administration) are used in this report to denote (correction and rehabilitation centre/centres) and (the administration of a correction and rehabilitation centre/centres), this being for ease of drafting and in order to preserve the legal, linguistic and humanitarian connotations of the term (prison) as a place designated for the deprivation of liberty within the conditions determined by law. The term (prisoners) has also been used in the report as a synonym for the term (inmates) in several places, with the same connotations, while taking into consideration the requirements of the distinction between pre-trial detainees and convicted persons.

- Inspecting the registers and records relating to inmates in order to verify that the presence of pre-trial detainees and convicted persons in those prisons is consistent with the provisions of the laws and regulations in force and with the requirements of justice and fairness.

Summary of the facts of the visits

Following the issuance of the First Quarterly Report on 29-4-2004, the National Centre for Human Rights proceeded to follow up the complaints, grievances and requests for assistance submitted by the inmates, and to examine the shortcomings in the performance of the visiting team in the light of the observations recorded in the complaints, grievances and requests for assistance submitted to the Centre by the inmates, so that such shortcomings might be avoided in the forthcoming periodic visits.

- The programme of the second periodic visits was set as follows:

Programme of visits to correction and rehabilitation centres in the Kingdom

Day	Date	Name of the centre	Location
Tuesday	24/8/2004	Jweideh/Women Correction and Rehabilitation Centre	Capital
Sunday	29/8/2004	Al-Balqa Correction and Rehabilitation Centre	Al-Balqa
Tuesday	31/8/2004	Birein Correction and Rehabilitation Centre	Al-Zarqa
Sunday	5/9/2004	Qafqafa Correction and Rehabilitation Centre	Irbid
Tuesday	7/9/2004	Swaqa Correction and Rehabilitation Centre	Capital
Wednesday	8/9/2004	Jweideh/Men Correction and Rehabilitation Centre	Capital
Sunday	12/9/2004	Al-Karak Correction and Rehabilitation Centre	Al-Karak
Sunday	12/9/2004	Ma'an Correction and Rehabilitation Centre	Ma'an
Monday	13/9/2004	Aqaba Correction and Rehabilitation Centre	Aqaba

- Accordingly, all the visits were carried out by the visiting teams to the above-mentioned centres in accordance with the programme set out above, save that an adjustment was made to the dates of some of the visits relating to the centres of (Ma'an, Aqaba and Jweideh/men).

- A detailed report was prepared on each of the correction and rehabilitation centres.

- The duration of the visits ranged from three (3) to four (4) hours.

- All the visits began with a meeting with the prison director and a number of the officers, in the course of which each of the prison administrations was handed a copy of the First Quarterly Report on the conditions of correction and rehabilitation centres together with a copy of the detailed report relating to each of them. What was set out in the reports was examined and discussed and the developments which had occurred since the previous visit were assessed.

- The visiting teams met with the inmates and asked them about their circumstances and the problems they face inside and outside the prisons, and received the complaints, appeals and requests for assistance submitted by them.
- The prison directors and a number of the officers and other ranks accompanied the visiting teams while they inspected the facilities of the centre and met with the inmates, and provided the necessary clarifications concerning the queries of the visiting teams.
- A general report was prepared on the conditions of the centres in the Kingdom, comprising the general assessment of the conditions of the correction centres from the standpoint of the environment, the conditions of the prisoners and the prison administrations.
- Procedural proposals were formulated for the follow-up of the conditions of these centres in all respects, and in particular of the complaints and grievances received by the Centre from the prisoners.

Assessment of prison conditions

First: Buildings, installations and service facilities and the equipping thereof (the prison environment)

Second: Conditions of the prisoners / inmates.

Third: Prison administrations.

Fourth: Observations relating to the assessment.

First: Buildings, installations and service facilities and the equipping thereof (the prison environment)

1. Most of the prisons are located within geographical areas close to the urban agglomeration and to residential communities (with the exception of Aqaba prison), and all of them are readily accessible by means of the public transport network.
2. Most of the prisons continue to suffer from the problem of the small size of their buildings (Al-Karak, Ma'an) and the restricted total area of the land allocated to them, a matter which is directly reflected in the limited service facilities available to both the prisoners and the prison administration, renders the prisons overcrowded, and impedes the classification of prisoners and the separation of each category from the others in accordance with standard criteria, the most elementary of which is the separation of pre-trial detainees from convicted persons.
3. Some of the buildings in the prisons still suffer from damp and from the absence of good lighting and healthy ventilation (Al-Balqa, Qafqafa and Birein prisons), which calls for periodic general maintenance of these buildings. Likewise, some prisons continue to suffer from the narrowness of the dormitories in relation to the number of inmates in them and from the small size and inadequacy of the exercise yards (Al-Karak, Al-Balqa and Birein prisons — having regard to the number of inmates).

4. There has been no increase in the number of training and/or rehabilitation programmes and/or programmes connected with training and rehabilitation (sporting, recreational and cultural) provided in some prisons; and notwithstanding this, the workshops existing in some prisons serve only a small category of the inmates, while the greater number of inmates derive no benefit from any programmes and/or courses within the framework of the rehabilitation and training of the inmate.
5. The problem of the inadequacy of the areas allocated to many of the service facilities and/or their non-existence, and the failure to determine the size, nature and quality of the facilities which must be available inside the prisons, continues to reveal the problem of the inadequacy of the buildings and constructions. Examples of this are that (pre-trial detainees continue to be mixed with convicted persons, and persons with previous convictions with those convicted of misdemeanours and contraventions, in all the prisons, on account of the inadequacy of the wings or of the rooms allocated as dormitories for the inmates) and (the severe overcrowding in Jweideh prison).
6. The size, nature and quality of the facilities which must be available in the prison have not been determined: inmates in some prisons still wash their clothes and their bedding in the toilets by hand and by primitive methods, whereas some prisons use electric washing machines for washing. The problem of the absence of workshops and training areas in five prisons out of nine likewise remains, raising the question whether such facilities and equipment are necessary for a correction and rehabilitation centre or whether they may be dispensed with!!
7. We found no real criterion by reference to which the holding capacity of the prison is determined; it is at present determined solely on the basis of the number of beds or the size of the areas allocated for the accommodation of the inmates, and this basis, even if it were sound in the first place, is not strictly adhered to, since the occupancy rate of some facilities exceeds the places which this criterion provides.

Second: Conditions of the prisoners / inmates

1. A very large proportion of the prisoners suffer from illiteracy in its various degrees, notwithstanding the holding of literacy courses for inmates in most prisons in cooperation with the Ministry of Education. The spread of illiteracy among prisoners nevertheless raises the question of devising incentives capable of encouraging them to enrol in any of the literacy courses.
2. The greater part of the inmates do not receive any legal assistance (advice or judicial representation), either because of their poverty or because of their ignorance of the importance of such assistance.
3. As for the social care afforded to inmates, it varies from one prison to another and is, in the aggregate, inadequate in all cases. Thus, for example, social care is not available to inmates in the prisons of (Al-Balqa, Ma'an and Aqaba), while it is available in the remaining six prisons, although it is inadequate in terms of the services and/or assistance which it provides to inmates. The role of

the Ministry of Social Development and of the social workers inside the prisons has moreover been confined to commencing the preparation of a case study for a small number of inmates and, on occasion, to providing spectacles for some inmates unable to afford them and providing financial assistance to the family of a breadwinner inmate in a few cases. During our visits to the prisons we observed that the overwhelming majority of inmates were unaware of the presence of the social worker inside the centre and/or of the service which he might render to them. This requires the Ministry of Social Development to review its plans, its programmes and the manner in which it delivers its services to inmates inside correction and rehabilitation centres, and requires that those inmates also be made aware of its services, if only by means of an introductory leaflet handed to the inmate upon his admission to the centre and/or by delivering awareness lectures in order to make known the role and services of the social worker in the centre. We would add here that the Council of Ministers has taken decisions with a view to improving the conditions of prisoners, among them the payment of (156) dinars to the families of (750) detainees in order to meet the need of poverty. This decision was announced by the Minister of the Interior on 23-9-2004 in Al-Rai newspaper, following the publication of the report of the National Centre for Human Rights on the conditions of the inmates of Jweideh/men prison *.

4. The psychological care provided to inmates in the prisons in which this service is offered is confined to a weekly visit in some prisons by a government psychiatrist, or to referral by the general practitioner in the prison, or by the health centre or the government hospital, to the psychiatric centre — this being the position in prisons in which the service is not available. There are three prisons (Al-Karak, Ma'an and Aqaba) out of nine in which the service of psychological care is not provided, bearing in mind that this service is weak even in the prisons in which it is provided, whether by reason of the small number of visits made by the government psychiatrist to the centres in comparison with the number of inmates in those centres, or by reason of the number of beds allocated to those centres at the National Centre for Mental Health. In the aggregate this service varies from one prison to another, but is on the whole inadequate in all cases.

5. The health care provided to inmates is of a middling standard in the prisons. There are health units in four prisons (Jweideh, Swaqa, Qafqafa and Birein) out of nine in which this service is provided (against payment in accordance with the Ministry of Health tariff) by means of near-daily visits by a government physician or upon request; patients are transferred to the government hospitals (free of charge) within the areas of the prisons where the physician is not present in the prison or where the case so requires *.

As for dental services, they are provided by a government dentist by means of one visit per week (against payment in accordance with the Ministry of Health tariff inside the prisons equipped with a dental clinic; in the government hospitals, however, the service is provided to the inmate free of charge).

** A detailed report was prepared on the volume and quality of the social care services provided in each prison.*

As for medicines and treatments, they are dispensed through the government physician, and high-priced medicines are secured for the inmate by the prison administration (out of the account of the centre's imprest) and are not secured through the Ministry of Health.

There are certain skin diseases (such as scabies and types of skin allergy) which are widespread in the overcrowded prisons and which are contagious. They are dealt with by the prison administration by placing the sick inmate in the isolation room after he has been examined by the physician, for fear of the spread of these diseases among the inmates.

There are cases requiring urgent surgical operations which, for more than five months, have not been admitted to the government hospitals owing to the unavailability of beds among the beds allocated to prisons in the government hospitals (in Swaqa prison, Jweideh/men and Qafqafa) *.

**(A detailed report was prepared on the volume and quality of the health care provided to inmates inside each prison).*

Problems of the prisoners / inmates

In the light of the observations of the visiting teams and upon examination of the complaints submitted by the inmates, the problems of the inmates may be classified into the following categories:

1. Judicial detention:

The number of persons held in judicial detention during the period of the visit is estimated at (2741) 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, or their cases considered by the competent 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.

2. Administrative detention:

The number of persons held in administrative detention during the period of the visit is estimated at (457) detainees, on the basis of the powers of the administrative governor under the Crime Prevention Law, together with approximately (170) foreign inmates for breach of the Residence Law or of other legislation, pending their deportation. It is to be noted that a large number of them have been in detention for a period exceeding three years without approval being given for their release, notwithstanding their readiness to furnish the requisite bail; and among them are those unable to furnish the requisite judicial bail for want of a guarantor.

We also observed that the administrative governors have taken to resorting to the detention of persons in prisons far from their places of residence and from their families, which renders visiting them a difficult and costly matter (fourteen persons detained by order of the Governor of Irbid

were held in Ma'an prison during the period of the visit), to say nothing of the length of the period of detention, which in Jweideh/women prison exceeded (ten years) for one female inmate and in Al-Karak prison exceeded (three years) for one inmate. This makes administrative detention a punishment imposed by the administrative governor without his possessing the legal power to impose it, and is indicative of a grave error in the application of the law and of an abuse of authority.

We also found the phenomenon of returning persons who have served their sentences to detention once again in the correction centre on the basis of detention warrants issued by the administrative governors, on the ground that such persons have previous convictions or are recidivists and that they 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).

We likewise found persons who had spent in administrative detention more than the penalty judicially prescribed for their offence, by reason of their inability to furnish the bail fixed by the administrative governor or to obtain a tribal reconciliation deed because of the complainant's refusal of reconciliation or the absence of the complainant from Jordan, he being a foreigner.

3. Subjection to torture and to cruel and inhuman treatment:

The Centre received more than one hundred complaints against officers of the Criminal Investigation Department and the Anti-Narcotics and Counterfeiting Department, in which the complainants alleged that they had been subjected to severe beating in order to extract confessions from them by coercion, pressure, threats and other forms of cruel and inhuman treatment. They further stated that both Departments had taken to resorting to the torture of the persons detained and held by them before referring them to the courts, and to keeping them for periods exceeding a month on the basis of detention warrants issued by the administrative governors (in order to confer legitimacy upon the detention) and without the knowledge of the competent public prosecutor.

4. The greater part of the inmates do not receive training or rehabilitation programmes or sporting, recreational and cultural programmes.

5. There are a number of prisoners who are employed for wages (the kitchen, the bakery, the barber's shop), and these wages are extremely low (14-15) dinars per month by comparison with the volume and the long hours of work (6-8) hours.

6. There is a problem from which inmates in four prisons suffer, relating to the spread of narcotic pills, which leads to an increase in the incidence of problems between the inmates on the one hand and the administration on the other, in addition to the reliance of some recidivist prisoners on the prison for the disposal of this merchandise inside it.

7. Prisoners suffer, when being transferred, from having their hands cuffed behind their backs (pursuant to instructions issued by the Director of Public Security). Transporting a prisoner in this manner involves cruelty and humiliation and is, moreover, painful for persons suffering from chest complaints 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 length of time taken to transport inmates from their prisons to the courts, which may extend to hours because of the number of destinations visited by the vehicles allocated for their transport, prisoners being distributed to the various courts 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.

8. The classification of inmates and the separation of each category from the others (convicted persons from pre-trial detainees), (persons with previous convictions from those convicted for the first time), (felonies from misdemeanours) and the other criteria of classification (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, are criteria which are not strictly complied with in practice, owing to the unjustified mixing of inmates inside the various centres and the failure to comply with the principle of classification under a series of justifications relating to the inadequacy of the buildings and the shortage of facilities. It is therefore essential to devise the means, the instruments and the plans required in order to limit the mixing of inmates and to comply with the principle of the classification of inmates.

9. There are complaints and allegations by a number of inmates that they have been subjected to beating and torture inside at least three of the prisons and at the hands of officers and other ranks of their administrations. The Centre has recorded these allegations, investigated them, documented those which were confirmed and referred some of them to the competent judiciary in order that the legal proceedings be taken in due form against those proved to have committed such acts.

Others complained of being placed in solitary confinement for long periods exceeding a week on each occasion, which is a flagrant breach of the terms of Article (38, paragraph d) of the Correction and Rehabilitation Centres Law.

Third: The administrations of the centres

1. Some of the correction and rehabilitation centres in the Kingdom are administered by an élite of officers in terms of preparation, training and diversity of previous professional experience, whereas some administrations lack this. Officers and other ranks have likewise received basic training for those working in correction and rehabilitation centres, but it is clear that the training they have received cannot be regarded as sufficient to enable them to discharge their functions in the fullest manner, having regard to the resort by some of those officers and other ranks to beating inmates of poor conduct. Nor is the ignorance of those administrations of the international rules and standards for the treatment of prisoners and detainees to be concealed — a matter which indicates that the prescribed training curriculum lacks much of the theoretical knowledge and practical skills of which a good command is desirable, bearing in mind that only a small category

of the members of those administrations has been afforded the opportunity of becoming acquainted with the experiences of States which apply the international standards for the treatment of prisoners and detainees. This calls for work on developing the specialised training programmes in the field of the correctional and rehabilitative process for the administrations and likewise for those working in correction and rehabilitation centres, together with the establishment of a mechanism for the periodic assessment of performance with a view to development and improvement.

2. Those working in the prison administrations enjoy no 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. Service in correction and rehabilitation centres does not 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 prisons and regard it as diminishing their capacities and their opportunities of assuming more important positions. It is therefore essential to adopt a policy of incentives for work inside prisons, whether through material incentives or promotion, taking into account the availability of a genuine desire on the part of these elements and their absolute belief in the correctional and rehabilitative role which they will perform inside these centres.

3. There are no clear criteria for determining the staff (officers, other ranks and civilian employees) in the various correction and rehabilitation centres by reference to the holding capacity of each centre, which affects the quality of the care and service provided in each prison, there being a clear disparity in the level of services provided in each of them.

4. Some of the distinguished administrations have expressed the desire that the prison administration should have a role in aftercare (not yet applied) for prisoners, in view of the importance of the inmate's conduct — and in particular that of the pre-trial detainees among them — in the judicial proceedings when release is being considered or when the penalty to be imposed is being adjudged. This role, as put forward by these administrations, is regarded as important in promoting the philosophy of correction and rehabilitation, inasmuch as the prison is not merely a place for the deprivation of liberty but is a place for correction and rehabilitation. Within this framework, benefit must be derived from the experiences of other States in what is known as conditional release, after devising and activating a model of individual assessment for each inmate inside the prison.

Executive measures for addressing prison conditions

In the light of the Centre's reports and as a result of our visit to Jweideh/men Correction and Rehabilitation Centre on 8-9-2004, and following the receipt of information from eyewitnesses and complaints from injured parties concerning their subjection to forms of torture and inhuman and degrading treatment at the hands of the administration of the said centre, as well as the death of two inmates among them, a special report was drawn up on the conditions of this centre and specifically on the torture of inmates attributed to its administration.

Accordingly, His Excellency the Chairman of the Board of Trustees of the Centre addressed His Excellency the Prime Minister on 10-9-2004, requesting that a prompt and impartial investigation

be conducted into all the allegations and claims concerning the subjection of inmates in all Jordanian prisons to forms of ill-treatment consisting of torture, cruel treatment, deprivation of the basic forms of care and deprivation of liberty, breach of official duties, misapplication of the laws, deviation from and abuse of authority, and other acts and conduct resulting in harm to any of the prisoners, or in the deprivation of, or derogation from, their enjoyment of their guaranteed rights to liberty and personal safety and to the availability of means of redress.

In the light thereof, the Minister of State and Official Spokesperson for the Government announced on 6-10-2004 the formation of a committee to investigate the allegations and information contained in the two reports of the National Centre for Human Rights, chaired by the Head of the Public Prosecution and composed of a judge of the Court of Cassation, the Inspector at the Ministry of Justice, the President of the Grand Criminal Court, the Attorney General, a governor at the Ministry of the Interior and the Director of the Correction and Rehabilitation Centres Administration. That committee concluded its work with the findings and recommendations set out in its report, published on 21/10/2004 *.

As regards the incident which occurred on the first of September and led to the death of the inmate (A.M.) and the wounding of others in Jweideh/men prison, the Police Public Prosecutor undertook the investigation of this incident as a criminal case, and eleven officers and other ranks of the establishment of the said centre were referred for trial before the Police Court; the trial was still in progress at the time of the preparation of this report.

It should also be noted that the Council of Ministers had issued a decision forming a ministerial committee chaired by the Minister of Justice and composed of the Minister of the Interior, the Minister of Social Development, the Minister of Health and the Minister of State and Official Spokesperson for the Government, its task being to study the conditions of correction and rehabilitation centres and of the inmates in the light of what was set out in the Centre's First Periodic Report on the conditions of those centres, and to work towards developing prison conditions and the forms of care provided to inmates and promoting the concept of reintegration. No announcement or statement of the results of its work had been issued by the said committee up to the time of the preparation of this report.

Fourth: Observations relating to the assessment

The visits organised by the Centre to correction and rehabilitation centres take place in accordance with a fixed programme and pursuant to prior arrangements in cooperation with the Public Security Directorate, which renders the condition of the prison prepared in a manner different from ordinary conditions in terms of arrangements and cleanliness. Unannounced visits would therefore be of greater utility in verifying the soundness of the ordinary daily conditions of the prisons.

1. The assessment of prison conditions, the verification of the form of treatment and care received by inmates, the identification of needs and the assessment of the efficiency of performance are matters for which the visit alone does not suffice. We consider that a range of data and measures

would assist in achieving the required assessment, to which reference was made in the previous report, such as:

- a. Examining the training curriculum for those working in correction and rehabilitation centres and conducting an individual assessment of the performance of the staff and a periodic survey of their needs.

** The Centre did not see the said report save through what was published in the local press.*

- b. Ascertaining the size of the budget allocated to the prisons and the manner of its expenditure would be an important factor in verifying the relationship between the adequacy of the appropriations and the efficiency of performance.
- c. Obtaining the statistical information (the briefing) relating to each centre on the day before the visit, in order to determine the size of the team, the calibre of its members and the duration of the visit.

Providing the members of the team with this information would be an important factor in enhancing the value of the visits and achieving better results in the process of assessing performance.

2. No amendment has been made to the system of records and registers in force relating to inmates inside the prisons. These registers do not show the types of offences, nor do they include the social history of the inmates, nor do they permit verification of the periods of detention and their expiry, and this gives rise to a legal difficulty.

Findings and recommendations

In the light of the conditions described above, we consider it necessary to adopt effective legislative, executive and judicial measures to improve prison conditions and the treatment of prisoners in the Kingdom, within the following subjects:

1. The establishment of an independent administration for correction and rehabilitation centres which ensures that its personnel receive specialised training programmes, together with the stability of those personnel in their work with that administration and care to ensure that they possess a genuine desire for, and belief in, work in prisons.
2. The necessity of adopting a qualitative criterion for determining the holding capacity of prisons 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.

3. As regards the problem of overcrowding in some prisons and the problems resulting therefrom, this subject must be addressed by means of:

- a. Introducing legislation on non-custodial alternative measures such as (reconciliation, mediation and community service), which will in turn limit resort to the deprivation of liberty and to detention as the sole measure, in a number of contraventions and misdemeanours.
- b. The necessity of modernising the existing prisons or replacing them with others designed in accordance with standard bases enabling the provision of care, protection and rehabilitation in accordance with the Standard Minimum Rules for the Treatment of Prisoners.

4. Opening appropriate channels of communication between the Centre and both the judicial authority and the Ministry of Justice in order to address a range of matters revealed by the visits, such as:

- a. The length of the period of judicial detention before and during trial and the increase in cases of judicial detention, which reached (2741) judicial detainees at the date of the visits, such treatment to include the endeavour to adopt a national criterion for the reasonable period for the conduct of a trial.
- b. The powers and duties of the judiciary in inspecting prisons and places of detention and in combating torture and other cruel, inhuman and degrading treatment and punishment inflicted by persons charged with the enforcement of the law.
- c. Interference with the work of the judiciary (its forms, its causes and the manner of addressing it).
- d. The role of the judiciary in addressing the negative effects of the application of the Crime Prevention Law.
- e. The execution of criminal judgments: (computation of periods, consolidation of judgments, substitution of a fine for imprisonment, etc.).
- f. Reducing the problems of notification between the courts and the prisons and 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.
- g. Developing legislation and judicial practices with a view to expediting trial procedures, such as (prison courts): some States have developed this system, which is based upon the establishment of courts and the conduct of trials inside the prison in order to save time and for fear of the escape of some of the dangerous prisoners during the process of transfer to and from the courts to attend the sessions of the court.

5. The necessity of addressing the recurrent complaints concerning a category of violations by police personnel, specifically in the Criminal Investigation Department and the Anti-Narcotics and

Counterfeiting Department, consisting of torture and other forms of violence and of inhuman, cruel and degrading treatment — a matter which calls for the adoption of the following procedural proposals:

- a. Enabling the Centre to visit the places of custody and detention belonging to the competent security departments, and likewise the security centres, on a regular basis and without prior arrangement.
- b. That complaints relating to this category of violations be addressed directly between the Centre and the body concerned, so that recourse to the higher administration of Public Security is had where the department concerned, whatever its level, fails to cooperate.
- c. 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; and the necessity of referring accused persons and suspects to the public prosecution within the period specified in the Code of Criminal Procedure.

6. There must be a decisive remedy for the "phenomenon" of administrative detention, the number of persons administratively detained at the date of the visits having reached (457) administrative detainees. We propose in this regard the following measures, to be observed in their sequence:

- a. The immediate release of all administrative detainees.
- b. Training the administrative governors in the importance of adopting non-custodial measures and reducing their reliance upon the Crime Prevention Law.
- c. Studying and analysing the Crime Prevention Law and seeking its prompt amendment or repeal.

7. The necessity of improving the medical and psychological care provided by the Ministry of Health to inmates inside the prisons, as follows:

- a. Increasing the number of beds allocated to the inmates of correction and rehabilitation centres in the government hospitals and the National Centre for Mental Health.
- b. Providing this service free of charge to all inmates.
- c. Increasing the number of medical staff working in the prisons (general/dental/dermatological/psychiatric), together with the necessity of providing women's medical services to the female inmates of Jweideh/women Correction and Rehabilitation Centre.
- d. Opening fully equipped health units in the prisons in which such health units are not available.
- e. Providing medicines of all types and prices to all inmates free of charge.

8. The necessity of improving the social care provided by the Ministry of Social Development to the inmates of correction and rehabilitation centres, as follows:

- a. Increasing the effectiveness of the role played by the social worker inside the prisons, so that awareness lectures are held concerning the social care services provided by the Ministry of Social Development inside the prisons, together with the provision of introductory leaflets given to every inmate upon his admission to any of the correction and rehabilitation centres, setting out the nature of these services.
- b. Increasing the effectiveness of the social care services inside correction and rehabilitation centres, so that the concept of the case study conducted by the social worker for the inmate and his family is broadened, and the results of the process of this study and its importance within the framework of the reintegration of the inmate into his community anew after his release from prison are set out.
- c. Strengthening aftercare programmes and preparing the inmate for release. This requires the Ministry of Social Development, together with civil society and community institutions and the various bodies concerned, to undertake this most important role within the framework of promoting the philosophy of correction and rehabilitation.
- d. The necessity of providing monthly financial assistance to the family of a breadwinner inmate, within the framework of improving the conditions of inmates and their families.

9. The proclamation of a philosophy of correction and rehabilitation founded upon realistic objectives and adopting precise criteria, together with the adoption of effective measures to address many of the problems of prisons and prisoners, such as: the slowness of judicial procedures, the professionalisation or repetition of crime, and ensuring that the effect of detention or of the penalty does not extend beyond the person of the offender, so that the interests of the family are always taken into account upon every judicial or administrative measure relating to the deprivation of liberty, and in particular where the person is the breadwinner of a family. We expect the Centre to have an effective role in proclaiming that philosophy and in verifying the realism of its objectives and the precision of its criteria. In order to enable the Centre to play this role, it would be beneficial for it to be represented in the membership of the Higher Committee for Correction and Rehabilitation, in addition to its effective role in training prison administrations and other persons charged with the enforcement of the law.

10. 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 prison, by means of the various media.

11. With regard to the forthcoming visits, we recommend the adoption of the following:

- a. Increasing the number of the visiting team to at least five persons.

- b. Involving representatives of bodies concerned with the conditions of prisoners, such as lawyers, physicians, human rights organisations and parliamentary committees, within the visiting team.
- c. Allocating a longer period for the visit so as to cover different times of the day and night and the times of visits by the families of prisoners.
- d. The Centre may join other bodies concerned in providing forms of cash or in-kind assistance to inmates and their families, and the visit may be a special occasion for providing them.

12. General assessment:

The prison, as an institution of punishment, concerns one category of people, and as an institution of correction and rehabilitation concerns a wider category of people. But the right to liberty, the right to personal safety, the right to a fair trial and the right not to be subjected to torture or other forms of inhuman treatment are matters which concern all people, and it is the duty of the State to guarantee them to all persons within its legal jurisdiction without discrimination. The assessment of prison conditions is a matter in which categories of rights, types of standards and levels of values are interwoven; and if a general assessment of prison conditions in Jordan must be made, a five-grade scale may be adopted (very good – good – acceptable – weak – bad/non-existent), and on the basis of this scale:

the general assessment of the conditions of correction and rehabilitation centres in the Kingdom ranges between acceptable and weak.

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