



المركز الوطني لحقوق الإنسان

The National Centre for Human Rights

Third Periodic Report

on the Conditions of

Correctional and Rehabilitation Centers

in Jordan

For the period from 31/10/2004 to 31/10/2005

Disclaimer

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Introduction

- During the period from 31/10/2004 to 30/6/2005 the Centre conducted eleven visits to correction and rehabilitation centres throughout the Kingdom within the (third) programme of periodic visits, with a view to inspecting the conditions of those centres and assessing the developments therein since the issuance of the Second Periodic Report on the conditions of those centres during the period extending from 1/4/2004 to 30/10/2004. These visits were carried out in prior coordination with the Public Security Directorate / Correction and Rehabilitation Centres Administration.¹
 - A special visit was carried out to Jweideh Correction and Rehabilitation Centre on 15/9/2005.
 - A special visit was carried out to Swaqa Correction and Rehabilitation Centre on 30/10/2005.
 - 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 some of their staff, in the course of which each of the administrations was handed a copy of the Second Periodic 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.²
- Some of the prison directors and a number of the officers and other ranks accompanied the visiting teams while they inspected the facilities of the centre (buildings and installations, sleeping quarters, sanitary facilities, service facilities, exercise yards, clinics — wherever found — workshops and training areas) and met with the inmates. They provided the necessary clarifications concerning the queries of the visiting teams and also responded to the observations and complaints raised by the inmates. The necessary facilities were afforded to the visiting team, which was able to meet with the inmates and listen to their complaints and demands without the presence of any

¹All the centres visited come under the Public Security Directorate and are administered by the Correction and Rehabilitation Centres Administration. They number ten (10) 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), (Al-Jafr – Ma'an Governorate) / the centre was reoccupied on 25/3/2005; in addition to the Aliens Detention Centre – Capital Governorate, which comes under the Correction and Rehabilitation Centres Administration.

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.

escort from among the personnel of the correction and rehabilitation centres, and there was complete freedom to interview any inmate individually.

- The visiting team received the complaints, grievances and requests for assistance submitted by the inmates, and considered and addressed them within the limits of the powers and capacities of the Centre.

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

Programme of visits to correction and rehabilitation centres in the Kingdom

Day	Date	Name of the centre	Location
Sunday	10/4/2005	Jweideh/Men Correction and Rehabilitation Centre	Capital
Tuesday	12/4/2005	Jweideh/Women Correction Centre	Capital
Sunday	17/4/2005	Al-Balqa Correction and Rehabilitation Centre	Al-Balqa
Tuesday	19/4/2005	Birein Correction and Rehabilitation Centre	Al-Zarqa
Sunday	24/4/2005	Qafqafa Correction and Rehabilitation Centre	Irbid
Tuesday	26/4/2005	Swaqa Correction and Rehabilitation Centre	Capital
Wednesday	27/4/2005	Al-Karak Correction and Rehabilitation Centre	Al-Karak
Wednesday	27/4/2005	Ma'an Correction and Rehabilitation Centre	Ma'an
Thursday	28/4/2005	Aqaba Correction and Rehabilitation Centre	Aqaba
Tuesday	3/5/2005	Al-Jafr Correction and Rehabilitation Centre	Ma'an
Wednesday	4/5/2005	Aliens Detention Centre	Capital

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)

First — Most of the prisons are located within geographical areas close to the urban agglomeration and to residential communities, and all of them are readily accessible by means of the public transport network, with the exception of Aqaba and Al-Jafr prisons, these two centres being situated in places remote from residential communities and from the public transport network.

Al-Jafr prison:

This centre was established in 1953 and was known as the Arab Army detention camp; it is (256) km distant from Amman.

On 25/7/1998 the centre was re-established and received inmates on 15/8/1998; it was, however, closed again on 25/11/1999.

This prison was reoccupied on 6/2/2005, when it was designated for administrative detainees, and on 25/3/2005 it received the first batch of administrative detainees.

Observations

First — The prison is situated in a remote and isolated area which is not easily accessible; consequently the inmate there loses the opportunity of contact with his family and of receiving visits, since such visits become a punishment for the inmate's family when they undertake them, given the remoteness of the place, the hardship of reaching it and the financial cost involved.

Second — This prison has been designated for persons administratively detained from all regions of the Kingdom, and there is a complete conviction among the inmates held in this prison that they have been placed inside it as a further punishment in addition to the penalty of deprivation of liberty.

Third — The centre is extremely old, notwithstanding the maintenance and modernisation works carried out, to the point that it is fit to serve as an archaeological museum.

Fourth — If there is a need to occupy the buildings of this old prison in order to relieve the pressure upon the other prisons, or in order to carry out the process of separating the different categories of prisoners, then the transfer of all administrative detainees to the most remote prison constitutes a violation of the rights of those inmates, who need to remain in a location close to the places of residence of their families and to the seats of the judicial and administrative authorities concerned with following up their situations.

Accordingly, and for the totality of the observations referred to above, we find that the occupation of this prison must necessarily be discontinued.

Second — There are prisons which still suffer from the problem of the small size of their buildings (Al-Karak, Ma'an, Birein, Al-Balqa) and from 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 prevents the classification of prisoners and their separation into categories according to the criminal dangerousness of each of them.

Third — The buildings of some prisons still suffer from damp and from the absence of good lighting and healthy ventilation (Al-Balqa, Qafqafa and Birein prisons), which necessitates periodic general maintenance of these buildings.

Fourth — There has been no increase in the number of training and/or rehabilitation programmes and/or sporting, recreational and cultural programmes provided in some prisons, since the workshops existing in some prisons serve only a small category of 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. Some inmates have spent a period exceeding ten years in prison without undergoing any training or rehabilitation programme, whether because of their unwillingness at times to enrol in any of these courses on account of their poor psychological and social circumstances, or because of the shortage in the number of the courses and programmes implemented.

Fifth — There is no separation of prisoners based upon criminal dangerousness and the type of offence committed, pre-trial detainees being placed together with convicted persons on the one hand, persons convicted of felonies with those convicted of misdemeanours on the other, and persons with previous convictions and recidivists with those committing an offence for the first time on yet another.

Sixth — 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.

Seventh — 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.

Expansion, modernisation and maintenance works carried out in some prisons during the period covered by the report

1. Jweideh/Men Correction and Rehabilitation Centre

- a) An increase in the holding capacity of the centre following the expansion works, which has become (1300) inmates instead of (1072) inmates.
- b) The visiting mesh has been converted into modern cabins numbering (86) cabins containing telephones, which affords comfort and privacy to the inmate and the visitor while speaking, the mesh system having made it difficult for the inmate and the visitor to hear one another owing to the large numbers.
- c) The construction of a comprehensive health centre in the centre.
- d) The construction of a hall for lawyers to meet their clients, and another hall for visitors, both furnished with the necessary furniture.

e) The construction of a courtroom for the trial of detained inmates near the correction centre, with a view to expediting the determination of cases, in particular the dangerous ones, saving time, effort and cost and providing the protection necessary for their transfer.

2. Jweideh/Women Correction and Rehabilitation Centre

a) A lock-up for women has been constructed for those administratively detained or held for a period of 24 hours, and the women's lock-up at Al-Hussein Security Centre has been abolished. The detention of women has now become a matter falling within the competence of the Capital Region Police at Jweideh/Women Correction and Rehabilitation Centre, where the reception of female detainees commenced on 5/8/2005.

3. Ma'an Correction and Rehabilitation Centre: the visiting mesh has been converted into modern cabins containing telephones.

4. Swaqa Correction and Rehabilitation Centre: we found maintenance works being carried out on the dormitories at the time of the visit.

5. Al-Balqa Correction and Rehabilitation Centre:

a) The old water line in the centre has been changed and replaced with a new water line, together with the fitting of a basin for washing blankets.

b) A special office has been allocated to the social development delegate inside the centre.

6. Birein Correction and Rehabilitation Centre.

a. The drilling of a water well for the centre has been completed.

b. Maintenance and renewal of the surveillance systems and the electronic systems of the centre.

7. Al-Karak Correction and Rehabilitation Centre: the administration informed us that the project for the re-expansion of this centre is under way and that an amount of (180) thousand dinars has been allocated for it.

8. Aqaba Correction and Rehabilitation Centre.

a. A room has been created for lawyers and for private visits, affording the necessary privacy.

b. Air conditioners have been installed in all the dormitories.

9. Qafqafa Correction and Rehabilitation Centre.

a. We found construction and expansion works in the "political organisations" dormitory inside the centre.

b. An air extractor has been installed inside the dormitories to remove foul odours.

10. Al-Jafr Correction and Rehabilitation Centre: we found construction works (a wall and a garden) and construction and restoration works to fit out the administration building.

11. Amendments have been made to the system of records and registers in force relating to inmates inside the prisons, such that this information has become computerised in some prisons; we learned that work is likewise in progress in the other prisons to computerise those records. These registers and records do not, however, include the social history of the inmates, nor do they permit verification of the periods of detention and their expiry.

Second: Conditions of the prisoners / inmates

1. A large proportion of the prisoners continue to 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 Ministry of Education has opened the Evening Studies Centre in Swaqa prison / non-formal education, covering the levels from the seventh grade of basic education up to the second secondary grade, and has supplied the centre with the prescribed school textbooks in addition to paying the secondary examination fees for the inmates who so wish. This has contributed to a considerable extent to reducing the problem of illiteracy and has encouraged a large number of the inmates of this centre to join the literacy classes or to receive education at the Evening Studies Centre. The number of persons pursuing their studies in Swaqa prison from the seventh grade to the second secondary grade reached (180), and the number of persons nominated to sit the secondary examination this year reached (30) inmates.

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 and of the possibility of obtaining it. (A list containing the names of the inmates in need of legal assistance and judicial representation was sent to the Mizan Group for Human Rights (Mizan); the number of such inmates reached 121, and we learned that the cases of some of them are being followed up and that legal advice has been provided to others.)

3. There is a shortage in the social care provided to inmates. Social care is not available to the inmates of any of the prisons of (Al-Balqa, Aqaba, Ma'an and Al-Jafr), while in the remaining prisons the social service provided to them is not of the required standard and is inadequate, since the services and assistance provided by the Ministry of Social Development to inmates are confined to a case study for a small number of inmates and the provision of spectacles and medical chairs for some inmates unable to afford them. There are no correctional programmes assisting inmates to return to society and removing their criminal dangerousness, and the Ministry of Social Development has not conducted studies on the inmates in order to identify the causes of their commission of offences and the manner of treating them. Financial assistance to the families of inmates is provided only in very few cases, and there is a complete absence of social services and aftercare programmes designed to prepare the inmate for the stage following his release.

4. The psychological care provided to inmates in all the prisons is still regarded as weak, this care still being 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 medicine centre — this being the position in prisons in which the service is not

available. There are four prisons (Al-Karak, Ma'an, Aqaba and Al-Jafr) out of ten in which the service of psychological care is not provided, bearing in mind that this service, as we have indicated, is limited, 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 addition to the presence of a large number of psychiatric patients inside the prisons instead of their being placed at the National Centre for Mental Health, on the pretext that no beds are available for them (we found (25) cases inside Jweideh/Men prison). In the aggregate this service varies from one prison to another and is likewise inadequate in all cases.

5. Health care provided to inmates in the prisons: health care is provided to inmates free of charge; the health care provided to inmates nevertheless continues to suffer from the following problems, in respect of which no improvement has occurred:

- a) The absence of health units inside most prisons (Al-Balqa, Al-Karak, Ma'an, Aqaba, Al-Jafr and Jweideh/Women prisons), health care being provided to inmates by means of near-daily visits by physicians of the government hospitals or upon request; cases of illness are transferred to the government hospitals falling within the jurisdiction of these prisons where the need so requires.
- b) The acute shortage in the number of medical staff working inside the medical units in the prisons (Qafqafa, Birein, Jweideh/Men and Swaqa prisons).
- c) The absence of a gynaecologist in Jweideh/Women prison.
- d) The failure to carry out surgical operations for inmates whose condition so requires at the appointed time, some cases having been delayed beyond their original appointment for a period of five months, the reason being the unavailability of beds in the government hospitals.
- e) The spread of certain infectious diseases such as viral hepatitis in Swaqa prison. His Excellency the Minister of Health was addressed in this regard on 5/5/2005, and a reply was received from His Excellency the Ministry of Health concerning the preventive and curative measures which the Ministry of Health had implemented in order to limit the spread of the disease, to control the infected cases and to ensure that they receive appropriate treatment.
- f) The spread of certain skin diseases (such as scabies and types of skin allergy) in the overcrowded prisons; being contagious diseases, 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 the disease (we found cases in Birein and Jweideh/Men prisons).
- g) The unavailability of certain medicines and treatments inside the medical units, which are secured for the inmate at the expense of the prison administration (out of the account of the centre's imprest).

h) As for dental services, they are provided by a government dentist by means of one or two visits per week at the health unit inside the prison (in the prisons in which health units are available); in the prisons in which health units are not available, this service is provided at the government hospitals or health centres falling within the jurisdiction of those prisons.

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 reached (2884) 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 (the Grand Criminal Court, the State Security Court). These inmates complained of the continuation of their detention and of its effect upon their families. It is to be noted that the number of persons held in judicial detention to the order of the courts has increased over the previous report by (143) judicial detainees, the number of judicial detainees as stated in the previous report having been (2741) judicial detainees during the period covered by that report.

2. Administrative detention:

The number of persons held in administrative detention during the period of the visit reached (513) on the basis of the powers of the administrative governor under the Crime Prevention Law, together with approximately (200) 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 lengthy periods 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 find that the number of persons held in administrative detention has increased in this report over the previous report by (56) administrative detainees, the number of administrative detainees in the previous report having been (457); as for foreign detainees, their number has increased by (30) detainees over the previous report, their number therein having been (170) foreign detainees.

We also observed that the administrative governors have taken to detaining persons in prisons far from their places of residence and from their families, which renders visiting them a difficult and costly matter (the administrative detainees in Al-Jafr prison), to say nothing of the length of the period of detention, which in Jweideh/Women prison exceeded (eleven years) for one female inmate and in Al-Karak prison exceeded (four 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 constitutes a grave violation in the application of the law and an abuse of authority.

It was likewise observed that there are former convicts who have served their terms of imprisonment and have been re-detained at Al-Jafr Correction and Rehabilitation Centre pursuant to decisions issued by the administrative governors, on the ground that they constitute a danger to society by reason of their being persons with previous convictions or recidivists, such that they are not released save upon giving an undertaking or bail or discharging social or legal obligations such as the execution of a tribal reconciliation deed.

3. A number of inmates complained of being subjected to beating and torture inside four prisons and at the hands of personnel of their administrations. The Centre recorded these allegations and notified the administrations concerned thereof for the purposes of investigating them, documenting those confirmed to be true and referring those responsible for them to the competent judiciary in order that the legal proceedings be taken in due form against those proved to have committed such acts. It is to be noted that a decline was observed in the number of allegations relating to subjection to torture or cruel or inhuman treatment, and the absence of such complaints in some prisons, by comparison with what was recorded during the previous visits (during the Second Periodic Report on the conditions of correction and rehabilitation centres for the period from 1/4/2004 to 30/10/2004), which constitutes a positive indicator of an improvement in the performance of those working in the prison establishment.

- The inmates did not complain, during the conduct of these visits, of their placement in solitary confinement, as had been the case during the conduct of the previous visits.

4. It was observed that 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 continue to be employed for a meagre wage (the kitchen, the bakery, the barber's shop), and these wages are still extremely low (14-15) dinars per month by comparison with the volume and the long hours of work (6-8) hours. We consider that the wages received by the inmates must be reconsidered so as to become reasonable and commensurate with the hours of work and the effort exerted, together with the necessity of moving towards the creation of other work opportunities.

6. The spread of narcotic pills in most prisons continues to be a cause of an increase in the occurrence of problems between the inmates and the administration and among the prisoners themselves, the narcotic pills being disposed of through a number of recidivist prisoners. We learned from the prison administrations that they are continually endeavouring to control this phenomenon (large quantities have been seized in a number of prisons).

7. Prisoners still 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 delivered 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. The matter requires a study and organisational planning for the classification of inmates, taking into consideration the Instructions on Correction and Rehabilitation Centres, the Custody of Inmates and their Rights of 2001 concerning the classification of inmates by means of a committee comprising the director of the centre, a general physician and a social researcher (Article 3/d).

Third: The administrations of the centres

1. The correction and rehabilitation centres in the Kingdom are at present administered by an élite of officers qualified in terms of preparation, training and diversity of previous professional experience. Officers and other ranks have likewise received basic training for work in correction and rehabilitation centres, the present administrations enjoying a sufficient degree of competence and good management, which constitutes an important factor in raising and improving performance in the prison establishment with a sense of responsibility and of the respect due to the dignity of prisoners.

2. Those working in the prison administrations still enjoy no privileges commensurate with the volume of responsibility resting upon them and the special efforts required by the nature of their work, which involves a considerable degree of danger and psychological exhaustion. 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 leadership positions. It is therefore essential to adopt a policy of incentives for work inside prisons by means of material and moral incentives, taking into account also 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 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 once again expressed the desire that the prison administration should have a role in aftercare (not yet applied) for prisoners, in view of the importance of monitoring and assessing the conduct of the inmate — 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 and as reflecting a genuine belief in the mission they undertake, which enhances their role in the process of 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. We consider here that it is essential to commence the legislative and executive procedures necessary in order to begin activating what is known as conditional release and the judge for the execution of penalties.

Fourth: Observations relating to the assessment

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 number of measures would contribute to achieving the required assessment, to which reference was made in the two previous reports, for example:

- 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.
- 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 importance of the visits and achieving better results in the process of assessing performance. This subject must be accorded attention, so that all the data and measures referred to are made available, in order that we may arrive at an objective and true assessment of prison conditions and of the forms of care received by inmates, together with the identification of needs and the assessment of the efficiency of performance.

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. Carrying out emergency visits to correction and rehabilitation centres by the National Centre for Human Rights, through which the soundness of the ordinary daily conditions of the prisons may be verified.

2. 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; and that a set of criteria be determined which must be satisfied in the selection of the staff from the outset, in addition to the periodic assessment of the performance of those personnel after the preparation and activation of the job description defining the role of each of those working in the centres in accordance with modern trends in the process of rehabilitation and prison management.

a. Conducting specialised scientific and field studies and research on the situation of the staff, with a view to improving their conditions and raising the level of their qualification.

b. 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, in order to raise the level of performance in the field of rehabilitation.

3. 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.

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

a. Carrying out a comprehensive and strategic study setting out the principal problems, the solutions and the future plans for avoiding this problem.

b. 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.

c. Activating the system of conditional release for those who have completed two-thirds of the term of the sentence.

d. Considering the system of a judge for the execution of penalties, in view of his power to review sentences, as is the case in many States of the world such as Morocco, Algeria and France.

e. 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, within a reasonable period for the conduct of the trial.

5. 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:

- The length of the period of judicial detention before and during trial and the increase in cases of judicial detention, which reached (2884) 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.

- Activating the powers and duties of the judiciary in inspecting prisons and places of detention, combating torture, inspecting the registers and following up the complaints submitted by inmates, together with verifying the extent of compliance with the classification of inmates and the separation of each category from the others.

- The role of the judiciary in addressing the negative effects of the application of the Crime Prevention Law.

- 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.

- 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 (we saw the courtroom which has been constructed in Jweideh/Men prison, although the holding of sessions inside it has not yet begun, pending the completion of its equipping, as the administration of the said prison stated on the date of the visit to the prison on 15/9/2005).

6. The necessity of addressing the recurrent complaints concerning a category of violations by police personnel, consisting 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. (The Centre carried out a number of visits during the months of (July, August and September) to the places of detention belonging to the police directorates in the Kingdom and also to each of the following departments: the Criminal Investigation Department, the Preventive Security Department, the Anti-Narcotics and Counterfeiting Department, the Family Protection Department, and also to the Salt Intelligence Office / Military Security Directorate and the Military Prison, and a detailed report was prepared on those visits. All the aforementioned visits were, however, carried out in coordination with the Public Security Directorate, the Joint Chiefs of Staff and the departments concerned.)

b. Providing prisoners, upon their admission to prison, with written information concerning the regulations applied and the rules of discipline in the prison and the permitted means of requesting information and submitting complaints.

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.

7. 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 (513) administrative detainees. We propose in this regard the following measures, to be observed in their sequence:

a. Training the administrative governors in the importance of adopting non-custodial measures and reducing their reliance upon the Crime Prevention Law, so that recourse is not had to administrative detention by the administrative governors where the case is brought before the public prosecution or the courts, or where a decision is issued barring trial, or an acquittal, or a finding of no responsibility.

b. Studying and analysing the Crime Prevention Law and seeking its prompt amendment or repeal.

8. 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 Psychiatric Medicine.

b. The necessity of providing a female gynaecologist in Jweideh/Women prison.

c. Increasing the number of medical staff working in the prisons (general/dental/dermatological/psychiatric).

d. Opening fully equipped health units in the prisons in which such health units are not available.

e. Equipping the health unit in Aqaba prison with medical apparatus and medical staff so that health care may be provided to the inmates of the centre.

f. Providing all medicines of every type and price to all inmates free of charge.

9. The necessity of improving the social care provided by the Ministry of Social Development to the inmates of correction and rehabilitation centres, together with strengthening the effectiveness of the role of the social worker in the prisons, as follows:

a. The role of the social worker inside the prisons is to be strengthened by holding awareness lectures 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, together with the creation and securing of suitable work opportunities for him after release and ensuring his reintegration with his family anew.

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 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.

10. Activating the role of the Higher Committee for Criminal Reform so that it may discharge the tasks provided for in Article (32) of the Correction and Rehabilitation Centres Law. The said Committee met only once, on 9/9/2004, and studied the plan drawn up by the Correction and Rehabilitation Centres Administration at the Public Security Directorate for the development of the work, and concluded by calling for a number of recommendations.

11. 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.

General assessment

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 good.