

REFORMATIVE EXPLORATIONS

A PSYCHO-SPIRITUAL AND CRIMINO-SOCIAL QUARTERLY ON REFORMATION AND REHABILITATION

REFORMATIVE EXPLORATIONS

Volume 7 01 May 2021

Number 2

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A PSYCHO-SPIRITUAL AND CRIMINO-SOCIAL QUARTERLY
ON REFORMATION AND REHABILITATION

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INCARCERATED INNOCENT INFANTS

Dr Francis Kodiyan MCBS et al

INTRODUCTION

According to National Crime Records Bureau (NCRB) there were 1,543 women prisoners with 1,779 children as on 31st December, 2019. 1212 women prisoners were undertrial prisoners who were accompanied by 1409 children. 325 convicted prisoners who were accompanied by 363 children. The total number of prisoners were 4,78,600. This means 4,78,600 families with their children were in peril and in difficult situations. Seeing the sad plight of incarcerated infants and prisoners' children living outside, Prison Ministry India (PMI) began to launch homes for prisoners' children in 1994 providing them basic necessities such as food, accommodation and education. Every year PMI opened new homes for prisoners' children in different states and did whatever is possible for their integral human development. This is a brief report of the PMI homes for prisoners' girl and boy children under the care of Catholic priests and nuns and is an illustration of their achievement stories.

IMPRISONED INFANTS

Quite a number of children aged between one month and six years old languish in Indian jails, growing up with their imprisoned mothers. The plight of these guiltless children has long been known in India, but recent investigations by a human-

right organization have thrust the problem into the spotlight. These poor innocent children are being regarded, for no fault of theirs, on a par with the convicts, whereas on the contrary they should be provided special treatment. These children lodged in jails with their mothers are neither convicts nor awaiting trial. They are entitled to food, shelter, medical care, clothing, education and recreational facilities. But instead, until the age of six, children are allowed to live with their imprisoned mothers in India. Many develop without getting the attention they need, loss of health, and are isolated from the outside world. Some incarcerated children are old enough to attend school, but instead remain invisible victims of crime, their rights violated, and are deprived of social and emotional security not only by the criminal activities of their parents but also the State's actions in the name of justice. The Supreme Court makes the obligations clear: children below three years shall be allowed crèche and those between three and six years shall be looked after in the nursery. The prison authorities shall preferably run the said crèche and nursery outside the prison premises.

PMI NASHIK UNIT

Seeing the plight and lack of basic educational facilities for such children the Prison Ministry India, Nashik Unit with the help of Nashik Social Service Society which works for the Diocese of Nashik had asked permission from the jail authorities to start a creche within the prison premises itself which was happily granted and since then for the last ten years or so a teacher from the parish goes to the prison in the women's cell and takes classes for the children from Monday to Friday between 9 and 12 am. The same teacher also takes adult classes for the women inmates. Apart from education to the children, we also provide them with educational aids, school bags, shoes,

water bottles and compass boxes etc. The jail authorities have expressed their satisfaction for these classes for the children in jail. They have confessed that in earlier days, these children did not know how to read and write, even basic manners were missing, but since this crèche started, the behavioral pattern of the children has completely changed. Now they are able to read and write.

PMI HOMES FOR BOYS

SNEHADEEPAM

Snehadeepam at Inchiyani, Kanjirappally, Kerala is an initiative of Mar Jose Pulickal, the bishop of Kanjirappally diocese who is the chairperson of Justice, Peace and Development Commission of Kerala Catholic Bishops Conference. Mar Jose donated his ancestral property for the integral human development of children and entrusted the task to the Holy Spirit Sisters. Launched in 1994 this became the first home for children under Prison Ministry India. Hundreds of children came, studied and are well settled with job and family.

KOLBE HOME

On 15 December 2015 Most Rev Bernard Moras, the then archbishop of Bengaluru blessed Kolbe Home at Carmelaram, meant for prisoners' boy children. This was an initiative of Fr Sebastian Vadakumpadan who was the then PMI national coordinator. Satyaseva Catechist sisters are entrusted with the training of the children and at present there are 25 boys under the supervision of the PMI national office.

VISHWANATH

When Vishwanath stepped into the portals of Kolbe Home 5 years ago he was a shy, insecure, fearful teenager, battling with

loneliness, fear and trauma, the baggage that all children of prisoners carry, not knowing what the future holds for them. But here in Kolbe Home under the loving guidance and support of Fr Sebastian and Sr Gertrude and the Brothers in charge, Vishwanath, gradually began experiencing a change in his life. In his own words, Fr Sebastian and his team at Kolbe Home were more than a father, mother, brother and sister to him. He slowly started coming out of his shell and began confiding to Fr Sebastian and Sr Gertrude about his feelings of fear and insecurity. With great patience and love Father and his team began to make him feel wanted and loved. He began his education in a Kannada medium school but at the same time learnt to speak English with the help of his mentors at Kolbe Home. He began to explore his talents and started to express his feelings through his drawings that showed his good talent. He felt encouraged to develop his talents in other fields. He became a champion in sports and bagged many prizes coming first in all Running races, held in the school. His dream was to become a Sports coach as well as a police officer. With the training and discipline that he received in Kolbe Home he felt confident that he could realize both of these dreams. He has always felt loved, respected and wanted ever since he came to Kolbe Home. To him Kolbe Home is a home away from home. He is slowly learning to spread his wings and fly.

DANIEL

Daniel was only 14 years when he stepped into Kolbe Home. Initially he too felt lost, lonely and was filled with a lot of anger towards the world. He often questioned himself as to why he should have been thrown into such a situation and be brought there to Kolbe Home? Would it be like another “prison” with no freedom? He envied the boys on the street who were free and roamed wherever they wanted. He gradually

noticed that there were other boys in Kolbe Home who had adjusted to their new environment. He decided to give himself a chance. He established a bond with the other boys and developed a strong relationship with them. He slowly overcame his frustration. He observed that there were many things he could learn here. He would get an education and of course a lot of love from the Fathers, Sisters and Brothers there. He had a passion for dancing and soon became a dance leader and got the admiration of his peers. He started being confident and became proud of himself. He no longer envied those boys on the street. He developed his skills and his talents, using every opportunity. He was no more that former helpless frightened bird but one whose wings had got stronger and was getting ready to fly.

ST ANTONY'S HOME

One of the PMI Ruby Jubilee decisions was to establish 4 new homes for prisoners' children and I am glad to inform everyone concerned that St Antony's home for prisoners' boy children at Kankavali will be inaugurated on 1 May 2021. Most Rev Anthony Alwyn Fernandes Barreto, bishop of Sindhudurg offered land and building for this noble cause and Fr Manuel D'Silva took initiative in launching this home for prisoners' children. PMI Maharashtra and PMI national office will extend support for the maintenance of this home.

PMI HOMES FOR GIRLS

ASHA SADAN

Asha Sadan in Noida, UP, established in 1977 is an initiative of Franciscan Clarist Congregation (FCC) Sisters. They get girls from Tihar prisons and the FCC sisters take good care of them.

KARUNYASHRAM

Karunyashram at Thoppil, Kochi launched in 1999 is an initiative of the Sisters of the Adoration of the Blessed Sacrament (SABS). Sr Anne Maria is the directress and there are 15 children undergoing training.

PREMODAYA

Premodaya established in 2001 is an initiation of the Sisters of Saint Anne of Chennai. This is located at St Francis Xavier's cathedral compound in Bengaluru. Sr Jerlyn is in charge of this home and children there are undergoing primary and high school studies.

PREETHI

Preethi (all names in this true story have been changed) aged 10 years, had never known that she would have to get back to Bangladesh from Premodaya after a short stay of two years in Premodaya, a Home for children of prisoners at Cleve Land, Bengaluru. She did, however, during her stay in Premodaya, emerge as a leader with aspirations to make changes in her life and in the lives of children around. Well, Preethi joined Premodaya along with her younger sister Preena in mid-2018, having been referred to by the Child Welfare Committee, Bangalore. Before she joined Premodaya, Preethi never went to School in her native town but was a child laborer. In line with RTE, she was immediately placed in age-appropriate class IV and was taught from alphabets to arithmetic. A special coaching was given by Sister Jerlyn Joyce to help her learn reading and writing with regular follow up. In fact, the mother tongue of Asma was Bengali, but she diligently learnt Kannada as part of the curriculum with the aspiration to acquire a new language and skills in learning. Preethi was such a lovely child that she gained the respect and love of all the inmates.

In fact, all of them looked up to her for assistance in carrying out various activities. Rahima, mother of Preethi, was incarcerated for allegedly violating passport laws as the family immigrated to India for survival. The children were separated from their mother and were placed in Premodaya for care and protection. Preethi, did not show any sense of fear in the new abode, but instead gained strength to withstand the situation as she was fondly guided by the Sister In-charge of Premodaya with motherly care, life-skills, wisdom and academic education. Premodaya offered her quality life while continuing her education to ensure her right to education. With all the above comprehensive learning system, Preethi developed leadership skills. She did gain momentum in becoming a leader by voluntarily taking up little tasks that were to be performed for the welfare of the inmates like assisting the younger ones in evening studies, sharing snacks and meals, organizing games and cultural events and maintaining cleanliness of the premises of Premodaya.

‘If your actions inspire others to dream more, learn more, do more and become more, you are a leader.’- John Quincy Adams. Likewise, inspired by the value system in Premodaya, Preethi did inspire other children to learn more, do more and dream more. With little acts of kindness, she inspired the lives of children and she always was ready to do more and contribute more to others and to the Premodaya Home. The younger ones were quite fond of her, calling on her for assistance. She was a little sister with a big heart.

PMI legally assisted Preethi and her younger sister Preena along with her mother to be repatriated to Bangladesh, their native country. She is back with lots of confidence and courage to resume her development towards being fully human. We are sure that Preethi will continue her education and inspire many

more young girls with her value-based leadership skills. When Mrs Rahima, mother of Preethi saw the children she stated, “I am surprised to see my child having grown so mature and responsible. She has learnt good manners and has developed learning skills. Even I would not have done so much for my children and we are ever indebted to Premodaya for giving care, education and leadership skills to my children, particularly to Preethi who looks so mature.” Preethi, did not show any sense of fear in the new abode, instead gained strength to withstand the situation as she was fondly guided by the Sister In-charge of Premodaya with motherly care, life-skills, wisdom and academic education. With all the above comprehensive learning system, Preethi developed leadership skills.

ASHAKIRAN

Ashakiran in Fundi, Khunti, Jharkhand was established in 2001. This is an institute for children run by Ursuline sisters of Tidonk. Sr Jonita is the director and they have 70 children.

SEEMA’S STORY

Seema (name changed) is another success story in our ministry at Berhampur. She is the eldest daughter of a prisoner with four more after her, three girls and one boy. Seema was in class 7 when her father asked us to visit the family. He and his wife had eloped, years ago causing immense pain and shame to the wife’s parents as they had arranged another marriage for her. They had never visited or helped her even after the arrest of their son-in-law. But the prisoner’s wife was equally stubborn and decided to face the situation by herself. She became a daily wage earner and her mother-in-law looked after the children. But when she got an opportunity to work in a convent in Bombay the prisoner agreed and she went with the sisters. Apparently, life went well but Seema was planning secretly to

elope with a drunkard. When the prisoner heard about it, he cried bitterly. He shared his problems with us and asked us to visit his family. We prayed with him and at his request gave him the Bible to read. It was the turning point of his life. He started spending most of his time praying and reading the Bible and even got other prisoners to do the same.

We visited the house and spent long time praying with the family and counselled the girl. She promised to give up the boy and study well. I got her admitted in another school and arranged a place for her in the hostel and promised to meet all her educational expenses. She agreed. Her house was only 10 km from my convent but the new school and hostel were about 5 hours journey by bus. I went to her house and she came with me to stay in my convent overnight so that we could take the early bus to her new school and hostel. We boarded the bus to my convent and sat together in the bus. The bus ride was only for 20 minutes. I was exhausted and slept. When I opened my eyes, I found the girl missing. It was a crowded bus stop and the conductor said that she got out as soon as the bus stopped. Everyone in the bus shared my anxiety and waited for me as I kept searching for the girl. I was not familiar with that place but she was and she found her way back. I told the bus to leave intending to make a search.

In desperation I phoned her mother in Bombay. She consoled me and said, “Sister, don’t worry about the girl. I know the possible places she can go. I will phone and trace her out. You have done so much for my family. We are grateful to you”. With a sigh of relief and prayer for the safety of the girl I took the next bus back to the convent and spent long time praying for her. After about 2 hours the mother phoned me and said that the girl was safe at home. I thanked the Lord and continued to pray for her.

When the wife's parents heard of my services they repented and accepted the daughter and started caring for the children. Unfortunately, the mother-in-law who was looking after the children died suddenly of a massive heart attack. The wife's parents came and stayed with the children till the wife could come from Bombay. She took Seema along with her to Bombay. The sisters gave her a small job with regular salary and she was happy. The wife's parents took the children to their house and are educating them. The wife sends money regularly to her parents and now everyone is happy. The prisoner looks happy and contented and spends much of his time praying and reading the Bible. He conducts prayer meetings with other Catholic prisoners during their free time and helps in creating a prayerful atmosphere in the jail.

SARANALAYA

Saranalaya at Coimbatore, Tamil Nadu established in 2001 meant for prisoners' children was an initiative of the Society of Sisters of St Anne's Chennai. There were 25 children but due to covid19 most of the children were sent back to their homes.

REMA'S SAGA

Let me share one of the success stories about helping Rema (name changed) the daughter of a prisoner. Her father was arrested when she was only 3 years old. The mother was young and uneducated and Rema was the only child. With no income and no support from any one she was at the point of despair. This had a negative influence on Rema's behavior and studies. As she grew up, she was becoming withdrawn and lonely. It was then that the prisoner asked his wife to contact us. She phoned me and from then on, I kept in touch with the family. The wife took up some small jobs and managed to make both

ends meet. I helped in the education of Rema through financial support, appreciation and encouragement even in the small efforts she made. There was gradual change both in her behavior and her studies. Rema will write her class 10 board exam this year. She is attending the 100 days class arranged by the government for the board exam students. The syllabus is much reduced and we are hopeful that Rema will pass. The father was released 3 years ago after spending 9 years in jail. Now he has a small son too. The father has a small job and the family is satisfied with what they have. We keep in touch with them and help them especially in the education of Rema.

MARIE PUSHPAN'S HOME

Marie Pushpan's home launched in 2017 is in Ranchi, Jharkhand. This is run by Dominican Sisters and Sr Jini is its director. Due to Corona and due to the closedown of schools many children are at their homes.

NEELIMA KUMARI

Neelima Kumari hails from Chanho, Ranchi, Jharkhand. Her father is in jail for the last 13 years. He is awarded with life imprisonment. She does not know whether she would be able to live with him again. The case not only took long years for judgement but also took all that they had to live on. Her mother had no option but to go to Delhi to work as a house maid. It was nothing but providence that bought Sr Jini and Sr Saroj of the Dominican Sisters to her house. They came to know about Neelima when they visited her father in jail. Neelima's study had taken a beating though she was studying in 5th standard she neither knew reading or writing either in Hindi or in English. There was no doubt that academically she was a failure. On the other hand, she had neither father nor mother to take care of her. She did not know what is love. There was no one who

could make her feel loved. There was no one to teach her right manners.

On 7th April 2017 Neelima landed up in Marie Poussepin's Girls Home, Ranchi. The initial days were days of anxiety and fear. Life was not easy. But slowly her predominant feelings gave way to transformation. There were priests and sisters visiting them, pouring love on them. In the parish they were known as 'sisters' children' and so enjoyed a lot of privileges. On any special occasion there used to be at least one program from MPGH. As a result, Neelima's academic performance and self-confidence improved drastically to the extent that she was able to express herself very freely. She was not an artist but being in MPGH, she recognized her talents in drawing and painting as well as in Dancing. "I have sisters who love me more than my parents could do. This is what God gifted me with and I am grateful to God" states Neelima

ANJANA KUJUR

Anjana Kujur, has parents and five elder sisters and one elder brother. Her father was in jail for some time and now was out. It was a great joy to have her father around her at home. She was his pet as she was the youngest. She was sure that now that her father is out, he will be there for her all through her life. But what she, being a small child, did not know was that he was out on a bail and he was to be back in jail. She remembers it was during night, she had already slept, but she heard the commotion and the police sound. She was scared to open her eyes. When the commotion was over, she saw her mother and others crying and came to know that the police had taken her father to jail again. His going back to jail shattered her small world she had dreamt of. He was convicted in a murder case. It was a big shock for her. She was just starting her academic life as she was in LKG.

Her father being in the jail caused a lot of social stigma for her resulting in a lot of verbal abuse and mental harassment. Her neighbors, relatives and friends made fun of her. She was a victim of social ostracization. It led to depression and anxiety within her. Her going to school was only an excuse. Because she missed her father at home, she ran to school to run away from the reality that her father was no longer at home. Lo and behold, the Dominican sisters came to her home and one day her mother asked her if she would like to go to Marie Poussepin's Girls Home, Ranchi to study.

Anjana landed up at MPGH in April 2017. She was the eldest and that gave her many advantages. The fact that she was the eldest gave her a lot of importance. She used to help sister a lot. She found a place where she was treated with no prejudice based on her prior condition. She was called by her name and not by any label. Sister used to meet them personally and this meeting helped her as she was able to share all her untold pains and worries and at times she cried uncontrollably. At last, she found a place where she could be herself. Being there at MPGH helped her to overcome her unfound fears of the night, strangers etc. Allowing her to cry waned away her pain.

Though she was studying in 7th standard, she didn't know alphabets were there in Hindi and in English. Sisters had a lot of patience to teach her both English and Hindi. She found herself flourishing in extracurricular activities such as dancing, singing, drawing and sports. When given an opportunity her potential found no limits. Now she was striving hard to excel in her studies also. Being in MPGH helped her to dream again. She started to remember the shattered pieces of her dream world. She dreamt herself delivering speeches in English. The atmosphere of trust, love and prayer was impacting the life of all of them for good. The opportunities given to her were far more than what anyone could imagine.

JEEVODAYA

Jeevodaya is a rehabilitation center for released women and girls from Child Welfare Centre at Carmelaram, Bengaluru. Established in 1995, Jeevodaya is under the care of Holy Cross sisters. Hundreds of girls came here and are well settled and reintegrated in society.

NITHYA'S SUCCESS STORY

Nithya had her parents and one younger brother. When she was about four years old, she reminiscences, one day her mother came to Bangalore with her and was sitting on the road side near the dairy circle. She is not sure whether her mother wanted to abandon her or not, her mother told her to sit there and after that she disappeared leaving her on the road. Then someone took her and entrusted her to the police and the police handed her over to the government orphanage.

ORPHANAGE LIFE

She grew up in the government orphanage for ten years. According to the government rules after 10 years they should be shifted to bigger children's home called Girls' home which is in the same campus. Nithya was sent to this home and continued her education. There she completed her 10th standard. One of the social workers got her admission for Nursery Teacher's training and after successfully completing it she started teaching the children in a Nursery school run by a Trust. While working there she enrolled herself for plus two and passed. However, she had no idea of what to do and how to go about in her life. During these days one of her friends introduced her to a Religious Sister who was familiar with Jeevodaya Ashram. Then she told the sister all about her life and the sister explained to her about Jeevodaya. The girl was

interested in coming to Jeevodaya and after a few days she came to live in Jeevodaya in the year 2000.

Nithya was a very quiet and soft-spoken person. Slowly she developed confidence and started mingling with every one and joining for the activities. Since she had completed plus two, we were thinking of sending her for further studies. By this time, she was twenty years old. When she was asked about doing General Nursing, she was happy to study. But as there was a gap of about one year to join the course, we put her on job as a helper in one of our convents to help her with the studies. There she happily worked and earned a good name for herself and was given support for her education.

NURSING STUDENT

Nithya started her new life as a student in the year 2002 in the School of Nursing run by the Holy Cross Sisters. Being brought up in orphanage hostels, she had her flaws. Through interactions, corrections and rectifications Nithya went through a hard time, but she was molded and shaped into a new person by all that. We got the necessary financial assistance to complete her studies through different sources and she worked in the same hospital for a short time. Then she moved to another hospital where she could earn more money and while working outside, she remained in contact with us.

LIFE SETTLEMENT

While working in one of the hospitals, one staff nurse introduced her nephew to her and proposed him for her to marry. Since she was not a person who jumps into anything suddenly, she told them politely to go to Jeevodaya, speak to the sisters and come back. We enquired about him and everything moved positively and the marriage was arranged.

He was working in the Gulf as an electrician. When he came on leave in 2010, she was happily married. Since he had to go back to the Gulf after a few months she continued to work in the hospital where she was until her husband resigned and returned from the Gulf.

MOTHERHOOD

Nithya now lives a happy married life with her two children, a 7-year-old son and a one-year-old daughter. Her in-laws are very understanding and good with her and she in turn is also the same. She is settled in her husband's home town and lives with her in-laws. She remains always grateful to Jeevodaya and keeps communicating with the Sisters. "Great things happen, when God mixes with human beings. Some find life, some find peace, and some people even find joy. Some see things as they never could before; and some people find that they can begin to live and trust". This is what happened to Nithya as she entrusted herself to God through the hands of the Sisters. As in the case of Job, she got back everything that she had lost – parents, and was now in a good family enjoying new life.

SATHYA'S SUCCESS STORY

CHILDHOOD

Sathya (Name Changed) was born in a family of three children as the eldest child. She had one younger sister and one younger brother. They were very poor and had to struggle to make ends meet with coolie work which was never sufficient. Her mother was going to a Reddy's house to work but was very irregular and it made the family suffer, hunger and want. Sathya was going to the local school and when she was in the 3rd Standard. She offered herself to go to Reddy's house and stay there, help in the work and continue her studies. They were

good with her as she was a child and supported her in her studies. She was helping in cleaning the house and washing dishes etc.

ECHO

Sathya's younger sister Meena was put in a government boarding and only the 3rd child, a son was with the parents. Meanwhile they lost their father and the mother who were not much interested in the children. Meena was missing her elder sister and told the social worker about her sister that she was working in a house and asked her to bring her sister to join her. The social worker then contacted the family and arranged to take away Sathya from the house and produced her to the Child Welfare Centre (CWC). By the time she was 10 years old and her sister was in 1st standard. After being there in CWC for a while both of them were referred to ECHO, an NGO run by Norbertine Fathers.

THE WAY AHEAD

In ECHO center, they were taking both boys and girls and one of our sisters was also working with ECHO. As the number of the children started increasing and growing in age, they found it necessary to shift the girl children from there. The Director Father asked the Holy Cross Sisters whether we could handle them and help them in their formation and education. We happily agreed and some twelve girls were brought from ECHO and we started taking care of them and this center was named Makkala Jeevodaya as we already had a center by the same name Jeevodaya for the senior girls and women. Sathya and her sister Meena too were among them.

EDUCATION

Sathya was soft spoken and mild in her ways of dealing with others where as her sister was very stubborn and a ‘fighting cock’. As human beings develop according to the circumstances they live, this child had a painful childhood, experienced no love and care from the parents which shaped her into a stubborn child. Meanwhile they lost contact with their mother and don’t know what happened to her. Sathya continued her education from 4th std. under the guidance of the Sisters. She is rather good at studies and completed 10th in the nearby convent school run by the FMM sisters. She is quite active, good at dancing and singing.

When she finished 10th Sathya was placed in the hostel to continue her studies. She was admitted in Loyola College at Bannerghatta and passed out of class 12 in 1st division. By the time she turned 18 she had to be shifted from Makkala Jeevodaya to Jeevodaya. Since she was good at studies she was encouraged to go for further studies and joined for BCom, and completed her degree this year in 1st class. Sathya is good at dancing, singing and takes initiatives at functions to put up programs and entertain others.

JOB SETTLEMENT

She has now secured a job in a finance company and is very happy and grateful for the life she now lives. She could be an inspiration for others to be motivated to climb to the heights on the ladder of life. “Everything that is created under heaven has a purpose. Now her life has also a purpose and meaning. May God grant us the ‘fortunate ones’ the grace and courage, to share the burden of life some are not able to carry themselves”. “The quality of your life comes from the quality of choices you make in life. There is no one to change but

myself. How I deal with circumstances is much more important than the circumstances themselves. If the worst comes to worse, can I still turn this obstacle into an opportunity? The scar into a star? Nobody else can motivate you unless and until you decide.

CONCLUSION

Let us hear the cry of imprisoned innocent infants who are deprived of freedom and integral human development. I am proud of PMI volunteers who dedicate their lives for the uplift of incarcerated infants and children of the imprisoned. “Let the little children come to me, and do not stop them; for it is to such as these that the kingdom of heaven belongs” (Mt 19,14). “Children are a heritage from the Lord, a reward from him” (Ps 127:3-5). “Do not despise one of these little ones. For I tell you that their angels in heaven always see the face of my Father in heaven” (Mt 18:10).

ABOLITION OF DEATH PENALTY

PD Mathew SJ and Patricia Gonsalves

INTRODUCTION

Ever since the hanging of Afzal Guru the debate has escalated as to whether Death Penalty as capital punishment is needed in the 21st Century. No doubt, in India death penalty is handed over in the ‘rarest of rare case,’ this principle was laid down in Bachan Singh v. State of Punjab. But there are definitive guidelines as to what falls in the ‘rarest of rare’ principle. Handing over of death penalty is subject to courts discretion, which sometimes can be arbitrary.

DEATH PENALTY: IS IT MORALLY JUSTIFIED?

People who favor Death Penalty argue that society has a moral obligation to protect the safety and welfare of its citizens and murderers and criminals are a threat to society. Opponents of capital punishment argue that the death penalty should be abolished as it is unjust and does not treat all people equally. In order to ensure justice and equality, there is a need to improve our legal system so that everyone who deserves death penalty gets it. But, in reality the majority of convicts on the death row are poor people who do not have the resource to appeal, have weak defense, are unable to bring witnesses to courts or they belong to political or religious minority. The world’s religious communities are also divided on the death penalty – Hinduism and Buddhism advocate non-violence or “Ahimsa,”

but their scholars continue to debate the permissibility of death penalty. In Christianity, the Old Testament urges to take an “eye for an eye” while the New Testament urges to “turn the other cheek.” While Islam is generally regarded as compatible with death penalty, but the Quran emphasizes on forgiveness and to respond to evil with mercy and not retaliation.

CONSTITUTIONALITY

Justice Bhagwati in his dissenting judgment in *Bachan Singh v. State of Punjab* had observed that “death penalty is not only unconstitutional being violative of Articles 14 and 21 but also undesirable from several points of view.” Justice Bhagwati held that judicial discretion in the imposition of the death penalty was “unguided and unstructured, like a tumultuous river overflowing its banks and that would render the law open to attack on ground of arbitrariness under Article 14.” In the years since, it has been observed that death penalty in India has confirmed his fears.

In *Mithu v. State of Punjab*, the Supreme Court struck down section 303 of Indian Penal Code as unconstitutional as it prescribes mandatory death penalty for a convict who commits murder while undergoing life sentence. Similarly, Section 27(3) of the Arms Act which provides for mandatory death penalty has also been held as violative of Article 14 and 21 of the Constitution. This shows that Mandatory Death Penalty is unconstitutional as per the Supreme Court of India. After the amendment of Code of Criminal Procedure in 1955 and the decision in *Jagmohan Singh v. State of Uttar Pradesh*, the death penalty is only an exception and the life imprisonment is the rule. In *V. Sriharan v. Union of India*, the Supreme Court said prolonged delay in execution of death sentence, will give rise to mental suffering and agony which render the subsequent execution of death sentence inhuman and barbaric.

ROLE OF JUDICIARY

The Supreme Court has made it clear time and again that the imposition of death penalty is not opposed to the supreme law of the land. But Justice Bhagwati was of the opinion that Sec. 302 of the Indian Penal Code in so far as it provides for imposition of death penalty as an alternative to life sentence is ultra vires and void as being violative of Article 14 and 21 of the Constitution since it does not provide any legislative guidelines as to when life should be permitted to be extinguished by imposition of the death sentence.

At times, there has been disagreement on guilt and sentence between judges, for instance *Krishna Mochi's case* and *Vyas Ram's case* were based on same FIR, but Krishna Mochi was awarded death sentence while Vyas Ram was tried separately. The Supreme Court judges relied on the facts from Krishan Mochi's judgment to convict the accused, but since there had been a dissent on the question of guilt on one of the accused and appropriateness of awarding death sentence for the other three accused, the court in Vyas Ram's case refused to impose death penalty. This confirms the fear of the opponents of Death Penalty that there is arbitrariness and no justice and equality in imposing Death Penalty as punishment.

ROLE OF PUNISHMENT

The most common rationale for the death penalty has been deterrence. The question is if the potential criminals will be deterred from killing because they would face death penalty. Other punishments such as life imprisonment without parole will be of equal deterrence at far less costs and also without the risk of executing an innocent person. Also, the accused having to compensate the victim and family of the victim will also be a deterrence to commit a crime and will also help the

economic condition of the victim and his or her family. Whereas Death Penalty serves as an act of vengeance.

Nations which have abolished death penalty have witnessed decline in murder rates, according to a December 2018 report by Abdorrahman Boroumand Center, a Washington DC-based organization that promotes human rights and democracy in Iran. The report examined murder rates in 11 countries that abolished death penalty and it found that 10 of those countries experienced a decline in murder rates in the decade following its abolition.

UNITED NATION CONVENTION

UN Secretary-General António Guterres said “the death penalty has no place in the 21st century.” Many of the member countries also agree that the death penalty undermines human dignity, and it must be abolished, or there has to be a moratorium on its use, for progressive development of human rights. The Office of the High Commissioner for Human Rights to promote and protect all human rights, advocates for the universal abolition of death penalty on the grounds that the right to life is a fundamental right, the unacceptable risk of executing innocent people, and the absence of proof that the death penalty serves as a deterrent to crime.

LAW COMMISSION OF INDIA

The 262nd report of Law Commission of India on Death Penalty recommends abolition of death penalty for all crimes except for terrorism and waging war. The report also encourages a more rational and principled debate on the abolition of death penalty and hopes that the movement to absolute abolition will be quick and irreversible. In the Report Dr Sanjay Singh, Secretary, Ministry of Law and Justice, has

stated that appropriate guidelines should be framed for 'rarest of rare case' in which death penalty is warranted. Ex-officio Member, P.K. Malhotra has stated that while he agrees that death penalty should be eventually abolished, but the time is not ripe yet in our country at this time.

SITUATION IN OTHER COUNTRIES

In history, we have seen that Death was prescribed for heinous crimes and this was backed by religious documents and hierarchies, but today there is no agreement among different religious faiths on the morality of capital punishment. But in the last half of the 20th century, increasing numbers of religious leaders - particularly within Judaism and Roman Catholicism - campaigned against Death Penalty. Capital punishment has been abolished by Israel for all offenses except treason and crimes against humanity, and Pope John Paul II condemned Death Penalty as "cruel and unnecessary."

CONCLUSION

There is a systemic failure in the criminal justice system which has to be addressed which will enable (i) the victim to report a case, (ii) police to conduct sound investigation, (iii) victim protection throughout the trial, (iv) make testifying easy and quick. This will require sensitizing the justice system, allocation of resources and vigorous implementation of the law. The death penalty actually deviates attention from the systemic flaws and suggests that the reason for crimes is that the punishment is not severe enough. But in reality, it is not the severity of the punishment but the certainty of punishment that will act as deterrent.

MENS REA AND ACTUS REUS (GUILTY MIND AND GUILTY ACT)

Adv Fr Jijo Thomas Placheril

INTRODUCTION

It is the concern of the state to sustain peace and order in society. A system which is competent enough to protect the life and goods of the citizen is called good governance. This is possible only when the penal law in the State is effective and strong enough to deal with the violators of law. The identity of a State depends on the effectiveness of discharging its primary function of keeping peace in the land by maintaining law and order. If a State is incapable of maintaining peace and order, that State is a State which follows the rule of the jungle. A State can exist without a highly developed system of constitutional law and sophisticated infra structure but no state can afford to remain without a system of penal laws. Men place ultimate reliance on Penal laws for protection against all the injuries that human conduct can inflict on individuals and institutions.

WHAT IS CRIMINAL LAW

Criminal law is a branch of public law that authorizes the state to inflict punishment on the wrongdoer. It governs crimes, including felonies and misdemeanors. Crimes are generally referred to as offenses against the State. The standard of proof for crimes is beyond a reasonable doubt. Criminal law is

governed by Indian Penal Code, CrPC and Evidence Act. The term criminal law means crimes that establish punishments. Criminal Procedure describes the process through which criminal laws are enforced. A criminal law is of two types:

1. SUBSTANTIVE LAW

The Substantive law defines and determines the obligations and rights of people and legal entities. The law that prohibits an act is a substantive law. The law prohibiting murder is a substantive criminal law.

2. PROCEDURAL LAW

The manner in which government enforces the substantive law through gathering of evidence and prosecution is generally considered a procedural law. Procedural law lays down the method of aiding, the steps and procedures for enforcement of Law.

WHAT IS CRIME

The term crime is not defined in Indian Penal Code (IPC). Crimes are an act of commission or omission, contrary to law, for which punishment is inflicted through a judicial proceeding conducted in the name of the State. Whatever is defined by the State by an act of the Legislature, declared as punishable is a crime. There is no such thing as crime apart from legislative recognition. A Crime is not only a wrong done against the individual but also against the whole society, and therefore in the criminal proceedings, the State is the party other than the victim. Criminal law is confined within very narrow limits, and can be applied only to definite overt acts or omissions capable of being distinctly proved. The concept of crime depends largely on the social values, accepted norms and behavioral patterns of a particular society at a given time. According to

Blackstone, “a crime is an act committed or omitted in violation of a public law either forbidding or commanding it.” A person shall be guilty of a crime under Indian Penal Code if he has *mens rea* and *actus reus* concurrently.

CATEGORIES OF CRIMES

Crimes are usually categorized as felonies or misdemeanors based on their nature and the maximum punishment that can be imposed.

FELONY

A felony involves serious misconduct that is punishable by death or by imprisonment for more than one year.

MISDEMEANORS

Crimes that do not amount to felonies are misdemeanors or violations. A misdemeanor is misconduct for which the law prescribes punishment of no more than one year in prison. Lesser offenses, such as traffic and parking infractions, are often called violations and are considered a part of criminal law.

MENS REA* AND *ACTUS REUS

Most crimes consist of two elements as *mens rea* and *actus reus*. *Mens rea* means to have “a guilty mind.” The rationale behind the rule is that it is wrong for society to punish those who innocently cause harm. *Actus reus* means “guilty act,” and generally refers to an overt act in furtherance of a crime. The former is the mental aspect and the latter is the physical aspect. The society has chosen to punish only bad deeds, not bad thoughts. To constitute criminal behavior, the *actus reus* and the *mens rea* must occur simultaneously. When dealing with any crime, there are certain principles that need to be followed, and the accused is given the benefit of doubt. It is on the

prosecution to prove the guilt of the accused, beyond a reasonable doubt. A shoots B with the intent to kill, but misses completely even without the knowledge of B. Later while A driving a truck accidentally runs over B resulting in B's death. A is not guilty of murder.

ACTUS REUS

Actus means consequence of an Act. *Reus* means forbidden by law. If the consequence of the act is forbidden by law that act is *actus reus*. *Actus me invito factus non est meus actus* means, an act done by me against my will is not my act at all. This act can be commission or omission. To constitute a criminal offence the physical element which is called *actus reus* is important. It is a physical result of human conduct. In criminal law such conducts as sufficiently harmful and prohibited by law, if committed, the criminal policy provides a sanction or penalty for its commission. It is necessary that the act done or omitted to be done must be an act forbidden or commanded by some legislation, otherwise, it is not going to constitute a criminal offence. An executioner hangs a condemned prisoner, intending to kill him. Here though the act is forbidden by law, he wouldn't be committing a criminal offence because he is acting under a law enjoining him to act. If a surgeon within the course of an operation, which he knew to be dangerous, with his skill and care performs it and yet the death of the patient is caused, he wouldn't be guilty of committing a criminal offence because he had no malice aforethought to commit it.

INJURY TO HUMAN BEING

Actus Reus needs to point out an injury to another human being or society at large. This injury should be illegally caused to a person in body, mind, reputation or property.

SECTIONS 32 AND 33 IPC

An Act includes illegal omission too. A Person is duty bound to do it but he omits to do it. It is the duty of the parents to provide food for their children, but they failed to do so. The consequence of it was that the children died due to starvation. It is an illegal omission and the parents are guilty of homicide. A beggar at the door of Z dies due to starvation. Though Z sees the beggar every day starving, he did not provide food. Here though Z committed omission of providing food to the beggar, Z has not committed illegal omission because it is not the legal duty of Z to provide food to the beggar though Z has a moral responsibility to feed the hungry. To constitute a crime the omission should be illegal.

MENS REA

The maxim *actus non facit reum, nisi mens sit rea* i.e., the act alone does not amount to guilt, it must be accompanied by a guilty mind applies to consider an act as an offence. An act doesn't make anyone guilty unless it is done with a criminal intent. *Mens rea* is the mental aspect in deciding whether an act is culpable or not. *Mens rea* displays the intention of the accused for the commission of the crime. The accused must be proven to have knowingly committed the crime, and had full knowledge of the actions and must have mala-fide intent towards the victim. An Act may be voluntary or involuntary, but the guilt is determined by the facts of the case.

If a person drives while he is drunk and involuntarily causes harm to another, he is still guilty as it was his voluntary choice to consume alcohol before driving, though the crime itself was unintentional. If a healthy person suffers heart attack while driving and involuntarily causes harm to the other, he is not liable and not guilty of the crime. If a surgeon in the course of

an operation, which he knew to be dangerous, with the best of his skill and care performs it and yet the death of the patient is caused, he wouldn't be guilty of committing a criminal offence because he had no *mens rea* to commit it.

HOW TO ESTABLISH *MENS REA*

1. Previous relation between the accused and the victim, to determine any object of hostility between them.
2. Existence of instigation i.e., whether the accused was hired and what prompted him to commit the crime.
3. Whether the accused had something to gain out of the whole affair.

MENS REA IN IPC

The term *mens rea* does not appear in IPC but it remains as an integral part of the code. Every definition in IPC starts with the word such as intentionally (Sec. 37) knowingly (Sec. 35) voluntarily (Sec. 39) dishonestly (Sec.24) fraudulently (Sec.25) malignantly (Sec.53 and Sec.270) wantonly (Sec. 153) maliciously (Sec. 219 and Sec. 220) wrongful gain or wrongful loss (Sec.23) reason to believe (Sec. 16) all these words reflect a worthy mental condition of a particular kind of *mens rea*.

ELEMENTS OF *MENS REA*

INTENTION

Intention is the will of a person which is directed towards an overt act. Intention specifically indicates the mental state of the accused i.e., what is going on in his mind at the time of the commission of a crime. Intention is the highest degree of *mens rea*. If B severs the head of A then the intention is clear that B wanted to kill A.

KNOWLEDGE

Knowledge attracts lesser culpability if there is absence of intention. Z was affected by acute Asthma and A knew that Z required his inhaler. A hides Z's inhaler without the intention to kill him. Z dies as he could not inhale. In this case, though A had no intention to kill Z, he had knowledge about the medical condition of Z. So, A is guilty of the offence.

RECKLESSNESS

Recklessness is the state of mind of a person who foresees the possible conduct of his act, but yet fails to keep in mind the danger associated with his act. The Individual decides to remain indifferent. Rash driving: the person knows about the danger of it.

NEGLIGENCE

Negligence is the omission of an act or duty to take care. Medical negligence: if the patient dies due to lack of care from the doctor, that is medical negligence.

MOTIVE AND INTENTION

Motive relates to the end and intention relates to the means. A thief has a motive to get money so he forms the intention to steal. Motive prompts a man to form an intention. Motive is important when there are only circumstances evidences. If there is direct evidence then motive is not important. Presence of motive supports the prosecution case but the absence of motive doesn't weaken the case.

EXCEPTIONS TO *MENS REA*

There are certain situations where *mens rea* is not important, that means even if there is no guilty mind, the act itself constitutes an offence.

1. IGNORANTIA JURIS NON EXCUSAT

Ignorance of law is not an excuse. It may be noted that ignorance of fact can be an excuse but not that of law. In India, hunting of a Wild animal is an offence as per section 9 of the Wild life Protection Act 1972. If a person, who is ignorant of section 9 of the Wild life protection Act, shoots a wild Buffalo thinking that it is a domestic buffalo, he is said to be acting in ignorance of law as well as of a fact.

2. PUBLIC NUISANCE

The term public nuisance covers a variety of minor crimes that threaten the health, morals, safety, comfort, convenience and welfare of a community. Violators may be punished by a criminal sentence, a fine, or both. A manufacturer who has polluted a stream has no *mens rea* to pollute the stream. Yet he is guilty of polluting the stream.

3. STRICT LIABILITY

In criminal and civil law, strict liability is a standard of liability under which a person is legally responsible for the consequences flowing from an activity even in the absence of fault or criminal intent on the part of the defendant. Act of God and act of a stranger is an exception to strict liability. In *Rylands v. Fletcher* (1868) the defendant got a reservoir constructed through independent contractor. There were old unused shafts under the site of the reservoir, which the contractors failed to observe and so did not block them. When the water was filled in the reservoir, it burst through the shafts and flooded the plaintiff's coal mines on adjoining land. The defendant did not know about the shaft and had not been negligent, but he was held liable. This is also called the "No fault" liability. In the given case, the liability recognized was 'strict liability' i.e., even if the

defendant was not negligent or did not cause any intentional harm, he could still be liable under the rule.

4. ABSOLUTE LIABILITY

The concept of Absolute Liability was evolved in the case of *MC Mehta v. Union of India* 1987 (Bhopal gas tragedy). According to the rule of Absolute Liability, if a person is engaged in any activity, and if any harm is caused to a person due to which an accident occurred, then the person carrying out such an activity shall be held absolutely liable. The exception to the Strict Liability wouldn't be considered. A person liable for Strict Liability can claim for the exceptions as laid in Strict Liability but in Absolute Liability one does not have any exceptions.

EXCEPTIONS TO *MENS REA* IN IPC

Section 121 Waging, or attempting to wage war, or abetting waging of war, against the Government of India.

Section 124 A Sedition Whoever, by words, either spoken or written, or by signs, or by visible representation, or otherwise, brings or attempts to bring into hatred or contempt, or excites or attempts to excite disaffection towards the Government established by law in India shall be punished.

SECTION 359 KIDNAPPING

SECTION 362 ABDUCTION

SECTION 232 COUNTERFEITING COINS

CONCLUSION

A guilty mind without a guilty act is not a crime in law. An act without guilty mind can become an offence when it affects the

public. But in general, to constitute an act to be a crime there must be the involvement of the mind and act. When a guilty mind, followed by a guilty act, constitute an offence and that offence is sanctioned by the law.

THEORIES OF PUNISHMENT AND INDIAN APPROACHES TO PENAL ACTION

Anandita Dulloo & Alex Romer

Why do we punish wrongdoers? What is the purpose of punishment and penal action? While there exist multiple theories that seek to answer this question, we can broadly classify these theories into four classical types: Retributive, Reformative, Deterrent and Preventive.

RETRIBUTIVE PUNISHMENT

“A man reaps what he sows. The one who sows to please his sinful nature, from that nature will reap destruction” (Gal 6, 8). Retributive punishment is a backward-facing theory that looks to pay back the perpetrator of crime in equal measure. So, a murderer should also lose his/her life. A burglar should have possessions taken away and so on. This echoes what we see in the books of Exodus and Leviticus in the bible; “an eye for an eye, a tooth for a tooth”¹ Retributive theories are focused on what the criminal ‘deserves’. Famous philosophers like Immanuel Kant were strong advocates of retributive punishment even imposing a duty on society to give criminals their just deserts. As such, retribution here is viewed as correctional vengeance and Undue sympathy to impose inadequate punishment would do more harm to the justice

¹ Exodus 21: 23–25; Leviticus 24:17–20

system that undermines the public confidence in the efficacy of the law²

Retributive approaches to punishment tend to create more clarity and coherence in sentencing and given that India has no concrete sentencing guidelines³, retributive approach to punishment may allow for judicial decisions to be mutually consistent. However, any benefit in terms of cohesion that this approach may provide must be weighed against its harmful externalities. As J Bentham would point out, retribution forms of punishment are nothing more than acts of vengeance and if punishment does not deter or rehabilitate, it serves no social function and thereby does not aid society. Furthermore, there is the issue of proportionality where matching crime with a proportionate punishment is not possible in every instance.

DETERRENT PUNISHMENT

“No discipline seems pleasant at the time, but painful. Later on, however, it produces a harvest of righteousness and peace for those who have been trained by it” (Heb 12:11). Deterrent theories of punishment are focused on imparting lengthy sentences or strenuous punishment to wrongdoers as a method of deterring the individual and other individuals with similar motives from repetition of such crime. Deterrence theory introduces the element of ‘pain’ to correct the excess action a person carried out by the impulse (pleasure) of his or her mind. Thus, this theory finds its roots in utilitarian thought. The drawback of this approach is that in reality pain, threat or challenges actually strengthens and purifies a man and so an organization. The deterrence rationale goes back to at least

² Shivaji Shankar v. State of Maharashtra, AIR 2009 SC 56

³ *Need for Sentencing Guidelines in India*. (2021). Retrieved 27 April 2021, from <http://www.legalserviceindia.com/legal/article-3257-need-for-sentencing-guidelines-in-india.html>

around 2400 years ago⁴. Establishing what can be called the “classical” theory of deterrence, Plato writes: “No one punishes the evil-doer under the notion, or for the reason, that he has done wrong, – only the unreasonable fury of a beast acts in that manner. But he who desires to inflict rational punishment does not retaliate for a past wrong which cannot be undone; he has regard to the future, and is desirous that the man who is punished, and he who sees him punished, may be deterred from doing wrong again.”⁵

PREVENTIVE THEORY

“Rebuke the beasts that dwell among the reeds, the herd of bulls with the calves of the peoples” (Ps 68:30). Preventive theories focus on the incapacitation of the wrongdoer and build on the idea that crime is the result of one’s social circumstances. Penal action thereby isolates the individual from this circumstance and prevents further occurrence of crime. The preventive approach to punishment sees isolation of the wrongdoer as a social need to achieve social advantage. Re-integration or attempted rehabilitation may not be a desirable goal of the penal system in this approach, whereas supporters of this approach may tend to favour severance methods such as solitary confinement and even capital punishment. As such the preventive approach does not afford the wrongdoer a fair chance to reformation but rather focuses on creating a divide between the law-keepers and the law-breakers. The drawback of this approach has been highlighted in the fact that attempts to separate ‘wrongdoers’ from law-abiding citizens have not reduced crime because crime is not just an individual action but a social action and a social fact (Durkheim, 1895)

⁴ Materni, M. (2013). “Criminal Punishment and the Pursuit of Justice”, *Harvard Law Review*.

⁵ Plato, *Protagoras*, page 323

REFORMATIVE PUNISHMENT

“Ye have heard that it hath been said, ‘An eye for an eye, and a tooth for a tooth.’ But I say unto you that ye resist not evil, but whosoever shall smite thee on thy right cheek, turn to him the other also” (Mt 5:38). Reformative approaches to punishment represent the most recent theories of punishment and focus on the gradual renewal of the individual. Though acceptance of this approach is recent, reformative attitudes are as historic as other theories. It was through John Howard (1726-1790) and Jeremy Bentham (1748- 1832) that the revolution of prison systems began. They revolted against traditional systems of punishment and believed that such institutions could be built in a way that they could rehabilitate criminals, which would eventually lead to a reduction of crime in the society. They strongly believed that if prisons were designed properly, it could help in turning criminals into productive citizens. Bentham, a utilitarian philosopher, designed the Panopticon in the eighteenth century⁶.

Rejecting retributive and deterrent theories completely, this approach looks at punishment as means to recuperate the criminal so that he or she can be sent back to the community and is no longer a threat but rather a productive member of society⁷. One important reason why reformative approach has taken prominence is that other approaches have failed to reduce crime and recidivism. In a reformative approach, punishment becomes a means of educating and allows for the humane understanding that wrongdoers are both willing and capable of change. Re-integration is thus the main goal of a reformative

⁶ Miller, J., & Miller, R. (1987). “Jeremy Bentham’s Panoptic Device”, October, 41, 3-29. doi:10.2307/778327

⁷ Materni, M. (2013). “Criminal Punishment and the Pursuit of Justice”, *Harvard Law Review*.

approach. The downside to this approach is that it may not account for what criminologists refer to as ‘hardened criminals’, individuals largely resistant to any form of moral change. Rehabilitative efforts are not always successful in creating meaningful reintegration of prisoners and thus this approach cannot be solely relied on. It is important to point out that ‘hardened criminals’ in the penal system are far outnumbered by prisoners capable of education and rehabilitation.⁸

STANCES AND APPROACHES IN INDIA

According to the report of the All-India Committee on jail reforms, rehabilitation is necessary to ensure that the inmate is well integrated back into the society. This is possible only with proper and effective measures taken in both the pre and post release procedures. The advisory committee set up for an after-care program under the chairmanship of Shri. M S Gore emphasized the relation between the offenders and the importance of institutional care that must be provided during their period of custody. It was through this report that a comprehensive after care system was started in the second and third five-year plans (Gore Committee, 1980-1983) The aftercare of an inmate is an essential part of the institutional care and treatment that the inmate receives during this custody and although not every person requires this care, a large number of the inmates come from highly rural and backward backgrounds who find it difficult to be accepted back into the society (GOI, 2016). According to the Model Prison Manual of 2016, there are 6 main objectives of after-care services. They are as follows:

⁸ Gordon, H., & Weldon, B. (2003). “The Impact of Career and Technical Education Programs on Adult Offenders: Learning Behind Bars. *Journal of Correctional Education*”, 54(4), 200-209. Retrieved April 27, 2021, from <http://www.jstor.org/stable/23292175>

1. Providing guidance, help and counselling to all, post release, whenever necessary.
2. To help a prisoner overcome mental, social and economic problems.
3. Removing social stigma attached to incarceration
4. Transforming the prisoner into a responsible citizen
5. Helping the individual adjust back into society.
6. Assisting in the physical, mental, vocational, economic and social attitudes post-release and in the ultimate rehabilitation process.

The manual also provides guidelines for the planning and execution of such after-care schemes and programs to be implemented. Therefore, it is clear in India, at least in theory, reformation and rehabilitation of offenders is the ultimate objective of punishment and the criminal justice system⁹ Making this theoretical approach a reality requires a thorough relook at our imprisonment policies.

⁹ NCRB, *Prison Statistics of India*, 2018.

ROLE OF PSYCHOLOGY IN REHABILITATION OF PRISONERS

Nikita D'Souza

INTRODUCTION

Crime in our times now-a-days has become fairly normal. They differ in intent and intensity but are all unacceptable and punishable. Considering how common crime is, it is safe to say that at some point, we have all wondered why crimes are committed. The thoughts that follow are on how prisoners are corrected and how effective the criminal justice system is. Through this article, I wish to explain the following to you:

1. Why crimes are committed,
2. Why ex-offenders re-offend,
3. What prison rehabilitation is and why it is necessary,
4. Why rehabilitation is more effective than punishment,
5. The role of psychology in rehabilitation,
6. Some effective rehabilitation techniques and
7. Why families of prisoners require rehabilitation too.

WHAT IS CRIME

Alright, let's start with the basics. What is a crime? A crime is an action that is against the law and, if committed is punishable. Just knowing that essentially should be enough to dissuade an individual from committing a crime, but they do it anyway.

Why is it so? What drives an individual to engage in activities so highly unacceptable to society and punishable? Here are some commonly seen reasons:

- i. On impulse, out of rage, or jealousy.
- ii. The desire for material gains because they believe that crime fetches them more money and greater rewards than a normal day job.
- iii. The desire for power, control, or revenge.
- iv. For the adrenaline rush and satisfaction of successfully carrying out a well-planned crime.
- v. Due to underlying mental illnesses, that more often than not they don't even know exists.

CORRECTION SYSTEM

Regardless of the underlying cause, the offender must be corrected. The correction system as we know it focuses on 'punishing' and not necessarily 'correcting' the offender. This means that if an offender has done his/her time in prison, he/she is considered 'corrected' or 'punished enough' to be allowed back into society. Is this approach always effective? Most certainly not. Statistics show that a striking 67% of offenders are rearrested in the first 3 years of being released and 77% in 5 years. This proves that just serving their time in prison does not always serve as motivation to choose a crime-free life.

INCARCERATION

Now, is breaking the law and being incarcerated not scary enough? Why re-offend and go through the whole process again? Very often it is because offenders in prison are made to live in miserable conditions away from their families, sometimes even disowned by them, and they get ill-treated and grow in rage, which increases their motivation to re-offend, i.e., engage

in more criminal activity after their release. And sometimes, after their release, offenders find it difficult to readjust to society because the world to them is very different from what they knew before they went to prison. They are forced to rebuild their lives from scratch with no money, job, or even acceptance from society. This is when they look to crime for bare necessities for survival.

REHABILITATION

This is where rehabilitation plays a major role. What is rehabilitation? By definition, rehabilitation is re-educating or retraining an individual to return to their normal condition after a period of disfavor. Prison rehabilitation aims to motivate offenders to live crime-free lives after their release to teach them socially acceptable behaviors, to provide them with medical help if necessary, and most importantly to reduce the number of innocent people being victimized by released offenders.

PRISON REHABILITATION

Prison rehabilitation is necessary because it teaches an offender how to live a crime-free life and its benefits. It teaches them the norms of society and why they are in place. It teaches them how to empathize. It helps them realize where they faltered and why it is necessary to steer clear of crime. It helps them want to be responsible citizens of society and dissuades them from reoffending.

Now, why is rehabilitation considered more effective than punishment? What could possibly be more effective than being locked behind bars for years? Well, studies indicate that countries that offer rehabilitation to prisoners have much lower recidivism (i.e., reoffense) rates than those that do not. Norway,

for example, provides rehabilitation facilities and has a recidivism rate as low as 20%. Why is that so? To this day, in most countries, correction means punishment, and punishment is a very primitive approach to correcting offenders. It refers to using force to correct an offender. This is not always the right way to go about because as in medicine, different diagnoses require different courses of treatment, even different offenders need different types of correction.

Some offenders just cannot be let back out into the world because they pose a threat to innocent citizens and can only be treated with punishment, which is reasonable and precautionary. On the other hand, however, are offenders that have the potential to be responsible citizens of society and just require a push that rehabilitation provides.

ROLE OF PSYCHOLOGY

How does psychology play a role in prison rehabilitation? It is noticed that prison authorities often fail to understand that criminal activities are sometimes driven by underlying mental illnesses that only worsen if not treated medically. They believe that criminals deserve to be punished and countered with force. They refuse to believe that some prisoners need to be treated as patients and not criminals. This is where psychology can work its magic. Forensic psychologists can be of enormous help with criminal investigation and rehabilitation. Some ways in which they can help are:

- Using crime scene analysis and precedent to develop psychological profiles of criminals, i.e., Criminal Profilers.
- Analysis of evidence and interviewing of witnesses.

- Understanding the emotional or mental state of the criminal that led to the crime, that the police might not always understand.
- Determining the right course of correction, the offender needs, i.e., medical help, therapy, education, etc.
- Teaching the offenders, the meaning of living a good life, norms of society and, how they must live after they are released.
- It teaches them laws, why they are in place, why unlawful behavior is punished and how to resist the urge to commit a crime.
- It lays down guidelines that the prison authorities are obligated to follow to ensure the protection of the rights of the offenders.

Prison rehabilitation can be provided in different ways. How do we classify the kinds of rehabilitation given to offenders? To answer that we need to put ourselves in their shoes and think about the qualities or values they may lack which leads them to commit a crime and hence, figure out how these qualities can be reinforced. For the time being, let's set aside mental illnesses and focus on some other causes of crime. Someone that commits a crime out of rage or vengeance evidently lacks the capability to control their anger or simply does not know how to correctly portray their emotions. Someone that commits a crime for material gains either is not educated enough or finds it difficult to find a normal day job. Someone that commits a crime for power or control probably lacks empathy. This is what psychology does to help rehabilitation. It studies the underlying cause of the behavior and works to correct the behavior from its very roots. This has been proven much more effective.

PRISON REHABILITATION PROGRAMS

Using the examples listed above, let me introduce you to 4 unique, extremely effective prison rehabilitation programs that are used in some parts of the world:

REHABILITATION USING FARM ANIMALS

This is a rehabilitation method used in the Monroe county detention center, wherein, the inmates are required to spend time with farm animals, feed and wash them, water the plants, and clean the farm. This teaches them discipline, to love animals, and the value of animal lives because they are all rescued or donated. It helps reinforce empathy. An interview with the inmates and authorities of the detention center indicated positive changes in the behavior of the inmates.

REHABILITATION USING HORSE TRAINING

This is the rehabilitation technique used by the Northern Nevada correction center. An inmate that applies for the program is assigned a wild horse that they must train from start to finish. This inculcates patience in the inmates and teaches empathy and how to interact with animals. They also get a sense of satisfaction after they bond with and fully domesticate a wild horse. In an interview, the one in charge of the correction center stated that he had seen drastic changes in the behavior of the inmates.

REHABILITATION USING FINANCIAL EDUCATION

This is a program run by an inmate himself in the San Quentin State prison. He had been sentenced to 54 years to life in prison for participating in a robbery-murder. After several years in prison, he began teaching himself finance and went on to teach financial education to fellow prisoners and has been doing so

for about 10 years. This is beneficial because quite often people commit crimes because they are financially unstable and need crime to fetch their daily necessities. Teaching them about the stock market and how to manage their finances would definitely help them in rebuilding crime-free lives after their release.

REHABILITATION USING THEATRE

This is the rehabilitation technique used by the Solano State prison, Vacaville, in which the inmates are made to put up plays such as Hamilton. This, in my opinion, helps the inmates develop their capability to correctly portray their emotions. It helps them release anger, anxiety, etc. When interviewed for a video, the inmates agreed that theatre helps them release their emotions.

These four techniques cover three common causes underlying criminal activity. For more such techniques and more information about the four listed above, a link to a video is given in the references.

PRISONERS' FAMILY

Does the parent, spouse, sibling, or child of a criminal automatically become a criminal? No. Are they treated like criminals anyway? Yes, very often. Is that fair? Isn't the fact that a family member is an offender and in prison hard enough to live with? To help with this, I believe that it is not only the offender but also his/her immediate family that requires rehabilitation. Stated below are some more reasons why the families of prisoners may require assistance or rehabilitation.

- If the offender is the provider of the family, he/she is separated from the family, leaving them with nothing. The other members of the family are forced to get jobs or work a lot more to make enough money

to provide for the rest of the family which could lead to family problems.

- If one of the parents is an offender, it could lead to their separation, hence causing tension and mishap within the family and have an adverse effect on the children's lives.
- If the offender is a single parent or both the parents are incarcerated, the children are left orphaned and often have nowhere to go, don't get educated, and are left to find a way to survive. In such cases, if they don't get help, they may end up as criminals themselves.
- If the family of the criminal has in any way been exposed to crime, especially in case of murder or addiction, they need to get help to cope with the incident.
- Just having a criminal for a parent could lead a child to show aggressive behavior, anger issues, and delinquency during their adolescence.

These are only a few among many problems prisoners' families face. To help with this, the authorities should provide the family of an offender with some necessities for survival until they can provide for themselves. They should also provide the orphaned children of prisoners with a place to live and be educated to make sure they do not end up on the streets. The families must be provided with therapy to keep their mental health and emotions in check. Not everyone can understand what they are going through, and so talking to someone that understands them could help them. This can be done by enrolling them in support groups, etc.

REHABILITATION PROGRAM IN INDIA

One great Indian rehabilitation organization is Prison Ministry of India. It was officially registered in 1994 after a consistent 13 years of thought and planning by Brother Varghese Karipery and Brother Francis Kodyan, two philosophy students at St Thomas Apostolic Seminary, Vadavathoor, Kottayam, India at the time. Preceding this national organization was what they called Jesus Fraternity, a prayer group dedicated to the lost and neglected that later grew into the Prison Ministry of India. It was founded with the vision of enabling offenders to lead a better life after their release in order to teach them how to deal with the neglect they might encounter from society.

3R THEORY FOR PRISONERS' REHABILITATION

The Prison Ministry India makes use of two major theories in rehabilitating prisoners: the 3R Theory and the Eightfold Path of: Release, Renewal, and Rehabilitation. 'Release' refers to the discharge of the offender by the State, 'Renewal' refers to the stage of encouraging the offender to lead a better life by learning to do so, and 'Rehabilitation', of course, refers to the re-training of the offender to live as a responsible citizen of the country. This organization has been doing the great job of rehabilitating offenders by providing them with mental resetting activities, work therapy, teaching them to see the good in themselves and others, helping them find jobs, etc. They now have about 10 fully functioning rehabilitation centers in 4 States, in different parts of the country.

EIGHTFOLD PATH FOR PRISONERS' REINTEGRATION

The eightfold path, rather elaborate and which includes the 3R theory, proposed by Fr Francis Kodyan, consists of: reach out, release, reconcile, repent, reform, rehabilitate, reintegrate and redeem.

REFORMATION OF PRISONERS' CHILDREN

This organization also works towards rehabilitating children from Juvenile centers and providing homes for the neglected children of offenders. They now have about 8 housing facilities in 5 States. Very often, children end up in prisons for no fault of their own, and are made to live and grow up in prisons so they can be with their mothers but then get influenced for the worse. This increases the possibility of them getting into a life of crime. The rehabilitation centers offered by the Prison Ministry of India help reduce this risk. One of these housing facilities is the 'Kolbe Home', in Bangalore, Karnataka, that houses about 25 little boys between the ages of 4 and 15. They provide them with basic education and other amenities. Owing to the unfortunate circumstances of the pandemic, the children cannot go to school and are forced to learn online, which they often find difficult. To assist them, volunteers, including myself, visit the home and teach them a couple of times a week. They also have uplifting workshops, counselling sessions, sports training, etc. for the boys.

CONCLUSION

To summarize, a crime is an unlawful, punishable offence and a criminal is a person that commits a crime. Causes underlying criminal activity must be corrected from their very roots to prevent recidivism. Prison rehabilitation provides such help and aims to reduce recidivism and works on the principle of rehabilitation over punishment. Rehabilitation can be provided in different ways depending on the cause of the criminal activity. Countries that use rehabilitation have been proved to be more effective and have much lower recidivism rates than countries that do not. And lastly, families of prisoners must also be provided with the required help and rehabilitation to cope with

the temporary and sometimes permanent loss of a family member and ensure their safety and well-being. Now that we have answers to our seven questions, it is safe to say that prison rehabilitation is a necessity and essentially is the best way to reduce the number of re-offenders. Studies have shown that most offenders that were given adequate rehabilitation during the course of their imprisonment turned to a crime-free life after their release. In India, however, prison rehabilitation is not widely practiced. Giving psychologists a fair opportunity to help offenders would ensure their well-being, positive mental health, and an increased possibility of them leading a normal, crime-free life after their release.

REFERENCES

<https://blog.ipleaders.in/forensic-psychology-help-rehabilitation-prisoners/>

<http://www.legalserviceindia.com/legal/article-4152-prison-prisoners-and-psychology-role-of-psychiatrist-psychoanalysts-and-social-workers-in-prison-in-india.html>

<https://www.sascv.org/ijcjs/pdfs/Seigafoijcjs2017vol12issue2.pdf>

<https://www.thebalancecareers.com/criminal-profiling-career-information-974482>

https://www.prisonministryindia.org/Video_about_rehabilitation_programs: <https://www.youtube.com/watch?v=XmqL65ZBx44&t=261s>

PRISON OVERCROWDING: PROS AND CONS

Dr Francis Kodiyan MCBS

PRISON OVERCROWDING

Overcrowding in prisons undermines the ability of prison systems to meet basic human needs, such as healthcare, food, and accommodation. It compromises the provision and effectiveness of rehabilitation programs, educational and vocational training, and recreational activities. It increases the prevalence of diseases, particularly infectious and psychiatric disorders. Prison crowding is identified as the cause of inmate ill health and misconduct. Its aftereffect i.e., lack of privacy causes mental health problems, increases rates of violence, aggression, self-harm and suicide.

OVERCROWDING WORLDWIDE

High rates of prison overcrowding can be found in all regions of the world. Prisons in over 124 countries exceed their maximum occupancy rate. In many prison systems, detainees do not have the minimum space requirements recommended by international standards. Overcrowding can be so severe that prisoners sleep in shifts, on top of each other, share beds or tie themselves to window bars so that they can sleep while standing.

OVERCROWDED INDIAN PRISONS

Indian prisons are overcrowded. According to the prison statistics of the NCRB, Indian prisons have an occupancy ratio

of 118.4%. As on 31 December, 2019, there were 4,78,600 inmates lodged in different prisons in India while they had a collective capacity to house only about 4,03,700 inmates. A state-wise analysis shows that the number of states and union territories reporting overcrowded prisons has increased from 18 in 2018 to 21 in 2019. According to NCRB Prison Statistics India 2019, around 70% of the total prisoners in India are undertrials. A good majority of them are from minority communities. Around 64% are Scheduled Castes (SC), Scheduled Tribes (ST), and Other Backward Classes (OBC). Another 21.5% of undertrial prisoners are Muslim. This means that more than 85% of those in jail who have not been adequately represented and protected by the justice system are oppressed minorities.

OVERCROWDING IN ASSAM PRISONS

Amnesty International India documented appalling living conditions including overcrowding, separation from families, lack of segregation between different categories of prisoners, high levels of depression and inadequate medical facilities in the Assam detention centers. In some detention centers with a capacity of about 250 inmates, the authorities had kept up to 400 inmates. According to NCRB, there were 8,282 prisoners across Assam at the end of 2018. The six detention centers that hold around over 800 “irregular foreigners” are also housed inside Assam prisons. Occupancy rate in Assam prisons is 117%.

REASONS FOR OVERCROWDING IN PRISONS?

- Continuous increase in the number of people sent to prison
- Delay in court to complete the procedures of the cases

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- Large number of under-trial prisoners
- Increase in Drug trafficking, Murders, Riots, Gang confrontations
- Lack of job opportunities
- Increased number of sexual offenders and mental illness patients
- High recidivism rate - high rate of offenders returning to prison.
- Zero tolerance and harsher penalties for certain types of offenses.

SOLUTIONS TO OVERCROWDING

- Release the less dangerous to make space and room for the more dangerous
- Change confinement sentences to community related sentences
- Expand existing prison capacity or build new prisons
- Proceed the cases faster by setting up of fast-track courts
- Build many rehabilitation centers
- Rehabilitate the petty offenders than punishing them
- Create lot of job opportunity to prevent petty offences
- Investing in non-custodial alternatives to detention both pre-trial and post sentencing
- Diverting minor cases out of the criminal justice system altogether
- Investing in long-term strategies for crime prevention and reduction

- Making alternative arrangements for vulnerable groups, such as children, mothers with dependent children and people with mental health issues.
- Amendment in Criminal Penal Code for mandatory release of undertrial prisoners in case of inordinate delay in trial;
- Holding of jail courts (Lok Adalats) and holding regular special courts in the prisons;
- Holding of prison courts for speedy disposal of cases of undertrials involved in petty offences;
- Setting up of the National Mission for Justice Delivery and Legal Reforms to reduce number of undertrial cases and ease congestion in jails.
- To sensitize judicial officers for giving bail and ensuring speedy trials and - Regular visits to the prisons by DMs/SSPs/Judicial Officers - Release of undertrial prisoners on bonds, basic need approach, common guidelines for release of prisoners.
- Repatriation of cross-border prisoners, especially in case of Bangladeshi Prisoners, should be ensured as well.

OPEN AIR PRISONS

We do not find overcrowding in Open Air Prisons. Instead, there are only less prisoners than their capacity. One of the best solutions to overcome overcrowding would be to send sufficient number of prisoners to Open Air Prisons.

PERIODIC AMNESTIES AND PARDONS

Some countries make use of occasional amnesties and pardons which will relieve overcrowding.

PREMATURE RELEASE

In many Indian states there is the system of premature release. There is a committee to select and supervise the list of premature release of prisoners in which NGOs are also invited. PMI actively participates in this way of assisting them by providing their fines for release. This is a way to reduce prison population, while motivating the prisoners who are eligible for early release programs.

COVID19 STRATEGIES

Fearing the spread of the Covid19 infection in prisons, governments released large numbers of prisoners in many countries. I appreciate Indian prison departments in taking adequate measures such as releasing prisoners to decongest the prisons, establishing temporary prisons to admit new prisoners and keep them in quarantine for 14 days before transferring them to the regular prisons, transfer of prisoners from congested prisons to less crowded prisons, making prisoners aware of the virus, setting up Corona care centers inside or outside prisons, etc.

TECHNOLOGICAL SYSTEMS

Body Sensors are a viable solution for prison overcrowding. This would be applied to individuals who commit non-violent crimes. This kind of technological systems would aid parole officers in monitoring the parolees' locations and actions. If they attempt to escape, commit harmful acts, or disable or remove their body sensors, the computers monitoring the events will instantly activate the CEDs embedded in their ankle bracelets to administer the electric shock.

DIVERSION PROGRAMS

Diversion programs turn prisoners away from prison time. This could also free up much space within the prisons and prevent faster maximum capacity.

RESTORATIVE JUSTICE

Restorative justice is when the interaction between the offender and the victim aids in the healing of the victim and the community.

LEASING BUILDINGS AND BEDS

Inmates can be housed accommodated inside leased facilities that had a strict capacity requirement, which would help to reduce overcrowding within the main correctional facilities. During Covid19 pandemic many states made use of schools and colleges as temporary prisons in India.

ALTERNATIVE SENTENCING OPTIONS

Can think of community and rehabilitative programs primarily for nonviolent offenders who have drug and substance abuse addictions.

REALLOCATION

Reallocating parolees and inmates safely to other areas to maintain the mandatory population levels within the facilities.

CONVERSION OF EXISTING PRISONS

Converting existing prison and non-prison facilities into inmate housing units, double and triple bunking, transferring inmates to private or contract facilities, and achieving greater multiagency communication and cooperation.

FRONT-END STRATEGIES

Front-end strategies are designed to manage prison overcrowding by reducing the number of new inmates entering the prison system. One of the most obvious front-end strategies is to prevent crime before it occurs. Even when crime does occur, incarceration may not always be the best option. Diversion programs that call on the individual to perform community service and the use of special drug and mental health courts can relieve overcrowding by diverting individuals who commit nuisance and petty crimes away from the prison system and into programs tailored to their individual needs.

BACK-END STRATEGIES

Back-end strategies help reduce prison overcrowding by releasing individuals from prison months or even years before their statutory release dates. Releasing inmates to halfway houses 6 to 12 months before their scheduled release can help ease prison overcrowding while maintaining some modicum of supervision over the inmate.

Allowing incarcerated offenders to earn good-time credit every month for good behavior, which would then move the offender's release date up, is another example of how prison overcrowding can be reduced with a back-end strategy.

ALTERNATIVES TO INCARCERATION

An "alternative to incarceration" is any kind of punishment other than time in prison that can be given to a person who commits a crime. Alternatives to incarceration can repair harms suffered by victims, provide benefits to the community, treat the drug-addicted or mentally ill, and rehabilitate offenders. Alternatives can also reduce prison and jail costs and prevent additional crimes in the future.

PROBATION

Probation can come with many conditions attached, including meeting regularly with a probation officer, staying under house arrest during certain parts of the day, remaining drug-free, working, doing community service, and participating in substance abuse or mental health treatment.

HALFWAY HOUSES

Halfway houses also called “community correction centers are used mostly as an intermediate housing option to help a person return from prison to the community after he has served sometime in a prison by keeping the offender in the community for certain type of services.

REHABILITATIVE SERVICE

Rehabilitative services are the most appropriate sentence for nonviolent, non-serious offenders. If courts have options other than incarceration, they can better tailor a cost-effective sentence that fits the offender and the crime, protects the public, and provides rehabilitation.

DRUG COURTS

Drug courts are a special branch of courts created within already-existing court systems. Drug courts provide court-supervised drug treatment and community supervision to offenders with substance abuse problems. Require offenders to complete random urine tests, attend drug treatment counselling or Narcotics Anonymous/Alcoholics Anonymous meetings, meet with a probation officer, and report to the court regularly on their progress; Give the court authority to praise and reward the offender for successes and discipline the offender for failures (including sending the offender to jail or prison).

CONCLUSION

Prisons are overcrowded throughout India. The number of incarcerations is rapidly increasing. Prisoners are competing and struggling for a living. The best choice for us is to release prisoners to save our nation from tumbling into a massive hole.

First of all, there are prisoners that should not be behind bars. I'm talking about those who committed an unacceptable act, but are not involved in any violent activities. Those who executed a violent act, most wanted, or dangerous, deserves a spot in jail. 25% of prisoners, almost all non-violent, lower-level offenders would be better served by alternatives to incarceration such as treatment, community service or probation. May I conclude this paper presentation with the words of Nelson Mandela, "A nation should not be judged by how it treats its highest citizens but its lowest ones."

PRISON MINISTRY INDIA ECONOMICS

Fr Francis Kodiyan MCBS

INTRODUCTION

Prison Ministry India from its very conception followed certain principles regarding its economics, fundraising and distribution. One of the primary duties of PMI volunteers is to understand the basics of PMI economics, to follow the fundamental attitudes and principles of PMI financial management. This article briefly illustrates the PMI economics and its secrets of doing wonders without any bank balance and financial resources.

PMI COMMUNITY LIFE

“Awe came upon everyone because many wonders and signs were being done by the apostles. All those who believed were together and had all things in common; they would sell their possessions and goods and distribute the proceeds to all, as any had need. Day by day, as they spent much time together in the temple, they broke bread at home and ate their food with glad and generous hearts praising God and having the Goodwill of all the people. And day by day the Lord added to their number those who were being saved” (Acts 2, 43-47). This is the basics of PMI community lifestyle. Like in the early Christian community PMI members shall gather together, pray together, break bread together, listen the teachings of leaders, love one another, witness life and share whatever we have.

PMI WEALTH

Peter said, “I have no silver or gold, but what I have I give you; in the name of Jesus Christ of Nazareth, stand up and walk” (Acts 3,6). As St Peter said, the name of Jesus Christ is the sole wealth of PMI. Nothing else. “There is salvation in no one else, for there is no other name under heaven given among mortals by which we must be saved” (Acts 4,12). Repeatedly reciting the mantra “Thank you Jesus” is the wealth, power and resource of PMI. Absolute trust in Lord Jesus Christ and Father God is the wealth of PMI. This unconditional trust in the Lord develops a strong conviction that we children of God have the right on His richness.

PMI FUNDS

PMI has 5 different types of funds which we make use of for the reformation, rehabilitation and reintegration of prisoners: Prayer Fund, Suffering Fund, Penance Fund, Self-Sanctification Fund and Material Fund. These five funds, offered together with the passion, death and resurrection of Jesus, are a great source of divine power to enhance the reformation of prisoners. As PMI members we shall be experts in developing these funds and in making use of these funds in our attempt to redeem prisoners.

PRAYER FUND

Jesus spent 40 days of prayer in the desert before his public ministry. Even during His three years of public ministry, Jesus began His day with solitary conversation with His Heavenly Father and ended his day with prayerful nights. Let’s begin our prison visit with a Holy Hour before the Holy Eucharist accompanied by Holy Mass and the prayers of the Church and end the day with another sacred hour before the Eucharistic

Lord. Covid19 pandemic is the best time to develop Prayer Fund. We deposit our prayer fund in the PMI Bank of Prayer for the sake of prisoners' redemption.

SUFFERING FUND

It is the passion and death of our Lord Jesus that has redeemed the world from sin and eternal death. Over the centuries, the sufferings of martyrs and saints offered in the name of Jesus have continued to transform humanity. Suffering fund is collected by uniting all our sufferings with the sufferings of Jesus through the Immaculate Heart of Mary. Let's offer our sufferings and sufferings of others to the PMI Bank of Suffering so as to make use of it for the salvation of prisoners.

PENANCE FUND

Jesus began his public ministry after 40 days of fasting and prayer. All the great Christian mystics, throughout the centuries, liberated human souls by their penances. The Church always encourages her faithful sons and daughters to involve in fasting, abstinence and other such acts of penance for self-sanctification and for the conversion of sinners. Let's do some mortifications every day and deposit in PMI Penance Bank for the sake of prisoners' reformation.

SELF-SANCTIFICATION FUND

“And for their sake I sanctify myself, so that they may also be sanctified in truth” (Jn 17,19). The grace of self-sanctification flows from the Sacred Heart of Jesus and from the Immaculate Heart of Mary to redeem mankind. Like Jesus and Mary, it is through our self-sanctification that we reform prisoners, their families, the Catholic Church and the whole world. “To renew the world, renew myself” is the PMI Mantra. Let's sanctify,

protect and strengthen ourselves and the whole world by the precious blood of Jesus, by His body and Word and by our spiritual exercises and deposit it into the PMI Self-sanctification fund.

MATERIAL FUND

All those who fully trust in the Lord will be taken care of by Father God. God provides through generous well-wishers, family members, friends, bishops and major superiors of religious congregations. PMI neither promotes FCRA accounts nor welcome foreign income, nor write projects for money. We fully trust in the Lord and our only way of finding money is begging.

MAKE FRIENDS WITH YOUR WEALTH

“Make friends for yourselves by means of dishonest wealth so that when it is gone, they may welcome you into the eternal homes” (Lk 16,9). Be generous with our wealth so that in the life to come our new friends will receive us “into eternal dwellings”.

PMI ECONOMICS

Make friends with our wealth, bless others with our resources and thereby let's be blessed. With our monetary resources we have to reach out to others. The result will be friendship that endures into eternity: the souls we reach out in this world will welcome us into “eternal dwellings” someday. Everything we own should be used to further God's kingdom. We are to use the Master's resources to further the Master's goals. We have been entrusted with material possessions, and we are to use them for the eternal benefit of others. If God is our Master, then our wealth is at His disposal. The faithful steward whose

Master is God will employ the wealth entrusted to him in building up the kingdom of God. Use our worldly resources to benefit others and make friends. Then, when our earthly possessions are gone, they will welcome us to an eternal home.

BE SHREWD STEWARDS

We are God's stewards. Just as the unjust steward in the parable was "shrewd" in benefitting himself materially, so we should be "shrewd" in benefitting ourselves and others spiritually. When we give to prisoners, when we support a rehabilitation center, then we are using "unrighteous wealth" to build up the kingdom of God and lift up the name of Christ. We are being "shrewd" in our dealings in this world when our eyes are on the "eternal homes" we will one day inhabit with our "friends" in Christ.

BANK OF DIVINE PROVIDENCE

During the first All Kerala Prison Pilgrimage while the pioneers of PMI were preparing for it with fasting and prayer everyday postman came with some contributions from unknown places. "Postman is searching for you; there is a money order for you". Postman gave Bro Francis Kodiyan two hundred rupees. There was a message on the money order coupon: "For your prison apostolate, a friend from Oman". Overwhelmed with joy of Divine Providence, Francis ran to his friends and shared this wonderful experience with them. This was not the end of Divine Providence but the beginning, a great beginning. "Do not worry about what are we to eat? (Mt 6, 31-33). When the pilgrimage reached Thrissur, Mr John Thomas Kottukappally visited them and said to Bro Francis Kodiyan: "Francis, this is thousand rupees. I came here from Palai to give you this. I know you need money. I will also visit you when you reach

Kottayam”. BDP – Bank of Divine providence is the bank of PMI.

HAVE DREAMS, GREAT DREAM, DIVINE DREAMS

“For surely I know the plans I have for you, says the LORD, plans for your welfare and not for harm, to give you a future with hope” (Jer 29,11). To have wealth, money first of all we shall have dreams, great dreams, concrete dreams and divine dreams for prisoners’ reformation, rehabilitation and reintegration. Let our dreams be approved by the authorities concerned. As a part of discernment, we need to get approval for our dreams from our authorities. It’s called the stage of Green Signal.

BE FULLY IMMERSES AND INVOLVED

We need to work hard for the realization of the dream. The moment we are fully immersed and involved in the divine dream for prisoners, money begins to flow like anything. The whole cosmos will conspire following the universal law of attraction and will begin to work together for the realization of our dreams.

BE OPEN TO THE SPIRIT

Watch out and be alert! The Lord will bring you opportunities and people to realize your dreams. Our prompt positive responses to them are of utmost importance.

Believe in God and Visualize Your Dream

This is the faith dimension. Believe that by the grace of God this dream is going to be materialized. For God nothing is impossible. Daily visualize its minute details and feel its thrill, adventure and joy.

PRAY AND THANK GOD

Pray personally, constantly and with absolute trust in the Lord. Ask prayers from as many people as possible. Trust in the Lord and thank the Lord in advance for the abundant blessings he is going to shower upon us.

THE PICKPOCKET WHO WAS FINALLY PICKED PICKPOCKET RAVI

Sr Lini Sheeja MSC

INTRODUCTION

“To everything I have lost; thank you for setting me free”, says Ravi as he is set free and redeemed by the God of the Lost. “It is not my heavenly Father’s will that even one of these little ones should perish” (Mt 18:14). And this is the goal of every PMI volunteer as they reach out to our brethren behind the bars. They found that Ravi was a lost soul and through their constant accompaniment, prayers and mortification they redeemed his soul for God. Many poverty-stricken children leave home in search of a good fortune and end up in the prisons as they grow after committing series of crimes. It’s same with Ravi, who left home, landed on the streets with the bad companies of the street children, lacked the guidance of the parents being in the street and had a miserable life in the hands of pickpockets. God looked upon Ravi with merciful eyes and saved him by taking him behind the bars. Ravi got redeemed behind the bars and today he lives a witnessing life, leaving all the old ways behind.

EARLY LIFE

Ravi was born in a small village called Kothanallor in the district of Kottayam in Kerala. His father was a very strict man but his

mother was very pious, loving and caring. The parents of Ravi were poor and often found it difficult to make both ends meet. They were farmers and lived their lives with day-to-day's earning. Ravi was always looking at his friends and their families as many of them well off. Ravi didn't concentrate on his studies and he was not interested in it. He didn't give heed to the advice of the parents and he would get irritated if he is corrected. Ravi longed for the freedom from his strict father and free life without any restrictions.

The desire to be free, made him to decide to leave home in search of a fortune. On account of poverty and hunger one day Ravi ran away from home. He wandered along the streets of Kottayam and landed among the street boys there. He learned soon to adjust with the life of children on the street and he picked up every bad doing of the children there. There was no one to correct him; he was free to do whatever he wanted. The companies of street children gave him joy. He learned to be totally on his own and earned his living from the street and became totally a child of the street. They took him to their masters who were professed pickpockets. He was apprenticed to them and eventually he excelled in the nefarious art of pickpocket.

LIFE AS A PICKPOCKET

Life as a pickpocket needs lot of training. A cardiologist, oncologist, endocrinologist need a training in the special field which they have chosen. It's same with a cutpurse who needs to undergo a training to steal things out of people's pockets or bags, especially in a crowd. According to police theory thieves have a modus operandi. Each thief is a specialist in his own domain. Some crack windows only while some others crack doors. Pickpockets just pick pockets and wouldn't care to pick

up a gold chain found on the road. Usually, pickpockets operate in a group of four or five members. In a conducive situation, one or two of them create an artificial atmosphere of urgency and commotion while the others rip the bags of the distracted people open and steal.

One becomes expertise as the days go by and they know how to make the money in few minutes. Ravi was already infamous as a pickpocket and the police were close on his heels. They came for him whenever a case was reported and he had a truncated life in and out of prison. All that Ravi wanted was money and freedom and as a consequence he was undergoing darkest moments in his life. Ravi failed to realize these dark moments, because he dreamt of money is achieved. Since there was no goal in the life, no one to care for him, no responsibility on his shoulders made him to live that of a prodigal life. The money that was picked was usually squandered in liquor shops and other such places. He thrived in the business for about twenty-two years.

MARRIAGE

He slowly began to realize the futility of leading the life of a pickpocket, began to dream of marriage, family life and a decent way of living. Unfortunately, he was a known pickpocket and nobody offered to marry him. Any party that came to Kothanalloor with a proposal for Ravi was discouraged by people who knew him. Finally, a proposal from a teacher employed in North India came and Ravi carefully insulated the party from the local people by arranging a jeep to take them from Ettumannur to Kothanalloor. Ravi knew well, if these people come to the village his marriage will get cancelled. This is the bride kept for Ravi as his life partner.

The bride's party was impressed by the host and the marriage was fixed. Ravi began to lead a decent family life and a son was born to them. Ravi's wife fell unconscious when she came to know that the man, she married was a pickpocket. She was helpless; she couldn't swallow or tell it to out as she is already committed in life. She surrendered to the Almighty for the mercy of God on their family and especially on Ravi. Ravi wanted to lead a renewed life as he was blessed with a loving wife and child. But the police did not spare him. Whenever there was a theft Ravi was taken into custody. Unable to lead a peaceful life in Kothanalloor he called Fr Alexander, who had rehabilitated many released prisoners in Ernakulam, for help. A house was rented for him, necessary furniture arranged, and he began a new life there in Ernakulam. Although he wanted to lead a life with a bright future, but his terrible past didn't make a way for it. All his past failures withdrew him in going ahead.

THE FINAL TEMPTATION

Life went on without many incidents. He was quite pleasant and familiar with the neighbors. There was a mentally challenged elderly woman and her daughter living in a house nearby. The elderly woman had a big gold chain on her neck. It was the season of power cut in Kerala. The dormant thief in him woke up for the last time and one day during the usual power cut in the night he broke into the neighboring house and took the golden chain from the neck of the elderly woman. The thief could not be identified. But naturally fingers were pointed at the rehabilitated prisoners there. Ravi was interrogated and he denied involvement in the theft.

Pieces of broken glass were fixed on the walls of the neighbor in order to keep away thieves at night. A fresh scar seen on

Ravi's hand betrayed him and the retreat center at Muringoor was contacted for help. Ravi was tied up hands and feet, brought to the center and locked up with the drunkards. When he was asked about the theft, he banged his head against the walls and threatened to kill himself. Pick pockets usually swallow what they steal and so he was taken to St James' hospital, Chalakudy. When his stomach was exposed to x-rays the films revealed the golden chain in his stomach. The chain was extracted safely and returned to the owner.

IMPRISONMENT AND REDEMPTION

Ravi was arrested and was thrown behind the bars. The tears of his wife and child were uncontrollable as they were left orphan in the beginning. They were accommodated in his mother's house and were taken care. His wife and mother spend hours before the crucifix and pleaded for the mercy of the living Lord on Ravi. Ravi's mother was a devout woman who led a life of prayer and served in a Retreat Centre. Her incessant prayers and the repeated interaction with the PMI volunteers slowly began to work on him. His mother spent her time in reading the Word of God and praying over it. She believed strongly, the God who formed Ravi in her womb has the power to redeem him from the clutches of the evil.

Gradually, Ravi started to be receptive to the promptings of the Spirit. He had a thirst to read the Word of God. Whenever PMI volunteers visited the prison, he was there. The frequent meetings with the prison ministry volunteer in jail paved the path for his transformation later in life. He opened himself for the outpouring of the graces of the Lord and miracles happened. The prayers of his mother and wife redeemed him behind the bars. He spent more time with the Lord and gave heed to PMI volunteers. He realized the plans of the Lord for him. He repented for all his wrongdoings and decided to

work hard and look after the family which is in his care. He recalled his early childhood, the love of his parents and cried bitterly, asked pardon from the Lord for rejecting the love and care of the parents who wished nothing for him except good. As a child he always complained that his parents couldn't give him anything; but now he regretted that he couldn't receive many gifts that his parents were giving.

He thought that the money and material things would make him to feel that he is better than the others, but now he realized that craving made him poorest of the poor. Ravi who longed for the earthly freedom became a renewed person and yearned after the love of the Lord by participating in spiritual activities. He experienced ground of his being and realized the purpose of his creation. God put a longing in our hearts for unfailing love because He knew it would lead us back to Him. It became true in the life of Ravi as he was led back to God, leaving his old ways behind. Ravi said that it was the Word of God that had released him from his evil ways. Soon, he was also released from the prison.

CONCLUSION

God finally picked the pickpocket Ravi and cleared his path and he lives with his family happily. He bought a cart and he has been a vendor of fruits and vegetables for the past four years. He is a living testimony of the power of the Word of God in saving the lost. Ravi who is redeemed becomes God's instrument in redemption of the souls. One is reminded "Behold, the Lord's hand is not shortened, that it cannot save" (Isaiah 59:1). Ravi who was faithful in doing bad, becomes faithful in doing God's work and saving the souls for Him. Ravi who was addicted to the money and wrongdoings becomes addicted to the Word of God and works for the conversion of

the hearts. When Ravi believed in God the rivers of living water flowed on his life. Ravi loved the God of the Lost and he keeps God's commandments. "Whoever believes in me, as the Scripture has said, 'Out of his heart will flow rivers of living water'" (Jn 7:38). Ravi accompanied many people to the retreat centers and became an instrument to have realization of how much God loves and cares the humanity.

TRAFFICKED GIRLS' RESCUE MISSION

Nirmala Menezes

THE BEGINNING

The Lord's call came to me some seventeen years back when I was elected as parish council member and I used to go on my visits to the chawls where there used to be alcoholics, drug addicts and school dropouts. I realized that just sitting and listening to them would not help but if my service had to be of some use, I had to study human behavior and thus at the age of forty I did my MS in psychotherapy and counseling and then diploma in psychological counseling.

COUNSELLING

I was guided by the Holy Spirit to approach the parish priest and he immediately asked me to give one hour counseling to the adolescent children from STD VIII to X. When I started seeing remarkable changes in the children (nearly 450 in 4 years) I realized that I was just an instrument and GOD was working through me. After four years of counseling students again, I was guided by the Holy Spirit to realize that juvenile delinquents, rape victims and trafficked girls were more in need of counselling. On account of certain personal difficulties, I could not resign then, but all the time my soul was in anguish and finally I took the decision of taking VRS and wholeheartedly devoting my life to God's plan in my life.

PRISON MINISTRY INDIA

Immediately there was a call to join Prison Ministry India and enroll for the orientation program. As time had elapsed after my initial training, I updated myself in different models of counseling but on account of Covid19 PMI was denied permission in jails.

RESCUE FOUNDATION

I approached Rescue Foundation which is an NGO recognized by CWC and houses girls caught under POSCO and PETA ACT. I knew I was guided by the Holy Spirit as I was quite determined to get an entry. At first, they did not show any interest, but when they saw my ardent desire and passion, they allowed me to come on three days from 11AM to 4PM. For the three months from January to March I went, I counseled 66 girls and have seen transformations taking right in front of my eyes. I am just an instrument. He is working through me. It has been my practice right from early years to hold the client's hand in mine and mindfully say the Lord's Prayer and then make a sign of the cross on their forehead. I will list below with name changed quite a number of those whose lives were transformed. On every Thursday I used to conduct mind control meditation and NLP exercises for all the inmates, nearly around 80, in which process I used to make them imagine God removing the negative emotions of anger, guilt, unforgiveness, depression, etc and the Lord filling them with love, joy, peace, gentleness, kindness and self control. This made their minds calm and receptive. Group counseling was done to those who suffered from bad dreams by deep meditative hypnosis and it was astonishing to find that they started getting sound sleep.

MANJU & GEETA

Manju and Geeta (name changed) were caught in a raid because they worked for a SPA saloon. Both these girls were unjustly caught as they were doing massage as per their training. Manju was the sole bread winner of her family in Nepal and Geeta had just got married 6 months back. They were in a helpless condition and were in tears uncontrollably. I took them through a process of meditation and made them feel and experience Jesus opening the gates of the rescue home and setting them free and reuniting them with their families. I told them to continue doing this any number of times and to be convinced that Jesus would release them. Rightly enough on the third day they got their order of release.

MAYA

Maya (name changed) was working as a housemaid and had got married to the cook who was working in the same place. Her mother filed a complaint and got her arrested on the charge of being under age and he was arrested on charges of rape. Mother hid all her documents confirming her age and got help from the local corporator. I took her too through a process of meditation and made them feel and experience Jesus opening the gates of the rescue home and setting them both free and reuniting her with her husband. I told her to continue doing this any number of times and to be convinced that Jesus would release them. At the end of two months, she hugged me saying that her husband got released and had promised her that he would go to the village and get her school leaving certificate confirming her age.

POOJA

Pooja (name changed) was an aspiring actress happily married with two children and a very supportive husband. On one audition there was a raid and she was brought to the RF. She was inconsolable. I counseled her, empathized with her and told her that God will find a way out for her. I prayed for her daily and started offering a decade in the rosary for her. After two months when I met her again, I saw her a very different person. She was very happy and bubbling with joy. When asked about the radical change she explained that her whole world had changed. She said that the night after the session she was crying and called out to the God who would help her: her deity Krishna, Allah or anyone else and then she heard clearly a voice telling her “Jesus helps you”. She was struck with disbelief and the next day one small girl gave her the Bible and asked her to keep it with her as she was leaving. On the first page she opened she read John chapter 1 verse 12: “They did not become God’s children by natural means that is by being born as the children of a human father. God himself was their father”. She was so overwhelmed by the realization that God had a plan for her and that when she would be released, she would convert to the Christian faith and take care of orphans. She started reading the Bible for the other major girls and all started believing in the power of Jesus.

MALA

Mala (name changed) was 15 years old. She even studied in Bhosle military school for one year. She was staying with her mother, although she appeared to be very close to her mother, but deep inside she was very angry with her as she was solely responsible for separating her from her father, uncle and grandparents. She became a rebel and got entangled in wrong

company. She enjoyed having sex and had multiple partners. It was difficult for her to walk on her streets as the news had spread and boys were trying to molest her on the road. On one occasion when she and her friend had called two boys' home, her relative phoned the police and both she and her friend Usha (name changed) were sent to the RF. I counseled her, made her aware of the deep anger against her mother and the method she had used to retaliate. I made her aware of her hidden talent of painting and her passion to become an architect. Then when she told me she was scared even to walk on the road, I reminded her of Mary Magdalene and that anyone could make mistakes. She should be fully sure that God had forgiven her and no human can condemn her. She should wear the armor of Jesus and just pursue her goals with dignity. Usha too was counseled in a similar manner. I also told her that there was a need to forgive her mother as she would only be having her best interests in mind. They were released very soon but insisted that I continue to counsel them thereafter too. When they left, the smile on their face and the determination they displayed, made me certain that they had overcome their fears and would pursue their goals tenaciously.

LEENA

Leena (name changed) age 28 was hailing from Calcutta. She had got married when she was 13 years old. She had two children. Very soon after marriage her husband used to doubt her and beat her mercilessly. After the second child's birth she refused to go back to her husband. When she refused even after much insistence, her husband committed suicide. She came to the city for a job but was very soon lured into the flesh trade, till she was caught in a raid and brought to the RF. She was there now for more than five years when she was made a caretaker and was in a position to earn and support her

family. When I met her, she was very rude, aggressive and as a caretaker very dominating with the girls. In the process of counseling, I realized that she was blocked with guilt over her husband's suicide. With the help of the Holy Spirit, I made her understand that it was not her fault, but his doubtful nature that had made him sick and she was not responsible for it. After fifteen days when I met Leena again, she was completely transformed. She was smiling and full of joy. She came running to me and embraced me. She had decided to come back and meet her children whom she had not seen for the last five years and to do more with the talents she had.

NEHA

Neha (name changed) was 15 years old and studying in IX STD. The school had high expectations from her as she was intelligent. But being lured by a boy on Instagram she eloped with him and stayed with him for a month. Mother filed a missing complaint and so when she returned, the police handed her over to the RF. She was so much filled with guilt and unable to forgive herself. She was reminded that God has mercy on all those who repent and that HE had forgiven her and loves her and hence all she needed to do was to forgive herself and move forward. She called for her books and started studying and very soon she was released, but before her release order came, she hugged me and assured me that she would make me proud of her one day.

POORVI

Poorvi (name changed) married a 20-year-old and had one son. The Husband left her and started staying with another woman. Mother used to beat her mercilessly. She was working for a caterer who drugged her and molested her, when she came to her senses, she ran to the police who kept her in the RF. Her

son who was three years old was allowed to stay with her, but he soon developed Hodgkin's disease and died. This mad her lose all desire to live and she used to spend time just staring into space. When she came to me, I prayed over her, asked Jesus to give her the strength to cope with her problems and reminded her that the greatest gift given to us was the gift of life and perhaps her son was taken away in order to put an end to his suffering. But beyond that there was a purpose for her life. I kept her in my daily prayers and on the third day I saw a remarkable change in her. She said she had pondered over all that I had said and she would do something with her life. Thereafter I saw her cheerful and taking part in all the activities. After a month since she was released, she rang me and told me that as she could not pursue her studies if I could kindly find her a job. Since I just did not want her to do a housemaid's job as she was educated, I prayed incessantly for her and right enough I got a call from one officer from Kotak Mahindra that they have their CSR project by which they give training to the underprivileged according to their qualification and then get them employed in a multinational company. He then took her interview and got her enrolled for a nine-month nursing program. In the meantime, there was still a need for these girls to have some hostel facility as their home environment was just not conducive to study. It is for this that I am praying constantly.

SONIA

Sonia (name changed) age 14, had studied up to STD VIII. She had been brought here for the second time. She had been very aggressive and boisterous. On intense counseling she informed me that as she was the eldest and had five more siblings, she could not study since both her parents used to go out for work and she had to care of her siblings. One day she

got fed up of it and ran away from home. On the way a boy got friendly with her and drugged her with the cold drink he had offered her. He had then taken her to his place and raped her. She had got over the incident but was not able to forgive herself for having run away from home. I told her that the love of Jesus was so merciful, that he had sent her here to experience new life. She had to learn from her mistake and see what best could be made of her life. She became very calm, started participating in all the activities and the RF authorities also noticed a drastic change in her.

DIYA

Diya (name changed) age 17 studied up to IX STD. Her studies were discontinued as she was sent to her hometown in Rajasthan to look after her grandparents. There she was illtreated by her aunt. She was all alone and her parents would not call her back. She found solace in talking to a neighboring boy, but when it was noticed she was brutally beaten. The boy and his brother too were beaten up because they belonged to another caste and they arranged for the girl's marriage elsewhere. Both of them then eloped and went to his village. A missing complaint was given and when she was tracked down, she was found to be pregnant. She was kept in the RF and the boy was imprisoned. Her father was very dominating and told her that if she decided to abort the child and leave the boy, he would take her back. After counseling she felt that only GOD could change her father's heart. She asked me for a rosary which she put around her neck. After two months of prayer, her father had undergone a change of heart. He agreed to withdraw the case against the boy and take care of her till her delivery after which he would send her to the boy's house. The father was ready to sign any paper in the court saying that he would not cause any harm to her or the boy.

These are a few of the 66 cases of persons in whom I have seen transformation taking place and seen the Almighty Hand of the Lord Jesus working miracles through me. I sincerely hope and pray that there is a home for trafficked girls run by PMI where we could bring these girls closer to the forgiving love of Jesus Christ.

VOICE FROM THE PRISON

A K Jayakumar

FAMILY

I was born in a middleclass family where my father was sub inspector in railway protection force, mother was housewife and one younger sister who is presently staying separately with her husband at Chennai. I am born and brought up at Chennai, I was the only son to my parents and soon after my higher secondary studies I had an opportunity to enter into the service of Indian navy. In January 1993 I began the journey of life in Indian navy as an aviator. I gained experience in maintaining chetak helicopter which is used for search and rescue purpose in navy and TU-142M fixed wing aircraft which is used for antisubmarine warfare purpose in navy.

INDIAN NAVY OFFICER

In my entire service period, I had served air-stations of navy such as INS Garuda, INS Rajali, INS Adyar and several other training centers. I attained the rank of chief petty officer which is a rank of junior commissioned officer in the defense services. During my posting at INS Rajali in Tamil Nadu in the year 2000, I came across a girl named Rajalakshmi, who was undergoing her post-graduation course at Chennai. We fell in love with each other and everything was perfect until year 2004. Due to some misunderstanding our relationship started fading

away and the pleasant life started taking drift towards the worst. We reached a point of separation and even did not meet for couple of months, when I came to know that she was moving with someone else. In order to avoid any further complications or problem we mutually ended our relationship and I agreed to my parents wish and got married with my uncle's daughter at Kerala in the month of September 2004.

MARRIAGE

Though it was difficult for me to forget the past relationship, still I managed to lead a good life with my wife. In the year 2005, Rajalakshmi started approaching me under pretext of returning my gifted articles and thereby our contacts grew and at several instances she requested to assist financially and out of sentiment I too started helping her. The contacts became strong further when she lost her mother. As days passed Rajalakshmi started asking for financial assistance, earlier it was as a request and later it got changed to her demand. There were some changes in her attitude as days passed, so I opted for transfer from Tamilnadu to anywhere else, fortunately I got transferred to Goa and joined unit in June 2007. However, the so called my girlfriend tried to trace me out at Goa with the help of my subordinates and started demanding money, if not paid adhered to her demands she challenged to destroy my family life.

THREAT

Though, this behavior was not expected from her, but I now tried to move out even from her shadow. She was targeting me and chasing through my subordinates as she befriended a few in my absence. Finally, she demanded one lakh rupees from me in order to do one time settlement where she agreed to give away all the letters, pictures and other articles which she

was in possession of, as there was no other way to get rid of the tensions and stress, I agreed to give her the said amount. In the meanwhile, I shifted my family to Goa and was residing in a rented premise at Chikalim, Vasco and somewhere in the beginning of December 2007 she landed Goa with her companions to take away the demanded sum from me. Unfortunately, my loan was not sanctioned and I could not keep up my words. The moment she came to know about this, her behavior changed and she turned violent and threatened me with dire consequences.

TRAGEDY

On 4 December 2007 when Rajalakshmi met me at my residence and when I expressed my inability to meet her demands, she became aggressive and started behaving very bad, as I was residing in a rented premise, I could not tolerate her behavior and tried to pacify her, but she was not ready to listen anything and started screaming at me. I was panic stricken and tried to keep her mouth shut by using her dupatta, during the scuffle her dupatta dropped from mouth to neck, which I really was not aware and suddenly she fainted and fell down on her back. As I was not aware how to handle the situation and totally aware that she has fainted, I left my house and went to office, I thought she will wake up and find her way to her place of stay. But, to my surprise when I returned from work, I saw her lying on the floor but body turned i.e. she was now resting on her stomach and I immediately rushed and picked her up, but was shocked to see her frothing. I tried all means to wake her up, but all in vain. All that happened there was out of anger and circumstances, nothing was pre planned. I wanted something else to happen and the worst on my table.

INCARCERATION

I immediately called my subordinate for help to reach her to hospital as I was having only bike with me, but my subordinate listens to my narration about the incident and he reported the matter to naval authority, subsequently I got a call from my office and they asked me to join office immediately. Without hesitation I went to office where I cried out everything to my superiors, ultimately police were intimidated and the arrest formalities were done after obtaining necessary approvals from headquarters. This is how I landed in prison. From here my life took a different turn, I was initially living in shame and disguise, my act was eating my peace and even had a thought of giving away my life, but a simple and gentle touch by mother Mary Jane a PMI volunteer ultimately restored all negative thoughts to positive.

PMI VOLUNTEERS

Mother Mary Jane heard about me and she insisted me to visit her, some inmates took me to her and when I sat beside her, the gentle touch gave me comfort and warmth which I was missing. She prayed for me and for about half an hour she listened to all that I had to say, basically she wanted me to pour out all my worries, fear, anger etc. so that I feel relaxed and then she started counselling, which gave me a ray of hope and above all sense of being cared and loved by someone who really cared. From then I started to interact with fellow inmates around me and I started spreading this sense of care to all around me, started to read word of God, attend Holy Mass and join PMI volunteers in their social cause. I started loving it, as days passed my hope to get bail faded and this time it was not a disappointment, rather I felt that I have more time to spend with the boys there. As a literate person, I approached

prison authority for permission to conduct basic literacy classes for inmates on voluntary basis.

PRISON MINISTRY

The number of inmates started enrolling for classes began from two and within a few days I found more than seven joining my classes. As days passed the good work, I put in for the sake of inmates were recognized by official visitors and NGO's due to which I was given employment to handle prison canteen at subjail Sada. I could reach to many from then and with the help of Mother Jane and other PMI volunteers, I could aim to do better for inmates and as days passed, the superintendent of the prison recognized my work and appreciated during his rounds and he directed me to assist inmates in writing applications / petitions on their behalf.

LIGHT OF PRISON

In the year 2009, I was convicted and sentenced to undergo life imprisonment by the sessions court, once again I was hardly tested by the law of nature, but this time I had gained some experience of prison so there was no much of pain or fear, but my emotions broke out and rolled down my eyes when I had to wear convict uniform in central jail Aguada. I started to live a life of a prisoner from then, but with a clear vision that I need to help fellow inmates in one or other way. I did not feel bad or worry much, Advocates started telling me not to lose hope and we have strong grounds to take up your case in High Court. I patiently waited for the time and began my journey of serving others where I got a good mentor by name Mr David Fernandes, a PMI volunteer. Mother Jane and Brother David have taken several reformative measures for the benefit of inmates, I wish to mention a few they brought NIOS, IGNOU and various other vocational training courses for the

sake of inmates. I was a tool for the PMI and assisted them in all possible ways in motivating inmates to join all reformatory programs organized by Prison Ministry and the jail authority, all the good work I started doing in the prison was brought to the notice of the higher authorities and the then Additional Inspector General of Prisons recommended my name to the District & Sessions Judge North to be a Para Legal Volunteer (PLV) in the year 2012.

GOOD SAMARITAN

Since then, I took keen interest, but now with authority in assisting the inmates in filling Appeals/Writ Petitions/Complaints and also making applications on regular basis. The records of my work were sent to Legal Aid Office on monthly basis. Many inmates have been benefitted with my service in some or other way, apart from this I also assisted the coordinator of IGNOU during induction of courses and also during the interactive sessions. I had been Master of Ceremony in all the programs organized by the prison authorities and by the Prison Ministry India. I coordinate all the visits in prison especially all Legal Aid program organized by the District Legal Services and the State Legal Services Authority. My conduct in jail has always been adjudged as good by prison authorities and I have taken the privilege of Furlough and Parole on 26 occasions till date.

LESSONS LEARNED

All these experience till date i.e., almost 14 years of Prison life has not only taught me the value of Life and Liberty, but also has taught me how to lead a simple life with concern for others, also to live selflessly, spread kindness and love, being humble and above all to walk in the spiritual path. Now I look forward for second chance to lead a peaceful life after release. I also

wish to repay the society with good deeds and for this good cause my family is taking all efforts to support me and assist me in the field of setting up a catering service. Now I anticipate my release and wish to lead a dignified life forgetting the past, the lessons learned will be helpful in framing my future, with this belief and the blessings of the Almighty, I march forward...

HOW GOD WISH AND HOW LONG GOD WISH!

Sr Adele Korah SCCG

INTRODUCTION

‘Man proposes and God disposes!’ This caption is popular statement we often hear. People state it when some unforeseen event occurs in one’s life. This is what Mrs Mounica, mother of Jayson stated to Sr Adele, a PMI volunteer. Mrs Mounica was uncontrollable in her tears each time when she thinks that her son is thrown behind the bars. She is filled with great pain and disappointment. She prays on her kneel for her son whom she bore in her womb. She wanted her son to be someone whom the society will look up to. But as tragedy, unexpected moments in her son’s life and their family that he was thrown to the prison cells. But, the God of Lost has His own ways to redeem His own. Today, Jayson-Mrs Mounica’s loving son proclaims the Word of God. He knows every Word of the Bible and the man who was beyond transformation is redeemed now and he redeems many souls through the power of the Word of God.

CHILDHOOD

Jayson was the younger son of two in the family. Jayson’s parents had retired and they had purchased a new house where they were well settled. The elder son Joel had a very good job and was married and he had two kids. Jayson, the younger son was

employed in a firm after he graduated himself. The parents brought up both the sons with love and care. The elder brother was smarter and very intelligent. Jayson had a low self-image and developed an inferiority complex before his elder brother. His parents noticed that Jayson longed for companions outside his home. He had many girlfriends and used to spend a lot of time with them in clubs. He also was using drugs very often. He used to return home late and so his parents questioned him whenever he came home too late and advised him as for the Word of God. “Do not get carried aloft on the wings of passion, or you might be torn apart as by a bull. Evil passion destroys those who have it and makes them laughing stock of their enemies” (Sirach 6:2). “Let those who are friendly with you be many, but let your advisers be one in a thousand. When you gain friends, gain them through testing and do not trust them hastily” (Sirach 6:6-7). His parents were devoted and pious family.

MARITAL LIFE

Jayson was growing stubborn, yet thinking of his own safety and welfare, his parents warned him about his friends and suggested a good-natured girl by name Joyce and asked him to try to know more about her whereabouts. He found that she was a good girl working in another company. But he was finding it difficult to part with the one whom he had dreamt to be his life companion. With much hesitation he accepted his new choice and tried to get acquainted with her. She accepted his friendship and both used to go out together. When he felt that they are compatible with each other, after finding out the girl's family background parents decided to take the next step and to arrange for their Engagement and Wedding. His parents did all that they could to make all the arrangements according to his ideas and preferences. The function was well organized

and all complemented the newly married couples Jayson and Joyce.

AN UNEXPECTED BLOW

As customary, they had made several honeymoon trips to various places. The elder brother saw to their comforts to get good place to stay wherever they went. After they spent a few days journeying and visiting places, Jayson felt that his wife is becoming very indifferent in her relationships. When he asked her what was happening, Joyce gave him the most unexpected and upsetting reply, “I don’t like you. That was on the sixth day after their marriage. His dreams and fantasies collapsed in the twinkling of an eye and Jayson was downcast, as it was disheartening to hear it from a girl whom he accepted as his life partner. He had no one to share his disappointment and distress at that moment as they were just two of them sharing the rented room. He was unable to accept such a statement and he was dispirited and wondered how he would spend the night. He was so despondent and crestfallen and he could not sleep.

He felt being tortured within and the thought of spending his whole life with this girl was a nightmare he was unable to face. In that moment of desperation, his mind turned criminal and reckless and took the hasty impetuous step of attempting to put an end to her life by smothering her to death in bed as a last resort. Her voice was resounding in her ears. “I don’t like you. I don’t want you.” The anger churning within him could not be calmed and he gave vent to his rage and fury by committing the heinous crime of murder by squeezing her neck until he made sure that she has no breath. His cruel act of vengeance did not give rest to his soul. He felt broken hearted. In that dark and gloomy night, sitting by the side of

the lifeless body of his wife, he was blank, dumfounded, and perplexed.

SELF-ATTACK

He who had already fallen in the trap of the evil one was led to despair. “No reason for you to live now” was the whisper of the evil one he heard in his ears. He got up and found the blade he had in his bag with his shaving set. He started cutting the veins in his wrist and thus to end his life. The deep cut in his wrist was bleeding badly and having lost a lot of blood, he fainted. In the morning when Joel, his brother called up Jayson could not hear or lift the phone. He had come with breakfast for Jayson and his wife. Though he phoned to his brother several times, since there was no response from inside the room, he had no other way than breaking the door open. One can imagine the shock his brother had at the dreadful and appalling scene he witnessed in the room after breaking open the door. Joel stood frozen on the spot for a moment and then tried to wake up his brother. Noticing that Joyce had already turned blue and cold, he doubted whether she can be revived at all. He tried to shift them both to the nearby hospital with the hope of saving their life.

SHATTERED DREAMS

Nothing could be done to save Joyce. In the course of an hour, with the needed blood transfusion, Jayson was revived because of the prompt action taken by Joel. Jayson slowly woke up as though from a frightening dream. With a perturbed mind, Joel gave the news to all concerned as well as the police for taking legal action. After his recovery Jayson was brought under custody. Jayson’s dreams were crashed down and his future got collapsed all on a sudden due to his own grievous and disastrous action which resulted in the loss of an innocent

person's life. He grieved over his impulsive and reckless action and felt within him hatred for himself.

IMPRISONMENT AND REDEMPTION

Being a Christian, he was able to spend some time in prayer before the Crucified Lord asking forgiveness from the Lord. Sr Adele SCCG, PMI volunteer read out to him words from prophet Isaiah, "Come now, let us argue it out, says the Lord: though your sins are like scarlet, they shall be like snow; though they are red like crimson, they shall become like wool." (Isaiah 1:18). Jayson wrote down the words in the book he had. He was reminded that Jesus who came down to save sinner is near us. "God so loved the world that he gave his only son, so that everyone who believes in him may not perish but may have eternal life" (John3:16). He accepts even the wicked sinners who turn to him in repentance as his precious child. Jayson gradually regained his calm. He had deep pain within him of having lost the entire plan he had made regarding his future. The thought of losing his name, his job, and the shame he has caused to his parents and his family, loomed large in his mind. When I read out a passage from Jeremiah "For surely, I know the plans I have for you, says the Lord, plans for your welfare and not for harm, to give you a future with hope. Then when you call upon me and come and pray to me, I will hear you. When you search for me you will find me; if you seek me with all your heart I will let you find me" (Jeremiah 29:11-13). Jayson began writing down every Word of God he heard in his book and reflecting on them.

PMI VOLUNTEERS

One day when Sr Adele and the other volunteers visited Jayson's parents, his mother hugged her and wept on her shoulders for a few minutes. "Sister, all the plans we had for his welfare and

future, fell flat”. It was a great tragedy for all his family members to see one of their sons behind the bars as criminal. It was very difficult for all of them to accept the unfortunate turn of events in the family. The presence of PMI volunteers in the house in their pain was a relief for them all. PMI volunteers carried needed clothes and other essential things for their son and provide him. The family felt happy to know that there is someone whom they can rely on to know about Jayson. The family tried to take him out on bail but they could not succeed. After a few months the case was admitted for trial, but they could not get him acquitted either. When the judgment was out, they were all the more disappointed because he was convicted for life imprisonment. Still, his brother kept on trying to bail him out but all their efforts were of no avail.

TOTAL SURRENDER

Once when Jayson was before the Crucifix, he made total surrender of his life in the hands of his loving Heavenly Father who loves him as his own son. He started in reading and reflecting on God’s living WORD. “I consider that the sufferings of this present time are not worth comparing with the glory about to be revealed to us. For the creation waits with eager longing for the revealing of the children of God. In hope we were saved. Now hope that is seen is not hope. But who hopes for what is not seen? But if we hope for what we do not see, we wait for it with patience” (Romans 8:18, 24-25). Now his question was- “How long a period have I to go on with my surrender?” Jayson learned to say these words as a total surrender to God, “I wish whatever you wish, I wish it because you wish it. I wish it in the way you wish it, I wish it as long as you wish it”

BEARER OF GOOD NEWS

Jesus in the garden of Gethsemane prayed, “Father, if you are willing, remove this cup from me yet not my will but yours be done”. But Jesus accepted his father’s will. Reflecting on all these points, Jayson made a sincere surrender to God and built-up trust in God. He accepted his situation as God’s plan and to make reparation for his sins by living a renewed life. He decided to utilize his time in the prison to deepen his knowledge of God’s word and to become a sharer of the good news of Jesus with his fellow companions in the prison. He learned the Word of God so thoroughly that he could clarify the doubts of others and was able to guide others who were in doubt or in trouble.

CONCLUSION

Jason utilizes his time in the prison to deepen his knowledge of God’s word and has become a sharer of the good news of Jesus with his fellow companions in the prison. He sits with a group of new comers to prison daily and helps them to learn the word of God and to apply to their life. Thus, he has become an evangelist within the prison. He helps his companions who have walked in the wrong path to return to the right path. He is dreaming to become a fulltime evangelist after his release from the prison. God’s mercy never comes to an end, it is everlasting. “O give thanks to the Lord, for he is good. For his steadfast love endures forever. O give thanks to the God of gods; His steadfast love endures forever” (Psalm 136:1-2).

PMI VOLUNTEERS' TRAINING PROGRAM 2021

AN APPRAISAL

Dr Rosily Thomas

The online Volunteers' Training Program organized by the Prison Ministry India and attended by 65 participants from across the nation from 12th April to 24th April was a great learning experience for the volunteers and a very well-organized program.

OBJECTIVES

The key objectives of the training program were to acclimatize the volunteers to the prison environment, to awaken and to recognize the call within them to serve the least of the society and to impart orientation to the services they offer for the welfare of those behind bars. The clearly defined objectives of this training program were fulfilled through the input sessions and were very edifying, inspiring and motivating as they were delivered by highly experienced persons and pioneers of Prison Ministry who worked with dedication and commitment for the mission of redemption and reintegration of prisoners. The common thread that passed through all the sessions was the unflinching faith in God, trust in the power of the Word of God that breaks the bastion to liberate the captives and spirituality steeped in love for Jesus Christ the super dynamic love bomb that exploded at Calvary two thousand years ago.

INTERACTION OF PARTICIPANTS

The training was well attended by all the participants with much zeal and commitment. Rev Dr Francis Kodiyar MCBS, the chief organizer and the National Coordinator PMI, complimented that the participants were disciplined, spiritual and brilliant. The various groups formed were given the responsibility of conducting the opening prayer, presenting reports, proposing vote of thanks and concluding prayer to ensure the participation of the members during the training and all the groups carried out these duties very meticulously. The collaborative and interactive style adopted for the sessions with time allotted for intervention from the participants, made it livelier and more vibrant.

RESOURCE TEAM

The captivating content of the input sessions and the delivery of the subject matter by the knowledgeable, experienced and eloquent speakers with the help of clear and lucid PPTs were so gripping that two hours passed very quickly without the participants being aware of it. It was engrossing because the speakers were not talking of any theory but sharing what they had learnt during their journey through years of committed work with the unconditional love of Christ in their hearts and a non-judgmental attitude for the least, the last and the lost in society. The sessions brought home to the participants the realization that unless there is a call from the Lord one cannot work in this ministry but on responding to the call, Jesus qualifies the person to do the work, irrespective of a person's background, qualification or experience by empowering him/her through the Holy Spirit.

FROM A SPARK TO A CONFLAGRATION

It is with a sense of wonder that the participants heard how Prison Ministry India, was born as an idea one fine evening, a spark from the Holy Spirit, in the minds of two seminarians then, Rev Fr Francis Kodiyan MCBS and Rev Fr Varghese Kariperry, during their seminary days had grown to such an extent today. This spark had turned into a conflagration across India over the years and the fire is still spreading with more and more volunteers joining hands to work for it. The growth story of the PMI office, humbly set up in a small cow shed to its present stature branching out across India, fully trusting in God's providence, is a clear indication of how God works through his people. It taught the volunteers that mighty works could be done when complete trust is put in divine providence. It was spiritually inspiring to learn through the training that the weapon of prison ministry to conquer and transform souls is prayer and fasting, its mantra is the powerful name of Jesus, its action is to search, serve and save the lost, the bank of PMI being the Bank of Divine Providence, begging and blessing its mode and style and humility its hallmark.

BIBLICAL FOUNDATION

The volunteers were touched by the commitment and humility of Most Rev Bishop Allwyn D'Silva the Chairman, PMI. Rev Fr Francis Kodiyan aptly highlighted it when he declared that the Bishop's life is his message. The Bishop's encouraging words deepened the spirituality of the volunteers and strengthened their resolve not to give up even when one feels a prisoner is beyond redemption and may never change. Faith dimension of PMI was made explicit when the Bishop emphasized that it is not we who redeem the prisoner but rather everyone is redeemed through Christ. Most Rev Bishop presented his

message giving the volunteers a thorough grounding in the practice of Christian faith by encouraging the members to build up their relationship with Christ as we are the body of Christ and need to mature in Christ. The call of the Bishop to grow in love, fraternity and unity, to consider serving the prisoners and their families as an act of worship, to lay down our lives in the service of our unfortunate brethren, to be witnesses of God's love and to believe that the Lord is going ahead of us, was received with enthusiasm by the volunteers.

Right at the outset the Bishop made it clear that the work of PMI is not social work, but a spiritual work. Some in prison are hard core criminals, even murderers, though some are innocent. Some parts of their lives have been a rebellion against God but everybody can be redeemed through Christ. The prison, the Bishop mentioned, may be a hopeless place but it can be a place of transformation and we need to be the agents of change. If one wants to be effective in this apostolate, merely having good intention is not enough, one needs to be trained. The training will enable one to have the right approach. The Bishop's motivating words to the volunteers, referring to the encyclical of Pope Francis, 'Fratelli tutti', were to be good Samaritans, transcending boundaries which energized all the volunteers and filled them with zeal. The entire session was a spiritual banquet as every point the Bishop spoke about was profusely supported with appropriate Word of God serving it as a strong Biblical foundation for the volunteers.

FEED MY SHEEP

Rev Fr Francis Kodiyan, able and efficient captain of this training program as well as the founder member of PMI, sought to focus on the mandate given by Jesus – 'feed my sheep'. With regard to PMI, prisoners are our sheep. He said that the

volunteers are fishers of men and he elaborated on how to go about living this mandate. A volunteer goes to prison empowered by the Word of God which is his power and the Word of God shall come forth from the mouth of a volunteer. One needs to aspire for holiness and lead a life of grace through the sacrament of reconciliation, nourished daily by the body and blood of Jesus through the Eucharist, led by the Holy Spirit, enlightened by spiritual exercises, fortified by ascetical practices and personal suffering which is how PMI volunteers are expected to do the work of seeking, serving and saving those in fetters. Since we are dealing with the most difficult characters in the world, warned Fr Francis, we cannot enter and work there without being equipped with these weapons. Prayer is the backbone of Prison Ministry, the major aspect of it being the prayer before the Blessed Sacrament adoring the Eucharistic Jesus with ardent prayers bringing about conversion of hearts. This implies that serving as a volunteer will enhance one's own spirituality as deep faith, incessant prayers and the Word of God are the mighty weapons a volunteer should be equipped with. Rev Fr. Francis reassured the volunteers that PMI is committed to follow Catholic teachings and values. As a volunteer imbibes the PMI virtues he is being molded after Christ. Fellowship and working as a team or community are of utmost importance. Knowing each other, encouraging each other and promoting one another will strengthen the members of the community and prayer group and PMI will grow as a family. The basic cell of prison ministry is a prayer group which can be formed with the help of the Diocesan Director. The PMI volunteer needs to have on his lips the mantra 'Thank you Jesus' as reciting the name of Jesus gives us power. Chain fasting list and the request to constantly utter the PMI mantra put the volunteers in a spiritual frame of mind during the training.

DISFIGURED FACE OF CRUCIFIED JESUS

The PMI ex-National Secretary Sr Lini Sheeja's stunning opening line 'what a gun cannot change, a nun can' was thought provoking and conveyed powerfully to the volunteers the transformative power of Christ through them and how the call to serve the brethren behind bars is a passionate adventure. God heard their cries from their dark cells and God's heart reached out to the suffering of His children. That is why as Moses was called, God called each one of us to liberate his children behind bars. Each prisoner is the disfigured face of the crucified Jesus. This has convinced the volunteers that it is directly a call from the Master to work in his vineyard as well as to feed his sheep. It was a telling comment when Sr Lini said, "What you are, is God's gift, what you become is your gift to God." The volunteers were brought to the realization of three inevitable hard realities while working as volunteers:

1. No appreciation
2. Not an encouraging situation
3. No immediate result.

A session on the code of conduct inside and outside the prison, given in a capsule form to the volunteers, will definitely help the volunteers to maintain discipline, unity and decorum during their prison visits.

SOUL SEARCHING QUESTIONS

While talking about spirituality of prison ministry, Fr Francis put forth some soul-searching questions to the volunteers, such as: whether we are able to love our enemies. Are we compassionate enough to give unconditional protective love to prisoners? Are we willing to renew and reform ourselves before renewing and reforming the world? Whether faith has

increased after coming into the ministry? Has joy doubled by working together? How many redeemed prisoners do I have to my credit? Is there any enhancement of love quotient and human quotient in me?

HAIR RAISING TESTIMONIES

Some of the testimonies shared were very powerful and hair-raising ones. Fr Alexander Kureekattil's daring involvement in redeeming hired killers and drug addicts revealed the extent of love he has for Jesus and the deep conviction he has made him courageous. His sharing of the rescuing power of the Word of God, particularly the Psalms, in times of trouble was inspiring. From a human point of view, the change of heart in these prisoners is an insurmountable task but when the hearts are touched by the power of the Holy Spirit, it becomes a miracle. The unbelievable transformation story of Mr Reni George, a hardcore criminal and a murderer, bore witness to this fact. Mr Reni George's great work for prisoners and their families by being filled with the power of the Holy Spirit after his conversion stands as an example of how God touches the hearts of prisoners and makes them his instruments. Similarly, the harrowing experience of Mr Noy and family revealed that God has a glorious plan even when one has to walk through fire. The direct narration of such experiences elicited the emotions of compassion, love and empathy in the minds of the participants for those behind bars and created in them a great urge of compassion to reach out to them.

REFORMATION AND RECONCILIATION

The participants sat with bated breath when Sr Adele, a veteran in the conversion of souls, narrated the prisoners' conversion stories and the exemplary commitment and the ardent prayers that went before it. The faith dimension of PMI has been

evident from the words of Rev Sr Adele when she said that the empathetic approach, unconditional love and powerful prayers would touch the lives of prisoners and heal their broken hearts and relationships, finally bringing about their transformation. The Word of God spoken to them would work as a double-edged sword gradually bringing about reconciliation with self, God, family and the victims. This would restore their peace and the angry heart; the disturbed heart would slowly become a peaceful heart. As each session got over, it went on deepening the spirituality of the volunteers, and their desire to grow in the Word of God and live-in holiness.

INTERNATIONAL TOUCH

The participants were able to get a glimpse of the nature of prisons and the work of prison ministry abroad through the input session of Fr Anton from Sri Lanka. Thanks to the efforts taken by the organizers to invite a resource person from outside the country.

COUNSELLING

The data gathered through a session on ‘Counseling’ by Fr Subhash was extremely edifying with its information on the need to have an unconditional positive regard, irrespective of what they did; observation of nonverbal cues, effective listening without interruption; basic understanding of human psychology and psycho motor development and so on were a must for a counselor to achieve positive results.

GAINING A FOOTHOLD

The information that it is through various activities and games such as sports, yoga, different crafts, value education, competitions, medical camps, celebrations, skill development

programs etc that a volunteer gains a foothold into the life of a prisoner was a useful tip. From the sessions of Rev Fr Sebastian Vechukarot, Fr Dion, Mr Vincent, Miss Goretti Martin, Miss Rowena Louis the trainees gathered that prayer is so irreplaceable for this ministry and the Holy Spirit is the mighty authority. God rewards us when we put in patient and persistent hard work with him in his vineyard to see the positive behavioral change and the gradual conversion of heart in the inmates through our interaction. The sessions held by various speakers like Fr Benoy Mathew, Sr Beena, Miss Veera Pinto, Sr Jovina, Sr Rosily, Sr Inigo, Mr Jesu Raj created awareness among the volunteers about the prison ministry's work carried out in various States, rehabilitation centers, children's homes, the types of prisons, the types of prisoners, and the laborious task of repatriation and so on.

APPRECIATION AND GRATITUDE

This training has been in general a spiritual experience. The dedication and the zeal of those at the helm of affairs was evident from the fact that the National Coordinator Rev Fr Francis Kodyan MCBS, the National Secretary Rev Sr Amala and the former National Secretary Rev Sr Lini Sheeja were present on all the days throughout the training program without fail, leading, guiding, collaborating and posting information, besides sparing one hour of their precious time in the afternoon with the trainees to facilitate more interaction, fellowship and prayer. The participants were put at ease mainly because of the congenial, comfortable and spiritual atmosphere created by Fr Francis, Sr Amala and Sr Lini setting a Christ-like example by their humility, simplicity and by being one with the participants with no sign of authority in attitude or in demeanor. The Volunteers will definitely emulate these virtues and imbibe these values which were sometimes more telling

and impacting than the sessions themselves. We wish to express our heartfelt gratitude to the organizers for taking so much pain to arrange a training like this and working assiduously to make it a grand success. We salute your commitment, simplicity and love for the one who called you and towards each one of us participants!

RECOMMENDATIONS

I wish to put forth the following suggestions which I think would help the volunteers serve better:

1. A session on prisoners' psychology, if included in the training, would help the volunteers gain more understanding on the nature of prisoners while interacting with them.
2. Counselling is a vast area and a delicate area where a volunteer needs to tread with fear and therefore in just one session the volunteers do not get sufficient insight into it. On behalf of the volunteers, I would recommend a full-fledged counselling course arranged by PMI, to equip the volunteers with counselling skills as well as knowledge about the psychological ramifications of a person while in prison and that of his family members. This may enable the volunteers to serve those in bondage more effectively in and outside the prison.
3. As the Word of God is a double-edged weapon and the most powerful in causing conversion, a periodic session conducted to study the Word of God will help the volunteers grow in it. A few sessions on personal prayer, a life of grace and holiness, the power of prayer and so on will fill the volunteers with zeal and fire.

4. The observation of Sr Jerlin Joy who offers shelter to girl children in Premodaya Home, Bengaluru, that it is necessary to empower girl children through education, is worth noticing as they are vulnerable. Moreover, the education of women is important because the families are by and large molded by women. Through her years of dedicated service Sr Jerlin has realized that the main reasons for the prisoners to land up in prison are poverty, lack of education, absence of social skills which if they possess, would help them control their emotions. Good education will resolve many of these problems and therefore PMI can augment its focus on poor children's education.

CONCLUSION

This training program brought home the truth once more that “the harvest is plentiful but the laborers are few” as is said by Jesus in Mathew 9: 35-39. ‘Considering the Herculean task that lies before PMI, with the huge numbers of prisoners, under trials, convicts, innocent prisoners and the rehabilitation process of redeemed prisoners, job settlements, care for prisoners’ children and so on, the dire need is to enlist more and more committed volunteers.

PRISON MINISTRY INDIA VOLUNTEERS TRAINING PROGRAM 2021: REPORT

Sr Lini Sheeja MSC

INTRODUCTION

Prison Ministry India conducted its Volunteers Training Program from 12-24 April 2021 with the theme Reform to Reintegrate. 72 volunteers from many Indian States participated in it. Held over Google Meet, the participants were trained online for two weeks on topics ranging from the background and overview of Prison Ministry India (PMI) to visiting prisons and developing skills for interacting with prisoners and their families. Since inception, PMI has grown and is now currently serving 1,350 prisons and 4.65 lakh prisoners across India. PMI, a national voluntary organization under the Catholic Bishops' Conference of India (CBCI), has a history of liberating, rehabilitating and redeeming tens and thousands of prisoners and their families through its 20 rehabilitation centers and 8,000 volunteers all over India.

INAUGURAL FUNCTION

PMI Volunteers Training Program was inaugurated on 12 April 2021. In the opening prayer, Vinita J Britto invoked the Trinitarian God and sought the Lord to bestow His blessings on all PMI volunteers and the brethren behind the bars. Rev Dr Francis Kodiyan MCBS, PMI National Coordinator

welcomed the dignitaries and the participants followed by the course dynamics presented to participants by Sr Lini Sheeja MSC, PMI former national secretary. Inaugural address was delivered by PMI Chairman, Most Rev Dr Allwyn D'Silva in which, he welcomed everyone and pointed out the need and importance of online training. He also noted that “we need to create opportunities for social integration; we are called to share the love of Christ to prisoners and their families. Let us be the hope for the people who have lost their hope being behind the prison walls. Fr Sebastian Vechukarott in his felicitation explained the beginning stages of PMI in which the members went to meet prisoners with Jesus and later changed to their encountering Jesus in prisoners in their brokenness. The vote of thanks was proposed by Sr Amala DC, PMI national secretary.

PMI: GENERAL INTRODUCTION

Rev Dr Francis Kodiyan MCBS shed light to PMI volunteers by his General Introduction of Prison Ministry India in which he highlighted PMI foundation, its motto, source, prime duty, mode of action, entrance, method, spirituality, administration, welfare of prisoners, rehabilitation centers, integration, national office staff, prisoners and prisons in India, reaching out to prisoners, service rendered in prisons, PMI Sunday, Incessant Intercessory Group, Ruby Jubilee Projects, PMI National Convention 2022, New Initiatives and Publications of PMI. Jesus came to seek and save the lost and how we are called to do the same. PMI's prime duty is to spend time with the Eucharistic Lord before entering prison cells. Sr Lini Sheeja concluded with the following points for the upcoming days. (1) Chain fasting and prayer by the participants of the training program. (2) Groups to lead daily programs in which each group would be responsible to lead prayer, presenting the

report, vote of thanks to each speaker and the concluding prayer. (3) The participants would have evening session from 4pm to 5pm that will help everyone get to know each other.

PMI: BIBLICAL FOUNDATIONS

On 13 April, the first session was handled by Most Rev Dr Allwyn D'Silva, PMI Chairman in which he deepened the faith of volunteers as he spoke on the Biblical foundations of PMI. He helped volunteers understand the ministry at a deeper level through the scriptures. Five key messages were reflected upon deeply: (1) the one who commits a crime is in rebellion with God (2) healing in the context of the community (3) to minister to the oppressed (4) to ensure that the released prisoners don't backslide (5) through our actions we bring glory to God on earth and our communities are to be transformed. He enlightened the volunteers as he said, "We need to focus on regeneration of prisoners not just rehabilitation. For that, we need to be regenerated. This is possible only if we are deeply rooted in Christ and the Scripture."

PMI: HISTORICAL INTROSPECTION

Dr Francis Kodyan MCBS, PMI cofounder took the volunteers through the various events, achievements and milestones of PMI since 1986 to 2020. He also shared his calling to serve prisoners, the initial group of brothers and the birth of PMI. Fr Francis concluded thanking all the participants for being a part of this Ministry and encouraged them by saying "All things are possible through Christ."

PMI: SPIRITUALITY

On 14 April, the first session was handled by Rev Dr Francis Kodyan MCBS, the national coordinator and secretary to CBCI for PMI who imparted the Spirituality of PMI to the volunteers.

All the participants were deeply touched and moved as Fr Francis shared his God-experience at Elijah Ashram of his call to dedicate his life for the conversion of sinners. Fr Francis, explained PMI Spirituality with the following key points: Jesus centered spirituality, people-oriented spirituality, spirituality of the Good Shepherd, spirituality of the Father and spirituality of reformation. A few more points were explained in detail which are signs of PMI spirituality, namely, compassion as best expression of PMI spirituality, daily habits in prison ministry, PMI volunteers' special skills, characteristics of PMI Volunteers, PMI spiritual principles, rainbow spirituality, repentance spirituality and regaining spirituality. We, as PMI volunteers, need to undergo a spiritual transformation before we can minister to the lost sheep. Stages of reformation begin with self-reformation followed by reformation of prisoners, prisons, churches, society and finally the world. Fr Francis concluded it by inviting volunteers to deposit their daily struggles in the Bank of Suffering which is one of the PMI banks.

PMI: LIFESTYLE AND GUIDING PRINCIPLES

Sr Lini Sheeja MSC, PMI former national secretary lit the fire in the volunteers as she spoke on PMI – A Ministry to Regain the Lost. Prison ministry is a ministry to regain the Lost and a calling to all Christians and one needs to have 5 C's in him or her, ie, Christ, conviction, concern, commitment and courage. As God called Moses by hearing the cry of the Israelites, the call of each PMI volunteer is the response of the cry of our brethren behind the bars. Key-notes like characteristics of PMI volunteers, prominent concepts, seed of PMI, PMI emblem and services of PMI were explained. The 4 basic principles of Prison Ministry India are: 1) Prayer our Power House 2) Inconvenience our Convenience 3) God's Providence our Bank Balance 4) Begging our Lifestyle. PMI volunteers need to pay

close attention to the 3 Inevitable Realities – no appreciation, non-encouraging situation and no immediate results.

PRISON MINISTRY IN SRI LANKA

On 15 April, Fr Anton Sriyan explained about the work of Prison Ministry in Sri Lanka. He being the national coordinator of Sri Lanka, Fr Anton began with a detailed explanation of the structure of the prisons in Sri Lanka and the manner in which they are connected to 13 dioceses with prison chaplains under each diocese. Under these chaplains they have sub committees through whom they work. They provide pastoral care to prisoners and attend to their spiritual welfare. They have 8 Major Prisons, 21 Remand Prisons and 4 Open Prisons and also have access to all the prisons. The Parish priest goes to Remand Prisons to celebrate mass, and sees to their spiritual welfare. A Human Rights Office is formed which is headed by a priest that looks after legal cases with lawyers that help voluntarily. There are many war prisoners, political prisoners and their families are helped to get justice. Prison Ministry Sri Lanka conduct various activities in prisons that include competitions, festival celebrations, Holy Mass and much more. They work closely with children of prisoners in funding for their education. Many testimonies were shared to show to the volunteers God's mighty hand in their ministerial work in prison.

PMI: CENTRAL REGION AND PUNE UNIT

Fr Wilfred Fernandes, central region and Pune unit coordinator presented the structure, new initiatives and activities of PMI Central region and Pune Unit. The PMI central region consists of 10 States and each State with the guidance of its coordinators extend great services within the prison walls. They do extend support for released prisoners and their families. Children's

education and Juvenile homes are also a priority and many children are blessed through the ministry. During the pandemic, the ministry focused on volunteers as well by giving them the required training and spiritual food as well. Legal Cell and Medical Cell are the recent new additions. The volunteers were briefed on various benefits, objectives, pre-requisites, setting up process and organisational structure of PMI at the Parish Unit Level. This Ministry is not about us but about the prisoners.

PMI: SOUTH REGION AND KERALA STATE

Fr Shaji Stephen OdeM, PMI south region and Kerala State coordinator gave in detail about the various units, structure of each unit, executive body and their duties. The South region consists of 5 States and all the States are doing commendable service for the welfare of prisoners and their families and PMI national office is located in the South region as well. Kerala has 8 zones and each zone has an appointed director. Seminary units and their duties were highlighted. They have various Rehabilitation centres and they have done much work within the prisons and have also reached beyond prison walls. Prison Ministry Kerala have various bi-monthly publications and online sites that we can have access to. We need to have a structure within the Ministry which will help us serve better.

PMI: MINISTRIES INSIDE THE PRISON

On 16 April, Sr Adele SCCG, PMI national executive member elaborated on the ministries inside the prison, inspiring the volunteers as she gave testimonies sharing her own day-to-day experience of serving prisoners. She began by sharing that the Spirit of God is her strength and how we are called to bear Christ's light by leading captives to the Light of Christ. We, as volunteers are called to enter prisons and touch them with a

merciful heart and transform their lives. Sister shared her various experiences in prison and outside the prison in bringing about release, reform, renewal, rehabilitation and reintegration of prisoners. She pointed out that they focus on bringing reconciliation to the prisoner and restoring their peace. The volunteers were enlightened on the various services rendered to prisoners and their families in prison. She concluded by reminding everyone that no one is born a criminal but are made so by various factors.

PMI: MINISTRIES OUTSIDE THE PRISON

Fr Benny Pachanal CRSP, PMI assistant national coordinator, explained about ministries outside the prison. Fr Benny quoted the saying in PMI: “PMI work does not end inside the prison, but also covers extensively the life of a prisoner including their families after their release”. Over the years PMI built various rehabilitation centers for men, women and children. PMI does have the RRDC and volunteers are given full knowledge of the ministry through training programs. PMI has participated in various conferences and meetings at international, national, regional and State levels. Creating awareness is essential and PMI successfully does so through various programs and printed literature. The volunteers connect with the prisoners and their families bringing reconciliation. Fr Benny concluded by encouraging the participants to do their best and know that the Lord will make a way.

PMI: BANGALORE BEGINNINGS

Sr Clara HC, the directress of Jeevodaya, a rehabilitation center for released women prisoners and women in distress, motivated the volunteers as she spoke from her experience. She said, “Our purpose of jail visits is two-fold – we are visiting Jesus in the jail and we are also representing Jesus to others. We should

aim to release prisoners in their hearts and thus focus on being faithful to them. She recalled her experiences since the last 25 years right from inception. The first national gathering was conducted in August 1994. She shared how the journey was not easy but had many hurdles, beginning from getting a place, starting the office, creating awareness and reaching prisons. Dependence on Divine Providence was the only requirement and prayer became their power house. Sr. Clara shared a couple of heart-warming and encouraging experiences on how she suffered for Christ. She concluded it by reminding us that prison ministry is a call within a call. We must be courageous and believe that God will qualify the called.

PMI: COUNSELING SKILLS

On 17 April, Fr Subash CRSP, Rector of Barnabite Seminary, Bengaluru, handled the first session on “counseling skills for PMI volunteers”. He began his session stating that anyone who has associated or associates himself/herself with prisoners is a counselor. The importance of counseling was strongly stressed for the volunteers. A counselor’s main aim is to bring positive behavioral changes in the prisoners not by giving solutions but by supporting them with empathy, congruence and unconditional positive concern. He said, “Where there is no guidance, a nation falls, but in an abundance of counselors there is safety” (Prov 11:14). This verse of scripture is the inspiration behind counseling in prisons. Solution to any problem of the individual lies largely within that individual. Thus, counseling is an interactive process that aims to bring about change in behavior, beliefs and levels of emotional distress. There are three stages of counseling – initial disclosure, in-depth exploration and commitment to action. Fr Subash concluded it by reminding the volunteers that God works through us in this ministry for the lost.

PMI: INCESSANT INTERCESSORY INVOCATION FOR THE INCARCERATED

Mrs Rowena Luis, PMI Maharashtra state secretary, shared the insight to the PMI volunteers on Incessant Intercessory Invocation for the Incarcerated. The participants were taken through the biblical foundation with references from the Old and New Testament. Rowena shared the 5 ways to go from Prison to Paradise. Encouraging personal testimonies were shared that motivated all. The teaching was concluded with a motivational story that taught the participants how-to walk-in love.

PMI: RUBY JUBILEE PROJECTS

Sr Amala DC, PMI national secretary presented the ruby jubilee projects to PMI. She began with the inception of PMI and took the participants through its inauguration and the various projects for the ruby jubilee. She invited everyone to join the Burning Bush every first Friday of the month and to participate actively in Incessant Intercessory Invocation for the Incarcerated. Various generous donors have donated plots to PMI and Kolbe Homes for children will be constructed. Education of 40 Kolbe Children has been sponsored, 40 houses for released prisoners are to be constructed, 40 Special Task forces are formed and the list was shared; 400 Scholarship to Children to be given, 400 prisoners to be released and we believe in Divine Providence to add another 4000 PMI volunteers to PMI family.

PMI: BURNING BUSH SPIRITUAL BANQUET

On 19 April, the first session was handled by Mrs Goretti Martins, PMI Goa, in which she spoke on PMI Burning Bush Spiritual Banquet. She began with explaining how God calls

the weak and qualifies the unqualified. Our ministry begins with prayer. She quoted references from the Old and New Testament and emphasized the importance of reading the Word of God and its application. Her personal testimonies were heart touching and reflected the power of prayer. Goretti concluded by saying, “Many are called but we are chosen to attend the training and serve in the ministry. We must make the most of it.”

PMI: STATE LEVEL MINISTRY

PMI State level ministries were presented by Fr Dion Isaac, PMI Telangana state coordinator and Mr Vincent. Fr Dion spoke about the online intercessory prayers and fellowship in detail and how it strengthens him and the PMI volunteers spiritually. Although he has been a priest for 25 years, he has learnt a lot and experienced many miracles since he joined the prison ministry. Mr Vincent took over and spoke about his experience in the ministry. He gave an account of the various services they render through the ministry and how it has a direct effect on their lives. The contributions of Sr Leena Kattokaran FMM were highlighted as she is known as the iron lady and by witnessing her work for the brethren behind the bars, AP Home Minister exclaimed, “a gun cannot change the prisoner, but the nun can”. Her work is truly inspirational. We remember her in our daily prayers. Mr Vincent concluded his message saying, ‘service to prisoners is a great blessing’.

PMI: UNIT LEVEL MINISTRY

PMI Unit level ministry was presented by Mrs Veera Pinto, PMI Bangalore unit secretary. The structured hierarchy of office bearers, meticulous plans and the vibrant volunteers help PMI in Bangalore effectively reach out to the least, the lost and the last. She shared about the inside and outside of outreach

programs including COVID pandemic activities. She stressed that volunteer enrichment and appreciation is integral to their success.

PMI: TIHAR UNIT

Sr Inigo Joachim SSAM, moved the hearts of the volunteers as she spoke from her heart with her living testimonies on her service to the brethren behind the bars in Tihar prisons, Delhi. She expressed her belief that we don't need to plan, but rather God will plan for us. Jesus is the founder of this Ministry. Prison Ministry is a biblical, spiritual and universal Ministry. We must not focus on our personal recognition rather be committed to bring change in the life of prisoners. That's where the real blessing consists. She shared the details of the jail, various jails within it, and their living conditions. The various factories, employment in them and the stipend paid to prisoners were informative to all the participants. She also shared details of the various services PMI volunteers are committed to, the challenges they face and their heart touching experiences too. Sr Inigo concluded it by saying "prison ministry is a ministry of presence that increases our faith on Biblical based experience".

BIRTHDAYS AND FEAST DAYS

Birthdays of Most Rev Bishop Allwyn D'Silva, PMI chairman and Sr Adele Korah SCCG, PMI national executive member were celebrated on 20 April 2021. The participants of Volunteers Online Training Program 2021 greeted them with hearts full of joy and gratitude for their humble service in the vineyard of the Lord. On 23 April 2021, the feast day of Fr Varghese Karipery, PMI cofounder and Fr Benny Pachanal CRSP, PMI assistant national coordinator was celebrated.

PMI: REHABILITATION CENTERS

On 20 April, the participants journeyed with Fr Binoy, Snehashramam director, PMI renewal and rehabilitation center for male released prisoners. Snehashramam is a renewal and rehabilitation center for men located at Thrissur, Kerala, which started on 1st Oct 1991. Fr Francis Kodiyan MCBS and Fr Varghese Karipery are the founding Fathers. Working with prisoners is not easy but to be a love bomb is the inspiration and driving force that helps them to serve the inmates. Snehashramam is not an institution, but an Ashram that helps inmates to experience the love of Jesus. He shared about the various activities done with these inmates to help them overcome their darkness and their shortcomings. They also help them to get a job and start a family.

Snehashramam, a rehabilitation & renewal center for released female prisoners and abandoned girls located at Trivandrum, Kerala was presented by Sr Beena SDP. The center is under the auspices of Jesus Fraternity. Fr Francis Kodiyan inspired by the Spirit of God and placing his complete trust in him began this center with nothing. Through its 28 years of service, Snehashramam has accommodated and trained 554 girls and assisted in the marriages of 49 women. The women who come to Snehashramam have been drawn into crime due to poverty and despair, forced to sell their womanhood for survival, brutally molested in brothels and flesh trading centers and have experienced grave moral dangers. These broken, bruised, dejected and despised women are regenerated here through spiritual and psychological renewal and rehabilitation. It aims to rehabilitate and re-integrate women into mainstream society through spiritual healing, psychological healing, reconciliation (with self, society & God) and vocational training.

Premodaya, a home for prisoners' children (girls) was presented by Sr Jerlyn Joyce SSAM. She emphasized on the girl children and their need for love & care as well as the vulnerability and strength of girl children. Children of prisoners face a lot of hardships from their own kind as well as from society at large. This is where PMI steps in to bring a holistic & integral development. Premodaya focuses on providing shelter, protection and education. An extensive list of activities conducted for the children was shared along with pictures that showed joyful memories of these children. These Children are supported to pursue higher education and are given career guidance and counseling. Sr Jerlyn concluded by telling the importance of empowering the girl children.

Kolbe Home, a center for prisoners' children (boys) was presented by Sr Basil SCS, Kolbe Home Superior. Inspired by Fr Sebastian Vadakumpadan (former National Coordinator of PMI) Kolbe Home is for children of prisoners and for children living in extreme poverty/living in broken homes. It is located in Bengaluru, under PMI national office and Fr Francis Kodiyan is its director. The life situation of these children has a deep impact on their psychological, spiritual and intellectual well-being. Kolbe Home strives to enhance their love, intellectual, social, emotional and spiritual quotients so as to regenerate them back into the main stream society. Currently, Kolbe Home has 36 children under its care with a plan to extend its capacity.

TYPES OF PRISONS AND PRISONERS

On 21 April, Mr Jesuraja, Tamilnadu state secretary, handled the first session on types of prisons and prisoners. He explained in detail the different types of prisons and Prisoners. Currently we have over 1350 prisons across India. The commendable repatriation work done by PMI was explained in detail with examples. Pictures were shared of the various people that were

helped and powerful testimonies shared. Jesuraja concluded by reminding us that the prison ministry is a call within a call and we are blessed to serve through this ministry.

PMI: SPECIAL TASK FORCES

Fr Michael Francis, commander in chief of 41 PMI Special Task Forces shared on STF conception, patroness and inauguration. We have 41 Special Task Forces and all the 41 names were presented. Reformation warfare is between God and Evil and we cannot do all things by ourselves. We must seek help from God and this is done through the 40 days program. The members focus their prayer and fasting efforts for the transformation of specific prisoners in dire need. The different Task Force Angels are Death Row Commandoes (DRC), Terrorist Saving Squads (TSS), Mafia Redeemers (MR), Antihuman Trafficking Brigadiers (ATB), Serial Killers' Redeemers (SKR) and Habituals' Saving Squadron (HSS). The patron of this new wing of PMI is St Therese of Lisieux, who by offering Holy Mass and mortifications led to the repentance of Pranzini, a hardcore triple murderer. We need to promote this new wing of PMI in our units. Those interested are required to register by completing the membership form.

DEATH ROW COMMANDOES (DRC)

Lt. Col. Jennifer, Chief of Death Row Commandoes began by reminding the participants that everything is possible through Christ. Details about the Inaugural session, the first monthly meeting, the successful completion of 6 months and the milestones in it were shared. The group consists of 35 members that include priests, nuns and laity. The importance of intercessory prayers and the overall mission of the group was explained. The session was concluded reminding all of Jesus' words, "The harvest is plentiful but the laborers are few."

PMI: BEST PRACTICES

Best Practices of PMI were presented by Sr Lini Sheeja. She began by saying, “Every saint has a past and every sinner a future.” If so we should not be judgmental but rather offering hope for the hopeless. As she explained the guidelines for PMI she said, “to begin with, we need to plan and prepare ourselves before we enter a prison – we need to put on the armor of God and follow the entry procedures. Once inside, we are the guests of the prison officials in a highly restricted area. We need to strictly adhere to the prescribed and permitted behavior guidelines.” Details of the procedures that need to be followed before entering the prison, within the prison, beyond prison walls and in the ministry were explained. Having a balanced perspective, a positive attitude and prayer are vital. Sr Lini concluded the session with the encouraging words: “To make disciples of a spiritual community.”

PMI: NORTH EAST REGION

On 22 April, Sr Jobina UFS, PMI north-east regional coordinator handled the first session on PMI north-east region. She gave a brief introduction, background, structure and number of prisons in the north-eastern region. There are 14 PMI Northeast units in 8 states serving 77 prisons. PMI North-east region conducts inside and outside programs. More recently, Covid19 awareness programs, distribution of masks and sanitizers are being undertaken. The PMI volunteers are constantly in touch with officials so as to reach as many as needed. Volunteer training and motivation are regularly being conducted. PMI Northeast in collaboration with CRI extends a better service for our brethren behind the bars. Various activities and programs are conducted in prison and within the unit too. The units emphasize on prayer and fasting for the success of their ministerial work. Sr Jobina concluded it by extending her gratitude to all for their love and support.

PMI: FUND RAISING

Sr Rosily Jose SCC motivated the participants as she meticulously presented about PMI fund-raising schemes. The participants got an insight into PMI community life, PMI wealth, and PMI economics. Five different kinds of funds in detail were explained: prayer fund, suffering fund, penance fund, sanctification fund and material fund. Using our wealth to bless the other as well as being shrewd stewards is vital. Various testimonies and test of faith in the Divine Providence of PMI cofounders' Fr Francis and Fr Varghese were given. The importance of having great and divine dreams for prisoners was the new insight for VOTP 2021 participants. Various ways of raising funds for PMI and on its Distribution was shared.

PRISONER'S LIFE TESTIMONY

Mr. Reny George, an ex-prisoner and founder of Prison Fellowship, Bengaluru shared his life experience of being redeemed from the dark cells of prisons. He shared his life experience and his journey from being a notorious prisoner to a redeemed prisoner. The Lord had touched his life and changed him forever. Today he is actively working for the welfare of prisoners and their families. Mr Reny and his wife provide external assistance to the children of prisoners by supporting them with their educational requirements. Reny concluded by saying the love and mercy that he received from Jesus, he shares with everyone he meets. He testified that there is much hope for even the most hardened prisoner.

PMI: 3 R THEORY

On 23 April, Fr Varghese Karipery, PMI cofounder shook PMI VOTP 2021 participants as he shared his life experience. He gave a brief background of the inception of PMI. Since the beginning of the mission, they witnessed the 3 E's: experiment,

experience and enjoy. He explained in detail 3 R Theory: Release, Renewal and Rehabilitation. Various heart-warming testimonies and experiences were shared. The session was concluded with an encouraging statement on the importance of helping prisoners who want to be renewed and reformed.

PMI: HIRED-KILLERS REFORMATION

Fr Alexander Kureekattil CMF who tirelessly works for the reformation of hired-killers challenged the participants as he shared his living experience with hired-killers in past decades. Prison Ministry is a call to serve prisoners and their families. He shared details of the launch of Shanti Bhavan in Kochi. Fr Alexander imprinted an insight on reformation of hired-killers in the hearts of all the participants. Powerful testimonies and conversion stories of hired-killers were shared. He insisted that it is essential to build a community of love. Only through prayers the gates of prison will open and prisoners will turn from their sin-enslaved ways. Father concluded by saying, “Open your eyes, there is plenty of work. Let us work hand in hand to serve the prisoners.”

INNOCENT PRISONER’S LIFE TESTIMONY

Mr Noy Joseph, an innocent prisoner who was falsely accused and imprisoned in Kuwait prison, shared his life struggles together with his wife Jovina. It was a very challenging time in their life, and with God’s grace they shared their story, that inspired the group. He was falsely accused for what he had not done. During those agonizing moments as family, they thought of ending their lives. The Lord had brought this family a long way and will continue to use them in his vineyard. Today they have their own business, the Lord is blessing them in abundance from sources they know not. The session was concluded with

the Gospel verse from Luke 12: 22-25. The couple continues to believe in God's plan for their lives.

CONCLUDING REMARKS AND FRUITS OF VOTP 2021

Fr Francis Kodyan, PMI national coordinator and secretary to CBCI for Prison Ministry India gave the concluding remarks and announced its fruits gratefully. This current training group is a big family. He appreciated each and every one for their help, support and contribution.

1. He informed its members of the inauguration of St. Anthony's Home for Children, Kankavli. The batch is entrusted with this home. We are here to pray and work towards the well-being of this home.
2. We will have a night-vigil once a week, every Friday morning from 12am to 3am which will be launched from next Friday (30 April 2021).
3. As requested by the group, an Online Counseling PMI together with Anugraha Counseling Institute, Dindigul organizes counseling program for the volunteers from 3-23 May 2021.
4. Online Retreat will be arranged for VOTP participants in the month of June or July.
5. National office will guide and support the team to set up a Home for Trafficked Women in Mumbai.
6. Volunteers are asked to find out the following Prisons near them: 1) Central Jails, 2) District Jails 3) Special Jails 4) Sub Jails and 5) Women's Jails.
7. Volunteers must pray for at least 5 prisoners daily. All are requested to join the intercessory group and any one Special Task Force.

8. Launching of PMI Special Task Forces, Antidrug Trafficking Warriors (ATW), Abducted People's Releasers (APR), Anointed Prisoners' Releasers (APR), Mafia Redeemers (MR), Terrorists Saving Squads (TSS)

PERSONAL SHARING OF THE VOLUNTEERS

Every day from 4 to 5 pm the participants logged into Google Meet to share their rich experience of being as the member of prison ministry family. Many shared their call within a call in PMI. One surprised the other with their life experience and their contributions to the brethren behind the bars. The new volunteers were overwhelmed and inspired by the sharing of the old volunteers and their lived experience. The newcomers promised their commitment and dedication to the ministry.

VALEDICTORY CEREMONY

On 24 April 2021, the valedictory ceremony of Volunteers Online Training Program 2021 started at 10am with the prayer led by Mrs Antoinette Fernandes. Invoking the Holy Spirit to guide us throughout the ministry, we surrendered all our volunteers and all our brethren behind the bars to the Trinitarian God as we began the valedictory ceremony. Fr Francis Kodiyan MCBS the national coordinator began the Valedictory Function with a warm and joyous address to all the participants. He welcomed all the dignitaries and participants with a grateful heart. Fr Francis thanked all the participants for joining the program and for their patience and persistence as we worked our way through the technology glitches. He encouraged all to continue our commitment to the ministry and to keep reading all the material that has been shared with us. He gave to all the members a gift-kit. Dr Rosily Thomas from Mumbai, then took us through a succinctly prepared review of the course content

over the past 11 days. It was a lovely refresher for all the participants.

PRESIDENTIAL ADDRESS

Most Rev Dr Allwyn D'Silva, PMI Chairman, Auxiliary Bishop of Bombay in his presidential address, addressed the group next with high appreciation for Fr Francis, Sr Amala and team for organizing another online training program for PMI volunteers. While face to face in-person interaction was not possible, we did have some meaningful one on one interaction. He added that the training program was very topical and will be extremely helpful in developing the skills of the volunteers, equipping them to serve in this Ministry of Love. He was pleased to note that the role and power of prayer has been rightly given very important emphasis in this Ministry. He also applauded all the speakers for their sharing of lived experiences and life-testimonies. In conclusion, His Lordship blessed the members and wished each one all the very best as they begin their mission in their own areas.

CERTIFICATE DISTRIBUTION AND COLLAGE RELEASE

VO'TP 2021 collage and souvenir were released by Most Rev Allwyn D'Silva and he appreciated Sr Lini MSC, Petula and Michelle Lopez for their creative work in bringing out beautiful collage and souvenir. This was followed by the awarding of participants' certificates. Bishop Allwyn had a kind and encouraging word for each participant as his/her certificate was presented. Sr Amala DC, PMI national secretary proposed a vote of thanks for the dignitaries, resource persons and all the participants and Mrs Nirmala Menezes concluded the valedictory function with the concluding prayer.

THE UNITED NATIONS STANDARD MINIMUM RULES FOR THE TREATMENT OF PRISONERS (THE NELSON MANDELA RULES)

The United Nations Office of Drugs and Crimes¹⁰

PRELIMINARY OBSERVATION 1

The following rules are not intended to describe in detail a model system of penal institutions. They seek only, on the basis of the general consensus of contemporary thought and the essential elements of the most adequate systems of today, to set out what is generally accepted as being good principles and practice in the treatment of prisoners and prison management.

PRELIMINARY OBSERVATION 2

1. In view of the great variety of legal, social, economic and geographical conditions in the world, it is evident that not all of the rules are capable of application in all places and at all times. They should, however, serve to stimulate a constant endeavor to overcome practical difficulties in the way of their application, in the knowledge that they

¹⁰ This publication has been made possible thanks to a contribution from the Government of Germany. 1 General Assembly resolution 70/175, annex, adopted on 17 December 2015. PMI is indebted to The United Nations Office of Drugs and Crimes to publish this article.

represent, as a whole, the minimum conditions which are accepted as suitable by the United Nations.

2. On the other hand, the rules cover a field in which thought is constantly developing. They are not intended to preclude experiment and practices, provided these are in harmony with the principles and seek to further the purposes which derive from the text of the rules as a whole. It will always be justifiable for the central prison administration to authorize departures from the rules in this spirit.

PRELIMINARY OBSERVATION 3

1. Part I of the rules covers the general management of prisons, and is applicable to all categories of prisoners, criminal or civil, untried or convicted, including prisoners subject to “security measures” or corrective measures ordered by the judge.
2. Part II contains rules applicable only to the special categories dealt with in each section. Nevertheless, the rules under section A, applicable to prisoners under sentence, shall be equally applicable to categories of prisoners dealt with in sections B, C and D, provided they do not conflict with the rules governing those categories and are for their benefit.

PRELIMINARY OBSERVATION 4

1. The rules do not seek to regulate the management of institutions set aside for young person’s such as juvenile detention facilities or correctional schools, but in general part I would be equally applicable in such institutions.
2. The category of young prisoners should include at least all young persons who come within the jurisdiction of juvenile courts. As a rule, such young persons should not be sentenced to imprisonment.

I. RULES OF GENERAL APPLICATION

BASIC PRINCIPLES

RULE 1

All prisoners shall be treated with the respect due to their inherent dignity and value as human beings. No prisoner shall be subjected to, and all prisoners shall be protected from, torture and other cruel, inhuman or degrading treatment or punishment, for which no circumstances whatsoever may be invoked as a justification. The safety and security of prisoners, staff, service providers and visitors shall be ensured at all times.

RULE 2

1. The present rules shall be applied impartially. There shall be no discrimination on the grounds of race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or any other status. The religious beliefs and moral precepts of prisoners shall be respected.
2. In order for the principle of non-discrimination to be put into practice, prison administrations shall take account of the individual needs of prisoners, in particular the most vulnerable categories in prison settings. Measures to protect and promote the rights of prisoners with special needs are required and shall not be regarded as discriminatory.

RULE 3

Imprisonment and other measures that result in cutting off persons from the outside world are afflictive by the very fact of taking from these persons the right of self-determination by depriving them of their liberty. Therefore, the prison system

shall not, except as incidental to justifiable separation or the maintenance of discipline, aggravate the suffering inherent in such a situation.

RULE 4

1. The purposes of a sentence of imprisonment or similar measures deprivative of a person's liberty are primarily to protect society against crime and to reduce recidivism. Those purposes can be achieved only if the period of imprisonment is used to ensure, so far as possible, the reintegration of such persons into society upon release so that they can lead a law-abiding and self-supporting life.

2. To this end, prison administrations and other competent authorities should offer education, vocational training and work, as well as other forms of assistance that are appropriate and available, including those of a remedial, moral, spiritual, social and health- and sports-based nature. All such programs, activities and services should be delivered in line with the individual treatment needs of prisoners.

RULE 5

1. The prison regime should seek to minimize any differences between prison life and life at liberty that tend to lessen the responsibility of the prisoners or the respect due to their dignity as human beings.
2. Prison administrations shall make all reasonable accommodation and adjustments to ensure that prisoners

with physical, mental or other disabilities have full and effective access to prison life on an equitable basis.

PRISONER FILE MANAGEMENT

RULE 6

There shall be a standardized prisoner file management system in every place where persons are imprisoned. Such a system may be an electronic database of records or a registration book with numbered and signed pages. Procedures shall be in place to ensure a secure audit trail and to prevent unauthorized access to or modification of any information contained in the system.

RULE 7

No person shall be received in a prison without a valid commitment order. The following information shall be entered in the prisoner file management system upon admission of every prisoner: (a) Precise information enabling determination of his or her unique identity, respecting his or her self-perceived gender; (b) The reasons for his or her commitment and the responsible authority, in addition to the date, time and place of arrest; (c) The day and hour of his or her admission and release as well as of any transfer; (d) Any visible injuries and complaints about prior ill-treatment; (e) An inventory of his or her personal property; (f) The names of his or her family members, including, where applicable, his or her children, the children's ages, location and custody or guardianship status; (g) Emergency contact details and information on the prisoner's next of kin.

RULE 8

The following information shall be entered in the prisoner file management system in the course of imprisonment, where applicable: (a) Information related to the judicial process,

including dates of court hearings and legal representation; (b) Initial assessment and classification reports; (c) Information related to behavior and discipline; (d) Requests and complaints, including allegations of torture or other cruel, inhuman or degrading treatment or punishment, unless they are of a confidential nature; (e) Information on the imposition of disciplinary sanctions; (f) Information on the circumstances and causes of any injuries or death and, in the case of the latter, the destination of the remains.

RULE 9

All records referred to in rules 7 and 8 shall be kept confidential and made available only to those whose professional responsibilities require access to such records. Every prisoner shall be granted access to the records pertaining to him or her, subject to redactions authorized under domestic legislation, and shall be entitled to receive an official copy of such records upon his or her release.

RULE 10

Prisoner file management systems shall also be used to generate reliable data about trends relating to and characteristics of the prison population, including occupancy rates, in order to create a basis for evidence-based decision-making. Separation of categories

RULE 11

The different categories of prisoners shall be kept in separate institutions or parts of institutions, taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment; thus: (a) Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women, the whole

of the premises allocated to women shall be entirely separate; (b) Untried prisoners shall be kept separate from convicted prisoners; (c) Persons imprisoned for debt and other civil prisoners shall be kept separate from persons imprisoned by reason of a criminal offence; (d) Young prisoners shall be kept separate from adults.

ACCOMMODATION

RULE 12

1. Where sleeping accommodation is in individual cells or rooms, each prisoner shall occupy by night a cell or room by himself or herself. If for special reasons, such as temporary overcrowding, it becomes necessary for the central prison administration to make an exception to this rule, it is not desirable to have two prisoners in a cell or room. 2. Where dormitories are used, they shall be occupied by prisoners carefully selected as being suitable to associate with one another in those conditions. There shall be regular supervision by night, in keeping with the nature of the prison.

RULE 13

All accommodation provided for the use of prisoners and in particular all sleeping accommodation shall meet all requirements of health, due regard being paid to climatic conditions and particularly to cubic content of air, minimum floor space, lighting, heating and ventilation.

RULE 14

In all places where prisoners are required to live or work: (a) The windows shall be large enough to enable the prisoners to read or work by natural light and shall be so constructed that

they can allow the entrance of fresh air whether or not there is artificial ventilation; (b) Artificial light shall be provided sufficient for the prisoners to read or work without injury to eyesight.

RULE 15

The sanitary installations shall be adequate to enable every prisoner to comply with the needs of nature when necessary and in a clean and decent manner.

RULE 16

Adequate bathing and shower installations shall be provided so that every prisoner can, and may be required to, have a bath or shower, at a temperature suitable to the climate, as frequently as necessary for general hygiene according to season and geographical region, but at least once a week in a temperate climate.

RULE 17

All parts of a prison regularly used by prisoners shall be properly maintained and kept scrupulously clean at all times.

PERSONAL HYGIENE

RULE 18

1. Prisoners shall be required to keep their persons clean, and to this end they shall be provided with water and with such toilet articles as are necessary for health and cleanliness.
2. In order that prisoners may maintain a good appearance compatible with their self-respect, facilities shall be provided for the proper care of the hair and beard, and men shall be able to shave regularly.

Clothing and Bedding

RULE 19

1. Every prisoner who is not allowed to wear his or her own clothing shall be provided with an outfit of clothing suitable for the climate and adequate to keep him or her in good health. Such clothing shall in no manner be degrading or humiliating.
2. All clothing shall be clean and kept in proper condition. Underclothing shall be changed and washed as often as necessary for the maintenance of hygiene.
3. In exceptional circumstances, whenever a prisoner is removed outside the prison for an authorized purpose, he or she shall be allowed to wear his or her own clothing or other inconspicuous clothing.

RULE 20

If prisoners are allowed to wear their own clothing, arrangements shall be made on their admission to the prison to ensure that it shall be clean and fit for use.

RULE 21

Every prisoner shall, in accordance with local or national standards, be provided with a separate bed and with separate and sufficient bedding which shall be clean when issued, kept in good order and changed often enough to ensure its cleanliness.

FOOD

RULE 22

1. Every prisoner shall be provided by the prison administration at the usual hours with food of nutritional

value adequate for health and strength, of wholesome quality and well prepared and served.

2. Drinking water shall be available to every prisoner whenever he or she needs it.

EXERCISE AND SPORT

RULE 23

1. Every prisoner who is not employed in outdoor work shall have at least one hour of suitable exercise in the open air daily if the weather permits.
2. Young prisoners, and others of suitable age and physique, shall receive physical and recreational training during the period of exercise. To this end, space, installations and equipment should be provided.

HEALTH-CARE SERVICES

RULE 24

1. The provision of health care for prisoners is a State responsibility. Prisoners should enjoy the same standards of health care that are available in the community, and should have access to necessary health-care services free of charge without discrimination on the grounds of their legal status.
2. Health-care services should be organized in close relationship to the general public health administration and in a way that ensures continuity of treatment and care, including for HIV, tuberculosis and other infectious diseases, as well as for drug dependence.

RULE 25

1. Every prison shall have in place a health-care service tasked with evaluating, promoting, protecting and improving the

physical and mental health of prisoners, paying particular attention to prisoners with special health-care needs or with health issues that hamper their rehabilitation.

2. The health-care service shall consist of an interdisciplinary team with sufficient qualified personnel acting in full clinical independence and shall encompass sufficient expertise in psychology and psychiatry. The services of a qualified dentist shall be available to every prisoner.

RULE 26

1. The health-care service shall prepare and maintain accurate, up-to-date and confidential individual medical files on all prisoners, and all prisoners should be granted access to their files upon request. A prisoner may appoint a third party to access his or her medical file.
2. Medical files shall be transferred to the health-care service of the receiving institution upon transfer of a prisoner and shall be subject to medical confidentiality.

RULE 27

1. All prisons shall ensure prompt access to medical attention in urgent cases. Prisoners who require specialized treatment or surgery shall be transferred to specialized institutions or to civil hospitals. Where a prison service has its own hospital facilities, they shall be adequately staffed and equipped to provide prisoners referred to them with appropriate treatment and care.
2. Clinical decisions may only be taken by the responsible health-care professionals and may not be overruled or ignored by non-medical prison staff.

RULE 28

In women's prisons, there shall be special accommodation for all necessary prenatal and postnatal care and treatment.

Arrangements shall be made wherever practicable for children to be born in a hospital outside the prison. If a child is born in prison, this fact shall not be mentioned in the birth certificate.

RULE 29

1. A decision to allow a child to stay with his or her parent in prison shall be based on the best interests of the child concerned. Where children are allowed to remain in prison with a parent, provision shall be made for: (a) Internal or external childcare facilities staffed by qualified persons, where the children shall be placed when they are not in the care of their parent; (b) Child-specific health-care services, including health screenings upon admission and ongoing monitoring of their development by specialists.
2. Children in prison with a parent shall never be treated as prisoners.

RULE 30

A physician or other qualified health-care professionals, whether or not they are required to report to the physician, shall see, talk with and examine every prisoner as soon as possible following his or her admission and thereafter as necessary. Particular attention shall be paid to: (a) Identifying health-care needs and taking all necessary measures for treatment; (b) Identifying any ill-treatment that arriving prisoners may have been subjected to prior to admission; (c) Identifying any signs of psychological or other stress brought on by the fact of imprisonment, including, but not limited to, the risk of suicide or self-harm and withdrawal symptoms resulting from the use of drugs, medication or alcohol; and undertaking all appropriate individualized measures or treatment; (d) In cases where prisoners are suspected of having contagious diseases, providing for the clinical isolation and adequate treatment of

those prisoners during the infectious period; (e) Determining the fitness of prisoners to work, to exercise and to participate in other activities, as appropriate.

RULE 31

The physician or, where applicable, other qualified health-care professionals shall have daily access to all sick prisoners, all prisoners who complain of physical or mental health issues or injury and any prisoner to whom their attention is specially directed. All medical examinations shall be undertaken in full confidentiality.

RULE 32

1. The relationship between the physician or other health-care professionals and the prisoners shall be governed by the same ethical and professional standards as those applicable to patients in the community, in particular: (a) The duty of protecting prisoners' physical and mental health and the prevention and treatment of disease on the basis of clinical grounds only; (b) Adherence to prisoners' autonomy with regard to their own health and informed consent in the doctor-patient relationship; (c) The confidentiality of medical information, unless maintaining such confidentiality would result in a real and imminent threat to the patient or to others; (d) An absolute prohibition on engaging, actively or passively, in acts that may constitute torture or other cruel, inhuman or degrading treatment or punishment, including medical or scientific experimentation that may be detrimental to a prisoner's health, such as the removal of a prisoner's cells, body tissues or organs.
2. Without prejudice to paragraph 1 (d) of this rule, prisoners may be allowed, upon their free and informed consent

and in accordance with applicable law, to participate in clinical trials and other health research accessible in the community if these are expected to produce a direct and significant benefit to their health, and to donate cells, body tissues or organs to a relative.

RULE 33

The physician shall report to the prison director whenever he or she considers that a prisoner's physical or mental health has been or will be injuriously affected by continued imprisonment or by any condition of imprisonment.

RULE 34

If, in the course of examining a prisoner upon admission or providing medical care to the prisoner thereafter, health-care professionals become aware of any signs of torture or other cruel, inhuman or degrading treatment or punishment, they shall document and report such cases to the competent medical, administrative or judicial authority. Proper procedural safeguards shall be followed in order not to expose the prisoner or associated persons to foreseeable risk of harm.

RULE 35

1. The physician or competent public health body shall regularly inspect and advise the prison director on: (a) The quantity, quality, preparation and service of food; (b) The hygiene and cleanliness of the institution and the prisoners; (c) The sanitation, temperature, lighting and ventilation of the prison; (d) The suitability and cleanliness of the prisoners' clothing and bedding; (e) The observance of the rules concerning physical education and sports, in cases where there is no technical personnel in charge of these activities. 2. The prison director shall take into

consideration the advice and reports provided in accordance with paragraph 1 of this rule and rule 33 and shall take immediate steps to give effect to the advice and the recommendations in the reports. If the advice or recommendations do not fall within the prison director's competence or if he or she does not concur with them, the director shall immediately submit to a higher authority his or her own report and the advice or recommendations of the physician or competent public health body.

RESTRICTIONS, DISCIPLINE AND SANCTIONS

RULE 36

Discipline and order shall be maintained with no more restriction than is necessary to ensure safe custody, the secure operation of the prison and a well-ordered community life.

RULE 37

The following shall always be subject to authorization by law or by the regulation of the competent administrative authority: (a) Conduct constituting a disciplinary offence; (b) The types and duration of sanctions that may be imposed; (c) The authority competent to impose such sanctions; (d) Any form of involuntary separation from the general prison population, such as solitary confinement, isolation, segregation, special care units or restricted housing, whether as a disciplinary sanction or for the maintenance of order and security, including promulgating policies and procedures governing the use and review of, admission to and release from any form of involuntary separation.

RULE 38

1. Prison administrations are encouraged to use, to the extent possible, conflict prevention, mediation or any other

alternative dispute resolution mechanism to prevent disciplinary offences or to resolve conflicts.

2. For prisoners who are, or have been, separated, the prison administration shall take the necessary measures to alleviate the potential detrimental effects of their confinement on them and on their community following their release from prison.

RULE 39

1. No prisoner shall be sanctioned except in accordance with the terms of the law or regulation referred to in rule 37 and the principles of fairness and due process. A prisoner shall never be sanctioned twice for the same act or offence.
2. Prison administrations shall ensure proportionality between a disciplinary sanction and the offence for which it is established, and shall keep a proper record of all disciplinary sanctions imposed.
3. Before imposing disciplinary sanctions, prison administrations shall consider whether and how a prisoner's mental illness or developmental disability may have contributed to his or her conduct and the commission of the offence or act underlying the disciplinary charge. Prison administrations shall not sanction any conduct of a prisoner that is considered to be the direct result of his or her mental illness or intellectual disability.

RULE 40

1. No prisoner shall be employed, in the service of the prison, in any disciplinary capacity.
2. This rule shall not, however, impede the proper functioning of systems based on self-government, under which specified social, educational or sports activities or responsibilities are entrusted, under supervision, to

prisoners who are formed into groups for the purposes of treatment.

RULE 41

1. Any allegation of a disciplinary offence by a prisoner shall be reported promptly to the competent authority, which shall investigate it without undue delay.
2. Prisoners shall be informed, without delay and in a language that they understand, of the nature of the accusations against them and shall be given adequate time and facilities for the preparation of their defence.
3. Prisoners shall be allowed to defend themselves in person, or through legal assistance when the interests of justice so require, particularly in cases involving serious disciplinary charges. If the prisoners do not understand or speak the language used at a disciplinary hearing, they shall be assisted by a competent interpreter free of charge.
4. Prisoners shall have an opportunity to seek judicial review of disciplinary sanctions imposed against them.
5. In the event that a breach of discipline is prosecuted as a crime, prisoners shall be entitled to all due process guarantees applicable to criminal proceedings, including unimpeded access to a legal adviser.

RULE 42

General living conditions addressed in these rules, including those related to light, ventilation, temperature, sanitation, nutrition, drinking water, access to open air and physical exercise, personal hygiene, health care and adequate personal space, shall apply to all prisoners without exception.

RULE 43

1. In no circumstances may restrictions or disciplinary sanctions amount to torture or other cruel, inhuman or degrading treatment or punishment. The following practices, in particular, shall be prohibited: (a) Indefinite solitary confinement; (b) Prolonged solitary confinement; (c) Placement of a prisoner in a dark or constantly lit cell; (d) Corporal punishment or the reduction of a prisoner's diet or drinking water; (e) Collective punishment.
2. Instruments of restraint shall never be applied as a sanction for disciplinary offences.
3. Disciplinary sanctions or restrictive measures shall not include the prohibition of family contact. The means of family contact may only be restricted for a limited time period and as strictly required for the maintenance of security and order.

RULE 44

For the purpose of these rules, solitary confinement shall refer to the confinement of prisoners for 22 hours or more a day without meaningful human contact. Prolonged solitary confinement shall refer to solitary confinement for a time period in excess of 15 consecutive days.

RULE 45

1. Solitary confinement shall be used only in exceptional cases as a last resort, for as short a time as possible and subject to independent review, and only pursuant to the authorization by a competent authority. It shall not be imposed by virtue of a prisoner's sentence.
2. The imposition of solitary confinement should be prohibited in the case of prisoners with mental or physical

disabilities when their conditions would be exacerbated by such measures. The prohibition of the use of solitary confinement and similar measures in cases involving women and children, as referred to in other United Nations standards and norms in crime prevention and criminal justice¹¹, continues to apply.

RULE 46

1. Health-care personnel shall not have any role in the imposition of disciplinary sanctions or other restrictive measures. They shall, however, pay particular attention to the health of prisoners held under any form of involuntary separation, including by visiting such prisoners on a daily basis and providing prompt medical assistance and treatment at the request of such prisoners or prison staff.
2. Health-care personnel shall report to the prison director, without delay, any adverse effect of disciplinary sanctions or other restrictive measures on the physical or mental health of a prisoner subjected to such sanctions or measures and shall advise the director if they consider it necessary to terminate or alter them for physical or mental health reasons.
3. Health-care personnel shall have the authority to review and recommend changes to the involuntary separation of a prisoner in order to ensure that such separation does not exacerbate the medical condition or mental or physical disability of the prisoner.

¹¹ See rule 67 of the United Nations Rules for the Protection of Juveniles Deprived of their Liberty (resolution 45/113, annex); and rule 22 of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) (resolution 65/229, annex).

Instruments of Restraint

RULE 47

1. The use of chains, irons or other instruments of restraint which are inherently degrading or painful shall be prohibited.
2. Other instruments of restraint shall only be used when authorized by law and in the following circumstances: (a) As a precaution against escape during a transfer, provided that they are removed when the prisoner appears before a judicial or administrative authority; (b) By order of the prison director, if other methods of control fail, in order to prevent a prisoner from injuring himself or herself or others or from damaging property; in such instances, the director shall immediately alert the physician or other qualified health-care professionals and report to the higher administrative authority.

RULE 48

1. When the imposition of instruments of restraint is authorized in accordance with paragraph 2 of rule 47, the following principles shall apply: (a) Instruments of restraint are to be imposed only when no lesser form of control would be effective to address the risks posed by unrestricted movement; (b) The method of restraint shall be the least intrusive method that is necessary and reasonably available to control the prisoner's movement, based on the level and nature of the risks posed; (c) Instruments of restraint shall be imposed only for the time period required, and they are to be removed as soon as possible after the risks posed by unrestricted movement are no longer present.

2. Instruments of restraint shall never be used on women during labour, during childbirth and immediately after childbirth.

RULE 49

The prison administration should seek access to, and provide training in the use of, control techniques that would obviate the need for the imposition of instruments of restraint or reduce their intrusiveness.

Searches of Prisoners and Cells

RULE 50

The laws and regulations governing searches of prisoners and cells shall be in accordance with obligations under international law and shall take into account international standards and norms, keeping in mind the need to ensure security in the prison. Searches shall be conducted in a manner that is respectful of the inherent human dignity and privacy of the individual being searched, as well as the principles of proportionality, legality and necessity.

RULE 51

Searches shall not be used to harass, intimidate or unnecessarily intrude upon a prisoner's privacy. For the purpose of accountability, the prison administration shall keep appropriate records of searches, in particular strip and body cavity searches and searches of cells, as well as the reasons for the searches, the identities of those who conducted them and any results of the searches.

RULE 52

1. Intrusive searches, including strip and body cavity searches, should be undertaken only if absolutely necessary. Prison

administrations shall be encouraged to develop and use appropriate alternatives to intrusive searches. Intrusive searches shall be conducted in private and by trained staff of the same sex as the prisoner.

2. Body cavity searches shall be conducted only by qualified health-care professionals other than those primarily responsible for the care of the prisoner or, at a minimum, by staff appropriately trained by a medical professional in standards of hygiene, health and safety. Rule 53 Prisoners shall have access to, or be allowed to keep in their possession without access by the prison administration, documents relating to their legal proceedings.

INFORMATION TO AND COMPLAINTS BY PRISONERS

RULE 54

Upon admission, every prisoner shall be promptly provided with written information about: (a) The prison law and applicable prison regulations; (b) His or her rights, including authorized methods of seeking information, access to legal advice, including through legal aid schemes, and procedures for making requests or complaints; (c) His or her obligations, including applicable disciplinary sanctions; and (d) All other matters necessary to enable the prisoner to adapt himself or herself to the life of the prison.

RULE 55

1. The information referred to in rule 54 shall be available in the most commonly used languages in accordance with the needs of the prison population. If a prisoner does not understand any of those languages, interpretation assistance should be provided.

2. If a prisoner is illiterate, the information shall be conveyed to him or her orally. Prisoners with sensory disabilities should be provided with information in a manner appropriate to their needs.
3. The prison administration shall prominently display summaries of the information in common areas of the prison.

RULE 56

1. Every prisoner shall have the opportunity each day to make requests or complaints to the prison director or the prison staff member authorized to represent him or her.
2. It shall be possible to make requests or complaints to the inspector of prisons during his or her inspections. The prisoner shall have the opportunity to talk to the inspector or any other inspecting officer freely and in full confidentiality, without the director or other members of the staff being present.
3. Every prisoner shall be allowed to make a request or complaint regarding his or her treatment, without censorship as to substance, to the central prison administration and to the judicial or other competent authorities, including those vested with reviewing or remedial power.
4. The rights under paragraphs 1 to 3 of this rule shall extend to the legal adviser of the prisoner. In those cases where neither the prisoner nor his or her legal adviser has the possibility of exercising such rights, a member of the prisoner's family or any other person who has knowledge of the case may do so.

RULE 57

1. Every request or complaint shall be promptly dealt with and replied to without delay. If the request or complaint is rejected, or in the event of undue delay, the complainant shall be entitled to bring it before a judicial or other authority.
2. Safeguards shall be in place to ensure that prisoners can make requests or complaints safely and, if so requested by the complainant, in a confidential manner. A prisoner or other person mentioned in paragraph 4 of rule 56 must not be exposed to any risk of retaliation, intimidation or other negative consequences as a result of having submitted a request or complaint.
3. Allegations of torture or other cruel, inhuman or degrading treatment or punishment of prisoners shall be dealt with immediately and shall result in a prompt and impartial investigation conducted by an independent national authority in accordance with paragraphs 1 and 2 of rule 71.

Contact with the Outside World

RULE 58

1. Prisoners shall be allowed, under necessary supervision, to communicate with their family and friends at regular intervals: (a) By corresponding in writing and using, where available, telecommunication, electronic, digital and other means; and (b) By receiving visits.
2. Where conjugal visits are allowed, this right shall be applied without discrimination, and women prisoners shall be able to exercise this right on an equal basis with men. Procedures shall be in place and premises shall be made

available to ensure fair and equal access with due regard to safety and dignity. Rule 59 Prisoners shall be allocated, to the extent possible, to prisons close to their homes or their places of social rehabilitation.

RULE 60

1. Admission of visitors to the prison facility is contingent upon the visitor's consent to being searched. The visitor may withdraw his or her consent at any time, in which case the prison administration may refuse access.
2. Search and entry procedures for visitors shall not be degrading and shall be governed by principles at least as protective as those outlined in rules 50 to 52. Body cavity searches should be avoided and should not be applied to children.

RULE 61

1. Prisoners shall be provided with adequate opportunity, time and facilities to be visited by and to communicate and consult with a legal adviser of their own choice or a legal aid provider, without delay, interception or censorship and in full confidentiality, on any legal matter, in conformity with applicable domestic law. Consultations may be within sight, but not within hearing, of prison staff.
2. In cases in which prisoners do not speak the local language, the prison administration shall facilitate access to the services of an independent competent interpreter.
3. Prisoners should have access to effective legal aid.

RULE 62

1. Prisoners who are foreign nationals shall be allowed reasonable facilities to communicate with the diplomatic

and consular representatives of the State to which they belong.

2. Prisoners who are nationals of States without diplomatic or consular representation in the country and refugees or stateless persons shall be allowed similar facilities to communicate with the diplomatic representative of the State which takes charge of their interests or any national or international authority whose task it is to protect such persons.

RULE 63

Prisoners shall be kept informed regularly of the more important items of news by the reading of newspapers, periodicals or special institutional publications, by hearing wireless transmissions, by lectures or by any similar means as authorized or controlled by the prison administration.

BOOKS

RULE 64

Every prison shall have a library for the use of all categories of prisoners, adequately stocked with both recreational and instructional books, and prisoners shall be encouraged to make full use of it.

RELIGION

RULE 65

1. If the prison contains a sufficient number of prisoners of the same religion, a qualified representative of that religion shall be appointed or approved. If the number of prisoners justifies it and conditions permit, the arrangement should be on a full-time basis.

2. A qualified representative appointed or approved under paragraph 1 of this rule shall be allowed to hold regular services and to pay pastoral visits in private to prisoners of his or her religion at proper times.
3. Access to a qualified representative of any religion shall not be refused to any prisoner. On the other hand, if any prisoner should object to a visit of any religious representative, his or her attitude shall be fully respected.

RULE 66

So far as practicable, every prisoner shall be allowed to satisfy the needs of his or her religious life by attending the services provided in the prison and having in his or her possession the books of religious observance and instruction of his or her denomination.

RETENTION OF PRISONERS' PROPERTY

RULE 67

1. All money, valuables, clothing and other effects belonging to a prisoner which he or she is not allowed to retain under the prison regulations shall on his or her admission to the prison be placed in safe custody. An inventory thereof shall be signed by the prisoner. Steps shall be taken to keep them in good condition.
2. On the release of the prisoner, all such articles and money shall be returned to him or her except in so far as he or she has been authorized to spend money or send any such property out of the prison, or it has been found necessary on hygienic grounds to destroy any article of clothing. The prisoner shall sign a receipt for the articles and money returned to him or her.

3. Any money or effects received for a prisoner from outside shall be treated in the same way. 4. If a prisoner brings in any drugs or medicine, the physician or other qualified health-care professionals shall decide what use shall be made of them.

NOTIFICATIONS

RULE 68

Every prisoner shall have the right, and shall be given the ability and means, to inform immediately his or her family, or any other person designated as a contact person, about his or her imprisonment, about his or her transfer to another institution and about any serious illness or injury. The sharing of prisoners' personal information shall be subject to domestic legislation.

RULE 69

In the event of a prisoner's death, the prison director shall at once inform the prisoner's next of kin or emergency contact. Individuals designated by a prisoner to receive his or her health information shall be notified by the director of the prisoner's serious illness, injury or transfer to a health institution. The explicit request of a prisoner not to have his or her spouse or nearest relative notified in the event of illness or injury shall be respected.

RULE 70

The prison administration shall inform a prisoner at once of the serious illness or death of a near relative or any significant other. Whenever circumstances allow, the prisoner should be authorized to go, either under escort or alone, to the bedside of a near relative or significant other who is critically ill, or to attend the funeral of a near relative or significant other.

INVESTIGATIONS

RULE 71

1. Notwithstanding the initiation of an internal investigation, the prison director shall report, without delay, any custodial death, disappearance or serious injury to a judicial or other competent authority that is independent of the prison administration and mandated to conduct prompt, impartial and effective investigations into the circumstances and causes of such cases. The prison administration shall fully cooperate with that authority and ensure that all evidence is preserved.
2. The obligation in paragraph 1 of this rule shall equally apply whenever there are reasonable grounds to believe that an act of torture or other cruel, inhuman or degrading treatment or punishment has been committed in prison, irrespective of whether a formal complaint has been received.
3. Whenever there are reasonable grounds to believe that an act referred to in paragraph 2 of this rule has been committed, steps shall be taken immediately to ensure that all potentially implicated persons have no involvement in the investigation and no contact with the witnesses, the victim or the victim's family.

RULE 72

The prison administration shall treat the body of a deceased prisoner with respect and dignity. The body of a deceased prisoner should be returned to his or her next of kin as soon as reasonably possible, at the latest upon completion of the investigation. The prison administration shall facilitate a culturally appropriate funeral if there is no other responsible party willing or able to do so and shall keep a full record of the matter.

REMOVAL OF PRISONERS

RULE 73

1. When prisoners are being removed to or from an institution, they shall be exposed to public view as little as possible, and proper safeguards shall be adopted to protect them from insult, curiosity and publicity in any form.
2. The transport of prisoners in conveyances with inadequate ventilation or light, or in any way which would subject them to unnecessary physical hardship, shall be prohibited.
3. The transport of prisoners shall be carried out at the expense of the prison administration and equal conditions shall apply to all of them. Institutional personnel

RULE 74

1. The prison administration shall provide for the careful selection of every grade of the personnel, since it is on their integrity, humanity, professional capacity and personal suitability for the work that the proper administration of prisons depends.
2. The prison administration shall constantly seek to awaken and maintain in the minds both of the personnel and of the public the conviction that this work is a social service of great importance, and to this end all appropriate means of informing the public should be used.
3. To secure the foregoing ends, personnel shall be appointed on a fulltime basis as professional prison staff and have civil service status with security of tenure subject only to good conduct, efficiency and physical fitness. Salaries shall be adequate to attract and retain suitable men and women; employment benefits and conditions of service shall be favourable in view of the exacting nature of the work.

RULE 75

1. All prison staff shall possess an adequate standard of education and shall be given the ability and means to carry out their duties in a professional manner.
2. Before entering on duty, all prison staff shall be provided with training tailored to their general and specific duties, which shall be reflective of contemporary evidence-based best practice in penal sciences. Only those candidates who successfully pass the theoretical and practical tests at the end of such training shall be allowed to enter the prison service.
3. The prison administration shall ensure the continuous provision of in-service training courses with a view to maintaining and improving the knowledge and professional capacity of its personnel, after entering on duty and during their career.

RULE 76

1. Training referred to in paragraph 2 of rule 75 shall include, at a minimum, training on: (a) Relevant national legislation, regulations and policies, as well as applicable international and regional instruments, the provisions of which must guide the work and interactions of prison staff with inmates; (b) Rights and duties of prison staff in the exercise of their functions, including respecting the human dignity of all prisoners and the prohibition of certain conduct, in particular torture and other cruel, inhuman or degrading treatment or punishment; (c) Security and safety, including the concept of dynamic security, the use of force and instruments of restraint, and the management of violent offenders, with due consideration of preventive and defusing techniques, such as negotiation and

mediation; (d) First aid, the psychosocial needs of prisoners and the corresponding dynamics in prison settings, as well as social care and assistance, including early detection of mental health issues.

2. Prison staff who are in charge of working with certain categories of prisoners, or who are assigned other specialized functions, shall receive training that has a corresponding focus.

RULE 77

All prison staff shall at all times so conduct themselves and perform their duties as to influence the prisoners for good by their example and to command their respect.

RULE 78

1. So far as possible, prison staff shall include a sufficient number of specialists such as psychiatrists, psychologists, social workers, teachers and trade instructors.
2. The services of social workers, teachers and trade instructors shall be secured on a permanent basis, without thereby excluding part-time or voluntary workers.

RULE 79

1. The prison director should be adequately qualified for his or her task by character, administrative ability, suitable training and experience.
2. The prison director shall devote his or her entire working time to official duties and shall not be appointed on a part-time basis. He or she shall reside on the premises of the prison or in its immediate vicinity.
3. When two or more prisons are under the authority of one director, he or she shall visit each of them at frequent

intervals. A responsible resident official shall be in charge of each of these prisons.

RULE 80

1. The prison director, his or her deputy, and the majority of other prison staff shall be able to speak the language of the greatest number of prisoners, or a language understood by the greatest number of them.
2. Whenever necessary, the services of a competent interpreter shall be used.

RULE 81

1. In a prison for both men and women, the part of the prison set aside for women shall be under the authority of a responsible woman staff member who shall have the custody of the keys of all that part of the prison.
2. No male staff member shall enter the part of the prison set aside for women unless accompanied by a woman staff member.
3. Women prisoners shall be attended and supervised only by women staff members. This does not, however, preclude male staff members, particularly doctors and teachers, from carrying out their professional duties in prisons or parts of prisons set aside for women.

RULE 82

1. Prison staff shall not, in their relations with the prisoners, use force except in self-defence or in cases of attempted escape, or active or passive physical resistance to an order based on law or regulations. Prison staff who have recourse to force must use no more than is strictly necessary and must report the incident immediately to the prison director.

2. Prison staff shall be given special physical training to enable them to restrain aggressive prisoners.
3. Except in special circumstances, prison staff performing duties which bring them into direct contact with prisoners should not be armed. Furthermore, prison staff should in no circumstances be provided with arms unless they have been trained in their use.

INTERNAL AND EXTERNAL INSPECTIONS

RULE 83

1. There shall be a twofold system for regular inspections of prisons and penal services: (a) Internal or administrative inspections conducted by the central prison administration; (b) External inspections conducted by a body independent of the prison administration, which may include competent international or regional bodies.
2. In both cases, the objective of the inspections shall be to ensure that prisons are managed in accordance with existing laws, regulations, policies and procedures, with a view to bringing about the objectives of penal and corrections services, and that the rights of prisoners are protected.

RULE 84

1. Inspectors shall have the authority: (a) To access all information on the numbers of prisoners and places and locations of detention, as well as all information relevant to the treatment of prisoners, including their records and conditions of detention; (b) To freely choose which prisons to visit, including by making unannounced visits at their own initiative, and which prisoners to interview; (c) To conduct private and fully confidential interviews

with prisoners and prison staff in the course of their visits;
(d) To make recommendations to the prison administration and other competent authorities.

2. External inspection teams shall be composed of qualified and experienced inspectors appointed by a competent authority and shall encompass healthcare professionals. Due regard shall be given to balanced gender representation.

RULE 85

1. Every inspection shall be followed by a written report to be submitted to the competent authority. Due consideration shall be given to making the reports of external inspections publicly available, excluding any personal data on prisoners unless they have given their explicit consent.
2. The prison administration or other competent authorities, as appropriate, shall indicate, within a reasonable time, whether they will implement the recommendations resulting from the external inspection.

PRISONERS UNDER SENTENCE GUIDING PRINCIPLES

RULE 86

The guiding principles hereafter are intended to show the spirit in which penal institutions should be administered and the purposes at which they should aim, in accordance with the declaration made under preliminary observation 1 of these rules.

RULE 87

Before the completion of the sentence, it is desirable that the necessary steps be taken to ensure for the prisoner a gradual

return to life in society. This aim may be achieved, depending on the case, by a pre-release regime organized in the same prison or in another appropriate institution, or by release on trial under some kind of supervision which must not be entrusted to the police but should be combined with effective social aid.

RULE 88

1. The treatment of prisoners should emphasize not their exclusion from the community but their continuing part in it. Community agencies should therefore be enlisted wherever possible to assist the prison staff in the task of social rehabilitation of the prisoners.
2. There should be in connection with every prison social workers charged with the duty of maintaining and improving all desirable relations of a prisoner with his or her family and with valuable social agencies. Steps should be taken to safeguard, to the maximum extent compatible with the law and the sentence, the rights relating to civil interests, social security rights and other social benefits of prisoners.

RULE 89

1. The fulfilment of these principles requires individualization of treatment and for this purpose a flexible system of classifying prisoners in groups. It is therefore desirable that such groups should be distributed in separate prisons suitable for the treatment of each group.
2. These prisons do not need to provide the same degree of security for every group. It is desirable to provide varying degrees of security according to the needs of different groups. Open prisons, by the very fact that they provide

no physical security against escape but rely on the self-discipline of the inmates, provide the conditions most favourable to the rehabilitation of carefully selected prisoners.

3. It is desirable that the number of prisoners in closed prisons should not be so large that the individualization of treatment is hindered. In some countries it is considered that the population of such prisons should not exceed 500. In open prisons the population should be as small as possible.
4. On the other hand, it is undesirable to maintain prisons which are so small that proper facilities cannot be provided.

RULE 90

The duty of society does not end with a prisoner's release. There should, therefore, be governmental or private agencies capable of lending the released prisoner efficient aftercare directed towards the lessening of prejudice against him or her and towards his or her social rehabilitation.

TREATMENT

RULE 91

The treatment of persons sentenced to imprisonment or a similar measure shall have as its purpose, so far as the length of the sentence permits, to establish in them the will to lead law-abiding and self-supporting lives after their release and to fit them to do so. The treatment shall be such as will encourage their self-respect and develop their sense of responsibility.

RULE 92

1. To these ends, all appropriate means shall be used, including religious care in the countries where this is possible, education, vocational guidance and training, social casework, employment counselling, physical development and strengthening of moral character, in accordance with the individual needs of each prisoner, taking account of his or her social and criminal history, physical and mental capacities and aptitudes, personal temperament, the length of his or her sentence and prospects after release.
2. For every prisoner with a sentence of suitable length, the prison director shall receive, as soon as possible after his or her admission, full reports on all the matters referred to in paragraph 1 of this rule. Such reports shall always include a report by the physician or other qualified health-care professionals on the physical and mental condition of the prisoner.
3. The reports and other relevant documents shall be placed in an individual file. This file shall be kept up to date and classified in such a way that it can be consulted by the responsible personnel whenever the need arises.

CLASSIFICATION AND INDIVIDUALIZATION

RULE 93

1. The purposes of classification shall be: (a) To separate from others those prisoners who, by reason of their criminal records or characters, are likely to exercise a bad influence; (b) To divide the prisoners into classes in order to facilitate their treatment with a view to their social rehabilitation.

2. So far as possible, separate prisons or separate sections of a prison shall be used for the treatment of different classes of prisoners.

RULE 94

As soon as possible after admission and after a study of the personality of each prisoner with a sentence of suitable length, a programme of treatment shall be prepared for him or her in the light of the knowledge obtained about his or her individual needs, capacities and dispositions.

PRIVILEGES

RULE 95

Systems of privileges appropriate for the different classes of prisoners and the different methods of treatment shall be established at every prison, in order to encourage good conduct, develop a sense of responsibility and secure the interest and cooperation of prisoners in their treatment.

WORK

RULE 96

1. Sentenced prisoners shall have the opportunity to work and/or to actively participate in their rehabilitation, subject to a determination of physical and mental fitness by a physician or other qualified health-care professionals.
2. Sufficient work of a useful nature shall be provided to keep prisoners actively employed for a normal working day.

RULE 97

1. Prison labour must not be of an afflictive nature.
2. Prisoners shall not be held in slavery or servitude.

3. No prisoner shall be required to work for the personal or private benefit of any prison staff.

RULE 98

1. So far as possible the work provided shall be such as will maintain or increase the prisoners' ability to earn an honest living after release.
2. Vocational training in useful trades shall be provided for prisoners able to profit thereby and especially for young prisoners.
3. Within the limits compatible with proper vocational selection and with the requirements of institutional administration and discipline, prisoners shall be able to choose the type of work they wish to perform.

RULE 99

1. The organization and methods of work in prisons shall resemble as closely as possible those of similar work outside of prisons, so as to prepare prisoners for the conditions of normal occupational life.
2. The interests of the prisoners and of their vocational training, however, must not be subordinated to the purpose of making a financial profit from an industry in the prison.

RULE 100

1. Preferably, institutional industries and farms should be operated directly by the prison administration and not by private contractors.
2. Where prisoners are employed in work not controlled by the prison administration, they shall always be under the supervision of prison staff. Unless the work is for other departments of the government, the full normal wages

for such work shall be paid to the prison administration by the persons to whom the labour is supplied, account being taken of the output of the prisoners.

RULE 101

1. The precautions laid down to protect the safety and health of free workers shall be equally observed in prisons.
2. Provision shall be made to indemnify prisoners against industrial injury, including occupational disease, on terms not less favourable than those extended by law to free workers.

RULE 102

1. The maximum daily and weekly working hours of the prisoners shall be fixed by law or by administrative regulation, taking into account local rules or custom in regard to the employment of free workers.
2. The hours so fixed shall leave one rest day a week and sufficient time for education and other activities required as part of the treatment and rehabilitation of prisoners.

RULE 103

1. There shall be a system of equitable remuneration of the work of prisoners.
2. Under the system, prisoners shall be allowed to spend at least a part of their earnings on approved articles for their own use and to send a part of their earnings to their family.
3. The system should also provide that a part of the earnings should be set aside by the prison administration so as to constitute a savings fund to be handed over to the prisoner on his or her release.

A. EDUCATION AND RECREATION

RULE 104

1. Provision shall be made for the further education of all prisoners capable of profiting thereby, including religious instruction in the countries where this is possible. The education of illiterate prisoners and of young prisoners shall be compulsory and special attention shall be paid to it by the prison administration.
2. So far as practicable, the education of prisoners shall be integrated with the educational system of the country so that after their release they may continue their education without difficulty.

RULE 105

Recreational and cultural activities shall be provided in all prisons for the benefit of the mental and physical health of prisoners.

B. SOCIAL RELATIONS AND AFTERCARE

RULE 106

Special attention shall be paid to the maintenance and improvement of such relations between a prisoner and his or her family as are desirable in the best interests of both.

RULE 107

From the beginning of a prisoner's sentence, consideration shall be given to his or her future after release and he or she shall be encouraged and provided assistance to maintain or establish such relations with persons or agencies outside the prison as may promote the prisoner's rehabilitation and the best interests of his or her family.

RULE 108

1. Services and agencies, governmental or otherwise, which assist released prisoners in re-establishing themselves in society shall ensure, so far as is possible and necessary, that released prisoners are provided with appropriate documents and identification papers, have suitable homes and work to go to, are suitably and adequately clothed having regard to the climate and season and have sufficient means to reach their destination and maintain themselves in the period immediately following their release.
2. The approved representatives of such agencies shall have all necessary access to the prison and to prisoners and shall be taken into consultation as to the future of a prisoner from the beginning of his or her sentence.
3. It is desirable that the activities of such agencies shall be centralized or coordinated as far as possible in order to secure the best use of their efforts.

PRISONERS WITH MENTAL DISABILITIES AND/OR HEALTH CONDITIONS

RULE 109

1. Persons who are found to be not criminally responsible, or who are later diagnosed with severe mental disabilities and/or health conditions, for whom staying in prison would mean an exacerbation of their condition, shall not be detained in prisons, and arrangements shall be made to transfer them to mental health facilities as soon as possible.
2. If necessary, other prisoners with mental disabilities and/or health conditions can be observed and treated in specialized facilities under the supervision of qualified health-care professionals.

3. The health-care service shall provide for the psychiatric treatment of all other prisoners who are in need of such treatment.

RULE 110

It is desirable that steps should be taken, by arrangement with the appropriate agencies, to ensure if necessary, the continuation of psychiatric treatment after release and the provision of social-psychiatric aftercare.

C. PRISONERS UNDER ARREST OR AWAITING TRIAL

RULE 111

1. Persons arrested or imprisoned by reason of a criminal charge against them, who are detained either in police custody or in prison custody (jail) but have not yet been tried and sentenced, will be referred to as “untried prisoners” hereinafter in these rules.
2. Unconvicted prisoners are presumed to be innocent and shall be treated as such.
3. Without prejudice to legal rules for the protection of individual liberty or prescribing the procedure to be observed in respect of untried prisoners, these prisoners shall benefit from a special regime which is described in the following rules in its essential requirements only.

RULE 112

1. Untried prisoners shall be kept separate from convicted prisoners.
2. Young untried prisoners shall be kept separate from adults and shall in principle be detained in separate institutions.

RULE 113

Untried prisoners shall sleep singly in separate rooms, with the reservation of different local custom in respect of the climate.

RULE 114

Within the limits compatible with the good order of the institution, untried prisoners may, if they so desire, have their food procured at their own expense from the outside, either through the administration or through their family or friends. Otherwise, the administration shall provide their food.

RULE 115

An untried prisoner shall be allowed to wear his or her own clothing if it is clean and suitable. If he or she wears prison dress, it shall be different from that supplied to convicted prisoners.

RULE 116

An untried prisoner shall always be offered the opportunity to work, but shall not be required to work. If he or she chooses to work, he or she shall be paid for it.

RULE 117

An untried prisoner shall be allowed to procure at his or her own expense or at the expense of a third party such books, newspapers, writing material and other means of occupation as are compatible with the interests of the administration of justice and the security and good order of the institution.

RULE 118

An untried prisoner shall be allowed to be visited and treated by his or her own doctor or dentist if there are reasonable

grounds for the application and he or she is able to pay any expenses incurred.

RULE 119

1. Every untried prisoner has the right to be promptly informed about the reasons for his or her detention and about any charges against him or her.
2. If an untried prisoner does not have a legal adviser of his or her own choice, he or she shall be entitled to have a legal adviser assigned to him or her by a judicial or other authority in all cases where the interests of justice so require and without payment by the untried prisoner if he or she does not have sufficient means to pay. Denial of access to a legal adviser shall be subject to independent review without delay.

RULE 120

1. The entitlements and modalities governing the access of an untried prisoner to his or her legal adviser or legal aid provider for the purpose of his or her defence shall be governed by the same principles as outlined in rule 61.
2. An untried prisoner shall, upon request, be provided with writing material for the preparation of documents related to his or her defence, including confidential instructions for his or her legal adviser or legal aid provider.

D. CIVIL PRISONERS

RULE 121

In countries where the law permits imprisonment for debt, or by order of a court under any other non-criminal process, persons so imprisoned shall not be subjected to any greater restriction or severity than is necessary to ensure safe custody

and good order. Their treatment shall be not less favourable than that of untried prisoners, with the reservation, however, that they may possibly be required to work.

E. PERSONS ARRESTED OR DETAINED WITHOUT CHARGE

RULE 122

Without prejudice to the provisions of article 9 of the International Covenant on Civil and Political Rights,³ persons arrested or imprisoned without charge shall be accorded the same protection as that accorded under part I and part II, section C, of these rules. Relevant provisions of part II, section A, of these rules shall likewise be applicable where their application may be conducive to the benefit of this special group of persons in custody, provided that no measures shall be taken implying that re-education or rehabilitation is in any way appropriate to persons not convicted of any criminal offence.

PRISON REFORM AND ALTERNATIVES TO IMPRISONMENT

United Nations Office on Drugs and Crimes¹²

WHY PROMOTE PRISON REFORM?

Central to the arguments to promote prison reforms is a human rights argument - the premise on which many UN standards and norms have been developed. However, this argument is often insufficient to encourage prison reform programs in countries with scarce human and financial resources. The detrimental impact of imprisonment, not only on individuals but on families and communities, and economic factors also need to be taken into account when considering the need for prison reforms.

HUMAN RIGHTS CONSIDERATIONS

A sentence of imprisonment constitutes only a deprivation of the basic right to liberty. It does not entail the restriction of other human rights, with the exception of those which are naturally restricted by the very fact of being in prison. Prison reform is necessary to ensure that this principle is respected, the human rights of prisoners protected and their prospects for social reintegration increased, in compliance with relevant international standards and norms.

¹² PMI is indebted to The United Nations Office of Drugs and Crimes to publish this article.

IMPRISONMENT AND POVERTY

Imprisonment disproportionately affects individuals and families living in poverty. When an income generating member of the family is imprisoned the rest of the family must adjust to this loss of income. The impact can be especially severe in poor, developing countries where the state does not provide financial assistance to the indigent and where it is not unusual for one breadwinner to financially support an extended family network. Thus, the family experiences financial losses as a result of the imprisonment of one of its members, exacerbated by the new expenses that must be met - such as the cost of a lawyer, food for the imprisoned person, transport to prison for visits and so on. When released, often with no prospects for employment, former prisoners are generally subject to socio-economic exclusion and are thus vulnerable to an endless cycle of poverty, marginalization, criminality and imprisonment. Thus, imprisonment contributes directly to the impoverishment of the prisoner, of his family (with a significant cross-generational effect) and of society by creating future victims and reducing future potential economic performance.

PUBLIC HEALTH CONSEQUENCES OF IMPRISONMENT

Prisons have very serious health implications. Prisoners are likely to have existing health problems on entry to prison, as they are predominantly from poorly educated and socio-economically deprived sectors of the general population, with minimal access to adequate health services. Their health conditions deteriorate in prisons which are overcrowded, where nutrition is poor, sanitation inadequate and access to fresh air and exercise often unavailable. Psychiatric disorders, HIV infection, tuberculosis, hepatitis B and C, sexually transmitted diseases, skin diseases, malaria, malnutrition, diarrhea and

injuries including self-mutilation are the main causes of morbidity and mortality in prison. In countries with a high prevalence of TB in the outside community, prevalence of TB can be up to 100 times higher inside the prisons. In most countries HIV infection in prisons is significantly higher than within the population outside prison, especially where drug addiction and risk behaviors are prevalent. Prison staff are also vulnerable to most of the diseases of which prisoners are at risk.

Prisons are not isolated from the society and prison health is public health. The vast majority of people committed to prison eventually return to the wider society. Thus, it is not in vain that prisons have been referred to as reservoirs of disease in various contexts.

DETRIMENTAL SOCIAL IMPACT

Imprisonment disrupts relationships and weakens social cohesion, since the maintenance of such cohesion is based on long-term relationships. When a member of a family is imprisoned, the disruption of the family structure affects relationships between spouses, as well as between parents and children, reshaping the family and community across generations. Mass imprisonment produces a deep social transformation in families and communities.

THE COST OF IMPRISONMENT

Taking into account the above considerations, it is essential to note that, when considering the cost of imprisonment, account needs to be taken not only of the actual funds spent on the upkeep of each prisoner, which is usually significantly higher than what is spent on a person sentenced to non-custodial sanctions, but also of the indirect costs, such as the social,

economic and healthcare related costs, which are difficult to measure, but which are immense and long-term.

THE BENCHMARKS FOR ACTION IN PRISON REFORM: THE UNITED NATIONS STANDARDS AND NORMS

KEY AMONG STANDARDS AND NORMS THAT RELATE DIRECTLY TO PRISON REFORM ARE:

- United Nations Standard Minimum Rules for the Treatment of Prisoners
- Body of Principles for the Protection of All Persons under Any Form of Detention and Imprisonment
- Basic Principles for the Treatment of Prisoners
- United Nations Standard Minimum Rules for Non-Custodial Measures (Tokyo Rules)
- United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (Bangkok Rules)

OTHER UN INSTRUMENTS RELEVANT TO THE PRISON SYSTEM

- Universal Declaration of Human Rights
- International Covenant on Economic, Social and Cultural Rights
- International Covenant on Civil and Political Rights
- The Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- Basic Principles for the Treatment of Prisoners
- UN Declaration on the Protection of All Persons from Enforced Disappearance
- Convention on the Elimination of All Forms of Racial Discrimination

- Convention on the Elimination of All Forms of Discrimination Against Women
- Code of Conduct for Law Enforcement Officials
- Basic Principles on the use of Force and Firearms by Law Enforcement Officials
- Safeguards guaranteeing protection of the rights of those facing the death penalty
- UN Recommendations on Life Imprisonment
- Basic principles on the use of restorative justice programs in criminal matters
- Kampala Declaration on Prison Conditions in Africa
- Arusha Declaration on Good Prison Practice¹³

UNODC'S INTEGRATED AND MULTI-DISCIPLINARY APPROACH TO PRISON REFORM STRATEGY

It is of utmost importance that prison reform is not regarded in isolation from broader criminal justice reform. UNODC believes that effective prison reform is dependent on the improvement and rationalization of criminal justice policies, including crime prevention and sentencing policies, and on the care and treatment made available to vulnerable groups in the community. Reform of the prison system should therefore always take into account the needs relating to the reform of the criminal justice system as a whole and employ an integrated, multi-disciplinary strategy to achieve sustainable impact. Thus, reform initiatives will usually need to also encompass criminal

¹³ For further info: see "Compendium of United Nations standards and norms in crime prevention and criminal justice"

justice institutions other than the prison service, such as the judiciary prosecution and police service, as relevant.

An integrated approach also takes account of areas that are typically not regarded as part of the “criminal justice system”. These include, for example, the development of substance dependence treatment programs in the community or psycho-social counselling programs, to which certain offenders may be diverted, rather than being imprisoned, thus ensuring that services in prison are not overstretched, trying to meet the needs of a growing number of prisoners with special needs.

The integrated strategy to prison reform can benefit immensely from the establishment and development of collaboration and partnerships with other UN agencies and other international and national organizations engaged in complementary programs.

THEMATIC AREAS OF WORK IN THE FIELD OF PRISON REFORM AND ALTERNATIVES TO IMPRISONMENT

UNODC’s technical assistance in the area of prison reform covers the following thematic areas:

- Pre-trial detention;
- Prison management;
- Alternative measures and sanctions;
- Social reintegration.

A cross-cutting theme relevant to all prison related interventions is healthcare, including specifically the prevention, management and treatment of HIV/AIDS and drug dependency.

PRE-TRIAL DETENTION

There are three main issues that need to be taken into consideration in the context of pre-trial detention: firstly, pre-trial detention is overused in most countries worldwide and in many developing countries the size of the pre-trial prisoner population is larger than that of the convicted prisoner population. This situation contradicts the provisions in international standards, including ICCPR, that provide for the limited use of pre-trial detention, only when certain conditions are present. Secondly, pre-trial detention is the period most open to abuse in the criminal justice process. Recognizing the particular vulnerability of pre-trial detainees, international human rights instruments provide for a large number of very specific safeguards to ensure that the rights of detainees are not abused, that they are not ill-treated and their access to justice not hindered. Thirdly, although pre-trial detainees should be presumed innocent until found guilty by a court of law, and treated as such, conditions in pre-trial detention are often much worse than those of prisons for convicted prisoners. In addition, the lack of resources for prisons in many low-income countries means that people in detention do not have access to legal advice and assistance, with the result being that they may overstay on remand, and/or not receive a fair trial, further adding to the congestion of prisons. Therefore, improving access to justice, supporting legal and paralegal aid programs, improving information management and cooperation between courts and prisons, to speed up the processing of cases, as well as assisting with the development of safeguards for pre-trial detainees, such as independent monitoring and inspection mechanisms, comprise important elements of UNODC's work in the field of penal reform.

PRISON MANAGEMENT

In order for a prison system to be managed in a fair and humane manner, national legislation, policies and practices must be guided by the international standards developed to protect the human rights of prisoners. Prison authorities have a responsibility to ensure that the supervision and treatment of prisoners is in line with the rule of law, with respect to individuals' human rights, and that the period of imprisonment is used to prepare individuals for life outside prison following release. But often national legislation and rules relating to the management of prisons are outdated and in need of reform. In many countries the prison department is under the authority of police or military institutions and managers and staff have received no specific training regarding prison management. Staff morale is usually low and effective leadership to drive prison reform is lacking. Information collection and management systems are also very inadequate (or non-existent) in many prison systems worldwide, hindering the development of sound policies and strategies based on reliable, factual data. UNODC can provide much assistance in reforming national legislation, developing training programs for prison managers to improve their leadership role and staff to apply international standards and norms in their daily practice, and by contributing to the institutional capacity building of prison administrations.

ALTERNATIVE MEASURES AND SANCTIONS

Overcrowding is a key concern in almost all prison systems worldwide, while punitive criminal policies, as well as a shortage of social protection services in the community, continue to contribute to the rapid growth of the prison population in many countries. As mentioned earlier, overcrowding is the root cause of many human rights violations in prisons. Solutions to

overcrowding need to be explored and implemented in almost all countries in which UNODC is operational.

While overcrowding can be temporarily decreased by building new prisons, practice shows that trying to overcome the harmful effects of prison overcrowding through the construction of new prisons does not provide a sustainable solution. In addition, building new prisons and maintaining them is expensive, putting pressure on valuable resources. Instead, numerous international instruments recommend a rationalization in sentencing policy, including the wider use of alternatives to prison, aiming to reduce the number of people being isolated from society for long periods.

The use of non-custodial sanctions and measures also reflects a fundamental change in the approach to crime, offenders and their place in society, changing the focus of penitentiary measures from punishment and isolation, to restorative justice and reintegration. When accompanied by adequate support for offenders, it assists some of the most vulnerable members of society to lead a life without having to relapse back into criminal behavior patterns. Thus, the implementation of penal sanctions within the community, rather than through a process of isolation from it, offers in the long-term better protection for society. Supporting the introduction and implementation of non-custodial sanctions and measures is therefore a key element of UNODC's work in the area of prison reform.

SOCIAL REINTEGRATION

One of the principles objectives of the United Nations in the area of prison reform is to contribute to the successful reintegration of prisoners into society following their release. Social reintegration initiatives should start as early as possible within the criminal justice process in order to have maximum

effect. This means that diversion from the criminal justice process (especially of vulnerable groups) to appropriate treatment programs, non-custodial sanctions, instead of isolation from society and purposeful activities and programs in prisons, can all be considered as elements of a comprehensive “social reintegration” policy. Interventions to support former prisoners following release from prison, continuum of care in the community for those in need, will all be more effective if the period in prison is used to prepare a prisoner for re-entry to society. This policy requires close coordination between criminal justice institutions and social protection and health services in the community and probation services where they exist. UNODC can offer key support and advice in this area, including supporting the development of social reintegration programs in prisons and in assisting with the planning and implementation of continuum of care and support in the community.

HEALTHCARE

Equivalence of healthcare and the right to health is a principle that applies to all prisoners, who are entitled to receive the same quality of medical care that is available in the community. However, this right is rarely realized in prisons, where usually healthcare services are extremely inadequate. Prison health services are almost always severely under-funded and understaffed and sometimes non-existent. Most of the time under the responsibility of the authority in charge of the prisons’ administration, prison health services work in complete isolation from national health authorities, including national HIV and national TB programs. Specific women’s health needs are rarely addressed.

The right to health includes not only the access to preventive, curative, reproductive, palliative and supportive health care but also the access to the underlying determinants of health, which include: safe drinking water and adequate sanitation; safe food; adequate nutrition and housing; safe health and dental services; healthy working and environmental conditions; health-related education and information and gender equality.

Technical assistance provided by UNODC in this area is based on the premise that penal reform and health in prisons are interrelated, and that an integrated strategy needs to be adopted in addressing the enormous challenge of HIV/AIDS and other transmissible diseases such as tuberculosis (TB) in prison settings. Improved prison management and prison conditions are fundamental to developing a sustainable health strategy in prisons. In addition, prison health is an integral part of public health, and improving prison health is crucial for the success of public health policies.

ECKHART TOLLE
STILLNESS SPEAKS

NEW WORD LIBRARY: NOVATO CALIFORNIA, 2003, 129

Dr Jaison Kunnel

Stillness Speaks is a book by Eckhart Tolle, a German-born writer, and the author of bestselling books like *The Power of Now* and *A New Earth*. *Stillness Speaks* consists of short ten chapters, in which small phrases with deep knowledge and insight are systematically arranged. He summarizes the most valuable spiritual wisdom in less than 130 pages. This truly awakening book is a short manual for every person on his journey of self-discovery. Even though all his ideas come from all the world's religions, he puts them in a language relevant to people's lives without limiting them to an exclusive vocabulary. I want to mention certain gems from each chapter that are very useful for our spiritual nourishment.

CHAPTER 1 SILENCE AND STILLNESS

Silence is helpful, but you don't need it in order to find stillness. Even when there is noise, you can be aware of the stillness underneath the noise, of the space in which the noise arises. That is the inner space of pure awareness, consciousness itself. You can become aware of awareness as the background to all your sense perceptions, all your thinking. Becoming aware of awareness is the arising of inner stillness. Stillness is your essential nature. What is stillness? The inner space or awareness

in which the words on this page are being perceived and become thoughts. Without that awareness, there would be no perception, no thoughts, no world. Stillness is the only thing in this world that has no form. But then, it is not really a thing, and it is not of this world.

CHAPTER 2 BEYOND THE THINKING MIND

Spiritual awakening is awakening from the dream of thought. A moment of danger can bring about a temporary cessation of the stream of thinking and thus give you a taste of what it means to be present, alert, aware.

CHAPTER 3 THE EGOIC SELF

Almost every ego contains at least an element of what we might call “victim identity.” Some people have such a strong victim image of themselves that it becomes the central core of their ego. Resentment and grievances form an essential part of their sense of self. Your unhappiness ultimately arises not from the circumstances of your life but from the conditioning of your mind.

CHAPTER 4 THE NOW

A simple but radical spiritual practice is to accept whatever arises in the Now— within and without. You forget your rootedness in Being, your divine reality, and lose yourself in the world. Confusion, anger, depression, violence, and conflict arise when humans forget who they are.

CHAPTER 5 WHO YOU TRULY ARE

When you know who you truly are, there is an abiding alive sense of peace. You could call it joy because that’s what joy is, vibrantly alive peace. It is the joy of knowing yourself as the

very life essence before life takes on form. That is the joy of being, of being who you truly are.

CHAPTER 6 ACCEPTANCE AND SURRENDER

When you say “yes” to the “isness” of life, when you accept this moment as it is, you can feel a sense of spaciousness within you that is deeply peaceful. Surrender is surrender to this moment, not to a story through which you interpret this moment and then try to resign yourself to it. Acceptance of the unacceptable is the greatest source of grace in this world. Sometimes surrender means giving up trying to understand and becoming comfortable with not knowing.

CHAPTER 7 NATURE

We have forgotten what rocks, plants, and animals still know. We have forgotten how to be—to be still, to be ourselves, to be where life is: Here and Now. Bring your attention to your breathing and realize that you are not doing it. It is the breath of nature. If you had to remember to breathe, you would soon die, and if you tried to stop breathing, nature would prevail. You need nature as your teacher to help you re-connect with Being. But not only do you need nature, it also needs you. A great silent space holds all of nature in its embrace. It also holds you. Nature can bring you to stillness. That is its gift to you. When you perceive and join with nature in the field of stillness, that field becomes permeated with your awareness. That is your gift to nature.

CHAPTER 8 RELATIONSHIPS

As long as the ego runs your life, most of your thoughts, emotions, and actions arise from desire and fear. In relationships you then either want or fear something from the other person.

How wonderful to go beyond wanting and fearing in your relationships. Love does not want or fear anything. Most human interactions are confined to the exchange of words—the realm of thought. It is essential to bring some stillness, particularly into your close relationships. If spacious stillness is missing, the relationship will be dominated by the mind and can easily be taken over by problems and conflict. If stillness is there, it can contain anything. A moment of attention is enough. As you look at them or listen to them, there is an alert stillness. Perhaps only two or three seconds. Perhaps longer. That is enough for something more real to emerge than the roles we usually play and identify with.

CHAPTER 9 DEATH AND THE ETERNAL

Death is not the opposite of life. Life has no opposite. The opposite of death is birth. Life is eternal. Most people feel that their identity, their sense of self, is something incredibly precious that they don't want to lose. That is why they have such fear of death. Whenever death occurs, whenever a life form dissolves, God, the formless and unmanifested, shines through the opening left by the dissolving form. That is why the most sacred thing in life is death. That is why the peace of God can come to you through the contemplation and acceptance of death. Acceptance of the unacceptable is the greatest source of grace in this world. To every accident and disaster there is a potentially redemptive dimension that we are usually unaware of. It is a great privilege and a sacred act to be present at a person's death as a witness and companion.

CHAPTER 10 SUFFERING AND THE END OF SUFFERING

When you are suffering, when you are unhappy, stay totally with what is now. Unhappiness or problems cannot survive in the Now. This is the miracle. Behind every condition, person

or situation that appears bad or evil, lies concealed a deeper good. That deeper good reveals itself to you, both within and without through inner acceptance of what is. “Resist not evil” is one of the highest truths of humanity. “Stillness Speaks” is more of a self-help book that stresses the importance of living in the moment and not addressing thoughts of the past and of the future. I highly recommend this book because it helps to change the way you deal with your mind and your daily life problems. It is a concise book but take note of every idea presented in the book. Take time to digest them!

JOHN C. MAXWELL
FAILING FORWARD:
TURNING MISTAKES INTO
STEPPING STONES FOR SUCCESS

THOMAS NELSON PUBLISHING: NASHVILLE, TN, 2000, 224

Dr Jaison Kunnel

Failing Forward: Turning Mistakes into Stepping Stones for Success is an excellent book by John C. Maxwell, an internationally recognized leadership expert, and American author. It was first published back in 2000 and *is* excellent for those who already know that failure is just a learning experience on the way to massive success but may need a reminder once in a while. *Failing Forward* is a sixteen-chaptered book and includes a preface at the beginning and notes and information about the author at the ending pages. The book is divided into four parts: *Redefining Failure and Success*, *Do you Mind Changing Your Mind?* *Embracing Failure as a Friend*, and *Increasing Your Odds for Success*. This book addresses the idea that failing is something we need to do to succeed. We cannot make progress if we do not fail at some stage. As a leadership expert in the preface, the author points out the four things necessary for success. That can be remembered easily by one word REAL: Relationships, Equipping, Attitude, and Leadership.

In the first chapter, *What's the Main Difference Between People Who Achieve and People Who Are Average?* The author explores the first Step to Failing Forward: *Realize there is One Major Difference between Average People and Achieving People*. Furthermore, he looks at how any achiever approaches negative experiences, and you can learn a lot about how to fail forward. He also narrates two lists and determines which one describes your approach to failure: Blaming Others, Taking Responsibility, Repeating the Same Mistakes, Learning from Each Mistake, Expecting Never to Fail Again, Knowing Failure Is a Part of Progress, Accepting Tradition Blindly, Challenging Outdated Assumptions, Being Limited by Past Mistakes, Taking New Risks, Thinking I am a Failure, Believing Something didn't Work, Quitting, and Persevering.

In Chapter two, *Get a New Definition of Failure and Success, What is failure?* Maxwell proposes the second step to Failing Forward: *Learn a New Definition of Failure*. He advises that if you can change the way you see failure, you gain the strength to keep running the race. Get a new definition of failure. Regard it as the price you pay for progress. If you can do that, you will put yourself in a much better position to fail forward.

In the Third Chapter: *If you have Failed, Are you a Failure?* John C. Maxwell states seven abilities needed to fail forward examining several life achievers' incidents. They are following:

1. *Achievers reject Rejection*: They do not label themselves as failures; instead, they keep the proper perspective, take responsibility for their actions, and do not take failure personally.
2. *Achievers See Failure as Temporary*: If achievers had seen failure as permanent, they would have remained stuck and never would have kept trying and believing in their potential.
3. *Achievers see Failures as Isolated Incidents*: When achievers fail, they see it as a momentary event, not a lifelong epidemic. It is not personal. If you want to succeed, don't let any single incident color your

view of yourself. 4. *Achievers Keep Expectations Realistic*: The greater the feat you desire to achieve, the greater the mental preparation required for overcoming obstacles and persevering over the long haul. 5. *Achievers Focus on Strength*: What distinguishes winners from losers is that winners concentrate at all times on what they can do, not on what they can't do. Develop and maximize your strengths. 6. *Achievers Vary Approaches to Achievement*: Achievers are willing to vary their approaches to problems. They keep trying and changing until they have found something that worked for them. That is important in every walk of life, not just business. 7. *Achievers bounce Back*: Achievers can keep moving forward no matter what happens. Furthermore, that is made possible because they remember that failure does not make them failures. No one should take mistakes personally. That is the way to take yourself out of failure. The core of this chapter leads us to see the third step failing forward, which is to Remove the “you” from failure.

In Chapter four, *You're Too Old to Cry, but It Hurts Too Much to Laugh*, Maxwell says that fear of failure stops forward progress. When people are stuck in the fear cycle takes on many forms. Here he observes the three most common forms. They are 1. Paralysis, 2. Procrastination, and 3. Purposelessness. According to him, a person in the fear cycle exhibits additional adverse side effects such as self-pity, excuse, misused energy and hopelessness. In a nutshell, this chapter describes the fourth step failing forward *Take action and reduce your fear*.

In Chapter five, *Find the Exit Off the Failure Freeway*, the author deals with the fifth step to Failing Forward: *Change Your Response to Failure by Accepting Responsibility*. He advises that, “Look for anything negative in the failure that you should claim responsibility for. Then own it. Once you begin thinking in terms of what is your responsibility, you will be able to change.

And changing your mind—the way you think about failure—is the next step to failing forward.”

In the second part of the book, *Do You Mind Changing Your Mind?* Maxwell tries to show how we can reorganize our thinking to confront failure and lead us to success. It consists of four chapters under the titles, namely, 6. No Matter What Happens to You, Failure Is an Inside Job, 7. Is the Past Holding Your Life Hostage? 8. Who Is This Person Making These Mistakes? 9. Get Over Yourself—Everyone Else Has. In chapter nine, the author proposes three ways to start adding value to others, namely: 1. Putting Others First in Your Thinking, 2. Finding Out What Others Need, and 3. Meeting That Need with Excellence and Generosity

Part three deals with *Embracing Failure as A Friend*. Maxwell explains this concept in three chapters, such as 10. Grasp the Positive Benefits of Negative Experiences, 11. Take a Risk - There's No Other Way to Fail Forward, 12. Make Failure Your Best Friend.

In chapter ten, he teaches us how we can grasp the positive benefits from negative experiences. Here Maxwell puts forward seven benefits of adversity. They are listed below: Adversity Creates Resilience, Adversity Develops Maturity, Adversity Pushes the Envelope of Accepted Performance, Adversity Provides Greater Opportunities, Adversity Prompts Innovation, Adversity Recaps Unexpected Benefits, Adversity Motivates.

Part Four, titled, *Increasing Your Odds for Success*, teaches us how to increase our odds for success. This part is divided into four chapters, namely 13. Avoid the Top Ten Reasons People Fail, 14. The Little Difference Between Failure and Success Makes a Big Difference, 15. It's What You Do After You Get Back Up That Counts, 16. Now You're Ready to Fail Forward.

In Chapter thirteen, he emphasizes avoiding the top ten reasons people fail and prevent their success. They are Poor People Skills, A Negative Attitude, A Bad Fit, Lack of Focus, A Weak Commitment, Unwillingness to Change, A Short-Cut Mindset, Relying on Talent Alone, A Response to Poor Information and No Goals.

In Chapter Sixteen, *Now You're Ready to Fail Forward*, Maxwell quotes Dave Anderson, "Failure is the hallmark of success. It can be the starting point of a new venture, such as when a baby learns to walk; it has to fall down a lot to learn the new skill. Failure is also the mark of a success you've worked for. When it becomes the starting point for his next effort, proving that failure is not final!" Then he lists the 15 Steps to Failing Forward together. 1. Realize there's one major difference between average people and achieving people, 2. Learn a new definition of failure, 3. Remove the 'you' from failure, 4. Take action and reduce your fear, 5. Change your response to failure by accepting responsibility, 6. Don't let the failure from outside get inside you, 7. Say goodbye to yesterday, 8. Change yourself, and your world changes, 9. Get over yourself and start giving yourself, 10. Find the benefit in every bad experience, 11. If at first you do succeed, try something harder, 12. Learn from a bad experience and make it a good experience, 13. Work on the weakness that weakens you, 14. Understand there's not much difference between failure and success, 15. Get up, get over it, get going

Failure is the stepping stone to success. This book's essential concept is to inspire the reader by presenting real-life events and stories of successful people combined with important words of wisdom. Failure should never stop one from achieving their goals in life. If you don't succeed at first, try and try again until you accomplish what you put your mind to do. This book gives you reasons why we fail, fear,

discouragement, etc. This book also encourages you not to let failure stop you. Once you accomplish that goal, make goals, move on, and your confidence will improve with each step.

**LINI SHEEJA MSC:
REDEEMED PRISONER**

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Fr Sebastian Thottippatt

“Redeemed Prisoner” is the latest book by Sr Lini Sheeja, MSC, the National secretary for PMI till recent times, which deals with what goes on behind the bars of prisons where men and women in hundreds are incarcerated in overcrowded cells for crimes they have committed or alleged to have committed. The title of the book itself is paradoxical in nature, a typical oxymoron. A ‘prisoner’ is one who is confined and ‘redeemed’ speaks of freedom. But how do both these words find their reconciliation in the lives of prisoners who find mention in this book? One must go through the pages of this book and read the accounts recounted in them to open one’s eyes to the stories of real prisoners unfolding and realize how the impossible can become possible in the lives of people whom neither their families nor society wants. When a group of persons whose hearts are filled with love for God and their brethren are on their feet with steadfastness and determination, coupled with deep trust in God, accepting affronts, humiliation and every kind of inconvenience, they achieve the ultimate victory of saving souls for God even in an ambient of extreme despondency and gloom.

The prison is a place where people who commit crimes of diverse types are kept in confinement as punishment for the harm they have done to individuals and as a safeguard for society. Crimes can be committed by people locked up in prisons or they can only be ascribed to them based on circumstantial evidence or allegations of others. The courts in the country decide the responsibility of the crimes to alleged criminals. On account of the lethargic attitude of successive Governments to men and women languishing in prisons throughout the country, too many are compelled to spend years in prison for no fault of their own as under trials. The Prison Ministry of India has been doing yeoman service in bringing relief as well as psychological and spiritual comfort to those in prison for having committed crimes of various categories. The Book, 'Redeemed Prisoner' is a splendid exposure of the stupendous efforts made by the volunteers of Prison Ministry India to live out in truth the call of Jesus addressed to all men and women of good will to bring solace to those in prison and wish to pay heed to those words uttered by the Master long ago: "When I was in prison and you visited me."

The book outlines the stories of real criminals who were thrown into prison for crimes of a gruesome nature such as cold-blooded murders appalling even to hear or read about. They were rightly condemned by courts and by society and made to pay for their crimes by undergoing life imprisonment or in some cases capital punishment too. The PMI volunteers are portrayed in the book as playing the role of redeemers by offering them the mercy and forgiveness of God in Jesus Christ. They firmly believe that "No human being is beyond redemption and no one is born a criminal." The accounts of the prisoners mentioned in the book reveal the hideousness of their crimes but the gravity of their crimes does not in any

way make the volunteers hesitate in bringing the Good News in Jesus to them. They make it their life purpose to drive home even to the hardened sinner, regardless of religion, the infinite mercy of God that was explicitly expressed to St. Faustina by Jesus himself, “Let the greatest sinners place their trust in My Mercy.” Jesus bestows his abundant mercy to everyone who turns to him even at the eleventh hour of their life. Sr. Lini illustrates this in what occurred on Calvary to the Good Thief on the cross, to James Hughes in U.S.A on his electric chair and to the murderer Pranzini in France at the gallows.

Conversion of heart and inner transformation is a work of grace which can only be obtained through persistent prayer either by the one in need of it or the ones who intend to bring it about in someone they are concerned about and feel deeply compassionate with the heart of Christ. The truth of this is wonderfully brought out in the book through the instances of radical transformation that took place in hard core prisoners such as serial killers with whom PMI volunteers interacted tenaciously with deep compassion. Being well aware of their total dependence on grace, they prepared themselves through prayer and fasting before meeting the prisoners. They met with resistance at first in most cases which only made them intensify their prayer to make themselves adept in the practice of patience so as to wait for the moment of grace. They opened the passages of Scripture that speak explicitly on the mercy of God to the prisoners and those who were touched by grace responded in amazing ways. The gentle and kindly approach of the volunteers added conviction to their words. Their persistent efforts, coupled with their earnest prayer life, worked wonders in the lives of these unfortunate incarcerated people. Ultimately the prisoners are presented as falling on their knees overcome by deep regret and sorrow for their sinful past to

grasp the hand of love offered to them by God through the ministry of the Sisters and volunteers. Their experiences bear testimony to the fact that nobody is beyond the reach of love when it is expressed unconditionally and sincerely. Sr Lini has rightly remarked in the book as a result of her own experiences of witnessing transformation in prisoners, “I believe that the transformation of a person who had lived a life away from God’s light and was dragged into a life of darkness and crime can happen, and that they can be brought back to light once again only by the touch of God and his Word. It is a touch that is both loving and saving.”

The main thrust of PMI volunteers in their work for prisoners is to see them transformed by reforming their life. It is clearly spelled out in the book that every prisoner has a built-in negative self-image. Most often the cause lies in the background of the family where an individual is not given his or her due knowingly or unknowingly. There can be some form of neglect or withholding of love and care from one or other of the parents or even by both. Certain actions of parents can also be misconstrued by children and they take the path of evil unless checked and followed up by parents. The book reports several instances of this in individual cases that culminated in grave crimes being committed by young people who were hardly out of their teens, only to assert themselves or to gain confidence in their own abilities. Crimes are not committed for their own sake but people find themselves led into crime because of circumstances and the power of negative influence of peers on one another.

The prison ministry depicted in ‘Redeemed Prisoners’ demonstrates convincingly the salvific effect of authentic love on those groping in the darkness of evil, guilt and despair as the PMI volunteers, many of whom are Religious Sisters, share

it bountifully with them. They approach them with the Word of God in their hand with hearts brimming with love for their Lord and witness miracles happening before their very eyes in the lives of criminals who would otherwise have ended up worse than they were by the time their prison term would have ended. On the contrary we see them walking out with a smile on their faces and the Word of God in their hearts, ready to witness to what God had done for them. Some of them leave prison life determined to be apostles, bringing the Good News in Jesus Christ to all who have not experienced it. Others come out from prison totally transformed persons, prepared to atone for their own evil deeds by dedicating their lives to serving the last, least and lost ones of society. Still others settle down with their families and live normal exemplary lives and give witness to the power of God's forgiveness and love they imbibed while in prison. One could not desire anything more from persons who went through tempestuous times and brought untold misery upon themselves and their families through their horrendous past. As Scripture says, "Where sin increased, grace abounded all the more" (Rom.6:20).