

# Prisoners' Posture on Prison: A Criminological Study

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## Abstract

The descriptive type of cross sectional study was carried out among the 35 prisoners taking purposively from 'Tangail District Jail' of Bangladesh. Most of the respondents (82.86%) were male and (34.2%) between 26 to 30 years of age while 82.9% were married and 11.4% were Rickshaw puller, Driver and Farmer with 1200BDT to 5000BDT monthly income (62.9%). Among the prisoners 20.0% were related with theft, 22.9% with drug, 11.4% with robbery and 8.6% with murder, dacoits and hijacking while most of them (77.1%) were satisfied over the prison where 62.9% met with relatives within 7 days and 8.6% were bound to give bribe for meeting with family. It was also found 28% respondents were the victim of torture in the jail and there is a relationship between satisfactions on prisoner and recidivism. The study was recommended to take a collaborative action to all the stakeholders for the improvement of prison system ensuring human rights and security to reform the prisoners which may contribute to reduce recidivism and crime in the society.

## Keywords

Prison, Prisoners, Human Rights, Criminological Study, Bangladesh

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## 1. Introduction

Prison is a system of punishment and also a sort of institutional placement of under-trials and suspects during the period of trial. Prison may serve to deter the offender or it may be used as a method of retribution or vengeance by making the life of the offender miserable and difficult [1].

Prison is a place which gives shelter and correctional therapy to the persons of a particular category. Prison means a place for detention [2]. The jail system of Bangladesh is based on the legislation of the prison Act of 1894 which was adopted from the England prison Act of 1877 and most of the jails were constructed during the English colonial period. Currently jail administration is carried out on the basis of the "Bengal jail code" which regulates "the establishment and

management of jails, the confinement and treatment of persons there in and maintenance of discipline amongst them" (Bengal Jail Code p. 1). According to the ordinance Act of 1894 a prison house is a particular building or a building complex set up and maintained by the state Government for keeping on a temporary or permanent basis the convicts and the under trials. Fairchild defined prison house is "penal institution operated by either the state or the federal Government and used only for adult offenders whose sentences exceed one year. The prison house is a penal institution. The aim of this institution is to penalize the antisocial individuals and criminals [3-6].

Prisons of Bangladesh are notorious for their subhuman living conditions. Substandard infrastructure and the lack of basic amenities along with a chronic shortage of funds,

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overall neglect of the prisoners are systematic corruption renders most prison virtually inhabitable. Perhaps the most notable feature of prisons in the immense overcrowding found uniformly across the country. To study on attitude towards prison environment among the under-trial prisoner and their families have discussed about the prisoners wants, administrative facilities, how correctional institutions are working, prisoner's rehabilitation program, prisons disadvantages, complaint about the system etc. Sometimes prisoners are addicting to be more violent by aiding other inmates. In case a normal prisoner after release becoming more violent and becoming more harmful for society [7-15].

The prison system of Bangladesh had its inception in the legislation of the Prison Act of 1894 which has basically derived from the England Prison Act 1877. The correctional system is administratively centralized. Although 56 years ago Bangladesh cast of British rules, Bangladeshi jail is still administered under the century old colonial prison act. Jails are controlled by the ministry of homes and their operational responsibility vested in the prisons, directorate. Jail administration is being carried out on the "Bengal Jail Code" of 1864. In public have fear and wrong concept about the prison. People determined that, it is a place which is hard to lead a normal life [16-21]. The jail administration of Bangladesh is in a great problem to maintain the jails all over the country. The numbers of inmates are increasing rapidly but the capacity was not increased. For the absent of the jail super the care taker power is given to the District Magistrate. The utility of prison as an institution for rehabilitation of offenders and preparing them for normal life has always been a controversial issue. There are various problems are caused inside the prison which include overcrowding, problem of prison administration, custodial torture, insufficient food and medical care, bribe, misbehaviour of prison staff etc. So I choose it [22-25].

According to section 3 of prison act IX of 1864 prison means any jail or place used permanently or temporarily under the general or special orders of the govt. for detention or confinement of prisoners and include all lands, building etc. It is popular known that "LAL DALAN" which is surrounded by a high rise wall and inside arrested the people where their feelings, sorrows which cannot touch ourselves and affected our motion. It seems another world. It is properly unknown to all the jails intervention. In 1552 in London a place named "St Briget Well" was pointed as the first jail of the world. In 1957 the British government made so more. In 1600 ordered to make jail in county. The main aim of the jail was for labour and teaching the regularity. In 18<sup>th</sup> century it took a greater dignity. That time men and women are kept in same cell, sociologist John Haward worked for reform the jail. In (1773bc -1790bc) caused the change in jail management. In 1812 England first build the National Jail "Milk Bank". It

was arranged by three kilometres long veranda which includes more than hundreds cell. The expenditure was 25 lakh pounds. It took 9 years to build [26-29].

In U.S.A. 1790 build a National Jail "Wal Nut St. Jail" in Philadelphia kingdom. Next New York build National Jail 1796 and in Maryland 1829. In 1831 Vermont jail approved letter give and take policy. In 1836 India sub continent build the jail in various mohokooma and districts. "Code of Rules" was first introduced to maintain the jail in 1864. In 1971 after freedom fight "Bangladesh Jail" (BDJ) was introduced and started their activities with 4 central jails and 43 sub jails. In 1997 the sub jails turned to district jail. Now in Bangladesh have 13 central jails and 55 district jail and containing above 85000 inmates [30-36].

Therefore, this study was moused upon the environment of prison in Bangladesh and to know about food and medical care, to understand the attitude of people toward prison and also to learn the behaviours shown by the prison administration.

## 2. Methodology

The study was a descriptive cross-sectional study conducted at purposively selected 'Tangail District Jail' of Bangladesh. There were taken a sum of 35 prisoners (pre trial, trial, under trial, detention and convicted offenders) including their families using in vogue purposive sampling method for continuation of the study in full swing. A well-structured questionnaire was developed containing both the open and closed ended query to collect data interviewing the respondents in the study areas. The gained collected data was checked far away from the sample areas. The questionnaire was formed in order to gain the relevant information considering the dependent variables i.e., age group, level of education, residency, occupation, socio-economic contour and independent variable i.e., nature and number of complaints against them during July 2012 to June 2013. It was also emphasized on observation method to avoid debating answer and realizing in sense. The questionnaire was checked daily closing the field work, rechecked again after collecting all data and coded before entrancing into the computer technology. The data was edited if seeing any discrepancy (wrong entry, doubt entry etc.) and the data was processed to undergo statistical analysis using SPSS 16 windows program. Microsoft Word and Microsoft Excel were taken into consideration to focus the results using tabular and chart icon.

## 3. Results

It was found from the study; most of the respondents (82.86%) were male and 34.2% were between 26 to 30 years

of age. Among them 82.9% were married and education level of 31.4% were up to PSC while 11.4% were Rickshaw puller,

Driver and Farmer and monthly income of 62.9% were between 1200BDT to 5000BDT where 54.3% urban.

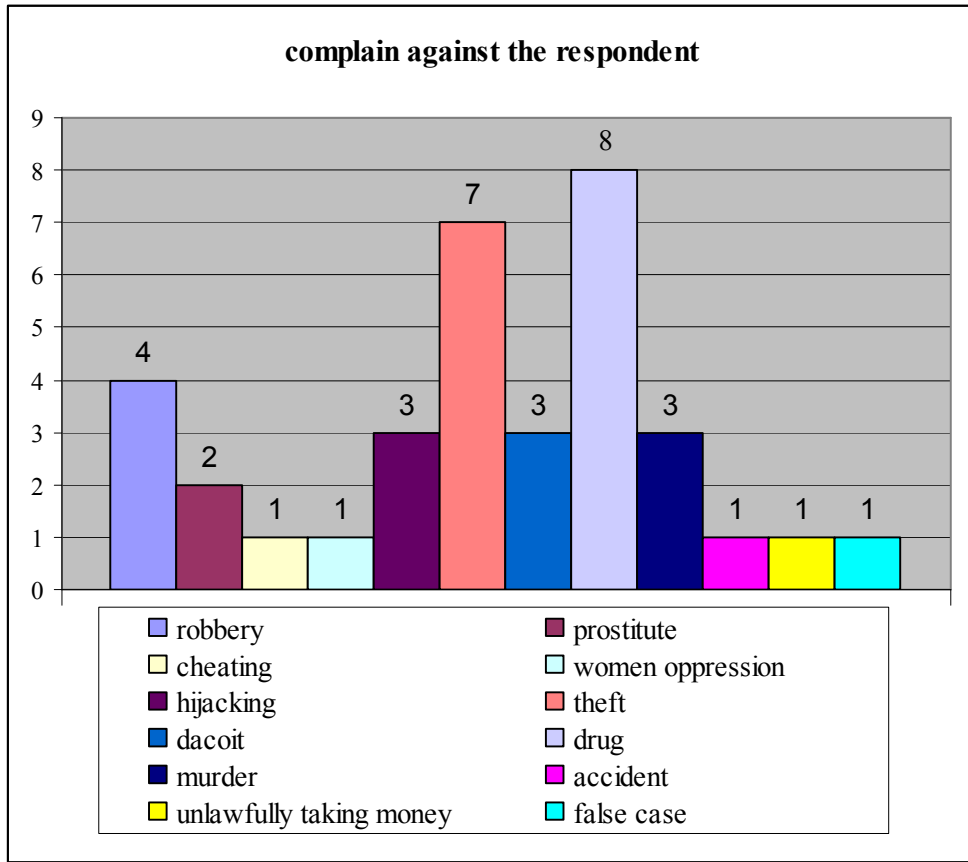


Figure 1. Complain against the respondents.

Table 1. Socio-demographic characteristics of the respondents (N= 35).

Parameters	Frequency	Percentage
Sex		
Male	29	82.86
Female	6	17.14
Age (years)		
20-25	8	22.7
26-30	12	34.2
31-35	7	20.0
36-40	2	5.7
41-45	3	8.6
46-50	1	2.9
51-55	1	2.9
56-60	1	2.9
Educational status		
PSC	11	31.4
JSC	9	25.7
S.S.C.	3	8.6
H.S.C.	3	8.6
Graduate	1	2.9
Illiterate	8	22.8
Occupation		
Day labour	2	5.7
Unemployed	2	5.7
Rickshaw puller	4	11.4
Fisher man	1	2.9
Brick field	1	2.9
Housewife	2	5.7
Prostitute	1	2.9

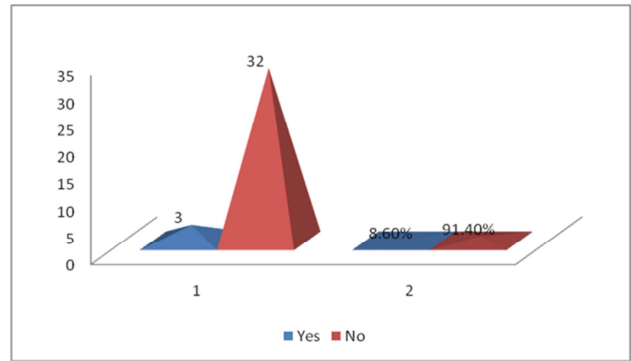
Parameters	Frequency	Percentage
Driver	4	11.4
Service	2	5.7
Garment worker	1	2.9
Maid servant	1	2.9
Farmer	4	11.4
Guard	1	2.9
Foreigner	1	2.9
Tailor	1	2.9
Business	6	17.1
Weaver	1	2.9
Marital Status		
Married	29	82.9
Unmarried	5	14.3
Divorced	1	2.9
Day labour	2	5.7
Monthly Income (BDT)		
<1200	2	5.7
1200-5000	22	62.9
5001-10000	7	20.0
10001-15000	1	2.8
15001-20000	1	2.8
20001-25000	1	2.8
>25000	1	2.8
Residence		
Urban	19	54.3
Sub-urban	5	14.3
Rural	10	28.6
Floating	1	2.8

Figure 1 showed that, 20.0% prisoners were related with theft, 22.9% with drug, 11.4% with robbery, 8.6% with murder, 8.6% with dacoits and 8.6% were related with hijacking.

over the prison while 82.9% said family condition were bad after having jail. Among them 62.9% met with relatives within 7 days and 82.9% were not recidivists.

**Table 2.** Attitude toward prison environment of the respondents.

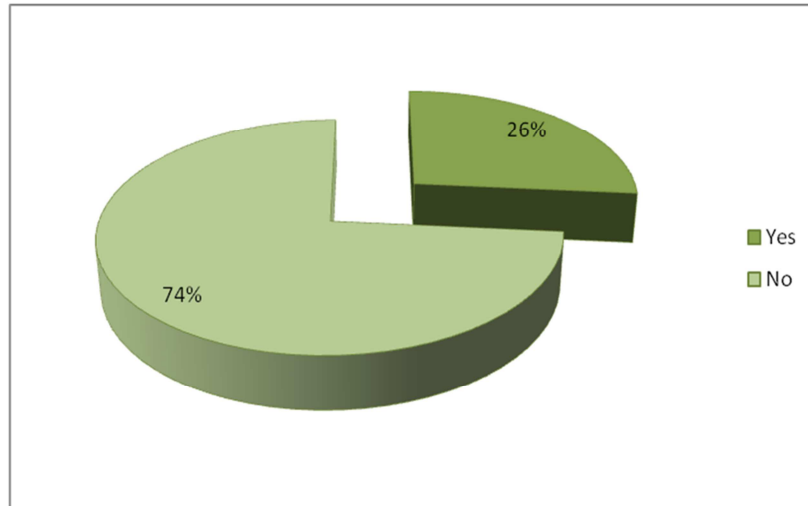
Parameters	Frequency	Percentage
Satisfactions over the prison		
Satisfied	27	77.1
Un satisfied	8	22.9
Family condition after having jail		
Good	6	17.1
Bad	29	82.9
Meeting with relatives how many days later		
0-7	22	62.9
8-15	2	5.7
16-30	7	20.0
31-60	2	5.7
>60	2	5.7
Recidivism		
Yes	6	17.1
No	29	82.9



**Figure 2.** Bribe for meeting with family.

Figure 2 showed that 8.6% gave bribe for meeting with family.

Table 2 presented that, most of them (77.1%) were satisfied



**Figure 3.** Torture on the prisoners.

The study found 28% were the victim of torture in the prison environment (Figure 3).

**Table 3.** Cross tabulation between Satisfactions on prison by prisoner and recidivism.

Satisfaction on prison by prisoner	Recidivism		Total
	Yes	No	
Satisfied	4	22	26
Unsatisfied	3	6	9
	7	28	35

From the study found that there is a good relationship between satisfactions on prisoner and recidivism (Table 3).

## 4. Discussion

The 'vision' of the Department of Prisons of Bangladesh is stated as "We shall keep safe and show the path of light" which denotes that this department is by itself pledge-bound

to ensure the safety of the inmates and show them the path of light so that they themselves learn to hate the commission of offences in the days to come [37-39]. The 'mission' of the Department is declared as "Affirmation of safe imprisonment of the prisoners, maintenance of the strict safety discipline of the jails, humanitarian behaviour with the prisoners, giving of opportunity to them for their proper residence, food, medical treatment and meeting with their relatives, friends and lawyers and motivation and giving of training to them with

the aim of rehabilitation of them as good citizens to the society". But today's scenario proves that these mission and vision are now only 'black letter view' and lost their appeal to the authorities concerned [40, 41]. The inmates in the prisons are now living their life which is even 'more than subhuman one' and they are usually treated by the Police with an inferior approach which is, in no sense, humanitarian; nor even 'human'. Both the mission and the vision dictate that the prisons will be some places of reformation and rehabilitation wherein the path of light will be shown to the inmates and the inmates will be treated with an outlook of rehabilitation to send them back to the society as normal citizens but the reality is totally disappointing [42-45]. The supply of food is inadequate for the prisoner and it is supplied according the jail diet scale. Now-a-days, prison cells went life-threatening due to the 'overcrowding'. If the correctional and reformative measures are not applied to the inmates, then overcrowding of prison is sure to occur. When the surplus number of the prisoners gets accommodated beyond the prison capacity, then life becomes so as not to be lived, rather to be dragged. Beside that misbehaviour, torture etc. have influence on their mentality which can create mental problem. To explore the overall evaluation in this issue is harder enough and therefore the spatial microsimulation modelling [46-49] can bear fruit in designing preferable policies to see the governments and NGOs about environmental and spatial effects [50-56] across different sites in the country.

## 5. Conclusion

Social workers, psychologists and eminent reformists feel that prisons should be the places of incarceration of the offenders for their chastisement. Punishment is imposed because it is unavoidable to eradicate evils of the crime from society. Hence there is no sense in considering them as outcasts and pests of the society. Human rights have been declared in many international conventions and in the constitution for detainees. Our constitution has guaranteed the prison inmates the full human rights. Prison should be places of acceptance, understanding and love. Because they are our people, our misguided brothers and sisters, they should be given protection, care and treatment for their reintegration in the society as useful citizen.

Criminality and humanity are the two sides of the coin. Prison reforms for dealing with human security in our prisons are quite understandably difficult to achieve but not impossible if government and personnel of prison administration take necessary steps towards improvement of our prison system.

## Recommendation

Firstly, the prison system of this country is regulated by the Acts enacted and Rules made in the British colonial regime to which expected and needed changes have not been brought. these outdated laws and procedures have to be amended to date to meet the necessities of changed time and situation so as to ensure for the prisoners fundamental human rights to a certain extent and standard, welfare scheme and reform programs, vocational training programs, a good salubrious environment, adequate medical service, special attention to women and children and regular monitoring of the overall management.

Secondly, the government should take necessary steps so that the staffs are never being able to take money more than the government approved. If it can't be done then the tradition of the bribe in the prison will never be demolished. The government should give the legal aid to the poor people who can't provide the cost of the trial.

Thirdly, the staff should change their attitude, develop morality and be honest to their duty. It is mostly needed because they are the main. If they will never change then nothing can do anything.

Fourthly, the awareness building to the general people is one of best recommendation to remove the problems in the prison.

Fifthly, judicial activism should be made more smooth and speedy with quick disposal of the cases through formal as well as informal or quasi-formal devices.

Finally, to escape the overcrowding of prisons, 'Plea Bargaining' system can be introduced in the country. 'ADR' (Alternative Dispute Resolution)

## References

- [1] Paranjape, V. N. (2008-09). *Criminology & Penology*. 13<sup>th</sup> edition. P. 514-518.
- [2] Sarker Hakim Abdul (2008). *Human Rights, Investigation Prosecution and Juvenile Treatment*.
- [3] Carter Janet (2009). *Domestic Violence, Child Abuse& Youth Violence*.
- [4] Mullens D. Angela (2009). *The Relation between Family & Delinquency*.
- [5] Sharma, K. Rajendra. (1994). *Criminology and Penology*. P. 33-35.
- [6] Wright, Kevin N. and Karen E. Wright. 1994. *Family Life, Delinquency, and Crime: A Policy markers Guide*. Research Summary. Washington DC: OJJDP. 4-21.
- [7] Straus, M. A., Gelles, R. J., & Smith, C. (1990). *Physical violence in American families: Risk factors and adaptation to violence in 8,145 families*.

- [8] Hakim M A and Kamruzzaman M. Nutritional Status of Central Bangladesh Street Children. *American Journal of Food Science and Nutrition Research* 2015, 2 (5): 133-137.
- [9] Austin, R. L. (1978). Race, father-absence, and female delinquency. *Criminology*, 15 (4), 487-504.
- [10] Kamruzzaman M. Child Victimization at Working Places in Bangladesh. *American Journal of Applied Psychology* 2015, 4 (6): 146-159.
- [11] Kamruzzaman M. A Criminological Study on the Dark Figure of Crime as a Socio-ecological Bulk of Victimization. *American Journal of Business, Economics and Management* 2016, 4 (4): 35-39.
- [12] Canter, R. J. (1982). Family correlates of male and female delinquency. *Criminology*, 20 (2), 149-167.
- [13] Cernkovich, S. A., & Giordano, P. C. (1987). Family relationships and delinquency. *Criminology*, 25 (2), 295-321.
- [14] Kamruzzaman M *et al.* Plight of Youth Perception on Cyber Crime in South Asia. *American Journal of Information Science and Computer Engineering* 2016, 2 (4): 22-28.
- [15] Shabnam N, Faruk MO and Kamruzzaman M. Underlying Causes of Cyber-Criminality and Victimization: An Empirical Study on Students. *Social Sciences* 2016, 5 (1): 1-6.
- [16] Akers Ronald L. "Criminological Theories; Introduction and Evaluation (Los Angeles, California, 1993)".
- [17] Ain O Salish Kendra Human Right -2003.
- [18] Kamruzzaman M. Dowry related Violence against Rural Women in Bangladesh. *American Journal of Psychology and Cognitive Science* 2015, 1 (4): 112-116.
- [19] Amerandra Mohanty and Naryan Hagary; "Indian Prison System".
- [20] Bohm Robert M. and Haley Keith N., "Interaction to criminal justice" Glencoe McGraw Hill Newyork, 2002) Bengal Jail code; 1894.
- [21] Kamruzzaman M and Hakim M A. Basic Rights on the Wane, Human Rights on Brown Study: A Case Study on Thrown Away Children in Bangladesh. *International Journal of Environmental Planning and Management* 2016, 2 (4): 29-35.
- [22] Dr. Rajendra K. Sharma, "Criminology and Penology (1998)".
- [23] Kamruzzaman M and Hakim M A. Socio-economic Status of Slum Dwellers: An Empirical Study on the Capital City of Bangladesh. *American Journal of Business and Society* 2016, 1 (2): 13-18.
- [24] Kamruzzaman M and Hakim M A. Socio-economic Status of Child Beggars in Dhaka City. *Journal of Social Sciences and Humanities* 2015, 1 (5): 516-520.
- [25] Kamruzzaman M and Hakim M A. Livelihood Status of Fishing Community of Dhaleshwari River in Central Bangladesh. *International Journal of Bioinformatics and Biomedical Engineering* 2015, 2 (1): 25-29.
- [26] Ghosh S. K. "Torture and Rape in Police Custody" Gillin, J. L; "Criminology and Penology, Third Edition, New York, Applenton Century, 1945".
- [27] Huque, s. 1981. Inordinate Delay in Trial by criminal Courts: A problem of Serious Magnitude in Bangladesh.
- [28] Hakim M A and Kamruzzaman M. The Dance of Poverty and Education for Childhood Nutritional Victimization in Bangladesh. *Journal of Biological and Environmental Engineering* 2016, 1 (1): 6-9.
- [29] Kamruzzaman M and Hakim M A. Prostitution Going Spiral: The Myth of Commercial Child Sex. *International Journal of Biomedical and Clinical Sciences* 2016, 1 (1): 1-6.
- [30] Jeffery D. Sencse and Mohammad Kashem; "International Journal of Comparative and Applied Criminal Justice; "A Comparative Analysis of Jails in the United States and Bangladesh" (Spring 1997, Vol. 21, No. 1 University of Baltimore).
- [31] Klofas, j 1987. "Patterns of Jail Use". *Journal of criminal justice System*, 15, 403-411.
- [32] Rahman A, Hakim M A, Hanif M A, Islam M R and Kamruzzaman M. Dietary Practices, Health Status and Hygiene Observance of Slum Kids: A Pilot Study in an Asian Developing Country. *JP Journal of Biostatistics* 2016, 13 (2): 195-208.
- [33] Cullen, F. T., Wright, J. P., & Brown, S. (1998, April). Public support of early intervention programs: Implications for a progressive policy agenda. *Crime and Delinquency*, 44 (2), 187-204.
- [34] Hakim M A and Kamruzzaman M. Nutritional Status of Preschoolers in Four Selected Fisher Communities. *American Journal of Life Sciences* 2015, 3 (4): 332-336.
- [35] Islam MS, Hakim M A, Kamruzzaman M, Safeuzzaman, Haque MS, Alam MK. Socioeconomic Profile and Health Status of Rickshaw Pullers in Rural Bangladesh. *American Journal of Food Science and Health* 2016, 2 (4): 32-38.
- [36] Kashem. M. B. (1996a). Jail Population in Bangladesh: Forecasts and Policy Options. Paper Presented at the Annual Meeting of the Academy of Criminal Justice Science. Las Vegas, Nevada. March, 1996.
- [37] Kamruzzaman M *et al.* Patterns of Behavioural Changes Among Adolescent Smokers: An Empirical Study. *Frontiers in Biomedical Sciences* 2016, 1 (1): 1-6.
- [38] Kamruzzaman M and Hakim M A. Family Planning Practices among Married Women attending Primary Health Care Centers in Bangladesh. *International Journal of Bioinformatics and Biomedical Engineering* 2015, 1 (3): 251-255.
- [39] Karabarta, 1st Edition, February 2007; Jail Administration, Bangladesh. Kashem Bin Mohammed, "Imprisonment in Bangladesh: A Case Study (1996)".
- [40] Kamruzzaman M and Hakim M A. Factors Associated with the Suicidal Tsunami as a Mental Illness: Findings from an Epidemiological Study. *American Journal of Environment and Sustainable Development* 2016, 1 (1): 1-5.
- [41] Paranjape Dr, N. V. "Criminology and Penology (10<sup>th</sup> edition central law publications)".
- [42] Faustina Pereira, 'Prison Reform: Inescapable Truth and Immediate Necessities', *Journal of Law*, Vol. ii, no. 1 (April 2004).

- [43] Kamruzzaman M and Hakim M A. Condom Using Prevalence and Phobia on Sexually Transmitted Diseases Among Sex-Buyers in Bangladesh, *American Journal of Environmental and Occupational Health* 2016, 1 (1): 1-5.
- [44] Das SK, Khan M B U and Kamruzzaman M. Preventive Detention and Section 54 of the Code of Criminal Procedure: The Violation of Human Rights in Bangladesh. *American Journal of Business and Society* 2016, 1 (3): 60-67.
- [45] US Department of State, Country Report on Human Rights Practices for 2013 – Bangladesh, 27 February 2014, Section 1c, [http://www.state.gov/j/drl/rls/hrrpt/human\\_rights\\_report/index.htm?year=2013&dldid=220388](http://www.state.gov/j/drl/rls/hrrpt/human_rights_report/index.htm?year=2013&dldid=220388), date accessed 16 January 2015.
- [46] Rahman A, Harding A, Tanton R and Liu S. Simulating the characteristics of populations at the small area level: New validation techniques for a spatial microsimulation model in Australia. *Computational Statistics and Data Analysis* 2013; 57 (1): 149-165.
- [47] Kamruzzaman M. Formalin Crime in Bangladesh: A Case Study. *European Journal of Clinical and Biomedical Sciences* 2016, 2 (5): 39-44.
- [48] Rahman A and Harding A. Spatial analysis of housing stress estimation in Australia with statistical validation. *Australasian Journal of Regional Studies* 2014; 20 (3): 452-486.
- [49] Rahman A, Harding A, Tanton R and Liu S. Methodological issues in spatial microsimulation modelling for small area estimation, *International Journal of Microsimulation* 2010; 3 (2): 3-22.
- [50] Kamruzzaman M and Hakim M A. Child Criminalization at Slum Areas in Dhaka City, *American Journal of Psychology and Cognitive Science* 2015, 1 (4): 107-111.
- [51] Kamruzzaman M. Interreligious Marriage in Bangladesh: From Human Rights Perspective. *International Journal of Education, Culture and Society* 2016, 1 (2): 44-51.
- [52] Rahman A. Small area estimation through spatial microsimulation models: Some methodological issues. *Paper presented at the 2nd General Conference of the International Microsimulation Association*. The National Conference Centre Ottawa, Canada, 2009. p. 1- 45 (June 8 to 10).
- [53] Kamruzzaman M and Hakim M A. Prevalence of Acid Crime Victimization in South Asia: A Review. *Journal of Biological and Environmental Engineering* 2016, 1 (2): 17-22.
- [54] Kamruzzaman M *et al.* Extrajudicial Killings: The Violation of Human Rights in Bangladesh. *International Journal of Environmental Planning and Management* 2016, 2 (4): 20-28.
- [55] Kamruzzaman M and Das SK. The Evaluation of Human Rights: An Overview in Historical Perspective. *American Journal of Service Science and Management* 2016, 3 (2): 5-12.
- [56] Phil M. Small area housing stress estimation in Australia: Microsimulation modelling and statistical reliability, University of Canberra, Australia, 2011.