

# Give prisoners handbook on rights, Madras HC tells TN

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MADURAI: The Madurai Bench of the Madras High Court on Monday directed the state to amend its prison rules in accordance with the Model Prison Manual, 2016, and the United Nations Standard Minimum Rules for the Treatment of Prisoners (also known as the Nelson Mandela Rules).

Passing orders on a PIL filed by People's Watch, an NGO, which sought appointment of a non-official board of members to visit and monitor prisons for safeguarding prisoners' rights, a Bench of justices R Mahadevan and J Sathya Narayana Prasad directed the

government to create a 'Prisoners' Rights Handbook' and distribute a copy of it to all inmates.

The handbook should contain information on prisoners' rights, laws protecting them and grievance redressal mechanisms available to them. The state should conduct a yearly conference, under the aegis of the SHRC, to ensure the effective functioning of the visitorial system and to recommend changes in prison administration based on reports of the board of visitors (both official and non-official visitors), the judges said. Addressing the main grievance of the litigant, Henri Tiphagne, regarding the lack of implementation of the rules relating to appointment of non-official visitors, the judges directed the government to constitute a committee to ensure periodic appointment of non-official visitors.

The government was also directed to constitute a board of visitors in all prisons. The minutes of their meetings and suggestions should be uploaded on their official website, they said. Other directions included preventing overcrowding, ensuring basic facilities like drinking water, hygienic food and medical attention at all times, conducting regular training and refresher courses for prison staff, providing an effective grievance redressal system for inmates, etc.

Quoting Nelson Mandela, the judges said 'no one truly knows a nation until one has been inside its jails. A nation should not be judged by how it treats its highest citizens, but its lowest ones.' The state has not incorporated changes to the Tamil Nadu Prison Rules, 1983 in accordance with the Model Prison Manual, 2016 and has not effectively implemented the provisions relating to the visitorial system, they noted.

Referring to the legal frameworks followed in TN, central and international levels, the judges observed that prison administration and its reforms must be carried out by giving importance to the reformation of inmates, rehabilitation and successful reintegration into the society. This would bring about a change in the behaviour of the inmates ultimately leading to an effective incarceration system with due regard for prisoner's rights, they opined.