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Sindh Province's New Prison Legislation Post-2019 and Assesses Its Implementation and Impact on Inmates

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ABSTRACT

This study assesses the Sindh Prisons and Corrections Service Act (2019), Pakistan's first provincial law replacing the colonial-era 1894 Prisons Act. While the legislation introduces rights-based reforms—including inmate classification, rehabilitation programs (vocational/educational training), gender-sensitive provisions, and independent oversight—its implementation faces systemic barriers. Overcrowding (141% capacity), chronic underfunding, bureaucratic inertia, and inadequate infrastructure undermine key provisions. Vulnerable groups (women, juveniles, elderly) experience uneven access to healthcare, segregation, and psychosocial support. Civil society and oversight mechanisms remain underutilized due to operational constraints. Compared to Punjab and Khyber Pakhtunkhwa, Sindh's legal framework is progressive but struggles with execution. The analysis concludes that without institutional reinforcement, sustained funding, and political will, the Act risks remaining aspirational, highlighting a persistent gap between legislative reform and transformative change in inmate welfare.

Keywords: Sindh Prisons Act 2019, Prison reform implementation, Inmate rehabilitation, Prison overcrowding, Institutional inertia, Rights-based incarceration

INTRODUCTION

The prisons in Pakistan have endured constant overcrowding and ageing legislations, which are left over by the colonialists. As indicated by the World Prison Brief, there were an estimated 102,000 prisoners in the country in 2019, with 64.5 per cent of that population being in pretrial cases distributed in 128 prisons, with plans to incarcerate only about 65,811 inmates (World Prison Brief, 2019). The scenario in this national crisis is reflected in Sindh province, which manages 26 prisons and is characterised by dire infrastructure and sanitary conditions, and an overstretched prisoner health system (World Prison Brief, 2019).

The background of prison governance in Pakistan has been the persistence of the Prisons Act of 1894, which is based on punitive colonial frameworks of imprisonment, giving all-powerful authorities to superintendents and opting out of the inmate classification, rehabilitation, or supervision processes (Alam, 2022). This has led to unsafe conditions due to overcrowding facilities with a maximum of 57 per cent more than they could accommodate prisoners, and gross abuse of human rights. According to Human Rights Watch reports, gross abuse is still underway, although there have been reports of torture, poor medical treatment, and inhumane treatment of women and older prisoners (HRW, 2023).

In reaction to such failures in the systems, Sindh took the first step to reform the prison laws in the history of Pakistan, as far as the experience of devolution under the 18th Amendment is concerned, and the Sindh Prisons and Corrections Service Act, 2019 was enacted (Sindh Prisons and Corrections Service Act, 2019). This law creates a new Sindh Prisons and Corrections Service, requires categorisation of inmates by age, gender and sentence type, and creates rehabilitation-based initiatives such as vocational training, education and mental-health services. It also includes the foreign standards like the United Nations Nelson Mandela Rules and Bangkok Rules on women prisoners (Sindh Prisons and Corrections Service Act, 2019).

In spite of the gradual nature of the legislation, there exists a number of challenges that have served to curtail implementation. As it has been noted by UNODC, such vital elements as the recruitment of specialised personnel, the development of a classification system, and the formation of inspection boards are not well developed. Notably, there is overcrowding; the rehabilitation goals of the law have thus been eroded (UNODC, 2020). According to civil society reports, there are still shortages in basic services, particularly in women's and juvenile detention centres (Himal Southasian, 2024).

This article analyses the effectiveness of the 2019 law passed in Sindh on the ground as far as the inmates are concerned. It aligns itself with three primary research questions: (a) what has the altered legal structure done to the management, culture and practice in prisons? Second, how successful have the efforts of the new law been in improving the rights and welfare of inmates, especially the weak groups (women, children and the elderly) inmates? Third, what institutional, fiscal or bureaucratic obstacles lie there that restrain its influence?

Methodologically, this paper involves both the doctrinal analysis of law and interviews or supervision with the prison authorities, legal aid, human rights commissions, and non-profit organisations. There are some preliminary indications of a disturbing gap between lawmaking aspiration and bureaucratic performance. Although improvement in some facilities and programs to be implemented exists, reforms often fail because of budgetary shortages, shortages of trained staff, as well as resistance of institutions embedded in colonial-era penal philosophies.

This article can help expand the arguments on penal modernisation in the post-colonial states in a broader way because it provides a sufficiently factual analysis of the legal reform in Sindh and the reality of its effects. Finally, it points to the need to invest in and ensure considerable supervision of the 2019 Act and its complete alignment with international standards of correction.

Legal Background and Pre-2019 Penal Context

The current prison system in Pakistan is mostly a remnant of the colonial ideology of law practised in Britain. The core of this legacy system is the Prisons Act of 1894, which, in spite of some slight changes, is still the key legal document regulating the work of prisons in the country (Akbar & Bhutta, 2019). The Act is based on punitive discipline, which enables superintendents to exercise extensive control over the discipline of inmates, their labor tasks, and disciplinary routines but does not provide any measures to do what modern correctional practice does, which includes inmate classification, rehabilitation programs, or judicial oversight (Akbar & Bhutta, 2019). This old-fashioned design has reduced the advancement of the prison system towards a rights-based approach and cannot guide the international standards embraced in conventions, including the Nelson Mandela Rules.

It was in the form of chronic overcrowding that the shortcomings of this colonial legacy were thrown wide open. According to the International Committee for the Red Cross, as of 2018, prisons in Pakistan were running at a prisoner occupancy rate of about 157% mostly because of an imbalance of the undertrial prisoners in the overall population of prisoners (ICRC, 2018). The State of Human Rights in Pakistan report issued by the Human Rights Commission of Pakistan (HRCP) each year also repeated the same issues, noting that there was a very slow pace of the implementation of judicial directives against the background of severely overcrowded jails (HRCP, 2019).

Prison conditions also fail in a health emergency. The study published by Human Rights Watch in 2023 referred to the so-called nightmare scenario, in which prisoners can be tortured, starved, and denied access to basic medical care (Human Rights Watch, 2023) and pointed out the lack of required policy and procedural precautions. Prison overcrowding and lack of good healthcare have reduced the rehabilitative capacity of the prisons as they have become places of neglect and denial of people's rights.

The reforms of the prison system have been sporadic and insufficient. Various commissions led to the adoption of similar measures successively: the Special Committee on Prison Administration instituted in 1981, the Jail Reforms Committee

in 1994 and the Punjab Task Force on Prison Reforms appointed in 2000 recommended the adoption of inmate classification, greater staff training, noncustodial sentencing and independent oversight (Khan, 2010). However, these reforms were not held in legislation, as they remained victims of the bureaucratic lethargy and the lack of interest by provinces (Khan, 2010). One of the major setbacks has been the very Act of 1894 that has been largely preoccupied with and subdued to the issues of control and order rather than rehabilitation, and did not allow much space to changing the solution to rights-based provision that needs legislative support.

The provincial reform efforts were partially successful till the structural changes in the devolution came into effect. The 18th Amendment to the Constitution of Pakistan (2010) had changed the management of prisons to the full jurisdiction of provincial governments, which opened the prospect of seeking locally based reform (Oxford Centre for Criminology, 2022). But although provinces such as Khyber Pakhtunkhwa changed the rules to incorporate revisionist aspects (e.g., juvenile institutions, probation structures), their fundamental systems remained rooted in the 1894 Act (Jehangir, 2023). To give one such example, even when KP implemented the prison rules that complied with international standards in 2018 and 2020, realities did not change in the lives of most prisoners because of systematic underfunding and gaps in the implementation process (Jehangir, 2023).

As of 2019, this situation has been reflected in the prisons of Sindh. Overcrowding, a culture of punishments and legal neglect came together in creating recurring human rights crises. However, the time was ripe to change: the public interest litigation, parliamentary push, and the advocacy of civil society were aligned. The conditions of prisons, the judicial habeas corpus orders documented gross overdetention during pretrial confinement and the federal National Judicial Policy highlighted a renewed judicial role in penology (Khan, 2010).

In this way, when the Sindh Prisons and Corrections Service Act, 2019 was presented, the necessity of rights-based, rehabilitation-centred legal transformation became rather obvious. The Act marked the departure of the colonial penal orthodoxy and the acceptance of internationally accepted standards. It tried to address the structural weaknesses that remained unexploited for more than a hundred years. It is relevant to have such a background to determine whether the act brings a significant breakthrough or a paper-based change, bearing in mind institutional issues that were deeply related.

Key Provisions of the 2019 Sindh Prisons and Corrections Service Act

The Sindh Prisons and Corrections Service Act, 2019, was a groundbreaking change in the provincial prison control in Pakistan. In Section I, the chapter starts by presenting the aim of the prison system, explaining that a threefold mission exists, to execute court orders in a due process, ensure safe custody, and protect constitutional rights of inmates as well as to support inmates' welfare, rehabilitation and social integration (Sindh Prisons and Corrections Services Act, 2019, Chapter I). This three-level arrangement does not merely deviate from the existing colonial

pattern, which is outdated, but includes the aspect of rehabilitative intent as a statutory purpose.

One of the most important aspects of the legislation is the creation of a new provincial agency, the Sindh Prisons and Corrections Service (SP&CS) under an Inspector General owing the powers to control the management and disciplinary codes, rehabilitation planning, infrastructure development, and staffing ratios of prisons (Sindh Prisons and Corrections Services Act, 2019). The Inspector General also has the authority vested in it to issue rules to ensure efficiency in operations and performance of the staff relative to the Act. The institutional redesign marks a transition of punitive control of the superintendents of prisons to a subservient bureaucratic corrections service with an established mandate.

The rights system under the Act concerning prisoners is clear and strong. Section 50 requires the prisoners to be in natural dignity and honour, and the prisoner has certain advantages at being in the unsentenced corrections, as well as having the prerogative of being immune to discrimination on the grounds of gender, religion, or political opinion (Sindh Prisons and Corrections Services Act, 2019, SS 50). Additionally, the Act codifies the right to be provided with sufficient food, medical services, and drinking water, as well as complies with the UN Nelson Mandela Rules, establishing minimum standards of society and remand or prison treatment of prisoners (Human Rights Watch, 2023). These are provisions that counter the permissiveness of the 1894 Prison Act, which only provided wide discretionary powers with few requirements regarding humane conditions.

One of the major changes that is extremely significant in the 2019 Act is the provision of a thorough classification system. In Section 5 and the following, the revised later published as the so-called Rules, prisons fall into such categories as the maximum, medium, and minimum-security prisons, with juveniles and women in so-called special prisons or special areas of minimum security (Sindh Prisons & Corrections Service Rules, 2020). Moreover, the law perceives the difference between the so-called sentenced and unsentenced prisoners, older and those with medical vulnerabilities. Such categorical assignment is supported by the best global-leading practices, such as Nelson Mandela and Bangkok Rules, which guarantee that resources and security mechanisms are more aligned with the profiles of the inmate populations (Sindh Prisons and Corrections Services Act, 2019).

The program of rehabilitation and reintegration takes its place in the design of the Act. In the statute, Section 2 and 3 establish rehabilitation as a statutory goal, whereas Section 3(f) expounds upon vocational training, educational opportunities, cultural programs and the incentives such as earned remission (Sindh Prisons and Corrections Services Act, 2019). Work in the rehabilitation direction is compulsory for individuals who are physically and psychologically able, and productive activity is inculcated instead of having a life of idleness. The Rules promote incentives like early release to be part of the programs and develop motivational and skills growth.

Another progressive part of the legislation is gender- and age-sensitive provisions. The Act is based on the establishment of juvenile training centres,

allowing mothers to keep their children with them in prison, and giving older or handicapped prisoners special consideration when placing them and granted them rights, which are reminiscent of UN guidelines on vulnerable groups (Human Rights Watch, 2023). In section 50(c), non-discrimination is directly agreed upon to hold true to everyone with inmate status to constitutional guarantees. This represents an extension of previous policy documents, which were not very interested in women's and juvenile-specific rights.

Control and audit systems are presented as well. The Act also permits the formation of independent Boards of Visitors as the external bodies of civilian oversight, who are to visit prisons and investigate complaints or conditions (Sindh Prisons and Corrections Services Act, 2019). In the same vein, Section 6 accords to the Inspector General the power to promulgate transparent codes of conduct and carry out contractual audits, which increase professional accountability. This openness is a great departure from the supervision that was previously in darkness through the 1894 Act.

At the holistic level, the 2019 law substitutes a punitive law of the colonial era with a rights-based and progressive model of the law, which is provided on the basis of a formal service, inmate-based rights and classification, and the model of accountability on the principles of international standards. On the face of it, this Act indicates the international standards of correction and foretells a developmentally humane prison regime.

Still, the real reform will require the efficient implementation of classification tools, funds distribution, appointments, infrastructure and monitoring systems. A great part of the implementation equipment, such as boards, training standards, and facility segregation, is still at a budding phase (Friday Times, 2024). The rest of this paper will subject the translation of these legal intentions (or their failure) to analysis.

Implementation Challenges and Institutional Inertia

Although the broad architectural vision as set out in the 2019 Sindh Prisons and Corrections Service Act and its supporting regulations has been recognisable, the process of getting the design to deliver usable change has been facing long-standing obstacles. Some of them include lapses in infrastructure, workforce, capacity development and bureaucratic opposition, which hinder the performance of the law in the field.

Administrative capacity is one of the basic problems. The prison system of Sindh was left with decades of a lack of investment in personnel development and a database. Before 2021, official entries were stored manually in handwritten registers, which added to inefficiency and non-transparency. With the help of the United Nations Office on Drugs and Crime and the U.S. Department of State, the implementation of a Prison Management Information System (PMIS) in 22 prisons in Sindh was a key initial step in modernising administration. Nevertheless, although the PMIS installation was formally delivered in November 2021, its implementation effect has been limited by some technical issues, improper staff training, and

discrepancies in implementation among various institutions (UNODC, 2021). These obstacles are representative of the larger problem that we can have reform tools on paper, but they are hardly useful without the long-term effort of an institution.

The lack of trained personnel in the correction sector adds to the implementation stumbling block. The Act envisages compensation of inmates through rehabilitation, classification and gender-sensitive management, but still the province of Sindh is not able to start its training academy, which would certify and reskill correctional officers on a large scale. Although the training academy was inaugurated in Hyderabad, the integration of its functionality is lagging, which means the personnel who had served under the model of 1894 are not quick to respond to the needs of rehabilitation (The News, 2025). Moreover, even though the law shows interest in mental health care (Section 2 and 43, etc.), Sindh has not given its prisons a single American-accepted psychologist, as opposed to Punjab and KP provinces (The Express Tribune, 2024). This shows a mismatch between statutory requirements and human resources.

Another fierce challenge is the problem of overcrowding. It is estimated that Sindh has a current prison population of about 23,000 prisoners in prisons designed to hold only 13,578 people (inmates), which has reached an outrageous 141 per cent capacity, with almost 80 per cent of its inmates being under-trial detainees (The Express Tribune, 2025). Such overcrowding derails segregation, violates the nondiscriminatory classification practices required by the Act and creates unhealthy living situations seriously. Placement of juvenile and female facilities, even in cases where they do exist, is usually physically unable to accommodate the women and the children, leading to placement in adult facilities, which completely defeats the purpose of the law and increases exposure to violence and abuse.

There are also infrastructural deficiencies, and these are at the facility level. As much as there are vocational workshops, early learning centres, and sensory gardens in some women's prisons, the number is less than that of men. Even large facilities such as Karachi Central, Hyderabad and Sukkur do not have proper sanitation or ventilation or even isolated education and vocational training places (Soomro, 2025). Tech NGOs have teamed up with civil society organisations like the Committee for the Welfare of Prisoners to implement Google certifications, as well as digital literacy programs for women prisoners on a pilot scale, contingent upon the reach and the access of the local NGO, and subject to future funding instability (Tech Valley, 2023).

The system of oversight, as one of the pillars of the 2019 Act, also entails the obstacles to its operation. Although the provincial committees and Boards of Visitors are anticipated as overseers of prison conditions, a good number of them remain non-functional. The delays in appointments, weak inspection manoeuvres, and access by external actors have also been reported as having been taken to a minimum (The Nation, 2021). Such opaqueness of the actions and answers that go unaccounted for combine to support administrative inertness.

Lastly, there is strong resistance from politics and bureaucracy.

Reformulation of punitive to rehabilitative orientation promises redistribution of power; power that lies in the deeply embedded prison hierarchy is not ready to extend graciously, and turning upside down rather takes its time and is full of contradictions. In 1894, the Prisons Act imbued the prison superintendents with a position of discretionary powers; the newly enacted law, 2019, tries to shift those powers, but the senior staff used to wield the power of the older system still deters the implementation movement (Soomro, 2025).

To conclude, although the 2019 Act and Rules were a significant step in altering the design of the law, the real change is still a distant prospect. There exists a gap between the legislative design and the actual living conditions of inmates due to the systemic problem of under-funding, lack of training, poor supervision, overcrowding, and bureaucracy. Prisons are not improved without special investment in people, facilities, monitoring agencies, and organisation, and it cannot be all that reformed to be farfetched, as a reform without transformation.

Impact on Inmate Welfare and Rights

The 2019 prison law of Sindh presents an impressive step towards establishing a rights-based framework of incarceration, but its results on the general situation with welfare and rights of prisoners are unevenly distributed among the prisons, as well as among the demographic populations. The positive aspects are that some progress has been made, mainly in services and programs, but these have been uneven, as the gaps in areas of health, rehabilitation and gender-sensitive care remain.

The improvement of medical services is one of the areas of development. Before the reforms, the prison hospitals were barely operating with absent medications and single-duty paramedics. Following the adoption of the Act and Rules, two larger units -Karachi Central Jail and Hyderabad Prison- have been donated by NGOs and civil society, which incorporated qualified medical doctors and provided needed medicine (HRCF, 2022). The report conducted field interviews with employees of the Health Department at Karachi Central, which confirmed an increase of 35 % in the patient visits of prisoners to the private hospitals, with the direct result of the elimination of serious illnesses like tuberculosis and skin infections. Nevertheless, both political minimisations and resource constraints are still sharp in small facilities; out of the 12 jails where initial support was implemented, only four currently receive steady doctor visits, whereas the rest of them depend on general orderlies, who are not medically qualified (HRCF, 2022). As of yet, the most critical group is the under-trial prisoners who have still been given second priority, even though they make up almost 80 per cent of all the jailed people (Express Tribune, 2025).

The mixed implementation has been registered on educational and vocational programs under the Act. They have rules requiring all literate prisoners to be given an education and vocational training programs based around areas such as tailoring, farming or basic computer training, released as a reward on an updated periodical basis. In one Women's Prison in Hyderabad, local NGOs have implemented digital

literacy and tailoring courses where 120 learners use the courses every month (Women Prison Annual Report, 2023). The behavioural changes that have been brought forth through such programs are both perceived by employees and the prisoners. However, in men, such programs are not as evident. An example is Karachi Central Jail, which still depends on periodic community-society interventions not supported by fixed institutions, leaving most programs with little staff and funds. Vocational spaces in Sukkur Central are also unutilized owing to the conflicting machinery and the absence of instructors (ACF, 2023). The regulations also consider parole opportunities to participants who complete programs, but the parole board has not been completely established to carry out its provisions.

Classification driven by the requirements of the Act has created some separation in terms of structure: there are male, female, juvenile and elderly prisoners, now formally theoretically separated. However, in practice, these changes are thwarted by spatial and logistical constraints. Overcrowding in Sukkur and Karachi has subjected prisoners to share wards on the basis of security characteristics: an offender may share a ward with an under-trial prisoner, and there may be juveniles in a ward of grown-ups. In the case of juveniles, the Act provides that they be placed in minimum security, but this has not been followed. According to a UNODC field report, by mid-2024, legal issues have risen because fewer than 10 of 30 juvenile inmates in detention centres have been cohoused in Sindh (UNODC, 2024). The interviews of the juvenile welfare personnel in the Hyderabad prison pointed to the fact that segregation plans are still on hold owing to the administrative hurdles and inadequate bed capacity in the women's prisons complex (Personal interview, Human Rights Commission, 2024).

Rights of women, though not left substantially behind in the provisions in the statutes, have also not been implemented effectively. The early equipment grants to women's prisons included female guards, separate facilities for sanitation, and minimal training programs as well. And yet those privileges guaranteed by the 2019 Act have not always been provided regularly, the right to private maternal and gynaecological care, the right to visitation rooms and the right to accommodations in the case of pregnancy. According to Jatoi and Jatoi (2021), of the three women's facilities in Sindh, only one ensures that there is a confidential waiting area where visiting children can wait. More than 180 pregnant people overcrowd the facility, slowing down surgeries by half a year. The mothers are given the mandate to keep young children, but it is only in the Hyderabad prison that these policies are not well executed because space is limited, and accordingly, newborns are in unhygienic health block annexes.

Another publication that is statutory but not well developed is psychosocial support services. Counselling and therapy, which are classified as mental health interventions, are required by law but remain unprovided by qualified psychologists in any Sindh prison, even though the law proposes it in sections 43 and 44 of the Act (Express Tribune, 2024). A psychologist, who was hired under an NGO in Karachi Central, has abandoned his position after six months of duty, stating that no

institutional backing and the prison authorities left him with no option. Consequently, the inmates who have acute mental health problems, including PTSD and depression, still depend on the informal systems of peer support.

The rights to complaint mechanisms and recourse are there in the law, but there are institutional barriers to it. Section 51 gives inmates the right to request relief to the Inspector General and the Boards of Visitors over the abuse or negligence. Organisations like the Legal Aid Society have documented that within the 60 days, only 12 per cent of complaints that had been filed had been resolved, and the figure was exclusively lower compared to the 30-day parameters as stipulated in the Rules (Legal Aid Society, 2023). Interviews involving the oversight staff underscored that formal committees frequently do not convene more than once every quarter, and recommendation logs rarely lead to disciplinary or remedial action.

Taken together, these observations indicate that the effectiveness of the 2019 Act is uneven: where civil society participation, nonprofit institutions funding, or political drive overlap, the improvement in the real life of inmates, de facto, occurs: in particular, women in jail or juveniles undergo positive changes. However, without structural support, most of the provisions in the law are aspirational as opposed to functional. To conclude, although the programs have been instituted to lay the foundation of a human, rehabilitative system by reformers, the reality of improvement in inmate welfare is limited. Systemic failures detected in this case indicate an egregious need to pursue the process at the institutional and political levels in case the law meets its aim of enforcing the rights and dignity of inmates.

Civil Society and Oversight Mechanisms

The Sindh Prisons and Corrections Service Act 2019 was enacted with statutory provisions of independent oversight, as the civil society and the outside agencies are seen as vital in the accountability and transparency of the prison reform process. Yet the reality of these oversight mechanisms has been less effective and inconsistent, which has limited the possibilities of substantive change on the ground.

The Act also foresees the establishment of Boards of Visitors, autonomous civilian authorities that would be allowed to visit prisons, hear and consider inmates' complaints and provide recommendations to the Inspector General ([] 4). Such mechanisms have contributed to the redefinition of prison governance in most jurisdictions by discovering misconduct and compelling governments to change the administration. In the case of Sindh, these boards were constituted in form, but their efficacy was seriously limited. The Human Rights Commission of Pakistan has argued that delaying appointments has been common, internal guidelines on visitation are not well defined, and access to institutions has been blocked or imposed only by officials of the Home Department (HRC, 2022).

In addition to statutory monitoring services, the civil society organisations (CSOs) have taken an inordinate part in generating awareness, giving legal counselling and addressing service gaps in prisons of Sindh. There are also the Legal Aid Society, Aman Foundation and the Committee for the Welfare of Prisoners that

make regular visits, report cases of abuse, and help the prisoners to seek some legal remedy. To give one example, in 2022, the Legal Aid Society opened its practice to three district jails, opening up legal representation free-of-charge and submitting habeas corpus petitions, through a number of which under-trial detainees were released early (Legal Aid Society, 2023). These interventions, however, rely on informal approvals; failure to take into consideration any favours to authorities may result in the denial of visas or the revocation of access.

International NGOs have also partnered with the CSOs to enable activities in rehabilitation. As an example, in the middle of 2023, the Aman Foundation started literacy and vocational training programs in Sukkur Women's Prison, with 80 female prisoners being taught how to sew and embroider. Such programs can be very powerful, but they cannot be scaled since they have limiting entry requirements and often lack consistency in coordination between the program and the prison leadership (Aman Foundation, 2023). Such obstacles may highlight the more general problem of institutionalising civil society inclusion in what is still a massively securitised context.

Also, the subject area centres around provincial human rights and ombudsman organisations with a mandate to support verification of prison situations and conformance to the rights given in the constitution. An example is the Sindh Human Rights Commission, which releases a yearly report on detention and penal policy. According to its 2022 report, it listed the various systemic gaps, including endemic overcrowding and insufficient access to medical treatment on the one hand and the absence of a separate structure to retain juveniles on the other (HRCP, 2022). The families' and inmates' complaints are also referred to the Provincial Ombudsman, but as a rule, they can only issue non-binding recommendations, and their implementation is rather spotty, as the overall number of decisions made by the Provincial Ombudsman remains stalled at the Home Department level (Sindh Ombudsman Annual Report, 2023).

Taken together, these control channels establish a fledgling accountability regime, but one that is nevertheless vulnerable to such administrative leeway. The structural change also needs recommendation logs to become a policy change, with a fantastic power to act in case of systemic failures merged in civilian boards. Penal governance scholars note that although the design of legislation is important, it must be accompanied by well-functioning institutions that maintain the reform (Liebling & Arnold, 2021). In the case of Sindh, the monitoring institutions are present; however, they only work depending on whether they enjoy political sponsorship, institutional coherence and openness.

In the future, the improved supervision means outlining the terms of reference of the Boards of Visitors, ensuring unlimited access of CSOs, and transferring the powers of enforcement to provincial human rights institutions. These measures would enhance the checks and balances, which are imagined by the 2019 Act and bring reform into reality. Unless supported with institutional reinforcements, legal provisions are likely to be more of empty promises, which do

not change the rights of inmates, their living conditions, or rehabilitation opportunities.

Comparative Lens: Punjab and Khyber Pakhtunkhwa

The 2019 law on prisons (Sindh) can be considered as the first step in the provincial penal reform in Pakistan, particularly when juxtaposed against Punjab and Khyber Pakhtunkhwa (KP). Whereas Sindh has passed an entire law concerning inmate rights and rehabilitation and is, therefore, primed to revolutionise its systems, both Punjab and KP still adhere, with modifications to some extent, to the vestigial Prisons Act of 1894, thus weakening their ability to effectively change their systems (Jehangir, 2023).

Although Punjab is home to almost half of all prisoners in Pakistan, the province did not enact the Punjab version of the Act. Revolutions are federal and bureaucratic. Indicatively, the Home Department of Punjab has issued circulars on the matters of juvenile segregation and medical improvements, but lacks statutory muscle. In Punjab, the jails have been estimated to be overcrowded by 145 per cent, and inmate jails are essentially 68 per cent under trial people, a situation that has parallels to Sindh except that the structural reforms have not been given (HRCP, 2022; World Prison Brief, 2023). The absence of a statutory model that would require classification or rehabilitation turns such administrative changes into a mere mitigation, but not a reform.

Khyber Pakhtunkhwa, on the other hand, has made small legislative initiatives since 2020, including introducing prison classification, juvenile institution rules, and probation development, and is still deeply grounded in the 1894 Act (Jehangir, 2023). The amendments that are initiated by KP focus on the youth and female parts and have allowed the formation of the advisory committee on corrective services. Nevertheless, implementation has been erratic because of systematic low funding and bureaucratic lethargy. Prisons of KP continued to experience the average occupancy rate of 107% in 2022, and juvenile and women facilities of youth offenders were overcrowded and under-resourced in most districts (UNODC, 2023).

Unlike the two provinces, the Sindh legislation adopted in 2019 also provided explicit statutory requirements of inmate rights, prison classification and rehabilitation. Although this puts Sindh in a forward position legally, there are also increased requirements vis-à-vis implementation that are yet to be fulfilled. By continuing to follow the old colonial statute, Punjab and KP have neither the aspirational structure nor the international orientation, including the UN Mandela and Bangkok Rules, which Sindh has embraced in the enactment of the law.

More importantly, there is poor cross-provincial knowledge sharing. Although there is an incremental rule-making that has evolved by KP and informal declarations of Punjab, there are no official avenues of interprovincial learning or coordination regarding penal reforms. The civil society agents and the scholars of law have suggested establishing a National Penal Reform Council as a way of harmonising the baseline norms and encouraging province-wide unity of action

(Akbar & Bhutta, 2019). Model Prison Manual of India and Correctional Services Act in South Africa are some of the international templates of harmonised standards, and nevertheless, Pakistani provinces are a ghetto and the proposed reform agendas are mostly provincial and solitary-based (Liebling & Arnold, 2021).

There are implications of this fragmented structure. Provinces working with the same constitutional powers vary significantly in the strength of the law and the ability to put things to work. The facilities used by KP have an increased sensitivity to the juveniles without the segregation of operations. There is a lack of rehabilitation/ monitoring in the Punjab jails, which are overcrowded, although there is pilot training in juvenile jails. Sindh, on the other hand, has a legal edge, but is faced by growing demands of implementation, which are partly unachieved.

Overall, the comparison between Sindh, Punjab, and KP depicts the potential and the weaknesses of subnational penal statutes in Pakistan. Sindh has advanced in legislation only to be weak in its implementation; Punjab is still operating under a colonial framework with no pressure towards reform; KP is being partly reformist on paper but is under-resourced in practice. The provincial disparity demonstrates the imperative requirement for national coordination, resource priority and capacity extension, so that legislation changes to actual transformational positive change on the reality of people harmed by the prison system.

CONCLUSION: Reform Without Transformation?

The Sindh Prisons and Corrections Service Act of 2019 is the first step in breaking the colonial prison paradigm of punishment and entrenching inmate rights, rehabilitation and classification in Pakistan law. Nonetheless, this piece of legislation has not led to any real change in the life of prisons. Although the law successfully makes a redefinition of statutory purpose and institutional architecture, it has been demonstrated in application on the ground that the gap between aspiration and reality is wide.

Early momentum is evident in many of the Sindh facilities with token reforms like the appointment of medical officers, small vocational workshops, and juvenile segregation, among other measures. Nevertheless, such attempts are patchy and localised and sometimes based on collaborations with non-state actors and non-governmental organisations instead. The capacity of inpatient departments to house inmates, the inability to sustain psychosocial interventions, and the ineffective establishment of independent oversight agencies are evidence of the fact that the core principles of the Act, rehabilitation, humane custody, and gender-sensitive care, remain mostly elusive (UNODC, 2024).

Reform has remained hampered by institutional inertia due to a shortage of trained human resources and by deeply embedded cultures of bureaucracy that prefer punitive control. The use of the manual system in recording and the absence of professional training institutions and little effort in operationalising the Boards of Visitors clearly show that the law has not reflected on the administrative norms in a critical manner (The Nation, 2021).

The comparison with Punjab and Khyber Pakhtunkhwa helps to emphasise the point even further. As much as Sindh has had the severity of embracing codified rights protections and infrastructural investments, its neighbouring provinces are under unending stagnation as they are loyal to the 1894 framework. Interestingly, Khyber Pakhtunkhwa has also been experimenting with special rules of classification and probations, but it has faced resource and execution issues (Jehangir, 2023). Sindh seems to be in the middle of the road--liberal to a legal practice, but underperformed due to capacity shortage issues.

This disconnection between the theoretical account and the practical one implies the necessity of a restructured approach. Now, Sindh has to transform itself from legislative innovation to implementation maturity. This requires a huge investment in training of correctional personnel, upgrading of infrastructures within prisons, special budgets for operation and enhancement of civilian oversight institutions. With these reinforcements only, the proposed ambitious 2019 plan can fulfil its intention of moving prisons away from punishment-based containment to restorative transformation.

To sum it all up, the case of Sindh is a lesson we in Pakistan, and other jurisdictions struggling to deal with legacies, can learn in the post-colonial, approximated world. Even a legislative change, which is directed by the internationally accepted laws in the field of human rights, in isolation, is not enough without institutional resolve, financial determination, and administrative capability to effectively change. Much will depend on whether Sindh can narrow this gap in implementation, but even then, making such a model a reality will involve much more effort than putting a statute through.

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