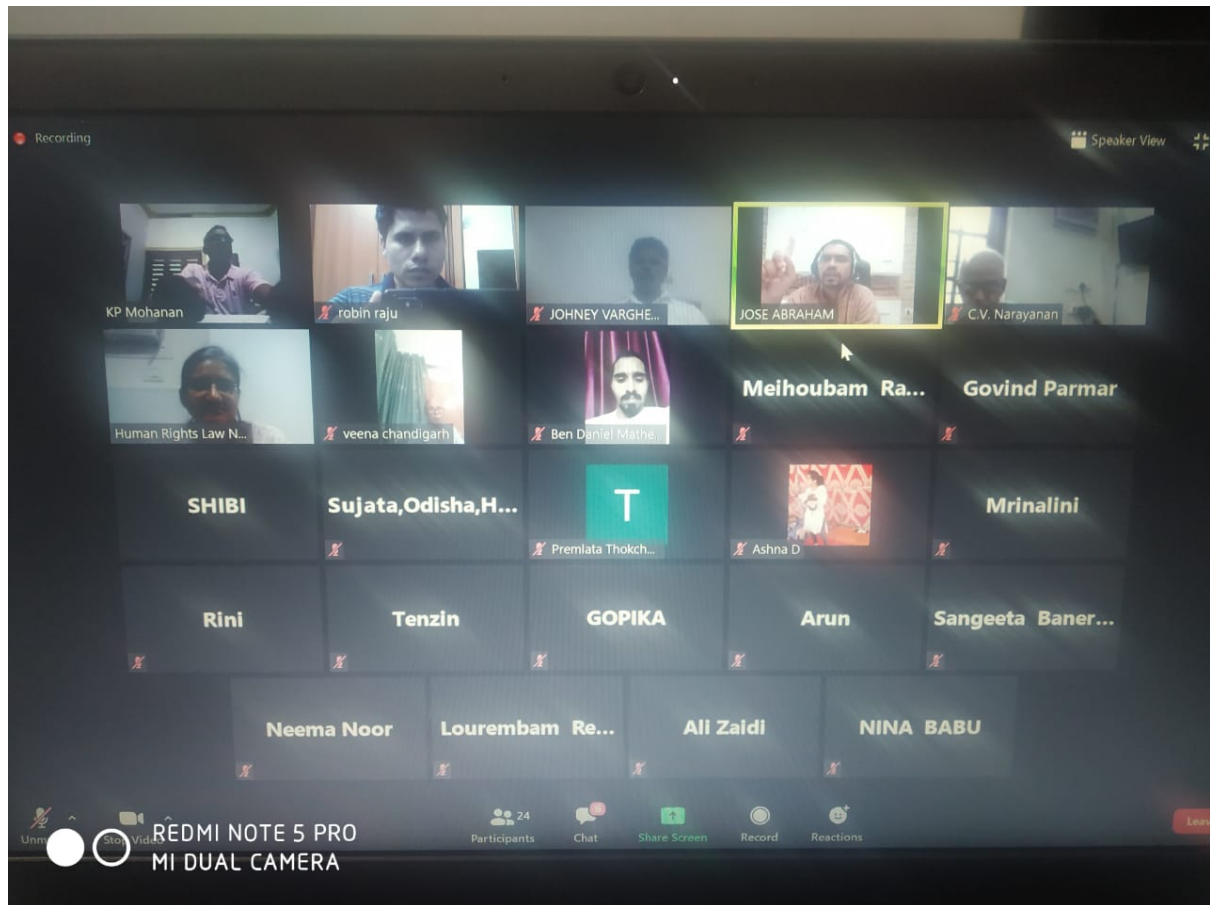


REPORT OF THE KERALA PRISONERS' RIGHTS WEBINAR



(Reg. No. 0409/2011)
PRAVASI LEGAL CELL
Empowering People on Legal Front

Prisoners' Rights Initiative, HRLN

Dated: 29.05.2020 Time: 04:00 pm - 05:30 pm

Authors: Jose Abraham and Harini Raghupathy

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Report of the Kerala Prisoners' Rights Webinar

Conducted by: Human Rights Law Network and Pravasi Legal Cell

Human Rights Law Network (HRLN) organised a webinar in coordination with Pravasi Legal Cell (PLC), Kerala Chapter on 29th May, Friday. The webinar was conducted through the online platform "Zoom".

The webinar was organised in order to create awareness of the Supreme Court directions on the release of prisoners in the wake of the Covid-19 pandemic, and to build a network in the State of Kerala for working on prison related issues.

The session began with welcome address by Adv. Robin Raju, who spoke about the work of the Pravasi Legal Cell and how this can be expanded to include prisons.

The main speaker, Ms. Ritu Kumar at the outset highlighted the general concerns connected with Prisons in India. The issues of overcrowding of jails and lack of hygiene were pointed out. The current restriction of entry to lawyers and family members in jails was also raised.

She laid emphasis on the 23rd March Judgement of Hon'ble Supreme Court, in the case, *In Re-Contagion of Covid-19 Virus in Prisons, Suo Motu W.P.(C) No. 1/2020*. The judgement was examined in detail by Ms. Kumar.

The key directions issued by the Hon'ble Supreme Court, in the aforementioned judgement were also highlighted. The direction to form High Powered Committees (HPCs) in each state, which would have the mandate to determine the class of prisoners who can be released on parole or interim bails, was elucidated.

Adv. Ritu also apprised the participants of the decisions passed by the Hon'ble Supreme Court in the Interim Applications filed in the above mentioned lead matter (Contagion Case "supra"). The directions to ensure safe transportation of prisoners to their home, to direct release of juveniles on bail, and lastly, to relax the conditions of release of foreign prisoners vide its orders dated 03-04-2020, 07-04-2020 and 13-04-2020, was brought to the knowledge of the participants.

Adv. Ritu also spoke about the earlier judgements of the Supreme Court passed in *Re: Inhuman conditions in 1382 Prisons, WP(C) 406 of 2013*. She mainly emphasised on two judgments, (2016) 3 SCC 700, and (2016) 14 SCC 815, wherein 14 categories of prisoners have been identified by the apex court for release.

She concluded with the measures that can be resorted to ensure rights of prisoners are not violated in these challenging times. The steps suggested included writing to High Powered

Committees/ Undertrial Review Committees to identify and release 12 categories of Under Trial Prisoners and 2 categories of Convict Prisoners on interim/ regular bail / parole. Another proposal was to file petition in High Court for implementation of the earlier orders of Supreme Court, and finally file petitions/bail applications for converting interim bails into regular bails.

The President of Pravasi Legal Cell, Adv. Jose Abraham, also expressed his views in brief on how the organisation can collaborate with lawyers and State legal Service Authority to ensure that a network is formed in the State of Kerala which can work on prison issues.

Mr. K.P. Mohanan, gave an overview of the current situation of prisons in Kerala.

Thereafter the webinar was opened for an interactive session. The participants comprising of senior human rights activists, lawyers and law students showed interest in working in the prisons. Some law students also suggested started a Legal Aid cell in prisons. The co-operation of the law student participants was also sought, for collecting data on prisons in Kerala.

There was a unanimous view that such deliberations are needed to be organised more often. It was also decided to deliberate on the theme on the basis of statistics in the upcoming webinars on the issue.

The meeting concluded after the vote of thanks proposed by Adv. Shibi.

Annexure A

KERALA PRISONERS' RIGHTS WEBINAR

Date: 29.05.2020

Time: 4:00 pm -5:30 pm

Organizer: Pravasi Legal Cell and Human Rights Law Network

Time	Topic	Resource person
04:00 - 04:10	Introduction	Robin Raju, Advocate
04:10 - 04:40	Supreme Court Directions on release of prisoners	Ritu Kumar, Advocate (Speaker)
04:40 - 04:50	Situation in Kerala jails	K.P. Mohanan
04:50 – 05:25	Interaction/Discussion & Strategy for creating Prisoners' Right Network in Kerala	Jose Abraham (Moderator)
05:25 - 05:30	Vote of Thanks	Shiby A, Advocate