

## **Report of Investigation Results No. 2-3/2561 in case of a claim that Department of Corrections issued regulations and orders to cause sufferings to inmates**

### **Background**

Two complainants petitioned the National Human Rights Commission of Thailand (NHRCT) that the two complainants were inmates being detained in Bangkok Special Prison and had suffered from many regulations and orders issued by Department of Corrections to enforce on the two complainants and other inmates in prisons and correctional institutes under responsibility of the Corrections Department affecting normal living of inmates, resulting in deterioration of inmates' living standards, such as an order to prison officials to seize and destroy beds that inmates had bought from the prison, an order forcing inmates to have only 3 pieces of blanket distributed by prison or correctional institute as their bedding and prison officials must seize and destroy beds, pillows and blankets that inmates used to have, a requirement that each inmate had no more than 5 sets of clothes to wear, termination of newspaper provision service and disallowance of inmates to order purchase of newspaper, restriction on each inmate to have no more than 9,000 Baht deposited in bank account in a month and relatives could deposit no more than 3,000 Baht at a time for each inmate.

### **Measures/guidelines for solving the problem**

Department of Corrections should take actions as follows:

1. The Department should consider preparing a plan for assessing impacts of the measure on inmates' bedding, if it was found that this measure affected health of any specific groups of inmates, the respondent should consider easures it and look for other alternative measures. While impact assessment was conducted, the respondent should consider relieving its strictness by coming up with additional measures for each prison or correctional institute to be able to use its discretion in its actions against inmates who are at risk of receiving impacts on their health. In case of inmates' bedding was seized, the respondent should consider having measures to compensate or repay this property to the inmates as well.

2. The Department should enjoin every prison to examine and screen information and news, especially daily newspapers, by restricting and controlling only contents that are seen to probably affect safety of the prison or may be a threat to measures for controlling and developing behaviours of inmates. Moreover, to design a measure to restrict access to any information, the respondent should relieve strictness of its enforcement against inmates in the category of persons waiting for results of court judgment because prisoners in this category, court has not given a final verdict, actions towards this group of inmates must be, therefore, different from actions towards inmates who have already been judged in the end that they are wrongdoers.

3. The Department should consider making amendments to improve its Regulation on Receiving, Paying and Depositing Inmates' Money in Prison B.E. 2553 (2010) no.5/1 by increasing amount of deposit to be more appropriate. In addition, if the respondent sees that any measure according to any normal regulation may not be enough to prevent wrongdoing by individual inmates or inmates in any group, the respondent should design measures to enforce against specific individual or specific group; a measure should not be totally enforced on every

category of inmates in order to avoid putting pressure on inmates who have good behaviours and possible effects on measures to develop behaviours and habits of inmates.

4. The Department should consider changing limits on inmates' clothes to make the allowed amount consistent with needs according to weather in each period of year and enjoin each prison to provide clothes that are enough and appropriate for physical conditions of inmates.

5. The Department should consider changing times for food eating, including time for storing, to make them appropriate and enjoin each prison to set periods of time for inmates' food eating to be consistent with the way persons in general live their normal life, taking into consideration importantly health benefits of inmates.

6. The Department should consider correcting Regulation of the Correction Department on Visits, Contacts of External Persons to Inmates, and Affairs Viewing or Contact for Work with Prisons B.E. 2555 (2012) No. 8 by increasing number of external persons who can visit or contact with inmates in prison to be more appropriate in order to make it convenient for inmates to contact and meet with their family, relatives, friends and persons with whom inmates wish to meet according rights of inmates, and in order to avoid creating pressure and stress on inmates which would have negative effects on measures to improve behaviours and habits of inmates.