

Bangladesh: Why cancel prisoners' right to visitation?

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It is unacceptable that prisoners are being denied visitations from their families for over two weeks. On August 3, when we went to see our clients at the Dhaka Central Jail, we were stopped at the jail gate by a security guard named Halim and some other female guards. They tried to turn us away along with other visitors who had gathered at the gate. After learning that we were lawyers from the Supreme Court, they calmed down a bit. We told them that we wanted to see our clients, who were in the prison, but they said they could not allow the visitation. When we asked for the reason, they responded that it was an order from above. We asked if they had received the order in writing. They said they did not receive anything in writing, but were verbally instructed.

We then gave the security guard our card and asked him to take it to the jailer and requested a meeting with him instead. We learnt from the other guards that visits had been stopped since July 20. No one has been able to see the students who have been sent to jail over the last few weeks due to mass arrests. Even other prisoners, in unrelated cases, are unable to meet anyone anymore.

At one point, a prison official came to the gate to meet us. He reiterated that no prisoners would be allowed to meet anyone. When we asked for the reason, he said they did not have any answers. He advised us to meet someone of a higher rank to get more details or to learn the reason behind this restriction. He gave us the phone number of the deputy superintendent of jail. Barrister Sara Hossain called the person and asked why visitors were barred from visiting detainees. He informed us that the direction had come from the home ministry. He said a circular had been issued in this regard on the website of the Department of Prisons. We saw that the circular on the website had been issued on July 21, even though we had learnt from people at the jail gate that visits had been stopped since July 20. It is possible that the instructions were given on July 20 and the circular was issued a day later.

The problem with this order is that two kinds of people are sent to jail: those who are convicted and sentenced with imprisonment, and those who are sent to jail while their cases are still on trial. The jail code clearly states that all of them have the right to visitation by their families once a week for one hour. They are now being deprived of this legal right.

Another concerning fact is that ordinary people do not know about the suspension of visits. Some people are looking for their sons or brothers. They are coming to the central jail from Brahmanbaria, Bogura, or other places, quite far from Keraniganj. They don't know how their family members are faring in jail. A lot of them don't even know if their family members are in this jail. I even found people who heard that a relative had been arrested. When they went to the police station, the officers informed them that the person had already been sent to jail. When they tried to visit them in jail, they couldn't. They still haven't been able to establish any form of contact with them. These people come to the jail every single day hoping to establish contact.

It was very painful for us to witness this suffering of the common people. The circular has been published on the prison website only, and many families are not tech-savvy. If the circular had been published and publicly distributed, these people wouldn't have to travel from one district to another, making futile attempts to see their loved ones. Given the country's current situation, travelling is also difficult. The way the government ignores people's suffering disheartens us.

We believe that this circular denies people their rights. The constitution is the supreme law and clearly grants prisoners the right to visitation by their families for one hour a week. Visitors can also send them essentials such as food, clothes, and medicine. Many are now deprived of medical treatment. They can't receive or even buy their medicines due to lack of money.

The formal methods of sending food and money are also unavailable right now. We did observe some informal methods of sending money or clothes into the prison. But relatives sending anything into the prison right now have no way to confirm whether the prisoners they are sending the items to are actually receiving it.

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