

KANIZAN BIBI



YEARS ON DEATH ROW: 30

MENTAL ILLNESS:
SCHIZOPHRENIA

CURRENT STATUS:
Supreme Court commutes
Kanizan's death sentence

CASE TIMELINE

1989

28th Jul: Incident occurs

9th Aug: Kanizan Bibi arrested

1991

7th Jan: Trial court **sentences Kanizan Bibi and Khan Muhammad to death**

1994

1st Mar: LHC confirms death sentence

1999

2nd Mar: Supreme Court dismisses appeal

2nd Nov: Mercy petition submitted

2000

19th Feb: Mercy petition rejected

1st Apr: **Black warrant issued**, scheduling execution for 19th April

18th Apr: Kanizan receives a presidential stay **halting her execution**

9th May: Kanizan "found to be **suffering from schizophrenia**"; temporarily admitted to Government Hospital for Psychiatric Diseases in Lahore

2006

21st Jan: Kanizan transferred to Punjab Institute of Mental Health (PIMH)

Continued on Page 2

Kanizan Bibi suffers from severe schizophrenia and has spent more than 30 years in prison. She was arrested in 1989 as a juvenile and sentenced to death in 1991 as an accomplice in the murder of six individuals. She has always maintained her innocence.

She was first shifted from Lahore Central Jail (Kot Lakhpat) to Punjab Institute of Mental Health (PIMH) in 2006 and then again in 2018 and was constantly being treated for her mental illness.

During the course of her incarceration, her medical condition deteriorated so much that she has not spoken a word in decades.

BACKGROUND

Kanizan Bibi was born into a very poor family and worked as a housemaid to help make ends meet. In 1989, her employer's wife and children were found murdered, for which Kanizan and her employer were subsequently arrested and convicted. According to her family, the real culprits, who were engaged in a longstanding land dispute with Kanizan's employer, had been arrested but were later released after they bribed the police. They then filed a false police report accusing Kanizan.

Kanizan has repeatedly insisted on her innocence. The only evidence presented during her trial was also highly suspect. She was sentenced to death by Additional Sessions Judge, Toba Tek Singh in 1991, and her subsequent appeals in the Lahore High Court and the Supreme Court have been dismissed. Despite her long history of mental illness, the President dismissed her petition for mercy in 1999.

RECENT CASE PROCEEDINGS

The Supreme Court resumed hearing the case of three mentally ill death row prisoners – Kanizan Bibi, Imdad Ali and Ghulam Abbas – in September 2020, nearly two years after taking a suo motu notice of Kanizan Bibi's case. The five-member bench headed by Justice Manzoor Ahmad Malik and comprising Justice Mansoor Ali Shah, Justice Ijaz Ul Ahsan, Justice Sardar Tariq Masood, and Justice Mazhar Alam Miankhel reserved the judgment on January 7, 2021 amid a consensus from the amici curiae and advocate generals that mentally ill inmates should not be executed.

During the 2018 hearing, the then-chief justice Saqib Nisar had observed that it is "beyond sense or reason that we execute mentally ill individuals". The court had then ordered to shift Kanizan Bibi to PIMH and provide her the best possible treatment and care. It also ordered the constitution of a board to evaluate her mental health.

After holding daily hearings in early January 2021, the Supreme Court delivered a historic judgement that is likely to set a precedent for mentally ill prisoners on death row in Pakistan.

THE JUDGMENT

The landmark judgment by the Supreme Court commuted the death sentence of Kanizan Bibi and Imdad Ali to life imprisonment and stated that “if a condemned prisoner, due to mental illness, is found to be unable to comprehend the rationale and reason behind his/her punishment, then carrying out the death sentence will not meet the ends of justice.”

The apex court also directed the Government of Punjab to immediately shift Kanizan and Imdad from prison to the Punjab Institute of Mental Health for treatment and rehabilitation.

The judgment, which is likely to set a precedent for all mentally ill prisoners on death row, outlined a set of recommendations including amendments to relevant laws, the Prison Rules and jail manuals, as well as establishing mental health facilities for assessment, treatment and rehabilitation of mentally ill under-trial prisoners and convicts.

KANIZAN’S MENTAL HEALTH

Kanizan’s mental health began to deteriorate soon after she was sentenced to death. Increasingly concerned about her condition, jail authorities referred her case to the Home Department and, in 2006, she was transferred to the Punjab Institute of Mental Health (PIMH) where her diagnosis of schizophrenia was confirmed by successive medical boards.

Kanizan’s illness has caused her to lose any ability to understand her surroundings. At times, she has been unable to even feed and clothe herself. As the hospital staff has confirmed, **she has not spoken a word in all the years** she spent in their care.

TORTURE IN CUSTODY

Kanizan Bibi's conviction largely rested on a testimony she gave after being tortured in police custody for 20 days. According to her family, the abuse was so severe that she had to be admitted to a hospital at one point. She was beaten severely and was electrocuted. She was hung from a ceiling and mice were let loose in her *shalwar*. Although Kanizan challenged the ‘confession’ saying it was involuntary, the court nonetheless relied on it while sentencing her to death.

Continued from Page 1

2015

11th Jun: PIMH sends fresh medical report to superintendent of Lahore Central Jail deeming Kanizan medically unfit to be executed

2018

21st Apr: SC takes suo motu notice of Kanizan’s case; orders constitution of medical board and to shift her to PIMH

23rd Oct: SC orders fresh medical examination and to shift Kanizan to PIMH

2020

21st Sept: SC [constitutes](#) medical board of renowned mental health experts to evaluate Kanizan

26th Sept: Kanizan shifted to PIMH

8th Oct: Medical Board constituted by the Supreme Court examines Kanizan

15th Dec: Medical board [confirms](#) Kanizan is suffering from schizophrenia

2021

7th Jan: Supreme Court [reserves](#) judgment

10th Feb: **Supreme Court announces judgment; commutes her death sentence**



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In recognition of our work, in December 2016, JPP was awarded with the National Human Rights Award, presented by the President of Pakistan.

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