

PARLIAMENT OF THE REPUBLIC OF UGANDA

**REPORT OF THE COMMITTEE ON DEFENSE AND INTERNAL AFFAIRS
ON FIELD VISITS TO GOVERNMENT PRISONS AND PRISON FARMS**

OFFICE OF THE CLERK TO PARLIAMENT

PARLIAMENTARY BUILDINGS

KAMPALA-UGANDA

JULY, 2022

1.0 INTRODUCTION

In consideration of the National Budget Framework Paper for FY 2022/23 the Committee held an interactive meeting with Uganda Prisons Service. During the meeting, the Committee was informed that the state of government prisons in the country were in a poor state, overcrowded and needed urgent attention.

In accordance with **Rule 189** of the Rules of Procedures, the Committee on Defence and Internal Affairs conducted oversight visits to selected government prisons and prison farms in the country. The Committee visited the following selected establishments; Gulu prison and Lugole prisons farm in Gulu district, Lira prison and Loro prisons farm in Lira district and Katojo prison and Ruimi prisons farm in Kabarole district.

2.0 FUNCTIONS OF UGANDA PRISON SERVICE (UPS)

Prisons Act, 2006 Section 5 provides for the functions of UPS as to;

- i. ensure that every person detained legally in a prison is kept in humane, safe custody, produced in court when required until lawfully discharged or removed from prison.
- ii. facilitate the social rehabilitation and reformation of prisoners through specific training and educational programmes;
- iii. facilitate the re-integration of prisoners into their communities;
- iv. perform other such functions as the Minister, after consultation with the prisons authority, may from time to time assign to the Service.

3.0 OBJECTIVES OF THE FIELD VISIT

The objective of the field visit was to;

- i. assess the state of government prisons in the country with a view of establishing the general conditions of prison staff, prisoners; feeding, accommodation, general welfare and administration of justice to prisoners.
- ii. assess the performance of prison farm production;

- iii. identify the existing programs for rehabilitation of inmates and the impact of these programs on inmates and come up with strategies to address the challenges encountered in the management of prisons in the country.
- iv. evaluate the extent of compliance to established laws in the treatment of inmates.
- v. appraise the interventions of rehabilitation of inmates.
- vi. assess the challenges faced in the management of prisons.
- vii. assess the cost benefit analysis of production at farm vis a vis buying from outside prison farms.

4.0 METHODOLOGY

In execution of its mandate, the Committee;

- i. undertook on-spot visits to prisons and prison farms.
- ii. held meetings with the officials of Uganda Prisons Service
- iii. had interactions with inmates and observed what was happening in prisons and prison farms.
- iv. received reports from Regional Prison Service officers.

5.0 FINDINGS, OBSERVATIONS AND RECOMMENDATIONS

5.1 Congestion and overcrowding in prisons

The Committee noted that overcrowding is an outstanding problem to the prison management in the country. Congestion is at an average of 339% with some prisons housing above 5 times their designed holding capacities as detailed below;

Table 1 National outlook of Prisoners population

Detail	Position
Prisoner population	67,655
Capacity (Available space for Prisoners)	19,986
Excess above capacity	47,669
Occupancy	339%

Source; Uganda Prisons Service report on MPS FY 2022/23

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Table 2 Sampled Prisons /Prisoners Population

Prison	Capacity	Population	No. of times above capacity	Occupancy (%)
Bushenyi (M)	186	1,533	8.2	824.2
Mbarara (M)	303	2,458	8.1	811.2
Masindi (M)	262	2,080	7.9	793.9
Kiruhura	42	319	7.6	759.5
Lira (M)	121	814	6.7	672.7
Rukungiri	88	581	6.6	660.2
Ndorwa (M)	105	669	6.4	637.1
Kakiika	116	733	6.3	631.9
Fort Portal (M)	309	1,856	6.0	600.6
Kitgum	61	358	5.9	586.9
Bushenyi (W)	36	210	5.8	583.3
Masaka Ssaza	58	336	5.8	579.3
Upper prison	756	2,748	3.6	364

Source; Uganda Prisons Service report on MPS FY 2022/23

This is attributed to high prisoner population growth. Prisoner population is the major cost driver of Prisons Service budget and it impacts on; prisoners' feeding; accommodation space; maintenance; medical care, and staffing among others.

The Committee observed that overcrowding in prisons relates to challenges in the judicial system, for instance shortage of judicial staff, prosecution officers, investigators, missing of court files and few high court sessions.

In addition, unnecessary adjournments by judges greatly negate the trial process by cases dragging on in courts for a long time leading to the high number of unconvicted offenders in prison custody who eventually contribute

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to the rise of population in prisons. Prisoners on remand account for more than 70% of the daily lock up. Due to delayed justice, prisoners who are committed to high court sometimes stay on remand for long periods ranging from 2 to 5 years before trial. Population of inmates on remand in most prisons triples the population of convicted prisoners.

The Committee further noted that another cause of congestion in prison institutions in the country is the presence of a large number of prisoners who have been sentenced to death over the years but have not been executed.

This growing prison population has overstretched existing physical facilities and puts pressure on services like water, leading to unhygienic conditions and other unacceptable behaviours.

The Committee noted that delivery of justice is a coordinated process in the Justice, Law and Order Sector where departments within the sector have to be aligned and coordinated simultaneously to perform all activities in the process.

The Committee also noted that in some prison facilities e.g Katojo prison in Kabarole district, juveniles were imprisoned together with adults instead of remand homes thereby increasing congestion in the prison. However Members were informed that this was as a result of Covid 19 pandemic where prisoners were restricted to particular facilities to avoid spread of Covid 19.

Recommendations;

- **Prisons Service development budget should be increased to enable rehabilitation, expansion and construction of more prisons to accommodate the increasing number of prisoners and reduce on congestion in the available facilities.**
- **Courts of law should employ alternatives to imprisonment such as Community Service, suspended sentence and affordable fines to ensure that petty offenders do not congest prisons.**

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- ***The Advisory Committee on the Prerogative of Mercy whose task is to advise the President as per Section 121 of the Constitution should make recommendation regarding death penalty, given that since 1999 no executions have been carried out yet more prisoners have been sentenced to death.***
- ***Government should appoint more judges and Magistrates to increase on the frequency of court sessions as a way of reducing backlog of cases.***
- ***In line with the law, remands whose cases lack sufficient evidence should be given bail as prosecution gathers more evidence.***
- ***Government should develop the National Corrections Policy to guide transformation from penal to productive corrections. Community participation should be promoted in corrections and involvement of the private sector and non-state actors in the offender reintegration process.***
- ***Government should strengthen collaboration with actors in the criminal justice system to reduce remand population.***

5.2 Inadequate staff housing and accommodation

In almost all prisons visited by the Committee, it was observed that most of the prison institutions were constructed during the colonial administration and are currently dilapidated and are in appalling state.

The Committee further observed that poor housing and working conditions of prison staff especially those of the lower cadres reduces their morale, thus are unable to fully dedicate themselves to working in such unbearable conditions. It is ironical to note that the same prison officers who are supposed to rehabilitate the prisoners suffer the same consequences as prisoners.

The Committee observed that over 7,121 staff (56%), are not properly housed. Some prison staff still reside in uniports, canteens, makeshift structures and others stay in houses roofed with asbestos sheets which have been prohibited worldwide because of health dangers that they pose to inhabitants.

The Committee was informed that some prison officers spend part of their meagre salaries on renting houses outside the barracks, while others who cannot afford are forced to stay with their families in congested dilapidated structures.

As more administration units are being created, some staff share houses which are quite small and cannot accommodate their families properly. This poor housing condition does not only infringe on the rights of prison officers but also lowers their morale.


The Committee appreciated the on-going construction and renovation of accommodation facilities in some few prisons however, there is still a lot to be done to improve the accommodation facilities of prison officers.

The Committee recommends that prisons management should prioritise construction of low cost housing units and phasing using the incremental approach as a multi-year project for decent staff accommodation.

Government should urgently provide funds to replace asbestos sheets with iron sheets because it is a health hazard to the occupants.

5.3 Mistreatment of Prisoners

The Committee was informed that deliberate physical and psychological mistreatment of inmates is a pervasive and persistent issue of concern. According to inmates pre-trial detainees are often at a risk of being mistreated, because they are under the control of the detaining authorities, who may perceive torture and other forms of ill-treatment as the easiest and fastest way



to obtain information or extract confession. Officers in charge delegate representatives from among detainees to handle discipline issues on their behalf. These are the ones who in most cases mistreat fellow prisoners. Prisoners informed the Committee that the common methods of torture and mistreatment included; beating, reduction of food ratios, and denial of medical treatment.

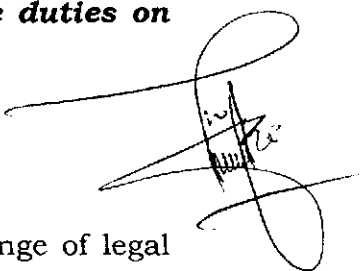

The Committee recommends that;


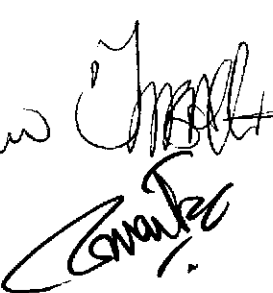
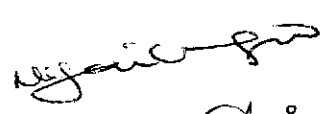
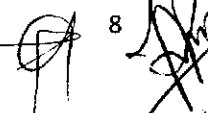
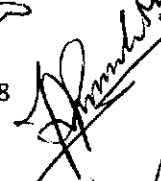


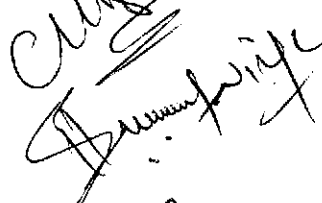

- **Human Rights Committee should follow up this matter with a view of establishing more facts in relation to torture and mistreatment of prisoners**
- **As an institutional measure, prisons authorities should strengthen the monitoring department to periodically interface with the inmates to identify issues that affect inmates**
- **Prison officers in charge should play their role of supervision instead of delegating selected prisoners to discharge duties on their behalf.**

5.4 Inadequate legal representation of prisoners

The Committee observed that prisoners are faced with a challenge of legal representation because most of them are poor and do not afford to pay legal fees. In most cases, some of the offenders are not aware of their rights because they are perceived to be on the wrong side of the law. Some of the offenders who do not have adequate knowledge are forced to abide by the outcome of court proceedings without understanding what it entails. The Committee was informed that they are not given time to discuss their cases with lawyers to give them the details of the offenses.

The Committee was informed that there are arrangements made between Uganda prison service and Uganda law society to provide legal aid services to inmates however they are still inadequate due to high number of criminal

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cases. Hard to reach areas do not receive legal representation due to inadequate facilitation.

The Committee was informed by inmates that they were advised to accept pre bargain settlement without informing them of the consequences as they are perceived to be guilty. This was noted to have caused bias and limited appreciation of the reform by prisoners.

- ***Government should honor its obligation to provide legal services as its duty to provide it to criminal offenders.***
- ***Justice Law and Order sectors should urge lawyers to take on capital offenses rather than minor offenses when providing legal representation under pro bono services to offenders.***
- ***Government should fast track the Legal Aid Bill so as to have an enabling law in place.***
- ***Government should prioritise sensitization on pre bargain reforms for it to be appreciated.***

5.5 Distance between prisons and courts of law

The Committee observed that due to misalignment of criminal justice agencies there are long distances between prison facilities and courts of law.

This results into huge costs to Government in terms of fuel and maintenance of vehicles, delayed production of prisoners to courts and also a barrier to justice on the side of prisoners. Most challenges are encountered on implementation of urgent court directives to produce prisoners to court especially when there is no standby transport and other logistics.

The Committee recommends that location of adjudicating courts of law should be well planned to be in proximity with prison facilities to reduce distances the inmates have to travel.

The Committee further recommends that more vehicles should be purchased and provide with sufficient fuel to ensure timely delivery of inmates to courts.

5.6 Land grabbing

Uganda Prisons Service has continued to encounter challenges of land grabbing by private investors and groups of local people due to lack of regularized tenancy agreements. Most of this land is neither surveyed nor titled which exposes it to illegal encroachment by private investors and groups of local people. For example, part of the land belonging to Ruimi prison farm was occupied by a group of encroachers who have claimed it and the matter is in court. Most of the land belonging to Prisons Service is not fenced exposing it to grabbing and insecurity of prisoners and prison officers.

The Committee observed that Uganda Prison Service has not generated much from the Public Private Partnership arrangement.

The Committee also noted that most of the land belonging to Prisons Service is not fenced exposing it to grabbing and insecurity of prisoners and prison officers.

- ***The Committee recommends that Prison Service management should expedite the land surveying and title acquisition process to avoid future encroachments on the prisons land.***
- ***Uganda land commission should stop giving away prison land to private developers who do not pay returns to the Prison Service.***
- ***Government should provide funds to fence Prisons and Prison farms to prevent land grabbing and provide security.***
- ***Prisons management should consider planting trees around boundaries of prison land as a tentative measure.***

5.7 Gender and Equity mainstreaming

There are different categories of persons in prisons that need special care.

These include sick prisoners & staff, female staff, pregnant mothers, children and persons living with HIV/AIDs whose needs vary by category. HIV prevalence rate among prisoners is 15% and 12.5% among staff.

Female prisoners receive inadequate sanitary towels and underwear. In addition, female prisoners' accommodation do not match the required

standards for keepings mothers with children. There are no special wards for breast feeding mothers and care centers for pregnant mothers. Some inmates stay with their children up to 4 years in cells which is against the Prisons Act, Section 59 which restricts children to stay with mothers up to only 18 months only.

The Committee recommends that gender should be mainstreamed in all prison's activities to increase gender sensitivity of the prisoners and the gender monitoring office should be strengthened to monitor integration of gender in prison life and activities.

5.8 Night Soil bucket system

The Committee noted with concern the use of night soil bucket system in some prison facilities. The Committee further noted that some inmates are kept in uniports which do not have water borne facilities. This poses sanitation challenges not only to the prisoners but also to the prison wardens. A case in point is Lore prison where inmates still use buckets.

The Committee recommends that Prisons Service should provide adequate sanitary facilities and totally eliminate night soil bucket system in all prisons in Uganda.

Prisons Service should consider using bio digesters and also construct permanent latrines.

5.9 Rehabilitation programmes in prison service

Rehabilitation and reformation of offenders is one of the core functions of the Uganda Prisons Service. It comprises a number of various interventions and mechanisms that are employed in various fields to provide purposeful activities for prisoners to challenge their offending behaviours, provide basic education to tackle illiteracy and equip them with life and work skills. In order to ensure that the prisoners are reformed during their incarceration and properly rehabilitated into society as law abiding citizens, Uganda Prisons

Service has embarked on a number of programmes to empower prisoners to achieve social rehabilitation such as; agriculture, tailoring, carpentry among others in order to impart skills to the inmates and prepare them to face life after they have served their sentence.

Whereas prisons administration has made great strides in improving lives of inmates under their custody, the administration still experiences insufficient funding to cater for training and rehabilitation programmes of inmates. This has rendered many of them idle.

His Excellency the President of the Republic of Uganda directed that all Government Ministries, Departments and Agencies should procure furniture from Uganda Prisons Service in order to boost its production. The Committee however noted that whereas it is a good idea to encourage and promote local consumption of furniture, Uganda Prisons Service does not have the capacity to produce the required furniture for all government agencies.

This is because the administration of prisons experiences inadequate funding, limited space for production, inadequate and obsolete equipment. In addition, the Prisons Service relies on manpower provided by inmates who are not well trained in carpentry and joinery to produce furniture that can compete with imported ones.

The Committee recommends that Government should enhance budgetary allocations for prisons service to boost implementation of the Presidential directive as well as funding for rehabilitation programmes to improve the lives of inmates while in custody and thereafter.

5.9 Agriculture production

Uganda Prisons Service continues to pursue agricultural activities as an essential component of its operations in areas of food, cash crop production and livestock. The Committee appreciates the commendable work that is being done by prison farms.

A tour to different prisons indicated the Uganda Prisons Service remains one of the government institutions with the largest acreage of land in the country.

Agriculture production in Government prisons is one of the many rehabilitation programmes that is aimed at providing correctional services to inmates as well as equipping them with agricultural skills

It was established that Lugore farm sits on 2,418 acres with maize grain, soya bean as the main farming enterprises.

Loro farm sits on 898 acres with cotton and maize grain as farming enterprises and Ruimi farm sits 3,300 acres with maize, soya bean, and sunflower enterprises.

Almost all food required to feed inmates over the country is produced by prisons on prison farms. This has helped to reduce feeding costs on the side of Government.

His Excellency the President of the Republic of Uganda directed the Prisons Service to increase agricultural production through seed multiplication of cotton and maize in order to supply the growing population.

The Committee however noted that agriculture production in the prison service continues to encounter a wide range of challenges such as irregular rainfall patterns due to climatic changes, continuous leasing of prison land to private developers, low levels of mechanization, frequent breakdown of farm tractors and reliance of on the manual labor provided by inmates who do not have expertise in agricultural production. There is also lack of production systems for massive production for prisons self-sufficiency.

The Committee also noted that the farms lack silos for storage and lack a seed treatment plant which increases the cost of seed production.

- ***Uganda Prisons Service should fast track establishment of irrigation systems in a phased manner at prison farms in order to mitigate reliance on natural rains.***
- ***Government should embrace irrigation as a way of increasing agricultural production in the country.***
- ***The Committee further recommends that Government should provide funds to construct silos for storage and purchase a seed treatment plant for seed multiplication.***


- **Government should provide sufficient funds for increased mechanization as a way of increasing food production. Funds should also be provided for maintenance of available machinery,**
- **Uganda Prisons Service should partner with Ministry of Agriculture, Animal Industry and Fisheries to provide technical expertise and support in order to increase its agricultural production.**
- **Under the programme of promoting water for Agriculture and irrigation and provision of tractors for mechanization, the Ministry of Agriculture should give priority to prison farms.**
- **With Persistent food shortages for prisoners, Uganda Prison Service should enhance food production to cover the prisoners feeding budget shortfalls and mitigate the persistent supplementary budget requests for prisoners feeding.**

5.10 Healthcare service delivery

Health care services in Uganda Prisons Service is organized in accordance with the general public health administration to ensure that there is continuity of treatment and care of prisoners, including HIV, tuberculosis and other infectious diseases. As a way of ensuring health of inmates, Uganda Prisons Services offers specialized counseling services to the inmates as well as allowing in religious leaders to offer spiritual counseling in prisons.

The Committee further noted that due to inadequate accommodation space for prisoners, some inmates with contagious diseases share dormitories with the rest of the inmates. This poses the risk of spreading diseases to healthy inmates. In the same case, mentally challenged inmates sleep in the same dormitories with the rest of the inmates putting the lives of healthy inmates at risk.

The Committee was informed of inadequacy of drugs in most of prison health units. In all prison establishments visited, health centres were congested with few health workers and poor sanitation.



The Committee further observed that there is inadequate emergency response to ill health of prisoners. This is due to lack of trust resulting from the criminally perceptions of inmates by their warders which leads to laxity especially when sickness is reported at an early stage and they are ignored until it becomes an emergency. In addition, lack of standby ambulance services in remotely located prisons sometimes leads to deaths of inmates while in transit to hospitals.

The Committee recommends as follows;

- ***Government should upgrade some regional prison Health centre III to Health Centre IV and units from Health Centre II to Health Centre III for effective medical services in prisons and increase staffing levels.***
- ***The Committee recommends that Government should provide regional standby ambulances to prisons as it is with the police and military to respond to emergencies resulting from ill health of inmates.***
- ***Special units should be constructed with adequate medical supplies to accommodate inmates with exclusive health conditions to avoid spread of contagious diseases.***
- ***Prison management should organise routine medical outreach teams to provide medical information to inmates and sensitise them about communicable and non-communicable diseases.***

5.11 Insecurity in Prison facilities

The Committee was informed that, due to changing profiles of offenders, with global increase in terrorism and change in sentencing regime where some people are sentenced to more than 50 years, security of both prisoners and staff needs to be enhanced. The requirement includes establishment of offender identification and management systems to facilitate offender tracking, monitoring, and control critical in maintaining a secure prison environment conducive for offender rehabilitation.

The Committee recommends that Government should provide funds for procurement, acquisition and installation of assorted security, communication and ICT equipment including Prisons Management Information Systems.

6.0 CONCLUSION


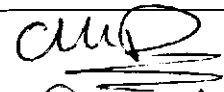
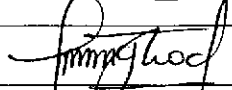
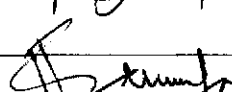
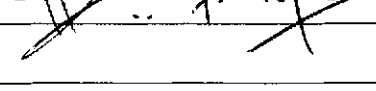

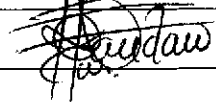
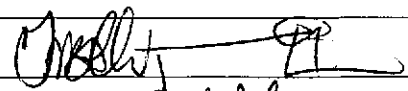
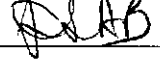

The Rt.Hon. Speaker and Hon. Members, Uganda Prison Service operates under serious challenges as noted above which require urgent government intervention especially in areas of tackling congestion challenges, addressing land grabbing, need to put up decent accommodations for staff, providing legal aid services to prisoners among others. The Committee would like to appreciate the services rendered by the prison management authority in this country despite operating on meagre resources.



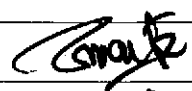


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**REPORT OF THE COMMITTEE ON DEFENSE AND INTERNAL AFFAIRS ON
FIELD VISITS TO GOVERNMENT PRISONS AND PRISON FARMS**

NO	NAME	CONSTITUENCY	PARTY	SIGNATURE
1	Hon. Nyakikongoro Rosemary Chairperson	DWR Sheema	NRM	
2	Hon. Milton Muwuma Vice Chairperson	Kigulu South County	NRM	
3	Hon. Wakooli Godfrey	Butiru County	NRM	
4	Hon. Ocheri Jimbricky	Labwor County	NRM	
5	Hon. Niyonsaba Alex	Bufumbira South	NRM	
6	Hon. Opolot Simon Peter	Kanyum County	NRM	
7	Hon. Aeku Patrick	Soroti County	NRM	
8	Hon. Nakwang Christine Tubo	DWR Kaabong	NRM	
9	Hon. Okeyoh Peter	Bukooli Isl. County	NRM	
10	Hon. Byamukama Nulu Joseph	Kitagwenda County	NRM	
11	Hon. Mugabe Donozio Kahonda	Ruhinda South	NRM	
12	Hon. Kauma Sauda	DWR Iganga	NRM	
13	Hon. Kintu Alex Brandon	Kagoma North County	NRM	
14	Hon. Kyoto Ibrahim	Budiope West County	NRM	
15	Hon. Lubega Bashir	Mubende Municipality	NRM	
16	Hon. Lokii Peter Abrahams	Jie County	NRM	
17	Hon. Mwesigwa Robert Rukaari	Mbarara City North	NRM	
18	Hon. Ikojo John Bosco	Bukedea County	NRM	
19	Hon. Ssekikuubo Theodore	Lwemiyaga County	NRM	
20	Hon. Namanya Naboth	Rubabo County	FDC	
21	Hon. Okot Moses Junior Bitek	Kioga County	FDC	
22	Hon. Lt. Gen. Elwelu Peter	UPDF		

23	Hon. Odur Jonathan	Erute South	UPC	
24	Hon. Katabaazi Francis Katongole	Kalungu East County	NUP	
25	Hon. Kiwanuka Abdallah	Mukono North County	NUP	
26	Hon. Bakireke Nambooze Betty	Mukono Municipality	NUP	
27	Hon. Museveni William	Buwekula South	INDEP.	
28	Hon. Kangwagye Stephen R.	Bukanga	INDEP.	
29	Hon. Arinaitwe Rauben	Isingiro West	INDEP.	
30	Hon. Lamwaka Margaret	Chua East	INDEP.	