MAKING PRISONS PROUD: A CASE OF UGANDA
A PAPER PRESENTED

BY

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THEME: BUILDING A PROFESSIONAL CORRECTIONAL SYSTEM IN AFRICA: A STRATEGIC OBJECTIVE.
INTRODUCTION:

This paper is composed of;
1. Origin of the negative image of Prisons to the public.
2. What characterized the old Penal/Correctional system of imprisonment?
3. Reforms undertaken by Uganda since 1996 to date.
4. Results/impact of the reforms.
5. Conclusion.
In the African context, incarceration was depicted by banishment and ex-communication.
Incarceration as punishment was unknown to Africa when the first Europeans arrived.
While pretrial detention was common, wrongdoing was rectified by restitution rather than punishment.
Local justice systems were victim- rather than perpetrator-centered with the end goal being compensation instead of incarceration.

Even in centralized states that did establish prisons, the goal of incarceration remained to secure compensation for victims rather than to punish offenders.
Imprisonment and capital punishment were viewed as last resorts within African justice systems, to be used only when perpetrators such as repeat offenders and witches posed discreet risks to local communities.
While imprisonment-as-punishment did not take root in Africa until the late 1800’s, there were two exceptions to this characterization.

First, prisons were used in connection with the Atlantic Slave Trade.

Second, Southern African nations began to rely upon imprisonment much earlier than the rest of the continent, in some cases as early as the beginning of the 19th century.
Even when the colonial powers arrived in Europe, they utilized imprisonment not as a means by which to punish the commission of common crimes but rather to control and exploit potentially rebellious local populations.

Therefore, Africa's earliest experience with formal prisons was not with an eye toward the rehabilitation or reintegration of criminals but rather the economic, political, and social subjugation of indigenous peoples.
Origin continues.............

- It was in these early prisons that even minor offenders were subjected to brutal confinement and conscripted as sources of cheap labor.

- Additionally, while European Prisons phased out torture in the late 1800s, Colonial Prisons increasingly relied upon the practice as a means of suppressing indigenous people and reinforcing racist dogma.

- Torture and capital punishment were legitimized among Europeans by the characterization of Africans as uncivilized, infantile, and savage.
UGANDAN CONTEXT:

- In Uganda, the situation was not any different from the rest of Africa, during the colonial era, the Uganda Prison Service was characterized by the militaristic approach in the handling of prisoners.

- The training of prison officers was and until present aimed at ensuring that the militaristic skills and custodial management approaches to prisoners are instilled in the trainees of the time.

- The Uganda Prisons Service was “grounded” based on the punitive ideology, and centred on punishments, instilling fear and ensuring security and confinement of prisons, without paying attention to their correctional needs.
This militaristic approach and Penal ideology of managing prisoners continued for over 30 years during the post colonial era until subsequent reforms were made in relation to the need to observe human rights, rehabilitation and reformation of offenders.

The 1995 Uganda Constitution ushered in a new era of promoting human rights observance and respect of human dignity. Uganda Prisons Service therefore, had to transform and align itself to the 1995 constitution.

The Prison Act, 2006, created the legal and policy environment that promotes the adoption of human rights based approach to imprisonment. In addition, there was a high rate of re-offending up to 43% in 2006.
The Ugandan society was greatly concerned that Prisons in Uganda are breeding grounds for prisoners to turn into hard core criminals, other than being rehabilitation and correctional centre.

All these pointed to the need for UPS to reform and transform from the philosophy of a Penal Institution, to a Correctional one that respects fundamental human rights of inmates.
2. CHARACTERISTICS OF THE TRADITIONAL PENAL SYSTEM IN UGANDA;

1. HIGH POPULATION GROWTH RATES (CONGESTION);
   • This is due to an increase in the Prisoner population currently at 9.8%
   • This has a direct impact on feeding budget, uniforms, medical care, utilities, delivery to courts etc.
TREND OF PRISON POPULATION GROWTH:

<table>
<thead>
<tr>
<th>Financial year</th>
<th>Prisoner Population</th>
<th>Change</th>
<th>%age change</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY2011/12</td>
<td>32,365</td>
<td></td>
<td></td>
</tr>
<tr>
<td>FY2012/13</td>
<td>35,564</td>
<td>3,199</td>
<td>9.9%</td>
</tr>
<tr>
<td>FY2013/14</td>
<td>39,794</td>
<td>4,230</td>
<td>11.9%</td>
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<tr>
<td>FY2014/15</td>
<td>42,619</td>
<td>2,825</td>
<td>7.1%</td>
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<tr>
<td>FY2015/16</td>
<td>45,920</td>
<td>3,301</td>
<td>7.8%</td>
</tr>
<tr>
<td>FY2016/17 - January</td>
<td>51,484</td>
<td>5,564</td>
<td>12.1%</td>
</tr>
</tbody>
</table>
2. DEPENDENCY ON THE CENTRAL GOVERNMENT;

• Dependency and reliance on the central government for resources and funding. This is due to failure of the old punitive system to turn prisons/correctional Institutions into productive and self reliant government institutions.

• This is highly responsible for the ever inadequate funding and failure to meet planned objectives due to competition for the resources with other government sectors/ departments.
III. FEEDING OF PRISONERS;

• Prisoners’ feeding becomes a big burden to the tax payers due to over dependency on government in the old system characterised by budget shortfalls and arrears.

• This presents a big challenge in offender management specifically in the human rights perspective of provision of three (03) meals a day.
Characteristics continues

IV. PRISON CONGESTION:

• Trends of Prison congestion in Uganda:

<table>
<thead>
<tr>
<th>Financial year</th>
<th>Prisoner Population</th>
<th>Holding Capacity</th>
<th>Occupancy (%)</th>
</tr>
</thead>
<tbody>
<tr>
<td>FY2011/12</td>
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<td>14,614</td>
<td>221</td>
</tr>
<tr>
<td>FY2012/13</td>
<td>35,564</td>
<td>14,898</td>
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<td>FY2013/14</td>
<td>39,794</td>
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<tr>
<td>FY2014/15</td>
<td>42,619</td>
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<tr>
<td>FY2015/16</td>
<td>45,920</td>
<td>16,612</td>
<td>276</td>
</tr>
<tr>
<td>FY2016/17 Dec</td>
<td>51,002</td>
<td>16,612</td>
<td>300.6</td>
</tr>
</tbody>
</table>
Trends of Prison congestion.

• At the current growth rates of prisoner population & holding capacity, average occupancy level is projected to be 460% by end of fy2020/21.
V. STAFF WELFARE CHALLENGES;

• Old and dilapidated staff accommodation;
Staff welfare challenges cont........
VI. Challenges in rehabilitation and reduction in recidivism rates.

• Inadequate rehabilitation facilities which have affected offender rehabilitation and reintegration.
In order to cause the paradigm shift and turn Uganda Prisons Service into a proud institution, a number of development strategies were designed; These were aimed at enhancing production, productivity and customer (public) while maintaining its mandate of custody and rehabilitation of offenders, as outlined below;
Penal/Correctional reforms cont

- Adoption of a “business approach” in the delivery of service.

  - UPS adopted a business approach in the management of its farms and industries.

  - Business plans for both commercial and non-commercial operations guide investment and rehabilitation of prisoners.
COMMERCIAL MAIZE PRODUCTION IN RWIMI PRISON FARM.
COTTON PRODUCTION & AFFORESTATION IN ADJUMANI PRISON FARM
Penal/Correctional reforms cont…………..

- **Use of low cost solutions.**
  
  Adoption of low cost interventions and budget saving mechanisms to deliver services at reduced costs; low cost staff housing, afforestation, and use of energy saving stoves and biogas technology to reduce expenditure on firewood.

- **Inter-sectoral linkages;**
  
  - Inter-Sectoral linkages with Ministry of Agriculture, Animal Industries and Fisheries (MAAIF), National Agriculture Advisory Services (NAADS), National Agricultural Research Organization (NARO), Coffee Development Organization (CDO), Health, Education, and Water Sectors.
Inter-Sectoral linkages.....

- Strategic planning and budgeting are the major drivers of resource allocation;
- Resource allocation in Uganda is done in sectors under the sector wide approach. UPS recognizes that though the parent sector is Justice, Law and Order Sector (JLOS), it must open up and work with other sectors to address specific challenges that are not addressed in JLOS.
Penal/Correctional reforms cont..................

- **Public Private Partnership (PPP)**; especially on the use of Prisons facilities to undertake development activities in areas of seed multiplication and the Karamoja School feeding Programme.

- **Alignment of Prisons to other institution in the criminal justice system through**;
  - Adoption of small sized model prisons that allows provision for future expansion while maintaining the meaning of a prison.
  - Rationalizing the presence of prisons through grading prisons based on population and security.
Penal/Correctional reforms cont.............

- Adoption of a human rights based approach to development.
  - UPS through the Ministry of Internal Affairs guazzatted and trained visiting justices as part of community involvement in human rights monitoring and observance in Prisons.

- The visiting Justices make independent human rights reports in Penal Institutions visited and send these reports to the Commissioner General of Prisons.
SENSITIZATION WORKSHOP FOR VISITING JUSTICES
**Penal/Correctional reforms cont…………..**

- **Good leadership;**
  - Inspirational and visionary leadership which enables professionals to join the service at different levels and allows staff growth and development.

- **Team work;**
  - Bottom-top planning and budgeting, consultations in decision making and good coordination.
Penal/Correctional reforms cont..................

- **Open door policy;** allowing the public to access prisons and share in its development; CBOs, NGOs, Religious Institutions.

- **Professionalism;** which has led to honesty, integrity, accountability, transparency and high levels of customer care.

- **Dynamic Security;** involving prisoners in their own management, provision of intelligence information and relaxing security around Prisoners in the stage system.
Penal/Correctional reforms cont..............

- **Good organizational culture;** UPS is anchored on the culture of unity, togetherness and oneness, this culture has contributed to great solidarity and cohesion among the staff at all levels.

- This strong organizational culture has also led to highly inspired, motivated and dedicated staff at all levels; UPS prides itself in a very strong force.
4. THE IMPACT OF THE REFORMS IN UPS

The above reforms led to;

- **Trust and confidence in the service;** trust from the state, public and internally from staff (presidential directives on cotton, seed and industries)

- **National Security;** UPS is recognized as a member of the National Security and Intelligence Committee.

- **Efficiency and effectiveness;** most government institutions use UPS as a benchmark for government programmes (MOFPED, NPA, JLOS sends institutions to UPS to benchmark on adopted government programmes)
The impact of the reforms in UPS......

- **Awards and recognitions;** UPS was awarded the best institution in the JLOS sector for its use of innovative solutions to rehabilitation in 2014/15 sector annual review and best institution in customer care in 2015/16 annual review.

- **Leadership in national sports;** UPS sports teams are national leaders in most sports activities; national and international athletics, netball, football and inter-forces games.
CONCLUSION:

- Prisons/ Correctional Institutions just like all entities in Africa and world over, suffered from the adverse effects of the Colonial error; Where Penal Institutions were no go areas to the public and looked at with utmost suspicion.

- African Countries just like Uganda have over the years tried to forge their ways out of the effects of Colonial Administration.

- To make Prisons Proud, the Administration and management of the modern Prisons/Corrections should look outside the “box”, embrace change and allow; growth, competitiveness and involvement of all stakeholders.
THANK YOU FOR LISTENING