

Alternatives to Prison in East
Africa and Beyond
Current Developments and
Future Challenges
Rob Allen
Associate Penal Reform
International



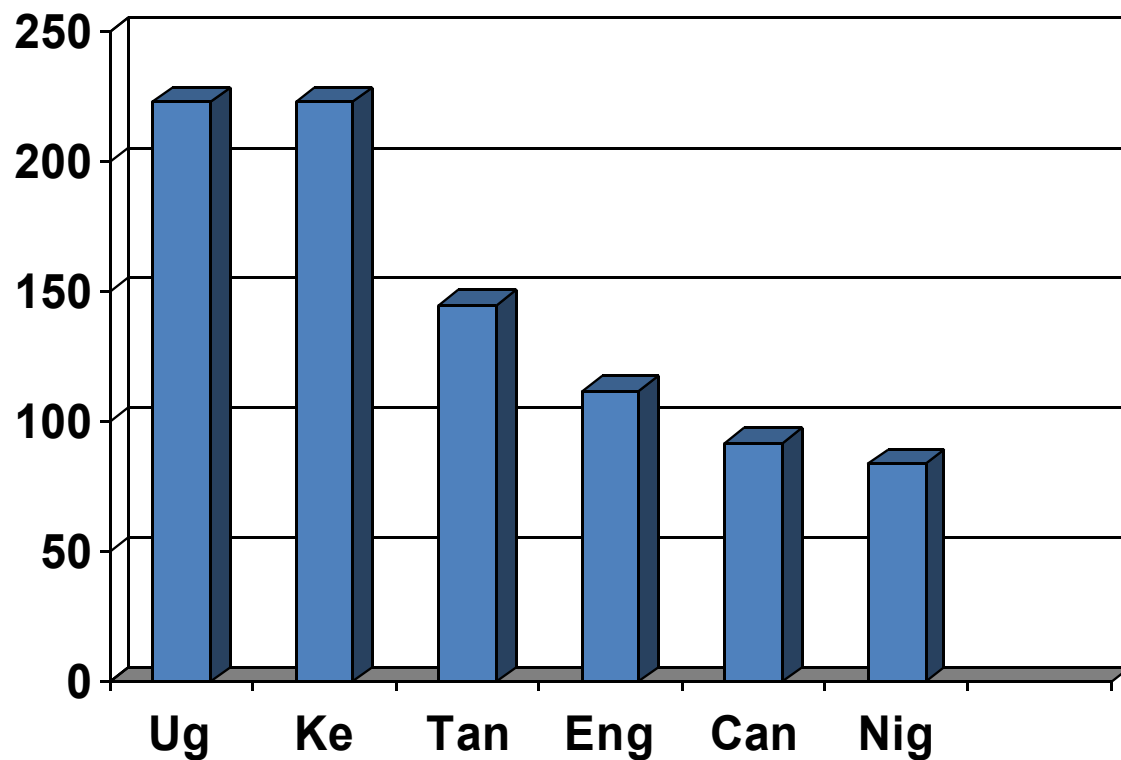
Promoting penal
reform worldwide

- 1990's History of Developing Alternatives
Zimbabwe, Malawi, East Africa
- 2011 Three year Partnership with DfID to work
with 21 countries to
- *Advocate for the prevention of torture and the
abolition of the death penalty*

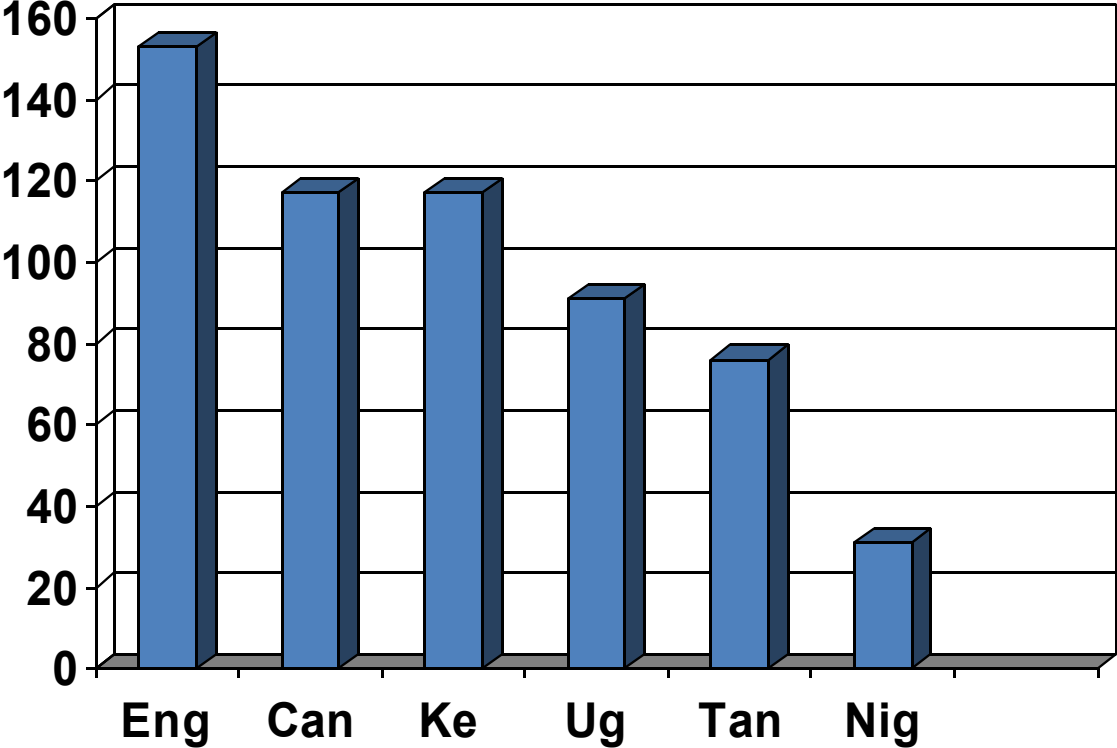
Ten-Point Plan to Address Prison Overcrowding

- 1. Collect and use data to inform a rational, humane and cost-effective use of prison
- 6. Make special arrangements for children and young offenders
- 7. Consider alternative arrangements

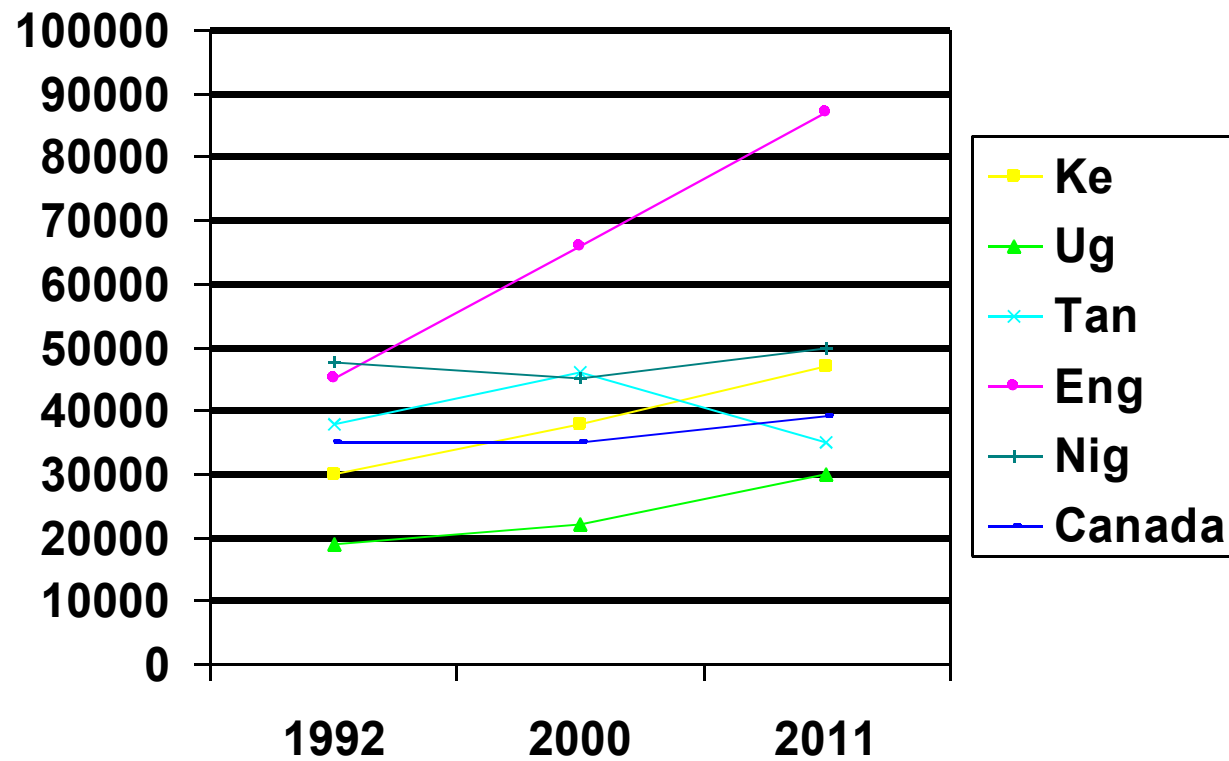
Occupancy Levels Prison Population as % of Capacity



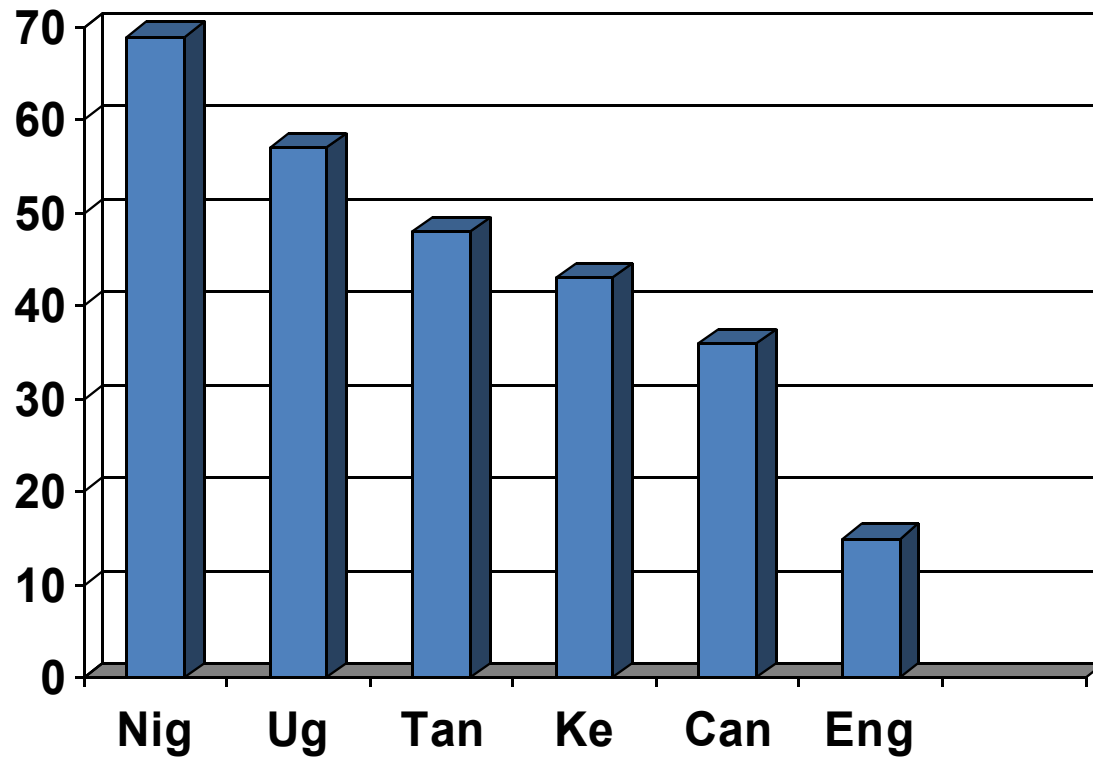
Prison Population Rates per 100,000 of Population



Changes in Prison Populations in last 20 years



Pre-Trial Detainees as % of Prison Population



Overcrowding

- Large part due to lengthy **pre trial** detention
- Various approaches underway: Legal aid, Para Legal assistance; chain link ; bail information
- Tanzania 3500 **sentenced each year for <6 months**
- Typical offences include using abusive language, operating a small business without valid business licence, reckless driving,

Alternatives to Prison Sentences

- Conditional discharge
- Status penalties
- Economic sanctions like fines
- Confiscation
- Restitution
- Suspended or deferred sentence
- House Arrest
- **Probation or judicial supervision**
- **Community service/Unpaid Work**
- Attendance Centre
- Drug Treatment
- Hospital Order

Not Suitable? Electronic Monitoring



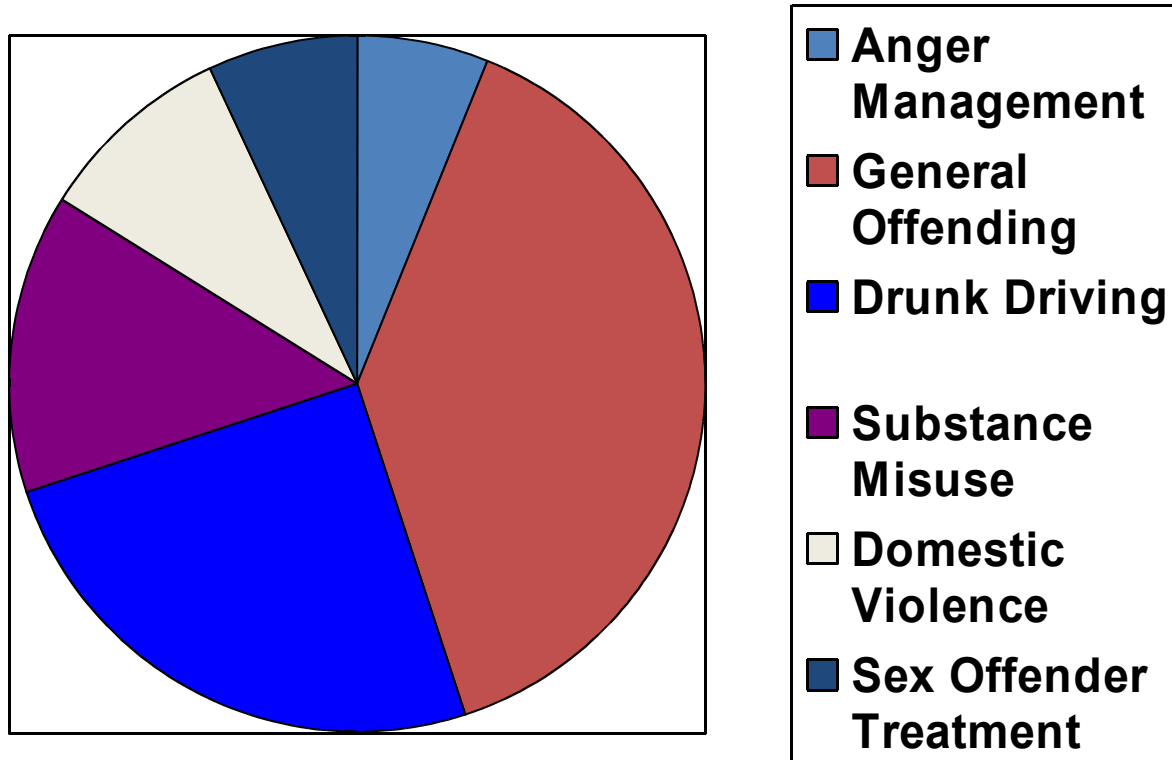
The Electronic Monitoring of Adult Offenders

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Maybe Suitable? Drug Testing



Could be Suitable if Custom built Offending Behaviour Programmes?



Alternative sentences in Africa

- Kampala Declaration
1996 CS should be preferred to prison if possible
- Ouagadougou Action Plan
“increased use of proven effective alternatives, such as
- Community Service
“in conformity with African traditions of dealing with offenders and with healing the damage caused by crime within the community” Kadoma Declaration on Community Service

Number of CSO's Imposed Kenya and Uganda

Issues

- Use of Alternatives
- Implementation of Alternatives
- Public Attitudes to Alternatives

Use of Alternatives

- Replacing Prison or Net Widening
- Adequate law or Sentencing Guidelines
- Limited to first offenders or very minor cases
- Some Judges magistrates use them others reluctant

Implementation

- Compliance, enforcement and absconding
- Quality of Placements
- Monitoring and supervision
- Use of Volunteers

Attitudes

- Lack of continuing sensitisation
- Not punitive enough
- Media interest
- Types of Placement

Ideas from Abroad?



Ideas from Home

- Build on Traditional and Restorative Justice, community involvement
- Reserve Prison for serious and dangerous convicted offenders
- Research and develop programmes appropriate to your needs
- Make use of healthcare education and children's services