



# AFRICA ALTERNATIVES TO IMPRISONMENT NETWORK INAUGURAL MEETING

6-7 November 2013, Dar Es Salaam, Tanzania

## 1. Introduction

This is a short report from the Africa Alternatives to Imprisonment Network Inaugural Meeting, held on 6 and 7 November 2013 in Tanzania. The report summarises the key issues discussed and conclusions reached. The report supplements the comprehensive information contained in the Network meeting background documents, country summary papers and presentations, which are available on request.

## 2. Purpose and outputs of the meeting

The purpose of the meeting was to discuss establishing and facilitating an African alternatives to imprisonment network.

The intended outputs from the meeting were to discuss and agree on the following:

- Interim name of network
- Objectives of network
- Governance and members of network
- Activities of network
- Resources and funding plans for the network
- Next steps and timeline

*Annex I: Agenda*

## 3. Participants

Sixteen Heads and senior representatives from Government Probation and Correctional Services or Community Service departments from Kenya, Lesotho, Malawi, Namibia, South Sudan, Tanzania, Uganda, Zimbabwe attended, as well as three representatives from Penal Reform International (PRI) and one representative from the Foundation for Human Rights Initiative (FHRI), an NGO in Uganda.

*Participant list available on request*

## **4. Hosts, organisers**

PRI co-hosted the meeting in partnership with the Tanzanian Ministry of Home Affairs Probation and Community Service Division, and in collaboration with Government Probation departments in Kenya and Uganda. The meeting was supported by PRI's grant from UK Aid.

## **5. Opening ceremony**

In his key note address, Hon. Mohamed Chande Othman, Chief Justice of the United Republic of Tanzania, noted that the promotion of alternatives to imprisonment and the use of non-custodial sanctions in the criminal justice system is an urgent imperative for Africa. He further emphasised that the conference deliberations ought to identify, analyse and strategize on the successes and challenges faced by all participating countries to produce valuable guidance in accelerating the pace of alternatives to imprisonment in Africa. Ms Lindsey McNally, the UK Government Criminal Justice Advisor in Tanzania reiterated that promoting alternatives to imprisonment is vital to state governance and the proper running of the state.

Alison Hannah, Executive Director of PRI, thanked the UK Government for their financial support to the Conference and to PRI's work on alternatives to imprisonment in the region. Alison gave an overview of the purpose of the network meeting and of PRI's role as facilitators of the meeting.

*Chief Justice speech available on request*

## **6. Background to network**

Mr Jerim Oloo, Director of Probation and After Care, Kenya, and Mr Paul Kintu, Commissioner of Community Service, Uganda, gave the background to establishing an African network for alternatives in Africa. At the ACSA meeting in October 2012 in Uganda and in subsequent discussions, the need was identified to establish an African network of probation and community service departments, in order to enhance and expand non-custodial alternatives in countries where these programmes exist; help to initiate non-custodial programmes in countries where do not exist or are limited; share lessons and good practice; and develop common standards. The network would also help to ensure that the impact created by PRI's training, advocacy and resources on alternatives in Africa and the efforts by other development partners and national Probation and Correctional Services departments, are not only sustained in the respective countries but that good practices can be extended to other countries in the region.

Participants shared their expectations for the network, including sharing experiences and best practice and for new members/countries to join the network.

*Documents on the background and objectives of the network available on request*

## 7. Country presentations: alternatives and non-custodial measures

The Probation, Community Service and Correctional Service representatives from Uganda, Kenya, Tanzania, Malawi, Namibia, Lesotho, Zimbabwe and South Sudan highlighted the current data on prison numbers and non-custodial measures, and the current numbers, structure and budget of the probation/correctional services in their respective countries. They also shared best practices, and why these are working well in their respective countries, and the challenges faced by their departments.

*Summaries and presentations from each country available on request*

Discussion points following the presentations:

- Community Service Orders (CSOs) can be used instead of prison sentences for up to 1 year in Namibia, in Tanzania up to 3 years, Uganda up to 2 years, Lesotho about 18 months, Malawi up to 12 months, Zimbabwe up to 24 months and there is no guide for South Sudan as yet.
- The benefits from the flagship projects in Kenya are invested back into the projects so that offenders can benefit from the projects as well.
- As of 2010, the Probation Service in Kenya includes victim impact statements in their reports to magistrates, at their discretion. Victim impact statements are recognised in Kenya under sections 329A to E of the Criminal Procedure Code (CPC). A victim impact statement is a document intended to provide information to the court concerning the physical, financial, emotional and psychological effects of a crime on a victims' health and, where relevant, his or her family.
- Volunteers from the University of Lesotho are relied on by the Probation Unit to help deal with the problem of under staffing.
- There is perceived to be a negative attitude towards CSOs by most Malawians who think it is wrong that someone who commits an offence is not getting a prison sentence as they view CSOs as a soft option.
- The impact of the economic downturn has greatly affected the availability of resources. They have a good number of officers but they don't have the resources to travel so prosecutors see CS officers as letting offenders go because they don't have the resources to follow them up.
- In Namibia, CSOs should be part of the basic training for magistrates instead of being left to the Community Service section. They also do not have a separate budget from the directorate however this has not affected progress of the work.
- In South Sudan, non-custodial work has not yet began because the judiciary is unaware of the role of CSOs and the legislation is not yet finalised. The penal code provides for probation but not for Community Service and it is based on the previous Juvenile system.
- In Uganda, as part of the reintegration process, offenders are followed up to 6 months and ex-offenders are used as peer support to other offenders. Community committees also support social reintegration.

## **8. Name, objectives and scope of the network**

Suggested objectives of the network were presented to the participants by Mr Jerim Oloo. As some of these were quite specific, it was agreed that the network interim committee would identify a smaller number of higher level objectives. Discussion took place around the scope e.g. whether the network would include work on all different forms of non-custodial measures or focus on non-custodial supervised court orders and community service orders in Africa.

Different names for the network were proposed. At the end of the meeting, participants voted on the name for the network, which was agreed as the 'Africa Network for Probation and Community Services (APC Network)'.

## **9. Governance and structure of the network**

Suggestions for the governance and structure of the network were proposed by Mr Paul Kintu for discussion. It was agreed to continue with the current network interim Chair, Paul Kintu and Secretary, Jerim Odhiambo Oloo, and Albert Phikani, Deputy Director for Community Service, Malawi to be Treasurer. All countries present would be part of the temporary secretariat to take the action plan developed at the meeting forward. This includes further defining the roles and governance of the network.

*Presentation on the governance and structure of the network available on request.*

## **10. Network activities and agenda of work for the network**

Participants suggested activities for the network for the first 1-2 years, including:

- To establish structures for the network starting with a temporary secretariat by 2016.
- To undertake registration process of relevant authorities at sub-regional and International level
- Seek affiliation status with relevant regional and international bodies such as ACSA, ICPA and ACA.
- Develop a Strategic Plan with the vision, mission statement for the network within a timeframe of 6 months.
- Develop a website for the network with content materials.
- Fundraise for the network, responsibility to be shared by the Heads of Probation and Correctional Services as well as the secretariat.
- Legislation and policy reform, responsibility falls to country Heads of Probation and Correctional Services to determine this.
- Work towards harmonising standards.
- To expand Association membership.
- Advocate for laws, policies and regulations in order to promote community corrections
- To establish professional and ethical standards for those engaged in the supervision of community corrections.

- To exchange good practices among member states in the implementation of alternatives to prison.
- It was agreed that the interim committee will develop a workplan and timeline to take these activities forward.

## **11. Resources, funding and links with other organisations**

Issues around on-going costs and activity costs for the network were discussed. Participants brainstormed different possibilities of sourcing funding and potential donors. Other ways to resource the network e.g. by maximising opportunities provided other meetings, conferences, and partners, were also discussed. It was agreed that the first steps may include seeking funding from government budgets and membership fees. Other steps would include exploring partnerships with NGOs or other organisations that have related programme work and can provide support, resources or expertise; 'piggy backing' on other events, e.g. where network members will be attending a regional conference. Whilst travelling to this network meeting, for example, participants from Kenya took the opportunity to visit Community Service initiatives in Tanzania that were en route.

## **12. Conclusions and declaration**

The next steps, as identified above, to be taken forward by the interim committee were agreed.

A declaration from the network meeting was drafted, which will be finalised by the interim committee and used for promotion of the new network.

Participants provided feedback, a *summary of which is in Annex II*.

The meeting received wide coverage in the local media. Information, a blog and media coverage of the meeting can be found on PRI's website:

[www.penalreform.org/news/successful-alternatives-conference-sees-launch-african-network-probation/](http://www.penalreform.org/news/successful-alternatives-conference-sees-launch-african-network-probation/)

# Annex I: Agenda

Africa Alternatives to Imprisonment Network Inaugural Meeting

6-7 November 2013, Tanzania

## Agenda

Time	Item	Facilitator/Chair
<b>Wednesday 6 November</b>		
8:45– 9:00	Welcome and introductions of delegates  Purpose, outputs and agenda of meeting; PRI role	Fidelis Mboya, Director, Probation, Tanzania  Alison Hannah, Executive Director, PRI
9:00-10:30	<i>Opening Ceremony:</i> Introductory remarks Entertainment by Tanzania Prisons Cultural Troupe Welcoming remarks by the Hon. Minister of Home Affairs Dr. Emmanuel John Nchimbi (MP) Opening speech by Guest of Honour, the Hon. Chief Justice of Tanzania, His Lordship Mohamed Chande Othman Lindsey McNally, HMG Criminal Justice Adviser, FCO, UK Government Vote of thanks; Group photos	Permanent Secretary, Ministry of Home Affairs Mr. Mbarak Abdulwakil  Fidelis Mboya, Tanzania  PRI
10:30–10:45	<i>Tea, coffee</i>	
10:45-11:00	Background to Network	Jerim Oloo, National Director Probation, Kenya - Network Secretary
11:00–13:30	Country presentations: alternatives and non-custodial measures	All / Fidelis Mboya, Tanzania
13:30 –14:30	<i>Lunch</i>	
14:30 –15:30	Name, objectives, scope of the Network	Jerim Oloo, Kenya
15:30 –15:45	<i>Tea, coffee</i>	
15:45 –16:45	Governance and structure of the Network	Paul Kintu, Commissioner, Community Service, Uganda – Network Chair
16:45-17:00	Summary of day 1	Fidelis Mboya, Tanzania
<b>Thursday 7 November</b>		
9:00 – 10:15	Network activities and agenda of work for the next 1-2 years (including fit with Africa regional agendas)	Lawrence Mugambi, Coordinator CSOs, Kenya
10:15– 10:30	<i>Tea, coffee</i>	

10:30 –11:15	Resources, funding and links with other organisations	PRI
11:15 –12:15	Conclusions, 'declaration'. Next steps	Fidelis, Paul; Rob Allen, PRI

## Annex II

### Summary of Participants' Feedback

Of the 16 participants that completed the feedback forms:

- 81% (13 participants) said the country presentations were the most useful
- 81% said that the meeting enabled a useful sharing of experience and expertise, and 75% said the meeting enabled a deeper discussion of the issues
- 94% said they would like to become members of the network
- 79% said they were planning to change an aspect of their work as a result of the conference.

Comments included:

- I was able to know practices and challenges, problems of other countries and how they address them.
- I am intending to initiate the after-care / social reintegration of the offenders which my country does not have.
- I would like to use the best practices of the other countries to improve on operations in my country.
- [The success of the Network meeting] will depend on the commitment of country members in the next 12 months (current and new members).
- Country presentations gave direction on the issues faced, which paved the way for the establishment of objectives.