



Promoting fair and
effective criminal justice

RECOMMENDATIONS OF THE MBALE PRISON STAFF TRAINING ORGANISED BY PENAL REFORM INTERNATIONAL – AFRICA WITH FINANCIAL SUPPORT OF THE BRITISH HIGH COMMISSION

Mbale Resort Hotel.
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1.0 Introduction

Penal Reform International (PRI) has for the last couple of years been conducting courses for prison staff in Africa to promote penal reform and improve the treatment of prisoners in the region. A prison staff training on management of vulnerable prisoners was recently organised by PRI's Africa Office for prison staff in the Eastern region of Uganda. The meeting attracted 20 Officers in Charge (O.C's) and their deputies who were trained on international standards regarding the management of special needs prisoners. Prison officers shared their practical challenges and experiences. The officers made the following recommendations to address the current challenges in their institutions: -

2.0 Recommendations

2.1 Implementation of the Bangkok Rules and the use of gender-sensitive sanctions and custodial measures.

None of the participants had heard about the Bangkok Rules. According to most of the participants, women have limited access to sanitary towels, access to water and rehabilitation services. In many prisons, there is no day care centre¹ and children accompanying their mothers do not receive special feeding due to budgetary constraints. Most women are imprisoned far from home due to the fact that prison allocation is based on the type of offence and level of security of the offender (*all capital offenders are imprisoned in either Mbale or Tororo*). According to the prison staff, children accompanying their mothers are stigmatised while in prison and outside prison. Probation officers are not willing to support children in prison. Institutions that monitor prisons do not take in consideration gender specific aspects.

The participants recommended that: -

¹ According to Ms Okware, OC Mbale women, the lack of a day care centre exposed children to bad behaviour. She cited an example of women who expose their nudity without regard to the children in the ward and also that children pick up foul language often used by the women prisoners.

- All prisons should have day care centres. This will reduce the exposure of children to adult behaviour.
- All prisons should be supplied with sanitary towels for the women.
- Women's bathrooms should be renovated and more uniforms should be available to women.
- Water supply should be extended to all prisons. Need for boreholes especially in Butaleja and Mutufu prisons.
- The training/knowledge should be extended to lower ranks (prison wardens) and to all staff in Uganda Prison Service.
- Prison facilities are dilapidated; they need to be renovated to become more gender sensitive especially in terms of spacing, provision for children. Budaka prison and Butaleja prison have no female facilities, they just improvise.
- The training materials should be translated into local languages; women prisoners should be sensitised on the legal provisions.
- Strengthen the role of Probation officers so that they handle issues of children in prison and help with their resettlement.

2.2 Sexual minorities

Prisons have LGBTI prisoners in their custody although it is kept in secrecy since society has not yet accepted them. Recently, in Jinja prison, two men who were found having sex by other prisoners were beaten close to death; In 2016, a gay prisoner in Tororo prison was raped, stabbed and killed by his attacker due to fear that he would be reported to the officer in charge. Many LGBTI prisoners are reported to commit suicide due to stigma inside prisons.² LGBTI prisoners are not visited by their relatives because they are deemed outcasts. Most prison staff think homosexuality is a mental illness which can be cured through rehabilitation. Complaints of rape by LGBTI are not taken seriously by Officers in charge. Most of the LGBTI abuses are orchestrated by the ward leaders (prisoners in positions of authority).

The Forum recommended that: -

- Policies and strategies should be developed to ensure maximum protection of LGBTI prisoners.
- PRI should sensitise prisoners on the human rights principles regarding rights of sexual minorities. The training should also be extended to management staff of UPS.
- Special provisions need to be made to protect LGBTI prisoners, especially at night.
- The prisons should establish internal security mechanisms.
- Officers in charge should alternate the ward leaders from time to time.
- Alternative sentences should be encouraged for LGBTI offenders particularly the intersex.

2.3 Mental Health disabilities

Current prison conditions induce stress, depression and anxiety which may develop into serious mental disabilities. The prison currently has 104 mentally ill prisoners.

² According to OC Mbale prison, the gay prisoners inside his prison were stigmatised by fellow prisoners on entry into prison. They are not allowed to engage in most activities and have to sleep near specific people.

These prisoners do not receive legal aid; they continue to be incarcerated on Ministers orders. The eldest mentally ill prisoner died in 2016 following 24 years of imprisonment. Prison staff are not trained in mental health and therefore lack the capacity to manage prisoners with mental health disabilities.

The participants recommended that: -

- Early diagnosis is important. There should be mental health screening on entry.
- There is a need to improve coordination between the judiciary and prison administration regarding management of mentally ill suspects.
- A regional ambulance should be availed to help with the transfer of sick prisoners.
- Lower cadets and training school staff should be trained in mental health.
- PRI should advocate for a home for mentally sick prisoners. The home should be allocated specially trained staff.
- The law should be reviewed to specify the duration of committal of persons with disabilities.

2.4 Terminally ill

Most prison infrastructure is very old and as such doesn't have special facilities for the terminally ill. TB patients are separated in some stations but where space is limited, all prisoners are mixed. Because of limited health facilities in prisons, some terminally ill end up being imprisoned far from home where health services can be accessed. Some prisons have ARV supplies but the smaller prisons don't have. The whole Eastern region has no ambulance to transfer sick prisoners. Prisoners are thrown in the back of trucks. There is a shortage of medical supplies, especially between the months of June–August of each year. Prisons without medical units find difficulty liaising with the district health centres. Most of the health centres do not want to treat prisoners and when they do they do not give them drugs.

Recommendations

- Improve staffing levels
- Improve prison budget.

2.5 Elderly prisoners

Disabled prisoners are stigmatised inside prisons (referred to by the type of their disability i.e 'kasiru' (deaf) or 'mulema' (disabled)). Prison facilities were not designed for disabled persons and yet the prison receives them. Toilets and accommodation do not cater for disabled people, presenting health risk and accidents. Masanafu prison for example has a disabled prisoner but no facilities.

The participants recommended that: -

- UPS should develop a disability policy.
- An independent body should audit the prison service on living conditions for disabled prisoners.
- Promote alternatives for disabled offenders.