Report of the Auditor General on the

Rehabilitation and Reintegration of Prisoners

July 2014

ONE ZAMBIA ONE NATION

Republic of Zambia

Foreword

I have the honour to submit to Parliament my performance audit report on the Rehabilitation and Reintegration of Prisoners, in accordance with the provisions of Article 121 of the Constitution of Zambia and the Public Finance Act No. 15 of 2004.

The performance audit whose results are contained in this report was carried out to assess the effectiveness with which the Zambia Prisons Service under the Ministry of Home Affairs conducted its activities to rehabilitate and reintegrate prisoners into society after serving their prison terms.

I would like to thank the members of staff at the Ministry of Home Affairs and the Zambia Prisions Service for their cooperation during the audit process.

Dr. Anna O Chifungula

AUDITOR GENERAL

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Acronyms

ACP	Assistant Commissioner of Prisons
AFROSAI-E	English Speaking - African Organisation of Supreme Audit Institutions
AIDS	Acquired Immune Deficiency Syndrome
ASP	Assistant Superintendent
C/INSP	Chief Inspector
CACO	Compulsory After Care Order
CP	Commissioner of Prisons
D/PRO	Deputy Public Relations Officer
DEC	Drug Enforcement Commission
DEBs	District Education Boards
DPT COM	Deputy Commissioner
GAO	General Accountability Office
HEP	His Excellency's Pleasure
HIV	Human Immuno Virus
HQ	Headquarters
ICT	Information and Communication Technology
MGT	Management
MHA	Ministry of Home Affairs
NGO	Non-Governmental Organisation
OAG	Office of the Auditor General
OIC(s)	Officer in Charge(s)
PRO	Public Relations Officer
PSMD	Public Service Management Division
S/SUPT	Senior Superintendant
SACP	Senior Assistant Commissioner of Prisons
SUPT	Superintendant
TB	Tuberculosis
UN	United Nations
YP	Young Prisoners
ZPS	Zambia Prisons Service

GLOSSARY OF TERMS

Convalescent Prisoner – Refers to a prisoner certified as being medically unfit

Earning Scheme - Total monthly savings accruing to a prisoner

Extra Mural Penal Employment –Applicable to petty offenders, where they are given work to perform, with no pay for a specified period instead of serving a custodial sentence in prison.

Formal education – This refers to educational classes from grades one (01) to grade twelve (12)

Juveniles released on license – These are juveniles that are discharged from reformatories on condition that they will be supervised by ZPS until their complete their educational courses.

Level 1 education – The highest level of attainment in skills training under TEVETA

Level 3 education – The lowest level of attainment in skills training under TEVETA

Progressive Stage System – Refers to special privileges that are given to deserving prisoners and begins at stage I through to stage IV, with level I being the highest stage of promotion.

Recidivist – This refers to prisoners that commit crimes after being discharged from prison

Skills and vocational training – This refers to training in essential skills such as carpentry, tailoring, bricklaying and pottery.

Special needs prisoners - Refers to prisoners who have additional needs of care and protection such as the mentally disturbed, women and juveniles

Voluntary visits– Visits from voluntary workers enlisted to help the OIC in the rehabilitation of prisoners

Remand Prison – Prisons were unconvicted prisoners are detained

Correctional Prison – Prisons were convicted and sentenced prisoners are detained for rehabilitation purposes

Parole– Conditional release of a prisoner

EXECUTIVE SUMMARY

Prisons help citizens to feel secure by separating offenders from society and acts as a deterrent measure for would be offenders. Prisons are also responsible for carrying out rehabilitation of prisoners. Rehabilitation entails changing an offender's behavior with a view of preventing prisoners from re-offending.

The performance audit on the rehabilitation and reintegration of prisoners in Zambia was motivated by a number of factors which included among others:

a) During the years 2009 to 2012, the ZPS received a total sum ofK292 Billion: this was K27, 909,996,563 in excess of budgeted amount;

b) The general public feel that Zambia's internal security is compromised by former prisoners who are believed not to have been fully reformed or rehabilitated to be reintegrated into society;

c) Finally, the preliminary study carried out by the Office between June and September 2012 revealed weaknesses in the delivery of rehabilitation and reintegration service by ZPS.

The audit objective was to assess whether MHA and ZPS have efficiently delivered rehabilitation and reintegration services to prisoners.

a) Major findings

i. Inadequate counseling of prisoners

The audit has revealed that prisons do not subject the prisoners to psychological counseling or therapy. In addition, there is also shortage of Offender Management Officers to conduct social counseling, did not have qualified psychologists to conduct psychological therapy and they did not maintain records for individual or group social, psychological or spiritual counseling.

In addition, fifteen (15) prisons did not have chaplaincy unit work plans. Chaplaincy programmes were hampered by lack of chapels in most prisons.

ii. Skills training and educational courses are carried out to a limited extent

Skills training and educational courses are carried out to a limited extent in the prisons. In some prisons skills training and educational courses were not carried out at all. The audit revealed that prisons lacked teachers, trade instructors, workshop materials and equipment to offer meaningful education and skills training. In addition, the audit revealed that not all prisoners that undergo education and skills training courses complete their respective courses. Furthermore, there was no education and skills training for prisoners serving sentences less than six months while in some prisons there was no education and skills training for female prisoners. Interviews conducted with prisoners revealed that some prisoners are not aware of the training programmes being offered in prison.

iii. Risk assessment not efficiently carried out

The audit revealed that risk assessment of prisoners is not prioritized. The reception and discharge boards in prisons were not working effectively. The reception and discharge boards did not meet regularly to carry out risk assessment and there were no minutes of meetings held by the reception and discharge committee. There was also no evidence to show that the boards had allocated rehabilitation programmes to prisoners. ZPS and all the sixteen (16) prisons had not set any targets of the number of prisoners they intended to reach annually with rehabilitation and reintegration programmes.

Prisons had inadequate numbers of staff to carry out risk assessment in that the reception and discharge board officers were also required to carry out other custodial duties.

iv. Needs of Special Needs prisoners not addressed

HEPs are detained in prisons instead of mental health institutions. Therefore, there is a lack of therapeutic treatment programmes due to lack of psychologists and psychiatrists employed by the prison service. Juveniles were detained in prisons for long periods ranging from sixteen (16) days to over three (3) years without being transferred to a reformatory school. They lacked transport to transfer juveniles to reformatory school. In addition, ZPS has only one (1) reformatory school which had limited capacity to accommodate the growing number of juveniles in prisons.

v. Inadequate provision of reintegration programmes

ZPS has failed to implement reintegration programmes for prisoners. For instance, prisons have not effectively conducted restorative justice, family tie ups and job placements programmes. ZPS has also not established halfway homes. ZPS has not provided adequate transport, man power and infrastructure to carry out reintegration programmes for prisoners. Lack of job placement has been further compounded by Government's policy of not employing ex-convicts into the Civil Service.

vi. Parole objectives are not being achieved

The audit revealed that all the prisons were congested. Despite ZPS putting in place the parole system with a view of decongesting the prisons, the parole system has not worked effectively. All prisoners that applied for parole were granted parole. Some of the reasons for failure to grant parole were that sentences of some applicants expired before their release. This was due to delayed parole hearings, failure to pay allowances to the board members, which in turn resulted into apathy and lack of offices in the provinces for the National Parole Board.

In addition, the parole officers were not trained in the administration of parole. Training for parole staff was hampered by high staff turnover, the lack of permanent officers in parole administration and lack of funding.

Furthermore, ZPS did not have monitoring reports for prisoners released on parole as such; there was no evidence to show that the prisoners released on parole were monitored. Finally, as a result of parole system failing to decongest the prisons, rehabilitation and reintegration programmes were also hampered as more resources were spent on custodial services.

vii. Failure to develop tools to facilitate implementation of rehabilitation and reintegration programmes

The MHA and ZPS have not developed the requisite tools to facilitate for the implementation of rehabilitation and reintegration programmes by prisons. For instance, there was no comprehensive national policy on Internal Security to give Government policy directives on how to manage the prisoners and address their rehabilitation and reintegration needs. In addition, the Prisons Act Cap 97 of the laws of Zambia, its amendment Act No 16 of 2004 and the Prison Act Prison Rules statutory instrument No 101 of 2008 were outdated and had not been reviewed by ZPS, the MHA and Ministry of Justice as of March 2013. The outdated Act hampered the ZPS and the prisons to carry out rehabilitation and reintegration programmes effectively. ZPS stated that they have not initiated the process of review.

In addition, ZPS operated without a Strategic Plan from 2008 – 2012 after the expiration of the 2003 to 2007 Strategic Plan. A further review of the expired Strategic Plan for the period 2003 – 2007 revealed that there were no strategies incorporated on rehabilitation and reintegration of inmates because ZPS did not place much emphasis on correctional services but focused on custodial services.

b) Conclusion

i. As a result of lack of counseling, the ZPS is unable to address the problems which would have caused the prisoners to offend. In addition, lack of counseling is responsible for dysfunctional attitudes, beliefs and values, increased drug usage within the prison, violent tendencies, poor communication and interpersonal skills and high stress levels amongst the inmates.

ii. Failure to complete their courses is due to lack of funding to pay for exams, transfer of prisoners to other prisons and discharge on presidential amnesty and parole. As a result of lack of formal education and skills training, not all prisoners secure employment or other economic activities after release from prison, thus increasing chances of repeat offending.

iii. As a result of the reception and discharge boards not meeting and conducting risk assessment of prisoners, prisoners are allocated to rehabilitation programmes that do not suit or meet their needs.

iv. Lack of therapeutic treatment programmes results in improper guidance and planning of the HEPs' therapy and rehabilitation needs.

v. Detaining juveniles for long periods and not transferring them to a reformatory school has negative impacts on juveniles such as delayed education and juveniles end up picking up bad habits from adult convicts. Some of the reasons for delayed transfers are inadequate transport at the prisons to transfer the juveniles to reformatory school after the court order is received, court delays in preparing court orders for juveniles to be transferred to the reformatory school.

vi. Inadequate provision of reintegration programmes means that prisoners are not successfully reintegrated into society upon discharge, which results in re-offending. While, lack of training of parole officers means that the National Parole Board is unable to generate qualitative data and perform social welfare assessments on each individual parolee. A potential parolee who is not adequately assessed for suitability is a risk to public safety.

vii. As a result of using out dated laws and the lack of a comprehensive national policy on internal security, ZPS have failed to deliver correctional services to prisoners in line with current international practices.

viii. The effect of not having a Strategic Plan is that the ZPS did not have a clear direction on how to provide rehabilitation and reintegration services. Therefore, it is questionable whether the Government goal of rehabilitating and reintegrating prisoners is being realised.

d) Recommendations

It is recommend that:

i. The Prisons Act should be revised to conform to international standards.The Prison Service should develop a strategic plan incorporating strategies on rehabilitation and reintegration of prisoners. A comprehensive national policy on Internal Security should be developed which addresses rehabilitation and reintegration needs of prisoners.

ii. The Prison Service should ensure that all prisoners are counseled regularly. The Service should employ and train officers in social work to conduct efficient counseling. In addition, the Service should deploy a psychologist at each prison. The prisons should liaise with the DEC to conduct awareness campaigns on substance abuse regularly.

iii. Prisoners discharged before completion of their relevant skills training programmes should be placed on CACO to ensure that they complete their training programmes outside prison. The Prison Service should also come up with short term rehabilitation programmes to meet the needs of short term prisoners.

iv. The Offender Management Officer should conduct risk assessment regularly and advise the Officer In Charge through the Reception and Discharge Committee on appropriate rehabilitation programme a prisoner will undergo.

v. HEPs should be detained in mental health institutions and given appropriate care. Juveniles should be transferred to a reformatory school as soon as they are convicted at the courts.

vi. The Service should encourage, support and document restorative justice programmes in all prisons. The Prison Service should also initiate job placements and other forms of support for discharged prisoners and parolees. The Government should consider employing ex-convicts in view of the fact that Government itself spends resources to rehabilitate inmates.

vii. Parole hearings should be carried out on time to ensure eligible applicants are not disadvantaged and more officers should be trained in the administration of parole.

1. INTRODUCTION

a) Background

Prison Servicesare part of the criminal justice system mandated among others, to provide correctional services that contribute to the maintenance of internal security, law and order in a country. Prison Services alsoact as a deterrent measure for would be offenders and are responsible for carrying out rehabilitation of prisoners. Rehabilitation entails changing an offender's behaviour by addressing particular social, psychological, welfare and other factors associated with crime such as anti-social thinking, poor work skills, drug abuse and limited educationwith a view of preventing prisoners from re-offending. Itgives the prisoners a chance to lead a crime free life once released and can have major benefits for the community in reducing crime and its associated costs.

b) Motivation

The performance audit on the rehabilitation and reintegration of prisoners in Zambia was motivated by the following factors:

i. During the years 2009 to 2012, the ZPS was funded a total sum ofK292 billion fromthe Government treasury.This wasK27, 909,996,563 in excess of the authorised provisions for the years.

ii. Concerns havealso been raised by Members of Parliament and civic organisations on the conditions of prisons in Zambia. In 2012, Government officials who visited the prisons described conditions at Mukobeko Maximum Security Prison in Kabwe as 'hell on earth'[1]. They expressed concern at the level of congestion among prisoners and the appalling conditions in which they lived.

iii. There is a general feeling among the public in Zambia that Zambia's internal security is compromised by former prisoners who are believed to have not been fully reformed or rehabilitated to be reintegrated into society[2].

iv. The preliminary study carried out by OAG between June and September 2012 revealed weaknesses in service delivery by ZPS.

1 The Zambia Daily Mail dated 5th April 2012
2 The Post Newspaper dated 21st March 2012

2. AUDIT DESIGN

a. Audit objective

The audit objective was to assess the effectiveness and efficiency of the delivery of rehabilitation and reintegration services to prisoners by theMHA and the ZPSs in particular.

b. Audit scope and Limitations

The audit focused on the assessment of the effectivenessand efficiency of rehabilitation and reintegration programmes offered to prisoners. The audit covered activities undertaken by the MHA and ZPS during years 2009 to 2012.The audit concluded on the effectiveness and efficiency of rehabilitation and reintegration services offered to prisoners in the whole country.

It was not possible to interview prisoners on parole as most of them were reported to have been in far flung areas while others were reportedly uncomfortable at the prospect of being interviewed.

c. Audit Questions

In order to achieve the audit objective, answers to the following questions were sought:

i. To what extent have the ZPS and the MHAdeveloped tools to facilitate implementation of rehabilitation and reintegration programmes effectively and efficiently?

- Have ZPS and the Ministry developed and launched a national policy on state security that includes rehabilitation and reintegration needs of prisoners?
- Has the ZPS, in collaboration withthe MHAand Ministry of Justice formulated and reviewed laws?
- Has Government domesticated the international and regional treaties on rehabilitation and reintegration of prisoners that Zambia has signed and ratified?
- Does the ZPS havea strategic plan incorporating rehabilitation and reintegration strategies to guide its operations?

ii. Has the ZPS been provided with requisite resourcessuch as staff, infrastructure, materials and machinery, etc to ensure that rehabilitation and reintegration programmes are conducted effectively and efficiently?

iii. To what extent has ZPSdelivered rehabilitation and reintegration services to prisoners?

d. Assessment Criteria

In order to evaluate the findings against a standard, different criteria were used. The following were the assessment criteria and sources.

Source of criteria:

i. Prisons Act, Cap 97

ii. Prisons Act (Amendment) No. 16 of 2004

iii. Prisons Act Parole Rules , Statutory Instrument No. 101 of 2008

iv. Zambia Prisons Service Standing Orders 2007 edition

v. Juveniles Act,Cap 53

vi. The Ouagadougou Declaration and Plan of Action on Accelerating Prisons and Penal Reforms in Africa

vii. Kampala Declaration on Prison Conditions in Africa 1996

viii. UN Congress on the Prevention of Crime and the Treatment of Offenders

ix. The MHA Strategic plan 2002-2007 (The 2002-2007 plan was used as the Ministry did not have a strategic plan for the period under review)

x. Work plans for ZPSfor the years 2009-2012.

Specific criteria:

i. The commissioner shall appoint prison social welfare officers who shall administer rehabilitation and extension service programmes under the offender management unit.[3] The Offender Management Officer shall conduct individual and group counselling for prisoners with deviant behaviour and personality disorders or any prisoner who requires such services[4] and shall conduct counselling and group or occupational therapy for prisoners convicted with substance abuse related offences and HEPs[5]

ii. The Chaplain shall visit inmates and members of staff to provide individual or group counselling[6]**.** He/she shall be available to all individuals, inmates and their families for spiritual support and encouragement[7] The Chaplain shall perform all his religious functions in an ecclesiastical and ecumenical manner and shall provide religious care to all prisoners, i.e. Christians and those of other faiths.[8]

iii. All convicted prisoners will be eligible for consideration for education.[9] Adult education in each prison will be organised by the officer in charge with the advice of the education officer based at prison headquarters. The OIC shall cause to be kept a record of all classes, lectures etc held in their prisons and shall include such records in the annual report to the commissioner. [10]

iv. The Prisons Act states that the Commissioner has powers to issue a Compulsory After Care Order (CACO) to a discharged prisoner in the interest of rehabilitation of that prisoner for a period not exceeding one year.[11]

v. The Offender Management Unit shall provide for rehabilitation and reintegration of prisoners in the key service delivery areas such as special needs prisoners. Special needs prisoners shall comprise programmes for female and juvenile prisoners.[12]Simple education for prisoners accommodated in the youth corrective centres shall be compulsory and shall take place as part of the curriculum of training. Failure to attend an education class at a youth corrective centre shall be regarded as a breach of discipline.[13]

vi. The Offender Management Unit shall provide for the rehabilitation and reintegration of prisoners in key service delivery areas such as inmate care. Inmate care shall comprise programmes such

3 Standing Order 168 (i)
4 Standing Order 168 (iii)(c)
5 Standing Order 168 (iii) (e)
6 Standing orders section 167iii (d)
7 Standing orders section 167 iii (h)
8 Standing orders section 167 iv (d);
9 Standing order no. 564
10 Standing order no. 573
11 Section 117(1)(b) of the Prisons Act Cap 97
12 Standing Orders section 168 (ii) (a)
13 Standing order no. 565

as risk assessment and case management.[14] The prison social welfare officer shall conduct risk assessment and case management and advise the officer in charge through the reception and discharge committees on the appropriate rehabilitation programme a prisoner will undergo.[15] A reception and discharge committee will be formed to deal with prisoners on first reception, whose function it will be, after considering the antecedents and circumstances of each prisoner on reception, to classify him/her, to determine his/her form of training, to allocate him/her appropriate accommodation, labour, voluntary visitors and classes, and to consider prospects on discharge. The committee will consist of Officer In Charge, Chaplain, the Social Welfare Officer and any other persons that may be appointed by the Commissioner.[16]

vii. The Juvenile Act states that any juvenile with respect to whom a reformatory order has been made shall be conveyed forthwith to the receiving centre without awaiting the confirmation of the order by the high court.[17]

viii. The Prison Social Welfare Officer shall organize awareness campaigns for prisoners on substance abuse.[18]

ix. Inmate care shall comprise programmes such as sports and recreation.[19]The prison social welfare officers shall organize in-door and out-door sports and recreational activities for prisoners.[20]The Standing Order also states that it is the duty of every OIC to do everything possible to stimulate interest in outdoor games by prisoners and in this regard every facility will be given for team game competitions between wards, blocks and prisons.[21] Arrangements shall be made at every prison for physical recreation for all prisoners under the age of forty years. Where possible, football pitches will be provided and where space is insufficient for football, smaller pitches for volleyball and netball will be provided.[22]

x. A few games, such as draughts, ludo, dominoes or jig-saw puzzles will be provided in the hospital, for the use of convalescent patients who may be unfit to do any work. The games may also be used by patients who may be unfit to do any work. The games may be also used by patients who do work after their work is completed.[23]

xi. The UN Congress on the Prevention of Crime and the Treatment of Offendersstipulates that persons who are found to be insane shall not be detained in prison and arrangements shall be made to move them to mental institutions as soon as possible.[24] It also provides that prisoners who suffer from other mental diseases or abnormalities shall be observed and treated in specialized institutions under medical management[25].

xii. The Prison Social Welfare Officer shall facilitate restorative justice initiatives through victim offender reconciliation and victim offender mediation programmes.[26]And that the Chaplain shall provide community re-entry support programmes such as family tracing mentor and restorative justice programmes.[27]

xiii. The Prison Social Welfare Officer shall improve family tie ups. [28]Furthermore the Prisons Regulations states that all prisoners shall be entitled to send and receive letters and to receive visits as provided in the Rules, subject to such restrictions as may be necessary for the

14 Standing Order 168 (ii) (b)
15 Standing Order 168 (iii) (a)
16 Standing Orders 181
17 Juvenile Act Section 94 (2)
18 Section 168(iii d) of the Prisons Standing Orders
19 Standing Order 168 (ii) (b)
20 Standing Order 168 (iii) (b)
21 Standing Order 492
22 Standing Order 490
23 Standing Orders Section 628
24 UN Congress on the Prevention of Crime and the Treatment of Offenders 82. (1)
25 UN Congress on the Prevention of Crime and the Treatment of Offenders 82 (2)
26 Standing Orders 168 (iii) (h)
27 Standing orders section 167 iii (m)
28 Standing Orders 168 (iii) (g)

maintenance of discipline and order in prisons and the prevention of crime. [29]

xiv. Reintergration shall comprise job placements [30]. In additon the Standing Orders state that the Prison Social Welfare Officer shall organise job placements for prisoners.

xv. Reintegration shall also comprise programmes such as halfway homes[31]

xvi. The Parole rules state that the duties of an Extension Officer are to supervise persons released on parole assigned by the Commissioner, to maintain case records and statistics as required by the Board and to prepare reports as required by the Board.[32]

xvii. The Strategic Plan states that the ZPS shall provide and disseminate information on the operations in order to increase public awareness

xviii. The Strategic Plan stipulates that the ZPS shall expedite the review of legislation relating to the treatment of inmates and juveniles and monitor its implementation in order to conform to UN standards minimum rules for treatment of offenders. In addition, the MHA is responsible for initiating and reviewing legislation administered by departments and specialised agencies such as the ZPS in order to improve internal security.

xix. According to the Strategic Plan of the MHA, the ministry is responsible for developing appropriate policies and guidelines and effectively monitor their implementation by specialised agencies such as ZPS in order to keep pace with social and economic changes. In addition, the Commissioner is responsible to the Minister of Home Affairs for policy formulation in the management and practice of prisons and reformatories.

xx. The Commissioner shall appoint prison social welfare officers who shall administer rehabilitation and extension service programmes under the offender management unit.[33] The qualifications of candidates to be enlisted in the service shall include among others, diploma and degree in the relevant discipline or any other professional qualification approved by government.[34]

xxi. Ouagadougou Declaration on Acceleration of Penal and Prison Reforms Plan of Action states that the Governments and the criminal justice institutions should promote the reintegration into society of alleged and convicted prisoners by providing social and psychological support with adequate professionals.[35]

xxii. UN ACT on Prevention of Crime and the Treatment of Offenders states that at every institution there shall be available the services of at least one qualified medical officer who should have some knowledge of psychiatry. The medical services should be organized in close relationship to the general health administration of the community or nation. They shall include a psychiatric service for the diagnosis and, in proper cases, the treatment of states of mental abnormality. [36]

xxiii. The Commissioner shall appoint a Chaplain General and other Chaplains subordinate to him who shall be posted to the prisons. The Chaplain shall be a member of the uniformed rank and file who is an ordained minister of religion inducted to serve in the prison service.[37]Chaplain shall perform all his religious functions in an ecclesiastical and ecumenical manner and shall provide religious care to all prisoners, Christians and those of other faiths.[38]

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29 Prisons Regulations 128. (1)
30 Standing order 168 (f)
31 Standing Order No 168 (f)
32 Parole rules 2008 I (a, b, c)
33 Standing Order 168 (i)
34 Standing Order 130 (i)
35 Ouagadougou declaration on Acceleration of penal and prison reforms plan of action Section 3 states
36 UN Act on Prevention of Crime and the Treatment of Offenders 22. (1)
37 Standing order no. 167(i)
38 Standing orders section 167 iv (d);

xxiv. The International Code of Chaplaincy states that the Chaplain shall possess a professional knowledge of the theories, principles and doctrinal tenets of different religions as well as the theology of his/her own faith group.[39]The Chaplain shall possess a diploma or certificate from an approved seminary or bible colleges or its equivalent.[40] The duties require high levels of concentration, intense communication skills and rapid response to crisis situations.[41] The Chaplain should be smartly dressed in civilian clothes or clergy uniform to help inmates psychologically accept the chaplain in order to avoid hostility which exists between inmates and prison officers.[42]

xxv. Adult education in each prison will be organised by the Officer in Charge(OIC) with the advice of the education officer based at prison headquarters. Where no teacher is posted to the establishment of a prison, the OIC will endeavour to obtain the service of the voluntary teachers.[43]Where other arrangements for teaching cannot conveniently be made, the OIC may in proper cases use the services of prisoners of superior education who may be willing to instruct other prisoners. A prisoner teacher shall perform such duties as labour. [44]Prisoners will be allowed to give lectures in order to promote the education spirit of the prison.[45]

xxvi. The Strategic Plan stipulates that ZPS would ensure that by 2007:Officers would be selected and trained in various skills, training programmes for training officers identified and providers of continuing education selected and trained[46]

xxvii. According to Standing orders, every prisoner shall be permitted to retain in his possession devotional books pertaining to his religion. Where possible such books will be provided by the officer in charge. Prisoners are permitted to receive religious books and pamphlets distributed by recognized religious groups with the approval of the OIC. Furthermore, standing orders state that the Chaplain shall perform all his religious functions in an ecclesiastical and ecumenical manner and shall provide religious care to all prisoners, Christians and those of other faiths.[47] The Chaplain is also responsible for liaising and encouraging church organizations, Prison Fellowship, community based organizations, NGO, business houses, Government houses and individuals on matters relating to spiritual wellbeing of prisoners. [48]

xxviii. A library shall be established in each prison and will as far as can be arranged, contain books in the vernacular of the majority of the prisoners. [49] The OIC will arrange for the organised issue and receipt of library books at recommended times which shall not be during normal labour periods. OICs are responsible for seeing that the prison library is thorough searched at frequent intervals and all damaged books and magazines are either repaired or destroyed.[50] Prisoners should be permitted to personally select the books they wish to take from the library.[51]. A suitably educated prisoner should be appointed to maintain the prison library.[52]

xxix. Note books and pencils will be issued to all prisoners attending classes, should a note book be found to have any pages missing or misused, the prisoner to who it was issued will be charged for breach of discipline.[53]

xxx. Leather finger guards and finger stalls which will extend fifty millimetres down from the root of the fingernails will be offered to prisoners engaged in heavy sewing work. Prisoners engaged in paint spraying, woodworking machinery and any environment requiring masks should be provided with masks. Prisoners employed on working involving the use of cement and lime shall be provided with boots or shoes.[54]

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39 International code of chaplaincy section II ,bullet No 1
40 International code of chaplaincy section II A, bullet No 2;
41 International code of chaplaincy section II H, bullet No 4
42 International code of chaplaincy section II J, bullet No 1;
43 Standing order no. 566
44 Standing order no. 567
45 Standing order no. 568
46 The strategic plan 2002-2007
47 Standing orders section 167 iv (d)
48 Standing Orders section 167 (ii) (d) (1)
49 Standing order no. 574(4)
50 Standing order no. 581
51 Standing order no. 579
52 Standing order no. 578
53 Standing order no. 570
54 Standing order no. 570

e. Audit Methodology

The audit was conducted in accordance with the AFROSAI-E Performance Audit Handbook and the International Standards for Supreme Audit Institutions (ISSAI 3000 series). It involved examination of the records of activities and analysis of data collected at the MHA, ZPS, Parole Board and selected prisons. There are ninety (90) prisons inZambiaout of which sixteen (16) prisonswere selected for auditrepresenting 18% of the prisons with an estimated prison population of 16000 as of 2012. The selected prisons were based on prisoner population and the nature of prisons i.e. whether remand (Prisons that detain prisoners whose court cases are ongoing) or correctional (Prisons that detain and rehabilitate sentenced prisoners).

The prisons selected were maximum, central, open air and farm prisons with a view of obtaining an understanding on how rehabilitation programmes to inmates are carried out at various levels. The selected prisons are located in five (5) out of the ten (10) provinces namely Central, Copperbelt, Eastern, Lusaka and Southern Provinces**.** (***Appendix 1)***

The detailed methodology was as follows:

i. Documentary review

Documentary review of parole board minutes, annual and quarterly reports, admission, discharge, restorative justiceand counselling records, workshop inspections reports,budgets and work plans for construction and rehabilitation of prisons, funding, procurement records for works, completion reportsetc were carried out. The reasons for documentary review were to gain an understanding of the various rehabilitation processes carried out by the ZPS and the prisons, to establish the criteria, work plans and budgetary allocation of the various programmes and activities.

ii. Enquiry – Interviews and Questionnaires

The structured interviews and questionnaires were administered to key personnel with a view of obtaining confirmation of information obtained from documentary review, understanding of the rehabilitation and reintegration programmes offered by ZPS and primary data to assess the effectiveness and efficiency of the rehabilitation and reintegration programmes. Details of the interviewees are shown at ***Appendix 2***.

iii. Physical Inspections

Physical inspections of the prisons were carried out at all the selected prisons in the company of prison staff.The purpose of physical inspection was to establish the condition of rehabilitation and reintegration infrastructure, tools and materials. Audit evidence was also collected through photographs in order to support evidence gathered through physical inspections.

3. DESCRIPTION OF THE PRISON SERVICE

The ZPSis one of the criminal justice departments under the MHA mandated among others,to provide correctional services thus, contributing to the maintenance of internal security, law and order in the country. It was established to provide for the establishment of prisons, management and control of prisons and prisoners lodged therein, to provide for youth corrective training centres and extra-mural penal employment; and to provide for compulsory aftercare orders.

The mission and goal statement of the ZPS is to effectively and efficiently provide correctional services to inmates among others in order to contribute to the wellbeing and reform of inmates and maintenance of internal security.[55]

a) Strategic Objectives

The strategic objectives of the ZPS according to the strategic plan 2003-2007 were to;

i. Effectively and efficiently manage the human resources in order to attain their full utilization for efficient service delivery to inmates,

ii. Effectively manage and efficiently utilise logistical and material support services in order to efficiently provide correctional services to inmates,

iii. Expedite the review of legislation relating to the treatment of inmates and juveniles and monitor its implementation in order to conform to UN standards minimum rules for treatment of offenders,

iv. Provide for integration of ex-inmates into society in order to reduce reoffending,

v. Provide and disseminate information on the operations of ZPS in order to increase public awareness, and

vi. Develop and implement an institutional capacity building plan for the effective implementation of the prison service reform programme in order to effectively and efficiently deliver services to inmates.

b) Funding

The ZPSreceives funding from Government. During the years 2009 to 2012, Government funding to ZPS amounted to K292 billion as shown in Table 1 below:

Table 1: Funding Details for Zambia Prison Service

Year	Budgeted Amount	Supplementary	Total Authorised Provision	Actual Releases	Over funding	Annual growth of total authorised provision
	K	K	K	K	K	%
2009	37,595,804,965	-	37,595,804,965	49,451,603,953	11,855,798,988	0.0
2010	52,412,251,967	5,630,585,000	58,042,836,967	67,404,297,718	9,361,460,751	35.2
2011	68,682,683,353	14,000,000,000	82,682,683,353	89,375,420,177	6,692,736,824	29.8
2012	94,955,349,965	-	86,553,879,674	86,553,879,674	-	4.5
Total	**253,646,090,250**	**19,630,585,000**	**264,875,204,959**	**292,785,201,522**	**27,909,996,563**	

Source: Budget releases- Budget Office under Ministry of Finance and National Planning

From the table above, the total authorised provision of K37 billion in 2009 increased by 35%, 29% and 4.5% in the years 2010, 2011 and 2012 respectively to K86 billion in 2012.

55 The Strategic Plan 2002-2007

The ZPS also generated some income from agricultural production and other activities. The total income for the period under review was as shown in table 2 below:

Table 2: Income from agricultural production and other activities

Source		2010	2011	Total
		K	K	K
Crop production		4,386,330,000	3,829,865,000	8,216,195,000
Industries				
1. Copperbelt				
	Carpentry	98,358,500	-	98,358,500
	Ceramics	5,113,000	-	5,113,000
	Tailor Shop	905,000	-	905,000
	Metal fabrication	16,775,500	-	16,775,500
2. Lusaka				
	Carpentry	136,820,000	-	136,820,000
3. Central				
	Carpentry	51,687,000	-	51,687,000
	Tailor Shop	24,638,000	-	24,638,000
Total		**4,720,627,000**	**3,829,865,000**	**8,550,492,000**

Source: Annual Reports ZPS 2010 & 2011

c) Organisation structure

The ZPS has a total staff complement of 2,181 comprising 1,872 uniformed staff, 64 non uniformed technical staff, 211seconded officers from PSMD and 34 officers seconded from Ministry of Finance (***Appendix 3)***

4. REHABILITATION AND REINTEGRATION PROCESS OF PRISONERS

According to Section 3 of the OuagadougouDeclaration on Acceleration of Penal and Prison Reforms dated 20th November, 2003, prisons are required to place greater effort to make positive use of the period of imprisonment or other sanctions to develop the potential of offenders and to empower them to lead a crime free life in future. This should include rehabilitation programmes focusing on the reintegration programmes of offenders and contributing to their individual and social development.[56]

In line with international conventions and treaties, the ZPS has also identified the importance of prisoner rehabilitation and reintegration. According to the Prisons Standing Orders and responses to questionnaires issued to key personnel, some of the processes that the ZPS follows are as outlined below;

a) Admission

A prisoner is received into custody of the prison authorities, either at the prison or elsewhere such as police stations. The officer receiving the prisoner first satisfies himself that he or she is the prisoner named in the warrant or order. A docket is then opened and all prisoner data such as name, date of admission to court, future date of discharge, tribe, chief, age and nationality are entered. This information is also entered in a register so that in case the docket goes missing, the information can be traced back to the register. All properties of the prisoner are then recorded in the property book. The prisoner is then taken before the Officer in Charge for admission.

b) Preparation for Prison Life

The prisoners are subjected to medical examination before amedical officer in order to determine their fitness for work. A reception and discharge committee attends to prisoners on first reception. The responsibilities of the committee, after considering the antecedents and circumstances of each prisoner on reception are to: classify the prisoner, determine prisoner's form of training, allocate the prisoner with appropriate accommodation, labour, voluntary visitors, classes; and consider prospects on discharge.

The convicted prisoners are assigned to a rehabilitation program which includes behaviour modification, human development, chaplaincy and inmate care. Finally, the prisoner is integrated into prison life and rehabilitation programmes allocated based on the risk assessment carried out on admission.The details of the rehabilitation programmes are as under listed:

i. Behavioural Modification:

Behavioural modificationis the process of changing deviant behaviour and personality disorders of offenders to that of acceptable standards in society. Behavioural modification is conducted by the Offender Management Officer or Social Welfare Officer, the Prison Chaplain andPsychologist who address the social, spiritual and mental processesof a prisoner'swell being respectively. This involves behaviour observation, anger control, stress management and group or individual counselling. Behavioural modification plays a key role in the rehabilitation of prisoners in that the prisoner will accept their stay in prison and live a law abiding life and in harmony with the general public after discharge.

ii. Human Development

Human development is a process of enlarging people's choices. The most critical of these wide ranging choices are to live a long and healthy life, to be educated and to have access to resources needed for a decent standard of living[57]. According to the ZPS, human development comprises literacy development and vocational skills training.Education and skills training of a prisoner plays many roles i.e. reducing repeat offending through the rehabilitation and reintegration of prisoners

56 Ouagadougou Declaration and plan of action on Acceleration of penal and prison reforms in Africa
57 UN Intellectual history project briefing note No 8, July 2009

into society and securing employment, giving prisoners a real alternative to crime on release. Education also helps to equip the prisoner to deal with complexities of life they often face such as lack of self esteem.Through education the prisoners'aspirations are raised shifting them away fromoffending behaviour to become much more productive members of society.

iii. Chaplaincy

Chaplains are agents of spiritual change in that they occupy a unique position in the prison system. They are trained to help prisonersto develop a healthy and positive spiritual attitude which in turn promotes spiritual growth.Chaplains not only focus on transformation of the mind, but also focus on prisoner disposition and character. In addition, they carry out Family Tie Up programmes through which the inmates are helped to maintain ties with their families and in cases where inmates have no families the inmates are linked to the community through faith based organisations such as churches and also take part in community re-entry programmes, thus aiding smooth reintegration of prisoners and in turn keeping repeat offending by prisoners to a minimum.

iv. Inmate Care

According to ZPS Standing orders, inmate care comprises activities such as risk assessment, case management, sports and recreation. Risk assessment is carried out by the offender management officer to identify suitable rehabilitation programmes for prisoners to be placed in. Recreational programmes, on the other hand, are meant to provide inmates with physical, mental and emotional outlets to enhance their well-being. Recreational activities keep inmates occupied thus giving them much needed mental, physical and emotional release and reducing the boredom of daily life in prison.

v. Special Needs Offenders

This is a programme that offers differential treatment to the following vulnerable inmates: the disabled, elderly, terminally/ chronically ill inmates, female prisoners, juvenile are offenders and those detained under HEPs. Also included in are circumstantial children (Female prisoner's children born or brought into prison by virtue of being infants).

c) Reintegration

The goal of reintegration is to maintain, support, and re-establish the social bonds of individuals who have been charged and convicted of criminal offences. Reintegrationencompasses the evaluation, planning and programming conducted, support services implemented to prepare and assist prisoners to return safely to the community and to re-enter as law abiding citizens, thus reducing stigma, re-offending and promoting public safety. According to ZPS, prisoner reintegration comprises programmes such as restorative justice, family tie ups, job placements, halfway homes and after care or extension services.

i. Restorative Justice Programmes

Restorative justice is the reunion between the offender and the offended. It provides a platform for reconciliation of the offender and the offended and gives prisoners an opportunity to show remorse for their wrongdoings. Restorative justice includes victims and communities and not Government alone. Once the prisoner has served their sentence, the Government treats the offender as a free person but not so with the victims and the community and hence the need for Government to mediate. When prisoners are forgiven by the community, the community acceptance of the prisoner on discharge is high as the prisoner is given help by the community thereby facilitating smooth reintegration of the discharged prisoner into society. Restorative justice programmes recognise the importance of community involvement and initiatives in responding to and reducing crime.

Finally, restorative justice lowers re-offending and crimes of revenge. The role of restorative justice in prisons set up should be initiated by the Offender Management Officer andthe Chaplain.

ii. Family Tie Ups

Family tie ups are programmes designed to keep prisoners in touch with their families. As part of family tie up programmes, ZPS encourage families of prisoners to be in contact with the prisoners. Where the prisoner is not visited, ZPS makes arrangements to contact the prisoner's relatives, to encourage them to visit the prisoner. In some cases, ZPS also encourages unvisited prisoners to be linked to the community through faith based organisationsand other activities such as letter writing.

iii. Job Placements

Job placements are part of community re-entry programmes. Finding work upon release is essential for the rehabilitation of a prisoner, as employment provides stability, much needed income and makes the prisoner less likely to return to a life of crime.

iv. Halfway Homes

The term halfway home refers to transitional living where a prisoner is not fully incarcerated and at the same time not fully at liberty to move in the community. Because most prisoners who are in the community will soon be entitled to be fully reintegrated into a neighbourhood they often provide programmes for gradual release and connection to families. Half way homes are used to shorten prison terms and to alleviate pressure on crowded state prisons.

d) Parole

Parole is the conditional release of a prisoner from prison to serve the remainder of his sentence, subject to prescribed conditions, in the community where he/she comes from. Parole was a system that ZPS had put in place in order to decongest the prisons. Having congested prisons has human rights implications. Despite the primary role of parole in Zambia being decongestion, this, however, does not detract from the traditional rehabilitative role of promoting good prisoner conduct through parole.According to the National Parole Board, parole is rehabilitative in nature in that it is intended to foster good behaviour by releasing the well behaved prisoners before expiry of their sentence. In addition, parole officers perform reintegration assessments for parolees mostly through visits to the prisoner's home. For this programme to work effectively, prisoners must be adequately rehabilitated to ensure that they are reintegrated into society before their actual date of discharge.

e) Community involvement

Community involvement is centred on sensitisation e.g. radio programmes. Community sensitisation is intended to;

- **i.** Inform the public about the existence of the National Parole Board,
- **ii.** Raise awareness that prisoners will be released early and will be supervised. This encourages acceptance of the prisoner into the community,
- **iii.** Inform judicial staff on parole matters so that they are aware that a prisoner will be released before expiry of his sentence,
- **iv.** Clear wrong perceptions, and
- **v.** Reduces anxiety amongst community members.

5. ROLES AND RESPONSIBILITIES OF KEY PLAYERS

a) The MHA

The MHA is responsiblefor maintaining internal security for the purpose of creating an environment where peace, stability and justice prevail in order to promote sustainable social-economic development for the people of Zambia. It is also responsible, for among other things,provision of Prison Services. The roles of the MHA are to:[58]

i. Develop appropriate policies and guidelines and effectively monitor their implementation by specialised agencies such as ZPS in order to keep pace with social and economic changes,

ii. Effectively manage and develop human resources for the efficient performance of the ministry,

iii. Provide and facilitate acquisition and monitor utilization of logistical support for efficient performance of specialised agencies such as ZPS,

iv. Initiate and review legislation administered by departments and specialised agencies in order to improve internal security,

v. Promote regional and international corporation in order to exchange information and conform to regional protocols and international conventions

b) ZPS

The Prison Service directorate is under the command of the Commissioner.The Commissioner is responsible to the Minister of Home Affairs for policy formulation on the management and practice of prisons and reformatories, for establishment of youth corrective centres; andfor ensuring good relations between the ZPS and the Government departments, NGOs, including international institutions, organisations or bodies.

The duties and responsibilities of the directorates under ZPS are as follows:

i. Correctional and Extension Services

The department of correctional and extension services is responsible for correctional and extension services, prisoner's reformation and rehabilitation services; supervision of prisoner's parole administration; administration of all matters pertaining to reformatory schools;human resource development and training;prisoners' education, social and religious programmes; and any other duties as may be directed by the Commissioner from time to time.

The audit focused on the following sections:

- **National Parole Board**

  The National Parole Board isa section within the Prisons Service and falls under correction and extensions services of the ZPS[59]. It isan administrative tribunal that makes recommendations about parole. It conducts hearings for all prospective parolees in order to determine their suitability for release on parole and make recommendations as to who should be granted parole to the Commissioner of prisons thereafter.[60] Some of the roles of the parole board are to: coordinate activities related to and recommend to the commissioner, the release of prisoners on parole; receive and consider applications for parole; recommend to the Commissioner of Prisons the grant or refusal of parole; recommend to the Commissioner of Prisons the suspension or revocation of parole; and any other duties as directed by the Commissioner from time to time.

58 According to the strategic plan 2003-2007
59 The National Parole Board was created under the Prisons Amendment Act no. 16 of 2004.
60 The parole rules are enshrined in Prisons Act Cap 97 Statutory Instrument No. 101 of 2008

- **Prison Social Welfare Officer**

  The prison social welfare officer is responsible for administering rehabilitation and extension services programmes. The prison social welfare officer among other roles performs:

  - Correction services such as probation of offenders, extra mural employment parole and community sentencing orders,

  - Counselling, case work flow management and other non statutory services,

  - Courts and referrals – gather information and follow- ups of juveniles orders, follow up on delayed cases (jail delivery) gather information on offenders applying for parole board for them to make decisions and recommendations on parole board for them to make decisions and recommendations on parole applicants, and

  - After care services order- monitors prisoners' re-entry and reintegration services especially those related under conditional orders such as amnesty compassionate, compulsory after care orders (CACO). He coordinates and supervises the social welfare officers under his unit.

- **Prison Chaplain**

  The Chaplain General and other Chaplains subordinate to him are responsible among other things for providing religious ministry, pastoral care and ethical wellbeing of the prison community; provide community re-entry support programmes such as family tracing, mentoring and restorative justice programmes; supervising all chaplain activities, religious services and the use of religious activities as approved by the Commissioner; liaise and encourage Church Organisations, Prison Fellowship, Community Based Organisations, NGOs, Business Houses, Government departments and individuals on matters relating to spiritual well-being of prisoners; and to manage and coordinate all religious activities.

ii. Medical Services

The medical services department is responsible forthe health of prisoners through peer education training; sensitization programmes at work places; strengthening decentralisation and mainstreaming of HIV & AIDS; carrying out behavioural surveys of HIV/AIDS situations in Zambian prisons;and any other duties as directed by the Commissioner from time to time.

c) Faith Based Organisations

The Prison Fellowship of Zambia is one of the faith based organisation working in conjunction with the ZPS in the rehabilitation and integration process of prisoners. Some of the services offered by the Prisons Fellowship of Zambiainclude the following:

i. spiritual support to help and reform prisoners through preaching;
ii. Spiritual counselling;

iii. Medical services;

iv. Educational support to children of prisoners both inside and outside the prison;

v. Life skills training such as tailoring, tie and dye; and

vi. Start up capital to ex-prisoners.

6. FINDINGS

a) Development of tools to facilitate implementation of rehabilitation and reintegration programmes by ZPS and the MHA

i. Lack of National Policy on the Operation of the Prison Service

MHA and the ZPS have not developed a National Policy on the operations of the prison service in the country to provide Government policy directives on how to manage the prisoners and address their rehabilitation and reintegration needs.

ii. Outdated Legislation

Review of the Act and interviews conducted with the Commissioner of Prisons revealed that the Prisons Act Cap 97 of the Laws of Zambia did not have adequate provisions to guide the prisons in carrying out correctional services. For instance, the current Act only refers to the establishment of the ZPS and control of prisons and prison officers. It does not clearly state the purpose and all the functions of the ZPS. It focuses on custodial services and it does not include the correctional and extension services mandate of the Service.

Although risk assessment of prisoners is important in that it helps identify the rehabilitation needs of the prisoners, the Act does not define the criteria for carrying out the risk assessment of prisoners.

The provisions of the WHO guideline on HIV/AIDS treatment support and care are not enshrined in the Act. The Act was written in 1960 when there was prevalence of diseases such as Gonorrhoea and syphilis but does not address the recent diseases like TB and HIV and AIDS despite being amended in 2004. The requirement to provide supplementary food diets to prisoners is also not stipulated in the law.

The Livingstone Declaration on African Prisons[61] is also not incorporated into the Act. The Ministry of Justice, one of the stakeholders of ZPS, normally convicts inmates with hard labour. However, the Prisons Act does not define what hard labour means. In fact, this is against the convention on humane custodial and correctional services.

The Prisons Act also does not address the roles of the Parole Board. Although the Act was amended by Act No. 16 of 2004, the Amendment Act was not adequate in addressing the roles of the Parole Board. The current laws provides for release of prisoners on parole who have saved not less than two (2) years and remaining with six (06)months before discharge. This provision is prohibitive on its own as many prisoners serving sentences of less than two (2) years are not eligible even if of good conduct and industrious.

Structured interviews further revealed that the Prisons Act, its amendment Act No. 16 of 2004 and the Prison Act Prison Rules, Statutory Instrument No. 101 of 2008 need to be revised to reflect current international practices in the administration of parole such as:

- Migration of parole to judicial where the judge incorporates parole when passing judgement as opposed to administer parole where a prisoner is only eligible after serving a sentence of 2years;
- Review of the eligibility threshold so that more convicts are eligible for parole;

iii. Lack of a Strategic plan

Following the expiry of the 2003-2007 Strategic Plan, ZPS operated without a clear long term direction in that there was no Strategic Plan for the period 2008 – 2012. As of August 2013, ZPS operated without a strategic plan.

61 The Livingstone Declaration on African Prisons

b) Provision of requisite resources by ZPS to prisons to ensure that rehabilitation and reintegration programmes are conducted efficiently

i. Inadequate Staffing

- **Offender Management Officers/Social Welfare Officers**

A review of the staff returns and interviews conducted with personnel from sixteen (16) prisons revealed that two (2) prisons had no Offender Management Officers while the Offender Management Officers for three (3) prisons had no qualifications in social work. The rest of the prisons had qualified Offender Management Officers to carry out counselling on social aspects of prisoner's welfare.

It was also observed that all the prisons did not have a psychologist to offer therapeutic treatment of the prisoners, except for Lusaka Central prison- Chainama Mental Institution that had psychiatrist doctors from MoH and four (4) prisons did not have psychiatrist doctors despite having mentally unsound prisoners. It was established that inadequate staff was due to lack of resources to recruit more staff. The effect was that behavioural modification was not carried out efficiently.

- **Chaplains**

Despite all sixteen (16) prisons having a member of staff carrying out the duties of a chaplain, ten (10) prisons representing 63% of the prisons visited had untrained chaplains serving the inmates.

In addition, despite the international code of chaplaincy requiring the chaplains to have high levels of concentration, Chaplains did not carry out chaplaincy duties exclusively. Chaplains also carried out non chaplaincy duties such as manning the gate and workshop duties, which diverted their attention from conducting effective chaplaincy duties. It was further established that as a result of performing several roles, in some cases, pastoral support was not delivered in the most effective manner. Some case examples of chaplains carrying out duo roles are as indicated in the Table below;

Table 3: Examples of Chaplains carrying out other duties

Prison	Other duties of the Chaplain
Choma	Offender Management Officer and Skills Coordinator
Chipata	Skills Coordinator
Lundazi	Offender Management Officer and Educational Coordinator
Petauke	Gate Security
Livingstone	Offender Management Officer
Kitumba	Officer In Charge

Source: Prisons

There was unequal distribution of the number of Chaplains in the prisons. Except for Kamfinsa and Mwembeshi prisons which had two (2) and three (3) chaplains respectively, all other prisons had one chaplain each.

It was also noted that there was a contrast between the number of inmates in some prisons and the chaplains serving them. For instance, Kabwe Maximum Prison with an inmate population of close to 2000 had only one (1) Chaplain whilst Mwembeshi Prison farm with an inmate population of (345) prisoners, had three (3) trained Chaplains.

Chaplains wore prison officer uniforms as opposed to either civilian clothes or clergy uniformexcept for Lusaka Central and Mwembeshi prisons.According to the Chaplains, this was so because they performed more than one role in the service. The Chaplains further mentioned that it was difficult for inmates to interact freely with them as they were also seen to be hostile like most prison officers. It was

established that the causes for inadequate Chaplains was due to misallocation of labour. The effects were that the prisoners did not receive adequate spiritual and moral support especially individual counselling.

- **Trained primary and secondary school teachers**

Although, the mandate of ZPS included the provision of educational services to the prisoners as part of the rehabilitation and reintegration programme, the organisation structure of ZPS did not support this as no teaching positions are included. The ZPS instead improvised by using officers who were qualified in teaching, prisoners trained as teachers and volunteers, and in some instances teachers were attached to ZPS from Ministry of Education.

Educational programmes were hampered in fifteen (15) prisons by the lack of adequate teachers, except for Livingstone Prison. Enquiries made with Education Officers and OICs in the 15 prisons revealed that a total of 142 teachers were required. However, there wereseventy-eight (78) teachers representing 54% were available leaving a shortfall of sixty four (64) representing 46%. Out of seventy-eight (78) teachers available, only thirty-six (36)representing 46% had qualifications in teaching methodology. See Table 4 below:

Table 4: Showing number of teachers per prison

Prison	No. of teachers required	No. of Staff Teachers available	No. of prisoner teachers available	No. of teachers trained in teaching methodologies	Comments / Remarks
Chingola	9	0	3	0	3 prisoners but not trained.
Chipata	4	0	0	0	Prisoners sent for exams only
Choma	4	1	2	0	Have requested DEBS to provide teachers
Kabwe Female maximum	14	1	9	1	No trained teachers especially in secondary school teachers
Kabwe Male maximum	40	9	19	9	
Kamfinsa Female maximum	10	3	1	3	Shared with the female section
Kamfinsa Male maximum	0	0	0	0	Teachers at male section also teach at female section
Kasenji	10	3	7	7	3 prisoners are not trained
Katombora	10	4	0	2	2 teachers are not trained in teaching methodology.
Kitumba	4	0	2	0	One prisoner teacher was discharge only one available Grade 12 are only assisted with reading materials
Livingstone	10	7	1	8	2 teachers and 3 white sistersare volunteers and 2 qualified officers. 2 retired
Lundazi	3	0	0	0	Only assist inmates write exams (no qualified prisoners)
Lusaka	16	2		2	
Mkushi	4	2	0	2	There is no serious learning the teachers(2) from DEDS don't come often
Mwembeshi	0	0	0	0	No educational programmes are offered but there are plans to start.
Petauke	4	1	1	2	Prisoner teacher only started in January 2013
Total	142	33	45	36	
Percentage	100	**54%**		46%	

Source: Prisons

It was also noted revealed that as a result of the lack of teachers, the few teachers that were available were overwhelmed and in some instances ended up prolonging the teaching periods. Most of the prisons merged grades 1 to 4 and subjected them to literacy classes instead of the required curriculum for grades 1 to 4. This resulted in over-crowding in literacy classes and prolonged the period of teaching thus making learning monotonous.

- **Skilled and trained trade instructors**

According to the Prison management, each prison is supposed to have a qualified instructor in each of the following disciplines carpentry, joinery and upholstery, bricklaying and plastering, farming and gardening, metal fabrication, tailoring, designing and cutting, plumbing and sheet metal, table cloth making, power electrical and automotive mechanics.

However, a visit to the 16 prisons revealed that the prisons did not have adequate qualified instructors and in some cases had no instructors at all as can be seen in table 5below.

Table 5: showing courses offered per prison with trade instructors

Name of prison	Carpentry, joinery and upholstery	Bricklaying and plastering	Farming and Gardening	Metal fabrication	Tailoring, designing and cutting	Plumbing and sheet metal	Table cloth making	power electrical	Automotive mechanics
Chingola	X	X	X	X	X	X	X	X	X
Chipata	√	X	X	X	X	X	X	X	X
Choma	X	X	X	X	X	X	X	X	X
Kabwe Female maximum	*	*	X	*	√	*	√	*	*
Kabwe Male maximum	√	X	X	√	√	X	*	X	X
Kamfinsa Female maximum	*	*	X	*	X	*	X	*	*
Kamfinsa Male maximum	√	√	X	X	√	X	*	X	X
Kasenji	X	X	X	√	X	X	X	X	X
Katombora	√	√	√	X	X	√	*	X	X
Kitumba	X	X	√	X	X	X	*	X	X
Livingstone	√	√	X	X	√	√	X	X	X
Lundazi	X	X	X	X	X	X	X	X	X
Lusaka	√	X	X	√	√	X	X	X	X
Mkushi	X	X	X	X	X	X	X	X	X
Mwembeshi	X	X	√	X	X	X	*	X	X
Petauke	X	X	X	X	X	X	X	X	X

Source: Prisons

X means no instructor available

√ means Trade Instructor was available

***meansskill not available**

In particular there was no single instructor in Chingola, Choma, Kamfinsa Female Maximum, Lundazi, Mkushi and Petauke. At the prisons in Mwembeshi, Kitumba and Katombora the farm manager also acted asgardening and farming instructor. Chipata and Choma only took prisoners for exams without being taught as there were no specific training programmes.

It was further observed that Chipata prison had qualified staff placed in other administrative positions instead of the areas of their specialization. The effect was that qualified staff was performing custodial duties as opposed to offering rehabilitation services to inmates.

Table 6: showing qualified officers misplaced in other services.

Name of prison	Rank	Extra qualification	Working place
Chipata prison	Inspector	Certificate in agriculture/ diploma project planning	Duty room
	Inspector	Certificate in teaching	Reception
	Inspector	N/A	Farm
	Inspector	Trade certificate in carpentry and joinery	Farm In charge
	Sub Inspector	N/A	Farm
	Sub Inspector	Certificate in Agriculture	Male section

Source: Staff returns from prisons

ii. Provision ofReligious Literature and other Ecclesiastical Support

The Chaplaincy units in all the sixteen (16) prisons visited lacked ecclesiastical tools for conducting religious programmes namely; bibles, television sets, musical equipments, hymn books, proclaimers and other religious literature to cater for the prison population.

The cause of inadequate ecclesiastical tools was due to lack of support from ZPS headquarters and failure to mobilize churches and other well wishers to support the prisons. The failure to mobilize churches and other organizations was attributed to inadequate and ineffective communication between the community and prisons lack of transport to visit church organizations. As a result, prisoners lacked religious reference materials for personal spiritual growth resulting in frustration and anger amongst inmates.

iii. Provision of conducive environment for educational programmes

The ZPS had inadequate classroom infrastructure in all its prisons to enable it provideadequate educational programmes for theprisoners as it is mandated. Consequently, cells which had poor ventilation and lighting, offices or libraries were being used as classrooms.

Out of the sixteen (16) prisons visited only five (5) had classrooms specifically built for educational programmes though these were not adequate.

In the case of Kitumba prison, althougha 1x2 classroom block had been constructed, it was not in use as it had not been furnishedas of December 2012.

A 1x2 classroom block -Kitumba Prison

Prisoners learning in the corridors and Dining hall used as classroom and store room-Lusaka central Prison.

According to ZPS Standing Order No. 602, it is the duty of the instructors and officers in charge of workshops and outside labour to set a daily task which will keep prisoners in their charge fully employed for the whole period during which they are required to work and allowance made for learners.

Contrary to the Standing Order, no allowance was made for learners in prisons in the prisons visited where farming took place.

In most of the prisons, the learning environment was not conducive due to noise that came from other prisoners not taking part in the learning and lack of writing boards in some cells.

A cell used as a classroom with no desks, noadequate windows for ventilation and light-Lusaka central prison

A cell being used as both a classroom and a sick bay– Choma prison

Six (6) prisons had no desks and chairs; as a result,prisoners sat on mattresses during class. Kabwe male and Kabwe female prisons had eighty (80) and five (5) desks respectively received from District Education Boards (DEBs). However, all the desks were used in the skills training sections. Petauke prison was given twenty (20) desks by DEBs but due to inadequate space, only five (5) desks were received.

Choma prison piled the desks in a store room in the night and carried the desks to the cell every morning, a practice that resulted in mishandling and ultimately the breakage of some desks. Due to inadequate space at Mkushi prison, five (5) desks received from DEBs were placed in the corridors of the cell where they were exposed to harsh weather conditions such as rain.

iv. Libraries and library facilities

Out of the sixteen (16) prisons visited, nine (9) prisons representing 56% had no libraryfacilities.Of the seven (7) prisons that had library facilities only Katombora prison was using it for the intended purposes while others were using them as either offices for staff or classrooms for prisoners. For prisons without libraries, books were kept in offices without proper shelves or storerooms.

Katombora library the only library used as a library.

Livingstone prison Library also used as an office for education supervisor.

Prisoners learning in the corridors and Dining hall used as classroom and store room-Lusaka central Prison.

Except for Livingstone prison that received adequate supplies of books from co-operating partners and well wishers, the rest of the prisons lacked text books, novels, devotional books and pencils. In some prisons, some of the materials were outdated and did not address the Ministry of Education syllabus needs and the text books were not adequate for the number of prisoners.

The cause for not having libraries was because prisons in Zambia were not purpose built for education of prisoners; instead they were built specifically for custodial services.

The effect of not having note books and pens was that prisoners could not take notes of lessons learnt and later make reference to the notes.

As a result of not having libraries and library facilities, teachers and prisoners had no access to reference and reading materials.In addition, using libraries as offices or classrooms prevented prisoners from access to a suitable reading environment and reading materials. **(Appendix 9)**

v. Provision of protective clothing for skills training programmes.

All the sixteen (16) prisons visited did not have protective clothing for both officers and inmates such as safety shoes, goggles, working suits etc due to failure by the ZPS to follow regulations. As a result, prisoners were exposed to accidents in the workshops and farms.

vi. Release of prisoners on Parole

The total capacity of the (16) sixteen prisons visited was 2,373 prisoners. However, it was noted that the prisons were occupied by 8,971 prisoners which was 278% higher than the maximum capacity. See Table 7 below:

Table 7: Prison inmate holding capacity against actual capacity				
Name of prison	**Initial capacity**	**Actual Average 2012**	**Above Capacity**	**% Variance**
Chingola	40	292	(252)	(630)
Chipata Central (Namseche)	57	664	(607)	(1,065)
Choma	126	275	(149)	(118)
Kabwe Male Maximum(Mukobeko) prison	426	1,967	(1,541)	(362)
Kabwe female prison	35	78	(43)	(123)
Kamfinsa Prison (male and female prison)	800	2,084	(1,284)	(161)
Kansenji prison	78	445	(367)	(471)
Katombora Reformatory School	120	174	(54)	(45)
Kitumba prison	-	115	-	-
Livingstone prison	250	559	(309)	(124)
Lusaka central prison (Chimbokaila)	260	1,277	(1,017)	(391)
Lundazi Prison	28	255	(227)	(811)
Mwembeshi farm prison	40	350	(310)	(775)
Mkushi prison	80	189	(109)	(136)
Petauke	33	247	(214)	(648)
Total	**2,373**	**8,971**	(6,598)	(278)

In an effort to decongest the prisons, ZPS introduced parole programmes in Zambia to release eligible well behaved prisoners earlier than the stipulated date of release. This in turn would free up space in the prisons and resources to help the prisons manage inmates efficiently. Despite some prisoners having been released on parole with the view of decongesting the prisons, the parole programmes have not worked efficiently.

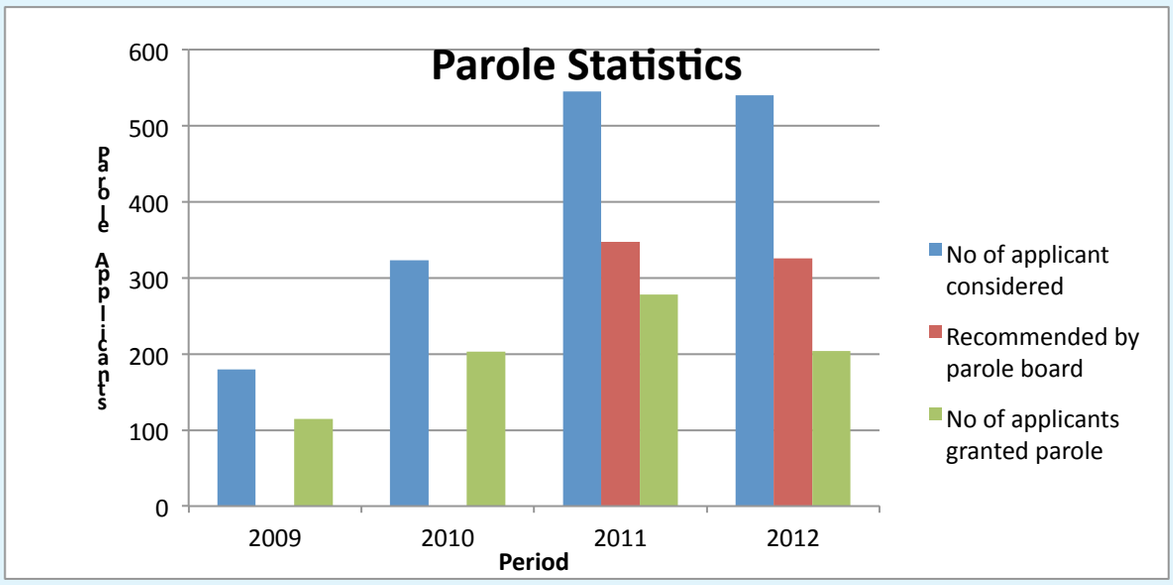
Between 2009 and 2012, a total of 1588 convicts applied for parole, out of which 800 were granted parole, representing 50% approval rate.

Further examination of records revealed that out of the 800 convicts granted parole; only fifteen (15) were females representing less than 1% of parolees.Interview with personnel at parole board revealed that women constituted an insignificant number of parolees because they only constituted about 10% of total prisoners in Zambia and that most female convicts were sentenced to imprisonment for periods less than two (2) years thus making them ineligible for parole.

A further analysis of the records provided by the National Parole Board revealed that there were no records of prisoners recommended by the board to be released on parole for the periods 2009 – 2010. The records provided only showed the number of applicants and the number of parolees. In the absence of records, it was difficult to analyse the trend among the applicants, those recommended for parole and those granted parole in 2009 and 2010.

The National Parole Board recommended 673 convicts for parole out of which the Commissioner approved 482 representing an approval rate of 72% for the period periods 2011 and 2012 see chart below:

Chart 1:



Source: parole board

The differences among the applicants, recommended number of parolees and the actual number of prisoners granted parole were that in order to release the prisoner on parole, assessment was made of the degree and nature of risk to the general public presented by the offender' s release. Some prisoners did not qualify to be released on parole as they were considered too risky to the general public in that such prisoners in some instances did not show signs of restitution or had not taken advantage of the treatment interventions and programmes such as participation in education, skills training or behavioural modification, among others.

Insome provinces,some convicts were not granted parole in November 2012 due to logistical problems such as lack of provincial offices for parole officers and delayed funding. As such the board had to go round all the provinces and in turn this resulted in some prisoners losing their eligibility before the board could sit.

It was further observed that ZPS did not monitor the prisoners released on parole.
A review of relevant records revealed that out of 16 prisons visited, twelve(12) prisons representing 75% did not avail parole monitoring reports. As of December 2012, the ZPS had a total of forty one (41)prisoners on parole. Except for Choma prison where one (1) ex- parolee was made available for interviews, ZPS was unable to avail ex-parolees and serving parolees for interviews in the other fifteen (15) prisons. According to personnel in the prisons, they were unable to avail the parolees and ex parolees due to lack of transport to ferry them to and from their respective areas of residence.
It was also noted that parole officers were not fully trained in the administration of parole such as analytical, social, physiological and statistical skills save for a two weeks program that was undertaken in 2009.

Parole programmes have not been received well by the various stakeholders who feel the prisoners should not be released before their stipulated date of release as ZPS has not carried out vigorous sensitisation to the public on the operations of the board. In the period under review, only two programmes with Members of Parliament were held in Lusaka and Luapula provinces in 2011.

c) Delivery of Rehabilitation and Reintegration Services to Prisoners

i. Provision of individual and group social and psychological counselling to prisoners-Offender Management

Although management at ZPS and sixteen (16) prisons indicated that all the sixteen(16) prisonsconducted social counselling on admission and discharge of prisoners, corroborative interviews carried out with 117 prisoners, representing 73%, out of 156 prisoners interviewed,revealed that they were not counselled by Offender Management Officers or Social Welfare Officers. (**Appendix 4)**

It was also observed that five (5) prisons out of sixteen (16), representing 31% of the total prisons,did not conduct follow-up social counselling of prisoners.**(Table8)**

Table 8: Counselling conducted in prisons

Name of Prison	Counselling on Admission	Follow-up Counselling	Counselling on Discharge	Records of counselling on admission and follow-up
Chingola	Yes	Yes	Yes	Yes
Chipata Central (Namseche)	Yes	Yes	Yes	No
Choma	Yes	Yes	Yes	No
Kabwe Maximum Male (Mukobeko)	Yes	No	Yes	No
Kabwe Maximum Female (Mukobeko)	Yes	No	Yes	No
Kamfinsa Male	Yes	Yes	Yes	No
Kamfinsa Female	Yes	Yes	Yes	Yes
Kasenji	Yes	Yes	Yes	No
Katombora Reformatory School	Yes	Yes	Yes	No
Kitumba	Yes	No	Yes	No
Livingstone Central	Yes	Yes	Yes	No
Lundazi	Yes	No	Yes	No
Lusaka Central (Chibokaila)	Yes	Yes	Yes	No
Mkushi	Yes	No	Yes	No
Mwembeshi	Yes	Yes	Yes	No
Petauke	Yes	Yes	Yes	No

Source: Prisons

It was further observedthat all the eleven (11) prisons that carried out the follow-up social counselling, the social counselling was not carried out to all prisoners but only targeted to a few individuals that misbehave in the prison. (**Table 9)**

Table 9 - Prisoners Counselled Per Year

Name of Prison	Population				Prisoners Counselled Per Year			
	2009	2010	2011	2012	2009	2010	2011	2012
Chingola	317	340	326	292	33	20	93	80
Chipata	530	580	600	664	100	430	348	453
Choma	237	246	253	275	-	-	-	119
Kabwe Maximum Male	1578	1807	1936	1967	120	257	752	2008
Kabwe Maximum Female	73	78	78	78	8	15	21	46
Kamfinsa Male	2009	2032	1893	2082	156	368	1,088	2082
Kamfinsa Female	-	-	-	-	9	18	11	15
Kasenji	411	451	466	445	33	68	320	144
Katombora	124	153	169	174	34	76	109	121
Kitumba	68	89	109	115	38	47	56	11
Livingstone	531	553	549	559	-	-	-	255
Lundazi	276	200	268	255	-	20	17	119
Lusaka Central	1190	1208	1245	1277	40	89	187	10
Mkushi	148	154	183	189	7	9	11	17
Mwembeshi	169	267	356	350	64	87	156	267
Petauke	173	224	264	247	21	49	50	55

Source: Prisons- Offender Management Reports

Fourteen (14) of the prisons, representing 88%, did not have records of prisoners counselled on admission, follow up and dischargeto confirm that this activity was carried out,either individually or as a group. Onlytwo (2) prisons provided records of counselling sessions and the nature of counselling provided. **(Table 9)**

The audit also revealed that all the sixteen (16) prisons did not carry out psychological counselling or therapeutic treatment to prisoners.

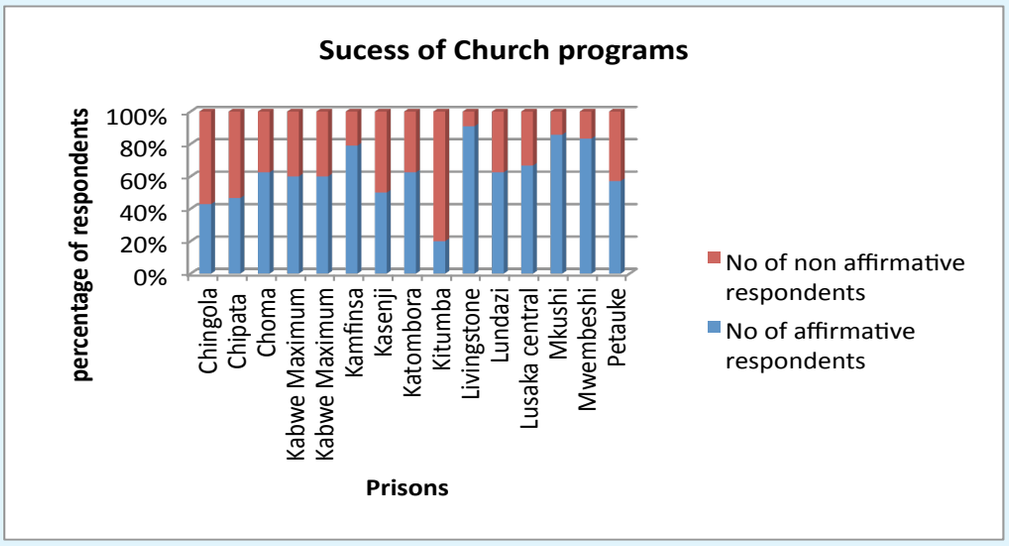
ii. Delivery of individual or group spiritual counselling-Chaplaincy

Although all sixteen (16) prisons conducted both individual and group spiritual counselling with inmates, there were no counselling records in all sixteen prisons to show how many prisoners had been counselled and the nature of counselling conducted. All the sixteen (16) prisons had no Chaplaincy unit work plans.

It was observed that out of 156 prisoners interviewed, 102 prisoners, representing 65% indicated that church programmes were beneficial in their reformationand that church programmes were the only successful rehabilitation activity.

Further analysis indicatedthat in six (6) prisonspositive responses to the effectiveness of church programmes ranged from 70% to close to 90%. The only prisons where less than 50% of the respondents indicated that they felt church programmes were ineffective were four (4).**(Chart2)**

Chart 2: Numbers of Respondents (in percentages) who felt that the Church Programmes were successful



Source: Prisons

It was noted that the success of church programmes was compromised by the lack of chapels in most prisons. In this regard, except for three (3) prisons, all other prisons did not have chapels to support ecclesiastical programmes.

iii. Delivery of education and skills training programmes

Both formal education and skills training had been carried out to a limited extent in the prisons visited and there were six (6) and three (3) prisons that did not offer any skills training and formal education to prisoners respectively. **(Appendix 5 and 6)**

Although four (4) out of the six prisons indicated that they offered farming and gardening skills to prisoners, there were no records to show the number of prisoners that benefited from the farming and gardening skills training, and there was no prisoner that had been trade tested in farming and gardening skills. Failure to trade test the prisoners in farming and gardening skill was attributed to failure by ZPS to collaborate with the agriculture institutes under the Ministry of Agriculture and Livestock.

A review of documents revealed that 33 and 40 prisoners were trade tested in various skills in 2009 and 2010 respectively while 198 and 420 prisoners were trade tested in various skills in the years 2011 to 2012 respectively.

During the period under review, 128 prisoners representing 13% of total of 985 enrolled prisoners did not complete their vocational skills training and most prisoners who were still undergoing training were taught in levels starting with level 3 and ending with level 1 which is the highest level of achievement under Technical Education, Vocational and EntrepreneurshipTraining Authority (TEVETA) accreditation. Only one prisoner had reached level 1of TEVETA training in the period under review.

The audit also revealed that no action was taken to ensure that discharged prisoners completed their training outside prison.Except for one (1) prison- Katombora Reformatory School, where some juvenile prisoners were released on licence, the other prisoners that were discharged from the fifteen (15) prisons before completion of skills training were discharged without being placed on any licence or compulsory aftercare order.

Ideally, all convicted prisoners were eligible for vocational skills training; Except for Katombora Reformatory School that detained juveniles until completion of training programmes, the rest of the prisons only considered prisoners serving six months and above for vocational skills training. The rest of the prisoners were taken for prison labour activities.

Out of the sixteen (16) prisons, thirteen (13) prisons had a female section. Of the thirteen (13) prisons that had a female section, ten (10) prisons actually had female prisoners in custody as of March, 2013. Of the ten (10) prisons that had female prisoners, five (5) prisons had no skills training programmes for the female convicts.**(Table 10)**

Table 10- Prisons offering skills training programmes for female prisoners

Name of Prison*	Prisons with female sections	Availability of skills training programmes
Chingola	Yes	No
Chipata	Yes	Yes
Choma	Yes	No
Kabwe Maximum female	Yes	Yes
Kamfinsa Female	Yes	Yes
Kasenji	Yes	Yes
Livingstone	Yes	Yes
Kitumba	No	No
Lusaka Central	Yes	Yes
Lundazi	Yes	No
Mkushi	Yes	No
Petauke	Yes	No

***Kamfinsa male, Katombora Reformatory, Mwembeshi and Kabwe Maximum male prisons have been omitted as they are strictly male prisons**

There were six (6) prisons outof the ten (10) prisons that had juveniles in their custody that did not have skills training and literacy development for juveniles.

Out of a sample of 156 convicted and ex-prisoners, thirty (30) prisoners representing 20% were not aware of the training programmes offered in prisons. Out of the 80% that were aware of the training programmes,27% mentioned that they were informed of the training programmes by fellow prisoners and not the reception and discharge board

iv. Risk assessment

Except for Lundazi prison, the other fifteen (15) prisons visited had Reception and Discharge Committees in placehowever; no minutes of meetings for these committeeswere availed for audit. In this regard, there was no evidence to show that risk assessment and case management had been conducted by the Offender Management Officers and the ideal rehabilitation programme recommended to the committees. There was also no evidence to show that the committees had allocated rehabilitation programmes to prisoners according to their assessed needs.They simply asked the prisoners the nature of their work before incarceration and then labour would be assigned to them accordingly. Furthermore, ZPS headquarters did not carry out orientation of Offender Management Officers to explain what was expected of them.

In fact, ZPSheadquarters and all the sixteen (16) prisons visited had not set any targets for the number of prisonersthey intended to reach annually with rehabilitation and reintegration programmes. For instance, there were no target number of prisoners for each prison who were supposed to be involved in vocational skills training, educational programmes, social, spiritual and psychological counselling, job placements, restorative justice, family tie up, halfway home and parole annually.

v. Treatment of prisoners held at His Excellency's Pleasure (HEPs)

According to the UN rules on treatment of offenders, persons who are found to be insane should not be detained inprison and arragements should be made to move them to mental institutions as soon as possible under medical management.

However, it was observed that there were seventy-eight (78) mentally unsound prisoners in five (5) prisons who were held under HEPs. Except for Lusaka Central Prison which had a separate mental institution at Chainama Mental Institution,the other four prisions were holding insane prisoners in the same environment as regular prisoners. It was further noted that,in Livingstone Central Prison, the mentally unsound prisoners were co-mingled with juveniles while in Kasenji Prison, they were detained in a penal block. **(Appendix 7)**

vi. Transfer of juveniles to receiving centres

According to Section 94 (2) of the Juveniles Act Cap 53 of the Laws of Zambia, any juveniles to whom a reformatory order has been made shall be conveyed forthwith to the receiving centre without awaiting the confirmation of the order by the high court.

Contrary to the law,640 juveniles in six prisons were detained for periods ranging from sixteen (16) days to 3years 7 months without being transferred to a reformatory school. See Table 11 below:

Table 11: Delayed Transfer of Juveniles

Name of Prison	2009	2010	2011	2012	Total Number of Juveniles	Shortest period of stay	Longest period of stay
Chingola	10	16	21	13	60	1month 1day	9months
Chipata	13	23	25	28	89	1 month	4months
Kabwe Maximum Male	2	1	1	2	6	2 months	3yrs 7months
Kamfinsa Male	35	29	22	31	117	16 days	1yr 6months
Livingstone Central	48	40	26	34	148	27 days	9months
Lusaka Central	71	67	42	40	220	1month 5days	2yrs 1month
Grand Total					**640**		

***Other prisons did not have convicted juveniles in their custody**

It was also noted that five (5) out of the eleven (11) prisons that had juveniles in their care did not have separate cells for juveniles contrary to the Juveniles Act. **(Appendix 8)**

Some of the reasons advanced for failure to transfer juveniles to reformatory school included lack of transport and lack of space in the reformatory school. Further analysis of the records at Katombora Reformatory School revealed that the school with the design capacity of 120 prisoners was overcrowded throughout the period under reviewas shown in table 12 below:

Table 12: Population against Capacity- Katombora Reformatory School

Years	2009	2010	2011	2012
Design Capacity	120	120	120	120
Population	145	134	143	162
Variance	-25	-14	-23	-42

Source prisons

vii. Awareness campaigns for prisoners

All the sixteen (16) prisons had prisoners convicted for substance abuse in their custody. Contrary to the Standing Orders, four (4) out of the sixteen (16) prisons visited namely Kitumba, Lusaka Central, Lundazi and Petauke prisonsdid not conduct awareness campaigns for prisoners convicted for substance abuse.

This was in spite of the fact that during the period 2009 to 2012, ranging from 627 to 899 prisoners was convicted for substance abuse. See **Table 13**below for details.

Table 13: Number of prisoners convicted with substance abuse

Station	2009	2010	2011	2012
Maximum Security	20	15	24	38
Kabwe Female	13	17	9	8
Kitumba	-	-	-	10
Mkushi	25	23	20	15
Livingstone	44	107	50	61
Katombora	4	3	6	3
Choma	34	47	19	28
Chipata	92	109	121	114
Lundazi	28	48	60	50
Petauke	9	24	4	10
Kamfinsa	233	205	134	302
Kansenshi	156	122	86	110
Chingola	133	71	70	98
Kamfisa Female	-	-	24	15
Lusaka Central	-	-	-	37
TOTAL	**791**	**791**	**627**	**899**

Source: Prisons

Further analysis from the responses of the 156 prisoners interviewed, a total of sixty five (65) prisoners representing 42% had not been sensitized on the dangers of drugs while two (2) were not sure if sensitization had been carried out.

viii. Provision of sporting and recreation activities

There were no recreational activities provided for female prisoners at four (4) of the prisons visited namely Choma, Lusaka Central, Lundazi and Petauke. With the exception of Katombora Reformatory School which offered a wide variety of sporting activities, only football or netball were offered at the remaining prisons thus, no activities were available for prisoners not interested in those two sports.

It was also observed that eleven prisons did not provide recreational facilities recommended for terminally or chronically ill prisoners such as board games or puzzles.

The chart below shows the numbers of prisoners involved in recreational activities at each prison.

Chart 3: showing prisoner's involvement in recreational activities at each prison.

Source: Prisons

As can be seen the chart above, seventy eight (78) out of 156 prisoners interviewed took part in sporting and recreational activities representing 50% of the respondents.

Prisoners who did not participate in sporting and recreational activities indicated that they were not interested in the recreational activities being offered as they were restricted only to football or netball, others mentioned that facilities were not available for them to participate such as pool tables, basketball courts and chess boards among others while others mentioned that more time was spent on farming and gardening work.

The prisoners who were asked if the sporting activities were important to them mentioned that sporting and recreation activities were very important in that prison life was very stressful and that sporting and recreation activitiesacted as an exercise programme and reduced negative thoughts as they kept their minds busy. Other prisoners revealed that in the absenceof sporting or recreation activities, prisoners spent more time listening to crime stories from re-offenders and in turn made them more susceptible to re-offend.

ix. Facilitation of Restorative Justice Programmes

Out of the sixteen (16) prisons visited, only four (4) prisons namely Chingola, Kasenji, Katombora and Mwembeshi prisons carried out restorative justice programmes. However, the four prisons that carried out the programmes did not maintain records to show the number of prisoners that had benefitted from this programme. The remaining twelve (12) prisons representing 75% of the prisons visited, did not facilitate restorative justice programmes.

Further, of the 156 respondents, 130 prisoners representing 83% of the respondentswere not aware of the restorative justice programmes while the twenty six (26) respondents who were aware of the programme stated that they had not participated in the programmes. In addition the prisoners stated that they would like to be reconciled with the people they offended before being released.

Failure by the ZPS to implement this initiative results in ex-prisoners facing challenges to rejoin society once released. Case examples of prisoners who had challenges in reintegrating into the community include one (1) juvenile ex convict in Mkushi prison who mentioned that one of the victim's relative

was not happy that he was out of prison. For instance, in Chipata prison, one (1) parolee was chased from the community by the chief.[62]

x. Job placements

Except for Kasenji Prison that managed to place one (1) prisoner in employment, theother fifteen (15) prisons did not carry out job placements for prisoners.

A review of documents at the prisons visited further revealed that a total of 1,556 prisoners had re-offended between 2009 and 2012 withMwembeshi prison recording the highest number at 43% of the total population of re-offenders. (Table14)

Table 14 : Total number of re-offenders at each prison

Station	2009	2010	2011	2012	Total
Chingola	16	20	22	38	96
Chipata	35	38	30	30	133
Choma	23	18	9	19	69
Kabwe Female	-	2	2	2	6
Kabwe Maximum Security	19	15	23	38	95
Kamfisa Female	-	-	-	1	1
Kamfinsa	132	109	135	127	503
Kasenji	98	86	71	62	317
Katombora Reformatory	-	-	-	-	-
Kitumba	-	-	-	30	30
Livingstone	44	107	-	-	151
Lundazi	6	14	10	8	38
Lusaka Central	4	6	1	8	19
Mwembeshi	-	-	-	-	-
Mkushi	17	15	10	8	50
Petauke	14	13	15	6	48
TOTAL	408	443	2,339	2,389	1,556

Source: Prisons

The ex-prisoners and re-offenders interviewed revealed that the ZPS did not arrange job placements for them or any form of financial support upon release.

Although the prisoners were given vocational and farming skills, they were not given any financial or material support such as start up capital, farming inputs (seeds and fertiliser), tools for carpentry and joinery etcto help them settle in the community.

According to interviews held with officialsit was revealed that parolees and other prisoners released on normal discharge were not supported by Government financially or otherwise. Furthermore the officials stated that lack of support had the potential to predisposition prisoners to re-offending.

A review of the parole monitoring reports from the offender management unit in Chipatafurther revealed that prisoners in urban areas found it difficult to settle in the community and were more likely to re-offend than their rural counterparts. For those in rural areas, customary land may be obtained for farming and gardening while for those in urban areas it was difficult to settle without tools or start up capital which Government provided in the past.

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xi. Provision of family tie up programmes

Although the ZPS has a family tie up programme which is aimed at establishing and maintaining communication with relatives of the prisoners it was observed that,with an exception of Kabwe Male Maximum prison, fifteen (15) prisons, representing 94%, did not have records of the prisoners that were not visited by their families.In addition, there were no records to show which familiesZPS had contacted on behalf of the prisoners.

Interviews with fifty eight (58) prisoners out of 156 prisoners interviewed revealed that they were not visited by their families whilst in prisons. According to the prison officials, some of the reasons for failure to link prisoners with their families included lack of transport and other communication facilities liketelephones to carry out the family tie up programmes.

xii. Provision of Halfway Homes

The ZPS had not established any Halfway Homes to provide reintegration and transitional services to offenders who are at the end of their institutional sentence. The only Halfway Home in Zambia is one offered by the Good Samaritan Centre in Kabwe, a non-governmental organisation.

7.CONCLUSION

From the audit that was carried out, the following can be concluded

a) Development of tools to facilitate the implementation of rehabilitation and reintegration programmes

On the development of tools to facilitate the implementation of rehabilitation and reintegration programmes the following can be concluded;

- MHA has not developed a National Policy on the operations of the prisons service that include rehabilitation and reintegration needs of prisoners,
- MHA has not reviewed and formulated laws governing the operations of the ZPS, as a result Government has not domesticated the international and regional treaties on rehabilitation and reintegration of prisoners that it has signed and ratified,
- The ZPS has been operating without a strategic plan since the expiry of the previous plan in 2007,

The cause of failure to provide tools to facilitate implementation of rehabilitation and reintegration services is that MHA and ZPS has not placed much emphasis on these services.

As a result of using out dated laws and the lack of a National Policy on the operations of the prison service, ZPS have failed to deliver correctional services to prisoners in line with current international practices.

b) Risk Assessment

ZPS has not carried out risk assessment of prisoners to assess the suitability of itsrehabilitation programmes to be assigned to prisoners. Some of the reasons were that the reception and discharge boards in prisons did not meet regularly to carry out risk assessment. As a result not carrying out risk assessment, prisoners were being allocated rehabilitation programmes which do not suit or meet their needs

c) Counselling of Prisoners

Prisoners are not subjected to social counselling at the time of admission and discharge. Follow up groups or individual social counselling is not strictly adhered to. In addition, prisons do not subject the prisoners to psychological counselling or therapy in order to address mental problems. Failure to conduct social and psychological counselling is due to shortage of Offender Management Officers and psychologists respectively. Counselling was also hampered by a lack of appropriate facilities for private counselling sessions to be held with prisoners.

Although spiritual counselling has been carried out to a greater extent, the Chaplains face a lot of challenges such as lack of religious literature, lack of chapels, lack of clergy uniforms and other ecclesiastical tools. In addition, prisons do not maintain records of social, psychological and spiritual counselling.

Furthermore, ZPS is unable to provide reasons as to why they do not maintain counselling records. In the absence of counselling records, it is difficult for Chaplains to conduct follow up counselling

The failure to provide counselling services may result in dysfunctional attitudes, beliefs and values, violent tendencies, poor communication and interpersonal skills and high stress levels amongst the inmates.

d) Skills Training and Educational Courses

Skills training and educational courses are carried out to a limited extent and in some prisons these are not carried out at all due to a lack of trade instructors, teachers, workshop materials and equipment.

Prisons are originally built for detention purposes and not education and skills training. Furthermore, the emphasis is placed on commercial production of farm produce than education and skills training.

Due to various reasons which include failure to pay for exam fees, transfer of prisoners to other prisons and discharge on presidential amnesty and parole, some prisoners are unable to complete their educational and skills training. In addition, the Commissioner does not invoke his powers to ensure that prisonersare compelled and monitored to ensure that they complete their rehabilitation programmes outside prison.

Failure to complete education and skills training may result in released prisoners having low self-esteem and failure to secure employment or engage in other economic activities after release from prison, thus increasing the chances of repeat offending.

e) Special Needs Prisoners

The ZPS has failed to fully address the needs of special needs prisoners. For instance, mentally unsound prisoners who are held under HEP are detained in prisons instead of mental institutions while some juveniles are held in adult prisons for long periods without being referred to reformatory schools.

Some of the reasons for failure to address the needs of special needs prisoners include inadequate transport, inadequate infrastructure, delays in preparing court orders for juveniles to be transferred to the reformatory school and lack of psychiatrists to carryout therapeutic treatment programmes.

Failure to address the needs of special need improper guidance and planning of the mentally unsound prisoners' therapy and rehabilitation needs, juveniles being exposed to bad behaviour from adult prisoners and delayed rehabilitation intervention.

f) Parole objectives are not being achieved

Some prisoners are not granted parole as they have not taken full advantage of the rehabilitation programmes while others have lost their eligibility due to expiry of their sentences. Some of the causes for loss of eligibility for parole are:

- parole hearings are not being conducted on time by the National Parole Board due to apathy resulting from non- payment of allowances to the board members and lack of suitable transport to carry out parole hearings in prisons outside Lusaka as the NPB is based in Lusaka

- high staff turnover and lack of trained parole officers to handle parole matters

Failure to grant parole has resulted in the Board not meeting its intended objective of decongesting the prisons by releasing deserving prisoners before the expiry of their sentences and denying deserving prisoners the opportunity to take advantage of the benefits of early reintegration into society.

Lack of qualified staff may result in the Board being unable to generate qualitative data and perform social welfare assessments on each individual parolee. A parolee who is not adequately assessed for suitability is a risk to public safety.

g) Lack of coordination between ZPS and the community

The community at large, which includes faith based organisation, NGOs etc, plays an important role in the rehabilitation process of an inmate and support Government in the delivery of correctional services to inmates. The community is instrumental in providing support such as spiritual support, food supplements for special needs prisoners, clothing, toiletries, and note and text books.

There is no systematic coordination between ZPS, churches and the community at large. This is due to lack of adequate and effective communication between the churches and prisons. In the same vein, sensitisation programmes are not aggressive and as result ex-convicts are exposed to stigma from the community. Stigma has a negative impact on prisoner re-entry into society.

h) Inadequate provision of reintegration programmes

The ZPS has failed to implement reintegration programmes such as restorative justice, family tie ups, job placements and halfway homes. Failure to conduct reintegration programmes is caused by lack of transport, manpower and infrastructure to house halfway homes for prisoners.

As a result of inadequate provision of reintegration programmes, prisoners are not successfully reintegrated into society upon discharge, which results in re-offending. In addition, failure to carry out restorative justice programmes results in victims and ex offenders living without peace and hence seeking revenge from the victim that could result in more crime.

8. RECOMMENDATIONS

The following recommendations are being proposed:

a) Use of outdated legislation and guidelines by ZPS

MHA and ZPS should ensure that a comprehensive national policy on Internal Security is developed which addresses rehabilitation and reintegration needs of prisoners. The Prisons Act should be revised to conform to international standards. The Prison Service should develop a strategic plan incorporating strategies on rehabilitation and reintegration of prisoners.

b) Risk assessment not efficiently carried out

The Offender Management Officer should conduct risk assessment regularly and advise the officer in charge through the Reception and Discharge Committee on appropriate rehabilitation programme a prisoner will undergo. The Reception and discharge committee should also meet regularly to determine which form of training a prisoner should undergo.

ZPS should set clear targets for each prison on how many prisoners should undergo a particular rehabilitation programme. ZPS should monitor the performance of each prison against the set goals and targets to ensure that rehabilitation programmes are not carried out haphazardly.

c) Inadequate counselling of prisoners

The Prison Service should ensure that all prisoners are counseled regularly. The counseling sessions should be well documented to include the nature of the problem with due regard to the prisoners' privacy concerns. Follow up mechanisms should also be put in place to find out how the prisoners are coping after the intervention.The Service should employ and train officers in social work to conduct efficient counseling. In addition, the Service should deploy a psychologist to each prison and the prisons should liaise with the DEC to conduct awareness campaigns on substance abuse regularly.

The Prison Service should pay particular attention to prisons where the success of church programmes was rated low and re-focus church programmes in those prisons. There should be an adequate number of Chaplains to match the number of prisoners in each prison.Chaplains should be allowed to carry out exclusive Chaplaincy duties in order to enhance success of church programmes. In addition, Chaplains must be dressed in either civilian clothes or clergy attire in order to enhance prisoner acceptance of the Chaplain.

d) Skills training and educational courses are carried out to a limited extent

Prisoners discharged before completion of their relevant skills training programmes should be placed on CACO to ensure they complete their training programmes outside prison.The Prison Service should come up with short term rehabilitation programmes to meet the needs of short term prisoners.The Service should deploy more primary and secondary school teachers to match the number of prisoners at each prison.

e) Needs of Special Needs prisoners not addressed

ZPS and the prisons should ensure that rehabilitation needs of special needs prisoners are taken care of. HEPs should be detained in mental health institutions and given appropriate care. Juveniles should be transferred to a reformatory school as soon as they are convicted at the courts.Women's rehabilitation needs should not be left out.

f) Achieving parole objectives

ZPS and Prisons should ensure that Parole hearings are carried out on time to ensure eligible applicants are not disadvantaged. More officers should be trained in the administration of parole.

Parolees should be monitored and supervised at all times. Community sensitization programmes on parole should be enhanced. The prisons should use parole effectively to decongest prisons and save resources on rehabilitation interventions

g) Lack of coordination between ZPS and the community

ZPS and the prisons should ensure that Churches and other faith based organisations are engaged and lobbied, particularly in areas where there is little support, to help in the provision of material and health needs of prisoners**.** More bibles and other religious literature should be sought through churches and other community members**.** In addition, ZPS should carry out vigorous sensitization programmes to reduce stigma.

h) Inadequate provision of reintegration programmes

The ZPS should encourage, support and document restorative justice programmes in all prisons. The Prison Service should also initiate job placements and other forms of support for discharged prisoners and parolees. The Government should consider employing ex-convicts in view of the fact that Government itself spends resources to rehabilitate inmates. The Prison service should initiate and maintain family tie ups for all prisoners.

9. APPENDICES

Appendix 1

AUDITEES VISITED

Auditee	Location
MHA	HQ
ZPS	HQ
Parole Board	Lusaka
Prisons	
Central Province	Regional Prisons Office
	Kabwe Maximum Male (Mukobeko) Prison
	Mkushi Prison
	KitumbaFarm Prison
	Kabwe Maximum Female (Mukobeko) Prison
Southern Province	Regional Prisons Office
	Livingstone Central Prison
	ChomaPrison
	Katombora Reformatory School
Copperbelt Province	Regional Prisons Office
	Kamfinsa Male Prison
	Ndola Central (Kasenji) Prison
	Chingola Prison
	Kamfinsa Female Prison
Lusaka Province	Regional Prisons Office
	Lusaka Central (Chimbokaila) Prison
	MwembeshiFarm Prison
Eastern Province	Regional Prisons Office
	Chipata Central (Namuseche) Prison
	Petauke Prison
	Lundazi Prison

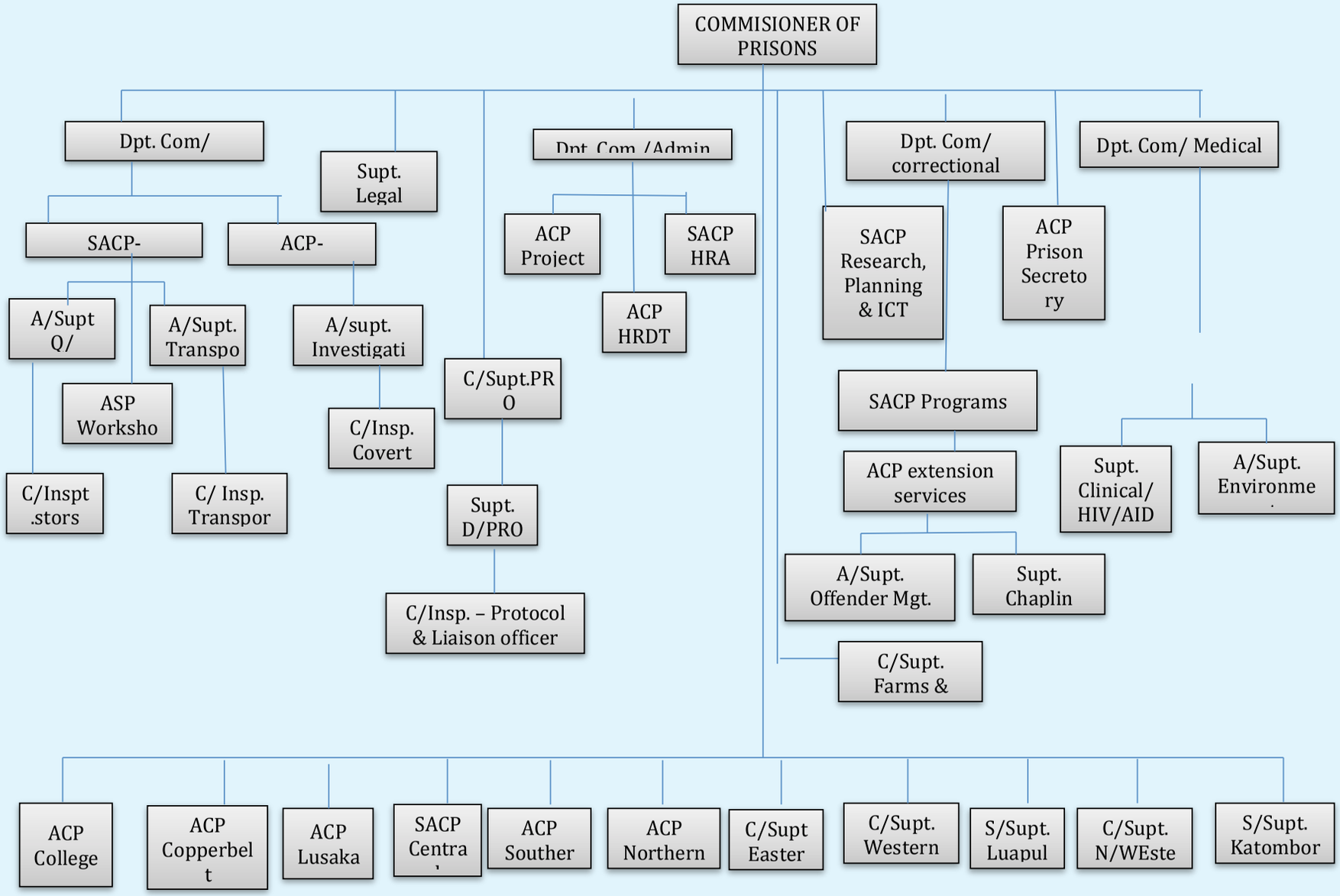
Appendix 2

List of people interviewed

1. Deputy Permanent Secretary MHA,
2. Procurement Officer MHA,
3. Principle Accountant MHA,
4. Commissioner of Prisons,
5. Deputy Commissioner-Finance and Administration,
6. Assistant Commissioner- Correctional/Extension services,
7. Assistant Commissioner- Farms Industry and Projects,
8. Chaplain General,
9. Officers in Charge,
10. Offender Management Officers,
11. Chaplains, farm Managers,
12. Buildings Engineer-ZPS,
13. National Parole Board Secretary,
14. Assistant Board Secretary- Parole Board,
15. Executive Director- Prisons Fellowship,
16. Prison Educational & Skills Coordinators,
17. Farm Manager- Zambia-Egyptian Programme
18. 156 Prisoners (comprising 146 convicted and 10 ex-prisoners)

ORGANIZATIONAL STRUCTURE OF ZPS

Appendix 3



Appendix 4

Table 3: Number of Prisoners counselled and not counselled against the population of convicts

Name of Prison	Type of prisoner	Population of Convicts	No. of respondents	No. Counseled in the prison	prisoners not counseled
Chingola	Convicts	422	7	1	6
	Ex-Convicts		-	-	-
Chipata	Convicts	466	15	7	8
	Ex-Convicts		-	-	-
Choma	Convicts	161	5	1	4
	Ex-Convicts		2	-	2
Kabwe Maximum Male	Convicts	1,310	5	-	5
	Ex-Convicts		-	-	1
Kabwe Maximum Female	Convicts	59	5	-	5
	Ex-Convicts		-	-	-
Kamfisa Male	Convicts	1,881	34	11	22
	Ex-Convicts		-	-	-
Kamfisa Female	Convicts	28	4	2	2
	Ex-Convicts		-	-	-
Kasenji	Convicts	438	12	5	7
	Ex-Convicts		2	-	2
Katombora	Convicts	162	8	7	1
	Ex-Convicts		-	-	-
Kitumba	Convicts	115	5	1	4
	Ex-Convicts		-	-	-
Livingstone	Convicts	375	11	3	8
	Ex-Convicts		-	-	-
Lundazi	Convicts	147	6	-	6
	Ex-Convicts		2	-	2
Lusaka Central	Convicts	429	12	3	13
	Ex-Convicts		3	-	3
Mkushi	Convicts	101	5	-	5
	Ex-Convicts		1	-	1
Mwembeshi	Convicts	345	7	2	5
	Ex-Convicts	-	-	-	-
Petauke	Convicts	263	5	-	5
	Ex-Convicts		-	-	-
Total		**6,702**	**156**	**43**	**117**
Percentage (%)				**28**	**75**

Source: Prisons

Appendix 5

Table showing number of prisoners trained in life and vocational skills

Year		2009				2010				2011				2012			
Name of prison*	Skills offered in the prison**	No. Enrolled	No. Trade tested	No. Passed	No. no t completed	No. enrolled	No. Trade tested	No. Passed	No. no t completed	No. enrolled	No. Trade tested	No. Passed	No. no t completed	No. enrolled	No. Trade tested	No. Passed	No. no t completed
Chipata	**C & J**	9	0	0	9	10	0	0	10	21	13	10	8	22	20	-	2
	B&P	5	0	0	5	6	0	0	6	7	7	7	0	13	8	-	5
	PE	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0
	AM	0	0	0	0	0	0	0	0	0	0	0	0	1	1	0	0
	T&D	0	0	0	0	0	0	0	0	**0**	**0**	**0**	**0**	**1**	**1**	**0**	**0**
Kabwe Female maximum	**T&D**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**12**	**12**	**12**	**-**	**05**	**05**	**05**	**-**
Kabwe Male maximum	**C&J**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**45**	**42**	**42**	03	91	87	87	04
	M F	0	0	0	0	0	0	0	0	10	10	09	01	51	48	48	3
	D , C&T	0	0	0	0	0	0	0	0	31	27	27	04	63	58	58	05
	AM	0	0	0	0	0	0	0	0	15	12	12	03	57	52	52	05
	B&P	0	0	0	0	0	0	0	0	0	0	0	0	22	17	17	3
	Elect	0	0	0	0	0	0	0	0	0	0	0	0	07	06	06	1
	P&SM	0	0	0	0	0	0	0	0	0	0	0	0	01	01	01	-
	T&C	0	0	0	0	0	**0**	**0**	**0**	**04**	**04**	**04**	**-**	**11**	**10**	**10**	**01**
Kamfinsa Male maximum	**C&J**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	0	9	9	9	0	14	14	11	03
	B&P	0	0	0	0	0	0	0	0	13	13	13	0	22	22	21	01
	T&D	0	0	0	0	0	0	0	0	5	5	5	**0**	**16**	**16**	**16**	**0**
Kasenji	**MF**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**12**	**12**	**12**	**-**	**14**	**14**	**14**	**-**
Katombora Reformatory School	**C&J**	**7**	**7**	**7**	**0**	**0**	**0**	**0**	**0**	**6**	**0**	**0**	**0**	**21**	**0**	**0**	0
	B&P	10	10	5	0	0	0	0	0	10	0	0	0	31	0	0	0
	T,C&D	1	0	0	0	0	0	0	0	7	0	0	0	16	0	0	0
	P&SM	13	**9**	**9**	**4**	**0**	**0**	**0**	**0**	**7**	**0**	**0**	**0**	**26**	**0**	**0**	**0**
Livingstone	**C&J**	**11**	**0**	**0**	11	12	0	0	12	15	0	0	15	16	14	13	2
	B&P	0	0	0	0	0	0	0	0	0	0	0	0	16	14	13	2
	P&SM	0	0	0	0	0	0	0	0	0	0	0	0	1	1	1	0
	SITE	0	0	0	0	19	19	19	0	0	**0**	**0**	**0**	**10**	**10**	**10**	**0**
Lusaka	**C, J & U**	**5**	**5**	**5**	**0**	**6**	**6**	**6**	**0**	**7**	**7**	**7**	0	6	6	6	0
	T, C& D	0	0	0	0	9	9	9	0	0	0	0	0	10	10	10	0
	M&F	1	1	1	0	5	5	5	0	4	4	4	0	4	4	4	0
	P&SM	1	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0
	B&P	**0**	**0**	**0**	**0**	**1**	**1**	**1**	**0**	**1**	**1**	**1**	**0**	**3**	**3**	**3**	**0**
Mwembeshi	Farm Equipment mechanics	0	0	0	0	0	0	0	0	20	20	20	0	14	14	14	0
TOTAL		63	33	28	29	68	40	40	28	261	198	194	34	586	457	420	37

Source: Prisons visited

***No skills training offered in Chingola, Choma, Kamfinsa female, Kitumba, Lundazi, Mkushi and Petauke prisons**

C&J - Carpentry and Joinery, B&P- bricklaying and plastering, TC&D –Tailoring, Cutting & Designing, P&SM- plumbing and sheet metal, AM – Auto Mechanics, BC –basic computers, F&M- Farming and Gardening, PE – Power Electrical, TCM – Table cloth making,

Appendix 6

Table showing number of students taking part in educational programmes

Year		2009				2010				2011				2012			
Name of prison	Skills offered in the prison*	No. Enrolled	No. Trade tested	No. Passed	No. no t completed	No. enrolled	No. Trade tested	No. Passed	No. no t completed	No. enrolled	No. Trade tested	No. Passed	No. no t completed	No. Enrolled	No. Trade tested	No. Passed	No. no t completed
Chingola	literacy & non exam class	30	0	0	0	33	0	0	0	45	-	-	-	40	-	-	-
	Grade 7	10	10	10	0	08	07	07	01	12	10	09	03	15	15	15	-
	Grade 9	25	23	22	03	16	14	14	02	13	13	10	03	10	10	09	01
	Grade12(GCE)	10	09	09	01	15	15	14	01	11	11	11	-	16	16	13	03
Chipata	literacy & non exam class	28	-	-	-	50	-	-	-	61	-	-	-	57	-	-	-
	Grade 7	10	10	10	-	08	07	07	01	8	8	6	0	8	7	7	1
	Grade 9	7	7	5	0	11	11	7	0	18	11	9	7	5	3	1	2
	Grade 12 (GCE)	5	5	4	0	4	4	0	0	10	5	5	5	6	4	2	2
Choma	literacy & non exam class	18	0	0	0	15	0	0	0	20	0	0	0	23	0	0	0
	Grade 7	14	14	12	02	16	14	13	03	15	15	15	-	12	12	10	02
	Grade 9	10	08	08	02	19	18	18	01	13	12	12	01	11	11	11	-
	Grade 12(GCE)	03	03	03	-	07	07	07	-	05	04	04	01	03	02	02	01
Kabwe Female	Grade 7	04	02	02	02	11	09	09	02	12	12	12	-	09	09	09	-
	Grade 9	20	18	17	03	08	05	05	03	05	03	03	02	11	11	10	01
	Grade 12(GCE)	04	04	04	-	08	07	07	01	12	09	09	03	09	07	07	02
Kabwe Male maximum	Literacy & non exam class	870	0	0	21	849	0	0	13	855	0	0	07	832	0	0	25
	Grade 7	66	54	54	12	43	38	38	05	67	59	59	08	48	46	46	02
	Grade 9	41	40	40	01	48	43	43	05	38	36	36	02	47	45	45	02
	grade 12(GCE)	73	69	69	04	75	73	73	02	73	63	63	08	77	75	75	02
Kamfinsa male maximum	Literacy & no exam class	487	0	0	0	567	0	0	0	534	0	0	0	678	0	0	0
	Grade 7	45	37	32	8	35	32	32	3	44	33	31	11	25	23	23	2
	Grade 9	17	16	16	1	20	18	16	2	22	20	15	2	20	12	12	8
	Grade 12(GCE)	30	29	27	1	38	35	33	3	34	30	29	4	48	40	40	8
Kamfinsa female Maximum	Grade 7	04	03	03	01	10	10	09	01	15	13	13	02	12	12	12	-
	Grade9	07	05	05	02	08	06	06	02	11	11	09	02	07	07	06	01
	Grade 12(GCE)	03	03	03	-	02	02	02	-	05	04	04	01	03	03	03	-
	Tertiary	04	03	03	01	03	03	03	-	05	04	04	01	04	04	03	01
Kasenji	Literacy & no exam class	54	0	0	02	35	0	0	05	48	0	0	07	67	0	0	03
	Grade 7	11	11	11	-	09	08	08	01	14	12	12	02	23	21	21	02
	Grade 9	8	8	8	0	8	8	8	0	18	10	10	8	22	19	-	3
	Grade 12(GCE)	15	14	12	1	11	09	09	02	13	7	2	6	14	14	12-	02
Katombora Reformatory School	Literacy& Non exam	134	134	134	0	137	137	137	0	139	139	139	0	142	142	142	0
	Grade 7	3	0	0	0	2	2	2	0	1	1	1	0	0	0	0	0
	Grade 9	7	7	7	0	5	5	5	0	3	3	3	0	6	6	6	0

Livingstone	literacy (1-6)	20	0	0	0	30	0	0	0	20	0	0	0	20	0	0	0
	Grade 7	12	7	6	5	13	0	0	13	19	15	13	4	11	10	10	01
	Grade 9	16	8	2	8	10	0	0	13	18	0	0	18	15	15	14-	01-
	Grade 12	5	3	1	2	5	0	0	5	10	0	0	10	7	7-	7-	-
Lusaka																	
Mkushi	No education	0	0	0	0	05	03	03	02	06	04	04	02	10	9	9	01
Petauke	literacy & non exam classes	18	0	0	02	14	0	0	06	23	0	0	05	19	0	0	03
	Grade 7	4	3	3	1	3	3	3	0	6	6	3	3	12	3	3	9
	Grade 9	5	3	3	2	3	3	1	0	3	3	1	2	4	1	-	3
	Grade 12	1	1	1	0	1	1	1	0	1	1	1	0	0	0	0	0
TOTAL		2158	571	546	88	2218	557	540	98	2305	587	557	140	2408	614	552	93

Appendix 7

Delivery of various rehabilitation and reintegration services

	Availability of Reception and Discharge Board	Sports & recreation for female prisoners	Prisons with Offender Management Officer	Offender Management officer qualified in social work	Prisons conducting restorative justice	Awareness campaigns conducted	Separate cells for juveniles	HEPS detained in prisons	Prisons with terminally ill prisoners
Chingola	Yes	Yes	Yes	No	Yes	Yes	Yes	Na	No
Chipata	Yes	Yes	Yes	Yes	No	Yes	No	Na	Yes
Choma	Yes	No	Yes	Yes	No	Yes	Yes	Na	Yes
Kabwe Maximum Female	Yes	Yes	Yes	Yes	No	Yes	Na	Na	Yes
Kabwe Maximum Male	Yes	Na	Yes	Yes	No	Yes	No	Yes	Yes
Kamfinsa female	Yes	Yes	Yes	Yes	No	Yes	No	Na	No
Kamfinsa Male	Yes	Na	Yes	Yes	No	Yes	Yes	Yes	Yes
Kasenji	Yes	Yes	No	Na	Yes	Yes	Na	Yes	Yes
Katombora	Yes	Na	Yes	Yes	Yes	Yes	Yes	Na	No
Livingstone	Yes	Yes	Yes	Yes	No	Yes	Yes	Yes	Yes
Kitumba	Yes	Na	No	Na	No	No	Na	Na	Yes
Lusaka Central	Yes	No	Yes	Yes	No	No	Yes	Yes	Yes
Lundazi	No	No	Yes	No	No	No	Na	Na	No
Mkushi	Yes	Yes	Yes	No	No	Yes	No	Na	No
Mwembeshi	Yes	Na	Yes	Yes	Yes	Yes	Na	Na	Yes
Petauke	Yes	No	Yes	Yes	No	No	No	Na	Yes

Appendix 8

Table 3: Environmentsnot conducive for learning

Prison	Where are lessons offered?	Are classrooms adequate for all classes offered?	Is learning environment conducive?	Availability of Desks	Comments
Chingola	Cell	No	No	No	No desks prisoners sat on the mattresses Too much noise from other prisons
Chipata	Library	No	Yes	Yes	Learning environment was well ventilated, there were 6 desks from DEBs Students were affected by labour activities
Choma	Cell	No	No	Yes	20 desks from DEBs where received but no space to put they are carried to the cell every day.(breakages) Sick inmates are disturbed who may want to use the cell Noise from other inmates
Kabwe Female maximum	Cell	No	No	No	Students sat on the mattresses.
Kabwe Male maximum	Cells	No	No	NO	Desks used in the skills training section
Kamfinsa Female maximum	2 class rooms & and teaching shelters	No	Yes	Yes	Cells were not conducive
Kamfinsa Male maximum	Classrooms and cells	No	Yes	Yes	Cells were not conducive
Kasenji	2 classes and library	Yes	Yes	Yes	
Katombora	2 Classrooms	No	Yes	Yes	Class rooms for literacy are overcrowded and not adequate
Kitumba	Cell	No	No	No	They don't learn every day. No boards Lighting is poor No desks Has built a 1x2 classroom block but not in use
Livingstone	Classrooms	No	Yes	Yes	Except for overcrowding in the classrooms they are conducive
Lundazi	Cell but not anymore	No	No	No	No lesson only pay for exams No desks students used to sat on the floor
Lusaka	Cells and library in male section Dining hall for females	No	No	Yes	Too small to accommodate inmates, Too dark no adequate light No adequate ventilation No adequate desks. Noise from other inmates. Lusaka prison is highly congested. The dining hall at female section was also used as a store room
Mkushi	In the corridor of a cell	No	No	Yes	The 5 desks were left in the corridors and exposed to harsh whether condition Noise from other inmates
Mwembeshi	No	No	No	No	No learning prisoners work on the farm most of the time

Prison	Where are lessons offered?	Are classrooms adequate for all classes offered?	Is learning environment conducive?	Availability of Desks	Comments
Petauke	Education supervisor's office	No	No	Yes	At least 3 classrooms were required. Room was dark Ventilation was poor Space constraints DEBs offered 20 desks but only 5 were picked as room can only accommodate 5
Total (answered yes)		1	5	10	

Source: Prisons

Appendix 9

Table showing prisons with library and books.

Prison	ZPS Head quarter has provided note books and pencils	Note books and pencils have been issued to prisoners	Registers for note books and pencil issues has been kept.	Prison has a library	Availability of text books for teaching and learning	Comments
Chingola	No	Yes	No	No	No	Books were only received once in a Year from DEBs Books were kept in the office
Chipata	No	Yes	No	Yes	Yes	Library used as a classroom Text books not adequate for all grades Note book and pencils received from the catholic priest.
Choma	Yes	Yes	No	No	Yes	Grade 4 Text books were available but not adequate for all grades Books were kept in the office of the chaplain. 80 Note books and pencils were donated by DEBS
Kabwe Female maximum	No	Yes	Yes	No	Yes	Library was used as the office for reception officer. Text Books were not adequate to cater for all grades and they were out dated in that they do not address the syllabus. Some textbooks were outdated. Note books and pencils issued once in a while when donations have been received from well-wishers.
Kabwe Male maximum	Yes	Yes	Yes	Yes	Yes	library too small to cater for the growing population in the prison bulk of books donated by Ministry of Education District education boards (DEBs) and well-wishers
Kamfinsa Female maximum	No	Yes	No	Yes	Yes	
Kamfinsa Male maximum	No	Yes	No	Yes	Yes	Library was available but has old books that do not address the syllabus. note books pencils, chalk pens etc received from well-wishers are not adequate
Kasenji	No	No	No	Yes	Yes	text books provided in 2008 and 2010 were not adequate No note books or pencils.
Katombora	yes	Yes	No	Yes	Yes	Text Books for some grades were not available. Library is well furnished with chairs and tables
Kitumba	No	No	No	No	No	No serious educational programmes but plans to put up educational programmes in 2013. Use charcoal to write

Prison	ZPS Head quarter has provided note books and pencils	Note books and pencils have been issued to prisoners	Registers for note books and pencil issues has been kept.	Prison has a library	Availability of text books for teaching and learning	Comments
Livingstone	Yes	Yes	No	Yes	Yes	Some books available include- New Break Through to Literacy kit(NBTL) Step into English kit Grade one to grade 12 text books Books were donated by well-wishers The library was used as an office for the educational supervisor and assistant education supervisor Prison service only provided note books and pencils in 2012 since 2006(relied on well wishers)
Lundazi	No	No	No	No	yes	Books for upper grades were not available only for grade 1 to 5 are available. Books were stored room where other chemicals used at the farm are store.
Lusaka	Yes	Yes	No	Yes	Yes	books were out dated and does not address the syllabus Library used as a classroom No teaching or learning aids like charts No teaching guides Note books and pencils were received once a while, in 2012 nothing was received.
Mkushi	Yes	No	No	No	Yes	Books were out dated and not adequate as they do not meet the syllabus. Books were kept in the office of the Deputy Officer in Charge. Relied on those received from DEBs.
Mwembeshi	No	No	No	No	No	No education programmes.
Petauke	Yes	No	No	No	Yes	pamphlet sourced from National Correspondence College were not been collected due to lack of transport (Kr2000 is needed) no teaching and learning aids e.g. wall charts, text books, The prison had 1 copy math's grade 8&9, 1 copy Grade 8 and 9 history and 1 copy grade 9 geography sourced from Petauke secondary school. Source of note books and pencils 50books and 20 pens from Petauke BasicSchool.
Total (answered Yes)	7	6	0	6	12	

Source: Prisons