



Uganda Prisons Service

Topic: Administration of Justice through the Lens of Stakeholders

Conference: Annual Judges Conference, 2024

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08th February, 2024

A. Situation Report

1. Staff Establishment

Staff Category	Gender		Total
	Males	Females	
Uniformed			
Senior officers	517	116	633
Principal officers	665	171	836
NCOs	8,536	3,748	12,284
Sub Total	9,718	4,035	13,753
Non-Uniformed			
Senior officers	98	78	176
Junior officers	170	162	332
Sub Total	268	240	508
Grand Total	9,986	4,275	14,261
Percentage	70.0	30.0	100.0

The current staff to prisoner ratio is 1:7; Ideal is 1:3

2. Prisoners Population – Unlock on 07th February 2024

Category	Sex		Total	%age
	Males	Females		
Convicts	38,330	1,890	40,220	52.4
Remands	34,297	1,691	35,988	47.0
Debtors	367	122	489	0.6
Total	72,993	3,704	76,697	100.0
Percentage (%)	95.2	4.8	100.0	
Approved Capacity			20,996	
Excess above capacity			55,701	
Occupancy Rate (%)			365.3	

3. Categorization of Prisoners – 01st January 2024

3.1 Age Group

Category	Age group	Convicts	Remands	Debtors	Total	(%)
Youth	18-35	29,728	27,787	123	57,638	75.2
Middle Age	36-59	9,217	7,914	333	17,464	22.8
Elderly	60+	861	598	52	1,511	2.0
Total		39,806	36,299	508	76,613	100.0

3.2 Capital offenders

Capital	Convicts			Remands			TOT	(%)
	M	F	Tot	M	F	Total		
Aggravated defilement	8,011	44	8,055	4,968	42	5,010	13,065	34.8
Aggravated homosexuality	0	0	0	9	0	9	9	0.0
Aggravated robbery	3,294	31	3,325	3,645	87	3,732	7,057	18.8
Kidnap with intent to murder	59	8	67	76	14	90	157	0.4
Murder	5,769	756	6,525	5,294	651	5,945	12,470	33.2
Rape	2,034	1	2,035	1,500	2	1,502	3,537	9.4
Terrorism	7	1	8	135	13	148	156	0.4
Trafficking in children	209	51	260	586	139	725	985	2.6
Treachery	2	0	2	75	0	75	77	0.2
Treason	0	0	0	6	0	6	6	0.0
Total-Capital	19,385	892	20,277	16,294	948	17,242	37,519	100.0

3.3 Prisoners by Nationality

Nationality	Convicts	Remands	Debtors	Total	(%)
Ugandan	38,936	35,675	507	75,118	98.1
Other Africans	864	613	1	1,478	1.9
Non-Africans	6	11	-	17	-
Total	39,806	36,299	508	76,613	100.0

3.4 Convicted Prisoners by category of sentences

Sentence	Number	(%)
Short term (0-3 years)	15,869	39.8
Long term Sentences (Above 3 years)	23,553	59.2
Death-Row inmates	109	0.3
Indeterminate	275	0.7
Total	39,806	100.0

3.5 Categorization of Indeterminate Sentences

Length of Sentence OR Term of Imprisonment	Number
Imprisonment for life	268
Pending Mitigation	2
Pending Minister's Order	5
Total	275

3.6 Death-Row prisoners and time spent in Prison after conviction

Period in Prison after conviction (Years)	Gender		Total
	Male	Female	
0-5	28		28
6-10	13		13
11-15	54	2	56
16-20	8		8
21+	4		4
Total	107	2	109

B. Prisons Congestion and Prisoners' Population growth

The prisoners' population is increasing at a rate of 8% per year. This is so high compared to the National Population growth rate of 3% per annum. Over the last ten (10) years, the prisoners' population has grown by **80.4%** from **42,619 prisoners in FY2014/15** to the current **76,697 prisoners (07th Feb 2024)**

Prisoner population growth over 10 years

Financial Year	Category			Population
	Convicts	Remands	Debtors	
2014/15	18,994	23,386	239	42,619
2015/16	20,342	25,325	253	45,920
2016/17	23,393	28,060	320	51,773
2017/18	26,902	31,091	347	58,340
2018/19	28,456	27,625	343	56,424
2019/20	31,092	29,766	344	61,202
2020/21	31,403	30,064	347	61,614
2021/22	31,966	35,102	221	67,289
2022/23	37,528	35,799	395	73,722
2023/24 – 07th Feb 2024	40,220	35,988	489	76,697

Prisoner Population is the major cost driver of the Prisons Budget. Therefore, the **high growth rate of 8%**, poses a challenge on prisons budget in terms of housing, feeding, utility consumption, medical care and staffing among others.

The Prisons Holding Capacity (space for keeping prisoners) has increased from **53,668.8 Square meters (space for 14,908 prisoners)** in 2014 to the current **75,585.6 square meters (space for 20,996 prisoners)**.

The current prisoners' population of **76,697** exceeds the carrying capacity of **20,996** by **55,701 prisoners (3.7 times)**.

Whereas the remand population has reduced by **7.8%** from 54.8% in FY2014/2015 to the current 47.0%, the absolute population of remand prisoners has increased from 23,386 remands to 35,988 remand prisoners – **53.9% increase in the last 10 years**.

This trend partly contributes to congestion of prisons and increases the cost of access to justice. Hence calling for more efforts to reduce the number of remands in custody.

Strategy to Reduce Congestion in Prisons

- a) Enhance implementation of non-custodial mechanisms like Community Service, especially for petty offenders
- b) Construct **regional Mini Maxi (Kitalya Model)** prisons with a capacity of 4,000 prisoners each
- c) Construct three (3) low security prisons per year using in-house labor and resources

C. Access to Justice

There have been significant improvements in the administration of justice and these have increased access to justice for prisoners in custody. These include establishment of virtual courts in prisons and courts to enhance access to justice – ***currently the Service is operating conference facilities in 19 prisons***

- a) The proportion of remand prisoners is currently at 47.2% due to expansion in the judicial activities and expansion of high court circuits.

- b) Gradually, the average length of stay on remand has reduced from 20.8 months to 19.4 months for capital offenders and from 3.0 months to 2.6 months for petty offenders

Average length of stay on remand

Category	Male	Female	Overall
Capital	19.6	15.1	19.4
Petty	2.6	2.9	2.6
Overall	10.7	9.9	10.6

A total of **7,608 inmates** have spent **more than 12 months** on remand after commitment as shown in the table below;

Length of stay on remand by type of court

Remand period (months)	Committed to H/Court	Pending Commitment	On hearing in Lower Courts	PMO	Military courts	Total	(%)
0-2	883	3,041	10,675		72	14,671	40.4
3-6months	1,143	2,768	3,298	1	20	7,230	19.9
7-12months	1,606	1,295	1,920		62	4,883	13.5
13-23	2,734	478	1163	1	53	4,429	12.2
24-36	2,277	96	32		28	2,433	6.7
37-48	1,397	7	4		10	1,418	3.9
49-60	705			1	3	709	2.0
>60	495			15	16	526	1.4
Total	11,240	7,685	17,092	18	264	36,299	100.0
Percentage (%)	31.0	21.2	47.1	0.0	0.7	100.0	

On average, prisoners spend **25.5 months on remand awaiting trial upon their commitment to High Court.**

Average period spent on remand by court status

Court Status	Number	(%)	Average Length of stay (months)
Committed to High Court	11,240	31.0	25.5
Pending committal to High Court	7,685	21.2	5.7
On hearing in Lower courts	17,092	47.1	2.6
Military Courts	264	0.7	16.5
Pending Ministers Orders	18	0.0	175
Total	36,299	100.0	10.6

Whereas the mandatory remand period is 180 days for capital offenders and 60 days for petty offenders, **6,417 petty offenders** have been in custody beyond the mandatory period.

- c) The Service delivers a daily average of 1,762 prisoners to courts of law including special court sessions. The Administration of Justice program is facilitating procurement of vehicles (30-seater buses and 60-seater bus) to further enhance production of prisoners to courts of law.
- d) The linking remands program under the Paralegal Advisory Services and the Legal Aid services facilitated 12,985 inmates (1,062 female) to access legal services in FY2023/24.

The UPS is alive to the fundamental challenges in the Criminal Justice System. These include the high crime rates in the community leading to increase in population of remand prisoners, and misalignment of prisons to courts of law.

The Service notes and appreciates the expansion of Courts of Judicature. However, the rate of expansion of courts is not matched with e with corresponding investment in prisons - ***Overstretches Prisons operations in delivery of prisoners to court in terms of long distances between courts and prisons***

Court - Prison	Distance (Km)
Zeugota – Paidha	45
Rubindi - Mbarara	43
Rubirizi - Bushenyi	35
Warr – Paidha	35
Bukakata - Buwunga	35
Pakwach - Ragem	35
Butoolo - Nsangi	33
Bwizibwera - Mbarara	28
Kiganda – Myanzi	22
Ndejja - Mbarara	20
Kazo - Kiruhura	20
Nebbi Court - Nebbi	10
Mitooma Court - Mitooma	10
Maddu - Kitwe	12

The implications of misalignment of prisons locations to courts of law include **prisoners and staff walking long distances; High costs of fuel and vehicle maintenance and delayed production of prisoners to court.**

Strategy

- a) Establishment of virtual courts/ video conferencing facilities to reduce the cost of access to justice.
- b) Acquisition of transport equipment for timely delivery of prisoners to courts of law

c) Construction of new prisons units to complete the chain of justice.

D. Issues of Concern

a) **UPS has in custody people who are “NOT supposed to be in Prisons”. These include;**

i. Petty Offenders on remand who have stayed on remand longer than the period they would have spent serving the sentence if they had been convicted

ii. Indeterminate sentences – Prisoners pending Minister’s Order

b) Conviction without sentencing **(04 prisoners)**. Common under plea bargain

c) Conviction without Commitment warrant **(98 prisoners)**

d) Long Stay on remand after being Committed to High Court/Undefined length of stay after committal – ***Average is 25.5 months***

e) Long stay on remand before being Committed to High Court – ***beyond the 6 months mandatory period***