



**REPORT OF THE
PORTFOLIO COMMITTEE ON JUSTICE, LEGAL, AND PARLIAMENTARY
AFFAIRS
ON THE INQUIRY INTO THE STATE OF AFFAIRS IN ZIMBABWE PRISONS
AND CORRECTIONAL SERVICE FACILITIES AND LIVING CONDITIONS OF
PRISONERS.**

S.C. 46, 2022

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ORDER OF APPOINTMENT IN TERMS OF STANDING ORDER No. 18:

- (1) At the commencement of every session, there shall be as many Committees to be designated according to government portfolios as the Committee on Standing Rules and Orders may deem fit.
- (2) Each select committee must be known by the portfolio determined for it by the Committee on Standing Rules and Orders.

TERMS OF REFERENCE OF PORTFOLIO COMMITTEES S.O 21

Subject to these Standing Orders, a Portfolio Committee shall-

- a) examine expenditure administration and policy of government departments and other matters falling under their jurisdictions as Parliament may, by resolution determine;
- b) consider and deal with all Bills and Statutory Instruments or other matters which are referred to them by or under a resolution of the House or by the Speaker;
- c) consider or deal with an appropriation or money Bill or any aspect of an appropriation or money Bill referred to it by these Standing Orders or by or under the resolution of this House; and
- d) monitor, investigate, inquire into and make recommendations relating to any aspect of the legislative program, budget, policy, or any other matter it may consider relevant to the government department falling within the category of affairs assigned to it, and may for that purpose consult and liaise with such a department;
- e) consider or deal with all international treaties, relevant to it, which are from time to time negotiated, entered into, or agreed upon within four weeks of tabling.

SPEAKER'S ANNOUNCEMENT

On Wednesday, 23 November 2022, the Hon. Speaker of Parliament announced that all Committees that subsisted during the Fourth Session would continue to operate in order to expedite the work of Parliament. Therefore, the Portfolio Committee on Justice, Legal, and Parliamentary Affairs shall consist of the following Members:

Hon Chikombo W., Hon Chikwama B., Hon Chinyanganya M., Hon Dube B., Hon Gonese I., Hon Kashiri C., Hon Madziva S., Hon Makope M., Hon Masango P., Hon Masuku E., Hon Masvisvi D., Hon Mavetera T.A., Hon Mavhunga M., Hon Mawite D., Hon Mpame C., Hon Mugadza M., Hon Munetsi J., Hon Musarurwa W.Y., Hon Mutambisi C., Hon Mutseyami P.C., Hon. Murire J., Hon Ncube M., Hon Ndebele A., Hon Nduna D., Hon Ngwenya S., Hon Nyashanu M., Hon Phulu K.I., Hon Raidza M., Hon Sanyatwe C., Hon Sibanda L., Hon Sibanda P.D., Hon Sikhala J., Hon Sithole S., Hon Shirichena E., Hon Tembo M., Hon Zemura L., Hon Zhou T.,

Hon Mataranyika M.D. to be the Chairperson

1.0 INTRODUCTION

As part of its oversight role, the Portfolio Committee on Justice, Legal, and Parliamentary Affairs conducted an inquiry into the state of the Zimbabwe Prisons and Correctional Service (herein referred to as ZPCS). The Committee was concerned with the general conditions in prisons in relation to the welfare of prisoners, the status of prisons' infrastructure and productivity, and value addition in prison farms. Upon visiting prisons nationwide and having done a comparative analysis with Botswana Prisons, the Committee noted with great concern that, prisoners in Zimbabwe were living under deplorable conditions; hence there is a need for a robust framework to mitigate challenges being faced by the ZPCS.

2.0 OBJECTIVES

- 2.1 To assess the state of prisons' infrastructure;
- 2.2 To assess levels of production and value addition in prison farms;
- 2.3 To have an appreciation of the welfare of inmates in Zimbabwean prisons and correctional facilities;
- 2.4 To appreciate the challenges being faced by prisoners; and
- 2.5 To learn and adopt regional best practices and ultimately enhance Parliamentary oversight on the operations of ZPCS.
- 2.6 To recommend action for improved living conditions for prisoners.

3.0 METHODOLOGY

The Committee received oral evidence from the Ministry of Justice, Legal and Parliamentary Affairs, and Zimbabwe Prisons and Correctional Services, on the state of affairs in the ZPCS. This laid down the foundation for the subsequent verification visits to selected prisons nationwide (*see Appendix A*). Upon visiting the prisons, the Committee held meetings with prison management and toured prison facilities before interacting with the prisoners.

To get a comparative analysis with other prisons and systems within the SADC region, a five-member delegation of the Committee accompanied by the secretariat conducted a study visit to the Parliament of Botswana from the 24th to the 30th of July, 2022.

4.0 COMMITTEE FINDINGS

4.1. State of prisons infrastructure and security status

The Committee assessed the state of infrastructure in relation to prison structures, security status, transport facilities, and water and power supplies. At the time of the visits, the Committee was informed that most major prisons were built during the colonial era except Chipinge Prison, Connemara Male Open Prison, and Marondera Female Open Prison which were built post-

independence period. It was noticeable that prisons built during the colonial period were now dilapidated.

The Committee was informed that most prison structures had not been renovated ever since construction except for Mutare Remand Prison which was renovated in 2015 with support from the International Community of Red Cross (ICRC). It was also noted that modern prisons have modernized structures constructed to meet international standards in line with principles of rehabilitation and reintegration. Whawha Young Offenders is still in a good state despite the institution being built in the colonial era. Hurungwe Farm Prison inherited its prison structures from the previous farmers who lived at the farm; hence tobacco barns were converted into prison structures and prison officers were still using sub-standard farm cottages for accommodation.

The Committee was informed that most prisons were electrified and have good lighting systems. In cases of load shedding, they make use of diesel-powered backup generators. On the security status of prisons, the Committee gathered that security fences, walls, and windows were in a dilapidated state; hence there was a high risk of inmates attempting to escape at any given time. At Harare Remand Prison, CCTV cameras were installed as a

security measure. This was a positive initiative that has to be replicated across all prisons nationwide.

Concerning transport, ZPCS was experiencing great challenges of inadequate security vehicles to transport inmates to and from Courts daily. Compared to Botswana, the delegation observed that Botswana Prisons had adequate vehicles to cater for the transportation of its prisoners.

4.2. Open Prisons

Visits to Marondera Female Open Prison and Connemara Male Open Prison exposed the Committee to the operational realities of an open prison concept in Zimbabwe. The Committee gathered that Connemara Male Open Prison in Gweru was the first open prison to be established in 1997. Inspired by Government's success with its first open prison concept, approval was then granted for the establishment of a female open prison in Marondera in 2021.

The Committee was informed that Marondera Female Open Prison's unlock figure stands at 35 female inmates against a holding capacity of 50. The Committee was impressed with the living conditions of inmates in open prisons. It was noted that

open prisons have relatively less stringent rules as compared to controlled prison institutions.

It was clear from the tour of both Connemara Male Open Prison and Marondera Female Open Prison that open prisons in Zimbabwe are intended for inmates who present a low escape risk and can reasonably be trusted to live under minimum security conditions. However, despite living under good conditions compared to their fellow inmates in controlled prisons, at Marondera Female open prison, concerns were raised over the welfare of children and families of incarcerated mothers. The Committee was informed that children left behind by their incarcerated mothers are subjected to poverty and hardships since their mothers will not be around to take care of them.

In Botswana, the delegation learned that there is no open prison concept and the Commissioner of Botswana Prisons expressed an interest in learning more about the concept from Zimbabwe.

4.3. Food Supply and Rations for Inmates

The Committee was informed that the cost of feeding the entire prison population in 2022 translated to **ZWL\$4 702 860 000.00**. Across all prisons visited, the Committee gathered that despite budget limitations, efforts were being made for inmates to have three meals per day. However, it was submitted that the provided

meals were falling short of meeting the approved dietary scale requirements, especially on protein components.

The Committee gathered that inmates were fed with fresh vegetables that were readily available and got their protein mainly from sugar beans and on rare occasions meat was provided. The Committee was further informed that Remand, Medium, and Maximum Prisons were experiencing an inadequate supply of basic food provisions such as mealie-meal, cooking oil, sugar, and peanut butter. At Chikurubi Female Prison and Harare Remand Prison, Members were appalled to learn that inmates could go for more than two months without cooking oil and sugar.

Despite complaints over the shortage of food by most prisons across the country, it was also noted that farm prisons have constant supplies of food as they produce for their consumption and also provide other prisons whenever their reserves were in abundance. Prison officials and inmates at Bindura Prison, Hurungwe Farm Prison, and Anju Farm Prison in Matebeleland North Province did not complain about food shortages as they had been producing in abundance.

Concerns were raised by female inmates with children over inadequate supplies of basic food provisions for children under the age of 2 years who have special dietary needs compared to

adults. The delegation that visited Botswana learned that the food and dietary requirements for inmates were being adequately met in prisons.

4.4. Overcrowding and accommodation challenges

The Committee was concerned by levels of overcrowding in major prisons across the country, where there was a high concentration of inmates compared to prison farms. At the time of the visits, it was gathered that Harare Remand Prison with a holding capacity of 900 inmates was housing approximately 1485 inmates inclusive of 154 prohibited immigrants. At Bindura Prison, a prison cell with a holding capacity of 20 inmates was housing 87 inmates instead.

The Committee gathered that major factors that have led to overcrowding within prison institutions were the passing of custodial sentences by Courts as opposed to alternative sentences, as well as remanding inmates in custody as opposed to granting bail. Officers at Chikurubi mentioned that the lack of adequate and appropriate space for detained mental patients has led to Zimbabwe Prisons and Correctional Service assuming custody of mental patients; thus, overcrowding in prisons.

To intervene against overcrowding, ZPCS and inmates were of the view that the Judicial Service Commission should consider

imposing non-custodial sentences for minor crimes, remands out of custody, and constant release of inmates on amnesty. ZPCS further advocated for the relocation of convicted inmates housed in major town prisons to farm prisons as an intervention against overcrowding in major town prisons. It was also suggested that adequate support from the government in building modern and bigger prisons in line with the reformative agenda would also assist in decongesting prisons.

The delegation to Botswana learned that there was a total of 23 prisons in Botswana designated for immigrants, juveniles, and women. There was no overcrowding in Botswana prisons, with an unlock of 3086 inmates against a holding capacity of 4337 inmates. The delegation learned that there were approximately 450 Zimbabwean nationals in Botswana Prisons, with some serving sentences for serious crimes such as murder.

4.5. Inmates' clothing and bedding provisions

ZPCS houses both convicted and unconvicted male and female inmates who require at least 2 pairs of prison garb per year and other necessities such as jerseys, tennis shoes, socks, towels, soap, blankets, and sleeping mates. The Committee noted that there was an inadequate provision of uniforms and bedding for inmates compared to our Botswana counterpart where all prisoners were properly dressed in prison uniforms.

Most male inmates were seen wearing torn uniforms and unconvicted male inmates have even resorted to wearing their civilian clothes which in turn creates an uncomfortable and uncondusive working environment for female officers who were expected to be guarding these inmates throughout the day. Inmates in prison farms raised concerns over the unavailability of protective clothing to use when working in the fields.

Ordinarily, every inmate requires at least 3 blankets and a sleeping mat. However, it was noted that inmates had inadequate blankets, especially during the winter season to the extent that, at Bindura Prison inmates were sleeping directly on the floors without any blankets to cover themselves at night.

4.6. Healthcare services

The Committee also assessed the healthcare delivery system within prisons institution. ZPCS should provide healthcare services to inmates, officers, and their dependents but was failing to fulfill its obligation due to inadequate medical supplies. The Committee was concerned that prison institutions had no properly constructed clinics; hence prison Management had resorted to converting sub-standard prison cells into clinics. There was also a shortage of supplies of essential drugs for chronic diseases, and an unavailability of diagnostic and dental equipment and

ambulances to cater across provinces in cases of medical emergencies.

The Committee was also informed that ZPCS has been outsourcing health services from local hospitals whereas the provision of healthcare services within the organization would be quite cheaper if their facilities were fully capacitated. Prison Management called for adequate capacitation and funding for the refurbishment and facelift of health infrastructure to ensure the provision of sound health services to the prison constituent together with the surrounding communities that rely on these prisons.

4.7. Production and value addition in farms

The Committee was informed that all 25 farm prisons have the capacity of feeding the entire prison population and also contribute towards feeding the nation if utilized to their full capacity. It was noted that there were major differences among different prisons as far as productivity and value addition are concerned. Anju Farm Prison in Matebeleland North, Hurungwe Farm Prison in Mashonaland West, and Chawagona Farm Prison in Mashonaland Central were some of the farm prisons that have been producing enough food to feed their inmates and at times provide for other prisons. A review of the 2020/2021 agricultural season indicated that Hurungwe Farm Prison produced a total

yield of approximately 297 tonnes of maize and approximately 159 tonnes of wheat from 74 hectares of maize and 74 hectares of wheat that were under irrigation.

At the time of the visit, Hurungwe Farm Prison was in the process of harvesting maize and restocking its reserves. It was noted with great concern that, while major prisons such as Harare Remand, Chikurubi, Mutare Remand, and Mutare Farm Prison were experiencing serious food shortages, other farm prisons had overflowing food reserves. Thus, there was need for proper coordination within ZPCS to ensure equal distribution of food.

Despite having vast land to produce enough food for both inmates and officers, ZPCS was unable to fulfill its obligation of adequately feeding its prison population. This has been attributed to several factors such as; inadequate financial support for farming operations, delays in receiving agricultural inputs under Command Agriculture, inadequate supply of agricultural inputs, and adverse weather conditions as a result of climate change.

In Botswana, the delegation learned that Botswana Prisons have food security programs for prisoners such as the Prison Food Strategy whose objective was to produce more food for inmates through horticulture and dairy farming. Prisoners in Botswana also engaged in vocational training programs, which are trade

tested at local training institutions like Madirelo Trade Testing Centre, and are awarded trade certificates.

4.8. Rehabilitation and Reintegration Activities

The Government's initiative to move from a punitive system to a more corrective and rehabilitative prison system has seen prisons nationwide implementing different initiatives in empowering both juvenile and adult inmates. At Harare Central Prison, a Vocational Training School was established in 2016 where inmates undertake different courses such as woodwork and clothing and textile studies. In Manicaland province, Khami and Whawha, training workshops were also established for technical courses.

The Committee was greatly pleased to learn that at Whawha Young Offenders prison, the school managed to attain a 100% pass rate for both Ordinary Level and Advanced Level students who sat for the 2021 ZIMSEC Examinations. The Committee was informed that, apart from promoting rehabilitation and reintegration of offenders, these development skills also contributed to the country's manpower and skills development.

Young offenders at Whawha Young offenders' prison were fully participating in the rehabilitation process and acknowledged their wrongdoings and willingness to be responsible and reformed

citizens. However, concerns were raised by inmates over the unavailability of literature materials for learning and the unavailability of funding to further their studies to the Tertiary Level. Inmates were aggrieved that, in as much as the Government was investing in the rehabilitation of offenders, they cannot be employed in government institutions after they have served their sentences.

In Botswana, the Committee learned of an early release program for well-behaved inmates which allows them to complete their sentences outside prison whilst they were being monitored. It was also learned that members of the community in Botswana have been playing an integral role in the rehabilitation and reintegration of offenders back into society. The delegation further learned that traditional leaders (Kotla) played a vital role in dispute resolution among its local communities; thereby ensuring the reintegration of rehabilitated offenders into society.

In Botswana, there were reintegration committees at the community level which work with ex-prisoners in reintegration and doing follow-ups to ensure they get employment and fully utilize the industrial skills and knowledge they acquired whilst they were in prison. Botswana has a Parole Board chaired by a High Court Judge, which is responsible for determining the release of rehabilitated inmates without monitoring. The

delegation also learned that there were oversight bodies that regularly visit the Prison Service and work closely with it to ensure the overall governance of the institution, quality assurance, and provide advisory roles. These oversight bodies include the office of the Ombudsman, the Mental Health Board, and the Prison Visiting Committees.

4.9. Staff compliment and accommodation

The Committee was informed that ZPCS is premised on a staff complement of approximately 12 000 officers against an establishment of 22 000 posts. It was gathered that currently there have been accommodation challenges for officers and the reality of the challenge was noticeable throughout all prisons. The Committee was informed that officers who could not secure accommodation in prison camps have resorted to renting in high-density suburbs. It was noticeable that the existing structures for officers' accommodation in camps were in a derelict state and could not accommodate large families.

At Chawagona Farm Prison, officers live in sub-standard houses made of zinc sheets, while at Hurungwe Farm Prison, officers live in sub-standard servants' quarters inherited from the previous farm owners. Most families that were residing within prison camps were sharing available houses at a ratio of 2 families per 3-bedroomed house; a development which has led to cases of

conflicts and promiscuity among officers. However, the Committee was informed that the government has taken measures toward the construction of low-cost housing units at Chikurubi Prison Complex, Chikurubi Training School, and Chikurubi Dog Training School, to mitigate staff accommodation challenges.

4.10. Information and Communications Technology

In line with the National Development Strategy 1 (NDS1), ZPCS has not fallen short in embracing modern technology. The Committee noted that most prisons have internet facilities, computers for administration use, and virtual court facilities; despite not being fully serviced. However, at Hurungwe Farm Prison, it was noticed that there were no internet facilities and the prison was on a single mobile phone for administrative use. The Committee was also informed that the ZPCS still lagged behind in the establishment of a fully-fledged electronic database of inmates.

4.11. Covid-19 Situation

The Committee was informed that ZPCS has not been spared from the advent effects of the Covid-19 global pandemic. However, the effects of the pandemic were not very catastrophic across all prisons. With government support as well as assistance from the business community and well-wishers, the ZPCS has managed to contain and limit the effects of the virus within the

prison population. Despite disturbing levels of overcrowding and a lack of isolation cells, minimal fatalities among inmates and officers were recorded. 90% of the inmates were fully vaccinated against the deadly virus. However, it was noted that most of the inmates did not have face masks and they were requesting the provision of face masks.

5.0 COMMITTEE OBSERVATIONS

The Committee made the following observations:

- 5.1. The open prison concept is a positive initiative in ensuring the rehabilitation of prisoners and reintegrating them back into society without exposing them to discrimination.
- 5.2. There were disturbing high levels of overcrowding in controlled prison institutions across the country
- 5.3. There was a high risk of exposure to contagious diseases such as Covid-19, TB, and cholera due to overcrowding and lack of water supply.
- 5.4. There was an inadequate provision of essential health services such as medication, proper clinics, and medical staff personnel.

- 5.5. There was an inadequate food supply for major prisons compared to those in farm prisons.
- 5.6. There was an inadequate supply of prison uniforms and bedding provisions for prisoners.
- 5.7. Most prison infrastructure was in a dilapidated state, especially prisons built during the colonial era.

6.0 COMMITTEE RECOMMENDATIONS

Cognizant of the above findings, observations, and lessons learned from Botswana, the Committee, therefore, recommends that:

- 6.1. The Ministry of Finance and Economic Development should adequately fund the Zimbabwe Prisons and Correctional Service towards the construction of modern and bigger prison structures in line with the reformative agenda, by 2030.
- 6.2. The Ministry of Finance and Economic Development should provide funding to recapitalize the Zimbabwe Prison and Correctional Service to enable them to embark on viable empowerment projects for inmates for instance carpentry, upholstery, farming, and music, by December 2023.

- 6.3. The Ministry of Finance and Economic Development should adequately provide funding for inmates' uniforms, bedding, and medical supplies, by June 2023.
- 6.4. The Ministry of Lands, Agriculture, Water, Fisheries, and Rural Resettlement should adequately and timeously provide agricultural inputs such as seeds, fertilizers, and herbicides in prison farms.
- 6.5. Zimbabwe Prisons and Correctional Services should engage in viable public-private partnerships to enhance and widen its revenue generation opportunities to make up for the fiscus gap, by December 2023.
- 6.6. The Zimbabwe Prisons and Correctional Services should replicate the open prison concept in all provinces as a way of ensuring offender rehabilitation and reintegration into society, by December 2023.
- 6.7. The Zimbabwe Prison and Correctional Services should adopt and introduce Re-integration Committees at community levels to assist with the reintegration of rehabilitated offenders back into society, by December 2023.

6.8. The Ministry of Justice, Legal and Parliamentary Affairs should introduce a parole board to consider and determine inmates who are eligible for early release, by December 2023.

6.9. The Ministry of Justice, Legal and Parliamentary Affairs should introduce a ‘Presidential Pardon System’ responsible for expunging criminal records for rehabilitated offenders, by December 2023. Expunging criminal records will enable rehabilitated offenders to be eligible for employment in government and other private institutions.

6.10. The Judicial Service Commission should capacitate the customary law court system to enable Traditional Leaders to effectively and efficiently handle cases within their jurisdiction, by June 2023.

6.11. The Judicial Service Commission should adopt and ensure the imposition of non-custodial sentences for minor crimes, as a measure towards the decongestion of prisons.

7.0 CONCLUSION

The Zimbabwe Prisons and Correctional Service remains an important arm in the country’s justice delivery system. In the same vein, the

Zimbabwe Prisons and Correctional Service also plays an important role in ensuring the safety and upkeep of inmates; as well as rehabilitating offenders for their successful reintegration into society upon their discharge. The benchmarking visit to Botswana was very useful to the Committee as it allowed members and staff of the Committee to learn and adopt best practices and ultimately enhance their oversight function on living conditions, rehabilitation, and reintegration of prisoners in Zimbabwe. It is therefore critical that Zimbabwe Prisons and Correctional Service be adequately funded, to ensure the modernization of the institution in line with the unfolding global trends.

Appendix A: Visits to Prisons and Correctional Facilities

Team A

DATE	PROVINCE	PRISONS VISITED
06 June 2022	Harare	Chikurubi Female Prison Harare Remand Prison
07 June 2022	Mashonaland Central	Bindura Prison
08 June 2022	Mashonaland West	Hurungwe Farm Prison
09 June 2022	Midlands	Whawha Young Offenders Prison

Team B

DATE	PROVINCE	PRISONS VISITED
28 February 2022	Mashonaland East	Marondera Female Open Prison

	Manicaland	Marondera Male Prison Rusape Prison
01 February 2022	Manicaland	Mutare Remand Prison Mutare Farm Prison Chipinge Prison

Team C

DATE	PROVINCE	PRISONS VISITED
06 June 2022	Midlands	Connemara Male Open Prison
07 June 2022	Bulawayo	Khami Maximum Prison Khami Female Prison Khami Farm Prison Anju Farm Prison
08 June 2022	Matebeleland South	Plumtree Prison

Visit to Botswana

24th-30th July 2022	Botswana	Gaborone and Moshupa Boys Prison
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