

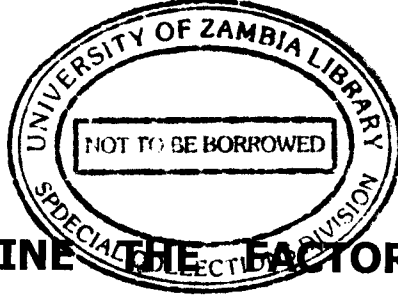
**A STUDY TO DETERMINE THE FACTORS THAT
CONTRIBUTE TO CONGESTION IN THE ZAMBIAN
PRISONS: A CASE OF LUSAKA CENTRAL, KAMWALA
REMAND AND MWEMBESHI PRISONS**

BY

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UNZA

2004



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**A RESEARCH REPORT SUBMITTED IN PARTIAL
FULFILLMENT OF THE REQUIREMENTS FOR THE
AWARD OF DEGREE OF BACHELOR OF ADULT
EDUCATION**

University of Zambia -2004

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DEDICATION

*As the adage goes, "**there is no sweet without sweat**". This work is dedicated to my beloved wife, Nasilele Mubita Membe, my sons, Kateshi, Masialeti and Kalaba. I have enjoyed their love, courage and perseverance. The endurance they have bore to remain on their own during the long, long period of absence deserves to be remembered. I know they have missed a lot.*

To the people who were responsible for my secondary education, I should say, do not despair; you will be rewarded for the good work.

ACKNOWLEDGEMENT

Many people have contributed to making this study a success. It is not possible to mention all of them by names. I am, indeed, greatly indebted, however, to the following people for their assistance without whom my research work would not have been successful.

Dr. D. M. Sibalwa for his encouragement all the way through. It was not easy for me to cope up with the challenges that I experienced during the whole period of the research study.

I wish to thank the members of staff in the Department of Adult Education and Extension Studies of the University of Zambia (UNZA) for being kind to me all the way through.

May I also thank the commissioner of prisons, Mr. Jethro Kalaluka Mumbuwa for assisting materially and financially during my certificate, diploma and degree programmes. I should mention here that it was not easy. Special thanks also go to the general command at prison headquarters. Please continue with the same spirit and extend this even to other aspiring officers.

I thank also those people who rendered assistance to me in one way or another. Names include Mr. Mambwe, Mr. Malubila, Mr. Musukwa and many others, too numerous to mention.

Lastly but not the least, I thank Ms. Bertha Monica Kabwela-Secretary, School of Law, for typing this report.

ABSTRACT

The study was designed to determine factors that contributed to congestions in the **Zambian Prisons: A Case of Lusaka Central, Kamwala Remand and Mwembeshi Prisons.**

The total population of the study included inmates, administrator, police, prisons and judiciary officers. The researcher used random sampling method and selected hundred inmates, twenty police officers from stations within Lusaka urban, twenty prison officers (including the administrator) from the three prisons and ten officers from the judiciary department.

The researcher collected data using the questionnaire to the inmates, interview guides were administered to the administrator, police, prisons and judiciary officers. The data was analysed critically using tables of frequencies and percentages and followed by discussion. The results of the study were that:

- There was congestion in the **Zambian prisons;**
- There was no seriousness in the execution of justice;
- There was limited accommodation for inmates in the **Zambian prisons;** and
- There were some adverse and psychological effects affecting those in the prisons

The study recommended among others the following:

- Restriction of freedom which is one of the alternatives to imprisonment and is not connected with the placement of offenders in prisons. It

primarily involves the obligation of the offenders to work and stay in a specified place of residence

- Bail is another alternative to imprisonment and is only granted as a temporary measure while the accused is awaiting the final determination of his case by the courts. They can be a provision for the release from criminal sentence in the event that the offender is granted bail.
- Community service is another popularised method of criminal sentencing that has assumed some level of importance in developed countries. It can be an alternative to imprisonment for petty offenders and some cases as a placement for offenders who cannot afford to pay their fines when sentenced by the courts.
- Open air prisons (open air reformatory schools). The researcher believes that building more prisons can not be a genuine solution to congestion. Renovations of these old, old prisons can be the answer. Opening of more open air prisons - open air reformatory schools can assist greatly in decongesting the prisons. Apart from contributing to the decongestion of the prisons, here inmates have to learn to use the land for productive purposes plus training on other skills which may be useful to them once they are freed.

CHAPTER ONE

1.0 INTRODUCTION

Prisons throughout the world are places for punishment. In the bible, it is indicated that prisons have existed for a long time. Their history is as old as humankind has been on earth. In genesis 39: 19, it is written that Joseph was imprisoned in Egypt two thousand years before the birth of Jesus Christ. There are also other references like the underground tunnels which were used as prisons.

The Zambian prison service in terms of article 32 (i) (c) of the Republican Constitution is one of the country's disciplined services. It is the constitutional provision which has given rise to section 8 of CAP 97 of the Laws of Zambia, through which the service is established as a police service which is responsible for the management and control of prisons and inmates lodged therein. In view of the above, the Zambia Prison Service in this country plays a number of roles which can be identified as security role, facilitating role in the administration of criminal justice, correctional and also the complementary role, [Mumbuwa, 1992].

Of late, it has been observed that there is congestion in these prisons which has made it impossible even for the proper classification of prisons and even inmates lodged therein. Except for the male and female categories, convicted inmates, those on remand and Prohibited Immigrants (PI) are put in the same prisons and cells resulting in congestion. There have been reports of congestion in prisons both in the media and all

quarters of the society. Therefore, the study sought to determine factors that contributed to congestion in the Zambian Prison Service.

1.1 STATEMENT OF THE PROBLEM

It had been observed that there was congestion of inmates in the Zambian prisons.

There had been reports of congestion both in the media and from all the quarters of the society. For example, the Post Newspaper dated 23 May, 2001 reported on the congestion of inmates in Lusaka Province Prisons.

This study, therefore, sought to determine factors that contributed to congestion in the Zambian prisons.

1.2 PURPOSE OF THE STUDY

The purpose of the study was to determine factors that contributed to congestion of inmates in the Zambian prison and also suggest ways and means of improving the situation.

1.3 OBJECTIVES OF THE STUDY

The objectives of the study were:

- to examine the seriousness and extent of the problem of congestion in the Zambian prisons,
- to establish the adverse and psychological effects affecting those in the prisons and also their relating factors,
- to find out what the prison service was doing about the problem of congestion; and

- to make suggestions to the problem of congestion in the prisons.

1.4 RELEVANCE OF THE STUDY

A Study of this nature was important because the results would assist the decision-makers to understand fully the causes of congestion in prisons. The outcome of the study would provide information that would help to decongest the prisons. Further, the results of the research would assist more reliably in the improvement of the prison environment and thereby promoting the government's policy on prisons as a whole. Non-Governmental Organisations (NGOs) and other researchers would as well assist in the improvement of the prison service.

1.5 ASSUMPTION OF THE STUDY

It was assumed that:

- there was congestion in the prison service,
- there was no seriousness in the execution of justice,
- there was limited accommodation for inmates in the prison service; and
- there were some adverse and psychological effects affecting those in prisons.

1.6 LIMITATION OF THE STUDY

This study was confined to only three [3] prisons in Lusaka Province because;

- funds for the research were not enough to cover other prisons outside Lusaka,
- transport costs and non-availability of transport; and
- time allocated for the research programmes was short.

1.7 DEFINITION OF TERMS

Inmate	Male and female persons in prison [Mumbuwa, 1992].
Prison	Any building or enclosure declared by the Minister of Home Affairs where inmates are kept for punishment or awaiting trial [Prison Act CAP 97]
Congestion	Overcrowding of inmates in prison [Mumbuwa, 1992]
Rehabilitation	Is a prison system which makes possible acquisition of knowledge and change in behaviour and attitudes by inmates so that they are able to conform to social and economic patterns of life outside the prison world or reintegrate into society [Mumbuwa, 1992]

Convict An inmate who is serving a term of imprisonment after being sentenced by the competent authority [Prison Act CAP 97].

Remandee An inmate who is kept in prison awaiting trial [Prison Act CAP 97]

Prohibited Immigrant An inmate who is kept in prison awaiting deportation [Prison Act CAP 97].

CHAPTER TWO

2.0 LITERATURE REVIEW

BACKGROUND

In tracing the making of prisons in Zambia, today we find that prior to the arrival of the white settlers and the colonisation of the country then known as Northern Rhodesia, the indigenous population had its own system of courts through which they enforced their existing customary laws. Although there was no clear and express distinction, as there is today, between civil and criminal wrongs, the division appears to have had been between those acts which affected the safety of the community on one hand, and those whereby satisfaction could be obtained by way of compensation between the parties on the other [Smith, 1920]. This lack of clear division is well illustrated by a procedure that was employed in Barotseland known as 'Kuta'. The Kuta, as an assembly of the leaders of the community which met to deliberate and to try cases of the offences committed by individuals, was vested with the power to consider whether any public interest was involved in a case between two individuals. If it was considered such as interest to be present; the Kuta could levy a fine on the guilty party, thereby turning the case into a criminal matter. However, compensation was considered to be obtainable between the parties without the question of public interest involved, the case under consideration could be dealt with by ordering the payment of compensation to the injured party. A good example here could be a case involving adultery with another man's wife where compensation could be paid to the injured husband (Smith, 1920).

With the coming of the whites and colonisation, a new system of enforcing the law was introduced in the then Northern Rhodesia, now Zambia. For the first time, the English style of the courts, administration, punishment and imprisonment made their appearances in the country. All these events date back to as far as 1924 when the then Northern Rhodesia became a protectorate. It is actually from here that our present criminal justice system and process is traceable although of course, some minor changes were effected after the attainment of independence from colonial rule in 1964 [Hatchard and Ndulo, 1994]. In summary, it can be said traditionally, that the criminal justice system was styled in such a way that punishment for any of the law was administered almost immediately by an assembly of leaders who prescribed and meted out various penalties depending on their classification of various offences they were faced with. The imprisonment of the offenders that we know today is a foreign practice that was introduced by the colonialist and which Zambia has inherited and practices today [Hatchard and Ndulo, 1994]

At independence in October, 1964, Zambia had fifty-five penal institutions country wide. Writing in the prisons annual report for 1964, the commissioner of prisons stated the transition problems as follows;

The prisons service passed through a difficult period during the first six months of its inception. At the beginning there was no headquarter organizations; the subordinate staff was inadequate and many were untrained, prison accommodation was seriously overcrowded due to the large number of persons in custody; basic necessities such as blankets, clothing and other equipment were practically non-existent, the discipline of staff and inmates was not good and in general the prison system

presented problems which seldom, if ever, have had to be met elsewhere [Mumbuwa, 1992]

Mumbuwa [1992], further states that despite these transitional problems, a radical re-organisation of the service was, however, instituted at the beginning of 1964 and was concentrated on:

- the relief of overcrowding by the provision of additional accommodation,
- the provision of adequate employment for inmates,
- the classification of prisons for administrative purpose,
- the classification and segregation of inmates according to their ages, history and character,
- the introduction of methods of training more officers in accordance with modern ideas of the rehabilitation of the inmates,
- the general reorganisation of the internal system of prison administration and internal economy,
- the improvement in prison conditions and the abolishing of racial discrimination; and
- methods by which morale and discipline of the staff could be raised and all the members of staff welded into one service with common objectives and interests.

Overtime, new prisons were built while old ones have been closed through gazette notices. This, however, has not helped in the decongestion of prisons even to this day, although the country has more than fifty-one penal institutions including Katombora Juvenile Reformatory and Mazabuka Approved Schools.

FUNCTIONS OF PRISONS

Historically, prisons through out the world have four basic functions or factors to achieve. These factors, however, seem to contradict each other [Mumbuwa, 1992]. These factors can be outlined as follows:

a. CUSTODIAL

This function involves the safe keeping in prisons of all these persons committed to prison for various reasons. These reasons may be;

- i. detained for preservation of public security,
- ii. detained on the president's pleasure; these are mainly those who are mentally sick,
- iii. convicted and sentenced to serve a term of imprisonment for either a crime or civil offence,
- iv. remanded in custody and awaiting trial by the court of law,
- v. remanded in custody pending further investigations,
- vi. held in custody as prohibited immigrants and awaiting deportation,
- vii. convicted and sentenced to death.

The main functions of custodial is to prevent the offender from committing further offences and thereby protecting the public.

b. RETRIBUTION

According to Mumbuwa [1992], the term retribution is defined as deserved punishment or penalty for wrong doing. In line with this definition, the function of the penal institution in this case is the carrying out without fail of the punishment imposed by competent sentencing authority. The punishment may be in terms of;

- i. imprisonment with Hard Labour [IHL]
- ii. simple Imprisonment [SI]
- iii. confinement in a penal block
- iv. imprisonment to life
- v. sentence to death
- vi. corporal punishment [this has been suspended until forth notice]
- vii. weekend imprisonment.

The function of retribution is to inflict hardship on the convict and make the society feels that punishment is commensurate with the offence committed. It is important to note that the retribution theory holds that punishment is the infliction of pain on an individual by an appropriate authority because he/she is guilty of a crime. The retribution theory is based on moral doctrines, which go beyond the limits of the law. This theory calls for vengeance on the wrong doer in the belief that a wrong done by the criminal can be negated only by the infliction of appropriate pain or punishment.

c. COERCIVE

Coercive means the imprisonment used to compel a person to comply with the court order or competent law whether civil or criminal. If the order is complied with, that imprisonment ceases to be effective. Cases where coercive measures are applied to are;

- i. civil debtors,
- ii. those for contempt of court; and
- iii. those ordered to pay fine but fail to do so.

The coercive function, therefore, helps the courts of law in having their orders complied with by those ordered to do so.

d. CORRECTIONAL

The correctional function is a new concept in Zambia that mainly concerns itself with the rehabilitation and reformation of inmates. As can be observed from its functions, there is a deviation from both retribution and coercive functions which are punishment oriented, in that penal institutions primary roles are no longer to punish the offender but to correct his/her wrongs and in the process he/she becomes rehabilitated and changes into a law abiding citizen. The main function of correctional is directed to all convicted persons or those at the reformatory school. This function helps to change the convict so that on his/her discharge from prison he/she becomes a law abiding citizen. It can be said that the reformatory theory proceeds on the basis that an inmate is sick. One can not punish the sick but should be sent to hospital to be cured.

The theory emanates from the realisation that even though an inmate has broken a rule in society and thereby endangering its orderly existence, he/she is still a member of that society and must be treated as such. It has been noted that most of the people who commit criminal offences are poor, hungry and unemployed, although it is notoriously difficult to generalise about the significance of each of the causes of crime. It can be safely said that economic factor is of great significance to each of the causes of crime. This, therefore, calls for reformation of inmates by providing them with alternative means of earning a living [Benn, 1951].

The use of reformatory theory has been said to be a sure way of saving those sections of the criminal society who commit crimes because of their circumstantial factors such as poverty or those who commit crimes because they are mentally or emotionally ill. It should be pointed out that, not any one of these theories can be accepted in preference to the other. For instance, retribution can be criticised on the premises that the imposition of the death sentence on an individual who murders the breadwinner of family X does not in any way bring food to the table of the surviving members of that family. This seems to be a primitive basis of punishment which calls for an 'eye for an eye' or 'tooth for a tooth' principle. On the other hand, some countries in the world are said to impose long and harsh prison sentences on criminals as a means of deterring them from committing crimes. This belief fails to account for the many prevalent cases of recidivism [the repeated commission of crimes by the same offender]. Some sociologists argue that prison life presents opportunities for criminals to learn from one another to commit more crimes than before. These theories, therefore, must not be thought

to exist in isolation. All sorts of punishment must and do have components of each one of them although in different proportions.

CONGESTION IN PRISONS

Today, most prisons in Zambia are overcrowded to unprecedented levels. This problem has arisen as a consequence of the rising population of the country. The country's population has grown from barely three million at independence in 1964 to over ten million people, while the prison population has risen from 4, 017 in 1964 to over 13, 000 [CSO, 2001 and Prison Annual report, 2001]. Unfortunately, this rise in the prison population levels has not been accompanied by a corresponding provision of prison space. This situation has been aggravated by an inefficient and overcrowded criminal justice system in which hundreds of people have been held in prison custody as remandees while awaiting trial. Remandees often have to spend a lot of time in the prisons before their cases can be disposed of. The high number of prohibited immigrants equally contributes to the high figures in the prison population. Mumbuwa [1992] states that;

‘The prison structures were meant for very few humble and simple unsophisticated criminals. But as the number of inmates sours, there has been no corresponding expansion or significant renovations made to the over used and run down buildings, there by causing serious overcrowding and health problems for inmates’.

The rising number of prison population can be attributed to the rapid urbanisation shortly after independence. Equally too, the wide spread of unemployment which has made the economy of the country unbearable.

The serious overcrowding of the prisons has negative effects on the inmates themselves, the prison staff and the government as a whole. Some of the negative effects of overcrowding in prisons can be outlined as follows;

a. LACK OF CLASSIFICATION OF INMATES

The Prison Act provides for the separation of inmates into their respective classes. Section 60 provides for the separation of inmates to prevent far as practicable their communicating with the other classes. Subsection 2, further provides the following classes of convicted and unconvicted inmates of each sex. These classes are:

- Adults,
- young inmates or juveniles,
- first offenders,
- inmates with previous convictions,
- inmates suspected or certified as being of unsound mind,
- male,
- female; and
- such other classes as the commissioner may determine.

While the provisions with regard to the separation of inmates are in most respects adhered to, especially for the male and female, the separation of inmates in accordance with the other criteria set out above seldom takes place. This is much more evident with the pre-trial detention of young offenders or juveniles who are in most cases detained together with adult offenders. The failure to observe these rules to have a large extent been attributed to lack of prison space and non availability of special facilities in the prison to cater for the juveniles [Juveniles Act, CAP 53]. A juvenile in

remand who is acquitted after one year of roaming about in prison with hardcore criminals is almost sure of being lost in the society. His/her chances of committing other offences are greater than before he/she was detained in prison.

b. FOOD, SANITATION AND DISEASE

It has long been accepted that detainees are most likely to be victims of torture. In this vein, there are various international mechanisms that have been put in place for the protection of their freedom from torture. Since the inception of UN in 1948, numerous efforts to fight torture and enhance the humane treatment of offenders have been made with the most comprehensive being the Standard Minimum Rules [SMRs] for the treatment of offenders and the Convention Against Torture [CAT]. In Zambia, towards the end of 1965, a new Prisons Act based upon the requirements of the Standard Minimum Rules agreed by the UN on the prevention of crime and treatment of offenders was passed by the National Assembly [UN, 1977]. This Act is still in force even up to this day.

The overcrowding of inmates has made it impossible to realise the requirement of law on the treatment of offenders. Due to the rising number of inmates in prisons, it has not been possible to provide the inmates with good diet. Most inmates are subjected to poor diet consisting of nshima and beans which are in most cases not prepared at the required time. This problem has been attributed to the inadequate cooking utensils. The other problem is that the prison service is finding it difficult to meet the daily demands for food to feed the rising number of inmates [Times of Zambia, 12th May, 2001]. In most cases three quarters

of this rising number of inmates are remandees who do not perform any prison activities like working in the prison garden or workshops thus rendering themselves unproductive and a burden on the economy of the prison Service.

Further, the sanitary conditions in these prisons leave much to be desired. This is because the number of inmates does not match with the water facilities that are available, for example, the inmates are made to share the few bathrooms and toilets – a situation that has contributed to the high levels of unhygienic conditions hence making inmates susceptible to diseases. Prisons have become a breeding ground for contagious diseases such as tuberculosis (TB), scabies, dysentery, cholera and other infections while diseases like malaria and other maladies are common place.

Though part IV of the Prison Act provides for the appointment and duties of a medical officer, the provision relating to medical officers and the provision of medical facilities to inmates have in practice proved difficult to implement because of lack of funds and personnel. The prisons cannot afford to hire doctors every time though a few clinical officers and nurses are seconded by the Ministry of Health; even then these officers have not been enough to cater for the rising prison population.

c. LOW STAFFING LEVELS

Generally, the prison service is understaffed; the staff to inmate ratio does not match with the requirement by law of ratio of one officer to five inmates. The prevailing staff strength of about 1 800 cannot be said to be adequate and rationally it is unable to correspond with that of inmates.

Commenting on the issue, Mumbuwa [1992] said;

‘Prison staff levels have remained static at 1 800 in 1980 when there were 9 141 inmates and now when the average prison population is over 13 000. The officers are shared amongst all the penal institutions country wide’.

As can be observed this imbalance has created insecurity, for one officer is made to escort 30 or more inmates for outside activities like the hospital, garden and other activities. This suffices to point out that the provision relating to supervision and monitoring of inmates has in practice proved ineffective.

It was in this context that the researcher sought to conduct a research to determine the factors that contributed to congestion in the prison service.

CHAPTER THREE

3.0 METHODOLOGY

3.1 POPULATION

Although there were many prison institutions in the nine [9] provinces in Zambia, the study concentrated on the three [3] prisons in Lusaka province and included inmates, officers from police and prisons and officials from the judiciary.

The reason for selecting Lusaka province was that the prison population was higher than in any other province in Zambia. The observation of the researcher on the prison population agreed with the reports in the media and also from the public. It was, however, difficult to tell the total population because the number of inmates fluctuated every now and then.

3.2 SAMPLE POPULATION

Since it was difficult to tell the total population, the sample population was drawn at 150 and was divided as follows: 100 inmates, 20 police officers from stations within Lusaka urban, 20 prison officers from the three prisons and 10 officers from the judiciary department.

In trying to determine the causes of congestion of inmates in the three [3] prisons, the researcher used both open and closed ended questionnaires. Oral interviews were administered using interview guide to the officers, i.e. prison administrator, prison officers, police officers and judiciary officers.

3.3 DATA COLLECTION TECHNIQUES

In order to collect more information the following techniques were administered;

- a. Questionnaires were administered to the inmates
- b. Interview guide among the officers from police, prison and judiciary
- c. Documentary analysis from past records and files; and
- d. Interview and general observations.

3.4 DATA ANALYSIS

The data collected was analysed using tables of frequencies and percentages.

CHAPTER FOUR

4.0 INTERPRETATION AND DISCUSSION OF RESULTS

As discussed in the previous chapter, the methodology aspects of the study focused on the data collected, the instruments used, design of the study and data analysis.

This chapter will discuss the results of the study. As mentioned earlier, all the questionnaire and interview guides were administered and the results obtained were presented in frequency distribution and percentages. The tables below show the results obtained from the three [3] prisons in Lusaka province.

4.1 INMATES' QUESTIONNAIRE

TABLE 1: DISTRIBUTION ACCORDING TO SEX

SEX	FREQUENCY	PERCENTAGE
MALE	95	95
FEMALE	05	05
TOTAL	100	100

TABLE 1: Shows that 95% of inmates in Lusaka province were males and 5 % were females. The female inmates are only found at the female section at Lusaka central prison.

TABLE 2: DISTRIBUTION ACCORDING TO AGE

AGE	FREQUENCY	PERCENTAGE
10 -18	2	2
19 - 25	14	14
26 - 32	58	58
33 and above	26	26
TOTAL	100	100

TABLE 2: Shows that 58 % of the inmates between the age of 26 and 32 years old were the more majority in the prison. The age groups between 33 and above had 26 % while 19 and 25 had 14%. 10 - 18 which is the age group for juveniles had only 2 %. This confirmed that there are more inmates between the age of 26 - 32 also between the age of 33 and above and few inmates between the age of 10 - 18.

TABLE 3: DISTRIBUTION ACCORDING TO ACADEMIC QUALIFICATION

ACADEMIC QUALIFICATON	FREQUENCY	PERCENTAGE
Grade VII	60	60
Form II/Grade 9/Grade 10	12	12
Form V/Grade 12/GCE	26	26
University and Above	2	2
TOTAL	100	100

TABLE 3: Shows that 60% of the inmates held grade VII academic qualification, 26% of the inmates held form V/grade 12/GCE and 12% of them held form II/grade 9/grade 10 academic qualification while only 2% of the inmates held university academic qualification.

TABLE 4: DISTRIBUTION TO THE TYPE OF EMPLOYMENT ENGAGED IN BEFORE COMING TO PRISON

TYPE OF EMPLOYMENT ENGAGED IN	FREQUENCY	PERCENTAGE
Civil Service	10	10
Private Company	10	10
Business	20	20
Non of the above	60	60
TOTAL	100	100

TABLE 4: Shows 60% of the inmates were not engaged in any employment, 20% were engaged in business, 10% were engaged in civil service and also 10% were engaged in the private companies.

TABLE 5: DISTRIBUTION ACCORDING TO THE OFFENCE COMMITTED

OFFENCE COMMITTED	FREQUENCY	PERCENTAGE
Assault	5	5
Theft	40	40
Aggravated robbery/murder	30	30
Any other offence	25	25
TOTAL	100	100

TABLE 5: Shows that 40% of the inmates committed theft, 30% committed aggravated robbery/murder, 25% committed different offences. Only 5% of the inmates committed assault.

TABLE 6: DISTRIBUTION ACCORDING TO PREVIOUS OFFENCES COMMITTED

PREVIOUS OFFENCE COMMITTED	FREQUENCY	PERCENTAGE
3	40	40
2	15	15
1	22	22
NIL	23	23
TOTAL	100	100

TABLE 6: Shows that 40% of inmates committed 3 previous offences, 22% committed 1 previous offence, 15% committed 2 previous offences. 23% had no previous offence.

TABLE 7: DISTRIBUTION ACCORDING TO THE PERIOD ONE HAS STAYED IN PRISON

PERIOD STAYED IN PRISON	FREQUENCY	PERCENTAGE
Less than a month	5	5
More than a month	22	22
Six months or more	48	48
One year and above	25	25
TOTAL	100	100

TABLE 7: Shows 48% of inmates stayed for 6 months or more in prison, 25% of the inmates stayed for one year and above, 22% stayed for more that a month while 5% stayed for less than a month in prison.

TABLE 8: DISTRIBUTION AS TO WHETHER ONE HAS STAYED LONG IN PRISON

WHETHER ONE HAS STAGE LONG IN PRISON	FREQUENCY	PERCENTAGE
Have stayed long	79	79
Have not stayed long	21	21
TOTAL	100	100

TABLE 8: Shows that 79% of the inmates have stayed long in prison while 22% of inmates have not stayed long in prison.

TABLE 9: DISTRIBUTION AS TO WHETHER THE OVER STAYING IN PRISON IS AS A RESULT OF ADJOURNMENTS

WHETHER OVER STAYING IN PRISON IS AS A RESULT OF ADJOURNMENT	FREQUENCY	PERCENTAGE
Not as a result of adjournments	18	18
As a result of adjournments	82	82
TOTAL	100	100

TABLE 9: Shows that 82% of the inmates attributed the over staying in prison to adjournments while 18% did not attribute their overstaying in prison to adjournments.

TABLE 10: DISTRIBUTION ACCORDING TO THE NUMBER OF TIMES THE CASES HAVE BEEN ADJOURNED

NUMBER OF TIMES THE CASES HAVE BEEN ADJOURNED	FREQUENCY	PERCENTAGE
Two times	4	4
Three times	20	20
Four times	10	10
Five times	66	66
TOTAL	100	100

TABLE 10:Shows that 66% of the inmates said that their cases were adjourned five times since the time they went to prison, 20% of the inmates said that their cases were adjourned three times, 10% said that their cases were adjourned four times while only 4% of the inmates said that their cases were adjourned two times.

TABLE 11: DISTRIBUTION SHOWING THE CAUSES OF ADJOURNMENTS

CAUSES OF ADJOURNEMENT	FREQUENCY	PERCENTAGE
Transport	11	11
Delay by police	14	14
Delays by courts	14	14
Any other cause	61	61
TOTAL	100	100

TABLE 11: Shows that 11% of the inmates said that the causes for adjournments was lack of transport to ferry them to court, 14% of the inmates said that the cause for adjournments was delays by police to prepare documents and secure witnesses, 14% of the inmates said that the cause for adjournments was the delay by the courts to dispose of the cases while 61% said that there were other causes for the adjournments.

TABLE 12: DISTRIBUTION ACCORDING THE NUMBER OF INMATES IN THE CELLS/DORMITORIES

NUMBER OF INMATES IN THE CELLS/DORMITORY	FREQUENCY	PERCENTAGE
Less than 20	2	2
20 – 50	4	0
50 –80	80	80
80 and above	14	14
TOTAL	100	100

TABLE 12: Shows that 80% of the inmates occupied one cell/dormitory, 14% of the inmates occupied one cell/dormitory, 4% of the inmates occupied one cell/dormitory and only 2% occupied one cell/dormitory.

TABLE 13: DISTRIBUTION SHOWING THE CAUSES OF CONGESTION IN THE CELL/DORMITORY

CAUSES OF CONGESTION	FREQUENCY	PERCENTAGE
Rise in crime	20	20
Adjournments	20	20
Lack of alternatives to sentences of imprisonment	15	15
Old and small prison	45	45
TOTAL	100	100

TABLE 13: Shows that 45% of inmates attributed the congestion in the cells/dormitory to the state of the prisons which are old, small and not matching with the rise in crime, 20% of the inmates attributed the congestion to several adjournments, 20% of the inmates attributed the congestion to the rise in crime and 15% of inmates attributed the congestion to lack of alternative sentences.

TABLE 14: DISTRIBUTION ACCORDING TO WHAT COULD BE DONE TO DECONGEST THE CELLS/DORMITORY

SOLUTIONS TO DECONGEST THE CELLS/DORMITORY	FREQUENCY	PERCENTAGE
Build new prisons	42	42
Speedy trials	40	40
Community service	20	20
Education	8	8
TOTAL	100	100

TABEL 14: Shows 42% of inmates suggested to build new prisons, 30% of inmates suggested to have speedy trials, 20% of the inmates suggested to provide community service as an alternative to sentences of imprisonment and 8% suggested to provide education to the inmates on how to be law abiding citizens.

4.2 DISCUSSION OF THE RESULTS FOR INMATES

i. Distribution According to Sex

From table 1, 95% of the inmates in Lusaka province were males and 5% were females. This is because the female inmates are only found at Lusaka central prison with only a small population.

ii. Distribution According to Age

From table 2, 58% of the inmates ranged between 26-32 years and 26% ranged between 33 and above. This confirmed that the majority of the inmates were between the range of 26-32 years and 33 and above at the time of research.

iii. Distribution According to Qualification

From table 3, 60% of the inmates held grade vii academic qualification, 26% held form five/grade 12/GCE, 12% held form two/grade 9/grade 10 and only 2% held university academic qualification. This confirmed that most of the inmates in prison were those with less academic qualification.

iv. Distribution According to the Type of Employment Engaged in Before Coming to Prison

From table 4, 60% of the inmates were not engaged in any employment, 20% were engaged in business, 10% were engaged in civil service, 10% were engaged in the private companies. This confirms that most of the inmates found in prisons were not engaged in any employment.

v. Distribution According to the Offence Committed

From table 5, 40% of the inmates committed theft, 30% committed aggravated robbery/murder, 25% committed different offences and only 5 % committed assault. This meant that there were more inmates who committed the offences of theft and aggravated robbery/murder at the time of research.

vi. Distribution According to Previous Offences Committed

From table 6, 40% of the inmates committed 3 previous offences, 22% committed 1 previous offence, 15% committed 2 previous offences and 23% of the inmates did not commit any offence. This indicated that most of the inmates found in prisons had committed previous offences.

vii. Distribution According to the Period one has Stayed in Prison

From table 7, 48% of the inmates stayed for 6 months or more in prison, 25% of the inmates stayed for one year or more, 22% stayed for more than a month while 5% stayed for less than a month. This is an indication that more inmates stay longer in prisons.

viii. Distribution as to Whether one has Stayed Long in Prison

From table 8, 79% of the inmates have stayed long in prison while 22% of the inmates have not stayed long in prison. This is an indication that more prisoners stay long in prison.

ix. Distribution as to Whether the over Staying in Prison is as a Result of Adjournments

From table 9, 82% of the inmates attributed the over staying in prison to adjournment while 18% did not attribute their over staying in prison to adjournments. This confirmed that overstaying in prison in as a result of adjournments.

x. Distribution According to the Number of Times the Cases Have Been Adjourned

From table 10, 66% of the inmates said that their cases were adjourned five times since the time they went to prison, 20% of the inmates said that their cases that their cases were adjourned four times while only 4% of the inmates said that their cases were being adjourned every now and then.

xi. Distribution Showing the Causes of Adjournments

From table 11, 11% of the inmates said that the cause for adjournments was lack of transport to ferry them to courts, 14% of the inmates said that the cause for adjournments was delays by police to prepare necessary documents and secure witnesses, 14% of the inmates said that the cause for adjournments was the delays by the courts to dispose of the cases while 61% said that there were other causes other causes for adjournments. This confirmed that apart from transport, police and courts delays, there were other causes for adjournments.

xii. Distribution According to the number of inmates in the cell/dormitories

From table 12, 80% of the inmates occupied one cells/dormitories, 14% of the inmates occupied one cell/dormitory, 4% of the inmates occupied one cell/dormitory

and only 2% occupied one cell/dormitory. This indicated that there was congestion in prison at the time of the research.

xiii. Distribution showing the causes of congestion in the cells/dormitories

From table 13, 45% of the inmates attributed the congestion in the cells/dormitories to the state of the prison which are old, small and not matching with the rise in crime, 20% of the inmates attributed the congestion to several adjournments, 20% of the inmates attributed the congestion to the rise in crime and 15% of the inmates attributed congestion to lack of alternative sentences. This confirmed that some of the causes of congestion were due to the state of the prisons most of which were built before independence, the rise in crime and lack of alternative sentences like community service.

xiv. Distribution according to what could be done to decongest the cells/dormitories

From table 14, 42% of the inmates suggested to build new prisons, 30% of the inmates suggested to have speedy trials, 20% of the inmates suggested to provide community service as an alternative to sentences of imprisonment and 8% suggested to provide education to the inmates on how to be law abiding citizens.

4.3 RESULTS FROM INTERVIEWS WITH THE ADMINISTRATOR, POLICE, PRISONS AND JUDICIARY OFFICERS

i. Prison Population

During the interviews with the administrator, police, prisons and judiciary officers, it was confirmed that the daily lock up of the three [3] prisons were as follows:

- a. Lusaka Central had 1, 155 inmates;
- b. Kamwala Remand had 916 inmates; and
- c. Mwembashi Prison had 310 inmates.

It was further confirmed that the population did not correspond with the provisions of the prison space. The situation was so bad that inmates had to sleep in shifts or spent their nights sitting and turning in unison, Cells usually had to cope up with the high numbers of inmates, sometimes to as much as four times the recommended number of occupants. For example, at the time of the research, Lusaka central prison had about one thousand, one hundred and fifty-five inmates which is way beyond the recommended prison capacity of two hundred and sixty.

This situation was similar to other prisons in Zambia.

ii. Sanitation, Hygiene and Prison Diet

It was confirmed that the sanitation conditions in these prisons leave much to be desired. There was erratic water supply. This scarcity of water in prisons had led to an increase in the levels of unhygienic conditions in prisons. This was because the few taps, toilets and bathrooms available did not accompany the rising number of inmates who were made to share, for example, the few toilets and bathrooms. It was confirmed that despite the problem of water, toilet and bathrooms, inmates were encouraged to keep themselves clean. There was great emphasis by the prison officers on the need for hygiene among the inmates.

Further the diet that inmates were subjected to was very poor and often consisting of nshima and beans which in most cases lacked the necessary ingredients. The reasons had been that due to the rising number of inmates in prisons, it had not been possible to provide the inmates with good diet and that the prison service was finding it difficult to meet the daily demands for food to the increasing number of inmates. It was confirmed that in most cases, three quarters of the inmates were remandees who did not perform any prison activities like working in the workshops and the gardens, thus rendering themselves unproductive and a burden on the economy of the service.

iii. Low Staffing Levels

It was confirmed that the three [3] prisons were understaffed. It was further confirmed that the problem of staff was found in almost every prison in the prison service. This was because the staff to inmates' ratio did not match with the requirements by law of ratio of one officer to five inmates. The imbalance had created insecurity to the prison officers. Officers were made to escort 30 or more prisoners to the garden and the clinic or hospital making on one-on one training impossible as inmates were supposed to be spaced in such a way that an officer was able to see them all at one time and count each one of them at regular intervals.

Further, the understaffing of prison also made it impossible for the efficient and effective supervision of inmates and hence the unlikelihood of detecting the maltreatments of inmates by fellow inmates.

It was further confirmed as could be seen from the foregoing revelation that there was a clearly marked departure from the provisions with regard to the humane treatment of the inmates as demanded both by the local legislative provisions and international law. It was also showed that the likelihood of achieving the aims of imprisonment, which was to reform the inmates were unlikely to be achieved under such harsh conditions.

iv. Causes Of Congestion In Prisons

On the causes of congestion in the prisons, it was confirmed that the police and the courts played a vital role in the administration of criminal justice. However, these institutions had been beset by various problems which had continued to cause the congestion in prisons. The following had been identified as the main causes of congestion in prisons:

a. Frequent Adjournments

The problem of frequent adjournments was attributable to prosecution and defence counsel action. This was one problem which was very notorious in causing the delays to the process of commencement of criminal trials.

The prosecution, it was confirmed could not escape the blame on a wide range of reasons such as the unavailability of witnesses and some important pieces of documentary evidence. This had played a part in the frequent adjournment scenario.

Further, it was confirmed that some inmates did not have access to bail. Even for theailable offences, it became practically impossible for some of the inmates to raise sureties or even the cost of the bail. As a result the inmates were made to languish in prison hence contributing to congestion in the prisons.

The other problem that had contributed to the congestion in prison was the role the lawyers had been playing in defending their clients. Their tendency of seeking too many adjournments on flimsy or unmeritorious grounds contributed a great deal to the congestion in prisons. These had resulted in a situation where very few proceedings took place on the first calendaring and so have had to be recalendered several times. Inevitably, time was lost in last minute adjournments as while some cases could not be advanced for hearing, those adjourned could again be assigned valuable time.

Lastly, lack of transport to take inmates to and from the courts had contributed to frequent adjournments. This was a problem which was hit by both the police and the prison services. It was difficult to secure transport for ordinary remands in the case of the police and capital remands and also those awaiting transfer to other prisons *for the prison service. It was confirmed this problem affected most of the prisons in Zambia.*

b. Shortage of Court Rooms

It was confirmed by the judiciary that the problem of inadequate court rooms had greatly hindered the progress of criminal cases. It had mostly hit the subordinate courts more than the high court for example, a survey conducted

at Chikwa Court revealed that presently there were three court rooms as against fourteen magistrates. This meant that the available court rooms had to be shared because it was not possible for each magistrate to have his/her. As a result even though a particular magistrate may have lined up a good number of cases to come up for hearing on a particular day, it was not possible to exhaust the day's cause list within the time limit allocated to him/her to use the court room. In this situation he/she was forced to adjourn the matters left out of his/her time limit to another date that his/her diary would accommodate so as to allow the other magistrates make use of the available court space. This resulted in criminal trials not commencing because the relevant case had fallen of time. At the time of the interview the magistrate court was under construction. It was hoped that the problem of courtroom would be solved.

The other problem which the court faced was the inadequate staff which had considerably reduced the strength of the judiciary especially when measured against the rapid population growth and therefore the rise in crime rate in the country. Research had shown that the number of both magistrates and judges had generally not marched with the tremendous increase in the country's population and therefore, increased incidences of crime and criminal cases. With the increase in the population and therefore crime in the country, it had been observed that there had

been an upward explosion in the number of cases being brought before the courts. Consequently, the volume of case loads shouldered on each magistrate or judge continued to be on the upswing so that they dealt with abnormal work loads which they could not efficiently handle. This state of affairs affected the accused person awaiting trial in such a manner that he/she might remain in prison custody without being put on trial for long periods of time depending on how far his/her case had been fixed on the magistrates or judges calendar [diary].

c. Delayed Instructions for Committal to the High Court

It was confirmed that the delayed instructions for committal to the high court for trial contributed to congestion in prisons. The process of committal should be a straight forward one whereby the subordinate court transferred a case, which it had no jurisdiction to the High Court for trial when the prosecution received a certificate of instructions from the Director Public Prosecution [DPP]. However, the length of time that it took from the accused's first court appearance was a shocking statistic. Research had shown that in some cases, it had taken for as long as one to five years. In one news media article, there was a reported case in which a Kabwe High Court Judge Mr. Justice Munthali was riled by the fact that a murder suspect had been remanded in Mumbwa Prison since 1996 without being committed to the high court for trial. It was

also confirmed that there were circumstances were suspects, for examples, for murder and aggravated robberies were reported to have appeared for mention and were scheduled to appear for yet another mention because the state or prosecution was still awaiting the DPP's instructions for committal to the High Court.

As a result of this situation, accused persons were required to be brought before the court, in which proceedings were commenced, a dozen times before they could finally be committed to the high court for trial. In some instances, this had resulted into a clear *demonstration of a situation of "justice delayed is justice denied"* where by an accused person charged with a non-bailable offence has had to remain in custody for such a long time only to be found not guilty of the charge levelled against him/her.

d. Unreliability of Legal Aid

The Legal Aid Act makes Legal Aid in all case triable by the high court mandatory. Therefore all criminal cases in the High Court and all specified offences in the subordinate courts were defended by Legal Aid Counsel through out the country. In fact if the accused had been granted legal aid, trial could not proceed if for some reason defence counsel was not available.

The role of the Legal Aid Counsel, therefore, put the Legal Aid department in a very important position of the whole criminal justice process. However, despite the very important position that the Legal Aid occupies in the criminal justice process, it was far from being reliable. It was confirmed that the inefficiency of the Legal Aid department had been blamed on its being understaffed and under funded. This had adversely affected the operations of the department in three major ways:

Firstly, because of the budgetary constraints, the department had not been able to employ more lawyers because it lacked the capacity to sustain them by, for example, payment of decent salaries.

Secondly, the money allocated to the department had fallen short of the actual needs of the department. Legal Aid Counsel had to operate under very poor working conditions. This had meant that very few lawyers in the country were attracted to join the department in order to expand it. It had also resulted in frequent exoduses of counsel so that those retained have had difficulties going round to cover all the deserving cases allocated to them in time. The accused, therefore, had to remain in custody until Legal Aid Counsel visited the area again as trial could not be commenced without counsel being present.

CHAPTER FIVE

5.0 CONCLUSION

The research has yielded some useful data which can be used to find solutions to the current congestions of inmates in the Zambian prisons.

From the results, the following conclusions were made:

- there was congestion in the Zambian prisons;
- there was no seriousness in the execution of justice;
- there was limited accommodation for inmates in the Zambian prisons; and
- there were some adverse and psychological effects affecting those in prisons.

5.1 SUMMARY

The aim of the study was to establish the factors that contributed to congestion in the Zambian prisons, a case of Lusaka Central, Kamwala Remand and Mwembeshi Prisons.

The above study has shown that the human rights situation in the Zambian prisons leave much to be desired and there is generally an acceptance of the failure to meet the required Standard Minimum Rules (SMRs) in the treatment of offenders

as proclaimed by the United Nations (UN). This, therefore, calls for an urgent need to reform our prison structures. There is need to adopt new methods of punishments as alternatives to imprisonment in order to decongest prisons. It can be stated that the issue of crime prevention is a national issue and that all the interested bodies and institutions must be allowed to participate in the process of entailing the opening up of our prisons system as opposed to the closed system as is currently pertaining.

5.2 RECOMMENDATIONS

Having discussed the issue of congestion of inmates in the Zambian prisons, the following are the recommendations that could assist in the decongestion of prisons:

- Restriction of Freedom

This type of sentence is one of the alternatives to imprisonment. Restriction of freedom is not connected with the placement of offenders in prisons. It primarily involves the obligation of the offender to work and to stay in a specified place of residence. The offender while serving the sentence can not change permanent place of residence without the agreement of the court and is obliged to carry out work laid down by court. The work fulfilled by the offender is not paid for.

The work is performed at an appropriate enterprise, health or social security institution, organisation or establishment engaged in charitable aid or assistance to the local community. An important feature in determining this form of sentencing is that the court, when establishing the place, time, type and method of work must hear from the offender who can inform the court of his capabilities, his work experience and qualification. He may also provide other information about himself particularly concerning his health and family situation. By taking into account all the circumstances, the court is able to take the best decision on how the offender might benefit the state and society. If the offender is working at the time of sentencing, the court may, on the part of the offender, decide to deduct a certain percentage of his wage, or salary for payment to the state or for social purposes as indicated by the court. Moreover, an offender who is in work cannot terminate his employment. If he does so, then he would be obliged to inform the court so that another place of work can be determined. If this is introduced in the penal system in Zambia, provisions such as this would help reduce the incidences of offenders who head households from leaving their families and thus continue providing for their families needs.

Along with restricted freedom, the court can put the offender under the supervision of a supervisor, which may be a person of worth of trust, an organisation, institution of social organisation whose activity involves educational provision, prevention of democratisation or providing assistance to offenders.

- Bail

Among the measures used as alternative to imprisonment is bail. Unlike in the Zambian criminal law system where bail is only granted as temporary measures while the accused is awaiting the final determination of his case by the courts they can be a provision for the release from criminal sentence in the event that the offender is granted bail.

An important feature of granting bail is that the court makes a decision. It is the court and not the investigating or prosecuting authorities which can release the offender from prison on bail. The court can release the offender on bail in the care or supervision of an individual or an institution which has made an appropriate petition, if the court acknowledges and is convinced that such an individual person or institution not only want, but are also capable of supervising the offenders conduct and educating him in a positive way. Such a decision by the court should be taken in an open

court. The usual period of bail can be determined and is determined at the expiry of this period. The bail can be revoked as the offender continues to commit offences.

- Community Service

Community service is another popularised method of criminal sentencing that has assured some level of importance in developed countries. It has often been used as an alternative to imprisonment for petty offenders and in some cases as a replacement for offenders who cannot afford to pay for their fines when sentenced by the courts.

Community service is often described as one of a range of penalties, which are carried out within the community. It is an order of the court whereby the offender is offered an opportunity of performing work for the benefit of the community by compensating the society for the wrong he has done instead of going to prison.

It should be noted that crime prevention is not just a matter for police officers, judges/magistrates, prison officers and social workers but even local authorities and voluntary sectors.

Community service if introduced in Zambia would mean the opening up of the penal system and allow for participation of NGOs, churches and other interested groups, most of whom have been excluded by the system that is closed from the public.

- Open air prisons (open air reformatory schools)

The researcher believes that building more prison can not be a genuine solution to congestion. Renovations of these old, old prisons can be the answer. Apart from renovating these prisons, opening of more open air prisons [open air reformatory school] can assist greatly in decongesting the prisons.

Inmates who are not dangerous to others or to reform should spend their time in what the first president of Zambia Dr, K D Kaunda referred to as 'Open Air Reform Schools'.

Construction of these open air prisons can not be costly to the government as building would be the type that is found in our villages. The same construction can be done by the inmates themselves.

Apart from contributing to the decongestion of the prisons, here they have to learn to use land for productive purposes plus training in other skills which may be useful to them once they are freed.

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APPENDIX 1

THE UNIVERSITY OF ZAMBIA SCHOOL OF EDUCATION

DEPARTMENT OF ADULT EDUCATION AND EXTENSION STUDIES

QUESTIONNAIRE FOR INMATES

This study, in which you are being requested to participate, is being undertaken to determine factors that contribute to congestion in the prison service.

I would be grateful if you would answer all the questions.

This questionnaire is anonymous and the information will be treated as confidential. Please do not indicate your name or any other personal information on this questionnaire.

You are kindly requested to answer the questions by either putting a tick [✓] in the box provided next to the answer of your choice, or by writing your views in the spaces provided.

EXAMPLE

Are there female inmates in your prison?

a. Yes []

b. No []

If the answer is [NO], you have to put a tick against it.

NOW ANSWER THE FOLLOWING QUESTIONS

1. Sex

- a. Male []
- b. Female []

2. Age group

- a. 10 -18 []
- b. 19 – 25 []
- c. 26 – 32 []
- d. 33 and above []

3. Academic qualification

- a. Grade VII []
- b. Form II/Grade 9/Grade 10 []
- c. Form V/Grade 12/GCE []
- d. University and above []

4. State the type of employment you were engaged in before coming into prison

.....

.....

.....

5. What offence did you commit?

- a. Assault []
- b. Theft []
- c. Aggravated robbery/murder []
- d. Any other offence []

6. Have you at any one time committed an offence?

- a. Yes []
- b. No []

7. Is it true that most of the inmates here have previously committed offences?

- a. Yes []
- b. No []

8. If the answer to 7 is 'yes', please give a comment

.....

.....

.....

9. For how long have you stayed in prison?

- a. Less than a month []
- b. More than a month []
- c. Six months or more []
- d. One year and above []

10. Do you think you have stayed long in prison?

- a. Yes []
- b. No []

11. If the answer to question 10 is 'no', what is your comment about the others?

.....

.....

.....

12. Do you think your staying long in prison is as a result of adjournments?

- a. Yes []
- b. No []

13. If the answer to question 12 is 'yes' how many times has the case been adjourned?

- a. Two times []
- b. Three times []
- c. Four times []
- d. Five times []

14. What in your opinion are the causes for these adjournments?

.....

.....

.....

15. How many are you in the cell/dormitory?

- a. Less than 20 []
- b. 20 -50 []
- c. 50 and 80 []
- d. 80 and above []

16. Generally what is your comment about the other cells/dormitories?

.....

.....

.....

17. Do you think you have enough space to yourself and the others?

- a. Yes []
- b. No []

18. If the answer to 17 is 'no' is congestion, in your view, a serious problem?

.....

.....

.....

19. What do you think are the causes of congestion?

.....

.....

.....

20. What do you think can be done to decongest the prison?

.....

.....

.....

We have now come to the end of our questionnaire, I wish to thank you very much for your cooperation. May the Lord God almighty bless you.

MEMBE CHARLES
THE UNIVERSITY OF ZAMBIA
SCHOOL OF EDUCATION
DEPARTMENT OF ADULT EDUCATION AND EXTENSION STUDIES
P O BOX 32379
LUSAKA

APPENDIX II

THE UNIVERSITY OF ZAMBIA SCHOOL OF EDUCATION

DEPARTMENT OF ADULT EDUCATION AND EXTENSION STUDIES

INTERVIEW GUIDE FOR THE PRISON OFFICERS

This study, in which you are being requested to participate, is being undertaken to determine factors that contribute to congestion in the prison service.

I would be grateful if you would freely participate in this discussion which I will lead.

The information that will be derived from this study will be treated as confidential.

1. What is the average lock up in your prison?
2. In your view, are you satisfied with the number of inmates in your prison?
3. What do you think are the causes of congestion in prisons?
4. What do you think can be done to decongest the prisons?

APPENDIX III

THE UNIVERSITY OF ZAMBIA SCHOOL OF EDUCATION

DEPARTMENT OF ADULT EDUCATION AND EXTENSION STUDIES

INTERVIEW GUIDE FOR THE POLICE OFFICERS

This study, in which you are being requested to participate, is being undertaken to determine factors that contribute to congestion in the prison service.

I would be grateful if you would freely participate in this discussion which I will lead.

The information that will be derived from this study will be treated as confidential.

1. Are you aware that there is congestion in prisons?
2. What do you think are the causes of congestions in prisons?
3. What do you think can be done to decongest the prisons?

APPENDIX IV

THE UNIVERSITY OF ZAMBIA SCHOOL OF EDUCATION

DEPARTMENT OF ADULT EDUCATION AND EXTENSION STUDIES

INTERVIEW GUIDE FOR JUDICIARY OFFICERS

This study, in which you are being requested to participate, is being undertaken to determine factors that contribute to congestion in the prison service.

I would be grateful if you would freely participate in this discussion which I will lead.

The information that will be derived from this study will be treated as confidential.

1. Are you aware that there is congestion in the prisons?
2. What do you think are the causes of congestion in prisons?
3. What do you think can be done to decongest the prisons?

APPENDIX V

THE UNIVERSITY OF ZAMBIA SCHOOL OF EDUCATION

DEPARTMENT OF ADULT EDUCATION AND EXTENSION STUDIES

INTERVIEW GUIDE FOR THE PRISON ADMINISTRATOR

This study, in which you are being requested to participate, is being undertaken to determine factors that contribute to congestion in the prison service.

I would be grateful if you would freely participate in this discussion which I will lead.

The information that will be derived from this study will be treated as confidential.

1. What is the average lock up of inmates in your prison?
2. In your view, are you satisfied with the number of inmates in your prisons?
3. How is the diet like?
4. How about sanitation and hygiene?
5. Do you think the problem of diet, sanitation and hygiene are as a result of congestion?
6. What do you think are the causes of congestions in prisons?
7. What do you think can be done to decongest the prisons?

APPENDIX VI

RESEARCH TIME FRAMEWORK

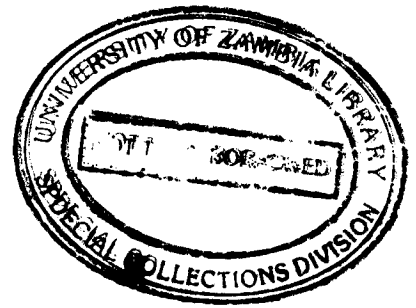
DATE	ACTIVITIES
02 -04 JUNE 2004	Project topic submitted to supervisor
04 -06 JUNE 2004	Project topic approved by supervisor
02 – 13 JULY 2004	Writing of the research proposal
14 -16 JULY 2004	Submission of the research proposal
21 – 30 JULY 2004	Data collection
08 -21 AUGUST 2004	Data analysis
25 OCT. – 25 NOV. 2004	Writing of the final report
6 DECEMBER 2004	Presentation of final report

APPENDIX VII

RESEARCH BUDGET: PERIOD OF RESEARCH –JUNE TO DECEMBER 2004

DESCRIPTION	QUANTITY	PRICE/UNIT	TOTAL
Reams of paper	4	K 30, 000	K120, 000
Typing & printing			K300, 000
Photocoping			K100, 000
Binding costs	4	15, 000	60, 000
Pencils	4	500	2, 000
Pieces of rubber	4	1, 000	4, 000
Staples	1	5, 000	5, 000
Stapler pack	1	4, 000	4, 000
Pens	10	500	5, 000
Food			100, 000
Board and lodging			200, 000
Travel and transport			100, 000
Total			K1, 000, 000
Contingency (10%)			K100, 000
Grand total			K1, 100, 000

APPENDIX VIII



**THE UNIVERSITY OF ZAMBIA
SCHOOL OF EDUCATION**

DEPARTMENT OF ADULT EDUCATION AND EXTENSION STUDIES

Telephone: 292702/291777
Telegrams: UNZA LUSAKA
TELEX: UNZALU ZA 44370
Fax: 260-1-292702

P O Box 32379
LUSAKA, ZAMBIA

22 June, 2003

Your Ref:

NAME: MEMBE CHARLES


TO WHOM IT MAY CONCERN

RE: RESEARCH UNDERTAKING

The bearer(s) of this letter is a student in the Degree in Adult Education. He has been requested to undertake research in your organization as part of his learning experience. Your help and cooperation in this regard will be highly appreciated by the Department, as this will enable the student to link theory work, which is offered in the class and practical work, which can only be obtained from organizations like yours.

I look forward very much to a favourable response in this regard.

Yours faithfully


D. M. Sibalwa (Dr.)

**ACTING HEAD OF DEPARTMENT
ADULT EDUCATION AND EXTENSION STUDIES**