



MONITORING AND INSPECTION REPORT TO KAROI PRISON, 11 JULY 2019

1. Introduction

The Zimbabwe Human Rights Commission (ZHRC) is mandated to promote, protect and enforce human rights. Section 243(1)(k)(i) and (ii) of the Constitution mandates the ZHRC to visit and inspect prisons, places of detention and related facilities. On the 11th of July, 2019 the ZHRC monitored and inspected Karoi prison. This was a follow up monitoring and inspection visit to the institution. The first monitoring and inspection visit was undertaken in April 2016. Thus, the follow up monitoring visit was scheduled to assess whether there had been any improvements to the facility in the past 3 years. Furthermore, the June 2019 ZHRC media monitoring report indicated that prisoners at Karoi prison were experiencing grave human rights violations [Available at: <https://zwnews.com/karoi-prison-now-hell-on-earth-inmates-walk-naked-last-brushed-teeth-5-years-ago/>]. The prison was faced with challenges relating to amongst others shortage of food, clothing and medication. It was reported that some of the inmates were wearing torn clothing which is detrimental to their right to human dignity as provided by Section 51 of the constitution.

2. Methodology

In conducting the monitoring and inspection visit the ZHRC gathered views and information through interviews, observing (ZHCR prison monitoring checklist) and focus group discussions with the prisoners and prison officers.

2.2. Focus group discussions

In gathering information relating to the opinions, attitudes, perceptions of the prisoners, the monitoring team conducted focus group discussions. These focus group discussions unearthed issues affecting the inmates and information whether the conditions in prison meet the standards required for the enjoyment of their human rights.

2.3. Interviews

Interviews were carried out with the senior prison officials to gather information in relation to the welfare of inmates, prison officers and the status of the prison services offered at the prison.

2.4. Observations

In conducting the observations, the monitors assessed the conditions of the prison such as the inmate's accommodation, clothing, kitchens, education facilities and health facilities. A prison monitoring checklist was used to gather this information.

3. Legal framework Governing Zimbabwe Prisons

3.1. Constitutional Framework

The following provisions in the Constitution of Zimbabwe are relevant:

- **Section 50 (5) (c)** which provides for the rights of arrested and detained persons to communicate and be visited at the institution.
- **Section 50 (5) (d)** which provides that the conditions for inmates and detained persons during their detention should be consistent with proper human dignity, that there should be adequate accommodation, ablution facilities, personal hygiene, nutrition, appropriate reading material and medical treatment

- **Section 51** which provides for the right to human dignity which should be respected and protected always.
- **Section 75** which guarantees the right to education
- **Section 76** which guarantees the right to health care
- **Section 77** which provides for the right to food, clean and safe water

3.2. Regional and International Legal framework

The main instruments that were used to guide the monitoring visit at Chinhoyi prison were the following:

3.2.1. International Covenant on Civil Political Rights (ICCPR), 1966

- **Article 10** which provides for inmates or detained persons to be treated with respect and human dignity. The article further states that the penitentiary system should aim for prisoners' reformation and social rehabilitation.

3.2.2. International Covenant on Economic, Social and Cultural Rights (ICESCR), 1966

- **Article 12** recognises the right of everyone to the enjoyment of the highest attainable standard of physical and mental health.

3.2.3. United Nations Standard Minimum Rules For The Treatment Of Prisoners (Nelson Mandela Rules), 2015

The rules cover the following areas:

- **Article 8 (d)** provides for the separate accommodation of young offenders from adults.
- **Article 10** provides for status of accommodation for prisoners.
- **Article 20** guarantees the provision of good quality and the right quantity of food for prisoners.
- **Article 22** provides for prison health services.
- **Article 37** supports prisoners' communication with the outside world.
- **Article 46 (3)** encourages favorable employment benefits and conditions of service for prison officers.

- **Article 78** guarantees the establishment of recreational and cultural activities.
- **Article 82 (2)** ensures the protection of prisoners who suffer from mental diseases or abnormalities.

4. Background to Karoi Prison

Karoi prison is located in Karoi District, Mashonaland West Province in Central Northern Zimbabwe. It is a farm prison occupying 400 hectares of land. The prison accommodates both male and female inmates. The facility has been in existence since independence in 1980. By design, the facility has the capacity to accommodate 200 inmates, at the time of the visit the facility was holding 272 inmates (263 males and 9 females). None of the female inmates were incarcerated with their children and there were no expecting female inmates. The table below represents the categories of inmates at Karoi Prison at the day of the visit. It shows that the prison housed 272 inmates whereas the holding capacity for the prison is 200 therefore, at the time of the monitoring visit the institution was overcrowded by 72 people.

Number of inmates accommodated at Karoi Prison

	Inmates on Remand	Inmates sentenced	Juveniles on remand	Juveniles Sentenced	Total
Male Inmates	68	195	Nil	nil	263
Female Inmates	3	6	Nil	nil	9
Total	69	203	Nil	nil	272

5. Findings

2016 Findings	2019 Findings	ZHRC Comments
<p>5.1. State of Cells</p> <p>The facility was overcrowded holding a capacity of 200 against an unlock figure of 213</p>	<p>The facility was once again overcrowded holding a capacity of 200 against an unlock figure of 272</p>	<p>The Government of Zimbabwe should prioritise refurbishing prisons across the country together with</p>

<p>inmates. The ZHRC monitors in touring the prison complexes noted that the cells were old and needed refurbishment. There was no privacy in using ablution facilities. However, there was evidence of an effort by the male inmates to keep the dilapidated structures clean. At the time of the visit the facility accommodated 11 female inmates. Their cells were clean.</p>	<p>inmates. Compared to the 2016 inspection visit overcrowding of the Karoi prison had worsened by 59 inmates. The ablution facilities had not yet changed, monitors noticed that the ablution facilities were still flushed from outside, mirroring an old prison model. The monitors observed that the male cells were unclean. The floors had not been swept or mopped. Moreover, the facility remained old and in need of refurbishment. At the time of the visit the facility accommodated 9 females and their cells were clean.</p>	<p>building new prisons in order to avoid overcrowding. ZPCS is encouraged to ensure that inmates keep the cells clean. In line with Section 50 (5)(d) which realises that conditions of detention should provide adequate accommodation, clean ablution facilities and personal hygiene consistent with preserving human dignity.</p>
<p>5.2. Separation of Inmates</p> <p>The ZHRC commended the separation of female and male inmates. Article 8(a) of the Mandela Rules provides that “Men and women shall so far as possible be detained in separate institutions; in an institution which receives both men</p>	<p>Same situation in 2019.</p>	<p>ZPCS is encouraged to construct more prisons and fully implement the separation of inmates standard particularly, separating the convicted from those on remand.</p>

<p>and women the whole of the premises allocated to women shall be entirely separate". This standard was applied at Karoi prison, monitors observed that female inmates were in separate cells from males and there were no juveniles present in both the male and female sections. In the event that the institute receives juveniles, Kadoma training Institute was reported to be the final destination for the juveniles. However, besides this good practice, the prison fell short of meeting the standard of Article 8(b) of the Mandela Rules which promotes the separation of convicted inmates from those on remand.</p>		
<p>5.3. Clothing, Bedding and Hygiene</p> <p>The monitoring team noted that the clothing and bedding situation at Karoi Prison was unsatisfactory. Although blankets were adequate (3 per person) inmates raised complaints</p>	<p>The ZHRC noted that the clothing and bedding situation had worsened since the last inspection 3 years back. Inmates used thin and worn out blankets,</p>	<p>ZPCS should prioritise the issuance of adequate blankets and clothing, upholding the right of the inmates to live a dignified life in prison as provided by</p>

<p>on lack of detergents to wash the blankets, thereby inhibiting effective reduction of lice. Clothing was inadequate, monitors noted that the statutory requirement of two uniforms per inmate was not met. Inmates also complained of inadequacy of jerseys for winter wear. The shortage of uniforms were attributed to inadequate funding. Prison officials indicated that inmates were allowed to receive clothes from relatives, identical to prison uniforms. Due to shortage of uniforms the prison had resorted to providing convicted female inmates with green uniforms accorded to those on remand instead of the yellow uniforms for the convicted.</p>	<p>not conducive for the cold floors. The Officer-In-Charge informed the monitors that each inmate was in possession of one uniform. The monitors observed some of the male inmates wearing tattered uniforms which, revealed their undergarments. Although female inmates faced the same challenge of shortage of uniforms their one pair was not tattered. Female inmates indicated the shortage of undergarments. In terms of hygiene the female inmates reported shortage of sanitary wear which, had depleted 2 weeks before the ZHRC inspection visit. Furthermore the inmates pointed out that they lacked detergents to clean prison facilities. Inmates requested basic items such as, shaving blades, towels for bathing, detergents, brushes and cloths for cleaning facilities and floors.</p>	<p>Section 51 of the Constitution.</p> <p>ZPCS should ensure adequate provision of sanitary wear, preserving the health and dignity of female inmates.</p> <p>ZPCS should provide inmates with detergents in order for them to clean the different areas of the facility that need to be disinfected.</p>
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5.4. Right to Food and Water

Section 77 (b) of the Constitution provides for the right to sufficient food and Article 20 of the Nelson Mandela Rules emphasizes on the nutritional value of prisoners diets. The monitors were informed that inmates were provided with 3 meals per day. Plain porridge without sugar in the morning and sadza with vegetables/beans/cowpeas was alternated for lunch and supper. In limited occasions meat was included in their meals. Thus, the diet lacked certain nutrients such as protein, fruit and fibre to balance the meals. The monitors were informed that the prison did not provide supplementary diets to cater for inmates with health conditions such as ulcers, diabetes and HIV.

Section 77(a) further provides for the right to safe, clean and potable water. At

The food situation had not improved in the past 3 years. The meal plans remained the same. Therefore, ZPCS is encouraged to prioritise provision of nutritionally balanced meals.

Monitors were informed that the provision of clean and potable water was sufficient through the Zimbabwe National Water Authority. The monitors noticed the establishment of tanks for storing water. However, the Officer-In-Charge stated that water shortages arose in the event of power cuts where the pressure would be too low to pump the water from the tanks.

ZPCS should provide inmates with healthy balanced meals in line with Article 20 of the Mandela Rules.

ZPCS should ensure the drilling of boreholes at prisons to improve the provision of clean and potable water.

<p>the time of the inspection monitors were informed that the water was sufficient.</p>		
<p>5.5. Right to Health Care</p> <p>At the time of the visit the monitors observed the presence of a clinic. Staffed with 3 nurses and 3 social workers. It was indicated that serious medical cases were referred to Karoi District Hospital. Medication that was available at the time of the visit at the facility at the time of the to the facility included; painkillers, antibiotics and tuberculosis medication. Inmates highlighted that those who were on ARV and TB treatment constantly received medication. Inmates with chronic conditions such as diabetes and high blood pressure had equally good access to their medication.</p> <p>However, the health personnel informed the ZHRC monitors that the clinic faced shortages in the</p>	<p>The follow up visit revealed an increase in health personnel in the form of 3 dispensary assistants and 1 environmental health technician. The monitors were informed that the clinic provided health education and HIV testing and counselling programs. Medication supply in the form of painkillers, antibiotics and ARVs was reported to be sufficient. However, inmates encountered challenges particularly in procuring prescribed drugs, owing to financial constraints.</p>	<p>The Government through the Ministry of Health and Child Care is encouraged to ensure that prison clinics are well equipped with medication and materials necessary for the provision of adequate health care to inmates.</p>

<p>form of protective materials such as masks and gloves.</p> <p>The clinic served as a multi-purpose room for consultations, bed rest, procedure room and dispensary. It was clear from monitor's observations that due to shortage of space at the clinic, doctor to patient confidentiality was highly compromised.</p>		
<p>5.6. Educational and Vocational Training</p> <p>The ZHRC monitors noted that Karoi prison offered the rehabilitation programme in the form of various academic, vocational and recreational activities. An education block was available at the institution. This was commendable in line with Articles 77 and 78 of the UN Standard Minimum Rules which support the provision of educational, recreational and cultural activities for the benefit of inmates. The challenges faced by the students related to lack of</p>	<p>The ZHRC monitors noted that the challenges encountered by Karoi prison 3 years ago were not alleviated by the time the follow up visit was conducted. The issue of resource constraints remained as the major impediment in the implementation of the rehabilitation programme. Therefore, the challenges indicated in 2016 were the same in 2019.</p>	<p>ZPCS should lobby treasury for the increase of funds to sustain rehabilitative programme</p>

<p>funds to pay examination registration fees, shortage of text books, limited teachers for vocational skills and materials to use for vocational education. Therefore, resource constraints hindered the effective execution of the rehabilitation programmes.</p>		
<p>5.7. Interaction with the outside world</p> <p>Monitors noted that Karoi prison is cognizant of Article 37 of the Mandela Rules which states that; “Prisoners shall be allowed, under necessary supervision, to communicate with their family and reputable friends at regular intervals and receiving visits by establishing a visitor timetable which allows inmates to receive visitors every day from 0900hrs to 1500hours in the presence of prison officials. Prisoners were provided the opportunity to interact with the outside world through</p>	<p>In 2019 the Karoi prison visitors schedule had not changed. However, through the focus group discussion inmates lamented that the frequency of visits from their relatives had lessened as well as food supplements due to limited funds to buy food for them and to pay for transport fares as a result of the tough economic situation experienced across the country.</p>	<p>The state should provide an adequate and balanced diet so that prisoners do not need to supplement the diet with provisions supplied by relatives and friends.</p>

<p>sending and receiving letters. Inmates were also allowed telephone calls to relatives and friends to inform them of their sickness or when they require supplies from home.</p>		
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6. CONCLUSION

An analysis of the follow up visits indicates that there were hardly any changes of the prison conditions in comparison to the first inspection visit conducted by the ZHRC 3 years ago. The food supply was sufficient but the quality remained poor with inmates receiving an unbalanced diet, shortage of education materials persisted, shortage of medication and medical supplies was once again noted during the follow up visit. In addition, certain standards of the prison had deteriorated. For instance, uniform shortages had exacerbated to tattered clothing which reveal male inmates' undergarments. The family and friends of inmates were experiencing challenges in supplementing the poor prison diet, owing to financial constraints to buy food or to pay for transportation to visit the inmates.

8.0. RECOMMENDATIONS

In view of the follow up visit, the ZHRC makes the following recommendations to:

8.1. Ministry of Finance and Economic Development

8.1.1. Increase budgetary allocation to Zimbabwe Prisons and Correctional Services.

8.1.2. Should prioritise refurbishing prisons across the country together with building new prisons in order to avoid overcrowding.

8.2. Ministry of Agriculture, Environment, Water and Climate

8.2.1. Ensure the drilling of boreholes at prisons to improve the provision of clean and portable water.

8.3. Ministry of Health and Child Care

8.3.1. Encouraged to ensure that prison clinics are well equipped with medication and materials necessary for provision of adequate health care to inmates.

8.4. Zimbabwe Prisons and Correctional Services

8.4.1. Karoi prison should be supported with funding for project initiatives aimed at self-sustenance.

8.4.2. Funding should be prioritised towards the establishment of a workshop and a library with up to date books.

8.4.3. Ensure adequate provision of sanitary wear, preserving the health and dignity of female inmates.

8.4.4. Provide inmates with detergents in order for them to clean the different areas of the facility that need to be disinfected.

8.4.5. Provide inmates with healthy balanced meals.

8.4.6. Urgently attend to the supply of uniforms, blankets and pesticides for eliminating lice in the cells.