



Crisis in Lebanese prisons: Pilot interventions to reduce overcrowding

Half-day workshop, Beirut Digital District
Friday 7th July 2023



SIREN

Who we are, what we
do, and how we do it

SIREN
■ ASSOCIATES



Siren: who we are



Since 2008, Siren has specialised in **security sector reform and public sector governance and accountability** using research, **digital innovation and change management** to drive transformation and **sustainable solutions** in challenging environments

Siren: who we are



- ✓ Strategic planning
- ✓ Crisis response
Research-driven policy development
- ✓ Bespoke training packages
- ✓ Process mapping & re-engineering



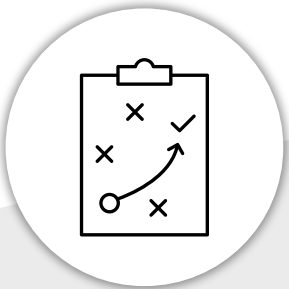
- SAMPLE RESEARCH**
- Public Perceptions of Community Safety in Amman (2021)
 - Public Procurement in Lebanon: A Gateway to Malpractice (2020)
 - The State of Emergency in Lebanon (2020)
 - The Plight of the Rightless: Mapping and Understanding Statelessness in Tripoli (2019)

Siren: what we do

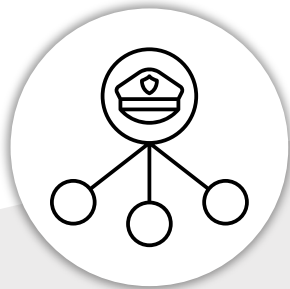


British Policing
Support Programme

BPSP, supporting the ISF to assist them shift from a police force, to a police service, by



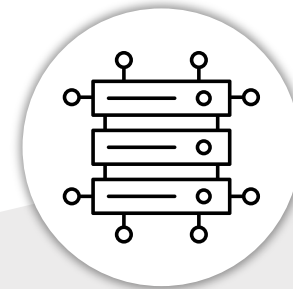
Facilitating strategic
planning



Embedding
principles of
community policing



Supporting on
human rights
compliance



Enabling efficiencies
by integrating
tailored operational
software –
technology as a
driver for change

Prisons: our methodology



- **Rapid literature review**
 - Builds on Siren's document, 'Framework for Reducing Overcrowding in Lebanon: Eight Critical Pathways' (2018)
- **Key informant interviews** conducted with partners, including:
 - **National NGOs**
 - **ISF** Prison Division
 - **MoJ** Prisons Directorate
 - Head of **Higher Judicial Council**
 - **Public Prosecution before the Court of Cassation** focal point
 - Prison **wardens**:
 - Zahle
 - Baabda
 - Qebbe

Framework for Reducing
Overcrowding in Lebanon:
EIGHT CRITICAL PATHWAYS

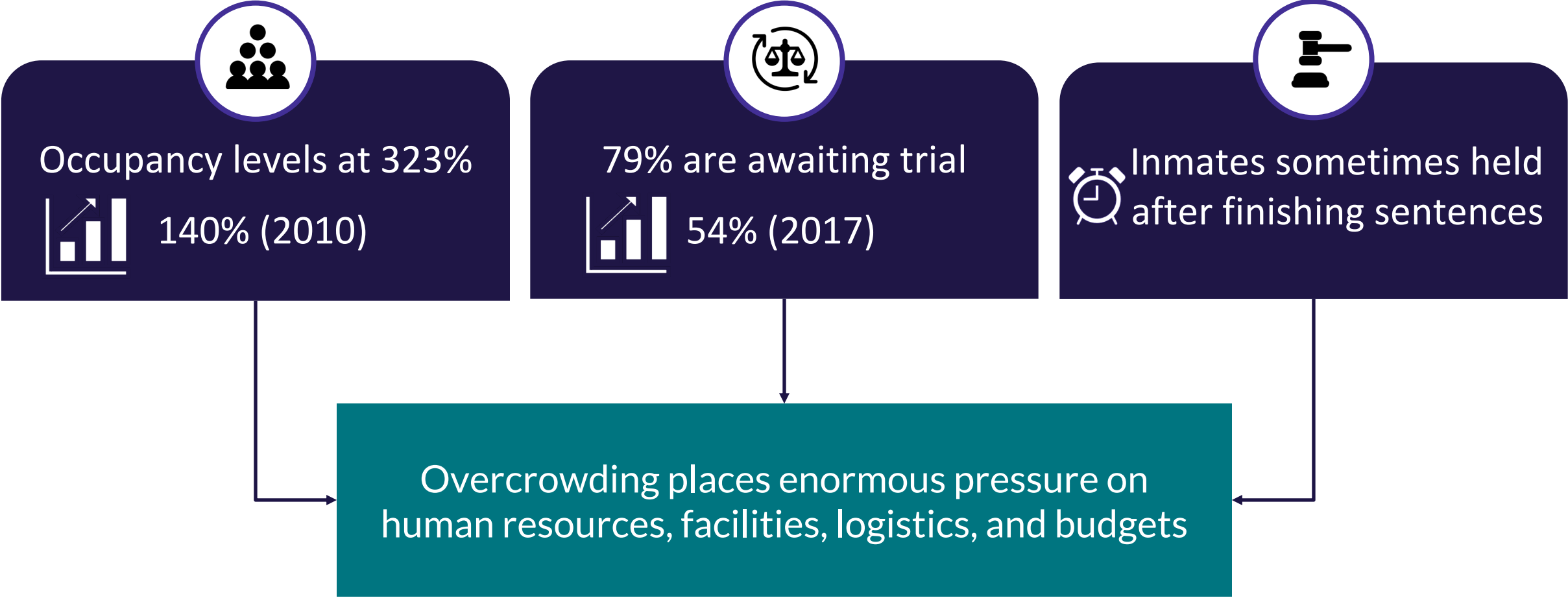
July 2018



PROBLEM ANALYSIS

Understanding the
scale, severity and
drivers of the problem

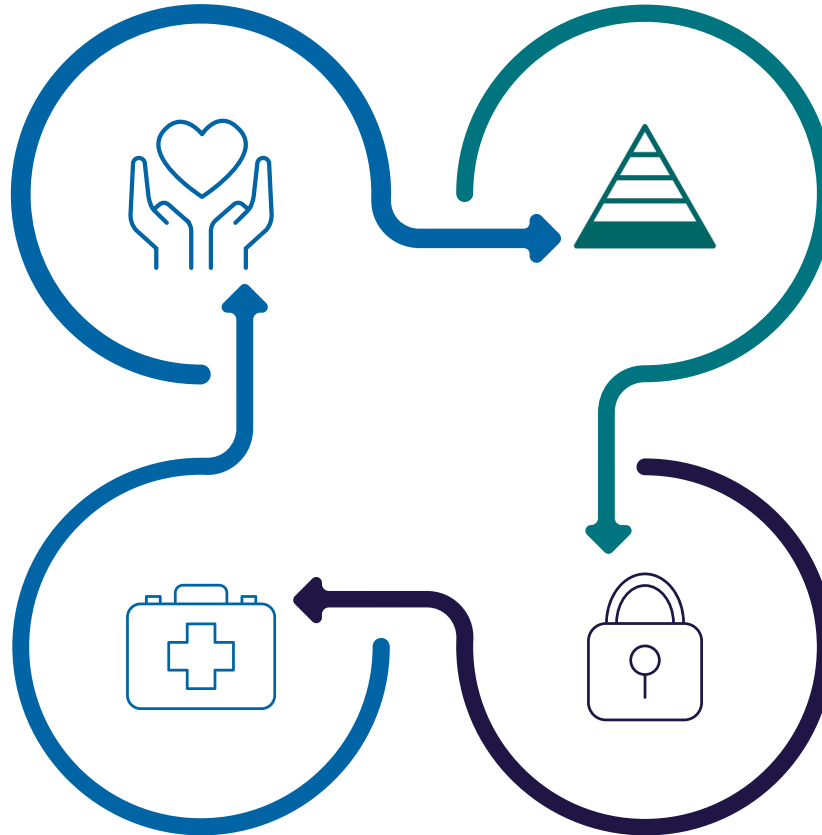
The overarching problem: overcrowding



The impacts of overcrowding are severe

Health

- Tb, scabies, infectious diseases, acute influenza (MoIM, 2019)
- Skin conditions – inflammations, pimples, and swelling
- Poorly stocked pharmacies with basics such as antibiotics & painkillers
- While 846 people in custody were hospitalized in 2018, only 107 were admitted to hospitals in 2022 (MoIM, 2023)



Basic needs

- Space extremely limited; insufficient access to food & materials such as clothing, bed sheets
- Real budget value decrease from \$7.3m (2019) to \$628,000 (2022) (MoIM, 2019)

Security

- Inmates feel highly insecure and subject to coercion
- Prison staff report feeling insecure; in Zahle, reports of kidnapping of staff in cells
- Roumieh 2011 riots loom large for staff



Roumieh Central Prison (February 2023)
[Amnesty International, 'Instead of Rehabilitation, He Found Death', \(June 2023\)](#)

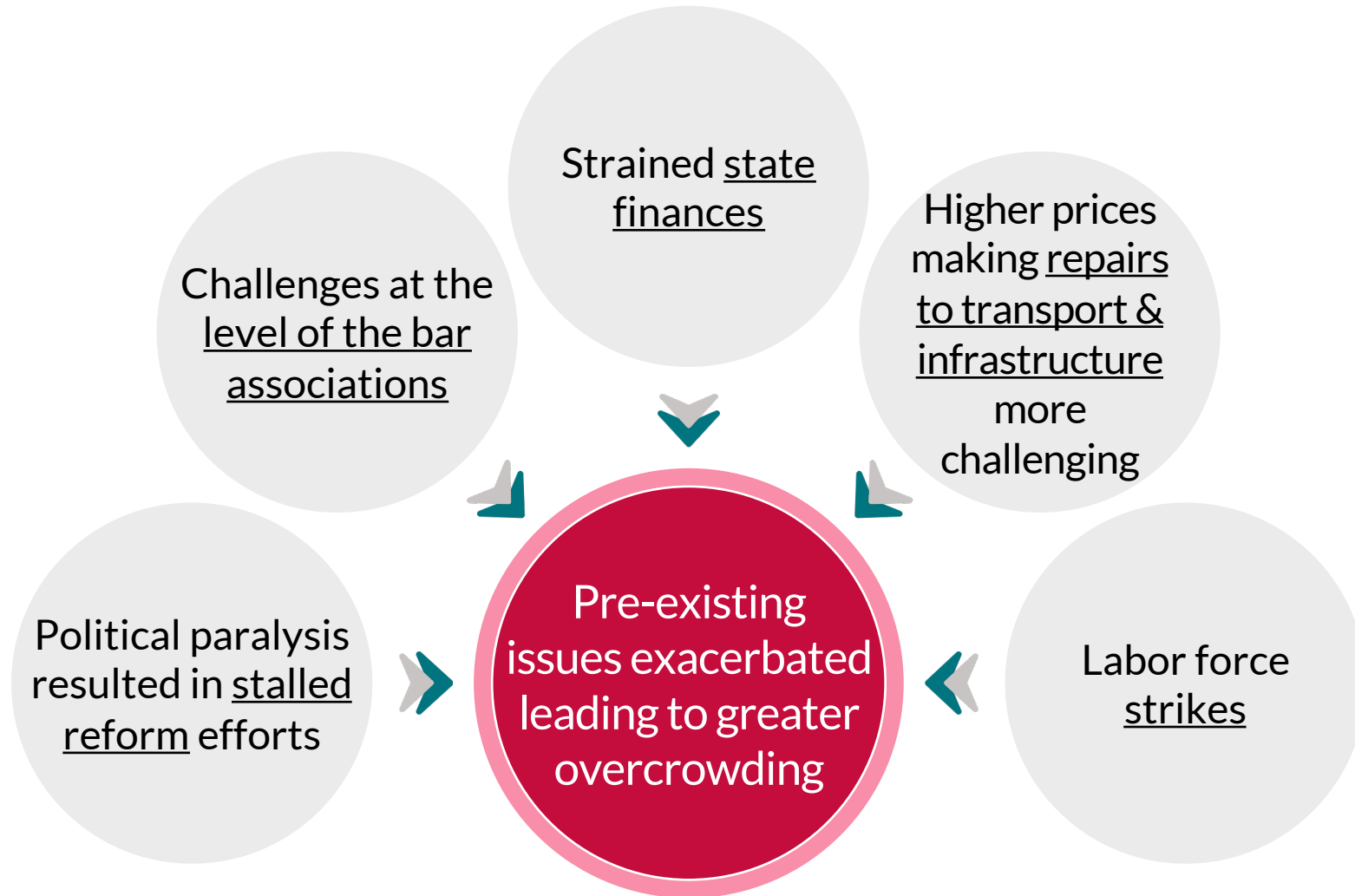
Framework for Reducing Overcrowding in Lebanon: EIGHT CRITICAL PATHWAYS

<p>1. REDUCE THE NUMBER OF PEOPLE ARRESTED AND HELD IN PRE-TRIAL DETENTION</p>	<p>2. UTILIZE ALTERNATIVES TO IMPRISONMENT</p>	<p>3. ENSURE DETAINEE RIGHTS AND ACCESS TO LEGAL COUNSEL</p>	<p>4. ENHANCE THE EFFICIENCY OF THE CRIMINAL JUSTICE SYSTEM</p>
<p><i>Reduce the influx and unnecessary detention of individuals through:</i></p> <ul style="list-style-type: none"> • Reducing arrest • Addressing issues in the first 96 hours of detention • Avoiding unnecessary pre-trial detention at later stages of the investigation 	<p><i>Reduce the degree to which imprisonment is used for low-risk crime through:</i></p> <ul style="list-style-type: none"> • Making effective use of alternatives to imprisonment • Raising awareness around alternatives to imprisonment and their benefits 	<p><i>Ensure the protection of detainee rights and access to legal counsel through:</i></p> <ul style="list-style-type: none"> • Clarifying the basic rights assured to detainees under Article 47 of the Code of Criminal Procedure • Improving access to legal aid 	<p><i>Reduce the time that it takes for cases to move through the criminal justice system through:</i></p> <ul style="list-style-type: none"> • Facilitating timely court appearances • Improving internal processes within the criminal justice system
<p>ISF HJC MOJ LEG</p>	<p>HJC MOJ LEG</p>	<p>ISF HJC MOJ LEG</p>	<p>HJC MOJ LEG</p>
<p>5. IMPROVE PRISONER DATA MANAGEMENT SYSTEMS</p>	<p>6. STRENGTHEN ACCOUNTABILITY AND TRANSPARENCY</p>	<p>7. BUILD THE CAPACITY AND CAPABILITIES OF THE POLICE, PROSECUTORS, JUDGES, AND COURT STAFF</p>	<p>8. MANAGE PRISON CAPACITY AND QUALITY</p>
<p><i>Improve data collection, storage, and access through:</i></p> <ul style="list-style-type: none"> • Improving the detention record system • Improving the case file management system • Improving crime statistics • Upgrading ICT capabilities 	<p><i>Establish conditions allowing for actors within the criminal justice system to be held accountable through:</i></p> <ul style="list-style-type: none"> • Improving inspections, oversight, and monitoring • Enhancing complaints mechanisms • Focusing on building an ethical, rights-based culture across the criminal justice system 	<p><i>Ensure that actors across the criminal justice system have the skills and are given the conditions to meet the needs of detainees through:</i></p> <ul style="list-style-type: none"> • Delivering training and professional development activities • Improving human resource management 	<p><i>Improve the conditions that detainees are held in through:</i></p> <ul style="list-style-type: none"> • Improving detention management • Upgrading detention facilities • Enabling access to basic services and supplies
<p>ISF HJC MOJ</p>	<p>ISF HJC MOJ</p>	<p>ISF HJC MOJ</p>	<p>ISF MOJ</p>

STAKEHOLDERS

Internal Security Forces (ISF)	Higher Judicial Council (HJC)	Ministry of Justice (MOJ)	Legislative (LEG)
--------------------------------	-------------------------------	---------------------------	-------------------

Compounding crises since 2019 have exacerbated issues



6 key drivers of overcrowding in 2023

1

Use of arrest on the basis of suspicion or prevention even if not always necessary

3

Inadequate transport & inefficient resource management of vehicles

5

Under-provision of legal counsel which particularly affects vulnerable detainees

2

Overuse of pre-trial detention, detention as a sentencing measure, and detention being prolonged over limits

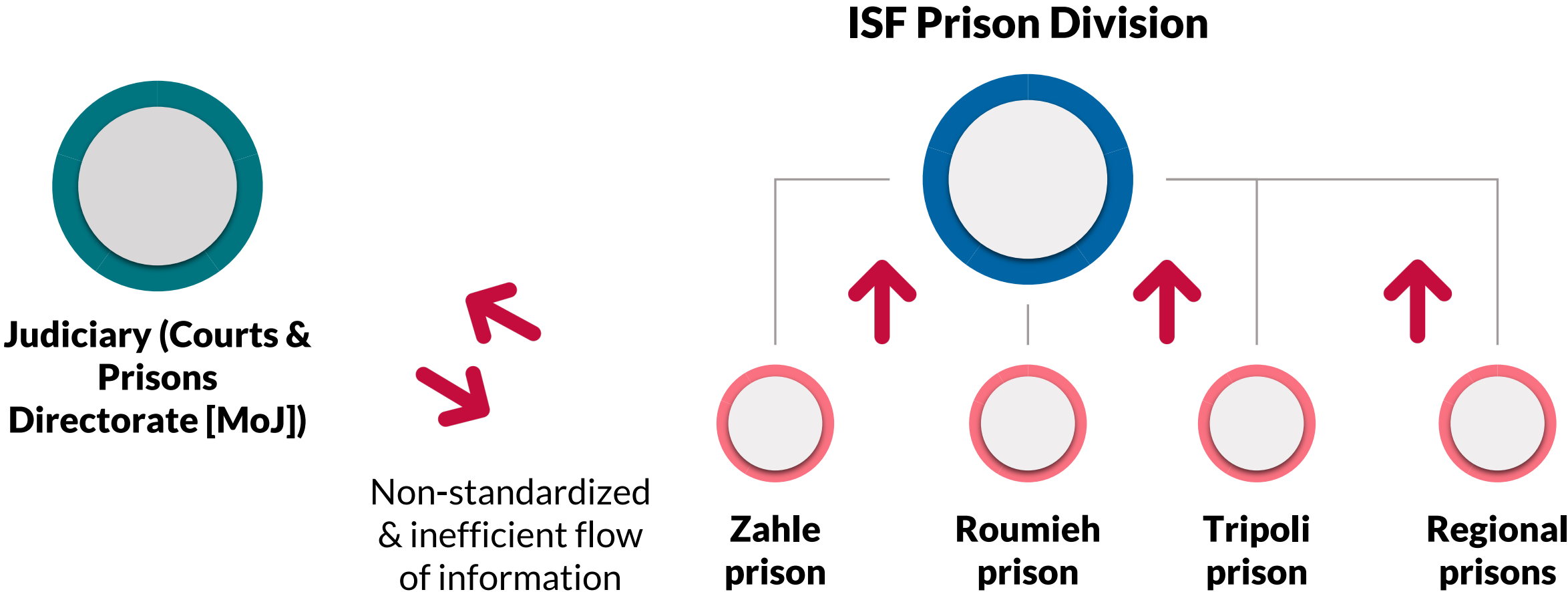
4

Inconsistent coordination amongst ISF, prosecutors, judges so hearings often missed

6

Archaic case management in the court systems leads to inaccuracies & inefficiencies

Inconsistent coordination and delays in case management leads to missed appointments and prolonged detentions





**MODEL OF
INTERVENTION &
THEORY OF
CHANGE**

Conceptualizing
interventions

Theory; an ideal approach in presence of political will



Pursue strategic reforms (long-term)

Build human & operational capacities (medium-term)

Meet basic needs (short-term)

Theory; an ideal approach in presence of political will

Pursue strategic reforms (long-term)

- *Enact law on the independence of the judiciary*
- *Transfer management of prisons to the Ministry of Justice*
- *Undertake necessary legal reforms vis-à-vis the criminal system (i.e. drugs legislation, article 108, etc.)*

Theory; an ideal approach in presence of political will

Build human & operational capacities (medium-term)

- *Properly train prison staff how to handle inmates*
- *Improve investigation techniques*
- *Rationalize case management as well as procedures and processes*
- *Properly resource and train court clerks to handle case management*

Theory; an ideal approach in presence of political will

Meet basic needs (short-term)

- *Work is currently done on this level*
- *Food, health, transportation to hearings, legal aid, etc.*

Theory; an ideal approach in presence of political will



**Proposed interventions
on medium term level**

Proposed interventions

INTERVENTION 1

Support The Working Group on Prisons and Leverage Current Efforts

INTERVENTION 2

Support The Judiciary To Rationalize Its Case Management Processes

Empowered and capacitated ISF and judiciary efficiently address issues such as hearing attendance, notification of release and judgments, contributing to a reduction in prisons overcrowding.

Reduction of unnecessary time spent in prison

Improved efficiency for in case management

Prisons + courts comply with guidance

ISF and judiciary regularly coordinate

Identification of issues

Working group organized with clear mandate

Leadership buy-in

ToR for Working Group

Consultative meetings

Judges have improved visibility, access, and timely adjudication and closure for inmates' cases.

Judges have necessary information available

Better recording of cases

Adoption of processes

Refinement of processes

Leadership buy-in

Identify change champions

Lessons learned

Consult with stakeholders

OVERCROWDING

1

1. Use of arrest on the basis of suspicion or prevention even if not always necessary

3

3. Inadequate transport & inefficient resource management in current fleet of vehicles

5

5. Under-provision of legal counsel which particularly affects vulnerable detainees

2

2. Overuse of pre-trial detention & detention as a sentencing measure, and detention being prolonged over limits

4

4. Inconsistent coordination amongst ISF, prosecutors, clerks, lawyers so hearings often missed

6

6. Archaic case management in the court systems leads to inaccuracies & inefficiencies

Risks and mitigation

RISKS

1. Fatigue and low morale within Lebanese institutions with interventions that have been tried before
2. Lack of trust leading to resistance from judiciary and ISF staff
3. Interventions are co-opted and funding is diverted to other activities. Accountability is lost
4. Capabilities are built without resolving underlying structural problems

MITIGATION

1. Start small with change champions, demonstrate success, and build from the bottom-up – do not overwhelm already strained institutions.
2. Ensure these stakeholders retain ownership of the change management. Deliver a process that is responsive to and driven by their needs and priorities.
3. Accountability mechanisms are built into all interventions from the beginning, ensuring transparency and oversight of activities.
4. Success in interventions used to advocate for further reforms and/or institutionalizing change to address root causes