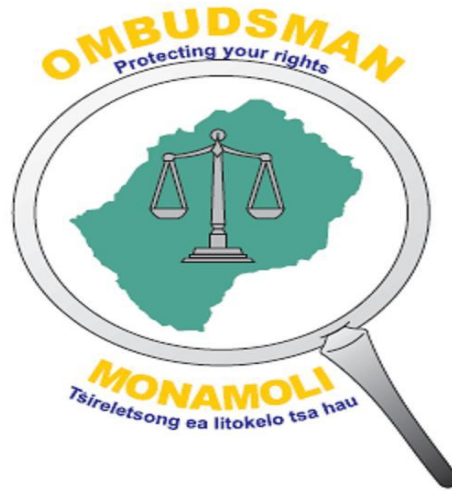


A HOUSE STILL IN RUINS



A FOLLOW-UP REPORT ON THE INSPECTION OF CORRECTIONAL SERVICES FACILITIES

INSPECTION NO 3 OF 2025/2026

27TH MARCH 2026

FOREWORD

Three years have passed since the Office of the Ombudsman (OoO) first comprehensively documented the deplorable conditions prevailing in Lesotho's correctional facilities. The 2023 Report, *'Ombudsman's Report on the Inspection of Correctional Services Facilities'* laid bare the stark reality of a correctional system in crisis, overcrowded cells, dilapidated infrastructure, inadequate healthcare, underfeeding, and a pervasive culture of impunity that permitted the most basic human rights of detainees to be routinely violated. It is with profound disappointment and grave concern that I present this Follow-Up Report. The evidence gathered during our inspections between January 2026 and February 2026 reveals a truth that is as uncomfortable as it is undeniable: virtually none of the recommendations made in 2023 have been fully implemented. The situation has, in critical respects, deteriorated further.

The December 2023 torture of hundreds of inmates at Maseru Central Correctional Institution (MCCI), an incidence that the OoO investigated and reported on in March 2024 stands as a horrific testament to the consequences of inaction. When the State fails to heed warnings, when recommendations gather dust on ministerial shelves, when accountability is sacrificed on the altar of bureaucratic inertia, the result is not merely systemic failure but active harm to human beings created in the image of God. This Report is not intended merely to assign blame. It is intended to serve as an urgent call to action; a final warning before the international community, the courts, and history itself render their own judgments. The right to human dignity is not suspended at the prison gate. The Constitution of Lesotho 1993, the Human Rights Act No 24 of 1983, the Lesotho Correctional Services Act No 3 of 2016 and numerous international instruments to which Lesotho is party all demand better. The evidence is before us. The recommendations are clear. What remains lacking is the political will to act.

The OoO acknowledges with gratitude the continued partnership of the European Union, the World Bank, the United Nations Development Programme (UNDP) and the Office of the High Commissioner for Human Rights (OHCHR). Their sustained financial and technical support is instrumental in advancing the governance and reform agenda within the Lesotho Correctional Services. I thank my dedicated team of investigators who conducted these visits under challenging circumstances. Most of all, I acknowledge the inmates and correctional officers who shared their experiences with courage and candour. The house of Lesotho's correctional system remains in ruins. The question before us now is whether we possess the collective will to rebuild it or whether we will allow it to collapse entirely upon those it is meant to hold, and those it is meant to hold within.

Signed this 27th day of March 2026



**ADV TLOTLISO POLAKI
OMBUDSMAN**

TABLE OF CONTENTS

FOREWORD	ii
1.1 Executive Summary	1
1.2 INTRODUCTION AND BACKGROUND	4
1.2.1 Mandate and Authority	4
1.2.2 Methodology and Scope	4
1.3 The 2023 Report: A Synopsis	5
2.0 STATUS OF IMPLEMENTATION OF 2023 RECOMMENDATIONS	7
2.1 Overall Compliance Assessment	7
2.2 Systemic Barriers to Reform	8
3.0 OVERCROWDING: A WORSENING CRISIS	11
3.1 Current Population Statistics	11
3.2 The Remand Detainee Crisis	14
3.4 Judicial Inaction and Delayed Justice	16
4.0 PHYSICAL INFRASTRUCTURE AND CONDITIONS OF DETENTION	17
4.1 Buildings and Cells	17
4.2 Cleanliness and Sanitation	19
4.3 Ablution Facilities and Water Supply	21
4.4 Bedding and Clothing	22
4.5 Ventilation, Lighting and Heating	23
5.0 HEALTH AND HYGIENE	25
5.1 Healthcare Services and Access	25
5.2 Nutrition and Feeding	27
5.3 Communicable Diseases and Overcrowding	29
6.0 KITCHEN AND FOOD PREPARATION	31
7.0 SECURITY AND SAFETY	32
7.1 Physical Security Infrastructure	32
7.2 Gang Activity and Internal Security	33
8.0 INMATES' RIGHTS AND WELFARE	35
8.1 Contact with the Outside World	35

8.2 Recreation and Pastime	36
8.3 Education and Vocational Training.....	37
8.4 Rehabilitation Programmes	39
8.5 Discipline and Grievance Mechanisms	39
9.0 THE DECEMBER 2023 MASERU TORTURE INCIDENT	42
9.1 Findings of the Investigation	42
9.2 Systemic Failures Exposed	42
9.3 Aftermath and Accountability	43
10.0 STAFF MATTERS AND WELFARE	44
10.1 Harmonisation of Salaries	44
10.2 Promotions and Human Resources	44
10.3 Training Deficits	45
10.4 Staff Accommodation.....	45
10.5 Uniform and Equipment	46
10.6 Transport and Communication.....	47
10.7 Morale and Professional Conduct	48
11.0 COMPARATIVE BENCHMARKS AND INTERNATIONAL STANDARDS	49
11.1 The Mandela Rules: A Continuing Gap	49
11.2 Lessons from South Africa's 'One Judge One Jail' Initiative	50
11.3 Lessons from Ghana's Prison Reform Programme	50
12.0 CONCLUSIONS	51
13.0 RECOMMENDATIONS.....	52
13.1 Immediate Actions (Within 6 Months).....	52
13.2 Short-Term Actions (Within 12 Months)	53
13.3 Medium-Term Actions (Within 24 Months)	54
13.4 Long-Term Structural Reforms (Within 36 Months)	54
ANNEXURES	55
Annexure A: Summary of 2023 Recommendations and Implementation Status	55
Annexure B: Photographic Evidence of Current Conditions.....	63

Acronyms

Act	Ombudsman Act No 9 of 1996
Bangkok Rules	UN Rules for the Treatment of Women Prisoners
CAT	Convention Against Torture
Constitution	The Constitution of 1993
DPP	Director of Public Prosecutions
ICCPR	International Covenant on Civil and Political Rights
LCS	Lesotho Correctional Service
LMPS	Lesotho Mounted Police Service
Mandela Rules	United Nations Standard Minimum Rules for the Treatment of Prisoners
MAFS	Ministry of Agriculture and Food Security
MCCI	Maseru Central Correctional Institution
MoL&J	Ministry of Law and Justice
MoF&DP	Ministry of Finance and Development Planning
OoO	Office of the Ombudsman
UDHR	Universal Declaration of Human Rights

CHAPTER 1

1.1 Executive Summary

This is a follow up inspection report of the Ombudsman issued pursuant to section 135 of the Constitution of Lesotho 1993 ('the Constitution') and Section 10 of the Ombudsman Act No 9 of 1996 (the Act'), which enjoins the Ombudsman to *inter alia* enter and inspect police, military or prison cells, government hospitals, asylums, or any other places or centers where any person is detained or kept whether for safe custody or in terms of any law, inform the specified authorities of her findings and make such recommendations as she may deem fit. The objective of the inspections was to establish whether the conditions prevailing at these institutions are conducive or fit for human habitation.

The follow up report communicates the findings and appropriate remedial action that the Ombudsman is recommending in terms of section (7)(1)(b) and section 7(5) and 7(6) of the Act, following the physical inspection of correctional facilities conducted specifically at Maseru correctional facilities. The primary objective was to assess the extent to which recommendations made in the 2023 Report had been implemented and to document current conditions.

While physical inspections were focused on the Maseru district, the findings herein are representative of a national landscape. Through formal consultations and meetings with the Acting National Commissioner and Officers Commanding all stations and data provisioned, it has been established that the general circumstances and systemic challenges across all districts correctional facilities remain consistent with the conditions observed in the capital.

The inspection established several key **findings of relapses and deficiencies** at various facilities inspected by the Office of the Ombudsman (OoO):

(a) There is a failure to act on Ombudsman's recommendations - Of the 78 specific recommendations contained in the 2023 Report, none have been fully implemented. Partial progress is observable in only eight areas (approximately 9%), while 91% of recommendations remain entirely unaddressed (see Annexure A).

(b) The facilities are experiencing worsening overcrowding; the total inmate population has surged from approximately 1,835 in 2023 to 2,757 as of March 2026, an increase of 133%. The MCCI, designed for 500 inmates, now holds 971 detainees, representing overcrowding of 149%. Fifty percent of facilities remain overcrowded, with some cells housing three times their intended capacity.

(c) In terms of infrastructure collapse, facilities previously identified for urgent demolition including Berea, Quthing, Qacha's Nek, Maseru Female, and the Juvenile Training Centre remain

operational despite being declared ‘unfit for human habitation’ by structural engineers. No reconstruction has commenced.

(d) In respect of the December 2023 torture incident wherein many of the inmates at the MCCI were brutally assaulted by recruit officers during a routine search operation, the OoO's investigation, published in March 2024, confirmed systemic failures including deliberate concealment of evidence, denial of medical care, and a ‘deeply ingrained culture of impunity’. To date, no officer has been held accountable.

(e) Healthcare provision to inmates within correctional facilities has reached a critical threshold, characterized by systemic deficiencies in access and resources with outbreaks of pellagra (reported in Mafeteng), scabies, and tuberculosis still rampant. The 1959 Prison Regulations' dietary standards requiring daily provisions of meat, vegetables, milk, and other nutrients have never been implemented since Lesotho's independence. Inmates continue to receive the same monotonous diet of porridge and beans or peas, year after year. This current state of inmate health constitutes a profound challenge to government's obligation to uphold the fundamental human rights of detainees.

(f) In terms of staff welfare, Correctional officers have not received new uniforms since 2016, and new recruits, (and not all) engaged then, only received formal training in 2023.

(g) The 2015 government decision to harmonize salaries with other disciplined forces remains in abeyance, with no action taken since the September 2019 suspension of implementation, save for an advert that was issued by the MoL&J around the procurement of a consultant's services for security agencies benchmarking purposes.

(h) Systemic delays in the justice system are directly exacerbating the critical crisis of correctional facilities overcrowding. Remand detainees currently constitute approximately 31% of the total facilities population. With some individuals languishing in custody for over eight (8) years awaiting trial, these systemic failures constitute a severe violation of Section 12 of the Constitution.

(i) The Technical Advisory Committee for Mohlomi Forensic Unit, responsible for evaluating patients eligible for His Majesty's Mercy, has not been reconstituted since 2016. Consequently, the Unit remains overcrowded at over 140% capacity, with patients detained indefinitely without review.

(j) The chronic underfunding of the LCS persists; facilities lack basic cleaning materials, medical supplies, food, vehicles, communication and equipment. The MoL&J has failed to prioritise correctional reform despite repeated warnings.

The remedial action issued by the Ombudsman contained in Section 13 of this Report are urgent and, in many cases, represent the final opportunity for corrective action before judicial intervention or international sanction becomes inevitable.

Three years after comprehensive recommendations were presented, and despite specific, preventable tragedies such as the December 2023 torture incident, the Government of Lesotho has failed to take meaningful action to protect the rights and dignity of persons deprived of their liberty. This failure represents not merely administrative neglect but a continuing violation of constitutional and international legal obligations.

1.2 INTRODUCTION AND BACKGROUND

1.2.1 Mandate and Authority

The OoO derives its authority to inspect places of detention from Section 10 of the Ombudsman Act No. 9 of 1996, which provides:

"In the exercise of his powers and the discharge of his duties under the Constitution and this Act, the Ombudsman or any officer authorised by him, at any reasonable time and upon sufficient notice to the specified authority concerned—

(b) enter and inspect police, military or prison cells, government hospitals, asylums, or any other places or centers where any person is detained or kept whether for safe custody or in terms of any law."

This statutory mandate is reinforced by Lesotho's obligations under international human rights law, including the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR), and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules). As a state party to these instruments, Lesotho is bound to ensure that all persons deprived of their liberty are treated with humanity and with respect for the inherent dignity of the human person.

1.2.2 Methodology and Scope

Between January 2026 and February 2026, the OoO Office conducted follow-up inspection visits to four of the fourteen correctional facilities in Lesotho; the inspections were guided by the same framework employed in 2023, focusing on:

- (a) Overcrowding and population management
- (b) Buildings and physical infrastructure
- (c) Cleanliness, hygiene, and sanitation
- (d) Kitchen facilities and food preparation
- (e) Bedding, clothing, and personal effects
- (f) Ablution facilities and water supply
- (g) Ventilation, lighting, and heating
- (h) Security arrangements
- (i) Feeding and nutrition
- (j) Healthcare services
- (k) Retention of inmates' property
- (l) Discipline and sanctions

- (m) Communication and contact with the outside world
- (n) Recreation and education
- (o) Rehabilitation programmes
- (p) Staff welfare and working conditions

The inspection team conducted physical inspections of cells and facilities, reviewed administrative records, and held confidential interviews with inmates and staff. Photographic evidence was collected and is reproduced in part at Annexure B.

Legal and Policy Framework References

- (b) Constitution of Lesotho 1993
- (c) Ombudsman Act No. 9 of 1996
- (d) Human Rights Act No. 24 of 1983
- (e) Lesotho Correctional Services Act No. 3 of 2016
- (f) Speedy Court Trials Act No. 9 of 2002
- (g) Subordinate Courts Practice Direction No. 1 of 2021
- (h) Prison Regulations 1959
- (i) Universal Declaration of Human Rights (UDHR)
- (j) International Covenant on Civil and Political Rights (ICCPR)
- (k) UN Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules)
- (l) Convention Against Torture (CAT)
- (m) UN Rules for the Treatment of Women Prisoners (the Bangkok Rules)

1.3 The 2023 Report: A Synopsis

The 2023 Report documented a correctional system in profound crisis. Key findings included:

- (a) Overcrowding affecting 50% of facilities, with Maseru Central holding 615 inmates against a capacity of 500.
- (b) Dilapidated infrastructure with facilities dating to the colonial era, leaking roofs, cracked walls, and electrical systems that the national power utility refuses to maintain.
- (c) Inadequate ablution facilities with broken toilets, pipes leaking, and inmates forced to use buckets at night.
- (d) Shortage of bedding with mattresses and blankets in tatters.

(e) Underfeeding and nutritionally inadequate diets, with outbreaks of pellagra reported.

(f) Lack of clothing leaving inmates in tattered uniforms or their own private clothes, creating security risks.

(g) Inadequate healthcare with insufficient drugs, no resident nurses at some facilities, and delays leading to deaths in custody.

(h) Torture and ill-treatment routinely used as disciplinary measures.

(i) Staff welfare crisis including non-implementation of the 2015 salary harmonisation decision, lack of training since 2016, no uniforms, including boots, since 2016, inadequate housing, and lack of transport.

The 2023 Report made 78 specific recommendations addressed to the Ministry of Law and Justice, the Ministry of Health, the Lesotho Correctional Services, the Judiciary and other stakeholders.

CHAPTER 2

2.0 STATUS OF IMPLEMENTATION OF 2023 RECOMMENDATIONS

2.1 Overall Compliance Assessment

Three years after the 2023 Report, the picture that emerges is one of comprehensive governmental failure. Of the 78 recommendations made:

- (a) Fully implemented: 0 (0%)
- (b) Partially implemented: 9 (12%)
- (c) Not implemented: 69 (88%)

The eight areas where partial progress can be identified are:

(i) For inmates' improved welfare during harsh weather conditions, 3000 additional blankets were procured with some facilities reporting that they received limited quantities of new blankets in 2024, though quantities remain inadequate for current population levels.

(ii) In respect of the installation of surveillance cameras, two facilities (Maseru Central and Leribe) have had CCTV equipment installed in limited areas, though systems are not fully operational across all facilities as recommended.

(iii) Sporadic hygiene and health education sessions have been conducted in some facilities, though not on a regular, systematic basis recommended. Additional support included computer skills training for 40 officers on Microsoft Office and cybersecurity. The training was offered to modernize the system and improve inmate welfare. The LCS also resumed recruitment and training for the first time since 2016, with 198 new recruits (126 men and 72 women) entering the LCS staff training school in July 2023.

(iv) Vehicle procurement planning was profoundly inadequate, with only nine (9) vehicles allocated in 2025 across 10 districts serving 14 facilities. The new vehicles were handed over by government to improve inmate transportation to courts and hospitals, support rehabilitation program as well as for administrative operations and logistical coordination. Given that transport limitations are a primary driver of poor service delivery, this distribution is non-functional. The current procurement volume is so low it could only reasonably service a single entity, such as the MCCI, rather than the intended regional network. Every other recommendation, including those relating to decongestion, infrastructure reconstruction, toiletries provision, medical staffing, uniform supply, salary harmonization, and officer training remains entirely unimplemented.

(v) Provisioning of vocational skills training equipment in sectors like bricklaying, electrical installation, sewing, motor works, plumbing and construction) to aid inmate rehabilitation through

EU's 'Support for the Reform and Strengthening of Governance in Lesotho' program valued at LSL 636,474 was effected.

(vi) There were new staff recruitments made, with 21 new officers hired in 2024/2025 fiscal year.

(vii) The LCS has ongoing agricultural rehabilitation projects and through the Ministry of Agriculture and partners like the Food and Agriculture Organization (FAO), training in conservation agriculture to help institutions achieve self-sustenance and boost food production. The LCS has expanded farming operations to include maize, beans and sorghum production to address food shortages. The Lepereng correctional facility supports agricultural projects (eggs, milk, pork) for rehabilitation and food security with inmates involved, in cohorts with Leribe and Mohale's Hoek facilities, in ploughing of fields at Maphutseng and Peka.

(viii) Work is underway on a National LCS Policy Framework aimed at aligning institutional operations with human rights standards through modernized, transparent merit-based human resources practices. The framework is still in the developmental stage and not yet finalized.

(ix) Provisioning of qualified teachers and alignment of curricula with national standards by the Ministry of Education and Training (MoET), juvenile children can now participate in formal examinations.

2.2 Systemic Barriers to Reform

Interviews with correctional officials and review of correspondence between the LCS and the Ministry of Law and Justice reveal persistent barriers to implementation:

2.2.1 Budgetary Neglect

The annual budget allocation to the Lesotho Correctional Services has not increased in real terms since 2020, despite a 138% increase in the inmate population. In consequence, the proportion of the budget consumed by food and basic necessities has risen, leaving no resources for capital expenditure, infrastructure maintenance, or staff development.

It is evident that the Lesotho Correctional Service (LCS) budget requires a comprehensive review. Historical funding levels have consistently failed to meet the department's operational requirements, directly resulting in underperformance and the inability to achieve key strategic objectives. The investigation reveals a chronic misalignment between the LCS budget and its actual operational needs. This long-standing underfunding has severely constrained the department's capacity, leading to unmet targets and operational deficiencies.

2.2.2 Lack of Political Will

Despite repeated presentations of the OoO's findings to the Minister of Law and Justice, and despite tabling of the 2023 Report in Parliament, no policy directive has been issued requiring implementation of recommendations. Correspondence between the Ministry and LCS demonstrates awareness of the issues but no commitment to action, moreso, as it relates to Para 2.2.1 above.

2.2.3 Absence of Oversight Mechanism

The recommendation from the 2023 Report regarding an independent prison oversight functionary remains unimplemented. Although the Independent Security Sector Oversight, Inspectorate and Complaints Authority has been established under Section 149M of the Tenth Amendment Act to oversee national security agencies (LDF, LMPS, NSS, and LCS), this body does not fulfill the need for dedicated correctional oversight. Consequently, a gap remains in monitoring inmate welfare, conducting specialized inspections, holding authorities accountable, and reporting on progress. The Authority consisting of seven members, including a former Judge as Chairperson, a legal practitioner, a psychologist, and former senior officers from the security agencies has a broad mandate that does not substitute for focused prison monitoring. The operationalization of the Tenth Amendment Act is still pending.

2.2.4 Fragmented Criminal Justice System

The recommendations requiring inter-agency cooperation, particularly those relating to judicial delays and decongestion, have foundered on the absence of effective coordination mechanisms between LCS, the judiciary, the Directorate of Public Prosecutions, and the Lesotho Mounted Police Service (LMPS).

2.2.5 Procurement Failures

Where funds have been theoretically available (for example, for uniform procurement), systemic failures in the public procurement system have prevented their utilisation. LCS officers report that procurement processes routinely take 18-24 months, by which time budget allocations have lapsed.

2.2.6 The September 2019 Abeyance

The decision to harmonise LCS salaries with other disciplined services, taken in 2015 and communicated to staff on 9th August 2019, was placed in abeyance on 10th September 2019. No progress has been made in the ensuing six and a half years. This single issue has devastated staff morale and created conditions in which professional misconduct and collusion with inmates' flourish. Some of the officers resorted to seeking recourse from the High Court, which, on two occasions ruled in favour of applicant officers. The court orders established the MoL&J as a judgment debtor who is enjoined by law to pay the judgment debt to the officers. It is therefore irregular for the MoL&J to seek to rescind the court orders by arguing that they are not implementable due to the disparity created in their analysis of comparator security agencies remuneration and ranking, and which, in their opinion, necessitate that the ministry embark on a benchmarking exercise. That exercise is an entirely different one that should not be used as a basis for failing to comply with a judgment debt. In fact, in the normal course, the judgment debt is payable immediately. The issue remaining should be one of affordability and how the MoL&J, as a judgment debtor, should ensure payment thereof.

CHAPTER 3

3.0 OVERCROWDING: A WORSENING CRISIS

3.1 Current Population Statistics

As at 17th March 2026, the total inmate population in Lesotho's fourteen correctional facilities stood at 2,757, an increase of 50% from the 1,835 recorded at the time of the 2023 inspections.

The table below presents current population figures compared to 2023:

STATION	CONVICTED		AWAITING TRIAL (RM & RO)		TOTAL	CELL CAPACITY	DIFFERENCE
	M	F	M	F			
MCCI	626	-	345	-	971	500	+471
FEMALE	-	68	-	16	84	66	+30
JTC	71	12	26	-	107	240	-
LEPPER	32	-	-	-	32	30	+2
FORENSIC	81	03	-	-	84	35	+49
MOKHOTLONG	61	01	29	-	91	240	-
BUTHA-BUTHE	85	12	55	01	153	160	-
LERIBE	210	11	89	01	311	300	+11
BEREA	98	07	118	02	225	135	-

QACHA'S NECK	60	01	03	-	64	130	-
QUTHING	77	-	22	-	99	66	+33
M'HOEK	230	-	31	-	261	534	-
MAFETENG	49	-	68	-	117	135	-
THABA-TSEKA	94	-	61	01	156	240	-
TOTAL	1774	115	847	21	2757	2811	
	1889		868				
GRAND TOTAL	2757						

The table below depicts March 2023 population *vis-a-vis* current population in March 2026:

STATION	CAPACITY	2023 POP	2026 POP	CHANGE %	CONVI CTS	REMAN DEES
MCCI	500	627	971	+55%	626	345
FEMALE	66	42	84	+100%	68	16
JTC	240	64	107	+67%	83	26
LEPPER	30	21	32	+52%	32	-

FORENSIC	35	77	84	+9%	84	-
MOKHOTLONG	240	36	91	+152%	62	29
B-BUTHE	160	81	153	+89%	97	56
LERIBE	300	183	311	+70%	221	90
BEREA	135	144	225	+56%	105	120
Q-NECK	130	62	64	+3%	61	03
QUTHING	66	83	99	+19%	77	22
M-HOEK	534	238	261	+10%	230	31
MAFETENG	135	66	117	+77%	49	68
T-TSEKA	240	111	156	+41%	94	62
TOTAL	2811	1835	2757	+50%	1889	868
GRAND TOTAL						2757

***Note: Totals include male and female breakdowns; remandees comprise 31% of total population. Some facilities exceed 100% capacity which has resulted in overcrowding.**

As the table demonstrates, overcrowding has worsened dramatically since 2023. MCCI now holds 971 inmates against a design capacity of 500, which means the facility is operating at 194.2% of its intended capacity, housing nearly double the number of individuals it was built for. The situation is most acute at Teyateyaneng, where 225 inmates are held in a facility designed for 135 (166.7% of capacity) and Mohlomi Forensic Unit, where 84 patients occupy space intended for 35 (240% of capacity). This means the facility is operating at 240% of its intended capacity, housing far more than double the number of individuals it was built for.

These figures validate previous warnings regarding the inhumane conditions within our correctional facilities, highlighting a direct threat to inmates and patients' safety.

My previous inspection highlighted severe overcrowding, specifically in four-person cells often accommodating ten (10) men, with inmates sleeping on the floor. I must reiterate that this inhumane, 24-hour confinement in degrading conditions creates a breeding ground for inter-prisoner violence and poses a direct risk to life. Furthermore, the absence of effective, mandatory risk assessments upon admission significantly compromises the physical integrity of both inmates and staff. This environment is inherently violent, creating a substantial risk to life. These dangers are critically exacerbated by inadequate risk assessment processes for new admissions, jeopardizing the safety of the entire prison community. Monitoring during this reporting period shows that conditions have continued to degenerate, with systemic overcrowding remaining the primary driver of these urgent safety and human rights concerns. It came as no surprise to establish that one inmate, (nicknamed Mali a Konyana) murdered another, in 2025, as a consequence of the MCCI not undertaking adequate risk assessment upon the offending inmate's admission at the facility. Clearly, given his historical background, he should have been separated, at the outset, from the rest of the inmates, but this was never done.

The recommendation on decongesting facilities remains open

3.2 The Remand Detainee Crisis

Remand detainees' persons awaiting trial who have not been convicted of any offence now constitute 31% of the total prison population (2757 individuals). In some facilities, the proportion is far higher:

- (a) Berea: 53% of inmates are remandees (120 of 225)
- (b) MCCI: 36% (345 of 971)
- (c) Butha-Buthe: 37% (56 of 153)

The 2023 Report documented that at Berea, 97 of 142 inmates (68%) were remandees. The absolute number has since decreased by 15%, and the proportion has slightly decreased only because of the even more dramatic increase in convicted inmates.

This situation represents a clear violation of Section 12 of the Constitution, which guarantees the right of an accused person to be tried within a reasonable time. During our inspections, we identified numerous remandees who have been in custody for more than five (5) years without trial. Several have been awaiting committal to the High Court since 2019 and 2020.

The Speedy Court Trials Act No. 9 of 2002, which requires that accused persons be tried within sixty (60) days of their first remand, remains a dead letter. Magistrates continue to grant postponements routinely, often for periods of months, without any apparent consideration of the statutory timeframe.

The recommendations made on addressing remand detainees' crisis remains open

3.3 Impact on Health and Dignity

The consequences of this overcrowding are not abstract; they are measured in human suffering:

3.3.1 Disease Transmission

Cell rooms designed for four (4) inmates are routinely packed with ten (10) inmates. In these overcrowded conditions, infectious diseases like tuberculosis, scabies and respiratory infections have become endemic, spreading rapidly through the population.

3.3.2 Pellagra Outbreak

In Mafeteng, inmates continue to suffer from pellagra, a disease caused by niacin deficiency that manifests as dermatitis, diarrhoea, and dementia. This disease is virtually unknown outside conditions of severe malnutrition. Its persistence in a Lesotho correctional facility in 2026 is an indictment of the nation's failure to meet its most basic obligations.

3.3.3 Mental Health Crisis

Overcrowding, idleness, and uncertainty about release dates have created a mental health crisis among inmates. Suicide attempts have increased. At Mohlomi Forensic Unit, patients who should have been evaluated for release years ago remain confined indefinitely because the Technical Advisory Committee has not been reconstituted since 2016.

Very little, if at all anything, has been done in ensuring that mental health issues of inmates are addressed. The rehabilitation officers cry foul that their institutional capacity has not been adequately resourced or strengthened, and they operate with a very thin structure, with no transportation to facilitate home assessments and the like. I had, previously stressed the need to ensure that social workers or counselors and treatment be provided to inmates with tandem medical

and psychological support. In 2026 inspection, we have recorded a myriad of complaints from inmates indicating that they are not receiving any psycho-social support and are in distress.

The recommendations made remain open and cannot be closed

3.4 Judicial Inaction and Delayed Justice

The primary driver of overcrowding remains the failure of the criminal justice system to process cases expeditiously. Our review of complaints lodged reveals that the average time from arrest to trial for remandees is about 27 months; the longest recorded pre-trial detention was 8 years, 4 months (murder accused, matter awaiting High Court committal since 2018) and cases where last court appearance was in 2020 or earlier were many, at least at the MCCI.

The Subordinate Courts Practice Direction (Streamlining the Processing of Cases on Pre-Trial Remand Pending Further Investigations) No. 1 of 2021, issued to ensure that matters are resolved within sixty (60) days, has had no observable effect. The view is that magistrates continue to grant postponements without requiring progress reports from prosecutors.

The Ombudsman has previously noted that ‘the judiciary should play its part in ensuring that trials are finalized speedily and should consider different sentencing options including correctional supervision to decongest the overcrowded correctional facilities.’ Three (3) years later, this plea remains unheeded. As at the time of the inspection, the awaiting trial inmates that have been in custody for elongated periods of time at correctional facilities nationwide are sixty-one (61) in number.

The recommendations made around decongesting facilities remains open

CHAPTER 4

4.0 PHYSICAL INFRASTRUCTURE AND CONDITIONS OF DETENTION

4.1 Buildings and Cells

The physical state of Lesotho's correctional facilities has deteriorated further since 2023. Facilities previously identified as requiring 'urgent demolition and reconstruction' remain in use, with no remedial work undertaken.

4.1.1 Facilities Requiring Demolition

The Ombudsman established, during prior inspection visitations that multiple facilities had been declared 'inhabitable,' 'hostile to humaneness,' and 'fit for demolition.' The LCS advised that structural engineers had advised that these buildings pose an imminent risk of collapse. Electrical systems are so deteriorated that the Lesotho Electricity Company (LEC) has refused to undertake maintenance work at places like the Maseru Female Correctional Facility. Yet, in 2026, these facilities remain operational, housing hundreds of inmates.

These facilities include:

- (a) Berea Correctional Facility
- (b) Quthing Correctional Facility
- (c) Qacha's Nek Correctional Facility
- (d) Maseru Female Correctional Facility
- (e) Juvenile Training Centre
- (f) Mokhotlong Correctional Facility and
- (g) Butha-Buthe Correctional Facility

4.1.2 Mafeteng Prison Demolition

The Mafeteng prison was demolished because it was 'nearing collapse'. Inmates were relocated to other facilities, further exacerbating overcrowding elsewhere. No replacement structure has been constructed.

While the LCS Management developed and secured Public Sector Investment Committee (MoFDP) approval for essential capital projects including new construction and facility upgrades, implementation is severely hampered. Dependence on the Ministry of Public Works and Transport (MoPW&T) causes significant delays, and the LCS historically receives inadequate budget allocations. To resolve this, it is recommended that the Government adopt best practices from jurisdictions like Zambia. This includes implementing a public-private partnership approach or

leveraging MOUs with local institutions, such as the Lerotholi Polytechnic, to enable inmates and students to jointly undertake renovation projects, thereby restoring critical infrastructure efficiently.

4.1.3 Roofs and Walls

During our inspections, we observed:

- (a) Leaking roofs in all but three facilities
- (b) Cracked walls allowing water ingress
- (c) Broken windows unrepaired (many boarded with cardboard)
- (d) Floors eroded or broken
- (e) Peeling paint and mould growth

At Berea, the condition is so dire that inmates still report sleeping in shifts to avoid areas where rainwater pools on the floor. At Quthing, sections of the wall have been propped with timber to prevent collapse.

4.1.4 Electrical Safety

The electrical installations in colonial-era facilities were not designed for modern usage. In several facilities, inmates have created illegal connections for heating and charging devices, creating fire risks. At Maseru Female, we observed exposed wiring that pose an electrocution hazard.

Despite prior recommendations from this Office regarding the urgent need to address the dilapidated state of colonial-era correctional facilities, the relevant authorities have failed to act. These structures present an immediate threat to the lives of inmates due to risks of structural collapse. The buildings are structurally unsound and pose a severe imminent danger to inmates and staff alike. By continuing to use these hazardous facilities years after their identification as unsafe, the government has failed to act on the remedial recommendation to demolish and reconstruct the seven (7) identified facilities, thereby failing in its duty of care. By allowing these dangerous conditions to persist, it shows a negligent disregard for human life and a failure to implement necessary reforms. The LCS remains challenged as they have indicated that they do not have any alternatives to resort to, and as such, continue to utilize these buildings even as they continue to deteriorate further.

The recommendations I made around demolition and reconstruction of seven new facilities identified remain open

4.2 Cleanliness and Sanitation

4.2.1 Cleaning Materials

The 2023 Report documented that facilities lacked basic cleaning materials; brooms, mops, buckets, detergents and that inmates resorted to using pieces of old blankets to clean floors. This situation persists.

In 2026, we observed:

- (a) No facilities with adequate supplies of commercial cleaning products
- (b) Inmates have been denied access to essential bathing soap for personal hygiene since November 2025
- (c) Continued use of blanket fragments and ash for cleaning
- (d) No systematic schedule for deep cleaning or fumigation
- (e) Evidence of rodent and insect infestation in multiple facilities

Investigative findings reveal a critical lack of commercial cleaning agents across multiple facilities, rendering standard sanitation protocols impossible to maintain. It was alleged that since November 2025, inmates have been systematically denied access to personal bathing soap, constituting a significant failure to provide for basic personal hygiene and human dignity. Investigations confirm that inmates have not been provided with bathing and washing soap since this period, which violates the state's duty of care to maintain a hygienic environment. The prolonged lack of essential cleaning supplies, justified by the institution as a budgetary limitation, has created an unsafe environment where vulnerable inmates are forced to engage in humiliating or transactional behaviors for basic sanitation. This situation directly contradicts international standards for the treatment of inmates and demands immediate corrective action. The LCS expressed regret regarding the situation, stating they had been informed by the MoL&J Finance officers that the soap budget for inmates was depleted, despite having been allocated for the current fiscal year. This premature depletion of funds raises serious concerns regarding budgetary management.

It is wholly unacceptable that individuals in custody are denied basic soap that deprives them of the basic ability to maintain personal hygiene and dignity.

To address the financial instability and operational inefficiencies arising from unplanned budgetary virements, it is recommended that the Ministry of Law and Justice (MoL&J) establish a dedicated, ring-fenced budget for the Lesotho Correctional Service (LCS). Furthermore, the LCS should be granted autonomy to manage its own financial allocations, aligning its structure with other law enforcement agencies such as the National Security Service (NSS) or the Judiciary, that possess dedicated chief accounting officers operating independently while under ministerial oversight.

This would allow the LCS to fully realize its mandate, resolve inefficiencies currently caused by sharing budgetary resources with multiple other departments.

4.2.2 Fumigation

The 2023 recommendation that cells be fumigated at least once every six (6) months to limit lice infestation has not been implemented. Lice and bedbugs are endemic. Inmates at Mohlomi Forensic Unit report being bitten continuously.

4.2.3 Waste Management

Refuse collection is irregular. Piles of waste accumulate in facility yards, attracting vermin. At some facilities, inmates burn waste within the perimeter, creating health hazards.

This persistent lack of basic sanitation materials compromises the health of the population and fails to meet minimum standards for humane treatment.

The recommendations made remains open

4.3 Ablution Facilities and Water Supply

4.3.1 Toilets

The 2023 Report documented broken toilets, leaking pipes, and inmates forced to use buckets at night. These conditions have not improved:

FACILITY	TOILET STATUS	NIGHT ARRANGEMENTS
Berea	4 communal toilets for 225 inmates	Buckets in cells
Quthing	50% non-functional	Buckets in cells
Qacha's Nek	60% non-functional	Buckets in cells
Leribe	Multiple breakdowns	Buckets when broken
MCCI	Chronic blockages	Buckets during repairs

At Berea, where 225 inmates share four toilets, the waiting time for toilet use can exceed two hours. The toilets themselves are in such poor condition that inmates describe them as ‘unusable’ except in extremis.

4.3.2 Water Supply

Water supply remains erratic at multiple facilities. Leribe and Butha-Buthe, identified in 2023 as requiring underground water systems, continue to experience regular interruptions. During dry periods, water must be trucked in, at significant expense and with unpredictable timing.

4.3.3 Showers and Hot Water

Shower facilities remain inadequate:

- (a) At Quthing and Qacha's Nek, shower areas remain outside, uncovered, providing no privacy and exposing inmates to weather.
- (b) Most facilities have no means of heating water. Inmates continue the practice of warming water in buckets in the sun or heating it over fires.
- (c) At Berea, there are no means of heating water at all.

The 2023 recommendation to install solar geysers has not been acted upon. The absence of covered, private, and sanitary bathing facilities exposes inmates to inhumane conditions and extreme weather. The total lack of hot water infrastructure in Berea, forcing inmates to heat water manually, is an unacceptable breach of health standards and a failure to provide basic human decency.

The recommendations made remains open

4.4 Bedding and Clothing

4.4.1 Mattresses and Blankets

The 2023 Report documented ‘a general shortage of bedding’ with mattresses and blankets ‘in tatters.’ While some additional 3000 blankets have been procured, the situation remains critical:

- (a) In overcrowded facilities, multiple inmates share single mattresses or sleep on concrete floors.
- (b) Remaining mattresses are deteriorated, with exposed foam and torn covers.
- (c) Even with recent procurement, the average allocation is 2-3 blankets per inmate in winter, are inadequate for Lesotho's inclement weather.

Partial Progress was recorded

4.4.2 Inmates Walking in tattered clothes

Perhaps the most degrading condition documented in this Report concerns clothing. In 2026, these inmates’ still do not have any uniforms to wear. During our inspections, we observed:

- (a) Inmates wearing their own clothing while some were wearing tattered remnants

- (b) Inmates sharing clothing so that some can appear in court while others remain in cells
- (c) Remandees (presumed innocent) wearing the same tattered clothes for years

The right to clothing is fundamental to human dignity. Its denial in Lesotho's correctional facilities in 2026 is a continuing violation of basic human rights. The Ombudsman has learnt that in some severe cases, officers have had to lend inmates in need their own clothes to enable them to make appearances in court or proceed to hospital.

4.4.3 Uniforms

Convicted inmates lack proper uniforms. The practice of officers passing on their old uniforms to inmates continues a charitable gesture that masks systemic failure.

Our investigation identified a failure in the provision of basic necessities. Despite receiving sewing machines and material donations from donor funding for sewing inmate uniforms, the LCS has failed to procure enough material to meet current needs, leaving many inmates without proper attire. Additionally, the ongoing failure to provide inmates with required boots constitutes a breach of minimum standards of care, demanding immediate remedial action. Inmate welfare is compromised by severe shortages of uniforms and footwear.

The recommendations made remains open

4.5 Ventilation, Lighting and Heating

4.5.1 Ventilation

The 2023 finding that ‘there was no proper ventilation in all the cells, except for Mafeteng’ remains accurate. Cell structures do not permit cross-ventilation. Windows are small and often cannot be opened. In overcrowded cells, air quality is poor, contributing to respiratory disease transmission.

4.5.2 Lighting

Lighting is functional in most cells, though inmates report that bulbs frequently burn out and are not promptly replaced.

4.5.3 Heating

No cells have heating systems. In winter, temperatures drop below freezing. Inmates huddle together for warmth, using the inadequate blankets provided. Officers in towers and guard houses

continue to use coal for heating, despite the 2023 recommendation that this practice be replaced with safer alternatives.

The recommendations made remains open

CHAPTER 5

5.0 HEALTH AND HYGIENE

5.1 Healthcare Services and Access

5.1.1 Staffing

The 2023 Report documented that some facilities had no nursing officers in-house. This situation persists:

- (a) At Quthing, no resident nurse; medical visits twice weekly
- (b) At Qacha's Nek, no resident nurse; medical visits weekly
- (c) At Thaba-Tseka, no resident nurse; medical visits twice weekly
- (d) At other facilities, nurses are present but not resident on-site and are unavailable after hours

When inmates fall ill outside normal hours, there is no medical professional available. Officers must decide whether to transport inmates to hospital, a decision complicated by lack of transport and security concerns.

With reference to the MCCI, there is only one dedicated nursing officer and four nursing sisters at the clinic and no on-site doctor to cater for their needs. The nursing officer does not stay on site either and out of hours and at weekends, there is no one to take clinical responsibility over inmates, to a point that an identified inmate is given the responsibility to take care of sick inmates. I had also recommended that there should, at the very least, be a full-time general practitioner (GP) that works at the MCCI from Monday to Friday. The inmates only get to see a nurse at the clinic on specific days and occasionally, the MOH's visiting medical officer, Dr Mojela, attends to inmates at the facility; however, it has never happened that all are seen by the doctor on the day of his visitation. It is important for the facilities to have at least two nurses, and a GP at any given time, and should maintain a clear roster for out of hours services and weekend shifts. The shortage of staff extends to pharmacy technologists, health inspectorate, teachers for formalized education and vocational skills training.

There is a need for a night nurse in order to manage and ensure that the medical needs (including medical emergencies) of the general inmate population are managed better. It is further recommended that efforts to create and fill vacancies for psychology staff across the correctional facilities be redoubled as a high priority, including reconsidering the terms and conditions of the employment of such staff and enhancing incentives to work within this environment.

The recommendations made remain open

5.1.2 Medications and Supplies

The 2023 Report documented ‘insufficient supply of drugs and medical instruments.’ This remains the case. Clinics are poorly stocked. Inmates’ report being given paracetamols for all ailments, regardless of severity. Chronic conditions requiring ongoing medication go untreated.

5.1.3 Delays and Deaths in Custody

Inmates continue to report delays in receiving medical attention. During our inspection period, we identified two cases where inmates died in custody after officers failed to arrange timely transfer to hospital. These deaths are under investigation, but they underscore the lethal consequences of systemic neglect. In a separate incident, we established that a juvenile delinquent who suffered a bad toothache was informed that he could only be attended or be taken to the hospital on a specific day, without appreciating the urgency and pain he was enduring. Such a delay not only constitutes a failure in the duty of care but also risks exacerbating the underlying condition, potentially leading to more serious medical complications.

To address these systemic medical scheduling failures, the clinics should implement a formal medical triage system where healthcare staff assess the severity and urgency of a minor's condition immediately upon report, rather than defaulting to the next available appointment. Officers and administrative staff should also be continuously trained to ensure they can identify medical emergencies and understand their legal obligation to provide timely care.

As an added measure, the Ombudsman has now introduced oversight mobile complaints intake clinics within correctional facilities to allow inmates to report medical neglect directly, ensuring accountability for delayed treatments.

PLACE OF DEATH	GENDER	DATE OF DEATH	AGE	SENTENCE	CAUSE
MCCI	Male	23/05/2023	49	2 years	Natural death
LERIBE	Male	09/06/2023	45	18 years	Undetermined causes

BEREA	Male	27/08/2023	-	Remanded	Not stated
LERIBE	Male	10/08/2023	32	Remanded	Unnatural death
LERIBE	Male	28/01/2025	45	20 years	Renal & heart failure
BEREA	Male	16/02/2025	-	-	-
LERIBE	Male	09/11/2025	33	2 years/M2000	Natural death

5.1.4 The WORLD BANK Funded Clinic at MCCI

The 2023 Report noted with optimism that a new clinic structure at MCCI, funded by World Bank, was ‘yet to be opened for use.’ In 2026, the clinic is now in use; however, its capacity has to be strengthened in terms of equipment that has to be procured and human resources. Three years after construction, a facility built to improve inmate health stands empty.

5.2 Nutrition and Feeding

5.2.1 The 1959 Regulations: A Standard Never Met

The 1959 Prison Regulations prescribe the daily diet for each inmate:

"a pound of bread, a day, an ounce of sugar, a pint of fresh milk, a half-ounce of salt, a pound of fresh vegetables, one and half pound of mealie-meal, pound of fat, two pounds of beans or peas, a pound of fresh meat, two ounces of potatoes or rice, and unlimited fresh clean water".

Sadly, the diet has never been anything beyond pap with beans or peas all year round.

5.2.2 Current Diet

In 2026, the diet remains unchanged from 2023:

- (a) For breakfast, porridge (often without sugar)
- (b) For lunch, pap with beans or peas
- (c) For dinner, pap with beans or peas

Meat, eggs, vegetables, milk, and fruit are absent from the routine diet. Inmates report receiving meat only on Christmas Day, if at all. The variety observed in 2023 (eggs, vegetables, milk on Christmas) was not confirmed in all facilities during our latest inspections. This Office received complaints regarding the poor quality of food provided to inmates. Evidence was submitted, including foreign objects such as broken glass and stones found in beans served during lunch, posing a severe health and safety risk. Investigations confirmed that the beans were not adequately cleaned prior to preparation. This indicates a failure in food preparation and inspection protocols, endangering the health of the inmates. Immediate corrective action is required to ensure food safety standards are met and that all food served is fit for consumption.

5.2.3 Nutritional Consequences

The monotony and inadequacy of the diet have predictable consequences:

- (a) Pellagra has been documented at Mafeteng
- (b) Malnutrition has been evident in pale, thin inmates
- (c) Medication interactions, inmates have reported taking medication on empty stomachs when meals are delayed.

The recommendations made remain open

5.3 Communicable Diseases and Overcrowding

5.3.1 Tuberculosis

TB transmission is accelerated by overcrowding and poor ventilation. The 2023 Report noted that at Maseru Central, TB patients were separated from other inmates. This practice continues, but the high turnover and constant influx of new detainees mean that undiagnosed cases inevitably enter the general population.

5.3.2 Scabies

Scabies outbreaks are recurrent. The combination of overcrowding, inadequate bedding, and lack of hygiene supplies creates ideal conditions for transmission.

5.3.3 HIV/AIDS

The investigation reveals that access to life-saving antiretroviral therapy (ART) remains inconsistent across the correctional system. Inmates who initiated treatment during incarceration report frequent interruptions in their medication regimens, primarily driven by recurring stock-outs. While the High Court in *Nyakane v Director of Public Prosecutions and Others (CRI/T/003/2018)* explicitly affirmed the constitutional right to adequate healthcare for persons in state custody, this judicial mandate has not been effectively operationalized. The current gap between legal standards and service delivery constitutes a significant risk to inmate health and a failure of state accountability.

The LCS purports that antiretroviral drugs and anti TB drugs are supplied by the MOH in all four ART centers namely Maseru Central, Leribe, Mohale's Hoek and Thaba Tseka and no reports of stock-outs had been recorded in these centers as they are all closely supervised by respective DHMTs. The LCS further submitted that patients in other facilities are registered with nearby health facilities where they get all their supplies at specified intervals. While we acknowledge challenges regarding referrals particularly in relation to remandees, interruptions hardly ever occur as these facilities as they always keep buffer stocks to cater for unexpected increase in the number of clients.

To resolve these inconsistencies and align with the High Court's ruling, it's important to establish a dedicated procurement and distribution protocol between the MOH and the LCS to ensure Anti-Retroviral Treatment (ART) supplies are prioritized and 'buffer stocks', like at Mohlomi Hospital, are always maintained to prevent outages. From a monitoring perspective, the LCS should implement a monthly reporting mechanism where each facility head should certify the availability

of essential medicines and any stock-out lasting more than 24 hours should trigger an emergency procurement response. Last, the LCS should develop an internal policy that holds facility administrators accountable for failing to uphold the judicial standards set in the *Nyakane* precedent. This should be undertaken within a month of the issuance of this report.

5.3.4 COVID-19 Legacy

The continued, indiscriminate use of 14-day quarantine for new arrivals now often stretching into months is unjustified based on current health guidance. This practice, operating without adequate mental health oversight, creates a restrictive environment that poses a significant risk of psychological damage, far exceeding the initial purpose of disease control.

The LCS should ensure that any medical isolation is strictly time-limited and subject to daily clinical review, adhering to international standards (e.g., the Mandela Rules) that prohibit isolation exceeding 15 days. It is further recommended that the LCS should provide inmates in isolation with meaningful access to activities (television, and reading material), daily exercise, and improved communication with family, ensuring that isolated inmates are not treated as if they are in punitive segregation. This should be undertaken within a month of the issuance of this report.

CHAPTER 6

6.0 KITCHEN AND FOOD PREPARATION

The 2023 Report documented kitchens that were ‘very small, untidy and short of utensils.’ These conditions persist.

6.1 MCCI

The kitchen at MCCI remains inadequate for 971 inmates. The thirteen electric pots donated before 2023 are still present, but only one is functional. Gas stoves are provided, but gas runs out regularly due to budget constraints. Consequently, inmates continue to cook outside on the ground using wood a labour-intensive process that consumes hours daily and poses security risks when inmates must leave the facility to collect firewood.

6.2 Other Facilities

Across all facilities:

- (a) Utensils are inadequate supply
- (b) Equipment is broken and unrepaired
- (c) Wood collection remains the primary method, with associated security and environmental costs
- (d) Kitchen cleanliness is compromised by lack of cleaning materials

6.3 The Gas Problem

The 2023 recommendation that ‘adequate budget be provided to ensure that sufficient gas is available on a consistent basis has not been implemented.’ Facilities report that gas allocations are irregular and insufficient, forcing reliance on wood as a primary source. The Office notes with concern that the 2023 recommendation remains unimplemented. Investigative findings reveal that current gas allocations are both irregular and insufficient.

The recommendation made remains open

CHAPTER 7

7.0 SECURITY AND SAFETY

7.1 Physical Security Infrastructure

7.1.1 Fencing

The 2023 Report noted that most facilities lacked proper security fencing. This remains the case:

FACILITY	FENCING STATUS
Thaba-Tseka	Adequate
Leribe	Adequate
Maseru Central	Compromised (buildings too close to fence)
Mohlomi	No towers
Juvenile	No towers
Female	No towers
Others	Inadequate or deteriorated

7.1.2 Surveillance

The 2023 recommendation to install CCTV cameras has been partially implemented only at Maseru Central and Leribe. Even at these facilities, coverage is incomplete, and systems are not fully operational. No other facility has surveillance equipment.

It is observed that the Lesotho Correctional Service (LCS) continues to rely on traditional, manual body searches due to a lack of modern screening technology, such as scanners, which are essential for effective contraband detection. Despite prolonged and repeated requests by the LCS for this equipment, these submissions have not been addressed. Consequently, this lack of resources hinders operational efficiency, leaving officers to rely solely on visual detection, which is insufficient for comprehensive contraband control.

The recommendations made remains open

7.1.3 Lighting

Apollo lights are absent from most facilities, creating security risks at night.

7.2 Gang Activity and Internal Security

7.2.1 'Manomoro' and Other Gangs

The 2023 Report noted that gangs like 'manomoro' are 'prevalent in most facilities nationwide.' Our 2026 inspections confirm that gang activity has increased. Overcrowding creates conditions in which gangs flourish, recruiting among idle inmates and enforcing discipline through violence.

It is recommended that the LCS implement a comprehensive strategy to manage gang activity, including the reduction of overcrowding, the segregation of gang leaders, and the implementation of mandatory rehabilitation/training programs to reduce inmate idleness. While Lesotho Correctional Services (LCS) management has implemented segregation strategies to mitigate the spread of gang influence, the prevalence of these groups remains high, despite the LCS's assertion that the situation is now more contained.

The recommendations made remain open

7.2.2 Officer Collusion

The 2023 Report noted that 'security was being compromised in some facilities as some of the officers colluded with inmates to import outlawed devices including drugs.' This practice continues. Low morale, inadequate pay, and lack of oversight create conditions in which collusion is tempting and difficult to detect.

The current operating environment, characterized by low staff morale, inadequate remuneration, and insufficient oversight, has created fertile ground for corruption. These systemic failures not only undermine rehabilitation efforts but also make the detection of illicit activity difficult, necessitating an urgent shift toward improved staff welfare and fortified, proactive oversight.

The recommendations made remain open

7.2.3 The December 2023 Incident

The torture of many detainees at Maseru Central in December 2023 exposed the depths of the security crisis. One hundred and fourteen (114) recruit officers participated in the assault. Senior officers were unresponsive and derelict in their duty. Officers conspired to create false narratives. Medical care was denied.

This incident investigated by my Office and reported in March 2024 represents the most serious breakdown of security and human rights in Lesotho's correctional history. That it occurred after

the OoO's 2023 Report had documented systemic failures, and after specific recommendations had been made, demonstrates the lethal consequences of inaction.

CHAPTER 8

8.0 INMATES' RIGHTS AND WELFARE

8.1 Contact with the Outside World

8.1.1 Visitation

Schedules of visitation exist at all facilities, but infrastructure for visits remains inadequate:

- (a) No proper visitors' shelters exist. Visits occur in open areas, exposed to weather.
- (b) Inmates have no privacy with visitors except when meeting lawyers.
- (c) Transport costs and distance prevent many families from visiting regularly.

While we acknowledge that inmates' visitations are generally strictly censored, safe for visits by private legal practitioners, concerns persist regarding the inconsistent application of visitation policies. Despite standardized time allotments, inmates report that arbitrary decisions by officers often result in shortened visits, thereby infringing upon established visitation rights. It becomes important therefore for the LCS to establish a clear, auditable logging system for visitor arrival and departure times to ensure compliance with the standard duration. It should implement mandatory staff training regarding visitation policies and accountability measures for officers who deviate from mandated timeframes without justification.

The recommendations made remain open

8.1.2 Communication

The 2023 Report noted that communication with the outside world was by censored letters, and that lack of transport prevented letter delivery. This remains the case. There is no telephone system for inmate use and they rely on officers for assistance to contact the outside world. Recommendations around alternatives to ensure that inmates are assisted to be in contact with their families have not as yet been implemented.

The recommendations made remain open

8.1.3 Television and Radio

Some facilities have television sets, but lack of subscription funds means they are not operational. Inmates cannot access news or entertainment. Radios, where present, have been brought by families.

Chapter 8

8.2 Recreation and Pastime

8.2.1 Men's Facilities

Recreation facilities remain inadequate. Soccer and board games are available in some men's facilities, but not consistently. Long-term inmates are not permitted outside facility walls, restricting their activities to the limited space within.

8.2.2 Women's Facilities

The 2023 Report documented that for women, recreation ‘involved working in the fields or plots planting vegetables and this constituted hard labour and abuse.’ This practice continues. Women report being made to work in inclement weather rain or extreme heat without recreation time for other activities. It was recommended that the LCS cease the practice of classifying agricultural field labor as ‘recreation’ for female inmates. The LCS however maintains that is indeed true that inmates including female inmates do engage in physical activities that include vegetable gardening for rehabilitation as a form of skills transfer, control and for their own upkeep; it is not however, meant to replace recreation and should not be classified as punitive labour and abuse. Vocational and physical exercise programs are there.

The Ombudsman previously raised concerns around the correctional services regime that seems misaligned with the UN Rules for the Treatment of Women Prisoners (the Bangkok Rules). To this extent, I recommended that the LCS should develop a gender-sensitive, voluntary, and diverse recreation program that includes physical exercise, education, and vocational training, rather than punitive labour practices. It had further been recommended that the correctional services should establish an internal monitoring mechanism to ensure compliance with this directive, with independent oversight. Sadly, this has not been done and inmates still complain of being subjected to abusive, forced agricultural labour under the guise of 'recreation'.

The recommendations made remain open

As a general standard, the LCS should update the correctional facility’s operational policies to ensure that recreation is defined as voluntary, restorative, and non-exploitative activity. In addition, the LCS should implement strict safety protocols that forbid mandatory work outdoors during severe weather conditions (extreme heat, rain, or cold). It should further provide adequate safety gear, water, and shade for any voluntary agricultural work and adhere to established occupational health standards.

8.2.3 Juvenile Training Centre

The JTC has musical instruments that equip minors with skills. However, other recreational facilities are lacking. While it provides a means of skill acquisition in this regard, there is a marked deficiency in broader recreational infrastructure. Furthermore, the facility continues to be compromised by chronic overcrowding and significant structural deterioration, both of which impede its rehabilitative mandate. Recommendations were made for the demolition and reconstruction of the JTC.

The recommendations made remain open

8.3 Education and Vocational Training

8.3.1 Programmes

The 2023 Report observed that ‘facilities visited had the necessary skills training programmes, however, there were no consistent supply of consumables.’ It is observed that this situation has improved, with the procurement of additional equipment now enhancing the capacity for inmate vocational training. Additional tractors were procured through the Ministry of Agriculture and Food Security (MAFS) which are now fully engaged in ploughing fields at both Maphutseng and Peka. Additional sewing machines were donated to the MCCI by the EU through its reforms program.

In terms of rehabilitation and vocational training, 142 inmates are engaged in the following activities:

Tailoring and knitting, brick laying (22), electricity (6), welding (18), automotive (07), agricultural engineering (01), plumbing (5), carpentry and joinery (18), motor machines (6), art (15), beauty and hair salon (7), industries (8), plastic (5), wool knitting (7). Most of the inmates participating were from MCCI, Female, JTC, Mohale’s Hoek, Leribe and Butha Buthe.

FACILITY	PROGRAMMES	STATUS
Lepereng	Piggery, chicken farming, ploughing	Limited by lack of equipment, tractor broken
Maseru Central	Sewing	Lack of materials

JTC	Music, basic skills	Under-resourced
Others	Minimal or none	No programmes

The recommendation is partially completed

8.3.2 Qualified Teachers

Previous reporting highlighted a significant absence of qualified teachers across most facilities, resulting in inmates receiving no formal education and leaving with the same literacy deficiencies they arrived with. Addressing historical concerns regarding a lack of formal education, this Office acknowledges significant improvements in educational service delivery within the Lesotho Correctional Services (LCS). While vocational and rehabilitation programs have long been in place, the previous absence of qualified, formal educators resulted in stalled academic progress for inmates.

A positive shift is evident, specifically with the Ministry of Education and Training's (MoET) intervention at the Juvenile Training Centre (JTC). By providing qualified teachers and aligning curricula with national standards, juvenile children can now participate in formal examinations. To sustain this progress, it is essential that specialized, trained educators continue to be prioritized not only for general education but also for vocational training to address high youth unemployment upon release. The MoET must address staffing shortages to ensure adequate coverage of all subjects. The current deployment of only two teachers is insufficient to deliver the full curriculum across all class levels.

The recommendation is partially completed

8.3.3 The Lepereng Paradox

The Lepereng facility, designated for rehabilitation and pre-reintegration of inmates, suffers from severe equipment shortages. The sole, aged tractor previously donated by the Ministry of Agriculture and Food Security (MAFS) is frequently dysfunctional, with repairs hindered by a lack of funds. This lack of functional equipment inhibits the facility's self-sufficiency projects and creates frustration among inmates willing to engage in vocational training. Although the inspection revealed that the LCS now has four (3) additional tractors, these units have been deployed to Peka and Mohale's Hoek for ploughing, leaving the Lepereng facility with continued shortages. Furthermore, these tractors serve dual roles as operational transport (e.g., ferrying wood), reducing

their availability for agricultural cultivation. Due to these limitations, the Lesotho Correctional Service (LCS) has been forced to incur additional costs by hiring private tractors to complement the insufficient inventory. We further established that officers tasked with guarding inmates during field operations have not been provided with essential protective clothing. This negligence poses a safety risk to staff.

The recommendation is partially completed

8.4 Rehabilitation Programmes

8.4.1 Non-Functional Section

The 2023 Report stated that ‘the rehabilitation section is not functional at all due to lack of resources.’ In 2026, this remains accurate. No rehabilitation officers have been deployed. No programmes operate. The LCS stated that with each rehabilitation officer responsible for over 100 inmates, the current staffing levels and resources are insufficient. Consequently, officers are unable to meet the psychological and rehabilitative needs of the inmate population. Inmates return to communities without skills or support, contributing to recidivism.

The recommendation is not completed

8.4.2 Recidivism

While comprehensive statistics are not maintained, officers report that many released inmates return within months. Without rehabilitation, without skills, without support, they have no alternative.

8.5 Discipline and Grievance Mechanisms

8.5.1 Torture and Ill -Treatment

The 2023 Report documented that ‘torture and ill-treatment have commonly been used in the facilities to instill discipline.’ The December 2023 incident at Maseru Central represents the most extreme manifestation of this culture, but it is not isolated.

During our 2026 inspections, inmates reported:

- (a) Beatings and whipping for rule infractions
- (b) Punishment workouts (push-ups, hard labour) for minor offences
- (c) Solitary confinement imposed arbitrarily
- (d) Verbal abuse and humiliation

Notably, most reported that incidents of abuse have significantly declined since the December 2023 investigations. This indicates a positive shift, suggesting that the previously entrenched culture of impunity within the institution is losing its hold. This suggests that this deeply ingrained culture within the institution is receding.

The LCS intimated that it is a general practice that inmates are confined for sixteen (16) hours only and are allowed exercise and work outside for eight hours each day, not twenty-four-hour confinement as reported. However, inmates report otherwise and have pleaded with the Ombudsman to intervene in their situation.

The recommendation is partially completed

8.5.2 Double Jeopardy

Inmates consistently report a systemic practice where the same incident results in both internal administrative penalties and subsequent criminal prosecution. This practice, often referred to as double punishment, appears to violate fundamental principles of justice, yet continues without adequate oversight or rectification. While the Lesotho Correctional Services (LCS) justified this approach by arguing that the actions breach both internal regulations and criminal law, this cumulative punishment mechanism remains a significant, unchecked issue requiring review.

8.5.3 Deaths in Custody

Since the 2023 Report, my Office has recorded 7 deaths in custody.

PLACE OF DEATH	GENDER	DATE OF DEATH	AGE	SENTENCE	CAUSE
MCCI	Male	23/05/23	49	2 years	Natural

LERIBE	Male	09/06/23	45	18 years	Undetermined
BEREA	Male	27/08/23	-	Remanded	Not stated
LERIBE	Male	10/07/24	32	Remanded	Unnatural
LERIBE	Male	28/01/25	45	20 years	Renal & heart
BEREA	Male	16/02/25	-	-	-
LERIBE	Male	09/11/25	33	2 years/M2K	Natural

Of these:

3 attributed to 'natural causes'

1 undetermined or under investigation

2 unstated causes

The true causes of death are difficult to establish. Autopsies are not routinely performed. Medical records are inadequate, and families are not always informed.

Chapter 9

9.0 THE DECEMBER 2023 MASERU TORTURE INCIDENT

9.1 Findings of the Investigation

On the 22nd December 2023, detainees at MCCI were subjected to brutal beatings by officers from the Lesotho Correctional Services. My Office conducted an investigation, with findings published on 19th March 2024.

The investigation established:

- (a) One hundred and fourteen (114) recruit officers from the LCS training facility participated in the assault.
- (b) The assault occurred during a routine search operation.
- (c) Officers used various weapons, causing visible injuries.
- (d) Medical care was deliberately withheld.
- (e) Officers conspired to create false narratives justifying the abuse.
- (f) Senior officers were unresponsive and derelict in their duty.
- (g) The eight named detainees namely, Sebilo Sebilo, Mots'oane Machai, Nthathane Motanyane, Liphapang Sefako, Motsieloa Leutsoa, Mohlalefi Seithleko, Marasi Moleli, and Litekanyo Nyakane were identified as primary victims, however, hundreds of other inmates were also allegedly beaten up by recruit officers.

9.2 Systemic Failures Exposed

The investigation identified systemic failures contributing to the incident:

- (a) Inadequate oversight of detainee treatment
- (b) Reliance on outdated regulations
- (c) Subpar working conditions for officers
- (d) Delayed medical care
- (e) Lack of resources
- (f) A culture of impunity

9.3 Aftermath and Accountability

9.3.1 Recommendations

My Office's March 2024 report recommended:

- (a) In-depth investigation by the Commissioner into the behaviour of the 114 recruit officers
- (b) Disciplinary action against those implicated
- (c) Investigation by the Lesotho Mounted Police Service
- (d) Prosecution by the DPP of officers causing severe harm
- (e) Implementation of regulations for the LCS Act No. 3 of 2016
- (f) Improvement of working conditions and salary harmonisation

9.3.2 Implementation Status

Two years after these recommendations, and three years after the incident:

- No officer has been held accountable as yet.
- No disciplinary action has been taken against the 114 recruits.
- Prosecutions have been initiated and charges have been proffered already.
- No regulations have been implemented.
- Working conditions remain unchanged.
- Salary harmonisation remains in abeyance.

It was expected that authorities would act swiftly to implement the Ombudsman's recommendations regarding accountability at the MCCI. While the LCS has advised that a tribunal constituted of principal secretaries, with clear terms of reference has been established, its commencement remains pending approval and budgetary allocation for operational expenses, security, and member allowances. Consequently, the timeline for the tribunal to begin its duties is uncertain. Furthermore, while certain officers have been charged in court regarding the murder of inmate Bokang Tsoako, their trials have not yet commenced.

The recommendations remain open

Chapter 10

10.0 STAFF MATTERS AND WELFARE

10.1 Harmonisation of Salaries

The 2015 government decision to harmonise LCS salaries with other disciplined services was communicated to staff on 9th August 2019. It was placed in abeyance on 10th September 2019. Six and a half years later, it remains unimplemented.

The consequences for staff morale cannot be overstated. Officers work alongside police and military colleagues who perform comparable roles but receive substantially higher remuneration. They feel with justification that their contributions are devalued.

The 2023 Report noted that ‘underpayment of staff remained a generic and thorny issue requiring redress.’ In 2026, it remains unaddressed, as articulated under 2.2.6 above.

The recommendation is not completed

10.2 Promotions and Human Resources

10.2.1 Promotion Policy

The 2023 Report documented the absence of ‘a written and clear promotion policy framework’ and alleged that promotions were influenced by ‘nepotism and political affiliations.’ The promotion policy forms part of the draft national policy framework that is currently being developed.

The recommendation is not completed

10.2.2 Transfers

No transfer policy exists. Officers report being moved arbitrarily, without consultation or regard for family circumstances. The policy forms part of the draft national policy framework that is currently being developed.

The recommendation is not completed

10.2.3 Staff Shortages

There is an overall shortage of staff in all facilities. The ratio of officers to inmates has worsened as the inmate population has increased without corresponding recruitment.

10.3 Training Deficits

10.3.1 No Training Since 2016

The 2023 Report documented that ‘newly appointed recruited officers had not been sent for training since 2016.’ Officers who joined the service in 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, and 2025 have received no formal training. They perform their duties including supervising inmates, conducting searches, and maintaining security without having learned basic techniques or legal standards. Training was offered to recruits *albeit*, not all, in 2023/2024.

10.3.2 Consequences

Untrained officers cannot be promoted. They do not understand human rights standards. They are more likely to resort to violence. They are vulnerable to manipulation by inmates. The December 2023 incident involved recruits precisely those who had received no training.

The recommendation is partially completed.

10.4 Staff Accommodation

10.4.1 Shortage

The 2023 Report documented ‘a great shortage of office accommodation and staff housing.’ This persists:

- (a) Staff crowd into offices designed for fewer occupants.
- (b) Staff houses are too small for families.
- (c) In some facilities, two families share a single small house.

10.4.2 Staff Housing Conditions

Staff housing has dilapidated cracked walls, leaking roofs, broken floors. At some facilities, officers who have been allocated housing have rented it to third parties to generate income, creating tension and undermining security.

10.4.3 Allocation

No clear criteria governs housing allocation. Deserving officers remain without accommodation while others profit.

The recommendation remains open

10.5 Uniform and Equipment

10.5.1 Uniforms

Correctional officers were last provided with uniforms in 2016. For ten years, they have worn uniforms that are:

- (a) Faded and discoloured
- (b) Torn and patched
- (c) Unfit for professional wear

It is observed with concern that the 2023 recommendation requiring the Lesotho Correctional Service (LCS) management to procure officer uniforms within twelve months has not been implemented. This inaction continues to compromise the professional appearance, security, and morale of the officers. The investigation revealed a critical shortage of uniform items, including standard boots. Consequently, officers are forced to purchase fabric with their own personal funds, which is then sewn into uniforms by inmates. Most officers are even attending duty in civilian clothing due to a total lack of uniform items. While UNDP donated fabric intended for inmate vocational work, the initiative to leverage this for uniform production has failed. Despite a management resolution to train inmates to sew uniforms, progress has been negligible due to the lack of adequate industrial sewing machinery, inadequate training facilities and the release of skilled inmates, including those who were proficient in sewing, on amnesty without a formal handover of skills.

It has been noted that training and upskilling in sewing and other life skills are concentrated in Maseru, disadvantageous to other districts. Furthermore, the LCS reported a lack of freezer suits for officers deployed to the highlands, exposing them to harsh weather conditions without appropriate protective gear. The failure to provide uniform gear to officers, forcing them to use

personal funds, is a violation of their rights and a failure of management to ensure enabling working conditions.

The recommendation is not completed

10.5.2 Office Furniture

The 2023 Report documented a ‘huge shortage of office furniture’ with most items ‘donated or passed on from other ministries who no longer found it useful.’ This situation remains unchanged. Officers work at broken desks, store files in unsafe conditions, and lack basic equipment.

The recommendation is not completed

10.6 Transport and Communication

10.6.1 Vehicles

The 2023 Report documented ‘inadequate supply of vehicles for ferrying inmates.’ This persists:

- (a) Maseru Central's only bus remains the same vehicle now more dilapidated frequently breaking down.
- (b) Some facilities have no vehicles at all.
- (c) Inmates are escorted on foot to court or hospital, in all weather.
- (d) Staff working odd hours have no transport.

10.6.2 Communication

It was observed that officials frequently use personal funds for official communications due to a complete absence of a designated communication budget. Furthermore, staff across all levels reported a significant breakdown in internal communication from senior management down. It is recommended that the LCS urgently develop a comprehensive communications and stakeholder engagement strategy to address these operational and internal failures. The LCS has acknowledged that there were gaps in seamless communication, and they are still working on it and are improving as an institution. It has been established that mobile devices have also been procured for senior facility management to facilitate communication.

The recommendation is not completed

10.7 Morale and Professional Conduct

10.7.1 Low Morale

The cumulative effect of these conditions is devastatingly low morale. Officers feel forgotten, devalued, and hopeless.

10.7.2 Consequences

Low morale produces:

- (a) Reduced effort and care in duties
- (b) Increased absenteeism
- (c) Greater susceptibility to corruption
- (d) Collusion with inmates
- (e) Harsh treatment of inmates

10.7.3 Treatment of Junior Officers

The 2023 Report noted that junior officers were sometimes treated disrespectfully by senior officers. This continues. Professional standards have eroded.

Chapter 11

11.0 COMPARATIVE BENCHMARKS AND INTERNATIONAL STANDARDS

11.1 The Mandela Rules: A Continuing Gap

The United Nations Standard Minimum Rules for the Treatment of Prisoners (the Mandela Rules) represent the internationally accepted baseline for humane detention. Lesotho's facilities fall short in every material respect:

MANDELA RULE REQUIREMENT	LESOTHO'S COMPLIANCE
Adequate floor space per prisoner	Not met
Proper ventilation	Not met
Adequate sanitation	Not met
Sufficient bedding	Not met
Nutritious food	Not met
Access to healthcare	Not met
Trained staff	Not met
Independent oversight	Not met

11.2 Lessons from South Africa's 'One Judge One Jail' Initiative

South Africa's 'One Judge One Jail' campaign, led by the Detention Justice Forum in partnership with Sonke Gender Justice, NICRO, and Africa Criminal Justice Reform, offers a model for effective oversight.

Key elements include:

- (a) In relation to annual judicial inspections, judges and magistrates conduct annual holistic prison inspections.
- (b) Reports are sent to the Minister, National Commissioner, Portfolio Committee, and Inspecting Judge.
- (c) For transparency purposes, reports and responses are published online.
- (d) Judicial visits have corroborated detainee evidence, supported legal challenges, and secured resumption of essential services.

The Constitutional Court Prison Visits Programme, coordinated by Judge Edwin Cameron since 2009, has demonstrated that 'oversight can provide for the accountability of the executive and administrative branch of government to both the legislature and the public.'

Lesotho has no equivalent programme.

11.3 Lessons from Ghana's Prison Reform Programme

In July 2025, Ghana conducted a four-day workshop for correctional facilities officials on improving security through better assessment of inmates and effective audit systems. Key features:

- (a) Development of an inmate classification system ('Together for Rehabilitation') assessing risks, needs, and rehabilitation potential
- (b) Focus on reducing recidivism through evidence-based approaches
- (c) Enhanced audit and risk management systems
- (d) Alignment of security practices with human rights
- (e) Investment in capacity-building

Ghana's approach demonstrates that reform is possible with political will and international partnership. Lesotho can learn from this example.

Chapter 12

12.0 CONCLUSIONS

Three years after the OoO's comprehensive report on conditions in Lesotho's correctional facilities, the picture that emerges is one of comprehensive governmental failure. The recommendations of 2023 have not been implemented. Most of them are still work in progress and have not fully been executed. In the few areas where partial progress has occurred, it is insufficient to address the scale of need. The situation has deteriorated. Overcrowding has worsened by 50% nationally, with some facilities holding nearly three times their design capacity. Infrastructure has decayed further. Disease is rampant. Deaths in custody continue. The December 2023 torture incident investigated and reported by my Office exposed the lethal consequences of impunity. Two years later, no officer has been held accountable. The culture that permitted that atrocity persists *albeit*, it is not so pronounced as it was before.

Staff welfare has been ignored. Officers have not received uniforms for ten (10) years. New recruits were only just trained in 2023/2024 fiscal year, the first time in ten (10) years. Salary harmonization promised in 2015, communicated in 2019, suspended the same day remains a cruel mirage.

The judiciary has not acted. The Speedy Court Trials Act remains a dead letter. Remandees wait years for trial. The courts have not used their power to compel expeditious processing or to order decongestion. The Executive has not acted. The MoL&J has not prioritised correctional reform. Budgets have not increased. Regulations have not been implemented. The Technical Advisory Committee for Mohlomi remains unconstituted.

The government must acknowledge the inherent complexities of correctional facilities and the necessity of targeted resourcing. Given the distinct environmental, security, and humanitarian needs within correctional facilities, a specialized approach to resourcing is definitely required. Neglecting this need leads to critical systemic failures, rendering rehabilitation programmes ineffective and endangering the safe custody of inmates. A failure to prioritise the specific needs of these institutions continues to undermine their operational stability and safety. The house of Lesotho's correctional system remains in ruins. The question is no longer whether we will rebuild it, but whether we will allow it to collapse entirely upon those it holds, and upon those who hold them.

Chapter 13

13.0 RECOMMENDATIONS

Three years after the original recommendations, and in light of the deterioration documented in this Report, I renew and strengthen my calls for action.

13.1 Immediate Actions (Within 6 Months)

To the Ministry of Law and Justice:

- (a) Issue a directive requiring implementation of all 2023 recommendations, with clear timelines and accountability and additional new recommendations in this report.
- (b) Release the funds necessary for urgent procurement and ensure that there are adequate vehicles, blankets, food, medical supplies, cleaning materials, and uniforms.
- (c) In consultation with the MOH, reconstitute the Technical Advisory Committee for Mohlomi Forensic Unit within 30 days.
- (d) Implement the 2015 salary harmonisation court decisions immediately, with back pay where applicable.

To the Lesotho Correctional Services:

- (a) Investigate and discipline officers implicated in the December 2023 torture incident, as previously recommended.
- (b) Cease the practice of corporal punishment and other forms of torture immediately.
- (c) Ensure all inmates have adequate clothing within ninety (90) days.
- (d) Arrange sensitization workshop for magistracy to address concerns of committals that exclude prior assessments.

To the Judiciary:

- (a) Activate the Speedy Court Trials Act and require magistrates to comply with its 60-day timeline.
- (b) Conduct judicial inspections of all correctional facilities within six (6) months, following the South African model.

13.2 Short-Term Actions (Within 12 Months)

To the Ministry of Law and Justice:

- (a) Develop and present to Parliament a comprehensive correctional reform plan with budget implications.
- (b) Procure uniforms for all correctional officers.
- (c) Provide training for all untrained recruits (2016-2025 intakes).
- (d) Install solar geysers at all facilities to ensure hot water.
- (e) Provide adequate vehicles for inmate transport and rehabilitation programmes.
- (f) Implement the regulations for the Lesotho Correctional Services Act No. 3 of 2016.
- (g) Comprehensively restructure the LCS for improved professionalism, operational efficiency, accountability and service delivery.
- (h) Station nurses at all facilities with 24-hour coverage.
- (i) Appoint a medical practitioner to be stationed at the MCCI on a full-time basis.
- (j) Capacitate the World Bank-funded clinic at Maseru Central.

To the Ministry of Health:

- (a) Ensure consistent drug supply to all facility clinics.

13.3 Medium-Term Actions (Within 24 Months)

To the Ministry of Law and Justice:

- (a) Commence demolition and reconstruction of facilities declared uninhabitable: Berea, Quthing, Qacha's Nek, Maseru Female, JTC, Mokhotlong, Butha-Buthe.
- (b) Establish an independent prison oversight functionary with inspection and reporting powers.
- (c) Develop and publish promotion and transfer policies for LCS officers.
- (d) Provide adequate staff housing at all facilities.

To the Judiciary:

- (a) Establish a dedicated court for remand cases to expedite processing.
- (b) Consider alternatives to incarceration for minor offences.
- (c) Formalise and issue regulations on the appointment of a Judge Inspectorate
- (d) Activate the Speedy Trials Act and introduce stringent monitoring mechanisms

13.4 Long-Term Structural Reforms (Within 36 Months)

To All Stakeholders:

- (a) Develop and implement a national rehabilitation strategy to reduce recidivism.
- (b) Establish formal education and vocational training programmes in all facilities, with qualified teachers and adequate materials.
- (c) Implement a comprehensive health strategy addressing communicable diseases, mental health, and nutrition.
- (d) Ratify and implement the Optional Protocol to the Convention Against Torture (OPCAT).

ANNEXURES

Annexure A: Summary of 2023 Recommendations and Implementation Status

No.	Recommendation	Responsible Party	Status (2026)
2(a)	Deinstitutionalization mechanisms with action plan	MoL&J	Not Implemented
2(b)	Consistent application of Speedy Court Trials Act	Judiciary	Not Implemented
2(c)	Manage sentenced offenders through community supervision, parole, transfers	LCS	Not Implemented
2(d)	Source qualified psychiatrists for Mohlomi	MoH	Partially Implemented
2(e)	Reconstitute pardons committee	MoH	Not Implemented
2(f)	Enhance collaboration with LMPS, prosecution, judiciary	LCS	Not Implemented
2(g)	Alternative means for minor offences	Judiciary	Not Implemented
3(a)	Budget for reconstruction and maintenance	MoL&J	Not Implemented
3(b)	Demolition and reconstruction of JTC, Maseru Female, Berea, Quthing, Qacha's Nek	MoL&J	Not Implemented
3(c)	Maintenance and refurbishment including paintwork	MoL&J	Not Implemented
3(d)	Proper fencing and towers	MoL&J	Not Implemented
3(e)	Regular grass-cutting	LCS	Partially Implemented

No.	Recommendation	Responsible Party	Status (2026)
4(a)	Regular fumigation of cells	MoL&J	Not Implemented
4(b)	Adequate cleaning materials and toiletries	MoL&J	Not Implemented
4(c)	Periodical hygiene education	LCS	Partially Implemented
5(a)	Well-equipped kitchens	MoL&J	Not Implemented
5(b)	Adequate budget for gas	MoL&J	Not Implemented
5(c)	Fix/replace electric pots at Maseru Central	MoL&J	Not Implemented
6(a)	Underground water systems at Leribe, Butha-Buthe	MoL&J	Not Implemented
6(b)	Adequate resources for toiletries	MoL&J	Not Implemented
6(c)	Maintain/replace showers	MoL&J	Not Implemented
6(d)	Procure solar geysers	MoL&J	Not Implemented
6.1(a)	Procure adequate mattresses and blankets	MoL&J	Partially Implemented
6.1(b)	Replace old mattresses	MoL&J	Not Implemented
6.2(a)	Biogas system implementation	MoL&J	Not Implemented

No.	Recommendation	Responsible Party	Status (2026)
6.2(b)	Repair water taps	MoL&J	Not Implemented
6.2(c)	Fix/replace geysers	MoL&J	Not Implemented
6.3(a)	Adequate natural light and fresh air	MoL&J	Not Implemented
6.3(b)	Adequate ventilation	MoL&J	Not Implemented
6.4(a)	Cost-effective heating system	MoL&J	Not Implemented
6.4(b)	Heaters for officers	MoL&J	Not Implemented
7(a)	Surveillance cameras	MoL&J	Partially Implemented
7(b)	CCTV equipment	MoL&J	Partially Implemented
7(c)	Acceptable use of force	LCS	Partially Implemented
8(a)	Increase funding for food	MoL&J	Not Implemented
8(b)	Adequate food, balanced diet	MoL&J	Not Implemented
9(a)	Provide inmate uniforms	MoL&J	Not Implemented
9(b)	Sewing skills and machines	MoL&J	Partially Implemented

No.	Recommendation	Responsible Party	Status (2026)
10(a)	Increase budget for drug supply	MoL&J	Not Implemented
10(b)	Adequate transport for health facilities	MoL&J	Not Implemented
10(c)	Resident health officers at facilities	LCS	Not Implemented
10(d)	Periodical hygiene and health education	LCS	Partially Implemented
10(e)	Independent prison oversight functionary	MoL&J	Not Implemented
11(a)	Return inmates' property upon release	LCS	Not Implemented
11.1(a)	Disciplinary measures against officers using torture	LCS	Not Implemented
11.1(b)	No double jeopardy for inmates	LCS	Not Implemented
11.1(c)	Training on best practices, treaties, basic rights	LCS	Partially Implemented
11.1(d)	Ensure facilities meet international standards	MoL&J	Not Implemented
11.1(e)	Conform with plan of action on prison reforms	LCS	Not Implemented
11.2(a)	Means of communication for officers and inmates	MoL&J	Partially Implemented
11.2(b)	Maintain inmates' rights to communicate <i>via</i> letters	LCS	Not Implemented

No.	Recommendation	Responsible Party	Status (2026)
12(a)	Enable inmates to watch television	LCS	Not Implemented
12(b)	Improve and shelter visiting areas	MoL&J	Partially Implemented
13(a)	Capacitate rehabilitation officers with skills	MoL&J	Not Implemented
13(b)	Continuous involvement in recreational activities	LCS	Not Implemented
13(c)	Observe recreation times at women's facilities	LCS	Not Implemented
13(d)	No work under inclement weather	LCS	Not Implemented
13(e)	Recreational facilities for children with mothers	MoL&J	Not Implemented
13(f)	Separate housing for women with children	LCS	Not Implemented
14(a)	Upskill inmates with tools and consumables	LCS	Partially Implemented
14(b)	Empower rehabilitation section with resources	MoL&J	Not Implemented
14(c)	Provide means for subsistence production	MoL&J	Partially Implemented
14(d)	Allocate funds for formal education and skills training	MoET	Not Implemented
14(e)	Introduce and revive vocational programmes	LCS	Partially Implemented

No.	Recommendation	Responsible Party	Status (2026)
15.1(a)	Reduction strategies to fast-track detainee matters	All agencies	Not Implemented
15.1(b)	Regular refresher courses for officers	LCS	Not Implemented
15.1(c)	Standardised application of rules	LCS	Not Implemented
15.1(d)	Continuous education on inmates' rights	LCS	Not Implemented
15.2(a)	Capacitate facilities with rehabilitation officers	LCS	Not Implemented
15.2(b)	Vehicles for rehabilitation section	MoL&J	Not Implemented
15.2(c)	Means of communication for rehabilitation officers	MoL&J	Not Implemented
16.1(a)	Improve conditions of employment, implement salary harmonisation	MoL&J	Not Implemented
16.2(a)	Finalise transfer and promotions policies	LCS	Partially Implemented
16.2(b)	Develop policies guiding transformation	LCS	Not Implemented
16.3(a)	Resume training for newly recruited officers	LCS	Partially Implemented
16.3(b)	Train all officers not trained since 2016	LCS	Implemented
16.3(c)	Plan for officers unable to undertake training	LCS	Not Implemented

No.	Recommendation	Responsible Party	Status (2026)
16.4(a)	Adequate housing for officers	MoL&J	Not Implemented
16.4(b)	Adequate office space	MoL&J	Not Implemented
16.4(c)	Ensure allocated space used by deserving officers	LCS	Not Implemented
16.5(a)	Procure appropriate furniture and equipment	MoL&J	Not Implemented
16.5(b)	Budget for maintenance of furniture and equipment	MoL&J	Not Implemented
16.6(a)	Provide uniforms for LCS staff	MoL&J	Not Implemented
16.6(b)	Procure staff uniforms with appropriate sizes	MoL&J	Not Implemented
16.6(c)	Follow proper procurement channels	MoL&J	Not Implemented
17(a)	Address transport needs, procure additional vehicles	MoL&J	Not Implemented
17(b)	Provide at least one additional vehicle per facility	MoL&J	Partially Implemented
17(c)	Provide regional vehicle for rehabilitation section	MoL&J	Not Implemented
17(d)	Drive vehicles in manner preserving inmates' dignity	LCS	Not Implemented
18(a)	Budget for staff communication	MoL&J	Not Implemented

No.	Recommendation	Responsible Party	Status (2026)
18(b)	Means of communication for inmates	MoL&J	Not Implemented
19(a)	Psycho-social support for staff and inmates	MoL&J	Not Implemented
19(b)	Respect and dignity for officers	LCS	Not Implemented

Annexure B: Photographic Evidence of Current Conditions

[Photographs on file with the Office of the Ombudsman showing: dilapidated cells, inmates in tattered clothing, broken ablution facilities, overcrowded sleeping quarters, the empty World Bank-funded clinic, officers in worn uniforms, and other conditions described in this Report]



Fig 1: Maseru Female Correctional Facility



Fig 2: Maseru Female Correctional Facility ceilings



Fig 3: Maseru Female Correctional Facility Girls Dormitory ceilings



Fig 4: JTC Officer's Office ceilings



Figure 5: Lepereng Correctional Facility Cooking Area



Figure 6: Lepereng Correctional Facility Bedding



Figure 7: Lepereng Correctional Facility Ceilings