



30 Days Dae Izinsuku

Project of the
Community Law
Centre

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Greetings

GOVERNANCE AND CORRUPTION

Allegations against head of oversight body: IOL reported that the Chief Executive Officer of the Judicial Inspectorate for Correctional Services has been placed on special leave amid allegations of misconduct, including sexual harassment. Inspecting Judge Tshabalala reportedly reported the CEO to the Commissioner after having received a number of detailed complaints through the Portfolio Committee on Correctional Services. Reported by Ruth Hopkins, 5 September 2013, at <http://www.iol.co.za/news/crime-courts/head-of-prisons-on-special-leave-1.1573715#.UklkrX9sRWA>

Commissioner retires: News24 reported that the National Commissioner of Correctional Services reached the Department of Correctional Services' official retirement age of 60 during the month of September 2013. The Department announced that Nontsikelelo Jolingana had been appointed as acting National Commissioner but that there would still be a "proper handover process to ensure a smooth transition." Reported by News 24, 10 September 2013, at <http://www.news24.com/SouthAfrica/News/Acting-prison-commissioner-appointed-20130910> Also reported at <http://ewn.co.za/2013/09/09/Commissioner-of-prisons-retires-1>

Drug smuggling prison officials: Beeld reported that in response to a Parliamentary question, the Minister of Correctional Services disclosed that 82 officials of the Department of Correctional Services were arrested during 2011/12 for smuggling drugs into prisons. The majority of these cases occurred in prisons in Johannesburg and Kimberley. The majority of these officials were reportedly dismissed. Reported by Pilda Essop, 11 September 2013 <http://www.beeld.com/nuus/2013-09-11->

[82-tronk-amptenare-vas-wat-dwelms-smokkel](#) [Original in Afrikaans]

Criticism regarding Department spending: Times Live reported that seven years after the Department of Correctional Services spent R625 million on fencing and access control systems at many of its prisons, it is now replacing them at a cost of R500 million. In addition, the report notes that the two companies awarded the tenders to upgrade fences and control systems in 2006 are subsidiaries of Bosasa, which, in 2011, was implicated in a bribery scandal by the Special Investigating Unit. Reported by Quinton Mtyala, 18 September 2013, at <http://www.timeslive.co.za/thetimes/2013/09/18/mending-new-fences>

REHABILITATION

Importance of reading: allAfrica.com reported that as part of National Book Week, which was from 2 – 7 September 2013, the Minister of Correctional Services attended a number of celebratory events at St Albans Correctional Centre in Port Elizabeth. The Minister reportedly stated that reading should be encouraged in correctional centres as it has a strong rehabilitative effect. He also stated that his Department was committed to the development of all its inmates and would continue to stress the importance of reading. Reported by allAfrica.com, 5 September 2013, at <http://allafrica.com/stories/201309060405.html?page=2>

Inmate excels in matric exams: The New Age reported that a 23-year-old inmate, Gcobani Mayoyo, was awarded four distinctions for his matric exams. Mayoyo was released on parole shortly after he received his examination marks. Mayoyo was sentenced to eight years imprisonment, of which he served three before being released on parole. Reported by Zandisile Luphala, 11 September 2013, at http://www.thenewage.co.za/106892-1008-53-Prisoner_excels_in_matric_exam

Minister encourages tolerance: The Mail and Guardian reported that the Minister of Correctional Services addressed 302 inmate graduates at Leeukop Prison on 22 September 2013. The Minister reportedly implored communities to refrain from the stigmatisation of offenders in order that they may be given new opportunities to reintegrate into society. Reported by the Mail and Guardian, 22 September 2013, at <http://mg.co.za/article/2013-09-22-ndebele-communities-must-not-impose-life-sentences-on-offenders>

UNSENTENCED PRISONERS

Detainees escape: IOL reported that two remand detainees escaped whilst being transported from court to prison, in Mpumalanga. The detainees reportedly managed to cut through the steel bars at the rear of the vehicle. The report states that it is unknown what charges they were facing in court. Reported by IOL, 1 September 2013, at <http://www.iol.co.za/news/crime-courts/awaiting-trial-prisoners-escape-1.1570995#.Ukk7uX9sRWA>

White Paper on Remand Detention: The Mail and Guardian reported that the new draft White Paper on Remand Detention was approved during the week of 1 September 2013. One of the circumstances that the White Paper seeks to prevent is lengthy remand detention, and reportedly emphasises the importance of speedy prosecutions. The report notes that civil society organisations have stated that although the policy is an important step forward, little will be achieved unless the entire criminal justice system undertakes to improve pretrial justice. Reported by Sarah Evans, 6 September 2013, at

<http://mg.co.za/article/2013-09-06-00-white-paper-promises-changes-for-those-awaiting-trial> also reported at <http://www.enca.com/south-africa/new-rules-awaiting-trial-prisoners>

SENTENCING AND PAROLE

Increase in medical parole: IOL reported that the number of medical parolees has more than tripled during the last year. In response to a parliamentary question, the Minister of Correctional Services reportedly stated that 8 891 offenders were pending placement or release on medical parole in the next 12 months. Reported by IOL, 25 September 2013, at <http://www.iol.co.za/news/crimecourts/concerndespitomoremedicalparolees1.1581873#.Ukl2pMWIB>

PRISON CONDITIONS

Poor conditions behind prison riots: IOL reported that the South African Human Rights Commission announced its findings in relation to an investigation it conducted into a prison riot that occurred at Groenpunt Prison, Free State, on 7 January 2013. The report notes that the SAHRC found that that the riot was a result of “inmates failing to receive proper medical care, quality food” and having to endure on-going violations of their basic rights. In addition, the report stated that those in charge of running the prison did not address any of the inmates’ complaints about the conditions of detention, which was another trigger of the violence. Reported by Shain Germaner, 5 September 2013, at <http://www.iol.co.za/news/crime-courts/prison-blamed-for-riots-1.1573310#.UklUzX9sRWA> Also reported at <http://www.news24.com/SouthAfrica/News/Groenpunt-prison-under-spotlight-20130905>

Unnatural deaths increase: Eyewitness News reported that there have been 57 unnatural deaths in the country’s correctional centres during the last financial year, of which 26 were suicides. The report notes with concern that during the 2011/2012 financial year, there were 46 unnatural deaths. Reported by Graham Raubenheimer, 5 September 2013, at <http://ewn.co.za/2013/09/05/57-unnatural-deaths-in-SA-prisons>

Prison officials strike: IOL reported that more than 400 officials at Mangung Prison, Bloemfontein, decided to go on strike on 12 September 2013. The officials were reportedly striking in protest against the lack of protection for unarmed guards in the “highly violent prison.” The report notes that the officials often become the victims of gang violence in the prison, but despite having raised their safety concerns with the company running the prison, little has been done to address the problem. Reported by Ruth Hopkins, 12 September 2013, at <http://www.iol.co.za/news/crime-courts/bloemfontein-prison-warders-launch-strike-1.1576496#.Ukl9wn9sRWA> IOL also reported that inmates rioted in certain sections of the prison, burning blankets and breaking toilets and windows. One inmate was reportedly hospitalised as a result. Reported by IOL, 16 September 2013, at <http://www.iol.co.za/news/crime-courts/mangaung-prison-under-control-1.1578494#.UkmB7H9sRWA>

Man intends to sue over rape in prison: The Weekend Argus reported that a former inmate intends to institute legal action against the Minister of Correctional Services for having failed to ensure his safety whilst he was incarcerated. The report notes that the former inmate was raped while in prison, did not receive adequate medical care and was forced to share a cell with another 70 men. Reported by The

Weekend Argus, 23 September 2013, at <http://www.iol.co.za/news/crime-courts/prisoner-plans-to-sue-minister-after-rape-1.1581115#.Uj-Ub8WIBXs>

SOUTH AFRICANS IMPRISONED ABROAD

Man detained in Pakistan: eNCA reported that a South African citizen in Pakistan to visit his ailing mother was arrested and detained after being apprehended at a roadblock in Lahore. His family have not heard from his since. The Department of International Relations is reportedly assisting the man's family. Reported by eNCA, 17 September 2013, at <http://enca.com/south-africa/south-african-man-detained-pakistan> Also reported at <http://www.iol.co.za/news/crime-courts/fresh-plea-for-kabul-to-free-sa-prisoner-1.1578129#.UkmB839sRWA>

OTHER

Electronic monitoring systems rolled out: SABC reported that after the successful 18-month piloting of an electronic monitoring system, the Department of Correctional Services would roll out an 'inmate tracking system' to monitor parolees and remand detainees. The Minister of Correctional Services reportedly stated that the electronic monitoring system would drastically reduce the amount of remand detainees. Reported by the SABC, 2 September 2013, at <http://www.sabc.co.za/news/a/57dcec0040ea0d5480ecb4d93e1dcbd3/Prisonsdepttorolloutinmatetrackingsystem20130830> Also reported at <http://www.iol.co.za/news/crime-courts/tags-to-keep-track-of-parolees-1.1579015#.UkmHrn9sRWA>

OTHER AFRICAN COUNTRIES

DEMOCRATIC REPUBLIC OF CONGO

Prison escape: Radio Okapi reported that 16 Inmates escaped from Minova Prison on 5 September 2013. Two of the escapees were reportedly convicted offenders whereas the remaining 14 were remand detainees. Reported by Radio Okapi, 6 September 2013, at <http://radiookapi.net/en-bref/2013/09/06/sud-kivu-16-detenus-sevadent-de-la-prison-de-minova/>

Provisional release of detainees: Radio Okapi reported that 23 sentenced inmates were provisionally released from Kasapa Prison on 5 September 2013. This was done with the aim of reducing the prison population in Katanga province. Reported 6 September 2013, by Radio Okapi at <http://radiookapi.net/justice/2013/09/06/lubumbashi-23-detenus-obtiennent-la-liberte-provisoire/>

EGYPT

Custody time limits quashed: World bulletin reported that Egypt's interim President Adly Mansour has issued a legislative amendment that removes the maximum period of pre-trial detention for detainees facing the death penalty and life sentences. Previously, the maximum period of pre-trial detention for defendants facing the death penalty was 24 months. For those facing life sentences, it was 18 months. The report notes that it is not yet clear why the legislative amendment was issued. Reported by World Bulletin, 26 September 2013, at <http://www.worldbulletin.net/?aType=haber&ArticleID=119008>

GABON

Torture and overcrowding in detention facilities: Gabon Review reported that a new head of prison administration was appointed on 23 September 2013. On the list of issues that will soon be addressed by the new head is the eradication of torture in detention facilities as well as prison overcrowding. Reported by Désiré Dzonteu, 25 September 2013, at <http://gabonreview.com/blog/un-nouveau-patron-pour-lunivers-carceral-gabonais/> (Original in French)

KENYA

Reducing prison overcrowding: allAfrica.com reported that the government would be releasing 12 000 inmates across the country in order to reduce overcrowding in the country's prisons. The report states that inmates serving sentences of up to three years would be targeted for early release. Those released would be required to engage in community service. Reported by Calvin Onsarigo, 13 September 2013, at <http://allafrica.com/stories/201309131310.html>

LIBYA

Questions around prison riot: allAfrica.com published a press release from the Arab Network for Human Rights Information, which calls on Libyan authorities to conduct an independent investigation into the quelling of a prison protest in which at least 19 inmates sustained gunshot or shrapnel wounds. The protest took place on 26 August 2013 at Tripoli Main Corrections and Rehabilitation Institution, where around 500 detainees, including five women, were being held. Reported by allAfrica.com 3 September 2013, at <http://allafrica.com/stories/201309031347.html>

Thousands in militia prisons: allAfrica.com reported that thousands of people are being detained in militia prisons, which are excluded from any form of state control. Many of the detainees are reportedly being subjected to ill-treatment and torture. The report notes that the United Nations has reported that it has gathered evidence suggesting that at least ten deaths in militia institutions were a result of torture. Reported by allAfrica.com, 26 September 2013, at http://allafrica.com/stories/201309241066.html?aa_source=mf-hdlns

SENEGAL

Technology to assist in overcoming lengthy detention: Rewmi reported that the digitalisation of the country's detention system would hopefully bring about an end to lengthy periods of pre-trial imprisonment. The report also notes that it may also improve prison conditions to the point where the country's prisons comply with international standards. Reported by Rewmi, 19 September 2013, at http://www.rewmi.com/Sidiki-Kaba-evoque-des-choses-pas-acceptables-dans-les-prisons_a82622.html

SOUTH SUDAN

Opinion piece on pretrial detention: allAfrica.com published an opinion piece by Victor Lowilla, the Director of the Legal Aid Department at the South Sudan Law society. The article discusses the extreme delays in the processing of criminal cases and examines the ways in which the government is failing to address the problem. The article was published on 22 September 2013 and is available at <http://allafrica.com/stories/201309231410.html>

TUNISIA

Allegations of mistreatment: allAfrica.com published a press release from the Arab Network for Human Right Information that alleges that two remand detainees, charged under a 2003 'anti-terrorism' law, filed complaints of ill-treatment in mid-August 2013. Despite such complaints, the report notes that neither the general prosecutor nor the investigative judge have opened an investigation into these allegations, nor have they ordered a medical examination of either prisoner to record physical evidence of abuse. Reported by allAfrica.com, 1 September 2013, at <http://allafrica.com/stories/201309020393.html>

Prison escape: CNN reported that approximately 50 inmates escaped from a prison in Gabes, in the south-eastern part of the country. Thirteen of the escapees were reportedly re-arrested. The report notes that although there are very few details about the escape, there are "longstanding fears that Islamic militants are focusing on springing their fighters and leaders who are incarcerated." Reported by CNN, 2 September 2013, at <http://edition.cnn.com/2013/09/02/world/africa/tunisia-prison-break/>

ZAMBIA

HIV in prisons: The Lusaka Times reported that Vice President Scott addressed the attendants of a two-day consultative meeting on prison conditions, policy and legal reforms. Scott reportedly lamented the high HIV rate in Zambia's prisons and said that Zambians would need to put their political differences aside in order to deal with the problem. Reported by The Lusaka Times, 22 September 2013, at <http://www.lusakatimes.com/2013/09/22/hiv-aids-in-prisons-not-political-issue-scott/>



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