



30 Days Dae Izinsuku

Project of the
Community Law
Centre

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PRISON CONDITIONS

Poor conditions of detention alleged in court pleadings: Beeld reported that an urgent application had been filed by a number of prisoners who are requesting that the court direct the Department of Correctional Services to allow them 3.44 square metres of floor space as well as access to certain medically-prescribed diets, reading material and specific medical attention. The matter has reportedly yet to be heard in court. Reported by Jeanne-Marié Versluis, 2 February, 2013, at <http://www.beeld.com/Suid-Afrika/Nuus/Gevangenes-pak-tronktoestand-in-hof-20130202>

Prison overcrowding described as priority for state: allAfrica.com reported that the Minister of Correctional Services stated, at a meeting with labour union representatives, that South Africa is ranked ninth in the world in terms of prison population and that 30 per cent of the prison population are remand detainees. The Minister reportedly stated that the problem of overcrowding "was a priority" for the state. Reported by allAfrica.com, 11 February 2013, at <http://www.news24.com/SouthAfrica/News/SA-prisons-most-crowded-in-Africa-minister-20130211>

Treatment of disabled detainees under spotlight: News24 reported that the highly publicized case involving double-amputee Oscar Pistorius has thrown a spotlight onto the treatment of disabled detainees in prison. A spokesperson of the Department of Correctional Services reportedly stated that disabled detainees are 'treated with dignity' and are assisted in accordance with the special needs that respective disabilities required. Reported by News24, 20 February 2013, at <http://www.news24.com/SouthAfrica/News/Disabled-prisoners-treated-well-20130220>. See also <http://www.guardian.co.uk/world/2013/feb/22/paraplegic-remand-south-africa> where the plight of a paraplegic man awaiting trial in prison is examined.

Prison officials stabbed: News24 reported that three prison officials were stabbed by prisoners at St Albans Prison on 26 February 2013. The officials reportedly sustained minor injuries and were stabilised in hospital. The report stated that the prison's "specially-trained security team" were "managing the situation" in the prison and that the responsible prisoners would be criminally charged. Reported by News24, 26 February 2013, at <http://www.news24.com/SouthAfrica/News/Inmates-stab-St-Albans-warders-20130226>

SENTENCING AND PAROLE

Court overturns sentence: The Mercury reported that the KwaZulu-Natal High Court overturned the trial court's sentence of six years' imprisonment in a matter involving a 17-year-old convicted of housebreaking. The presiding judge described the sentenced as 'harsh' and not in accordance with the provisions of the Child Justice Act and imposed a sentence of community correction. Reported by The

Mercury, 17 February 2012, at <http://themercury.newspaperdirect.com/epaper/showarticle.aspx?article=e9b8d389-5615-480b-b15c-ea8a089327fe&key=BP4Gc%2ft4o2%2b9dIXsxsG%2fOg%3d%3d&issue=64032013021500000000001001> (subscription needed).

UNSENTENCED PRISONERS

Reduction in 'backlog' cases: The Citizen reported that the Minister of Justice stated that the number of 'backlog cases' had been reduced significantly during the third quarter of 2012. Regional and district courts had reportedly removed 17 425 cases from the backlog court rolls between April and December 2012. This reportedly amounted to a 1.2 per cent reduction in the number of backlog cases on the court rolls. Reported by The Citizen, 24 February 2013, at <http://www.citizen.co.za/citizen/content/en/citizen/local-news?oid=395922&sn=Detail&pid=334&Drop-in-backlog-court-cases---Radebe>

OTHER AFRICAN COUNTRIES

CAMEROON

Plight of inmates on death row highlighted: Camer reported on the plight of those sentenced to death and awaiting execution at the Douala Central Prison. Many of those sentenced to death were unable to understand proceedings or afford legal representation to appeal the sentence. They also receive very little support or visits from their families, lawyers and NGOs. Furthermore, Cameroon has not executed prisoners since 1997 and thus the fate of such prisoners is unclear. Original report in French. Reported by Charles Nforgang, 14 February 2013, at <http://www.camer.be/index1.php?art=24437&rub=11:1>

DEMOCRATIC

REPUBLIC

OF

CONGO

Fourteen prisoners escape from Dungu prison: Radio Okapi reported that 14 inmates escaped from Dungu prison on 2 February 2013. It is reportedly unknown how the prisoners escaped, but it is alleged that either the prison officials were asleep, or the building was not sufficiently secure. The United Nations has reportedly made funds available to upgrade the building. Original report in French. Reported by Radio Okapi, 2 February 2013, at <http://radiookapi.net/actualite/2013/02/02/province-orientale-14-detenus-sevadent-de-la-prison-de-dungu/>

Prisoners released from Central Bukavu prison: Radio Okapi reported that 27 prisoners had been released on parole from Bukavu prison, which is currently 150 per cent full, after having served one quarter of their sentence. The prison authorities confirmed that they had been rehabilitated, and had signed a contract stating that they would be exposed to more severe sentences in the event that they re-offended. The prison is reportedly currently unable to separate civilian detainees from military detainees, or male detainees from female detainees. Original report in French. Reported by Radio Okapi, 13 February 2013, at <http://radiookapi.net/actualite/2013/02/13/sud-kivu-27-prisonniers-benficiant-d'une-liberation-conditionnelle-de-la-prison-centrale-de-bukavu/>

EGYPT

Attempted prison escape: World Bulletin reported that 23 people, eleven of whom were police officials, were injured when prisoners attempted to escape from a prison in the Egyptian city, Ismailia. According to an Ismailia Security Department official, the prisoners attacked security forces with sharp objects, broke windows and set fire to cells. Reported by World Bulletin, 2 February 2013, at <http://www.worldbulletin.net/?aType=haber&ArticleID=102687>

Children detained illegally after protest: The Independent reported that 'hundreds of children' were illegally detained by police following protests which began just after the second anniversary of the 2011 uprising. Lawyers acting on behalf of the detained children reportedly alleged that their clients had been subjected to ill-treatment and torture. Reported by Alastair Beach, 24 February 2013, at <http://www.independent.co.uk/news/world/africa/young-children-detained-and->

[tortured-after-protests-in-egypt-8503866.html](http://www.hrw.org/news/2013/02/27/sudan-doctors-perform-amputations-courts)

LIBYA

Human Rights workshop for prison staff: The Libya Herald reported that a four-day workshop entitled "International Standards of Human Rights" commenced in Benghazi on the 24 February 2013 and ran until Wednesday 27 February 2013. The workshop reportedly involved the participation of "non-commissioned officers and members of the Judicial Police" working in prisons in Benghazi. The focus of the conference was to raise awareness of international human rights standards among prison staff. Reported by Maha Ellawait, 27 February 2013, at <http://www.libyaherald.com/2013/02/26/benghazi-workshop-of-human-rights-for-prisoners/>

MALI

Former prisoners complain of widespread torture: BBC News Africa featured a story in which people who were imprisoned during the rule of militant Islamists in Gao, northern Mali, describe the brutality to which they were subjected. The torture which they experienced included the amputation of limbs. These amputees, although released from prison, are unable to find work as a result of their respective physical disabilities. Reported by Thomas Fessy, 15 February 2013, at <http://www.bbc.co.uk/news/world-africa-21467982>

NIGERIA

Lack of vehicles causes overcrowding: Leadership reported that one of the factors behind prison overcrowding was the fact that there is a severe shortage of escort vehicles, which are needed to transport detained suspects to and from court. The report noted that the Kuje Maximum Prison, the main prison for the Federal Capital Territory Command, has only two operational vehicles to escort the 429 detainees. Reported by Christiana Esebonu, 22 February 2013, at http://leadership.ng/nga/articles/48380/2013/02/22/lack_operational_vehicles_others_aid_prison_congestion_investigation.html

Proposed bill could address prison overcrowding: allAfrica.com reported that the Nigerian Senate pledged support for a bill that would empower the Chief Justice and states chief judges to order the monthly release of unlawfully detained suspects. The bill, if passed, would address the issue of prison overcrowding in a country where 70 per cent of inmates are remand detainees. Reported by allAfrica.com, 27 February 2013, at <http://allafrica.com/stories/201302280093.html>

SUDAN

Amputations used as a form of sentencing: Human Rights Watch released a statement on their website condemning the amputation of a man's right hand and left foot by court order in Khartoum on 14 February 2013. The amputation was reportedly performed as a result of his conviction of armed robbery. The press statement is available at <http://www.hrw.org/news/2013/02/27/sudan-doctors-perform-amputations-courts>

TANZANIA

Community corrections generates revenue: allAfrica.com reported that the revenue generated from conservation-based community corrections initiatives during 2010-2012 amounted to 424.7 million shillings. One of the projects reportedly involved the distribution of tree seedlings to various districts. Reported by Meddy Mulisa, 27 February 2013, at <http://allafrica.com/stories/201302270076.html>

UGANDA

Opinion piece on lengthy remand detention: allAfrica.com published an opinion by Angelo Izama on lengthy remand detention in Ugandan prisons. The article describes the extreme frustration experienced by detainees who have not yet had their day in court despite having been charged and detained for many months, sometimes years. The piece was published online on 27 February 2013, at <http://allafrica.com/stories/201302271262.html>

ZAMBIA

Statutory maximum sentencing legislation causing prison overcrowding: The Daily Mail reported that a High Court Judge stated that statutory limits on the types of cases that lower courts are authorised to hear resulted in a large number detainees having to wait for High Court sittings to take place. The Judge reported noted that such sittings only occur on a quarterly basis and that the judiciary and prison infrastructure was unable to cope with the number of remand detainees. Reported by The Daily Mail, 7 February 2013, at <http://www.dailymail.co.zm/index.php/local-court-news/item/10136-%E2%80%98statutory-maximum-sentence-cause-of-prison-congestion%E2%80%99>

Visitors refused entry into prison: The Zambian Watchdog reported that the Government has banned family members and any other person from visiting prisoners at Mukobeko maximum security prison after allegations that 18 prisoners were beaten to death by government security officials. The beatings were reportedly reprisals after certain prisoners assisted three prisoners awaiting execution to escape. Reported by The Zambian Watchdog, 22 February 2013, at <http://www.zambianwatchdog.com/?p=52233&cpage=1>

ZIMBABWE

Prisoners on death row: allAfrica.com reported that 76 prisoners, two of whom are female, are awaiting execution. Many of them have reportedly been languishing on death row for years as a result of the post of "hangman" having been vacant for twelve years. The post was "recently" filled, however. No executions have yet taken place since the appointment. Reported by Evelene Taadira, 2 February 2013, at <http://allafrica.com/stories/201302020206.html?viewall=1>

Journalists given access to Harare prison: allAfrica.com reported that a team of journalists were given access by the Head of the Prisons Service to Harare Central Remand Prison for the purpose of inspecting the conditions therein. The report notes that, for the most part, the prison is well kept and has clean running water. The report did state, however, that foreign prisoners, detained on immigration grounds, have largely been ignored by the immigration authorities, despite having been detained far longer than what would be the sentence for the alleged crimes. Reported by allAfrica.com, 3 February 2013, at <http://allafrica.com/stories/201302030328.html?viewall=1>

Lengthy remand detention: Radio SW Africa reported that a team of journalists who were permitted access to Harare Central Remand Prison raised concerns regarding the fact that almost 70 infants are imprisoned with their mothers, exacerbated by the general concern over the extreme delays in awaiting trial periods. Some remand detainees had reportedly been awaiting trial in prison for 15 years. Reported by Violet Gonda, 4 February 2013, at <http://www.swradioafrica.com/2013/02/04/zimbabwe-prisoners-spend-years-in-jail-without-sentencing/>

"Open" prisons identified as a solution to accommodating babies in prison: The Zimdiaspora reported that according to a senior government official, the government "is to start building the first ever open prisons in the country." The development follows recommendations that the current system of penal incarceration is not ideal as some inmates have to live with their babies in prison. Reported by The Zimdiaspora, 6 February 2013, at http://www.zimdiaspora.com/index.php?option=com_content&view=article&id=10870:zimbabwe-to-have-open-prison-system&catid=38:travel-tips&Itemid=18

Review of death sentences: News24 reported that prison officials stated that they were "not in a hurry to engage the services of a newly-appointed hangman to execute the 77 inmates on death row." The cases of all those on death row must reportedly be brought before cabinet ministers for review in order to ascertain whether such sentences should be commuted to life imprisonment. Reported by News24, 20 February 2013, at <http://www.news24.com/Africa/Zimbabwe/Zim-prisons-to-review-death-sentences-20130220>

OTHER

"African" solutions to overcrowding: Penal Reform International posted a blogpost discussing a five-day training workshop which they hosted in Mozambique during February 2013 for representatives from twelve African Commonwealth countries. Participants were given the opportunity to discuss "the challenges facing their prison systems and, most importantly, in putting forward solutions to help overcome problems and limitations." The post contains ten

examples of how various African countries have attempted to combat prison overcrowding. The blog is at <http://www.penalreform.org/news/ten-african-solutions-problem-prison-overcrowding-africa>
