



30 Days Dae Izinsuku

Project of the Community Law Centre

"30Days/Dae/Izinsuku" April 2011

"30Days/Dae/Izinsuku" April 2011

In this Issue:

GOVERNANCE AND CORRUPTION

UNSENTENCED PRISONERS

PAROLE AND SENTENCING

EXTRADITION

SOUTH AFRICANS IMPRISONED ABROAD

OTHER AFRICAN COUNTRIES

OTHER

GOVERNANCE AND CORRUPTION

[Top of Page](#)

Department of Correctional Services denies abuse: Times Live reported that the Department of Correctional Services denied that human rights violations took place when subduing a riot by prisoners at the Kimberley prison. The Department was responding to reports from the Mail and Guardian newspaper which alleged that prison officials had humiliated and used excessive force against prisoners. The riots reportedly resulted in an estimated R4.65 million damage to state property. Reported by Times Live, 1 April 2011, at <http://www.timeslive.co.za/local/article999215.ece/Correctional-Services-denies-rights-abuses>

Correctional Service officers suspended: The Sowetan Live reported that eight Mthatha prisons officials were suspended for allegedly having a hand in the escape of seven prisoners awaiting-trial. Four of the seven escapees are still at large and have reportedly been involved in violent crimes since their escape. Reported by the Sowetan Live, 8 April 2011, at <http://www.sowetanlive.co.za/news/2011/04/08/warders-axed-over-escapes>

DCS to spend R12m on vetting warders: Times Live reported that the Minister of Correctional Services had said that the Department was going to spend R12 million on conducting security checks on more than 41 000 prison warders in its employment during 2011. The Minister said her Department had adopted a "strong stance against corruption" and would be finalising all misconduct cases on employees "caught on the wrong side of the law." Reported by Thabo Mokone, 12 April 2011, at <http://www.timeslive.co.za/Politics/article1015219.ece/Correctional-Services-to-spend-R12m-on-vetting-warders>

Four ministers unveil plans for 2011-2012: The New Age reported that four Ministers, including the Minister of Correctional Services were scheduled to make public their expenditure plans for 2011-12 on 12 April 2011. The report said the Department of Correctional Services' budget, which stood at R16.5 billion, was expected to be used to tackle overcrowding, security and the implementation of the White Paper on Remand Detention. The report also noted that the Minister of Correctional Services was also interested in reviewing policy around privately run prisons. Reported by Siyabonga Mkhwanazi, 12 April 2011, at http://www.thenewage.co.za/15284-1007-53-Ministers_unveil_plans_for_year_today

Sex workers sue Minister: Times Live reported that the Minister of Police was being sued by three sex workers who allege that they had been arrested while off-duty. The attorney for the sex workers was quoted saying "sex-workers enjoyed the same constitutional rights as everyone else, as well as their inherent rights to dignity and security and the right not to be arbitrarily deprived of freedom". Reported by Buyekezwa Makwabe, 30 April 2011, at <http://www.timeslive.co.za/local/article1044578.ece/Prostitutes-sick-of-arrests-when-theyre-off-duty>

UNSENTENCED PRISONERS

[Top of Page](#)

Mthatha warder refused bail: The Daily Dispatch reported that a Mthatha prison official arrested for allegedly assisting prisoners escape from Mthatha Correctional Services Centre was refused bail reportedly because the state "feared that he would tamper with evidence." Reported by the Daily Dispatch, 13 April 2011, at <http://www.google.co.za/search?q=Mthatha%20warder%20refused%20bail%2C%20daily%20dispatch&ie=utf-8&oe=utf-8&aq=t&rls=org.mozilla:en-US:official&client=firefox-a&source=hp&channel=np>

Judgment in Mdluli bail application reserved: Eyewitness news reported that Richard Mdluli, head of crime intelligence, would remain in remand detention until judgment in his bail application had been handed down. Prosecutors in the bail application reportedly argued that he was a "threat to witnesses" in the matter. Mdluli has been charged with committing several offences, including plotting to murder. Reported by Barry Bateman, 13 April 2011, at <http://www.eyewitnessnews.co.za/articleprog.aspx?id=63762>

Head of crime intelligence granted bail: AFP reported that Richard Mdluli, head of crime intelligence, as granted bail of R20 000 on 20 April 2010. His three co-accused were released on R10 000 bail each. The four are charged with murder, intimidation, kidnapping, assault, attempted murder, and conspiracy to commit murder. Reported by AFP, 16 April 2011, at <http://www.google.com/hostednews/afp/article/ALeqM5g9ijECSSaVaGRhMdymDnIOaj6ycA?docId=CNG.e8d326e539a101509d60a9ce820aee3d.171>

Tatane alleged killers denied bail: Times Live reported that eight policemen accused of killing protester Andries Tatane were refused bail in the Ficksburg Magistrate's Court on 29 April 2011. Four of them were charged with murder and six others were charged with assault with intent to do grievous bodily harm. The case was postponed to 2 June 2011 for further investigation. Reported by Times Live, 29 April 2011 at <http://www.timeslive.co.za/local/article1043132.ece/Tatane-alleged-killers-denied-bail>

Prisoner escapes from hospital: Buanews reported that a 29 year old Mozambican convicted of several crimes had escaped from Tembisa Hospital in Johannesburg. The report also said that the Department of Correctional Services had begun an internal investigation to establish the facts surrounding the incident. Reported by Nthambeleni Gabara, 29 April 2011, at <http://www.buanews.gov.za/news/11/11042913051001>

PAROLE AND SENTENCING

No confusion on parole judgment: Business Day reported that the Constitutional Court had confirmed that the National Council of Correctional Services did not have a role to play in the consideration of parole for inmates sentenced before 1 March 1994. The clarification came at a time when the Minister for Correctional Services reportedly said that 385 cases of a certain category of prisoners serving life sentence could not be decided because of the lack of clarity in the Court's previous judgment Reported by Business Day, 1 April 2011, at <http://www.businessday.co.za/articles/Content.aspx?id=138886>

Minister to consider parole applications: News24 reported that the Minister of Correctional Services had begun considering parole applications of inmates sentenced before 1 March 1994 on 4 April 2011. The Minister's decision follows a Constitutional Court judgment that held that the National Council of Correctional Services had no role to play in the process of parole consideration of inmates sentenced before 1 March 1994. The report said that the Minister was expected to conclude the consideration of parole applications of 385 prisoners sentenced to life imprisonment by 15 May 2011. Reported by News24, 1 April 2011, at <http://m.news24.com/news24/SouthAfrica/News/Parole-applications-under-the-spotlight-20110401>

Former company bosses start prison sentence: Bloomberg.com reported that two former company bosses of Leisurennet were sentenced to seven year prison terms each for defrauding the company of R12 million. Reported by Bloomberg.com, 1 April 2011, at <http://www.bloomberg.com/news/2011-04-01/leisurennet-ex-chiefs-start-seven-year-sentences-cape-times-says.html>

Life sentence set aside: The Cape Argus reported that a full bench of the Western Cape High Court set aside the life sentence of a man convicted of raping a 14-year-old girl and imposed a 20-year prison sentence. The court reportedly took into consideration the fact that the rape was "not accompanied by gratuitous violence". Other mitigating circumstances included the fact that the victim had recovered from the incident and that the prisoner was injured in a car accident. Reported by the Cape Argus, 4 April 2011, at <http://capeargus.newspaperdirect.com/epaper/viewer.aspx>

Three convicted of murder: The Daily Dispatch reported that two women and a man convicted of murdering a grandmother on allegations of witchcraft were sentenced to life imprisonment. The Eastern Cape High Court found the trio guilty of arson and murder. Reported by the Daily Dispatch, 4 April 2011, at <http://dispatch.newspaperdirect.com/epaper/viewer.aspx>

Krejcir gets bail: News24 reported that Radovan Krejcir was granted R500 000 bail. He is accused of insurance fraud in the amount of R4.5-million. Radovan Krejcir's bail conditions require that he cannot travel abroad or leave Gauteng province without the knowledge of the investigating officer. The report also said the accused was not allowed to contact any witnesses until the issue was finalised. Reported by News24, 8 April 2011, at <http://www.news24.com/SouthAfrica/News/Krejcir-to-hear-bail-judgment-20110408>

Doubts about parolee tracking in 2011: ITWeb reported that the Department of Correctional Services would not be able to implement a parolee tracking system during 2011 as previously intended due to lengthy tender procedures that are still to be fully complied with. The report noted, however, that the Department hoped to fast-track the implementation of electronic monitoring of parolees and probationers. Reported by Farzana Rasool, 13 April 2011, at http://www.itweb.co.za/index.php?option=com_content&view=article&id=42885:doubts-over-parolee-tracking-in-2011&catid=118

Ray of hope for offenders: The Sowetan reported that the Department of Correctional Services had announced a new policy on the management of young parolees. The policy requires that young prisoners who are not eligible for parole be

placed in "halfway houses". The report also noted that the Department was also looking at the prospects of setting up "pre-release centres" for people who commit petty crimes. These new strategies were announced by the Minister of Correctional Services on 13 April 2011 during the Department's budget vote in Parliament. Reported by Anna Majavu, 13 April 2011, at <http://www.sowetanlive.co.za/news/2011/04/13/ray-of-hope-for-offenders>

South African man gets 195-year sentence: Presstv reported that a 21-year old man had been sentenced to 195 years in prison after he was found guilty of rape, robbery, and murder. Reported by Presstv, 17 April 2011, at <http://www.presstv.ir/detail/175222.html>

Retired teacher jailed for raping boy: Times Live reported that a school teacher was sentenced to five years imprisonment for raping a seven-year old boy in 2007 and 2008. In addition, the court ordered that the offender's name be recorded in the Register for Sexual Offenders. Reported by Times Live, 21 April 2011, at <http://www.timeslive.co.za/local/article1034742.ece/Retired-teacher-jailed-for-raping-boy>

Women serve the same prison sentences as men: Eye Witness News reported that a University of Cape Town Professor, Lilian Artz, told a conference that women offenders in South Africa served the same if not greater sentences than their male counterparts. The report added that there were more than 3 500 female prisoners in South Africa. Reported by Chanel September, 23 April 2011, at <http://www.eyewitnessnews.co.za/articleprog.aspx?id=64542>

Convicted murderers released on parole: IOL reported that plans by the Minister of Correctional Services to consider the release on parole of 385 prisoners serving life sentences had not been well received by various groups in society. The report said that victims' families ought to be consulted on those who would be released into society through the parole system. Reported by Vivian Attwood and Niyantha Singh, 24 April 2011, at <http://www.easimail.co.za/Home/link.asp?id=19611&hash=bf377d>

Correctional Services Department criticised: IOL reported that the Department of Correctional Services had come under fire from political parties over its plans to release on parole prisoners who committed heinous crimes following the judgment of the Constitutional Court to consider them for possible release. Reported by Vivian Attwood and Niyantha Singh, 24 April 2011, at <http://www.iol.co.za/news/south-africa/kwazulu-natal/killers-walk-free-1.1060829>

Prisoner challenges Act over parole: The Mercury reported that a prisoner who served more than 16 years imprisonment was asking the North Gauteng High Court to declare certain sections of the Correctional Services Act unconstitutional. The inmate claimed that certain aspects of his right to be released on parole were infringed. The prisoner was incarcerated for committing murder in 1991 and believed that he was due for release on parole. Reported by the Mercury, 26 April 2011, at <http://themercury.newspaperdirect.com/epaper/showarticle.aspx?article=bae0b7e1-adc3-41ea-991a-2cc9c1abbde1&key=zLrsmv%2fuhfJ%2fL%2fv5wDHNA%3d%3d&issue=6403201104260000000001001>

Appleton prison term criticised: IOL reported that the parents of the boy who was raped by Ian Appleton disapproved of the five-year sentence imposed, describing it as "light" and "inappropriate". The report also said that the magistrate had increased the accused's bail from R1 000 to R10 000 and directed that he be placed under house arrest until his next appearance before the court on 6 May. Reported by Zara Nicholson, 26 April 2011, at <http://www.iol.co.za/news/crime-courts/appleton-jail-term-criticised-1.1061170>

EXTRADITION

Top of
Page

CCTV footage for Dewani extradition hearing: News24 reported that CCTV footage, cell phone records and affidavits

from witnesses would be used in the extradition hearing of Shrien Dewani in a London court. The CCTV videos were expected to be presented in a hearing which could result in an extradition order for Dewani being granted. The report said the hearing was set to begin on 3 May 2011. Reported by News24, 11 April 2011, at

<http://m.news24.com/news24/SouthAfrica/News/Dewani-in-scandal-over-damning-footage-20110411>

Prisoner released on bail: The Herald reported that Guy Hill, who has been in custody for a month since being deported from the US, had been released on bail. Hill is facing 49 charges of uttering, fraud and theft involving his mother Betty's Knysna-based company HillPro Construction. Reported by the Herald, 22 April 2011, at

[http://herald.newspaperdirect.com/epaper/showarticle.aspx?article=20f4abf5-dd7b-43d8-b44f-](http://herald.newspaperdirect.com/epaper/showarticle.aspx?article=20f4abf5-dd7b-43d8-b44f-9874be3a9250&key=9vqs7lt7LDEj%2bkjmMY7%2bEw%3d%3d&issue=8147201104220000000001001)

[9874be3a9250&key=9vqs7lt7LDEj%2bkjmMY7%2bEw%3d%3d&issue=8147201104220000000001001](http://herald.newspaperdirect.com/epaper/showarticle.aspx?article=20f4abf5-dd7b-43d8-b44f-9874be3a9250&key=9vqs7lt7LDEj%2bkjmMY7%2bEw%3d%3d&issue=8147201104220000000001001) (subscription needed)

SOUTH AFRICANS IMPRISONED ABROAD

[Top of Page](#)

Most of jail sentence over cocaine find suspended: The Irish Times reported that a South African woman arrested at Dublin airport with cocaine worth £140 000 had successfully appealed her five year sentence of imprisonment. The Appeal Court, suspending most her five year sentence, took into account the fact that she had pleaded guilty, that the trial court had reached its conclusion based on inaccurate evidence and that she was HIV positive and had been abused as a child. Reported by the Irish Times, 15 April 2011, at

<http://www.irishtimes.com/newspaper/ireland/2011/0415/1224294729430.html>

South African women sentenced to 11-years imprisonment: News Time reported that a South African woman convicted of defensive homicide had been sentenced to 11 years imprisonment in Australia. The woman murdered her husband for insisting that she be involved in group sex. Reported by News Time, 20 April 2011, at

http://www.newstime.co.za/SouthAfrica/South_African_Granny_Gets_11_Years_In_Australian_Court/24446/

Detained journalists released: CNN reported that two journalists who had been reported missing were in Libya were found alive. Anton Hammerl, a South African freelance photographer and Clare Morgana Gillis, an American freelance journalist had been detained by Libyan authorities. Reported by CNN, 23 April 2011, at

<http://edition.cnn.com/2011/WORLD/africa/04/22/libya.journalists/>

OTHER AFRICAN COUNTRIES

[Top of Page](#)

ANGOLA

Angola hopes to "standardize" prison system: Portalangop reported that the Department of Home Affairs had embarked on efforts to "standardise the prison system" and intended to reduce overcrowding in prisons. The Department had also reportedly begun a rehabilitation program for prisoners focussing on medical assistance, training and education. Reported by Portalango, 13 April 2011, at http://www.portalangop.co.ao/motix/en_us/noticias/politica/2011/3/15/Home-Affairs-ministry-standardised-prison-system,c90a68d1-2b95-4ac3-afd5-85948488453b.html

BOTSWANA

Two Botswana men face death penalty: IPS News reported that two men face the death penalty for murdering two

Zimbabwe nationals. The men, scheduled to be executed in July 2011, were also sentenced to five years imprisonment for unlawful possession of a firearm and ammunition. The report said the men are appealing their sentence on the grounds that their judgment was impaired by drugs and alcohol when the murders were committed. Reported by Ziggy Mogopodi, 9 April 2011, at <http://www.ipsnews.net/news.asp?idnews=55197>

BURUNDI

EU envoys urges Burundi to probe activist's death: RNW reported that a European Union envoy and Human Rights Watch have called on the authorities in Burundi to investigate the death of an anti-corruption activist killed two years ago. The report said that Ernest Manirumva had uncovered a number of scandals involving high-ranking government officials. The government has since been accused of failing to bring to trial those responsible for the crime even though eleven suspects have been held in pre-trial detention since 2009. Reported by RNW, 9 April 2011, at <http://www.rnw.nl/africa/bulletin/eu-envoys-urge-burundi-probe-activists-death>

Burundi told to release detained journalist: Journalism.co.za reported that pressure was mounting on the Burundi government to release a journalist detained in July 2010. The journalist, Jean Claude Kavumbagu, faces charges of terrorism for questioning the preparedness of the security forces in Burundi to prevent a terrorist attack. If convicted, he faces life imprisonment. Reported by Dennis Itumbi, 15 April 2011, at http://www.journalism.co.za/index.php?option=com_content&view=article&id=4033:burundi-told-to-free-journo&catid=165:media-freedom&Itemid=100009

CAMEROON

Dire prison conditions threaten writer's health: Amnesty International reported that the health of a Cameroonian writer sentenced to imprisonment for "offending the president's wife" was deteriorating because of prison overcrowding, poor diet and poor medical attention and facilities. Cameroon's High Court found Bernard Teyou guilty of "contempt of a personality" and unlawful assembly in relation to the content of a book he wrote about President Biya's wife. Reported by Amnesty International, 12 April 2011, at <http://www.amnesty.org/en/news-and-updates/cameroon-dire-prison-conditions-threaten-writer%E2%80%99s-health-2011-04-12>

120 inmates released from New Bell prison: allafrika.com reported that 120 prisoners were released from New Bell Prison as part of efforts to decongest the prison. A local civil society organisation, Association Nationale Cameroun Avenir, working in close collaboration with the prison authorities reportedly facilitated the process. Reported by Christopher Jator, 19 April 2011, at <http://allafrika.com/stories/201104190506.ht>

CAPE VERDE

Student sentenced to 8 years imprisonment: The Asemana reported that Samuel Garcia, a Cape Verdean university student convicted of murder has been sentenced to eight years in prison. Reported by Asemana, 3 April 2011, at <http://asemana.sapo.cv/spip.php?article62853&ak=1>

DEMOCRATIC REPUBLIC OF CONGO

New Ndolo prison facing problems: Radio Netherlands Worldwide reported that the Ndolo military prison in Kinshasa is facing problems. The prison was recently re-opened following a "complete transformation" funded by the Netherlands. Ndolo military prison is set to be a "model prison" in response to widespread criticism of prisons in the Republic, but faces overcrowding, lack of food and poor medical facilities. Reported by Alice Bafiala, 5 April 2011, Radio Netherlands Worldwide, at <http://www.rnw.nl/africa/article/kinshasa-drc-new-prison-old-problems>

Fight against torture in DRC: Radio Okapi reported that a proposal for a law criminalising torture in DRC is currently under review with the aim of harmonising the different comments expressed in the two Chambers of Parliament. The adoption of such a law has been welcomed by various human rights organisations. Radio Okapi broadcasted a radio debate

on the question whether this law could contribute to the reduction of torture in DRC. Guests were Dolly Ibefu of NGO La voix de sans voix ('Voice of the Voiceless') and Guy Mushata of the International Centre for Transitional Justice. Original report in French. Radio Okapi, 15 April 2011, at <http://radiookapi.net/emissions-audio/parole-aux-auditeurs/2011/04/15/lutte-contre-la-torture-en-rdc/>

EGYPT

Egyptian NGOs call for better prison conditions: bikyamasr.com reported that seven human rights associations wrote a letter to Egyptian authorities highlighting a deterioration in security and health conditions in Egyptian prisons. The letter said that prison authorities should do more to provide security inside prisons rather than confine themselves to the security tower. Other issues of concern identified include the smuggling of knives and drugs and the irregular distribution of food carried out in the "full knowledge" of prison officials. Reported by Davide Morandini, 4 April 2011, at <http://bikyamasr.com/wordpress/?p=31927>

ETHIOPIA

Canadian detained in Ethiopia: The Winnipeg Free Press reported that a Canadian of Ethiopian origin had been detained in Ethiopia on allegations of planning to "topple the government." The man, reportedly visiting his family in Ethiopia, was arrested when found carrying two way radios. He is being detained at Dire Dawa. Reported by Carol Sanders, 18 April 2011, at <http://www.winnipegfreepress.com/breakingnews/city-man-jailed-in-ethiopia-120187639.html>

GHANA

Musician remains in prison: Peacefmonline.com reported that Ghanaian musician, William Ramzy Amui, serving a ten year sentence for alleged armed robbery appeared "wasted." The musician, who maintains his innocence, has served four years of his ten year sentence. The report added that the musician continues to sing for fellow prisoners. Reported by Eugene Osafo-Nkansah, 22 April 2011, at <http://showbiz.peacefmonline.com/news/201104/155587.php>

LIBYA

Journalists continue to be detained in Libya: The Global Post reported that pro-Gaddafi forces had released two journalists who had been detained for covering the anti-government protests. Several more, however, remain unaccounted for. One of the journalist released said he had been kept in solitary confinement. Reported by Jon Jensen, 14 April 2011, at <http://www.globalpost.com/dispatch/news/regions/africa/110414/james-foley-journalists-libya>

US concerned about journalists detained in Libya: Eyewitness News reported that the United States was concerned about the well being of journalists detained by Libyan authorities for covering the uprising in that country. Reported by Jean-Jacques Cornish, 18 April 2011, at <http://www.eyewitnessnews.co.za/articleprog.aspx?id=64266>

Spanish photojournalist imprisoned in Libya: The BBC reported that a Spanish photojournalist was detained in a military prison in Libya, on the outskirts of Brega. The photojournalist, Manu Brabo, is one of four journalists detained for entering Libya illegally and taking photographs without permission. Reported by BBC, 23 April 2011, at <http://www.bbc.co.uk/news/world-africa-13181974>

UN investigates Libya human rights violations: The Guardian reported that a three-member commission of enquiry from the United Nations met Libyan authorities and impressed on them the need to visit prisons so that they could verify allegations of human rights violations. The report also said the delegation would use the visit to raise the issue of foreign journalists detained in Libya. Reported by the Guardian, 27 April 2011, at <http://www.guardian.co.uk/world/2011/apr/27/libya-un-investigation-human-rights?INTCMP=SRCH>

KENYA

United Kingdom accused of torture: News24 reported that four Kenyans have filed a legal suit alleging that British officials tortured them while they were in detention in the 1950s. The claimants argue that the British Government knew that both British and African officers were abusing prisoners in detention camps but did nothing to stop the violations. Reported by Meera Selva, 7 April 2011, at 7 April 2011, at <http://www.news24.com/Africa/News/UK-tortured-in-Kenya-in-1950s-20110407>

LESOTHO

Murder suspects detained: IOL reported that seven suspected mercenaries were charged in Lesotho on 20 April 2011 with murder, attempted murder, kidnapping, robbery and "contravening the laws of Lesotho." These charges were allegedly committed in relation to a plot to kill Prime Minister Pakalitha Mosisili in 2009. The delay in bringing the charges was reportedly a result of the delay in extraditing the suspects, six Mozambicans and one South African, from South Africa. Reported by IOL, 20 April 2011, at <http://www.iol.co.za/news/africa/lesotho-pm-murder-plot-suspects-detained-1.1059756>

MALAWI

Suspected witches jailed: netnewspublisher.com reported that 45 people are allegedly in prison in Malawi on charges of witchcraft. Although all age groups are affected, elderly women are mostly said to be the target of the belief system which is sanctioned by the police and the courts. The report also said that the Director of Public Prosecution, had promised to review the cases of individuals imprisoned for alleged witchcraft. Reported by netnewspublisher.com, 6 April 2011, at <http://www.netnewspublisher.com/suspected-witches-jailed-in-malawi/>

MORROCCO

King pardons 190 prisoners: The AFP reported that King Mohammed VI of Morocco pardoned or reduced the sentences of 190 inmates on the advice of the country's Human Rights Council. Among those pardoned were moderate Islamists and a human rights activist. Reported by AllAfrica.com, 15 April 2011, at, <http://www.google.com/hostednews/afp/article/ALeqM5iBuLLF5X6VugoXHm-ulctDsvCoGQ?docId=CNG.81e3f073a7ff60182e936e010de882cd.621>

Freed Moroccan prisoners form human rights organization: The Magharebia reported that prisoners who benefitted from a royal pardon had formed a rights group which seeks the release of all prisoners who remain incarcerated for various crimes. One of the prisoners released was quoted saying, "I'm ready to go back to prison to free the other prisoners who are still locked up. I see prison as an occupational hazard of political work. Detention doesn't scare us. Our campaign will continue until we've received a positive response to the people's demands". Reported by Imrane Binoual, 19 April 2011, at http://www.magharebia.com/cocoon/awi/xhtml1/en_GB/features/awi/features/2011/04/19/feature-02

MOZAMBIQUE

Nampula prison escape attempt: AllAfrica.com reported that one inmate was killed and two sustained gunshot wounds when trying to escape from the Industrial Penitentiary in the northern Mozambican province of Nampula. Investigations carried out by officials did not indicate collusion between prison officials and inmates. Reported by AllAfrica.com, 14 April 2011, at <http://allafrica.com/stories/201104150214.html>

Mozambique prisons still overcrowded: Afriqueavenir.org reported that prisons in Mozambique are currently accommodating more than twice the number of inmates they were built for. The report said that as of 31 December 2010, there were 15 303 people held in prisons against a capacity of 6 674. The majority of those serving sentence were petty offenders given sentence terms of up to two years. Reported by Afriqueavenir.org, 28 April 2011 at, <http://www.afriqueavenir.org/en/2011/04/28/mozambique-prisons-still-overcrowded-report/>

NIGERIA

Rivers government pardons 683 prison inmates: tribune.com reported that the Rivers State government had pardoned 683 prisoners in this year's amnesty. Among the 683 inmates that were released, 500 were freed because their files had been declared missing; 27 of them were released on the advice of the Department of Prison Services, while others were released due to poor health. Reported by Bolaji Ogundele, 21 April 2011, <http://tribune.com.ng/index.php/news/20788-rivers-govt-pardons-683-prison-inmates>

SIERRA LEONE

Sierra Leone pardons 96 prisoners: Africasia.com reported that Sierra Leone pardoned 96 prisoners on the occasion of the country's 50th anniversary of independence from Britain. Of those released, five were death row prisoners, leaving eight males and one female on death row. Reported by africasia.com, 26 April 2011, at http://www.africasia.com/services/news_africa/article.php?ID=CNG.fa5f4a20283c1d4ac72ec27d4945c84c.1e1

SOMALIA

Somali man convicted of piracy: Tv3 Winchester reported that a Somali man convicted of attacking two ships off the coast of Somalia was sentenced to a total of 30 years imprisonment by a United States court. Reported by tv3winchester, 7 April 2011, at http://www.tv3winchester.com/news/headlines/Somali_Man_Sentenced_for_Piracy_Attacks_on_US_Dutch_Ships_119417374.html

Somaliland pledges to fight piracy: Somaliland Press reported that the government had pledged to work hard to stem maritime piracy through imprisonment. The report added that the United Nations promised to help Somaliland rehabilitate ten prisons to make them suitable for occupation by convicted pirates. The prisons would also reportedly be upgraded to ensure the system separates child prisoners from adults, with all facilities having access to medical care. Reported by Somaliland Press, 17 April 2011, at <http://somalilandpress.com/somaliland-receives-counter-piracy-delegation-21776>

Somali enclave to set up piracy prisons: Reuters reported that the Somali enclave of Puntland plans to build special prisons for pirates. The report said that the project would be funded by the European Union, Norway and the United Kingdom. Currently there are more than 260 pirate inmates in Puntland's prisons. Reported by Martina Fuchs, 18 April 2011, at <http://www.reuters.com/article/2011/04/18/us-somalia-piracy-interview-idUSTRE73H21Y20110418>

Islamists detain medical personnel in southern Somalia: Africa Review reported that ten medical personnel working at Hawa Abdi Hospital in Mogadishu had been abducted and detained by Islamists opposed to the transitional government. Unconfirmed reports said the detainees had been sentenced to between 10 to 15 days, for unspecified crimes. Reported by Abdulkadir Khalif, 21 April 2011, at <http://www.africareview.com/News/Somali+Islamists+detain+medical+personnel/-/979180/1148740/-/yve8h8/-/>

Somali sentenced for lying about terrorism links: AP reported that a federal judge sentenced a Somali man to 10 years in prison for failing to acknowledge ties to two global terrorist groups after he was arrested near the Texas-Mexico border in 2008. The man pleaded guilty to making false statements under oath from immigration officials, although he denied the charge that he was involved in smuggling hardened Islamists into the United States. Reported by AP, 27 April 2011, at <http://www.google.com/hostednews/ap/article/ALeqM5hAbL1NifjmQ4O7cdhqWpGKAe0iVw?docId=230961f4fafe4efea8cb69ff31013cc6>

SWAZILAND

Mixed views on death penalty sentence: IOL reported that the sentence of death, handed down in the sentencing of David Simelani (convicted of 28 counts of "atrocities" committed against women and children) was received with mixed

views by the people of Swaziland. Some have reportedly welcomed the verdict while others thought life imprisonment would have been a more appropriate sentence. The report said that in the event that Simelane loses his appeal, it would be the first execution in Swaziland since 1983. Reported by IOL, 3 April 2011, at <http://www.iol.co.za/news/mixed-views-on-killer-s-sentence-1.1051297>

Pupils to be sentenced in 2016: The Observer reported that two pupils are to be sentenced in five years time for stealing cell phones. A magistrate reportedly ordered that they be brought before the court for sentencing when they had finished school "so as not to prejudice them of opportunities associated with learning." Reported by Lindelwa Malinga, 4 April 2011, at <http://www.observer.org.sz/index.php?news=23212>

Protesters detained for demanding political reforms: Monsters and Critics reported that 100 opposition members and two journalists had been detained for demanding political reforms in Swaziland. Opposition groups expressed fears that those placed under police detention would be subjected to torture. Those demanding political reform said they had been inspired by the success of recent uprisings in North Africa. The date of the protests, 12 April, was meant to coincide with the 38th anniversary of the official banning of all political parties in Swaziland. Reported by monstersandcritics.com, 13 April 2011, at http://www.monstersandcritics.com/news/africa/news/article_1632469.php/Dozens-of-Swazi-opposition-members-detained-in-protest

Local security forces threaten and detain journalists covering protests: allAfrica.com reported that the government had been targeting journalists covering the mass demonstration demanding political and economic reforms in Swaziland. The report noted that as many as ten journalists had complained of being detained by the police. The Committee to Protect Journalists condemned the detentions intended to "stop the outside world from getting a picture of the strengthening of the political resolve of the demonstrators." Reported by allafrica.com, 13 April 2011, at <http://allafrica.com/stories/201104130197.html>

Swaziland protest leaders to appear in court: Times Live reported that three opposition figures detained for championing the anti-government protests in Swaziland were to appear in court. Unconfirmed reports said authorities intended to press charges of terrorism. The report also alluded to a heavy clamp down by the police on protesters. Reported by Times Live, 15 April 2011, at <http://www.timeslive.co.za/africa/article1023128.ece/Swazi-protest-leaders-to-appear-in-court>

Two denied bail: The Times reported that two people allegedly found with explosives during anti-government protests early this month were denied bail on the basis that they would abscond and interfere with investigations. Reported by the Times, 23 April 2011, at <http://www.times.co.sz/News/27927.html>

TANZANIA

Ex-prisoners form NGO to fight stigma: The Citizen reported that former prisoners in the Kilimanjaro region had formed a union to help themselves "earn something for a living." The objective of setting up the NGO was to make sure that they "educate society to welcome former prisoners and assist them economically". The NGO has reportedly acquired a ten-acre farm in Kahe-Kihomu with the assistance of the Evangelical Lutheran Church in Tanzania. Reported by Eric Mchome, 3 April 2011, at <http://thecitizen.co.tz/sunday-citizen/-/9595-ex-prisoners-form-ngo-to-fight-stigma>

TUNISIA

Court frees woman linked to Tunisia revolt: IOL reported that a Tunisian court freed a policewoman accused of slapping a young fruit seller who then set himself on fire, an act that allegedly triggered revolution across the Arab world. The police officer's lawyer had argued that his client was used as a scape goat by an unpopular regime. Reported by Tarek Amara, 20 April 2011, at <http://www.iol.co.za/news/africa/court-frees-woman-linked-to-tunisia-revolt-1.1059124>

300 inmates escape from prison: News24 reported that about 300 inmates at a prison in south west Tunisia had escaped after a fire was started in a cell. The report added that 35 prisoners had been re-arrested and that the search for

the remaining prisoners was underway. An inquiry had been commissioned to investigate the cause of the fire. Reported by News24.com, 29 April 2011, at <http://www.news24.com/Africa/News/Tunisia-prison-fire-300-inmates-escape-20110429>

UGANDA

Inmates decry hard labour: New Vision reported that inmates living with HIV/AIDS in Uganda have told the Judicial Service Commission that they were made to work long hours, are subjected to poor dietary conditions and are often "stigmatised." The report also noted that the prisoners were to be transferred to another correctional facility as a result of the intervention of the Eastern Region prison commander. Reported by Hope Mafaranga, New Vision, 3 April 2011, at <http://www.newvision.co.ug/D/8/18/751037>

Uganda opposition leader gets bail: News24 reported that Ugandan opposition leader, Kizza Besigye, charged with inciting violence, had been granted bail. Besigye was reportedly the main opposition candidate in the February 2011 presidential elections and his arrest followed the banning of demonstrations in Uganda, the police having warned that any attempts to carry out protests would be "dealt with firmly". Reported by News24, 11 April 2011, at <http://www.news24.com/Africa/News/Uganda-opposition-leader-gets-bail-20110411>

Imprisoned at the age of 102: The Monitor reported that a prisoner aged 102 is "languishing" in Mabuku government prison. Saul Bwambale refuted the charge of "defilement" made against him, claiming that he was framed by a neighbor who wanted to use his case to grab his piece of land. The report said Bwambale was serving a three year sentence which would expire in 2012. Reported by Felix Basiime, 11 April 2011, at <http://www.monitor.co.ug/LifeStyle/Reviews/-/691232/1142206/-/c4dko3/-/>

Prisoners to be paid for work: New Vision reported that authorities in Uganda had unveiled plans to pay inmates for their labor. Simon Kimono, the Prisons under-secretary, told MPs on the Public Accounts Committee that, if approved, the scheme would start in the next financial year. Under the scheme, if prisoners are contracted to do private work, the beneficiary of their services will pay the government, which, in turn, will pay the prisoner. Reported by Mary Karugaba, 13 April 2011, at <http://www.newvision.co.ug/D/8/13/752015>

Uganda Opposition Leader denied bail: Wsj.com reported that a Ugandan Magistrates Court in Kampala had denied bail and remanded the country's main opposition leader, Kizza Besigye, in custody following his arrest for leading protests against escalating food and fuel prices. Reported by Nicholas Bariyo, 16 April 2011, at http://online.wsj.com/article/SB10001424052748703983704576276510721421594.html?mod=googlenews_wsj

Calls for a trial: The Uganda Media Centre reported that efforts by the Commonwealth Lawyers Association lobbying authorities in Uganda to release Ali Amin Kimathi currently detained at Luzira Prison, are being condemned by some sections of society in Uganda. The prisoner, a lawyer by profession, is one of many suspects implicated in the bombing of 80 people gathered to see a world cup soccer match in July 2010. Reported by Obed Katureebe, 18 April 2011, at <http://www.mediacentre.go.ug/details.php?catId=1&item=1268>

Museveni rival remains in detention: Africa Review reported that a Uganda opposition leader charged with "unlawful assembly" would remain in remand detention until he was brought before the court on 27 April 2011. The report said the Nabweru Court magistrate, Mr Justine Atukwasa, refused to entertain a bail application reportedly saying there were "other pending matters". Reported by Africareview.com, 21 April 2011, at <http://www.africareview.com/News/Museveni+rival+to+spend+Easter+in+jail/-/979180/1148690/-/l6gqsf/-/>

Prisoners refuse to apply for bail: AllAfrica.com reported that Norbert Mao and six others arrested for demonstrating against high fuel prices had refused to apply for bail, insisting that it was no use as they would be arrested the following day for the same offence. The presiding magistrate remanded them to prison until 2 May 2011. Reported by allAfrica.com, 26 April 2011, at <http://allafrica.com/stories/201104190032.html>

Uganda anti-gay bill likely to drop death penalty: The Guardian reported that legislators in Uganda were set to conduct hearings on a bill which recommends life imprisonment for those caught practising homosexual acts. The original

bill recommended the death penalty for homosexuals. Reported by the Guardian, 26 April 2011, at <http://www.guardian.co.uk/world/2011/apr/26/uganda-anti-gay-bill-death-penalty?INTCMP=SRCH>

Ugandan opposition leader Besigye freed on bail: The East African reported that a Ugandan magistrate had granted opposition leader Kizza Besigye bail on condition that he keeps peace for seven months. The report said the politician and three others were released on a non-cash bond of \$4 166 and surety of \$20 800 each. Reported by the East African, 27 April 2011, at <http://www.theeastafrican.co.ke/news/Uganda+opposition+leader+freed+on+bail/-/2558/1151846/-/13uuerlz/-/>

Kizza Besigye arrested for fourth time: The BBC reported that opposition leader Kizza Besigye had been arrested for the fourth time this month during a "walk-to-work" protest over high prices had been released on medical grounds until the 2 May 2011 when he would appear in court to take a plea. Reported by BBC, 28 April 2011, at <http://www.bbc.co.uk/news/world-africa-13222227>

ZAMBIA

Government fights prison congestion: AllAfrica.com reported that Zambian prisons are facing severe overcrowding. The report quoted the Zambia Prison Service Deputy Commissioner Chileshe Chisela saying that in spite of the challenges, the prison service was "committed to providing quality correctional services to inmates." The report also noted that poor diet, poor supervision of medical treatment and the shortage of staff were some of the factors worsening the management of prison facilities in Zambia. Reported by Andrew Lungu, 12 April 2011, at <http://allafrica.com/stories/201104121110.html>

Respect prisoner rights: Postzambia.com reported that Paralegal Alliance Network national coordinator Phillip Sabuni told prison authorities to respect the human rights of those imprisoned. The report quoted him saying "At pre-trial stage, during trial up to the time of conviction, these people have the same human rights like you and me. They should enjoy human rights without discrimination?they should be treated with dignity," Reported by Isaac Zulu, 27 April 2011, at http://www.postzambia.com/post-read_article.php?articleId=20123

ZIMBABWE

Zimbabwe facebook user granted bail: AllAfrica.com reported that a Zimbabwean man arrested for posting a message on Prime Minister Morgan Tsvangirai's Facebook wall, was granted bail by the High Court in Bulawayo. The High Court set aside the ruling from the lower court initially denying him bail. The man had posted a message calling for the overthrowing of Mugabe. The report also said that 25 of the 30 MDC youths arrested by police in Bulawayo had been released. Reported by Lance Gama, 1 April 2011, at <http://allafrica.com/stories/201104010836.html>

Zimbabweans face mandatory sentence: The Zim Daily reported that two Zimbabwe women caught smuggling drugs into Malaysia are facing the death penalty. The two were intercepted at the Kuala Lumpur International Airport with 7 kilograms of cocaine worth \$900 000. Reported by Sarah Ncube, 3 April 2011, at <http://www.zimdaily.com/news/?p=1230>

Two opposition members released on bail: The Zim Daily reported that two members of the Mthwakazi Liberation Front were released on \$ 2000 bail each. They were reportedly ordered to surrender their passports and report to the police three times a week. A third member of the MLF is reportedly still being detained with "no apparent prospects of immediate release." The three are accused of instigating the creation of a separate country called Mthwakazi. Reported by the New Zimbabwe, 3 April 2011, at <http://www.newzimbabwe.com/news-4826-Mthwakazi%20pair%20released%20on%20bail/news.aspx>

Prisoners affected by magistrates' strike: The Zimbabwean reported that a magistrates' strike on 4 April 2011 affected inmates in remand prisons as the court system did not attend to any cases. Magistrates in Zimbabwe are reportedly poorly remunerated but the Minister of Finance was quoted as saying that the Government of National Unity did not have the resources to improve the salaries of magistrates. Reported by the Zimbabwean, 4 April 2011, at

http://www.thezimbabwean.co.uk/index.php?option=com_content&view=article&id=38641:intimates-wallow-in-prison-as-magistrates-strike-&catid=31:weekday-top-stories&Itemid=30

Minister to appear before court: The Zimbabwean reported that Energy and Power Development Minister, Elton Mangoma would appear in Court on 4 April 2011 to answer charges of abuse of tender procedure. The state was reportedly expected to argue for continued remand detention by coming up with "fresh charges". The opposition MDC reportedly believes that the charges were political in nature and part of the President's wider strategy to stunt the growth of the opposition party. Reported by the Zimbabwean, 4 April 2011, at

http://www.thezimbabwean.co.uk/index.php?option=com_content&view=article&id=38639:mangoma-to-be-released-today-as-judge-throws-out-states-application-for-his-continued-jailing&catid=69:sunday-top-stories&Itemid=30

Minister released from custody: The AFP reported that Zimbabwe Energy and Power Development, Minister Elton Mangoma, charged with abuse of office, was freed on 4 April 2011 after the High Court rejected a bid by prosecutors to block his release. The report said the Minister's arrest drew an angry reaction from Prime Minister Morgan Tsvangirai, who reportedly called for new elections and said it was time for a "divorce" in the two-year-old unity government. Reported by the AFP, 5 April 2011, at

http://www.google.com/hostednews/afp/article/ALeqM5jEBgHnizP0MQDKXc_mAXtzDHZ0iA?docId=CNG.3df529c08a659b53ab8d799e80f593f8.4c1

Suspects to be put on remand: The Herald reported that the Government planned to send suspects arrested for various crimes to remand prisons as a way of decongesting police holding cells. The policy statement came following the nationwide strike by magistrates which paralysed the justice system. The report said that there were concerns that government was in breach of the constitutional provision limiting the time suspects can be detained before being brought before a magistrate. Reported by Tsungirayi Dhambuza and Freeman Razemba, 6 April 2011, at

http://www.herald.co.zw/index.php?option=com_content&view=article&id=7017:suspects-to-be-put-on-remand&catid=38:local-news&Itemid=131

Activists detained and tortured: Nehanda Radio reported that democracy activists arrested and detained by the government for advocating "North Africa style" protests in Zimbabwe were tortured while in remand prison. The report added that the activists were kept in solitary confinement at the Chikurubi Maximum Security prison in Harare for 23 hours a day. Reported by Nehandaradio, 14 April 2011, at <http://nehandaradio.com/2011/04/14/hopewell-gumbo-behind-the-headlines/>

Improved healthcare cuts deaths in prisons: Times Live reported that the death rate of inmates in prisons in Matabeleland had been reduced by half. The report quoted the spokesman for the Zimbabwe Prison Service as saying the availability of food and improved healthcare had reduced the deaths. Several NGO's had also assisted by donating food and medicines. Reported by Vladimir Mzaca, 16 April 2011, at

<http://www.timeslive.co.za/sundaytimes/article1024159.ece/Improved-healthcare-cuts-deaths-in-prisons>

Africa University student awaits fate: News Day reported that an Africa University student who had been in remand detention since 2009 was convicted of robbing supermarkets around Harare. Sentencing was reportedly deferred as the magistrate indicated he needed more time to consider appropriate punishment. Reported by Charles Laiton, 10 April 2011, at <http://www.newsday.co.zw/article/2011-04-10-africa-university-student-awaits-fate>

Student gets 22 years for armed robbery: News Day reported that an Africa University student convicted of armed robbery and possession of an unlicensed firearm was sentenced to 22 years imprisonment. The magistrate suspended seven years of the prison term leaving the student with an effective 15 years behind bars. Reported by Charles Laiton, 20 April 2011, at <http://www.newsday.co.zw/article/2011-04-20-student-gets-22-years-for-armed-robbery>

82-year old headman dies after being tortured while detained in remand prison: SW Radio reported that an elderly man died after being detained and tortured by ZANU PF militias. The man had been detained for 25 days alongside MDC-T MP Douglas Mzonzora and twenty three supporters. The report also said that two other MDC-T activists tortured by

state security agents had died. Reported by Lance Gama, 18 April 2011, at <http://www.swradioafrica.com/news180411/82years180411.htm>

Police detain MDC members trying to visit Mzila Ndlovu: SW Radio Africa reported that four lawyers were detained by the police while on their way to visit an MDC-M politician and a pastor imprisoned in Lupane. The report also said that two MDC-T politicians had been detained at Hwange Police Station without having any charges brought against them. Reported by Irene Madongo, 19 April 2011, at <http://www.swradioafrica.com/news190411/policedetain190411.htm> , also at <http://www.voanews.com/english/news/africa/Zimbabwe-Police-Arrest-Human-Rights-Lawyers-120223884.html>

Condemned prison cells under scrutiny: News Day reported that regional magistrate Morgan Nemadire, prosecutor Michael Reza and defence lawyer Charles Warara were expected to visit Chikurubi Maximum Security Prison to inspect cells which inmates allege are unfit for human habitation. This follows an application by two remand prisoners. Reported by Charles Laiton, 26 April 2011, at <http://www.newsday.co.zw/article/2011-04-26-condemned-zimbabwe-prison-cells-under-scrutiny>

Siwela still in jail 3 weeks after receiving bail: SW Radio Africa reported that Paul Siwela, a leader of the Mthwakazi Liberation Front was still in police detention, three weeks after he was granted bail by the High Court. The report also said that the Supreme Court had delayed setting a date for the hearing of his bail appeal case. Reported by Tererai Karimakwenda, 27 April 2011, at <http://www.swradioafrica.com/news270411/siwela270411.htm>

Chidyausiku blamed in Siwela bail delay: New Zimbabwe.com reported that lawyers for Mthakazi Liberation Front Leader blamed Chief Justice Godfrey Chidyausiku for his continued detention of their client on charges of "inciting the people to rise up and overthrow President Robert Mugabe's government." Siwela's political party is campaigning for the creation of a new state within Zimbabwe. Reported by New Zimbabwe.com, 28 April 2011, at <http://www.newzimbabwe.com/news-5016-Chidyausiku+stalling+Siwela+bail/news.aspx>

OTHER

[Top of Page](#)

Prisoners group welcomes government plans: The ECR reported that government plans to establish "halfway houses" had been well received by a non-governmental organization championing the rights of prisoners. The South African Prisoners Organisation reportedly praised the plans unveiled by the Minister for Correctional Services for facilitating the reintegration of offenders into society. Reported by Tamlyn Canham, 13 April 2011, at <http://www.ecr.co.za/kagiso/content/en/east-coast-radio/east-coast-radio-news?oid=1155764&sn=Detail&pid=490476&Prisoners--group-welcomes-govt-plans>

Fair use notice

CSPRI 30 Days/Dae/Izinsuku contains copyrighted material, the use of which has not always been specifically authorised by the copyright owner. The material is being made available for purposes of education and discussion in order to better understand prison and related issues in South Africa. We believe this constitutes a "fair use" of any such copyrighted material as provided for in relevant national laws. The material is made accessible without profit for research and educational purposes to subscribers/readers. If you wish to use copyrighted material from this Newsletter for purposes of your own that go beyond "fair use", you must obtain permission from the copyright owner. CSPRI cannot guarantee that the information contained in this newsletter is complete and correct or be liable for any loss incurred as a result of its use. Nor can the CSPRI be held responsible for any subsequent use of the material.

CSPRI welcomes your suggestions or comments for future topics on the email newsletter.
Tel: (+27) 021-9592950
<http://www.communitylawcentre.org.za/clc-projects/civil-society-prison-reform-initiative/>



[Subscribe Me](#) [Unsubscribe Me](#) [Change My Details](#) [Visit our website](#)
[Invite a Friend](#) [Terms and Conditions & Privacy](#) and [Anti-Spam Policy for subscribers](#)
Please report abuse to abuse@easimail.co.za
© Easimail 2011. All Rights Reserved.