



# 30 Days Dae Izinsuku

Project of the  
Community Law  
Centre

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## PRISON CONDITIONS

**Tuberculosis remains a crisis in prisons:** The Daily Maverick published a feature article on tuberculosis in South African prisons, in particular, Pollsmoor Prison, which, since the Constitutional Court's decision in *Dudley Lee v Minister of Correctional Services*, has received much attention around the manner in which inmates are detained. In accordance with the Constitutional Court's directions, government departments have reportedly drafted policy guidelines on the management of tuberculosis in correctional centres. The story questions, however, whether such policy will translate into concrete results. Reported by Ruth Hopkins, 1 July 2013, at <http://www.dailymaverick.co.za/article/2013-07-01-the-losing-battle-against-tb-in-prisons/#.UgDni6xsRWA>

**CCTV cameras in cells:** Times Live reported that Members of Parliament are considering the introduction of surveillance cameras in prison cells in an effort to prevent assault and abuse. The report notes that prisons already had CCTV cameras in courtyards and passages and the Chairperson of the Portfolio Committee on Correctional Services had stated that the installation of cameras in cells would be a proactive measure to prevent human rights abuses. Reported by Times Live, 3 July 2013, at <http://www.timeslive.co.za/thetimes/2013/07/03/cctvtoseeallincells> Also reported at <http://www.iol.co.za/news/south-africa/western-cape/sa-prisons-set-for-hi-tech-systems-1.1541475#.UgNWQ1Mmxxl>

**Detainee commits suicide:** The Mail and Guardian reported that Sfiso Makhubo, a detainee at Johannesburg Medium A, was found dead in his cell on Thursday, 25 July 2013. Makhubo, who had been detained alone in a single cell, had reportedly hanged himself with a blanket. He was reportedly facing 122 charges, including the rape of 35 children. The report notes that the Department of Correctional Services opened an investigation into his death. Reported by Khuthala Nandipha, 25 July 2013, at <http://mg.co.za/article/2013-07-25-alleged-hiv-serial-rapist-sfiso-makhubo-found-dead-in-cell> Also reported at <http://worldnews.nbcnews.com/news/2013/07/25/19677010-alleged-serial-rapist-found-dead-in-south-africa-prison-cell-hours-before-trial> and <http://www.bbc.co.uk/news/world-africa-23453592>

**Prisoner sues Department of Correctional Services:** IOL reported that a prisoner serving a sentence at Westville Prison and a fourth-year law student has made an urgent application to the Durban High

Court, requesting the the court compel the Commissioner of Correctional Services to permit him to bring his laptop and printer to the prison, as well as be allowed to access the internet. The prisoner argues that such facilities are necessary in order for him to continue his studies. The prison reportedly refused to approve his request to have access to such items. It remains unclear as to when the matter will be heard. Reported by Noelene Barea, 22 July 2013, at <http://www.iol.co.za/news/crime-courts/prisoner-in-bid-for-laptop-internet-1.1550760#.UgFKUFMmxxI>

**Alleged denial of medical treatment:** IOL reported that on Friday 12 July 2013 a correctional services official was called to explain to the Pretoria North Magistrate's Court why four men arrested in connection with a murder charge had not received medical attention. The report notes that one of the four men stated that although he had been taken to a hospital, he had simply been given pain killers. Reported by IOL, 12 July 2013, at <http://www.iol.co.za/news/crime-courts/treatment-row-over-murder-accused-1.1546168>

**Portfolio Committee members visit prisons:** allAfrica.com reported that members of the Portfolio Committee on Correctional Services visited several prisons in the Eastern Cape. Committee members reportedly received many complaints from prisoners, including extreme overcrowding and the fact that they are not exposed to rehabilitative programmes. Reported by allAfrica.com, 25 July 2013, at <http://allafrica.com/stories/201307261009.html>

## SENTENCING AND PAROLE

**Parole Board criticised:** IOL reported that Judge Ebersohn of the North Gauteng High Court criticised the Parole Board for being unnecessarily slow in the making of its decisions on parole. The Judge reportedly made such statements during the handing down of an order directing that a prisoner be released on account of the Parole Board having failed to deal with his parole application. The Judge also reportedly noted that many such cases come before the courts and that Parole Boards, in delaying parole determinations, are undermining the rights of prisoners to be released when legally entitled. Reported by Louise Flanagan, 1 July 2013, at <http://www.iol.co.za/news/crime-courts/judge-slams-parole-board-for-doddering-1.1539065#.UgDjkKxsRWA>

**Clarification of government policy:** The South African Government Information portal released a statement describing recent undertakings on the part of the Department of Correctional Services to better understand best-practice in relation to the electronic monitoring of parolees. The statement also purports to clarify the implementation of section 49G of the Correctional Services Act, which, the statement emphasises, is intended to establish whether further remand detention is still appropriate in certain cases. The statement, published on 2 July 2013, is available at <http://www.info.gov.za/speech/DynamicAction?pageid=461&sid=37701&tid=111652> Also reported at <http://www.iol.co.za/news/south-africa/western-cape/sa-prisons-set-for-hi-tech-systems-1.1541475#.UgNWQ1MmxxI>

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## UNSENTENCED PRISONERS

**Review of lengthy detention:** Times Live reported that on 1 July 2013, section 49G of the Correctional Services Act, which requires that detainees who have been in remand detention for more than two years must have their continued detention reviewed by a court, came into force. The report states that approximately 2700 out of almost 45 000 remand detainees have been in remand detention for more than two years. Reported by Aarti Narsee, 4 July 2013, at <http://www.timeslive.co.za/thetimes/2013/07/04/fears-as-jail-birds-get-new-deal> Also reported at <http://www.iol.co.za/news/south-africa/western-cape/sa-prisons-set-for-hi-tech-systems-1.1541475#.UgNWQ1MmxxI>

## REHABILITATION

**Prisoners showcase talents:** Times Live reported that a number of musicians and artists serving their sentences in prisons around the country were given the opportunity to showcase their talents through several performances at the Grahamstown Arts Festival. The Minister of Correctional Services reportedly

stated that he hoped that such initiatives would indicate to other prisoners that it is possible to 'make good' out of the time spent in prison. Reported by Elmond Jiyane, 7 July 2013, at <http://www.timeslive.co.za/lifestyle/2013/07/07/prisoners-showcase-art-in-grahamstown>

**Minister of Correctional Services travels abroad to learn best practice models:** NY1 reported that the Minister of Correctional Services traveled to New York to meet with two institutions that assist former prisoners. The report notes that the Minister is investigating ways in which to 'keep former inmates out of prison' and hopes to learn from the techniques of other organizations dealing with rehabilitation. Reported by Dean Merringer, 9 July 2013, at [http://manhattan.ny1.com/content/top\\_stories/185231/minister-of-south-africa-s-correction-services-meets-with-ny-groups-that-help-former-prisoners](http://manhattan.ny1.com/content/top_stories/185231/minister-of-south-africa-s-correction-services-meets-with-ny-groups-that-help-former-prisoners) also reported at <http://www.iol.co.za/the-star/mission-to-find-options-other-than-jail-1.1553491#.UgOQaVMmxxl>

**Minister calls on religious leaders:** The New Age reported that the Minister of Correctional Services met with religious leaders and officials at the East London Correctional Centre on Friday 26 July 2013. He reportedly stated that 'religious leaders should do more to rehabilitate criminals' as this was not the sole responsibility of the Department of Correctional Services. Reported by The New Age, 28 July 2013, at [http://www.thenewage.co.za/102877-1007-53-Religious\\_leaders\\_must\\_play\\_a\\_part\\_Ndebele](http://www.thenewage.co.za/102877-1007-53-Religious_leaders_must_play_a_part_Ndebele) Also reported at <http://allafrica.com/stories/201307292221.html>

## **SOUTH AFRICAN IMPRISONED ABROAD**

**Babies repatriated:** iAfrica.com reported that the Department of Social Development has repatriated 16 babies born to South African women serving sentences in foreign prisons. Nine of the 16 babies repatriated were born in Brazil, where 92 South African women are imprisoned. There are reportedly 337 women serving prison sentences abroad. Reported by iafrica.com, 29 July 2013, at <http://news.iafrica.com/sa/872855.html>

## **OTHER AFRICAN COUNTRIES**

### **BOTSWANA**

**Litigation on prisoners with HIV:** Mmegi Online reported that the Botswana Network on Ethics Law and HIV/AIDS would be instituting a case before the end of July 2013 on behalf of HIV positive non-citizens serving sentences in Botswana who are being denied Anti-retroviral treatment. The litigation will put forward the argument that the denial of such treatment amounts to a violation of the rights to equality and non-discrimination, their common law right to dignity, and whether the state has no legal duty to provide care, support and treatment to all inmates under its control. Reported by Mmegi Online, 9 July 2013, at <http://www.mmegi.bw/index.php?sid=1&aid=1303&dir=2013/July/Tuesday9>

### **DEMOCRATIC REPUBLIC OF CONGO**

**Prison escape:** News24 reported that four people were killed and 244 prisoners escaped when an armed group of men attacked a prison in the North Kivu province on Monday 1 July 2013. The report notes that it is unclear whether any of the escaped prisoners have been re-arrested. Reported by News24, 2 July 2013, at <http://www.news24.com/Africa/News/Four-killed-244-flee-in-DRC-jailbreak-20130702>

**Prevention and combating of torture:** The Office of the Committee for Human Rights released a statement on the progress of the Democratic Republic of Congo in preventing and combating torture. The report notes that two years after the enactment of the law criminalizing torture, at least five soldiers of the Congolese armed forces, five agents of the Congolese National Police, one agent of the national intelligence service and one administrative official have been convicted for practicing and/or encouraging the use of torture. The full post dated 9 July 2013, is available at <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=13517&LangID=E>

**Political opposition calls for the liberation of prisoners:** The Kongo Times reported that in a meeting held on 1 July 2013, the coalition of the Congolese political opposition declared that the parole and liberation of political detainees would be a pre-condition to a national dialogue with the DRC's government. The report notes that such actions on the part of the government would ease political tension and are essential to ensure the participation of all in the reconstruction of the country. Reported by the Kongo Times, 4 July 2013, at <http://afrique.kongotimes.info/rdc/politique/6050-concertations->

[nationales-signaux-decrispation-lances-kabila-opposition-politique-reclame-amnistie-liberation-prisonniers-politiques.html](http://nationales-signaux-decrispation-lances-kabila-opposition-politique-reclame-amnistie-liberation-prisonniers-politiques.html)

**Illegal detention and torture by M23 rebels:** Angola Press reported that the UN mission in the DRC (MONUSCO) is alarmed by the illegal detention of civilians by M23 rebels in Kirumba. MONUSCO has reported cases of forced enrolment in the movement and the killing of hostages who attempt to escape. Original report in French. Reported by Angola Press, 27 July 2013, at [http://www.portalangop.co.ao/motix/fr\\_fr/noticias/africa/2013/6/30/mission-ONU-alarmee-par-des-exactions-presumees-M23.752a2542-efec-41f1-bd22-aa1026e885cb.html](http://www.portalangop.co.ao/motix/fr_fr/noticias/africa/2013/6/30/mission-ONU-alarmee-par-des-exactions-presumees-M23.752a2542-efec-41f1-bd22-aa1026e885cb.html)

## ETHIOPIA

**Delegation denied entry into prison:** allAfrica.com reported that members of the European Parliament Human Rights delegation were blocked from visiting Kality prison and have since expressed their concern about the 'human rights' situation in that nation. Despite having reportedly been assured by the government that the delegation would be permitted entry, they were denied entry upon their arrival. The facility is reportedly well known for housing political prisoners in harsh living conditions. Reported by Marthe van der Wolf, 17 July 2013, at <http://allafrica.com/stories/201307180193.html>

## GHANA

**Poor conditions of detention:** GhanaWeb reported that the Editor of the Daily Searchlight, Mr Ken Kuranchie, after visiting the Nsawam Maximum Security Prison, stated that "prisoners in Ghana are living in dehumanising conditions." The report notes that Ghana's prisons are notorious for overcrowding and unhygienic conditions. There are currently 13,888 prisoners, made up of 13,686 males and 202 females, in the country's prisons. Reported by GhanaWeb, 12 July 2013, at <http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=279315>

## IVORY COAST

**Attempted prison escape:** Atlanta Black Star reported that at least three prisoners were killed and two prison officials seriously wounded during a prison riot and large-scale escape attempt from an Abidjan prison on 24 July 2013. The report noted that none of the prison's inmates managed to escape. Reported by the Atlanta Black Star, 25 July 2013, at [http://browse.feedreader.com/c/Popular\\_Critic/525826710](http://browse.feedreader.com/c/Popular_Critic/525826710)

## KENYA

**Paralegals in prison:** BBC News Africa reported that inmates are reaping the benefits from the efforts of an organisation, Kituo Cha Sheria, that trains inmates in how to be paralegals. Since 2007, more than 3,000 successful appeals have been launched, which, the report notes, is a remarkable achievement given that the majority of people accused of committing a crime face court without a lawyer. Reported by Catherine Fellows, 12 July 2013, at <http://www.bbc.co.uk/news/world-africa-23239803>

## LIBYA

**Mass prison escape:** The Independent reported that more than 1000 detainees escaped from a prison near the eastern city of Benghazi during a mass prison escape. The mass escape reportedly took place during a mass public protest against the killing of an activist critical of the Muslim Brotherhood. The report notes that those that escaped were either convicted of or were facing serious charges. Reported by Esam Mohamed, 27 July 2013, at <http://www.independent.co.uk/news/world/africa/more-than-1000-inmates-escape-from-libyas-alkweifiya-prison-8735076.html> Also reported at <http://www.enca.com/africa/protesters-help-prisoners-escape>

## MAURITANIA

**Allegations of torture:** Amnesty International posted a report on their website on the findings of a recent mission to prisons in Mauritania. The report notes that police are using torture to coerce men, women and children to confess to crimes while in custody. Prisoners, including those held on ordinary and terrorism-related charges, reportedly stated that many of them had been beaten as well as tried in grossly unfair procedures. Reported by Amnesty International, 26 June 2013, at <http://www.amnesty.org/en/news/men-women-and-children-tortured-confess-crimes-mauritania-2013-06-25>

## MOROCCO

**Coercion and torture by police:** Human Rights Watch released a video wherein former detainees of the Moroccan police and a number of experts discuss the ways in which confessions are coerced from suspects by means of torture. The video is available at <http://www.youtube.com/watch?v=KeOUko1IAhA&feature=c4-overview-vl&list=PL73F4876AF62C15CC>

**Training centre established:** Maroc.ma reported that on 19 July 2013, King Mohammed VI inaugurated the 48<sup>th</sup> vocational training centre at the Tiflet Detention Facility. This centre, established by the Mohammed VI foundation, offers integrated individual programmes to prisoners to boost their economic and social rehabilitation. Original report in French. Reported by Maroc.ma, 19 July 2013 at <http://www.maroc.ma/fr/activites-royales/sm-le-roi-inaugure-le-centre-de-formation-professionnelle-de-la-maison-carcerale>

## NIGERIA

**Prisoners escape:** Angola Press reported that approximately 20 armed men broke into a prison in the southern town of Akure using explosives, releasing more than 175 inmates. Two civilians were reportedly killed in the process. Reported by Angola Press, 1 July 2013, at [http://www.portalangop.co.ao/motix/en\\_us/noticias/afrika/2013/6/27/Gunmen-free-175-prisoners-Nigeria-jailbreak.e9342925-5efc-493d-b7a2-22902193f1fb.html](http://www.portalangop.co.ao/motix/en_us/noticias/afrika/2013/6/27/Gunmen-free-175-prisoners-Nigeria-jailbreak.e9342925-5efc-493d-b7a2-22902193f1fb.html) The Independent reported that 54 of the 175 escaped prisoners were re-arrested by the Nigerian police. Reported by Anamesere Igboeroteonwu, 2 July 2013, at <http://www.independent.ie/world-news/afrika/nigeria-recaptures-54-prisoners-after-mass-jailbreak-29389204.html>

**Prison preparing to carry out executions:** PM News reported that Amnesty International had received reports that Nigerian prison authorities at Benin prison have moved a group of death row prisoners into cells closer to the gallows, prompting the organization to conclude that Nigeria's Benin prison may be gearing up to continue executing prisoners. The report notes that despite the fact that many countries in West Africa are moving away from the death penalty, Nigeria seems intent to continue to carry out death penalty executions. Reported by PM News, 24 July 2013, at [http://pmnewsnigeria.com/2013/07/24/prison-set-to-execute-condemned-prisoners-says-ai/?utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+PmNewsNigeria+%28PM+News+Nigeria%29](http://pmnewsnigeria.com/2013/07/24/prison-set-to-execute-condemned-prisoners-says-ai/?utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+PmNewsNigeria+%28PM+News+Nigeria%29)

## SOUTH SUDAN

**Journalists detained:** eNCA reported that South Sudan's security services detained two Ugandan journalists who were filming in the capital Juba. The report notes that it was unclear as to what the reasons were behind the arrest but that relations between the security services and the media have deteriorated recently. Reported by eNCA, 30 July 2013, at <http://www.enca.com/afrika/journos-detained-south-sudan>

## THE GAMBIA

**Inauguration of new prison library:** allAfrica.com reported that a newly constructed and furnished library was recently donated to the State Central Prison by Prison Fellow International (PFI). Members of PFI present at the inauguration ceremony reportedly stated that the library project will facilitate a formal education project that is due to 'kick off soon.' Reported by allAfrica.com, 1 July 2013, at <http://allafrica.com/stories/201307012198.html>

## UGANDA

**Quantifying costs of torture:** The African Centre for the Treatment and Rehabilitation of Torture Victims (ACTV) posted a report on its website on a study it has recently undertaken to establish possible costs associated with torture. The report notes that survivors of torture in Uganda are faced with direct socio-economic repercussions such as the loss of educational opportunities and the costs of physical and psychological treatment. The study is therefore an attempt at finding an empirical, socio-economically acceptable and relatively commensurate compensation package for survivors of torture. More information is available at <http://www.actvuganda.org/story/understanding-socio-economic-costs-torture-uganda-actv-study-report>

## ZAMBIA

**Calls to release detained journalists:** The Committee to Protect Journalists (CJP) has published a post on its website on the arrest and detention of two journalists, reportedly employed by the Zambian Watchdog, a site that has been subject to ongoing government harassment. The CJP notes that the journalists were not charged with a criminal offence, and has called for their release. Reported by the Committee to Protect Journalists, 9 July 2013, at <http://www.cpj.org/2013/07/two-journalists-detained-without-charge-in-zambia.php>

**Prisoners denied medical treatment:** The Lusaka Times reported that four prisoner who were sentenced to twelve months imprisonment in connection with having destroyed copies of the draft constitution of the Republic of Zambia, are being denied critical medical attention, food and visitation rights. The report also notes that one of the four prisoners was placed in solitary confinement for disciplinary reasons. Reported by the Lusaka Times, 22 July 2013, at <http://www.lusakatimes.com/2013/07/22/activists-jailed-for-tearing-copy-of-draft-constitution-in-mongu-being-denied-medical-attention-and-visitation-rights/>

ZIMBABWE

**Inmates prevented from voting:** The Zimbabwe Independent reported that although the new Zimbabwean constitution grants political rights to prisoners, the country's estimated 17 000 inmates would not be allowed to vote in the July 31 elections. The report notes that the Zimbabwe Electoral Commission stated that although they did not have mechanisms for prisoners to vote in the 2013 election, they had begun engaging with relevant stakeholders to enable prisoners to vote in future. Reported by Hazel Ndebele, 12 July 2013, at <http://www.theindependent.co.zw/2013/07/12/prison-inmates-wont-vote-makarau/>



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