

In this Issue:

GOVERNANCE AND CORRUPTION

UNSENTENCED PRISONERS

SENTENCING AND PAROLE

ELECTIONS 2009

HEALTH

SECURITY AND ESCAPES

OTHER

OTHER AFRICAN COUNTRIES

GOVERNANCE AND CORRUPTION

[Top of Page](#)

Prisons food contracts awarded to 'controversial' company: The Department of Correctional Services awarded a multimillion rand catering contract to a 'controversial facilities management company Bosasa Operations.' Bosasa will 'provide thousands of prisoners in 31 of South Africa's largest prisons with food' for the next three years at a cost of approximately R280 million annually. In the past five years, the DSC has awarded contracts to the tune of R2.5 billion to Bosasa. Bosasa was awarded the contracts despite the fact that the Special Investigations Unit had just raided their offices in a 'massive tender-fraud investigation.' Reported by Adriaan Basson, 23 January 2009, Mail and Guardian, at <http://www.mg.co.za/article/2009-01-23-kitchen-confidential>

DCS press conference on catering tender cancelled: Following allegations of irregularities in the awarding of a tender to the Bosasa company for catering services at a number of prisons, the DCS placed advertisements in the national Sunday newspapers reacting to the allegations. The DCS arranged a press conference in response to the allegations but cancelled it at the last minute as minister Balfour had to attend to "urgent matters" in Cape Town. Reported by Carien Du Plessis, 27 January 2009, Die Burger at http://152.111.1.87/argief/berigte/dieburger/2009/01/27/SK/2/polcdbosasa_1758.html

Newspaper alleges corruption in prisons catering contracts: As a response to the Minister of Correctional Services' 'expensive advertisements in three national newspapers, urging anyone with proof of impropriety in the awarding of prisons' contracts to inform South Africa's law enforcement agencies' the Mail and Guardian published an article in which it claimed that it had 'proof' which suggests 'a highly improper relationship between the department and controversial facilities management group Bosasa' which was awarded the catering contracts. The newspaper reported that Bosasa 'had confidential documents leaked to it by the department's former chief financial officer and Balfour confidant Patrick Gillingham; had access to tender documents for major prison projects before they were advertised; and spied on senior correctional services officials during a 2006 workshop.' Reported by Adriaan Basson, 30 January 2009, Mail and Guardian, at <http://www.mg.co.za/article/2009-01-30-heres-the-proof-minister>

UNSENTENCED PRISONERS

[Top of Page](#)

Thousands of awaiting trial prisoners to be granted bail: The Office for Criminal Justice System Reform (OCJSR) established that about 10 000 awaiting trial prisoners had been granted bail, but could not afford to pay, mostly because of poverty. Justice and Constitutional Development spokesperson, Mr. Zolile Nqayi, said the bail re-assessments being carried out applied mainly to inmates granted bail of less than R1 000, who were accused of minor charges and who had not made bail 'simply because they are poor'. He emphasised that charges were not being dropped against these detainees, whose court proceedings would proceed and who could still be sentenced to prison terms. Reported by Sapa, 5 December 2008, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20081205161711551C276398 see also http://www.theherald.co.za/herald/news/n01_03122008.htm

Rights body called on South Africans to attend bail applications: The civil rights organisation, AfriForum, called upon South Africans to attend bail applications of alleged criminals. Head of Community Safety at AfriForum, Nantes Kelder, said that 'the court always bears the community in mind when applications for bail are considered, as well as how the community will be influenced if the applications were to be granted.' Nantes added that 'therefore it is important that communities which are afflicted by crime should start attending court cases in order to portray the sentiments of the community.' He stated further that people affected by violent robberies should not sit back 'under the impression that all the perpetrators are behind bars.' Reported by Sapa, 5 December 2008, The Citizen, at <http://www.thecitizen.co.za/index/article.aspx?pDesc=84733,1,22>

Prosecutor calls Correctional Services to find out whether prisoner is at dentist: A prosecutor at the Nelspruit Regional Court, Ms Elize du Plessis, called the Department of Correctional Services to find out whether a prisoner, Mr. Vusi Mathebula, who was convicted of rape, armed robbery and attempted armed robbery was at the dentist before the Court could impose a sentence on him. Ms du Plessis said she 'had to phone Correctional Services to confirm that he was at the dentist ? and had dental problems.' Reported by Thobile Mlangeni, 1 January 2009, News24, at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2451054,00.html

Awaiting trial prisoner denied bail for her own safety: An Atteridgeville Magistrate, Pierre Lourens, said that he could not grant bail to accused Sarah Malatji, who allegedly murdered one of the residents of Laudium, for her own protection. In denying Ms Malatji bail, the Magistrate said he was certain that there is a 'very real threat that if the Laudium community get hold of you, you won't survive.' Reported by Hanti Otto, 9 January 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090109063313625C829342

Judicial officials discuss early release of prisoners: The judiciary was grappling with how to ensure that justice was served timeously. KwaZulu-Natal judge president, Vuka Tshabalala, said that the judiciary was pondering over the questions of whether they should adopt a system of release for prisoners whose offences are not that serious as they see the need to ensure that prisons were not overcrowded. He was speaking at a seminar in Durban to discuss case flow management, attended by members of the South African judiciary and an American guest speaker, Judge Andre Davis, US District Court Judge for Maryland. In his address, Tshabalala, said: 'Our jails are clogged, and we ask ourselves these questions: should we build more? Should we adopt a system of release for prisoners whose offences are not that serious?' Reported by Vivian Attwood, 22 January 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090122110000771C585168

Cases postponed due to the water crisis: Chief Magistrate Cheryl Loots of the Randburg Regional Court confirmed that criminal cases had been postponed because the water supply to the court had been cut off. Some lawyers alleged that the magistrates have postponed these cases because they did not want to work in the poor conditions. The conditions in the holding cells were reportedly also 'unhygienic'. Reported by Julian Rademeyer, 29 January 2009, Beeld, at http://www.news24.com/Beeld/Suid-Afrika/0,,3-975_2461326,00.html

[Top of Page](#)

Harsher penalties not effective in crime prevention: While reacting to the statement by the Deputy President of South Africa, Baleka Mbete, 'that the government can no longer afford to sit and pontificate when faced with unacceptable levels of violent and organised crime', Business Day wrote that if the government is to fight and prevent crime effectively, it has to understand that harsher penalties are not the solution. 'The most efficient justice system and harshest punishments in the world are useless as deterrents if criminals know they are unlikely to be caught, yet ANC leaders continue to call for ever harsher penalties and demand that the rights of those accused of crimes be limited.' Reported by Business Day, 3 December 2008, at <http://www.businessday.co.za/articles/dailymailer.aspx?ID=BD4A897384>

Life imprisonment prisoner launches a second application in the Pretoria High Court for parole:

Mr. Clive Derby-Lewis, who is serving a life sentence for the murder of South African Communist Party leader, Chris Hani, launched a second application in the Pretoria High Court to be released on parole and to declare certain sections of the Correctional Services Act unconstitutional. In October 2008, Mr. Derby-Lewis urgently applied to the Pretoria High Court asking for parole. He argued that, in terms of chapter 7 of the Correctional Services Act, he was eligible for parole after having served 15 years as he was older than 65. However, the National Council for Correctional Services also came to court and argued that because Mr. Derby-Lewis was sentenced before Chapter 7 came into effect, he fell under the transitional provisions set out in section 136 of the act. The case was postponed so Mr. Derby-Lewis's lawyers could supplement their court papers, but instead of waiting for the postponed date, Mr. Derby-Lewis launched a second application. Reported by Franny Rabkin, 4 December 2008, Business Day, at <http://www.businessday.co.za/articles/topstories.aspx?ID=BD4A898264>

Prisoner takes Correctional Services Minister to court over parole: The Minister of Correctional Services, Ngconde Balfour, was taken to court by Mr. Butana Almond Nofemela, serving a prison sentence for murder, after his application for parole took long to be decided. The Pretoria High Court ordered the Minister to make a decision within 10 days whether Mr. Nofemela was to be released on parole. Reported by Louise Flanagan, 5 December 2008, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20081205052146173C182608

Government to encourage the release of prisoners on warning to reduce overcrowding: Mr. Themba Maseko, spokesperson for the Department of Correctional Services, said that 'government wants to encourage the release of prisoners who hold no danger to society to alleviate overcrowding in prisons.' This was in reaction to the Cabinet decision that prisoners may be released on warning instead of parole. The decision is to the effect that 'any head of prison will be able to apply for the release of a prisoner on warning if not opposed by the Directorate of Public Prosecutions.' Mr. Maseko said that 'the protocol has been in place for a long time, but rarely used.' Reported by Philda Essop, 5 December 2008, Die Burger, at <http://www.dieburger.com/Stories/News/19.0.1139610843.aspx>

Family of South Africa's slain politician to have a say whether his assassin should be paroled: The National Council on Correctional Services and the family of former Communist Party leader Chris Hani were added as a parties in the parole application of Clive Derby-Lewis who assassinated him. Mr. Derby-Lewis's lawyer, Mr. Marius Coertze, said a preliminary hearing date was set for 10 March when a full Bench will hear the application. According to Coertze, a full Bench will hear the case because a constitutional issue is at stake. Reported by Hilda Fourie, 9 December 2009, Beeld, at http://www.news24.com/Beeld/Suid-Afrika/0,,3-975_2439782,00.html

Man paroled to apply for bail for another crime: Mr. Clint Kramer, a member of the 'blue light gang', successfully applied for parole in order to apply for bail during his next court appearance for another crime. The successful parole application would enable Mr. Kramer to apply for bail when he appeared in Court in January on murder charges. Reported by Legal Brief, 10 December 2008, at <http://www.legalbrief.co.za/article.php?story=20081210053139982>

High profile prisoners not to be pardoned: An estimated 105 of the 2300 applicants for presidential pardons related to political violence are set to be released in February but apartheid hit-squad killer, Mr. Eugene de Kock and one of the killers of Chris Hani, Mr. Clive Derby-Lewis, are not among them. Mr. De Kock and Mr. Derby-Lewis were automatically disqualified because they were refused amnesty by the Truth and Reconciliation Commission (TRC). Local leaders have begun a process to prepare the community for those who have been released. Reported Paddy Harper, 27 December 2008, The Times, at <http://www.thetimes.co.za/PrintEdition/Article.aspx?id=910388>

Imprisoning more people does not reduce crime, analysts: Mr. Prince Mashele, head of the Crime, Justice and Politics Programme at the Institute for Security Studies (ISS) said that he was concerned at the remarks by the ANC President, Mr. Jacob Zuma, that murder and rape suspects should not be granted bail. Mr. Mashele said that although South Africa 'had unacceptably high crime rates, it boasted the world's

seventh-highest number of prisoners, at about 166 000, and had increased the number of police officers from 120 000 in 2001 to 170 000 last year.' In research carried out on behalf of the ISS, Mr. Lukas Muntingh, of the Civil Society Prison Reform Initiative, indicated that 'statistics comparing violent crime and imprisonment between 2003 and last year found that violent crime remained stable despite a 45% drop in sentenced admissions, from 178 569 in 2003 to 94 566 in 2007/8.' Reported by Chantelle Benjamin, Business Day, 12 January 2009, at <http://www.businessday.co.za/articles/economy.aspx?ID=BD4A916547>

ELECTIONS 2009

[Top of Page](#)

Prisoners complain about voter education: The President of South African Prisoners' Organisation for Human Rights (Sapohr), Mr. Golden Miles Bhudu, who is serving an eight year prison term in Johannesburg Prison reportedly said that the Independent Electoral Commission 'has failed to conduct voter education in prisons.' Mr. Bhudu said that he was 'concerned that the offenders will be denied the important right to vote. We have discovered that many offenders do not even have identity documents and no one is doing anything to ensure that they get them.' Reported by Sapa, 15 January 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=6&art_id=nw20090115132712950C473401

Law-abiding citizens should be given priority over prisoners in voter registration, DA: The Democratic Alliance, South Africa's opposition party, criticised the Independent Electoral Commission for rolling 'out the red carpet for South Africa's prisoners, while simultaneously ignoring the urgent need to launch registration drives at schools and universities.' The DA added that 'we believe that this programme is evidence of hopelessly skewed priorities. All available resources must be focused on ensuring that law-abiding citizens, ranging from a focus on schools and universities, to old-age homes are given every chance to register to vote and the needs of these citizens must out of necessity take precedence over the rights of prisoners.' Press statement issued by DA MP, James Selfe, 18 January 2009, at <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=114736&sn=Detail>

Former President cites prisoners' right to vote to call for nationals abroad to be allowed to vote: Former South African President, FW de Klerk, called upon the Independent Electoral Commission to allow South Africans living abroad to vote in the forthcoming elections. In order to support his call, Mr. de Klerk reportedly said that 'prisoners in South Africa have this right but somehow South Africans working and staying overseas are denied the constitutionally guaranteed right to vote.' Reported by Sapa, 22 January 2008, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090122172602259C631935

HEALTH

[Top of Page](#)

Human rights organisation takes Correctional Services Minister to Court over records of a prisoner who died of AIDS: The Treatment Action Campaign (TAC), a South African based non-governmental organisation advocating for the rights of people living with HIV/AIDS, took the Correctional Services Minister, Ngconde Balfour, to the Pretoria High Court for the Court to order him to release the medical records of a prisoner (known as MM) who died of AIDS. TAC alleges that the prisoner's death could have been caused by the DCS's delay to put him on medication. Reported by Sapa, 29 January 2009, The Citizen, at <http://www.citizen.co.za/index/article.aspx?pDesc=87569,1,22> see also http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2461582,00.html

SECURITY AND ESCAPES

[Top of Page](#)

Escapee arrested after 11 years on the run: After escaping from Pretoria Central Prison 11 years ago, Mr. Kalla Abdul Kafoor was to be extradited to South Africa to face charges of narcotics manufacturing. Mr.

Kafoor was arrested in Lichtenburg in 1996 but he escaped with five others in December 1997 after hijacking a car on the prison grounds. His arrest followed detection by India's Central Bureau of Intelligence (CBI) in October 2008 at Mumbai's Sahar Airport. The South African Police Service said that they were very happy that Mr. Kafoor had been arrested. Reported by Sapa, 2 December 2008, The Citizen, at <http://www.citizen.co.za/index/article.aspx?pDesc=84415,1,22>

Notorious escapee to appear in court in February 2009: Mr. Ananias Mathe, who made headlines for escaping from Pretoria's C-Max prison, will appear in the Johannesburg High Court on 16 February 2009. Mr. Mathe is facing 77 charges, including rape, attempted murder, cruelty to animals and housebreaking. Reported by Sapa, 5 December 2008, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20081205150631856C504473

Reporters allowed to visit prison and see confiscated contraband: Although 'the Department of Correctional Services is very cagey about allowing reporters into prisons, citing security concerns' it allowed a Sowetan reporter to visit the Johannesburg Maximum Prison, commonly known as Sun City. During the visit, the reporter was shown contraband that officials had confiscated from prisoners during routine searches. Reported by Tebogo Monama, 12 December 2008, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=903702>

OTHER

[Top of Page](#)

Parliament suggests prison labour: The Portfolio Committee on Correctional Services recommended that prisons return to the pre-1994 regime of labour for prisoners. After its visits to Brandfort and Grootvlei prisons in Free State, the Committee said it was appalled to see idle prisoners spending all day in overcrowded cells. The idea of putting prisoners to work was strongly promoted when Democratic Alliance MP James Selfe released a policy paper entitled Prisons Work Where Prisoners Work. Mr. Selfe said he was delighted with the recommendation by the Committee and wholeheartedly supported it. He agreed it would substantially improve the chances of rehabilitation for prisoners. Reported by Wyndham Hartley, December 2008, Business Day, at <http://www.businessday.co.za/Articles/TarkArticle.aspx?ID=3440950>

Prisoners fight 'unlawful' transfer: Ten prisoners from the Western Cape were reluctantly transferred to the Mangaung maximum security prison in the Free State. The prisoners asked the court to declare their transfer unlawful on the grounds that they were not told ahead of time that they were going to be transferred, and were not given a chance to make representations on the transfer. The prisoners' advocate, Mr. William Fisher, told Judge Burton Fourie that, among other things, 'Their transfer meant they were effectively cut off from their families, which were their only link to a normal life.' Reported by Sapa, 27 November 2008, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20081127140337112C874899

Court dismisses prisoners' application protesting transfer: Judge Burton Fourie of the Cape High Court rejected an application by ten long-term prisoners to overturn their transfer to Mangaung maximum security prison near Bloemfontein. The Department of Correctional Services said that the men were moved to Mangaung several years ago for security reasons. The prisoners claimed in court papers that the Department had violated their right to procedurally fair administrative action by not consulting them beforehand. However, in dismissing their application, Judge Fourie said that it was clear the men were high security risk prisoners, convicted of "the most brutal of offences". Reported by Sapa, 9 December 2008, News24, at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2439654,00.html

Department of Correctional Services to introduce yoga programmes in prisons: Art of Living, an organisation that conducts yoga training enrolled several inmates at Groenpunt Maximum Security prison in the Free State and Ms Ansuya Khoosal, the trainer said that many prisoners had enjoyed the training and that others had learned how to control their emotions. Ms Khoosal added that the Department of Correctional Services would like to extend the programmes to other prisons within the country. Reported by Andrew Walker, 24 December 2008, BBC News, at <http://news.bbc.co.uk/2/hi/africa/7777912.stm>

Hostage takers demanded the release of prisoners before they could free South Africans: Yemeni tribesmen took hostage a South African woman and her two sons and demanded that they could only release them if 'one of their relatives who is imprisoned in Sana'a Central Prison for a criminal case' was released. However, the hostages were later released but the local tribesmen 'refused to further elaborate on the mechanism of releasing the tourists or the government's commitment toward the kidnappers' demands.'

Reported by Aqeel Al-Halali, 7 January 2009, Yemen Times, at <http://yementimes.com/article.shtml?i=1222&p=local&a=4>

OTHER AFRICAN COUNTRIES

[Top of Page](#)

Malawi

Prison officer confirms that prisoners spent three days without food: Prisoners at Maula Prison in Lilongwe spent three days 'without eating because there was no food. Instead inmates were sleeping on green maize.' The Malawi Prisons Services Spokesperson, Mr. Tobias Nowa, confirmed the development but blamed it on Maula prison authorities whom he said 'caused the near-hunger because they did not report to the relevant authorities to take action when they realised that the maize flour was running short.' Reported by Emelyn Nyoni, 11 December 2008, Nyasa Times, at <http://www.nyasatimes.com/national/2116.html>

Over 300 prisoners pardoned: A total of 333 prisoners were been pardoned by President Bingu wa Mutharika as a gesture of goodwill over Christmas. In a statement from the Home Affairs and Internal Security Ministry President Mutharika said 'the prisoners should be released on Christmas Day.' The statement also said that those set free included prisoners who had served at least half their sentences, had demonstrated good behaviour and had not been convicted of serious offences. Reported by Sapa-AFP, 24 December 2008, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=84&art_id=nw20081224182709423C679374

Government needs to invest in rehabilitation programmes, Prisons chief: The Malawi Commissioner of Prisons, Mr. McDonald Chawona, said that there 'was an urgent need for government, the public sector and non-governmental organizations (NGOs) to invest massively towards the rehabilitation of the prison system in the country.' Mr. Chawona made the remarks when thanking the European Union for donating carpentry worth over K10 million to Zomba Central Prison as part of the Rule of Law Project. Reported by Praise Liomba, 25 December, 2008, Nyasa Times, at <http://www.nyasatimes.com/national/2228.html>

Former Minister denied Presidential pardon: Mr. Sam Mpasu, Malawi's former Education Minister and Speaker of Parliament, who is serving a five year prison term for abuse of office, 'was denied presidential pardon on Christmas by President Bingu wa Mutharika who reportedly stroke off his name from list of prisoners shortlisted for clemency.' The President pardoned over 300 prisoners before the Christmas holidays and Mr. Mpasu's 'health was also considered not to be sound to remain in the jails whose conditions are degrading, inhuman and life threatening.' Reported by Charles Kufa, 26 December 2008, Nyasa Times, at <http://www.nyasatimes.com/national/2236.html>

HIV positive prisoners 'living at the mercy of God' as they lack food: Mr. Robert Sambakunsi, the Assistant Commissioner of Prisons said that 'inmates with TB and HIV at the prison are living at the mercy of God as they can no longer have enough and nutritious food.' This followed 'government's failure to release the approved monthly allocation to the prison to purchase maize and other food stuffs for the inmates.' Reported by Emelyn Nyoni, 24 January 2009, Nyasa Times, at <http://www.nyasatimes.com/national/2494.html>

Zimbabwe

Zimbabwean rights activist allegedly being poisoned and tortured in custody: Allegations were made that Zimbabwean human rights activist, Ms Jestina Mukoko, who was in solitary confinement at the Chikurubi Maximum Security prison, was being force fed drugs by prison personnel. The report also stated that Ms Mukoko who is charged with plotting to overthrow President Robert Mugabe, was traumatised and could not consult with her lawyer without the presence of security officers. Ms Mukoko's lawyer, Beatrice Mtetwa, called for a toxicology report to support the allegations that her client had been poisoned. Reported by AFP, 4 January 2009, The Times, <http://www.thetimes.co.za/News/Article.aspx?id=912131>

Manhunt for seven inmates: Seven dangerous inmates escaped from Masvingo Remand Prison. The escapees were facing cases ranging from carjacking to armed robbery. There were allegations that the warders could have helped the prisoners to escape. However, one of the inmates was arrested soon after the escape. Some of the escapees were believed to have skipped the border into neighbouring South Africa. Inspector Phibeon Nyambo, warned that the escapees were dangerous and urged 'people to be very careful

when dealing with them.' Reported by Owen Chikari, The Zimbabwe Times, 12 January 2009, <http://www.thezimbabwetimes.com/?p=9779>

Prisoners allegedly starving: A United States based human rights organisation, Physicians for Human Rights, released a report which showed that there were serious food shortages in Zimbabwe and that the government used food as a weapon against the supporters of the opposition. One of the people interviewed during the compilation of the report said that the food crises had affected prisons severely to the extent that 'there is starvation in prisons.' Report by Physicians for Human Rights, 13 January 2009, at <http://www.swradioafrica.com/pages/physiciansreport130109.htm>

Human rights activist in solitary confinement: The Director of Zimbabwe Project Peace, Ms Jestina Mukoko, who is on trial for allegedly recruiting people for an armed insurgency to topple President Robert Mugabe, was 'being held in solitary confinement in Harare's Chikurubi maximum security prison.' Prison authorities said that she was 'being held in a section reserved for hardcore criminals.' Reported by Moses Mudzwiti, 15 January 2009, The Times, at <http://www.thetimes.co.za/SpecialReports/Zimbabwe/Article.aspx?id=918566>

Parliament learns about poor conditions and cholera bodies in prisons: One of the Members of Parliament in Zimbabwe informed Parliament that one of his colleagues visited a prison and observed that the medical facilities were poor and that several prisoners had died of cholera. He said that a 'colleague ? said he had just visited a relative in the local prison. He detailed conditions in both the remand section and in the main prison itself. Hundreds of prisoners ill with cholera, little or no treatment available, dead bodies left in the cells for days and food rations down to 25 per cent of "normal".' Reported by Eddie Cross, 24 January 2009, The Zimbabwean, at <http://www.easimail.co.za/Home/link.asp?id=12498&hash=6bd0e5> see also http://www.radiovop.com/index.php?option=com_content&task=view&id=4534&Itemid=755 see also http://www.thezimbabwean.co.uk/index.php?option=com_content&task=view&id=17972&Itemid=106

Uganda

Prisons running out of food and uniforms: Mr. Matia Kasaija, the State Minister for Internal Affairs, told the Defence and Internal Affairs committee that 'if the situation is not checked, a crisis is bound to happen' as prisons are running out of food. The State Minister added that the Finance Ministry had not responded to their calls to provide money to buy food and uniforms. He said that 'we have written to and talked with the Minister of Finance but nothing has been done.' Reported by Mary Karugaba, 4 December 2008, The New Vision, at <http://www.newvision.co.ug/D/8/13/662855>

Uganda prisons to fight for its land: While appearing before the Parliamentary Public Accounts Committee, the Uganda Prisons Accounting Officer, Mr. Simon Kimono, said that 'no amount of pressure will force Luzira Prison to relocate without compensation.' The prison authorities' determination to fight for their land was 'amid pressure from the government and investors to relocate the prison facility.' Reported by Yasiin Mugerwa, 11 December 2008, Daily Monitor, at http://www.monitor.co.ug/artman/publish/news/Prisons_officials_vow_to_fight_for_Luzira_land_76613.shtml

Prisons chief warns warders against desertion: The Commissioner General of the Uganda Prisons Service, Dr Johnson Byabashaija, warned that 'prison officers, who desert their duties before completing their contracts risk imprisonment.' The Commissioner General said that he has no 'problems with staff movement in search for better remuneration. That is why I have been discharging staff who have requested to resign officially. But deserting duty is criminal and any body arrested will be prosecuted.' Reported by Ephraim Kasozi, 18 December 2008, Daily Monitor, at http://www.monitor.co.ug/artman/publish/news/Deserting_prison_officers_risk_imprisonment_77026.shtml

Hundreds of prison warders trained in human rights: The Commissioner General of Prisons, Dr. Johnson Byabashaija, said that in 2008 'Uganda Prisons ? trained more than 800 officers of the former local administration prisons in observing the rights of prisoners, a move ? that was meant to transform the Uganda Prisons Service from a punitive institution to a correctional service sector.' Dr Byabashaija added that 'the training, which was facilitated by human rights activists and senior prisons staff, was conducted in three separate sessions and meant to change the way prisons officers handle prisoners.' Reported by Ephraim Kasozi, 23 December 2008, Daily Monitor, at http://www.monitor.co.ug/artman/publish/news/Prison_warders_get_human_rights_training_77274.shtml

Prison warders confused after the death penalty ruling: The Supreme Court of Uganda ruled that the death penalty was lawful but that 'prisoners, who have stayed on death row for more than three years, after exhausting all appeals, should not be executed but imprisoned for life.' This ruling 'confused prison officials.' It was reported that 'Dr Johnson Byabashaija, the commissioner general of Uganda Prisons, said the

government needs to clarify if the Wednesday decision, arising from a petition by some 417 death row inmates to have the court quash the death sentence, would apply retrospectively.' Reported by Tabu Butagira and others, 24 January 2009, Daily Monitor, at

http://www.monitor.co.ug/artman/publish/news/Death_penalty_ruling_puzzles_prison_bosses_78725.shtml

High profile prisoner narrates his experience on death row for 24 years: Mr. Chris Rwakasisi, the former Security Minister, told the media that during his 24 years on death row, 'he saw several death row inmates being taken to the gallows - an experience that always sent chills down his spine as he waited to learn about his own fate.' Mr. Rwakasisi said that he knew some of the people who were executed and that some of them were his cellmates. He added that 'the executions are not only dreaded by the victims but by all the inmates and even the staff. I think it affects all those involved right from the Commissioner to the executioner.' Reported by Lulu Jemimah, 24 January 2009, Daily Monitor, at

http://www.monitor.co.ug/artman/publish/news/Rwakasisi_My_life_in_prison_78726.shtml

Death row inmate repents and asks for Presidential pardon: Ms Susan Kigula, who is on death row for murder requested the Ugandan President to pardon her because she has repented. Ms Kigula told the media that 'I am praying so hard that the President pardons me. I have repented. Right now the Susan you see is a changed person.' Reported by Lydia Mukisa, 30 January 2009, Daily Monitor, at

http://www.monitor.co.ug/artman/publish/news/Kigula_pleads_for_President_s_mercy_79020.shtml

The Gambia

Britons weep as court sentences them to one year prison sentence with hard labour: A judge in The Gambia sentenced two British missionaries to a year in prison with hard labour for sedition. Reportedly, 'the missionaries, David and Fiona Fulton, broke down and wept as they were sentenced to a year's hard labour in jail after pleading guilty to charges of sedition.' Reported by Jonathan Brown, 4 January 2009, IOL, at

http://www.iol.co.za/index.php?click_id=68&art_id=vn20090104082009203C957687&set_id see also <http://www.bosnewslife.com/4783-breaking-news-the-gambia-sentences-british-missionaries-to-hard-labor-prison>

Eritrea

Journalists imprisoned without charge: The Committee to Protect Journalists released a report in which it indicated that 23 journalists remained jailed in connection with their work in Sub-Saharan Africa, two-thirds held without charge. Eritrea was the fourth highest jailer of journalists worldwide behind China, Cuba and Burma, and held thirteen journalists. The survey found more Internet journalists jailed worldwide today than journalists working in any other medium. Reported on 4 December 2008, Tadias, at

<http://www.tadias.com/2008/12/05/more-than-two-thirds-of-african-journalists-detained-without-charge/>

Prisoners allegedly tortured to death: Approximately 3,000 Christians are allegedly imprisoned in Eritrea because of their faith and at least two of them died recently 'after a long period of torture in a notorious military prison camp.' The deceased were identified as Mr. Mogos Hagos Kiflom and Mr. Mehari Gebreneguse Asgedom. The Christians are being detained at the Mitire Camp, which is located in north west Eritrea, which has been described by human rights activists as a 'new military concentration camp notorious for abuses.' Reported by Eric Leijenaar and Stefan J. Bos, 21 January 2009, BosNewslife, at

<http://www.bosnewslife.com/5278-news-alert-eritrea-christians-die-in-prison-camp-nearly-2000-detained>

Liberia

200 prisoners escape: The Liberian Justice Minister Philip Banks told journalist that 200 prisoners escaped from Monrovia Central Prison and that over twenty were injured while attempting to escape from the same prison. The prisoners had apparently warned prison guards that they would attempt to break out if they did not get a court date before Christmas. The Minister blamed the escapes on 'serious security lapses' and said that only the arrival of riot police, who fired into the air, prevented more prisoners escaping. Reported by Sapa-dpa, 3 December 2008, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=nw2008120311931712C249293

Mauritania

Human rights body alleges torture in prisons: Amnesty International released a report in which it alleged that torture was commonplace in Mauritanian prisons and that the prison conditions were poor. The human rights body alleged that various methods of torture such as sleep deprivation, cigarette burns, electric shocks and suspension from metal bars were being used. One of the people interviewed by Amnesty

International was a detainee accused of membership of a terrorist organisation who told the researchers that the 'security officers tortured him into coma.' He reportedly said that he was forced to bend double, his hands and legs were held and joined 'under the knees at the height of the shin. They tied them together with handcuffs, then placed an iron bar under his knees and suspended him from the ceiling and hit him with sticks and truncheons. He alleged that he regularly lost consciousness while in that position. Reported by Ebrimah Sillah, 3 December 2008, IPS News, at <http://www.ipsnews.net/africa/nota.asp?idnews=44962> see also <http://www.google.com/hostednews/afp/article/ALeqM5hYypK2Zhc5P65agt4sC2vokdctPA>

Mozambique

Man charged with the murder of prison director escapes: Mr. Custodio Luis de Jesus, one of those charged with the murder of the director of the Maputo Central Prison escaped from prison custody in the Maputo City Police Command. The police officers who were on duty when Mr. Luis de Jesus and two other prisoners escaped were detained for investigation as they were being suspected for having helped the accused to escape. Reported on 7 December 2008, at <http://allafrica.com/stories/200812080115.html>

Burundi

New Penal Code to outlaw torture and abolish the death penalty: Legislators in Burundi enacted a new Penal Code that outlaws torture and abolishes the death penalty. Human rights watch dog, Human Rights Watch welcomed the move and 'noted that it redefines torture and makes it a crime, carrying out Burundi obligations as a party to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.' However, HRW raised concern that the new law permit arbitrary detention. Reported by Irin News, 9 December 2008, at <http://www.irinnews.org/Report.aspx?ReportId=81885>

Angola

Armed Forces allegedly arbitrarily detain 14 civilians: Human Rights Watch urged the Angolan government to end torture and unfair trials in state security cases. The rights body alleged that fourteen civilians were arbitrarily detained and tortured in military custody on security charges in Cabinda. Human Rights Watch also alleged that most of those detained in Cabinda were held in an unofficial military detention centre, where they were tortured and held under inhumane conditions for months before being transferred to a civilian prison. Reported by Human Rights Watch, 10 December 2008, at <http://www.hrw.org/en/news/2008/12/05/angola-end-torture-and-unfair-trials-cabinda>

Côte d'Ivoire

Journalist detained for reporting deaths in prison riot: Mr. Ebenezer Viwami, the editor-in-chief of Alerte Info, was reportedly arrested after reporting on a riot that took place in a prison. Mr. Viwami's staff reported that he was arrested by the police in front of MACA prison where he was covering the prisoners' protest. Alerte Info staff also said that they had 'exhausted every means available to' them 'to get him released but no way. This is an arbitrary arrest and detention because Mr. Viwami was exercising a professional duty.' Mr. Viwami's online newspaper reported that three prisoners were shot dead during the riot whereas the government reported 'six slightly injured prisoners with no deaths recorded.' Reported on 20 December 2008, Mindanao Examiner, at http://www.mindanaoexaminer.com/news.php?news_id=20081219213539

Cameroon

International experts visit prisons: The International Bar Association at the request of the British High Commission sent a delegation of two human rights experts, Mr. Leonard Rubenstein, Executive Director of the US-based NGO Physicians for Human Rights and Mr. Jamil Mujuzi of the South African Civil Society Prison Reform Initiative, to Cameroon on a one-week mission to carry out a scoping study of torture in Cameroon. Part of the mission was for the delegation to visit four prisons in the cities of Yaoundé, Douala and Buea and give recommendations which was to be handed to the British High Commission and shared with the government of Cameroon. During their visit the delegation met with NGO representatives, judges, lawyers and government officials, including the Justice Minister, who is also Vice-Prime Minister in the Government of Cameroon. Published by the International Bar Association, January 2009, at http://www.ibanet.org/Human_Rights_Institute/Work_by_regions/Africa/Cameroon.aspx

Zambia

Parole system could be a solution to prison overcrowding: Columnist Kelvin Kachingwe wrote that the

introduction of the parole system in Zambia could be a solution to the country's overcrowded prisons. He indicates that the prisons were constructed to host 5,000 inmates but that they now accommodate 15,000 which have resulted in poor hygienic standards, amongst other problems. Mr. Kachingwe also indicates that the Minister of Home Affairs, Mr Kalombo Mwansa, is supportive of the parole system and said that it would reduce the number of minor offenders in prison. Column published on 15 December 2008, Times of Zambia, at <http://allafrica.com/stories/200812150092.html>

Mali

Prisoners transferred from UN Tribunal to Mali: The International Criminal Tribunal for Rwanda (ICTR) within a week transferred a total of nine genocide convicts to Mali where they are to serve their sentences. Mali constructed a prison in order to accommodate prisoners transferred from the ICTR. The transfer operations were reportedly 'undertaken in great secrecy for several days.' The ICTR spokesperson, Mr. Roland Amoussouga, said that 'nine other convicts still in the United Nations detention facilities in Arusha would be transferred soon to a country which would be selected by the president of the ICTR, Judge Dennis Byron.' Reported by Hirondelle News Agency, on 13 December 2008, at <http://www.ippmedia.com/ipp/guardian/2008/12/13/128076.html>

Nigeria

Prisoners to undergo training: The Director-General of Small and Medium Enterprises Development Agency of Nigeria (SMEDAN), Mr. Muhammad Nadada Umar, launched a training programme for inmates of Kaduna Open Prison. The Kaduna Open Prison is reportedly 'the only prison in West Africa that has no fence and plays host to inmates seconded from other prisons nationwide who have distinguished themselves in character and conduct. Among them are some who would soon complete their prison terms.' Reported on 19 December 2008, Business Day, at http://www.businessdayonline.com/index.php?option=com_content&view=article&id=1983:smedan-flags-off-entrepreneurship-programme-for-prisoners&catid=81:entrepreneur&Itemid=198

Government signs contract to build special prison for repatriated prisoners: In April 2008, the Nigerian government reportedly signed an agreement with Britain for the former to build special prisons that would accommodate the 1,600 Nigerians currently imprisoned in the UK to be transferred from Britain to serve their sentences in their home country. Reportedly, 'an inter-ministerial group is working to actualise the construction of state-of-the-art prisons to be located in Abeokuta, Ogun State and Ilorin, Kwara State. The facilities are reportedly being inspected by British officials preparatory to the eventual repatriation of the 1,600 Nigerian prisoners.' However, a Nigerian newspaper, Financial Standard, has criticised the move arguing that the government should also improve prison conditions countrywide. Reported by Financial Standard, at http://www.financialstandardnews.com/home_newsdetail.asp?id=398363819097222

Prisons law to be amended to reduce awaiting trial prisoners: The Chairman of the House of Representatives Committee on Human Rights, Rep Beni Lar, said that the Prisons Act was in the process of being amended to reduce 'decongestion' and 'ensure that you don't stay in prison if you don't have business being there. For instance if your court doesn't sit for four or five years.' Rep Lar also commended the Federal Ministry of Justice for hiring private contractors to visit all prisons and ensure that inmates who were denied bail for flimsy reasons were granted bail. Reported by Francis Okeke, 14 January 2009, Daily Trust, at <http://allafrica.com/stories/200901150984.html>

Sierra Leone

Eleven death row prisoners acquitted after appeal: The Court of Appeal in Freetown allowed the appeal against the death penalty by 10 members of the former armed opposition groups, the Armed Forces Revolutionary Council (AFRC) and the Revolutionary United Front (RUF), and one civilian, related to an armed attack on the armoury in an apparent attempt to overthrow the government of President Kabbah. The Director of Amnesty International in Sierra Leone, Brima Sheriff, said the acquittal of the 10 prisoners was phenomenal and that it was first time in the history of Sierra Leone that death row inmates had 'won their appeal and released especially for the conviction of treason.' Reported by Mohamed Fofanah, IPS News, 12 December 2008, at <http://www.ipsnews.net/news.asp?idnews=45088>

First Lady visits female prisoners: Sia Nyama Koroma, the First Lady of the Republic of Sierra Leone, paid a visit to the Maximum Security Pademba Road Prisons on Christmas Eve of 2008. According to prison authorities, it was the first time that any First Lady of the Republic had paid a visit to prisoners. According to First Lady Sia Koroma, she decided to pay a visit to the women in prison after she received beautifully designed traditional gara tie-dyed material gift sent to her by female inmates who were congratulating her for the laudable work she was doing for the women and children of Sierra Leone since she assumed office as First Lady. According to a Release from the State House Press Secretariat, the First Lady told the inmates,

'being in prison doesn't mean that you can't change your life.' Reported by Sylvia O. Blyden, 6 January 2009, Awareness Times, at http://www.news.sl/drwebsite/publish/article_200510822.shtml

Botswana

Prisoner to appeal against his death sentence: Mr. Gerald Dube, a Zimbabwean national who was sentenced to death by a High Court judge in Botswana for the murder of his cousin Patricia Majoko and her two children and their maid, was to launch a fresh appeal during the Court of Appeal session to have the death sentence overturned. If Mr. Dube's appeal is dismissed he could be executed as President Ian Khama recently said 'that he strongly believes in the death penalty.' Reported by Floyd Nkomo, 14 December 2008, The Zimbabwean Guardian, at <http://talkzimbabwe.com/news/117/ARTICLE/3926/2008-12-14.html>

Rwanda

Hundreds of prisoners paroled: At least 649 prisoners were granted parole after serving a quarter of their sentences for showing good behaviour. The paroled prisoners were not given full amnesty, which means that they were still prisoners and their release would be under strict supervision. The granting of parole to the over 600 prisoners reportedly serves as an incentive for the more than 2000 applicants who did not qualify for parole this time round. Column published on 27 December 2008, The New Times, at <http://allafrica.com/stories/200812290115.html>

Sudan

Opposition politicians detained in 'inappropriate conditions': Amnesty International said that Sudan's opposition politicians, Hassan Al-Turabi and Dr. Bashir Adam Rahama, were being detained at Kober prison, Sudan's main prison, in 'inappropriate conditions.' The rights body also alleged that Mr. Al-Turabi needed medical attention and a special diet which the government was unlikely to provide him in prison. Mr. Al-Turabi's family members were also allegedly denied access to him while in prison. Reported by ST, 16 January 2009, Sudan Tribune, at <http://www.sudantribune.com/spip.php?article29877>

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) 021-7979491

<http://www.communitylawcentre.org.za/cspri>

