



30 Days Dae Izinsuku

Project of the
Community Law Centre

CSPRI '30 Days/Dae/Izinsuku' June 2008

CSPRI '30 Days/Dae/Izinsuku' June
2008

In this Issue:

Awaiting trial prisoners

Prison overcrowding

Sentencing and parole

Regional cooperation

Prisoners' rights

Security and escapes

Rehabilitation

Governance and corruption

Other

Other African countries

Awaiting trial prisoners

[Top of Page](#)

Awaiting -trial prisoner objects to being moved to poorly equipped Pollsmoor prison's hospital:
Former Fidentia boss J Arthur Brown, who is under police guard at the Cape Town Medi-Clinic, was still

too ill to appear in court, his attorney told a Cape Town magistrate early in June. Scorpions prosecutor Bruce Morrison asked the magistrate to order Brown to be detained at Pollsmoor prison's hospital section, but Brown objected on the basis of lack of adequate services there. Brown alleged that Pollsmoor prison's hospital section lacks facilities for psychiatric treatment and that only one doctor is available for 4000 awaiting-trial prisoners. Reported on 3 June 2008, News 24 at

http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2333865,00.html

Inmates decline to apply for bail: The four men accused of gang-raping and murdering former Banyana Banyana soccer player Eudy Simelane, reportedly instructed their lawyers that they were no longer interested in applying for bail. The accused did not give reasons why they did not want to apply for bail. Reported by Dan Fuphe, 4 June 2008, Sowetan, at

<http://www.sowetan.co.za/News/Article.aspx?id=778590>

Prisoner should be transferred to prison hospital, District Surgeon: Cape Town district surgeon, Dr. Paul Theron, told the Cape Town Magistrate's Court that awaiting-trial prisoner, Mr. Arthur Brown, should be transferred from a private clinic to a prison hospital section. Mr. Brown was allegedly sexually assaulted by other prisoners in a police vehicle. Dr. Theron said that if the necessary arrangements were made at either Pollsmoor or Goodwood prisons, Mr. Brown could get the required treatment in the hospital section of either prison. Dr. Theron also added that Mr. Brown's private doctor could visit him in the prison hospital. Reported by Sapa, 7 June 2008, Legal Brief, at

<http://www.legalbrief.co.za/article.php?story=20080607185346894>

Awaiting-trial prisoner changes lawyer due to financial circumstances: Mr. Arthur Brown, who is awaiting trial for allegedly misappropriating huge sums of money that had been invested in the company of which he was the Chief Executive Officer, because of financial circumstances replaced his lawyer with a new one. Mr. Brown's new lawyer is Mr. Joe Weeber, who replaced Mr. William Booth. Reported on 10 June 2008, SABC News, at http://www.sabcnews.com/south_africa/crime1justice/0,2172,171223,00.html

Bail draft legislation addresses the problem of large numbers of awaiting trial prisoners: Draft legislation introducing changes to bail applications was tabled in Parliament. The Bill is intended to address the problem of the large and growing number of awaiting-trial prisoners, a primary cause of prison overcrowding in South Africa. The bill proposes, in part, that a separate inquiry should be held to determine the ability of the accused to pay the amount to be set for bail. Reported on 18 June 2008, Cape Times at <http://www.capetimes.co.za/?fSectionId=308&fArticleId=nw20080618160323749C510179> see also http://www.news24.com/News24/South_Africa/Politics/0,,2-7-12_2342859,00.html see also http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080624055050713C666095

Prisoners continue with hunger strike: Some 45 awaiting trial prisoners at the Kroonstad prison were continuing with their hunger strike, the Department of Correctional Services said. It was alleged that some prisoners had been awaiting trial for three to four years, while others had waited for two years and some for several months. Reported on 21 June 2008, The Sunday Times at

<http://www.thetimes.co.za/News/Article.aspx?id=788376> see also

http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080620161505638C394082 and http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080619112834864C340321

Inspecting Judge of Prisons welcomes proposed bail law: The newly appointed acting Inspecting Judge of Prisons, Judge Deon Van Zyl, reportedly said that there were 52,000 awaiting-trial inmates in South African prisons and that the Bill proposing to give magistrates powers to grant alternative bail conditions to suspects who cannot afford bail money could be instrumental in reducing the number of prisoners awaiting trial. Reported by Siyabonga Mkhwanazi, 23 June 2008, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20080623111028187C761233

State supports Brown in bid to be moved from Pollsmoor: Fidentia fraud accused Mr. Arthur Brown has the support of the State in his bid to be moved to another prison from Pollsmoor. Brown's attorney explained during a brief appearance in court that there was concern about Brown's health and safety at Pollsmoor prison because of "drug resistant viral infections" and inconsistency in the administration of medical treatment. Reported by Ella Smook, 24 June 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20080624114517292C345367

Department of Correctional Services refuses to transfer prisoner: The Western Cape Regional Commissioner, Mr. Lionel Adams, declined the application by Mr. Arthur Brown's lawyer to transfer him from Pollsmoor prison to Malmesbury Prison. Mr. Brown's lawyer, Joe Weeber, reportedly told the Cape Town regional court that he was worried about his client's health and safety in Pollsmoor Prison. In declining Mr. Brown's application, Mr. Adams said that Malmesbury Prison was reserved for sentenced prisoners and that Mr. Brown was still awaiting his trial. Reported by Siyabonga Kalipa, 28 June 2008, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20080628110809483C611822

Prison overcrowding

[Top of Page](#)

Poor police work keeps prisons overflowing: The recently appointed acting Inspecting Judge of Prisons, Judge Deon Van Zyl, said shoddy police investigations should not be allowed to infringe on people's rights by keeping them in custody for years without trial. There are more than 52 000 awaiting-trial detainees in prisons across the country. Reported by Siyabonga Mkhwanazi and Sapa, 21 June 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080621101249190C393777

Magistrates accused of contributing to overcrowding: The Chairperson of the Parliamentary Portfolio Committee on Correctional Services, Mr. Dennis Bloem, reportedly said that 'magistrates are worsening the problem of overcrowding in South African prisons because they are not using their

discretion to release awaiting-trial prisoners, some of whom spent years behind bars for petty offences.' Mr. Bloem added that magistrates should understand that they can use their discretionary power under the law to grant bail to petty offenders. The National Prosecuting Authority was also accused of contributing to prison overcrowding by unnecessarily postponing cases. However, the spokesperson of the National Prosecuting Authority, Mr. Tladi Tladi said reportedly said that there were many factors contributing to delays in court proceedings and that each case had to be assessed individually. Reported by Namhla Tshisela, 23 June 2008, Sowetan at <http://www.sowetan.co.za/News/Article.aspx?id=788969>

Sentencing and parole

[Top of Page](#)

Prisoner's sentence increased: The Supreme Court of Appeal increased Mr. Flippie Venter's 10-year prison sentence for murder to 18 years imprisonment. Mr. Venter was convicted of murder and sentenced to 10 years by the Circuit Court on the grounds that the murders were committed under the influence of alcohol. However, the state appealed against the sentence arguing that it was too lenient. The Supreme Court of Appeal held that the sentence of 18 years imprisonment was meant to be retributive and deterrent. Reported by Sapa, 30 May 2008, Legal Brief, at <http://www.legalbrief.co.za/article.php?story=20080530142545416>

Sick prisoner should be placed on correctional supervision, prisoners' rights activist: The President of South African Prisoners Organisation for Human Rights, Mr. Golden Miles Bhudu, reportedly said that Mr. Schabir Shaik, who is serving a prison term for fraud, should be placed on correctional supervision because his health was deteriorating although he was getting the necessary medical attention. Mr. Bhudu also added imprisonment hindered rehabilitation. Reported by Sapa, 30 May 2008, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080530141438514C142386

Judge waits for psychologist's report before imposing sentence on inmate: Judge Jean Neppen of the Grahamstown High Court postponed the sentencing of Zuko Alby Njobe, whom he convicted of murder, until the psychologist's report evaluating his mental status was produced in court. The postponement followed Njobe's lawyer, Mr. Frans Smit, applying to the Court that his client should only be sentenced after he had been assessed by a psychologist. Reported by Sapa, 2 June 2008, Daily Dispatch, at <http://www.dispatch.co.za/article.aspx?id=208198> see also <http://www.legalbrief.co.za/article.php?story=2008060213401013>

Long prison sentences not a solution to crime, research: In a study that was published in SA Crime Quarterly, it is argued that research has shown that long prison terms in South Africa have not been effective in reducing the crime rate. The study also argues that more than half of the prison population in South Africa are serving 10-year and longer prison terms. It is suggested that if overcrowding is to be

addressed in prisons, community-based punishments should be emphasised. Reported by Courtney Brooks, 3 June 2008, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=124&art_id=vn20080603054722528C159620

Parolee accused of prostituting young girls: A Durban man, who had just been released on parole for drug-trafficking, was arrested on allegations of prostituting young girls. Police spokesman Superintendent Muzi Mngomezulu said the man was allegedly "organising female children from the ages of eight to about 12 and handing them over to buyers for sexual interests". Reported by Sapa, 9 June 2008, Witness, at [http://www.witness.co.za/?showcontent&global\[_id\]=8810](http://www.witness.co.za/?showcontent&global[_id]=8810)

Court orders Minister to release prisoners on parole: Pretoria High Court Judge, Eberhard Bertelsmann, ordered the Minister of Correctional Services to release three prisoners on parole. The prisoners were serving prison sentences for murder and argued before court that they qualified for release on parole because they had served a third of their sentences each. However, the Minister said that the Court had to clarify its order otherwise it had been phrased in a language that could be interpreted as ousting the Department's authority to impose parole conditions on prisoners. Reported by Zelda Venter, 11 June 2008, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080611060150695C971195 see also http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080610182843288C477140 see also http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080602055742415C517083

Children should only be sent to prison as a measure of last resort, retired judge: A former High Court judge in the Eastern Cape said that prisons were not conducive for the rehabilitation of children. He added that imprisonment of children should only be used as a measure of last resort because in prison children were exposed to drugs and could be sexually abused. The former judge also said that the Constitution provides that children should be protected but that this was not being done in prisons. Reported by Gareth Wilson and Derrick Spies, 12 June, 2008, The Herald, at http://www.theherald.co.za/herald/news/n02_12062008.htm

Leeuwkop Prison's youngest inmate's parole cancelled: Ma-eleven, a 14 year-old prisoner serving two separate (but concurrent) two-year sentences for theft, has had his parole cancelled after being caught up in a bloody fight with fellow inmates that ended in him cutting a boy with a razor blade. Reported on 20 June 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080620055113274C864198

More than 24 000 offenders under supervision disappeared: In a memorandum obtained by Die Burger, the Department of Correctional Services (DCS) reported that 24 221 parolees and probationers released under community corrections have absconded and that the DCS is not able to trace them. Offenders placed under community corrections are required to report to the DCS on a regular basis and are also under various degrees of house arrest. The memorandum also notes that in 2005/6 only 29% of absconders were traced although the target was tracing 36% of absconders. Lukas Muntingh of the Civil

Society Prison Reform Initiative (CSPRI) commented that this has been a persistent problem and that the Department blames staff shortages but has not adjusted its budget to address these shortages. Reported by Carien Du Plessis, Die Burger, 20 June 2008,

<http://152.111.1.251/argief/berigte/dieburger/2008/06/20/SK/2/cdkorrektiewetoestig.html>

Regional cooperation

[Top of Page](#)

African prisons bosses confer on reform: Administrative heads of correctional services and prisons in Africa gathered in Pretoria to establish common standards to rehabilitate offenders in line with various African Union (AU) conventions on human rights. Representatives from 12 countries, including Nigeria, Tanzania, Kenya, Benin, Cameroon and Rwanda, were supporting the initiative. Reported by Hopewell Radebe, 27 May 2008, Business Day at

<http://www.businessday.co.za/articles/article.aspx?ID=BD4A773658>

Government ministers address African prisons chiefs: Nine African Ministers of prisons were in South Africa to attend a two-day historic meeting organized by the African Correctional Services Association. The meeting focused on how prisons in African can work together to rehabilitate offenders. At the end of the meeting, the South African ministers of Defence and Home Affairs addressed the prisons chiefs. Press release by Department of Correctional Services, 30 May 2008, at

<http://www.info.gov.za/speeches/2008/08053010151001.htm>

Prisoners' rights

[Top of Page](#)

Allegedly raped prisoner sues Ministers of Safety and Security and Justice for R4.3 million: A 52 year-old man who was arrested when he went to fetch his charge sheet from the magistrate courts, alleges he was gang raped in a holding cell at the Witbank police station. A diabetic, the complainant was also prevented from obtaining his medicine while in custody. Reported by Liela Magnus, 5 June 2008, News 24 at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2335137,00.html

Judicial Inspectorate of Prisons issues damning report on prison conditions: Many South African prisoners are being housed in overcrowded and poorly equipped correctional facilities that undermine all

efforts at rehabilitation, according to the Judicial Inspectorate of Prison's Annual Report. The report notes that six prisons have no beds, forcing inmates - including children and awaiting-trial prisoners - to sleep on the floor. In other prisons, up to five adults share two beds that are pushed together. Other shortcomings and constitutional violations are highlighted in the report, but overcrowding appears to be the biggest challenge. Reported on 14 June 2008, IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080614085837868C533533

Former anti-apartheid activist recounts being gang raped while in prison: In his blog former chairperson of the Correctional Services Portfolio Committee, Mr. Carl Niehaus, recounts how a white prison warder, who apparently saw him as a traitor to his fellow Afrikaners, took him from his single cell in Diepkloof Prison in Pretoria and put him in another cell with 20 common law criminals. Niehaus, who was also ambassador to the Netherlands, said he could not remember precisely how many men had raped him, but he guessed it was more than 20. Reported by Staff Writer, 16 June 2008, IOL at

http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080616070006829C359475 . See also [http://www.witness.co.za/?showcontent&global\[_id\]=9226](http://www.witness.co.za/?showcontent&global[_id]=9226)

Legal action by male detainees allegedly raped in custody may be historic: New legislation passed in December 2007 has defined rape as a crime which can be perpetrated against men as well as women. Three separate cases relating to two adult men and one 15 year-old boy, who were raped while in custody or detention, may be historic in testing this new legislation. Reported by Sarah Hudleston, 17 June 2008, Business Day at <http://www.businessday.co.za/articles/national.aspx?ID=BD4A785631>

DCS responds to pressure to curtail prisoner privileges by removing televisions: The Department of Correctional Services Commissioner, Mr. Vernie Peterson, says he will order televisions be removed from all single cells. The decision follows MPs' concern about the "five star hotel" treatment allegedly being enjoyed by prisoners. However, Peterson warned against the dangers of withdrawing all inmates' privileges. "Some of these privileges are central to our rehabilitation programmes. The primary purpose of this tool should not be lost sight of" he said. Reported on 18 June 2008, News 24 at

<http://www.24.com/news/?p=tsa&i=946298> See also

http://www.sabcnews.co.za/south_africa/crime1justice/0,2172,171749,00.html

Contractor 'ignores prison food requirements': Despite millions of rands being spent on paying a private contractor, Bosasa, to provide food to prisoners the stipulated requirements were not being adhered to. According to the annual report of the Judicial Inspectorate of Prisons, prisoners in at least 22 prisons have to eat their meals without being supplied with proper utensils and are using old plastic ice-cream containers as plates and fashion a spoon out of a used phone-card. Furthermore, it is stated in the annual report that the eating utensils are not properly cleaned and are kept by prisoners in their cells which hold serious health risks. It is also reported that in three-quarters of the kitchens operated by Bosasa at a cost of R800 million per year that prisoners receive only breakfast and lunch and not three separate meals as is required by the legislation. The contract with Bosasa expires at the end of the month and DCS Commissioner, Vernie Petersen, said that this is being reviewed. DA spokesperson on prisons, James Selfe, said that he was against an extension of the contract with Bosasa. Reported by Carien Du

Plessis, Die Burger, 19 June 2008,
<http://152.111.1.251/argief/berigte/dieburger/2008/06/19/SK/6/cdtronke.html>

Security and escapes

[Top of Page](#)

Prisoners escape through van roof: Seven awaiting-trial prisoners escaped from a moving police truck after cutting through the roof and opening the door from the outside. The suspects were arrested last year for crimes ranging from rape to armed robbery. Meanwhile, three awaiting-trial prisoners escaped from Evander police cells by using their blankets and sheets to make a rope to climb into the cell ceiling to escape. Reported by Thabisile Khoza, 10 June 2008, News 24 at
http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2338200,00.html

Correctional Services Minister calls Mathe escape attempt a "small slip-up": Annanias Mathe, a highly-trained soldier, freed one of his hands from handcuffs and attacked a guard in his cell at Pretoria's C-Max high security prison. Mathe was back in his cell within minutes, according to officials. Mathe was the first person to escape from C-Max in 2006. Reported by Sapa, 10 June 2008, IOL at
http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080610154243246C400083

Department should strengthen security around dangerous criminals: The spokesperson of Police and Prison Workers Union, Mr. Benzi Soko, called on the Department of Correctional Services to tighten security measures around dangerous criminals. This was after Mr. Ananias Mathe, a notorious awaiting trial prisoner, attempted to escape from Pretoria C-Max Prison. Mr. Soko added that the Constitution obliges the Department of Correctional Services to ensure that it creates an environment which enables prisoners to serve their prison terms. Reported on 10 June 2008, SABC News, at
http://www.sabcnews.com/south_africa/crime1justice/0,2172,171221,00.html

Rehabilitation

[Top of Page](#)

Prison rehabilitation programme helps prisoners find personal redemption: "I appreciate the support I have received from college and prison officials. They have faith in people like me and believe we can change. This is very encouraging, especially when most people in society have turned their backs on

us," said one prisoner involved with the programme. The prisoners are studying for their Masters degrees in Theology through Teamwork Bible College. Reported by Doreen Premdev, 8 June 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=vn20080608091724323C267894

Governance and corruption

[Top of Page](#)

Prisoner's assets to be confiscated: The assets and interests of Mr. Schabir Shaik, who is serving a prison term for fraud, will be confiscated by the Asset Forfeiture Unit. The Deputy Director of Public Prosecutions, Mr. Billy Downer, said that it was a victory for his office that the Constitutional Court dismissed Mr. Shaik's application to prevent the Asset Forfeiture Unit from confiscating his assets. Mr. Downer said that the confiscated money will be deposited in a Crime Assets Recovery Account and be used to fight crime. Reported by Sapa, 29 May 2008, The Citizen, at <http://www.citizen.co.za/index/article.aspx?pDesc=66931,1,22> see also <http://www.mg.co.za/article/2008-05-29-constitutional-court-dismisses-shaiks-appeal>

Prisoners' rights activist awaits verdict on corruption charges: Mr. Golden Miles Bhudu, president of South Africa Prisoners Organisation for Human Rights (SAPOHR), two former Department of Correctional Services officials and two Israeli citizens face judgment on charges of corruption, defeating the ends of justice and aiding and abetting the escape of an Israeli citizen from Johannesburg's Leeukop Prison in 2005. Reported on 3 June 2008, News 24 at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2333679,00.html

Woman imprisoned for defrauding people who wanted prison jobs: Ms Busisiwe Manyoni was sentenced to five years' imprisonment by the Pietermaritzburg regional court for defrauding 46 people of between R1 000 and R12 000 each, telling them that she would get them jobs as prison warders. Ms. Manyoni pleaded guilty to defrauding her victims to a total amount of R172 700 between May 2003 and July 2004. Reported on 6 June 2008, Witness, at [http://www.witness.co.za/?showcontent&global\[_id\]=8702](http://www.witness.co.za/?showcontent&global[_id]=8702)

There is a third force behind allegations of drunkenness says DCS Commissioner: The Portfolio Committee on Correctional Services enquired from the Department of Correctional Services (DCS) Commissioner, Mr. Vernie Petersen, regarding the allegations made in the media that he was drunk and disorderly at an official gala dinner. Petersen responded that the allegations emanate from a letter written by a prisoner, known as 'Mampura', who was allegedly part of the jazz band that performed at the official event. The official investigating the incident has not been able to identify such a prisoner. Petersen said that he does not know who is behind the letter but warned that they must cease their activities. It is furthermore reported that there have been claims made recently that a campaign is being waged against

Petersen to discredit him by officials benefiting from corruption as Petersen has taken a strong position against corruption. Reported by Carien Du Plessis, Die Burger, 19 June 2008, <http://152.111.1.251/argief/berigte/dieburger/2008/06/19/SK/6/cdvernie.html>

Other

[Top of Page](#)

Increasing numbers of youngsters in prison for violent crimes: In an address to the National Assembly during the budget debate, Correctional Services Minister, Mr. Ngconde Balfour, said the increasing number of children in prison for serious and violent crimes is a worrying factor. Reported on 5 June 2008, SABCnews at http://www.sabcnews.co.za/south_africa/crime1justice/0,2172,170966,00.html

Correctional Services Minister face anti-crime protesters: Correctional Services Minister, Mr. Ngconde Balfour, was one of the cabinet ministers who were heckled by thousands of anti-crime protesters who handed them a petition blaming the government for the escalating violent crime in the country. The protesters, who marched through Pretoria, went to the President's office and demanded to see the President. Reported by Phakamisa Ndzamela, 10 June 2008, Reuters, at <http://africa.reuters.com/wire/news/usnL10488619.html>

Over 5000 apply for 24 prison jobs: A total of 5 388 people applied at the end of last year for 24 positions in the Department of Correctional Services' Voorberg management area in the Western Cape, according to Minister Ngconde Balfour. Reported on 19 June 2008, IOL at http://www.iol.co.za/index.php?set_id=1&click_id=3045&art_id=nw20080619134043150C725779

Ex-magistrate planning to sue DCS: A former magistrate, Ms Lenie Smit, is planning to sue the Department of Correctional Services (DCS) after she had been suspended as Chairperson of the Correctional Supervision and Parole Board (CSPB) in the Southern Cape. Ms Smit claims that she was undermined by officials of the DCS who wanted to change the CSPB into a 'sausage machine' requiring that 40% of parole applicants be released. She resisted this and claims that parolees released by her board had the lowest recidivism rate in the country. She was dismissed after a minor disciplinary infraction and allegations of racism were also made against her. She plans to claim for damages as well as future loss of earnings. Reported by Tisha Steyn, Die Burger, 21 June 2008, <http://152.111.1.251/argief/berigte/dieburger/2008/06/21/SK/6,7/skTISHAlanddros.html>

Guinea Bissau

Prisons being renovated: The Executive Director of United Nations Office on Drugs and Crime (UNODC), Mr. Antonio Maria Costa, told the United Nations Security Council that the state of prisons in Guinea Bissau, which he had mentioned to the Council over a year ago, was now improving. Mr. Costa said that "The Peacebuilding Commission had dealt with the most urgent needs of the Ministry of Justice, and the Peacebuilding Fund had approved an urgent project on prison rehabilitation. Prisons were being refurbished, and reform of the penitentiary administration was under way, as was the training and equipping of a Special Task Force of the Judicial Police." Press Release by Security Council, 25 June 2008, at <http://www.reliefweb.int/rw/RWB.NSF/db900SID/EGUA-7FXR2M?OpenDocument>

Equatorial Guinea

High profile prisoner served a glass of wine at lunchtime: Mr. Simon Mann, who is standing trial for allegedly participating in a foiled attempt to overthrow the government of Equatorial Guinea reportedly said that the prison conditions under which he was being detained were 'fine' and that the prison authorities served him a glass of wine with his lunch. Reported by Kim Sengupta, 18 June 2008, The Independent, at <http://www.independent.co.uk/news/world/africa/dog-of-war-has-his-day-in-court-849220.html>

Morocco

Prisoners protest over inhumane conditions: Many prisoners in Morocco have recently embarked on a hunger strike in protest to what they called inhumane conditions under which they were being detained. Most of the striking prisoners were convicted of terrorism related charges and thousands are awaiting trial also on terrorism-related charges. Reported by James Copnall, 11 June 2008, BBC News, at <http://news.bbc.co.uk/2/hi/africa/7447517.stm>

Botswana

Commonwealth Secretariat holds regional conference on alternatives to imprisonment: The Commonwealth Secretariat held a Conference on Alternatives to Imprisonment in Small Jurisdictions from 9 - 13 June 2008 in Gaborone. The conference drew participants from Botswana, Lesotho, Mauritius, Namibia and Swaziland. They included judges, lawyers and police officers. The workshop aimed at increasing knowledge of alternatives to imprisonment. Presenters addressed various issues ranging from probation to international human rights obligations. Mr. Jamil Mujuzi, of the Civil Society Prison Reform Initiative (Community Law Centre at the University of Western Cape), examined alternative sentencing

from an African human rights perspective. Reported by Commonwealth News and Information Service, 10 June 2008, at <http://www.thecommonwealth.org/news/180189/090608alternativesentences.htm> see also <http://allafrica.com/stories/200806100014.html>

Awaiting-trial prisoners contribute to overcrowding: While addressing the Commonwealth Secretariat conference on alternatives to imprisonment which was held in Gaborone from 9 - 13 June 2008, Mr. Lukas Muntingh of the Civil Society Prison Reform Initiative (Community Law Centre at the University of Western Cape) reportedly said that awaiting-trial prisoners were contributing to overcrowding in many African countries. Mr. Muntingh added that sentencing profile information was vital in determining who qualified for alternatives to imprisonment. Reported by BOPA, 13 June 2008, Daily News, at http://www.gov.bw/cgi-bin/news.cgi?d=20080613&i=Detainees_add_to_prison_overcrowding

Namibia

Parliament divided over distribution of condoms in prisons: The Namibian Parliament was sharply divided when the issue of whether condoms should be distributed was debated. Some Members of Parliament argued that it was totally unacceptable for condoms to be distributed in prisons. Others were of the view that the lack of condoms in prisons would contribute to the spread of HIV/AIDS. Reported by Brigitte Weidlich, 19 June 2008, Namibian, at <http://www.namibian.com.na/2008/June/national/08ECCE445.html>

Kenya

Judiciary disposes of more cases: Kenya Planning Minister, Mr. Wycliffe Oparanya, released the annual Economic Survey Report, which indicated that the judiciary had fared quite well in finalising cases and that last year saw judges and magistrates disposing off more cases than they had done in the previous years. This was attributed to the appointment of more judges which was accompanied by improved working conditions. Reported by Albert Muriuki, 4 June 2008, Business Day, at <http://allafrica.com/stories/200806041026.html>

Zambia

Death-row prisoners wish to be hanged: According to Mr. Churchill Malama, who spent several years in the condemned section of Zambia's Mukobeko Maximum Security Prison, most of the death-row inmates in that prison would allegedly wish to be hanged to escape the appalling conditions under which they are being detained. Mr. Malama reportedly said that 'the torment and trauma of life on death row were relieved only by worship and the exchange of words between inmates.' Reported by Newton Sibanda, 20 May 2008, IPS News, at <http://www.ipsnews.net/news.asp?idnews=42436>

President pardons more than 100 prisoners: Zambian President, Mr. Levy Mwanawasa, has pardoned more than 100 prisoners and ordered their immediate release from prison in an effort to ease

overcrowding. The Home Affairs Minister said the government had also established a parole board to deal with applications for the release of prisoners serving various prison terms. More prisons are expected to be built this year to address the problem of overcrowding, the Minister also said. Reported on 29 May 2008, News 24 at http://www.news24.com/News24/Africa/News/0,,2-11-1447_2331411,00.html

Zimbabwe

Activists allegedly detained under inhumane conditions: Human rights activists who were arrested for peacefully protesting against the government-sanctioned violence were allegedly being detained under inhumane conditions and were at risk of being subjected to torture. Some of the activists were being held at Chikurubi Maximum Security Prison and one at Harare Central Remand Prison. The conditions at both prisons were allegedly deplorable and were below international standards. Press Release by Amnesty International, 3 June 2008, at <http://allafrica.com/stories/200806030750.html>

Petty offenders to be pardoned: Justice Minister, Mr. Patrick Chinamasa, said that the government was to grant amnesty to most of the petty offenders as a measure to create space in prison for the detention of those who committed politically related violence. Minister Chinamasa also said that the government would no longer grant bail to those alleged to have committed violence during the presidential campaigns. Reported by Pana, 10 June 2008, at <http://www.afriquenligne.fr/news/africa-news/zimbabwe-plans-amnesty-to-decongest-prisons-ahead-run%11off-poll-200806106294.html>

Egypt

18 000 people are being held in Egyptian prisons without charge or trial: Amnesty International said most of these prisoners were held in conditions amounting to cruel, inhuman or degrading treatment, with hundreds reportedly sick with ailments, including tuberculosis and skin diseases. The London-based group also said that many detainees were still being held despite their acquittal by courts and repeated orders for their release. An Egyptian inmate said on Sunday that 280 prisoners at Borg el-Arab jail, near the Mediterranean city of Alexandria, had started a hunger strike over their continued detention despite repeated court orders for their release. Reported on 28 May 2008, News 24 at http://www.news24.com/News24/Africa/News/0,,2-11-1447_2330070,00.html

Sudan

South African delegation visits prison: Officials from the South African Department of Foreign Affairs visited prisons in the Southern Sudan city of Jonglei. The purpose of the visit was to show that South Africa was committed to working hand-in-hand with the Southern Sudan government in its bid to rebuild itself after the civil war. The delegation commended the Jonglei administration for the 'well managed prison.' Reported by Philip Thon Aleu, 1 June 2008, Sudan Tribune, at <http://www.sudantribune.com/spip.php?article27367>

Somalia

Some prisoners could be detained on American ships: A human rights organisation, Reprieve, said that some terrorism suspects arrested in Somalia and neighbouring countries had been detained in un-gazetted places and that some others were suspected to be detained on American ships. Reprieve also alleged that one of the former detainees on one of the ships said that there were over 50 prisoners on the ship on which he had been detained and that they had been tortured. Reported by Duncan Campbell and Richard Norton-Taylor, 2 June 2008, The Guardian, at <http://www.guardian.co.uk/world/2008/jun/02/usa.humanrights>

Nigeria

Police corruption leading to overcrowding of prisons: A Nigerian researcher, Che Oyimnatumba, wrote that police corruption was one of the leading causes of the increased number of awaiting-trial prisoners and consequently the increase in the prison population. He added that many petty offenders were in detention awaiting-trial because they could not afford to bribe police officers to release them before taking them to court to be remanded. The researcher also blamed magistrates for imposing excessive bail amounts which made it impossible for indigent accused to afford bail. Opinion by Che Oyimnatumba, 29 May 2008, Which Way Nigeria, at <http://www.whichwaynigeria.net/nigerian-prisons-congestion-our-collective-complicity/>

Thousands of nationals in foreign prisons: The Nigerian Foreign Minister, Ojo Maduekwe said that over 2,300 Nigerians were being detained in foreign prisons on immigration related charges. The Minister added that most of them were in European countries. Reported by AFP, 10 June 2008, at http://afp.google.com/article/ALeqM5iAHjSWVDOTI2q9ZDp9jUydoy6_fA

Nigerian to be executed in Saudi Arabia: A Nigerian national, Mr. Sulaimon Olufemi, was set to be executed in Saudi Arabia for the murder of a police officer. Mr. Olufemi's trial was allegedly held in Arabic, a language he did not understand, and without sufficient translation. He also allegedly did not have proper legal representation during the trial. Amnesty International called upon the Nigerian authorities to intervene and save his life. Reported by Tobi Soniyi and Adelani Adepegba, 10 June 2008, The Punch, at <http://www.punchng.com/Articl.aspx?theartic=Art200806101474034>

Uganda

Prisons lack toilets: The Accounting Officer of Uganda Prisons, Mr. Simon Kimono, told the Parliamentary Public Accounts Committee that many prisons did not have enough toilets which resulted in inmates living in unhygienic conditions. Mr. Kimono added that the Uganda Prisons is underfunded and as a result it could not build new prisons, renovate the old ones or build houses for their staff. Reported by Mercy Nalugo and Risdal Kasasira, 11 June 2008, The Monitor, at

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

Prison relocation to take three years: The Commissioner General of Prisons, Dr Johnson Byabashaija, told journalists that the relocation of Kirinya Prison, the second largest prison in Uganda, will take a minimum of three years. The government sold the prison land to investors. Reported by Solomon Muyita and Joseph Mazige, 17 June 2008, The Monitor, at http://www.monitor.co.ug/artman/publish/regional-special/Kirinya_Prison_relocation_to_take_three_years.shtml

Government should renovate prison or close it down: Kabale Resident District Commissioner, Mr. Cox Nyakairu, told High Court Judge Lawrence Gidudu, that the Ugandan government should either renovate Ndorwa Prison or close it down. Mr. Nyakairu said that the wall and fence of the prison were dilapidated which resulted in the escape of inmates. Reported by Robert Muhereza, 25 June 2008, The Monitor, at http://www.monitor.co.ug/artman/publish/regional-special/Build_or_break_RDC_tells_govt_on_Ndorwa_Prison.shtml see also http://www.monitor.co.ug/artman/publish/opinions/Address_the_rot_of_govt_prisons.shtml

Prison authorities under pressure to give prison land to investors: Mr Simon Kimono, the Permanent Secretary for Uganda Prisons, told the Parliamentary Public Accounts Committee that the Luzira Prison was under 'too much' pressure to relocate the prison to another area and sell the land to investors. Mr. Kimono said that the prison authorities will relocate the prison as long as the investors build them a larger prison in Kampala which will enable them to easily transport inmates to court. Luzira Prison was constructed in the 1920s by the British colonialists and accommodates about 2,000 inmates. In the past, the government has given away various prison facilities to investors. Reported by Yasiin Mugerwa, 26 June 2008, The Monitor, at http://www.monitor.co.ug/artman/publish/news/Investors_to_take_all_Luzira_Prison.shtml

Tunisia

Tunisia accused of using torture: Since draconian anti-terror laws were introduced in 2003 in Tunisia, Amnesty International reported that it has found evidence of arrest dates being falsified, prisoners held incommunicado and torture used to extract confessions. The London-based group said methods of torture included beatings, suspension by the ankles, heads plunged into buckets of water, electric shocks, and burning with cigarettes. Amnesty International also reports allegations of bottles or sticks being inserted into prisoners' rectums, the sexual abuse of female relatives, and mock executions. Reported on 23 June 2008, Mail & Guardian at <http://ww2.mg.co.za/article/2008-06-23-tunisia-accused-of-using-torture-in-name-antiterrorism>

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>



e@simail

email marketing solutions

[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 2008. All Rights Reserved.