



30 Days Dae Izinsuku

Project of the
Community Law Centre

CSPRI '30 Days/Dae/Izinsuku' May 2009

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2009

In this Issue:

SENTENCING AND PAROLE

CONDITIONS OF DETENTION

UNSENTENCED PRISONERS

SECURITY AND ESCAPES

OTHER

OTHER AFRICAN COUNTRIES

SENTENCING AND PAROLE

[Top of Page](#)

Justice Department to appeal against Supreme Court ruling over political prisoners: The Department of Justice and Constitutional Development was seeking leave to appeal against the Supreme Court of Appeal 'judgment ordering the Minister to consider the applications of 384 Inkatha Freedom Party in the Constitutional Court.' The Supreme Court of Appeal ruled that 'former Minister Brigitte Mabandla neglected her constitutional duty to process the applications submitted in 2003 and make recommendations to the President.' In the papers submitted to the Constitutional Court, the Department of Justice and Constitutional Development contended, amongst other things, that 'the appeal judges misinterpreted the Constitution and wrongfully ascribed duties to the Minister.' Reported by Philip de Bruin, 28 April 2009, Beeld, at http://jv.news24.com/Beeld/Verkiesing/0,,3-2497_2508285,00.html

Law relating to expunging of criminal records comes into force: Spokesperson for the Justice Department, Mr. Zolile Nqayi, reportedly said that the 'law which allows for certain categories of criminal records to be expunged came into effect' in early May 2009. Mr. Ngayi reportedly added that 'this law would be particularly helpful to people who wanted their record clean to make applying for jobs easier' and that 'it would also assist people convicted of apartheid era crimes who still had a record.' Reported by Sapa, 6 May 2009, News24, at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2512151,00.html

Magistrate says it is difficult to imprison a mother of a small baby: A Bellville Regional Court magistrate, Frans Botes, found Ms Florence Chinedu guilty of murder and sentenced her to 17 years' imprisonment. At the time of the sentence, Ms Chinedu had a child of nine months old. While sentencing Ms Chinedu, magistrate Botes reportedly said that 'the crime called for long-term imprisonment, but it was utterly difficult to jail the mother of a small baby.' He added that 'if he failed to do so, it would amount to a failure of duty.' Reported by Sapa, 8 May 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090508161818195C584184

Court dismisses prisoner's application for early release: Magistrate Amrith Chabilall of the Bellville Specialised Commercial Crime Court 'dismissed a gambling addict's bid to be released from jail after serving only 20 months of a six-year sentence for embezzlement.' Ms Loren Williams, 'had based her

application on the fact that another female gambling addict, also jailed for six years, had been released from prison into house arrest after serving only 20 months of her sentence.' However, magistrate Chabilall ruled that although 'according to prison documents, she had been a model prisoner, and prison authorities had supported her application' they had only considered Ms William's personal interests and ignored those of the community and the victims of her embezzlement. The magistrate added that he 'was astonished that prison authorities were eager to release [Ms Williams] after she had only served 20 months.' Reported Sapa, 12 May 2009, News24, at

http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2515244,00.html

Prisoner applies for medical parole: An inmate at C-Max prison in Pretoria, Mr. Jacob Kgatlane, who is serving over 60 years' imprisonment for cash-in-transit robberies 'applied for medical parole on grounds that his death is imminent.' In his application to the Pretoria High Court, Mr. Kgatlane stated that he 'has full-blown Aids and is also suffering from lymphatic cancer' and added that the mere fact that his 'death may occur at any time renders sufficient urgency for the hearing of' the matter. Mr. Kgatlane added that 'apart from Aids, he had been diagnosed with malignant lymphoma, which was a terminal disease, and it was extremely difficult to say the precise moment when death will occur' but that his death 'is expected to happen soon.' Reported by Zelda Venter, 12 May 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090512051930407C875692

South African prisoner paroled in Brazil : A South African woman, Ms Joeleene Phillips, who 'was sentenced to three years and seven months in the Sao Paulo prison for trying to smuggle 3kg of cocaine out of Brazil,' is looking forward to coming home to her family in October after being released from prison on parole in March.' Ms Phillips' 'parole conditions require that she reports to the local police station weekly and also works in Brazil for three months. She will soon be teaching English to Brazilians.'

Reported by Fiona Gouden, 16 May 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=3&art_id=vn20090516073728835C803159

Hundreds of terminally ill prisoners refused medical parole, opposition party: The Democratic Alliance's Correctional Services spokesperson, James Selfe, 'asked Correctional Services Minister Nosiviwe Mapisa-Nqakula to request the Parole Board to review the granting of medical parole to convicted fraudster Schabir Shaik.' Mr. Selfe reportedly said that 'the minister was the only person who could ask the parole board, headed by Judge Siraj Desai, to review the decision.' He added that 'there are hundreds of inmates who are too sick to lift their heads off their pillows and yet they are refused medical parole.'

Reported by Sapa, 20 May 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090520123246961C171526

Parolee gravely ill: The family of Mr. Schabir Shaik, who was released on medical parole after serving 'just more than two years of his 15-year prison term [for fraud], most of which was spent in hospital' reportedly said that he was gravely ill and had not improved since his release. Mr. Shaik's brother, Yunus Shaik, reportedly said that Mr. Shaik's 'condition cannot improve because there was permanent damage to him.' Mr. Yunus Shaik added that Mr. Shaik's 'doctor and officials from the Correctional Services Department had been visiting him regularly to monitor his condition.' Reported by Sapa, 21 May 2009, Mail and Guardian, <http://www.mg.co.za/article/2009-05-21-shaik-gravely-ill-says-family> see also http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090521105419729C784546

Prisoner's family member says she should 'rot in prison': Mr. Igsaan Petersen, the brother of Mr. Taliep Petersen, who was murdered by his wife, Ms Najwa Petersen, and sentenced to 28 years' imprisonment, reportedly said that Najwa Petersen should 'give up and serve her sentence.' Mr. Igsaan Petersen was reacting to reports that Ms Najwa Petersen was expected to appeal against her murder conviction. Mr. Igsaan Petersen reportedly added that Ms Najwa Petersen 'has to rot in prison' because she had 'messed up' their lives when she murdered his brother. Reported by Fatima Schroeder, 22 May 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090522121645849C296303 see also

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090505140747496C626048

Prisoner accuses judge of bias in her appeal attempt: Ms Najwa Petersen, who was sentenced by the Cape High Court to 28 years' imprisonment for the murder of her husband, Taliep Petersen, reportedly said that she did not get a fair trial because 'Cape High Court Judge Siraj Desai was biased and pressured witnesses into saying what he wanted them to say.' In her papers to the Supreme Court of Appeal, she alleged that 'the conduct of the honourable judge created the perception that he was biased

in his approach to the evidence during the trial and his assessment of the evidence in his judgment.'

Reported by Fatima Schroeder, 23 May 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090523064704224C848479

Opposition party questions the parole of a rapist against the advice of a social worker: While reacting to the disappearance and feared murder of a 10-year old girl, Ms Denise Robinson, of the Democratic Alliance, reportedly questioned what the justice system was 'doing while society remains as vulnerable as it is.' Police suspect that the victim could have been murdered by a repeat offender who had been released on parole by the Department of Correctional Services against the advice of a social worker. Ms Robinson reportedly added that 'repeat offenders being released from prison against the advice of social workers demonstrates that these offenders are a danger to society and the department can and must be held responsible for its actions.' Reported by Steven Tau and Sapa, 25 May 2009, The Citizen, at <http://www.thecitizen.co.za/index/article.aspx?pDesc=96523,1,22>

Accused prevented correctional services official from contacting her husband: Ms Christelle van Rensburg, who appeared in the Bellville Specialised Commercial Crime Court on eight counts of fraud, was reportedly warned by the court that she would feel 'the full wrath' of law if she did not co-operate with Correctional Services officials for an assessment whether she should be sentenced to direct imprisonment or correctional supervision. Prosecutor Jannie Knipe told Magistrate Amirth Chabilall that before Ms van Rensburg could be sentenced to correctional supervision, a report 'from the prison authorities, was necessary to enable the court to consider the option.' The Court heard that a 'correctional supervision officer needed to consult Van Rensburg's husband, but Van Rensburg had thwarted him as she did not want her husband to know about the case.' The Magistrate warned Ms van Rensburg that if she did not cooperate with the Correctional Services officer, she will have no option but to sentence her to prison. Reported by SAPA, 27 May 2009, News24 at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2523050,00.html

Court orders parole board to consider placing terminally ill prisoner on parole: Acting Judge Lionel Sapire of the 'Pretoria High Court ? ordered that the Parole Board had to convene within two weeks to reconsider placing inmate Jacob Kgatlane on medical parole.' Mr. Kgatlane 'was initially diagnosed with full-blown Aids but it has since emerged that he is also suffering from lymphatic cancer.' The Court also ordered 'a doctor appointed by the Department of Correctional Services and another appointed by Kgatlane also ? to submit reports regarding his health to the board.' Reported by Zelda Venter, 27 May 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090527052909452C271637

Court orders prisoner to be sentenced to correctional supervision: Grahamstown High Court judges, Judge Jeremy Pickering, Judge Jean Nepgen and Judge Elna Revelas ordered the trial court to reduce Mr. Jan Wilhelm Marx's 10 year prison sentence for murder to correctional supervision. Mr. Marx had been sentenced to 10 years' imprisonment by trial Judge Themba Sangoni for the murder of is "aggressive, rude, taunting and unfaithful wife", Mariette. The High Court judges held that Mr. Marx was not a danger to society and therefore there was no need for him to be imprisoned. Reported by Adrienne Carlisle, 28 May 2009, Daily Dispatch, at <http://www.dispatch.co.za/article.aspx?id=318408>

Imprisonment not deterring criminals, activist: Mr. Patrick Burton, the director of the Centre for Justice and Crime Prevention, reportedly said that the prison population in South Africa stood at 165 230, of whom 49 477 are awaiting trial and pointed out that 'this is a high number, and clearly, given the high crime rate, again indicates that both the fundamental causes of crime are not being addressed, and that prison or arrest is not serving as a deterrent to crime.' Mr. Burton added that the fact that crime remained high although many people were being arrested and imprisoned 'highlights the need for a fundamental shift in thinking away from the 'tough on crime' or 'war on crime' approach, to focus more on more effective strategies that target the root causes of crime while at the same time improving the effectiveness of the police.' Reported by Verashni Pillay, 29 May 2009, News24, at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2524011,00.html

CONDITIONS OF DETENTION

[Top of Page](#)

Accused complains about conditions of detention at maximum security prison: Mr. Tom Vorster, one of the '21 treason accused - who pleaded not guilty to 42 charges including sabotage, murder and attempted murder' told the court that he 'would no longer tolerate the unacceptable behaviour of the State and the Correctional Services Department towards him.' Mr. Vorster 'complained about the conditions of his incarceration in Pretoria's C-Max Prison' saying that 'the way in which his wife was searched when she visited him was akin to indecent assault and complained that he was not allowed to have contact visits or to consult with witnesses in jail.' Reported by Sapa, 4 May 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090504184551912C590509 see also http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2512868,00.html

Prisoner risks being raped after reclassification: Mr. Donovan Moodley, who is serving a life sentence at Johannesburg Prison for kidnapping and murder, 'was moved to a communal cell because two cell phones were found in his possession' Cell phones are prohibited in prison. Mr. Moodley 'was demoted from an A classification, where he could receive contact visits, to a B classification with reduced privileges.' However, the Star newspaper was contacted by a man who called himself Clive and claimed to be calling from Johannesburg Prison who reportedly said that the prisoners were going to hurt Mr. Moodley. Mr. Golden Miles Bhudu, the founder of the SA Prisoners' Organisation for Human Rights, reportedly 'warned that Moodley might be attacked by gang-rapists as punishment for his celebrity status.' Reported by Kanina Foss, 13 May 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090513050824640C471114

HIV-positive accused tells court he will probably die in prison: Mr. Hein Reinders, who pleaded guilty to tax fraud of R6 million reportedly told the Belville Magistrates' Court that because of his HIV-positive status, 'sending him to jail would amount to a death sentence.' Mr. Reinders added that 'when in custody, before he got bail, he was exposed to prisoners with tuberculosis, his blanket had been infested with lice, and there was no medication to treat his diarrhoea when he got ill - he was told instead to drink boiled water with sugar in it.' However, State advocate, Freek Geyser, said that Mr. Reinders' offence carries a minimum sentence of 15 years' imprisonment and indicated the 'he will ask the court for a prison sentence.' Reported by Estelle Ellis, 31 May 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090531043324691C633392

UNSENTENCED PRISONERS

[Top of Page](#)

Awaiting trial prisoner denied bail because he did not give exceptional reasons: Dr. Ninadu Mafulu, a district surgeon from Hillbrow, who is 'accused of sexually assaulting two of his patients, who were rape victims' was denied bail by magistrate Etienne van Niekerk of Randfontein Magistrate's Court. In dismissing Dr. Mafulu's application for bail, magistrate van Niekerk held that the reasons given by Dr. Mafulu - 'a business, a wife, children and other dependants - were not exceptional' and that 'these reasons were heard by the court every day.' Reported by Botho Molosankwe, 5 May 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090505194746551C276301

Court orders that accused should be examined by a doctor in prison: Magistrate P Mistry of Durban Magistrate's Court ordered that Mr. Zakhele Mkhwanazi and Mr. Nkululeko Mkhize, who are being detained at Westville Prison while awaiting trial for robbery, attempted murder and murder, should be examined by a doctor. The magistrate's order followed a brief appearance by both the accused in court at which one of the accused, Mr. Zakhele Mkhwanazi, who was shot by the police prior to his arrest, told court that he wanted to plead guilty to all the charges. Reported by Irene Kuppan, 13 May 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090513123905301C538848

Awaiting trial prisoner to be evaluated by psychologists: Mr. Gerhard Sippel, who is accused of murder and is 'being kept in the New Lock prison' is to 'be evaluated by three psychologists as soon as a bed is available at Weskoppies Psychiatric Hospital.' Mr. Sippel's case was postponed because 'the

defence wanted a psychologist to evaluate him first to determine if he should be referred to Weskoppies, suggesting that the accused might not have a psychiatric problem.' The Pretoria Magistrate's Court heard that Mr. Sippel 'had not been evaluated by a psychologist yet' and recommended that 'that he be sent to Weskoppies for mental evaluation and to determine if he could stand trial.' Reported by Hanti Otto, 13 May 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090513051208994C357125

Accused threatened to go on hunger strike if not detained in prison: Mr. Mzwandile Twala, who appeared in the South Gauteng High Court on charges of murder, robbery, attempted murder and rape, 'threatened to go on a hunger strike following a court order that he be detained at Johannesburg Central police cells instead of Johannesburg Prison for the duration of his trial.' However, prosecutor Deon Vlok objected to Mr. Twala's transfer to Johannesburg Prison saying that he knew 'for a fact that if' Mr. Twala was sent back to Johannesburg Prison he will not answer to his name when called to appear for his trial because 'the process in the prison is out of our hands. If the accused does not answer' the prosecution 'have no authority to go in there.' Reported by Sandra Lieberum, The Citizen, 25 May 2009, at

<http://www.thecitizen.co.za/index/article.aspx?pDesc=96521,1,22>

Accused requests court to order his transfer to prison: Mr. Xolisa Peter, who 'appeared briefly in the Wynberg Magistrate's Court ?on a charge of murder', requested magistrate Hafiza Mohamed to order his transfer from a police cell to Pollsmoor Prison. Mr. Peter 'claimed he was being assaulted by police at the Wynberg police station holding cells and that police were forcing him to confess.' Magistrate Mohammed allowed the transfer of Mr. Peter to Pollsmoor Prison. Reported by Jade Witten, 29 May 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090529102758435C868810

SECURITY AND ESCAPES

[Top of Page](#)

Prison escapes likely to increase due to lack of electronic surveillance: Mr. Papa Leshabane, the spokesperson of Sondolo IT, which provided electronic security at 66 prisons around the country since 2006, reportedly said that 'the lack of an efficient surveillance system would lead to security breaches, such as escapes and the movement of contraband.' Mr. Leshabane was reacting to his company's withdrawal of all staff who had been managing 72 control rooms when its contract with the Department of Correctional Services ended. Sondolo IT had been providing electronic security in many prisons including Pretoria Central Prison, Johannesburg Prison, Cape Town's Pollsmoor Prison and Durban-Westville Prison. The Department of Correctional Services reportedly admitted that it had 'failed to put in place adequate alternatives' but added that 'that the electronic system was but one security measure and that other security systems were in place.' Reported by Ndivhuho Mafela, 3 May 2009, The Times, at

<http://www.thetimes.co.za/News/Article.aspx?id=991365> see also

<http://www.citizen.co.za/index/article.aspx?pDesc=94938,1,22>

Opposition party criticizes DCS for expired security contract: The Democratic Alliance (DA) said that it was 'shocking in the extreme that the Department of Correctional Services (DCS) once again failed to take the necessary steps to ensure continuity in the running of South-Africa's prisons.' This was after media reports to the effect that DCS 'had no contingency plans to train its own personnel to operate 72 control rooms following the expiry of Sondolo IT's contract with the DCS.' According to the DA, the lack of the contingency plan 'exposes the rank mismanagement of the department' and 'may very well be deliberate' with the intention 'of administratively renewing the Sondolo IT contract.' Press release by Mr. James Selfe, 3 May 2009, at

<http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71654?oid=127395&sn=Detail>

DCS to employ 600 people to man its high-tech surveillance system: After the end of the contract between the Department of Correctional Services and Sondolo IT, in which the latter 'was responsible for providing almost 600 private security staff, as well as security equipment, at 66 of the country's 239 correctional centres' the 'Department of Correctional Services has vowed to hire 600 people by the end of June to manage its high-tech surveillance system at 66 prisons around the country.' The Departmental spokesperson, Mr. Manelisi Wolela, reportedly said that 'the department had already advertised the 600

positions and was offering a salary package that was higher than the normal starting salary for Correctional Services officials.' Reported by Natasha Joseph, 5 May 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090505061144749C103828 see also http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090504054706553C133886

Suspect escapes when about to be transported to prison: Mr. Muji Richard Mkhathsha, who was arrested for allegedly killing a police officer, house robbery, two business robberies, and illegal possession of ammunition, overpowered a police officer at the main entrance to the Johannesburg Magistrate's Court and escaped. Superintendent Lungelo Dlamini reportedly said that at the time of his escape, Mr. Mkhathsha 'was about to be transported to the Johannesburg Correctional Services prison.' Superintendent Dlamini said that Mr. Mkhathsha was 'considered dangerous' and appealed to 'anyone with information on the case' to contact the police at all hours. Reported by Sapa, 7 May 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090507144203341C827627

Parolee shoots people using stolen police firearm: Superintendent Nzukisi Mzukisi of Eastern Cape police said that a 23-year old man 'who was out of prison on parole' was 'arrested for shooting [dead] a 22-year-old man with a police firearm and injuring two others.' The parolee 'broke into a policeman's home and stole his service pistol' before he went on the shooting spree. Superintendent Nzukisi reportedly said that the parolee now faces charges of murder, attempted murder and robbery. Reported by Sapa, 9 May 2009, IOL,

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090509162127908C728752

Former prison official on trial for allegedly attempting to sell prison keys: Inspector Sanku Tsunke of Gauteng police reportedly said that Mr. Ivan Pillay, a former Correctional Services officer who worked as a locksmith at Boksburg Prison a few years ago, appeared before the Boksburg Magistrate's Court for allegedly 'selling master keys which could open any prison cell in the country.' Inspector Tsunke added that Mr. Pillay was arrested when the 'police pretended to be buyers of the keys?used to open prison doors and passages.' Mr. Pillay was granted bail. Reported by Sapa, 13 May 2009, News24, at http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2515909,00.html

Prison escapee contacts radio station and asks to talk to Minister of Justice: Mr. Farouk Meyer, who was convicted of killing three people in November 1999 and sentenced to life imprisonment, 'escaped from Groenpunt Prison in Vereeniging while doing welding work outside the prison.' He had served eight years of his prison sentence. While on the run, Mr. Meyer 'contacted Talk Radio 702, demanding that they assist him to facilitate a meeting with Justice Minister Jeff Radebe, where he would hand over allegedly compelling evidence that would prove his innocence.' Mr. Meyer claimed that 'he was framed by the investigating officer in his case.' Reported by Thandi Skade, 27 May 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090527051825186C930045

Escaped inmate tried in absentia: The murder trial of Mr. Nkosinathi Zungu resumed in his absence before Judge Sisi Khampepe in the South Gauteng High Court. Mr. Zungu, who 'has been on the run for more than three months after escaping from custody', is alleged to have shot dead his ex-partner, Ms Isaac Ramatsela. Police have warned the public that Mr. Zungu is a very dangerous person. Reported by Dudu Busani, 27 May 2009, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=1007290>

Prisoner escapes from Maximum Security Prison: The Department of Correctional Services released a press statement in which it notified the general public that Mr. Mandla Joseph Mahlangu, who was serving a 10 year prison term at Pretoria Central Correctional Centre for housebreaking, escaped from the prison 'from a work span engaged at the centre's upholstery section of the workshop.' The Department of Correctional Services 'appealed to members of the public to help in tracking him down and to bring him back to face the full might of the law as they have successfully done in the past.' The Department also said that it 'launched an internal investigation to establish circumstances surrounding his escape.' Press statement by the Department of Correctional Services, 27 May 2009, at <http://www.info.gov.za/speeches/2009/09052810051001.htm>

Prison escapee hands himself over to police: Mr. Farouk Meyer, who 'escaped from Groenpunt Prison in Vereeniging ? while working outside the prison', said that his escape was 'a desperate attempt to highlight his injustice.' Mr. Meyer 'was sentenced to life imprisonment in 2000 after he was convicted of murdering Desmond Bethanie, Gerald Jacobs and Dawood Malgas ? in November 1999.' On handing himself over to the police, Mr. Meyer 'was met by a contingent of media members, police officers,

relatives, Sandton police station commissioner Director Alan Billings, Department of Police spokesperson Panyaza Lesufi, Gauteng Justice Department spokesperson Collin Msibi as well as the handover facilitator, 702 Crime Line head Yusuf Abramjee.' Reported by Thandi Skade, 28 May 2009, IOL, at
http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090528050902749C397864

OTHER

[Top of Page](#)

Prisoner tells learners how he has transformed: Mr. Sandile Buthelezi, who 'was once a notorious robber, thief and drug addict' and now 'serving a 35-year-sentence for robbery, theft and the unlicensed possession of a firearm' reportedly told learners at 'Forest High School in Johannesburg during an event organised by the Reach for Life No Regrets organisation' that since his imprisonment, he 'has been slowly turning his life around' and that he 'has enrolled with Unisa and is studying for a BCom degree. He dreams of becoming a businessman who will help inmates on their release from prison.' Reported by Thabo Modisha, 5 May 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090505062028467C923769

Prison officials threaten to strike over salaries: Spokesperson for the Police and Prisons Civil Rights Union Police, POPCRU, Mr. Kwenza Nxele, reportedly said that 'police and prison officials were locked in discussions ? over possible strike action if salary negotiations failed in KwaZulu-Natal.' Mr. Nxele, however, added that the 'negotiations were continuing, but with little progress' and 'warned if no agreement was reached ? the union would embark on mass action' which would 'culminate in a national day of action.' Mr. Nxele added that POPCRU leadership had visited major prisons in KwaZulu-Natal to hold mass meetings relating to the programme of action. Reported by SAPA, 18 May 2009, News24, at

http://www.news24.com/News24/South_Africa/News/0,,2-7-1442_2518271,00.html

Prison warders still waiting for government to honour its promise: Prison warders and other professionals such as prosecutors, educators, and social workers 'are all still waiting for the long-promised Occupational Specific Dispensations' and have threatened to go on strike should the government not keep its promise. Reported by Louise Flanagan, 26 May 2009, IOL, at

http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=vn20090526050653679C279339

OTHER AFRICAN COUNTRIES

[Top of Page](#)

Ghana

Prisoners' rights allegedly violated: In an opinion piece in the Ghana News, Ms Helena Selby alleges that the rights of remand prisoners at Nsawam Medium Prison were being violated because 'they do not have anybody to exercise their rights for them'. Ms Helena writes that 'the majority of them do not know what their state in the prison are, while some have been there for up to 15 years, some are on the verge of spending the rest of their lives there, just because of a trivial offense, through no fault of theirs.' Opinion by Ms Helena Selby, 21 May 2009, Ghana News, at

<http://news.myjoyonline.com/features/200905/30379.asp>

Egypt

Offenders sentenced to death: An Egyptian justice official reportedly said that a court in Damanhur, 'sentenced 24 people to death ? after finding them guilty of involvement in a deadly land dispute in the Nile Delta last year.' The condemned's files were sent to 'the mufti so that he can sign their execution orders' because 'in Egypt, death sentences have to be approved by the top Muslim cleric or mufti as being

in line with Islamic sharia law.' Reported by AFP, 18 May 2009, News24, at http://www.news24.com/News24/Africa/News/0,,2-11-1447_2518401,00.html

Swaziland

Foreign prisoner allegedly mistreated: Mr. Amos Mbedzi, a South African national who is awaiting trial at Matsapha Maximum Prison, 'in connection with last year's fatal explosion at Lozitha bridge' filed an urgent application in the High Court alleging, amongst other things, 'that ever since he was detained at the Matsapha Maximum Prison, his relatives are not allowed to visit him. He is also not allowed into the yard to enjoy sunshine and exercise like other inmates, not allowed free access to the toilet and not allowed to interact with other inmates as he is locked in a cell all day.' Reported by Manqoba Nxumalo, 30 May 2009, Times of Swaziland, at <http://www.times.co.sz/index.php?news=8109>

Liberia

Maximum security prison lacks fuel for the generators: Liberia's maximum-security correctional facility, The Palace, which was renovated in 2008 to accommodate convicted prisoners, now houses both convicted and awaiting trial prisoners. However, the prison 'launched agricultural training programs in the garden' although 'the inmates are fed only once daily' and the prison lacks a medical clinic. The prison Director, Mr. Sam Tarley, reportedly said that 'while fuel keeps the prison's only vehicle running ? there is little left to power the generators, which leaves the building mostly dark at night.' Reported by Rebecca Murray, 7 May 2009, Africa News update, at <http://www.afrika.no/Detailed/18277.html>

UN Security Council members find prison conditions 'shocking': United Nations Security Council member, Susan Rice, led the mission to Liberia and said that 'the purpose of the visit had been to reaffirm the Council's support for that country's people and Government, as well as for the United Nations Mission in Liberia (UNMIL).' During their visit, Council members went to a prison and 'found conditions shocking, and many prisoners had spoken of long-term pre-trial detention.' Press release by Security Council, 28 May 2009, at <http://www.reliefweb.int/rw/rwb.nsf/db900SID/MUMA-7SH4YX?OpenDocument>

Ethiopia

Fate of political prisoners allegedly unknown: International human rights watchdog, Amnesty International, 'called on the Ethiopian government to immediately disclose the names and fate of more than 35 people believed to be held by its security forces on political grounds since 24 April.' Mr. Michelle Kagari, Deputy Director of Amnesty International's Africa Programme, reportedly said that his organisation was concerned that 'additional arrests have ?been carried out over the past several days and sources in the country have told Amnesty International that further arrests are expected.' Mr. Kagari warned that 'that due to the secret nature of their detention, they are at significant risk of torture or other forms of ill-treatment.' Reported on 5 May 2009, Press Agency, at <http://www.reporterfreelance.info/2009/05/05/ethiopia-government-must-reveal-fate-of-political-prisoners/> see also <http://gadaa.com/oduu/?p=649>

Eritrea

Protesters in Sweden call for the release of prisoner: The editors of four major newspapers in Sweden, 'delivered a petition bearing 200 000 Swedish signatures to the Eritrean embassy in Stockholm' calling for the release of 'Eritrean-born journalist Dawit Isaak [who] has been jailed and detained without trial since 2001, when Asmara banned independent newspapers in a crackdown on the media.' International Federation of Journalists General Secretary, Mr. Aidan White, explained that 'nine other journalists have also been unduly detained in Eritrean prisons, and world press groups estimate that at least four others have died there.' Reported on 5 May 2009, Issue Post, at <http://www.issuepost.com/news/story/17943.html>

Nigeria

Prison to be relocated to give way for hotel: Governor Gbenga Daniel of Ogun State Government 'served the Nigerian Prisons Service, Abeokuta, the state's capital, with a quit notice.' Governor Daniel 'explained that an investor had approached the state to establish an ultra-modern hotel in Abeokuta and had desired that the current location of the prison would be the most suitable.' The governor added that

after a meeting with the investors, 'they said the junction where the prison is located is where they would prefer for the hotel.' And that he 'directed that a letter be written to the prison authorities to look for another location for the prison.' Reported by on 5 May 2009, yapdemnews, at http://yapdem.com/blog/2009/05/ogun_sacks_prison_for_hotel.html

Malawi

Columnists call for relocation of prison: In their article in the Nyasa Times, two of Malawi's leading newspaper columnists, Timau and Sembe Gondwe, urged presidential candidates that whoever gets elected should consider relocating Chichiri Prison in Blantyre because the land on which it is sitting 'is a complete waste of resources.' They suggested that the elected government should construct 'another prison with modern facilities near an irrigation centre where these prisoners can become productive instead of laying idle, doing nothing.' Reported by Timau and Sembe Gondwe, 16 May 2009, Nyasa Times, at <http://www.nyasatimes.com/features/3475.html>

Prisoners excited when told they were to vote in Presidential and parliamentary elections:

There were jubilations at Zomba Central Prison after Deputy Chief Commissioner of Prisons, Mr. Tobias Nowa, visited the prison and informed prisoners that they were to cast their votes in the May 2009 Presidential and Parliamentary elections. Mr. Nowa reportedly told the prisoners that his office had made arrangements 'with the Chief Elections Officer for Electoral Commission, David Bandawe, that all the prisoners who registered in other areas, as far as they have their identification should vote where they are.' One of the prisoners, Mr. Nyiringo, reportedly emphasised the importance of his right to vote in the following terms 'even if they choose an MP from whichever party, he or she will not be what I wanted. Even though I am locked up here, I still have rights that ought to be respected by those in leadership positions, and by denying me this chance to vote they would have made me into a dead man, as if my wishes are nothing.' Reported on 19 May 2009, Nyasa Times, at <http://www.nyasatimes.com/national/3519.html>

Guinea Bissau

Group highlights the need for new prisons: The International Contact Group on Guinea Bissau, which 'includes the Economic Community of West African States, the United Nations, and the Community of Portuguese-Speaking Countries, along with members of the government in Bissau' called 'for reforms in Guinea Bissau's justice sector to support changes in defence and security.' The Contact Group recommended that for political stability and rule of law to take root in the country, there was a need for 'a stronger attorney general, the rehabilitation of existing courts and tribunals, and the construction of new prisons.' Reported on 6 May 2009, Issue Post, at <http://www.issuepost.com/news/story/18011.html>

Cameroon

17 prisoners escape: The head of Bamenda prison in northwest Cameroon, Mr. John Asong Fouzou, reportedly said that 17 prisoners escaped from his prison and that only one of them had been arrested. Mr. Fouzua added that a 'search has been launched' and he was optimistic that 'with the help of all the region's security forces and people' the 16 will be arrested. Prison breaks are reportedly 'common in Cameroon where prisons are often run-down, overcrowded and poorly staffed.' Reported by AFP, 27 May 2009, News24, at http://www.news24.com/News24/Africa/News/0,,2-11-1447_2523044,00.html

Zimbabwe

Activists condemn prison conditions: The Save Zimbabwe Now Campaign released a press statement in which it said that it joined 'the rest of the world in condemning the recent exposé of the horrifying conditions in Zimbabwe's prisons and the appalling way in which people have been left to rot by the Zimbabwean Prisons Service.' The statement was reacting to a documentary screened on South African Broadcasting Corporation TV 3 programme, Special Assignment, which showed that prisoners in Zimbabwe were being detained in horrific conditions. The press statement added that 'the conditions for prisoners are symptomatic of the way the human dignity of the majority of Zimbabweans has been stripped in the most barbaric ways.' Press Statement by Save Zimbabwe Now Campaign, 30 April 2009, SW Radio Africa, at <http://www.swradioafrica.com/pages/zimsol300409.htm>

Awaiting trial prisoners allegedly tortured: Harare Magistrate, Catherine Chimanda, revoked bail

granted to human rights activists, including Ms Jestina Mukoko, because of the fact that 'a formal indictment filed ? accused Mukoko and the others of sabotage, terrorism and banditry.' In her bail application, Ms Mukoko testified that 'she had been tortured and assaulted during detention and the defendants had bloodied, swollen faces during court appearances?' Two of the defendants whose bail was also revoked 'were not in court ? because they were being treated at a hospital for injuries believed sustained during their earlier detention.' Reported by Sapa-AP, 5 May 2009, Mail and Guardian, at <http://www.mg.co.za/article/2009-05-05-zim-judge-sends-activists-back-to-jail> see also <http://www.theglobeandmail.com/news/world/article1129642.ece> see also <http://www.easimail.co.za/Home/link.asp?id=13569&hash=e6b750>

President instructs the release of awaiting trial prisoners: Zimbabwe's President, Robert Mugabe, reportedly 'instructed' the Department of Justice to release on bail a prominent human rights activist, Ms Jestina Mukoko, the director of the Zimbabwe Peace Project, and 14 others. Harare magistrate, Catherine Chimanda, ruled that 'only three of the 18 accused would remain in custody' because evidence against them 'weighed heavily against their release on bail.' Reported by Moses Mudzwiti, 7 May 2009, The Times, at <http://www.thetimes.co.za/News/Article.aspx?id=994227> see also <http://www.mg.co.za/article/2009-05-06-judge-frees-zim-opposition-activists>

Prisoners found dead in their cells: Six prisoners 'were found dead in their filthy cells at Zimbabwe's Chikurubi maximum security prison.' Reports have also claimed that 'another 100 bodies, many mutilated by rats, are stacked up in the mortuary and will be unclaimed and buried as paupers in prison grounds.' An off-duty prison warden reportedly said that 'over the past year, more than 700 prisoners died in the prison' and that many prisoners die of AIDS-related illnesses because of hunger. Reported by Peta Thornycroft, 20 May 2009, IOL, at http://www.iol.co.za/index.php?set_id=1&click_id=68&art_id=vn20090520054655848C805578

Sierra Leone

Amnesty International urges the President to commute death sentences: The Director of Amnesty International, Brima Sheriff, urged the Sierra Leonean President, Mr. Ernest Bai Koroma, to 'demonstrate leadership and abide by international and national obligations by abolishing the death penalty in Sierra Leone.' Sheriff reportedly added that the President 'should make history in the country by commuting the sentences of all those currently on death row, adding that this would also demonstrate that he was abiding to the African Commission's resolution on a moratorium.' He added that 'there were twelve people including three women on the death row at the country's maximum prisons on Pademba Road in Freetown.' Reported by Mohamed Massaquoi, 29 April 2009, Concord Times, at <http://allafrica.com/stories/200904290793.html>

Libya

Prisoner to be transferred from the United Kingdom: The United Kingdom Foreign Office reportedly said that the government had signed 'a prisoner transfer agreement with Libya' which will allow Mr. Abdelbasset Ali al-Megrahi, who was 'convicted of the Lockerbie bombing to apply to serve the rest of his sentence in a Libyan jail.' Mr. Ali al-Megrahi, has prostate cancer, and 'is currently being held in Greenock prison in Scotland.' Reported by Rana Jawad, 29 April 2009, BBC News, at http://news.bbc.co.uk/2/hi/uk_news/8024914.stm

Prisoner dies in prison: The Libyan newspaper, Oea, reported that Mr. Ali Mohammed Abdel-Aziz al-Fakheri, 'a senior al-Qaida militant who was held by the U.S. in secret prisons and once gave information about links between al-Qaida and Iraq that was later deemed false ? died in a prison in Libya.' The newspaper reported that Mr. Abdel-Aziz al-Fakheri, 'committed suicide in prison by hanging himself with bed sheets.' However, Human Rights Watch called on Libya to investigate the circumstances surrounding Mr. Abdel-Aziz al-Fakheri' death. Reported by Maamoun Youssef, 12 May 2009, The Associated Press, at http://www.google.com/hostednews/ap/article/ALeqM5hs2s19m5dp45pSQfDLfars6Z_qiAD984SCI02

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