



# 30 Days Dae Izinsuku

Project of the  
Community Law  
Centre

CSPRI "30Days/Dae/Izinsuku" May 2013

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Greetings Jean

## PRISON CONDITIONS

**Hygiene concerns at Westville Prison:** IOL reported that broken pipes at Westville Prison resulted in taps running dry during the period 5-6 May 2013. Prisoners reportedly complained that they had been unable to bathe or use toilet facilities for two days and that toilets were overflowing with feces and they were forced to use plastic packets as makeshift toilets. The Department of Correctional Services reportedly stated in response that the problem was being treated as a matter of urgency. Reported by Yogas Nair, 7 May 2013, at [http://www.iol.co.za/news/south-africa/kwazulu-natal/hygiene-fears-for-westville-inmates-1.1511789#.Uazm9uu\\_HMs](http://www.iol.co.za/news/south-africa/kwazulu-natal/hygiene-fears-for-westville-inmates-1.1511789#.Uazm9uu_HMs)

**Report on violence in prisons:** IOL reported that on Wednesday 8 May 2013 a team from the Department of Correctional Services reported to the Portfolio Committee on Correctional Services on their investigation into violence at Groenpunt, Pollsmoor and St Albans prisons during the course of the last year. The Portfolio Committee reportedly criticised the team for 'scanty information' in the report as well as bemoaned the fact that it appeared that the Department were doing very little to curb the problem of violence in prisons. Reported by Louise Flanagan, 9 May 2013, at <http://www.iol.co.za/news/crime-courts/report-shows-up-inept-prison-officials-1.1512889#.UayALNmDzcs> IOL also reported on the fact that KwaZulu-Natal and the Eastern Cape were shown to have experienced the most incidents of gang-related violence. Reported by Yogas Nair, 9 May 2013, at [http://www.iol.co.za/news/crime-courts/prison-violence-causes-concern-1.1516488#.UazoPeu\\_HMv](http://www.iol.co.za/news/crime-courts/prison-violence-causes-concern-1.1516488#.UazoPeu_HMv) IOL also reported specifically on the violence that occurred at Groenpunt Prison during January 2013. Reported by Louise Flanagan, 16 May 2013, at [http://www.iol.co.za/news/crime-courts/report-paints-bleak-picture-of-groenpunt-1.1517035#.Uazpd-u\\_HMs](http://www.iol.co.za/news/crime-courts/report-paints-bleak-picture-of-groenpunt-1.1517035#.Uazpd-u_HMs)

**Health compromised by prison:** allAfrica.com reported that Sibusiso Mazibuko, who was in prison for twelve years, was repeatedly raped during his sentence and was diagnosed as being HIV positive eight years ago. Mazibuko was released in September 2012 but was then diagnosed with tuberculosis shortly thereafter. Mazibuko claims that he was poorly treated in prison by officials whilst in prison and that the conditions in prisons make it almost impossible to stay healthy and strong. Reported by Cynthia Maseko, 27 May 2013, at <http://allafrica.com/stories/201305280311.html>

**Inmates detained illegally:** The Guardian reported that according to a confidential government report, a prison run by the British firm G4S is detaining inmates illegally in isolation for up to three years and denying some of them important medication. The confidential report reportedly indicates that 62 inmates were detained in single cells for periods ranging from two weeks to three years, and two inmates were denied HIV and TB treatment. Reported by Ruth Hopkins, 29 May 2013, at <http://www.guardian.co.uk/world/2013/may/28/g4s-south-african-prisoners-isolation>

**Electronic monitoring:** Times Live reported that the Correctional Services Commissioner stated on 29 May 2013

that as a result of a project launched during 2012, 132 inmates sentenced to life imprisonment were being electronically monitored. The Commissioner also reportedly stated that by the end of the current financial year it was expected that 500 parolees would be monitored electronically. Reported by Denise Williams, 30 May 2013, at <http://www.timeslive.co.za/thetimes/2013/05/30/big-brother-for-parolees> The following Business Day report describes the Minister of Correctional Services' similar comments on electronic monitoring. Reported by Wyndham Hartley, 30 May 2013, at <http://www.bdlive.co.za/national/2013/05/30/ndebele-hails-new-electronic-prisoner-monitoring-tool>

## **SOUTH AFRICANS IMPRISONED ABROAD**

**Woman sentenced to life imprisonment:** IOL reported that an Indonesian court sentenced a woman to life imprisonment for attempting to smuggle 2.6 kilograms of crystal methamphetamines into a "resort island." The woman reportedly avoided the maximum sentence for such an offence, which is death by firing squad. Reported by IOL, 3 May 2013, at <http://www.iol.co.za/news/south-africa/sa-drug-mule-gets-life-in-indonesia-1.1510113#.UaxtCtmDzct>

**Offender detained beyond release date:** eNCA reported that the family members of a South African man, Bevan Campbell, who was convicted of drug smuggling, stated that he has been detained unlawfully in an Afghan prison six months after he was due to be released. Campbell was arrested three years ago in Kabul but has been unable to obtain any legal documentation regarding his legal status during his incarceration. Reported by eNCA, 8 May 2013, at <http://www.enca.com/south-africa-africa/campbell-still-lingers-jail>

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## **SENTENCING AND PAROLE**

**Former gangster granted parole:** iafrica.com reported that the Breederiver Parole Board has granted renowned former gangster, Rashied Staggie, parole. Staggie will reportedly be on day parole until March 2014, whereafter he will be on full parole. The parole board reportedly took into account the fact that Staggie completed a number of required rehabilitative programmes and had served more than two thirds of his sentence. Reported by iafrica.com, 21 May 2013, at <http://news.iafrica.com/sa/860459.html> also reported at <http://ewn.co.za/2013/05/21/Cape-gang-leader-to-walk-free>

## **CORRUPTION AND GOVERNANCE**

**Language policy challenged:** The Citizen reported that the trade union Solidarity has referred a case of unfair discrimination on behalf of a Department of Correctional Services official to the Commission for Conciliation, Mediation and Arbitration (CCMA). Solidarity are reportedly challenging the fact that the official did not qualify for a salary adjustment as he had completed his performance evaluation documents in Afrikaans, and not in English, as required by the Department. Reported by The Citizen, 27 May 2013, at <http://www.citizen.co.za/citizen/content/en/citizen/local-news?oid=429978&sn=Detail&pid=146826&No-pay-rise--for-applying-in-Afrikaans>

**Budget speech:** allAfrica.com published the Minister of Correctional Services' media statement on his 2013/2014 budget speech, which was delivered on 29 May 2013. The statement sets out current prison population statistics, prison demographics and describes the Department's efforts at rehabilitation, electronic monitoring and gang management strategy. The press statement is available at <http://allafrica.com/stories/201305300175.html?viewall=1> Other reports on the budget speech are available at <http://www.iol.co.za/news/crime-courts/ndebele-has-a-plan-for-sa-s-inmates-1.1524466#.Ua3OZ9hsRWA> and [http://www.thenewage.co.za/97432-1007-53-R6bn\\_to\\_fight\\_prison\\_gangs](http://www.thenewage.co.za/97432-1007-53-R6bn_to_fight_prison_gangs)

## **REHABILITATION**

**Music behind bars:** allAfrica.com reported that offenders are preparing to participate in the 2014 Cape Town International Jazz Festival. Professional musicians have reportedly partnered with the Department of Correctional Services and are in the process of hosting workshops in various correctional centres in the Western Cape on musicianship and event planning. The initiative is reportedly part of the Department's rehabilitation efforts. Reported by allAfrica.com, 2 May 2013, at <http://allafrica.com/stories/201305021230.html>

**Prisoners assist schools:** allAfrica.com reported that on 14 May 2013 the Minister of Correctional Services handed over 52 desks to Nozizwe Public School in Stilfrontein, North West Province. The desks were reportedly refurbished by offenders. The Minister reportedly stated that the Department of Correctional Services would continue 'to contribute to a decent education' and to make a positive contribution to communities. Reported by

allAfrica.com, 14 May 2013, at <http://allafrica.com/stories/201305141302.html>

## OTHER AFRICAN COUNTRIES

### DEMOCRATIC REPUBLIC OF CONGO

**Mbuji-Mayi prison overcrowded:** Radio Okapi reported on the overcrowded conditions of Mbuji-Mayi prison, which has an occupancy level of 566%, with a sentenced population at only 37% of the total prison population. A government committee has reportedly been considering other places of detention in the area that could take in some inmates. Original report in French. Reported by Radio Okapi, 18 May 2013, at <http://radiookapi.net/actualite/2013/05/18/mbuji-mayi-surpeuplee-la-prison-centrale-heberge-850-personnes/>

### ERITREA

**Secret detention facilities:** NPR reported the story of Kindane Isaac who was 18 when the authorities arrested him for “an unspecified crime.” The report notes that it is likely that he was suspected of planning to desert military service. Isaac was taken to a remote prison, a shipping container, one of the many reportedly secret prisons scattered around the country visible only by satellite. An Amnesty International reportedly notes that thousands of political prisoners are being held in secret facilities in the Eritrean dessert. Reported by Gregory Warner, 19 May 2013, at <http://www.npr.org/blogs/parallels/2013/05/19/184846121/escape-from-an-eritrean-prison>

### IVORY COAST

**United States embassy highlights conditions of detention:** L’Infodrome reported on the 2012 Report on the Human Rights situation in Ivory Coast. It highlighted, among others, issues of conditions of detention (including overcrowding and corruption), arbitrary arrests and detention, and torture and other ill-treatment at the hands of police and prison officials. Original report in French. By L’Infodrome, 16 May 2013 at [http://www.linfodrome.com/index.php?option=com\\_content&view=article&id=9012:rapport-explosif-sur-les-droits-de-l-homme-en-cote-d-ivoire-les-etats-unis-accablent-le-regime-ouattara&catid=8:vie-politique&Itemid=110](http://www.linfodrome.com/index.php?option=com_content&view=article&id=9012:rapport-explosif-sur-les-droits-de-l-homme-en-cote-d-ivoire-les-etats-unis-accablent-le-regime-ouattara&catid=8:vie-politique&Itemid=110)

### KENYA

**Measures to combat overcrowding:** Sabah reported that the government announced that it intends to release 15 000 inmates in an effort to reduce prison overcrowding. The National Community Service Order Committee National Co-ordinator reportedly stated that overcrowding makes it difficult to rehabilitate inmates who are incarcerated for shorter periods. Accordingly, prisoners serving prison sentences of up to a maximum of three years will be targeted for early release and placed in community corrections programmes. Reported by Sabah, 6 May 2013, at [http://sabahonline.com/en\\_GB/articles/hoa/articles/newsbriefs/2013/05/06/newsbrief-05](http://sabahonline.com/en_GB/articles/hoa/articles/newsbriefs/2013/05/06/newsbrief-05)

**Prison conditions described as ‘gentle’:** The Star reported that Kenya’s only maximum security facility for women, located just outside Nairobi, is a good example of a well-managed and deeply caring environment. There are about 1000 women incarcerated at the prison, yet security is relatively low compared to other secure environments. The women reportedly engage in a number of healthy activities together, such as cooking and yoga and receive psychological counselling when needed. Reported by Tristan McConnell, 20 May 2013, at [http://www.thestar.com/news/world/2013/05/20/is\\_this\\_the\\_worlds\\_gentlest\\_prison.html](http://www.thestar.com/news/world/2013/05/20/is_this_the_worlds_gentlest_prison.html)

### NIGERIA

**Feature length story on educational rehabilitation in prison:** allAfrica.com reported on a feature story published by This Day, which describes the experience of two journalists who spent a day in a Lagos Prison interviewing two inmates, one sentenced and one awaiting trial. The inmates recount their experience in prison, in particular, their decision to study and take the matriculation exams. The awaiting trial inmate had been incarcerated for seven years. Reported by allAfrica.com, 6 May 2013, at <http://allafrica.com/stories/201305060102.html?viewall=1>

**President expresses concern over Nigerians in South African Prisons:** allAfrica.com reported that President Goodluck Jonathan expressed shock over the large number of Nigerian citizens in South African prisons. He reportedly addressed a community of Nigerians in Cape Town on Monday 6 May 2013 during which he noted that more than 400 of the approximate 250 000 Nigerians in South Africa are serving sentences of imprisonment, which is reportedly a much higher amount than other African countries. Reported by Debo Oshundun, 7 May 2013, at <http://allafrica.com/stories/201305070357.html>

**Prisoners released during raid:** Aljazeera reported that suspected fighters of the Nigerian group Boko Haram

attacked and raided the northeastern town of Bama on Tuesday 7 May 2013. Fighters reportedly freed 105 inmates from the town's military prison during the raid, killing 14 prison officials in the process. Reported by Aljazeera, 8 May 2013, at <http://www.aljazeera.com/news/africa/2013/05/201357225836850553.html>

**Prison transfer agreement:** The Premium Times reported that Nigeria and South Africa are working towards a prisoner exchange agreement. The terms of such an agreement were reportedly discussed during the President's recent visit to South Africa. A prison exchange agreement would reportedly allow Nigerians currently serving prison terms in South Africa to return to Nigeria to complete their prison terms. Reported by The Premium times, 17 May 2013, at <http://premiumtimesng.com/news/134749-nigeria-seeks-prisoner-swap-with-south-africa.html>

**Nigerians in Brazilian prisons:** Leadership Nigeria reported that approximately 500 out of the 5000 Nigerians living in Brazil are incarcerated in different prisons around the country. Almost all of the Nigerian prisoners are either awaiting trial on drug-related charges or are serving sentences of imprisonment after having been convicted of drug offences. Reported by Nkem Osuagwu, 18 May 2013, at <http://leadership.ng/news/180513/500-nigerians-languish-brazil-s-prisons-ambassador>

**Rising number of remand detainees:** Worldstage reported that the Federal Government has inaugurated a twelve-person Inter-ministerial committee for the purpose of coming up with ways to decongest the prisons nationwide. The Minister of Interior reportedly stated that about 70 per cent of the Nigerian prison population are awaiting trial and are thus a major driving factor when it comes to overcrowding. Reported by Mos Abaka, 19 May 2013, at <http://www.worldstagegroup.com/worldstagenew/index.php?active=news&newscid=8696&catid=2>

## SOMALIA

**Alleged pirates await trial in Seychelles:** The BBC reported that a United Nations funded prison, Montagne Posee, located in the Seychelles, is being used as an awaiting trial facility for suspects accused piracy. There are reportedly 66 Somalis awaiting trial on charges of piracy. If convicted, they will be deported to Puntland, Somalia, to serve their sentences. There are reportedly more than 1000 convicted Somali pirates in prisons around the World. Reported by Anthony Denselow, 18 May 2013, at <http://www.bbc.co.uk/news/magazine-22556030>

## SOUTH SUDAN

**Improvement of prisons:** Oye! News reported that the government has approved a large amount of money for certain prison reforms, in particular, the refurbishment of female prisons and improved treatment of mentally ill inmates. There have reportedly been a number of reports authored by human rights organisations which have been extremely critical of the conditions of detention in South Sudan. Reported Simon Wudu, 6 May 2013, at <http://www.oyetimes.com/news/africa/41388-cabinet-approves-270-000-for-prison-reforms-in-south-sudan>

## TANZANIA

**Government responds to health care questions:** allAfrica.com reported on a series of questions that were posed by a Member of Parliament to the Deputy Minister of Health and Social Welfare regarding health care in the country's prisons. The Minister reportedly responded by emphasising that prisoners are entitled to quality medical services and that the Prisons Department is campaigning to have both sentenced prisoners and remand detainees insured by the "community health insurance fund." The Minister reportedly added that although the Department has health care experts in their employ, there is an unfortunate shortage of medicines and ambulances. Reported by allAfrica.com, 11 May 2013, at <http://allafrica.com/stories/201305110099.html>

## UGANDA

**Prisoner obtains law degree:** The African Prisons Project published a post on its website about a prisoner, Paddy Lwangwa, who was one of the students sponsored by APP to study a LLB degree through the University of London. Lwanga spent nine years on death row before eventually being released by a court on account of there being insufficient evidence to convict him of the crime of murder. During his time on death row he was enabled by his studies to better understand the case against him. African Prisons Project published this account on the 14 May 2013, at <http://www.africanprisons.org/news/achieving-the-impossible/>

**Screening for tuberculosis:** allAfrica.com reported that the screening of prisoners at the Luzira Upper Prison for TB has reduced the number of infections. Prior to screening, approximately 100 prisoners were reportedly receiving treatment annually at the prison. Since the screening commenced, only 22 prisoners are reportedly in need of TB treatment. Reported by Petride Mudoola, 22 May 2013, at <http://allafrica.com/stories/201305221503.html>

## ZAMBIA

**Sentences commuted:** allAfrica.com reported that President Sata commuted the death sentences of 113 prisoners to life imprisonment and pardoned almost 650 prisoners. The Human Rights Commission reportedly commended the President for having commuted the sentences of death, emphasising that it did not support the retention of the death penalty and that it should be abolished. Reported by Precious Sakala, 27 May 2013, at <http://allafrica.com/stories/201305280470.html>

## ZIMBABWE

**Disease in prisons:** The Standard reported that the HIV prevalence rate in Zimbabwean prisons is 27 per cent, almost double the national prevalence rate. The Zimbabwe Prisons Services is reportedly on record as having stated that it will not permit certain HIV and Aids preventative measures such as condoms as this would be “legalising illicit behaviour.” Reported by Moses Chibiya, 12 May 2013, at <http://www.thestandard.co.zw/2013/05/12/hiv-wreaks-havoc-in-prisons/>

## OTHER

**African migrant inmates protest:** The Jerusalem Post reported that on 5 and 6 May 2013 340 African migrants were protesting what they term ‘their illegal detention’ and calling for their release. The protesters were all African migrants who are being detained under the Prevention of Infiltration Law (1954) which authorises the state to incarcerate people who enter the country illegally for three years or longer. Reported by Ben Hartman, 7 May 2013, at <http://www.jpost.com/National-News/African-migrants-attack-guards-at-prison-312373>

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