



Project of the Community Law Centre

CSPRI "30Days/Dae/Izinsuku" February 2012

# In this Issue:

GOVERNANCE AND CORRUPTION ESCAPES PAROLE AND SENTENCING OTHER OTHER AFRICAN COUNTRIES

# **GOVERNANCE AND CORRUPTION**

**Extension of contract to allegedly "fraudulent" company:** News24 reported that the Department of Correctional Services extended a multimillion-rand catering tender to Bosasa Operations, a company implicated in "massive tender fraud and corruption". The contract reportedly involves catering services for seven prison management areas. Reported by news24.com, 9 February 2012, at <a href="http://www.news24.com/SouthAfrica/News/Bosasa-scores-again-20120209-2">http://www.news24.com/SouthAfrica/News/Bosasa-scores-again-20120209-2</a>

**Employment equity policy under scrutiny:** Rapport reported that the Department of Correctional Services was refusing to promote coloured officials in the Wester Cape region as this would, according to the Department, violate the national government's employment equity plan. The equity plan reportedly stipulates that 79.3% of employees should be black, 9.3% white, 8.8% coloured and 2.5% Indian. Reported by the Rapport, 11 February 2012, at <a href="http://www.rapport.co.za/Suid-Afrika/Nuus/Te-veel-bruin-werkers-in-Wes-Kaap-se-DKD-20120211">http://www.rapport.co.za/Suid-Afrika/Nuus/Te-veel-bruin-werkers-in-Wes-Kaap-se-DKD-20120211</a>

# **ESCAPES**

**Prisoners escape**: The New Age reported that one of three remand detainees that escaped from Zeerust police station on the weekend of the 28 January 2012 had been re-arrested. The other two escapees are reportedly are still at large. Reported by Elfas Torerai, 2 February 2012, at <a href="http://www.thenewage.co.za/42185-1008-53-Escaped prisoner rearrested">http://www.thenewage.co.za/42185-1008-53-Escaped prisoner rearrested</a>

**Official implicated in escape**: The Sunday Tribune reported that a Westville prison official was arrested but granted bail in connection with his alleged involvement in the escape of a prisoner. Reported by the Sunday Tribune, 12 February 2012, at <a href="http://sundaytribune.newspaperdirect.com/epaper/showarticle.aspx?article=a699907b-6c67-425e-82c6-ca2f010aefda&key=y9HYqUIL%2fr9U3JZgdtfx3Q%3d%3d&issue=7053201202120000000001001">http://sundaytribune.newspaperdirect.com/epaper/showarticle.aspx?article=a699907b-6c67-425e-82c6-ca2f010aefda&key=y9HYqUIL%2fr9U3JZgdtfx3Q%3d%3d&issue=70532012021200000000001001</a> (subscription needed)

# PAROLE AND SENTENCING

**Parolees object to electronic tagging devices:** The Mercury reported that two men who have been released on parole after having served 19 years in prison are objecting to wearing electronic tagging devices. The two were sentenced to life imprisonment in 1993. Reported by The Mercury, 10 February 2012, at

http://themercury.newspaperdirect.com/epaper/showarticle.aspx?article=80725121-d0c8-4701-b723-3111b70db289&key=Asq2qRi2bb%2fPeF7JvzSiTq%3d%3d&issue=6403201202100000000001001 needed).

(subscription

New parole structure: The Mail and Guardian reported that an independent medical parole board had been established in order to review all applications for parole by seriously ill prisoners. The board would reportedly come into effect on 1 March 2012. Reported by Mail and Guardian, 19 February 2012, athttp://mg.co.za/article/2012-02-19-selebi-case-yields-new-parole-structure/

Parolees visit pupils: The New Age reported that a group of parolees visited Pensele Primary School in Mashonamini as part of a crime prevention campaign organised by the Department of Correctional Services. The parolees reportedly talked to the children about the effects of crime. Reported by Elvis Mashele, 14 February 2012, at http://www.thenewage.co.za/43363-1014-53-Parolees give pupils life lessons

Pilot project on electronic monitoring: ITweb reported that a pilot electronic monitoring project for parolees will be implemented during February and March 2012. The pilot involves 150 parolees and will run for twelve months at a cost of R6.8 million. Each parolee on the programme will receive a bracelet that is connected to a satellite, allowing correctional officers to monitor where the parolee is at all times. Reported by Farzana Rasool, 27 February 2012, at http://www.itweb.co.za/index.php?option=com content&view=article&id=51997:prisoner-tagging-begins

#### **OTHER**

Security breaches in prisons: IOL reported that a "breach in security" was the reason many cell phones were being smuggled into prisons thus enabling prisoners to sustain criminal activities from within prison facilities. The story also alleged that certain prison officials were under investigation for smuggling cell phones, drugs and other contraband into prisons. Reported by Agiza Hlongwane, 5 February 2012, at http://www.iol.co.za/news/south-africa/kwazulunatal/busy-prison-network-1.1227499

Prison official remains at work despite discipline investigation: News24.com reported that an Odendaalsrus prison official who was captured on video drunk whilst at work is reportedly still at work. According to the Regional Commissioner for the Department of Correctional Services, the matter was investigated internally and the official was warning. Reported bv news24.com, February http://www.news24.com/SouthAfrica/News/Drunk-prison-warder-still-on-the-job-20120208

# **OTHER AFRICAN COUNTRIES**

#### **ANGOLA**

New prisons: allAfrica.com reported that the country's first prison for young people was being built in Wako Kungo City and would begin operating during 2012. Another five prisons with the capacity to accommodate between 600 to 1 500 prisoners are also reportedly under construction. Reported by allafrica.com, 3 February 2012, at http://allafrica.com/stories/201201030483.html

#### **BOTSWANA**

Prisoner hanged: Mmegi Online reported that former death row prisoner, Zibani Thamo, was hanged on 31 January 2012. There are reportedly three prisoners on death row in Botswana. Reported by Mmegi Online, 1 February 2012, at http://www.mmegi.bw/index.php?sid=1&aid=270&dir=2012/February/Wednesday1

## **CAMEROON**

Ten women detained on charges of homosexuality: The Daily Mail reported that ten women arrested in Cameroon on charges of being homosexual are being detained until their respective trials. Consensual same-gender sex is punishable by a prison sentence of between six months to five years. Reported by Simon Tomlinson, 24 2012, http://www.dailymail.co.uk/news/article-2105855/Ten-women-arrested-Cameroonlesbian.html?ito=feeds-newsxml

Working conditions of Cameroonian prison guards denounced: Le Jour reported that a Presidential decree issued during the course of 2011 purported to align the employment status of prison officials with that of other law enforcement personnel from 1 January 2011, thereby improving their employment benefits. The decree has not been implemented yet, however. The report noted that prison officials often secretly facilitate prison escapes, which in turn

leads to a worsening of their professional reputation and status. Original report in French. Reported by Claude Tadjon, 27 February 2012, at <a href="http://www.camer.be/index1.php?art=18108&rub=11:1">http://www.camer.be/index1.php?art=18108&rub=11:1</a>

CENTRAL AFRICAN REPUBLIC

**Journalists sentenced to imprisonment**: Star Africa reported that two journalists were sentenced to ten months imprisonment in connection with authoring newspaper articles critical of Finance Minister Sylvain Ndoutingaï's handling of public funds. Reported by Star Africa, 1 February 2012, at <a href="http://www.starafrica.com/en/news/detail-news/view/two-editors-given-jail-terms-in-central-216165.html">http://www.starafrica.com/en/news/detail-news/view/two-editors-given-jail-terms-in-central-216165.html</a>

DEMOCRATIC REPUBLIC OF CONGO

**Repatriated immigrants detained in prison:** Radio Okapi reported that 52 Congolese men that had been deported from South Africa were then detained by Congolese authorities in Kasapa prison. The authorities reportedly insisted their detention was necessary for identification purposes. Original report in French. Reported by Radio Okapi, 18 February 2012, at <a href="http://radiookapi.net/actualite/2012/02/18/lubumbashi-52-congolais-expulses-de-lafrique-du-sud-sont-gardes-la-prison-de-kasapa/">http://radiookapi.net/actualite/2012/02/18/lubumbashi-52-congolais-expulses-de-lafrique-du-sud-sont-gardes-la-prison-de-kasapa/</a>

#### **EGYPT**

**Reports of torture**: AU News reported that an Australian freelance reporter gave a press interview in which he confirmed that there had indeed been allegations against prison authorities in Egypt of torture of prisoners. The journalist had been detained in Egypt on suspicion of paying Egyptians to stage protests against the authorities. Reported by au.news, 14 February 2012, at <a href="http://au.news.yahoo.com/world/a/-/world/12904997/australian-tells-of-torture-in-egypt/">http://au.news.yahoo.com/world/a/-/world/12904997/australian-tells-of-torture-in-egypt/</a>

#### **GAMBIA**

**Prison officials trained**: Freedom Newspaper reported that the African Center for Democracy and Human Rights Studies in collaboration with the Gender Action Team and the Gambian Police Force completed a two day consultative and interactive training programme for prisons officials on the rights of female prisoners. Reported by Abubacarr Saidykhan,

5 February

2012, at <a href="http://www.freedomnewspaper.com/Homepage/tabid/36/mid/367/newsid367/7263/Gambia-Breaking-News--MILE-2-PRISON-WARDENS-TRAINED-ABOUT-THE-RIGHTS-OF-CONVICTED-FEMALE-PRISONERS/Default.aspx">http://www.freedomnewspaper.com/Homepage/tabid/36/mid/367/newsid367/7263/Gambia-Breaking-News--MILE-2-PRISON-WARDENS-TRAINED-ABOUT-THE-RIGHTS-OF-CONVICTED-FEMALE-PRISONERS/Default.aspx</a>

IVORY COAST

**Eighteen escape from Katiola prison**: Abidjan.net reported that on 25 February 2012 34 prisoners attempted to escape from Katiola prison after prison officials reportedly failed to lock the cells after serving food to the prisoners. Prison officials reportedly fired warning shots at the fleeing prisoners and managed to re-arrest sixteen of them. Original report in French. Reported by Bahi K., 27 February 2012, at <a href="http://news.abidjan.net/h/427528.html">http://news.abidjan.net/h/427528.html</a>.

#### **KENYA**

**Information technology training for prisoners**: The Star reported that prisoners from the Langata West Prison will be able to take courses in information technology. If they successfully complete the courses, they will be able to graduate with a Diploma in Information Technology from Zetech College. Reported by Chrispinus Wekesa, 15 February 2012, at <a href="http://www.the-star.co.ke/national/national/62568-prisoners-to-get-diplomas-from-zetech-college">http://www.the-star.co.ke/national/national/62568-prisoners-to-get-diplomas-from-zetech-college</a>

**Young children in prison with mothers**: allAfrica.com reported that 361 children under fours years of age live with their mothers in Kenya's prisons, which are reportedly overcrowded and unhygienic. In addition, the children are unable to access any educational or recreational facilities. Reported by Zadock Angira, 21 February 2012, at <a href="http://allafrica.com/stories/201202220081.html">http://allafrica.com/stories/201202220081.html</a>

**Prisoners to benefit from presidential pardon**: The Nation reported the Office of the Vice President had stated that about half of the country's prisoners, more than 20 000, would be released by the end of the year as a result of presidential pardons. Reported by the Nation, 22 February 2012, at <a href="http://www.nation.co.ke/oped/Editorial/Support fresh">http://www.nation.co.ke/oped/Editorial/Support fresh</a> efforts to reform our prisons /-/440804/1332920/-/2eg6uwz/-/

# LIBERIA

**Courts in prison**: allAfrica.com reported that the government had set-up magisterial courts within the most populated prisons in Liberia to help fast track minor cases and reduce prison congestion. Reported by Throble Suah, 7

#### **LIBYA**

Amnesty International reports on rampant torture in prisons: The Guardian reported that Amnesty International condemned the Libyan militias' use of torture against suspected Gaddafi loyalists which are reportedly being detained in prisons and secret places of detention all over the country. Reported by Chris Stephen and Luka Harding, 16 February 2012 at <a href="http://www.guardian.co.uk/world/2012/feb/16/amnesty-widespread-torture-libyan-militias?newsfeed=true">http://www.guardian.co.uk/world/2012/feb/16/amnesty-widespread-torture-libyan-militias?newsfeed=true</a>.

## **MALAWI**

Government critic arrested: New Era reported that Ralph Kasambara, a high-profile lawyer in Malawi, was recently arrested and transferred to Zomba prison in connection with having accused government "thugs" of attempting to by Era, petrol bomb his law offices. Reported New 20 February 2012, at http://www.newera.com.na/articles/42935/Outspoken-critic--of-Malawi-s--president-iailed

#### **MOROCCO**

**Campaign to abolish death penalty**: Magharebia reported that non-governmental organisations were holding campaigns ahead of the re-drafting of a new constitution as part of efforts to "develop public debate on the need to protect the right to life and abolish the death penalty" as well as to harmonise local laws with international human rights mechanisms. Reported by Naoufel Cherkaoui, 20 February 2012, at <a href="http://www.magharebia.com/cocoon/awi/xhtml1/en-GB/features/awi/features/2012/02/20/feature-03">http://www.magharebia.com/cocoon/awi/xhtml1/en-GB/features/awi/features/2012/02/20/feature-03</a>

## **MOZAMBIQUE**

**Prisoners escape**: Club of Mozambique reported that 83 prisoners escaped from Angonia district prison in the western Mozambican province of Tete and that police had managed to recapture four of the escapees. The mass escape was reportedly a result of a prison official having abandoned his guard post. Reported by Club of Mozambique, 1 February 2012, at <a href="http://www.clubofmozambique.com/solutions1/sectionnews.php?secao=mozambique&id=23838&tipo=one">http://www.clubofmozambique.com/solutions1/sectionnews.php?secao=mozambique&id=23838&tipo=one</a>

#### **NAMIBIA**

Concern over effectiveness of rehabilitation: New Era reported that members of the public are generally skeptical about the ability of Namibian prisons to effectively rehabilitate prisoners given the high rate of recidivism in the country. Reported by Mwaka Liswaniso, 15 February 2012, at <a href="http://www.newera.com.na/articles/42855/Does-prison-reform-inmates-">http://www.newera.com.na/articles/42855/Does-prison-reform-inmates-</a>

## **NIGERIA**

**Prison officials dismissed**: The Nation Online reported that the Federal Government had dismissed 50 prison officials for "security breaches" which had reportedly led to the escape of dangerous prisoners. Reported by Gbenga Omokhunu, 1 February 2012, at <a href="http://www.thenationonlineng.net/2011/index.php/news/36100-50-prison-officers-sacked-for-jail-breaks,-inmates%E2%80%99-escape.html">http://www.thenationonlineng.net/2011/index.php/news/36100-50-prison-officers-sacked-for-jail-breaks,-inmates%E2%80%99-escape.html</a>

**High number of remand detainees**: Leadership Nigeria reported that the Deputy Controller of Prisons said that out of 898 prisoners at Onitsha prison, only 53 had been convicted and were serving their sentences. The remainder were remand detainees. The prison is reportedly severely overcrowded as it is only designed to accommodate 326 prisoners. Reported by Leadership Nigeria, 14 February 2012, at <a href="http://leadership.ng/nga/articles/16366/2012/02/14/845">http://leadership.ng/nga/articles/16366/2012/02/14/845</a> inmates await trial onitsha prisons %E2%80%93 official.

**Attack on prison**: ABC reported that the radical islamic sect, Boko Haram, attacked a prison in Kogi state which led to the escape of 119 prisoners. The attack was reportedly orchestrated for the purpose of releasing seven Boko Haram members. Reported by Ginny Stein, 17 February 2012, at <a href="http://www.abc.net.au/news/2012-02-17/attackers-bomb-jail-and-free-inmates/3835132?section=world">http://www.abc.net.au/news/2012-02-17/attackers-bomb-jail-and-free-inmates/3835132?section=world</a>

# **RWANDA**

**Upgrading of prisons**: The East African reported that the Rwandan government intends to "overhaul" the country's prison in order to improve living conditions for prisoners. The report also said that the government intends to introduce community service as a major part of the sentencing regime for lesser crimes. Reported by East African, 5

February 2012, at http://www.theeastafrican.co.ke/news/Rwanda to upgrade prisons /-/2558/1320598/-/5xlmiwz/-/

## **SOMALILAND**

**Prison transfer deal discussed**: Somaliland Press reported that the Seychelles President and the President of the Republic of Somaliland had discussed the transfer of Somali pirates currently serving sentences in prison in the Seychelles. The two leaders also signed a joint statement recognizing their joint concern about the serious impact piracy has on the region and on international security. Reported by Somaliland Press, 24 February 2012, at <a href="http://somalilandpress.com/seychelles-and-somaliland-taking-steps-towards-prisoner-transfers-26689">http://somalilandpress.com/seychelles-and-somaliland-taking-steps-towards-prisoner-transfers-26689</a>

## **TANZANIA**

**Allegations of torture**: allAfrica.com reported that a Member of Parliament (Magdalena Sakaya) told Parliament that she had suffered a serious violation of her rights at the hands of female prison officers when imprisoned years before. She stated that female prisoners are often "stripped naked and frog-jumped." Reported by Rose Athumani and Christopher Majaliwa, 2 February 2012, at <a href="http://allafrica.com/stories/201202021198.html">http://allafrica.com/stories/201202021198.html</a>

**Community opposition to community service sentences**: The Citizen reported that there is opposition by community members to "community service" type sentences being imposed by the courts in terms of the Community Services Act. A Judge reportedly commented that "the idea of community service has not sunk well in the mindset of many people. They want to see the convicts serving their sentences in jails no matter what crime they have committed." Reported by Zephania Ubwani, 6 February 2012, at <a href="http://thecitizen.co.tz/news/-/19529-many-oppose-community-jail-terms">http://thecitizen.co.tz/news/-/19529-many-oppose-community-jail-terms</a>

**Access to information**: allAfrica.com reported that the Tanzania Journalists Alliance has commenced a programme in which news and reading material will be distributed to prisons in the country with the aim of promoting access to information for prisoners. Reported by Rose Athumani, 20 February 2012, at <a href="http://allafrica.com/stories/201202201730.html">http://allafrica.com/stories/201202201730.html</a>

## **TUNISIA**

**Prison and justice reform on the agenda**: Business News reported that prison and judicial reform was currently on the government's political agenda. The prison reform will reportedly focus on providing more state funds, ensuring respect for human rights inside prisons and establishing a more professional prison staff. Original report in French. Reported by Fethi Belaid, 21 February 2012, at <a href="http://www.businessnews.com.tn/Tunisie----R%C3%A9forme-du-syst%C3%A8me-judiciaire-et-p%C3%A9nitentiaire,-mode-d%E2%80%99emploi-%C3%A0-l%E2%80%99europ%C3%A9enne,519,29479,1.">http://www.businessnews.com.tn/Tunisie----R%C3%A9forme-du-syst%C3%A8me-judiciaire-et-p%C3%A9nitentiaire,-mode-d%E2%80%99emploi-%C3%A0-l%E2%80%99europ%C3%A9enne,519,29479,1.</a>

## **UGANDA**

**Prisons lack space:** The Monitor reported that the Apac and Kole prisons are severely overcrowded. The Regional Prisons Commander for Lango reportedly stated that the government had plans to renovate the prisons in order to improve conditions. Reported by Denis Ongeng, 2 February 2012, at <a href="http://www.monitor.co.ug/News/National/688334/1318444/-/b1cj6oz/-/">http://www.monitor.co.ug/News/National/688334/1318444/-/b1cj6oz/-/</a>

**Poor health care for mentally ill prisoners**: allAfrica.com reported that the country's prisons lacked tailor-made medical services for the treatment of mentally ill prisoners. In a bid to solve the problem, some prisons are reportedly hiring extra social workers to assist by providing counseling services. Reported by Ciaran Cross and Ivan Okuda, 5 February

2012, at <a href="http://allafrica.com/stories/201202061136.html">http://allafrica.com/stories/201202061136.html</a>

# ZAMBIA

**Water company discontinues services**: The Times reported that the Lukanga Water and Sewerage Company had disconnected the water supply to all prisons in the Central province in order "to recover more than K200 million owed in water bills." A spokesman for the Company reportedly stated that the disconnection was not intended to punish prisoners but was aimed at ensuring the prisons committed themselves to "clearing the huge bills". Reported by Times, 23 February 2012, at <a href="http://www.times.co.zm/index.php?option=com\_content&view=article&id=5091:clear-bills-or-no-water-for-prisons&catid=36:local-news&Itemid=27">http://www.times.co.zm/index.php?option=com\_content&view=article&id=5091:clear-bills-or-no-water-for-prisons&catid=36:local-news&Itemid=27</a>

# **ZIMBABWE**

**Toddlers imprisoned with their mothers**: New Zimbabwe reported that thirty toddlers are currently incarcerated in Zimbabwe's prisons with their mothers. The Deputy Minister of Justice reportedly said that "this situation was a result

of a collapse in social services, who ideally should step in and look after the children until their mothers are freed." Reported by New Zimbabwe, 9 February 2012, at <a href="http://www.newzimbabwe.com/news-7138-30%20toddlers%20jailed%20with%20their%20mums%20minister/news.aspx#news">http://www.newzimbabwe.com/news-7138-30%20toddlers%20jailed%20with%20their%20mums%20minister/news.aspx#news</a>

Zimbabwe to ratify UN Convention against torture: The Herald reported that the government had begun motivating for the formal ratification of the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. The report quotes the Minister of Justice as saying that "people who are alleged to have committed torture in Zimbabwe did not do it with the authority of their superiors." Reported by Sydney Kawaza,

20 February

2012, at <a href="http://www.herald.co.zw/index.php?option=com\_content&view=article&id=34357:govt-pushes-to-ratify-un-convention-against-torture&catid=37:top-stories&Itemid=130">http://www.herald.co.zw/index.php?option=com\_content&view=article&id=34357:govt-pushes-to-ratify-un-convention-against-torture&catid=37:top-stories&Itemid=130</a>

**Activists granted bail**: Nehanda Radio reported that seven of the 29 MDC-T activists accused of murdering a police officer were granted bail by Supreme Court Deputy Chief Justice after having spent nearly ten months in remand detention. The activists described the prison conditions as "outrageous and inhumane". Reported by Nehanda Radio, 21 February 2012, at <a href="http://nehandaradio.com/2012/02/21/pictures-of-mdc-t-activists-being-released/">http://nehandaradio.com/2012/02/21/pictures-of-mdc-t-activists-being-released/</a>

**Justice delivery system criticised**: The Zimbabwean reported that the Deputy Minister of Justice, Legal and Parliamentary Affairs, Obert Gutu described the justice delivery system in the country as "corrupt" and the state of the nation's prisons as "hellish". Gutu was reportedly delivering a paper on the justice system at a civil rights conference in Harare. Reported by Paul Ndlovu, 29 February 2012, at <a href="http://www.thezimbabwean.co.uk/news/zimbabwe/56632/prison-is-hell-judiciary-corrupt.html?utm">http://www.thezimbabwean.co.uk/news/zimbabwe/56632/prison-is-hell-judiciary-corrupt.html?utm</a> source=thezim&utm medium=homepage&utm campaign=listarticle&utm content=headinglink



CSPRI welcomes your suggestions or comments for future topics on the email newsletter. Tel: (27) 021-9592950 http://www.communitylawcentre.org.za/clc-projects/civil-society-prison-reform-initiative/

If this email was forwarded to you and you would like to receive these newsletters in the future, please click here to subscribe.

Update my details

<u>Unsubscribe</u>

