



# 30 Days Dae Izinsuku

Project of the  
Community Law Centre

"30 Days/Dae/Izinsuku" July 2009

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**SENTENCING AND PAROLE**

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**Judge orders consideration for parole of three death sentence prisoners:** Three prisoners previously sentenced to death must be considered for parole immediately, the North Gauteng High Court ruled. According to a Beeld report, the applicants questioned the constitutionality of Section 136 of the Correctional Services Act - the section prescribing a minimum prison term of 20 years for those sentenced to life imprisonment before 1 October 2004. Judge Eberhard Bertelsmann said he was bound by a judgment of a full Bench in the same court which found this section to be constitutional. Three of the eight applicants have already served 20 years imprisonment and must therefore be considered for parole. Reported by Jeanne-Marié Versluis 3 July 2009 Beeld at [http://jv.news24.com/Beeld/Suid-Afrika/0,,3-975\\_2535867,00.html](http://jv.news24.com/Beeld/Suid-Afrika/0,,3-975_2535867,00.html)

**Notorious rapist refuse to be considered dangerous to society:** A notorious rapist Tsediso Letsoenya has admitted before the Western Cape High Court the charges of rape and indecent assault but denies to be considered by the court as dangerous to society. He was convicted of 70 of the 104 charges, including 28 of rape and 28 of indecent assault, against him. The 37-year Letsoenya admitted to having a problem with "sexual misbehaviour" for which he needed psychological help. The state wanted the accused imprisoned without the possibility of parole but the Supreme Court of Appeal recently ruled that life imprisonment, by which release on parole could only be considered after 25 years, had to be viewed as the toughest sentence. Reported by Karen Breytenbach 6 July 2009 IOL at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=nw20090706174003553C636855](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=nw20090706174003553C636855)

**Financial executive sentenced to 192 years for fraud:** Magistrate Rene Esterhuysen of Port Elizabeth Commercial Crimes Court sentenced former financial head of the Humansdorp Co-operative to 192 years imprisonment. Andre Strydom, 43, was found guilty of 92 counts of fraud and four involving money laundering, amounting to R12.5-million. The magistrate said "You abused the trust placed in you. You defrauded the complainant out of greed to feed your lavish lifestyle." Tjaard van Zyl, the state advocate, reportedly said that sentences handed down by the Commercial Crimes Court were normally perceived to be lenient. He added that "This sentence, however, will send out the message crimes does not pay.". Strydom will have to serve an effective 20 years before being considered for parole. Reported by Hendrick

Mphande 7 July 2009, The Herald at <http://www.theherald.co.za/article.aspx?id=441234>

**Pastor sentenced to 19 years imprisonment:** The Pretoria Regional Court sentenced a religious "Prophet and healer" to 19 years imprisonment for charges of rape, indecent assault, and theft. Thomas Timothy Sebelebele pleaded not guilty after his arrest in 2008 when he said he was a member of a religious organisation called the ZCC in Atteridgeville, Pretoria. The 31-year old accused, who was charged with sexually assaulting three women, has a history of related offences. The women reportedly said "he would just touch me, and I became powerless and with no will, just following him up the mountain near Atteridgeville." Prosecutor PW Coetzer said: "The accused is a sexual predator without remorse. If there was not a rape, there would not have been an abortion." Magistrate Edmund Patterson described Sebelebele's actions as "loathsome" crimes. "You were in a position with the church to exploit the complainants.". Reported by Hanti Otto 7 July 2009 IOL at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=vn20090707051219665C531186](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090707051219665C531186)

**Serial rapist receives life and 243 years:** The Cape Town High Court has finally decided the fate of a 38-year old seaman, Tsediso Letsoenya. It is reported that Letsoenya appeared before Judge Abe Motala and two assessors on Friday before he was given five life sentences and an additional 243 years imprisonment for charges that included rape, attempted rape, indecent assault and aggravated robbery. Sapa 10 July 2009 IOL at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=13&art\\_id=nw20090710120023303C335465](http://www.iol.co.za/index.php?set_id=1&click_id=13&art_id=nw20090710120023303C335465)

**Man sentenced for cruelty to his dog:** The Kokstad Magistrate's Court is reported to have sentenced a man to 18 months' imprisonment for dragging his dog behind his car. It is reported that he was also given the option of paying a R3000 fine. The SPCA is dissatisfied with the judgement as the maximum sentence is three years' imprisonment. 14 July 2009 SAPA at [http://www.news24.com/Content/SouthAfrica/News/1059/efed7ff3d0514b94b0f3fc734a25c6dc/14-07-2009%2007-07/Man\\_convicted\\_for\\_dragging\\_dog](http://www.news24.com/Content/SouthAfrica/News/1059/efed7ff3d0514b94b0f3fc734a25c6dc/14-07-2009%2007-07/Man_convicted_for_dragging_dog)

**New proposal for medical parole may result in more releases:** Many more prisoners may be released from prison on medical parole even though they must have served the minimum term of their sentence, if proposals by the Judicial Inspectorate for Correctional Services are accepted. The proposals to facilitate the release of prisoners with a terminal condition is based on findings that of the 982 people who died due to natural causes last year, only 14% were considered for medical parole and only 5%, or 54 prisoners, were indeed released on medical parole in 2008. Gideon Morris of the Judicial Inspectorate Correctional Services said "These were all people who were receiving medical treatment and whose medical condition was well known to the department". He added that "The question is whether the prisons can offer the proper level of care to people suffering from terminal illnesses." It is reported that releasing prisoners like Schabir Shaik, former financial adviser to President Jacob Zuma, who was sentenced to 15 years for corruption and fraud and has served just two-and-a-half years ? mostly in a private hospital ? has caused a public outcry, especially among civic organisations, which cited many cases of prisoners in the final stages of AIDS who had been refused medical parole. By Chantelle Benjamin 21 July 2009 BusinessDay at <http://www.businessday.co.za/Articles/Content.aspx?id=76326>

**South African gets 8 years for kidnapping a nurse in UK:** The 35-year old Justice Ngema, who abducted a nurse last year, has been sentenced to eight years imprisonment in the UK. It was reported that Magdeline Makola from Livingston, West Lothian, was found dehydrated and with hypothermia following her ordeal last year, when she was left in the boot of her car for 10 days at sub-zero temperatures wearing only her night clothes. Ngema, reported to be an illegal immigrant from South Africa, used his victim's bank cards to fund a Christmas shopping spree and to drink champagne and cocktails with friends while his victim lay in the boot of her car. The judge said Ms Makola's experience had been "the stuff of nightmares", adding that "It's quite remarkable that she survived for so long. If the weather conditions had been different or she had not been so strong she could have died." Lord Menzies [concluded that] that Ngema be deported on his release from prison. Reported by Philippe Naughton and Charlene Sweeney 22 July 2009 Timesonline at TimesOnline at <http://www.timesonline.co.uk/tol/news/uk/crime/article6721690.ece>

## OVERCROWDING

**Over 40,000 prisoners should not be behind bars:** The Judicial Inspectorate for Correctional Services has blamed the rising number of awaiting trial prisoners on the inefficiency of the criminal justice system. Judge Deon van Zyl indicted the criminal justice system while briefing the Parliamentary Portfolio Committee on Correctional Services. According to the Inspecting Judge one in four prisoners, some 40 000 people, should not be behind bars. He told the committee that "There are too many people awaiting trial". He criticized police officers for not conducting proper investigations resulting in delays. "Why do the police arrest someone in the first case if there is no good case against him? That amounts to arbitrary detention," said Lukas Muntingh of CSPRI. On deaths in prison, Van Zyl reportedly said 500 prisoners had died in the past six months. He went further to reveal other statistics when he said "What is worrying us is that in the first six months (of this year) we have had 500 deaths. We are told those are natural deaths. I would like to see every single death followed by a post-mortem or inquiry. Why was that person subjected to rape (or) sexual assault on the first day of his arrival, as a result six months later he is dead?" He added that 37 percent of prisoners who died in custody did so within the first 12 months, and 62 percent had occurred within the first three years. Reported by Siyabonga Mkhwanazi and Carien du Plessis 9 July 2009 IOL at

[http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=vn20090709105227896C544985](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090709105227896C544985)

**Minister admits to critical overcrowding of prisons:** The Minister of Correctional Services, Ms Nosiviwe Mapisa-Nqakula, in response to a Parliamentary question admitted that 188 of the 237 prisons in South Africa are overcrowded. In her response she cited the cases of King Williamstown prison that is 261% full, Johannesburg Medium B that is 243% full and Johannesburg Med A that is 239% full. The Minister stated that the Department has developed a "comprehensive strategy to address overcrowding". The strategy would reportedly rely on building more prisons, placing more prisoners on parole and correctional supervision, and transferring prisoners between prisons to achieve a more equitable distribution of the prison population. In response, Mr. James Selfe of the Democratic Alliance enquired about the new prisons that had been promised since 2002. Reported by Philda Essop, Die Burger, 23 July 2009, <http://www.dieburger.com/Stories/News/19.0.1726542351.aspx>

**SA prisons critically overcrowded:** According to experts' warnings, there are fears that South African prisons are a ticking time-bomb due to overcrowding. The government has been urged to speedily address the problem, affecting over 188 prisons in the country. The Correctional Services Minister, Nosiviwe Mapisa-Nqakula, in a written reply to a parliamentary question, stated that 188 of the country's 243 (sic) prisons were at more than capacity as of April this year. IOL reported that Inspecting Judge for Correctional Services, Deon van Zyl, said that "Our main focus should be on reducing awaiting-trial detainees. Very few of them are released (on bail). We also need an initiative from the National Director of Public Prosecutions (NDPP) on plea-bargains,". Lukas Muntingh of the Civil Society Prison Reform Initiative warned that "no matter how many new prisons were built, overcrowding would not be resolved until systemic problems had been addressed". Reported by Siyabonga Mkhwanazi 24 July 2009 IOL at [http://www.iol.co.za/index.php?set\\_id=1&click\\_id=15&art\\_id=vn20090724005707451C291443](http://www.iol.co.za/index.php?set_id=1&click_id=15&art_id=vn20090724005707451C291443)

**Prisoner release a step towards solving overcrowding in prisons:** The government's decision to release awaiting-trial prisoners whose bail is R1000 or less, in order to reduce overcrowding in prisons has been welcomed by rights activists. Phumzile Kotane, Correctional Service spokesperson, stated that of the 19 711 prisoners in the Eastern Cape, 6404 were awaiting-trial prisoners, while 13 307 were already serving sentences. The province's prisons, she said, had a capacity to accommodate only 12 633 inmates. She further stated that "It's generally for people who have committed minor offences like theft or housebreaking (crimes with no aggravating circumstances). The amount is also an indication that the courts see them as posing no serious threat to society". She added that "Dangerous detainees are often denied bail or it is set at a much higher rate by the courts." However, the move by the government has not been welcomed by all and a police officer was quoted saying that "It makes it difficult for us. We are

trying to arrest criminals and they are releasing them. With the recession and high unemployment rate, they will not be able to get jobs and they will revert to their old habits. The cycle is repeated all over again." Lukas Muntingh, of the Civil Society Prison Reform Initiative at the Community Law Centre, said: "Of course, it's a good move because it will alleviate overcrowding. One welcomes it, but it doesn't do much. It's a temporary measure." Reported by Siphon Masedo July 28 2009 Weekend Post at <http://www.weekendpost.co.za/article.aspx?id=447191>

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## PRISON CONDITIONS

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**Investigating prisoners' health:** About 3 500 prisoners and staff of the "Sun City" prison in Johannesburg will benefit from the "Herisa Rifuba" or "Stop TB" investigation initiative. The aim of the project is to stop prisons becoming a breeding ground for tuberculosis (TB) and HIV/AIDS. Inmate healthcare manager, Dr Gladys Nthangeni, said that for 2009 the prison had recorded more than 100 cases of TB, about 10 percent of which were drug resistant. "You have to make [prisoners] aware of what happens in jail, and we can't run away from the fact that sex happens in jail," an inmate said. "We tell them, 'Test at an early age, gentlemen'," he added. "We are tired of watching people die, and the graves [yards] are full." The Johannesburg Central prison in 2006 became one of the first prisons accredited to offer antiretroviral (ARV) treatment on site. 9 July 2009 PlusNews at <http://www.plusnews.org/Report.aspx?ReportId=85210>

**Sexual abuse on the increase in SA prisons:** The programme director of Just Detention International (JDI) Cynthia Totten has lamented the overcrowding of South African prisons. The rights group JDI states that overcrowding, staff shortages and a culture of violence in correctional facilities are fuelling sexual abuses and rape in South African prisons. One inmate, whose name was not disclosed, reportedly said "I met a 15-year-old boy in prison who said he would look after me ... he invited me to sleep with him [in the same bunk] for protection, and in the middle of the night he sodomised me,". "I was angry and demoralized ... this wasn't supposed to happen to me." Totten said "All inmates are supposed to have access to condoms, but it's so problematic in prisons that once the dispenser runs out of condoms it could be months or weeks before it's refilled". "And where condoms are distributed, there's no lubricant, so you find inmates using substitutes for lubricant that could compromise the condoms' integrity." Tuesday 14 July 2009 at PlusNews <http://www.plusnews.org/Report.aspx?ReportId=85258>

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## GOVERNANCE AND CORRUPTION

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**Precautionary suspension of two senior DCS officials:** The Minister of Correctional Services, Nosiviwe Mapisa-Nqakula, has 'suspended two (Department of) Correctional Services senior officials; national commissioner Xoliswa Sibeko and the department's acting chief financial officer Nandi Mareka.' The department's spokesperson Manelisi Wolela said "The reason for placement on precautionary suspension is to ensure the investigation into the renting of accommodation for senior executives, amongst others, is not interfered with." He added that "It is important to note that there is no finding on these matters and therefore there is no judgment". The Minister defended her decision on Tuesday 14 July when she said "There must have been compelling reasons. I wouldn't just wake up in the morning and impose a suspension." "I believe that as the minister I have very strong reasons to believe that I need an investigation on this matter." It is alleged that Sibeko and her Gauteng counterpart were renting properties in Pretoria's Woodhill Golf Estate at a cost of R30 000 per month. SAPA 13 July 2009 News24 at <http://www.news24.com/Content/SouthAfrica/Politics/1057/c35884328c7448f8b7202de2efa53b23/14->

07-2009%2007-07/Minister\_defends\_suspensions

**DSC not enewng SIU contract:** Correctional Services Minister, Nosiviwe Mapisa-Nqakula, was this week lauded for her stance on good governance when she suspended Commissioner Xoliswa Sibeko and the Department's Acting Chief Financial Officer. Shortly after her decision to suspend the two senior officials, it was reported that the agreement between the Special Investigation Unit (SIU) and the Department to investigate fraud and corruption was not renewed. The SIU was supposed to report back to Parliament's Correctional Services Portfolio Committee later this month about progress on major procurement investigations, including the Bosasa probe. The Department of Correctional Services first signed a contract with the SIU in 2002 after widespread corruption was uncovered by the Jali Commission. When the first contract expired in March 2006, it was renewed for a further three years. "There will be an impact on the SIU's financial position," Trinesha Naidoo conceded, "but the SIU is confident that it will be able to replace it with other projects." Reported by Adriaan Basson 17 July 2009 Mail & Guardian Online at <http://www.mg.co.za/article/2009-07-17-prisons-fire-fraud-busters>

**Allegations regarding former minister's wife:** It was reported by Rapport that the wife of former Minister of Correctional Services, Mr. Ngconde Balfour, Adv Mqobi-Balfour, who is also Correctional Services Regional Commissioner for Gauteng, is renting a luxury house using public funds while her official residence is standing empty. In addition to these allegations it was further reported that she rented a luxury car at R2000 per day while attending a prison choir competition in Mmabatho and claimed the costs, amounting to R12 000, from the department. It is also alleged that she attended the Grahamstown Arts Festival where a prison choir performed and claimed expenses of R11 400. It is furthermore reported that she travelled with her children to the Eastern Cape, where she hails from, during the school holiday to "give training to heads of prisons" and an undisclosed amount was claimed for expenses. Reported by Llwellyn Prince, Rapport, 18 July 2009, [http://jv.news24.com/Rapport/Suid-Afrika/0,,752-2460\\_2540063,00.html](http://jv.news24.com/Rapport/Suid-Afrika/0,,752-2460_2540063,00.html)

**DA to lodge complaint with Public Protector:** The Democratic Alliance announced that it intends to lodge a complaint with the Public Protector after allegations were made that the Gauteng Regional Commissioner, Adv. Thozama Mqobi-Balfour, was misusing public funds. It is claimed that she is renting a luxury house using public funds while her official residence is standing empty. Allegations were also made regarding other lavish expenditure. Reported by Abigail Isaacs, Beeld, 19 July 2009, [http://jv.news24.com/Beeld/Suid-Afrika/0,,3-975\\_2540145,00.html](http://jv.news24.com/Beeld/Suid-Afrika/0,,3-975_2540145,00.html)

**SIU investigating R1.6 billion of Correctional Services tenders:** The Special Investigating Unit (SIU) investigation of R1.6 billion worth of Correctional Services tenders will be completed by August 2009, the Department said. The Department made the statement when it said "The Special Investigating Unit (SIU) has given the acting National Commissioner of Correctional Services, Ms Jennifer Schreiner, an assurance that a final report on its three year investigation into multi-million rand tenders will be submitted in August 2009". It is reported that the investigation was aimed at combating ". . . fraud and corruption, including disciplinary actions and criminal investigations against officials fingered by the probe". The SIU is expected to brief the Minister of Correctional Services, Nosiviwe Mapisa-Nqakula, when the report is finalized. SAPA 23 July 2009 The Citizen at <http://www.citizen.co.za/index/article.aspx?pDesc=101070,1,22>

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**OTHER AFRICAN COUNTRIES**

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**Zimbabwe**

**Zimbabwean MP imprisoned for kidnapping:** A Zimbabwean MP and two others have been imprisoned for kidnapping a 12-year-old girl. 'Mutare West Member of the House of Assembly, Shuah Mudiwa (MDC-T), his brother and a woman have been [sentenced] to four-and-a-half years each. The three, 'Mudiwa (50), his brother Takudzwa (26) and Patricia Chikide Mwashuna (45)' were, according to a government report, convicted on "overwhelming evidence". It is reported that their defence lawyer Mr. Douglas Mwonzora is said to have filed an appeal against both conviction and sentence at the High Court. Mr Chiwara, Mutare area public prosecutor, is yet to respond to the application, and it is not clear when acting chief magistrate, Mrs Hlekani Mwayera Mwayera, would deliver the ruling on the appeal. Published by the Government of Zimbabwe 1 July 2009 at allAfrica.com  
<http://allafrica.com/stories/200907010074.html>

**ZPS blames poor nutrition as cause of prison deaths:** It is reported that dozens of prisoners in Zimbabwe are dying of malnutrition every month because of serious food shortages at the overcrowded prisons across the country. The deputy commissioner of Zimbabwe's Prison Service (ZPS), Washington Chimboza, recently told a workshop organised by Zimbabwe Lawyers for Human Rights (ZLHR) that years of under-funding had led to serious shortages of food, clothing, cooking utensils and transport. Chimboza added that "Malnutrition acted as a catalyst to most deaths given that where cases of opportunistic infections were evident, it was impossible to commence one on medication since there was no food in the country in general and particularly in prisons." The commissioner continued to lament over insufficient cooking facilities. He added that Chikurubi prison with a capacity of 2000 prisoners has only two cooking pots. The government has admitted the inhumane condition in prisons and is requesting assistance. Reported by Jennifer Dube, 28 July 2009 The Standard at  
[http://www.thezimbabwestandard.com/index.php?option=com\\_content&view=article&id=20857:zps-admits-worst-prison-deaths&catid=31:zimbabwe-stories&Itemid=66](http://www.thezimbabwestandard.com/index.php?option=com_content&view=article&id=20857:zps-admits-worst-prison-deaths&catid=31:zimbabwe-stories&Itemid=66)

## Swaziland

**Lawyer faces up to 20 years imprisonment:** A prominent Swaziland lawyer faces charges of sedition and subversive activities for allegedly praising two men suspected to have bombed a bridge in September 2008. The lawyer, Thulani Maseko, was arrested earlier this month for sedition and faces up to 20 years in prison. However, he argues that the charges are inconsistent with the Constitution. Maseko reportedly said that in a democracy the Sedition and Subversive Activities Act has no place, for it violates the guaranteed freedom of speech as stated in the country's constitution" 1 July 2009 Edition 1 Sapa-AFP Cape Times <http://www.capetimes.co.za/index.php?fArticleId=5060472>

## DRC

**Jean-Pierre Bemba of DRC demands freedom pending trial:** The International Criminal Court (ICC) has finally opened up the case against former vice-president of the DRC, Jean-Pierre Bemba. His lawyer is praying the court to free him pending judgment in his trial for war crimes allegedly committed in the Central African Republic. His lawyer, Aime Kilolo, argued in a special hearing at The Hague that "It is necessary to free Jean-Pierre Bemba, since the charge sheet had been "significantly reduced". Reported by Sapa-AFP, 1 July 2009 Cape Times at <http://www.capetimes.co.za/index.php?fArticleId=5060469>

**Political prisoner tortured and denied medical assistance:** Some victims and human rights groups are accusing national intelligence agents known as the ANR in Lubumbashi, south eastern DRC, of arbitrary arrests and torture. The accusation was corroborated when a provincial minister reportedly said the authorities were doing all they could to eliminate abuses and allegations of torture were being investigated. Kapapula, one of those who was victimized by the ANR said "I was severely tortured, flogged, then plugged to electrical power, and I underwent strangulation of my genitals for the whole night of March 16, by ANR agents." allAfrica.com reported that the prisoner was denied medical attention and that the charge against him was baseless. Reported by allAfrica.com 2 July 2009,  
<http://allafrica.com/stories/200907021121.html>

**Mbandaka prisoners now living in humane conditions:** The Mbandaka prison in the DRC has been given a face lift as MONUC's Quick Impact Projects (QUIPs) invested \$12 000 in renovations. While

inaugurating the completed renovation work, the Head of the Provincial Division of Justice said that "the prisoners of Mbandaka were now living in humane conditions." Mbandaka prison is one of the oldest in the DRC and was constructed in the 1930s, in the Belgian colonial era. A total of "40 two-man cells were rehabilitated, as well as three cells for reforming prisoners, a disciplinary cell and twelve toilets were also built". MONUC July 6 July 2009 at <http://www.reliefweb.int/rw/rwb.nsf/db900SID/EGUA-7TPPRG?OpenDocument>

**Africa's worst prison:** The Assistant Secretary General for the Rule of Law at the United Nations, Dmitry Titov, has rated Congo's Goma prison as the worst in the Africa. Reuters Africa reported that with over 850 prisoners crammed into a prison built for 150, conditions at the prison are "inhumane". Titov said "Inmates sleep in hallways, near septic tanks, which spreads diseases in the prison and beyond. Civilian and military detainees are not separated. Neither are men, women and children, which is unacceptable in any prison," Dmitry Titov told reporters that "I've travelled in many parts of Africa in post-conflict situations, but the prison in Goma is the most terrible I've ever seen," He described the situation in the Goma prison as "dire". Reported by Thomas Hubert, 25 July 2009 at <http://www.alertnet.org/thenews/newsdesk/LP552918.htm> see also [http://www.nytimes.com/2009/07/26/world/africa/26Congo.html?\\_r=2](http://www.nytimes.com/2009/07/26/world/africa/26Congo.html?_r=2)

## Nigeria

**UK and Nigeria negotiate transfer of prisoners:** Negotiations are continuing for the transfer of up to 400 Nigerians from UK prisons to complete their sentence in their home country. The British and Nigerian governments are embarking on a multi-billion pound project for the international transfer of prisoners. The UK Border Agency's chief executive, Lin Homer, outlined the deal to MPs as she presented a six-monthly update on the progress made in deporting foreign national prisoners and in dealing with an asylum backlog of up to 450,000 outstanding case files. She explained that the legal framework must be put in place and in the case of Nigeria it would need a change of the constitution, allowing prisoners to be transferred from foreign prisons without their consent. A spokesman for the UK Home office said: "We believe prisoners should normally serve their sentences in their own country - freeing up prison spaces and saving the taxpayer money on enforced removals. This also helps prepare prisoners for their release to the community into which they will return. In 2006 the government announced its intention to negotiate prisoner transfer agreements that did not require a prisoner's consent as a prerequisite to transfer. The discussions with Nigeria are in line with this policy." Reported by Alan Travis 8 July 2009 The Guardian at <http://www.guardian.co.uk/society/2009/jul/08/nigeria-prisoner-transfer-border-agency>

**Nigerian females in foreign prisons:** About 10,000 Nigerian females are currently languishing in foreign prisons; mainly in Libya and Morocco. The Chairman, House Committee on Diaspora, Hon. Abike Dabiri-Erewa made the statement when she led members of the committee on a courtesy visit to Governor Adams Oshiomhole, in Benin. It is reported that most of the females, whose ages range from 13 to 20, originate from Edo state in Nigeria. Dabiri Erewa reportedly said that the girls were facing various forms of inhumane treatment and were being used as sex objects while others had already given birth in prison. Reported by Osa Okhomina, Yenagoa 23 July 2009 LeadershipNigeria at <http://leadershipnigeria.com/index.php/news/headlines/3931-10000-edo-girls-in-libya-morocco-prisons>

## Ghana

**Welshman convicted of cocaine dealing loses appeal:** Alan Hodgson, originally from Wales, was sentenced to 20-years imprisonment for alleged conspiracy and being in possession of cocaine worth £79m; the largest cocaine haul ever in West Africa. Hodgson who has already served five years in Ghana's over-crowded Nsawam prison lost his last appeal opportunity as the Supreme Court of Ghana refused to overturn the charges against the 51-year old. It is reported that the Supreme Court has now accepted that the date stamp on the 51-year-old's passport proves he was still in Wales and have dropped a charge of possession, yet the court declined to overturn the charge of conspiracy to deal drugs, claiming he built a cupboard in which the cocaine was stored. British authorities are yet to respond to the appeals made to it by family of Hodgson. It is also reported that the prison conditions are considered to

be [amongst the] worst in the world. Prisoners are reportedly forced to eat cats, dogs and snakes due to lack of food. Fourteen inmates share a tiny cell, while 450 prisoners share just eight toilets. Hodgson now suffers from malaria, blood poisoning and malnutrition and his relatives say he has aged rapidly. Reported by Andrew Dagnell 21 July 2009 Walesonline at <http://www.walesonline.co.uk/news/wales-news/2009/07/21/welshman-in-african-jail-loses-appeal-91466-24200108/>

## Cameroon

**The plight of awaiting trial detainees at New Bell Prison:** With almost 4000 prisoners locked in a facility built in the 1930s to house just 700, lack of space comes as no surprise. Overcrowding and the spread of diseases like HIV/Aids and TB are inevitable at the New Bell Prison in Douala. The living conditions of inmates are appalling according to a report in The Guardian. While some prisoners are separated from other prisoners, others do not even have a roof over their heads. It is not clear whether those who sleep in the toilet block have to pay while many bask under the hot equatorial sun. It is reported that of the close to 4000 in New Bell prison, only 500 are serving prison terms. The majority are awaiting trial prisoners, some of whom have been there for more than 6 years awaiting trial. The situation is similar five thousand miles north east in Bangladesh at the Dhaka central prison where 9600 prisoners are held in a converted former British barracks with capacity for just over 2000. It is reported that in Bangladesh's prisons, 70% of inmates are "under trials" waiting for a lumbering court process to deal with their cases. 300 men sleep side by side in each barrack, with a blanket the only comfort on a bare stone floor. With inadequate numbers of staff in dilapidated buildings, prison services across Africa and Asia are faced with an impossible task. 23 July 2009 at <http://www.guardian.co.uk/journalismcompetition/behind-bars>

## Malawi

**Insufficient resources turn Malawi's prisons into torture centres:** Many a prison in Africa has been transformed into torture centres according to a report on allAfrica.com. Reports from various prisons around the continent reveal that sexual abuse, the administration of electric shocks, the unleashing of dogs on prisoners, and physical beatings are amongst the various methods of torture used by police in police cells and in prisons. The Centre for Human Rights Education Advice and Assistance (CHREAA) and law students from the Faculty of Law at the Walter Leitner International Human Rights Clinic at Fordham Law School in the United States conducted an anti-torture training workshop for members of the Malawi Prison Service and Malawi Police Service. It was reported that during the training programme police officers blamed the lack of resources at their disposal which according to this reporter does not hold water. Suspects in many African countries do not enjoy the right to a fair hearing even though domestic laws may have such a provision. Reported by Victor Mhango and Zaid Hydari July 21 2009 allAfrica.com at <http://allafrica.com/stories/200907210875.html>

## Rwanda

**UN team inspects Rwandan prisons:** Peter C. Andersen, Chief of Outreach and Public Affairs at the Special Court for Sierra Leone (SC-SL) in an interview with The Times said that Rwanda is the only country in Africa that has signed the agreement to host prisoners from the SC-SL. The statement came after a team from the UN recently visited Rwanda to assess the state of Rwanda's prison to see if they meet up to international standards, The Director of Prisons, Steven Balinda, said that Rwanda has put in place several measures that meet international standards. He added that "The new exotic holding cells built for several convicts who are yet to be transferred to Rwanda are well equipped and can hold eight prisoners who are in transit to the main prison". The new cells are reportedly 2.7 by 3 meters with a television set, a prison library and washrooms for the occupants. It was also noted that the transit centre has also set up several programmes to meet international correctional facility standards like anger management, health follow-ups and a standard system of handcuffing. Reported by Edwin Musoni 22 July 2009 at <http://allafrica.com/stories/200907230005.html>

## Egypt



**Egyptian poet escapes 3-year prison sentence:** Under Egyptian law, insulting the president can land the offender in prison for up to three years. Moneer Said Hanna, aged 56, was reportedly sentenced to three years imprisonment it was reported. The poet, who is said to have written satirical poems for fun, did so to entertain his work colleagues and never meant to hurt anyone. According to a BBC report, the case had gone largely unreported until his family asked a newspaper to publish an appeal for clemency. Even though none of the offending verses written by Mr. Hanna has been published, the BBC reported that the case was overturned on grounds that the prisoner had been investigated and put on trial without giving him access to a lawyer. A civil servant, Mr. Hanna had also been ordered to pay 100,000 Egyptian pounds (\$11,000), which was also overturned by the appeals court in Adwa, Minya province. Reported by the BBC, 14 July 2009, BBC at [http://news.bbc.co.uk/2/hi/middle\\_east/8159850.stm](http://news.bbc.co.uk/2/hi/middle_east/8159850.stm)

## Ethiopia

**Officer gets 20 year for conspiracy with rebel groups:** Former vice-president of the Benishangul Gumuz region in western Ethiopia has been sentenced to 20-years imprisonment for allegedly supporting rebel groups operating on the Ethiopian border with Sudan. IOL reported that Sebil Albekhit was imprisoned alongside 23 others by the High Court. The border between Ethiopia and Sudan is noted for its porosity as it had become a harbour for Ethiopian rebel groups. SAPA-AFT 28 July 2009 at [http://www.iol.co.za/index.php?art\\_id=nw20090728202347165C235597](http://www.iol.co.za/index.php?art_id=nw20090728202347165C235597)

## Morocco

**Islamic extremist leader imprisoned for life:** A Moroccan-born Belgian national accused of forming a criminal gang with the aim of carrying out terrorist attacks and murder has been sentenced to life imprisonment. Reuters reported that the state prosecutor had demanded the death sentence against Abdelkader Belliraj who denied the charges against him. About 30 members of his gang, who had been held in prison since their arrest early in 2008, received prison sentences ranging from two to 30 years. Sakina Kada, the wife of a TV journalist Abdelhafid Sriti who was also imprisoned for 20 years, is quoted as saying that "These verdicts are extremely severe and the accusations against the defendants were baseless.". Reported by Reuters 20 July 2009 Reuters at <http://af.reuters.com/article/topNews/idAFJJOE56R0D520090728?pageNumber=1&virtualBrandChannel=0> see also <http://www.omaha.com/article/20090728/AP15/307289985>

## Kenya

**Ex-prisoners sue for human rights violation:** The Kenya Human Rights Commission (KHRC) is bringing a case in Britain to sue the British government for imprisonment and torture carried out 60 years ago. allAfrica.com reported that five Kenyan veterans from the Mau Mau war arrived in Britain last month to sue the British government for alleged human rights violation, including imprisonment and torture some 60 years ago. In the 1950s Britain was desperately trying to hold on to its colonial empire and it crushed a nationalist rebellion in Kenya in a shockingly brutal manner. "There was no justification for taking measures that made some of the victims blind or led to limbs being amputated. British soldiers castrated men and sexually abused women. These are outrageous human rights violations and the British government must be held to account." allAfrica.com reported. Reported by Ken Olende 23 July 2009 allAfrica.com at <http://allafrica.com/stories/200907230946.html>

**Kenya Prison Service admits sodomy in prisons:** A survey of Kenyan prisons revealed that homosexuality among prisoners is contributing to the high rate of HIV and AIDS. The inhumane conditions of detention has been blamed on overcrowding and insufficient food supplies. The Standard reports that some prisoners have to negotiate better food and comfortable spots in the cell to sleep for sex. The Kenya Prison Service recognised that sodomy occurs in prisons and commissioned Liverpool VCT Centre to establish the nature and prevalence of the practice. The results, according to The Standard, reveal that of the 772 prisoners that were interviewed nationwide, anal sex was mentioned amongst 648 prisoners. The report stated that "The psychological torture that goes with such treatment is insurmountable. Young offenders were more vulnerable to sexual abuse," Reported by Lucianne Limo 15

July 2009 The Standard at <http://www.eastandard.net/InsidePage.php?id=1144019275&cid=459>

## The Gambia

**Press freedom and imprisonment:** It is reported that unlawful arrests, detention, torture and unfair trials are increasing in The Gambia, repressing already restricted freedom of expression in the country, say journalists and human rights organizations. According to Amnesty International 's Gambia researcher "Since 2004 the situation has been getting worse and worse, with unlawful detention, torture, arrests, journalists being targeted and forced into exile, self-censorship, killings, threats and even witch-hunts." Thirty journalists have fled the country since 2007, said Amnesty, many of them moving to neighbouring countries, others being granted asylum in the USA or UK. Severe freedom of speech constraints affect all journalists in the country, including those working on government-endorsed newspapers, state-run television GRTS, and private radio stations, which only play music or cover sport, Ndey Tapha Sosseh, president of the Gambia Press Union (GPU), told IRIN. Reported by IRIN 20 July 2009 at <http://www.irinnews.org/Report.aspx?ReportId=85351>

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