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## GOVERNANCE AND CORRUPTION

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**Commissioner accepts R700 000 payout:** According to a News24 report, former Correctional Services Commissioner, Xoliswa Sibeko, who was waiting to be re-instated after she was found not guilty in a disciplinary hearing, has apparently accepted a payout worth R700,000. Sibeko was accused of renting a luxury property that cost R35 000 a month in Woodhill, Pretoria, even though an official residence was available. Another charge related to the alleged contravention of the department's international travel guidelines, News24 reported. Reported by Michael Hamlyn, 4 March 2010, News24, at [http://www.news24.com/Content/SouthAfrica/News/1059/92c3106e1ea64ca59ff7ca130c50bc22/04-03-2010-04-16/Sacked\\_chief\\_gets\\_R700\\_000](http://www.news24.com/Content/SouthAfrica/News/1059/92c3106e1ea64ca59ff7ca130c50bc22/04-03-2010-04-16/Sacked_chief_gets_R700_000)

**Concerns about delayed prosecutions:** The Democratic Alliance MP, James Selfe, has stated that the delay in prosecuting those involved in the Bosasa case is overdue. According to the MP's statement on PoliticsWeb, "The Special Investigating Unit (SIU) has investigated alleged substantial fraud and corruption in the awarding of a catering contract in 2004 to Bosasa by the Department of Correctional Services (DCS)", and added that the DCS has not opened up a docket for the prosecution to begin investigations into the alleged corruption. National Director of Public Prosecutions, Menzi Simelane said, however, that despite the delay, the docket was finally opened and confirmed that, "some statements have been taken and the investigation is under way by the police". PoliticsWeb, 11 March 2010, at <http://www.politicsweb.co.za/politicsweb/view/politicsweb/en/page71619?oid=165310&sn=Marketingweb+detail>

**Limited resources for implementing Child Justices Act:** On 1 April 2010 the Child Justice Act will come into force and the Act will be launched at the Walter Sisulu Child Care and Youth Centre in Soweto, BusinessDay reported. The Act establish a specific procedure for children in conflict with the law and will reduce the risk of imprisonment for children. Reportedly, child right experts expressed concerns that the Department of Justice and Constitutional Development had limited resources to sustain its implementation. BusinessDay reported that Ashley Theron, Director of Child Welfare SA, who acknowledge the importance of the Act added that it was necessary to establish additional centres to manage overcrowding of "this very specific group of children" in prison. Reported by Liphert Chilwane 11 March 2010, BusinessDay, at

<http://www.businessday.co.za/Articles/Content.aspx?id=95904>

**Renovation cost for 11 prisons excessive:** According to a report on IOL, prison authorities are reported to be planning to spend almost R2.2 billion to upgrade 11 old prisons, not much less than the R2.7bn budgeted to build four new hi-tech prisons. Lukas Muntingh of the Civil Society Prison Reform Initiative has questioned the veracity of the exorbitant cost. According to the report, Mapumulo Prison - a small correctional centre in the rural KwaZulu-Natal Midlands - will cost the most to upgrade followed by Zeerust Prison, at R230m for 127 new beds, or R1.8m each, and Ingwavuma Prison, at R278m for 198 new bed spaces, or R1.4m each. Reported by Carien du Plessis, 16 March 2010, IOL, at

[http://www.iol.co.za/index.php?set\\_id=22&click\\_id=1903](http://www.iol.co.za/index.php?set_id=22&click_id=1903)

**R400m deficit in Correctional Services' budget:** The Department of Correctional Services has been hit hard by a deficit of nearly R400m, The Cape Times reported. The chairperson of the National Assembly's Correctional Services Portfolio Committee, Vincent Smith (ANC), told senior department officials to review their budget before Correctional Services Minister Nosiviwe Mapisa-Nqakula, deliver her budget speech. According to the report, the officials appeared before the committee to brief it on the department's strategic plan for the 2010/11 financial year. Correctional Services' acting Chief Financial Officer, Nandi Mareka, told MPs that despite an allocation of R15.1bn, there would be a shortfall of R396m. Mareka said the department's priorities exceeded the funds allocated by the National Treasury. Cape Times, 18 March 2010 at

<http://www.capetimes.co.za/index.php?SectionId=3235&fRequestedUrl=%2Findex.php%3FfArticleId%3D5395230>  
(Subscription needed)

**Correctional Services spend millions on recruitment:** The Department of Correctional Services is reported to have wasted millions after it reportedly spent R2.7 million in recruiting outside agencies and R3.2 million in hiring employees. A further R1.5 million was also spent on accommodation and travel costs for prospective employees, IOL reported. In answer to a question in Parliament, Correctional Services Minister, Nosiviwe Mapisa-Nqakula, said 1,168 positions were advertised last year, of which 828 were filled, and another 230 were left vacant after a moratorium on employing more staff had been imposed because of budget constraints due to salary increases for public servants last year, IOL reported. According to the report, the department's budget for salaries in the current financial year is more than R9.3-billion out of a total budget of R15.1bn. Reported by Carien du Plessis, 22 March 2010, IOL, at

[http://www.iol.co.za/index.phpset\\_id=1&click\\_id=13&art\\_id=vn20100322045248278C186739](http://www.iol.co.za/index.phpset_id=1&click_id=13&art_id=vn20100322045248278C186739)

**Former Commissioner battles for post:** The Minister of Correctional Services, Minister Nosiviwe Mapisa-Nqakula, is alleged to have acted illegally when she refused to reinstate former Correctional Services Commissioner, Xoliswa Sibeko, after she was cleared of contravening the Public Finance Management Act, The Star reported. Sibeko, whose contract was due to end in August 2010, was "redetermined" by the Minister in a pay-out of R700, 000. Sibeko's lawyer, Attie Tredoux, said "We are still talking to the department, but we are on record as saying the minister has acted illegally and we stand by that". Reported by Caiphus Kgosana, 29 March 2010, The Star, at

<http://www.thestar.co.za/fSectionId=&fArticleId=vn20100329042403987C706510>

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## PAROLE AND SENTENCING

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**Parolee in good health, says supermarket workers:** Schabir Shaik, who was released last year on medical parole is reported to be in good health, a report on IOL noted. According to the report, it is alleged that Shaik has been seen at some of his favourite spots, including restaurants in Florida Road and golf courses in Durban. A supermarket worker said that "He used to shop on Sundays but he stopped after the press followed him around. But he has started coming again lately and he does not look sick." The report said that Shaik's parole conditions were tightened by Correctional Services after pictures of him shopping were published in the media in December 2009. Reported by Nompumelelo Magwaza, 3 March 2010, IOL at

[http://www.iol.co.za/index.phpset\\_id=1&click\\_id=15&art\\_id=vn20100303043335707C574361](http://www.iol.co.za/index.phpset_id=1&click_id=15&art_id=vn20100303043335707C574361)

**Court casts doubt on whether pardon constitutes administrative action:** The Mail and Guardian reported that the Constitutional Court's decision that victims or their families have a right to make representations regarding pardons to the President should be celebrated. According to the report, the Constitutional Court is in a dilemma on clearing the legal uncertainty that surrounds the granting of pardon by the president. The debate came after Judge Willie Seriti ruled, using a common-law principle, that the legislature would have expressly excluded pardoning powers from the scope of judicial review if it had wanted the president to have unfettered powers over pardons in general. But the first opinion of the court lies in the question whether pardons constitute administrative action. Reported by Sello Alcock, 5 March 2010, Mail & Guardian, at

<http://www.mg.co.za/article/2010-03-05-concourt-tiptoes-where-it-should-tread-boldly>

**Presidential pardon contested:** The issue of presidential pardon is under vigorous debate as to whether the victims of crimes committed by those seeking pardon, were entitled to be heard before the president exercised his power to so pardon. The chief justice confirmed that the initial process designed to deal with the problem of

political crimes committed during the apartheid decades, the Truth and Reconciliation Commission (TRC), placed victims of gross human rights violations at the centre of the inquiry, Mail & Guardian reported. Column: Serjeant at the Bar, 5 March 2010, Mail & Guardian at <http://www.mg.co.za/article/2010-03-05-pardon-me-mr-president>

**Draft policy on parole underway:** The Sowetan reported that Correctional Services Minister, Nosiviwe Mapisa-Nqakula, during a parliamentary briefing said government is currently reviewing the policy on medical parole. The report said a new draft policy on medical parole will be made public soon. The Minister is reported to have promised that no prisoner would be released on parole before their victims had been consulted. According to The Sowetan report, the government decided last year that anyone who could not afford bail of R1 000 or less should be released to reduce prison overcrowding. However, Mapisa-Nqakula admitted that offenders from informal settlements with less than R1 000 bail had not been released - because the department could not verify their addresses. Reported by Anna Majavu, 5 March 2010, Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=1120187>

**Prisoner presses for pardon:** Apartheid-era killer, Eugene de Kock, was reported as saying that President Jacob Zuma has an understanding of his case. According to an IOL report, it is alleged that the Constitutional Court, in a judgment at the end of February 2010, forbade the president from granting pardons to perpetrators of political violence without first consulting victims. Eugene de Kock has served 13 years of a sentence of 212 years plus two life terms in prison for masterminding assassinations of suspected anti-apartheid activists. If his pardon application fails, he could be considered for parole in four years, IOL reported. SAPA, 7 March 2010, IOL, at [http://www.iol.co.za/index.phpset\\_id=1&click\\_id=15&art\\_id=nw20100307112015182C433705](http://www.iol.co.za/index.phpset_id=1&click_id=15&art_id=nw20100307112015182C433705)

**3000 pardoned since 1994:** A report in The Cape Argus revealed that more than 3 000 convicted criminals have been granted presidential pardons since 1994. According to the report, it is alleged that only 35 of those pardoned, were convicted of politically linked crimes. According to the report it is the first time the Presidency has revealed how many pardons were granted between 1994 and 2009. ID leader Patricia de Lille asked for the names, but the Presidency said they would not be made public, 'as the overwhelming majority of applications were based on the fact that the disclosure of their previous convictions was embarrassing and to the detriment of the applicants'. The report notes the Presidency said it was 'not common practice to announce pardons', except to inform the applicant or their legal representative after the President had made a decision. Cape Argus, 9 March 2010, at <http://www.capeargus.co.za/index.phpfSectionId=3179&fRequestedUrl=%2Findex.php%3FfArticleId%3D3730788>

**Magistrate still walking free after conviction:** A Mercury news report alleged that Mbongeni Frederick Mathe, a former Pinetown magistrate, who was found guilty in the Durban Regional Court in June 2007 of stealing R11 000 in maintenance money remains free despite the three-year prison sentence he received. The report said that Magistrate Anand Maharaj sentenced him to three years in prison in terms of correctional supervision legislation, meaning that he has to serve one sixth of the sentence in prison. The Mercury March 2010 at <http://www.themercury.co.za/index.phpfSectionId=2875&fRequestedUrl=%2Findex.php%3FfArticleId%3D5385817> (full subscription need)

**Police Commissioner blames crime on bail and parole:** National Police Commissioner, Bheki Cele, is reported to have sharply criticised the parole system for making already dangerous police work even more so, Business Day reported. He was speaking during a parliamentary briefing on the lowering of government's crime reduction targets. The report said that Cele supported his argument about the need for more efficient management of bail and parole, when he said that police had arrested a member of the infamous Rolex Gang three times under extremely dangerous conditions, only to see the person get bail repeatedly. Reported by Wyndham Hartely, 10 March 2010, Business Day, at <http://www.businessday.co.za/Articles/Content.aspx?id=95788>

**Government may pay cost for delayed pardon cases:** A report in The Citizen said that the Constitutional Court is considering whether President Jacob Zuma had met his obligation to consider pardon applications of 384 Inkatha Freedom Party (IFP) members. The applicants are seeking a declaratory order that the President has failed to "diligently consider and decide upon" their applications for presidential pardon. Chief Justice Pius Langa is reported to have criticised the government for the long delay to consider the pardon applications. Judge Langa also noted that "In my view, justice requires that Mr. Chonco, the 383 other applicants for pardon and their legal advisors should not be out of pocket because of their recourse to legal proceedings. SAPA, 11 March 2010, The Citizen, at <http://www.thecitizen.co.za/index/article.aspx?pDesc=118567,1,22>

**Presidential pardons:** A report in The Citizen said that the Constitutional Court would not force the president to pay for applications made to him when 384 people applied for pardon last year. The litigants, who have now applied to the court to establish what the president will do about their pardon applications filed since 2003, are reported to be too hasty in their request. According to the report, though the litigants have a case, the court will not force the president to pay costs for the delayed action. Judge Sisi Khampepe has said that there would be no costs order in those applications. SAPA, 16 March 2010, The Citizen, at <http://www.citizen.co.za/index/article.aspx?pDesc=119215,1,22>

**Father given 4 weeks to make arrangements for children's care:** A Brackenfell man who killed his wife has been given four weeks leave by the court before his sentence begins, IOL reported. According to the report, the period was intended for the man to make arrangements for his children's care. According to Judge Lee Bozalek, the man whose name was not mentioned in order to protect the identity of the children, was not the primary caregiver, and that his twin children would be well cared for if their father was imprisoned. Reported by Fatima Schroeder, 22 March 2010, IOL, at [http://www.iol.co.za/index.phpfsetid=1&click\\_id=15&art\\_id=vn20100322121408549C575286](http://www.iol.co.za/index.phpfsetid=1&click_id=15&art_id=vn20100322121408549C575286)

**Traffic-light offender drops appeal to serve prison term:** A report in The Mercury said that a traffic light offender sentenced to 18 months' in prison has abandoned his appeal against his sentence and turned down the R3 000 bail granted to him. After serving six months of his sentence, Sizwe Shezi, a father of four, was granted bail pending his appeal and was expected to be released from prison shortly. According to the report, Shezi dropped his appeal saying that he would serve the remainder of his sentence in prison. The Mercury, 23 March 2010, at <http://www.themercury.co.za/index.phpfSectionId=2875&fRequestedUrl=%2Findex.php%3FfArticleId3D5400733> (subscription needed)

**President's power to grant pardons under scrutiny:** A report in The Cape Argus said that state legal advisers at President Jacob Zuma's office have defended his right to grant presidential pardons. The report came as a response to a proposal by ID leader Patricia de Lille and DA MP James Selfe to strip Zuma of his power to pardon. According to the report, they also wanted a change in the law, to force the President to consult widely before deciding on pardons. The ID leader proposed that the Constitution be amended to completely remove the president's power to pardon offenders. Cape Argus, 24 March 2010 at <http://www.capeargus.co.za/index.phpfSectionId=3179&fRequestedUrl=%2Findex.php%3FfArticleId%3D5401265> (Full subscription needed)

**Zuma evasive on Shaik's pardon:** President Jacob Zuma is reported to have refused to confirm before Parliament if he was going to grant a pardon to Schabir Shaik, a former financial adviser to him. According to an IOL report, the President said "I think it is unfair, even to the individuals, because you begin to influence anyone who is going to be looking at these issues by debating the issue of [pardon] before it is even discussed [at the level of the presidency]" he added that "I think let the matter come before the president and the president will exercise his powers according to the Constitution." SAPA, 24 March 2010, IOL, at [http://www.iol.co.za/index.phpart\\_id=nw20100324142050287C640874](http://www.iol.co.za/index.phpart_id=nw20100324142050287C640874)

**Three imprisoned warders fail in bail application:** The Star reported that three former Krugersdorp prison warders, currently serving prison sentences for the murder of three prisoners have failed in their second attempt to be released on bail pending their appeal. According to the report, Captain Simphiwe Shabangu (35), Donald Letsoamotse (33) and Regan Rudidge (33) made their initial application to be released on bail in December 2009 after they were each sentenced to 20 years' imprisonment. Their victims, alleged to be members of the 28 gang, died after they were assaulted by the three warders with batons. The Star, 25 March 2010, at <http://www.thestar.co.za/index.phpfSectionId=2518&fRequestedUrl=%2Findex.php%3FfArticleId%3D5404523> (subscription needed)

**Minister seeks expansion of medical parole:** Correctional Services Minister, Nosiviwe Mapisa-Nqakula, is reported to have called for the extension of medical parole to include all seriously ill patients and not only had those deemed to be terminally ill, Business Day reported. It is reported that the issue of medical parole shot to prominence after the controversial release of Schabir Shaik last year. Mapisa-Nqakula, who is alleged to have persistently refused to refer Shaik's parole decision for review, is calling for the review of the whole parole system. Reported by Wyndham Hartley, 26 March 2010, Business Day at <http://www.businessday.co.za/Articles/Content.aspx?id=104696>

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## PRISON CONDITIONS

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**Female prisoner raped in male prison:** According to a report in The Sowetan, a Durban woman is suing the Minister of Correctional Services after she was locked up in a male section of Westville prison for six months. Amaravathe Wilson, 36, said she was "raped, sodomised and assaulted 'almost every day by male prisoners" at Westville Prison. Wilson was quoted saying that "I even asked them if they could not see that I was a woman," adding that "I told them that I had an eight-month-old baby at home, but that did not help. They told me to shut up and locked me up in the male section. I was in a cell with male prisoners and seven transvestites. The transvestites did not harm me. It was the other male prisoners that I was exposed to who did all the damage to me", The Sowetan reported. Reported by Corrinne Louw, 18 March 2010, The Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=1123922>

**Cosatu shocked by woman imprisoned in male prison:** The Congress of South African Trade Union (Cosatu) is reported to have expressed shock at the imprisonment of a Durban woman, Amaravathe Wilson, in a male prison. According to an IOL report, Cosatu Provincial Secretary, Zet Luzipho, said "This is despicable to say the least and has totally destroyed her confidence. The act of the Department of Correctional Services officers as alleged cannot be condoned". Wilson was arrested for armed robbery, attempted murder and hijacking in 2003. Correctional Services spokesperson, Sonwabo Mbananga denied any claim against the department and said that the case was struck off the roll in September 2009. Wilson is claiming R100 000 from the department for her ordeal. SAPA, 19 March 2010, IOL, at [http://www.iol.co.za/index.phpset\\_id=1&click\\_id=13&art\\_id=nw20100318222551565C234614](http://www.iol.co.za/index.phpset_id=1&click_id=13&art_id=nw20100318222551565C234614)

**The plight of children of offenders living in prison:** It is reported that the Imbeleko Project (caring for babies, in isiZulu), launched by the Department of Correctional Services in September 2009, was to make the living conditions of children in prison more conducive. According to an IRIN report, Bongiwe Mthembu is one of about 143

children living in prisons across South Africa. Gauteng Province has 87 children in prison with their mothers; KwaZulu-Natal has 23, and Western Cape 19. Bongive Mthembu is alleged to have spent the first 27 months of her life in the women's section of Westville Prison where her mother is serving an eight-year prison term, IRIN reported. Derick Mdluli of the Justice for Prisoners and Detainees Trust (JPDT), said "Prison is like hell for grown-up people. For the infants and children it is even worse. These children are living in punitive conditions, not because they have done something wrong but because their mothers were found guilty of committing crimes." IRIN, 22 March 2010, at

<http://www.irinnews.org/Report.aspx?ReportId=88509>

**Prisoner told warders she underwent sex change:** The Sowetan reported that according to the Department of Correctional Services Amaravathe Wilson, a mother of five, lied that she was male in an attempt to get into the male section of the prison. According to The Sowetan DCS regional management said that Wilson "fooled prison officials into believing that she was a man who had undergone a sex change". The KwaZulu-Natal Regional Commissioner of Correctional Services, Mnikelwa Nxele, said "All we would like to say at this stage was that this woman was not a victim as she claims. At the time, we conducted an investigation and after she was held there for six months, we verified her correct gender and sent her to the female section." Wilson is due to appear in court on 12 May 2010 for the case in which she is suing the Minister of Correctional Services for R100 000 for what she has termed her 'wrongful imprisonment'. Reported by Corrine Louw 24 March 2010, The Sowetan, at <http://www.sowetan.co.za/News/Article.aspx?id=1125476>

**Minister dismayed at lack of education in prisons:** In an attempt to increase the rehabilitation of prisoners, government is considering an exclusive educational facility for prisoners. According to BuaNews report, Correctional Services Minister, Nosiviwe Mapisa-Nqakula, said "It has been a painful realisation for me, as we have been processing the possible release of certain [prisoners] serving life sentences... that some have never gained any skills or education during their long periods of incarceration". "Without exception, all these [prisoners] were sentenced in their teens and are being released at the ages between 40 and 47 without ever having benefited from the educational and developmental programmes offered in [prisons]." BuaNews, 25 March 2010, at <http://www.buanews.gov.za/news/10/10032516251001>

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## PRISON OVERCROWDING

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**3000 beds added by Kimberly prison:** BuaNews reported that as part part of governments' commitment to fight overcrowding in South African prisons, 3000 beds have been added to current capacity by the Kimberly New Generation Correctional Centre. The Minister of Justice, Jeff Radebe, added that an audit will be conducted of certain offenders to identify those that are eligible for parole, with the aim of addressing overcrowding, BuaNews reported. BuaNews, 4 March 2010, BuaNews, at <http://www.buanews.gov.za/news/10/10030414051001>

**2500 minor offenders occupying prison space:** It is alleged that 2500 prisoners who are not dangerous offenders cost the Department of Correctional Services R17.4 million a month. According to an IOL report, about half of these prisoners, 1 452, had fines of less than R1 000, or prison sentences of less than 10 months, while 258 people were forced to spend a month in prison because they could not afford fines of R100 or less. Correctional Services Minister, Nosiviwe Mapisa-Nqakula, made the revelation in answer to questions in a parliamentary session in February 2009. Lukas Muntingh of the Civil Society Prison Reform Initiative opined that "The poor are victimised by the criminal justice system in this way", adding that "Obviously the court did not consider them such a risk that they must be imprisoned, because they had the option of a fine". Reported by Carien Du Plessis, 22 March 2010, IOL at [http://www.iol.co.za/index.phpset\\_id=1&click\\_id=15&art\\_id=vn20100322121704189C836887](http://www.iol.co.za/index.phpset_id=1&click_id=15&art_id=vn20100322121704189C836887)

**Prison overcrowding go beyond building new prisons:** A report in BuaNews said that the problem of overcrowding in South African prisons is beyond the building of new prisons. Correctional Services Minister, Nosiviwe Mapisa-Nqakula, said "The real solution lies in the success of our rehabilitation programmes, the managed release and re-integration of offenders as well as the integration of processes within the criminal justice system". While acknowledging the problem of insufficient facilities, the growing numbers of awaiting trial prisoners also appear to be a major reason behind the country's grossly overcrowded prisons. BuaNews, 25 March 2010, at <http://www.buanews.gov.za/news/10/10032515451002>

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## SECURITY AND ESCAPES

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**Prison fence was not switched on:** IOL reported that the Westville prison's electric fence through which prisoners recently escaped was not switched on at the time of the escape. The South African Human Rights

Commission had been accused of ordering that the electric fence be switched off, thus leading to the escape of eight prisoners. Bheki Mabanga, the head of the prison, sparked a furore when he claimed that the Commission had asked prison officials to switch off the electrified boundary fence. Correctional Services spokeswoman, Nokuthula Zikhali, confirmed in a statement that the fence was not switched on when she said "It has not been electrified, so it is just a fence. It is still in the process of being electrified". Reported by Kamini Padayachee, 2 March 2010, IOL, at

[http://www.iol.co.za/index.phpset\\_id=1&click\\_id=15&art\\_id=vn20100302043725379C758880](http://www.iol.co.za/index.phpset_id=1&click_id=15&art_id=vn20100302043725379C758880)

**Prison authorities were warned before Westville escape:** IOL news reported that the police had warned the Department of Correctional Services of the planned escape at Westville. The police officials who are currently investigating the escape are disgruntled at the "corruption-ridden" department, adding that the escape also places their lives in danger. A police source said "[They] were warned again that [prisoners] were planning to escape and the prisoners were sent to Medium A in Westville - which is supposed to be their most secure section for awaiting-trial prisoners". IOL, 3 March 2010, at

[http://www.iol.co.za/index.phpset\\_id=1&click\\_id=13&art\\_id=vn20100303122537301C557159](http://www.iol.co.za/index.phpset_id=1&click_id=13&art_id=vn20100303122537301C557159)

**Prisoner re-arrested:** One of the eight prisoners who escaped from the Westville prison in February 2010 was re-arrested, IOL reported. Police Superintendent, Jay Naicker, said "In the early hours of this morning [Friday 5 March] members of the Durban Organised Crime Unit pounced on escapee Simon Bouque as he slept," adding that "At 5 am police officials entered his hideout in N Section, Umlazi and placed him under arrest." IOL reported that Bouque, a murder suspect escaped from prison on Sunday, February 21, with sugarcane field serial killer suspect Thozamile Taki and seven other prisoners. SAPA, 5 March 2010, IOL, at

[http://www.iol.co.za/index.phpset\\_id=1&click\\_id=13&art\\_id=nw20100305092420392C492389](http://www.iol.co.za/index.phpset_id=1&click_id=13&art_id=nw20100305092420392C492389)

**Escaped Westville prisoner shot dead:** IOL news reported that one of the escaped prisoners, Nonhlanhla Lucky Mhlongo, was shot and killed by police in the early hours of Saturday 5 March. Senior Superintendent, Jay Naicker, said it was believed he was one of eight awaiting trial prisoners who escaped from Westville Prison on 21 February. SAPA, 6 March 2010, IOL, at

[http://www.iol.co.za/index.phpset\\_id=1&click\\_id=13&art\\_id=nw20100306165948472C785925](http://www.iol.co.za/index.phpset_id=1&click_id=13&art_id=nw20100306165948472C785925)

**Prisoners used internet to plan escape:** It is alleged that nine prisoners used a map of Westville prison downloaded from the internet via a cell phone to plan their escape from Westville prison. According to an IOL report, the alleged serial killer Thozamile Taki was among them, but he injured himself and was found by warders in the prison yard. The report said that a certain Barque had been the mastermind behind the escape along with Mzimela, an escape artist who had previously escaped eight times from prison. Simon Edward Barque, who was re-arrested, said "I escaped with other prisoners who cut an opening in the burglar bars. I did know that it was unlawful, but my intention was just to visit my family because I was opposed bail for my other cases and I had been in jail for 10 months." Reported by Kamini Padayachee, 8 March 2010, IOL, at

[http://www.iol.co.za/index.phpset\\_id=1&click\\_id=13&art\\_id=vn20100308041604470C232083](http://www.iol.co.za/index.phpset_id=1&click_id=13&art_id=vn20100308041604470C232083) see also

[http://www.iol.co.za/index.phpset\\_id=1&click\\_id=13&art\\_id=vn20100331115007310C195328](http://www.iol.co.za/index.phpset_id=1&click_id=13&art_id=vn20100331115007310C195328)

**Prisoner found in possession of cell phone:** The Department of Correctional Services and the Police Service are at loggerhead as to who is responsible for a prisoner being in possession of a cell phone, IOL reported. William Mbatha, who is currently being held at the Boksburg Maximum Prison on charges of house breaking and armed robbery, was photographed in possession of a cell phone while being escorted by armed guards into the Pretoria Magistrate's Court. According to an IOL report, both the Police and Correctional Services have refused to take responsibility. Correctional Services spokesman, Simphiwe Kondleka, said "In terms of our arrangements we do not allow awaiting or sentenced offenders to carry cell phones as this poses a security risk". Reported by Graeme Hosken, 12 March 2010, IOL, at

[http://www.iol.co.za/index.phpset\\_id=1&click\\_id=15&art\\_id=vn20100312041444642C629406](http://www.iol.co.za/index.phpset_id=1&click_id=15&art_id=vn20100312041444642C629406)

**Nine prison officials suspended:** A report in IOL said that the Department of Correctional Services has suspended nine of its officials at the Westville prison in connection with the recent escape of prisoners. The Department's Area Commissioner, Zebilon Monama, said "After conducting interviews, the members who were found to have played a part, like not being where they were supposed to be at the time of the escape, were suspended." However, it is not yet known what the outcome of the suspension will be, IOL reported. Reported by Mpume Madlala, 24 March 2010, IOL, at

[http://www.iol.co.za/index.phpset\\_id=1&click\\_id=13&art\\_id=vn20100324143900339C945278](http://www.iol.co.za/index.phpset_id=1&click_id=13&art_id=vn20100324143900339C945278)

**Newcastle prison escape:** Two prisoners were reported to have escaped from the Newcastle prison, in KwaZulu-Natal, IOL reported. Police Superintendent Vincent Mdunge said the full details of the escape are not yet known but that investigations were underway. SAPA, 25 March 2010, IOL, at

[http://www.iol.co.za/index.phpset\\_id=1&click\\_id=13&art\\_id=nw20100325133144977C158464](http://www.iol.co.za/index.phpset_id=1&click_id=13&art_id=nw20100325133144977C158464)

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## SOUTH AFRICANS IMPRISONED ABOARD

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**Mother bids for son's transfer:** Beeld reported that judgment has been reserved in a mother's bid to have the



government reconsider the possibility of a Prison Transfer Agreement with Mauritius as her son is imprisoned there. According to the report, Pat Gerber, argued before the North Gauteng High Court that there are constitutional grounds for the state to enter into a prisoner transfer agreement. It is reported that Pat Gerber's son, Johann (24), is serving a nine-year sentence for smuggling heroin into Mauritius. *Original report in Afrikaans*. Reported by Jeanne-Marié Versluis, 30 March 2010, Beeld, at [http://www.beeld.com/Content/SuidAfrika/Nuus/1928/e61e389ae0c64c71ad16c2f1086a5bae/30-03-2010-09-53/Ma\\_soek\\_seun\\_in\\_SA\\_tronk\\_%E2%8098Gooi\\_saak\\_uit%E2%80%99](http://www.beeld.com/Content/SuidAfrika/Nuus/1928/e61e389ae0c64c71ad16c2f1086a5bae/30-03-2010-09-53/Ma_soek_seun_in_SA_tronk_%E2%8098Gooi_saak_uit%E2%80%99)

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## OTHER

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**Prisoners prepare for 2010 World Cup:** As the world and South Africans prepare for the 2010 soccer world cup, so are prisoners at the Westville Correctional Centre. According to a report on IOL, prisoners may be locked away from the general public, but that should not mean they should be cast out from the rest of the world. According to the report, prisoners have expressed their desire to be part of the World Cup euphoria that is sweeping through the country. However, Ellias Mkhize, a prisoner at Westville who is also the chairman of the prison's sports and recreation committee, acknowledged that certain of his freedom was lost when he said "Jail is not a place to be. It makes you lose your dignity and you lose out on so many opportunities in life". Reported by Mpume Madlala, 4 March 2010, IOL, at [http://www.iol.co.za/index.phpset\\_id=1&click\\_id=13&art\\_id=vn20100304122328906C874998](http://www.iol.co.za/index.phpset_id=1&click_id=13&art_id=vn20100304122328906C874998)

**Man sues for wrongful arrest and imprisonment:** An East London man is reported to have spent 14 months in prison for a crime he did not commit. The Herald reported that Vuyisile Rhala, from Duncan Village is suing the Police Minister in the Eastern Cape High Court (East London) in a claim of R500, 000. Rhala suffered a stroke while behind bars after being wrongfully accused of housebreaking and robbery. Reported by Kathryn Parkes, 5 March 2010, The Herald, at <http://www.theherald.co.za/article.aspx?id=537767>

**Deputy Minister calls on communities to accept ex-prisoners:** At an event that marked the 50th Anniversary of the Sharpeville massacre, Correctional Services Deputy Minister called on communities to accept prisoners who have completed their sentences. According to a report in BuaNews, Correctional Services Deputy Minister, Hlengiwe Mkhize said "As responsible members of society, if you do not accept ex-offenders back, and you continue stigmatising them as many are doing, you are leaving them with no other choice but to re-offend and come back in here again". She appealed to offenders to participate in rehabilitation programmes offered to them and also to use the opportunity while in prison to study and to learn as many skills as possible. BuaNews, 19 March 2010, at <http://www.buanews.gov.za/news/10/10031912051002>

**Malema visits prisoner in private consultation office:** The Department of Correctional Services has confirmed that ANC youth league leader, Julius Malema, visited hip hop artist Jub Jub in a private room in prison, IOL reported. The visit, which took place in a private consultation room, was alleged to be illegal as prisoners are expected to be visited in an open area. However, a spokesperson for the Correctional Services, Sonwabo Mbananga said, "Permission was granted for [Malema's visit] to take place in an office, but it was overseen by an official throughout." Jub Jub, whose real name is Molemo Maarohanye and Themba Tshabalala are awaiting trial on charges of murder. SAPA, 17 March 2010, IOL at [http://www.iol.co.za/index.phpset\\_id=1&click\\_id=15&art\\_id=nw20100317150735575C890746](http://www.iol.co.za/index.phpset_id=1&click_id=15&art_id=nw20100317150735575C890746)

**A sense of suspicion and alienation:** Research conducted by the Civil Society Prison Reform Initiative (CSPRI) sought the views of former prisoners on imprisonment and release. The research focussed on, amongst others, the problems they face, both behind the walls and the challenges that await them upon release, such as finding work with a criminal record. CSPRI Project coordinator, Lukas Muntingh, said while there had been a lot of talk about prisoners and ex-prisoners, he believed that there was not enough listening to prisoners taking place, and produced the Ex-prisoners views on imprisonment and re-entry report in 2009. Reported by Karabo Keepile, 24 March 2010, Mail and Guardian at <http://www.mg.co.za/article/2010-03-24-a-sense-of-suspicion-and-alienation>

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## OTHER AFRICAN COUNTRIES

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### ANGOLA

**Prisons are there to correct behaviour and not to punish:** A report in Angola Press said the government created prisons to regulate citizen's behaviour. The statement was made by State Attorney, João Maria de Sousa, during a visit to the provincial detention centre in the Northern Kwanza Norte province. According to the report, João Maria de Sousa said that the aim of prison is not to inflict suffering or inhuman punishments but to correct

bad behaviour of citizens. Angola Press, 3 March 2010, at [http://www.portalangop.co.ao/motix/en\\_us/noticias/politica/2010/2/9/Prisons-created-regulate-citizens-behaviour-Attorney-general.e3bf7dad-ec8a-4114-a5e0-464f5364773b.html](http://www.portalangop.co.ao/motix/en_us/noticias/politica/2010/2/9/Prisons-created-regulate-citizens-behaviour-Attorney-general.e3bf7dad-ec8a-4114-a5e0-464f5364773b.html)

**31st Anniversary of prison services:** Angola Press report that during the commemoration of the 31st anniversary of the Angolan Prison Services, the Interior Minister, Roberto Leal Monteiro "Ngongo", expressed government's commitment to improve the working conditions of the staff of the prison service and accommodation for prisoners. The minister further cautioned the staff of the Prison Services to respect the citizens under their responsibility, and to always stick to the task of reformation of prisoners. Angola Press, 20 March 2010, at <http://allafrica.com/stories/201003220065.html>

## EGYPT

**The death penalty debated:** According to a report in Almasryalyoum, the execution of two Egyptians on death row has stirred a debate on the veracity of courts and judges in passing the death penalty. Atef Rohyum and Jihan Mohamed were convicted and sentenced to death after being convicted of the murder of Mohamed's husband. According to the report by Almasryalyoum, human rights watchdogs said the trial lacked fairness. The report added that they were executed without prior notification to their families, which was against the law. Hadj Sahraoui commented that a lot of people would support the death penalty in Egypt, but do not have much faith in the current judicial system to believe that a death penalty is granted after a fair trial. He noted that essential safeguards are needed in the judicial system, regardless of whether you believe or not in death penalty. Reported by Lina Attala, 13 March 2010, Almasryalyoum, at <http://www.almasyalyoum.com/en/news/another-death-sentence>

**Supreme Court ruled in favour female judges:** Egypt's Supreme Court recently ruled that female Judges can serve on the State Council (Maglis id-Dowla), said a report in Jurist. The State Council is an administrative court system with jurisdiction over cases involving the state. According to the report, the general assembly of the council voted for the equality of all citizens but did not have the authority to appoint to the Bar. Jurist reported that the decision of the general assembly is pending upon the approval of Supervisory Committee of the council which if approved will mark the first time in Egypt's history that women are named to preside over criminal or civil cases. Reported by Hillary Stemple, 15 March 2010, Jurist, at <http://jurist.law.pitt.edu/paperchase/2010/03/egypt-constitutional-court-allows-women.php> See also <http://www.timeslive.co.za/africa/article357461.ece>

**Lawyers and families denied access to prisoners:** Members of the Muslim Brotherhood (MB) are reported to have been denied visits from their lawyers and loved ones while in prison. Defence lawyers for MB members detained at Borg el-Arab Prison near Alexandria have filed a complaint with the Attorney General in which they claimed that their clients were being deprived of visits by lawyers and relatives despite having obtained permission for such visits from the Prisoners Affairs Department, Almasryalyoum reported. According to the report, there are 68 MB members currently in prison, 14 of whom are held in a single cell no more than nine square meters in size. Reported by Ahmed el-Khatib Tarek Salah Mohamed Fayed, 28 March 2010, Almasryalyoum, <http://www.almasyalyoum.com/en/news/mb-lawyers-allege-prison-abuses>

## ERITREA

**Poor conditions in prisons:** A report in The Ethiopian Journal said that the human rights record of Eritrea is alarming. Eritrea, a country of about 5.5 million inhabitants, has one of the world's poorest human right records. Unlawful killings, torture and beating of prisoners are reportedly common practice. The report reveals that prisoners sometimes die of injuries while in detention. "There were reports that prisoners were held in underground cells or in shipping containers with little or no ventilation in extreme temperatures. The shipping containers were reportedly not large enough to allow all of those incarcerated to lie down at the same time. Other prisoners were held in cement-lined underground bunkers with no ventilation. Up to 200 prisoners were held in each bunker, and some prisoners passed out from the extreme heat." The Ethiopian Journal, 14 March 2010, at [http://www.ethjournal.com/index.php?option=com\\_content&view=article&id=1543:2009-country-reports-on-human-rights-practices&catid=18:current-issues-and-events&Itemid=50](http://www.ethjournal.com/index.php?option=com_content&view=article&id=1543:2009-country-reports-on-human-rights-practices&catid=18:current-issues-and-events&Itemid=50)

## GAMBIA

**Human rights report on prison conditions:** A report from Jollofnews describes the deplorable human rights situation in The Gambia. The report on the 2009 human rights situation, said that overcrowding and poorly ventilated cells characterised prisons in the country. Prisoners complained of poor sanitation and food. It is reported that "On March 6, Benedict Jammeh, the former police inspector general, testified at Musa Suso's trial that inmates at Mile 2 Central Prison were fed with meat that resulted in the deaths of several prisoners; a committee of senior police officers subsequently confirmed the report." David Colley, the Director General of Prison Services, admitted that 23 prisoners in 2006 and 40 in 2007 died in prison, primarily as a result of chronic anaemia, abdominal pain, and food poisoning. Jollofnews, 12 March 2010, at [http://www.jollofnews.com/index.php?option=com\\_content&view=article&id=277:2009-human-rights-reports-the-gambia&catid=31:humanrights&Itemid=24](http://www.jollofnews.com/index.php?option=com_content&view=article&id=277:2009-human-rights-reports-the-gambia&catid=31:humanrights&Itemid=24)

**10 Charged for alleged coup plot:** The Jurist reported that 10 men, including top military officials, were charged with conspiring to overthrow the government. Opposition members have complained of frequent incidents of indefinite detention of citizens and government officials. According to the report, the Presidents Yahya Jammeh, recently threaten to kill human rights workers who threaten to destabilise his government. Reported by Matt Glenn,



19 March 2010, Jurist, at

[http://jurist.law.pitt.edu/paperchase/2010\\_03\\_19\\_indexarch.php#1465813998371504289](http://jurist.law.pitt.edu/paperchase/2010_03_19_indexarch.php#1465813998371504289)

## GHANA

**Babies separated from imprisoned mothers:** According to a report on Peace FM, children born in prison and those brought with by their incarcerated mothers will no longer have to share cells with their mothers at the Nsawam Prison. The pilot project started in 2006 and is aimed at protecting babies from other prisoners and the health risks they are prone to in prison. According to the report, 24 mothers and their children have benefited from the project. During the period of refurbishing the facility, 11 babies were born in the prison while 10 were brought in by their convicted mothers, Peace FM reported. Peace FM, 4 March 2010, at

<http://news.peacefmonline.com/news/201003/39518.php>

## KENYA

**7 Somali pirates sentenced to 20 years:** Angola Press reported that seven Somali pirates were sentenced to 20-years' imprisonment for piracy after they tried to attack a Danish cargo vessel. Senior Principal Magistrate Lilian Mutende said "Having considered the seriousness ... of the offence, and circumstances under which the suspects were arrested; only stiff penalties can deter such activities". Angola Press reported that Kenya is holding over 100 suspected pirates in prisons and police cells. Reported by Celestine Achieng, 11 March 2010, Angola Press, at

[http://www.portalangop.co.ao/motix/en\\_us/noticias/afrika/2010/2/10/Kenya-imprisons-seven-Somalis-for-piracy-Thu-Mar-2010-05am-GMT-Print-Single-Page-Text-1Full-SizeBy-Celestine-Achieng,2e8b9f03-967e-4a12-8224-67c35ffa415d.html](http://www.portalangop.co.ao/motix/en_us/noticias/afrika/2010/2/10/Kenya-imprisons-seven-Somalis-for-piracy-Thu-Mar-2010-05am-GMT-Print-Single-Page-Text-1Full-SizeBy-Celestine-Achieng,2e8b9f03-967e-4a12-8224-67c35ffa415d.html)

**50,000 prisoners to be released:** According to a report in Daily Nation, the Government of Kenya has instituted a programme to decongest prisons in Kenya. Overcrowding in Kenya prisons is largely caused by awaiting trial prisoners and offenders with sentences of less than three years. A Community Service Orders Programme has also been launched so that non-serious offenders shall be used for community service instead of serving prison sentences, Daily Nation reported. "These plans will not only lead to manageable numbers in the prisons, but will also equip the offenders with skills necessary to earn a living," said Mr. Mugambi at the launch of one of the programmes in Kibera, Nairobi. Reported by Benjamine Muindi, 16 March 2010, Daily Nation, at

<http://www.nation.co.ke/News/-/1056/880202/-/vrpttj/-/>

**Charm smuggled in to assist prisoner escape:** According to a report on the IOL site an attempt to smuggle a good-luck charm into prison by a mother was met with bad luck. Festus Mwamba Obino's mother was detained for attempting to smuggle into prison a "juju" or good-luck charm of dried insects and roots concealed in a bar of soap and specially concocted to shorten her son's life sentence for an alleged armed robbery. A prison officer, Patrick Mwenda, said "The woman was confident that once the son chewed the roots while the case was going on, he would emerge victorious." Naivasha prison is a maximum security prison. SAPA, 26 March 2010, IOL, at

[http://www.iol.co.za/index.phpset\\_id=1&click\\_id=29&art\\_id=nw20100326170727832C540599](http://www.iol.co.za/index.phpset_id=1&click_id=29&art_id=nw20100326170727832C540599)

**Overcrowding blamed for spreading of diseases:** Daily Nation reported that congestion in prisons is the major cause for the spread of diseases in prisons. According to the report, Kenya Prison Health Service Director, Dr John Kibosia, proposed that terminally ill prisoners be released to decongest prisons countrywide. Dr. Kibosia said "We are targeting those with serious terminal illnesses as it doesn't add any value to us and society if we keep on holding them when their health is deteriorating". It is reported that Eldoret prison, which was meant to hold 600 prisoners, currently holds 1,608. Prisons authorities have started identifying prisoners with terminal illnesses before recommending their unconditional release. Reported by Dennis Odunga, 28 March 2010, Daily Nation, at

<http://www.nation.co.ke/News/regional/Freedom%20beckons%20gravely%20ill%20inmates%20/-/1070/888750/-/13s6qlxz/-/>

## LIBYA

**200 Islamic prisoners set free:** More than 200 Islamic prisoners are reported to have been set free in Libya as part of the governments' rehabilitation programme for militant groups. Angola Press reported that Col. Muammar Gaddafi's son, Saif al-Islam, said that it was "an historic event". According to the report, 34 of the 214 freed inmates are from the Libyan Islamic Fighting Group, alleged to have links to al-Qaeda. Some 409 prisoners remained in prison. A further 232 would be set free at a later date. Angola Press, 24 March 2010, at

[http://www.portalangop.co.ao/motix/en\\_us/noticias/afrika/2010/2/12/Libya-frees-more-than-200-Islamist-prisoners,c18e509f-2101-4b89-9492-2e87fe01d99f.html](http://www.portalangop.co.ao/motix/en_us/noticias/afrika/2010/2/12/Libya-frees-more-than-200-Islamist-prisoners,c18e509f-2101-4b89-9492-2e87fe01d99f.html)

## NIGERIA

**CBI increases distribution centres for prisoners:** A Christian News Wire report said that Crossroad Bible Institute (CBI) is expanding its work and opening a new distribution centre near the Elele Prison Farm Centre in Port Harcourt. For Nigerian prisoners, the religious division and resulting violence that afflict their country are compounded by deplorable prison conditions and unjust treatment. Nigerian prisons, according to the report, are marked by outdated facilities, poor sanitation, limited food rations, inadequate health services and even torture plague prisoners, threatening their physical and mental wellness. Nigeria's criminal justice system bears significant flaws. An Amnesty International report estimated that 65 percent of Nigerian inmates have not been convicted of a crime and are awaiting trial, and this period of waiting often spans years. Those in prison have little to no legal counsel, and most do not have the money necessary to acquire a lawyer or seek help from family on the outside. Some cases stall because files have simply been lost. Reported by David Schuringa, 15 March 2010, Christian News Wire, at

<http://www.christiannewsire.com/news/9871713306.html>

**Supreme Court upholds death sentence:** The Supreme Court of Lagos is reported to have upheld the death sentence passed by a lower court on a police officer. Olayemi Oludamilola, a police officer, was convicted by the Kogi State High Court for killing Solomon Omopariola. The decision was confirmed by the Court of Appeal, Abuja Division. On appeal in the Supreme Court, Justice James Ogebe found that the officer was rightly convicted by the two lower courts. In his judgement, the judge said "I see no cause whatsoever to disturb the findings of fact made by the two lower courts," adding that "I see no merit in this appeal and I hereby dismiss the appeal and affirm the appellant's conviction and sentence to death, as passed by the two lower courts". Daily Champion, 20 March 2010, at <http://allafrica.com/stories/201003220778.html>

## RWANDA

**Police and prison departments to improve performance:** According to a New Times report, the Minister of Interior, the Rwanda National Police, the National Prisons Service and the Works for General Interest (TIG) Secretariat, have signed a performance contract. "Mary Gahonzire, the head of prisons, said that 10 prisons will be equipped with biogas and the construction of Gikombe prison in Rubavu will be completed. Ruhengeri and Gisenyi prisoners will relocate to Gikombe." Gahonzire said Ruhengeri prison will be turned into an all female prison, the first of its kind in the country. Reported by Bosco R. Asiimwe, 3 March 2010, The New Times, at <http://www.newtimes.co.rw/index.php?issue=14188&article=26517>

**NGO opens nursery school for children in prison:** An NGO working in Rwanda is reported to have opened a nursery school programme for children living in prisons with their imprisoned mothers. According to The New Times, *Association Enfant Chez Soi*, a local child rights organisation, launched the project to improve the lives of children in prison in respect of education, health and nutrition. The Commissioner General of Prisons, Mary Gahonzire, said "Children who grow up in prisons suffer a lot since they do not get enough care; therefore these nursery schools will help in providing the required care to the children until the age of three". Reported by Frank Kanyesigye, 4 March 2010, The New Times, at <http://www.newtimes.co.rw/index.php?issue=14189&article=26561>

**Prisoners placed on medical aid:** Commissioner General of Prisons, Mary Gahonzire, said in an interview with The New Times that plans are underway to enable prisoners to benefit from the community medical insurance scheme. According to the report, the project is being designed to provide medical insurance to all prisoners in the country to facilitate their access to health services at an affordable cost. Mary Gahonzire said "Prisoners generate a lot of money from various projects and it's the same money we will use to avail them with medical insurance", adding that "In a situation of deficits, the government will intervene [and] that is why we need to introduce this project in the budget". Reported by Edwin Musoni, 4 March 2010, The New Times, at <http://www.newtimes.co.rw/index.php?issue=14189&article=26562>

**Prison introduces electronic data system:** The National Prison Service is reported to have introduced an electronic data system in an effort to keep track of information on prisoners. According to a New Times report, Mary Gahonzire, Commissioner General of Prisons said that "[The] data system will [link information from] the courts and the prosecution in order to improve the flow of information in the entire judicial system." It is reported that due to poor record keeping, prisoners incorrectly claim that they had completed their terms of imprisonment, which may result in their erroneous release, The New Times reported. Reported by Frank Kanyesigye, 6 March 2010, The New Times, at <http://www.newtimes.co.rw/index.php?issue=14191&article=26645>

**Prisons to have court rooms:** Commissioner General of Prisons, Mary Gahonzire has said that the National Prison Services is proposing to establish courtrooms at all the prisons in the country, The New Times reported. Gahonzire said "The initiative will benefit the public courts since the majority of the prisoners will be handled in the prisons' courtrooms, but the court calendars will be adhered to", adding that they have agreed with the President of the High Court and the prosecution on the project who supports the project. Reported by Frank Kanyesigye, 7 March 2010, The New Times at <http://allafrica.com/stories/201003080248.html>

**Rwandan singer-songwriter charged with genocide:** The Jurist reported that the International Criminal Tribunal for Rwanda (ICTR) has convicted and sentenced Simon Bikindi for inciting the extermination of Tutsis. The prosecutor, Justice Hassan Bubacar Jallow, appealed against the 15-year sentence given to Bikindi, on the grounds that that it was inadequate punishment for "direct and public incitement to commit genocide". The report added that Rwandan district attorney Simon Nchamihigo, who had previously been sentenced to life imprisonment, had his sentence reduced. The Jurist reported that both prisoners are currently held in a United Nations Detention Facility in Arusha- Tanzania, pending their transfer to the countries where they will serve their prison terms. Reported by Sarah Miley, 18 March 2010, Jurist, at [http://jurist.law.pitt.edu/paperchase/2010\\_03\\_18\\_indexarch.php#4518496511165636261](http://jurist.law.pitt.edu/paperchase/2010_03_18_indexarch.php#4518496511165636261)

**UN Security Council approves Rwandan warders for Haiti:** The Commissioner General of the National Prisons Service, Mary Gahonzire, has welcomed a decision from the UN Security Council, calling on Rwanda to make a contribution of prison warders to Haiti. The commissioner said "I'm glad that Rwanda is heeding a request from the UN to contribute prison warders to the earthquake devastated nation of Haiti." According to the report, four senior prison warders will be sent to Haiti in the first phase. Reported by Linda Kamaliza Kimironko, 30 March 2010, The New Times, at <http://www.newtimes.co.rw/index.php?issue=14215&article=27498> see also <http://www.newtimes.co.rw/index.php?issue=14214&article=27466>

## SIERRA LEONE

**Government improves human rights:** The US State Department reported that Sierra Leone's human rights situation has shown remarkable improvements. According to the report, the Bureau of Prisons stated that as of October 2009, there were 2,317 prisoners in the country, including 112 women. Cocorioko reported that Pademba Road Prison, designed to house 324 prisoners, held 1,222 as of October 2009, according to the Bureau of Prisons. Despite the problems of overcrowding, disease, poor nutrition, the government is making an effort to address these problems. It is reported that the government has permitted regular family visits to prisoners; improvement in nutritional standards and affected a reduction of juveniles imprisoned. Cocorioko, 12 March 2010, at <http://www.cocorioko.net/national/2549-sierra-leone-gets-favourable-human-rights-record-report-from-us-state-department>

## TANZANIA

**EAC prison heads discuss cooperation:** A report in The New Times said that the Heads of Prisons and Correctional Services in the East African Community (EAC), recently met in Arusha, Tanzania, and discussed ways to further cooperation in the areas of information exchange, training and knowledge transfer. According to the report, the Heads of Prisons and Correctional Services plan to establish a mechanism for the transfer of prisoners within the region. Mary Gahonzire of Rwanda said "We agreed to establish common standards on the governance and management of the services, in view of regional and global mandates pertaining to correctional services and the dictates of the EAC regional environment". Reported by Frank Kanyesigye, 11 March 2010, The New Times, at <http://www.newtimes.co.rw/index.php?issue=14196&article=26813> see also <http://www.eac.int/component/content/394.html?task=view>

## UGANDA

**Africa Prison Project canvass for funds:** The Africa Prison Project (APP) is a charity organisation aimed at improving the conditions of prisoners in Africa. According to a report in Christian Today, APP staff is currently in the UK to raise funds to support prisoners held in appalling conditions. APP was founded by Alexander McLean in 2004 and has built and refurbished libraries, clinics and health centres in prisons in Kenya and Uganda, supplying more than 60,000 books and other educational materials and running educational programmes and workshops. Christian Today, 15 March 2010, at <http://www.christiantoday.com/article/young.christian.improving.conditions.for.prisoners.in.africa/25487.htm>

**Prisoners allegedly tortured:** The New Vision reported that prisoners at the Kirinya Prison in Jinja, are alleged to be subjected to torture by warders. The allegation was made during a visit of the Prison Commissioner General, Dr. Johnson Byabashaija. Byabashaija was on a tour of south-eastern region prisons to assess issues that affect prisoners and the staff of the Prisons Service. A prisoner is reported to have complained that prisoners were being tortured by warders: "I have witnessed four inmates being tortured by a warder. Surprisingly, other inmates were accused of the torture and taken to Jinja High Court," Waiswa Okong, a prisoner said. Reported by Donald Kiirya, 21 March 2010, The New Vision, at <http://allafrica.com/stories/201003220976.html>

## ZIMBABWE

**Torture and imprisonment of political rivals:** SW Radio Africa reported that a damning report outlining how President Robert Mugabe's regime used torture and imprisonment to manipulate elections and other political processes will be launched at the Book Café in Harare. The report entitled "Cries from Goromonzi - Inside Zimbabwe's Torture Chambers" was commissioned by the Crisis in Zimbabwe Coalition and contains 23 harrowing testimonies from individuals tortured between 2000 and 2009. According to SW Radio Africa it is alleged that the use of torture and imprisonment of citizens in secret detention camps in Zimbabwe by Mugabe, was part of the strategy by the incumbent to rig the elections. MDC spokesman Nelson Chamisa was attacked and brutally beaten on his way to the airport and Tsvangirai's Chief of Staff, Ian Makone, was subjected to torture while in prison. Reported by Lance Guma, 10 March 2010, SW Radio Africa, at <http://allafrica.com/stories/201003100987.html>

**US State Department criticise torture in Zimbabwe:** The US State is reported to have sharply criticised Zimbabwe for its poor human rights record. According to an Unfree Media Africa report, it is reported that there is systematic abuse of human rights. Prison conditions are still harsh, and life threatening. "Security forces, who regularly acted with impunity, arbitrarily arrested and imprisoned the opposition, members of civil society, labour leaders, journalists, demonstrators, and religious leaders and lengthy pre-trial detention was a problem." Reported by Quid Nunc, 11 March 2010, Unfree Media Africa, at <http://www.unfreemedia.com/africa/2010/03/zimbabwe-castigated-by-us-for-abuses.html>

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