

# AFRICA PRETRIAL JUSTICE MONITOR



Africa Pretrial Justice Monitor

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### Notice Board

**Police detention monitoring manual:** The Association for the Prevention of Torture has released a manual entitled "Monitoring Police Custody – a practical guide." The manual is intended to assist anyone carrying out monitoring visits to police stations or other similar detention facilities and preventive activities concerning the police conduct. The report is available at [www.apr.ch/en/resources/monitoring-police-custody-a-practical-guide/](http://www.apr.ch/en/resources/monitoring-police-custody-a-practical-guide/)

**Human Rights Watch World Report:** Human Rights Watch has released its 2013 World Report. It raises a number of concerns, including torture, lengthy pretrial detention and the abuse of civilians by military officials, in respect of a number of African countries. The report is available at [https://www.hrw.org/sites/default/files/wr2013\\_web.pdf#page=120&zoom=auto,0,251](https://www.hrw.org/sites/default/files/wr2013_web.pdf#page=120&zoom=auto,0,251)

**International Juvenile Justice Observatory (IJJO):** The IJJO has released its January 2013 Newsletter. It contains an editorial piece on the International Detention Coalition's research based on children's experiences in immigration detention, covering a range of countries, including Somalia and Ethiopia. The newsletter is available at <http://www.oijj.org/en/sala-prensa/boletines>

**Access to justice for women:** The International Development Law Organisation has released a manual entitled "Accessing Justice: models, strategies and best practices on women's empowerment." The manual contains a number of examples and case studies from women in African countries. The manual is available at <http://www.idlo.int/Publications/Women-AccessstoJustice.pdf>

### Country Reports

#### ALGERIA

**Torture prevention:** The Association for the Prevention of Torture (APT) has posted an excerpt on its website about a joint workshop held by the APT and the United Nations during February 2013 on torture prevention. Government and civil society representatives reportedly discussed the "practical aspects" of the OPCAT and innovative measures through which torture can be prevented. More information is available on the APT website, at [http://www.apr.ch/en/news\\_on\\_prevention/prevention-of-torture-on-the-right-track-in-algeria/](http://www.apr.ch/en/news_on_prevention/prevention-of-torture-on-the-right-track-in-algeria/)

#### EGYPT

**Children detained illegally after protest:** The Independent reported that 'hundreds of children' were illegally detained by police following protests which began just after the second anniversary of the 2011 uprising. Lawyers acting on behalf of the detained children reportedly alleged that their clients had been subjected to ill-treatment and torture. Reported by Alastair Beach, 24 February 2013, at <http://www.independent.co.uk/news/world/africa/young-children-detained-and-tortured-after-protests-in-egypt-8503866.html>

#### LIBYA

**Human Rights workshop for prison staff:** The Libya Herald reported that a four-day workshop entitled "International Standards of Human Rights" commenced in Benghazi on the 24 February 2013 and ran until Wednesday 27 February 2013. The workshop reportedly involved the participation of "non-commissioned officers and members of the Judicial Police" working in prisons in Benghazi. The focus of the conference was to raise awareness of international human rights standards among prison staff. Reported by Maha Ellawait, 27 February 2013, at <http://www.libyaherald.com/2013/02/26/benghazi-workshop-of-human-rights-for-prisoners/>

## MALI

**Former prisoners complain of widespread torture:** BBC News Africa featured a story in which people who were imprisoned during the rule of militant Islamists in Gao, northern Mali, describe the brutality to which they were subjected. The torture which they experienced included the amputation of limbs. These amputees, although released from prison, are unable to find work as a result of their respective physical disabilities. Reported by Thomas Fessy, 15 February 2013, at <http://www.bbc.co.uk/news/world-africa-21467982>

## NIGERIA

**Lack of vehicles causes overcrowding:** Leadership reported that one of the factors behind prison overcrowding was the fact that there is a severe shortage of escort vehicles, which are needed to transport detained suspects to and from court. The report noted that the Kuje Maximum Prison, the main prison for the Federal Capital Territory Command, has only two operational vehicles to escort the 429 detainees. Reported by Christiana Esebonu, 22 February 2013, at [http://leadership.ng/nga/articles/48380/2013/02/22/lack\\_operational\\_vehicles\\_others\\_aid\\_prison\\_congestion\\_investigation.html](http://leadership.ng/nga/articles/48380/2013/02/22/lack_operational_vehicles_others_aid_prison_congestion_investigation.html)

**Proposed bill could address prison overcrowding:** allAfrica.com reported that the Nigerian Senate pledged support for a bill that would empower the Chief Justice and states chief judges to order the monthly release of unlawfully detained suspects. The bill, if passed, would address the issue of prison overcrowding in a country where 70 per cent of inmates are remand detainees. Reported by allAfrica.com, 27 February 2013, at <http://allafrica.com/stories/201302280093.html>

## SOUTH

## AFRICA

**Poor conditions of detention alleged in court pleadings:** Beeld reported that an urgent application had been filed by a number of prisoners who are requesting that the court direct the Department of Correctional Services to allow them 3.44 square metres of floor space as well as access to certain medically-prescribed diets, reading material and specific medical attention. The matter has reportedly yet to be heard in court. Reported by Jeanne-Marié Versluis, 2 February, 2013, at <http://www.beeld.com/Suid-Afrika/Nuus/Gevangenes-pak-tronktoestand-in-hof-20130202>

**Prison overcrowding described as priority for state:** allAfrica.com reported that the Minister of Correctional Services stated, at a meeting with labour union representatives, that South Africa is ranked ninth in the world in terms of prison population and that 30 per cent of the prison population are remand detainees. The Minister reportedly stated that the problem of overcrowding "was a priority" for the state. Reported by allAfrica.com, 11 February 2013, at <http://www.news24.com/SouthAfrica/News/SA-prisons-most-crowded-in-Africa-minister-20130211>

**Court delays affect justice:** The Daily Dispatch reported that the mother of a nine-year-old child withdrew a complaint of rape due to the "trauma the girl faced each time she went to court" even though the matter, which was initiated in 2011, kept being postponed. Reported by The Daily Dispatch, 20 February 2013, at <http://dispatch.newspaperdirect.com/epaper/showarticle.aspx?article=eb295a95-9fa9-49cb-a654-945d3b70a06c&key=%2febKumkQy65eWBVIQeF6CQ%3d%3d&issue=81482013022000000000001001>

**Treatment of disabled detainees under spotlight:** News24 reported that the highly publicized case involving double-amputee Oscar Pistorius has thrown a spotlight onto the treatment of disabled detainees in prison. A spokesperson of the Department of Correctional Services reportedly stated that disabled detainees are 'treated with dignity' and are assisted in accordance with the special needs that respective disabilities required. Reported by News24, 20 February 2013, at <http://www.news24.com/SouthAfrica/News/Disabled-prisoners-treated-well-20130220>. See also <http://www.guardian.co.uk/world/2013/feb/22/paraplegic-remand-south-africa> where the plight of a paraplegic man awaiting trial in prison is examined.

**Reduction in 'backlog' cases:** The Citizen reported that the Minister of Justice stated that the number of 'backlog cases' had been reduced significantly during the third quarter of 2012. Regional and district courts had reportedly removed 17 425 cases from the backlog court rolls between April and December 2012. This reportedly amounted to a 1.2 per cent reduction in the number of backlog cases on the court rolls. Reported by The Citizen, 24 February 2013, at <http://www.citizen.co.za/citizen/content/en/citizen/local-news?oid=395922&sn=Detail&pid=334&Drop-in-backlog-court-cases---Radebe>

**Former police official speaks out against atrocities:** The Sunday Times reported that a former police reservist in the Cato Manor Organised Crime Unit has 'become the first insider' to speak publicly of the many atrocities, including murder and torture, that the unit committed against criminal suspects. Members of the unit have reportedly been charged with murder and racketeering. Reported by the Sunday Times, 25 February 2013, at

<http://times-e-editions.newspaperdirect.com/epaper/showarticle.aspx?article=2f8385a1-6bf6-49a9-af30-2c6710d2bd15&key=WyFD4AyH9LYYgsyaAE7trg%3d%3d&issue=1107201302240000000001001> (subscription needed).

**Police brutality caught on video:** News24 reported that amateur video footage shows police officials handcuffing a man to the back of a police vehicle and dragging him for about 400 metres in Daveyton, Johannesburg. The man, who was a Mozambican taxi driver, later died as a result of the injuries he sustained at the hands of the police officials. The Independent Police Directorate are reportedly investigating the matter. Reported by News24, 28 February 2013, at <http://www.news24.com/Multimedia/South-Africa/Police-brutality-caught-on-video-20130228>

## TUNISIA

**Conference on police reform:** The Institute for War and Peace Reporting (IWPR) reported that on 25 -26 January 2013, government officials and civil society groups attended the Regional Conference on Police Reform (co-organised by IWPR). It was reported that in the two years that have passed since the fall of President Zine El Abidine Ben Ali, there have been certain positive reforms in the policing sector, such as 30 hours of compulsory human rights training. The report notes, however, that the conference members agreed that large-scale reforms still need to be addressed. Reported by Megan Radford, 4 February 2013, at <http://iwpr.net/report-news/tunisian-conference-probes-police-reforms>

## UGANDA

**Opinion piece on lengthy remand detention:** allAfrica.com published an opinion by Angelo Izama on lengthy remand detention in Ugandan prisons. The article describes the extreme frustration experienced by detainees who have not yet had their day in court despite having been charged and detained for many months, sometimes years. The piece was published online on 27 February 2013, at <http://allafrica.com/stories/201302271262.html>

## ZIMBABWE

**Journalists given access to Harare prison:** allAfrica.com reported that a team of journalists were given access by the Head of the Prisons Service to Harare Central Remand Prison for the purpose of inspecting the conditions therein. The report notes that, for the most part, the prison is well kept and has clean running water. The report did state, however, that foreign prisoners, detained on immigration grounds, have largely been ignored by the immigration authorities, despite having been detained far longer than what would be the sentence for the alleged crimes. Reported by allAfrica.com, 3 February 2013, at <http://allafrica.com/stories/201302030328.html?viewall=1>

**Lengthy remand detention:** Radio SW Africa reported that a team of journalists who were permitted access to Harare Central Remand Prison raised concerns regarding the fact that almost 70 infants are imprisoned with their mothers, exacerbated by the general concern over the extreme delays in awaiting trial periods. Some remand detainees had reportedly been awaiting trial in prison for 15 years. Reported by Violet Gonda, 4 February 2013, at <http://www.swradioafrica.com/2013/02/04/zimbabwe-prisoners-spend-years-in-jail-without-sentencing/>

## OTHER

**“African” solutions to overcrowding:** Penal Reform International posted a blogpost discussing a five-day training workshop which they hosted in Mozambique during February 2013 for representatives from twelve African Commonwealth countries. Participants were given the opportunity to discuss “the challenges facing their prison systems and, most importantly, in putting forward solutions to help overcome problems and limitations.” The post contains ten examples of how various African countries have attempted to combat prison overcrowding. The blog is at <http://www.penalreform.org/news/ten-african-solutions-problem-prison-overcrowding-africa>

## Global Campaign for Pretrial Justice

On any given day, an estimated three million people around the world are behind bars awaiting trial. Many will spend months and even years in detention - without being tried or found guilty - languishing under worse conditions than people convicted of crimes and sentenced to prison. To address the over-reliance on pretrial detention and promote greater access to legal assistance, the Global Campaign for Pretrial Justice is working to gather empirical evidence to document the scale and gravity of the problem; pilot innovative practices and methodologies, to identify effective, low-cost solutions; and build a forum for sharing knowledge among practitioners, researchers and policymakers. For more information on the Global Campaign for Pretrial Justice, please visit [http://www.soros.org/initiatives/justice/focus/criminal\\_justice/projects/globalcampaign](http://www.soros.org/initiatives/justice/focus/criminal_justice/projects/globalcampaign)

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