

30 Days Dae Izinsuku

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SECURITY AND ESCAPES

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Magistrates concerned for their safety: It was reported that the Judicial Officers Association has called for better protection for magistrates. According to the report, in the last ten years at least seven attacks have been made on magistrates. The report also said that despite the security measures which had been implemented, including placing of 24 hours security in courts, some concerns still remained as magistrates "received regular death threats." In referring to the problem, a magistrate, Vincent Ratshibvumo, said that "every day we send people to prison (...) we deserve protection, not just for us, but for our families." Reported by TimeSaGuardian.com, 26 August 2010, at http://webcache.googleusercontent.com/search?q=cache:WC1MCoq6x5YJ:timessaguardian.com/call-for-better-protection-for-magistrates-67133.htm+call+for+magistrates+protection&cd=2&hl=en&ct=clnk&gl=za

Detainee re-arrested after attempt to escape: IOL reported that an awaiting trial detainee who had escaped at the High Court in Johannesburg had been re-arrested by police. According to the report, eight awaiting trail detainees attempted to escape from the court where they were supposed to be tried on Thursday 2 September 2010. The report also said six of the detainees had been re-arrested within the court building and on the street outside the court. Reported by IOL, 3 September 2010, at http://www.easimail.co.za/Home/link.asp?id=18273&hash=9f38c7news/crime-courts/inmate-nabbed-after-daring-escape-1.681245

Suspects re-arrested after escape from court cells: It was reported that the police re-arrested four suspects who had escaped from the Khayelitsha Magistrate Court cells in September 2010. The report said the men were being accused of killing a lesbian, Zoliswa Nkonyana, in February 2006. The report further said that the suspects were rearrested after four days of terror for the witnesses who feared for their lives. Reported by the Gay list daily, 21 September 2010, at http://www.pinkbananaworld.com/content-detail.cfm?ID=393166 another report said more Khayelitsha court escapes reported see http://www.timeslive.co.za/local/article668663.ece/Action-at-escape-court

Policemen arrested after court escape: IOL reported that thirteen policemen were arrested in connection with the escape of eight awaiting trial prisoners from the High Court in Johannesburg in mid-September 2010. The report said that the arrest of the officers had followed investigations into possible misconduct, gross negligence and aiding prisoners to escape. The report also said that the police managed to re-arrest seven of the prisoners who had escaped. Reported by IOL, 24 September 2010, at http://www.iol.co.za/news/crime-courts/13-cops-linked-to-court-escape-1.681468

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Auditor General more satisfied with DCS asset management: It was reported that the Auditor General's report on the Department of Correctional Services stated that there were some improvements in the Department's asset management. The report said in his qualified opinion the Auditor General, Terence Mombembe, said that there were fewer errors than there were found in 2008-09 financial year. The report also said that despite the improvements recorded the Department is still failing to apply fair value to some assets which caused overvaluation of some of the Department's assets. Reported by Business Day, 16 September 2010, at http://www.businessday.co.za/

DCS ignores Jali recommendations: A report said that five years after the report of the Jali Commission on corruption, maladministration and violence in the Department of Correctional Services (DCS) had been submitted to government, the key recommendations in the report had not been implemented. The report also said that the Jali Commission's enquiry into the prison system showed that the system had become corrupt, a breeding ground for criminality, and a social evil. It further said that the former Correctional Services Minister, Ngconde Balfour, had voiced that the Department had been implementing some of the recommendations. Reported by Cape Argus, 24 September 2010, at http://capeargus.newspaperdirect.com/epaper/viewer.aspx

UNSENTENCED PRISONERS

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Police criticised for delay: The Witness reported that a judge from the Durban High Court handed down a judgment in which he criticised the police for having delayed to bring a suspect to court within 48 hours after arrest. The report said that the suspect was arrested on 27 August 2009, but only brought to court on 6 November 2009. The report further said that there was no exception to the 48 hours time limit in the matter. It also said that the judge, who had acquitted the suspect, was not satisfied with a statement that the suspect had confessed the crime freely. Reported by Ingrid Oellermann, 16 September 2010, Witness at http://www.witness.co.za/index.php?showcontent&global[_id]=47478

Concerns over incidence of serious crimes: Business Day reported that the annual report of the National Prosecuting Authority (NPA) claimed an 88% rate in successful prosecutions. However, the report said that the annual report of the NPA read together with the annual report of the police showed that the country faced problems with the incidence of serious crimes with 75% chances of offenders getting away unpunished. The report also said that more than half of the cases taken to court for trial had disappeared from the court rolls. Reported by Business Day, 20 September 2010, at http://www.businessday.co.za/

Bail for man who had 219 unlicensed guns: A report said that the Durban Magistrate Court granted bail of ZAR 3000 to a man who had 219 unlicensed guns and ammunition. According to the report, Richard Nkosi was also charged with illegally rendering security services. The report further said that the state was to appeal the decision of the court on the grounds that his release would jeopardise public safety. Reported by the Witness, 13 September 2010, at http://www.witness.co.za/index.php?showcontent&global[_id]=47289

PAROLE AND SENTENCING

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Restricted leave to appeal a stumbling block to Selebi: The Mail & Guardian reported that former police commissioner, Jackie Selebi, had been granted with a restricted leave to appeal after he was sentenced in connection with charges of corruption in August 2010. The report said that the restricted leave to appeal represented a setback for Selebi and his legal team as it only allowed them to appeal on one ground, which did not include, among others, the fact that he had not received a fair trial. Reported by Adriaan Basson, 6 September 2010, Mail & Guardian at http://www.mg.co.za/article/2010-09-06-selebi-granted-leave-to-appeal. Another report also said that SARS and NPA probes may save Selebi see http://www.mg.co.za/article/2010-09-10-selebis-fightback-strategy

Sentence handed down 20 years later: It was reported that a court sentenced a man to fifteen years of imprisonment for raping a fourteen year-old girl in 1990. According to the report, the delay in handing down the judgement is related to the fact that the offender had relocated himself before the prosecution had completed investigations. Reported by Mercury, 9 September 2010, at http://themercury.newspaperdirect.com/epaper/viewer.aspx

NPA denies that the Child Justice Act is soft on child offenders: The National Prosecuting Authority (NPA) denied claims that the new Child Justice Act had contributed to allow children to get away after committing offences. According to the report, a concern was raised that children were escaping the criminal justice system after the Standing Committee on Community Safety visited the Pollsmoor Prison and found that only nine children were incarcerated against 276 in 2009. The report also said that in rebuttal the NPA provided data which proved that 118 children had appeared in the Cape Town

Magistrates' Courts between April and June 2010. Reported by Cape Argus, 9 September 2010, at http://capeargus.newspaperdirect.com/epaper/viewer.aspx

Speculations over probable release of Derby Lewis: A report said that there are speculations that Clive Derby Lewis, the killer of Chris Hani, may be released on parole before 25 December 2010. However, the report also said that whilst there is such speculation the SACP spokesperson, Malesela Maleka, said that his institution "will oppose any plans, through any means available" to ensure that Lewis is not freed on parole. Reported by IOL, 12 September 2010, at http://www.iol.co.za/news/crime-courts/no-parole-for-hani-s-killers-1.680472

Less than 50% of 2009 parolees are alive: Beeld reported that less than half of the offenders granted medical parole in 2009 are still alive. According to the report, the number of parolees who are alive included Schabir Shaik and other parolees who were released in 2009. Citing Correctional Services spokesperson, the report said "studies have found that 60% of prisoners who receive medical parole live much longer than anticipated." "Original report in Afrikaans." Reported by Cobus Coetzee, 15 September 2010, Beeld at http://www.beeld.com/Suid-Afrika/Nuus/Mediese-parool-beleid-bekyk-20100915

System criticised after parolee commits another offence: It was reported that the South African justice system had been criticised after an offender on parole was imprisoned for committing another violent crime. The report said that Frankie Leeuskieter was on bail when he raped and stabbed an 85-year-old woman in Port Elizabeth. The report also said that legal experts and politicians who had criticised the system said that Leeuskieter was supposed to be in prison "at the time he attacked the helpless pensioner." Reported by Yolandé Stander, 21 September 2010, Weekend Post at http://www.weekendpost.co.za/article.aspx?id=606988

Minister commits to rehabilitate offenders: The Witness reported that the Minister of Correctional Services, Nosiviwe Mapisa-Nqakula, signed a performance agreement with President Jacob Zuma that by 2014 there will be a significant increase in the number of rehabilitated offenders. According to the report, Mapisa-Nqakula said that the "priority is rehabilitation to ensure preparation of offenders when they go back to the society." Reported by Thobani Ngqulunga, 28 September 2010, Witness at http://www.witness.co.za/index.php?showcontent&global id = 48113

PRISON CONDITIONS

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Overcrowding contributes to AIDS and TB in KZN prisons: It was reported that overcrowding had contributed to the spread of HIV and tuberculosis in KwaZulu-Natal prisons and that many prisoners have lost their lives as a result. According to the report, there are cases where cells meant for 20 prisoners are holding 80 prisoners. The report said that this had contributed to the spread of the diseases. Hospice workers who are assisting said that there are not enough resources available to address the problem. Reported by IOL, 2 September 2010, at http://www.iol.co.za/

Judge allows Derby-Lewis to get treatment: Beeld reported that a judge from the North Gauteng High Court ordered that Clive Derby-Lewis should get daily treatment from a private doctor. The report said that Chris Hani's killer sustained an injury in prison. The report also said that Derby-Lewis's wife had said that following the incident he received some treatment from a prison doctor, who requested tests and x-rays, but these had not been done. "Original report in Afrikaans." Reported by Jeanne-Marié Versluis, 20 September 2010, Beeld at http://www.beeld.com/Suid-Afrika/Nuus/Derby-Lewis-het-dalk-suikersiekte-20100920

Derby-Lewis may challenge abuse: A report said that Chris Hani's killer, Clive Derby-Lewis, was considering approaching the courts in another urgent application to challenge abuses being committed by the Department of Correctional Services (DCS). The report said that the DCS had tried to force the 74-year-old man to pay for the services of prison warders who were guarding him in a private hospital where he was chained to a bed. The report furthermore said that Derby-Lewis was also planning to submit a complaint against the doctor who treated him in prison. "Original report in Afrikaans." Reported by Erna van Wyk, 21 September 2010, Rapport at http://www.rapport.co.za/Suid-Afrika/Nuus/Korrektiewe-Dienste-mishandel-Derby-Lewis-20100925

Warders cause chaos: The Sowetan reported that more than a quarter of the warders at the Westville Prison in Durban stayed away from work to protest against changes in their working conditions. The report also said that at the heart of the problem was the new shift system. It also said that the warders contended that they had signed an agreement which entailed that they would work for 40 hours per week, but the Department had forced on them a new system which was not negotiated. Reported by Mhlaba Memela, 21 September 2010, Sowetan at http://www.sowetanlive.co.za/news/2010/09/21/warders-revolt

South African dies in Mauritian prison: IOL reported that in early August 2010 an HIV positive drug mule died in a prison in Mauritius and another was desperately ill. According to the report, Pumla Iroegbu was sentenced to fourteen years imprisonment for trafficking one kilogram of heroin. It also said that her family was concerned that they will never see her again because she is imprisoned on the island and she is HIV positive. Reported by Leila Samodien, 29 August 2010, at http://www.iol.co.za/news/south-africa/jailed-drug-mule-hiv-1.674308

SAA flight attendant gets seven years in England: It was reported that a flight attendant of South African Airways was convicted and sentenced to seven years imprisonment for trying to smuggle drugs into England. The report said Elphia Dlamini pleaded guilty for importing a class "A" drug into UK. Reported by IOL, 27 September 2010-, at http://www.iol.co.za/news/crime-courts/saa-flight-attendant-gets-7-years-1.682085

OTHER AFRICAN COUNTRIES

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ANGOLA

President Dos Santos dismisses Minister of Interior: A report said that the Angolan President, Jose Eduardo dos Santos, dismissed the Minister of Interior in September 2010 in connection with the illicit extradition of a detainee. Reported by the Times Live, September 2010, at http://www.timeslive.co.za/africa/article678613.ece/Angolan-interior-minister-fired-over--rsquo-illegal-extradition-rsquo

CAMEROON

Brother of deceased journalist claims he had been tortured: A report said that the brother of a journalist who had been accused of forging a signature on an official document claimed that his brother was tortured before he died in April 2010. According to the report, this information contradicted a statement by the Minister of Justice, Amadou Ali, who had earlier said that there were no signs of cuts or any other marks of torture which were found on the body of the deceased. Reported by News 24, 19 September 2010, at http://www.news24.com/Africa/News/Cameroon-journo-was-tortured-brother-20100919

Cholera outbreak kills prisoners: A report said that an outbreak of cholera in Cameroon had killed three of ten prisoners diagnosed with cholera in the Maroua Central Prison. The report said this had been the result of an outbreak of cholera which begun in May 2010. It also said that the disease is affecting people in other neighbouring countries, including Nigeria. Reported by CNN, 27 August 2010, at http://edition.cnn.com/2010/WORLD/africa/08/27/africa.cholera/

EGYPT

Tycoon gets fifteen years imprisonment on second trial: A report said that a court in Egypt sentenced an Egyptian tycoon to fifteen years imprisonment for having ordered the murder of a Lebanese singer. The report said that Hisham Talaat Moustafa, a senior member of the Egyptian ruling party, had initially been sentenced to death, but judges set aside the initial decision on allegation of errors of technicalities and ordered a new trial, which culminated with a sentence of fifteen years of imprisonment. Reported by BBC, 28 September 2010, at http://www.bbc.co.uk/news/world-middle-east-11427153

GHANA

Prison officer defends non-custodial sentencing to end overcrowding: Modern Ghana reported that a chief public relations officer of the Ghanaian Prisons Services said that overcrowding in prisons can be reduced if legislation is passed to give effect to non-custodial sentencing. According to the report, Courage Atsem said that if non-custodial sentences were introduced in the country's system, accused persons whose crimes did not warrant imprisonment would be rendered to serve other sentences including community service. The report said Atsem believes it would help to address overcrowding in Ghanaian prisons. Reported by the Ghana Morden, 17 September 2010, at http://www.modernghana.com/news/296512/1/non-custodian-sentencing-will-end-overcrowding.html

Ghana hosts ACSA Conference: It was reported that the 2010 Biennial Conference of the African Correctional Services Association (ACSA) was held in Accra, Ghana. According to the report, the Conference was intended to strategise the way forward, and to address experiences and challenges affecting the management of prisons systems in many countries in Africa. Reported by Kiangiosekazi wa Nyoka, 24 September 2010, Daily News, at http://dailynews.co.tz/columnist/?n=13359&cat=columnist See also http://bettymould.wordpress.com/ and http://www.sowetanlive.co.za/news/2010/09/27/improve-prisons---moyane

Ex-prisoners to get cash assistance: It was reported that the Ghanaian Prison Services will support ex-prisoners to set up their own business. According to the report, Michel Kofi Bansah, the acting Director-General of the Prison Service, said that the initiative was designed to help ex-prisoners to live a meaningful life and to reintegrate into society. Reported by News Myjoyonline, 28 September 2010, at http://news.myjoyonline.com/news/201009/52904.asp

GUINEA

Electoral body officials imprisoned: It was reported that two senior officials of the Guinea electoral body were sentenced to one year of imprisonment for committing irregularities during the June 2010 elections. According to the report, the decision of the court raised some tension in the country's 19 September 2010 vote run-off. Reported by Saliou Samb, 10 September 2010, at http://www.iol.co.za/news/africa/guinea-poll-officials-jailed-1.680353

LIBERIA

Lengthy detentions and poor conditions in prisons: VOA reported that awaiting trial prisoners in Liberia detention centres sometimes wait years before their cases are sent to court. According to the report, there are many awaiting trial prisoners in the central prison at Monrovia. A 35-year-old prisoner said that he had been in prison for more than a year, where he is being held under very harsh conditions. The report said the prisoner added that the prison facility is overcrowded and the government is taking long to prosecute his case and the cases of others. Reported by Ricci Shryock, 22 September 2010, VoaNews at http://www.voanews.com/english/news/africa/Prisoners-in-Liberia-Often-Wait-Years-Before-Seeing-a-Courtroom-103521639.html

KENYA

Seven Somali nationals imprisoned: News 24 reported that a Kenyan court convicted and sentenced seven Somali nationals accused of committing piracy. The report said each of the offenders got a five year sentence. According to the report, the men were found guilty of attacking a German ship while it was in the Gulf of Aden in March 2009. They were arrested and handed to the Kenyan authorities in April 2009. Reported by News 24, 7 September 2010, at http://www.news24.com/Africa/News/Kenya-jails-7-Somali-pirates-20100907

TB patients held in prisons: It was reported that the Kenyan authorities are holding tuberculosis patients who do not complete their treatment in prison. According to the report, this follows the existence of a law which allows officers to take the necessary actions, including detaining patients to prevent the spread of diseases. However, the report said that the infected prisoners are being kept together with other prisoners and experience the same treatment as common criminals. Reported by the Afronline, 14 September 2010, at http://www.afronline.org/?p=8599

ICC's Moreno Campo announces prosecution plan: It was reported that the International Criminal Court (ICC) chief prosecutor Luis Moremo-Ocampo announced plans to charge up to six individuals who bear the greatest responsibility for the violence that followed the presidential elections in 2007. The report said that Ocampo's announcement was made days after the Kenyan Justice Minister, Mutula Kilonzo, had been criticised for having said that with the passage of a new Constitution, Kenya is ready to prosecute perpetrators. Reported by Carrie Schimizzi, 21 September 2010, Jurist at http://jurist.org/paperchase/2010/09/icc-to-present-cases-against-instigators-of-kenya-post-election-violence.php

Government criticised over extraditions: A report said that the Kenyan government had been criticised for sending eight of its nationals to Uganda in connection with the 11 July 2010 Kampala bombings. According to the report, the criticism was raised by a Kenyan rights group and Muslim leaders who claimed that the extraditions did not follow due process. Reported by News 24, 23 September 2010, at http://www.news24.com/Africa/News/Kenya-slammed-over-extradition-20100922

Pirates imprisoned over Spanish ship attack: The BBC reported that a Kenyan court sentenced seven Somali pirates to five years imprisonment for attacking a Spanish ship in 2009. The report said the pirates were being held in Mombasa since they were captured by officers of the Spanish navy they had attacked. Reported by BBC, 24 September 2010, at http://www.bbc.co.uk/news/world-africa-11407176

MALAWI

Mozambican suspects detained: It was reported that two suspects from Mozambique were detained in Malawi in connection with human trafficking. According to the report, the suspects were found with five Malawian children aged twelve to fifteen, who were allegedly promised work if they went to Mozambique. The report also said that the suspects would be tried before the end of September 2010. *Original report in Portuguese*, Reported by Club of Mozambique, 6 September 2010, at http://www.clubofmozambique.com/pt/sectionnews.php?secao=internacional&id=17041&tipo=one

MOZAMBIQUE

Prison to start chicken farm: The Macauub reported that the Ndlavela Women's Prison in the outskirts of Maputo is preparing to start with chicken farming as part of a project supported by the Projecto Mbio Company and the Danish Embassy in Mozambique. The report said that four sheds were being constructed to house the chickens. Reported by Macauub, 28 September 2010, at http://www.macauhub.com.mo/en/news.php?ID=10209

NIGERIA

Prison congestion and lengthy pretrial detention: A report said that more than 17 164 prisoners are being held on remand for between five and seventeen years in Nigerian prisons without their cases being concluded. According to the report, they were part of a total of 34 328 prisoners who are awaiting trial in prisons in Nigeria. Citing the Controller-General of Nigeria Prison Services, Mr. Olusola Ogundipe, the report "attributed the problem of prison congestion to the multiplication of judicial and police divisions, without the corresponding infrastructural development of the prison system". Reported by Bunmi Awolusi, 2 September 2010, Nigerian Bulletin at http://nigerianbulletin.com/2010/09/02/34328-prison-inmates-awaiting-trial-%E2%80%94-nps-boss-the-punch/

RWANDA

President's opponent gets a life sentence: It was reported that a court in Rwandan has sentenced an opposition party leader to life imprisonment after it found that the man was planning to overthrow President Paul Kagame. The report said that Deogratias Mushayidi was also given two other lesser sentences for a fraudulent passport and for spreading rumours to incite civil disobedience. Reported by BBC News, 17 September 2010, at http://www.bbc.co.uk/news/world-africa-11350976

French court negates extradition of genocide suspect: It was reported that a French court rejected Rwandan authorities request to extradite a Rwandan doctor suspected of committing genocide in 1994. According to the report, the court's ruling held that Eugene Rwamucyo would not be guaranteed a fair trial if extradited to Rwanda. The report also said that Rwamucyo voiced that the Rwandan authorities were "trying to make people believe that all of the Hutus who held any position of responsibility at the time, were thinking about killing Tutsis." Reported by the Defence web, 16 September 2010, at http://www.defenceweb.co.za/index.php?option=com_content&view=article&id=9637:france-rejects-rwanda-genocide-suspects-extradition&catid=54:Governance&Itemid=118

SENEGAL

Teacher sentenced for forcing children to beg: It was reported that a court in Senegal sentenced seven teachers to one year imprisonment each for forcing children to beg. According to the report, a law which criminalised the forcing of other persons to beg was passed in 2005, but it had not been implemented. The report said that this was the first time that a court had handed down a sentence for such an offence. However, the report also said that the sentences will only be enforced if the teachers commit a similar offence within the next six months. Reported by Thomas Fessy, 8 September 2010, BBC News at http://www.bbc.co.uk/news/world-africa-11237347

Amnesty International denounces abuse of prisoners: Associated Press reported that Amnesty International said that prisoners in Senegal are routinely abused and the perpetrators rarely face punishment. The report detailed abuses such as beating, electrocution and strangulation, which sometimes lead to the deaths of prisoners. It also said that the police had immunity from prosecution and blanket amnesty for abuses which would be considered as human rights violations. Reported by the Associated Press, 15 September 2010, at http://www.kentucky.com/2010/09/15/1435862/rights-group-accuses-senegal-of.html another report said Senegalese security forces violate human rights see http://jurist.org/paperchase/2010/09/senegal-security-forces-violating-human-rights-with-impunity-report.php

UGANDA

Uganda and Rwandese prison chiefs meet in Kampala: A report said that the heads of the national prison services from Rwanda and Uganda met in Kampala to enhance cooperation between the two countries. According to the report, the Rwandese Commissioner General of Prisons, Mary Gahonzire, said that the meeting was meant to "analyse and look at modalities of cooperation between the prison services of the two countries." Reported by Gashegu Muramira, 27 September 2010, All Africa.com at http://allafrica.com/stories/201009270059.html

ZAMBIA

Government denies torture allegation: News 24 reported that the Zambian authorities had denied allegations by Human Rights Watch that prisoners are being tortured in the country's prisons. According to the report, the Minister of Home Affairs, Mkhondo Lungu, said that "Zambia is a member of the international community and a signatory to a number of human rights instruments, including the

Convention Against Torture." The report said that the Minister's statement was made after Human Rights Watch called upon the government to stop police abuse and torture in prisons. Reported by News 24, 11 September 2010, at http://www.news24.com/Africa/News/Zambia-denies-torture-claims-20100911

ZIMBABWE

MDC activist trial postponed: AllAfrica.com reported that the trial of an activist of the Movement for Democratic Change (MDC) had been postponed to a later date in September 2010. According to the report, Mapfumo Garutsa had been abducted in 2008 and detained for 22 days on allegations that he had committed acts of terrorism. The report also said that while in detention Mapfumo had been repeatedly assaulted and denied food. Reported by Alex Bell, 2 September 2010, All Africa.com at http://allafrica.com/stories/201009020014.html

Man imprisoned for calling Mugabe old and wrinkled: The Times Live reported that a court in Zimbabwe has sentenced a young man to a year of imprisonment for calling President Mugabe a wrinkled old man. According to the report, Gift Mafuka had made those statements to two children who had been wearing pro-Mugabe T-shirts. The report said Mafuka had asked the children "why they were wearing T-shirts with a picture of an old person with wrinkles." Reported by Moses Mudzwiti, 6 September 2010, Times Live at http://www.timeslive.co.za/africa/article643504.ece/Magistrate-jails-man-for-Mugabe-wrinkles-insult

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