

PUBLIC SECTOR - GOVT. - PRISONS

1993

JANUARY — MARCH

Arrested man dies in cell (253)

S/Times 3/11/92
AN INQUEST is to be held into the death of a man who was found hanged in police cells in Vredenburg on the Cape west coast yesterday.

Police said Mr. Jan Syster, 38, of Lowville in Vredenburg, who was found hanging by his shirt, was being held for allegedly obstructing police in the course of their duty.

Prison denies 'strike' rumour

Press 3/1/93

By MARTIN
NTSOELENGOE 253

THREE Department of Correctional Services colonels have denied a rumour circulating in Soweto and adjoining coloured areas that prisoners at Leeuwkop Prison outside Johannesburg have gone on "strike".

Commanding officer Col Paul Coetzer, Col Koos Van Zyl, and the regional director of Prisons, Col Morris Coetzee, said it was a worldwide practice that convicted prisoners did not get food parcels from outside.

They said prisoners could be given any amount of money by relatives or friends to buy

food from tuckshops in any prison.

Van Zyl said prisoners had been allowed food parcels until it was discovered that some friend and relatives threw parcels containing brandy, dagga and other drugs over a wall.

It was also feared that parcels could contain dangerous weapons.

The three colonels also dismissed allegations that a Sgt Cloete accepted bribes to allow food parcels through.

The "strike" rumour started after about 58 families, who had visited their relatives on Christmas Day, complained to the SA Prison Organisation for Human Rights.

Police 'helpful' on cells visits

PRETORIA, 4/11/93 — The International Committee of the Red Cross (ICRC) says the police have been co-operative during visits to check on detainees' treatment.

The ICRC visited 50 police stations. (253)

● About 15 000 families and 10 000 displaced people received help through a programme by the ICRC and the SA Red Cross Society — Sapa

Prisoners petition De Klerk

Govetan
2/1/93

■ Will go on hunger strike unless their demands are met by February 4:

By Siphso Mthembu

253

THOUSANDS of prisoners may go on a national hunger strike if President FW de Klerk fails to accede to some of their demands by February 4, it was announced yesterday.

The action will also involve prisoners' families, relatives and ex-prisoners. It is supported by church organisations, the SA Prisoners Organisation for Human Rights said at a Press conference in Johannesburg.

This would be the second hunger strike since the 10-day Sapo-organised hunger strike, which involved more than 3 000 suspects and prisoners at Modderbee Prison in 1990, Sapo chairman Mr Golden Miles Bhudu told the Press conference.

The strike, according to the organisation, is prompted by the Government's failure to release political prisoners and failing to heed calls for improving human rights for common-law prisoners.

Bhudu said "We have noted with dismay that the killings are still continuing in prison despite revelations by Dr Jonathan Gluckman.

"The most recent is the one hanged by the prison warden. Furthermore there are some political prisoners still held hostage by the Government.

"The action will also pledge our solidarity with the prisoners on hunger strike in Leeukop and Barberton prisons.

The demands sent to De Klerk are

- The immediate and unconditional release of all political prisoners,
- The establishment of a democratic National Release Forum Committee,
- The setting up of a multiparty Commission of Inquiry to investigate all deaths in custody;
- The immediate dismissal of Ministers Mr AJ Vlok (Correctional Services) and Mr Hernus Kriel (Law and Order)

NEWS DET advises parents to contact school principals • Prison population cut-down

Matric pupils in the dark

By Joe Mthlela

TWENTY-EIGHT pupils of St Enda's Secondary School in Johannesburg's Joubert Park who sat for the Department of Education and Training matric examinations last year don't know whether they have passed or failed.

Parents of some of the pupils said this week that English and Biology papers written by their children went missing at a marking centre in Johannesburg.

"Technically our children have been failed," a parent, Mrs Gladys Mqhayi of Diepkloof in Soweto, said. Her daughter had scored fairly good passes in

Exam papers for 28 candidates went missing at a marking centre:

Zulu, Afrikaans, Mathematics and Science, she said.

"Her full results have been held up by the missing papers," she said.

DET spokeswoman Miss Kim McEvilly said yesterday parents whose children did not receive all their results should contact their principals as soon as possible.

"Results for 16 839 candidates have not been finalised. This was because some candidates wrote subjects for which they did not register, or wrote subjects on grades other than those for which they had registered."

"Also, some candidates registered at one examination centre but wrote at a different centre."

"These candidates will receive incomplete results. They are asked to contact their principals, who will forward their names to the department," she said.

St Enda's principal Mrs Lucie Pusefi said she was not impressed with the DET's explanation.

"At my school I did not have any of the irregularities mentioned by the department as contributing to the delay. I find this to be ridiculous."

Cop's excuse is accepted

Not at inquiry into cadre's death

By Mzimasi Ngudle

A POLICEMAN who failed to appear at an inquest into the death of Umkhonto we Sizwe cadre Humeleng Padi produced a medical certificate in the Johannesburg Magistrate's Court yesterday.

Lieutenant Daniel Knoester failed to appear in court on December 8 and a warrant for his arrest was issued. Magistrate Mr. W. Botha accepted Knoester's explanation that he was sick.

More convicts to be freed

Sowetan Correspondent

AN additional 8 000 convicted prisoners are to be released to cut down on over-population in prisons, the Minister of Correctional Services, Mr Adriaan Vlok, said yesterday.

Although the releases would not be restricted to first-time offenders only, Vlok said no hard-core prisoners would be freed.

Lawyers for Human Rights chairman Mr Brian Curtin said although regular releases to accommodate prison populations was a routine move in other countries, South Africa's biggest problem was its awaiting-trial prison population. Awaiting-trial prisoners numbered 20 000, costing the State up to R35 million a year.

Lawyers for Human Rights condemn release of prisoners:

"Most awaiting-trial prisoners should not be in jail in the first place. Most of them have not had any form of legal representation and, if they had, they would probably have been able to apply for bail," he said.

The releases will to come into effect on January 18 when about 4 500 prisoners are freed. About 3 000 will be released in the next four to 10 months.

Vlok said the decision was taken "on the well-considered advice of the Advisory Release Board which included representatives from the police, attorneys-general and the judiciary."

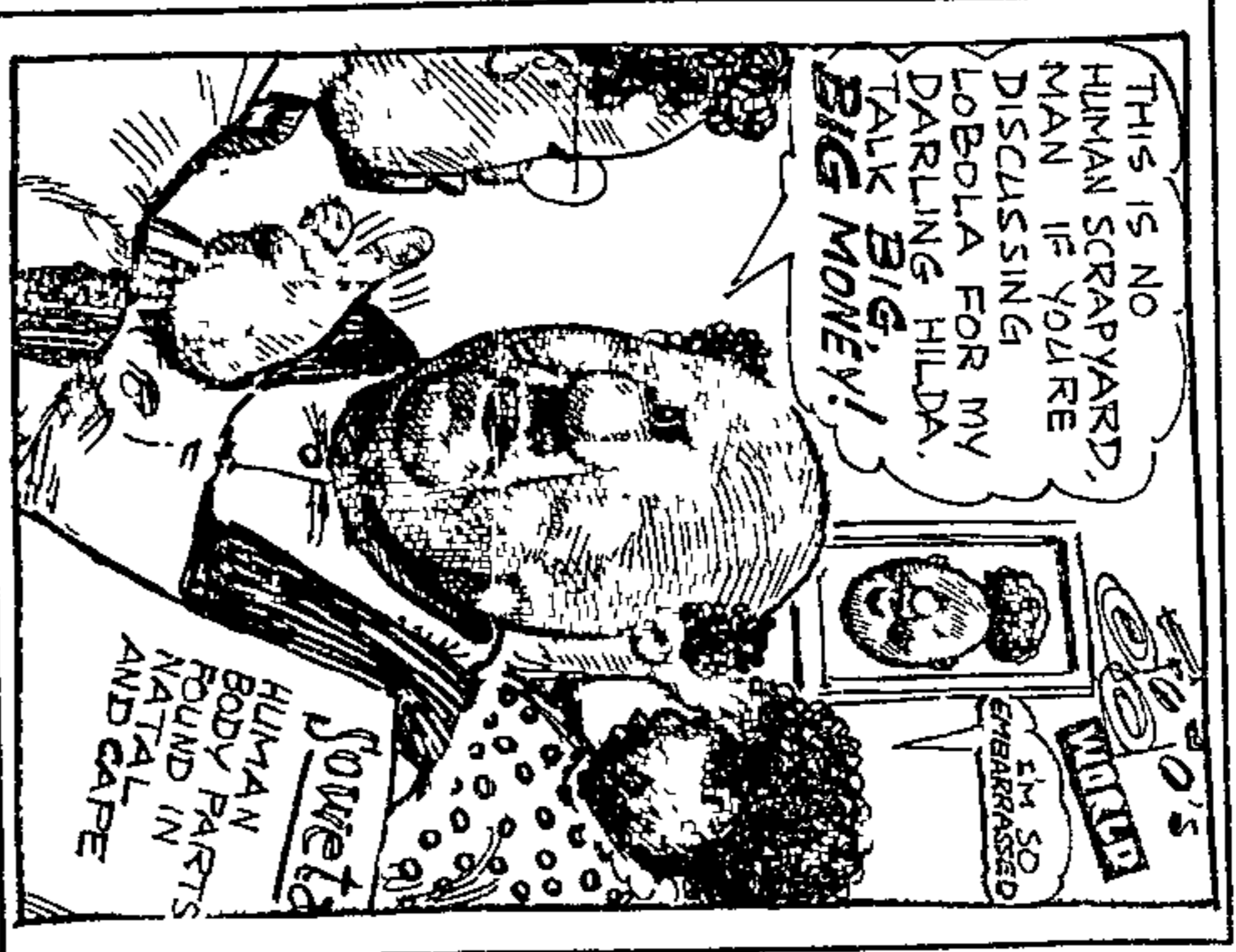
R30 000 to be won

In Sowetan tomorrow and on Monday

PSSTI Wanna win R25 000? Well, you may be the lucky one to win R25 000 or be among five winners of R1 000 each if you enter Sowetan's Hunt for Cash competition.

The competition is into its second run after six people snuffled all the way to the bank last December.

The entry form will be published tomorrow and on Monday. On five consecutive days, starting on Tuesday, you will be asked to answer an easy question on each day. The answer will be in that day's Sowetan. The results will be announced on January 29.



Vlok announces mass release as prisons burst at the seams

'Jailbreak' for 7 500

(253)
A22-7/1/93

Political Correspondent

JOHANNESBURG — A further 7 500 convicted criminals are to be released from South African prisons

Correctional Services Minister Adriaan Vlok made the announcement yesterday, saying the releases were necessary because of massive overcrowding in jails, which were built to hold 84 000 but were now bursting at the seams with about 110 000 inmates

Mr Vlok gave the assurance that no hard-core prisoners would be freed

Lawyers for Human Rights (LHR) chairman Mr Brian Currim criticised the move as inad-

equated. Although regular releases of prisoners to accommodate prison populations was a routine move in other countries, South Africa's biggest problem was its awaiting-trial prison population

A waiting-trial prisoners numbered 20 000, costing the State up to R350 million each year to feed and clothe

A recent study by LHR and the National Institute for Crime Prevention and Rehabilitation of Offenders found that 9 000 children were kept in South African prisons at a cost of R100 000 a year

ANC spokesman Ms Gill Marcus said the ANC was "not

opposed to the release of prisoners per se, but care has to be taken to ensure that the right people are released"

The government also needed to create mechanisms which would re-integrate prisoners into society and prevent a situation arising where they would find themselves back in prison soon after their release

The releases will start to come into effect from January 18 when about 4 500 prisoners are scheduled to be freed. A further 3 000 will be released in the next four to 10 months

Mr Vlok said the decision was taken "on the well-considered advice of the Advisory Release Board", which includ-

ed representatives from the police, the attorneys-general and the judiciary

Similar releases in the past have been slammed by all three of these sectors. Last year, while sentencing National Soccer League boss Abdul Bhanjee, Mr Justice M J Strydom said that the effect of long sentences as punishment was being undermined

Mr Vlok said last night "By means of this programme, additional prisoners are released in a responsible manner whereby the prison population is brought into more manageable levels in the short term

"Only selected prisoners

whose dates of release have already been determined will qualify for this measure"

Prisoners not qualifying for release included those sentenced to life imprisonment, murderers, child molesters, rapists and attempted rapists, armed and attempted armed robbers and drug dealers

Prison authorities say they have taken steps to prevent a repeat of the Lucky Malaza fiasco. Malaza, a convicted murderer and bank robber, was freed in error last year after claiming he was a political prisoner entitled to freedom under an agreement between the ANC and the government

(253) CT 7/1/93

PRISON BUIRS?

Police force anger as 10,000 to go free

By JACKIE CAMERON
Crime Reporter

Last night, angry city policemen slammed the move, saying their work was being "frustrated" — warned the mass release would lead to an increase in crime.

— and at least 4,500 of them before the end of February. Another 3,000 prisoners would be released from April.

Mr Vlok said the latest "bursting" procedure was necessary to enable the Department of Correctional Services to "deal with new admissions" and "bring the current prison population to more manageable levels".

The cabinet decided to introduce this restricted programme of advanced release for selected prisoners on the advice of the Advisory Release Board, on which the judiciary, the attorneys-general and the police are represented," he said.

Prisoners not eligible for release included those sentenced to life imprisonment, periodic imprisonment and for armed robbery, murder and illegal possession of or trade in firearms and ammunition.

Judgment debtors, sexual offenders and drug dealers would also not be eligible for release.

"We are angry about this. We do our jobs and Correctional Services let the criminals go," said one policeman.

People should be aware that the crime rate will rise further, another detective warned.

A Commercial Branch detective said no one convicted of a commercial crime should be released as the rate of fraud and embezzlement was rocketing.

Mr Vlok said prison overcrowding would continue to "be a reality" despite the early releases.

Only selected prisoners whose release dates have already been approved would qualify for release — and a sentence would not be reduced by more than 10 months.

● There are about 110,000 prisoners held in South African jails which were built to hold 84,000 prisoners, Mr Vlok said.

Work would soon start on a new prison to accommodate about 3,000 prisoners in Boksburg.



India: SA is a superb team

By MICHAEL OWEN-SMITH
THE Indian cricket team, magnanimous despite a crushing defeat on the South African Friendship tour, last night warmly congratulated their opponents on their high standard of cricket.

At the culmination of the two-month tour in

From page 1

Prisons

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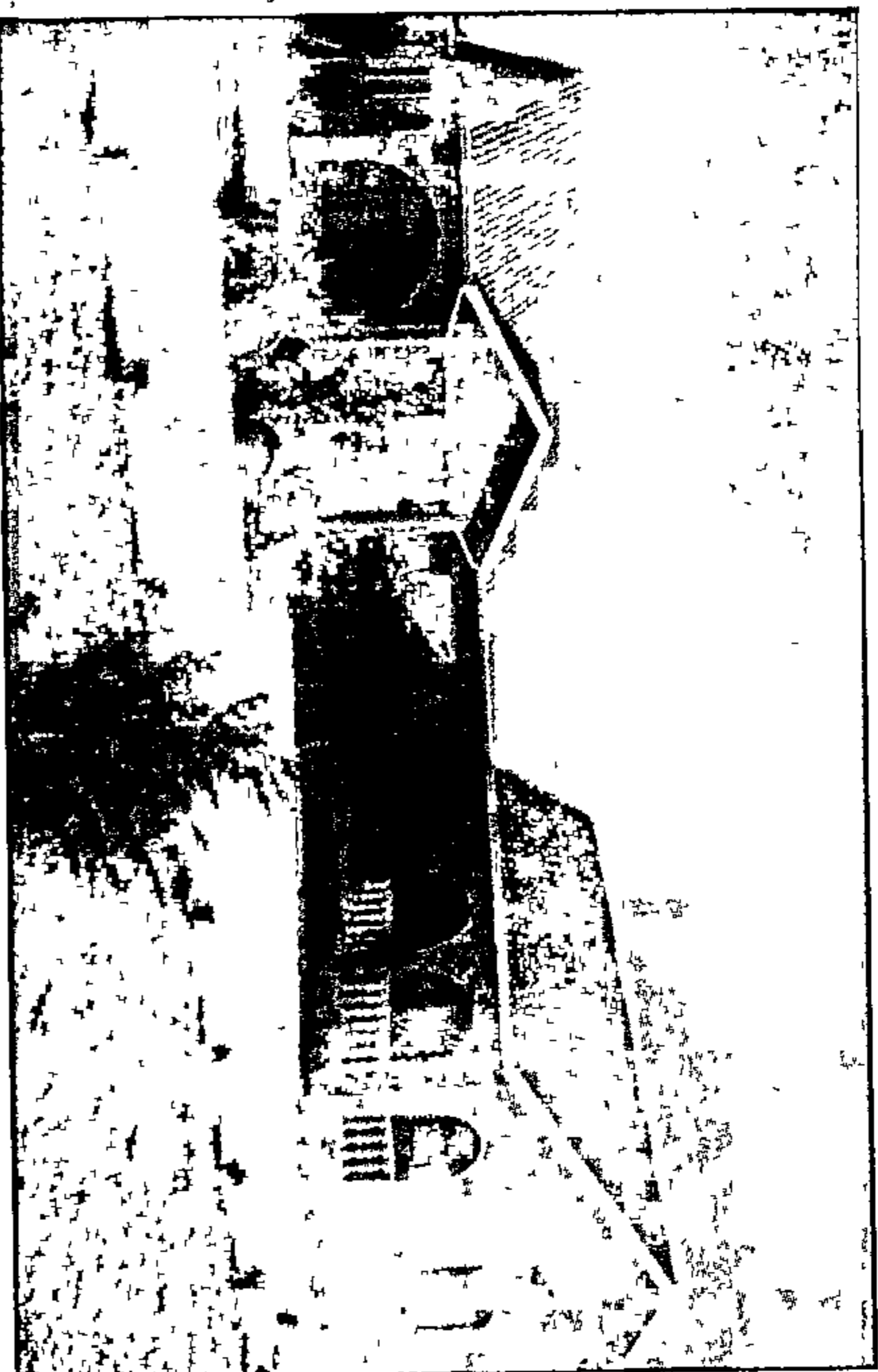
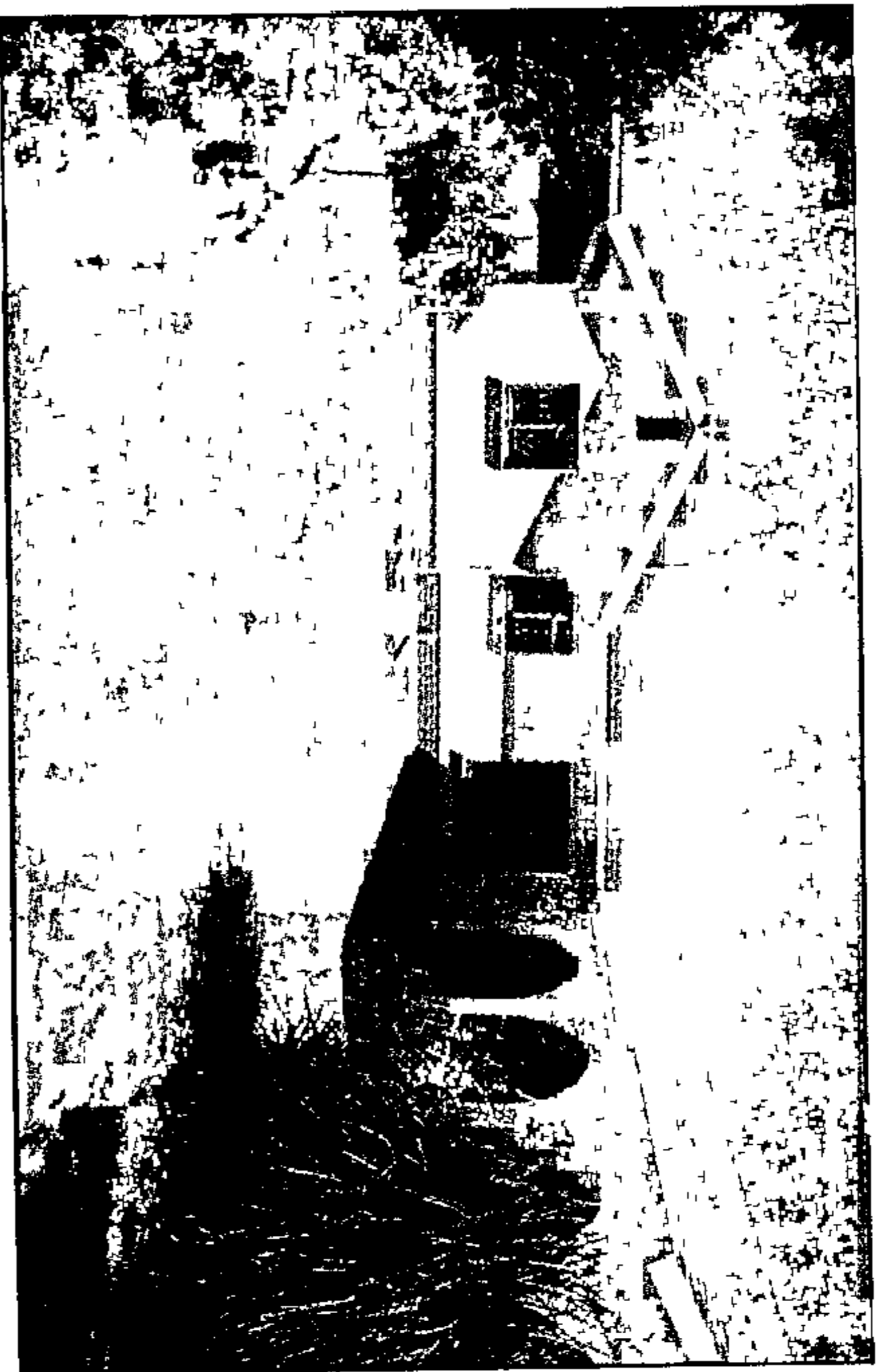
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To page 2



Lookalike . . . the warder's home (left) at Victor Verster prison where Mandela spent almost two years before his release from prison, and his holiday home in Qunu, Transkei.

Mandela's new holiday home has the same feel about it as prison

By Bronwyn Wilkinson

After a spell in prison, most people would do everything to forget the experience

But ANC president Nelson Mandela spent the Christmas holidays in his new home in Qunu, Transkei — a replica of the warder's home at Victor Verster Prison in which he

spent almost two years before his release in 1990

Qunu, a tiny village between East London and Umtata, has a special place in Mandela's heart. He was born there. But the new house cannot evoke similar fond memories.

Although Mandela lives in Johannesburg, the Qunu house was built as his holiday retreat and he refers to it as "my place of rest".

ANC sources say that Mandela originally wanted the house to be a complete carbon copy of the warder's home — down to every fitting — but some materials were not available.

"There are plenty of similarities, though. The basic plans are the same and the house has the same feel about it," one source said.

The main difference between

the two houses is that the Qunu house is facebrick while the building in Victor Verster Prison is plastered and painted white. But there the external differences end.

Arches, windows, gutters and floor plan are identical.

Mandela has declined to comment on his reasons for copying one of the places of his incarceration.

But a source close to him said "I guess that although prison could not have been pleasant, it was where Mandela spent a lot of his life and it must hold some pleasant memories for him. It also has a symbolic significance."

The Department of Correctional Services went out of its way to help its most famous former prisoner and passed the

plans for the house on to Transkei government, which in turn handed them over to Mandela's building contractors.

The house has four bedrooms, three bathrooms, a study, living room, dining room, kitchen, laundry, pantry and domestics' quarters. The house cost about R400 000 and was paid for by royalties earned from books Mandela has written.

Police furious over release of criminals

By Bronwyn Wilkinson
Shirley Woodgate
and Own Correspondent

253

STAR 8/11/93

Policemen — from constables to colonels — are furious that 7 500 criminals they helped put behind bars are to be released because of overcrowding in prisons.

The Association of Law Societies (ALS) said the move would undermine respect for the courts, while Witwatersrand Attorney-General Klaus von Lieres and Natal Attorney-General Tim McNally said the release programme was a logical step under the circumstances.

Minister of Correctional Services Adriaan Vlok announced on Wednesday that the early release programme did not cover serious offenders or anyone serving life imprisonment.

Correctional Services' chief deputy commissioner Lieutenant-General Henk Bruyn said prisoners who would benefit had been screened by the department's release boards and institutional committees.

"We are almost certain that no mistakes will be made," he added.

Police spokesman Lieutenant-Colonel Reg Crewe said the SAP had no official comment on the releases, but a number of policemen were dismayed.

Most upset were those in commercial crime units.

"White-collar crimes like fraud are growing enormously and are a huge proportion of crimes committed. These will probably be the first people who

are released," a sergeant with the Commercial Branch said.

"Some of us feel it is not really worth the trouble if the criminals we catch are just going to be released."

A lieutenant in the Commercial Branch in Pretoria said police now faced the major problem that their deterrent — prison — was becoming weaker and weaker.

A colonel said the release programme could have a demoralising effect on an already exhausted police force.

"People complain all the time that the crime rate is rising and that the police are not doing enough. How are we supposed to fight crime when the Government keeps putting the criminals back on the streets?"

A member of the Narcotics Bureau commented it was all very well for Vlok to exclude drug dealers from the release programme, "but if they free the users, the market gets bigger for the dealers who are still out there."

Von Lieres said the move was inevitable, considering the prison budget allocation was insufficient to accommodate everyone who had been jailed.

"But it must be accepted that the real problem that must be addressed is the economic recession which drives people to crime merely to stay alive. There exists an urgent need to kick-start the economy to provide more jobs."

The Conservative Party said the release programme made no sense and the Democratic Party said it was at best a "quick-fix" solution.

Early releases highlight need for creativity

By Ferial Haffajee

253

THE early release of 7 500 prisoners, announced this week, highlights the need for creative sentencing, say criminologists. *W/Mand 8/1-14/1/93.* South African prisons are filled to capacity. There are 110 000 inmates in jails built to accommodate only 84 000.

Correctional Services Minister Adrian Vlok said this made "restricted programmes of release" necessary. Only prisoners whose release dates have already been set will be let out, but rapists, child molesters, armed robbers, drug dealers and those sentenced to life imprisonment will not qualify, he added.

Esther Latégan, of the National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro), commented: "One can understand the emotional reaction, but the releases are not going to make a significant impact." This was because 10 000 prisoners were released procedurally every month.

Instead, Latégan said, prison overcrowding highlighted the need for socio-economic changes, legal representation and alternative sentencing.

All the released prisoners will be subject to correctional supervision, which Latégan said could be used as an alternative to imprisonment. Under this option, offenders are either placed under house arrest or regularly report to prisons officers, or community leaders if they live far away from prisons.

Community service — where prisoners are sent to work at welfare, municipal and other non-profit-making organisations — was a more popular option, she said.

But to qualify for this option, the released prisoner has to be employed and have a fixed address, which could make it "an elitist option from which only white and middle-class people will benefit", another Nicro representative commented.

Latégan said state-sponsored legal aid would help to reduce the prison population by cutting the numbers of those convicted. Only about 15 percent of those entering prison have legal representation, she pointed out.

Court censures prison, doc on straitjacket death

JOHN VILJOEN
Staff Reporter

THE Wynberg magistrate who heard the inquest on Pollsmoor prisoner Miss Carol Anne Meyers has censured prison staff and the district surgeon who allowed her to be restrained in a straitjacket for 23 hours, resulting in her death

Miss Meyers, 20, died in Groote Schuur Hospital on July 2, 1989, after prison staff strapped her into the jacket because she was overheard talking about suicide

The inquest finding by Mr N H Jones was made available by lawyers for Miss Meyers's family yesterday

Mr Jones ordered that copies be sent to the Attorney-General, the officer commanding Pollsmoor Prison, the South African Medical and Dental Council, the South African Nursing Council and the superintendents of Groote Schuur and Victoria hospitals

The court found Miss Meyers's death was caused by the restriction of the straitjacket, which led to diffuse intravascular coagulopathy and organ collapse

The court found Captain Susanna Muller, head of the women's section at Pollsmoor, and district surgeon Dr Peter Fisher could not reasonably have foreseen her death, but severely criticised their conduct

Prison staff were guilty of dereliction of duty and there was a strong possibility they were not aware what their duties were, said Mr Jones

Dr Fisher broke the Hippocratic Oath by not protecting Miss Meyers from pain or injustice.

Prison staff and Dr Fisher, who saw Miss Meyers before she was put in the jacket, followed the orders of Captain Muller

blindly without considering Miss Meyers's needs, interests, protection or complaints

Miss Meyers was treated as a prisoner being punished — not one being protected

She was helpless, with only women warders to look after her, but no one really cared, said Mr Jones

She could have been given sed-

● Dr Fisher and Lieutenant Oerson now face professional disciplinary hearings by the SA Nursing Council and the SA Medical and Dental Council.

Registrars of the councils, with whom all nurses and doctors have to register, said the findings would be investigated by preliminary committees.

Should they recommend disciplinary action, the pair would have to face full hearings.

The heaviest penalty the councils can impose is to strike a person's name from the roll of professional practitioners. They can also stop a person practising for a specified period.

Traces of a sedative were found in her body after her death, but warders denied giving it to her

As a whole, the treatment of Miss Meyers in hospital could not be criticised, said Mr Jones. She was handled professionally

If Captain Muller had acted properly, Miss Meyers would not have ended up in a straitjacket — it was not necessary and there was not one available in her size.

If Dr Fisher had exercised better control over Miss Meyers's treatment and if prison staff had followed basic guidelines, she would have survived.

The straitjacket was too big for her and blankets were used to make it fit.

Mr Jones said Dr Fisher not only failed to comply with regulations, but examined her superficially and washed his hands of her

The court doubted whether he gave her any attention at all — in the medical sense.

Most of the women warders who testified created the impression that they looked after Miss Meyers well and that she had no notable complaints

Dr D Jankelson, who treated Miss Meyers at Victoria Hospital, said she told him the straitjacket was extremely tight and found it difficult to breathe. She could not move and there was extreme pressure on her muscles.

She had to urinate and defecate in the jacket

The court found that Miss Meyers must have complained of discomfort and pain

The question marks over the evidence of Dr Fisher, raised by state pathologist Professor Gideon Knobel, made him wonder if Dr Fisher examined Miss Meyers before she was placed in a straitjacket, said Mr Jones

Dr Fisher could not remember what the purpose of the examination of Miss Meyers was supposed to be

He also created the impression that he viewed the straitjacket as a punishment and was therefore not prepared to handle her as a patient

It was clear he did not know how to handle the situation

Dr Fisher left the matter in Lieutenant Ingrid Oerson's hands, hoping she would know what to do

Captain Muller, although not directly involved in the treatment of Miss Meyer, was in command and should have ensured regulations were followed strictly, but did not.

Death of woman: Prison negligent

57m 8/11/73 (253)

CAPE TOWN — Negligence by the prisons service caused a young woman's death after she was placed in a straitjacket, a Cape Town magistrate found.

He said yesterday that a Pollsmoor Prison officer and several female warders and a district surgeon were irresponsible, inhuman and grossly negligent in keeping Carol Anne Meyers (20) in the restraining device for 23 hours, died in hospital of kidney failure and extensive internal bleeding on July 2, 1989.

She had been put in the straitjacket after warders allegedly overheard her plans to commit suicide. She was serving two years for robbery and other offences.

Inquest magistrate Nigel Jones said Meyers was not allowed to use the toilet or exercise, and her complaints of discomfort were ignored.

The jacket was removed only after she complained of pain, but it was too late.

The magistrate criticised Wynberg district surgeon Dr Peter Fisher for ignoring certain regulations when asked to examine whether Meyers was fit for the straitjacket. He had subjected Meyers to a superficial examination, and then washed his hands of her.

The officer who called for the straitjacket, a Captain Muller, was in charge but had failed to see the relevant guidelines were followed.

The Supreme Court recently made it clear that orders made it refused when they could be refused.

Meyers would have survived had warders loosened the device with every visit to the prison nurse.

The magistrate ordered that copies of his findings be sent to the Attorney-General, the officer commanding Pollsmoor Prison, the SA Medical and Dental Council, the SA Nursing Council and the superintendents at Victoria and Groote Schuur Hospitals.

He asked that the superintendents at these hospitals prepare a full report on the treatment of people who had died in suspicious circumstances. This was for use by State pathologists before post-mortems.

Sapa

Cell

253 CT 8/1/92

Prison staff

'Irresponsible'

By RONNIE MORRIS

A POLLSMOOR PRISON officer, several wardresses and a district surgeon were found to have been "irresponsible and inhuman" as well as "grossly negligent" by a Wynberg magistrate following the death of a young woman prisoner who had been constrained in a straitjacket.

Carol Anne Meyers, 20, who was serving a two-year sentence for robbery and other, minor charges, was kept in the straitjacket for 23 hours after warders apparently overheard her planning to kill herself.

Meyers died of kidney failure and extensive bleeding in hospital on July 2, 1989.

In a 40-page finding, delivered yesterday, inquest magistrate Mr Nigel

Jones described how, on June 28, 1989 Meyers and a fellow prisoner were placed in straitjackets after a wardress overheard them discuss plans to commit suicide.

Meyers was not allowed to use the toilet or exercise and her complaints of discomfort were ignored.

It was only after she complained of being in pain that the straitjacket was removed — after 23 hours. By then it was too late and shortly after she was admitted to hospital Meyers died of kidney failure and extensive internal bleeding.

In his finding, Mr Jones criticised Dr Peter Fisher, a Wynberg district surgeon who had been asked to determine if Meyers was fit to be placed in the straitjacket, for ignoring certain rules and regulations.

He had subjected Meyers to a "superficial examination" and then "washed his hands of her", Mr Jones said.

The officer who ordered the straitjacket, a Captain Muller, was in charge but failed to see the relevant

To page 3

Room

From page 1

Cell horror

guidelines were followed.

A recent Supreme Court finding made it clear that where orders were "palpably illegal" subordinates had the right to refuse to obey them.

"No wardress can doubt that she does not have the right to act inhumanly against prisoners" CT 8/1/92

None of the prison's staff (the district surgeon included) questioned the use of the straitjacket and everyone was convinced Meyers was being punished, the court found.

Mr Jones ordered that copies of his finding be sent to the attorney-general, the Officer Commanding Pollsmoor Prison, the SA Medical and Dental Council, the SA Nursing Council and the superintendents at Victoria and Grooten Schuur Hospitals.

Mr Jones said a Lieutenant Oerson, an experienced nurse who dealt with Meyers the day the straitjacket was placed on her, regarded it as punishment and was not prepared to interfere.

She did not take Meyers' temperature and "the few visits she made to the deceased were insufficient".

Mr Jones also criticised the fact that when Meyers was admitted to Victoria Hospital, authorities there were not told that problems had arisen after she was released from the straitjacket or of the time she had spent in the straitjacket.

No finger could be pointed at the hospital, which had treated Meyers properly and professionally at all times, he said.

The court had no hesitation in finding that the prison service acted negligently and that this had caused Meyers' death, Mr Jones said.

Had Dr Fisher exercised more control over Meyers' treatment and had warders loosened the straitjacket, she would have survived the straitjacket, Mr Jones said.

The court was satisfied that a reasonable man would not have foreseen Meyers' death.

Amnesty slammed

(253)

■ ALS says release of 7 500 prisoners a disrespect of the law

THE EARLY release of 7 500 prisoners would lead to further disrespect for the law, the Association of Law Societies warned yesterday

ALS president Mr Mervyn Smith said "it would "bring about further lack of respect of the courts and the law in our country where crime and violence are principle problems"

He was reacting to the release of prisoners from January 18 because of overcrowded jails, as announced by Minister of Correctional Services Mr Adriaan Vlok on Wednesday

"ALS acknowledges the step to preclude certain types of hard-core offenders from the release, but believes any future release of prisoners in South Africa must be viewed cautiously"

Prisons authorities said they had taken steps to prevent a repeat of the Lucky Malaza fiasco

Correctional Services chief deputy commissioner Lieutenant-General Henk Bruyn said prisoners who would benefit from Vlok's announcement had been screened

Malaza, a convicted murderer and bank robber, was freed last year after claiming he was a political prisoner entitled to freedom under an agreement between the ANC and the Government

Killed by a straitjacket

w/mail 8/11 - 14/1/93
By GAYE DAVIS Cape Town

253

POLLSMOOR Prison staff and a district surgeon ignored basic rules and were negligent in treating a 20-year-old woman prisoner who died after spending 23 hours strapped into a straitjacket, a Cape magistrate has found

Carol Ann Meyers died of organ failure in Groote Schuur Hospital on July 2, 1989 following massive bleeding caused by crush injuries similar to those found in earthquake victims

Magistrate NH Jones found that her death was caused by the straitjacket into which she was strapped on the orders of the then acting head of Pollsmoor Women's Prison, Captain Susannah Muller. Evidence was that Meyers and another prisoner had threatened suicide.

Prison staff and district surgeon Dr Pieter Fischer followed Captain Muller's orders, in the belief that Meyers was being punished. The prison's interests were placed above medical ethics, the magistrate said

Although senior staff said they did not see straitjacketing as punishment, their actions belied this. "Their failure to allow the deceased to get any exercise or use toilet facilities was irresponsible and inhumane," the magistrate said.

He had "not the slightest doubt" that Meyers would not have died if Fischer and prison staff had not been negligent. Muller's ordering Meyers' straitjacketing was unnecessary and inappropriate. She failed to see that regulations governing the use of straitjackets were adhered to, gave

no direction and paid no specific attention to Meyers

Nursing sister Lieutenant Oerson failed to monitor Meyers' condition properly and Fischer broke the Hippocratic Oath and prison rules, the magistrate found.

The straitjacket should have been loosened each time Meyers was visited by a prison nurse or was allowed to exercise or relieve herself. "Under these circumstances she would have survived," the magistrate said

Warders were guilty of serious dereliction of duty in ignoring her complaints that the straitjacket — padded with blankets to make it fit — was too tight and that she was in pain

A sedative, detected during the post-mortem on Meyers' body, was probably administered while she was in Pollsmoor, before she was admitted to hospital.

That there was no indication of how she came to be given it did "not help build confidence in the medical treatment of prisoners", the magistrate said. Meyers must have complained, but there was no indication her complaints were given serious consideration

Regarding culpability, the magistrate found that prison staff and Fischer could not have reasonably foreseen that Meyers would die, but this did not mean the court excused their behaviour. "Insofar as it is found that they transgressed rules and regulations and acted negligently, they have no defence," the magistrate said

Prison reforms 'rushed'

23

ARC 9/1/93

THE controversial release of more than 10 000 prisoners from overcrowded jails was partly rooted in the Department of Correctional Services' over-hasty introduction of new prison reforms, University of Cape Town criminologist Mr Wilfred Schärf said yesterday

In a statement, he said the authorities had failed to lay the groundwork for a new community-orientated system of punishment.

The outcry from police and the legal fraternity over early releases were "ample indication that the professionals who are to bear the consequences of new

policies were not sufficiently consulted"

The same applied to welfare agencies, voluntary organisations, civic associations and other forms of civil society

"By ignoring the affected parties, Correctional Services have laid the basis for an already problematic situation to reach crisis proportions

"It is time the department begins to understand the dynamics of democratic societies and begins to work towards a more integrated approach for the criminal justice system."

The releases scheduled for February and April were likely

to be followed by more later this year

Mr Schärf said the social effects of political transitions also had led to higher crime rates

He said South African prison authorities had imported, almost wholesale, the correctional philosophies and practices of Atlanta, Georgia, in the United States

"The basic idea behind South African prisons laws passed in 1991 is to keep as many people as possible out of prison and rather have them serve their sentences in the community"

Careful groundwork was essential if such laws were to work. — Sapa

Prisons' policy under fire

(253) CT 9/1/92

Staff Reporter

THE Department of Correctional Services has denied media reports that a Boksburg prison, capable of accommodating more than 2 000 prisoners, has stood empty for an entire year

Yesterday the Minister of Correctional Services, Mr Adriaan Vlok, said the Boksburg prison would be ready for occupation at

the end of the month

On Wednesday Mr Vlok announced that 7 500 prisoners were to be released in the next few months to ease prison overcrowding

Democratic Party justice spokesman Mr Tony Leon said yesterday it was "extraordinary" that, given the escalating crime rate, Mr Vlok had not announced

how he intended to cope with the burgeoning prison population

ANC spokeswoman Ms Gill Marcus agreed that there was no indication that Mr Vlok had a strategy for solving the overcrowding problem

Mr Vlok said yesterday he was doing everything in his power to address the problem

Releases crisis: 'A failure to consult'

Staff Reporter

THE crisis in which the Department of Correctional Services finds itself regarding the mass release of prisoners is mainly due to its failure to consult the other arms of the criminal justice system and community-based organisations when it implemented its new dispensation.

This is according to UCT's acting

director of the Institute of Criminology, Mr Walfried Schärf, who said the "outcry from police, prosecutors and judges" over the past months gave ample indication that the "professionals who are to bear the consequences of the department's new policies were not sufficiently consulted".

He said the crisis the department had created for itself was due to an

over-hasty introduction of a new prison dispensation without laying the groundwork for its successful implementation.

Mr Schärf said the department's new dispensation consisted of the wholesale "importation of a correctional philosophy" from the US. "For such laws to work, careful groundwork is essential." "The other arms of the criminal

justice system, namely the police, prosecution and judiciary, have to be brought on board prior to the introduction."

Department of Correctional Services spokesman Colonel Daan Imelman reacted by saying: "Coming from what are supposed to be informed circles one cannot react otherwise than to reject such allegations as being malicious." (2543)

Necklace murderer has no regrets

By **MONWABISI NOMADLO**

AN East Rand necklace killer, recently released after being sentenced to life imprisonment in June 1987, says she has no regrets about her actions.

Sanna Twala was one of three people sentenced to life imprisonment for the murder of Maki Skhosana, 23, who was necklaced by a mob at a Du-duza funeral in July 1985. Nine others received long jail terms.

A cameraman at the scene filmed Skhosana's death and millions worldwide - including South Africans - watched Skhosana die a terrible death.

Twala was released in September last year in terms of an amnesty for political prisoners.

What does she say after spending five years in Kroonstad prison?

"Me? I do not regret what I did," she said.

"My attitude is the same as it was then."

She plans to "continue the struggle" and says she's joined the ANC.

Another of those jailed for life for the crime - who requested anonymity - said he vividly recalls the day of the necklacing. He added there was no evidence that Skhosana was a police spy.

"At the funeral service it was announced that all impimpis should remain behind but Maki followed us to the graveyard."

He said there was a rumour that she was having an affair with a local cop, Joel Msibi, and that she was a spy.

"But I never believed it," he added.

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DESERTED... but the Department of Correctional Services insists that this Boksburg prison is 'partially occupied' to detect potential security problems.

The prison with 2 500 empty cells

STW 10/11/93
By CHARLES LEONARD

THIS is the empty prison on the East Rand which will be opened at the end of the month — two weeks after thousands of convicted criminals walk free because the government says there's no room for them.

Housebreakers, muggers and car thieves will be among 7 500 prisoners due for early release because they fall outside the 10 categories which will not be considered for release.

Now the outrage over the third major purge of the prisons in as many years has focused on the jail standing empty in Boksburg.

Mayor P J Ferreira has accused Minister of Correctional Services Adriaan Vlok of misleading taxpayers by saying that SA's prisons are overcrowded.

Mr Ferreira said: "This prison has been standing empty now for a full year. I can't understand why they're not using the Van Dyk's Park prison, which can accommodate almost 2 500 people."

The date when building started on this prison has also become a bone of contention between Mr Ferreira and Correctional Services.

"They started building this prison in 1986," said Mr Ferreira. "On completion it will have cost R100-million."

But the department disagrees. "Building started only two years later in 1988," said spokesman Colonel BH Eksteen. He also denied that the prison had been standing empty for a year.

"Because we have a contract which says there should be a three-month retention period, the prison has been occupied partially since September 24 last year to

detect problems and possible security risks and to rectify them," said Colonel Eksteen.

"Final takeover of the prison will take place at the end of this month when the prison will be fully used."

Close to the prison is a hostel owned by mining giant ERPM. The group offered to sell the hostel to the prison authorities, but was turned down.

A negotiated price of R32-million was asked for the unused, brand-new hostel which, with adaptation, could accommodate 3 000 prisoners, said Mr Ferreira.

Correctional Services said the offer was made last year when the prison was almost completed.

"An investigation into the possible use of the ERPM mining complex was done and it was found that it didn't comply with the security standards needed for a prison," said Colonel Eksteen.

The first large-scale release of prisoners started early in 1991 and continued until July of that year, when 57 000 convicts were released, reducing South Africa's prison population to 86 000.

But it shot up again to the current prison population of 110 000 convicts. There is currently a backlog of 26 000 places, a prison spokesman said.

In October last year the release of common criminals caused an outcry when men convicted of stock theft, robbery, house-breaking and possession of drugs, as well as murder, culpable homicide and assault, were released.

Among them was Lucky Malaza, a member of the notorious Dube gang, jailed for 16 years in 1989 for his role in an attempted robbery at a Mowbray bank and the murder of a young policeman during the robbery.

8 convicts

(253)

refuse to

STAR 13/1/93

take food

By Lawrence Anderson

Eight prisoners, demanding their release as political prisoners, are on hunger strike at Sonderwater prison, police have confirmed.

Correctional Services spokesman Colonel Danie Immelman said yesterday that three of the inmates began the strike on January 1, two the day after and three yesterday.

Among them are two AWB members serving a 25-year sentence for killing a black man in 1990.

According to relatives, Evert Boonzaaier (25) and Deon van Deventer (26), who went on hunger strike yesterday, have said they would refuse food until they died or were released.

This is the fifth time Boonzaaier has gone on hunger strike. The last one lasted 11 days.

Bomb rips West Rand shop centre

Sowetan 14/1/93
Sowetan Correspondent

SHOPLIFTERS Attack believed to

A POWERFUL bomb ripped through a West Rand shopping complex early yesterday in what is believed to be a revenge attack for the beating of two young black shoplifters

One of the boys died in the Baragwanath Hospital two days after the beating on October 1, possibly as a result of the assault.

The Elite Cafe and neighbouring Shorty's Fruit and Veg were com-

be revenge for beating of two boys:

pletely destroyed and 18 other shops were badly damaged in the 1 10am explosion in Station Street, Randfontein

Damage amounting to millions of rands was reported but no one was hurt

Police said a person purporting to be a member of Apla telephoned the police toll free number this morning

claiming responsibility for the blast. But police do not suspect the organisation at this stage

The attack was apparently aimed at the Elite Cafe belonging to Jackie de Sousa.

This was the second blast at one of De Sousa's shops. On January 4 his Zuurbekom shop was badly damaged in a limpet mine explosion.

161 children spent Christmas in jail

Sowetan Reporter

A TOTAL of 161 children under the age of 14 spent last Christmas in jail

A statement from the Deputy Minister of National Housing, Mr Glen Carelse, yesterday confirmed that "between December 1992 and January 7 this year 161 children aged 14 and younger were detained in

64 'dangerous' kids are still in custody:

Sowetan 14/1/93
"police cells and prisons countrywide"

Sixty-one have since been placed in "alternative care", 43 reunited with their parents and 16 in "places of safety" and two in reformatories

"At the moment 36 cases are being investigated and these children will

probably soon be placed in alternative care.

The remaining 64 children are being detained for serious crimes, such as murder and cannot be transferred because they pose a danger to the community," he said

Insurance rates warning

(253) KELVIN BROWN (12)

INSURANCE premiums could rise as a result of government's decision to release 7 500 prisoners, the insurance industry warned yesterday

The comment follows the announcement last week by Correctional Services Minister Adriaan Vlok of the release of 7 500 prisoners

SA Insurance Association chief executive Rodney Schneeberger said the move would worsen the already high crime rate

14/11/93
"Insurers will come under increasing pressure as a result of a higher incidence of theft, robbery and general crime This will work its way through to the insuring public who may be faced with increased premiums"

The PWV would be affected most as it had the highest crime rate and paid the highest premiums, he said.

Prisoner releases send insurance up

(253) CT 14/1/93

JOHANNESBURG — Insurance premium fees will in all probability increase because of the imminent release of 7 500 prisoners, the South African Insurance Association warned yesterday.

SAIA chief executive Mr Rodney Schneeberger said the prisoners' release would almost certainly have an adverse effect on the crime rate.

"Insurers will come under increasing pressure as a result of a still higher incidence of theft, robbery and general crime which will in due course work its way through to the insuring public."

Correctional Services Minister Mr Adriaan Vlok said it was unclear on what such a premium increase was to be based as about 10 000 prisoners were released each month. The additional prisoners, to be released over 10 months, would hardly effect the monthly numbers — Sapa

61 under-14s freed from prison over festive season

Sixty-one children aged 14 and younger were released from prisons and police cells country-wide to be placed in alternative care over the Christmas season, Deputy National Housing Minister Glen Carelse said yesterday.

But 100 children under the age of 14 still remained in custody for serious offences such as murder, he confirmed.

Carelse said in a statement the releases were part of the Government's commitment to place awaiting-trial children, wherever possible, in the care of their parents or guardians, or alternatively, to place them in centres such as places of safety, industrial schools and reformatory schools.

Of the 61 released children, 43 were reunited with their parents, 16 were placed in places of safety and two were sent to reformatory schools.

Carelse said the cases of 36 of the 100 children still in custody were being investigated for alternative placement.

The remaining 64 were being detained for serious crimes such as murder. They could not be transferred to alternative care because "they pose a dan-

ger to the community", Carelse said.

The release project was co-ordinated and monitored in co-operation with private welfare organisations such as Nicro and the South African National Council for Child and Family Care.

Earlier, Carelse indicated that changes concerning the arrest and detention of children under the age of 17 were in the offing following the compilation of a report by the Esther Chikanda working group.

In an interview Carelse said that new legislation would be enacted to bring South Africa in line with the Beijing Rules on Children's Rights.

The Beijing Rules is an international manifesto adopted by the United Nations which sets minimum standards for the administration of juvenile justice.

The working group, led by Dr Esther Chikanda, a chief director in the Department of Manpower, Local Government and Housing, was appointed by Carelse to investigate the situation of children in detention. — Sapa.

Gluckman: Inquest into custody death gets postponement

By Cyril Madlala

An inquest into a death in police custody, in which the post-mortem was performed by controversial pathologist Dr Jonathan Gluckman, was postponed in Johannesburg Magistrate's Court yesterday because counsel for the police was ill.

Bongani Bethuel Maphumulo (31) died on December 13 1990 after handing himself over to the SAP's Soweto murder and robbery unit, which was investigating a theft charge against him.

The case was one of those referred to by Gluckman when he went public in July last year with allegations of police complicity in the deaths of prisoners in custody.

At the time, the police said Maphumulo had drowned in a swimming pool while attempting to escape.

However, both Gluckman and State pathologist Dr Michelle Forster indicated in their post-mortem reports that the death was caused by multiple injuries.

In his report, Gluckman stated: "The demonstration of fracture of the hyoid bone is highly suggestive of manual strangulation."

Yesterday, counsel for the police J du Toit

asked for a postponement because his senior, Etienne du Toit SC, was sick and unavailable.

The delay was opposed by Dennis Kuny SC for the Maphumulo family, who said that as all the witnesses were available, including Gluckman and Forster, their evidence could be heard. Du Toit could cross-examine them later.

He said it was likely that the doctors will have left the country by the next court date as Forster was emigrating to New Zealand and Gluckman might be holidaying in France.

Magistrate C G de Lange said he was not prepared to continue without Du Toit and postponed the hearing to February 15.

He apologised to Professor Derrick Pounder, who had travelled from the UK as an observer for the international secretariat of Amnesty International. Pounder is head of the Department of Forensic Medicine at Dundee Royal Infirmary in Scotland and chairman of the United Kingdom branch of Physicians for Human Rights.

He was in the country to meet with lawyers and medical experts to discuss Amnesty International's concerns regarding Maphumulo's case.

STAR 15/1/93.

253

Busting in on the 'Bond

Chaos erupted at a secret Broederbond meeting held on a farm in the Northern Transvaal on Saturday when a journalist demanded to attend the meeting.

"Your chairman has said that the Broederbond is becoming more open and I therefore would like to attend the meeting," journalist Hennie Serfontein told members of the Broederbond local welcoming committee.

For the next 15 minutes, luxury German cars were seen speeding away from the proposed meeting place. Other broeders tried to hide their faces. *STAR 15/1/93.*

To the broeders, the name of Hennie Serfontein brings bad memories. Many remember him as the man who, 30 years ago, did an exposé of the Broederbond.

Since then, he has published many reports and written a book on the Broederbond.

Saturday's meeting of the district council of northern Transvaal was held on the farm "Geduld" near Roedtan. Broeders from all over the Transvaal were invited.

The main item on the agenda was a "very special speaker" who addressed the expected 700 members at three o'clock. It could not be confirmed that the speaker was F W de Klerk, a long-time Broeder himself.

"J P de Lange may talk about opening up the Broederbond, but the way in which members reacted to the exposure of their meeting place, shows that it is a long way away from being prepared for public scrutiny," Serfontein says.

I'm not leaving SA yet - Gluckman

Staff Reporter *STAR 15/1/93.*

Controversial pathologist Dr Johnathan Gluckman today said he was going on holiday to France in March, but denied a report that he was leaving South Africa permanently to retire there.

Gluckman said his trip was not connected in the slightest with controversy surrounding his allegations last year that police had killed about 90 percent of the 200 people whose bodies he had examined after their deaths in custody.

Gluckman is to appear at the Johannesburg Magistrate's Court inquest on the death of Bongani Bethuel Maphumulo. Police say the

man drowned while trying to escape police custody, but Gluckman said in his post-mortem report that Maphumulo appeared to have been strangled.

Police counsel J du Toit applied for a postponement as his senior was unavailable because of illness.

Gluckman said today he was leaving for France in March and would be away in May, a suggested date for the postponement.

For the last 10 years Gluckman has had a house in Provence in southern France, where he spends annual holidays. He plans to retire there, "but not on this particular trip", he said.

● Inquest report - Page 2

253

Two killers fasting, demanding release

By Philip Zoio

253
Two Afrikaner Weerstandsbeweging (AWB) members who were convicted of drunkenly kicking a disabled black man to death before "necklacing" him and pouring beer and urinating on his smouldering corpse, are among four Zonderwater Prison hunger strikers demanding release on political grounds.

AWB members Evert Boonzaaier and Deon van Deventer were sentenced last year to 25 years in prison for the murder of Johannes Masango.

On Monday, they joined two

STAR 15/1/93
other inmates in a hunger strike to demand their release as political prisoners, Correctional Services spokesman Warrant-Officer Rudi Potgieter said.

AWB secretary Danie Smal said the organisation fully supported Boonzaaier and Van Deventer's demand for release, but Lawyers for Human Rights director Brian Currin described the demand as absurd.

"If their plea is adhered to, it would make a total mockery of the political process and of constructive programmes to release political prisoners."

He said he could understand

how the men's expectations that they would be released could have been raised by the release of mass murderer Barend Strydom, whom Currin described as "a political thug".

"Hatred of members of other races can never be construed as a political motive," Currin said.

Four prisoners on hunger strike are demanding transfers from Zonderwater Prison. Of the eight fasting prisoners, two began on New Year's Day, another three started on January 4, and three (including Boonzaaier and Van Deventer) have been fasting since Monday.

Crime and (little) punishment

Star 15/11/93

253

THE LATEST early release of criminal offenders from prison serves to underline a fundamental truth apparent to all but the densest of books in South Africa — the time has never been more ripe to act on their nefarious thoughts.

The Department of Correctional Services (DCS) says the spate of releases has been made necessary by overcrowding in the country's jails. No fewer than 7 500 prisoners, we are told, must be freed because as many as 110 000 are being accommodated in prisons built for 84 000.

This at a time when, as any criminal worth the tag knows, the connection between crime and punishment is at its most tenuous — and what was once the certainty of punishment has now become a question of mere chance.

After all, what is the worst that can befall anyone who has committed a crime? The current scenario runs something like this: the police (assuming the crime has been reported and they have the

necessary manpower) have to investigate the crime and try to find the culprit. If they succeed they may have to find witnesses (who are, for various reasons, not always available). Then, sooner or later (thanks to a backlog of 20 000 awaiting-trial prisoners), our accused appears for trial, at which point he does his best to convince the court of the existence of extenuating circumstances, hoping for a light sentence or acquittal.

And if the court finds the accused guilty of a serious enough crime, he is sentenced to a long prison term — which, theoretically, should close the case.

But wait a long jail sentence is not the worst that fate can visit on a criminal offender these days.

While a life sentence has always been one in name only, someone under a lengthy sentence can, at the moment, realistically look forward to early freedom for reasons other than that the jails are bursting at the seams.

If he is unlucky enough not to slip out — *a la* Lucky Malaza —

during a mass release such as the current one, the long-term offender can take heart in the knowledge that, if he is not confused with a political prisoner and allowed to go, he still has a chance to go free under the possible (some say inevitable) general amnesty under a new government.

And what of the death sentence? It must be, along with the occasional ineptness on the part of DCS computers (remember multiple-murderer Kethani Shange?), the least effective deterrent in recent SA legal history.

No one sentenced to death has actually been executed since November 1989, the Government having placed a moratorium on executions pending the institution of a Bill of Rights. Yet capital punishment remains on the statute books and the courts are going through the farcical process of imposing what is effectively a paper sentence.

So those sentenced to death can be excused for having a quiet chuckle at their good timing while

on the way to Pretoria Central — they are certain of the improbability of their ever being executed.

To carry out the sentence now would involve the mass hanging of those on Death Row, estimated at about 300 — something this, or any future government, will not have the stomach to do.

Apropos Pretoria's reasoning on early releases it is an admission that the penal system is incapable of dealing with an increase in the number of law-breakers. In other words, the message to criminals is that the more of them there are — and the more crimes they commit — the smaller their chances of spending too long in jail, if they are ever apprehended.

With the current socio-economic situation in the country — plus the authorities' failure to devise creative ways of dealing with rising crime — there can be no prizes for guessing who will win this particular contest.

All this raises the question of the role of the police. It may well be that their investigation of

crime will serve no purpose other than to provide statistical evidence of merely academic interest. In which case the country would be better served if police efforts to investigate crime were used for its prevention.

Which poses an even bigger question for ordinary people, who are the target of violent crime, be they resident in Soweto or Sandton. What are they to do?

Yet, to argue for a functioning and effective criminal justice system is not to deny the well-known socio-economic factors that are fuelling our crime rate, and the underlying political problems that make a quick solution to the problems of homelessness, unemployment and poverty well-nigh impossible.

Clearly, a workable solution to the crime rate will continue to be elusive unless and until something is done to fix the country's economy and politics.

But, at the same time, throwing the jail doors open, letting criminals loose on a society with a re-

habilitation system that is, at best, rickety is not going to solve the problem. Rather, it is likely to exacerbate it as a loss of confidence in the justice system tempts more and more South Africans to mob rule and kangaroo justice.

Since a solution to the country's political problems is not going to be found in the short term, the public is faced with two choices. The first is to put sufficient pressure on the authorities to provide a working criminal justice system, which ensures that the commission of a crime will lead to punishment.

The other alternative is to meekly roll over as a society and let the criminals have a field day. If you have a car leave it outside the garage overnight and remember not to lock the front door. Get rid of your guns and traditional weapons. The banks should rip out their bullet-proof screens and fire the security guards. That way the criminals won't need to be armed and we might save a few lives. Yet □

SA involvement in Angola dismissed

WASHINGTON — New claims by Angolan President Eduardo dos Santos that the SADF is actively supporting Unita were yesterday quietly dismissed by UN Security Council members as diplomatic gamesmanship.

In a letter to UN secretary-general Dr Boutros Boutros-Ghali, Mr Dos Santos charged that "the South African army has been involved in military actions against the Angolan people" and called for an urgent Security Council meeting.

The move was seen as an attempt to hurry council deliberations on the fate of the UN force in Angola (Unavem) and to counter Dr Boutros-Ghali's suggestion that it be withdrawn unless the MPLA and Unita come to terms before April 30.

The council yesterday considered the UN chief's recommendations, which also include the immediate scaling back of Unavem from 550 to 60.

Dr Boutros-Ghali said increased fighting had already obliged the UN to withdraw from 45 of its 65 posts around the country and that \$5.8 million (about R17.4m) worth of equipment had been lost.

His threat of UN withdrawal was seen as a bid to put pressure on both parties to agree to a ceasefire. The US administration, meanwhile,

Security Council

considers

cutting

UN force



CLAIMS ... Eduardo dos Santos

reacted cautiously to Mr Dos Santos' plea for recognition in a letter to President Bill Clinton. The matter was "under review", a State Department spokesman said.

Angolan Foreign Minister Mr Venancio da Moura, who had been expected to see senior US officials in Washington this week, postponed his visit to lobby at the UN.

Immediate US recognition of Angola does not appear likely. US diplomats appear anxious to retain the option as leverage to persuade to parties to cease hostilities and resume preparation for the runoff presidential elections.

Congressional forces sympathetic to Unita have urged Mr Clinton to trade recognition for an agreement by the MPLA to surrender some sovereignty to the UN, allowing it to send in a major new contingent to demobilise the warring parties.

Meanwhile, troops battled for a key rebel base yesterday as leaders from both sides arrived in Ethiopia for peace talks aimed at halting Angola's renewed civil war.

The start of the three-day talks in the Ethiopian capital, Addis Ababa, was postponed until today because the Unita delegation arrived late. UN officials said they were delayed after fierce fighting shattered a cease-fire around their embattled base in Huambo, in central Angola.

In Namibia, an air charter company said yesterday that nearly a million people in rebel-controlled south-eastern Angola are cut off from emergency food aid because of a government ban on flights over Namibian air space.

The UN Food Programme stopped its relief program in southern Angola in October when the civil war resumed. Private groups, however, had continued to deliver food to the region, much of it controlled by the rebels — Own Correspondent, Sapa-AP

10 injured in prison rampage

Staff Reporter

FIVE warders and five long-term prisoners were injured yesterday when inmates went on the rampage at the Helderstroom prison near Caledon.

Inmates smashed windows, ripped metal bars from beds, broke neon lights and attacked warders after refusing to vacate a cell the warders wanted to search for dangerous sharpened objects about 4.40pm, a Correctional Services spokeswoman said last night.

"Order was immediately restored when a teargas canister was fired," the spokeswoman said. Sharpened objects found in the cell were confiscated. The incident would be investigated.

All the injured had received medical treatment and were in a satisfactory condition, the spokeswoman said.

Blast at shop: Five in court



January 16/17 1993

Fight for minors

ARG 16/1/93



■ Pressure from children's rights lobbyists and extensive media coverage has resulted in the first release from prison of children under the age of 14 awaiting trial.

DI CAELERS
Weekend Argus Reporter

THE release of 61 youngsters from South African prisons into alternative care has been hailed as a major victory for children's rights — but the battle is by no means won.

While Nicro has labelled the progress on the issue of awaiting-trial children under 14 as "phenomenal", they say the plight of children aged 15 to 18 cannot be ignored.

In October last year Weekend Argus revealed in an exclusive story that thousands of children, who had not been found guilty of crimes, were being held in South African jails and police cells in harsh and threatening conditions.

Now, says Nicro's senior social worker Rosemary Shapiro, only 20 children are left in Pollsmoor Prison, 11 of whom have been assessed and could not at present be placed in alternative care due to the severity of their crimes.

She said these children had been moved from the maximum security section where they were previously held to a "more suitable facility"

They also now had compulsory sport or outdoor exercise times as well as access to social workers.

In a statement this week from Glen Carelse, deputy minister of Local Government and National Housing, he said the releases were "part of the government's commitment to place as many children as possible who are awaiting trial in prisons and police cells in the care of their parents or guardians, or alternatively, to place them in centres such as places of safety, industrial schools or reformatories"

Of the total 161 children under the age of 14 being held between December 17 last year and January 7 this year, 61 children were placed in alternative care, 36 were being investigated for alternative placement and the remaining 64 children were being detained for serious crimes such as murder.

They could not be transferred to alternative care as they pose a danger to the community.

"The aspects that were considered during placement of children... were the type of crime committed by them, their social circumstances, the protection of the community and the interests of the child," he said.

According to the statement, the government was doing everything possible to place all children awaiting trial, including those aged between 15 and 18, in alternative care

The next phase of Nicro's campaign, Ms Shapiro told Weekend Argus, would be to see the establishment of one facility per region to accommodate up to 20 children under the age of 18 awaiting trial for serious crimes

"It is simply not true that these children cannot be transferred into alternative care. We want to see prisons closed to all children, regardless of the charge against them. Prison is no place for children at all"

Speaking of the progress made since Nicro, the University of the Western Cape's Community Law Centre and Lawyers for Human Rights released a hard-hitting report *Justice For The Children: No Child Should Be Caged* at the end of October last year, Ms Shapiro said all but one of the demands contained in the report had been met.

"It's extraordinary how much work has been done in just a matter of months. The only thing we haven't achieved is to see an independent ombudsman appointed to every juvenile court.

"We started with the children aged 14 and down, now we have to deal with those aged 15 to 18 which is a much larger group"

Prisoner releases to go ahead

Staff Reporter

ABOUT 4 500 convicted criminals will start being released from prisons countrywide from Monday over a period of six weeks, a Department of Correctional Services spokesman said yesterday. A further 3 000 will be released in the next 10 months because of the massive overcrowding in

CT 16/1/93
South African jails which were built to hold 84 000 but have about 110 000 inmates

The releases will not be limited to first-time offenders, but no hard-core criminals will be freed

"Only selected prisoners whose dates of release have already been determined will qualify the

spokesman said (253)

Prisoners not qualifying for release included those sentenced to life imprisonment, child molesters, rapists and attempted rapists, armed and attempted armed robbers and drug dealers

This measure will decrease the average daily prison population over a year by about 3 000



Vlok says prisoners' date for release from jail was near

Release day for first of the 7 500

Staff Reporter **253**

Today is freedom day for the first of 7 500 prisoners who qualify for early release under Correctional Services Minister Adriaan Vlok's mass-release programme to ease the pressure on prisons

The Department of Correctional Services could not say how many convicts would be paroled today from the country's 194 prisons

But Vlok said last week 4 500 were to be released in the next six weeks, to be followed by 3 000 early releases over the next 10 months. He instituted the programme because jails, which had been built to hold 84 000 prisoners were groaning with 100 000 convicts

The parole excludes people convicted of serious crimes like rape and murder

Vlok has criticised claims that the programme would lead to a rise in the crime rate

The 7 500 convicts were prisoners who had already been given approved release dates and were to be released soon, he said

Barend 'enjoys life' but victim still paralysed

STAR 19/11/93

By Mckeed Kotlolo
Pretoria Bureau

253
247

The early release of prisoners this week will bring back sad memories for Oupa Geelbooi Mabena, a survivor of the Strijdom Square massacre carried out by self-styled "Wit Wolf" Barend Strydom in 1988.

Strydom, who was released under a political amnesty, has been in the news lately for trying to obtain a firearm licence.

But his victim, who is confined to a wheelchair, has had a hard time trying to pick up the pieces of his shattered life

A bullet fired by Strydom damaged Mabena's spinal cord, paralysing him

The former Pretoria City Council employee from Hamanskraal is now back in hospital because of complications caused by his paralysis

Speaking from his Kalafong Hospital bed, Mabena said he could not understand how the Government could have released Strydom but failed to do anything for his victims and their families

"Right now I am just like a child. I cannot do what I used to do for myself and my family because of the man the Government saw fit to return to normal life

"Strydom is out of prison and enjoying life and I am confined to a wheelchair," said Mabena (48) He was in hospital for six months after the shooting and still frequently needs additional hospital care

NEWS IN BRIEF

FORMER senior Cabinet Minister and SA Ambassador to the United States Dr Piet Koorhof has confirmed that his secretary and close companion, Miss Marcellie Adams, is pregnant but denied responsibility.

In an interview with the Cape Town-based Afrikaans daily newspaper *Die Burger*, Koorhof said this was the reason why he was supporting her.

Die Burger's Washington correspondent quoted Koorhof as saying medical tests would prove he was not the father of the child.

Press reports have romantically linked Koorhof to the 23-year-old Adams, a coloured.

Koorhof's wife Lulu recently withdrew divorce proceedings against her husband.

Die Burger yesterday also quoted Koorhof as saying the reports and circumstances could have created the im-

■ But Dr Piet Koorhof denies that he fathered the baby:

pression that he had fathered Adams' baby.

He said it was physically impossible for Adams to have a child by him.

"There was never a relationship of the kind which could have led to a baby."

Koorhof said Adams knew who had fathered the child, "but he doesn't want to admit it".

According to Koorhof, it was true he and Adams had spent the two days after Christmas in his seaside home at Langebaan, north of Cape Town, and had shared the same bedroom.

Other people had, however, been present. "It's a bedroom that's part of a whole big set-up and absolutely nothing happened" - *Sapa*

Parole programme is on

THE Department of Correctional Services yesterday began releasing about 4 500 prisoners in terms of the Government's programme of early parole.

Correctional Services Minister Adriaan Vlok announced earlier that 7 500 prisoners would be released on parole over the next few months because prisons were too full.

The first group of 4 500 prisoners will be released over six weeks and the remaining 3 000 in the following months. Vlok said the application of "restricted

■ About 4 500 prisoners expected to be released:

advance releases is an accepted international concept" and formed part of the management and operation of most prison systems.

The release programme was sanctioned by the Cabinet and had been made necessary by the fact that there were more than 110 000 convicts in prisons which could accommodate only 84 000 - *Sapa*

Mwabazi each received consolation prizes of R100. Making the draw are, from left, FNB auditor Wayne Carrol, *Sowetan* marketing services executive Sello Rabothata, *Sowetan* staffer Thandl Moloi and FNB Stadium general manager Hennle van der Westhuizen.

news in brief

TPA will fight back

A SENIOR Transvaal Provincial Administration official says the TPA will defend its actions should the axed councillors of Soweto and Diepsmeadow carry out their threat to oppose their dismissal in a court of law.

MBC Burger Lategan - responsible for local government and regional services councils in the Transvaal - said his administration was justified in its action because the two councils had failed to comply with the directives the TPA had issued.

Commenting on speculation that the councillors' dismissal might herald the election of a non-racial local authority in the area, Lategan said this would depend on negotiations to be attended by all concerned parties.

Students 'excluded'

THE University of Bophuthatswana was yesterday accused of deliberately excluding 40 percent of the student body from the university roll last year in spite of a court order against such an exclusion.

According to Student Representatives Council president, Mr Sol Bokaba, the Unibo administration failed to adhere to a court ruling to grant students enough time to prepare for examinations.

He said there was little learning last year because the Bophuthatswana government arrested seven students and

Sowetan 19/1/93

other students boycotted classes as a result. Bokaba called on students who had been excluded from the roll to inform the SRC before the university reopened next week so their complaints could be dealt with before classes began.

A spokesman for Unibo, Mr Solva Burger, said the media director of the university would comment on the SRC's claims as soon as its statement had been studied.

Nearing normality

THE situation in the Orange-Vaal area, where some pupils had reportedly threatened teachers with firearms, was "practically back to normal", it was reported yesterday.

Department of Education and Training public relations officer Mr Geoffrey Makwakwa said problems had started when pupils in Sebokeng and Sharpeville demanded a 'pass one, pass all' system in local schools.

Teachers declining to implement such a system were reportedly threatened with firearms.

Makwakwa said the DET had asked for police help to patrol schools and to also offer protection to teachers.

He said the ANC, church groups and the local civic associations had all played a role in helping return stability to Sebokeng and Sharpeville. - *Sapa*.

YOUR COLLEGE OF GOOD HOPE

PRETORIA

AN ET Bantshoerol Dintwa Uth School Dintshoerol M. A. 02472



First prisoner releases begin

THE government began clearing prisons of surplus inmates countrywide yesterday, releasing the first of 4 500 prisoners to be freed within the next six weeks.

Three thousand more will be paroled in the months following the first releases, in terms of the recent announcement that 7 500 prisoners would be freed to alleviate congestion.

The decision was criticised by political and human rights organisations, but the Department of Correctional Services said in a statement yesterday the move would reduce the average daily prison population by about 3 000 people.

The department said the prison population had already passed the 110 000 mark by November last year, substantially exceeding the maximum capacity of 84 000.

The releases exclude child molesters, rapists, attempted rapists, armed robbers, murder-

253

ers and judgment debtors. Prisoners sent to life imprisonment or periodical imprisonment, those convicted of culpable homicide involving a dangerous weapon, those convicted of possession of or dealing in firearms or drugs, would also not qualify. — Own Correspondent, Staff Reporter

Vlok outlines plans to house prisoners 253

By Philip Zoio

Correctional Services Minister Adriaan Vlok said yesterday that his department was considering using disused schools, military bases and mining hostels as prisons in an effort to deal with overcrowding in jails.

Speaking on a Radio 702 show, Vlok said the schools could be used as rehabilitation centres for juvenile offenders and the military bases as low-security or open prisons.

Prisoners in open prisons would still have contact with their families. Murderers and other violent criminals would not be included in this arrangement.

Vlok said the department also intended to extend the programme of corrective supervision — a form of house arrest in which the prisoner was required to do community service.

He said comprehensive strategies in conjunction with police and the Justice Department

were being planned to resolve problems.

Vlok also said his ministry would introduce legislation at the next session of Parliament aimed at dealing with the erroneous early release of prisoners such as Lucky Malaza and Khetham Shange.

He admitted that Malaza and Shange had been released by mistake.

Malaza, a convicted bank robber, was let out of jail on a programme for the release of political prisoners, and the release of Shange — a former KwaZulu policeman who served only a fraction of his sentence for murder — was ascribed to a computer error.

Defending the additional early release of 7 500 prisoners, Vlok said the legislation would allow authorities to bring back to court prisoners who had been mistakenly released.

On a more personal note, Vlok told Radio 702 listeners that he was a "proud" member of the Afrikaner Broederbond.

STAR 2/1/93

from the World Cup directors, who yesterday before a meeting on Africa.

Council wants convicts to help with cleaning

ET 20/1/93

Staff Reporter

253

PRISONERS serving sentences for minor offences may be used to help with street cleaning, refuse collection and the cleaning of parks, if the utilities and works committee of the Cape Town City Council has its way.

According to a report placed before exco yesterday, the committee plans to put forward a motion to this effect at the congress of the Cape Province Municipal Association next year.

The idea is based on a similar community service programme adopted in America.

● Parks branch rapped over budget — Page 7

STAR
2/11/93

Suspect on hunger strike

By Glen Elsas (253)
West Rand Bureau

A man held in connection with fraud charges amounting to millions of rands yesterday handed the Roodepoort Regional Court a letter in which he threatened to continue a hunger strike he had started unless certain demands were met.

In a brief court appearance, Ronald Alan Tshabalala (32) had his case postponed to February 2.

Tshabalala, who was rearrested by police after escaping from custody two days before Christmas, demanded that the police's West Rand Fraud Unit be taken off his case.

He also demanded that he be treated for Aids.

He threatened to continue with his hunger strike until his demands were met.

He remains in custody while the investigation continues.

Plan would give minor offenders cleaning jobs

253

ARC 22/1/93

CLIVE SAWYER
Municipal Reporter

PRISON authorities have welcomed a call for offenders guilty of non-violent crimes to do community service for municipalities

City councillor Mr Dick Friedlander has been promoting the concept after learning about it on a visit to the United States last year

Prisoners deemed to be "minor offenders" would be employed as street cleaners and refuse collectors if the scheme was accepted

The council is to seek support for the idea at the Cape Province Municipal Association congress in April

Department of Correctional Services spokesman Lieutenant-Colonel Barry Eksteen said a distinction had to be made between prison labour and the option of community service as punishment

"Since the introduction of community service in August 1991, 153 608 hours of community service have been rendered.

"As this type of punishment is applied increasingly by the courts, it will mean an expansion of types of community service"

At present, prisoners were provided to government departments, provincial administrations and local authorities as unskilled labour, he said.

Shadow of Hell



SAFE BY DAY ... inmates perform heavy labour for officials at Leeuwkop Prison, but it's the informal network of gangsterism which takes control of their lives at night which they have come to dread.

Ex-cons find freedom more scary than jail

By THEMBA KHUMALO

253

BOY Mofokeng was unemployed and knew no skills when he was sentenced to 12 years in prison for theft and house-breaking in 1982.

Ten years behind bars has not changed him either. During his imprisonment he received no training and when he walked to freedom from Johannesburg Prison last week, he felt lost and empty.

Mofokeng was one of 4 500 prisoners whom Correctional Services decided to release on parole to ease overcrowding in local jails. Minister Adriaan Vlok has promised to release 7 000 convicts through the same system over the next few months.

Mr. Vlok, a pale, lithe figure who

last tasted freedom in 1983, said: "I don't want to return to jail, but at the same time I can't find a job. Long term imprisonment was a perfect deterrent for me."

He refused to be trained in any skills, he said, because that would have meant him spending more years in prison.

"You pay the prison for training you by sacrificing your remission. Who wants to stay in prison for long periods?" Mofokeng asked.

His plight is the epitome of thousands of prisoners who will be set free between now and March.

A prison warden who works at Johannesburg Prison said: "There's a lot of excitement among the prisoners about their pending release. While that's good news, to them, what future are they

24/1/93

facing without any education or skills?" "There were some prisoners who preferred to remain in jail rather than return to the same conditions that put them behind bars," the warden said.

At 31 Mofokeng has a lot of energy and is ready to take any kind of employment - but he knows his chances are slim.

He recalled how he and two friends were arrested in 1982 after they broke into a house in Illovo, an upmarket suburb in the north of Johannesburg.

All three were sentenced to 12 years in jail.

Mofokeng has now thrown in the towel with crime but in the meantime he has to "do something to make ends meet."

PHOTOS BY ANDRIES MCINENKA

NO FUTURE ... Boy Mofokeng faces a bleak future.

Life in the

THEIR stares say. "Are you one of them, or are you here to set me free?"

No, I'm not here to negotiate your early release, I'm here to write about prison life. Actually, about gangsterism inside

Stares turn to glares of hatred, resentment, aggression.

Word had rippled through the cells that the strangers were from the press

Hopes had been raised that I was there to carry their pleas for freedom beyond the bars.

Like urchins begging in Hillbrow, they had gathered around me.

Snatches of phrases - "Siphila kabuhlungu lana, man (We are suffering here, man!)"

"Laba angeke bakutshele iqiniso, buza thina! (These prison officials will not tell you the whole truth, rather ask us!)"

Silence

So what about gangsterism, I venture tentatively. Silence. Some even turn back to their interminable prison chores. Interest is falling like water levels in the drought.

"Aag! I'm not prepared to say anything about "ukushaya umthetho" (gangsterism)," angrily protests one prisoner

Such a change of face. It's frightening. Yet, in prison - supposedly a place of penance and rehabilitation - foul gangsterism reigns.

Prison life is ruled by the law of the jungle, survival of the fittest, elimination of the unfit

Gangsterism, according to those who come out, is the real nature of punishment meted out to SA's black prisoners

Revelations

These were some of the revelations to emerge from a visit this week to Leeuwkop Maximum Security Prison

We learned that the prison is the domain of six gangs. Big 5, Airforce 3, Airforce 4, The 26, 27, and The 28

When night falls five gangs 'run' a SA prison.

'We can't stop it,' says chief official

Lock-up time. Like bats emerging from the shadows, come the "prison wives" to be "taken" by "real men". Deals are struck or knives drawn. Scores are settled. Such are the grim rituals of gang life in a SA prison as told to BERENG MTIMKULU.

They do not complain about the prison conditions as they believe that their "belongings" are satisfied by being a gang member.

Tattoos

The "26", who are said to be identified by a tattoo depicting the right thumb pointed up, specialise in bullying and robbing inmates of their possessions

The "27" are identified by a tattooed thumb and a second finger of the right hand pointing upwards. They specialise in collaborating with the "26" gang when the "26" are engaged in a fight with other gangs

The "28" gang sport a tattoo depicting a thumb and a second finger and the ring finger pointed upwards, and specialise in sodomising the "young ones".

Young simply means a new arrival, although greyhaired prisoners are exempted. A prisoner who does not have a beard and "looks young" falls prey to sleeping with a leader of the gang who goes in for sodomy

So sodomy means entry into the ranks and from there a "young one" will graduate to the ranks, of "queen" and "star", to become a "real man" when he grows a beard or gets grey hair or his face becomes wrinkled with age.

However, "real men" are first given a knife to trigger a fight with a rival gang member to prove their "manhood".

"There is no peace here. Peace agreements are only a smokescreen. A fight can erupt at any time," I am told.

I learn that a gang fight between the "26" and the "airforce" gangs broke out on Christmas Day and December 16 last year. A "26" gang member says an "airforce" gang member had cut a prisoner with a razor blade from the ear to the chin. Two non-gang members and a "26" gang member took "revenge" and a gang war ensued.

Ten "26" gang members were injured, one seriously.

The "26" gangsters refused to take part in an official tribunal. "It is our

policy that when we have been wronged, we do not testify against the accused. We usually launch a revenge attack," said a "26" member.

Head of the prison, Brig John Harding, tried his best to gently steer me away from the issue, saying, "We don't want to give them the impression that they should go to the press for complaints. Neither do we want to give them the impression that prison officials are partisan towards a certain gang by identifying a specific gang leader or member."

However, he said gangsterism - especially in section D, where hardened criminals were kept - was causing serious concern.

His deputy, Capt RL Matlala, said new arrivals were even being briefed about the gangs.

Fit in

He said gangsterism took place after lock-up and was hard to control

Brig Harding said, "When a convict comes to prison, he wants to associate himself with a certain group. Even though he may not be active in gang activities, he wants to fit in."

He said, "Prison is not an ideal place to rehabilitate because most of the time the prisoner is with his friends."

A warrant Officer said gang members who were "inactive" sometime leaked information to prison officials about impending gang fights.

Leaks

A "26" gang member said prisoners joined gangs for protection from other gangs. "Wouldn't you protest when your brother is made a prison wife or when you are being bullied?" he said

However, most gang fights were caused by "ismokolo" (smuggling in of goods), I was told

C/Pren 24/11/93. 253

Page 2

24/1/93

"Insignia is the name of the game; the Big 5 are identified by a tattoo depicting four fingers of the right hand pointing upwards, or a B

A swastika is in the middle and a five at the end I'm told they specialise in sodomy and to them, bare fists are the best weapon.

The two "airforce" gangs are identified by the tattoos "RAF 3" or "RAF 4"



**FOR JUST
R10
SEE PAGE
14**

BLADE WARS ... Homemade weaponry confiscated from gang members.

NEWS ROUND-UP

S Times 24/11/92

Dangerous convict flees from prison

A DANGEROUS long-term prisoner has escaped from Leeuwkop Prison near Sandton

Arthur Generals, who uses the aliases Mannetjies and Jeniris, disappeared from the prison courtyard at 2.30pm on Friday. It is not yet known how he escaped. Generals, a 28-year-old coloured man, is 1.62m tall and weighs 52kg.

At the time of his escape he was wearing a dark blue tracksuit.

He was convicted in 1988, for housebreaking, attempted murder, rape,

illegal possession of firearms and a previous escape attempt, and had served only five years of a 43-year sentence.

Department of Correctional Services liaison

officer Captain Fransie van Rensburg has warned the public not to attempt to confront Generals, but to contact the nearest police station.

GENERALS

● Police have rearrested 13 of the 16 prisoners who escaped from Bellville South prison yesterday and have recovered three of five stolen firearms.

Cell conditions 'better'

By BARRY STREEK
Political Staff

KNYSNA — Visits and reports by the International Committee of the Red Cross had led to improved conditions of detention in police cells, Minister of Law and Order Mr Hernus Kriel said at the weekend

This included the impetus for

R12 million to be spent during the 1993/4 financial year on upgrading police cells.

The Deputy Commissioner of Police, Lieutenant-General Louw Malan, also said it was official policy that juveniles should "as far as possible not be held in police cells"

Major-General Mike Bester of

CF 25/1/93
253
police headquarters said 12 retired magistrates had made 565 nounced visits to cells last year.

General Malan said if juveniles had to be detained in police cells, they were not put together with adults.

The principle, however, was that they should not be held in police cells but rather in places of safety

Drunk arrest: Police query court decision

ROGER FRIEDMAN, Staff Reporter

THE police want to know a Ceres magistrate's reasons for finding that arresting a drunk person purely for "drying-out" purposes is unlawful.

A Prince Alfred Hamlet man, Mr Isak Mars, was awarded R5 000 in the Ceres Magistrate's court for unlawful arrest, assault and custody.

The magistrate, Mr J Redelinghuys, said it was established law that arrest was only for the purpose of bringing an accused to court, a spokesman for Mr Mars's attorneys said.

The reasoning behind this was no citizen or policeman could deem himself to fulfil the role of the courts.

The rule was there to protect innocent people who were arrested, Mr Redelinghuys said.

In Mr Mars's case the arrest was carried out with one purpose in mind, to dry him out and release him four hours later, the magistrate said.

He was arrested on June 4, 1991 outside a cafe in Prince Alfred Hamlet.

A policeman testified that the drying-out practice was common. He admitted force was used to arrest Mr Mars.

As the arrest was unlawful, the force used was too and constituted unlawful assault, Mr Redelinghuys said.

The court expressed the hope the practice of drying-out be given swift attention as there was no doubt it was unlawful.

Police spokesman Colonel Raymond Dowd said the police intended "asking reasons for the judgment".

It was not the policy of the police to arrest people solely for the purpose of drying them out.

"Arrests are affected for specific offences such as being drunk in public," Colonel Dowd said.

"It does, however, occur that not everybody who is arrested appears physically in court, but that specific charges are withdrawn by the public prosecutor, particularly in the case of first offenders."

Public drunkenness was one of the most common petty offences countrywide, Colonel Dowd said.

If someone was arrested and released four hours later, the charge sheet still went to the prosecutor's office who could decide to press charges.

A spokesman for the Department of Justice said he understood an appeal was possible and it was therefore inappropriate to comment.

AVASS STRAVE

253 CR 26/1/93

WONDER HORSE UPSETS MIEB BEMINGH

SAP Generals probe 'murder' of detainees

Own Correspondent
JOHANNESBURG — A former municipal policeman yesterday confessed to the murder and torture of several political detainees in police custody, and identified an alleged mass grave in Phokeng, near Rustenburg.

Late last night a large group of SA Police and journalists waited impatiently in a Roodit area of the Bophuthatswana bushveld for permission from the homeland authorities to exhume the bodies of up to 20 political activists allegedly tortured and murdered by South African policemen between 1985 and 1990.

Chief investigating officer Gen. Piet du Toit said Bophuthatswana police commissioner, a Major Gen. Seleke, had referred him to the homeland's President Lucas Mangope for permission.

10 to 20 bodies

But Chief Mangope would reportedly only be available late last night, and the SAP team was on stand-by to proceed throughout the night once they had managed to consult him.

Police spokesman Colonel Johan Mostert said the alleged grave site near Rustenburg could contain between 10 and 20 bodies.

The SAP yesterday appointed Generals Piet du Toit and "Krappees" Engelbrecht to investigate the allegations made by Johnny Mokaleng and published in the Sowetan. Mokaleng alleged that activist Mr. Stanza Bopape of Mamelodi, a detainee who went missing in 1988, was buried on the farm, where several

other detainees were allegedly assaulted and tortured in the same year. Mr. Bopape was detained on June 9 1988. Police said he escaped while in handcuffs and leg-irons on the night of June 11, but there was widespread speculation he was murdered.

Mokaleng yesterday confessed to several murders in an affidavit to a Rustenburg magistrate, and implicated several other policemen who had served at Welverdent police station. The police station has been closed and several policemen suspended following claims that it was a torture centre.

'We had suspicions'

Col. Mostert said Mokaleng, who confessed to burying activist alive, had been on duty at the time he claimed to have been involved in the murders. Mokaleng was "grasped by the hand" from the police last year. Police are on stand-by to use President F.W. de Klerk's helicopter and earthmovers to explore the site and exhume any bodies found.

The ANC yesterday demanded an immediate, independent commission to probe the case.

The organisation said details provided by Mokaleng indicated that there had been a systematic policy of torture, elimination of activists and mass burials in unmarked graves. "This infamous chapter in the history of repression must be thoroughly exposed, and all missing activists accounted for," the ANC said.

ANC MP Mr. Jan van Eck yesterday hailed the emergence of the "truth" and it seems that we now have the truth that he was murdered," said Mr. van Eck.

Police inquirers appointed — Page 2



Punters shy of Empress Club

Staff Reporter

THE betting is expected to open soon on what horse will run second in Saturday's J & B Met — punters clearly believe it's a one-filly race and are loath to bet against the "Galloping Goldmine" Empress Club.

Even 100-1 odds — for five runners — are failing to lure many punters. Betting was almost non-existent at Cape Tattersalls and elsewhere in the country yesterday.

In fact, outright betting on the R750 000 race has been so slow that bookmakers are considering opening betting on an absolute second place. This will mean that punters can place bets without backing Empress Club.

Flaming Rock remains steadfast as a 5-1 second favourite and should be priced-up favourite when absolute second place is available. Empress Club remained at 7-10 yesterday with several of the runners drifting even further out.

Our correspondent confirms from Durban that it is possibly the presence of Empress Club in the field that has made punters apprehensive about betting.

A spokesman for Natal Tattersalls said yesterday that the Argentinian-bred filly, winner of 13 of her 15 starts, had come down steadily in the betting over the past week from even money to 7-10.

The only other two runners quoted in single figures — former Rothmans July winners Flaming Rock and Spanish Galliard (8-1) — have not moved in the betting with virtually no money being laid on them.

Met week manure for Kenilworth — Page 5

Police inquirers appointed

PRETORIA. — Ten police reporting officers who will handle allegations of police misconduct have been appointed by Law and Order Minister Mr Hennis Kriel.

The police said in a statement yesterday that complaints of police misconduct would be referred to a police reporting officer for investigation

The Association of Law Societies and General Council of the Bar were requested to submit names to the Minister from which he would make appointments.

Officers named for the Cape were:

Western Cape: Mr Christoffel Pauw, a former prosecutor and

advocate with the office of the attorney-general, now in private practice.

Northern Cape: Mr Mark Fletcher, an attorney in private practice. CT 26/1/93

Eastern Cape: Mr Henning Liebenberg, an advocate. — Sapa

● See Page 4

153



Former municipal police constable Johnny Mokaleng watches as police dig up the back yard of the Welverdiend police station near Carletonville yesterday. However, there was no trace of the bodies of detainees that Mokaleng claimed had been buried there.

Picture: SUE KRAMER

Blom 27/1/93
17 people

'still missing'

RAY HARTLEY

THERE were at least 17 known cases of political campaigners disappearing under mysterious circumstances, the Human Rights Commission (HRC) said yesterday (253)

A full list of those who disappeared and the circumstances under which they went missing has been compiled by the organisation, following allegations that missing detainee Stanza Bopape had been buried on a farm near Rustenburg.

The HRC said Bopape's lawyers confirmed he was still being held under the Internal Security Act about five days after his alleged escape from custody.

The most recent "disappearance" from custody took place on June 22 1990 when George Gwala went missing after police claimed he had been left at a Durban taxi rank.

Bophuthatswana community leader Rev Frank Moema was allegedly abducted from his home on March 13 1990 by men in camouflage uniforms

Student campaigner Siphwe Mthimkulu went missing on April 14 1982, was suffering from thalium poisoning and could barely walk when he was abducted, the document said

ANC 'no' to Inkatha peace rallies proposal

Blom 27/1/93

THE ANC yesterday rejected an appeal by Inkatha leader Mangosuthu Buthelezi that the two organisations short-circuit preparatory talks in favour of high-profile peace rallies in conflict areas of Natal.

The ANC said in a statement it had no objection in principle to ANC president Nelson Mandela jointly addressing rallies with Buthelezi, but added that "such events should be part of a comprehensive approach currently under discussion".

Buthelezi said earlier he and Mandela urgently needed to address meetings jointly, which would result in a "massive movement for peace", instead of engaging in "posturing, skirmishing and manoeuvring for peace".

The ANC said discussions were aimed at "resolving differences and laying the basis for a successful meeting between the lead-

ership of both organisations ...

"The ANC and the IFP have, over recent weeks, held a series of bilateral meetings with one objective: to address, in a comprehensive manner, all issues relating to ongoing violence and ensure the creation of a climate for free political activity and tolerance," the ANC said

Delegations headed by ANC deputy secretary-general Jacob Zuma and Inkatha national chairman Frank Mdlalose had identified and discussed issues

"The ANC looks forward to further discussions with the IFP so all measures possible can be taken to address the violence and improve relations between the two organisations, both at leadership and membership level," it said in a statement

RAY HARTLEY

Three plead not guilty to 22 charges

THREE men claiming to be ANC members, who allegedly murdered two security guards and a traffic officer during two armed robberies in which they stole almost R1m, pleaded not guilty to 22 charges in the Rand Supreme Court yesterday.

Mnqanqeni Solomon Simphiwe, 33, Makhosi William Phuthumile, 28, both of Phola Park, Alberton, and Motaung Daniel Sihema, 35, of Katlehong pleaded not guilty to three counts of murder, six attempted murder charges, three counts of robbery with aggravating circumstances, house-breaking and nine counts of unlawful possession of a machine gun and ammunition

The three were allegedly part of a gang which stole R571 280 from Standard Bank's

SUSAN RUSSELL

Southdale branch on May 29.

They were also allegedly part of the same gang which killed two security guards and attempted to murder four others during an armed robbery at Corobrik near Nigel on November 25 1991

Security guards Daniel Johannes Jacobus Verster and Hermanus Stephanus Lombard were murdered by the gang after their Fidelity Guards van was ambushed. The gang escaped with R401 880.

It is alleged the three also shot dead traffic officer Jacobus van der Merwe after he stopped them for speeding on March 27 last year. The trial continues.

184 prisoners die (283)

CORRECTIONAL Services Minister Adriaan Vlok said in Parliament yesterday that 184 prisoners had died between July 1 1991 and June 30 1992. He said 18 unsentenced prisoners and 113 sentenced ones had died of natural causes. Vlok said 80 children under 15 were awaiting trial at the end of August last year. Another 851 children under 18 were also awaiting trial. The total of sentenced prisoners under 18 was 559.

6/10/92
28/1/93

Cell death ^{STAR} details ^{28/11/93} disclosed

A total of 184 prisoners died in South African jails between July 1 1991 and June 30 1992, Minister of Correctional Services Adriaan Vlok informed Parliament yesterday (253)

In a written reply to a question from Peter Soal (DP Johannesburg North), he said 18 unsentenced and 113 sentenced prisoners had died of natural causes.

In other deaths among sentenced prisoners, 27 were suicides; 10 were assaulted by fellow prisoners, three were shot by traffic police during an escape bid, six suffocated in a fire, one died of a head injury and the cause of one death was unknown.

Other causes in unsentenced prisoners were suicide (three), assault by prisoners (one) and gangrene from a gunshot wound (one).

In all, 107 522 were held — Sapa

184 jail deaths in a year

A TOTAL of 184 prisoners died, between July 1, 1991 and June 30, 1992, the Minister of Correctional Services, Mr Adriaan Vlok, said

In a written reply to a question from Mr Peter Soal (DP Johannesburg North), he said 18 unsentenced and 113 sentenced prisoners had died of natural causes

Among the other sentenced prisoners who died, 27 committed suicide

and 10 died after being assaulted by fellow prisoners

● A total of 80 children under the age of 15 were awaiting trial at the end of August last year, Mr Vlok said in reply to a question from Mr M Rajab (DP Springfield)

Another 851 children under 18 were also awaiting trial at that time

The total of sentenced prisoners under 18 was 559 — Sapa (253)

Community service jobs to be listed

Municipal Reporter **253**

A LIST of types of community service suitable for non-violent criminal offenders is to be drawn up by the city council and given to the Chief Magistrate.

MR 29/1/83
The council approved motions to be tabled at the Cape Province Municipal Association congress calling for support from local government for using prisoners found guilty of minor offenders to work on council projects and services

Mr Dick Friedlander said a co-ordinating action group, perhaps led by the Fairest Cape Association, was needed to generate funds for service projects for offenders and "street people"

Mr Gordon Oliver said the law already provided for community service by offenders

It was a simple matter for a probation officer to recommend to a magistrate that an offender be sentenced to community service, Mr Oliver said

Deciding who is eligible

DEFENDERS may be set on to correct supervision of their liberty on the following cases:

- A candidate for a full-time job
- A candidate for a part-time job
- An offender who is over 65 years of age
- Each case is referred to a selection committee for a decision
- A committee of three will be formed to select the candidates
- It found guilty of an offence
- For a report for supervision
- For a victim of a crime
- For a victim of a crime
- For a victim of a crime
- For a victim of a crime

Helping the community beats life behind bars

Cure for jailhouse blues

STAFF 30/11/93

253

PIETER Grobler is forbidden to frequent pubs or stray far from his home or workplace for the next three years.

He whistles away his weekends scrubbing the floors of a Pretoria hospital without pay — and counts himself lucky.

"It's a hell of a privilege," he says. The mild-

mannered music teacher served five years of a 10-year sentence for fraud at Pretoria Central before being placed under correctional supervision last year.

Now he lives with his wife and baby daughter in a cosy Sunnyside flat and runs a business from town. He is allowed visitors and gets to play the saxophone and piano.

"I'm a new man," he says. "I never appreciated

my freedom until I'd been locked up. In jail you are treated like a 10-year-old. The longer you stay there, the harder it is to adjust to normal life. It took me several months but I am so grateful to have been given a second chance.

"The best thing about correctional service is maintaining the bonds with my family. One of the worst aspects of jail was being without a woman.

CREATING expensive to maintain, correctional supervision — a sentence served within the community — is becoming a more widely used option. The aim is control and rehabilitation of offenders, known as probationers, within the normalising influences of society.

"Jail is not always the best place for minor offenders," says Lieutenant-Colonel Eliza Jones, Correctional

Services assistant director in Pretoria. "Hardened criminals and prison sub-cultures can have a very negative effect.

"Correctional supervision benefits the community and the probationer. The economic advantages are obvious and major social problems such as the break-up of family life and community prejudice towards ex-prisoners are eliminated.

"Probationers attend a six-month rehabilitation programme for their particular psychological problems and are visited at least once a week by probation officers."

ing white walls, and new guttering and window frames. The labour has not cost the school a cent.

Correctional service has also provided parts of Mahlaker (20) and Pret Ke-kana (22) are just two probationers assigned to clean up parks and public places.

Filtering a pair of earrings cost Mahlaker 48 hours of her time in community service. "I am happy to live with my parents and attend school during the week. I am busy with Standard 10 and want to pass. The police come and visit my home once a week. I don't mind. It's much better than going to jail."

Benefited


One man who benefited from the drug rehabilitation programme is Thuru Pillay (36), sentenced to two years' community service for being in possession of a Mandrax tablet.

"I popped huttons to help me sleep, but became addicted. Now, in a way, I'm grateful I was caught because the rehabilitation programme helped me kick the drug habit completely.

"Correctional service is a very fair system. I had a previous conviction for possessing dagga but I doubt that jail would have helped because drugs are easily available inside."

Pillay, who lives in Landum with his mother and brother, is a jack-of-all-trades. He earns an honest wage printing business cards some days and working in a bakery on others.

His weekend community service has entailed renovating a primary school. Pillay points out his handiwork with pride — gleaming



Toytractor's

FAMOUS WAREHOUSE

ONCE-A-YEAR

MASSIVE FURNITURE AND APPLIANCE STOCKS TO CLEAR

OPEN TODAY SATURDAY 7³⁰ AM TO 7³⁰ PM AND SUNDAY 9 AM TO 5 PM

1ST FLOOR 1ST FLOOR

Colonel Jones says correctional supervision (started in August 1991) has been implemented in 178 magisterial districts and has an 88 percent success rate.

Geneva-like peace role for Robben Island

DALE KNEEN

Weekend Argus Reporter

ROBBEN Island could become a centre for peace like Geneva

Cape Town's deputy mayor, Mr Clive Keegan, says a plan to convert buildings on the island into a centre — possibly called the Albert Lithuli Centre for the Study of Peace in Africa — had been favourably received by African leaders including former Zambian president Dr Kenneth Kaunda.

The centre could be used as a venue for meetings to resolve conflicts be-

tween African countries as well as for South African peace initiatives.

An educational institution, possibly the University of Cape Town's Centre for Intergroup Studies, could be housed on the island and used by academics from around the world who were interested in peace in Africa.

"Cape Town could become the Geneva of sub-Saharan Africa as well as the academic, cultural and diplomatic capital of this country," Mr Keegan added.

"The island is of historical significance as, since the time of the frontier wars, political leaders have been im-

prisoned there. Its history is therefore politically sensitive.

(253)
"It's also the home of several Muslim shrines as well as an area of ecological importance."

"The island is off the shores of the country's most liberal, democratic city Cape Town should not only be a port and tourist city, it should retain its status as the country's legislative and diplomatic capital."

ARG 30/1/93
Mr Keegan thought it would be inappropriate to use the island as a holiday resort, for a casino, for residential development or for a quarantine centre.

Jail terms to be enforced

THE government has bowed to public pressure over the early release of prisoners and says no more are to be released without completing their sentences.

However, some prisoners could serve part of their sentences under supervision outside jail, President F W de Klerk told Parliament yesterday.

The government was to release a white paper soon on sentencing.

"After thorough deliberation the cabinet has decided in principle to phase out the concept of prisoners' having their punishment reduced in the manner applicable to date," Mr De Klerk said.

"Depending on the nature and seriousness

of the crime, the need to protect the community, the question of deterrence and other such factors, the place where sentence is served may vary — for example from maximum security to in the community.

"No prisoner will be released unconditionally ahead of time."

A. 30/1/93

(253)

Top Soweto activist detained

JOHANNESBURG. — (253) Police yesterday confirmed the detention of prominent Soweto political and environmental activist Mr Japhta Lekgetho (253) on a murder charge, and once interrogation had been completed, police would decide whether to charge or release him, a spokesman said. Mr Lekgetho, president of the National Environmental Awareness Campaign, was active in the local civic association and his branch of the ANC — Sapa



KILLER COP'S MIGHTY GIFT OUT

c/p 2002
211193
253

**It's been
a VERY**

long time

for gran

By STAN MHLONGO

GRANNY Rehdice
Vokgothane could
possibly be the oldest per-
son in SA. She claims
to be 124 years old.
The old lady from
Exaton has outlived
three of her four chil-
dren, and is being cared
for by her baby, 72-
year-old Madeline.

This week she re-
counted some tense
moments during the
Anglo Boer War.

With my little
brother, Kageleng
strapped on my back, I
was forced to hide as a
horseman rode up to
our shack, she said.
A neighbour, Moko-
goro, saved Granny Re-
hdice from early death
by tracing the 0's.



By S'BU MNGADI

A KILLER cop - who was sentenced in Decem-
ber by the Maritzburg Supreme Court to 18
years for murder - was this week granted an
unprecedented "night out" with his fiance and

**Prisoner
freed
to spend
time with
fiance**

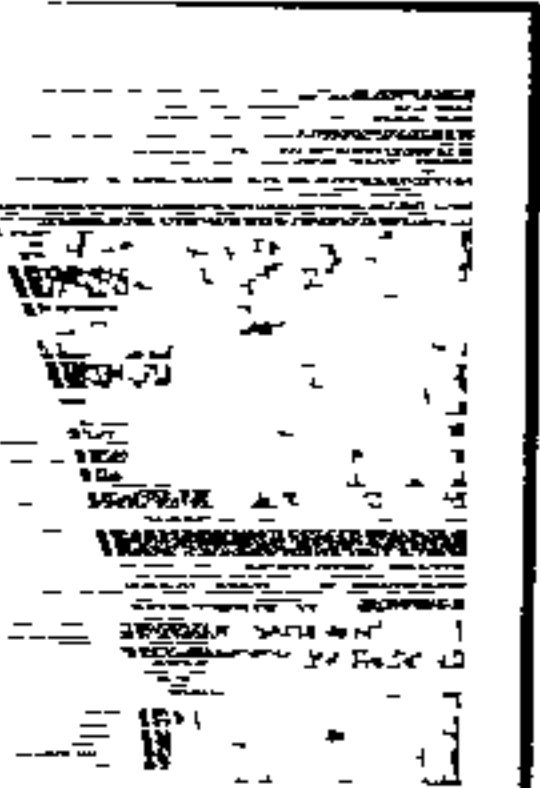
W/O Hendrik Steyn
- a former member of
the controversial Em-
pangem Murder and
Robbery Unit - became
a free man for a few
hours in blatant defiance
of prison regulations and
a hard-hitting judge-
ment that he should not
be allowed early release.

This week he was trans-
ferred from Maritzburg prison to stand trial in Empan-
gem in an unrelated case.

However, the killer-pol-
eman did not reach the
Empangem prison.
Instead members of the Empangem Murder and
Robbery Unit joined him and his fiance at their home-
for a braai.

The couple were allegedly left alone for two hours.
Satisfied the couple
had had enough time to
rekindle the flames of
love, the ex-colleagues es-
corted Steyn to the police
cells at 9 am.

A weekend newspaper
quotes police spokesman
Capt Bala Nandoo as say-



geni in an unrelated case

However, the salar-pol, eman did not reach the Empangeni prison

Instead members of the Empangeni Murder and Robbery Unit joined him and his fiance at their home for a braai

The couple were allegedly left alone for two hours

Satisfied the couple had had enough time to rekindle the flames of love, the ex-colleagues escorted Steyn to the police cells at 9 am

A weekend newspaper quotes police spokesman Capt Bala Naidoo as saying the police had heard of the incident and that an investigation was under way

Steyn was found guilty of shooting ANC members Michael Mthethwa and Simon Msweli while they were being transported to hospital from the scene of a shootout with security forces at KwaMthethwa near Empangeni on August 14 last year

Hideout

When passing sentence in December, Judge N Page criticised the system of allowing convicted criminals early release and said the legal system was being undermined

The judge also made hard-hitting comments against Steyn's colleagues in the Empangeni Murder and Robbery Unit who had tried to cover up for him

He said that at least two officers of the unit could be deemed accessories after the fact

During the sensational case the court heard that members of the unit visited a house which they believed was a hideout for "murder and robbery suspects" Msweli and Mthethwa

Following the shootout in which three policemen were killed, the two suspects were overpowered and arrested

Two SADF conscripts, Andrew Watson and Gavin Law, testified that Steyn had finished off the injured suspects on the way to hospital

DON'T MISS Reading Press and Learning Press THIS WEEK!

The mild cigarette that satisfies

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Police query cell death

Staff Reporter (53) was found hanging from a cell window by his shirt at 5 40am

POLICE are investigating an incident at the Vredenberg police station where a man was found hanging in a cell early on Saturday

A formal inquest is to be held into the death of Mr Jan Syster, of Louwville

A police spokeswoman said Mr Syster's body

He was arrested at 2 30am that day for obstructing police in the course of their duties

The spokesman said Mr Syster was fine during a routine visit at 5am, but 40 minutes later he was found hanging from the cell window

Arrested man dies in police cell (253)

A FORMAL inquest is to be held on a man who was found hanged in police cells in Vredenburg on the Cape west coast, early on Saturday.

Police spokeswoman Major Denise Brand said Mr Jan Syster (38) of Lowville in Vredenburg was found hanging by his shirt in the cell where he was being held for allegedly obstructing police in the course of their duty. Syster, who was arrested at 2am on Saturday, was found dead at 5.40am.

Sowetan 11/2/93

Star 2/21/92
**New jails planned in
(253)
fight against crime**

By Kaizer Nyatumba
Political Reporter

CAPE TOWN — The Government will build more prisons over the next five years as part of its all-out campaign to combat crime, Correctional Services Minister Adriaan Vlok said in Cape Town today.

Giving details of the plan announced by President de Klerk when he opened Parliament on Friday, Vlok said the Government wanted to optimise existing prison accommodation.

This was already being done by "double-bunking" — increasing the capacity of cells by using stack beds.

Vlok said the construction of more prisons over the next five years, through the use of cheaper and more cost-effective designs, would be done in spite of the eco-

nomie climate and the Government's desire to reduce State expenditure.

The former Law and Order Minister said the phasing out of the reduction of prisoners' sentences meant that in future no prisoners would be released unconditionally before they had served their full sentences.

Instead, prisoners would be released under supervision to achieve successful reintegration, protection of the community and rehabilitation.

Vlok said his department had reviewed the current release policy and had made proposals to the National Advisory Council on Correctional Services — chaired by Appellate Division judge Mr Justice M E Kumleben. The council had supported the proposals and endorsed their implementation.

Sowetan 2/2/93

253

Ten suspects still at large

TEN awaiting-trial prisoners who escaped from a Queenstown prison on Saturday night are still at large

The men broke through the roof of the prison shortly before midnight and are believed to have fled to the Transkei.

Queenstown police spokesman Major Dries van Rooyen said if it was confirmed that the men fled to Transkei the SAP would attempt to obtain the assistance of the Transkei police

Van Rooyen said the men, who faced charges of theft, robbery, rape and housebreaking, were not considered dangerous.

Mob kills alleged murderer

Moves to increase prison capacity, scrap remission

ARG 2/2/93 (25)

JOHN VILJOEN
Staff Reporter

DETAILS of moves to increase prison capacity, scrap sentence remission and make more use of correctional supervision and the improved parole system were announced today by Mr Adriaan Vlok, Minister of Correctional Services

Mr Vlok said no prisoner would get an early unconditional release in future and sentences would remain in force for their full duration

Criminals could expect no mercy and had to pay their debts to society in full

A White Paper dealing with the moves and other related matters would be tabled in parliament in due course

He said there were plans to build new prisons over the next five years and beyond. Re-use of vacated sites and buildings was also being considered

A programme to optimise prison accommodation by double-bunking should be completed over the next 18 months, Mr Vlok said

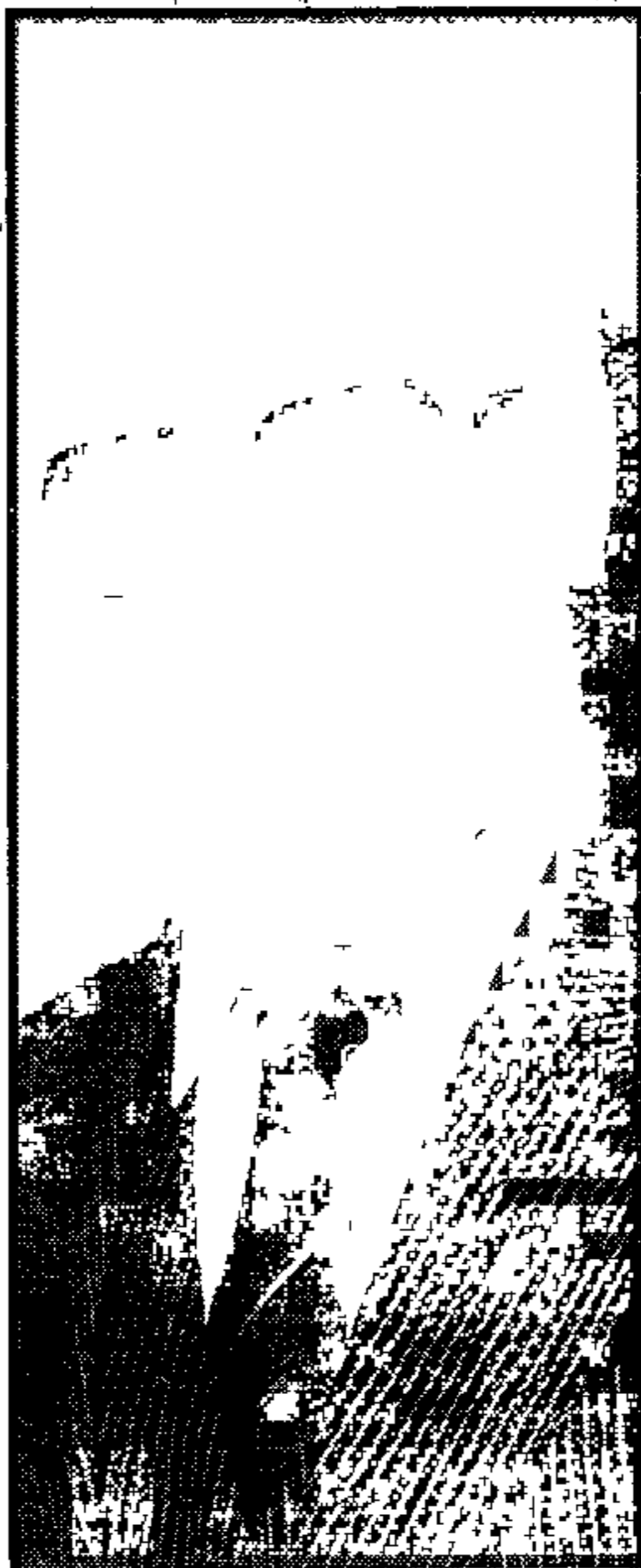
This meant a cell with 30 single beds would have stack beds sleeping 60, with due concern for ventilation and hygiene. Stack beds were being manufactured in prison workshops

Prisoners would have to serve their full sentences in various ways

Places where sentences were served could vary depending on the nature and seriousness of the crime, the need to protect the community, the question of deterrence, and other factors

Correctional supervision had a success rate of more than 90 per cent and was expected to have a significant effect on curbing the prison population

Prison accommodation was an



Mr Adriaan Vlok

expensive and scarce commodity and should be reserved for hardened and dangerous criminals

Offenders who could be dealt with just as effectively in the community should not be imprisoned, he said

More than 2 000 offenders were under correctional supervision and this option could be used much more

Over the past two years South Africa's parole system had been significantly improved and greater

use would be made of this option

The majority of offenders would in future return to society conditionally under restrictions including

- A period of house arrest,
- Restrictions to magisterial districts,
- Prohibition on association with undesirable people,
- Prohibition on visits to undesirable places,
- Rendering community service,
- Attending prescribed programmes,
- Regular contact with supervisory officials,
- Not changing jobs or addresses without approval

In certain cases prisoners would not be placed out without a period of day parole. This meant the prisoner would work outside prison by day, returning to his cell at night.

Extensive measures to increase the efficiency and capacity of the department were being considered

The interests of the community were best served by the phased and properly controlled reintegration of prisoners into society

This could be achieved only during a sentence as the department had no authority over an offender once a sentence expired

The department had made various proposals

These included

● Remission of sentence as it was applied until now is to be abolished, except in the case of prisoners who already had approved release dates

● Prisoners will serve the total sentence as imposed by the court in one form or another

● The total sentence will not necessarily be served in a prison

Star 3/2/93

Change in law may net Malaza

Own Correspondent

CAPE TOWN — Murderer and bank robber Lucky Malaza, mistakenly freed with political prisoners in September, could yet return to jail

In his opening address to Parliament on Friday, President de Klerk, referring to prisoner releases, said "Inasmuch as mistakes have been made, corrective measures are being taken"

Yesterday, Captain Bert Slabbert, spokesman for Minis-

ter of Correctional Services Adriaan Vlok, said the prisoners De Klerk was referring to were Lucky Malaza and former Kwa-Zulu policeman Khethani Shange, jailed for 27 years for murder and attempted murder but released in May after only nine months because of an "administrative computer error"

Slabbert said the corrective measure being taken was an amendment to the Prison Act of 1959, due to be passed this parliamentary session

"We realised there was a shortcoming in the Act only when Malaza was mistakenly released

"We will not simply be able to pick up a former prisoner and throw him back in jail"

Slabbert said he thought the legislation would be retrospective and "in the process we could bring Malaza back"

Malaza is due to appear in the Soweto Magistrate's Court on February 26 for alleged possession of stolen goods

Breakthrough in talks indicated

BILLY PADDOCK

THE ANC said yesterday it was in favour of the common proposals thrashed out with government earlier this year on constitutional principles. This points to a breakthrough in talks with government.

The common proposals on the constitutional principles bind an elected constitution-making body and an interim constitution.

ANC secretary-general Cyril Ramaphosa also spelt out yesterday the differences between his organisation and government on the two key stumbling blocks in their talks — power-sharing and regionalism.

Because both parties had shifted from their mandated positions the proposals had to be taken back to their principals.

In a statement released by Ramaphosa yesterday he indicated clearly that the ANC was happy with them.

He said the ANC had been meeting patriotic front members to report back on the extended bilateral meetings the organisation had with government between January 20 and 26.

"The proposals and the general approach emerging from the bilateral meetings are not in conflict with key policy positions of the ANC," he said.

However, he said the ANC remained opposed to a new constitution providing for an entrenched power-sharing model.

However, his organisation was happy with power-sharing in an interim constitution.

Transition plan set to be delayed

BIDM 3/2/93

~~MAX JOHNSON~~

BILLY PADDOCK

THE implementation of the first stage of interim government could be delayed and the transition schedule disrupted while political parties battled to agree on an interim constitution, negotiation sources said yesterday.

There are two major problems facing negotiators trying to keep the talks and agreement within the time frames announced by President F W de Klerk in November.

In terms of agreements reached at Codesa and other meetings the transitional executive council — the first stage of an interim government — cannot be finalised until agreement has been reached on an interim constitution.

This was mainly at the insistence of the ANC which sought to guard against government introducing the first stage of an interim government and then delaying the whole process.

Secondly, Inkatha is insisting the multiparty planning conference be a fullscale negotiations forum.

The ANC, government and Inkatha want the planning conference to take place by mid-February so a new multiparty forum could start constitutional negotiations by the beginning of March.

But according to a government source time was running out fast and

the planning conference would probably happen later, possibly only in March.

"At the moment negotiations on the transitional executive council have been put on the backburner while we try to get agreement on an interim government and other constitutional principles," a senior government negotiator said yesterday.

Government and the ANC will meet on Friday and Saturday to try to iron out differences on "constitutional and other issues" to advance the pace of bilateral talks, an ANC source confirmed yesterday.

And another joint ANC/government committee, trying to resolve problems of joint control and monitoring of the variety of armed formations and state security forces, will meet tomorrow.

According to the source, if the implementation of the transitional executive council and the establishment of an electoral commission could be brought forward "it would greatly facilitate agreements being reached on an interim government".

He acknowledged that government saw substantial problems with Inkatha's position of wanting to withdraw from the planning conference.

Vlok outlines new measures to keep offenders in jail

CAPE TOWN — Stacked prison bunk beds, correctional supervision and building more jail cells featured in a new government strategy to phase out early prisoner releases, Correctional Services Minister Adriaan Vlok said yesterday.

President F W de Klerk had emphasised that government would fight crime and violence with all

available means, and extensive measures were being considered to increase the department's efficiency and capacity, Vlok said.

The measures included abandoning remission of sentence, setting up an infrastructure for effective correctional supervision, increasing prison accommodation and creating a more comprehensive parole system.

SA's daily jail population was about 106 000, more than 2 000 offenders were under correctional supervision. It cost R42 a day to keep a person in prison, against R15 a day for correctional supervision.

Vlok said he had no plans to resign, after former Defence Minister Gen Magnus Malan's announced his intention to resign this week — Sapa

Health

- Government has five year prison plan

More prisons to fight rising crime

Sowetan 3/2/93

253

■ JAILHOUSE BLOCK Double-bunking, stack beds to make more room:

THE GOVERNMENT WILL build a number of new prisons over the next five years as part of its all-out campaign to combat crime, Correctional Services Minister Adriaan Vlok said in Cape Town yesterday

Giving details of the plan announced by State President FW de Klerk when he opened Parliament on Friday, Vlok — whom some political observers believe might follow Water Affairs and Forestry Minister General Magnus Malan's lead and resign from the Cabinet — said the

Government wanted to "optimise existing prison accommodation"

This, Vlok said, was already being done by "double-bunking", which would increase the capacity of cells by using stack beds

Vlok said the construction of more prisons over the next five years, through

the use of "cheaper and more cost-effective designs", would take place despite the economic climate

He said the phasing out of the reduction of prisoners' sentences meant that in future no prisoners would be released unconditionally before they had served their full sentences

Star 3/21/93
Prisoners set for hunger strike
(253)

By Montshiwa Moroke

Prisoners throughout the country have been urged to go on an indefinite hunger strike from tomorrow to back demands made to the Government by the SA Prisoners Organisation for Human Rights

Sapohr chief executive officer Golden Miles Bhudu said at a press conference in Johannesburg yesterday that this was expected to be the largest hunger strike in the country's prisons history. Leaflets had been distributed in prisons countrywide.

Demands included the

immediate dismissal of Correctional Services Minister Adriaan Vlok and Law and Order Minister Kriel, unconditional release of political prisoners, and the setting up of a multiparty commission of inquiry to investigate deaths and human rights abuses in prison and police custody.

Sapohr has invited 26 local and international bodies as well as labour and political organisations to an urgent meeting today to form an independent monitoring group to observe the hunger strike

A Sapohr statement said observers were nec-

essary to "ensure against intimidation and dirty tricks by prisons authorities who wish to undermine the prisoners' action"

Bhudu said prisoners' immediate families, relatives, ex-prisoners and human rights activists would join the strike at the Sapohr offices

He said human rights abuses "of the most inhuman kind" were perpetrated daily in Correctional Services institutions "We have a growing mountain of documented evidence of prison brutality, including savage assaults, often resulting in death of pris-

oners"

A Correctional Services spokesman said yesterday he was aware of the Sapohr demands

"The department has a proven record of a responsible management. The demands by Sapohr are not based on facts and are totally far-fetched. Consequently these demands are rejected," the spokesman said.

"The threat by the organisation to encourage prisoners to go on a national hunger strike and place their lives in danger is very irresponsible. We will do everything to make prisoners aware of the dangers."

Unlucky Malaza set to return to his jail cell

253
April 1983

Ex-policeman Shange will join him

ROGER FRIEDMAN
Staff Reporter

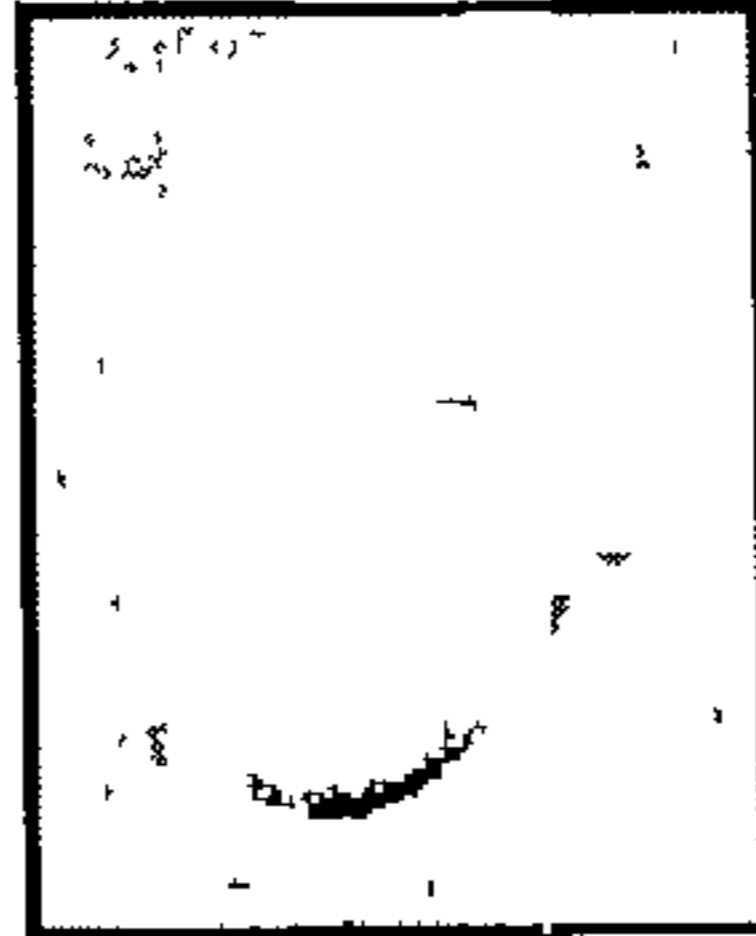
MURDERER and bank-robber Lucky Malaza, mistakenly freed with political prisoners in September, is set to return to jail

And former Kwazulu policeman, Khethani Shange, jailed for 27 years for murder and attempted murder but released through "an administrative computer error" after just nine months, is set to join him

A retrospective amendment to the Prison Act, allowing for the reincarceration of mistakenly released prisoners will go before parliament this session. It has been dubbed the "Malaza Act" by parliamentary insiders

Referring to prisoner releases in his opening address to parliament on Friday, President De Klerk, said "In as much as mistakes have been made, corrective measures are being taken"

Captain Bert Slabbert, spokesman for Minister of Cor-



Lucky Malaza ... freed by mistake.

rectional Services Mr Adriaan Vlok, said the mistakes Mr De Klerk was referring to were the releases of Malaza and Shange

At the time of Malaza's release — a severe embarrassment to the government — there were widespread calls for Mr Vlok's resignation

When offered a deal by Correctional Services to return to jail voluntarily, Malaza said he was prepared to go back if Shange was arrested

Captain Slabbert said the

corrective measure being taken was an amendment to the Prison Act of 1959

"The amendment will make provision for cases where prisoners were released incorrectly or on false facts to be reincarcerated," he said

Malaza allegedly claimed he was a politically motivated necklace murderer to secure his release last year

Later he admitted none of his crimes were politically motivated

"We realised there was a shortcoming in the Act only when Malaza was mistakenly released

"We will not simply be able to pick up a former prisoner and throw him back in jail. There will be checks and balances, no unilateral decisions," Captain Slabbert said

The court would probably be involved in the process, he said

● Malaza is due to appear in the Soweto Magistrate's Court for alleged possession of stolen goods on February 26

Maritzburg prisoners rebel

PRETORIA (S) Teargas
was used against seven
prisoners at Maritzburg
prison who blocked the
entrance to their cells
with their beds yester-
day morning, prison offi-
cials said.

More than 500 prison
inmates are on hunger
strike, and more than
150 warders went on
strike yesterday, de-
manding the resignation
of Minister of Correc-
tional Services, Mr.
Adriaan Vlok — Sapa

BIDAY 5/2/93

New policy welcomed

THE Association of Law Societies has welcomed government's announcement that it will abandon its policy of releasing prisoners early. Association president Mervin Smith said correctional supervision relied on a community free of unrest into which the prisoner could be reintegrated and his progress monitored.

(253)

north in brief

Warders protest

253

WARDERS at Maritzburg Prison yesterday launched a protest against their working conditions but the authorities have thus far been reluctant to give any details.

A prison spokesman, Major "Andy" Anderson, could not confirm or deny that some of the warders had gone on a go-slow strike

Trust is disbanded

255

THE South African Development Trust will cease its activities on March 31, it was reported yesterday.

Its phasing out is linked to the Government's policy of decentralising in favour of local development. The corporation was entrusted with the rural development of agriculture, minerals, industry and human resources in trust lands

Gqozo in hospital

257

CISKEI military ruler Brigadier Oupa Gqozo has been admitted to the City Park Hospital in Cape Town with "back problems"

Ciskei's Military Council said yesterday Gqozo was to have tests under the supervision of an orthopaedic specialist

Sowetan 5/2/93

Sowetan 5/2/93

Sowetan 5/2/93



Teargas fired as trouble flares in Maritzburg prison

The Argus Correspondent

PRETORIA. — More than 560 Maritzburg prison inmates are on hunger strike and 150 black warders have embarked on an illegal strike.

Prison officials said teargas was fired yesterday at seven prisoners who allegedly blocked their cell doors with beds.

The hunger strike, which today enters its second day, follows a call by the SA Prisoners' Organisation for Human Rights for an indefinite country-wide hunger strike to back its demands.

Correctional Services spokesman Warrant Officer Rudi Potgieter said reports that the strike had spread to Pretoria Central, Boksburg, Heidelberg and Klerksdorp prisons were untrue and unsubstantiated.

"All the prisons in the Pretoria area including the Baviaanspoort prison are quiet, with no prisoners embarking on a hunger strike or a single incident of warden brutality or intimidation being reported," he said.

Warrant Officer Rudi Potgieter, a correctional services spokesman, said no Western Cape prisons had been affected by the hunger strike.

NEWS Budget shock coming next month ● Jail inmates

Prisoners on hunger strike

Sowetan 5/2/93

By Josias Charle

HUNDREDS of prisoners countrywide yesterday began a hunger strike to drive several of their demands home, a spokesman for the South African Prisoners' Organisation for Human Rights said

Mr Golden Mule executive officer of the SAPOHR, said their demands had already been presented to the State President, FW de Klerk, Correctional Services Minister Adriaan Vlok and Law and Order Minister Hernus Kriel

In a statement the Department of Correctional Services in Pretoria said "there were indications that there are prisoners at a few prisons who are participating in the hunger strike but the

Prisoners demand the resignation of two cabinet ministers and an inquiry:

situation is calm and under control".

The statement also said there were efforts to incite prisoners to strike and to promote discord among themselves

"This is an extremely irresponsible action and the department rejects all efforts by external parties to stir up unrest which could lead to bloody uprisings"

The department warned firm action would be taken to maintain order and discipline "in the interest of security, if at all necessary".

According to Bhudu the prisoners' demands include the resignation of both Vlok and Kriel, immediate and unconditional release of political prisoners,

establishment of a national release committee which will recommend the release of common law prisoners, the Government must come out clearly on the question of "atrocities"; and the establishment of a multiparty commission of inquiry to probe deaths in detention and for the findings to be made public.

Bhudu also said their action was "catching ground"

He said reports were received countrywide that more prisoners were joining the hunger strike

He also claimed that the prison authorities were harassing and intimidating strikers in a bid to demoralise them. The authorities denied the allegation

253

Policemen may face charges after cell death

ARC 2/29/93

ROGER FRIEDMAN
Staff Reporter

TWO policemen may face criminal charges arising from the death in custody of a 63-year-old Lutzville man

Mr Frederick Cardinal died of abdominal injuries in a Lutzville police cell on November 24, 1991.

A spokesman for the attorney-general's office said statements implicating the policemen in Mr Cardinal's death had come to light this week. An inquest on Mr Cardinal was due to start in Vredendal on Monday.

Mr George Bizos, SC, who has represented the Mandelas and the families of Neil Aggett and Steve Biko, was to appear for the Cardinal family.

Mr Cardinal died a day after being arrested for resisting arrest and "helping a prisoner in an escape attempt".

Mr Cardinal's 16-year-old son was being arrested for alleged riotous behaviour when his father stepped in. At this point, police and eye-witness accounts differ.

Mrs Anna Cardinal said her husband merely inquired why his son was being arrested. "They told him to shut up and

forced him into a police van," Mrs Cardinal said.

Neighbours claimed Mr Cardinal and his son were dragged from their house, severely kicked and beaten by police and bundled into the van.

A police spokesman said Mr Cardinal tried to free his son, resisted arrest and in the ensuing scuffle assaulted a policeman.

The youth was charged with riotous behaviour, resisting arrest, assaulting a policeman and attempting to escape.

The spokesman for the attorney-general's office said the inquest had been called as there had been "no evidence linking Mr Cardinal's death to any assault". The office received statements "implicating certain people in the assault" only this week.

On the basis of the statements the inquest had been cancelled and "the decision has been taken to institute criminal proceedings".

The spokesman added "Two policemen may be prosecuted. A final decision will be taken next week." The office was awaiting the docket from Vredendal.

A police spokesman said she

was aware of the case but declined to comment "at this stage".

Dr Allan Boesak, Western Cape chairman of the African National Congress, expressed "extreme concern" about the way the investigation of Mr Cardinal's death was conducted.

"It is simply astonishing that, on the eve of an inquest, statements implicating policemen should suddenly come to light."

"We demand that this case now be dealt with as a matter of urgency and priority. This is only one of a number of scandals about the treatment of detainees in police cells."

"The number of deaths in police custody and the contemptuous way in which the resulting investigations were handled are on public record."

"The police have acted above the law for long enough. Mr Cardinal's family — and the public — have a right to know who killed him and in what circumstances," Dr Boesak said.

● The Cardinal family instituted a R118 000 civil claim for damages against Minister of Law and Order Mr Hernus Kriel last April, but the case has yet to come to court.

Star 5/21/93

Striking prison warders sacked

MARITZBURG — About 200 warders at the Maritzburg Prison were dismissed yesterday for their protest action in the unrest there, in which 564 prisoners are on a hunger strike.

The Department of Correctional Services confirmed the dismissals today.

Yesterday the department said everything in the prison was under control.

A spokesman said the warders had gone on an illegal strike in sympathy with a colleague who had been suspended.

"Members of the Department of Correctional Services, as a part of the security forces, perform essential services and are not allowed to strike," he said.

"This is in accordance with the conventions of the International Labour Organisation."

The department also confirmed teargas had to be used to move seven prisoners from their cell.

"This, however, had nothing to do with the hunger strike."

The spokesman said there were now 564 inmates of the Maritzburg Prison on hunger strike.

He said there had been attempts to promote discord in a number of prisons and to incite prisoners to join the strike.

"This is an extremely irresponsible action and the department rejects all efforts by external parties to stir up unrest, which is so often illustrated in overseas prisons and has led to bloody uprisings," he said.

The spokesman said the department was in full control at the Maritzburg Prison. "Personnel and prisoners are dealt with in accordance with standard disciplinary measures, with due cognisance of fair labour practices, and the interest of human life and property."

The hunger strike in an unknown number of prisons, which today enters its second day, follows a call on Wednesday by the SA Prisoners' Organisation for Human Rights (Sapohr) for an indefinite countrywide hunger strike to back its demands.

Besides the immediate dismissal of Correctional Services Minister Adriaan Vlok and Law and Order Minister Henus Kriel, the strikers demand the unconditional release of political prisoners and the setting up of a multiparty commission of inquiry to investigate deaths and abuses of human rights in prisons and in police custody.

The department could not confirm claims by Sapohr leader Golden Miles Bhudu that warders were assaulting, harassing or intimidating prisoners in some jails.

Bhudu said his organisation yesterday received reports of assaults and intimidation from prisons around the country.

The department accused Sapohr of "inciting the prisoner population to a hunger strike" and of "promoting discord among prisoners."

Meanwhile former prisoners and human rights activists yesterday supported the strikers by fasting at Sapohr's Johannesburg offices — Own Correspondent, Staff Reporter.

Police union in protest march

CT 6/2/92
Own Correspondent

MARITZBURG — Hundreds of Police Prisons and Civil Rights Union (Pop cru) members marched to the offices of the Department of Correctional Services here yesterday to demand the reinstatement of 175 prison wardens who were fired for protest action (23)

The Natal Midlands ANC said yesterday it "strongly condemned" the suspensions

Meanwhile, the situation in the prison was bordering on chaos as 564 prisoners continued their hunger strike.

Police claim ^(2S3) ANC hampering ^{Arg 6/2/93} cell death probe

Weekend Argus Reporter

POLICE have accused the African National Congress of seriously hampering their investigation into the death in custody of 63-year-old ANC member Mr Frederick Cardinal

He died of abdominal injuries at Lutzville police cell on November 24 1991, a day after being arrested for resisting arrest and allegedly "helping a prisoner try to escape"

He became involved when police arrested his 16-year-old son, allegedly for riotous behaviour

This week, a spokesman for the attorney-general's office said statements implicating two policemen had come to light

Mr Cardinal's inquest was due to start on Monday, but because of suspicions against the policemen, it had been cancelled

ANC Western Cape chairman Dr Allan Boesak said his organisation was concerned about the way Mr Cardinal's death had been investigated

"It is simply astonishing that, on the eve of an inquest, 15 months later, statements implicating policemen suddenly should come to light"

Deputy regional commissioner of police Major-General Nick Snyman said yesterday the investigation had been objective and investigators had been instructed to regard "even police as possible suspects"

Between November 1991 and January last year, "two insignificant and meaningless affidavits" were received

The attorney-general then called for an inquest

Major-General Snyman said "The police are amazed at Mr Boesak's 'extreme concern' as well as his 'astonishment' if it is taken into account the insignificant (two) affidavits and three statements (implicating police) handed to the attorney-general 15 months later are the calculated response of an attorney representing the family of the deceased ANC member

"This action, for which the SAP is not to blame, seriously hampered the investigation," he said

Warders ⁽²⁵³⁾ sacked ^{1976/2/93} for striking

PRETORIA. — The Department of Correctional Services had dismissed 101 striking prison warders in Maritzburg, the department said yesterday.

The department said in a statement that a small number of convicts were also on hunger strike at three other prisons — Leeuwkop, Klerksdorp and Groenpunt.

Referring to reports that the strike had spread to several other prisons, including Heidelberg, Boksburg, Pretoria and Krugersdorp, the department said the "situation is still insignificant".

Earlier reports said 564 prisoners at the Maritzburg jail had gone on a hunger strike — Sapa

C/Press 11/2/93
(253)

Prisoners on food strike

By JETHRO SEREISHO

THOUSANDS of prisoners across the country this week embarked on an indefinite hunger strike.

In addition, prisoners' families, ex-prisoners and human rights activists also embarked on a hunger strike in solidarity at the offices of SA Prisoners' Organisation for Human Rights (SAPOHR).

Golden Miles Bhudu, the chief executive officer of SAPOHR, announced this week that the action was a culmination of concerted efforts to pressure the government into releasing political prisoners.

"Despite consistent and repeated attempts to get President De Klerk and (Correctional Services Minister) AJ

Vlok to accede to our demands, abuses of the most inhuman kind are perpetrated daily in the so-called Correctional Services' institutions."

Bhudu said that until their demands were met, they would not abandon the hunger strike.

"We demand the establishment of a multi-party commission to investigate all deaths and abuses and to make their findings public. The immediate and unconditional release of all remaining political prisoners. That a committee be established to investigate individual prisoners' sentences, rehabilitation and releases.

"We also demand the immediate dismissal of Vlok and (Law and Order Minister) Kriel," said Bhudu.

Female prison warders strike

Sowetan 8/2/93

(253)

■ Prisons Department rejects allegation that action is spreading:

(S)

THE strike by black warders at the male section of the new Maritzburg prison has spread to the female section

A large number of female warders joined their colleagues on Saturday at a rally in the city and pledged solidarity

Most female warders did not report for duty on Saturday, reliable sources said

At the rally the strikers were addressed by African National Congress deputy president Mr Walter Sisulu, who said the ANC supported freedom of association.

The strike began last week over a dispute about the suspension of a unionised warder. The strikers are also protesting against alleged discriminatory practices by senior officials.

A spokesman for the Department of Correctional Services, Colonel Danie Immelman, rejected allegations that the strike had spread to female warders. He said no woman warder had indicated she would join the strike.

Immelman said 101 warders had been dismissed last week and no strikes had occurred at other prisons

● Thousands of prisoners across the country are on a hunger strike.

The SA Prisoners' Organisation for Human Rights said the action was the culmination of concerted efforts to pressure the Government into releasing political prisoners.



Pot s
guar



Star 8/2/93

Lawyers urged to help unclog prisons

By Jo-Anne Collinge

Mr Justice Johan Kriegler of the Transvaal Bench has condemned the "internecine war for turf" among lawyers and urged that they begin to till barren legal land, assisting the mass of undefended and untried people who clog the country's jails

During his keynote address to the annual meeting of Lawyers for Human Rights in Pretoria at the weekend, Kriegler argued the case for "barefoot lawyers", with "properly directed training" of 18 months or two years, to go into the criminal courts to advise unrepresented accused how to defend and test the cases against them

He observed that whatever a future Bill of Rights contained, there would still be 20 000 awaiting-trial prisoners in jail every day — people who had been convicted of no crime

In addition, 70 000 people were jailed every year without the benefit of legal representation.

"I refuse to accept that it is beyond the combined talents of the profession to deal with the problem of the daily prison population," the judge said

As a start, the legal profession could prepare and standardise curricula for "barefoot lawyers"

Worsened

Improved defence should go hand in hand with a renewed focus on prisoners' rights

Arguing that the outstanding role of lawyers was to defend the weak against the powerful, Mr Justice Kriegler contended there was no greater disparity of power than in jail. Therefore, lawyers should help ensure that the punishment of incarceration was not worsened by prison conditions

He was appalled to find no voice raised to query the "dou-

ble bunk" plan that Correctional Services Minister Adriaan Vlok had posed as a solution to the overcrowding in prisons

"Does this mean that he will double up on a single toilet for 30 prisoners and double up on a single shower for 30 prisoners?"

Former Zimbabwe Chief Justice Enoch Dumbutshena, in the second keynote address, said Zimbabwe had taken a chance after independence by appointing relatively inexperienced black advocates to the Bench in the interests of redressing past discrimination. Although some had proved unsuccessful, most had turned out to be excellent judges

But the real pay-off had been elsewhere, said the judge. Justice, he reckoned, was not something that resided in Bills of Rights and constitutional courts, it had to be felt in the heart of society.

"From our humble background we lifted the belief of our people in justice"

Wardresses join in jail strike — claim

2782/93 (253)
MARITZBURG. — The strike by warders at the male section of the new Maritzburg prison has apparently spread to the female section.

A large number of wardresses joined their male colleagues on Saturday at a rally in the city. Most wardresses did not report for duty on Saturday, reliable sources said.

However, Correctional Services spokesman Colonel Danie Immelman rejected allegations that the strike had spread to wardresses. He said no wardress had indicated she would join the strike, it was reported. He said no strikes had occurred at other prisons — Sapa

300 warders now on strike

Own Correspondent

9/2/93
MARITZBURG — More than 300 warders from the Maritzburg and Sevontein prisons are on strike or failed to turn up for work yesterday following the dismissal of 101 members last Thursday for embarking on protest action

Threats of intimidation continued after a Correctional Services staff bus was hijacked by three armed men on the way to Sevontein prison early yesterday and forced to return to town

Prisoners on hunger strike 'insignificant'

8/DA9 7/2/93 283
THE number of prisoners currently on hunger strike was insignificant in terms of the number of convicts held countrywide, Correctional Services said yesterday.

However, the SA Prisoners' Organisation for Human Rights, which called the hunger strike in protest against prison conditions, claimed the protest action was spreading.

Correctional Services public relations director Brig Chris Olckers said protest action was taking place at Leeuwkop, Groenpunt, Klerksdorp, Potchefstroom and Maritzburg prisons.

He said during the weekend all those refusing food at Maritzburg had resumed eating.

"This morning only an insignificant number of prisoners refused to take breakfast," he said.

The Prisoners' Organisation said

STEPHANE BOTHMA

the hunger strike had spread to Pretoria, Boksburg, Heidelberg and Pollsmoor prisons, but this could not be confirmed or denied by Correctional Services.

The protest action was called for by the organisation last Thursday to back up demands for a multiparty commission of inquiry into deaths and abuses in prisons and police custody and for the immediate release of all remaining political prisoners.

They also asked for the formation of a national release forum to investigate individual prisoners' sentences, rehabilitation and release.

A warder strike at Maritzburg prison had continued when 201 members failed to turn up for work yesterday morning, Olckers said.

Last week, 101 warders were dismissed from the prison after embarking on illegal strike action, apparently instigated following the suspension of a member of staff, he said.

"At this stage, no other reports regarding strike action have been received from prisons throughout the country," Olckers said.

He said several reports of severe harassment had been received and it was impossible to ascertain how many members had joined the strike action because of intimidation.

On Friday, Sgt T A Dladla was shot dead at his home and yesterday morning a bus carrying more than 40 staff members from Imbali to Seventein prison was hijacked.

"The situation at the prison was, however, normal as other department members have been sent to assist," he said.

Star 9/2/93 (253)

Convicts continue hunger strike

MARITZBURG — Prison officials insist the number of convicts on hunger strike is insignificant, but the SA Prisoners' Organisation for Human Rights (SAPOHR) claims the protest action is spreading.

The Department of Correctional Affairs said yesterday prisoners were on hunger strike at the Leeuwkop, Groenpunt, Klerksdorp, Potchefstroom and Maritzburg prisons.

The department's public relations director, Brigadier Chris Olckers, said however that during the weekend all those refusing food at the Maritzburg Prison had resumed eating.

Yesterday only an insignificant number of prisoners had

refused to take breakfast, Olckers said.

SAPOHR information officer Marc Newhouse claimed the hunger strike had spread to Pretoria, Boksburg, Heidelberg and Pollsmoor prisons.

The protest action was called by SAPOHR last week to back demands for a commission of inquiry into deaths and abuses in prisons and police custody, the immediate and unconditional release of political prisoners, and the formation of a release forum to investigate individual prisoners' sentences, rehabilitation and release.

Correctional Services commissioner Lieutenant-General Willie Willemse said he was

concerned at the high levels of intimidation, and expressed his gratitude to those who continued to perform their duties.

He was apparently referring to a strike by prison warders which began at the Maritzburg Prison on Thursday over a colleague's dismissal.

Last week 101 warders were fired as a result of the strike.

The warders' strike yesterday apparently spread to the Sevontein Prison in the Elandskop area when more than 200 staff failed to turn up for work, the department said. No further details were available.

A prisons staff bus was briefly hijacked in Maritzburg yesterday morning. — Sapa

ET 10/2/93 (253)

Prisons call in reserves

Own Correspondent

DURBAN — Reinforcements were sent in as almost 500 warders at the New Maritzburg and Sevontein prisons continued their strike

The strike, by members of the Police and Prisons Civil Rights Union, which enters its seventh day today, follows the suspension of Popcru national assistant general secretary Mr Zwi Mdletshe and the dismissal of more

than 100 union members who had protested against his suspension

A Popcru spokesman said 487 warders at the two prisons were supporting the strike

He described as "absolute nonsense" reports of intimidation of non-striking warders.

A Correctional Services spokesman confirmed that warders had been brought in from other prisons and said the situation was under control

Hunger strikes 'insignificant'

Sowetan 10/2/93

253

■ **POLITICAL OFFENDERS** Demand made for their release and resignation of Vlok and Kriel:

By Josias Charle and
Russel Molefe

THE NATIONAL HUNGER STRIKE IN PRISONS appears to have fizzled out as only three institutions are presently affected by the action

Director of public relations in the Department of Correctional Services Brigadier Chris Olckers said prisons affected were Leeuwkop in Johannesburg, Greenpoint near Vereeniging and the Klerksdorp Prison

He said the number of hunger strikers was "insignificant" in relation to the total prison population

Inmates in most prisons embarked on a hunger strike last week to press home several demands, among them the resignation of Correctional Services Minister Adriaan Vlok and Minister of Law and Order Hernus Kriel

Other demands include the release of all political prisoners and the investigation of alleged atrocities in prisons

Olckers confirmed that 101 prison warders at

the Maritzburg Prison were dismissed last Friday while 201 failed to report for duty this week

He said the reason for the "stay-away" by the warders was not clear

A spokesman for the South African Prisoners' Organisation for Human Rights, Mr Miles Bhudu, said his organisation found it hard to receive information from strikers as the Correctional Services Department had blacked-out all outgoing telephone calls

"Our people involved in the strike are unable to call us as they have been denied telephone facilities, although this is a privilege extended to some classes of prisoners," he said

Meanwhile, police and the Police, Prisons Civil Rights Union yesterday threatened to embark on a general strike to demand the reinstatement of more than 400 warders dismissed at the Maritzburg and Sesfontein prisons last week

The warders were fired after they besieged the office of the commanding officer in Maritzburg, a Colonel de Klerk, demanding the reinstatement of the suspended Popcru deputy general secretary, Mr Zwi Mdletshe

REPUBLIC
OF
SOUTH AFRICAREPUBLIEK
VAN
SUID-AFRIKA

Government Gazette

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PRETORIA, 1 FEBRUARY
FEBRUARIE 1993

No. 14563

PROCLAMATIONS

by the
State President
of the Republic of South Africa

No. R. 3, 1993

INTERCEPTION AND MONITORING
 PROHIBITION ACT, 1992

COMMENCEMENT

Under section 10 of the Interception and Monitoring Prohibition Act, 1992 (Act No 127 of 1992), I hereby fix **1 February 1993** as the date on which the said Act shall come into operation

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twenty-ninth day of January, One thousand Nine hundred and Ninety-three

F. W. DE KLERK,

State President

By Order of the State President-in-Cabinet

H. J. COETSEE,

Minister of the Cabinet

No. R. 4, 1993

CORRECTIONAL SERVICES AND SUPERVISION
 MATTERS AMENDMENT ACT, 1991 (ACT No 122
 OF 1991)

Under section 50 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), I hereby fix **1 February 1993** as the date on which—

(a) sections 39 and 44 of the said Act (hereinafter referred to as the Amendment Act) shall come into operation in respect of the areas of all the magisterial districts in respect of which the said sections 39 and 44 have not by Proclamations Nos 78 of 1991 or R 20 of 1992 been so put into operation,

88274—A

PROKLAMASIES

van die
Staatspresident
van die Republiek van Suid-Afrika

No. R. 3, 1993

WET OP DIE VERBOD OP ONDERSKEPPING
 EN MEELUISTERING, 1992

INWERKINGTREDING

Kragtens artikel 10 van die Wet op die Verbod op Onderskepping en Meeluistering, 1992 (Wet No 127 van 1992), bepaal ek hierby **1 Februarie 1993** as die datum waarop genoemde Wet in werking tree

Gegee onder my Hand en die Seel van die Republiek van Suid-Afrika te Kaapstad, op hede die Negeen-twintigste dag van Januarie Eenduisend Negehonderd Drie-en-negentig

F. W. DE KLERK,

Staatspresident

Op las van die Staatspresident-in-Kabinet

H. J. COETSEE,

Minister van die Kabinet

No. R. 4, 1993

WYSIGINGSWET OP AANGELEENTHEDE RAKEN-
 DE KORREKTIEWE DIENSTE EN TOESIG, 1991
 (WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), bepaal ek hierby **1 Februarie 1993** as die datum waarop—

(a) artikels 39 en 44 van genoemde Wet (hieronder die Wysigingswet genoem) in werking tree ten opsigte van die gebiede van al die landdrostdistrikte ten opsigte waarvan genoemde artikels 39 en 44 nie by Proklamasies Nos 78 van 1991 of R 20 van 1992 aldus in werking gestel is nie,

PTO 14563—1

(b) (i) sections 38, 41 (b), 45 and 47 of the Amendment Act, 253

(ii) section 41 (a) of the Amendment Act, in so far as it adds paragraph (h) to section 276 (1) of the Criminal Procedure Act, 1977 (Act No 51 of 1977), and

(iii) section 42 of the Amendment Act, in so far as it inserts section 276A (1) in the Criminal Procedure Act, 1977,

shall come into operation in respect of the areas of the Magisterial Districts of Amersfoort, Barkly East, Bethulie, Britstown, Carnarvon, Colesberg, De Aar, Delareyville, Elliot, Fauresmith, Hanover, Hopetown, Indwe, Kenhardt, Koffiefontein, Kuruman, Maclear, Phalaborwa, Philipstown, Postmasburg, Prieska, Prince Albert, Randfontein, Richmond (C), Trompsburg, Victoria West, Vryburg, Westonaria and Wodehouse; and

(c) section 41 (a) of the Amendment Act, in so far as it adds paragraph (i) to section 276 (1) of the Criminal Procedure Act, 1977, shall come into operation in respect of the areas of the Magisterial Districts of Balfour, Ixopo, Joubertina, Mount Currie, Piet Retief, Richmond (N), Wakkerstroom and Willowmore.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twenty-ninth day of January, One thousand Nine hundred and Ninety-three.

F. W. DE KLERK,
State President.

By Order of the State President-in-Cabinet:

H. J. COETSEE,
Minister of the Cabinet

(b) (i) artikels 38, 41 (b), 45 en 47 van die Wysigingswet,

(ii) artikel 41 (a) van die Wysigingswet, in soverre dit paragraaf (h) by artikel 276 (1) van die Strafproseswet, 1977 (Wet No 51 van 1977), voeg, en

(iii) artikel 42 van die Wysigingswet, in soverre dit artikel 276A (1) in die Strafproseswet, 1977, invoeg,

in werking tree ten opsigte van die gebiede van die landdrostdistrikte Amersfoort, Barkly-Oos, Bethulie, Britstown, Carnarvon, Colesberg, De Aar, Delareyville, Elliot, Fauresmith, Hanover, Hopetown, Indwe, Kenhardt, Koffiefontein, Kuruman, Maclear, Phalaborwa, Philipstown, Postmasburg, Prieska, Prins Albert, Randfontein, Richmond (K), Trompsburg, Victoria-Wes, Vryburg, Westonaria en Wodehouse, en

(c) artikel 41 (a) van die Wysigingswet, in soverre dit paragraaf (i) by artikel 276 (1) van die Strafproseswet, 1977, voeg, in werking tree ten opsigte van die gebiede van die landdrostdistrikte Balfour, Ixopo, Joubertina, Mount Currie, Piet Retief, Richmond (N), Wakkerstroom en Willowmore

Gegee onder my Hand en die Seel van die Republiek van Suid-Afrika te Kaapstad, op hede die Nege-en-twintigste dag van Januarie Eenduisend Negehonderd Drie-en-negentig.

F. W. DE KLERK,
Staatspresident.

Op las van die Staatspresident-in-Kabinet.

H. J. COETSEE,
Minister van die Kabinet

CONTENTS				INHOUD			
No		Page No	Gazette No	No		Bladsy No	Koerant No
PROCLAMATIONS				PROKLAMASIES			
R 3	Interception and Monitoring Prohibition Act (127/1992) Commencement	1	14563	R 3	Wet op die Verbod op Onderskepping en Meeluistering (127/1992) Inwerkingtreding	1	14563
R 4	Correctional Services and Supervision Matters Amendment Act (122/1991) Commencement	1	14563	R 4	Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig (122/1991) Inwerkingtreding	1	14563

Star 10/2/93
**Prison strike
(253)
may spread**

DURBAN — The strike by prison warders in Maritzburg seemed to be gaining momentum yesterday.

The leaders of the strike are making plans to persuade sympathisers in other services to join their protest.

They said they were heading talks with groups of sympathisers in an effort to broaden the impact of their action.

“Don't even rule out the possibility of a general stayaway,” said Zw. Mdletshe, national assistant secretary general of the Police, Prisons and Civil Rights Union.
Own Correspondent

Prison warders to continue strike

Own Correspondent

DURBAN — Striking prison warders from the Maritzburg and Sevonteen prisons have threatened to continue to strike and embark on a national mass action stayaway campaign unless their demands were met.

13
10/11/92
This was said by Police and Prisons Civil Rights Union (Popcu) national assistant general-secretary Mr Zwi Mdletshe

151 prisoners on hunger strike

Star 11/2/93

(253)

By Philip Zoio

A total of 151 prisoners were on hunger strike by yesterday in support of a list of demands made to the Government by the South African Prisoners Organisation for Human Rights.

The Correctional Services Department said 35 prisoners at Leeuwkop Prison, north of Johannesburg, 114 from Groenpunt Prison in Sasolburg and two from Modderbee Prison on the East Rand had begun fasting since the SAPOHR called the strike on February 4.

"The claim, therefore, that a comprehensive hunger strike is taking place is false and absolutely misleading," the department said in a statement.

Sapa reports that the department yesterday also denied reports that more than 500 warders had joined in the prisons strike, saying that in fact 256 warders had not turned up for work because of intimidation.

The SAPOHR demands include a multiparty commission of inquiry to investigate

deaths in prisons and detention, the immediate release of political prisoners, the establishment of an independent release forum committee, and the dismissal of Correctional Services Minister Adriaan Vlok and Law and Order Minister Hernus Kriel.

The Department of Correctional Services has rejected the demands as "not based on fact and totally far-fetched".

SAPOHR chief executive Golden Miles Bhudu said the number of hunger strikers was small because the organisation was having problems communicating with prisoners.

But the campaign was growing as news of the call gradually spread, he said.

He said eight SAPOHR officials, including himself, were also fasting at the organisation's Johannesburg offices.

● SAPOHR plans to picket in front of Parliament next week to demand the establishment of a multiparty commission of inquiry into the prison system.

Warders ask to see Vlok

DURBAN — The Police and Prisons Civil Rights Union (Popcru) have asked for an urgent meeting with Correctional Services Minister Mr Adriaan Vlok to resolve the on-going prison warders' strike in Maritzburg as the protest action threatens to spread to other prisons.

A Correctional Services spokesman yesterday said Popcru's request was being considered (253)

CT 13/2/93



SA Prisoners' Organisation for Human Rights officials Johannes Mampuru; Mark Cox and Amos Zitha at yesterday's news briefing in Johannesburg where they claimed about 2 000 prisoners were on hunger strike. Correctional Services denied the claim. (Picture SUE KRAMER)

Reports of prison strike 'exaggerated'

RAY HARTLEY (253)
THE Correctional Services department yesterday dismissed reports that 2 000 prisoners and 500 warders were involved in protest action at nine prisons.

A department spokesman said 151 prisoners from three prisons were involved in the hunger strike, while 256 prison warders from the Maritzburg and Se-vontein prisons in Natal had stayed away from work because of intimidation.

Sixty-two were unable to get to work because their bus was hijacked.

The department confirmed that 101 warders had been fired for taking part in "an illegal strike" apparently sparked by a warder's suspension on Friday.

SA Prisoners' Organisation for Human Rights CEO Golden Miles Bhudu said yesterday that he and two other executive members of his organisation were in their seventh day of fasting in solidarity with the prisoners. He was prepared to starve to death to get five basic demands met. These included a multiparty inquiry into deaths in custody, release of remaining political prisoners, and dismissal of Correctional Services Minister Adriaan Vlok and Law and Order Minister Hernus Kriel.

Sapa reports that police have offered a R2 000 award for information leading to the arrest of the killers of a Maritzburg warder on Friday night.

'Eight in room beats eight on pavement'

Star 13/2/93

(235)

SOUTH Africa's bubbling population pressure cooker has reached boiling point and is steadily spilling into central Johannesburg

The suburb of Bertrams is one of the children of the population explosion, a place where homes are literally bursting at the seams — and occupants overflow on to the pavements.

Chickens cluck in kitchens — conveniently close to the cooking pot — but there is no electricity Or money Or jobs And nowhere else to go

Unscrupulous landlords could find themselves in hot water for breaking every by-law in Johannesburg it is an offence to

- Allow people to cook in a room used for sleeping
- Allow a staircase, cupboard, shed, pantry, outbuilding or cellar to be used for sleeping
- Allow people to sleep in a room where there is less than 3,7 sq m of floor space for each person

WITH some suburbs already bursting with the jobless and homeless, shacks in central Jo'burg are a possibility, hears CAROLINE HURRY.

older than 10

● Allow their premises to reach an unhygienic state

But, while landlords rake in exorbitant rents for premises which have long since become slums, sentences are so lenient they are no deterrent

According to housing officials, most magistrates feel eight people sleeping in one room is less of a health hazard than eight people on the pavement "Offenders invariably get away with a small fine or suspended sentence," says a spokesman for the Johannesburg City Council's Department of Health, Housing and Urbanisation Something has to be done, but nobody, it seems, is prepared to

pick up the tab

While Actstop blames the Johannesburg City Council for the crisis, it in turn blames central Government And with no less than 15 housing departments in South Africa, all merrily passing the buck in an incestuous circle, a solution seems remote

In the meantime, people are packing into pantries and cramming themselves into cubicles as their dreams of making it in the Golden City turn to nightmares Many are from rural areas as far afield as Natal

"If this downward spiral continues, we'll soon be seeing shacks in the middle of Johannesburg," says Cas Coovadia, publicity secretary for Actstop "The situation in Bertrams is just a microcosm of the broader spectrum

"We try and help individuals who approach us with their problems We can fight the landlords but the problem will never be solved until the Johannesburg City Council's Department of Health, Housing and Urbanisation makes low-income housing a pri-

ority At the very least, they should be providing long-term low-interest loans to the poor to enable them to buy houses."

Just getting through to a spokesman for the council is no mean feat To while away the time while being shunted from pillar to post, a recorded voice informs callers that the music fountain at Wemmer Pan is working and season tickets for Johannesburg buses are available All very well, but not a word of advice on how to find a house

"That's the central Government's responsibility," says Professor Nick Padayachee, the executive director of Health, Housing and Urbanisation

No policy

"Our job is merely to act as agents to administer Government funds The Government admits to a figure of 1,2 million family units waiting for accommodation The State should be building low-income housing units, especially in the city centres, but they have no clear-cut policy

"We merely apply the by-laws, but they are ineffectual because clamping down on landlords merely means more people out on the streets"

It's a choice between a rock and a paving stone Padayachee says part of the solution lies in a single housing department — not the current 15 — under a government of national unity



GOING CHEEP A fireplace doubles as a makeshift chicken coop in this overcrowded Bertrams, Johannesburg, house Unperturbed, Nancy Sibya and Gladys Sithole enjoy a cup of tea ● Photographs STEVE HILTON-BARBER



RENT A TENT Sarah Nabodiba pays R180 a month for about 3 sq m of floor space closed off by a curtain She is but one of hundreds of people, mostly from rural areas, trekking to the city in the hope of finding work

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Death jacket: Still no action

253

South 13/2 - 17/2/93

By Donald Zake

ALTOGETHER three-and-a-half years after the strait-jacket death of 20-year-old Pollsmoor prisoner Carol Meyers, no action has yet been taken against the prison staff involved in her death

On June 29, 1989, Meyers was put in the jacket after threatening to commit suicide

She spent 23 hours in it, screaming in agony, and was released only to die shortly afterwards of crush injuries in Groote Schuur Hospital

Last month, Wynberg magistrate Mr N Jones handed down a 40-page inquest finding in which he accused prison staff of seriously neglecting their duty, saying they were guilty of "irresponsible and inhuman" conduct.

But Captain Bert Slabbert, a spokesman for the Department of Correctional Services, said this week the findings were submitted to the attorney-general for a decision and that "any steps against any member by the department would have to wait until the decision of the attorney-general is known".

He confirmed that straitjackets were still in use in South African prisons but said no strait-jacket had been used in the Pollsmoor female prison since Meyers' death

The Meyers case was only

referred to an inquest court after a two-year legal battle by Carol's mother, Mrs Josephine Meyers.

In his finding, Jones found that the head of the women's section at the time Meyers died, Captain Susanna Muller, had not complied with prison regulations when she ordered that Meyer be put in the strait-jacket after the young woman was overheard discussing suicide.

Some of her orders had been so "clearly illegal" that the wardresses under her command had the right to refuse to obey them.

"Had Captain Muller acted properly, the deceased would not have landed in the strait-jacket. Firstly, because it was not necessary and, secondly, because there was not a strait-jacket of her size available."

Jones said prison medical officer Lieutenant Ingrid Oerson had violated six guidelines or standing orders in dealing with Meyers. Oerson should have loosened the straitjacket to check Meyers' circulation, but did not because "she regarded the strait-jacket as punishment. She was not prepared to interfere with it

"She could at least have taken the pulse of the deceased. She did not even consider this. The few visits she made to the deceased were inefficient"

When Meyers was released from the device, Oerson did not notice that she was bleeding

from the vagina.

"This sums up the quality of Oerson's care in this case."

And in discussing the conduct of other prison staff, he noted five instances where they had not observed regulations, including one when they did not let her out of the jacket to wash or use a toilet.

"The court does not have any hesitation under these circumstances in finding that Correctional Services acted negligently," said Jones.

"It is obvious that they (wardresses) are guilty of serious dereliction of duty by largely ignoring the complaints of the deceased . . . Not one of them really cared about her."

Jones said he had "not the slightest doubt" that Meyers would have survived had the prison staff not been negligent.

"Their not allowing the deceased any exercise or toilet facilities was irresponsible and inhuman."

According to Slabbert, Muller, now a major, has been working at Correctional Services headquarters in Pretoria in an administrative job since March 1990. Oerson, now a captain, is still working in the medical section of Pollsmoor

Cape attorney-general Mr Frank Kahn confirmed this week that the inquest finding was in his office and "under consideration".

What of justice or legal help - legal resources which, lends instead of only ar- backed the proposed
paugn informing people of resenatation needs revision, driving force behind the voice changes However, the

Test case opens door on police torture

By CARMEL RICKARD

A TEST case earmarked for the country's highest court could end police protection against surprise raids on police premises to search for instruments of torture.

Due to be heard first in the Maritzburg Supreme Court, the case concerns a 17-year-old detainee who alleges police took him to an empty farmhouse outside Estcourt used as a temporary SAP camp, where they tortured him with electric shocks. He wants court authorisation to

search the premises for the machinery and instruments used in the alleged assault — without first informing the police.

Lawyers acting for the detainee, Thulane Shoba, asked the court to order that Mr Shoba be temporarily released from prison into the custody of the deputy sheriff so he could show the way to the farm and lead the search for the instruments he claimed were used to assault him. Normally, anyone bringing an action against the state or a state

official must give advance notice but, on at least five occasions in the last few years, the courts have agreed to allow unheralded searches to look for instruments allegedly used by police for torture.

In four of these cases, torture equipment was found. So far, however, the highest court, the Appellate Division, has not decided whether the courts are allowed to permit these surprise raids. Two years ago, it turned down an application to carry out

such a search. However, Chief Justice Corbett said he could not rule out the possibility of authorising a search in another "appropriate" case, when both sides could argue the issue.

The Shoba case is expected to give the Appellate Division the chance to consider the matter thoroughly, sacrificing the element of surprise. Mr Shoba's lawyers have decided to ask in open court for the search order so that full argument could be heard on the principle.

1 0 f e y s s r s o f t of s,



Department/Organizational components	Net increase (+)/Decrease (-) 1 1 92 to 30 11 92
Transport	+786
Water Affairs and Forestry	+1 255
Provincial Administration of the Cape of Good Hope	-3 793
Provincial Administration of Natal	+2 498
Provincial Administration of the Orange Free State	+2 332
Provincial Administration of the Transvaal	+1 011
TOTAL	-2 946

Notes 1 Statutes are at this stage only available for the period 1 January 1992 to 30 November 1992. The information as indicated, reflects the net result of the total posts created or abolished in civil departments during the above-mentioned period. Information in respect of services departments is not readily available.

2 The net decrease in posts amounts to 0,53%

3 In certain cases the decrease/increase of posts reflects the transfer of a function from one institution to another

How many (a) sentenced and (b) unsentenced (i) White, (ii) Coloured, (iii) Black and (iv) Asian persons were held in each of the prisons in the Port Elizabeth/Uitenhage/Despatch metropolitan area as at 31 December 1992?

THE MINISTER OF CORRECTIONAL SERVICES

(a) and (b) (i) (ii) (iii) and (iv)

Port Elizabeth male prison	White	Coloured	Black	Asian
Sentenced	65	162	263	1
Unsentenced	6	18	11	—

Port Elizabeth female prison

White	Coloured	Black	Asian	
Sentenced	3	13	49	—
Unsentenced	—	12	25	—

St Albans maximum prison

White	Coloured	Black	Asian	
Sentenced	—	598	542	2
Unsentenced	—	—	—	—

St Albans medium A prison

White	Coloured	Black	Asian	
Sentenced	3	56	77	—
Unsentenced	22	199	605	2

St Albans medium B prison

White	Coloured	Black	Asian	
Sentenced	29	377	721	—
Unsentenced	—	—	—	—

Port Elizabeth/Uitenhage/Despatch: prisoners
35 Mr E W TRENT asked the Minister of Correctional Services 253

HOUSE OF ASSEMBLY

What was the (a) number of individual taxpayers in each income category, (b) tax assessed in each income category expressed as a percentage of total tax assessed, and (c) total amount of tax assessed in each income category, in respect of the 1991-92 tax year?

For written reply
General Affairs
B13E

Income tax: taxpayers/amount
7 Mr K M ANDREW asked the Minister of Finance
The MINISTER OF FINANCE
(a), (b) and (c) See attached schedule

Taxable Income Group	Number of Individuals	1991/92 Tax Year	
		% of Total	Tax R'000
Loss	105 537	11,44%	16 645 390
0 - 5 000	27 700	3,00%	1 745 487
5 000 - 10 000	33 766	3,66%	7 567 831
10 000 - 15 000	40 256	4,36%	18 343 084
15 000 - 20 000	42 455	4,60%	45 799 008
20 000 - 25 000	41 885	4,54%	80 061 942
25 000 - 30 000	39 323	4,26%	124 854 150
30 000 - 35 000	36 211	3,92%	167 725 134
35 000 - 40 000	35 657	3,86%	224 549 290
40 000 - 45 000	37 985	4,12%	309 330 420
45 000 - 50 000	47 343	5,13%	477 424 721
50 000 - 60 000	136 670	14,81%	1 762 905 596
60 000 - 70 000	102 669	11,13%	1 717 385 402
70 000 - 80 000	66 323	7,19%	1 375 696 772
80 000 - 90 000	41 314	4,48%	1 027 166 269
90 000 - 100 000	25 486	2,76%	740 257 571
100 000 - 150 000	44 518	4,82%	1 721 717 372
150 000 - 200 000	9 447	1,02%	568 111 724
200 000 - 250 000	3 678	0,40%	297 437 380
250 000 - 300 000	1 676	0,18%	170 425 769
300 000 - 350 000	923	0,10%	111 463 566
350 000 - 400 000	557	0,06%	79 268 067
400 000 - 450 000	323	0,04%	52 349 716
450 000 - 500 000	245	0,03%	45 599 133
500 000 +	753	0,08%	231 284 431
Totals	922 700	100,00%	11 375 115 225

Information in respect of 56,03% of the total registered taxpayers is reflected in this schedule

Statistics with regard to taxpayers who earn less than the applicable standard income tax on employees (SITE) limit, are not available and are thus not included in the above figures

Soweto 15/2/93

Cell-death inquest 253

THE inquest into the death of political activist Mr Bethuel Maphumulo, who died two years ago, will be held at the Johannesburg Magistrate's court today. At the time of his death, Maphumulo was allegedly in the custody of the Soweto Murder and Robbery Unit.

Police open murder
CT 16/2/93 (253)
docket after cell assault

Staff Reporter

POLICE have opened a murder docket after a man who was assaulted in the cells at Melkbosstrand police station in January, died in hospital last week.

Mr. Frikkie Vermeulen, 63, was arrested on January 8 for drunkenness and placed in a cell with another man who

was also being held for drunkenness.

An hour after Mr Vermeulen was locked up he was attacked by his cell mate, suffering serious internal injuries. Mr Vermeulen was taken to the Somerset West Hospital where he died of his injuries on Friday, the police spokesman said.

Prisons deny assault claims

PRETORIA — The Department of Correctional Services has rejected claims that prisoners on hunger strike are being assaulted and intimidated

9/16/2/93
The SA Prisoners' Organisation for Human Rights (SAPOHR) will hold talks on the matter with the department on Thursday (253)

A SAPOHR spokesman said they planned to demonstrate outside Parliament tomorrow to press for a commission of inquiry into the alleged prison assaults — Sapa

Star 16/2/93
262 prison warders on strike
(253)

By Montshiwa Moroke

At least 262 prison warders in Natal are still on strike following the dismissal of colleagues at the Maritzburg prison a fortnight ago

Some 192 warders in Maritzburg, 64 from Sevenfontein and six from Durban failed to report for work yesterday, a Department of Correctional Services spokesman said

They are demanding the reinstatement of 101 warders dismissed for striking after the suspension of Police and Prisons Civil Rights Union (Popcru)

deputy general secretary and Maritzburg warder Zwi Mdletshe

Last week Popcru requested an urgent meeting with Correctional Services Minister Adriaan Vlok and said it might also seek the intervention of the National Peace Secretariat.

Popcru general secretary Peter Nkuna warned that if these efforts failed, the 6 000-strong union may have to call for mass action including a general strike

A Ministry spokesman yesterday said the Popcru request was receiving attention

He said the Government would meet the South African Prisoners Organisation for Human Rights (Sapohr) in Pretoria on Thursday

Sapohr called for an indefinite countrywide hunger strike by prisoners on February 4, alleging human rights abuses by prison authorities.

A Correctional Services statement said that contrary to claims of a national hunger strike, only 52 prisoners out of more than 100 000 were still on strike.

Sapohr claimed 151 prisoners were not eating

Meeting on hunger strikers' treatment

B/DAM 16/2/93 - 253

THEO RAWANA

PRISONERS on hunger strike were being assaulted, denied water and privileges and intimidated, the SA Prisoners' Organisation for Human Rights said yesterday.

The prisoners' organisation said yesterday it would discuss the maltreatment of prisoners at a meeting with the Correctional Services Department in Pretoria on Thursday.

It said at least 2 050 prisoners nationwide had embarked on the strike, which began on February 4.

But Sapa quotes a Correctional Services spokesman as saying the prisoners on hunger strike now stood at 52 countrywide

The organisation's spokesman Johannes Mampuru said the brutality was especially bad at Pretoria Local Prison where dogs were set on people and at Groenpunt Prison in Vereeniging, where prisoners were denied the right to pray

He said his Johannesburg-based organisation obtained its information from striking warders who were members of the Police and Prison Civil Rights' Union

The Correctional Services Department rejected claims that prisoners on hunger strike were being assaulted and intimidated to end their fast.

It said these inmates are treated "strictly in accordance with internationally accepted guidelines".

Correctional Services spokesman

Col Barry Eksteen confirmed there would be a meeting on Thursday.

Eksteen said police were investigating the case concerning a Pretoria prisoner on hunger strike, Sankie Ramatsekisa, who the prisoners' organisation said had been assaulted

Eksteen said 18 prisoners at Leeuwkop prison were on hunger strike, 33 at Groenpunt and one in Johannesburg

He said 192 prison warders were on strike in Maritzburg and 64 others were striking at Sevontein following the dismissal of 101 striking warders

Prisoners' organisation information officer Marc Newhouse said a demonstration outside Parliament tomorrow was planned to support its demands for a commission of inquiry into all deaths and human rights abuses in police and prison custody.

"We have already had several reports of some prison hunger strikers being in a critical condition," he said

"The demonstration is to urge (President F W) de Klerk to give us an audience to start discussing prisoner demands before there is loss of life

"It would appear however that the government and the department are going to wait until hunger strikers are in a critical condition before they start talking to us"

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Prisoner dies after 'assault' in cells (253)

Crime Staff

ARC 16/2/93

A CHARGE of murder is being investigated against a 27-year-old prisoner after an elderly cell-mate was allegedly sexually assaulted and beaten.

A police spokesman said Mr Frikkie Vermeulen, 63, died of severe head injuries after being in a coma for more than a month following the attack in a Melkbosstrand police cell on January 8.

Both had been detained for drunkenness.

Mr Vermeulen died in Somerset Hospital last week.

The suspect, who is in custody, is expected to appear in the Cape Town Magistrate's Court soon.

Prisons dept's no to assault ⁽²⁵³⁾

Sowetan 16/2/93
■ Inmates claim privileges have
been withdrawn:

By Josias Charle and Sapa

THE Department of Correctional Services yesterday refuted claims that prisoners on hunger strike were being assaulted and ill-treated

A spokesman for the Department, Colonel Berry Eksteen, said prisoners on hunger strike were being treated in accordance with internationally accepted guidelines. In a letter allegedly written by inmates at the Leeuwkop Prison, it was stated that prisoners were being harassed and most of their privileges had been withdrawn.

The authors of the letter pleaded with the South African Prisoners' Organisation for Human Rights to secure legal aid "because of contravention of human rights in prisons"

The official figure for prisoners on hunger strike stands at 52 countrywide, while 256 prison warders were on strike, said Eksteen.

Depending on the outcome of the meeting — at which the SAPOHR will submit "documented" evidence of prisoner harassment and discuss its demands — his organisation would reconsider the hunger strike, SAPOHR chief executive Mr Golden Miles Bhudu said.

Vlok wants to close high cost Robben Island jail

MICHAEL MORRIS
Political Correspondent

APG 16/2/93

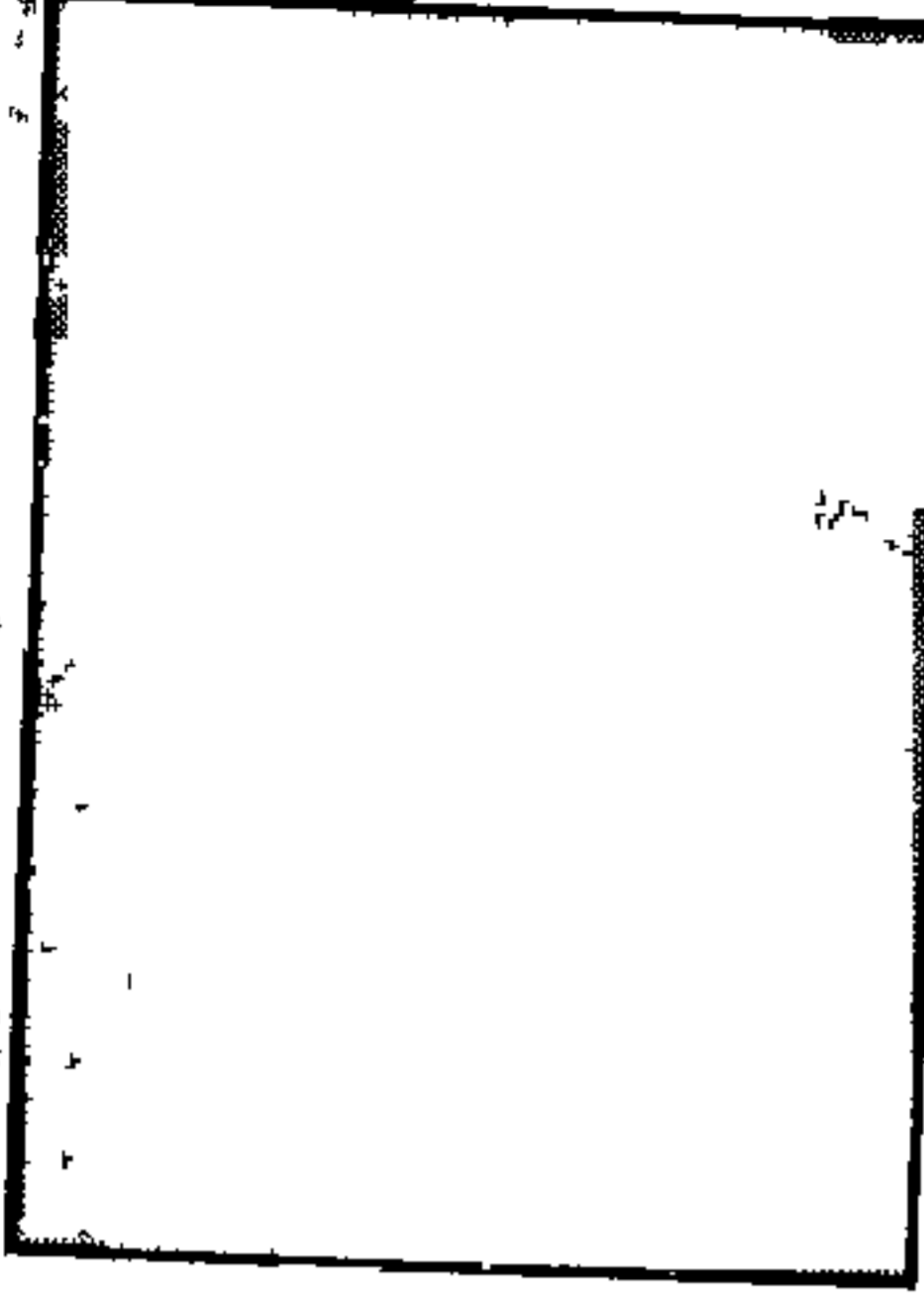
THE government is anxious to end Robben Island's days as a penal colony the infamous island jail simply costs too much

Minister of Correctional Services Adriaan Vlok told parliament during debate on the additional budget yesterday that on mainland prisons it cost an average of R42 to keep a prisoner in jail for a day — but on Rob-

ben Island it cost R71 a day

So the government was anxious to move the 700 prisoners now on the island to the mainland as soon as possible, but they could be moved only when there was alternative prison accommodation on the mainland and this was dependent on funds

Meanwhile, the government had ordered a second investigation into the future use of the island



Mr Adriaan Vlok

John Vorster Square	165	20	366	1274	149	1141	2 892	4 453	669	110	188	174	0	0
Langlaagte	9	30	135	277	18	216	256	533	166	158	25	58	0	0
Mondeor	97	65	97	298	30	287	453	637	200	1 018	31	53	0	0
Genl J Coetzee	48	10	241	1 325	84	142	463	948	556	1 359	45	103	0	0
Parkstation	40	1	95	95	23	29	41	1 866	42	0	41	5	0	0
Farmland	3	6	27	100	5	38	155	247	58	314	30	16	0	0
Lombardy East	9	7	12	58	9	115	263	384	167	612	8	13	0	0
Norwood	3	12	56	199	15	142	513	797	347	741	44	24	0	0
Parkview	2	7	58	123	13	55	399	493	150	612	36	50	0	0
Yeoville	10	3	47	200	23	84	477	362	329	562	45	23	0	5
Rosebank	2	6	23	80	9	49	221	393	78	144	33	24	0	0
Alexandra	452	11	846	571	182	36	275	393	397	181	3	0	0	0
Brantley	34	31	106	186	11	326	588	1 047	460	642	25	516	0	0
Halfway House	64	44	234	265	59	242	362	909	241	1 307	59	40	0	0
Randburg	25	50	204	389	59	153	800	1 576	639	3 087	73	88	0	0
Sandon	29	36	100	334	29	224	988	1 477	626	1 761	43	60	0	0
Linden	4	13	40	185	21	76	520	697	409	982	17	62	0	0
Hillbrow	111	51	601	1 350	168	735	2 507	2 875	1 377	1 604	173	375	0	5

Identity documents: backlog

14 Mr H D K VAN DER MERWE asked the Minister of Home Affairs †



The MINISTER OF HOME AFFAIRS

- (1) How many identity documents were issued in 1991 and 1992, respectively?
- (2) How many identity documents were issued in 1991 and 1992, respectively?
- (2) whether there is a backlog in the issuing of these documents, if so, (a) why and (b)(i) what is this backlog and (ii) in respect of what date is this information furnished?

(1) 1991 1992

*1 736 424 *1 841 614

1993 commenced with a backlog of one week which was mainly due to the holiday season during which a large number of the personnel involved in the processing of applications and the issuing of identity documents had been on leave. The Department of Home Affairs has already taken the necessary steps to cope

with the backlog and on 5 February 1993 the backlog had already been insignificant

*The figures include both first re-issues

Record of Understanding: releases

16 Adv J J S PRINSLOO asked the Minister of Correctional Services †

253



The MINISTER OF CORRECTIONAL SERVICES

Whether any prisoners have been released in terms of the Record of Understanding concluded between the Government and the ANC on 26 September 1992; if so, (a) how many up to the latest specified date for which figures are available and (b) what (i) are the full names, (ii) are the convictions for which terms of imprisonment were served, and (iii) is the date of release, of each of these persons?

B35E

The MINISTER OF CORRECTIONAL SERVICES

Yes

(a) Since 26 September 1992 up to and including 10 February 1993, 150 prisoners were released in terms of the Record of Understanding (123 persons were released from prison in terms of the stipulations of the Correctional Services Act, 1959 (Act 8 of 1959), and 27 persons were released in terms of the Further Indemnity Act, 1992 (Act 151 of 1992))

(b) (i), (ii) and (iii)

Under normal circumstances it is departmental policy not to make known the personal particulars pertaining to individuals. However, as provision has been made in the Further Indemnity Act, 1992 (Act 151 of 1992) and related regulations for the publication of the names of the persons involved, in the Government Gazette, I have deemed it fitting as an exception to furnish the names in this case. These names have already appeared in the media.

The following persons were released in terms of the provisions of the Correctional Services Act, 1959 (Act 8 of 1959)

Name	Date of release
August L Blackey S	92 09 26
August L Blackey S	92 09 26

Name Date of release

Booi Thembike	92 09 26
Booyen TS	92 09 26
Boss AT	92 09 26
Boss NN	92 09 26
Buthezi J	92 09 26
Chicken H	92 09 26
Dabula K V	92 09 26
Danster C	92 09 26
Dhlabathi P	92 09 26
Dick B B M	92 09 26
Dorana M	92 09 26
Duma S	92 09 26
Garendeka S	92 09 26
Gowya S	92 09 26
Gqezengele M M	92 09 26
Hetem V (Msuthu)	92 09 26
Jack V	92 09 26
Jacobs V P	92 09 26
Jama T	92 09 26
Jantjies S	92 09 26
Jawa M B	92 09 26
Khoza D	92 09 26
Khosa N J	92 09 26
Khumalo M	92 09 26
Khuzwayo V W	92 09 26
Lebepe S	92 09 26
Lwayo M	92 09 26
Lukhele D J	92 09 26
Magaba T H	92 09 26
Magagulo M M	92 09 26
Mahlangu P	92 09 26
Mahleza E	92 09 26
Mayola D J	92 09 26
Mayola P	92 09 26
Makeleni M	92 09 26
Malazala	92 09 26
Maledi B Z	92 09 26
Manzini N E	92 09 26
Mashogo Boel G	92 09 26
Mashigo Dilal	92 09 26
Matshile W	92 09 26
Maxasa M	92 09 26
Mbatha J	92 09 26
Mbaza A	92 09 26
Mbotyana M	92 09 26
Mdabomngaye S	92 09 26
Mdiza M	92 09 26
Mdunge S M	92 09 26
Mehlo T	92 09 26
Mene Themba	92 09 26
Mhlongo S M	92 09 26
Mjacu M (Raymond Williams)	92 09 26
Mngeni T	92 09 26

253

Name	Date of release	Name	Date of release
Minisi Phillip	92 09 26	Gwaga D	92 11 14
Manyamana N	92 09 26	Geziso P	92 11 14
Modipane Kelly	92 09 26	Mhlotshane L	92 11 14
Modipane M	92 09 26	Mthwesti Z	92 11 14
Mogakane A	92 09 26	Manguzana M	92 11 14
Mohlala J	92 09 26	Mayekiswa M	92 11 14
Mokgesi T	92 09 26	Nogqoza J	92 11 14
Molobeng J	92 09 26	Ndunge T	92 11 14
Molepo S	92 09 26	Sithembiso N	92 11 14
Moseki J	92 09 26	Sakwe S	92 11 14
Motsaman L	92 09 26	Mzukwa F	92 11 14
Mgalo M	92 09 26	Mboh CF	92 11 14
Mzandile J	92 09 26	Gumede G G	92 11 14
Ndamana W	92 09 26	Saku X	92 11 14
Ndwana Z	92 09 26	Sihole T	92 11 14
Neishupe J	92 09 26		
Nesmane M	92 09 26		
Ngubo S M	92 09 26		
Nikona N	92 09 26		
Nkosi D	92 09 26		
Nkuna E M	92 09 26		
Nomaganga D V	92 09 26		
Ntombela H W	92 09 26		
Nyusha M	92 09 26		
Oatana S	92 09 26		
Rasaye Z	92 09 26		
Ratone E	92 09 26		
Rawula P P	92 09 26		
Rikhotso M W	92 09 26		
Sabelo B	92 09 26		
Sefata R	92 09 26		
Setlaba P T	92 09 26		
September N N	92 09 26		
Shongwe E	92 09 26		
Shoza B C	92 09 26		
Simana M	92 09 26		
Sithuba P	92 09 26		
Skosana G	92 09 26		
Stattai A	92 09 26		
Tsawane J	92 09 26		
Tshbo M	92 09 26		
Twale S	92 09 26		
Tyalwe F	92 09 26		
Van Staden G	92 09 26		
Watermeyer A	92 09 26		
Zangqa M	92 09 26		
McBride R J	92 09 28		
Mjungwana S	92 09 28		
Mncube M Z	92 09 28		
Nondula M E	92 09 28		
Dlamini M	92 11 14		
Bambumtho Z	92 11 14		
Gwaga M	92 11 14		

253

Name	Date of release	Name	Date of release
Makhazali P	92 12 14	Mditshwa M L	
Mamabolo P M	92 12 14	Mkhize N P	
Mono J	92 12 14	Molefe P	
		Moloi R K	
		Mono J	
		Ndlovu B M	
		Nqayi B P	
		Nxele J P	
		Nzama Z	
		Sihole E	
		Wonci S L	

Indemnity offences/sentences

25 Mr D J DALLING asked the Minister of Correctional Services

Whether any persons were released from prison in terms of section 2(1)(a) and/or (b) of the Further Indemnity Act, 1992 (Act No 151 of 1992), up to and including 31 January 1993, if so, what, in respect of each such person was (a) his name, (b) the offence of which he was convicted and (c) the (i) sentence he was serving and (ii) portion of such sentence which remained to be served as at the date of his release? B54E

The MINISTER OF CORRECTIONAL SERVICES

Yes

(a) the names have already been published in the Government Gazettes of 25 November 1992 (No 14432—Government Notice No 3234) and 24 December 1992 (No 14486—Government Notice No 3416), as prescribed, and the names are repeated below for convenience sake

Bakwuli R C
Belani S
Dayimani S M
Farland R
Gwala E M
Kanana B V
Kona M S
Madikane D
Majikela Z V
Majola D
Makana M
Mampahga T D
Manganda P
Maungedzo G
Mditshwa M L
Mkhize N P
Molefe P
Moloi R K
Ndlovu B M
Nqayi B P
Nxele J P
Nzama Z
Sihole E
Wonci S L

(b) (c) (i) and (ii)

Under normal circumstances it is departmental policy not to make known the personal particulars pertaining to individuals. However, should the Honourable Member be interested in further detailed information of a specific case, he is welcome to approach me, whereupon I will consider making the information available to him on a personal basis

Political violence: deaths

26 Mr R V CARLISLE asked the Minister of Law and Order

(a) How many persons died in or as a result of political violence during the 1992 calendar year and (b) how many such persons were (i) members of the South African Police Force, (ii) members of the South African Defence Force and (iii) councillors? B58E

The MINISTER OF LAW AND ORDER

- (a) 2 465
- (b) (i) 96
- (ii) 2
- (iii) 0

Marasburg police station: staff establishment

38 Mr P H DE LA REY asked the Minister of Law and Order

(1) How many policemen were (a) transferred from, and (b) added to the staff of, the police station in Marasburg during the latest specified period of 12 months for which information is available,

(2) whether he will furnish details on the staff establishment of this police station, if not, why not, if so, what was the staff

come under the attention of the Department of Trade and Industry

- (2) All cases which come to the attention of the Department of Trade and Industry are, as appropriate, investigated in collaboration with concerns such as the South African Reserve Bank, the Commissioner of Customs and Excise, other departments, the Office for Serious Economic Offences, the Government Attorney and the Commercial Branch of the South African Police
- Furthermore, external verifications of GEIS claims are undertaken by the Department on an ongoing basis

- (3) In regard to cases of fraud under the General Export Incentive Scheme, re-funds are demanded from claimants who have acted illegally and such cases are handed over to the Commercial Branch of the South African Police for further action. In cases where fraud is proven, exporters are deregistered

Telkom - bad debts

*27 Mr L FUCHS asked the Minister of Posts and Telecommunications

- (1) Whether Telkom had any bad debts during the period 1 February 1992 to 31 January 1993, if so, (a) what is the total amount involved and (b) how is this amount made up,
- (2) whether any portion of this amount is due to the premium rate (087) industry, if so, what portion?

The MINISTER OF POSTS AND TELECOMMUNICATIONS

- (1) Yes, Telkom had bad debts during the period 1 February 1992 to 31 January 1993
- (a) As the figures for January 1993 are not as yet available, the figures quoted below are applicable to the period 1 January to 31 December 1992. During this period bad debts amounted to R65,0 million
- (b) Approximately 98% of the above-mentioned amount represents tele-

The MINISTER OF CORRECTIONAL SERVICES

- (2) Yes, Part of the R65,0 million can be attributed to the 087 service. It is not possible to furnish a reliable estimate of the amount involved at this stage as the billing system does not provide detailed information in respect of calls made. There are, however, still a number of cases that are receiving attention but which have not yet been recorded as bad debts and where the amounts obviously include an 087 service component

Military Intelligence/self-governing territories

*28 Mr J A JORDAAN asked the Minister of Defence

- (1) Whether a previous head of Military Intelligence, whose name has been furnished to the South African Defence Force for the purpose of the Minister's reply, at any time established contact with any chief ministers of the self-governing territories, if so, what (a) is the name of such head and (b) was the nature and extent of the contact;
- (2) whether any of his successors as chief of Military Intelligence continued this contact, if not, why not, if so, what are the relevant details?

The MINISTER OF DEFENCE

- (1) No, not while he was associated with Military Intelligence
- (2) No. This is not a task of the Military Intelligence Division

*29 Mr A J LEON asked the Minister of Correctional Services

- How many persons had been sentenced to correctional supervision as at 31 December 1992?

The MINISTER OF CORRECTIONAL SERVICES

- (1) Yes, on 1 February 1993
- (2) Yes, the Honourable Mr Justice M T Stewart has been designated in terms of section 3(1)(a) of the Act

The MINISTER OF JUSTICE

- (1) Yes, on 1 February 1993
- (2) Yes, the Honourable Mr Justice M T Stewart has been designated in terms of section 3(1)(a) of the Act

Yes, for the period 1 to 10 February 1993 two applications were received in terms of the Act

Development Aid: disposal of toilets

*31 Mr P G SOAL asked the Minister of Regional and Land Affairs

- (1) Whether, with reference to his reply to Question No 7 on 3 June 1992, any of the toilets valued at approximately R15 million purchased by the former Department of Development Aid are not in use at present, if so,
- (2) whether any further plans have been made to dispose of these toilets, if so, what plans,
- (3) whether he will make a statement on the matter?

The MINISTER OF REGIONAL AND LAND AFFAIRS

- (1) and (2) The hon member is referred to the reply furnished to him on Question No 7 on 3 June 1992. As indicated, the original value of the 4 600 toilets which had not been used at that stage, amounted to ± R2 900 000 and not R15 000 000
- The toilets concerned on former South African Development Trust land have been disposed of by means of allocation and/or by making them available to bodies for utilization in existing and developing formal and informal residential areas
- (3) No

KwaNdebele: third report of Commission of Inquiry

*32 Mr P G SOAL asked the Minister of Regional and Land Affairs

- (1) Whether the Commission of Inquiry into the 1986 Unrest and Alleged Mismanagement in KwaNdebele has brought up a third report, if so,
- (2) whether the Government has received the said report, if not, why not, if so, when (a) was it so received and (b) is it expected to be made public?

Walvis Bay and the Penguin Islands as it is a matter which, by its very nature, should be addressed after the establishment of a new constitutional order in South Africa. As an interim arrangement, the South African Government concluded an agreement with the Government of Namibia on 4 September 1992 in terms of which a Joint Administrative Authority was established for Walvis Bay, with effect from 1 November 1992.

Identity documents issued

*15 Mr D H M GIBSON asked the Minister of Home Affairs

How many identity documents had been issued from 31 January 1992 up to the latest specified date for which information is available? B65E

The MINISTER OF HOME AFFAIRS

In view of the fact that statistics in respect of identity documents issued, are being kept only on a monthly basis, the following statistics for the period 1 February 1992 to 31 January 1993 are furnished

During the specified period 1 884 537 identity documents were issued which include both first and re-issues

Two financial institutions: criminal charges after insolvencies

*16 Mr D H M GIBSON asked the Minister of Finance

Whether any directors or officers of two financial institutions, the names of which have been furnished to the Minister's Department for the purpose of his reply, are to be charged criminally in respect of any alleged offences arising from the insolvencies of these institutions, if not, why not, if so, what are the relevant details, including the names of the institutions in question? B66E

The MINISTER OF FINANCE

In terms of legislation criminal prosecution is the prerogative of the different Attorneys-General. Reports with regard to the persons and their activities have been handed to the Attorney-General of the Cape. In one case the three company directors involved have been arrested and are currently released on

bail awaiting trial. In the other case the matter is under investigation.

Alternative sentencing: correctional supervision/community service

*17 Mr D J DALLING to ask the Minister of Correctional Services

(1) Whether any progress has been made in regard to the implementation of the policy of alternative sentencing, particularly as far as correctional supervision and community service are concerned, if so, what progress, 253

(2) whether any factors are delaying the implementation of the said policy, if so, (a) what factors and (b) what steps are being taken to eliminate such factors? B86E

The MINISTER OF CORRECTIONAL SERVICES

Before replying to the question, I wish to mention that the Department of Correctional Services does not administer those cases where community service has been imposed by a court without simultaneously sentencing the person concerned to correctional supervision. Community service is, however, normally one of the conditions of correctional supervision. Up to and including 31 December 1992 persons who have been placed under correctional supervision performed 153 608 hours free of community service.

(1) Yes

Correctional supervision was implemented on 15 August 1991 on an experimental basis as a pilot project in the Pretoria and Wonderboom Magisterial Districts. A second pilot project was launched in the Cape Peninsula on 20 March 1992. With effect from 1 April 1992 correctional supervision was phased in in other magisterial districts in the country. On 31 December 1992 correctional supervision as a sentencing option had already been implemented in 178 magisterial districts countrywide. In terms of present planning, it is anticipated that this sentencing option will be implemented in all 270 Magisterial districts country-wide by 1 June 1993.

(2) Yes (a) and (b) 253

As was anticipated and more comprehensively explained in the White Paper on the Extension of the Mission of the Department of Correctional Services and the Implementation of Correctional Supervision as an Alternative Sentencing Option which was tabled in Parliament on 6 May 1991, there are amongst others, two very important prerequisites for correctional supervision to succeed as a sentencing option, namely —

— A stable community

Correctional supervision can only be shown to full advantage within stable and orderly communities

— Work opportunities

It is essential that a person under correctional supervision should be employed.

The hon member will probably agree that the prolonged violence in many areas of the country as well as the prevailing unfavourable economic conditions are negative factors which will influence the progress that could be made. These restrictive factors must firstly be neutralized on a macro-political level. As soon as present initiatives in this regard succeed, the prospects of correctional supervision as a sentencing option will be greatly enhanced.

Correctional supervision as an alternative to imprisonment is not yet being utilized to full advantage by the judiciary and legal practitioners. Apart from this, in some communities there is a degree of scepticism about correctional supervision.

During this year a communication action is to be launched to make the legal community and community leaders aware of the advantages of correctional supervision as sentencing option and so doing give greater momentum to the application thereof.

*18 Mr A Gerber—Education and Culture †
[Moved to Own Affairs]

*19 Mr A Gerber—Education and Culture †
[Moved to Own Affairs]

Cellular telephones: cancer

*20 Mr J CHOLÉ asked the Minister of Posts and Telecommunications:†

(1) Whether his Department has taken cognisance of research done in the United States of America with regard to the possibility that the use of cellular telephones may increase the incidence of cancer, if so,

(2) whether any steps are envisaged to ensure that the introduction of cellular telephones in South Africa will not result in an increase in the incidence of brain and other forms of cancer, if so, what steps, if not,

(3) whether the State intends obtaining further information on the effect of this system on the health of the user before it is introduced, if so,

(4) whether this information will be released to the public, if not, why not? B93E

The MINISTER OF POSTS AND TELECOMMUNICATIONS

(1) We are aware of a court case in progress in the United States where it is alleged that there is a link between a single incidence of brain cancer and the excessive use of a cellular phone. We are however not aware of any specific research in this regard.

(2) The introduction of the GSM (Group Special Mobile) digital technology will be planned with reference to future developments in the field of cellular communications. This technology has been developed by the European Telecommunications Standards Institute (ETSI) over a period of approximately ten (10) years. During the development cognisance was taken of maximum permissible radiation limits. In this regard it is worth mentioning that GSM is currently operational in two networks within Germany which has particularly stringent requirements regarding radiation.

'47 inmates on hunger strike'

The official figure for prisoners countrywide on hunger strike yesterday stood at 47, while 259 warders were still striking, according to a Department of Correctional Services spokesman.

The figure for prison hunger strikers has been challenged by the SA Prisoners Organisation for Human Rights, which estimates the figure to be 151 or more. *Star 17/2/93*

According to the Correctional Services spokesman 18 inmates were on hunger strike at Leeuwkop prison yesterday and 29 at the Groenpunt. *(253)*

The figures for warders not reporting for work following the dismissal of 101 colleagues were: one at Durban prison, 194 at Maritzburg prison and 64 at Sevontein, she said.

A meeting between Correctional Services representatives and the organisation would be held tomorrow. — Sapa.

Girl (6) Dies in Police Custody

A

NINE-YEAR-OLD girl whose mother was arrested for shoplifting is one of two people who died in police custody in the Northern Transvaal on Monday

Nana Tsiane's mother, Marra (40), was arrested by police in Pretersburg for alleged shoplifting on Monday and the girl was put into the cells with her.

Northern Transvaal police spokesman Major Arno Vogel said the mother told the police on the same afternoon that the girl was sick

After arrangements were made to take Nana to a doctor, it was found that she was already dead, Vogel said Mrs Tsiana was released on the same day her child died but was warned to appear in court tomorrow, Vogel said

In the second case a 20-year-old man arrested for attempted robbery and housebreaking died in police custody in Messina, also

253
Sweeten 17/2/93
By Don Seokane

on Monday Mr Mashudu Nevhuhrwa died after he was allegedly arrested by workers at a construction site at Campbell farm

According to the police, Nevhuhrwa and an accomplice tried to gain entry to a restaurant through a roof at about 1 30am. Apparently workers at the construction site became aware of their presence and informed the police

Vogel said Nevhuhrwa was arrested by the workers and handed over to the police. Around 8am he complained of feeling sick. He was taken to a district surgeon who referred him to a hospital

Nevhuhrwa died in hospital at around 12.20pm, Vogel said. Police said post-mortem examinations would be conducted in both cases.

3

Hunt for 3 prisoners (253)

POLICE in the Eastern Cape used a helicopter yesterday to comb a black township near Despatch after three awaiting-trial prisoners escaped from custody outside the Uitenhage Magistrate's Court earlier in the morning. *Southern 17/2/93*

The three had been taken from St Albans prison to Uitenhage where they overpowered three policemen and escaped. The men are armed with a 9mm pistol they took from one of the policemen.

Judge slams killer's release

23

CT/18/2/93

By RONNIE MORRIS

A JUDGE yesterday described as "sad and shocking" the premature release of a killer with a violent history who with two other "social misfits" brutally murdered a Knysna hairdresser shortly after being set free.

Melvin Zweni was released with "unseemly haste" after being jailed in 1990 for seven years

on a charge of culpable homicide plus 2½ years for a previous conviction

He served 15 months before he was released and then participated in the murder and robbery of Mr Mario Kaplan on July 25

Mr Justice H L Berman made these remarks when sentencing Melvin Zweni, of Ashton, Johannes Williams, of Knysna and Sindile Zweni, also of Ashton

Melvin Zweni had a number of previous convictions and was "violent criminal"

Williams too had a history of crime and violence and had seven previous convictions for theft

"Can one blame police officers, who put in long investigating hours in cases and bring people to court, for being frustrated when they see those convicted and sentenced to long terms of imprisonment free, walking around long before they served their sentences?"

"Can anyone blame judicial of-

GUILTY ..
Melvin Zweni

GUILTY ...
Johannes Williams

GUILTY ..
Sindile Zweni

ficers who carry out their duties diligently and who spend much time considering appropriate sentences also feeling a sense of frustration seeing people duly sentenced by them released long before their sentences have been served?" Mr Justice Berman said

Melvin Zweni was jailed for 20 years for murder and 10 years for robbery and in addition was jailed for five years for the unlawful possession of a firearm and ammunition. He will serve an effective 30 years

Both Williams and Sindile Zweni were jailed for life plus a further 10 years for the robbery with the condition that should they be released early they should start serving the 10-year sentence from the release date

"Let it hang heavily on someone's conscience if history is allowed to repeat itself," Mr Justice Berman commented.

Williams and Sindile Zweni were sentenced to a further three

years for the unlawful possession of a firearm and ammunition

The judge described the murder as "cruel, brutal, vicious, shocking and savage" and said an innocent man was used as a "human dart board" by the three. The murder was premeditated because the men wanted to avoid being identified

Williams had had a sexual relationship with Mr Kaplan, had worked for him and had easy access to his house

Mr Kaplan had employed him again after he was released from jail and also made him a beneficiary in his will

"Something must be done to assure the public its security is well cared for by the courts and this case is an excellent opportunity to assure the public of that concern," Mr Justice Berman said

Mr E Meyer and Mr C van Zyl were the assessors. Mr Jannie van Vuuren prosecuted. Mr G Badenhorst, Mrs E van der Horst and Mr M Wilker appeared pro Deo for the men



PETITION ... Members of the South African Prisoners' Organisation for Human Rights yesterday handed over a list of demands to a representative of President F.W. de Klerk outside Parliament. The demands concerned the alleged human rights abuses of prisoners.

Anger over abuse in jails

18/2/93
Staff Reporter (28)

THE South African Prisoners' Organisation for Human Rights (SA-POHR) yesterday demanded the resignations of Minister of Law and Order, Mr Adriaan Vlok, and Minister of Correctional Services, Mr Her-nus Kriel, for being accessories in alleged human rights abuses against prisoners.

Their resignation was called for in a list of prisoners' demands handed over to a representative of President F.W. de Klerk, after a planned demonstration over human rights abuses in jails, flopped.

Baby dies in
police custody

253
18/2/93

PIETERSBURG — A nine-month-old girl died after she was locked up with her mother who was arrested for shoplifting, police have confirmed.

They said Nana and her mother Mrs Maria Tsiane, 40, were locked up at midday on Monday. At 3.45pm Mrs Tsiane told police her daughter was ill.

She was taken to a doctor but died soon after.

Police said they had not known the baby was ill — Sapa

Warders' mass
18/2/73
protest on ice

253
Own Correspondent

DURBAN. — The ANC/SACP/Cosatu alliance has agreed to suspend all mass action programmes, including a national stayaway strike planned at prisons, after "optimistic" talks with Maritzburg prisons management officials.

The protest follows the suspension of Popperu assistant general secretary Mr Zwi Mdletshe and the dismissal of over 100 warders.

Demo over prisoners' grievances

ROGER FRIEDMAN
Staff Reporter

MEMBERS of a prisoners' rights organisation gathered outside parliament to hand a list of prisoner demands to the State President and the Minister of Correctional Services

Yesterday's demonstration was organised by the South African Prisoners Organisation for Human Rights (Sapohr) which was formed in Waterbee Prison in 1988 as a vehicle for voicing grievances

The organisation represented a "considerable number of prisoners" from across the political and religious spectrum, information officer Marc Newhouse said

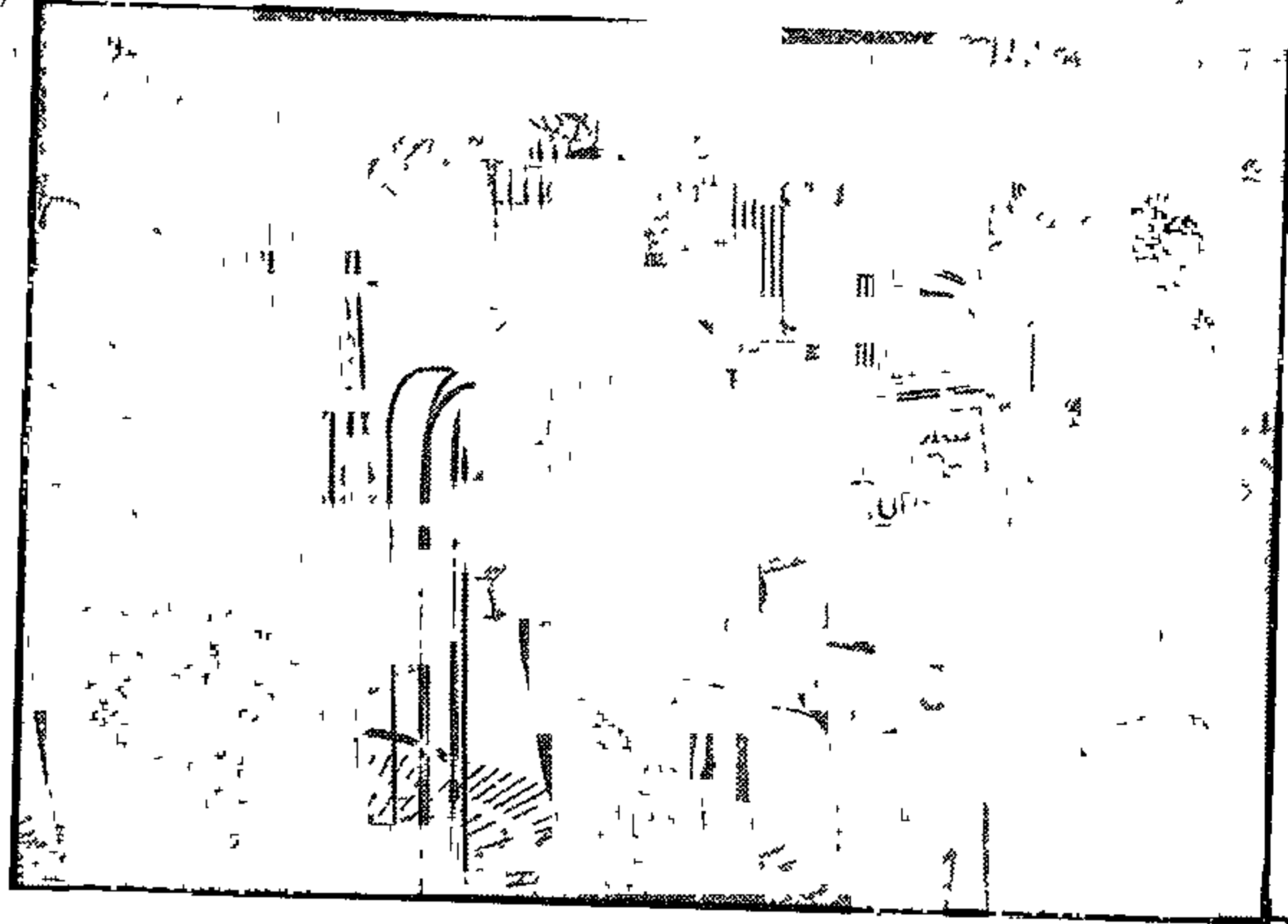
It is demanding

- The formation of a multi-party commission of inquiry to investigate all deaths and human rights abuses in police and prison custody and publication of its findings

- Immediate and unconditional release of all remaining political prisoners

- The formation of a national release forum committee to investigate individual sentences, rehabilitation and releases and an undertaking that blanket "general amnesties to deceive the world not be passed"

- The acknowledgement by the



Pictures HANNES THIART, The Argus

PRISON PROTEST: Mr John Reinders, administrative secretary to the State President, accepts a list of demands from Mr Mark Cox and Mr Marc Newhouse of the South African Prisoners Organisation for Human Rights outside parliament

government of human rights violations against prisoners

- The right of prison warders and prisoners to strike

- The immediate dismissal of Correctional Services Minister Mr Adriaan Vlok and Law and Order Minister Mr Hernus Kriel "who are directly implicated through their lack of intervention in the ongoing abuses of human rights in police and prison cells"

The letter containing demands was handed to the State President's administrative secretary, Mr John Reinders

The organisation had been forced to embark on a national prisoner hunger strike campaign "because the government refused even to discuss our demands," Mr Newhouse said

He was very concerned for the "hundreds of prisoners countrywide" on hunger strike.

Letters tell of prison abuse

By JACQUIE GOLDING

LETTERS smuggled out of Leeuwkop and Boksburg prisons by hunger-striking inmates allege prison authorities are intimidating them by depriving them of basic amenities and strip-searching them in front of fellow prisoners.

Alleging harassment and the contravention of rights, a letter in the possession of *The Weekly Mail*, written by a black prisoner at Leeuwkop Prison, states: "We are intimidated and searched naked in front of our bad elements who didn't participate in this strike. There are many things which are unlawful that we much intended the public to know."

The letter was given to the newspaper by the South African Prisoners' Organisation for Human Rights (SAPOHR), which organised the strike in support of a list of demands made to the Department of Correctional Services. The name of the prisoner is known to *The Weekly Mail*, but has been withheld for his protection.

The letter says that prison authorities have taken away all the strikers' private possessions, forcing them to share toothbrushes, soft mats and blankets, in an attempt to demoralise them.

In another smuggled missive, a black prisoner from Boksburg Prison says he was demoted, with the attendant loss of privileges, because of his participation in the hunger strike.

"Captain van der Westhuizen asked for my file and wrote in my file, he just told me I am no longer in A Group. When I wanted to ask questions or

W/Mail 12/2 - 18/2/93
ask for an explanation I was taken away ... I just feel that I've been treated unfair ..."

Liaison officer for the Department of Correctional Services, Lieutenant Barry Eksteen, denied the claims of abuse, dismissing them as "indicrous".

Correctional Services has admitted that some inmates at three prisons are striking, but has contested SAPOHR's claims that about 2 000 prisoners are involved. A representative said only 151 prisoners were on hunger strike.

But according to SAPOHR chief executive Golden Miles Bhudu, the strike has spread to 12 prisons countrywide, including Sonderwater, Pretoria Local and Central, Krugersdorp and Klerksdorp, and is growing daily. He said hunger strikers are being mistreated and assaulted.

The demands of the strike are:

- The establishment of a committee to investigate individual prisoners' sentences, rehabilitation and release, and that a blanket general amnesty "to deceive the world" should not be declared.

- The formation of a multiparty commission of inquiry to investigate deaths and human rights abuses in prison.

- The dismissal of Minister of Correctional Services Adriaan Vlok and Minister of Law and Order Hennis Kriel, who are "directly implicated by their lack of intervention in the ongoing abuses of human rights in South African prisons".

The Correctional Department spokesman said the claim by SAPOHR "that a comprehensive

Hunger strike put on hold

PRETORIA — A hunger strike by prisoners has been suspended, according to SA Prisoners' Organisation for Human Rights (SAPOHR) spokesman Mr Miles Bhudu.

At least 37 prisoners started fasting at the beginning of this month. Mr Bhudu said the strike had been suspended immediately following a meeting between SAPOHR and Department of Correctional Services officials here yesterday.

253 CT 219/2/93

Ex-prisoners seek compensation

Own Correspondent (253)

STAR 19/2/93.

DURBAN — The Association for Ex-political Prisoners, a body representing at least 5 000 people, is to begin a nationwide campaign calling on the Government to compensate former political prisoners

AEPP was established in 1989 to help ex-political prisoners to reintegrate into their communities and to provide training

AEPP consultant Professor Roger Ragaven said at a press conference in Durban yesterday that the aim of the campaign would be to get a commitment from the Government to redress the situation of "people who were wrongly arrested for fighting against apartheid who are now faced with the scourge of unemployment, broken homes and unacceptance by the general public"

At least 40 000 people, including dependants and families of former political prisoners were affected, said Ragaven

"Many a Minister of the present Government has come out in public apologising for the hardships that apartheid has caused. The Government should compensate those who were wrongly incarcerated for fighting this evil system", said AEPP official Gash Ndlovu

Two blacks promoted to brigadier in prison services

TWO black prison services colonels are to be promoted to brigadier this year, Minister of Correctional Services Mr Adriaan Vlok has announced.

Replying to a debate on a private member's motion in parliament yesterday, he said the two were Colonel Enoch Mkhathshwa, commander of the department's training college at Zonderwater, and Colonel Timothy Khoza, who was being prepared for command at Barberton towards the end of this year.

Colonel Mkhathshwa's promotion would be effective from April 1

Mr Vlok said the department's manpower policy was founded on the principles of merit and effectiveness. *ALC 19/2/95*

A special focus was to help under-represented groups to come to their full right, and the announcement of the promotions fell into this category.

Other promotions included Lieutenant-Colonel M P Ramashala, who is being prepared to take over command of the Kroonstad training college, to colonel, and Lieutenant-Colonel T E Nxumalo, the head of the prison at Zonderwater, to colonel.

Prisons to probe early release of repeat killer

253 AR 5 17/2/93

ROGER FRIEDMAN
Staff Reporter

PRISON authorities are probing the circumstances of the release after just 15 months of a prisoner jailed in January 1990 for 10 years for culpable homicide and other crimes.

The prisoner, Sindile Zwemi of Ashton, promptly took part in the murder and robbery of gay Knysna hairdresser Mr Mario Kaplan in July 1991.

The ANC said it was seriously concerned about the "indiscriminate release of prisoners convicted of violent crimes" while the Democratic Party said there should be a halt to the undermining of the authority of judicial officers.

A spokesman for the Department of Correctional Services said the circumstances of Zwemi's release were being investigated.

Sentencing Zwemi and accomplices Melvin Zwemi and Johannes Williams to lengthy terms of imprisonment in the Cape Supreme Court this week, Mr Justice Berman said the person who released Zwemi should be troubled by his conscience "because an innocent man could still be alive today".

Mr Justice Berman said police and judicial officers could not be blamed for feeling frustrated by early releases of prisoners after long hours of investigation and consideration had been spent on convicting

them in the first place.

"This is a shocking case of premature release, look what has happened," he said.

After careful consideration he had come to the conclusion that Sindile Zwemi and Williams "must be doomed to die behind bars", Mr Justice Berman said.

He sentenced them to life imprisonment plus 10 years "in case there is some prospect in the future they might be released". He sentenced Melvin Zwemi to 30 years.

ANC spokesman Mr Karl Niehaus said the ANC was not, in principle, against prisoners convicted of so-called minor crimes being released early. But he expressed "serious

concern" over "indiscriminate releases".

He said no proper rehabilitation programme existed in South African prisons with the result that prisoners involved in serious crimes were unlikely to be rehabilitated.

DP correctional services spokesman Mr Mahmoud Rajab pronounced his party 100 percent behind the sentiments expressed by the judge.

The department had a duty to ensure the public was not "foisted with their problems" before rehabilitation could take effect.

A PAC spokesman said his organisation wished to investigate the matter before commenting on the case.

0-21 04 10 1975

'Women denied abortion relief'

SOUTH AFRICAN women are condemned to unsafe abortion by being denied relief from the restrictive Abortion and Sterilisation Act of 1975. This was said in a statement by the Abortion Reform Action Group (ARAG) in response to the government's proposed Bill of Rights and the Minister of Justice's decision that the act may only be changed by a challenge of its validity before a constitutional court.

5

Prison talks reach deadlock

Own Correspondent

MARITZBURG — Talks between the ANC, SACP and Cosatu delegation and Maritzburg prison authorities reached a deadlock yesterday, raising fears of a countrywide prison strike

Hundreds of striking warders and ANC supporters formed a blockade here, demanding the reinstatement of 101 Popru members. The ANC said it "rejected the unreasonable demand that strikers make individual representations to the Correctional Services Minister"

'Terror in a morgue'

■ Four Stellenbosch children arrested on charges of housebreaking claim police forced them to look at mutilated corpses in the State mortuary in a bid to extract confessions.

ROGER FRIEDMAN

Weekend Argus Reporter

PHOTO 20/2/93

FOUR boys aged between 11 and 13 allege that policemen tried to extract confessions from them by taking them to the Stellenbosch mortuary and showing them mutilated bodies.

They also claim they were beaten and forced to serve food to adult prisoners

Police are investigating the allegations, which have been described as "macabre" and "medieval barbarism", and promise to take action if they are substantiated

Family of the children — twins aged 11, their 13-year-old uncle and a fourth boy — are laying criminal charges which could be followed by a civil suit, said lawyer Mr Rudolf Mastenbroek of Chennels Albertyn

The children were allegedly picked up by Stellenbosch police at 5pm on February 7 on charges of housebreaking

They were allegedly taken to the State morgue, questioned outside, then dragged from the van and taken inside, Mr Mastenbroek said

While the bodies and body parts were being displayed, a policeman allegedly asked them "How many houses did you break into?"

The children attempted to avoid looking at the bodies and cried uncontrollably, Mr Mastenbroek said

From the morgue, the children allegedly were taken to the police station where they were ordered to remove their shirts and repeatedly beaten by a policeman known to them as "Van Schalkwyk"

The children said they were told to "run home" about 9pm without being formally charged

Four days later police arrested the children "presumably on the same charges", Mr Mastenbroek said

The children were then imprisoned

They were allegedly ordered to serve adult prisoners food from the kitchen — a contravention of the Prisons Act, Mr Mastenbroek said

They were woken at 5am and allegedly ordered to wash their cell

When their families were told the children would have to spend the weekend in custody, they asked Chennels Albertyn to apply for bail

Colonel Raymond Dowd, chief police liaison officer in the Western Cape, said "cognisance has been taken of the allegations"

"The allegations appear to be exaggerated but are the subject of a departmental investigation whereafter further steps will be considered," he said

On instructions of the families, Mr Mastenbroek is "in the process of laying criminal charges with the district commissioner"

Custody deaths: in-depth probe ruled out

STAR 20/2/93
JOHN PERLMAN
Chief Reporter

LAW and Order Minister Hernus Kriel will not be issuing an in-depth report on all deaths in custody over the past two years — and insists that he never gave an undertaking to do so.

The Ministry of Law and Order this week, denied that Kriel, in his response to allegations made in July by pathologist Dr Jonathan Gluckman, had ever undertaken to conduct a case-by-case investigation of all custody deaths. Ministry spokesman Captain Craig Kotze said that "would be a mammoth exercise".

Kotze said the investigation promised by Kriel was principally aimed at establishing

● See Page 6

the size of the problem. "The intention was never to conduct an in-depth investigation into every case," he said. He said a number of recommendations for improving the safety of prisoners had, however, resulted from the probe.

The South African Police has furnished Saturday Star with statistical information derived from the probe, including the total number of deaths and a breakdown of causes of death. However, the impression that Kriel's probe would

● TO PAGE 2.

No probe

● FROM PAGE 1.

go further than this — gained from both his statements and those of President de Klerk — is widespread, if newspaper reports at the time are anything to go by.

The Sunday Times reported: "In response to Dr Gluckman's claims, Minister of Law and Order Hernus Kriel disclosed yesterday that he had ordered a report on every incident of death in detention over the past two years." Business Day referred to "a report on every death in custody over the past two years". Beeld said Kriel had ordered an investigation into "all deaths in police custody over the past two years". The Star said Kriel had promised "a comprehensive investigation into every death in detention since January 1991".

Kriel did communicate directly with Gluckman on this matter through a letter to the pathologist, who had alleged that 90 percent of custody deaths he had dealt with were the result of police abuse. In it Kriel wrote: "Upon receiving your information, I not only requested the SA Police to immediately investigate the specific cases mentioned but also to launch an extensive probe into the

exact dimensions of the total problem of deaths in custody since January 1 1991."

Democratic Party spokesman on justice Tony Leon said he had expected a "comprehensive investigation. Some cases may be explainable in a plausible or natural way, but those that are not should then each be investigated."

"In any case the police should do that because it is in their interests to do so. Minister Kriel is acting against the best interests of the police to conduct such a narrow probe into a matter of such extreme public interest."

The State President's office was unable to furnish Saturday Star with De Klerk's statements at the time.

Kriel's public wrangle with Gluckman is under public scrutiny again this week, with the inquest in the Johannesburg Magistrate's Court on the death in custody of Bethuel Maphumulo, a Soweto man who died at Protea police station in 1990. Gluckman gave a post-mortem opinion on Maphumulo, recording that the deceased had multiple injuries and a broken hyoid bone in his neck.

Kriel produced a public rebuttal of Gluckman's claims in December. Gluckman has engaged lawyers to help him prepare a response, which is expected some time.

Ex-con tells of prison abuses

By Rehana Rossouw (253)

SOUTH 20/2 - 24/2/93.
in 1987

GOEDEMOED Prison is "hell on earth", claims a city man who served six years there and vowed to the men he left behind to expose the conditions in the prison

"I don't care what happens to me as long as the truth about that prison is exposed," said Anwar Wilson, who was released last month after serving 10 years of a 16-year sentence for theft

Goedemoed is on the border between the Orange Free State and the Cape Province, near Alwal North

Wilson said when he was released, 200 prisoners signed a petition listing their grievances. However, he was searched and it was confiscated

"That place really knocked me emotionally. I felt so bad when I left, knowing I was leaving others behind to face that hell," he said

"They've been on my conscience since I've been out. I can't sleep well at night

Wilson was held at the Helderstroom Prison after being sentenced in 1983, but was transferred to Goedemoed

From the day they arrived, the Cape prisoners clashed with the warders in an attempt to get halaal food, he said

"The warders wouldn't give in to our request so we went on strike. They said we had no right to practise our religion," Wilson claimed

"They threw our Quran onto the floor and let their dogs walk on our prayer mats"

The strike was the first in a series of many

Wilson said the prison's commanding officer, a Major van Niekerk, was never available to hear complaints

"In 1990, we couldn't take the abuse any longer and trapped a warder in a cell demanding (the then Minister of Correctional Services) Mr Kobie Coetsee and representatives of the media come see the conditions in the prison.

"One prisoner was shot dead at point-blank range in his head and another was paralysed because of the way he was beaten by warders

"We were punished and one prisoner had an extra 30 years added to his sentence"

Wilson said he was outraged

in December last year when warders almost caused the death of an escaped convict

He claimed the prisoner was shot in the leg and left in the veld where he bled to death

Wilson said Goedemoed warders punished prisoners for the smallest "offences"

In an incident, Wilson claimed, a prisoner swore at a warder. The warder hit the man repeatedly with his baton and the prisoner had 14 stitches in his head as a result

"The prisoner laid charges of assault against the warder but his medical report disappeared"

Wilson accused warders of stealing prisoners' rations, saying he knew about this as he worked in the prison kitchen

He was assaulted in November 1989 when he tried to stop a warder from stealing rations

Although he laid a formal charge against the warder and persuaded another warder who witnessed the assault to give evidence at a hearing, no disciplinary action was taken

Wilson said he could not rest until the conditions at Goedemoed were made public

"I don't care what happens



Anwar Wilson

to me as long as that prison is exposed," he said

"The others are depending on me. I gave them my word"

A spokesperson for the Department of Correctional Services said some of Wilson's allegations were "totally unfounded" while others were "gross exaggerations"

"The Department has a proven record of responsible management practices and gives the assurance that complaints brought to our attention will be fully investigated

"If any evidence is found the law will take its full course or the necessary departmental steps will be taken"

IN 2/10

Steps to rectify prison inefficiency

CAPE TOWN — Steps have been taken to correct deficient management arrangements in the Department of Correctional Services

This is according to the Auditor-General's report on Appropriation and Miscellaneous Accounts for the 1991-92 financial year which was tabled in Parliament yesterday

Among the findings of the performance audit were that unused, surplus or unserviceable equipment in the cloth-

ing workshops was not regularly disposed of, prisoners were used in the production line without proper training, and the co-ordination of the budget, planning and production was not always done efficiently

Deficient management arrangements were reflected in

● About R450 000 spent needlessly on a vegetable dehydration project at Baviaanspoort prison which was stopped halfway and converted into a central kitchen

● Wash-house equipment at Baviaanspoort prison, capable of producing about 540 kg of dry laundry an hour, lay unused for more than a year

● Amnesty granted to prisoners which resulted in about 27 percent of the machines in the clothing workshops not being used

● Water, electricity, transport, labour and building rental costs for vegetable production not included in the costing system — Sapa

Death sentences: police murders

*18 Mr D H M GIBSON asked the Minister of Law and Order

Whether he intends recommending to the State President that death sentences be carried out upon persons convicted of killing members of the South African Police Force, if not, why not? B175E

The MINISTER OF LAW AND ORDER

No, but I would like to draw your attention to the Opening Address of the State President on 29 January 1993, in which he stated the following point of view

The Government is also reviewing its position on the carrying out of the death penalty. At present a moratorium on carrying out death sentences is in force with a view to the negotiation of a bill of fundamental rights

However, the wave of cruel murders and manslaughter, the prevailing disrespect for human lives and the delays in negotiation make it very difficult for the Government to allow the moratorium to continue indefinitely. Parliament will be acknowledged in the process of reconsideration

It is also my point of view that the death penalty must not be imposed and carried out in respect of a select group of persons who are the victims of murder, but that the death penalty should be applicable to the entire spectrum of society

Danger pay policemen

*19 Mr D H M GIBSON asked the Minister of Law and Order

Whether members of the South African Police receive danger pay or any other form of inducement when they are stationed in areas of South Africa which are considered to be dangerous, if not, why not, if so, what is the nature of such pay or inducement? B176E

The MINISTER OF LAW AND ORDER

Yes. All members of the South African Police receive a non-pensionable allowance which was established to, among other things, compensate for general risks attached to their duties, continual contact with unde-

stable elements and criminals, potential or real danger as a result of doing duty under inconvenient and unpleasant circumstances, as well as long and irregular working hours

Tariff

Constable R4 800,00 per annum
Lance-Sergeant R4 800,00 per annum
Sergeant R4 200,00 per annum
Warrant-Officer to Colonel R3 600,00 per annum
Brigadier to General R2 517,00 per annum

An operational territorial allowance is paid to the following members

Members of the Internal Stability Division whose main task is the prevention and combating of riots

Tariff

R6 000,00 per annum

Members performing detached duties in unrest areas to prevent and combat riots

Tariff

R6 000,00 per annum

Members stationed at border posts

Tariff

Constable R8 048,28 per annum
Lance-Sergeant R10 238,28 per annum
Sergeant R10 758,72 per annum
Warrant-Officer R12 008,52 per annum
Lieutenant R13 924,80 per annum
Captain R14 727,72 per annum
Major to Colonel R16 625,76 per annum

The payment of an operational territorial allowance to members of the South African Police who exclusively perform duties in riot-torn areas or are stationed in such areas has been receiving attention for some time but could not, on account of insufficient available funds, be introduced to date

Estate Agents Act: revision

*20 Mr B B GOODALL asked the Minister of Trade and Industry

Whether, with reference to his reply to Question No 18 on 19 February 1992, a decision has been reached regarding a revision of the Estate Agents Act, 1976 (Act No 112 of 1976), if not, why not, if so, when will the amending legislation be introduced? B177E

The MINISTER OF TRADE AND INDUSTRY

Although it was anticipated that the amending legislation pertaining to the Estate Agents Act, 1976 (Act No 112 of 1976) would have been further during the 1993 parliamentary session, it was decided that owing to investigations into possible amendments to and consolidation of Acts relating to the alienation of land, amendments to the Estate Agents Act should be postponed until 1994

Lotteries allowed

*21 Mr B B GOODALL asked the Minister of Justice

- (1) When will the Government be in a position to announce whether it will allow lotteries in South Africa,
- (2) whether he will make a statement on the matter? B178E

The MINISTER OF JUSTICE

- (1) The State President appointed a Commission of Inquiry into Certain Lotteries, Sports Pools and Fund-Raising Activities under the chairmanship of the Honourable Judge President J A Howard on 23 September 1992 with the terms of reference, *inter alia*, to report on the desirability, in view of the prevailing financial, social and ethical values, of legalising lotteries. Indications are that the Commission's report may be completed by the end of March 1993. The Government will, as soon as the Howard Commission's recommendations are received, evaluate them and will then make its views known
- (2) Falls away

Community service

*22 Mr A J LEON asked the Minister of Justice

How many persons had been sentenced to community service as at 31 December 1992? B179E

The MINISTER OF JUSTICE

Statistics regarding the number of persons sentenced to community service have been kept since July 1989. For the information of

the hon member the following statistics are furnished

1 July 1989 to 30 June 1990	777
1 July 1990 to 30 June 1991	1 083
1 July 1991 to 30 June 1992	1 161

Statistics for the period 1 July 1992 to 31 December 1992 are not yet available

Prisoners: previous convictions

*23 Mr A J LEON asked the Minister of Correctional Services

How many persons in South African prisons as at 31 December 1992 had been convicted of offences previously? B180E

The MINISTER OF CORRECTIONAL SERVICES

The exact information as required by the hon member is unfortunately not centrally available and can only be obtained by means of an expensive and manpower-intensive country-wide survey

A survey which was done on 31 January 1993 may possibly be of value to the hon member and the following information is provided

- Number of sentenced prisoners involved in the survey 34 718 (This represents 41% of the total number of sentenced prisoners countrywide on that day, viz 84 317)
- Number of prisons involved in the survey 70 (This represents 35% of all prisons)

Result of the survey

- Number of sentenced prisoners with previous convictions 22 957
- It was also found that 17 027 of the 22 957 prisoners with previous convictions had previously served a sentence or sentences of imprisonment
- Number of prisoners with no previous convictions 11 761

From this it is evident that

- ± 66% of the cases had previously been found guilty of one or more offences,
- ± 49% of the cases had previously served a sentence or sentences of imprisonment,

— ± 34% of the cases had never previously been found guilty of an offence

These particulars have only been obtained from available data and are not the result of empirical research

The Department has already established contact with the Criminology Institute of the University of South Africa with a view to co-operation in respect of empirical research into the phenomenon of recidivism

As the Department's computerization programme progresses and data which is presently still only available at certain prisons countrywide is centralized, more exact facts will be more readily available

Train violence: deaths

*24 Mr R J LORIMER asked the Minister of Law and Order

How many deaths resulted from violence on trains and stations on the Witwatersrand in 1992? B181E

The MINISTER OF LAW AND ORDER

216 deaths

Home Affairs: criminal actions against officials

*25 Miss M SMUTS asked the Minister of Home Affairs

Whether, with reference to a statement made by the Director-General of his Department on or about 22 September 1992, investigations have been completed in respect of and/or steps have been taken against (a) two officials against whom departmental disciplinary action and possible criminal proceedings were being considered, and (b) three officials against whom allegations of misconduct in terms of the Public Service Act, 1984 (Act No 111 of 1984), were being investigated, and possible criminal action in terms of the Aliens Control Act, 1991 (Act No 96 of 1991), was being considered, as at the above-mentioned date, if so, (i) when were these investigations completed and (ii) what steps have been taken to date? B185E

The MINISTER OF HOME AFFAIRS

(a) and (b)

(i) The last of the investigations was completed in January 1993

HOUSE OF ASSEMBLY

(b) (i) (aa) Yes

(bb) No

(ii) No

The conventions were signed on 29 January 1993. Their ratification will be considered at a later date. Reservations can only be registered at the time of ratification

(2) (a) — the UN Convention on the Elimination of All Forms of Discrimination against Women of 1979,

— the UN Convention on the Nationality of Married Women of 1957,

— the UN Convention on the Political Rights of Women of 1952.

In addition, South Africa acceded to

— the UN Convention on Consent to Marriage, Minimum Age for Marriage and Registration of Marriages of 1962,

(b) None

Parsons Commission: further reports

*27 Mr D S PIENNAAR asked the Minister of Regional and Land Affairs

Whether the Commission of Inquiry into the 1986 Unrest and Alleged Maladministration in KwaNdebele (Parsons Commission) has submitted any further reports to the State President in addition to those already published, if not, why not, if so, when (a) were these reports so submitted and (b) will they be released for publication? B188E

The MINISTER OF REGIONAL AND LAND AFFAIRS

The Commission of Inquiry into the 1986 Unrest and Alleged Mismanagement in KwaNdebele (Parsons Commission) submitted a third report to the State President on (a) 18 September 1992 and (b) the said report will be made public as soon as the Government and the Government of KwaNdebele have jointly decided on a date for the release of the report as in the case of the previous reports

Southern Cape RSC - Site KD No 185

*28 Mr A GERBER asked the Minister of Local Government +

(1) Whether, with reference to his reply to Question No 321 on 19 June 1992, the Southern Cape Regional Services Council has instructed its attorneys to restore the title deed conditions of Portion 2 of Site KD No 185, if not, why not, if so, on what date were they so instructed,

(2) whether the matter has been disposed of, if not, when is it anticipated that it will be disposed of,

(3) whether he will make a statement on the matter? B191E

The MINISTER OF LOCAL GOVERNMENT

(1) During December 1992 the Southern Cape Regional Services Council instructed its attorneys to arrange for the registration of the reinstatement of the deleted conditions of title in accordance with the relevant order of the Cape of Good Hope Provincial Division of the Supreme Court in Case No 13359/85

(2) The rectifying registration was done by endorsement by the Registrar of Deeds on 29 January 1993 thus disposing of the matter (Registrar of Deeds microfilm reference No 93-0107-5061)

(3) No

INTERPELLATION

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language

Own Affairs

Disaster drought and scheme

*1 Mr D S PIENNAAR asked the Minister of Agricultural Development

Whether any special disaster drought aid scheme is applicable to self-supporting economic farming enterprises adjacent to agricultural schools, if not, why not, if so, what are the relevant details?

B79E INT
HOUSE OF ASSEMBLY

Hansard

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(g <i>i</i>)	(h)	(i)	(j)
Claremont	3	2	56	116	10	83	422	114	103	935	007
Steenberg	22	7	399	523	62	211	101	72	309	795	014
Kirstenhof	6	7	58	84	2	33	96	65	98	439	006

Note
(g*i*)—Motor vehicles
(g*ii*)—Bicycles

Natal murders

53 Mr L FUCHS asked the Minister of Law and Order

(1) How many murders were reported in (a) the Natal Midlands and (b) Natal in 1992.

(2) with reference to the murders reported, (a) how many cases have resulted in (i) an investigation, (ii) prosecution and (iii) conviction and (b) in respect of what date is this information furnished?

B146E

The MINISTER OF LAW AND ORDER

(1) (a) 2 175
(b) 3 397

	Natal	Natal Midlands
(2) (a)	(i) 3 397	2 175
	(ii) 1 296	614
	(iii) 456	183

(b) 1 January 1992 to 31 December 1992

Persons awaiting trial: period of time between arrest/sentencing

54 Mr A J LEON asked the Minister of Correctional Services

(a) What, in respect of persons awaiting trial in prisons, was the average period of time that elapsed between arrest and sentencing calculated as at the last day of each month in 1992 and (b) what was the (i) age and (ii) gender distribution of persons awaiting trial in that year?

B147E

The MINISTER OF CORRECTIONAL SERVICES

(a) The precise information cannot be provided to the Honourable Member as it is, *inter alia*, not centrally available and

HOUSE OF ASSEMBLY

there are various practical problems with the recording of such statistics. In this regard I refer to my reply of 26 February 1992 in the House of Assembly to question number 87 for written reply (Hansard coll 313-315) and wish to quote the following appropriate section

“Statistics out of an exercise which was done on 2 January 1991 of all awaiting-trial prisoners who were detained in South African prisons on that day, are as follows

25,7% — 1 day until 14 days
30,5% — 14 days until 1 month
33% — 1 month until 3 months
8,3% — 3 months until 6 months
2,5% — Longer than 6 months

A further spot check at the Johannesburg, Pretoria, Pollsmoor, Witbank, Durban and Port Elizabeth Prisons on 13 February 1992 where a total of 10 999 awaiting-trial prisoners were in detention on that day, delivered the following statistical data

26,33% — 1 day until 14 days
22,48% — 14 days until 1 month
32,74% — 1 month until 3 months
2,16% — 3 months until 6 months
16,29% — Longer than 6 months

(i) and (ii)
As on 31 December 1992

Age	Male	Female
Younger than 20 years	4 522	166
20 years and younger than 25 years	5 197	186
25 years and older	9 574	384
Total	19 293	736

Grand total 20 029

Section 29 of the Correctional Services Act, 1959 (Act No 8 of 1959) stipulates,

inter alia, that a person under the age of eighteen years who is accused of having committed an offence shall not be detained in a prison prior to his conviction unless his detention is essential and no suitable place of safety as mentioned in the Child Care Act, 1983 (Act No 74 of 1983) is available for his detention. In every such case the particular judicial officer issues a certificate to this effect. In deciding on the suitability of the place of detention, the nature of the offence with which a person is charged is taken into account as well as age, sex, character etc

A juvenile who is detained in terms of section 29 of the Correctional Services Act, 1959 shall not be permitted to associate with a person over the age of 21 years who is in custody, excluding such a person who was charged jointly with him, provided the Head of the Prison is of the opinion that such association will not be detrimental to him. Juveniles are also separated with regard to age groups where facilities permit

Discussions take place regularly between the Department of Correctional Services, the local magistrates, prosecutors and the South African Police with a view to keeping awaiting-trial juveniles out of prison

As the Honourable Member may be aware, the Government has taken the initiative of addressing the problem of juveniles in custody by means of a Working Group with regard to Alternative Centres for juveniles in Custody under the Chairmanship of the Deputy Minister of National Housing. This Working Group has already made good progress and issued various reports. Should the Honourable Member require more information in this regard, I suggest that he contact the Chairman of the Working Group concerned

Awaiting-trial/sentenced prisoners: escapes

55 Mr A J LEON asked the Minister of Correctional Services

Whether any (a) awaiting-trial and (b) sentenced prisoners held in custody escaped from prisons in South Africa in 1992, if so, (i) how many prisoners escaped, (ii) from which prisons did they escape, and (iii) how many were recaptured, in each case?

B148E

The MINISTER OF CORRECTIONAL SERVICES

(a) and (b) Yes

(1) During the period 1 January 1992 to 31 December 1992, six hundred and thirty-nine (639) sentenced prisoners and sixty-three (63) awaiting-trial prisoners escaped from South African prisons. Fifty-two (52) of the 639 escapes by sentenced prisoners took place from prison institutions while five hundred and eighty-seven (587) took place from workteams, courts, hospitals, etc. The total number of escapes represent 0,17% of the total number of prisoners admitted to South African prisons from police and courts during the 1992 calendar year. Up to and including 31 December 1992, two hundred and fifty-three (253) sentenced prisoners and thirty-six (36) awaiting-trial prisoners were re-arrested

The endeavour continually remains to eliminate escapes, hence every escape incident is thoroughly investigated in order to identify shortcomings and introduce preventive measures where necessary

Appropriate disciplinary steps are taken in cases of negligence whilst in cases where aiding in escaping are suspected, the matter is reported to the SA Police for the necessary judicial process to take its course. Flaws which may be found to exist in directives are rectified while the correct application and fulfilment of directives are regularly brought to the attention of members. Defects to buildings and over-population are also factors attributing to escapes and corrective steps are also taken in this regard although financial implications sometimes play a restrictive role

HOUSE OF ASSEMBLY

In addition to the aforementioned, the Department of Correctional Services continuously strives to keep abreast of developments in the field of technology through close contact with Government institutions and the private sector in order to better equip its staff for the performance of their custodial function and the protection of society, with due cognisance of the restrictive role of financial implications

The same security measures are not applied to all prisoners because these are determined by the security risk represented by the prisoners. All sentenced long-term prisoners are classified according to their security risk as soon as possible after admission on the basis of a standardised instrument of measurement. Depending on the results of this measurement, such prisoners are then referred to and detained in a maximum or medium security prison. If a prisoner's conduct and adaptation are such that his security risk is reduced, he may be considered for reclassification to a lower se-

(ii) and (iii) For the Honourable Member's convenience the detail is set out in the enclosed schedule

Prison	Awaiting-Trial Prisoners		Sentenced Prisoners		
	Escaped	Recaptured	Escaped	From Workteams Courts, Hospitals etc	Recaptured
REGION A WESTERN CAPE REGION					
Allandale			4		3
Calvinia			1		1
Klein Drakenstein			3		1
Pollsmoor Maximum			1		
Pollsmoor Medium A			3		2
Pollsmoor Medium B			3		3
Pollsmoor Min security	1		3		4
Riebeek West			1		1

Prison	Awaiting-Trial Prisoners		Sentenced Prisoners		
	Escaped	Recaptured	Escaped	From Workteams Courts, Hospitals etc	Recaptured
Springbok					
Staarivon Paardeberg					
Victor Verster Maximum					
Victor Verster Medium A					
Victor Verster Medium B					
Voorberg	6	6			6
TOTAL	7	6	7	35	22
REGION B SOUTHERN CAPE REGION					
George Male					
Heiderstroum Medium					
Knysna					
Mossel Bay	6	6	1	1	1
Robertson					
Umdandale					
Worcester Male					
TOTAL	6	6	1	11	7
REGION C EASTERN CAPE REGION					
Barkly East					
Craddock					
Graaff-Reinet					
Genl J C Steyn					
King Williamstown					
East London Medium A			1	2	2
Patensie					
Port Elizabeth Male					
Somerset East					
St Albans Maximum			2	4	2
St Albans Medium B					
TOTAL			3	44	25
REGION D OFS AND NORTHERN CAPE REGION					
Barkly West					
Boshof			1	1	1
Brandfort					
Christiana					
TOTAL			1	1	2

Prison	Awaiting-Trial Prisoners		Sentenced Prisoners			
	Escaped	Recaptured	Escaped	From Workteams Courts, Hospitals etc	Recaptured	Out of Prisons
Collesberg						
De Aar				4	2	
Goedemoed Medium A				2	2	
Goedemoed Medium B				14	9	
Grootvlei Medium			5	8	5	
Kimberley Male				2	3	
Kuruman				2	2	
Uppington				5	1	
Winburg			1	1	1	
TOTAL			7	42	31	
REGIONE N OFS AND WESTERN TRANSVAAL REGION						
Bethlehem				1	3	
Groenpunt Maximum				3	3	
Groenpunt Medium			2	1	3	
Harrismuth				1	1	
Klerksdorp				10	6	
Kroonstad Medium A				19	10	
Kroonstad Medium B				2	2	
Parys				2	1	
Potchefstroom				1	1	
Rustenburg				5	2	
Sasolburg			1	3	2	
Vereeniging Male				6	1	
TOTAL			4	58	27	
REGION F CENTRAL TRANSVAAL REGION						
Heidelberg				4	3	
Johannesburg Medium A	2			4	3	
Johannesburg Medium B				1	1	
Johannesburg Female				17	3	
Krugerdsdorp				1	3	
Leeuwkop Medium A				11	1	
Leeuwkop Medium B				28	2	
Leeuwkop Medium C				2	2	
Modderbee				16	16	
Nigel	1			24	11	
TOTAL	3	1	11	113	25	

Prison	Awaiting-Trial Prisoners		Sentenced Prisoners			
	Escaped	Recaptured	Escaped	From Workteams Courts, Hospitals etc	Recaptured	Out of Prisons
REGION G NORTHERN TRANSVAAL REGION						
Baviaanspoort Maximum						
Baviaanspoort Medium						
Brits						
Losperfontein	15	8	6	1	5	
Louis Trichardt				27	8	
Nylstroom				3	1	
Pietersburg	16	6		11	1	
Pretoria Local				4	6	
Pretoria Central	1		4	12	2	
Voorrekerhoogte				6	2	
Tzaneen				17	4	
Walvis Bay				4	4	
Zonderwater Medium A	2			16	1	
Zonderwater Medium B				4	1	
TOTAL	34	14	13	118	37	
REGION H EASTERN TRANSVAAL REGION						
Barberton Medium A				2	2	
Barberton Medium B				10	6	
Barberton Maximum				2	1	
Barberton Town				1	1	
Belfast				1	1	
Carolina				1	1	
Geluk				1	1	
Nelspruit				1	1	
Newcastle				11	8	
Piet Retief				3	3	
Standerton Medium B				1	1	
Volkstrust			3	5	1	
Vryheid				2	4	
Waternal Medium A				1	1	
Waternal Medium B				6	3	
Witbank	8	6		1	1	
TOTAL	8	6	3	57	39	
REGION I NATAL REGION						
Durban Medium B				3	3	
Durban Medium C				21	9	

Prison	Awaiting-Trial Prisoners		Sentenced Prisoners		TOTAL
	Escaped	Recaptured	Escaped	Recaptured	
Durban Medium D					
Empangeni					
Eshowe	1				1
Estcourt					
Glencoe					
Greytown					
Ixopo	1	1			2
Kranskop					
New Hanover					
Pietermaritzburg Med A	2	1			3
Port Shepstone	1				1
Sevontein					
Stanger					
Verulam					
TOTAL	5	3	3	109	40

* Escapee shot dead during an escape

Awaiting-trial prisoners in custody

64 Mr D J DALLING asked the Minister of Correctional Services

What was the average number of awaiting-trial prisoners in custody on the last of each month in 1992? B115E

The MINISTER OF CORRECTIONAL SERVICES

The figures with regard to awaiting-trial prisoners who were incarcerated in South African prisons on the last day of each month during 1992, are as follows

31 January 1992	24 365
29 February 1992	24 326
31 March 1992	23 637
30 April 1992	24 363
31 May 1992	22 736
30 June 1992	21 705
31 July 1992	21 469
31 August 1992	21 948

	(a)	(b)	(c)	(d)	(e)	(f)	(g)	(h)	(i)	(j)
Wynberg/Alexandra	452	12	846	571	182	736	275	438	397	003
Lombardy East	9	7	12	58	9	115	263	167	612	008
Sandton	29	36	100	334	29	224	988	626	1 761	043
Bramley	34	31	106	186	11	326	588	460	642	025

Own Affairs

White colleges: number of students

9 Mr M J ELLIS asked the Minister of Education and Culture

How many students were studying at White teacher-training colleges as at (a) the latest specified date for which figures are available and (b) a corresponding date five years ago? B142E

The MINISTER OF EDUCATION AND CULTURE

- (a) 10 February 1993 5 411,
- (b) 10 February 1988 8 544

Hospitals bed occupancy rate

10 Mr M J ELLIS asked the Minister of Health Services and Welfare

What was the average bed occupancy rate in 1992 in each specified hospital falling under the control of his Department in (a) Natal, (b) the Orange Free State, (c) the Cape Province and (d) the Transvaal? B143E

The MINISTER OF HEALTH SERVICES AND WELFARE

The average rate of bed occupation in each own affairs hospital were as follows

	Average rate of bed occupation 1992
(a) Natal	
Greys Hospital, Pietermaritzburg	67,50%
Greytown Hospital	36,88%
Hillcrest Hospital	95,18%
(b) Orange Free State	
Bethlehem Hospital	60,00%
Jagerfontein Hospital	48,06%
Sasolburg Hospital	48,53%
Voorreker Hospital, Kroonstad	57,27%
(c) Cape Province	
Zastron Hospital	21,33%
(d) Transvaal	
Cape Province	
Port Elizabeth Provincial Hospital	54,49%
Volks Hospital, Cape Town	41,38%
Walvisbaai Hospital	47,62%
William Slater Hospital, Cape Town, is only used as an outpatients unit	
Alexandra Hospital, Cape Town	103,60%
Transvaal	
Andrew McCollm Hospital, Pretoria	30,40%
Bernice Samuel Hospital, Delmas	46,20%
Bloemhof Hospital	60,80%
Brits Hospital	66,00%
Cullinan Care and Rehabilitation Centre	93,12%
Delareyville Hospital	47,10%
Durwelskloof Hospital	47,70%
Edenvale Hospital	59,30%
Elsie Ballot Hospital, Amersfoort	83,70%
Evander Hospital	74,10%
FH Odendaal Hospital, Nylstroom	62,80%
Generaal de la Rey Hospital, Lichtenburg	36,40%
Groblersdal Hospital	48,50%
HA Grové Hospital, Belfast	52,20%
Hendrik van der Bijl Hospital, Vanderbijlpark	30,10%
J G Strijdom Hospital, Johannesburg	69,50%
Kempfontein Hospital	76,20%
Louis Trichardt Memorial Hospital	39,50%
Discoverer's Memorial Hospital, Roodepoort	43,10%
Paardekraal Hospital, Krugersdorp	51,50%
Pretoria West Hospital	69,20%
Phalaborwa Hospital	41,70%

Gluckman: Police murder criminals

From CHRIS BATEMAN

LONDON. — Police still tortured and murdered young black men but today's victims were common crime suspects, not political detainees, Biko inquest pathologist Dr Jonathan Gluckman said on a Channel Four television documentary

last night.

In a wide-ranging probe into unsolved murders, "fake" official post-mortems and allegedly improper inquests, the documentary, entitled "The Gluckman Files", focused on five unresolved deaths

Dr Gluckman said what finally made him "snap" and go pub-

lic was the case of Mr Simon Mthimkulu, 19, of Sebokeng, found dead from multiple injuries after last being seen in police custody by a friend in July last year.

Police have opened a murder docket but no one has yet been charged

Dr Gluckman said that between July and December last year, he had performed an average of "three to four" post-mortems a month in which he had found evidence that the police persisted in their old ways, but since January this year this figure had dropped to one a month

CT 25/2/93

253

Assault on detainee 'probed' ⁽²⁵³⁾

JOHANNESBURG. — The alleged assault of a detainee by a policeman in Heidelberg, southeast of here, is being investigated, the police said yesterday.

The ANC Youth League on Tuesday made allegations of police brutality against detainees from Ratanda township, outside Heidelberg. *CT 25/2/93*

"Illegal assaults by the SAP will not be tolerated. All reported cases will be investigated thoroughly and if proven, action will be taken," the police said.

The unidentified detainee is one of 11 being held at the Heidelberg police station. The ANCYL's Ratanda branch demanded that eight of their members either be charged or released.

The police said the eleven were held in connection with murder, attempted murder, public violence, attacks on police, explosions and the illegal possession of firearms in Ratanda. — Sapa

Bar call to govt on corruption

JOHANNESBURG. —
The General Council of
the Bar of South Africa
(GCB) has called on the
government to announce
immediately and public-
ly the steps it has taken
against corruption,
criminality and irregu-
larities by state employ-
ees

CT 25/2/95
"It is a source of great
concern to the GCB that
there is an apparent lack
of will and/or ability on
the part of the relevant
authorities to investi-
gate these acts and de-
termine who is responsi-
ble for them," the GCB
said in a statement yes-
terday. — Sapa

BROWN BROTHER

CT 25/12/93 (254) (253)

Killer freed as political prisoner

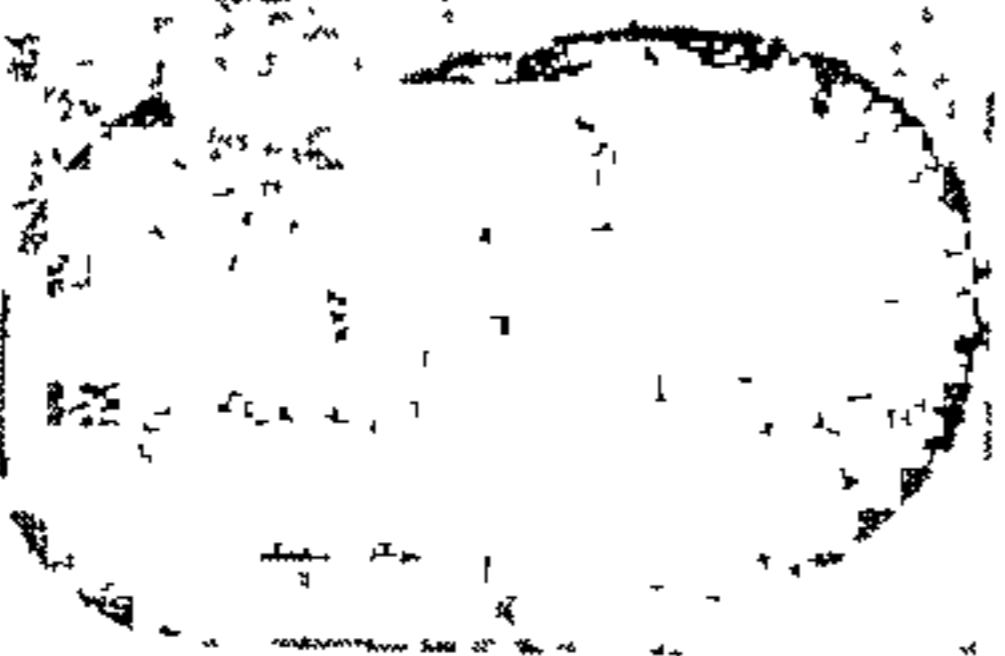
By RONNIE MORRIS and GYNNIS UNDERHILL

A CONVICTED KILLER who took part in the savage murder of a Knysna hairdresser was released as a political prisoner, the Cape Times has found.

According to Supreme Court records and officials Sindile Zweni, known as "Baby Face", spent only 15 months behind bars after receiving a seven-year sentence for stabbing a schoolteacher to death in Zolani near Ashton.

He was released as a "political prisoner" in 1991 and three months later he took part in the "cruel and savage" murder of Knysna hairdresser, Mario Kaplan.

His early release was similar to that of notorious robber and murderer Lucky Malaza, who was mistakenly freed unconditionally in September last year after he pretended to be a political prisoner. The circumstances of Zweni's release only



KILLED AGAIN...
Sindile Zweni



READY TO SWIM... Barcelona Olympic captain Pierre de Roubaix start on the swimming clinics they will be holding at several Langa schools as part of a campaign to help disadvantaged communities.

Pictures: BERNY GOOL

emerged yesterday after the Cape Times put questions to the Department of Correctional Services, who had undertaken to investigate remarks by Cape Supreme Court Judge Mr Justice H.L. Berman, who last week jailed Zweni for life.

● In September 1986 Zweni was jailed for eight years on a charge of public violence which was changed to six years, of which three years were conditionally suspended for five years.

After serving three years he was released. ● In January 1990 Zweni was jailed for seven years on a culpable homicide charge after the fatal knifing of a schoolteacher.

● In April that year the suspended portion of his public violence conviction was put into operation.

● On April 27, 1991 Zweni was unconditionally released. In sentencing Zweni to life imprisonment in the Cape Supreme Court last week, Mr Justice Berman said: "Let it hang heavily on someone's conscience if history is allowed to repeat itself."

Yesterday the Department of Correctional Services spokesman Colonel Barry Eksteen said Zweni had been released as a political prisoner.

Zweni was serving a sentence for public violence at the time of his release, he said.

However, court records show Zweni had already served his sentence for public violence by early 1991.

Col Eksteen could not say if a mistake had been made, but it would be investigated today.

● Lucky Malaza was recently arrested in connection with an armed robbery at Sun City.

ANC plea on striking warders

Own Correspondent

MARITZBURG. — The ANC Natal Midlands has urged the Minister of Correctional Services, Mr Adriaan Vlok, to reverse a demand by prison authorities that striking warders make individual representations to be reinstated.

ANC regional secretary Mr Sifiso Nkabinde said the prison workers had been dismissed collectively and should not have to make individual representations, which would result in selective re-employment, and cause anger in the community.

"If this matter is not resolved soon we are concerned that this strike will spread throughout the country," he warned.

About 490 warders from the Maritzburg and Sevontein Prisons are on strike, according to a Prisons and Civil Rights Union spokesman. Earlier a Correctional Services Ministry official said 262 prison warders from Maritzburg, Sevontein and Durban prisons had failed to report to work.

Awaiting-trial statistics

South African prisons held an average of 22 133 awaiting-trial prisoners each month during 1992, Correctional Services Minister Adriaan Vlok said yesterday. Replying to a question in Parliament, he said the highest figure was 24 365 in January and the lowest 20 029 in December.

Star 25/2/93.

'Any black man risks death in police custody'

GARNER THOMSON
The Argus Foreign Service

LONDON — A British television documentary team has suggested that "any young black man" now faces the risk of death in custody of the South African Police — not just those with a political involvement

Channel 4's Dispatches programme has come to that conclusion following an investigation into the work of Dr Jonathan Gluckman, South Africa's leading pathologist, who has conducted hundreds of autopsies after deaths in police custody

The Gluckman Files, broadcast in Britain last night, draws on Dr Gluckman's investigations, repeating his accusation of "uncontrollable savagery" and the claim that his medical findings have been ignored and covered up for years

Among the accusations highlighted by the programme are that

- State medical officials carry out fake post-mortems,
- Police ignore the evidence of crucial witnesses, and
- Magistrates hold inquests without notifying relatives or lawyers.

(253) 25/11/93

PEOPLES LIVES *Going all the way is a sure way to the top says SA's only woman general*

Ladder to success

Sowetan 25/2/93

By Josias Charle

■ **EASY DOES IT** *There is no bark*

and less bite from this general.

The laid back manner of the only female general in the South African security forces belies her status — but confirms her attitude to life

Major-General Erika van Zyl (51) was promoted by Correctional Services Minister Adriaan Vlok to her present rank in December after spending her entire life working for the department — formerly known as Prison Services

Her official title is Deputy Commissioner Supporting Services. The activities include being in charge of the public relations division, inspectorate of prisons, organisation and work study, legal services and compensation of the department

She smiles readily and uses her hands a lot as she emphasises the points she's making. She does not seem to be an imposing person and it is clear that she treats her staff with compassion and understanding.

Van Zyl joined the Prison Services in 1962 after completing a BA degree in criminology and sociology at the University of Pretoria

The department was an unknown quantity at that time but I got to know about it when one of its career officers



Major-General Erika van Zyl

visited our school and informed us about opportunities offered in the department. I have never looked back since," Van Zyl told Sowetan in an interview at the Pretoria headquarters of the department.

Van Zyl's first major job was as assistant head of the Pietersburg female

prison in 1964. She was later transferred to Kroonstad to head the female prison there at the end of 1964 and a year later she was promoted to the rank of lieutenant

She married in 1966 to Braam van Zyl who is also a Major-General and Regional Commissioner of Correctional Services in the Northern Transvaal

One of the major jobs she held during her long road to the top was as inspector of female prisons in South Africa

In 1971 she was promoted to the rank of captain and by 1984 she was a brigadier until she got promoted to her present rank last year

Asked about her relationship with her male subordinates Van Zyl said "This is not a matter of gender

"My male colleagues don't see me as a woman, they see me as a competent person doing a job

"There are many other senior members of the department who are women"

Van Zyl relaxes by taking aerobics classes or swimming or she likes to relax in front of the television

"I also like working with my hands and I enjoy painting and gardening

(253) ~~253~~

OS (BNS) 011

Black youths 'at risk in cells'

253

By Garner Thomson
Star Bureau

STAR 25/2/93

LONDON — A British TV documentary team suggests any young black man now faces the risk of death in custody of the South African police — not just those with a political involvement

Channel 4's *Dispatches* programme has come to that conclusion after an investigation into the work of pathologist Dr Jonathan Gluckman, who has conducted hundreds of autopsies

after deaths in police custody.

The Gluckman Files, broadcast in the UK last night, draws on Gluckman's investigations, repeating his accusation of "uncontrollable savagery" and the claim that his medical findings have been ignored and covered up for years.

Among the accusations highlighted by the programme, directed by John Bridcut, are:

● State medical officials carry out fake post-mortems.

● Police ignore the evidence of crucial witnesses.

The claims are dismissed by Law and Order Minister Hennis Kriel as "bordering on a criminal statement".

Dispatches highlights a number of cases, including those of Simon Mthimkulu, found dead after allegedly being beaten by police, and Edward Malele, officially a victim of bronchial pneumonia, but who, says Gluckman, actually died of a brain haemorrhage.

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Warders blamed for prison killing

253

w/ Mail 26/2-4/3/93

By JACQUIE GOLDING

LETTERS smuggled out of Groenpunt Prison in Vereeniging suggest that warders and other prisoners may have had a rôle in the death of a 19-year-old first offender

Gerald Franky Bafana Nkomo was found dead in his prison cell on September 14 last year, a month after allegedly being gang-raped with two fellow-prisoners

In a letter to Nkomo's father, one of the rape victims says "the Boers and other prisoners" were involved in his death. Nkomo's sister, Peggy, the last family member to see him before he died, said he had told her he was "scared" and he thought that warders together with prisoners were planning to kill him because he was complaining about his rape and insisting on a transfer to a different prison

A first offender, Nkomo was serving three years for robbery and was to be released later that year

Correctional Services spokesman Colonel Barry Eksteen said the cause of Nkomo's death was "unknown" and an inquest was to be held

Eksteen added that the charges of rape made by Nkomo were dropped in October after his death due to "lack of evidence" "Those made by fellow prisoners who were raped were also dropped," he said

"Nkomo did not see a psychologist after the alleged rape, neither was he transferred because there was no suitable transport," added Eksteen "The doctor who examined Nkomo at the time found no signs of rape"

But letters in the possession of *The Weekly Mail* and interviews with prisoners who shared a cell and were raped with Nkomo, tell a different story

One letter written by two prisoners to Nkomo's father says both prison authorities and prisoners were involved in Nkomo's death.

"Daddy I want you to understand me very carefully because your son's death is very shameful. The Boers and some prisoners are involved and there is no truth you will get from such people."

At the same time there were prisoners whom the whites had told "to witness lies"

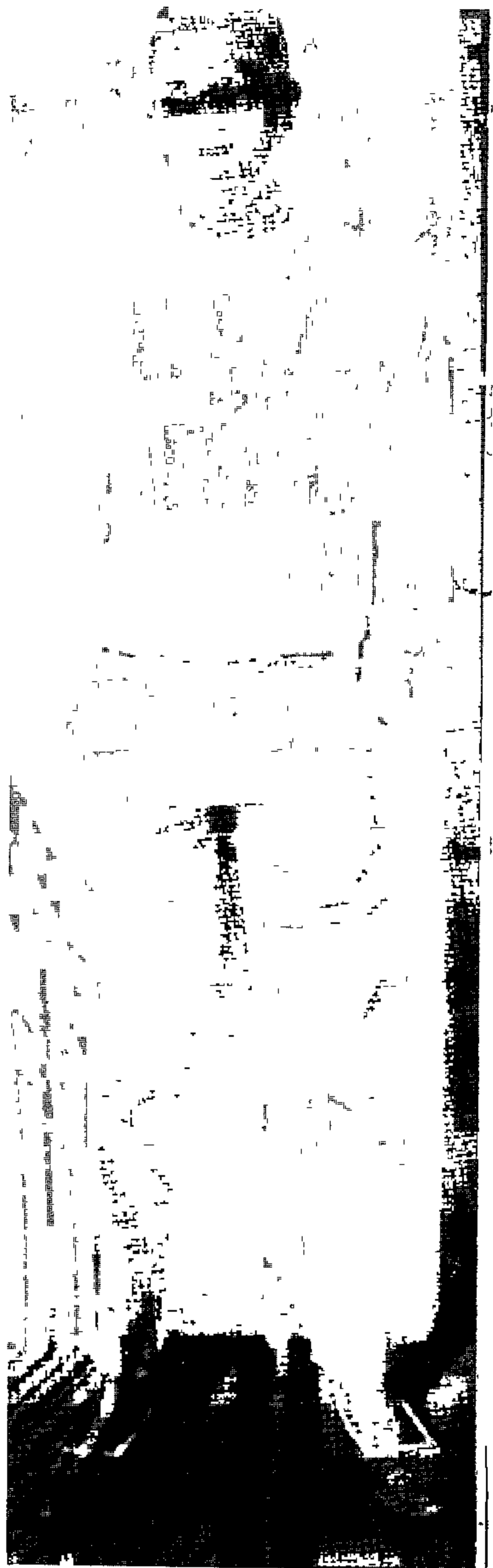
"I hope and believe you will take this very seriously and urgent"

The two prisoners who were raped at the same time as Nkomo said they were placed in isolation after being raped and later were transferred to another part of the prison "They (the warders) have done nothing to solve our problem. We were supposed to be transferred to a different prison but we are still here. They never charged anyone for raping us and everything is now forgotten. We are scared to talk because we can end up like him (Nkomo). One day he was healthy, the next day he was dead"

The two prisoners said they would go to court but first wanted to be moved to a different prison. Both prisoners have served four and six years respectively and are to be released shortly

A second letter, smuggled out of prison, confirmed the rape of Nkomo and his fellow inmates and outlined the circumstances of his death "Franky was gang-raped by five fellow prisoners. Franky wanted to report it to the warders but the prisoners showed him a knife and promised to stab him if he reported this issue."

According to the letter, the prison doctor examined him and found him to be "badly hurt" the doctor gave instructions that he must be taken to the Major to report this. The person who took Franky to the Major was



Murdered ... Gerald Franky Nkomo

Sergeant Duvenage" The letter says Nkomo was referred to a specialist in Vereeniging "He was examined and the specialist told Franky that he was badly hurt and he won't get children"

The letter states that the three victims were then isolated, waiting for the case to go to court "On the fourth of September 1992, one warder came to tell them that the case was no longer a case. They were then transferred from maximum to medium prison"

Nkomo's father said he was "unhappy with the explanation given by the authorities" concerning his son's death "They are hiding something but I am going to dig for the truth," he said "All I got was a telegram informing me of his death but no inquest was held"

Silvia Magid, of the South African National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro), said "repeated efforts" by Nicro to get attendance and an autopsy done on Nkomo eventually led to the authorities informing them that an inquest would not be held because Nkomo died of natural causes

Bar attacks pro Deo defence cuts

By Montshiwa Morole



About 80 percent of the two million accused who appeared annually in criminal courts were not legally represented and about 100 000 of them were sentenced to jail each year, the General Council of the Bar of South Africa (GCB) said this week.

The council said in a media release that it was most concerned about the recent uni-

STAR

26/2/93.

253

lateral decision by the Department of Justice to reduce the funds available for *pro Deo* defences in the Supreme Court. Accused requiring *pro Deo* representation in the Supreme Court were charged with the most serious offences and if convicted could be sentenced to death or long jail terms.

The unjustified decision would result in grave prejudice to the accused and the regard in which the criminal justice system was held. "Most importantly, it con-

facts with the right of every indigent person charged with a serious offence to be furnished with free legal representation.

"The GCB has objected to the department's decision and requested that it be reversed without success.

"The problem of the unre-presented accused cannot be solved by the legal professions alone.

"It requires an acknowledgement by the Government of the day that the State has the primary duty of providing

funding for public defenders, legal aid and other similar schemes which will ensure that all members of the community are able to protect their basic rights.

"And it requires an act of will by the Government of the day to ensure that such funding is made available.

"Unless such funding is forthcoming, the potential for injustice on a massive scale will continue and there will be an ever-diminishing regard for the criminal justice system."

Among other matters raised by the council were:

- The failure by the Department of Justice to prepare legislation to create a new mechanism for the appointment of judges to the Supreme Court Bench which would take such appointments out of the political arena
- The department's failure to implement the undertaking given by Justice Minister Kobie Coetsee that magistrates would be removed from the civil service to ensure their independence

New law to allow police to re-arrest

21/2/93 253
LEGISLATION is to be introduced this year to enable the authorities to re-arrest people who had been incorrectly released from prison, Minister of Correctional Services Mr Adriaan Vlok said yesterday.

The new clause follows the release of a convicted bank robber Lucky Malasa and convicted murderer Sindile Zweni, as "political prisoners".

Mr Vlok said that the government was highly concerned about the matter but it faced the "mammoth" task of checking all police and court records. He said the prisons were releasing between 10 000 and 11 000 people every month.

"If a person is released incorrectly, the law must make it possible for them to come back," he said.

He also stressed his department's extensive investigations into the issue would take a while to complete.

Yesterday the Department of Correctional Services said it had not concluded its investigation into Zweni's release.

Zweni took part in the murder of a Knysna hairdresser just three months after his release.

"It must be reiterated that if the prisoner was mistakenly released, the department will not hesitate to admit this," said Correctional Services spokesman Lieutenant-Colonel Barry Eksteen.

His case was being treated as a "matter of urgency". — Political Staff, Staff Reporter

253
STAR 27/2/93

Gluckman: report a distortion

PATHOLOGIST Dr Jonathan Gluckman has taken issue with a report in The Star on Thursday which reports on a TV documentary on his work which was broadcast on Britain's Channel 4 this week.

The Star's report says the programme charges State medical officials with carrying out "fake post-mortems". Gluckman replies. "This report conveys a distortion of what I said in the course of an interview."

Offence

"I stated explicitly and with emphasis that I have never had a problem with a State pathologist with autopsies conducted either after or together with a State pathologist in any of the cities in South Africa. This report must cause the gravest offence to State pathologists for whom I have the highest respect ... Certainly I said there were problems arising out of work done in the countryside."

"At no stage did I say anything which could possibly convey the impression given by The Star's heading of 'Black youths at risk in cells'. In fact, I indicated that cell deaths were rare and, in my view, no more than applied to prisons anywhere in the Western world."

Prisoner on hunger strike

By AYESHA ISMAIL

A LAINGSBURG man claiming to be a political prisoner went on a hunger strike yesterday at the Worcester Prison 28/2/93.

Mr Essa Moosa, legal representative for Benjamin Kleinboo, 20, told the Sunday Times his client was sentenced in May last year to three years imprisonment after being found guilty of housebreaking and theft.

Kleinboo, former secretary of the Laingsburg ANC branch, invaded the ticket office of Transnet and distributed train tickets to people who did not have money to travel to Cape Town to attend the "People's Parliament" in February last year.

Mr Moosa said Kleinboo had applied for political prisoner status last month as he felt his actions were politically motivated.

A POLLSMOOR prison warden was fined R100 for engaging in sexual activity with a prisoner — who was infected with the HIV virus.

The incident, which took place in November last year, was confirmed by the Department of Correctional Services this week.

A spokesman for the department said "The member involved in the incident was departmentally charged, upon which he pleaded guilty and a fine was imposed."

He said the warden was fined R100 of which R50 was suspended for two years.

Expensive

The spokesman explained that should the warden be found guilty of a similar offence within two years, the other R50 would come into effect.

Several HIV-infected prisoners have complained to relatives about the way they are treated at Pollsmoor.

"My brother complained to me that medication prescribed by doctors at Somerset Hospital was not given to the HIV's. He told me that the doctor at the prison often used the excuse that the medication prescribed by the doctors was too expensive," the relative said.

He said other complaints included not receiving proper counselling for depression, and not having contact visits.

The department spokesman said prescriptions by district surgeons and specialists were strictly adhered to by qualified medical staff.

He said all prisoners received medical treatment of a high standard.

"The department places a high premium on the positive results that may be achieved with the educational programme concerning Aids, its danger and the prevention thereof.

"This programme also entails counselling by trained nursing and other specialised staff under the supervision of the head of the prison and the responsible medical doctor," the spokesman said.

In November last year the Sunday Times report-

By **AYESHA ISMAIL**

ed that an HIV-positive prisoner known as Tony Kelly died of burn wounds after setting his cell alight at Pollsmoor.

He is believed to have done this to draw attention to the problems he was experiencing in prison.

The spokesman said his department and the South African Police were still investigating Kelly's death.

There are 28 HIV-positive prisoners in Pollsmoor.

Media Officer for the National Association of Democratic Lawyers (Nadel) Mr Essa Moosa, said his organisation noted "with extreme concern" that a warden in charge of a prisoner had been found guilty departmentally and fined 100 for such a serious offence.

"This is a serious offence which should not have been dealt with departmentally but should have been referred to the South African Police for in-

vestigation and prosecution in a criminal court.

"It appears that the department tried to cover up this incident by not referring it to a court of law," Mr Moosa said.

He said the cover-up could cause lack of discipline and a breakdown of authority and the parties could be subjected to blackmail.

Transfer

A spokesman for the Police and Prison Civil Rights Union (Popcru) said the warden should be dismissed as he was unfit to remain in the service of the Department of Correctional Services.

The organisation called for the transfer of the Commanding Officer of Pollsmoor Prison, Brigadier J C Roberts.

"Because of this incident and so many others, we want an independent commission of inquiry on conditions at Pollsmoor and the treatment of prisoners incarcerated there," the spokesman said.

Warden fined R100 for sex with prisoner
253 (253) 28/2/93 (S Times [Cape Metro])

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
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Regulation Gazette
Regulasiekoerant
No. 5037

Vol. 333

PRETORIA, 1 MARCH 1993
MAART

No. 14616

PROCLAMATION

*by the
State President
of the Republic of South Africa*

No. R. 10, 1993

253

CORRECTIONAL SERVICES AND SUPERVISION
MATTERS AMENDMENT ACT, 1991 (ACT No 122
OF 1991)

Under section 50 of the Correctional Services and Supervision Matters Amendment Act, 1991 (Act No 122 of 1991), I hereby fix 1 March 1993 as the date on which section 41 (a) of the said Act, in so far as it adds paragraph (i) to section 276 (1) of the Criminal Procedure Act, 1977 (Act No 51 of 1977), shall come into operation in respect of the areas of the Magisterial Districts of Bredasdorp, Heidelberg (C), Hermanus, Middelburg (C), Molteno, Newcastle, Paulpietersburg, Riversdale, Steynsburg, Swellendam, Utrecht, Volksrust and Vryheid

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twenty-sixth day of February, One thousand Nine hundred and Ninety-three

F. W. DE KLERK,
State President

By Order of the State President-in-Cabinet:

H. J. COETSEE,
Minister of the Cabinet

94839—A

PROKLAMASIE

*van die
Staatspresident
van die Republiek van Suid-Afrika*

No. R. 10, 1993

WYSIGINGSWET OP AANGELEENTHEDE
RAKENDE KORREKTIEWE DIENSTE EN TOESIG,
1991 (WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig, 1991 (Wet No 122 van 1991), bepaal ek hierby 1 Maart 1993 as die datum waarop artikel 41 (a) van genoemde Wet, in soverre dit paragraaf (i) by artikel 276 (1) van die Strafproseswet, 1977 (Wet No 51 van 1977), voeg, in werking tree ten opsigte van die gebiede van die landdrostdistrikte Bredasdorp, Heidelberg (K), Hermanus, Middelburg (K), Molteno, Newcastle, Paulpietersburg, Riversdal, Steynsburg, Swellendam, Utrecht, Volksrust en Vryheid

Gegee onder my Hand en die Seel van die Republiek van Suid-Afrika te Kaapstad, op hede die Ses-en-twintigste dag van Februarie Eenduisend Negehoonderd Drie-en-negentig

F. W. DE KLERK,
Staatspresident

Op las van die Staatspresident-in-Kabinet

H. J. COETSEE,
Minister van die Kabinet

14616—1

CONTENTS			INHOUD				
<i>No</i>	<i>Page No</i>	<i>Gazette No</i>	<i>No</i>	<i>Bladsy No</i>	<i>Koerant No</i>		
PROCLAMATION			PROKLAMASIE				
R 10	Correctional Services and Supervision Matters Amendment Act (122/1991) Commencement of section 41 (a)	1	14616	R 10	Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig (122/1991) Inwerkingtreding van artikel 41 (a)	1	14616

Star 2/13/93 (253)

Prison strike tops agenda

The recent dismissal of 101 warders and the continuing employees' strike at the Maritzburg Prison will top the agenda at a meeting between Correctional Services Minister Adriaan Vlok and the African National Congress today.

thinking on consumer rights, because the most effective consumer protection can only be achieved by educating the consumer and creating awareness of his rights

Some legislation is necessary to protect the consumer, but as I have said, legislation can also harm the consumer. Legislation, and particularly poorly enforced legislation, creates a false sense of protection for the consumer. He is lulled into believing that since there is legislation to protect him, he is relieved of the responsibility to take care of himself.

Consumer codes of self-regulatory bodies are being formulated in consultation with consumer bodies [Time expired]

Debate concluded

QUESTIONS

†Indicates translated version
 For oral reply
 General Affairs

Question standing over from Wednesday, 24 February 1993

Robben Island: future of prison

*4 Mr D J DALLING asked the Minister of Correctional Services

- (a) (i) How many prisoners are being held on Robben Island at present and (ii) in respect of what date is this information furnished and
- (b) when is it anticipated that the prison on the island will close? B129E

†The MINISTER OF CORRECTIONAL SERVICES

- (a) (i) 723
- (ii) 3 March 1993

(b) During 1991 the Government approved that the interests of the Department of Correctional Services on Robben Island should be scaled down on a phased basis. As Correctional Services, who up to now has been the main role player on Robben Island, will thus eventually

phase out its interests on Robben Island, the Regional Development Advisory Committee (RDAC), Region A (Western Cape) was requested to advise the Government on the future utilization of Robben Island as well as the identification of a future chief role player. The RDAC has since delivered its report which was duly considered by the Government. Consequently the following decisions were reaffirmed/taken by the Government on 3 March 1993:

- that a Ministers Committee and the Administrator of the Cape Province shall oversee and report back to the Government from time to time,
- that the Cape Provincial Administration be appointed as chief role player to take further initiatives with regard to a utilization plan for Robben Island which includes a management and development plan,
- that a Robben Island Advisory Committee be established to assist the Cape Provincial Administration in the drafting of a management and development plan for Robben Island. This Advisory Committee should comprise experts from the public and private sectors concerned,
- that in the drafting of the management and development plan, the Robben Island Advisory Committee must consult as widely as possible (with all interested parties),
- that particular attention be given to the establishment of a museum on Robben Island in which the eventual history of Robben Island will be incorporated, preserved and depicted,
- that an expert consultant can be utilized to assist the Cape Provincial Administration, and
- that the following elements be contained in the management and development plan

- the intensifying of a programme to protect the fauna and flora,
- the development of a programme to extend the cultural-historical interests of Robben Island, the protection and preservation of shipwrecks in the territorial waters of Robben Island,
- a plan which will ensure maximum involvement of the community in the development of Robben Island,
- the promotion of educational programmes to offer the youth maximum exposure to the historical heritage of Robben Island,
- the establishment of a tourism component which will make the sights more accessible to the public without detrimentally affecting the nature conservation and cultural-historical interests, and
- greater accessibility to and the better utilization of Robben Island's harbour by the seafaring community in general

Given the high occupancy level of prisons country-wide in the Western Cape in particular, it is imperative that the prison accommodation on Robben Island be utilized until alternative accommodation is obtained in the Western Cape. However, financial realities will determine when this alternative accommodation will be available. It is therefore not possible to indicate when exactly the prison on Robben Island will be closed but a target date has been set for the end of 1996

Mr D J DALLING Mr Chairman [Interjections]

†The CHAIRMAN OF THE HOUSE Order! Hon members place questions on the Question Paper, and in many cases it demands an enormous amount of time and work from the Ministers and their staff to reply to these questions thoroughly. There are hon members who are interested in the information that the hon Min-

isters are providing. If there are hon members who are not interested in it, I am not going to allow their loud conversation to make it impossible for other hon members to hear the information. I shall ask those hon members to leave the House. We cannot carry on like this. The hon member for Sandton may proceed.

Mr D J DALLING Mr Chairman, arising out of the hon the Minister's reply, I would like to ask whether he can give us the assurance that those organisations such as the ANC and the PAC, whose members stayed on the island as involuntary prisoners for many years, will be fully consulted in the planning of the redevelopment or the development of Robben Island in the future, involving such aspects as the museum, the recreational issues etc.

The MINISTER Mr Chairman, the answer is yes. As I have pointed out in my reply, all interested parties will be consulted.

†Mr D G H NOLTE Mr Chairman, further arising out of the hon the Minister's reply, could he perhaps tell us what has become of Lucky Malaza?

†The MINISTER Mr Chairman, that has nothing to do with this question, but I should like to say to the hon member that legislation will be tabled in this Parliament later this year so that we can remedy and rectify the matter of Lucky Malaza, in which an error was made.

†Adv C H PIENAAR Mr Chairman, further arising out of the hon the Minister's reply, could consideration not be given to making the hon member for Simon's Town a tourist attraction on Robben Island? [Interjections]

New questions

Mines: work on Sundays

*1 Mr P J PAULUS asked the Minister of Mineral and Energy Affairs †

- (1) Whether he at any stage granted exemption to mines that had applied for permission to carry out blasting operations and other work on Sundays, if so, (a) when, (b) to which mines and (c) in terms of what legal provisions and/or other regulations,


- (a) The Performing Arts Council of the Transvaal was not represented at the first meeting which took place on 1992-12-08, and which was attended by the Transvaal Provincial Administration and the ANC, although Pact was fully informed about the decisions taken at the meeting
- (b) The first meeting which took place on 1992-12-08 was essentially of an exploratory nature, although the following decisions were taken
- (1) The 12 point plan titled "Basic points of understanding between the parties" was accepted by both parties
- (ii) It was emphasised that both parties should refrain from making public statements unilaterally
- (iii) A joint working committee should be established consisting of an independent chairperson and approximately six persons (maximum) from each of the parties
- (iv) The working committee will be an advisory committee to the Administrator
- (v) Decision-making of the working committee will be on a consensus basis
- (vi) That a time schedule be drawn up for the establishment of the working committee
- (2) Yes, similar talks have taken place since then
- (a) A meeting was held on 1993-01-11 which was attended by representatives of Pact, the TPA and the ANC
- (b) The meeting mainly centred around the establishment of the joint working committee, the appointment of an independent chairperson and the nomination of each party's six members. Additionally, administrative issues like the working committee's budget and the time schedule were discussed, although no final decisions were taken in this regard
- (3) No A joint statement was issued after the conclusion of the first meeting on 1992-12-13
- †Mr A GERBER Mr Chairman, arising out of the reply of the hon the Minister, we should like to know whether the future of Pact is now being determined by the TPA in co-operation with the ANC, and whether there are also other parties which have been approached to make a suggestion in this regard. Is it these two parties only which are involved in the decision on the future of Pact?
- †The MINISTER Mr Chairman, as I in fact stated, according to the reply that was obtained, both the Administrator [Interjections] . . . and from my own knowledge I know [Interjections]
- †The CHAIRMAN OF THE HOUSE Order! The hon member for East London North was not called upon to speak
- †The MINISTER I know from my own experience and knowledge that the Administrator and Pact are consulting more widely than only with the parties I mentioned here [Interjections]
- †The CHAIRMAN OF THE HOUSE Order! As the time for replying to questions on general affairs has expired, we go on to own affairs [Interjections] Order! Hon members must real-ly not take this amiss, but I am certainly not prepared to carry on struggling to bring about order in this House
- Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament*
- Core syllabuses in schools: revision
- *6 Mr R M BURROWS asked the Minister of National Education
- (1) Whether, with reference to his reply to Question No 64 on 19 March 1992, the Committee of Heads of Education Departments has finalized the revision of core syllabuses, if not, (a) why not and (b) when is it anticipated that the matter will be finalized, if so, with what result,

- (2) whether he will make a statement on the matter? B246E
- The MINISTER OF NATIONAL EDUCATION
- (1) No Core syllabuses currently in use are assessed on a continuous basis with the view to adapting them if necessary in the interim period until a revised curriculum is implemented
- (a) The comments received on the curriculum model released in November 1991 as a discussion document have been incorporated in the document where possible. In respect of certain facets of the model, research is still being conducted
- (b) It is envisaged that, if the viewpoints of all interest groups can be successfully accommodated in the model, new syllabuses will be phased in from 1996
- (2) No
- *7 Mr L Fuchs—Justice [Question standing over]
- Disability pensions: payment date changed
- *8 Mr B B GOODALL asked the Minister of National Health
- (1) Whether the date or dates on which disability pensioners of all race groups receive their pension were changed in 1992, if so, why,
- (2) whether the pensioners concerned were given any notice of this change, if not, why not, of so, what notice? B251E
- The MINISTER OF NATIONAL HEALTH
- (1) Yes, the dates of payments are determined annually according to week-ends, public holidays and in respect of Whites, Coloureds and Asians also to fit in with the other duties of the Post Office,
- (2) yes, beneficiaries are informed in writing at the beginning of the year of the dates of payments for the year concerned
- Prisoners: accidental injuries
- *9 Mr A J LEON asked the Minister of Correctional Services
- How many persons serving terms of imprisonment were injured accidentally in 1992? B252E
- The MINISTER OF CORRECTIONAL SERVICES
- During 1992, 5 458 prisoners sustained injuries. This represents approximately 1,35% of the total number of prisoners admitted to South African prisons from police custody and courts during the 1992 calendar year. These statistics include, *inter alia*, injuries sustained in work situations and during participation in sport
- The Department of Correctional Services does everything possible to prevent accidents and injuries to prisoners. The safe custody of prisoners implies, *inter alia*, the prevention of accidents and injuries. With due consideration of safety measures comprehensive instructions and precautions exist to ensure that prisoners do not injure themselves or other prisoners during work, recreation or otherwise. Where appropriate, the stipulations of the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983) are complied with
- When prisoners participate in organized sport it is done under supervision and preventative measures are also taken to prevent prisoners from being injured
- Every injury sustained by a prisoner is properly recorded and should the circumstances under which it was sustained or the nature of the injury necessitate it, a comprehensive enquiry is held into the incident. If necessary remedial/preventive steps are instituted
- It is standing practice that every prisoner who sustains an injury is seen by a doctor in order that he may receive the necessary medical treatment
- Should a prisoner sustain an injury during the performance of his work or during participation in organized sport the stipulations of Correctional Services Regulation 107 may become applicable

Star 3/3/93

DP appalled at sentence 253

The DP was appalled that a Pollsmoor prison warden who engaged in sexual activity with an HIV-infected prisoner was only fined R100, DP spokesman Lester Fuchs said yesterday. He called on the department to take the appropriate action to dismiss him.



310 AM 3/13/93

6 000 prisoners to be released early

ADRIAN HADLAND

(253)

PRETORIA — About 6 000 prisoners will be released early from SA's overcrowded jails this year as part of government's new correctional supervision policy.

This is in addition to the 7 500 whose release dates were moved forward this year to reduce overcrowding in prisons which are currently 130% overpopulated.

Announcing a new prisoner release policy earlier this year, Correctional Services Minister Adriaan Vlok said prisoners would have to serve the total sentence imposed by the court. He added that the total sentence would not "necessarily be served in a prison institution only".

Correctional Services spokesman Brig Gert Jonker said yesterday that correctional service was introduced as a pilot project in 1991 and more than 200 magisterial districts used the system, which allowed prisoners to serve part of their sentences at home. The department hoped that, on average, 500 prisoners would be released each month this year under correctional supervision.

The success rate of the scheme — 88,6% since its inception — had encouraged the department to ask magistrates to use alternative sentencing options with more prisoners, Jonker said. At the end of January, almost 3 000 prisoners were serving out their sentences in their communities under conditions ranging from house arrest to daily contact with supervisors. Of these, 376 had completed their terms, while 396 had been put back into custody for breaking supervision conditions.

The department spokesman said it was intended that all SA's magisterial districts would have implemented correctional supervision by June 1.

Ex-inmates to be consulted

■ Redevelopment of Robben Island on the cards:

POLITICAL leaders who were incarcerated on Robben Island would be consulted before the maximum prison was redeveloped, Correctional Services Minister Adriaan Vlok said yesterday.

Responding to a question in Parliament from ANC-aligned Independent MP for Sandton Mr Dave Dalling, as to whether former prisoners would be consulted, Vlok replied "Yes".

Vlok said the Government wanted to build a museum on Robben Island to preserve its "eventful history". It was necessary that the flora and fauna of the Island be protected, he said. — *Political Correspondent*

Star 4/13/93

End of line

for Robben

Island jail

(253)

Political Correspondent

CAPE TOWN — The prisons service is to hand over Robben Island to the Cape Provincial Administration (CPA)

The target date for closing the prison — where ANC leader Nelson Mandela and other political prisoners were held — is the end of 1996

Correctional Services Minister Adriaan Vlok told Parliament in reply to questions from ANC Sandton MP Dave Dalling the Cabinet had taken the decision yesterday

Vlok said 723 criminals were being held on the island, and the facility would have to remain in use for a while because of over-crowding at other jails.

New policy cuts back on number imprisoned

ADRIAN HADLAND (253)

PRETORIA — The majority of those convicted of crimes and sentenced to terms of correctional supervision would not be imprisoned, a Correctional Services spokesman said yesterday.

Brig. Gert Jonker said of the 3 733 convicts sentenced according to the new policy, 3 101 had not served time in jail. They would instead serve their sentences in the community under strict controls.

Correctional supervision was introduced as an alternative community-based sentencing procedure in 1991. The aim was to reintegrate those convicted of crimes back into the community, allowing them to live at home, work and pay taxes as well as to relieve overcrowded SA prisons, Jonker said.

About 6 000 people were expected to receive correctional supervision sentences this year, most of whom would not enter the prison system.

He said the majority would therefore not be "released" as reported, but would serve their whole sentence in the community.

Earlier this year, Correctional Services Minister Adriaan Vlok said prison accommodation was an expensive and scarce commodity and should be reserved for hardened and dangerous criminals.

"Other offenders who can be dealt with just as effectively in the community itself should not be imprisoned," he said. BIDAN 413193

Vlok said the 300 convicts who had been admitted to prison during their correctional supervision sentences had been found guilty of repeated misbehaviour and the violation of conditions, had committed crimes or had absconded.

All magisterial districts in SA were expected to have implemented correctional supervision sentencing by June 1 this year, Jonker said.

ISLAND POLICE

04/3/93 (253)

Prison will become a museum

By BARRY STREEK
Political Staff

THE cabinet has decided that Robben Island will not become a playground for the rich - but a museum with free access — and this could mean a R400-million annual tourism boost for Cape Town.

Speaking in Parliament yesterday, Minister of Correction Services Mr Adriaan Vlok said Robben Island would not be commercially exploited. The decision brings to an end years of speculation on the future use of the island, which has been a leper colony, army base and notorious prison. It is estimated that once the island is developed it could boost tourism in Cape Town by more than R400m a year, adding to the existing drawcards of Table Mountain, the Waterfront, the Peninsula and the Wine Route.

In the '70s and '80s there were suggestions to turn the island into a gamblers' Mecca with neon lights and a casino, but preliminary work by the Future of Robben Island Committee has favoured using the island's natural assets and its Victorian buildings as a tourist drawcard.

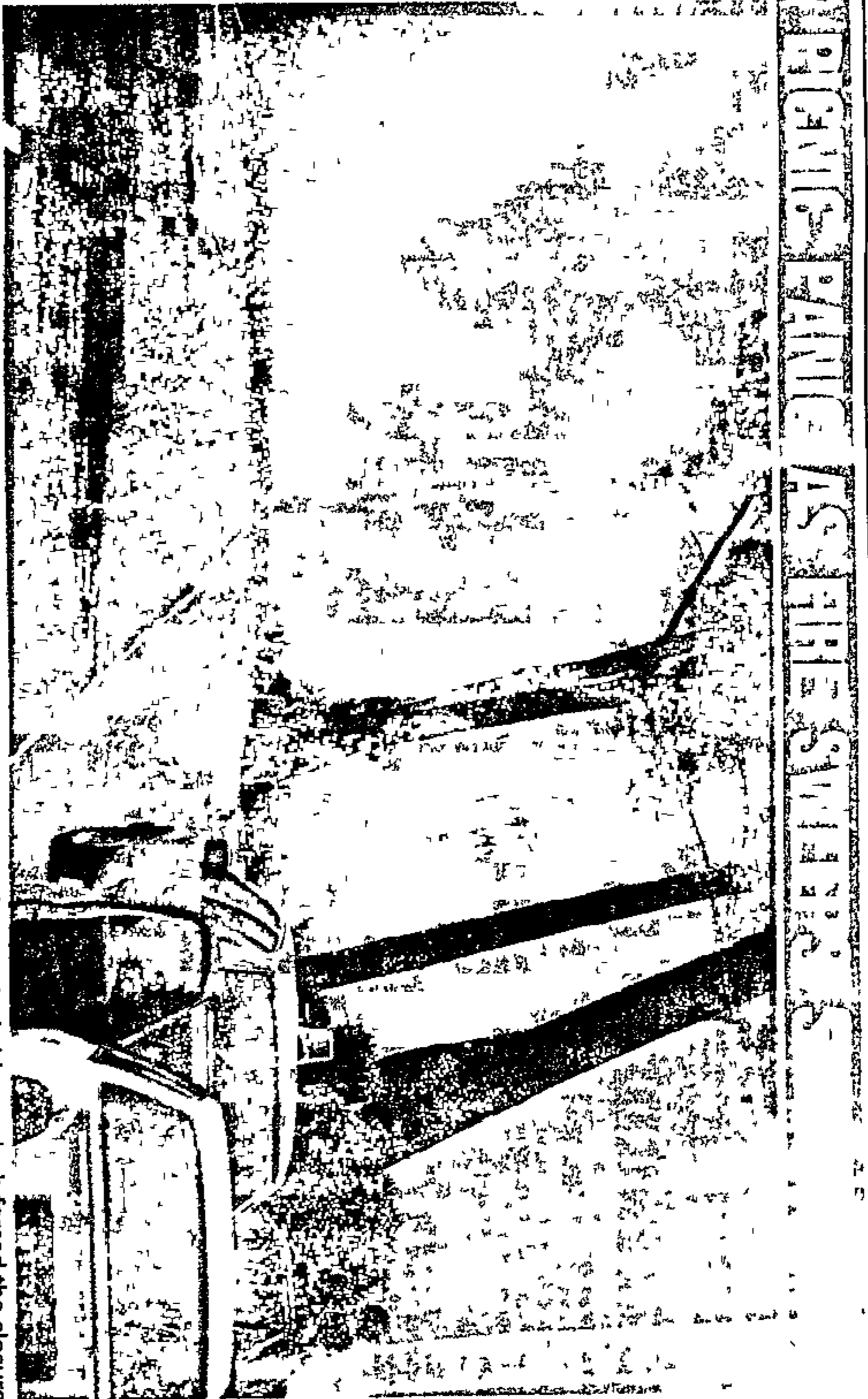
The chairman of the committee, local businessman Mr Nick Malherbe, has estimated the island would draw 10% more foreign and 15% more domestic visitors to the city.

Mr Vlok said the government had decided yesterday that a museum would be established on the island depicting its history — and all parties, including the ANC and the PAC, would be consulted in the development.

A Robben Island Advisory Committee, comprising experts from the public and private sectors, would be appointed under the Cape Provincial Administration to manage and develop a plan for the island.

Under the development programme fauna and flora and shipwrecks in the area would be protected.

Mr Vlok was replying to a question tabled in Parliament by Mr David Dalling (ANC, Sandton) on the future of the island. He said there were 723 prisoners on Robben Island and the last of them should leave at the end of 1995.



MOUNTAIN BLAZE ... Flames leap across Signal Hill Road at the height of yesterday's blaze, which forced the closure of main roads into Cape Town and sent day-trippers scurrying. Here a fire brigade patrol vehicle and two city residents are trapped briefly by flames.

Hundreds battle fires

Staff Reporters

TWO elderly English tourists and a group of picnickers abandoned their cars and fled for their lives when trapped in choking smoke on Signal Hill yesterday.

The Signal Hill fire was one of two big blazes yesterday — the other broke out on Devil's Peak.

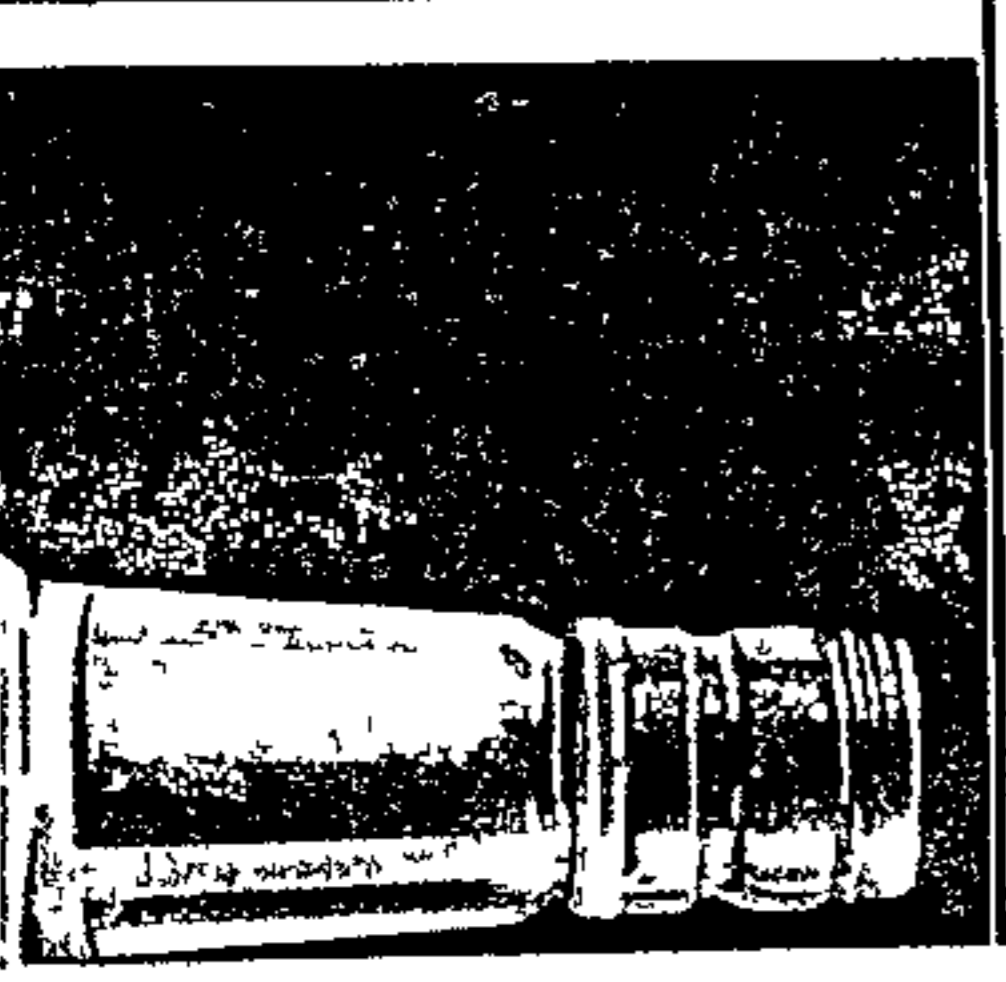
"The flames were just below the (Signal Hill) road and we couldn't get through because of the thick smoke," a shocked Mr Hugh Robinson, one seven pic-

nickers, said after escaping the Signal Hill fire.

Council law enforcement officer Mr Patrick Anderson badly injured his foot while trying to save his motorcycle from advancing flames on Signal Hill.

Five-fighters dragged him to safety through dense smoke and he was rushed to hospital.

The Devil's Peak fire started about 11am, fanned by a 60kmh south-easter. It halted traffic on De Waal Drive at lunchtime, and



Picture: BERNY GOOL

TY

Robben Island to be preserved for tourism

253

ARG 4/3/93

Political Staff

THE prisons service is to hand over Robben Island to the Cape Provincial Administration to open it up for tourism and seafaring.

The target date for closing the prison — where ANC leader Nelson Mandela and other political prisoners were held for decades — is the end of 1996.

The cabinet made this decision yesterday, Correctional Services Minister Adriaan Vlok told parliament in reply to questions from ANC Sandton MP Dave Dalling.

Mr Vlok told him that 723 (common) prisoners are held on the island and the prison would

have to remain in use for a while because of overcrowding in other prisons

But 1996 had been set as the target date for closure

Mr Vlok said the Department of Correctional Services was the main player on the island but the cabinet had decided yesterday that the CPA should take over this role.

It should take the initiative in drafting a management and development plan for the island

A Robben Island Advisory Committee comprising public and private sector experts should be created to advise the CPA and should consult widely

It should give special attention to establishing a museum

to preserve and depict the "eventful" history of the island.

The plan should also include

- Developing tourism by making the sites more accessible to the public without harming the natural and historical features
- Greater use of the island's harbour by seafarers
- Greater protection of the island's fauna and flora.
- Extending the cultural-historical interests of the island
- Preserving a shipwreck in the island's waters
- Greater community involvement in developing the island
- Education programmes to teach youth the island's history.

Civics' leader denies fascism

By Mike Siluma

Dan Mofokeng has greatly irritated "white" political parties in the past week

The general secretary of the southern Transvaal region of the SA National Civic Organisation (Sanco) incurred the wrath of both the Democratic Party and National Party by declaring Sanco would oppose their election campaigns in black townships

DP MP Tony Leon said Sanco's stance — backed by Azapo — was evidence of "authoritarian fascism"

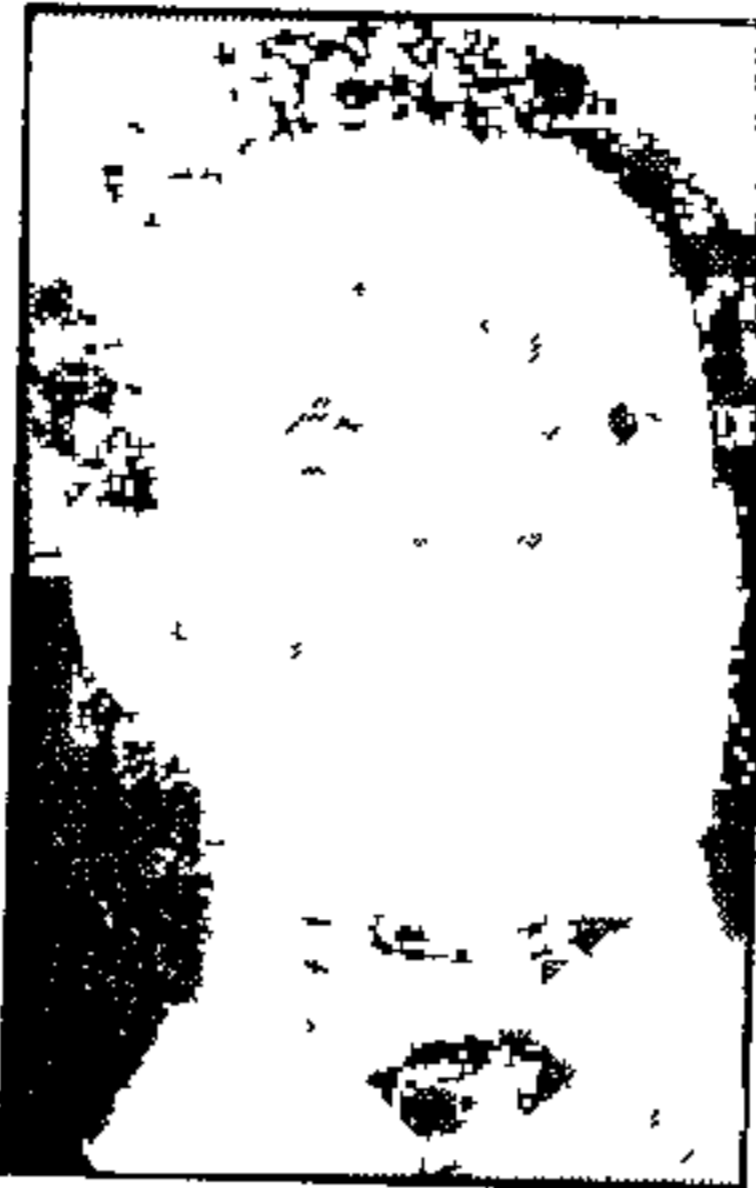
Who is the man who has stirred a political hornets' nest?

Before taking up his job at Sanco, Mofokeng worked as an organiser for two unions affiliated to the Congress of SA Trade Unions, and served on the federation's Witwatersrand regional executive.

He describes himself as "an ordinary member" of the ANC and Communist Party branches in Katlehong on the East Rand

At 33 he has not been able to vote in a democratic election and looks forward to exercising this right.

Are he and fellow Sanco members a bunch of undemocratic fascists, as his opponents allege?



Mofokeng . . . looking forward to voting.

"No," he says. "Our understanding of democracy is that people should have the right to associate or not; to assemble or not; and to freely express their views without interference."

"But in South Africa today we have not yet arrived at that situation. For instance, our people still have to get permission for access to public venues from white town councils, the magistrates and the police."

Mofokeng believes the "white" parties should be allowed to campaign in the townships only once the political playing field has been levelled. This should be done through a transitional executive authority and making available "State resources" to all parties for campaigning.

Releases tie up council

By Helen Grange

The National Council on Indemnity — set up in October to indemnify people who committed politically motivated crimes — has found that the bulk of its work involves applications for release from prison, the Department of Justice said yesterday.

The council is at present dealing with 854 applications for release from prison and only 432 first-time applications for indemnity.

Some 348 cases are being examined a second time, in terms of the Further Indemnity Act of 1992.

In Parliament this week, the Democratic Party's Douglas Gibson said he had been told by the Justice Department that there had been only eight indemnity applications, and none had been granted.

The Ministry of Justice responded that a significant part of the council's workload involved dealing with release applications, and Gibson was under the mistaken impression that only indemnity applications were being processed.

The council had met nine times and meetings were scheduled well into June.

Star 5/3/93

~~253~~ (253) ~~277~~

Fist fights as Apla cadres sent to prison

BLOEMFONTEIN — Fighting erupted in the Bloemfontein Regional Court yesterday when police and Pan Africanist Congress members clashed minutes after two Azanian People's Liberation Army cadres were each jailed for 11 years

The fist fights started when police tried to take John May (24) and Velile Mxhosana (20) to the cells as PAC supporters sang and chanted

A PAC supporter lashed out with his fists at a policeman, who responded by kicking and hitting

The fighting was

run concurrently with the seven-year terms.

May and Mxhosana were also sentenced to four years for possession of two AK-47 rifles and a 9 mm Scorpion pistol, four years for possession of nine hand grenades and two years for pos-

stopped by defence counsel Molefi Ditheko, who ordered May and Mxhosana to leave the court

The two Apla members, both from Mangaung, were each sentenced to seven years for attempted murder and two years for malicious damage to property, to

session of ammunition, to run concurrently with the four years for possessing weapons.

The court found they had caused an explosion at the Batho police station in Mangaung on December 14 1991 — Own Correspondent.

'Zweni's release was our blunder'

(253)

By GLYNNIS UNDERHILL

256/3/93

THE Department of Correctional Services yesterday admitted its blunder in releasing a convicted killer who murdered again, after being mistakenly set free as a political prisoner.

Just three months after his premature release in 1991, Sindile "Baby Face" Zweni, took part in the "cruel and savage" killing of Knysna hairdresser Mr Mario Kaplan and is now facing a life sentence behind bars.

"The Department of Correctional Services seriously regrets the mistake that has been made," the department said yesterday.

An investigation by the Cape Times last week revealed that Zweni was serving a seven-year culpable homicide sentence for the murder of a respected Ashton schoolteacher when he was set free. Zweni should have stayed behind bars for 10 years as a three-year suspended sentence for public violence was added to his sentence. The killer had served only 15 months when Correctional Services released him by mistake as a political prisoner.

A statement from Correctional Services claimed yesterday that in the process of "urgently gathering and compiling information" on possible candidates for release as political prisoners, Zweni's sentence for culpable homicide was "incorrectly noted" as public violence.

Inquest finds suspect was strangled by policeman

CTb/3/93

23

JOHANNESBURG. — An inquest court here yesterday found that robbery suspect Mr Bethuel Maphumulo was strangled by Soweto police detective Lieutenant Henry Beukes in December 1990.

Following the finding, Lawyers for Human Rights called for the resignation of Law and Order Minister Mr Hennis Kriel

Police claimed Mr Maphumulo drowned in Soweto's Protea police station swimming pool while attempting to escape. But magistrate Mr C G de Lange found Lieutenant Beukes had strangled Mr Maphumulo.

Mr De Lange accepted without reservation evidence of state pathologist Dr Michelle Vorster that Mr Maphumulo had died of multiple injuries. She found no indication of drowning and Mr Maphumulo's injuries could have

been consistent with throttling.

The court found Mr Maphumulo had been assaulted after handing himself over to Protea detectives. These assaults or fear of further assaults had caused him to attempt to escape.

The magistrate rejected as inconsistent with medical evidence Lieutenant Beukes' claims that injuries to Mr Maphumulo's body might have been caused by uneven paving around the pool where, Lieutenant Beukes alleged, they had struggled before falling into the water.

Mr De Lange said the evidence of controversial private pathologist Dr Jonathan Gluckman, who said Mr Maphumulo died of manual strangulation, was "of no value".

Dr Gluckman had admitted that he may have made mistakes in his post-mortem report and Mr De

Lange said he found this disturbing in the light of the controversy he had created by his widely-publicised allegations of police killing detainees.

LHR said the finding clearly indicated the incompetence of the police in investigating their colleagues.

Reacting to the LHR, Law and Order Ministry spokesman Captain Craig Kotze said yesterday that the finding of the inquest "in no way affects the credibility of either the minister of law and order or the South African Police"

"In fact it can be said that this inquest came about due to the efforts of the SA Police who investigated the matter, gathered all the available evidence and made it available to the attorney-general. (He) then decided that an inquest should be held." — Sapa

By THEMBA KHUMALO

LUCK is a mystery. It is magic and unreliable.

In Oupa Siheri's case it's been very unreliable. After spending four years on Death Row he is wondering whether luck will ever come his way and free him.

During the days of the ANC's armed struggle he infiltrated the country along with several other cadres to "pull military operations."

But one fateful evening in December 1986 Siheri found himself in the wrong place at the wrong time — a Soweto shebeen. Once drunk, a gang of

ANC's Phosa shot by soldier

men attempted to rob him of his Scorpion rifle. They assaulted him, disarmed him and left him for dead. Siheri armed himself with an AK-47 and with the help of friends traced his stolen rifle to a house in Zola.

Siheri's anger is alleged to have been exacerbated by the reluctance of the two robbers to give him his rifle back. Following a scuffle with

the two, he opened fire and killed Xola Makhawula and Michael Ngubeni. Siheri was arrested by Soweto security police the next day and later sentenced to death for the killings.

His role in the killings is believed to have angered ANC leadership in exile and they allegedly turned their backs on him. His family painted a gloomy picture about the

"negligent treatment" the ANC had given Siheri. "He is frustrated and the last time I visited him he was thin and pale," a family member said. But Faith, Khawula's sister, showed no mercy. "He deserves the treatment he's getting. He was merciless when he killed my brother and his friend. Despite our desperate pleas for him to spare their lives, Siheri told my

mother to pray for my brother for the last time. His brains were splattered all over the wall," Faith said. ANC spokesman Matheu Phosa rejected allegations that his organisation had turned its back on Siheri. "We've tried and we still are trying our best to get Siheri out of jail. I know Siheri very well

from our exile days. He has done good and had things for the organisation, but we've not neglected him," Phosa said. He said Siheri's name featured prominently when the ANC demanded the release of all political prisoners. The Human Rights Commission was also handling his case, he said. "The fact that they stole his rifle didn't justify the murders. The killings simply tarnished the name of the movement. As we fight his case we must bear in mind the sentiments of the families of the two men he killed," Phosa said.

253

11/13/93

Killed again. Prisons say 'sorry'

PRISON officials admitted on Friday they blundered in releasing a convicted killer who murdered again after being mistakenly released as a "political prisoner" *Press 7/13/93*

Just three months after his premature release in 1991, "Babyface" Sindile Zweni took part in the killing of Knysna hairdresser Mario Kaplan and is now facing a life sentence behind bars

"The Department of Correctional Services seriously regrets the mistake that has been made," said a statement on Friday *(253)*

Zweni was serving a seven-year culpable homicide sentence for the murder of a respected Cape Town schoolteacher when he was set free. He should have stayed behind bars for 10 years as a three-year suspended sentence for public violence was added to his sentence

DP wants action on jail sex

(253)
STIMES (Cape Metro)
THE Democratic Party was appalled that a Pollsmoor prison warder who engaged in sexual activity with an HIV-infected prisoner was only fined R100 by a Correctional Services Department internal inquiry, DP spokesman Mr Lester Fuchs (MP Hillbrow) said this week.

Reacting to a report in the Cape Metro last weekend, Mr Fuchs said it was quite clear from the department's action that it did not regard the assault in a serious light.

STIMES (Cape Metro) 1/3/93

Warder 'stalls over repaying prisoner'

S/Times [Cape metro]

7/3/93

253

THE Department of Correctional Services has launched an internal investigation after a Pollsmoor prisoner complained that a warder had borrowed R1500 from him and was refusing to pay it back

The prisoner, Cecil Vilzee, is serving the last year of a three-year sentence for theft

Shortly after Vilzee, classified as a minimum security prisoner, complained to the head of his section at Pollsmoor, he was transferred to the medium security section

A Correctional Services spokesman denied yesterday that the decision to move Vilzee was due to his complaint

Vilzee was transferred to Robben Island prison last week, but the spokesman declined to give a reason for this move

In a letter handed to the Sunday Times this week, Vilzee claimed he had lent the warder the money in December after he had appealed for help. He said the warder had told him he was "in big trouble"

The warder had told him he needed the money to give to another man who had threatened to

By AYESHA ISMAIL

"spill the beans", and he feared he could lose his job if he did not pay him money, Vilzee said.

"I told him to allow me to make a telephone call to my wife, who works at Groote Schuur, to see if I could organise the money for him," Vilzee said in the letter

"My wife asked the warder to come to see her and the next day he told me she had promised to give him the money the following day. He said he would pay the money back within a month"

Vilzee claimed that

after the warder had collected the money from his wife he "came to my cell and asked me to count it".

"I told him that for the transaction to run smoothly, he had to give me his identity document as well as a copy of it, which he did"

After the warder had received the money he brought him cold drinks, some takeaway chicken, rolls, cigarettes and crisps

Several weeks passed and the warder failed to repay the money, Vilzee claimed

"I told him that if he did not give my money back within a week I

would report the matter to the head of the minimum security prison, a Major Vogt"

The next day, Vilzee claimed, the warder told him he had obtained permission for him "to make use of my services"

"He told me to be at his flat, which is on prison property, at 6pm as he was throwing a party. I went to his flat but he was not there. His wife invited me in and assured me her husband would not be too long"

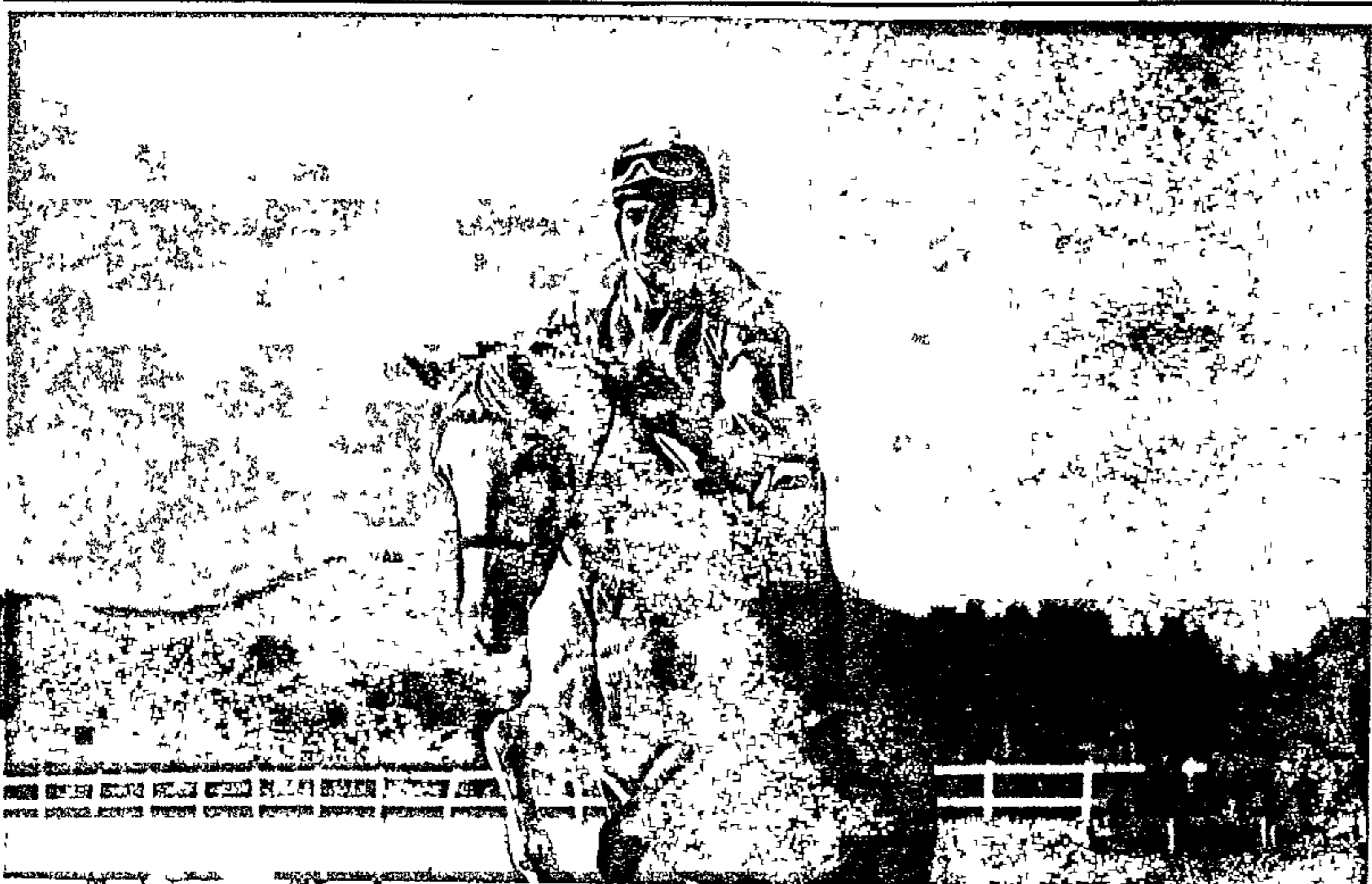
"After waiting for more than an hour, the warder's wife suddenly came and sat next to me and put her arm around me

"Just then her husband walked in and accused me of being intimate with his wife"

Vilzee said the warder had told him he should forget about the money, otherwise he would get his wife to lay a charge of rape

"I told them that their plan did not work and that I would go ahead and complain to Major Vogt. I told Major Vogt and a Captain Marcus my whole story and also handed the identity document of the warder over to them," Vilzee said

A spokesman for the Department of Correctional Services, Colonel Danie Immelman, confirmed this week that Vilzee had laid a complaint, but said he could not comment on any specific claims, including the alleged attempt by the warder and his wife to "set him up"



LESS

A FULL SEATER 1-OR 2-SEATER

FOR LINE

HOUSE OF DELEGATES

The MINISTER OF CORRECTIONAL SERVICES

QUESTIONS

Indicates translated version

For written reply

General Affairs

Prisoners released on parole/granted amnesty
6 Mr M RAJAB asked the Minister of Correctional Services

- (1) (a) How many prisoners were released on parole in the 1992 calendar year and (b) how many such prisoners had been granted amnesty by the State President,
- (2) whether he will make a statement on the matter? D37E

(1) (a) From 1 January 1992 to 31 December 1992, 38 058 prisoners were released on parole

(b) The State President did not grant any general special remission of sentence (amnesty) to prisoners during 1992

However, if the Honourable Member is referring to the carried over effect of the amnesties of previous years, I have to confirm that these figures are not kept centrally. They can therefore only be obtained by means of a manpower-intensive countrywide survey, as was, *inter alia*, explained in my reply in the House of Representatives to question number 2 for oral reply on 18 March 1992 (Hansard coll 463-469)

(2) No

HOUSE OF ASSEMBLY

QUESTIONS

Indicates translated version

For written reply

General Affairs

Education and Training: amount spent
60 Mr R M BURROWS asked the Minister of Education and Training

- (a) What actual and/or estimated amount was spent by his Department in 1991 and 1992, respectively, on (i) salaries of teachers and principals, (ii) salaries of administrative staff, (iii) salaries of inspectorate and executive officials, (iv) salaries of any other specified staff, (v) capital expenditure, (vi) supplies and services, (vii) equipment and (viii) other items and (b) what percentage of the total education expenditure by his Department in each of these years does each of the above-mentioned amounts constitute? B154E

The MINISTER OF EDUCATION AND TRAINING

The information as requested in (a) (i) to (a) (iv) is not readily available and a total amount for personnel expenditure is supplied

1991-92 financial year

	(a) R'000	(b) %
(a) (i)-(a) (iv)	2 610 351	74,30
(v)	290 385	8,27
(vi)	118 126	3,36
(vii)	46 674	1,32
(viii)	447 782	12,75
TOTAL	3 513 318	100,00

1992-93 financial year

	(a) R'000	(b) %
(a) (i)-(a) (iv)	3 233 730	70,37
(v)	464 241	10,10
(vi)	198 080	4,30
(vii)	133 351	2,90
(viii)	566 844	12,33
TOTAL	4 596 246	100,00

Note

(1) The amounts in respect of the 1991-92 financial year are the actual expenditure and therefore differ from the amounts given in reply to question number 284 of 1992

(2) The 1992-93 financial year has not yet drawn to a close. The amounts for the relevant financial year are based on the Additional Estimates of Expenditure for 1992-93

Admissions to teacher-training institutions

refused

62 Mr R M BURROWS asked the Minister of Education and Training

- (1) How many persons were refused admission to teacher-training institutions under the control of his Department in respect of the current academic year,
- (2) (a) what policy is being applied at present in regard to the acceptance of a specific number of persons into his Department's teacher-training institutions and (b) on what demographic projection and school admissions is the current acceptance policy into such institutions based,
- (3) whether his Department is experiencing a shortage of teachers, if so, (a) what is this shortage and (b) in what categories of skills is this shortage found? B164E

The MINISTER OF EDUCATION AND TRAINING

(1) Approximately 75 000 applicants were refused admission. Since a large number of persons applied to more than one college, it is impossible to say exactly how many persons were refused admission

(2) (a) The Department annually determines the maximum number of students who may be enrolled at each college of education, as well as the intake of first year students. Ideal classgroup sizes, the subjects to be offered, the current teacher pupil ratio in schools, the ideal teacher pupil ratio (1 40 (primary) and 1 35 (secondary)), the projected increase

Cabinet members: residences

68 Mr D S PIENNAAR asked the Minister of Public Works †

- (1) Whether any members of the Cabinet occupy their private residences as official residences, if so, what is the monthly amount at which each of these Ministers leases his residence (a) to and (b) from his Department,
- (2) whether his Department has made any improvements to any of these residences; if not, why not, if so, what was the (a) cost and (b) nature of these improvements, in each case,
- (3) whether his Department will be compensated for these improvements when any of these Ministers retire from the Cabinet, if not, why not; if so, on what basis is this compensation calculated? B189E

The MINISTER OF PUBLIC WORKS

(1) Yes

(a) and (b)

No lease agreements exist between occupants and the State Members of the Cabinet do however receive a monthly allowance in cases where they use private residences as official accommodation, in respect of which they receive the following standard monthly allowance, if the residence complies with prescribed requirements an after tax provision of approximately R3 600 to enable the Minister to acquire a suitable residence, as well as an after tax allowance of approximately R3 170 to compensate the Minister for all services and running costs—such as gardening services, domestic cleaner, maintenance and insurance of fixed property, furnishings, electrical equipment, kitchenware and crockery, which are normally provided by the State in the case of State-owned residences

Not all Ministers receive the maximum allowance. The allowance can be scaled down as a result of a compulsory evaluation process

(2) The Department of Public Works as such do not make improvements to any of the residences On 29 May 1991 the

HOUSE OF ASSEMBLY

of the provisions of paragraphs (a), (b), (c) and (d), respectively, of section 54 (2) of the Prisons Act, 1959 (Act No 8 of 1959)? B218E

The MINISTER OF CORRECTIONAL SERVICES

The information with regard to the period 1 January 1992 to 31 December 1992 is as follows

- (a) In 3 693 cases prisoners were reprimanded
- (b) Section 54 (2) (b) was repealed during 1978
- (c) In 29 063 cases prisoners were sentenced to the deprivation of one or more meals on any one day. This figure represents 7,2% of the total number of prisoners admitted to South African prisons from police custody and courts during the calendar year 1992
- (d) In 41 cases corporal punishment not exceeding six strokes was imposed in respect of convicted male prisoners

During the present Parliamentary session legislation will be introduced in which comprehensive amendments of the present disciplinary system is proposed. A White Paper in which this matter is elucidated will also shortly be laid upon the Table

Assaults by prisoners/prison warders

106 Mr L FUCHS asked the Minister of Correctional Services

- (1) (a) How many complainants relating to assault were made by prisoners against prison warders in 1992 and (b) how many prison warders were (i) charged with and (ii) convicted of assault on a prisoner in that year,
- (2) (a) how many prison warders faced disciplinary hearings arising out of an assault on a prisoner, (b) how many prison warders were dismissed for assaulting prisoners, and (c) what other forms of disciplinary action were taken against such prison warders, in 1992? B220E

The MINISTER OF CORRECTIONAL SERVICES.

(1) (a) A total of 1 482 complainants of al-

leged assault were received and registered

The Department of Correctional Services regards every complaint of alleged assault on a prisoner by a member of the Department, no matter how petty, in a very serious light. In terms of the Departmental Orders, every complaint of alleged assault is registered in the appropriate register and properly investigated by the Commander

Likewise, assaults on personnel by prisoners are not tolerated either and offenders are dealt with severely

(b) (i) and (ii)

59 Members were charged in public courts due to complaints of assault on prisoners. Of these, 53 members were found not guilty whilst 6 members were found guilty

(2) (a)

99 Members stood trial in terms of Correctional Services Regulation 71 (1) (h) read together with Section 53 of the Correctional Services Act, 1959 (Act 8 of 1959) on counts of assault on prisoners. Of these, 71 members were found not guilty whilst 28 members were found guilty and were sentenced in terms of Section 53 (2) of the Correctional Services Act

In respect of 1 095 complainants, no substance could be found after thorough investigation to lay charges against any member of the Department. Furthermore, the Attorney-General refused to prosecute in 86 cases. On 31 December 1992, the remaining cases were still being dealt with.

(b) Inquiries in terms of the stipulations of Correctional Services Regulation 77 (1) to determine the suitability of members to remain in service, *inter alia* led to the dismissal of one member against whom an offence of assault on a prisoner was recorded

(c) Besides sentences imposed in terms of Section 53 of the Correctional

HOUSE OF ASSEMBLY

(3) The State will also, in terms of the aforesaid Cabinet's approval, be responsible for the costs above the aforesaid 5% (mentioned in 2(a) above), if so required by the security evaluation, which will be written off by the State over a period of ten years. Provided that, if the term of office of the political office-bearer should terminate before expiry of the ten-year period, the outstanding amount be reimbursed to the State

Prisons Act: sentences handed down

84 Mr L FUCHS asked the Minister of Correctional Services

How many sentences were handed down in the year ended 31 December 1992 in respect

253

Services Act, 1959 (Act 8 of 1959) during departmental trials, members were seriously warned against such actions and were made aware of the implications thereof on their careers. Furthermore, such inadmissible conduct is duly considered in the competence evaluation of such members.

Cellular telephones introduction/licensing
116 Mr G C ENGEL asked the Minister of Posts and Telecommunications

- (1) Whether any consideration has been given to the introduction and licensing of cellular telephones in South Africa, if not, why not, if so, (a) what systems are being considered and (b) (i) when and (ii) at what estimated capital cost will the system or systems decided upon be introduced,
- (2) whether the market will be deregulated in this regard, if not, why not, if so, what are the relevant details,
- (3) whether the Post Office or Telkom is considering joint ventures or partnerships with any private companies, if not, why not, if so, with which companies,
- (4) whether he will make a statement on the matter? B283E

The MINISTER OF POSTS AND TELECOMMUNICATIONS

- 1 1 At least two additional cellular licences will be granted to cellular operators in South Africa this year. Telkom has been operating a C450 analogue cellular service in South Africa for a number of years. Capacity on this network has virtually been depleted.
- 1 2 The Regulator has not indicated whether a uniform standard for cellular operations will be adopted by both operators. Telkom has indicated a strong preference for the digital GSM standard and indications are that the Telkom cellular consortium will be allowed to apply the GSM standard. Other standards which the Regulator may accept are the analogue standards TACS, AMPS and NMT. In the interest of the promotion

HOUSE OF ASSEMBLY

of trade and industry in Southern Africa it might be necessary to standardise GSM telephones which have been licensed by any international accredited test house can be used without further testing in South Africa being necessary. In the case of analogue standards local testing of terminals might be necessary.

1 4 The capital cost of a network with a 250 thousand subscriber capacity and a 70% country coverage would be in the vicinity of R700 million.

1 5 It would take an estimated 1 year to install such a network from the time the Regulator allowed such an installation to begin.

The market will be deregulated on three fronts

2 1 First of all there will be two cellular networks. Telkom has been allowed a 50% share in one network. The second network operator will be appointed by the Regulator after considering submissions to a tender in this regard.

2 2 In terms of the resale of air-time it is expected that there could well be other service providers appointed by both or either of the network operators.

2 3 In terms of the sale of cellular telephones there should be no barriers to entry. Any dealer or retailer may sell approved cellular telephones.

3 Telkom is considering joint ventures with other local and international partners. At this stage negotiations do not allow for the identification of these potential partners to be disclosed.

4 A press statement on the matter has already been made. Requests for tenders for the second licensee are expected before June 1993, as are the conditions of the two cellular licences.

Ecotourists: foreign exchange

139 Mr J CHIOLÉ asked the Minister for Administration and Tourism †

- (1) (a) How many ecotourists from abroad visited the Republic in 1991 and 1992

respectively, and (b) what percentage did such tourists represent of the total number of foreign tourists who visited the Republic in each of these years;

(2) (a) what amount in foreign exchange did the Republic earn as a result of ecotourists in 1992 and (b) what 10 destinations, in order of importance, were the priority of the above-mentioned ecotourists in that year? B344E

The MINISTER FOR ADMINISTRATION AND TOURISM

(1) In the international context there are various definitions of ecotourism. While none of these have to date been formally recognised as a standard definition they generally embrace experiences related to climate, scenic beauty, wildlife and ethnic cultures. As a result, it can be said that 66% of all overseas visitors were motivated by ecotourism to travel to South Africa. During 1991, 521 000 overseas visitors arrived of which 344 000 were motivated by ecotourism. For 1992, the figure is estimated to be

386 000 overseas arrivals who were motivated to visit the Republic by ecotourism. (The official arrival's figure for overseas visitors during 1992 must still be announced.)

(2) According to a research study conducted during 1991, overseas visitors stated that they have spent an average of R4 900 per visit (excluding airfares) which indicates that the total income derived from ecotourism was approximately R1 686 m. An estimated income figure relating to ecotourism for 1992 comes to R2 421 m (excluding airfares).

The most important ecotourism destinations in the RSA have not been specified through research yet, but the 10 most frequently visited regions were Johannesburg, Cape Town, Durban/Umlanga, Eastern Transvaal, Pretoria, Garden Route, PE/East London, Natal South Coast, Bophuthatwana, Bloemfontein and Kimberley. These regions are listed in order of importance, although regular variations might appear amongst the last 5 regions.

HOUSE OF ASSEMBLY

HOUSE OF ASSEMBLY

QUESTIONS

†Indicates translated version

For written reply

General Affairs

Referendum 1992: deceased persons on population register

19 Mr S P BARNARD asked the Minister of Home Affairs:†

- (1) Whether any names of deceased persons appeared on the population register at the time of the referendum on 17 March 1992; if so, (a) how many and (b) why;
- (2) whether a computer programme was drawn up to remove these names from the population register, if so, (a) who drew up the programme, (b) when was it put into operation and (c) what was the cost thereof? B42E

The MINISTER OF HOME AFFAIRS

- (1) Yes
- (a) The specific number as on 17 March 1992 is not known and cannot be determined retrospectively either. At the moment there are approximately 36 000 such cases
- (b) On a death notice being processed the Population Register is automatically updated by the death being registered on computer. It follows that if deaths had not been registered by 17 March 1992, the names of deceased persons would still have appeared in the Population Register as if they were alive. Such cases would mostly refer to deaths which occurred shortly before 17 March 1992 as well as cases of unnatural deaths. In the past it was necessary in the latter cases to wait for the postmortem examination and a report by the Magistrate. In many such cases it took as long as 3 years before a death could be registered. With the coming into operation of the new Births and Deaths

Registration Act, 1992 (Act 51 of 1992), with effect from 1 October 1992 the death of persons who have died due to unnatural causes can now be registered immediately on receipt of a medical certificate. The registration of deaths could also be delayed by the filing of incomplete death notices or inaccuracies occurring in such notices.

- (2) Yes. It is part of the computerized Population Register programmes. The registration of a death is programmed to automatically amend all related records such as for instance voters' lists.
 - (a) Staff of the Department of Home Affairs with the help of the Company International Business Machines
 - (b) 1972
 - (c) Unknown. It is not possible to determine the cost of the programme in respect of death notices separately. It forms an integral part of the programme for the Population Register which also caters for the registration of births, marriages, addresses, citizenship, etc.

Prisons: visits by judges/magistrates

42 Mr D J DALLING asked the Minister of Correctional Services

- (1) (a) On how many occasions in 1992 was each prison visited by a (i) judge of the Supreme Court and (ii) magistrate and (b) on what dates did each of these visits take place at each such prison,
- (2) whether he took any action as a direct result of reports submitted to him pursuant to such visits, if so, what action on each occasion,
- (3) whether any prisons were not visited by either a judge or a magistrate in 1992, if so, which prisons? B95E

The MINISTER OF CORRECTIONAL SERVICES

Reply bound in Annexures of House—see M204-93

Assault: 1 500 prison complaints

ALTOGETHER 1 482 ²⁵³ complaints of assault were received from prisoners in 1992, leading to the dismissal of at least one warder, Correctional Services Minister Adriaan Vlok said.

In a written reply to a question by Mr Lester Fuchs (DP Hillbrow) he said six warders had been found guilty of assault by public courts

All complaints relating to assault, no matter how petty, were regarded in a serious light.

Fifty-nine warders were charged in public courts, 53 being found not guilty.

ARG 9/3/93
A further 99 warders were tried under prisons' regulations in conjunction with the Correctional Services Act on counts of assault against prisoners. Of these, 71 were found not guilty and 28 sentenced in terms of the Act

No substance could be found for charges in the case of 1 095 complaints and the Attorney-General refused to prosecute in 86 cases. By December 31, 1992 the remaining cases were still being dealt with.

One warder had been dismissed in connection with an assault on a prisoner and others were seriously warned. — Sapa

New prison discipline 6 warders found guilty of assault

CT 9/3/93
COMPREHENSIVE changes to the disciplinary measures that can be imposed on prisoners in South African jails are to be introduced this year, Minister of Correctional Services Mr Adriaan Vlok disclosed yesterday

At present, prisoners can be reprimanded, deprived of "one or more" meals a day, be whipped up to six strokes, be given sentences of spare and reduced diets or placed in solitary confinement

They can also be given sentences with both reduced diets and solitary confinement.

Mr Vlok said legislation would be introduced during the present parlia-

mentary session in which "comprehensive amendments of the present disciplinary system is proposed"

A white paper on the matter would be tabled in Parliament shortly, he said in reply to a question tabled in Parliament by Mr Lester Fuchs (DP, Hillbrow)

Mr Vlok said 3 963 prisoners were reprimanded last year, and a further 29 063 sentenced to the deprivation of meals on any one day, a figure representing 7,2% of the total number of prisoners admitted last year

In 41 other cases corporal punishment not exceeding six strokes was imposed on male prisoners

Political Staff

PRISONERS lodged 1 482 complaints of alleged assault by warders last year and all cases were investigated, but only six warders were convicted in courts and 28 were found guilty departmentally, Minister of Correctional Services, Mr Adriaan Vlok said

One warder had been dismissed after being found guilty

Howard

Howard

- (u) (aa) Lesotho (Maseru)
(bb) from 01 12 92 to 01 12 96
- (i) Ambassador T van der Walt
(u) (aa) Bophuthatswana (Mmabatho)
(bb) from 01 11 92 to 01 11 95
- (i) Ambassador A Venter
(u) (aa) Kenya (Nairobi)
(bb) from 06 01 92 to 01 01 96
- (i) Ambassador E du Toit
(u) (aa) Norway (Oslo)
(bb) from 05 12 92 to 01 12 94
- (i) Ambassador L M Brand
(u) (aa) Chile (Santiago)
(bb) from 01 02 92 to 01 02 96
- (i) Ambassador H E Janse van Rensburg
(u) (aa) Transkei (Umtata)
(bb) from 01 03 92 to 01 03 95
- (i) Ambassador J P Roux
(u) (aa) Austria (Vienna)
(bb) from 01 11 92 to 01 11 96
- (i) Consul-General R Gorn
(u) (aa) Thailand (Bangkok)
(bb) from 08 09 92 to 01 09 96
- (i) Consul-General W F Schoombie
(u) (aa) United States of America (Beveryly Hills)
(bb) from 01 07 92 to 01 12 95
- (i) Consul-General R V Franken
(u) (aa) Slovak Republic (Bratislava)
(bb) from 01 09 92 to 01 05 95
- (i) Consul-General N S Schoombie
(u) (aa) Germany (Frankfurt)
(bb) from 01 01 92 to 01 01 96
- (i) Consul-General S J Kruger
(u) (aa) Madeira (Funchal)
(bb) from 01 04 92 to 01 07 93
- (i) Consul-General D Meyer
(u) (aa) Germany (Hamburg)
(bb) from 01 02 92 to 01 02 96
- (i) Consul-General M J Farr
(u) (aa) Hongkong
(bb) from 01 09 92 to 01 09 95
- (i) Consul-General D G M Fournie
(u) (aa) Germany (Munich)
(bb) from 01 01 92 to 01 01 96
- (i) Consul-General J Stauch
(u) (aa) United States of America (New York) [Consulate General]
(bb) from 01 06 92 to 01 06 96
- (i) Consul-General R de Jongh
(u) (aa) Brazil (Sao Paulo)
(bb) from 24 07 92 to 01 08 95
- (i) Consul-General P J Botha
(u) (aa) Singapore
(bb) from 01 09 92 to 01 09 94
- (i) Consul-General L Mullinder
(u) (aa) Russian Federation (St Petersburg)
(bb) from 02 10 92 to 01 10 96
- (i) Deputy Consul-General W Zastrau
(u) (aa) United States of America (New York) [Consulate General]
(bb) from 01 02 92 to 01 02 96
- (i) Representative J S Aldrich (Rank Ambassador)
(u) (aa) Namibia (Windhoek)
(bb) from 16 02 92 to 01 03 96

TRANSFERRED IN 1993

- (a) (i) Ambassadors 8
(u) Consuls-General 1
- (b) (i) Ambassador C F Jacobs
(u) (aa) Turkey (Ankara)
(bb) from 01 03 93 to 01 03 97
- (i) Ambassador N Steyn
(u) (aa) Australia (Canberra)
(bb) from 01 01 93 to 01 01 97
- (i) Ambassador D van Schoor
(u) (aa) Ukraine (Kiev)
(bb) from 01 02 93 to 01 02 95
- (i) Ambassador W P Steenkamp
(u) (aa) Gabon (Libreville)
(bb) from 12 01 93 to 01 01 97
- (i) Ambassador L Crewe-Brown
(u) (aa) Malawi (Lilongwe)
(bb) from 01 03 93 to 01 03 97

Howard

Howard

- (i) Ambassador V C R Dewing
(u) (aa) Uruguay (Montevideo)
(bb) from 01 01 93 to 01 01 97
- (i) Ambassador A van Zyl
(u) (aa) Korea (Seoul)
(bb) from 23 02 93 to 01 03 97
- (i) Ambassador C C Prins
(u) (aa) Japan (Tokyo)
(bb) from 01 03 93 to 01 03 97
- (i) Consul-General A D Pelsler
(u) (aa) Turkey (Istanbul)
(bb) from 01 03 93 to 01 03 95

Children of inmates of prisons

13 Mr M RAJAB asked the Minister of Correctional Services:

- (1) (a) How many children of inmates of prisons are there in prisons under the control of his Department, (b) how many such children have been there for more than (i) one year, (ii) two years and (iii) three years and (c) in respect of what date is this information furnished,
- (2) whether he will make a statement on the matter? D64E

THE MINISTER OF CORRECTIONAL SERVICES

- (1) (a) In the interest of the children and parents concerned and in the absence of suitable alternatives, 201 young children are being accommodated with their mothers in South African prisons in terms of special arrangements
- (b) (i), (ii) and (iii)

The statistics are unfortunately not centrally available in the format as requested and can only be obtained by means of an expensive and manpower intensive countrywide return

The following information with regard to the ages of the children who were in prison with their mothers on 31 December 1992 may, however, be of value to the hon member

0-1 years old =	126
1-2 years old =	17
2-3 years old =	44
3-4 years old =	14
(c) 31 December 1992	

(2) Yes
In line with international practice, regulation number 94 of the regulations promulgated in terms of section 94 of the Correctional Services Act, 1959 (Act No 8 of 1959), a female prisoner may be permitted, subject to such conditions as are prescribed, to have her child with her in prison during the period of lactation and for such further period as may be necessary. The necessary clothing, food and medical treatment may be provided by the State for such period as a child remains in prison

Standing departmental orders also determine that a child may remain in prison with the mother for as long as is deemed necessary for medical and nutritional purposes. Thereafter it should be endeavoured to remove the child from prison, subject to a certificate by the medical officer to the effect that the child would not be harmed psychologically or physically if separated from the mother. In a case where removal from prison is appropriate, it is a condition that suitable abode should be obtained beforehand. Social work personnel of the Department of Correctional Services are involved in investigating the placing out of these young children in co-operation with external social work organizations. When placing out could be arranged the mother, family, foster family or institution personnel, as applicable, are consulted

All children are examined by the medical officer as soon as possible after admission to a prison or after birth in order to determine which medical treatment and nutrition is to be prescribed. The child's mass is taken monthly and the

Hausred

Hausred

necessary injections and vaccinations as applicable are administered by a qualified nursing sister, or otherwise arrangements are made for the administration thereof at the local clinic

253

At every prison where children are with their mothers a member of the nursing profession is responsible for the necessary supervision This member sees to it that all prescribed directives regarding the care of the children are strictly adhered to and that the children's general health and well-being is promoted

In general it can be mentioned that the Department of Correctional Services places a high premium on the medical treatment of all persons entrusted to its care In this regard the nursing staff of the Department of Correctional Services are guided by the medical officer (district surgeon) and his prescriptions and orders are meticulously carried out This includes general treatment which can be provided in the prison and prison hospitals, hospitalization in private or provincial hospitals and treatment by specialists

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HOUSE OF ASSEMBLY

QUESTIONS

†Indicates translated version

For written reply

General Affairs

Revenue/deficit before borrowing: categories

102 Mr G C ENGEL asked the Minister of Finance

Whether he will furnish information on the (a) latest estimate of State revenue for the current financial or tax year in respect of each category of revenue and (b) expected deficit before borrowing, if not, why not, if so, what are the relevant figures? B263E

The MINISTER OF FINANCE

The Minister of State Expenditure stated in his Additional Budget Speech on 15 February 1993 that, given the total expenditure figure of R104,877 billion and the estimate of total revenue at that stage of R75,057 billion, the budget deficit may amount about 9 per cent of GDP This remains the latest state of affairs As in the past details of the revised estimates of revenue for the 1992/93 financial year will, however, be published in the Budget Review on 17 March 1993

Land and Agricultural Bank of SA: farms

bought

115 Mr A A B BRUWER asked the Minister of Finance †

Whether the Land and Agricultural Bank of South Africa purchased or bought in any farms during the latest specified period of 12 months for which information is available, if not, why not, if so, (a) why and (b) how many in each province? B240E

The MINISTER OF FINANCE:

Yes

(a) During the period of 12 months ending 31 December 1992 the Land and Agricultural Bank of South Africa was compelled to buy in farms at public auctions

in 129 cases in terms of the provisions of the Land Bank Act No 13 of 1944, since offers to satisfy the Bank's claims could not be obtained at the auctions The relevant auctions occurred due to the following reasons

- 1 Insolvencies of the mortgagor 54 cases
- 2 Attachments by other creditors of the property mortgaged to the Bank, in pursuance of an order of the court 9 cases
- 3 Abandonment of farming by the mortgagor 23 cases
- 4 *Mortgagor's total burden of debt has escalated to such an extent that the Bank's security margin was eliminated and financial recovery has become impossible 43 cases

129 cases

*In these 43 cases the Bank launched a final rescue attempt in co-operation with the State, but the relevant mortgagors could not be furnished with any form of assistance

- (b) Cape Province 24
- Natal 3
- OFS 59
- Transvaal 43
- 129

Powers of Directors-General

123 Mr D H M GIBSON asked the Minister of Finance

(1) Whether any steps have been taken to implement the recommendation contained in the First Report of the Joint Committee on Provincial Accounts (C5-91), dated 19 June 1991, to the effect that his Department should determine the powers of Directors-General of the Provincial Administrations to

HOUSE OF ASSEMBLY

I think in this debate we should not focus on who those 200 doctors are, because they were acting within the terms of the present Act. What they did, was quite legal. I should like to repeat myself.

Mr M RAJAB Mr Chairman, may I ask the hon the Minister a question?

The MINISTER Mr Chairman, the hon member had his opportunity [Interjections]

The point he raised was that not mentioning these names gave the impression that all doctors were guilty of this. This is not what I implied. Mr M RAJAB The hon the Minister could then be guilty of being an accessory after the fact. The MINISTER Yes, and this is not what I implied. That is why I am saying that if doctors themselves would come forward and say that this is unacceptable, and would themselves defend the principle and investigate its soundness, it would be to their own benefit.

zinto, and I hereby reply to the question as follows. No, an invitation for tenders was published in the Government Tender Bulletin of 5 March 1993. It is expected that the duration of the contract should not exceed 32 months and that construction should be completed during the 1996/7 financial year.

(a), (b) and (c) Fall away. Mr N SINGH Mr Chairman, arising out of the hon the Minister's reply, do I then take it that the planning phase has been completed? Secondly, previous plans included the construction of tennis courts, squash courts, a bowling green and other sporting facilities on this site. Are these facilities also included in the present tenders which have been called for?

The MINISTER Mr Chairman, as far as the second part of the hon member's question is concerned, unfortunately I do not have those specific particulars with me. I invite him to come and have a cup of tea with me and I shall give him that information [Interjections]. As far as the first part of his question is concerned, I should like to say that last year I replied to this question as follows.

According to present planning the tender date is set for February 1993 and it is expected that the project will be completed by 1996, provided that sufficient funds are available.

The present tender date is 5 March. We are as near as possible.

It will be completed by 1996-97. Mr M RAJAB Mr Chairman, further arising out of the hon the Minister's reply, for which I thank him, may I ask him whether, given the fact that so much time has elapsed since this particular prison was planned, and given the fact that our jails are overflowing, that particular jail would not be too small by the time it is fully operational?

The MINISTER Mr Chairman, this is a possibility, but this is unfortunately the situation that we are in. It takes quite a long time to do the planning and we have to wait for funds to become available. The possibility exists that the jail will be too small by the time it is completed.

SAA: flights to/from India. *2 Mr A RAJBANSI asked the Minister for Public Enterprises.

Whether the South African Airways have applied or intend applying for permission to introduce flights to and from India, if not, why not, if so, what are the relevant details? D52E

The MINISTER FOR PUBLIC ENTERPRISES

The Managing Director of Transnet Limited replied as follows to the hon member's question.

No, the South African Airways does not intend introducing flights to India, as another South African airline has already been granted permission to operate services between the two countries.

Braemar's death in prison cell. *3 Mr M RAJAB asked the Minister of Law and Order.

(1) Whether a certain person of Braemar in Natal, particulars of whom have been furnished to the South African Police for the purpose of the Minister's reply, was at any stage detained in a police cell during February 1993, if so, what is this person's name, (2) whether this person was found dead in a cell one morning, if so, (a) in which police cell and (b) when was he (1) arrested and (ii) found dead; (3) whether a pathologist's report has been received in regard to his death, if not, why not, if so, what were the findings? D73E

The DEPUTY MINISTER OF LAW AND ORDER

- (1) Yes Kader Shakk
- (2) Yes (a) Sowat (b) (i) At 15 40 on 15 February 1993 (ii) At 05 15 on 16 February 1993
- (3) Yes, the finding of the state pathologist

was that the cause of death of Mr Shakk was consistent with that of a heart attack. The histological report is still outstanding. (253)

Mr M RAJAB Mr Chairman, arising out of the hon the Minister's reply, could he please tell us whether the pathologist's report was, in fact, communicated to the family of the deceased? D52E

The DEPUTY MINISTER Mr Chairman, to my knowledge this has not yet been done, because we are still awaiting the histological report as well.

Islamic/Hindu marriages: legislation. *4 Rev C PILLAY asked the Minister of Justice.

(1) Whether he will consider introducing legislation to recognize Islamic and Hindu religious marriages, if not, why not, if so, when, (2) whether he will make a statement on the matter? D76E

The DEPUTY MINISTER OF JUSTICE

(1) and (2) A project dealing with Islamic marriages and related matters was placed on the programme of the South African Law Commission during July 1986. The project committee appointed for the purpose of the investigation considered a working paper. A copy will be handed to the hon member immediately after the question period. A study of comparative law is presently being conducted. All interested parties are welcome to submit proposals in this regard to the Secretariat of the Law Commission.

Mr A RAJBANSI Mr Chairman, arising out of the hon the Deputy Minister's reply, is he prepared to tell us why the Government is dragging its feet on this, while the ANC and the IFP have officially announced that they will recognize these marriages, and while the NP recognizes that there is freedom of religion in this country?

The DEPUTY MINISTER Mr Chairman, there is no doubt as far as the commitment of the Government is concerned. The fact is that this project has been launched and is being conducted [Interjections].

has expired and, if so, what arrangements have been made with regard to extending that contract?

The MINISTER Mr Charman, in order to ensure the smooth phasing-in of the new contract, the present contract has been extended to 30 April 1993

Resettlement of displaced traders

*2 Mr A RAJBANSI asked the Minister of Local Government, Housing and Agriculture:

- (1) Whether he has taken or intends taking steps to assist displaced traders who remain to be resettled, if not, why not, if so, (a) what steps and (b) when,
- (2) whether he will make a statement on the matter?

The MINISTER OF LOCAL GOVERNMENT, HOUSING AND AGRICULTURE

- (1) Yes Steps have already been taken
- (a) An ad-hoc committee has been appointed to deal with applications for business sites by displaced traders
- (b) The Committee had its first meeting on 22 January 1993
- (2) No

Sastri College: decision

*3 Mr M RAJAB asked the Minister of Education and Culture

Whether a decision has been taken by her Department to ensure that Sastri College continues to exist as a co-educational institution, if not, why not, if so, what are the relevant details?

The MINISTER OF EDUCATION AND CULTURE

No

The decision was influenced by persistent community pressure and upon the request of the Natal School Grantees' Association in a letter dated as early as 28 February 1986, "that Sastri College should revert to its original role as contemplated by the donors and that its historical role in the community will best be remembered if this is done by the authorities concerned as soon as possible",

re as a monastic secondary school catering exclusively for boys

However, it had been decided that girls and boys of the former Gandhi-Desai Secondary School be allowed to attend Sastri College until they complete their secondary school education. It must be noted that Sastri College has been re-opened in its pristine right and not as a replacement school for Gandhi-Desai Secondary School

It should be mentioned that the Durban city-centre area is also served by a monastic girls' school, namely, Durban Girls' Secondary School and in order to ensure an equitable accommodation balance, a school catering exclusively for boys is also considered necessary

Although this is the present admission policy of the Department, and this is in keeping with the request of the respected Sastri Alumni and its predecessors, Sastri Old Boys, Save Sastri Committee and Sastri Diamond Jubilee Committee, future policy will be determined by the School Management Council in the pending unitary education system

Mr M RAJAB Mr Charman, arising out of the hon the Minister's reply, will she please give us an indication of when the co-educational status of this institution will cease to exist?

The MINISTER Mr Charman, it will continue until the new system is in place

Mr M RAJAB Suppose there is one girl left!

The MINISTER Mr Charman, we are actually phasing this out. At the moment we have 7 girls in Std 7, 28 in Std 8, 36 in Std 9 and 33 in Std 10. This means that next year there will not be a Std 7 class. In this way we shall phase it out.

Mr N SINGH Mr Charman, further arising out of the reply and in view of the draft Bill on discrimination against women which has recently been released, is the hon the Minister of Education and Culture still prepared to accede to the request that Sastri College be made an exclusive boys' school?

The MINISTER Mr Charman, I would rather reserve my opinion on that.

Mr P NAIDOO Mr Charman, further arising out of the hon the Minister's reply, what would her attitude be should a female student in Std 7

this year fail her examinations and be required to repeat Std 7 next year? Would she move such a student out of that school?

The MINISTER Mr Charman, that would be a difficult situation I would imagine she would be retained, because the courses she would have taken are not being offered at other schools. That is why Gandhi-Desai girls were accepted into Sastri College

For written reply

General Affairs

Prisons: warders on strike

3 Mr M RAJAB asked the Minister of Correctional Services

- (1) Whether any warders at prisons under the control of his Department are on strike at present, if so, in respect of each of the prisons concerned, (a) how many warders are involved, (b) for what (i) periods and (ii) reasons have they been on strike and (c) in respect of what date is this information furnished;
- (2) whether he will make a statement on the matter?

The MINISTER OF CORRECTIONAL SERVICES:

To begin I would like to draw the Honourable Member's attention to the fact that the Department of Correctional Services performs an essential service and consequently strikes by members are prohibited in terms of the Correctional Services Act, 1959 (Act 8 of 1959). It should be borne in mind that the Department has a responsibility to care for prisoners and should members be allowed to strike, prisoners could be denied their basic rights such as nutrition, medical care, personal safety, etc. Apart from this, the community would be unnecessarily exposed to possible mass escapes and the associated risks. As such a state of affairs cannot be permitted under any circumstances, the Correctional Services Act, 1959 (Act 8 of 1959) makes provision for the summary dismissal of a member of the Department of Correctional Services after he has been given the opportunity to be heard.

- (1) (a) (b) (i) and (c)

As those persons who have already been dismissed still have the opportunity to address representations to me for the revocation of their dismissals, I would like to provide the following details as reported to me, but I do not wish to anticipate the further legal process by commenting on the merits thereof.

On 4 February 1993, 101 members at the Pietermaritzburg Prison refused to perform their normal duties and they were called upon several times to resume their duties. On request the members concerned put their grievances in writing and demanded that their grievances be resolved immediately. Notwithstanding the assurances of the Head of the Prison and the Commander that their grievances would be attended to, the members persisted with their behaviour. Although the consequences of their behaviour had been explained to them, they still refused to resume their duties and chose not to utilize the opportunity offered to them to be heard. Consequently on the same day the members were dismissed from the service of the Department. In terms of section 13B of the Correctional Services Act, 1959 (Act 8 of 1959), these members have the opportunity to address representations to me within 30 days after dismissal regarding the revocation of their dismissals.

During the night of 5 February 1993, a member who did not participate in the strike was cold-bloodedly shot dead at his home. Since then, and as a result of a wide-spread and serious intimidation more members of the Pietermaritzburg prison who mainly reside in Umbahl, could not report for duty. This was also the case in Sevontem where a bus transporting members to work was hijacked by an armed person. Both these incidents are being investigated by the South African Police.

Apart from the 101 members who have already been dismissed, it consequently cannot be accepted that the other members who have not reported for duty are also participating in the strike. To the contrary, many members have already made arrangements with their commanders that their absence be covered by leave for they fear for their and their families' lives and the destruction of their possessions/property.

The figures in respect of members at the various prisons on the dates as indicated who have not been dismissed, but have not yet reported for duty, are as follows

	1993-02-06	1993-03-05
Pietermaritzburg	192	111
Sevontem	63	8
Durban	4	4

As already mentioned above, it is accepted that these members have not reported for duty due to a fear of intimidation. Special steps have already been taken to contact these members and an increasing number of members are daily resuming their normal duties.

In order to ensure that the communities interested are best served and also to ensure that activities at the relevant prisons can proceed as normally as possible, members have been mobilized from elsewhere and temporarily transferred to the Pietermaritzburg and Sevontem Prisons respectively. These members, together with the members of the various prisons who have loyally continued to perform their duties despite everything, are providing an excellent service despite the inconvenience which they are enduring and deserve special mention. As soon as the personnel position at Pietermaritzburg and Sevontem returns to normal, these members will return to their various stations.

(b) (ii) The members who were dismissed on 4 February 1993 submitted the following grievances in writing

- that a certain member's suspension be cancelled and that an investigation into the member's suitability for further employment in terms of Correctional Services Regulation 77 (1), be revoked;
- that their membership of the social club for personnel be cancelled and that they be allowed to establish their own club exclusively for Black members;
- that the existing temporary guard posts be replaced with permanent structures;
- that a certain member be discharged from his present duties and be utilized elsewhere;
- that their subscriptions to the personnel

Brandvler Medium A Prison (Outside Worcester)

(a) 1

(b) (i) Since 13 February 1993

(ii) The prisoner insisted on a transfer to the Worcester prison. Initially, he did not accept the decision that he could not be transferred at that stage as the Worcester prison could not accommodate him due to *inter alia* overpopulation. However, after continuous intervention by the Head of the Prison, he ended his hunger strike on 23 February 1993.

Douglas Prison

(a) 1

(b) (i) Since 19 February 1993

(ii) The prisoner indicated that he was dissatisfied with the disciplinary steps which were taken against him due to a disciplinary offence. The facts and the remedies were explained to him and he ended his hunger strike on 22 February 1993.

Durban Medium B Prison

(a) 2

(b) (i) One since 27 January 1993 and one since 8 February 1993

(ii) The prisoners indicated that they wanted to be released. They therefore did not want to serve the sentences imposed by the court. The legal remedies available in this regard, were explained to them. After continuous intervention by the Head of the Prison they ended their hunger strikes on 28 February 1993 and 23 February 1993 respectively.

Groenpunt Maximum Prison (Outside Vereeniging)

(a) 3

(b) (i) Since 4 February 1993

253

(ii) The one prisoner indicated that he had been sentenced innocently and that he wanted to be released. The legal remedies available in this regard were explained to him.

The second prisoner was of the opinion that the sentences imposed by the court, should run concurrently. He therefore did not want to serve the sentence imposed by the court. The legal remedies available in this regard have been explained to him.

The third prisoner was of the opinion that his sentence already should have expired and that he was uncertain as to why he had been punished. Furthermore, he wanted to know when he would be released. According to departmental records the prisoner has not yet completed his sentence. This fact as well as the legal remedies available to him have been explained to him.

The Commander gave the three prisoners a hearing on 24 February 1993 and they subsequently ended their hunger strikes on the same day.

Goedemoed Medium A Prison

(a) 2

(b) (i) Since 20 February 1993

(ii) The prisoners indicated that they were not satisfied with the disciplinary steps which had been instituted against them due to disciplinary offences. In the meantime the findings of the disciplinary hearings have been confirmed on review and both prisoners are satisfied. They ended their hunger strike on 22 February 1993.

East London Prison

(a) 1

(b) (i) Since 3 February 1993

THE MINISTER OF CORRECTIONAL SERVICES

(2) whether he will make a statement on the matter? D30E

4 Mr M RAJAB asked the Minister of Correctional Services:

(1) Whether any prisoners held in South African prisons are on hunger strikes at present, if so, in respect of each such prison, (a) how many prisoners are involved, (b) for what (i) periods and (ii) reasons have they been on such strikes and (c) in respect of what date is this information furnished.

Prisoners on hunger strike

Bavanspoort Prison

(a) 1

(b) (i) Since 19 February 1993

(ii) The prisoner was not satisfied with his job allocation. The matter was attended to by the Head of the Prison and the prisoner ended his hunger strike on 22 February 1993.

(ii) The prisoner indicated that he is not guilty of the crime of robbery for which the court sentenced him to eight (8) years imprisonment. The prisoner's appeal against his sentence was dismissed but he still refuses to accept the sentence imposed by the court. His case is being attended to continuously and the following persons have already visited him his mother, a social worker, a psychiatrist, an attorney, a representative from the Lawyers for Human Rights, a magistrate and the Commander. On 2 March 1993 he was still persisting with his hunger strike.

(c) 21 February 1993

Leeuwkop Maximum Prison

(a) 6

(b) (i) Since 4 February 1993

(ii) Two of the prisoners were dissatisfied with the sentences imposed on them as well as the fact that they had no money for an attorney. The prisoners involved acknowledged that they had not previously brought their problem to the attention of the Head of the Prison. Their problems were subsequently attended to.

The other four prisoners were dissatisfied with the sentences imposed by the court. They were therefore not prepared to serve the sentences of imprisonment imposed by the court.

After continuous intervention by the Head of the Prison, all six prisoners ended their hunger strikes as follows: 2 on 27 February 1993, 1 on 1 March 1993 and 3 on 3 March 1993.

Pretoria Local Prison

(a) 1

(b) (i) Since 11 January 1993

HOUSE OF DELEGATES

(bb) for what period was he or she so appointed? D59E

THE MINISTER OF FOREIGN AFFAIRS

TRANSFERRED* IN 1991

(a) (i) Ambassadors 18

(ii) Consuls-general 1

(iii) Deputy-consuls-general 0

(b) (i) Ambassador A Jaquet

(ii) (aa) Switzerland (Bern)

(bb) from 01 05 91 to 01 05 95

(i) Ambassador P J Celliers

(ii) (aa) Romania (Bucharest)

(bb) from 01 04 91 to 01 04 95

(i) Ambassador J Kilian

(ii) (aa) Argentina (Buenos Aires)

(bb) from 01 07 91 to 01 07 95

(i) Ambassador C M Swart

(ii) (aa) Finland (Helsinki)

(bb) from 01 04 91 to 01 04 95

(i) Ambassador C J Sidedge

(ii) (aa) Denmark (Copenhagen)

(bb) from 01 10 91 to 01 10 95

(i) Ambassador P A Swanepoel

(ii) (aa) Portugal (Lisbon)

(bb) from 27 01 91 to 01 02 95

(i) Ambassador K D S Durr

(ii) (aa) United Kingdom (London)

(bb) from 01 04 91 to 01 04 94

(i) Ambassador G C Olivier

(ii) (aa) Russian Federation (Moscow)

(bb) from 08 07 91 to 01 07 95

(i) Ambassador V R W Steward

(ii) (aa) United States of America (New York) [UN]

(bb) from 01 08 91 to 01 08 95

(i) Ambassador A Kilian

(ii) (aa) Canada (Ottawa)

(bb) from 01 12 91 to 01 12 95

(i) Ambassador A W M Burger

(ii) (aa) France (Paris)

(bb) from 01 02 91 to 01 02 95

(i) Ambassador N W du Bois

(ii) (aa) Czech Republic (Prague)

(bb) from 08 04 91 to 01 04 95

(i) Ambassador G R W Babb

(ii) (aa) Italy (Rome)

(bb) from 11 07 91 to 01 10 96

(i) Ambassador A P Burger

(ii) (aa) Bulgaria (Sofia)

(bb) from 07 04 91 to 01 04 95

(i) Ambassador J C Lotter

(ii) (aa) Israel (Tel Aviv)

(bb) from 01 05 91 to 01 03 93

(i) Ambassador W Louw

(ii) (aa) Venda (Thohoyandou)

(bb) from 01 12 91 to 01 12 95

(i) Ambassador J V Z Gryffenberg

(ii) (aa) Poland (Warsaw)

(bb) from 08 04 91 to 01 04 95

(i) Ambassador H H Schwarz

(ii) (aa) United States of America (Washington)

(bb) from 01 03 91 to 01 03 95

(i) Consul-General E A Broekhuizen

(ii) (aa) United States of America (Chicago)

(bb) from 01 07 91 to 01 07 95

* Transfer dates provide a more accurate picture since there is often a reasonable time lapse between appointments and transfers.

TRANSFERRED IN 1992

(a) (i) Ambassadors 11

(ii) Consuls-General 12

(iii) Deputy Consuls-General 1

(b) (i) Ambassador G P Pretorius

(ii) (aa) Paraguay (Asuncion)

(bb) from 01 04 92 to 01 07 94

(i) Ambassador N P van Heerden

(ii) (aa) Belgium (Brussels) [EC]

(bb) from 01 10 92 to 01 10 96

(i) Ambassador J A Eksteen

(ii) (aa) Switzerland (Geneva) [UN]

(bb) from 07 02 92 to 01 05 95

(i) Ambassador T G Visser

Ambassadors/consuls appointed

10 Mr M RAJAB asked the Minister of Foreign Affairs

- (a) How many persons were appointed to the post of (i) ambassador, (ii) consul-general and (iii) deputy consul-general in his Department in 1991, 1992 and 1993, respectively, and (b) in respect of each such appointment, (i) what is the name of the person concerned and (ii) (aa) in respect of what country and

HOUSE OF DELEGATES

HOUSE OF DELEGATES

P70

REGION H EASTERN TRANSVAAL

Prison	% over-populated
Barberton Maximum	36,0
Barberton Medium A	56,2
Barberton Medium B	35,5
Bethal Male	7,7
Ermelo	0,8
Lydenburg	27,2
Middelburg (Tvl)	38,6
Nelspruit	2,3
Newcastle	23,2
Standerton Medium A	13,0
Standerton Medium B	8,6
Utrecht	17,1
Vryheid	12,7
Waterfall Medium A	49,6
Waterfall Medium B	50,3
Witbank Male	37,2

REGION I NATAL

Prison	% over-populated
Bergville	43,8
Bulwer	34,9
Dundee	29,4
Durban Medium B	63,9
Durban Medium C	32,4
Durban Medium D	5,8
Empangeni	101,6
Eshowe	39,6
Estcourt	20,9
Glencoe	10,3
Greytown	11,8
Ikopo	30,4
Kokstad	83,1
Kranskop	78,1
Ladysmith (Natal)	35,9
Matatiele	14,3
Melmoth	18,2
Pietermaritzburg	51,3
Port Shepstone	57,9
Sevonten	37,8
Stanger	32,2

A new prison for 350 prisoners is planned at Umzinto

The Department of Correctional Services annually provides a priority list of identified building projects to the Department of Public Works with a view to incorporating them in the Department of Public Works's five year building programme according to which building work is programmed for a term of five (5) years

This programme is revised annually accord-

ing to the availability of funds. The fact that a specific project appears on the major works services programme does not imply that it will be executed within five (5) years

The average rate of over-population in South African prisons on 31 December 1992 was 28,2% in comparison with 15,67% on 31 December 1991

ANNEXURE A

ANALYSIS OF THE PRISON POPULATION AS ON 31 DECEMBER 1992

Sentenced	6 months to under 2 years	2 years to 5 years	Longer than 5 years to 10 years	Longer than 10 years to 20 years	Longer than 20 years and imprisoned for life	Indeterminate sentences	Unsentenced	Other categories	TOTAL
6 973	11 316	33 698	22 746	7 626	1 761	3 886	20 408	284	108 698

*Not daily average as mentioned in (1) (b) above

Self-governing territories/TBVC countries: land purchased

97 Mr P G SOAL asked the Minister of Regional and Land Affairs

(a) What was the total accumulated amount spent on purchasing land for the purpose of consolidation in respect of the (i) self-governing territories and (ii) independent Black states as at 31 December 1992 and (b) how much land was added to each such territory or state in 1992? B232E

The MINISTER OF REGIONAL AND LAND AFFAIRS.

(a) In terms of the White Paper on Land Reform it is no longer the policy of the Government to acquire large extents of land for addition to the TBVC States and Self-governing Territories. The acquisition of land can, however, not be summarily terminated and the Government is therefore, prepared to adopt a flexible approach to this matter. Land

will, however, no longer be incorporated into the TBVC States and the Self-governing Territories for the purpose of state forming as in the past.

(i) and (ii) Separate statistics are not available. The total accumulative amount spent from 31 August 1936 until 31 March 1992 in respect of the acquisition of land amounted to R1 403 373 297. The South African Development Trust has been abolished on 31 March 1992.

(b) Former SA Development Trust properties which had already been included in the areas of jurisdiction of the various self-governing territories on 31 March 1992, have been transferred in ownership to the said authorities on 1 April 1992 by Proclamation R28/1992 on the understanding that, where practically feasible, it will be transferred to tribes/communities.

No land, being the property of the former South African Development Trust, situated outside the areas of jurisdiction of the self-governing territories, has however, been incorporated into the areas of jurisdiction of the said authorities during 1992, or transported to the Self-governing territories.

The extent of the land transferred to the various self-governing territories on 1 April 1992 by Proclamation R28/1992, is as follows:

KwaZulu	1 013 487 hectares
Lebowa	506 325 hectares
Gazankulu	304 086 hectares
KaNyane	146 821 hectares
KwaNdebele	16 738 hectares
Owaqwa	46 499 hectares
TOTAL	2 033 956 hectares

Prisons: provision for disabled persons

127 Mr A J LEON asked the Minister of Correctional Services

(1) (a) How many members of the current prison population are (i) physically, (ii) visually and/or (iii) auditorily disabled and (b) in respect of what date is this information furnished;

(2) whether any prisons make special provision for disabled persons, if not, why not, if so, (a) which prisons and (b) for what categories of disablement in each case? B297E

The MINISTER OF CORRECTIONAL SERVICES

(1) (a) (i) 67 (of which two are dependent on wheelchairs) (ii) 61 (only one eye in all cases) (iii) 14 (partially in all cases)

(b) 2 March 1993

(2) No Structurally prisons do not cater specially for disabled persons except for those prison hospitals which are designed in such a way that a wheelchair can be accommodated in passages and bathrooms. However, provision for disabled persons is made in the sense that such persons are accommodated where it is convenient for them with due consideration of the nature of their disability. This sometimes necessitates a transfer to a large prison where a 24 hour nursing service is available (a) and (b) Fall away

Own Affairs

Teachers: retirement on accelerated pension

6 Mr A GERBER asked the Minister of Education and Culture

(1) How many teachers in his Department retired from service on accelerated pension in 1992, (2) whether any of these teachers have since been re-employed as teachers by his Department, if so (a) how many as at the latest specified date for which information is available and (b) why? B92E

The MINISTER OF EDUCATION AND CULTURE

(1) 5 492 (early retirement 234, medical grounds 74; retrenched 5 045, prior to 1-4-1992 converted to state-aided school 139) in the two main categories which are considered for accelerated pension, namely

that it was unfortunately true that the CP had made a caricature of the Afrikaner through its actions. Instead of strengthening the cause of the Afrikaner, said the hon member for Heilbron, that party weakened the cause of the Afrikaner among the other leaders of this country [Interjections]

I want to emphasise today that by assuming such a narrow-minded racist attitude, they are in fact prejudicially affecting everyone who belongs to the Afrikaner people, and I am one of them. I want to appeal to the hon members to stop being so obsessed with racism, so that we can move forward and achieve reconciliation in this country [Interjections]

*Mr L LOUW Mr Chairman, schools with a Christian and national character arose in these exceptionally difficult economic times as a result of the fact that political models were forced on parent communities. This is a policy that has become untenable for most parents. It is also a consequence of the will of the Afrikaner parents to fulfil and implement the promise they made at the christening of their child.

In view of this it is alarming that virtually impossible demands, for example in the financial field, are being made on such a school with a Christian and national character to register as a private school, particularly in the Free State. My colleague the hon member Dr F H Pauw mentioned a few of the ridiculous requirements. Why are excessive demands of this nature being made of these schools which are not even going to cost the State any money?

There is a further question with regard to the registration of schools with a Christian and national character in the future. Once there is a single joint administration for education, are different requirements for registration going to be made of schools with a Christian and national character and schools which fall under the Department of Education and Culture at present, or are the requirements going to be exactly the same for both?

If the hon the Minister is implying that his department has a favourable policy in respect of schools with a Christian and national character, why are we experiencing all these problems with the registration of these schools in the Free State? We are aware that in certain provinces there are virtually no problems with the regis-

HOUSE OF ASSEMBLY

this nature, and he operates schools with the co-operation of our department. The other two persons to whom I would like to refer are Prof Carel Boshoff and Mrs Anna Boshoff. They operate a school in Orania and have also experienced problems. However, they felt free to come to my office. They came to see me here in Cape Town, and they told me what their particular problems were. I gave attention to those problems. My door is always open. There were a few minor requirements that were outstanding. We solved those problems on that day in my office, while they were sitting there and before they walked out of the door.

Those people who truly have problems need only get into contact with us, and I can give hon members the assurance that I shall do everything in my power to establish schools with a Christian base. In terms of the present constitution such schools can also be exclusively White. It would be dishonest of me in respect of hon members, the House and the country to create the impression that it would also be possible to finance such schools from the Treasury in the future if they were kept exclusively White and discriminated against people of colour.

*The CHAIRMAN OF THE HOUSE Order! The time for the discussion of this interpellation has now expired. That also concludes the questions on own affairs. Questions that have not been answered will be answered in writing.

Debate concluded

QUESTIONS

Indicates translated version

For written reply.

General Affairs

Number of prisoners

43 Mr D J DALLING asked the Minister of Correctional Services

(1) (a) How many prisoners can be accommodated in South African prisons at present, (b) what was the daily average prison population as at the latest specified date for which information is available and (c) how many unsentenced prisoners were in prison in the Republic on that date;

(2) whether any prisons were over-populated in 1992, if so, (a) which prisons and (b) what was the average rate of over-population in each case? B96E

The MINISTER OF CORRECTIONAL SERVICES

(1) (a) According to the norm mentioned below, 84 791 on 31 December 1992

(b) The daily average prison population for December 1992 was 109 574 (See Annexure A for analysis of sentences)

(c) On 31 December 1992 there were 20 408 unsentenced prisoners in South African prisons

(2) Yes, in the sense that the norm was exceeded. However, it must be taken into account that a large percentage of the prisoners are normally not in physical detention during the day since they are as far as possible involved in work activities, training and treatment programmes, recreation, etc. High standards of hygiene and health are nevertheless maintained. However, it cannot be excluded that the rising crime tendency and especially the increase in serious crimes and the accompanying stricter sentences taken together with the insistence by the community for stricter action against criminals, may lead to the deterioration of this situation.

The occupancy level of prisons is however monitored continuously in order to determine needs and to take suitable action to deal with the problem. These actions include inter alia the following

— The extending of existing prisons/building of new prisons where necessary. This is naturally done in accordance with long-term planning and is cost-intensive

— The transferring of prisoners to prisons with a lower occupancy level, in order to obtain a more evenly distributed population

— The granting of special remission of sentence (occasional) to sentenced prisoners in terms of section

HOUSE OF ASSEMBLY

69 (1) of the Correctional Services Act, 1959 (Act 8 of 1959)

— Continuous contact with other concerned parties in order to promote alternative sentence options

The hon member is also referred to the State President's announcement during the opening of Parliament on 29 January 1993. The intention is to extend the capabilities of the Department of Correctional Services, together with those of the courts and the South African Police in order to combat crime and violence

(a) and (b)

On 31 December 1992 the position was as follows

Note

Interpretation of term

In this reply, unless the context otherwise indicates—

“upgrading” means that provision is made during the planning phase for either primary or secondary extensions of the existing accommodation

REGION A WESTERN CAPE

Prison % over-populated
Allandale 83,3

(The erection of a new prison for 600 prisoners appears on the 5 year building programme of the Department of Correctional Services)

Calvina	14,7
Hawegua	86,0
Klein Drakenstein	8,6
Malmesbury	30,0
Paarl	38,4
Polismoor Maximum	46,0
Polismoor Medium A	29,0
Polismoor Medium B	32,2
Polismoor Minimum	5,9
Riebeeck West	86,7
Robben Island	13,5
Springbok	24,1
Staat of Paardeberg	80,4
Stellenbosch	20,0
Van Rhynsdorp	59,4
Victor Verster Maximum	79,8
Victor Verster Medium A	73,4
Victor Verster Medium B	72,2
Voorberg	69,5

REGION C EASTERN CAPE

Prison % over-populated

Barkley East 24,3
Burgersdorp 3,0
East London Medium A 70,7

(The Medium B prison is presently being upgraded and will alleviate the situation)

General J C Steyn 50,8
Graaff-Reinet 29,0
Grahamstown 44,1
Jansenville 45,7
King Williamstown 10,1
Patensie 2,5
Port Elizabeth 9,8
Queenstown 25,2
Somerset East 34,5
St Albans Maximum 59,3
St Albans Medium B 26,6
Stutterheim 18,0

REGION D. OFS AND NORTHERN CAPE

Prison % over-populated

Bloemfontein 51,1
Brandfort 37,9
Christiana 49,0
Colesberg 8,1
De Aar 2,4
Douglas 18,9
Edenburg 56,8
Fauersmith 39,4
Ficksburg 11,7
Goedemoed Medium A 20,0
Goedemoed Medium B 6,5
Grooylei Maximum 69,3
Grooylei Medium 22,8
Kimberley 28,8
Kuruman 28,0
Ladybrand 9,5
Upington 40,6

(Upgrading of the prison appears on the 5 year building programme of the Department of Correctional Services)

Wepener 23,3
Winburg 25,0

REGION E N OFS AND WESTERN TRANSVAAL

Prison % over-populated

Behlehem 17,5
Frankfort 32,2
Groenpunt Maximum 16,1
Groenpunt Medium 16,0

(253) (Busy with the upgrading of the prison)

Harrismuth 32,5
Klerksdorp 45,5
Kroonstad Medium A 9,8
Lichtenburg Male 0,7
Lindley 38,0
Onderaalsrus 13,6
Parys 11,0
Potchefstroom 48,6
Rustenburg 27,4
Senekal 17,9
Vereeniging 5,7
Virginia 5,5
Wolmaransstad 52,7

REGION F: CENTRAL TRANSVAAL

Prison % over-populated

Hedelberg 25,3
Johannesburg Medium A 2,1
Johannesburg Medium B 84,4
Krugersdorp 40,7
Leeuwkop Maximum 68,2
Leeuwkop Medium A 17,5

(Busy with the upgrading of the prison)
Leeuwkop Medium B 5,0
Leeuwkop Medium C 47,5
Modderbee 67,1

(The building on of 232 single cells is presently under construction)

Nigel 62,5

A new prison for 2 245 prisoners at Boksburg will become operational during 1993

REGION G NORTHERN TRANSVAAL

Prison % over-populated

Bavanaanspoort Medium 62,9
Brits 64,3
Lospertfontein 15,7
Louis Trichardt 25,0

(Upgrading of the prison will commence in the 1993-94 financial year)
Nylstroom 46,4
Pretoriusburg 43,9
Pretoria Local 53,6
Pretoria Female 2,9
Tzaneen 61,2
Voortrekkerhoogte 2,8
Zonderwater Medium B 14,2

(The upgrading of the prison appears on the 5 year building programme of the Department of Correctional Services)

REGION H EASTERN TRANSVAAL

Prison	% over-populated
Barberton Maximum	36,0
Barberton Medium A	56,2
Barberton Medium B	35,5
Bethal Male	7,7
Ermelo	0,8
Lydenburg	27,2
Middelburg (TV)	38,6
Nelspruit	2,3
Newcastle	23,2
Standerton Medium A	13,0
Standerton Medium B	8,6
Utrecht	17,1
Vryheid	12,7
Waterfall Medium A	49,6
Waterfall Medium B	50,3
Witbank Male	37,2

REGION I NATAL

Prison	% over-populated
Bergville	43,8
Bulwer	34,9
Dundee	29,4
Durban Medium B	63,9
Durban Medium C	32,4
Durban Medium D	5,8
Empangeni	101,6
Eshowe	39,6
Estcourt	20,9
Glencoe	10,3
Greytown	11,8
Ikopo	30,4
Kokstad	83,1
Kranskop	78,1
Ladysmith (Natal)	35,9
Matatiele	14,3
Melmoth	18,2
Pietermaritzburg	51,3
Port Shepstone	57,9
Sevontein	37,8
Stanger	32,2

A new prison for 350 prisoners is planned at Umzinto

The Department of Correctional Services annually provides a priority list of identified building projects to the Department of Public Works with a view to incorporating them in the Department of Public Works's five year building programme according to which building work is programmed for a term of five (5) years

This programme is revised annually accord-

ing to the availability of funds. The fact that a specific project appears on the major works services programme does not imply that it will be executed within five (5) years

The average rate of over-population in South African prisons on 31 December 1992 was 28,2% in comparison with 15,67% on 31 December 1991

(253)

ANNEXURE A

ANALYSIS OF THE PRISON POPULATION AS ON 31 DECEMBER 1992

Sentenced	6973
Up to and including 6 months	6973
More than 6 months to under 2 years	11316
2 years to 5 years	33698
Longer than 5 years to 10 years	22746
Longer than 10 years to 20 years	7626
Longer than 20 years and imprisoned for life	1761
Indeterminate sentences	3886
Unsentenced	20408
Other categories	284
TOTAL	*108698

*Not daily average as mentioned in (1) (b) above

Self-governing territories/TBVC countries. Land purchased

97 Mr P G SOAL asked the Minister of Regional and Land Affairs

(a) What was the total accumulated amount spent on purchasing land for the purpose of consolidation in respect of the (i) self-governing territories and (ii) independent Black states as at 31 December 1992 and (b) how much land was added to each such territory or state in 1992? B232E

THE MINISTER OF REGIONAL AND LAND AFFAIRS

(a) In terms of the White Paper on Land Reform it is no longer the policy of the Government to acquire large extents of land for addition to the TBVC States and Self-governing Territories. The acquisition of land can, however, not be summarily terminated and the Government is therefore, prepared to adopt a flexible approach to this matter. Land

will, however, no longer be incorporated into the TBVC States and the Self-governing Territories for the purpose of state forming as in the past

(i) and (ii) Separate statistics are not available. The total accumulative amount spent from 31 August 1936 until 31 March 1992 in respect of the acquisition of land amounted to R1 403 373 297. The South African Development Trust has been abolished on 31 March 1992

(b) Former SA Development Trust properties which had already been included in the areas of jurisdiction of the various self-governing territories on 31 March 1992, have been transferred in ownership to the said authorities on 1 April 1992 by Proclamation R28/1992 on the understanding that, where practically feasible, it will be transferred to tribes/communities

No land, being the property of the former South African Development Trust, situated outside the areas of jurisdiction of the self-governing territories, has however, been incorporated into the areas of jurisdiction of the said authorities during 1992, or transported to the Self-governing territories

The extent of the land transferred to the various self-governing territories on 1 April 1992 by Proclamation R28/1992, is as follows:

KwaZulu	1 013 487 hectares
Lebowa	506 325 hectares
Gazankulu	304 086 hectares
KaNgwane	146 821 hectares
KwaNdebele	16 738 hectares
Owaqwa	46 499 hectares
TOTAL	2 033 956 hectares

Prisons provision for disabled persons

127 Mr A J LEON asked the Minister of Correctional Services

(1) (a) How many members of the current prison population are (i) physically, (ii) visually and/or (iii) auditorily disabled and (b) in respect of what date is this information furnished,

(2) whether any prisons make special provision for disabled persons; if not, why not, if so, (a) which prisons and (b) for what categories of disablement in each case? B297E

THE MINISTER OF CORRECTIONAL SERVICES

(1) (a) (i) 67 (of which two are dependent on wheelchairs) (ii) 61 (only one eye in all cases) (iii) 14 (partially in all cases)

(b) 2 March 1993

(2) No Structurally prisons do not cater specially for disabled persons except for those prison hospitals which are designed in such a way that a wheelchair can be accommodated in passages and bathrooms. However, provision for disabled persons is made in the sense that such persons are accommodated where it is convenient for them with due consideration of the nature of their disability. This sometimes necessitates a transfer to a large prison where a 24 hour nursing service is available

(a) and (b) Fall away

Own Affairs

Teachers: retirement on accelerated pension

6 Mr A GERBER asked the Minister of Education and Culture

(1) How many teachers in his Department retired from service on accelerated pension in 1992,

(2) whether any of these teachers have since been re-employed as teachers by his Department, if so (a) how many as at the latest specified date for which information is available and (b) why? B92E

THE MINISTER OF EDUCATION AND CULTURE

(1) 5 492 (early retirement 234, medical grounds 74, retrenched 5 045, prior to 1-4-1992 converted to state-aided school 139) in the two main categories which are considered for accelerated pension, namely

news

41 inmates caned — Vlok

253

FORTY-ONE male prisoners had been caned in 1992 and 29 063 prisoners were placed on spare diet; Correctional Services Minister Mr Adriaan Vlok said on Monday *Sowetan*

In a written reply to a question by Mr Lester Fuchs (DP Hillbrow), he said 3 693 prisoners had been reprimanded *10/3/93*

In 29 063 cases prisoners had been sentenced to the deprivation of one or more meals on any one day, representing 7,2 percent of all prisoners in 1992

Corporal punishment did not exceed six strokes.

STAR 10/31/93
**Suspect found
hanged in cell**

A suspect in police custody was found dead in his cell at a police station in Verwoerdburg, near Pretoria, this morning.

Police said the 30-year-old man had hanged himself with his trousers, but police were investigating further.

A civilian at a local shopping centre had arrested the man for trying to steal a crate of coffee. During the arrest, the suspect was hit on his hands with a car-jack.

He had been taken to Tembisa Hospital, then returned to the police station last night — Sapa.

Two die in police custody

■ Suspect allegedly tried to rob delivery truck:

TWO suspects died in police custody in separate incidents in Johannesburg and Pretoria yesterday morning, police have confirmed.

Mr Kelly Mkhwanazi, (35), collapsed and died while in handcuffs and leg irons at Soweto's Murder and Robbery Unit offices, according to police spokesman Colonel Tieme Halgryn.

In Pretoria a 30-year-old man, who was arrested when he allegedly attempted to steal a crate of coffee, was found hanging in the cells at about 4am in the Adriaan Vlok police station in Verwoerdburg. Police said he had hanged himself with his own trousers.

A spokesman for the police, Lieutenant Evan Johnson, said they sus-

pected he had committed suicide. His identity and address have not yet been established.

Halgryn said Mkhwanazi was wanted in connection with various robberies, including last year's attack on Johannesburg's Kensington Golf Club where R1 million was taken and the robbery at Wadeville involving R2 million.

Mkhwanazi was also linked to last month's R224 000 robbery at Sun City, for which Mr Lucky Malaza was facing charges.

A spokesman for Lawyers for Human Rights said Law and Order Minister Mr Herrius Kriel must give a full explanation and account as to what steps had been taken to prevent such incidents.

Sowetan 11/3/93

253

ES

'Matjiesfontein village' seen for Robben Island

CT 113/93

Municipal Reporter

A PUBLIC company with private-sector funding and management — like the Victoria & Alfred Waterfront Company — should lease Robben Island village and restore it to a "Matjiesfontein-type ambience"

This is the recommendation that the tourism committee of the Cape Peninsula Regional Development Association handed the government before the announcement last week that the island "will not be a playground of the rich" or a casino site

The committee suggested that

the lease granted to "Robben Island Tourism Management" should oblige the company to invest about R50 million in the provision of fresh water, more electricity lines, improved sewerage system and small-craft harbour

Most of the 574ha island would be leased to the Cape Provincial Administration's Nature Conservation division "for development as an eco-tourism facility"

On the basis of 300 000 day visitors a year, of whom 130 000 also stay overnight in the existing accommodation in the village, the island could generate some R58m and sustain about 800 jobs

on the island and mainland, according to the committee's report

An ANC discussion document handed to the cabinet work group on Robben Island late last year proposed that the island could become a peaceful island retreat, a living museum or a tourism resort that includes heritage walking trails.

ANC spokesman Mr Carl Niehaus said yesterday that the ANC felt a lot of consultation still had to take place. His organisation was pleased the government had ruled out possibilities that did not appeal to the ANC

Two men die in police custody

JOHANNESBURG. — Two detainees died in police custody early yesterday, bringing the number of cell deaths this year to seven (23)

Mr Kelly Mkwana, 35, collapsed and died in Soweto while the other suspect, a 30-year-old man, apparently hanged himself with his trousers in Verwoerdburg

Mr Mkwana was wanted in connection with murder and three robberies involving more than R3 million

The other man, a suspected thief, was found dead at 4am. Sapa

CT 113193

SA prisons becoming grossly overcrowded

PRISON overpopulation increased by more than 10% last year — and there were nearly 25 000 more prisoners than could officially be accommodated.

The Minister of Correctional Services, Mr Adriaan Vlok, said at the end of last year the daily average prison population was 109 574. The prisons were not meant to accommodate more than 84 791 prisoners.

Mr Vlok was replying to a question tabled in Parliament by Mr David Dalling (ANC, Sandton).

The most overcrowded prisons were Oudtshoorn (102,8% overpopulated) and Empangeni (101,6%).

Mr Vlok said the average rate of overpopulation in prisons on December 31 last year was 28,2% compared with 15,67% at the end of December, 1991.

18 inmates had refused food

THERE were 18 prisoners on hunger strike in different prisons on February 21, the Minister of Correctional Services, Mr. Adriaan Vlok, said yesterday (253)

In reply to a question tabled in Parliament by Mr Mahmoud Rajab (DP, Springfield), he said six of the strikers were at Leeuwkop Prison

All except a prisoner in East London started eating on March 3



TEAM TALK: Ayrton Senna with technicians in the Kyalami pits.

State rethink on unconditional prisoner release

(253) 12/3/93

MICHAEL MORRIS
Political Correspondent

UNCONDITIONAL prisoner releases — which prompted a furious public response last year — will be a thing of the past if the government accepts proposals in a Correctional Services White Paper published in parliament.

Coupled with the new approach to releases are proposals for a new disciplinary system for prisoners. Detentary and corporal punishment will no longer be used as disciplinary measures.

The new disciplinary procedure would replace trial by prison officers with a hearing by the prison's institutional committee, consisting of experts from various disciplines.

The committee would be empowered only to revoke privileges such as writing letters or getting visits, as a punishment, and not impose canings or dietary punishment.

On releases, the White Paper suggests that remission of sentence should be scrapped and replaced by an arrangement in which well-behaved prisoners will earn credits towards parole.

This means the sentence imposed by the court will be served in full either in prison or, depending on credits earned, under a system of parole. "The sentence of the court will remain valid until it expires and will thus in future be served in totality."

Certain prisoners would not be fully paroled before completing a period of day parole, returning to the prison at

night. Where parole was violated, the commissioner would, after a hearing, be empowered to change the parole conditions or revoke parole altogether.

If a person committed a crime during parole he would have to serve the sentence for that offence as well as the unexpired portion of his initial sentence.

Commissioner of Correctional Services Lieutenant-General Willie Willemse acknowledges in an introduction to the White Paper that remission of sentences has "given rise to the perception that the sentence imposed by the court is being interfered with in an administrative manner".

He noted, too, that in view of increasing crime, the community had begun to demand "that offenders be dealt with more severely."

The White Paper says the remission policy tended to have the effect of allowing certain prisoners to be released ahead of time unconditionally.

"In the interests of the protection of the community, it has been decided to rather do away with the concept of remission and to recognise good behaviour in another manner."

"It is thus envisaged to introduce a system of credits which can be earned on the basis of merit in the place of remission of sentence."

Parole boards, including community representatives, would be established at each prison or group of prisons.

Revamped Star 12/31/93 jail policy (253) proposed

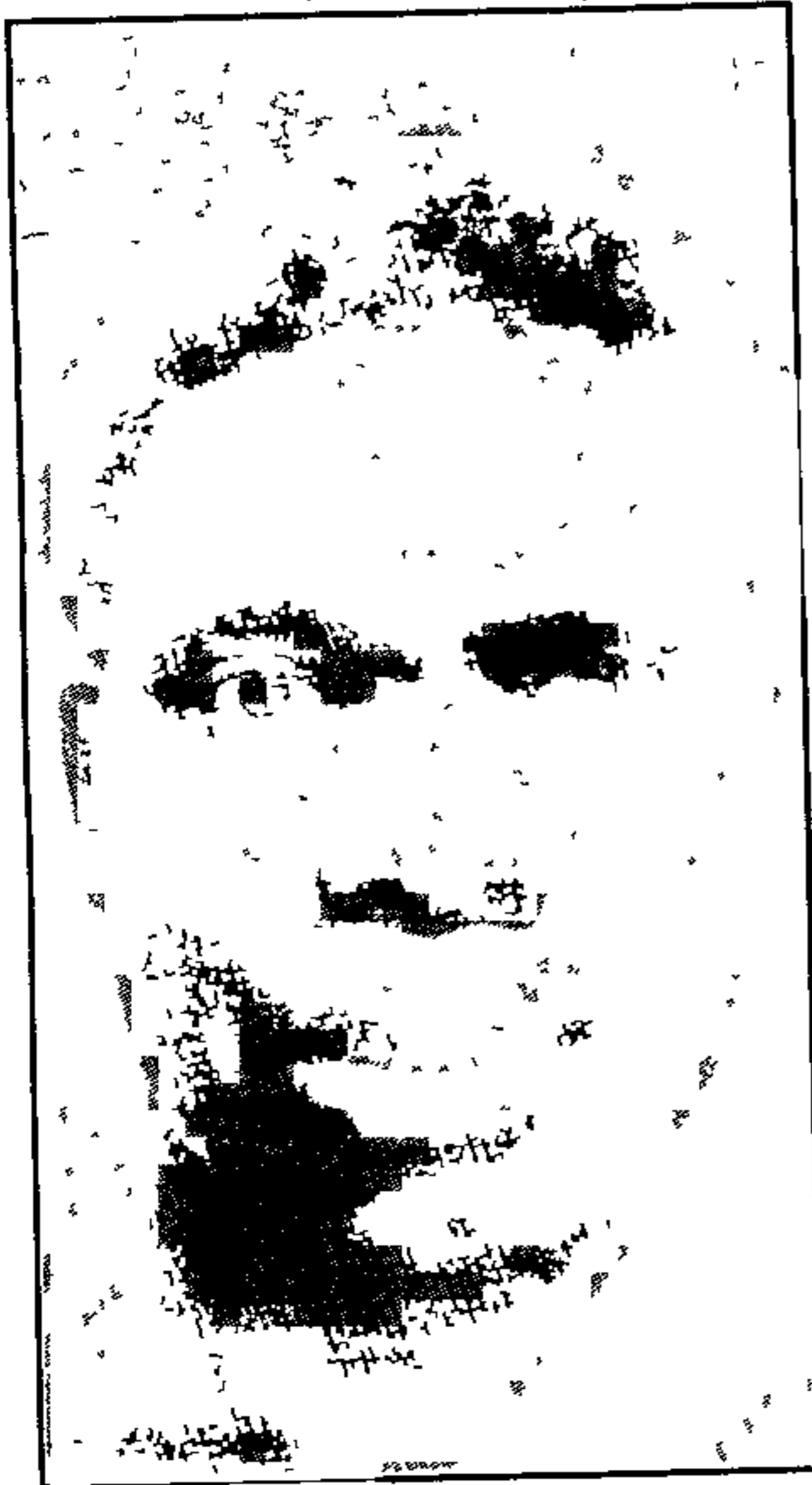
CAPE TOWN — A new prisons policy, doing away with unconditional release for prisoners who have not served their full sentences, was proposed in a Correctional Services White Paper published yesterday

The concept of remission of sentence should be scrapped and replaced with a scheme under which well-behaved prisoners would be able to earn credits towards parole — which means that the sentence of a court will remain valid until it expires “and will thus in future be served in totality”

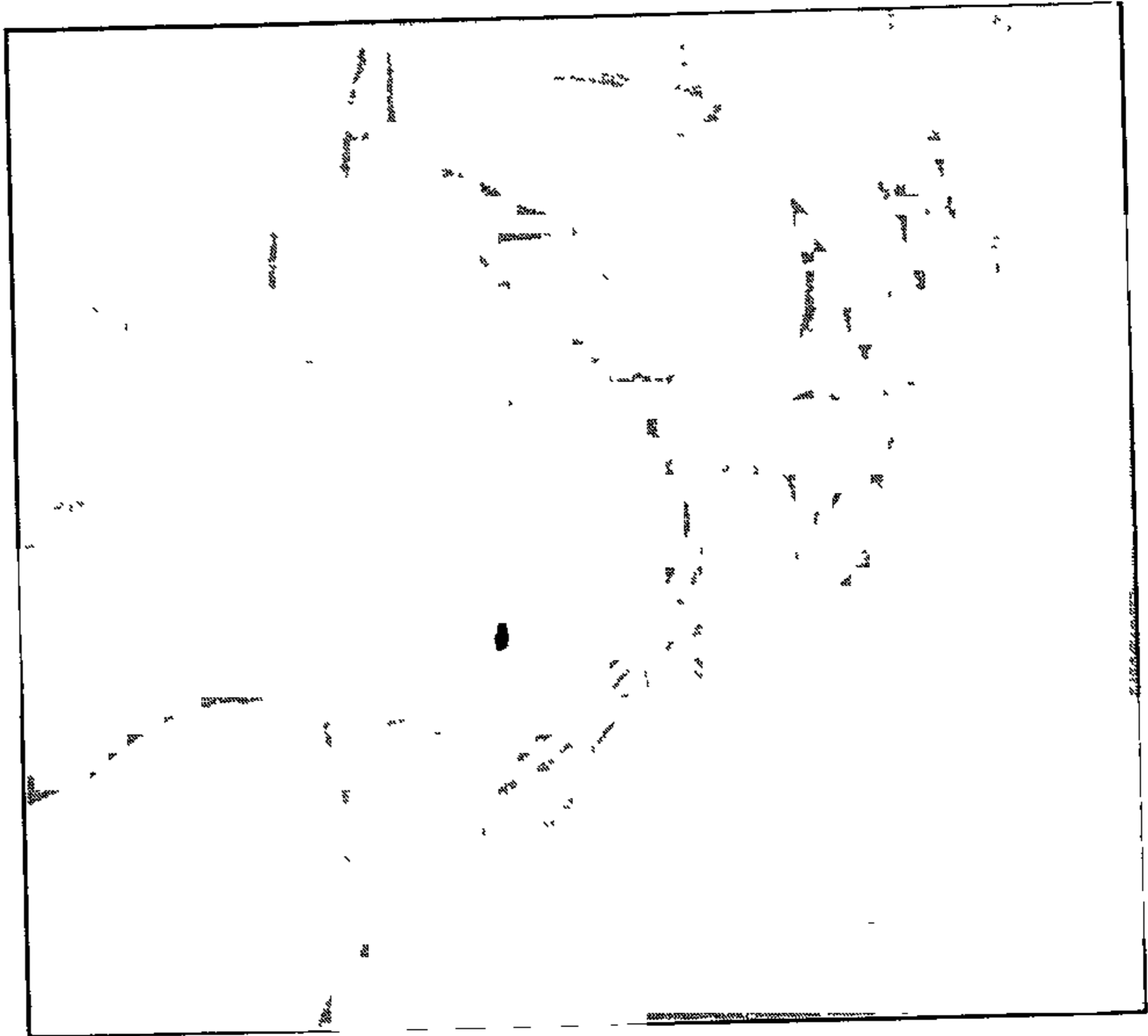
Dietary and corporal punishment would no longer be used as disciplinary measures against prisoners

In an introduction, the Commissioner of Correctional Services, Lieutenant-General Willie Willemsse, said the changes would have a considerable impact on prison administration and the administration of criminal justice. Remission of sentences had given rise to a perception that sentences imposed by the courts were being interfered with by bureaucrats, while the community demanded that offenders be dealt with more severely — Sapa

NEWS Well-known pathologist to conduct post mortem



Zakhele Mkwanzazi.



Mrs Sibongile Mkwanzazi mourns for her husband who died in police custody.

Cell death to be probed

Sowetan 12/3/93

253

By Joe Mdhlela

■ **PRE-DAWN RAID** Emndeni man was suspect

in robberies totalling more than R3-million:

A WELL-KNOWN pathologist is expected to conduct a post mortem on a Soweto man who died in police cells after being arrested by police on Wednesday morning.

The dead man, Mr Zakhele Mkwanzazi (35), died less than two hours after he was arrested at his Emndeni home in Soweto at 4am on Wednesday.

A police spokesman said Mkwanzazi was a suspect in various robberies, including last year's attack on a Johannesburg golf course where R1 million was taken. Police said he was also a

suspect in a R2-million robbery in Wadeville. Mkwanzazi was arrested by the Soweto Murder and Robbery Unit.

Dr Jonathan Gluckman, the pathologist who made startling allegations last year that police had killed about 90 percent of the 200 people whose bodies he examined, has been appointed by the Mkwanzazi family to conduct the post mortem.

Mkwanzazi's wife, Sibongile, said five policemen arrested her husband after declaring that "we have been looking for you".

She said her husband did not deserve to die the way he did, even if police were in the process of preferring charges against him.

Police spokesman Colonel Tienie Halgryn confirmed that an inquest to establish the cause of Mkwanzazi's death would be held.

Even prison not free soon

Weekend Argus Political Staff
CONVICTS will soon be liable
to pay for their lodging in
prison as part of the
commercialising of some
government services.

Cons might want to argue
that this is a little unfair since
they are not exactly given the
choice of whether they want to
take up such salubrious
accommodation. 253

But down-at-heel villains
need not fear that they will be
sent to debtors' prison if they
can't pay the rent.

ARG 13/3/93
The new boarding fee will
only be payable to those who
are let out on parole by day to
work for pay and return to
sleep in prison at night.

Lucky may not live up to his name

Weekend Argus Political Staff

LEGISLATION has been tabled which will allow the government to re-arrest Lucky Malaza, the common criminal who was mistakenly released in a batch of political prisoners last year.

His release sparked a major controversy last year and inflamed opposition to the mass release of political prisoners.

But the authorities were helpless to correct their mistake as no suitable legislation existed.

Yesterday, however, the government inserted a special clause into the Correctional Services Amendment Bill which is mainly aimed at ending the policy of unconditional early release of prisoners.

The clause says if a prisoner is erroneously released the Minister of Correctional Services may issue a warrant for his re-arrest and detention for up to 72 hours.

During that period a judge will have to decide if the prisoner should be re-imprisoned to serve the rest of his sentence.

ARC 13/3/73

253

Wife wants action over custody death

SIBUSISO MABASO
Weekend Argus Correspondent

253

ARG 13/13/93

JOHANNESBURG — The wife of Soweto businessman Zakhele "Kelly" Mkhwanazi, who died this week in police custody, wants some answers from the Protea Murder and Robbery Squad

"They owe me an explanation as to how my husband died in their hands

"It bleeds my heart to hear their blatant lies claiming he collapsed on the floor at their offices," said Mrs Sibongile Mkhwanazi

She said she and her lawyer had examined her husband's body at the police station

She planned to take legal action against the squad once the results of the post-mortem were available

Kelly Mkhwanazi, a well-known Soweto businessman and taxi owner, died on Wednesday two hours after being arrested at his Emdeni North home

According to SAP spokesman Colonel Tienie Halgryn, the dead man was sought by police in connection with three armed robberies in which more than R3 million was stolen and he was

wanted for allegedly gunning down a man in Jabulani last year

He said Mkhwanazi was also a suspect in a robbery at Sun City's Standard Bank in January when about R798 000 was taken

Bank robber Lucky Malaza, who was mistakenly freed from prison as a political prisoner last September, has been arrested in connection with the same robbery and is awaiting trial in Bophuthatswana

Colonel Halgryn said Mkhwanazi was arrested by police at his home about 4 30am on Wednesday and brought to the Protea offices to be questioned

He said Mkhwanazi had been manacled and was being questioned when he collapsed on the floor and died

Mrs Mkhwanazi denied Zakhele had had any connection with Lucky Malaza

She said her husband was not a secretive man and if he had known Malaza, he would have told her

Pathologist Dr Jonathan Gluckman has been appointed by the Mkhwanazi family to conduct a post-mortem at the Diepkloof mortuary tomorrow

Press 14/3/93

Popcru warns on axed warders

THE Transvaal branch of the Police and Prisoners' Civil Rights Union (Popcru) foresees "serious problems" if 101 dismissed Maritzburg prison warders are not reinstated (253)

Speaking at a press conference this week, Popcru Transvaal secretary Kenneth Mthombu said his organisation would take "severe action against prison and police department especially because our members are armed forces"

He said Popcru would not yet detail the foreseeable severe actions, but warned that these "would put public safety at stake".

Popcru would stage a protest march to the Johannesburg Prison on March 20 in a bid to push home their demands for the recognition of Popcru and unconditional reinstatement of the dismissed warders.

Briton has six days in cells for R187 bill

STIMES (CAPE METRO) 14/3/93 253

A BRITISH citizen spent three days in a police cell and three more in Pollsmoor Prison after the owner of a youth hostel had him arrested for not paying his R187 bill for accommodation

Mr Steven Lovett, 20, of Scotland, said he had been arrested when he returned to The Bunk House about 3am last Friday, after he had spent two nights at a friend's house

He claimed he had not been able to settle his bill as his money had been stolen

"I was relaxing in the lounge when four police came in and arrested me. They told me the owner had laid a charge of bilking against me"

He was taken to the Sea Point Police Station, where he was held until Monday morning

"I can't understand why I was not brought before a court sooner. Other people who were arrested on the same night as me appeared in court the next day"

When he appeared in court on Monday, he asked that the British Embassy be told of his situation

By AYESHA ISMAIL

"The magistrate postponed the case to Thursday and I was remanded in custody

"While I waited in the holding cell at court to be taken to Pollsmoor Prison, I was robbed of my designer lighter by another prisoner"

At Pollsmoor he was processed and sent to a single cell with three other people, one of whom had tuberculosis, Mr Lovett claimed

"The next day I was put in another cell with 38 people. We slept on very thin mats

"Every day I was sent from section to section, including one for illegal immigrants"

Mr Lovett said a lawyer, engaged by the British Consulate, and a consulate representative had visited him on Wednesday

"When I appeared in court on Thursday morning the magistrate told me that the charge had been withdrawn. My friend's parents had paid the R187"

A friend had offered to pay the account the day after his arrest, but the owner refused, Mr Lovett claimed

"Surely if my intention was not to pay my accommodation account I would not have left my clothes behind and returned to the hostel"

The co-owner of the The Bunk House, who did not want to be named, said Mr Lovett had booked into the hostel under the surname Patterson. Accounts had to be paid on a daily basis and Mr Lovett's was overdue, she said

"We gave him a chance but then he left without notice and without paying. He came back after two days at 3am and entered the premises with a key that did not belong him," she said

"What prompted us to lay the charge was that many of our residents had complained to us about Mr Lovett's dealings with them"

However, the residents had failed to keep an appointment with the investigating officer, so the charge was dropped, the co-owner said

"We did not want to put a man in jail for R187 — but we try to run this place to the best of our ability and to protect our residents"



JAILED ... Mr Steven Lovett, 20, of Scotland, spent three days in a police cell and three days at Pollsmoor Prison this week after the owner of a youth hostel had him arrested for not being able to pay R187 he owed for accommodation

Picture AMBROSE PETERS

Probe highlights hunger

CIPress 14/8/93

BARBERTON district surgeon Dr WA van Zyl Pretorius was last week acquitted by the SA Medical and Dental Council on charges of professional negligence in the treatment of seven hunger-strikers in Barberton Prison in 1991.

This was the first time a district surgeon has appeared before the SAMDC because of alleged malpractices in prisons.

The prisoners had gone on hunger-strike because they had not been released in terms of the various agreements on political prisoners between the ANC and the government.

They have all since been released.

The major part of the complaint was about the treatment of the prisoners when they were admitted to the Barberton Hospital, but the inquiry found Pretorius had no access to hunger strikers while in hospital.

Another major complaint was that hunger strikers were put in an ice-cold mortuary by prison medical

orderlies, one Van Gas and one Shongwe, but the board found that from the evidence that the actions of Van Gas and Shongwe could not be attributed to Pretorius. Some of the hunger strikers could not be traced. Others contradicted themselves in evidence.

Pretorius was not called on to give an account of his actions because his counsel maintained the witnesses had not proved their case and successfully applied for Pretorius's acquittal without him testifying.

The Tokyo Declaration on Hunger Strikers does not allow certain medicines to be given to hunger strikers.

The complaint against Pretorius was mainly based on a letter sent in June 1990 by Nelspruit attorneys Mojapelo and Co, on behalf of the hunger strikers, to the head of Barberton Prison and the superintendent of Barberton Hospital. Copies were also sent to the Director of Hospital Services, the Human Rights Commission, the Minister of Justice and the ANC.

The letter claimed that on June 4 1991, the day on which Absalom Ngomane and six others suspended

The treatment of hunger strikers came under the spotlight last week when the Alberton district surgeon was called to appear before the SA Medical and Dental Council. **DESMOND BLOW** reports.

their hunger strike after 34 days, they were admitted to Barberton Hospital.

Private doctor

Lawyers for the prisoners reached agreement with the then head of the Barberton Maximum Prison, Col GDJ van Schalkwyk, and the then superintendent of the Barberton Hospital, Dr GB van Heerden, that a private doctor, Dr TN Mamoepa, should examine and treat the prisoners before they started eating.

Mamoepa was also to be involved in determining at what stage the prisoners would be fit to return to the prison. When Mamoepa examined the prisoners on June 4 he found their health had deteriorated marked-

ly, they were spitting blood and complained of chest and kidney pains; that they had lost a great deal of weight, and that they staggered when walking.

He placed all the hunger strikers on an intravenous drip and forecast they would not be in a state to return to prison for at least a week after they started eating.

But, claimed the attorneys, the agreement was not kept and the following day Mamoepa was refused access to the prisoners, and after only three days all prisoners were taken back to Barberton Prison without consultation or examination by Mamoepa.

The attorneys saw the patients in Barberton Prison later that day and found them still in a frail condition and walking with a stagger. They were being fed dry bread and ice cold drinks.

One of the prisoners, Absalom Mdulu, said in an affidavit that Mamoepa had prescribed that the prisoners be given soup and milk after they had ended the hunger strike, but the following day the hospital authorities decided to change the diet and gave them

soft porridge and soup.

They refused to eat and demanded to see Mamoepa, but he was refused entry to the hospital. The head of the prison was called and the drips were removed and they were sent back to prison.

"It was only at the intervention of our attorneys that we were given a soft diet," Mdulu said. They were not medically examined.

The attorneys for the former prisoners are still dissatisfied at the treatment of the hunger strikers.

They claim that many authorities were involved in the "total ill-treatment" of the hunger strikers and that individuals such as Van Gas and Shongwe should be charged, as well as those who refused Mamoepa permission to examine the hunger strikers and those who ordered them to be returned to the prison hospital.

The attorneys have recommended to LHR that a properly constituted commission of inquiry be demanded to focus not only on the medical people but also on the prison authorities.

Strikers' misery

CITY PRESS, March 14, 1993

PAGE 13

Suspect dies in police cells

CT 15/3/93
JOHANNESBURG — A suspected robber was found dead in the Germiston police cells yesterday after security guards at a shopping centre allegedly assaulted him before handing him to police on Saturday night.

East Rand police were called by the guards at the Golden Walk shopping centre, a police spokesman said.

The suspect was taken to a local hospital for treatment and then taken to the local police cells.

Police have opened a murder docket — Sapa

ANC calls for probe into cell deaths

THE African National Congress called yesterday for an immediate investigation into the deaths of detainees in police custody after another suspect was found dead, the ninth this year

The suspected robber was found dead in a cell on Sunday after being arrested following a beating by security guards at a shopping centre near Johannesburg, police said

"We are calling for an independent investiga-

Sowetan 11/3/93 **ANC's Niehaus accuses Nats of 'trying to cover things up'** (253)

tion into what is going on and to know what steps are being taken by the police to prevent deaths in custody," ANC spokesman Mr Carl Niehaus said

Niehaus accused Law and Order Minister Mr Hernus Kriel of "trying to cover things up"

Law and Order Ministry spokesman Captain

Craig Kotze branded the ANC reaction to the latest cell deaths "political opportunism"

"I think that people who are using deaths in custody as an excuse for police bashing should think again," Kotze said

He said the Government had done all it could to open its police cells for inspection

Prison deadline extended (253)

JOHANNESBURG — Minister of Correctional Services Mr Adriaan Vlok has extended by 30 days the deadline by which dismissed Maritzburg Prison warders can appeal their cases.

CT1613193

Warders not guilty on escape count

Court Reporter

(253)

Two Diepkloof prison warders were acquitted in the Johannesburg Magistrate's Court yesterday on a charge of aiding prisoners to escape.

The magistrate found that a Brixton detective had deliberately prevented the warders from seeing their lawyers after their arrest.

Warders Mpumelo Mbadu and Marcus Mazibuko had been charged with helping three prisoners to escape from custody on July 30 1991.

Mbadu made a statement to police after his arrest on March 19 last year.

But magistrate G J Snyman said there was possibly truth in his evidence that he had been given electric shocks and assaulted by detectives before he made the statement.

Snyman said there was no evidence the accused had ever committed the crime and it was clear that police had prevented the warders from contacting their lawyers before the statement was made.

Evidence was given that the investigating officer could not be contacted by lawyers on the day of the warders' arrest until after Mbadu made a statement to detectives.

Star 18/3/93

Police welcome increased funds

By Bronwyn Wilkinson
and Charmeela
Bhagawat

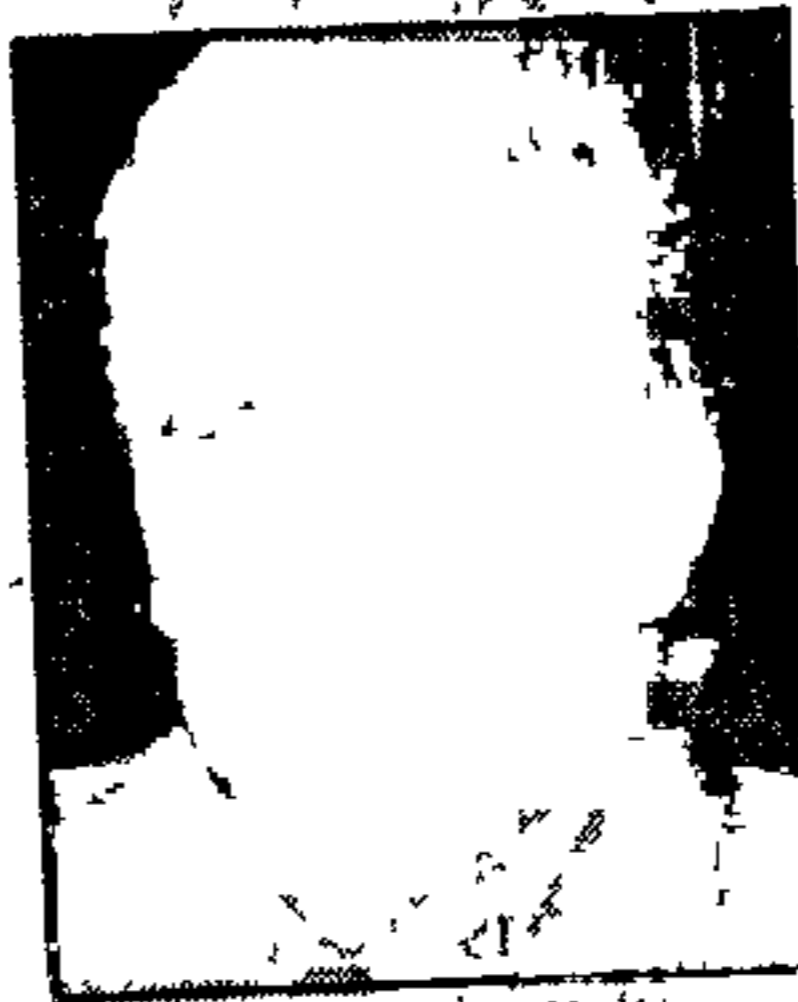
The increased allocations to the police, prisons, and justice system in yesterday's Budget were welcomed by the three departments and by experts as moves that would help curb crime, streamline the legal system and improve conditions for prisoners.

In his Budget Review, Finance Minister Derek Keys said police funds would be directed towards crime prevention

Ministry of Correctional Services spokesman Lieutenant Bert Slabbert said the 17.6 percent increase would allow prisons to hold about 109 000 prisoners — 15 900 more than their present capacity

(263)
Keys said the department would take steps towards alternative sentencing and towards putting prisoners to work in community projects which would, in turn, generate income.

A Department of Justice spokesman said



Brigadier Mellet ...
'grateful' for increase

their 24.1 percent increase would "provide a better service and improve the legal system"

Prisoners released

OF THE 129 applicants to the National Council on Indemnity, 27 had been released on its recommendation, Justice Minister Kobie Coetsee said yesterday. **253**

To date no one had been indemnified by the council.

REPORTS Political Staff,
Business Day Reporters Sapa AP
8/10 AM 19/3/93

27 gain freedom under Further Indemnity Act

STAR 19/3/93

(253)

Political Staff

CAPE TOWN — At least 27 people have been released from jail in terms of the Further Indemnity Act passed late last year, Minister of Justice Kobie Coetsee said yesterday.

The applications for release had been considered by the National Council on Indemnity, which was set up under the Act.

Coetsee was answering a question in Parliament put by Tony Leon (DP Houghton).

Coetsee said that up to March 3, 10 people had applied for indemnity from prosecution. They had asked to be excused of the crimes of sabotage, kidnapping, culpable homicide, theft, unlawful possession of a grenade, unlawful possession of firearms and ammunition, murder, attempted murder and malicious damage to property.

At the same time, 348 applications for indemnity submitted before this Act came into effect, and made in terms of earlier



Kobie Coetsee . . . "442 people sentenced to death".

legislation, had been referred to the National Council for its recommendation.

● A total of 442 people had been sentenced to death between 1989 and 1992, Coetsee said yesterday in a written reply to Dave Dalling (ind Sandton).

During 1992, 59 death sentences had been commuted.

Star 20/8/93
253
**Lucky fails again
to appear in court**

**MONTSHIWA
MOROKE**

LUCKY Malaza, the man whose mistaken release from prison six months ago severely embarrassed the Government, failed to appear in the Soweto Magistrate's Court yesterday for the third time.

Malaza (33) was to have appeared on charges of possession of stolen goods and obstructing the police in their investigations, or alternatively assaulting a policeman.

His attorney, R Strydom, told the court that Malaza was still being held by Bophuthatswana police.

A warrant for his arrest, which was issued at a previous hearing, will stand until May 19, when he is scheduled to appear in court again.

Malaza, who was out on R1 000 bail, was arrested in Soweto on February 23 and handed over to the Bophuthatswana police in connection with the R224 000 Sun City Standard Bank robbery on January 4.

Malaza made headlines in September, when he was erroneously freed along with political prisoners after serving only three years of a 16-year sentence for a 1987 bank robbery in which a policeman was killed.

After realising its bungle, the Government asked Malaza to hand himself over to the police "peacefully". He flatly refused.

Move to curb cell deaths

By DAWN BARKHUIZEN

THE SA Police Board has proposed the formation of a "lay committee" to conduct spot checks on police cells in a bid to curb deaths in detention.

In a document circulated to local regional dispute committees, Major General MJA Bester of the Police Board has proposed a system based on the British Metropolitan Police's "Open Door Method" whereby community leaders form a committee

to make unannounced visits to police cells.

Death in detention came under the spotlight last year with claims by pathologist Jonathan Gluckman that many detainees were dying in cells. The Human Rights Trust noted 123 deaths in police custody in 1992 and nine so far this year.

General Bester recommended that local committees of about 25 people be formed under the chairmanship of a person acceptable to the community

who had no official post. Visits would be made to cells without prior notice, but, according to lists drawn up at committee meetings,

They would focus on the well-being of the detainees and would not get involved in the investigation of charges against them. Queries would be raised with the Ministry of Law and Order.

The proposal has been welcomed by community-based organisations, including the Black Sash.

Prison warders petition minister on 'bias'

STimes 21/3/93

(253)

By AYESHA ISMAIL

A GROUP of Pollsmoor prison warders has written to the Minister of Correctional Services, Adriaan Vlok, about alleged discrimination against coloured warders accused of committing offences.

They claim there is no consistency in the department's policy regarding misdemeanour in terms of the treatment meted out to coloured officials compared to that of whites. They have asked the minister to launch an urgent investigation.

In the letter, sent to the minister this week, the warders say some of the events at the prison have affected the credibility of the Department of Correctional Services as well as the "hard-earned respect" of individual members.

They cite an article published in the Cape Metro last month which revealed how a white warder found guilty of engaging in sexual activity with a prisoner was tried departmentally and fined R100, of which R50 was suspended for two years.

'Never charged'

"In contrast, a coloured warder who was found to be in possession of a hosepipe belonging to the prison was charged, and is currently appearing in the Wynberg Magistrate's Court, on a charge of theft," members said.

They also claim that a white sergeant who last year allegedly stole R5 000 from a club at Pollsmoor was never charged departmentally. The matter was also not referred to the South African Police for investigation, they say, and the warder simply had to repay the money.

"Coloured members who commit petty crimes like not reporting that they have done routine checks are charged departmentally or fined," the letter claims.

They say that members of the Police and Civil Rights Union (Popcru) were being victimised by prison authorities because of their membership.

During 1990 and 1991, 70 members of Popcru were suspended and five dismissed for going on strike to highlight prison conditions. Members of Popcru who were not suspended were demoted.

Merit

A spokesman for the Department of Correctional Services Colonel Barry Eksteen said the department followed a policy of merit and efficiency and skin colour and membership of any organisation played no role.

"Likewise disciplinary and/or criminal steps against members are being taken on the merits of each case and the relevant instructions pertaining to specific offences," Colonel Eksteen said.

He said allegations that disciplinary steps were being taken on any other basis were either "far fetched" or based on insufficient knowledge of the circumstances surrounding each case.

Spokesman for Mr Vlok, Captain A J Slabbert, said the letter would be sent to the department for investigation and the minister would comment "once the investigation has been completed".

Star 22/1/1973

Popcru warns of action

Unless the Department of Correctional Services responds to a memorandum presented at Diepkloof Prison on Saturday by the Police and Prisons Civil Rights Union, "phase two" of Popcru's programme of action would be implemented. Among the demands, said Popcru spokesman Kenneth Ntombeni, is that the department recognise the union rather than insist that communication between members and authorities be channelled through "undemocratic channels".

B/007 22/3/93

Prisons union threat

THE Police and Prisons Civil Rights Union (Popcu) has warned that unless the Correctional Services Department responds to a memorandum presented to a representative at Diepkloof Prison on Saturday, they will have to face "phase two" of the union's programme of action. (253)
Correctional Services could not be reached for comment.

30 000 judicial whippings last year

(253) Political Staff

MORE than 30 000 people were given whipping sentences last year without the option of a fine or imprisonment, Minister of Justice Mr Kobie Coetsee has said.

Although South Africa's signing of a UN convention against cruel and inhuman punishment could conflict with the application of corporal punishment, it should be noted that corporal punishment kept juveniles out of jail, he said.

Mr Coetsee, who was replying to a question tabled by Mr David Dalling (ANC, Sandton), said 30 337 people had been sentenced in 1992 to corporal punishment only.

Another 5 286 were sentenced to whipping and partially suspended imprisonment, and 122 to corporal punishment and imprisonment which was not suspended.

South Africa had signed the United Nations Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment on January 29 this year.

Mr Coetsee said the mere signing of a convention did not mean the signature was bound by its provisions.

Signing the convention reflected "a sincere intention to ratify the convention at some stage when the possibility of any reservations, as well as the question as to the continued application of corporal punishment, will have to be addressed."

"This point of view is also in line with that embodied in the government's proposals on a charter of fundamental rights," he said.

CT 22/3/93

Popcru threat after demands

JOHANNESBURG. —

22/3/93
The Police and Prisons Civil Rights Union (Popcru) has threatened action unless the Department of Correctional Services responds to demands the union presented on Saturday.

The union is demanding full recognition as well as the reinstatement of dismissed warders and a pay increase.

Popcru has not specified what action it will take. — Sapa (253)

Howard

Howard

South African Police Planning has already been carried out for the optimal utilization of Commando members for these purposes

The hon the State President has already announced that Commandos are to be utilized to a greater extent in rural areas. He did so during his opening speech this year

SAP: legal fees

*20 Mr D H M GIBSON asked the Minister of Law and Order

What was the total amount paid by the Government during the latest specified period of 12 months for which information is available for the legal fees incurred by members of the South African Police in respect of (a) defence in (i) criminal and (ii) civil cases, (b) inquiries, (c) commissions of inquiry and (d) other legal actions? B503E

THE MINISTER OF LAW AND ORDER

Accounts for the payment of legal fees do not specify the required categories, and as a result thereof the system of the South African Police has not been adapted in order to differentiate such categories. The differentiation cannot be made, as a result of the extent of the administrative process

JSE: protection of investors

*21 Mr R R HULLEY asked the Minister of Finance

(1) Whether the Johannesburg Stock Exchange Guarantee Fund established in terms of section 30 of the Stock Exchange Control Act, 1985 (Act No 1 of 1985), has shown any shortcomings in respect of the proper protection of local and foreign investors in respect of defaulting brokers, if so, what is the (a) nature and (b) extent of these shortcomings,

(2) whether he and/or the Registrar of Stock Exchanges has investigated or intends investigating these shortcomings with a view to bringing about improvements, if not, why not, if so, when,

(3) whether he will make a statement on the matter? B504E

THE MINISTER OF FINANCE

(1) No The Act and rules contain requirements regarding the settlements of certain securities transactions and the rules of the JSE and its Guarantee Fund provide that in the event of a broker not complying with these requirements, claims of clients (classified as "general claims") shall be paid in full by the fund. Other claims (classified as "limited claims") are subject to a maximum payment of R1 million per defaulting stock-broking firm

In terms of the rules of the JSE and its Guarantee Fund claims on the fund shall first be met out of the proceeds of any claim on an insurance policy taken out by the JSE on behalf of broking firms and only after the estate of a defaulting broking firm has been excused. In the interim, however, due to the time required to finalise a full audit of the accounts of the defaulting firms to establish the extent of the default and to categorise clients' claims, the JSE decided to assist investors and has paid all general claims that have been proved from its own funds

In addition to protection under the Guarantee Fund, the JSE has insurance cover of R100 million. Upon the exhaustion of the R100 million cover in any one year catastrophe cover of R50 million for any one occurrence per broking firm immediately becomes applicable. Claims in respect of the losses of three firms involved have been submitted to the JSE's insurers. One claim had to be reconstructed and a resubmission of the revised claim is imminent

(2) The matter is currently under active investigation by the JSE in consultation with the Registrar of Stock Exchanges to determine in what respect, if any, the protection envisaged for investors in the event of default of a broker could be improved

(3) No

SADF: printing press

*22 Mr R R HULLEY asked the Minister of Defence

(1) Whether the South African Defence Force (SADF) has purchased or intends purchasing a multi-colour printing press at a cost of more than R1 million, if so, (a) for what purposes and (b) what is the (i) make and (ii) purchase price of this press,

(2) whether the SADF has received any objections to this purchase, if so, (a) what objections and (b) from whom? B505E

THE MINISTER OF DEFENCE

(1) Yes

(a) To meet the SADF's classified printing requirements

(b) (i) Heidelberg Speedmaster, model 102FP+L
(ii) RM 4,62

(2) Objections were submitted to the Department of State Expenditure and a working group was appointed with representation from the SA Defence Force, the Government Printer and the Department of State Expenditure. The objections were thoroughly investigated taking the SA Defence Force's requirements for rationalisation of posts, security considerations, centralisation and cost efficiency into account. The conclusion was reached that the cost was justified in the light of these factors

(a) The objections were

- that a large surplus capacity exists in the RSA printing industry,
- that there is under-utilized printing capacity at the Government Printing Works, and
- that in a time of scaling down the SADF should not purchase equipment of this nature

(b) A tenderer and the Printing Industries Federation of South Africa

Prisons: mothers with children

*23 Mr A J LEON asked the Minister of Correctional Services

How many mothers were confined to prison with their children in 1992? B507E

THE MINISTER OF CORRECTIONAL SERVICES

In the interests of the infants, small children and the parents involved, as well as in the absence of suitable alternatives, imprisoned mothers are allowed to care for their dependent children in South African prisons.

On 31 December 1992 there were 202 mothers together with one or more children in prison

In line with international practice, regulation number 94 of the regulations promulgated in terms of section 94 of the Correctional Services Act, 1959 (Act No 8 of 1959), makes provision for a female prisoner to keep her child with her in prison during the period of lactation and for such further period as may be necessary, subject to prescribed conditions. The necessary clothing, food and medical treatment may be provided by the State for the period for which a child remains in a prison

Standing departmental directives also determine that a child may remain in prison with the mother for as long as is deemed necessary for medical and nutritional purposes. Thereafter it should be endeavoured to remove the child from prison, subject to a certificate by the medical officer to the effect that the child would not suffer psychologically or physically if separated from the mother. In a case where removal from prison is appropriate, it is a requirement that a suitable home should be obtained for such a child beforehand. Social work personnel of the Department of Correctional Services investigate the placement possibilities for these young children in cooperation with external social work organisations. When placement is arranged the mother, family, foster family or institution personnel, as applicable, are consulted

All children are examined by the medical officer as soon as possible after admission to a prison or after birth in order to determine which medical treatment and nutrition is to be prescribed. The child's mass is taken monthly and the necessary injections and immunisation as applicable are administered by a qualified nursing sister, or otherwise arrangements are made for the administration thereof at the local clinic

At every prison where children stay with their mothers, a member of the nursing profession is responsible for the necessary supervision

vision This member sees to it that all prescribed directives regarding the care of the children are strictly adhered to and that the children's general health and well-being are promoted

In general it can be mentioned that the Department of Correctional Services places a high premium on the medical treatment of all persons entrusted to its care. In this regard the nursing staff of the Department of Correctional Services are guided by the medical officer (district surgeon) and his prescriptions and directives are meticulously carried out. This includes general treatment which can be provided in the prison or provincial hospitals, hospitalization in private or provincial hospitals and treatment by specialists

SADF officer attached to State Security Council

*24 Mr J A JORDAAN asked the Minister of Defence †

(1) Whether, with reference to his replies to Question No 28 on 17 February 1993 and Question No 21 on 3 March 1993, a former senior officer of the South African Defence Force, whose name has been furnished to the South African Defence Force for the purpose of the Minister's reply, was employed by the Defence Force during the period in which he was attached to the Secretariat of the State Security Council, if so, what is the name of this officer,

(2) whether this officer made direct or indirect contact with any chief ministers or governments of the self-governing areas at any time during the above-mentioned period, if so, what was the (a) nature and (b) extent of this contact,

(3) whether he will make a statement on the matter? B508E

The MINISTER OF DEFENCE

(1) and (2)

The former senior officer whose name has been furnished to me was functionally in the employ of the Secretariat of the State Security Council and only fell under the SA Defence Force administratively. The finer details of the contacts he may have made during this period are consequently not known to my department

NO
HOUSE OF ASSEMBLY

(3) No

Press freedom

*25 Mr P G SOAL asked the Minister of Home Affairs

Whether, with reference to the free flow of information and reporting by the Press, any further steps have been or are being taken or are being contemplated in respect of the repeal of the 11 Acts referred to in the reply to Question No 7 on 18 March 1992, if not, why not, if so, (a) what steps and (b) when? B509E

The MINISTER OF HOME AFFAIRS

As stated in the reply to Question No 7 of 18 March 1992 (Hansard Column 419), of the 11 Acts referred to, the Department of Home Affairs administers only the Electoral Act, 1979 (Act 45 of 1979), and for the reason furnished in the aforesaid reply, it is still not the Department's intention to repeal the provision concerned

I further recommend that my colleagues who administer the other Acts concerned be consulted by the hon member in that regard

TBVC states: pension funds

*26 Mr P G SOAL asked the Minister of Foreign Affairs

(1) Whether he will furnish information on whether pension funds in the TBVC states are being monitored in any way, if not, why not, if so, (a) in what way are these funds monitored and (b) what is the state of each of these funds,

(2) whether any large payments were made by any of these funds to any individuals in the past 18 months, if so,

(3) whether he will furnish details of such payments, if not, why not, if so, what are the details? B510E

The MINISTER OF FOREIGN AFFAIRS

(1) Yes, but it is primarily not my function

(a) On the one hand, pension funds in the TBVC States are administered by the independent state in question and monitoring occurs in terms of the pension and financial institu-

tions as well as through auditing by the Auditors-General of those states. On the other hand, it is monitored in terms of Structural Adjustment Arrangements if actions regarding the pension funds have a fiscal impact on the adjustment measures. In such cases the Chairman of the Structural Adjustment Committee, in accordance with the agreement, would take the matter up with the two governments

(b) I refer the hon member to the latest reports of the Auditors-General of the various states

(2) Yes

(3) According to available information the Venda Government decided to privatise its pension fund and in the process amounts were paid to financial institutions on behalf of individuals. Members of the pension fund were unhappy about this and this led to strikes. To solve the crisis the Venda Government appointed the Venda Pensions Crisis Committee to investigate all payments made from the pension fund. The Venda Government is assisted by Dr J de Looor in the investigation. The Committee has made good progress with its investigation and according to Dr De Looor a report will soon be submitted to the Venda Government

Regarding the pension funds of the other States, the calculations of the amounts were made in accordance with the formulae laid down in the laws of the respective countries

It must be stressed that the various TBVC States, as independent states, administer their own pension funds

SADF: legal fees

*27 Mr D H M GIBSON asked the Minister of Defence

What was the total amount paid by the Government during the latest specified period of 12 months for which information is available for the legal fees incurred by members of the South African Defence Force in respect of (a) defence in (i) criminal and (ii) civil cases,

(b) inquests, (c) commissions of inquiry and (d) other legal actions? B513E

The MINISTER OF DEFENCE

R2 907 389,53 since 1 April 1992. The figures are unfortunately not available in the cost components specified and the time and effort required to calculate them thus cannot be justified

Reply substituting reply to Question No 9 on 17 March 1993, put by Dr F H Pauw (col 592)

National Cancer Association: funds

*9 Dr F H PAUW asked the Minister of National Health †

(1) Whether the State makes any funds available to the National Cancer Association, if not, why not, if so, (a) what was the total amount so made available during the latest specified period of 12 months for which information is available and (b) on the budget of which State Department or Departments are donations to this association indicated,

(2) whether it is required of this association to apply the above-mentioned donations on a racial basis, if not, what is the position in this regard, if so, (a) why and (b) what procedure is being followed? B397E

The MINISTER OF NATIONAL HEALTH

(1) Yes,

(a) R465 000 for the financial year 1992/93 and

(b) Administration House of Representatives, Administration House of Delegates, Provincial Administration of Transvaal, Provincial Administration of the Orange-Free State, Provincial Administration of the Cape of Good Hope,

(2) no, the Association applies for subsidy at different State institutions who subsidise social worker posts for Blacks, Coloureds and Indians. The application of these personnel is not prescribed

This view was, however, not shared by the Auditor-General and the Joint Committee on Public Accounts. It was therefore decided to obtain formal ministerial approval for the Innovation Fund.

This process is currently under way and should shortly be completed.

Investment of reserve funds

During 1989 authorisation was granted for the MRC Personnel Expenditure Reserve Fund of R1 million to be initially invested with Volkskas Bank.

As this is a reserve fund with long-term objectives for, amongst other things, the payment of vacation gratuities and as the capital growth potential is significantly better in long-term policy investments, the short-term investment with Volkskas Bank was converted to a long-term policy investment with Sanlam.

Unfortunately, formal ministerial approval for this action was not obtained. Approval was, however, requested in 1991 but, owing to the fact that the report of the Tax Committee is still outstanding, the Department of State Expenditure cannot yet give approval. This matter has repeatedly been followed up and an answer is expected shortly.

Business interrupted in accordance with Rule 180C (3) of the Standing Rules of Parliament

Investigation: prisoner transferred

*7 Mr D J DALLING asked the Minister of Correctional Services

(253)

(1) Whether the allegations contained in a report in a certain Sunday newspaper of 7 March 1993, the name of which has been furnished to the Minister's Department for the purpose of his reply, have been investigated by his Department, if not, why not, if so,

(2) whether the investigation has been completed, if not, why not; if so, which of these allegations were found to be (a) true and (b) untrue,

(3) whether the prisoner concerned has been transferred from a minimum to a medium security prison, if so, why,

(4) whether any steps are being taken by his

HOUSE OF ASSEMBLY

Department pursuant to this investigation, if not, why not, if so, what steps? B435E

THE MINISTER OF CORRECTIONAL SERVICES

(253)

(1) Yes

(2) No, the investigation has not yet been completed as some of the witnesses have only recently been traced.

(3) Yes, the prisoner was relieved of his duties as a monitor and consequently could not be detained in the minimum security prison. On these grounds he was transferred to a medium security prison.

(4) No, as soon as the investigation has been completed, further action will be considered. Should it be found that the allegations against the member are well founded, we will not hesitate to hand the matter over to the South African Police for possible criminal prosecution.

DET: temporary teachers

*8 Mr J M BEYERS asked the Minister of Education and Training +

(253)

(1) Whether, with reference to a press statement issued by him on or about 5 March 1993, he is at present negotiating with a certain teachers' union, the name of which has been furnished to the Minister's Department for the purpose of his reply, about the position of about 30 temporary teachers whose contracts with his Department have expired, if so, (a) what is the name of this union and (b) how many teachers are involved in it,

(2) whether these teachers are still receiving salaries, if so, (a) why, (b) what is the total amount that has been so paid in salaries to these teachers since the expiration of their contracts up to and including the latest specified date for which information is available and (c) what functions have they been performing at the schools concerned since the expiration of their contracts? B477E

THE MINISTER OF EDUCATION AND TRAINING

(1) The negotiations have been concluded

(a) The South African Democratic Teachers' Union (SADTU)

(b) Thirty teachers

(2) No

(a) The 30 teachers have not been paid salaries since 1 January 1993 as their contracts lapsed at the end of December 1992.

(b) Falls away

(c) Some of the teachers have, since the expiry of their contract periods, continued to perform the tasks of a teacher although they were not appointed or remunerated. After the negotiations between myself and a delegation of the Union on 5 March 1993, all of these teachers returned to their former schools and were given teaching tasks by the principals. In the meantime, the position of each teacher has been investigated and they will be remunerated for the periods that they have actually rendered service.

DET school in Pietermaritzburg: armed robbery

*9 Mr A GERBER asked the Minister of Education and Training +

(253)

(1) Whether an armed robbery took place recently at a certain school near Pietermaritzburg, the name of which has been furnished to the Minister's Department for the purpose of his reply, if so, what are the relevant details,

(2) whether pupils were shot at in the school grounds during this robbery, if so,

(3) whether any pupils were (a) killed and (b) wounded in this shooting incident; if so, how many, in each case,

(4) whether security measures have been taken at this school since, if not, why not, if so, what measures? B481E

THE MINISTER OF EDUCATION AND TRAINING

(1) No, no case of armed robbery has been reported.

Questions (2), (3) and (4) fall away.

An incident occurred at KwaPhata Secondary

School during which a pupil, Zondi Thamsanga, was shot and killed by unknown gunmen before school started on 21 January 1993.

During the above incident, a female pupil, Ndawadwe Thokozi, was shot in the leg at the school gate while the unknown gunmen were leaving the premises.

The incident was reported to the South African Police (Case no 278/01/93). At a parents' meeting held on 31 January 1993, it was decided that parents themselves will take responsibility for the safety of pupils and staff members. The Department's offer to procure the services of a security firm was declined.

DET schools: student boycott

*10 Mr A GERBER asked the Minister of Education and Training +

(253)

(1) Whether his Department has concluded an agreement with a certain student organization, the name of which has been furnished to the Minister's Department for the purpose of his reply, in terms of which discussions will be held before either of the parties concerned takes steps that may influence the school attendance of pupils, if so, what (a) is the name of this organization and (b) are the details of this agreement,

(2) whether the local committee of this organization in Soweto was involved in a call that pupils boycott classes in protest against the payment of examination fees, if so, what are the relevant details,

(3) whether any schools under the control of his Department have had to be closed since the commencement of this boycott, if so, how many,

(4) whether he will make a statement on the matter? B482E

THE MINISTER OF EDUCATION AND TRAINING

(1) No

(2) Yes

Persons claiming to be members of the Congress of South African Students (COSAS) visited certain primary and secondary schools in Soweto during Feb-

tion and Culture would address a meeting in the school hall of the Laerskool Hartswater.

- (4) no, there was no instruction, but as the Minister responsible for Education was to address the meeting the school principal in question in good faith conveyed the information via the pupils to the parents. The principal was unaware that it would be a closed meeting of the National Party;
- (5) no

†Mr A GERBER Mr Chairman, arising out of the hon the Minister's reply, we should like to know whether it is his standpoint that NP meetings should be publicized by means of children at schools?

†The MINISTER Mr Chairman, that is not my standpoint

Afrikaans universities: Africanisation

*3 Mr H D K VAN DER MERWE asked the Minister of Education and Culture

- (1) Whether a commission has been appointed to be appointed with the assignment to Africanise or to make Africa-orientated the University of Pretoria, the Potchefstroomse Universiteit vir Christelike Hoer Onderwys, the University of Stellenbosch, the University of the Orange Free State and the Rand Afrikaans University, if so, what are the relevant details,
- (2) whether he will make a statement on the matter? B315E

The MINISTER OF EDUCATION AND CULTURE

- (1) I am not aware of such a commission having been appointed or to be appointed,
- (2) no

†Mr H D K VAN DER MERWE Mr Chairman, arising out of the hon the Minister's reply, we want to know whether he is aware that lecturing staff and students at some Afrikaans universities are campaigning for the Africanization of Afrikaans universities?

†The MINISTER Mr Chairman, I am well aware of that
HOUSE OF ASSEMBLY

†Mr H D K VAN DER MERWE Mr Chairman, further arising out of the hon the Minister's reply, we are asking whether he approves of that

†The MINISTER Mr Chairman, it does not fall within the area of my powers. Anyway, I should never be so presumptuous as to interfere with dialogue taking place on academic grounds at tertiary institutions

For written reply
General Affairs

Criminal trials in magistrates' courts

56 Mr A J LEON asked the Minister of Justice

- (1) How many criminal trials were conducted in (a) regional and (b) district magistrates' courts in South Africa in 1992,
- (2) in how many such trials was the accused not legally represented? B149E

The MINISTER OF JUSTICE

(1) and (2)
The hon member is referred to my reply to Question 7 on 10 March 1993 (see col 431)

Prisoners: Aids/sexually transmitted diseases/TB

128 Mr A J LEON asked the Minister of Correctional Services

- (1) How many prisoners in prisons under the control of his Department were infected with (a) Aids, (b) other sexually transmitted diseases and (c) tuberculosis as at the latest specified date for which information is available;
- (2) whether his Department is undertaking routine screening programmes in prisons in respect of (a) sexually transmitted diseases and (b) tuberculosis, if not, why not, if so, what are the relevant details in respect of each specified disease,
- (3) whether his Department is taking steps to (a) prevent, (b) control and (c) manage the diseases referred to in paragraph (1) above in these prisons, if not, why not, if so, what steps in each case,
- (4) whether his Department has promoted or is promoting so-called safe sex pro-

grammes amongst prisoners, if not, why not, if so, what are the relevant details,

- (5) whether his Department makes condoms available to prisoners in these prisons, if not, why not, if so, on what basis? B298E

The MINISTER OF CORRECTIONAL SERVICES

Before replying in detail to the respective questions, I refer the hon member to the Colloquium on AIDS in prisons which was held in Pretoria on 8 September 1992. During this conference the AIDS handling strategy of the Department of Correctional Services was discussed in public by interested parties. A copy of the mentioned strategy is enclosed for the hon member's information

The media gave wide coverage to the Colloquium and the comments received by the Department of Correctional Services were generally positive

For the hon member's information it can be mentioned that on 31 January 1993, 108 299 prisoners were detained in South African prisons

- (1) (a) Particulars as on 31 January 1993
HIV infected prisoners—249 = ± 0,229% (1 434) of the prison population
Prisoners with AIDS—9 = ± 0,0083% (1 12033) of the prison population
The statistics for these conditions in the general population (32 million) are as follows (as on 9 February 1993)
HIV infected persons—± 1 094 per 100 000 (1,09%)
Persons with AIDS—± 6 per 100 000 (0,00563%)
(b) Prisoners with other sexually transmitted diseases for example gonorrhoea and syphilis, as on 15 February 1993—472 = ± 0,435% (1 1 229) of the prison population
The statistics for this condition in the general population (32 million) are as follows (as on 6 January 1993)
— ± 9 375 per 100 000 (9,37%)

(c) Prisoners with tuberculosis as on 15 February 1993—763 = ± 0,704% (1 141) of the prison population
The statistics for this condition in the general population (32 million) are as follows (as on 6 January 1993)
— 194 per 100 000 (0,194%)

- (2) Yes
(a) and (b)

Each prisoner is examined medically as soon as possible after admission to prison and regularly subjected to medical examinations when necessary thereafter. The purpose of these examinations is *inter alia* to identify any diseases which a prisoner may have. When necessary prisoners are referred for tests and/or X-ray examinations by external medical services. All instructions issued by the responsible medical practitioners are meticulously carried out by the Department of Correctional Services

- (3) Yes

(a), (b) and (c)
A medical officer (medical doctor) for each prison is appointed by the various provincial health authorities in co-operation with the Department of National Health and Population Development. These medical officers are assisted by trained and registered nursing staff of the Department of Correctional Services

As the hon member knows, the diseases mentioned in the question are not peculiar to prisons. The national health care strategy already makes provision for the combating of the mentioned as well as various other contagious diseases whenever they may occur. Preventative health care is just as important a component of the national health care system as curative health care

The medical services which are rendered in prisons in respect of prisoners are a continuation of the national health care system. The national policy with regard to the control of AIDS and other conta-

gious diseases is thus also applicable in prisons

If possible and where necessary the Department of Correctional Services implements all national strategies which are aimed at the prevention of diseases

(4) Yes

Special attention is given to safe sex programmes by medical and specialist personnel, *inter alia*, during prerelease programmes

Prisoners are also continuously warned of the consequences of homosexual practices

(5) No

In accordance with section 23 of the Correctional Services Act, 1959 (Act No 8 of 1959) male and female prisoners may not have any contact with each other

It is also necessary to point out that homosexual activities are regarded as *contra bonos mores*. In addition hereto so-called sodomy is a schedule 1 offence in terms of the stipulations of the Criminal Procedure Act, 1977 (Act 51 of 1977)

HANDLING STRATEGY AIDS IN PRISONS

1 INTRODUCTION

The Department of Correctional Services, on account of its main function, viz the safe custody of each prisoner, has a distinct responsibility in the prevention of AIDS. The incidence of this disease in SA is increasing at an alarming rate, compared to the incidence in other countries

The first HIV-infected prisoner in detention in a South African prison died in 1987. The number of HIV-infected prisoners admitted to prisons has increased annually to the present situation whereby on 31 May 1992 there were 184 HIV-infected prisoners in SA prisons

If the present trend continues, by the year 1995 1 in 15 prisoners will be HIV-infected. In order to counter this trend, various campaigns have been launched to combat AIDS in SA prisons

A manual has been compiled in collaboration with the AIDS Programme of the Department of National Health and Population Development. This abridged version is presented for your perusal

2 IDENTIFICATION OF PRISONERS WHO MAY BE HIV-INFECTED ON ADMISSION TO PRISON

All the prisoner's previous convictions with accompanying warrants/records are inspected on admission, with a view to identifying high-risk behaviour which could lead to possible HIV-infection. In this regard the following crimes are relevant:

2.1 *Illegal aliens*

This category comprises those prisoners who have entered the country illegally and are being detained pending their removal to their land of origin. This is particularly relevant where the country of origin already has an HIV-infection incidence of 10% or more of the population. This does not include persons from the TBVC States

2.2 *Immorality*

Only those crimes relating to homosexual behaviour, prostitution and other forms of socially unacceptable sexual behaviour are applicable

2.3 *Drug addiction*

The emphasis here is on crimes relating to the intravenous administering of drugs

2.4 *Sexual contact/travelling abroad*

This relates to those prisoners who have had sexual contact whilst abroad, specifically in those countries where HIV-infection is present in 10% or more of the population. Should a prisoner satisfy any of the above criteria, suitable measures are taken to have these people, who have been exposed to high-risk behaviour and are possibly HIV-infected, referred for examination to the Medical Officer who will possibly do blood tests. This information

is at all times considered strictly confidential

3 PRE- AND POST-TEST COUNSELLING TO PRISONERS WHO WERE INVOLVED IN HIGH-RISK BEHAVIOUR PRIOR TO ADMISSION

Informed consent is obtained from a prisoner prior to an AIDS test being administered, where such test is prescribed by the Medical Officer. Counselling must be conducted in accordance with paragraph 12

4 EXAMINATION BY NURSING STAFF ON ADMISSION

At the time of admission to a prison, a member of the nursing staff must ask the prisoner the following questions to ascertain the possibility of HIV-infection

- Loss of mass of at least 7 kg or 10% of total body weight accompanied by one or more of the following symptoms
 - Continuous or recurring fever of 38°C or higher with night sweats
 - Oral thrush or herpes zoster
 - Diarrhoea for at least two weeks without interruption
 - Tender or enlarged glands in the groin and/or armpit
 - A variety of upper respiratory-tract infections (chest ailments) uninterrupted for approximately three weeks with new or dry cough and shortness of breath
 - Fatigue or a loss of energy lasting for at least two weeks
 - The presence of any venereal disease in the past three years or genital ulcers in the past (one) year
- The above problems must also be taken into account when screening for sick patients. If any of the symptoms present themselves, the prisoner must immediately be referred for possible blood tests
- It should be noted that the symptoms outlined above are useful for detecting not only possible HIV-infection, but also a host of other diseases

5 INFORMATION TO PRISONERS

Information must be given to prisoners regarding the combating of AIDS, not

only in prison but also on release into society

Information brochures must be handed to prisoners on admission and must be available at prison libraries for prisoners at all times. These brochures are obtainable from the Department of National Health and Population Development, Section AIDS Programme, Private Bag X828, Pretoria, 001

The "INFORMATION PROGRAMME AIDS IN PRISONS" must be presented in sessions on a continuous, consecutive basis to all prisoners in prison. This includes videos and the use of posters

6 SENSITISATION OF PERSONNEL

Every member involved in the care or guarding of prisoners who may be HIV-infected or who tends towards high-risk behaviour, must act in a highly professional manner towards such prisoners. Negative behaviour could lead to an intensification of the prisoner's already emotionally-changed trauma and a deterioration of his physical condition

Against the background knowledge of modes of transmission for AIDS, it is important to note that searching of prisoners and cells, as well as other daily routines regarding the handling of prisoners, holds scant danger for any member

If members so request, they should be provided with disposable gloves for use during physical handling of persons displaying high-risk behaviour or who are confirmed as HIV-positive. The greatest care must be taken to ensure that during physical handling of prisoners, members do not transfer blood or other body fluids from one prisoner to another or to themselves. Members must be continuously informed on AIDS at staff meetings, in accordance with the "Information Programme"

Members are encouraged to carry on with their specified tasks with the customary dedication and seriousness, knowing that the entire situation is being monitored at all times and that the De-

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partment of Correctional Services will intervene timeously to prevent the interests of their members from being compromised

6 1 Injuries sustained by members, which may result in HIV-infection

In the event of a member sustaining a flesh wound (no matter how minor) during physical contact with an HIV-infected person, the prescribed specifications regarding injuries sustained by members on duty must, without exception be applied. An HIV-antibody test must be administered immediately after the injury and repeated 12 weeks thereafter

Although it is unlikely that a member will contract AIDS in the above manner, the member should not be exposed to such a risk, as it cannot be discounted

7 SENSITISATION OF NEXT-OF-KIN OF PRISONERS

In the event of prisoners' next-of-kin requesting information regarding AIDS in prisons and/or the separation of HIV-infected persons or persons with AIDS, the following guidelines should be followed

Next-of-kin must be assured that the handling of all HIV-infected persons takes place in consultation with the Department of National Health and Population Development

The Department of Correctional Services regards the health of every prisoner as being of the utmost importance, so it is therefore necessary to institute measures for separating those prisoners who are or who are thought to be, infected with an infectious disease

Because of the confidential nature of the issue, no information on a specific case may be disclosed, except for the purposes of handling the disease situation (to next-of-kin only with the permission of the prisoner)

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official/social worker/psychologist or an authorised member appointed by the Head of the Prison, must hold discussions with the prisoner(s), during which attention must be paid to the following

Comprehensive information regarding the disease,

providing the reason for the separation, especially against the background of the Department of Correctional Services' responsibility to the entire prison population,

informing the prisoner that this separation, depending on the results of the blood test, may be only temporary and that everything possible will be done to ascertain his health status as soon as is practicable, and

making reading materials on AIDS available to prisoners

All persons who were or are exposed to high-risk behaviour are potentially HIV-infected persons

It is accepted that the above instructions are difficult to execute given the present level of prison occupation. Under proper supervision and control persons who were exposed to high-risk behaviour can have organised social contact with other prisoners, they may also go ahead with normal activities (also in teams) as long as their physical and psychological abilities allow for this. The necessary caution must be exercised to prevent contact with blood and other body fluids. Potentially HIV-infected prisoners must therefore only be separated from HIV-positive prisoners, persons with AIDS and the rest of the "health" prison population when it comes to dormitories

Should the medical officer find that the prisoner no longer needs to be regarded as potentially HIV-positive, he must be instated without delay into the standard prison

structure. Should blood tests indicate that he is HIV-positive, he must be placed with other HIV-positive prisoners and/or prisoners with AIDS

Once a convicted prisoner has tested positive for HIV-infection, he must forthwith be placed in separate sleeping quarters. Persons who are HIV-infected and persons with AIDS may be detained together, in other words, apart from the rest of the "health" prison population as well as from prisoners where infection is suspected

In the case of prisoners awaiting trial, those who are HIV-infected, must, as with convicted prisoners, be detained in separate sleeping quarters. Arrangements for the removal of such prisoners must be made with the SA Police, should there be insufficient accommodation at the prison in question for such separate detention

Keeping standard separation procedures in mind, all HIV-positive prisoners may be detained in one communal cell

It is important to note that continued segregation/continued detention/hospitalisation will be determined by the prisoner's physical and psychological condition

10 HANDLING OF LEGAL REPRESENTATIVES AND FAMILY (VISITS)

Visits

The existing prescriptions which are applicable to legal visits and general visits are also applicable in the case of HIV-infected or potentially HIV infected prisoners and prisoners with AIDS

It remains the responsibility of the prisoner to inform legal representatives and family of his/her HIV-infection

The prisoner must therefore decide whether he/she wishes to impart

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— this knowledge to the respective persons or not

— There is no risk of transmissions of the HIV-virus through verbal communication or social contact

11 RECREATION AND LABOUR

Recreation

— Special care is taken to provide constructive recreation for all potentially HIV-infected prisoners and/or HIV-infected prisoners (persons with AIDS included), e.g. all games, radio's, TV's, library facilities, etc

— Contact sport must be judiciously arranged so that injuries where blood is lost can be avoided

— The compulsory exercise periods as prescribed in Regulation 113 (1) are also applicable in these cases and must be strictly adhered to

— In cases where potentially HIV-infected prisoners are allowed to interact with the so-called "healthy" prisoners, personnel must be sensitive to potential conflict situations, with a view to stepping in and removing such prisoners before the situation erupts

— Prisoners with AIDS may be allowed to participate in recreation insofar as their physical and psychological condition allows them to do so

Labour

— Prisoners who are potentially HIV-infected are included in normal washing activities, with the necessary caution, control and supervision being exercised to prevent contact with infected body fluids

— Persons with AIDS engage in the usual working activities in prisons, keeping in mind their physical and psychological condition as indicated by the Medical Officer. Precautionary measures must be taken to ensure that contact with infected blood and body fluids is avoided

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12.3 *Post-test counselling Positive blood test result*

Comprehensive counselling to prisoners who are informed that their blood tests have proved positive, is vitally important. Psychologists, social workers and nursing staff should be at hand to support the prisoner and provide advice so that the result can be worked through. Counselling must therefore be geared towards

— helping the prisoner accept the result,

— giving the prisoner guidance as regards breaking the news to relatives;

— giving advice as to the persons to whom the prisoners should disclose his condition,

— conveying the implications of any further pregnancies;

— convincing the prisoner that he/she can carry on with a normal life as they are only HIV-infected and do not as yet have AIDS,

— signs and symptoms can take up to 10 years to become manifest, and

— convincing the prisoner to avoid high-risk behaviour, thus preventing further spreading of the disease

— helping the prisoner accept the result,

— giving the prisoner guidance as regards breaking the news to relatives;

— giving advice as to the persons to whom the prisoners should disclose his condition,

— conveying the implications of any further pregnancies;

— convincing the prisoner that he/she can carry on with a normal life as they are only HIV-infected and do not as yet have AIDS,

— signs and symptoms can take up to 10 years to become manifest, and

— convincing the prisoner to avoid high-risk behaviour, thus preventing further spreading of the disease

12.5 *Counselling prior to release from prison*

Pre-release counselling must be geared towards

— improving the prisoners' self-confidence in changing behaviour patterns and maintaining these changes,

— helping the prisoner to make decisions individually, with relatives, and on a social level,

— developing a plan of action whereby the prisoner can manage his illness,

— arranging measures for follow-up visits at one of the AIDS Education and Information centres or at a doctor or at a hospital which has an AIDS clinic, and

— preparing the prisoner's family in such a way that their fears, attitude and anxiety does not have a negative effect on the prisoner

CS3

12.4 *Counselling Persons with AIDS*

Once a prisoner starts to display symptoms of AIDS, he/she will again require intensive counselling. Support from psychologists, social workers, nursing staff, family and friends is necessary at this stage of the disease. With the development of AIDS the prisoner now enters a new critical time period

Progressive development of the disease results in social and financial implications for the prisoner and his family, especially with regard to release from prison. Counselling must be geared towards

13 MEDICAL TREATMENT PROGRAMME

13.1 *Objectives of the Medical Treatment Programme*

— To maintain the utmost confidentiality in the patient's diagnosis

— To teach the nursing staff how and when it is justified to separate the patient

Hussard

- To take sufficient preventive measures against the transmission of the disease
- To undertake counselling with the patient as well as his family
- To take specific precautionary measures in destroying disposable hospital items, especially syringes and needles

13 2 The course of the disease (AIDS)

Attention must be paid to four specific signs and symptoms of the disease. When a prisoner starts complaining of the following symptoms, he/she must be referred to a medical doctor.

- night sweats,
- continuous diarrhoea for longer than two weeks;
- 10% mass loss, for no particular reason, in the presence of one or more of the other symptoms, and
- oral thrush

13 3 Health education

In fulfilling the high standard of nursing of prisoners with AIDS, the nursing staff are duty-bound to educate prisoners with regard to the spread of the disease, as well as with regard to persons engaging in high-risk behaviour who could possibly contract the disease

13 4 Personnel protection

The risk of contracting the disease in the case of nursing staff, other personnel and prisoners (e.g. cleaners) must be kept to a minimum by exercising precautionary measures to their fullest. The simplest precautionary measure is to regard each prisoner as a potentially HIV-infected person and to handle them as such

13 5 Nursing procedures

- Certain HIV-infected pris-

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- open lesions on the skin,
- displaying concomitant infections such as pulmonary ailments, and
- psychologically disturbed or disoriented

13 7 2 Protective clothing

In the case of normal contact between nursing staff, other staff, co-prisoners and HIV-infected prisoners, protective clothing is not necessary

Disposable gloves and plastic aprons are worn when there is a possibility of contact with blood or other body fluids. This could be in the following situations

- the collection of specimens for analysis,
- setting up of infusions or the administering of intravenous injections,
- during dressing of wounds or inserting catheters,
- when handling linen which has been soiled with body fluids,
- when handling contaminated instruments; and
- during cleaning of body fluids which have been mopped, say on floors

It is important that those prisoners assisting with care of patients, cleaning of floors and linen, etc are also provided with disposable gloves and plastic aprons

13 7 3 Use of theatre appliances and facilities

— Cutlery/crockery/medicine glasses

The same eating utensils/medicine glasses are used for HIV-infected persons, except in the presence of oral bleeding. In this instance separate utensils/glasses must be used

— Baths/showerstools

Prisoners being nursed in the hospital can use the same facilities. However, in the presence of perianal bleeding or bleeding from the genitals, the prisoner must be provided with a bedpan or urinal. Baths and showers are washed out after each use with a disinfectant

13 7 4 Disposable items (needles, syringes, etc)

The following prescriptions with regard to the destruction of disposable hospital items are also applicable in the case of all other nursing programmes executed for any other disease condition in the prison

- Disposable needles are used for the administering of injections
- Used syringes and needles are placed without delay, directly after use into a specific container marked "Bio-gevaarlike afval—Verging/Caution—Bio-hazardous waste"
- The containers, when full, are incinerated in toto (the container plus its contents). Used needles are under no circumstances to be broken by hand

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— All used needles, syringes and other disposable items used by patients during nursing care are burned in incinerators

13 7 5 *Cleaning of contaminated linen*

Linen soiled with contaminated body fluids is soaked in a 1 to 10 solution of Sodium Hypochlorite, before being sent to the laundry for washing

13 7 6 *Cleaning of contaminated instruments*

Instruments are washed in a disinfectant and are then sterilised in an autoclave according to the normal procedures

13 7 7 *Cleaning of floors where infected body fluids have been mopped*

Where blood or any other body fluid has been mopped, the floor must first be left for 30 minutes with a covering of disinfectant prior to be cleaned with disposable cleaning materials

13 8 *Accidents or needle-stick injuries*

All possible precautions are taken to ensure that no member of the Department of Correctional Services or any prisoner pricks himself with a used needle

It is important to keep in mind that the majority of needle-stick injuries occur between the time that the patient is injected and the needle and syringe are destroyed

Should a needle-stick injury occur, the wound must immediately be cleansed with running water and soap or preferably a disinfectant such as Iodine and alcohol. The wound should be allowed to bleed freely for some time before it is bound. An HIV-antibody test must immediately be taken and a repeat

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who has been diagnosed as HIV-positive, must at all times be regarded as strictly confidential

17 SUMMARY

The Department of Correctional Services is currently involved in combating HIV-infection. Information and counsel-

ing relating to the condition are made available to members and prisoners. Prisoners who have been engaged in homosexual and bisexual relationships are admitted to prisons but because all prisoners are continuously under supervision and strict control of competent personnel, it can be confidently accepted that these practices will not increase in the prison

18 ADDRESS LIST AIDS EDUCATION AND INFORMATION CENTRES

P O Box 3704, Bloemfontein 9300 Tel: (051) 405-8544	P O Box 2443, Durban 4000 Tel: (031) 300-3104
17 Esselen St, Hillbrow 2001 Tel: (011) 725-6710	P O Box 2815, Cape Town 8000 Tel: (021) 210-3400
P O Box 293, Port Elizabeth 6000 Tel: (041) 506-1911	P O Box 234, Pretoria 0001 Tel: (012) 313-7911
P O Box 111, Pretorsburg 0700 Tel: (01521) 91-4962	P O Box 134, East London 5200 Tel: (0431) 34-2383
P O Box 89, Pietermaritzburg 3200 Tel: (0331) 42-7031	Private Bag X1004, Richards Bay 3900 Tel: (0351) 3111

Cyclists: deaths/injuries

138 Mr R F HASWELL asked the Minister of Transport

(1) How many cyclists (a) died and (b) suffered (i) serious and (ii) minor injuries in cycling accidents in South Africa in 1992,

(2) whether he is considering the introduction of legislation to make the wearing of cycling helmets compulsory, if not, why not, if so, what are the relevant details?

B326E

The MINISTER OF TRANSPORT

(1) No official statistics are available regarding cycling accidents for 1992 at this stage

(a) Falls away

(b) (i) Falls away

(ii) Falls away

Figures for 1991 are nevertheless furnished for the sake of convenience

(a) Fatalities—331

(b) (i) Serious injuries—781

(ii) Minor injuries—3 842

(2) No Safety-conscious cyclists should out of their own free will wear protective headgear to prevent head injuries. It is estimated that, depending on the helmet type, the risk of death from head injuries is 19 times greater for unhelmeted than helmeted cyclists

At present there are approved specifications set by the South African Bureau of Standards (SABS) (report SABS 1542 1991) for protective headgear for cyclists. These standards are not compulsory

Prison warders: sexual molestation

189 Mr L FUCHS asked the Minister of Correctional Services

Whether any charges of sexual molestation were laid by prisoners against warders during the period 1 March 1992 to 28 February 1993, if so, (a) how many and (b) how many of these cases were investigated by way of (i) an internal inquiry and (ii) a court process?

B421E

The MINISTER OF CORRECTIONAL SERVICES

(1) (a) Yes, six (6) complaints of alleged sexual molestation were received

(b) (i) Four (4) complaints of sexual molestation were investigated internally (departmentally). In respect of 3 of the complainants no substantiation could be found for the allegations. In the remaining case the member was charged departmentally in terms of Correctional Services Regulation 71 (1) and found guilty. In addition, an inquiry in terms of Correctional Services Regulation 77 (1) was instituted against the member in order to determine the suitability of his further employment in the Department. This inquiry has not yet been finalized

(ii) Two (2) complaints of sexual molesting were investigated by the South African Police. The Attorney-General ordered prosecution, but in both cases the members were found not guilty

The Department regards any complaint of sexual molestation of a prisoner by a member of the Department in a very serious light. Such misconduct is not tolerated and strict action is taken against such offenders

Companies in liquidation

194 Mr K M ANDREW asked the Minister of Justice

How many companies were placed under compulsory liquidation in the area of each Master of the Supreme Court in 1992? B440E

HOUSE OF ASSEMBLY

The MINISTER OF JUSTICE

The under-mentioned information refers to compulsory as well as voluntary liquidations, as separate information concerning compulsory liquidations is not readily available

Bloemfontein	62
Grahamstown	35
Cape Town	470
Kimberley	24
Pietermaritzburg	174
Pretoria	921
Total	1 686

Persons bankrupt

195 Mr K M ANDREW asked the Minister of Justice

How many persons were declared bankrupt in each division of the Supreme Court in 1992? B441E

The MINISTER OF JUSTICE	
Bloemfontein	506
Grahamstown	308
Cape Town	582
Kimberley	88
Pietermaritzburg	351
Pretoria	3 468
Total	5 303

Equalisation Fund: payments to Sasol

203 Mr R R HULLEY asked the Minister of Mineral and Energy Affairs

(1) Whether the payments received by Sasol from the Equalisation Fund were increased during the financial years 1990-91 and 1991-92, respectively, if not, why not, if so, (a) by what amount per litre was it so increased on each occasion and (b) what was the total amount received by Sasol in respect of tariff protection in each of these financial years,

(2) what was the average derived crude oil price in each of the said financial years? B458E

The MINISTER OF MINERAL AND ENERGY AFFAIRS

(1) No. The floor price formula according to which Sasol receives tariff protection is

still unchanged at USD 23 per barrel. The real tariff protection amount in cents per litre, fluctuates from month to month, up or downwards, based on differences between the derived crude oil price and the USD 23 per barrel floor price

(a) Falls away

(b) The value of Sasol's tariff protection on synthetic fuels for the 1990-91 financial year amounted to R222,5 million and for the 1991-92 financial year to R537,5 million

(2) 1990-91 USD 24,2 per barrel
1991-92 USD 18,6 per barrel

Middle Eastern oil: price range/payment to Sasol

204 Mr R R HULLEY asked the Minister of Mineral and Energy Affairs

(a) What is the price range, expressed in US dollars, of Middle Eastern oil at present, (b) what is the payment to Sasol in cents per litre and (c) in respect of what date is this information furnished? B459E

The MINISTER OF MINERAL AND ENERGY AFFAIRS

(a) USD 14,20 to USD 18,05 per barrel
(b) 8,5 c/l
(c) December 1992

HOUSE OF ASSEMBLY

Cell deaths must stop - columnist

253

Sowetani & Radio Metro
By **Lulama Luti**



with **Tim Modise**

Talkback

THE PROSECUTOR GENERAL...
I have been to jail and I know what happens there. I was almost murdered in a police station in KwaZulu Natal last year.

Qwelane

Constructive criticism is very good and I think we should learn from your (Don's) writings. A wrong deed should be looked at for what it is, whether committed by a black or white person.

Molefe

All I'm for is justice, unqualified justice. Not blind justice, not white justice.

Qwelane

Jon, we are with you and I'm sure many other people are. But how do we educate whites about the truth in South Africa? Tony,

I am not pro-black or anti-white.

Hope, Hillbre

THE Azanian People's Liberation Army is once again in the headlines after allegations by the SAP that it was involved in attacks on whites on the Reef. Does it place the PAC in a dilemma? How should the Government handle the issue?

Share your view by phoning Tim Modise between 7pm and 8pm tonight

Dial the hotline, (011) 714-8063

next Talkback topic

Gluckman tells of cell death findings

By Abdul Milazi

An ANC Youth League member died of a brain haemorrhage associated with external injuries and not of an epileptic attack as police claimed, pathologist Dr Jonathan Gluckman told an inquest court in Oberholtzer yesterday.

Nixon Phiri (16) of Khutsong, Carletonville, died on January 16, 1990, while he was being interrogated at the Welverdiend Police Station.

Gluckman said that when he examined Phiri he found evidence of bleeding in the inner brain. There were five abrasions on his head.

There were multiple minor abrasions on his body and his lungs were congested with blood, which could have been caused by manual strangulation.

He also found a large amount of free blood in Phiri's stomach.

● Two members of the ANC Youth League-affiliated Khusong Youth Congress, who were detained together with Phiri, were shot dead within three days of each other in Carletonville a year ago.

Pule Mothopi was killed on March 4, and Thomas Tshabala on March 7.

Police claimed the deaths occurred during unrest-related incidents.

The inquest continues today.

Millions paid

for info to

C/Press 28/3/93

slash crime

By DESMOND BLOW

PRISONERS in jail throughout SA are claiming rewards of up to R1 000 by anonymously informing the police of planned crimes

They are among scores of informers who have at last given the police leverage in fighting the spiralling crime wave across the country that has given SA the reputation of being the crime country of the world

The easy availability of AK-47s and other automatic weapons has turned the country into a bloodbath as innocent people of all races are mown down

But the tide could turn with help from "Crime Stop", a joint campaign launched by the SAP, the Department of Correctional Services, Telkom and the Caring Community

Rewards of more than R1 000 are offered for information about big robberies — and so far, more than R1-million has been paid out

Over the past few weeks, police, acting on anonymous information, have lain in wait for robbers who in many cases have walked into traps and been killed in shootouts

Among these ambushes was the attempted robbery at Checkers supermarket in Sandton recently when waiting police killed three armed robbers. Two weeks ago, armed men attempting to rob a train near Mandela Park squatter camp were ambushed by police who shot four of them dead. Several smaller robberies have also been foiled in the suburbs

In most of these attempted crimes robbers have been shot dead and police have warned they will show no mercy

Police spokesman Col JJ Mostert said "Robbers must be getting more and more jittery before a hold-up not knowing if they can trust members of their own gang

"They never know if they are going to walk into a hail of bullets at a robbery"

Anonymity

The "Crime Stop" campaign has been advertised in newspapers and on TV and assures the informer of anonymity. The caller phones a toll-free number 0800-111-213 without revealing his name and gives the tip-off. He can then elect where and to whom the reward should be paid. If he wants goods instead of money this can be arranged and someone he nominates can fetch them without that person's identity being revealed

Stickers have been plastered over prisons throughout the country assuring convicts of anonymity and offering schemes to receive the rewards without even the police being aware of who they are

"Many of our best tip-offs have come from inside prison," Colonel Mostert told City Press

Not only planned big-time robberies are reported to "Crime Stop"

Since the scheme was launched, no less than 569 crimes have been solved, including crimes as varied as drug dealing, counterfeit money, firearms smuggling, the use of underage employees in hotels, illegal purchase of gold and diamonds, rape, currency control, extortion, pornography, child abuse, truck and car hijacking, fraud, vehicle theft and the theft of copper wire. In fact no less than 46 different types of crime have been solved through anonymous callers

Said Mostert "Crime and crime prevention affects every member of society, no matter their race or position, and our information has come from people of all races and categories."

Life in the shadow of the gallows

SI Times 28/3/93

Sunday Times Reporter

A CLIMBING kapok, a weed notorious for strangling suburban plants, withers round coils of razor wire, ducks waddle round a little pond in sight of the gallows, and from inside Death Row the sound of men's voices well out in a deep, sombre hymn.

They haven't sung as loudly and deeply since the last person was executed in 1989, when a moratorium was announced on hanging. This week, in response to Apla attacks against whites, President de Klerk said he would ask Parliament to vote on whether executions should resume.

Soccer

More than 400 people swell Death Row beyond its capacity in Pretoria. Other criminals sentenced to death are in maximum-security prisons around the country.

The field that Death Row inhabitants have been allowed to play soccer on for the past two years has been ploughed to make room for more cells.

Visitors to Death Row first go through a complex where the men are searched. Women leave handbags in lockers. Next to it are garaged the windowless vehicles that bring in maximum-security prisoners and which remove their bodies after hanging.

While prison guards watch from towers, visitors walk across a concrete expanse past neat gardens to the large wooden door with its polished brass knocker.

A warder unlocks the door and lets them into a waiting-room where other warders sit censoring prisoners on mail and screen the Bibles, books and maga-

zines brought in for prisoners.

Once searched and their details noted, visitors pass through two other large barred gates to get to the visitors area, just below the gallows.

Under the kindly administration of Pretoria maximum-security prison's present commander, Major C Steynberg, prisoners have been able to get reading material other than the Bible. They have been allowed to play soccer, watch videos and go to literacy and numeracy classes first started by political prisoners and now run by warders — more than 95 percent of the inmates on Death Row have had little or no schooling.

Thabo, 23, is one such prisoner. He came to Death Row in June 1986. Originally from the Eastern Cape, he was a car mechanic who was approached by two men to drive them to a suburb.

One man had apparently worked for the woman whose house they planned to burgle. Thabo was instructed to wait in the car. The men disappeared into the house and murdered the woman.

Accessory

Not long after, Thabo, who says he did not know of the events inside the house, was arrested and charged as an accessory to the murder, receiving the death sentence along with the other two.

Thabo is confused by the recent turn of events. He asks: Is it just the whites who are going to vote, or will the ANC vote too?

When told it is only the whites, coloureds and Indians in Parliament who could vote, he hung his head and groaned.

LEFT: Pk Botha, who would not comment on which way he would vote, is known to oppose the death penalty

RIGHT: Adriaan Vlok, former Minister of Law and Order, says he favours retaining the death penalty

By NORMAN WEST Political Reporter

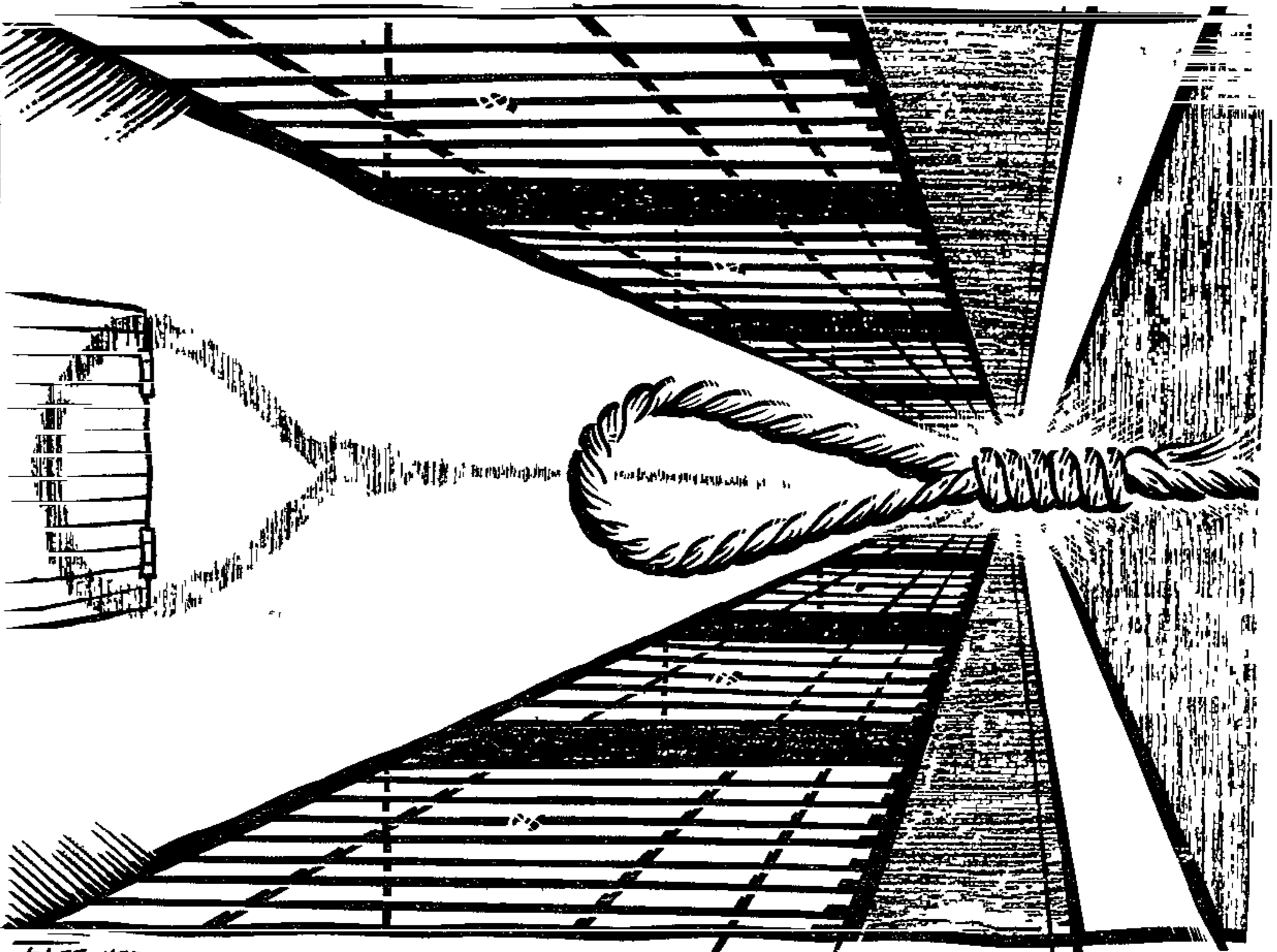
A POLL taken this week showed that more than 200 out of 308 Members of Parliament would probably vote in favour of hanging as the ultimate form of punishment.

And while most Cabinet ministers preferred not to disclose their preference for or against hanging in a Sunday Times poll, Law and Order Minister Heranus Kriel said bluntly "I will vote in favour of the retention of the death penalty." His predecessor Adriaan Vlok echoed his sentiments "I am in favour of hanging," he said. One of the few Cabinet members likely to vote against hanging is Foreign Minister Pk Botha who has privately expressed his opposition to the death penalty. Mr Botha would, however, not comment this week on the way he would vote.

President FW de Klerk on Wednesday expressed himself in favour of the death penalty, saying he believed it "should be part of the legal system and retained in a limited sense".

Mr de Klerk announced this week that MPs would be given a chance to vote for or against the death sentence in a forthcoming poll.

However, almost all NP MPs polled at random — white, coloured and Indian — spoke in favour of a return of hanging. Conservative Party MPs were also



FLETCHER

IT'S YES?

among the DP members there was a difference of opinion

There are 308 MPs in Parliament. Of the 178 white MPs, 100 are members of the NP, 23 out of the 45 Indian MPs belong to the NP as do 45 out of the 85 coloured MPs. This gives the NP a strength of 168 out of 308

With the almost guaranteed support of all 36 members of the CP voting in favour of hanging, the death penalty advocates in the NP will enter the voting with a "best scenario" of 206 votes

Mr. de Klerk's first coloured Cabinet Minister Jac Rabie and chairman of the Ministers' Council in the House of Representatives, favours the return of executions

"I believe the moratorium on hanging has to a great extent encouraged hoodl-ganism. Society demands appropriate retribution for certain aggravating crimes. Killers of innocent people and

S Times 28/3/93.

FOR THE HANGMAN

vulnerable children, rapists and child molesters are among the kind of barbarians that deserve nothing less than the gallows," Mr Rabie said

On the other hand, the first Indian Cabinet Minister and chairman of the Ministers' Council in the House of Delegates, Dr Bhadra Ranchod, gave an emphatic "no" to hanging

Dr Ranchod, a nominated MP and internationally renowned jurist and founder member of Lawyers for Human Rights, said capital punishment was no deterrent for crime

the question, but the ANC has already stated it would scrap hanging when it came to power

Conservative Party spokesman on Justice, Mr Jurg Primoo, said the CP "as a party" was in favour of the death penalty. The CP had not decided whether to allow its members a "free vote" or to vote "as a caucus"

Democratic Party leader Dr Zac de Beer said his members would also be allowed a "free vote" according to their individual consciences

"I know that many of my chaps are in favour of the abolition of the death penalty. My view is that it should be retained only for special circumstances where the crime is an aggravated one"

DP justice spokesman Tony Leon said he would continue to oppose capital punishment

"But no civilised society should tolerate people who kill innocent people. Such barbaric behaviour deserves the harshest of punishments and that, in my view, should be imprisonment for life, not the death sentence"

Speaking in his special address to Parliament, Mr de Klerk said the "wave of cruel murder and homicide, the current disrespect for human life and the delays in the negotiation process" made it difficult for the government to maintain the moratorium on death sentences

Mr de Klerk said a motion would be introduced in Parliament shortly to debate the issue of whether the moratorium on the carrying out of executions should be extended, or terminated

NP members would be allowed a "free vote"

He promised intensive consultations with the other major political players on



AWB member jailed

A MEMBER of the Afrikaner Weerstandsbeweging was sentenced to five years' imprisonment — two years of which were suspended — on a charge of intimidation in the Pietersburg Regional Court on Friday. SABC radio news reports Johannes Andries Venter (27) of Potgietersrus was found guilty on March 13 *Soweto 2/13/93*

16 inmates on the run

Soweto 29/3/93

SIXTEEN prisoners escaped from a police truck at the Diepkloof Prison in Soweto on Friday night after overwhelming and disarming the police driver and his assistant

Police spokesman Lieutenant Janine Smith said the police truck arrived at the prison from the Johannesburg Supreme Court shortly after 6pm and the prisoners were about to be offloaded when they attacked the two policemen. The prisoners took the policemen's 9mm pistols and hijacked the truck.

HOUSE OF DELEGATES

Awaiting-trial juveniles (excluding the above mentioned children)

18 but younger than 19 years	1 479
19 but younger than 20 years	1 321
20 but younger than 21 years	1 256
Total	4 056

QUESTIONS

Indicates translated version

For written reply

General Affairs

Juvenile prisoners

15 Mr M RAJAB asked the Minister of Correctional Services

(1) (a) How many (i) awaiting-trial and (ii) convicted juvenile prisoners are being detained in gaols falling under his control and (b) in respect of what date is this information furnished,

(2) whether any juvenile prisoners were released in 1992 in terms of (a) general amnesty or (b) any other such concessions, if so, (i) how many, (ii) when and (iii) in terms of what other concessions,

(3) whether he will make a statement on the matter? D65E

The MINISTER OF CORRECTIONAL SERVICES

Juvenile delinquency is an alarming worldwide phenomenon which in fact deserves more public attention than it receives in South Africa and in many other countries

In accordance with section 1 of the Correctional Services Act, 1959 (Act No 8 of 1959) a juvenile is any person under the age of twenty-one years

In accordance with section 1 of the Child Care Act, 1983 (Act No 74 of 1983) a child is any person under the age of 18 years

(1) (a) (i) <i>Awaiting-trial children</i>	81
Younger than 15 years	15
15 but younger than 16 years	134
16 but younger than 17 years	225
17 but younger than 18 years	356
Total	796

local magistrates, prosecutors and the South African Police with a view to keeping awaiting-trial juveniles out of prison

(ii) *Sentenced prisoners*

Younger than 15 years	4
15 but younger than 16 years	31
16 but younger than 17 years	165
17 but younger than 18 years	623
Sub Total	823
18 but younger than 19 years	2 166
19 but younger than 20 years	3 061
20 but younger than 21 years	3 713
Sub Total	8 940
Total	9 763

South African courts do have the option to, amongst others, impose prison sentences on juvenile delinquents

Section 21 of the Correctional Services Act, 1959 (Act No 8 of 1959) stated, *inter alia*, that any part of a prison may be used for the detention, treatment and training of juveniles. Existing prisons or parts thereof are therefore set aside when required for this purpose and sentenced juvenile prisoners are transferred to these prisons on a regional basis for detention, treatment and training.

In regions which do not yet have separate prisons for sentenced juvenile prisoners or where centralised detention has not yet been implemented, they are accommodated in prisons in separate sections or cells as far as possible, and depending on their needs, the available programmes are also offered to them if feasible

Furthermore, it can be mentioned that the centralised detention of sentenced juveniles in certain regions is a direct consequence of the successes obtained with the youth centres and programmes at Leeuwkop (since 1986) and Pollsmoor (since 1987)

Generally the intention of these programmes is to equip the juvenile with the life skills which could contribute to his successful reintegration into the community after release

The following basic guidelines are followed.

— The achievement of a certain level of maturity in order to facilitate adaptation into the community. In other words—acceptable norms and values must be acquired

— Education and training as the basis of the programme. Depending on the present level of education, intellectual capabilities of prisoners and the term of sentence it is endeavoured to achieve a specific level of education

— Meaningful utilization of time which is aimed at a positive attitude after release

— Maintenance of present social structures to counteract institutionalization and consequently prevent recidivism e.g. the maintenance and strengthening of family ties

— Meaningful realization of religious needs

— Healthy physical development through physical training and care

Should the need arise, the further centralised detention of sentenced juvenile prisoners will be considered at certain centres which are deemed suitable for this purpose

(b) 21 March 1993

(2) (a) No

(i), (ii) and (iii) Fall away

(b) No

(i), (ii) and (iii) Fall away

(3) No, except to conform that the Government has taken the initiative of addressing the problem of juveniles in custody by means of a Working Group with regard to Alternative Centres for Juveniles in Custody under the Chairmanship of the Deputy Minister of National Housing. This Working Group has already made good progress and issued various reports. Should the hon member require more information in this regard, I suggest that he contact the Chairman of the Working Group concerned.

Strait-jackets used on prisoners

19 Mr M RAJAB asked the Minister of Correctional Services

(1) Whether any strait-jackets were used on prisoners in prisons under the control of his Department during the latest specified period of 12 months for which information is available, if not, why not, if so, (a) on how many occasions, (b) at which prisons and (c) for what reasons,

(2) whether he will make a statement on the matter? D93E

THE MINISTER OF CORRECTIONAL SERVICES.

(1) Yes

(a) During the period 1 January 1992 to 31 December 1992 strait-jackets were used on sixty-one (61) occasions

(b) Brandvllei Medium Prison
Goedemoed Prison
Graaff-Reinet Prison
Groenpunt Maximum Prison

HOUSE OF DELEGATES

Helderstroom Maximum Prison
Helderstroom Medium Prison
Klerksdorp Prison
Krugersdorp Prison
Middelburg Prison (Cape)
Oudtshoorn Prison
Paardeberg Prison
Rustenburg Prison
St Albans Maximum Prison
St Albans Medium B Prison
Stellenbosch Prison
Uniondale Prison

(c) Section 80 of the Correctional Services Act, 1959 (Act No 8 of 1959) provides *inter alia*, for the application of mechanical restraints when and for as long as it is urgently and absolutely necessary to restrain any prisoner who has displayed or is threatening violence.

(2) No. It should, however, be mentioned in general that the use of strait-jackets as a restraining measure in South African prisons is applied in accordance with the relevant stipulations of the internationally accepted Standard Minimum Rules for the Treatment of Prisoners. Specific policy instructions exist in this regard.

Strait-jackets are not used as punishment but to restrain a prisoner who has become uncontrollable to staff and fellow-prisoners by threatening violence or self-injury, damaging property etc. Prisoners are only kept in strait-jackets for as long as is absolutely necessary, under strict and continuous supervision. A prisoner must also be examined by a medical officer after being placed in restraint.

A high premium is placed on the professional execution of all policy directives pertaining to the use of strait-jackets and strict control is exercised by Heads of Prisons in this regard.

It should be stressed that the decision to use a strait-jacket is taken with great circumspection and only in those cases where there is no other alternative. Where restraints are not used in accordance with the stipulations, such practice is contrary to the policy of the Department of Correctional Services and is not tolerated.

HOUSE OF ASSEMBLY

INTERPELLATIONS

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

General Affairs.

SABC: new board of directors

1 Mr P G SOAL asked the Minister of Home Affairs

- (1) Whether, with reference to his reply to Interpellation No 2 on 24 February 1993, any arrangements have been made for the appointment of the new board of directors of the South African Broadcasting Corporation which is due to assume office on 1 April 1993, if not, why not, if so, what arrangements,
- (2) whether he will make a statement on the matter?

B625E INT

THE MINISTER OF HOME AFFAIRS. Mr Chairman, regrettably it has not been possible to settle the matter of the reappointment of the board of directors of the SABC by 1 April, as was envisaged.

When this matter was previously debated in Interpellation No 2 on 24 February, it was believed that it would be possible. However, as I have said, that has regrettably not been the case.

On that day I said that negotiations by the interested parties were in progress. Those discussions have continued unabated over this whole period, in fact as late as yesterday. They will probably be continued tomorrow and the day after tomorrow as well.

Wide consensus on most of the points has already been reached. However, some of these points were agreed to only during the past few days. There still remain a number of unsettled matters which will have to receive further attention.

Therefore I intend issuing the following press statement this afternoon.

Radio and television are bound to play a cardinal role in the forthcoming elections. The Government is therefore desirous that, as far as broadcasting is concerned, the playing field should be perceived to be level for all political parties. With the goal in mind that the SABC Board shall be recognised as being neutral and impartial, the Government has during the past three months conducted extensive bilateral consultations with political parties, inside and outside Parliament, as well as with other organisations.

The abovementioned consultations have been conducted with a view to appointing a new board on 1 April 1993 and that the term of office of the present board would not be extended.

It does, however, now appear that, in order to achieve the abovementioned goals, it would not be possible to conclude the process of consultation in time and that it would inevitably be necessary to extend the term of office of the existing board for a period of two months.

Further negotiations are being conducted on an urgent basis and a further statement will be issued as soon as possible.

Mr P G SOAL. Mr Chairman, the hon the Minister says it has not been possible to come to a conclusion on the issue of the Board of the SABC. The board's life, as he has mentioned, expires at midnight tonight.

I want to say it has not been possible to come to a conclusion because of the Government's action and that of the NP, not because of anybody else. He says that there has been wide consultation. I know he spoke to my party on one occasion earlier this year. There has been no wide consultation, he has not come back to us to ask for our further views [Interjections].

He spoke once to us, but he has been speaking to the ANC. That is typical of this Government. It has been dragging its heels on this issue for some considerable time in an attempt to continue to influence events by refusing to change the Board of the SABC. Now the life of the board has to be extended for two months.

We agreed in May last year that the board should be reconstituted. That is ten months ago. What did this hon Minister do? He sat on his

HOUSE OF ASSEMBLY

March 31 1993, 5

Over 1 600 children ²⁵³ in prisons ¹⁹⁹⁰

Political Staff

NEARLY 800 awaiting-trial children were being held in prisons and 823 more children were serving sentences in jail, Minister of Correctional Services Mr Adriaan Vlok said yesterday

A further 4 056 awaiting-trial juveniles and 8 940 convicted juveniles were also being held in jail, he said in reply to a question tabled in Parliament by Mr Mahmoud Rajab (DP, Springfield).

After an uproar last year over the jailing of children the government appointed a working group on alternative centres for juveniles in custody under the chairmanship of the Deputy Minister for Housing, Mr Glen Carelse

Mr Vlok's reply yesterday indicates that little progress has been made in reducing the number of children in jail

He said statutory provision had been made that a probation officer and the parent or guardian of people under the age of 18 under arrest had to be informed.

The government had taken the initiative and Mr Carelse's working committee had already made good progress, Mr Vlok said

Warders try to sort it out

REPRESENTATIVES of about 100 dismissed Maritzburg prison warders were due to meet officials from the South African Police, the Department of Correctional Services and others yesterday in an attempt to resolve issues that led to their dismissal.

The warders were dismissed earlier this year for striking in support of a colleague who was fired

—Sapa *W. J. van der Merwe* 3/13/93

PUBLIC SECTOR - ⁴/₂ - PRISONS

1993

Year	WHITE	COLOURED	ASIAN	AFRICAN	TOTAL
1969	-	-	-	-	-
1971	-	-	-	-	-
1973	-	-	-	-	-
1975	0.1%	0.0%	0.0%	0.0%	7
1977	1.6%	0.0%	0.0%	0.0%	148
1979	0.1%	0.1%	1.4%	0.0%	125
1981	0.1%	0.0%	0.0%	0.0%	14
1983	0.1%	0.1%	0.0%	0.0%	29
1985	0.3%	0.1%	0.0%	0.1%	51
1987	0.3%	0.1%	0.0%	0.0%	48
1988	0.2%	0.0%	0.0%	0.0%	23
1989	0.3%	0.0%	0.0%	0.8%	113

2.14 Women as a percentage of Total Apprentices

Year	WHITE	COLOURED	ASIAN	AFRICAN	TOTAL
1969	99.7%	0.2%	0.1%	0.0%	5860
1971	99.5%	0.3%	0.2%	0.0%	6394
1973	98.2%	1.1%	0.6%	0.0%	6469
1975	93.9%	1.0%	1.0%	4.1%	7653
1977	92.8%	3.5%	2.7%	1.1%	9280
1979	89.1%	4.2%	5.9%	0.8%	8012
1981	80.2%	12.0%	4.5%	3.3%	10230
1983	82.0%	7.3%	4.1%	6.5%	13096
1985	83.6%	6.3%	3.2%	6.9%	13996
1987	84.1%	5.4%	3.1%	7.4%	12355
1988	80.3%	8.3%	4.1%	7.2%	10187
1989	78.4%	5.2%	4.0%	12.4%	9931

2.13 Percentage Distribution of Apprentices

Year	WHITE	COLOURED	ASIAN	AFRICAN	TOTAL
1969	5842	13	5	0	5860
1971	6363	20	11	0	6394
1973	6354	74	41	0	6469
1975	7185	75	77	316	7653
1977	8609	325	248	98	9280
1979	7136	340	471	65	8012
1981	8205	1229	457	339	10230
1983	10744	957	538	857	13096
1985	11696	882	448	970	13996
1987	10389	667	384	915	12355
1988	8185	849	420	733	10187
1989	7784	514	399	1234	9931

2.12 Total no. of Apprentices by Population Group

Year	WHITE		COLOURED		ASIAN		AFRICAN	
	M	F	M	F	M	F	M	F
1969	5842	13	5	-	5	-	-	-
1971	6363	20	11	-	11	-	-	-
1973	6354	74	41	-	41	-	-	-
1975	7181	4	77	0	77	0	316	0
1977	8461	148	325	0	248	0	98	0
1979	7131	5	335	5	356	115	65	0
1981	8195	10	1229	0	453	4	339	0
1983	10730	14	942	15	538	0	857	0
1985	11661	35	875	7	448	0	961	9
1987	10357	32	657	10	384	0	909	6
1988	8162	23	849	0	420	0	733	0
1989	7755	29	514	0	399	0	1150	84

ELECTRICAL TRADES

2.11

Bulk wine exports opposed

CAPE TOWN — The bulk export of SA wine was damaging the reputation of good quality branded varieties, Stellenbosch Farmers' Winery (SFW) international agents unanimously agreed at a news conference yesterday.

The agents from the UK, Switzerland, Taiwan, Zimbabwe, Denmark, Hong Kong, Singapore, US, Mauritius and Holland are in SA to attend the Nederburg auction on Saturday.

"Bulk exports of cheap wine is bad news for SA wine," Dutch agent Otto Lenselink said.

The agents said SA wine was bottled in the importing country, and there was no guarantee standards were being maintained as it was often mixed with other cheap wines — despite being sold under an SA label.

They said the dumping of cheap SA wine on international markets was destroying the efforts of brand wine exporters to build up an export market for quality wines. This was happening at a time when SA wine was a

LINDA ENSOR
relatively new entrant on the international scene and had not had sufficient time to establish the reputation of its branded wines

"It is ridiculous to imagine that it is possible to sell cheap, unknown co-operative wines in Europe," German buyer Ingo Mack said "The only chance SA producers have to succeed is by selling good quality brand wines and investing a lot in advertising"

This was especially the case, Mack said, as wine consumption was declining in Europe, despite the huge surplus, and it was likely that only consumption of good wines would rise. He believed SA wine producers had to improve their marketing efforts dramatically

SFW international affairs director Dick Coleshaw said the biggest danger facing the SA wine industry on the international market was for it to get the reputation of producing good, cheap, boring wine.

Free political prisoners call

MARIANNE MERTEN

THE ANC PWV region would launch a campaign for the release of political prisoners still in detention, regional peace desk coordinator Robert McBride said yesterday

McBride told a news conference in Johannesburg there would be a march from Daveyton's Sinaba Stadium to Modderbee Prison tomorrow as part of a "massive campaign" to demand the release of the prisoners.

He also said 43 members of the ANC Phola Park branch, who were awaiting trial, had suspended their nine-day hunger strike after receiving official assurances that their complaints would be attended to.

The strike was a protest against allegedly abusive wardens and a lack of medical facilities.

Correctional Services spokesman W/O Rudi Potgieter said yesterday there were no prisoners on hunger strike at any prison.

He said the complaints at Modderbee were being dealt with by the prison head and the prisoners had indicated they were satisfied with how the matter was being handled

Meanwhile, 23 political prisoners at Leeuwkop Prison said in a statement yesterday they were forced to apply for their release through the Office for Indemnity, six months after the record of understanding between government and the ANC.

This, they said, was contrary to the record of understanding. They demanded to be released at the end of this month.

Businessman owes R24m

JOHANNESBURG businessman Louis Ernest Raubenheimer, who is liable for debts of more than R24m incurred by two of his companies, was provisionally sequestered in the Rand Supreme Court yesterday.

The application for Raubenheimer's sequestration was brought by Xeratech, which has a R5,4m claim against him

Xeratech director Robert Peter van der Merwe said in an affidavit the claim was for goods sold and delivered to Raubenheimer's company, Integrated Visual Communications, under a dealership agreement

Van der Merwe said Raubenheimer had furnished a statement

SUSAN RUSSELL
which put his assets at R7,2m as opposed to liabilities of R3m

However, Raubenheimer had signed suretyships for IVC and another of his companies, Central Copier Systems, in respect of the Xeratech debt and R18m and R1m owed to Absa and Standard Bank respectively

Both companies had been provisionally liquidated and Raubenheimer's shareholdings of about R900 000 were valueless.

It was quite clear from this, he added, that Raubenheimer's empire had collapsed and he was insolvent

Colonel tells 1 PFANTS

REPUBLIC
OF
SOUTH AFRICA



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PRETORIA, 1 APRIL 1993

No. 14694

PROCLAMATION

by the
State President 253
of the Republic of South Africa

No. R. 24, 1993

CORRECTIONAL SERVICES AND SUPERVISION
MATTERS AMENDMENT ACT, 1991 (ACT No 122
OF 1991)

Under section 50 of the Correctional Services and
Supervision Matters Amendment Act, 1991 (Act No
122 of 1991), I hereby fix **1 April 1993** as the date on
which—

- (a) (i) sections 38, 41 (b), 45 and 47 of the said
Act (hereinafter referred to as the Amend-
ment Act),
- (ii) section 41 (a) of the Amendment Act, in so
far as it adds paragraph (h) to section 276
(1) of the Criminal Procedure Act, 1977
(Act No 51 of 1977), and
- (iii) section 42 of the Amendment Act, in so far
as it inserts section 276A (1) in the Crimi-
nal Procedure Act, 1977,

shall come into operation in respect of the areas
of the Magisterial Districts of Balfour, Ixopo,
Joubertina, Mount Currie, Piet Retief, Richmond
(N), Wakkerstroom and Willowmore, and

- (b) section 41 (a) of the Amendment Act, in so far
as it adds paragraph (i) to section 276 (1) of the
Criminal Procedure Act, 1977, shall come into
operation in respect of the areas of all Magiste-

PROKLAMASIE

van die
Staatspresident
van die Republiek van Suid-Afrika

No. R. 24, 1993

WYSIGINGSWET OP AANGELEENTHEDE
RAKENDE KORREKTIEWE DIENSTE EN TOESIG,
1991 (WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aange-
leenthede rakende Korrektiewe Dienste en Toesig,
1991 (Wet No 122 van 1991), bepaal ek hierby **1 April
1993** as die datum waarop—

- (a) (i) artikels 38, 41 (b), 45 en 47 van
genoemde Wet (hieronder die
Wysigingswet genoem),
- (ii) artikel 41 (a) van die Wysigingswet, in
soverre dit paragraaf (h) by artikel 276 (1)
van die Strafproseswet, 1977 (Wet No 51
van 1977), voeg, en
- (iii) artikel 42 van die Wysigingswet, in soverre
dit artikel 276A (1) in die Strafproseswet,
1977, invoeg,

in werking tree ten opsigte van die gebiede van
die landdrostdistrikte Balfour, Ixopo, Joubertina,
Mount Currie, Piet Retief, Richmond (N),
Wakkerstroom en Willowmore, en

- (b) artikel 41 (a) van die Wysigingswet, in soverre
dit paragraaf (i) by artikel 276 (1) van die Straf-
proseswet, 1977, voeg, in werking tree ten
opsigte van die gebiede van alle landdrostdis-

rial Districts in respect of which the said part of section 41 (a) has not been so put into operation by Proclamations Nos 78 of 1991, R 20 of 1992, 32 of 1992, R 40 of 1992, R 48 of 1992, R 86 of 1992, R 99 of 1992, R 115 of 1992, R 121 of 1992, R 133 of 1992, R 4 of 1993 or R 10 of 1993

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this First day of April, One thousand Nine hundred and Ninety-three

F. W. DE KLERK,

State President

By Order of the State President-in-Cabinet

H. J. COETSEE,

Minister of the Cabinet

253

trikte ten opsigte waarvan genoemde gedeelte van artikel 41 (a) nie by Proklamasies Nos 78 van 1991, R 20 van 1992, 32 van 1992, R 40 van 1992, R 48 van 1992, R 86 van 1992, R 99 van 1992, R 115 van 1992, R 121 van 1992, R 133 van 1992, R 4 van 1993 of R 10 van 1993 aldus in werking gestel is nie

Gegee onder my Hand en die Seel van die Republiek van Suid-Afrika te Kaapstad, op hede die Eerste dag van April Eenduisend Negehoederd Drie-en-negentig

F. W. DE KLERK,

Staatspresident.

Op las van die Staatspresident-in-Kabinet

H. J. COETSEE,

Minister van die Kabinet

CONTENTS

No		Page No	Gazette No
PROCLAMATION			
R 24	Correctional Services and Supervision Matters Amendment Act (122/1991) Date of coming into operation	1	14694

INHOUD

No		Bladsy No	Koerant No
PROKLAMASIE			
R 24	Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig (122/1991) Datum van inwerkingtreding	1	14694

Hani fears for escaped accuser

St. Times 4/4/93

253

By CHARLENE SMITH

THE escape of bank robber Solomon Mqanqem and a group of fellow prisoners must surely go down in the annals of prison breaks

The ease with which the 16 prisoners escaped from Diepkloof Prison has left many questions unanswered — even for officials at the prison

Just hours before the escape, a statement was read out in the Rand Supreme Court that Mr Mqanqem had given some of his loot to the ANC.

SA Communist Party leader Chris Hani smells a rat, and says he fears for Mr Mqanqem's life

"Did he disappear? Was he quietly eliminated? He should have been placed under heavy guard after making such allegations," said Mr Hani.

Prison officials say they

cannot recall a similar escape. Only one prisoner got out of "Sun City" last year.

● How did the man who claimed he gave some of his loot to the ANC manage to overpower two armed policemen and two prison warders without the alarm being raised?

● How did he and 15 other escapers manage to drive out of the high-security prison without being stopped or questioned?

● Why were the prison gates left open while the prisoners were off-loaded from their police van?

Mr Mqanqem's statement — which was admitted as evidence in the Supreme Court last Friday — said that Mr Hani and ANC PWV chairman Tokyo Sexwale had master-

mind two bank robberies in which he had been involved, and which left three people dead.

Mr Hani and Mr Sexwale say they have never met Mr Mqanqem.

Hours after his court appearance, he and 15 other prisoners were free men, having overpowered their guards and driven out of the top-security prison.

All were dressed in civilian clothes.

After the court hearing, the van entered the prison grounds and drove about 3km to the gates of the Medium A prison within the complex.

They were let into the gates of that prison. The gates — contrary to normal prison requirements — remained open while the two policemen let their 16

□ To Page 2



The great escape

□ From Page 1

charges out. Two armed prison guards helped them.

Then the prisoners, according to the police and the Department of Correctional Services, overpowered the four guards and disarmed them.

They leapt back into the van and raced out through the still open gates to the main gates.

No alarm sounded, and the van was not stopped at the main gate.

This was because "the prisoners were dressed in private clothes and travelling in an official SAP vehicle", according to the Department of Correctional Services.

But the usual practice is to stop all vehicles — official or otherwise — and question the drivers before allowing them in or out of the complex.

Three of the escapers have been recaptured, and the police say they are searching for the other 13

The ANC's security department is delving into the background of the chain of events.

On the day Mr Mqanqem made his sensational claims about Mr Hani and Mr Sexwale, he was appearing on 22 charges — including murder, attempted murder, armed robbery and possession of illegal firearms — with two alleged accomplices, Daniel Motaung and William Makhosi (also known as T-Man).

Mr Mqanqem's claims immediately raised a storm. Law and Order Minister Hernus Kriel used them as the basis to attack Umkhonto we Sizwe as a criminal organisation.

The SACP said the Mqanqem affair had all the hallmarks of being a stage-managed operation.

Mr Hani and Mr Sexwale said the affair seemed to be the beginning of "election dirty tricks".

253

Ruling backs inmates rights

St. Times 4/4/93
(253)

AFTER decades of repressive judgments on the rights of prisoners and detainees, the country's highest court has made a new beginning.

Following a landmark judgment finally overturning harsh decisions of the past, the courts will insist that prison authorities treat inmates as retaining all their rights, except those removed by law.

This sea-change in the law follows an appeal by the government against the R50 000 it was ordered to pay anti-apartheid activist Willie Hofmeyr. Detained during the emergency, Mr Hofmeyr was held in solitary confinement for lengthy periods and as a result his physical and mental health suffered severely.

Key

When he challenged the conditions of his detention, the Cape Supreme Court ruled it was unlawful for the authorities to hold him in solitary, to refuse him reading material apart from study books, to prevent him exercising indoors during bad weather and to refuse him a radio in his cell.

Now the Appellate Division has upheld the ruling of Judge Edwin King, confirming the award of R50 000 damages and costs against the Minister of Justice.

At the heart of the case lies the interpretation of the emergency prison regulations by the jail authorities. The Appellate Division found that many key decisions about the condition of Mr Hofmeyr's detention were taken by the security police and that, in effect, the prison officials had abdicated responsibility.

Following the new judgment, prison officials will no longer be able to do this. Not only will they have to take such decisions themselves, independent of the police, but, when they do so, they may no longer simply consider the regulations in isolation.

CARMEL RICKARD reports on a landmark judgment for detainees

Instead, they will have to interpret them in a way that takes the health and welfare of the individual detainee or prisoner into account.

The Appellate Division in the Hofmeyr case specifically endorsed a view of the present Chief Justice, Mr Justice Corbett, more than 20 years ago, in another case about the rights of prisoners which reached the AD. The decision went against the applicant, Denis Goldberg. However, Mr Justice Corbett dissented from the rest of the court.

He said, in effect, that a prisoner retained all the basic rights and liberties of an ordinary citizen, except those taken away by law. Prisoners denied these rights should be entitled to legal redress.

Judge Corbett also said there was little point in trying to make a distinction between "comforts" and "necessities".

Trespass

Again the AD in the Hofmeyr case specifically endorsed this approach, which means that the prison authorities now have the responsibility of considering each detainee or prisoner as an individual and weighing up that person's needs.

The judge said that individuals had "an absolute right" to bodily integrity which includes the mental element. In this case, the conditions of Mr Hofmeyr's detention amounted to "an aggression upon his absolute right to bodily integrity and in particular it represented a trespass upon and violation of (his) right to mental and intellectual well-being".

● The judgment was written by Mr Justice Hoexter, with Judges Smalberger, Grosskopf, Goldstone and Nicholas in agreement.

Probe into prison escape

8/10 PM 5/14/93 WILSON ZWANE (253)

PRISON authorities said yesterday they were leaving no stone unturned in their efforts to establish how 16 men escaped from Diepkloof on March 26.

A Correctional Services spokesman said all possibilities, including the involvement of prison or ANC officials in the escape, were being investigated.

One of the men, Solomon Mqanqeni, had testified in the Rand Supreme Court earlier that day that SACP chief Chris Ham and ANC PWV chairman Tokyo Sexwale had masterminded two bank robberies in which he had been involved.

Ham and Sexwale have said they have never met Mqanqeni. The Sunday Times quoted Ham and Sexwale as saying the escape seemed to be the beginning of "election dirty tricks".

The men escaped in a police vehicle after they had overpowered two policemen and two prison officials. The spokesman said the men were not stopped or questioned because they were — like all prisoners who were awaiting trial — dressed in civilian clothes.

The Sunday Times reported yesterday that three of the men had been recaptured

Jail 'may be monument'

THE prison on Robben Island — where ANC president Nelson Mandela was interned — may become a monument to the armed struggle of the organisation, Johan Neethling of the Cape Provincial Administration said last week

PETER GALLI

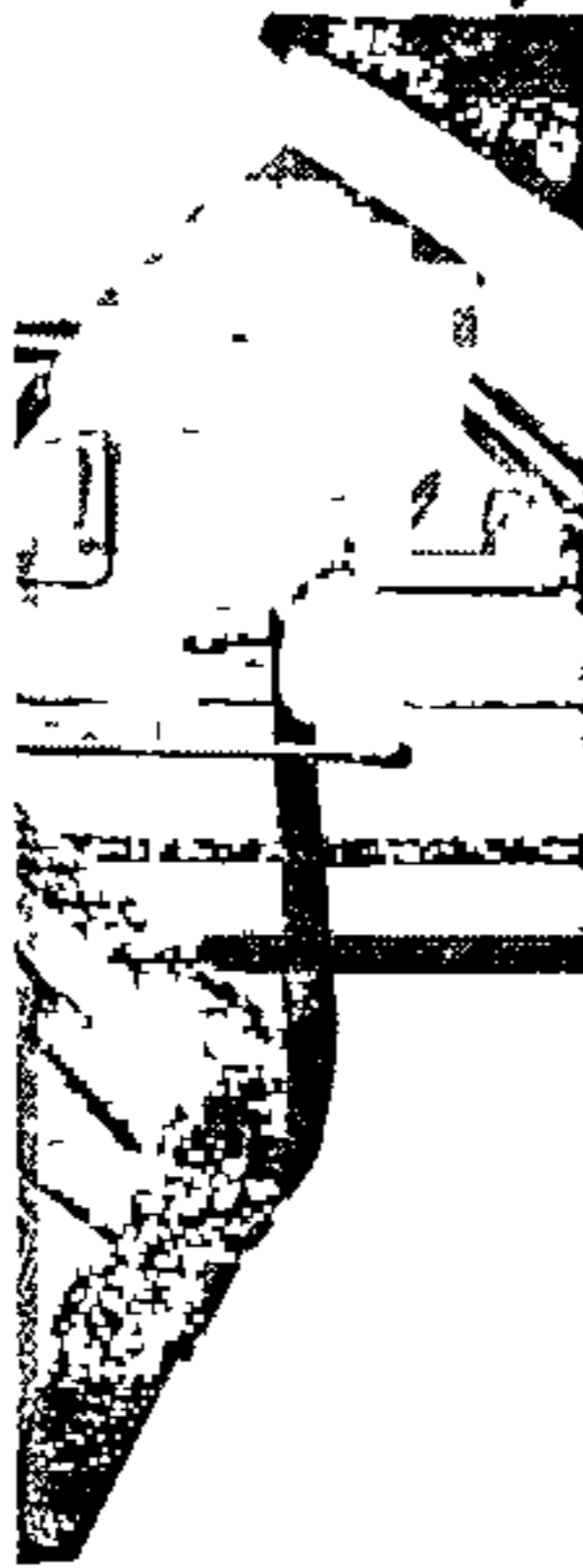
However, there was absolutely no chance that the island would be developed into a casino or associated resort, he said (253)

Addressing the media on the island, he said the political heritage of the island had to be preserved and this would probably result in Mandela's cell being retained the way it was when he left it 8/10 PM 5/14/93.

"Any future usage and development of the prison will have to be acceptable to those who were imprisoned in it as well as to the people of SA," he said

However, while informal discussions had been held with officials from the ANC's western Cape branch, no formal discussions on the matter had been held

The natural resources and wildlife on the island — penguins, buck, partridges and ostrich — would be protected and any future development had to take cognisance of this, he said



'Full steam' on Robben Island

CF 7/4/93 (253)
Political Correspondent

THE Department of Nature Conservation was working "full steam" to turn Robben Island into a nature and cultural attraction for tourists, the MEC for nature and environment protection and tourism, Mr Frik van Deventer, told Parliament yesterday.

Speaking during the CPA's provincial budget debate, Mr Van Deventer said the work would take some years as the jail on the island would have to be rebuilt elsewhere.

"Robben Island is a politically sensitive issue in which many bodies have a stake for various reasons. We do not intend to exclude anyone from the planning," he said.

Mr Van Deventer said those who wished to contribute were welcome to do so in writing.

Earlier, the Administrator of the Cape, Mr Kobus Meiring, said the province was delighted the cabinet had given it the responsibility of developing and managing Robben Island.

He said the province would strive to keep a healthy balance between nature and cultural conservation and tourism in the development of the island.

Mr Meiring gave the assurance the provincial authorities would consult as widely as possible with interested parties

B/10/89 7/4/83

Assaults alleged

(109)

THE Bafokeng tribe's action committee has accused the Bophuthatswana police of assaulting political prisoners. Spokesman Phistus Mkgwe said Boy Dale and Christopher Makgale were in serious conditions after allegedly being assaulted by prison warders

(253)

REPORTS Business Day Reporters
Sapa-Reuter Own Correspondent

Ntsanwisi's successor

Sowetan 7/4/93

■ Minister of Works Nxumalo is new Chief Minister:

By Don Seokane

GAZANKULU Minister of Works Mr SWD Nxumalo on Monday became the homeland's second Chief Minister following the death of Professor Hudson Ntswanisi

Nxumalo was elected during a sitting of the Gazankulu legislative assembly at Gryan

Former lawyer Mr SC Mhinga, who has since been struck off the roll of attorneys for neglecting his practice, contested the position with Nxumalo.

Nxumalo gained 76 votes while Mhinga

got only five votes.

Mhinga's relative, Mr Edward Mhinga, became acting Chief Minister when Ntswanisi was taken ill in July last year.

Ntswanisi died at the Johannesburg Hospital on March 25.

After his election on Monday, Nxumalo said he was pleased to be able to lead Gazankulu. He said he believed the vast experience he had gained while working with Ntswanisi would help him shape Gazankulu's future

He appealed to the people of Gazankulu to be united for the development of their region

Unita man's mystery trip

Sowetan 7/4/93

■ Brigadier in jail after trying to enter Botswana illegally

THE NAMIBIAN Home Affairs Ministry yesterday revealed details of the arrest of a senior Unita officer currently being held in a Windhoek jail, saying he had been arrested trying to cross the Botswana border illegally.

Brigadier Jorge Valentim, son of Unita chief negotiator and information head Dr Jorge Valentim, had been handed to Namibian immigration officials by Bot-

swana police, Home Affairs Permanent Secretary Ms Frieda Williams told Namibia Broadcasting Corporation radio.

She said Valentim had never asked for asylum in Namibia, despite having visited the country several times prior to his arrest at the Butepos border post.

He had been served with a deportation order and would be taken back to Angola unless another country granted him asylum.

Prison gang fight leads to killing

Sowetan 7/4/93

■ Prisoner knifed to death:

A LONG-TERM prisoner died after a fight between two members of the Big Five Gang in Pretoria's Central Prison on Monday night, according to a prisons spokeswoman.

Lieutenant-Colonel LJ Weppenaar of Correctional Services said yesterday that

Johannes Ramakgala, who had been in prison since October 27 1988 serving a seven-year sentence for housebreaking and theft, was stabbed during the fight and died later in hospital - Sapa

2 1993 BOOKINGS NOW OPEN

NEWS Sequel to prisoner's release

Sentences 'must stand'

Sowetan 7/4/93. (253)
■ PENAL CODE White Paper seeks the

prevention of improper release of prisoners:

By Themba Molefe
Political Reporter

THE DEPARTMENT of Correctional Services has released its White Paper that proposes changes to the penal code, including recalling improperly released prisoners

The paper also suggests that rules should be amended to do away with the unconditional release of prisoners upon remission of sentence

The amendments follow the Ministry's bungled premature release of bank robber Lucky Malaza last year

The paper states that a sentence imposed by the court should in future remain valid until it expired and would be served in full if conditions are violated

The whole sentence need not be served in prison but a portion could be served under parole in the community. Those on parole could however be recalled, a situation that does not prevail now

The department envisages a system of credits which can be earned on merit to

replace remission of sentence and proposes a new disciplinary system for prisoners.

Basic to the system is the principle of rewarding good behaviour and punishing negative conduct, the department says

"The department is well aware of the fact that in the process, on the one hand the freedom of the individual is in question and that on the other hand it can also have a fundamental effect on the safety and order in the community."

It says factors which would still be important in the process would include remarks by presiding officers passing sentence, length of sentence, previous convictions and frequency, nature of crime, victim and support systems in the community

The department also proposes parole boards at each prison or group of prisons. These would complement the existing institutional committees which make recommendations and submit reports to the Commissioner of Correctional Services.

The commissioner may order that a parolee be arrested or detained for 72 hours to consider further steps if conditions are violated

Inkatha men jailed

FOUR Inkatha Freedom Party members and two Mozambicans were sentenced to 12 years imprisonment in the Durban Regional Court on Monday for the possession and smuggling of arms and ammunition from Mozambique into South Africa. *Gwetha*

The six men were arrested on February 7 this year in the Ingwavuma area in northern KwaZulu, near South Africa's border with Mozambique.

The six include IFP Ingwavuma chairman Isaac Godi Nsele (45) and his son Mgadi Nsele (22). *7/4/93*

Others are Harry Zikhali (40), all of KwaNgwanasi in the northern KwaZulu area of Ingwavuma, Peter Ntuli (30), of Umlazi, and two Mozambicans, Mandla Ernest Gumede (26) and Vasco Pardinho (40). *(253) (320)*

'Ask ANC about use of Robben Island' ⁽²⁵³⁾

278/4/93
THE MP for Simon's Town, Mr Jannie Momborg, appealed yesterday to the provincial authorities to consult with Mr Nelson Mandela before settling on a plan for the use and management of Robben Island. He welcomed the undertaking by the Administrator of the Cape, Mr Kobus Meiring, to consult widely on the island's future but said this wasn't enough. Robben Island is not an ordinary, straight-forward issue. It has become to the oppressed people of South Africa what Blood River and Die Vroue Monument have become to most Afrikaners in our country, he said.

4 escape from Leeukop

Star 8/4/93 (253)

Four long-term prisoners at the Leeukop Prison north-west of Johannesburg escaped from work teams yesterday, a Department of Correctional Services spokesman said.

Lieutenant-Colonel Linda Weppenaar warned that the four, who were wearing green prison clothes when they escaped between 2 pm and 3 pm, should not be confronted but reported to the nearest police station.

The men are: Lucas Leboha (25), serving an eight-year sentence since 1991 for rape; Dumisane Khuzwayo (35), serving eight years since 1991 for robbery; Albert Shezi (28), sentenced last year to eight years for rape; and Athanas Mathata (26), who received 10

years' imprisonment in 1991 for robbery.

Weppenaar said the escapes were being investigated by the South African Police and the Correctional Services Department.

● Police are still searching for three suspects and the four men who freed them from Hoedspruit police station yesterday.

As the search extended across a large part of the north-eastern Transvaal yesterday, regional police headquarters offered a R50 000 reward for information leading to the men's arrest and conviction.

Peter Freeman Ndzimannde (31) of Alexandra, Timothy Makahaza (31) of Nelspruit and Sam Ndlovu (33) of Orlando

East — arrested shortly after a bank robbery at Hoedspruit on Saturday — appeared in court on Monday but were freed by four men posing as policemen early yesterday morning.

At 1.15 am the four men arrived at the police station and asked to interview the three detainees.

When they were brought to the charge office, the four men disarmed the policemen on duty and escaped with the suspects in a red Toyota Corolla.

The car's registration number was preceded by the letters NCM.

Anyone with information is asked to contact Warrant-Officer Coetzee at (01528) 31172 or 31766 — Northern Transvaal Bureau, Sapa

Now there are 19 on the run

Star 8/4/93

Yesterday's breakout at Hoedspruit has brought to 19 the number of prisoners on the run. Last month, three alleged Umkhonto we Sizwe members escaped from Diepkloof Prison in Soweto with 13 other prisoners. (253)

They overpowered a police driver and his assistant while being

dropped off at the prison after a court appearance. Police said they were highly trained cadres and dangerous.

According to a contested statement by one of the men, Solomon "Speech" Mngqaneni, the men stole R1 million in armed robberies and gave a cut to the ANC. South African Commu-

nist Party general secretary Chris Hani's name was mentioned.

Mngqaneni said he had been forced to make the statement. Hani and the ANC have denied they were involved in any robberies.

Three of the escapees were rearrested a week later but the others were still at large, police said.

St. Times (Cape Metro) (253)
**Two men in hospital after
police cell suicide attempts**

TWO men who allegedly tried to commit suicide in Peninsula police cells are being treated in Cape Town hospitals 114193

A 29-year-old man who had been arrested for allegedly driving under the influence of alcohol, tried to hang himself with his belt in a cell at the Mitchells Plain police station, police said yesterday

In the other incident, a 33-year-old man who had been arrested on assault charges cut his wrists with a tile he allegedly broke loose from a wall in a toilet at the Manenberg police station — Sapa

Exhibit offers unique insight into the Island

S Times (C/Metro) 11/4/93

253

By NAZEEM HOWA

WHILE conservationists and real estate developers debate Robben Island's future, the South African Museum and the Mayibuye Centre at the University of the Western Cape are jointly developing an exhibition on the island's more recent history as a high-security penitentiary for political prisoners

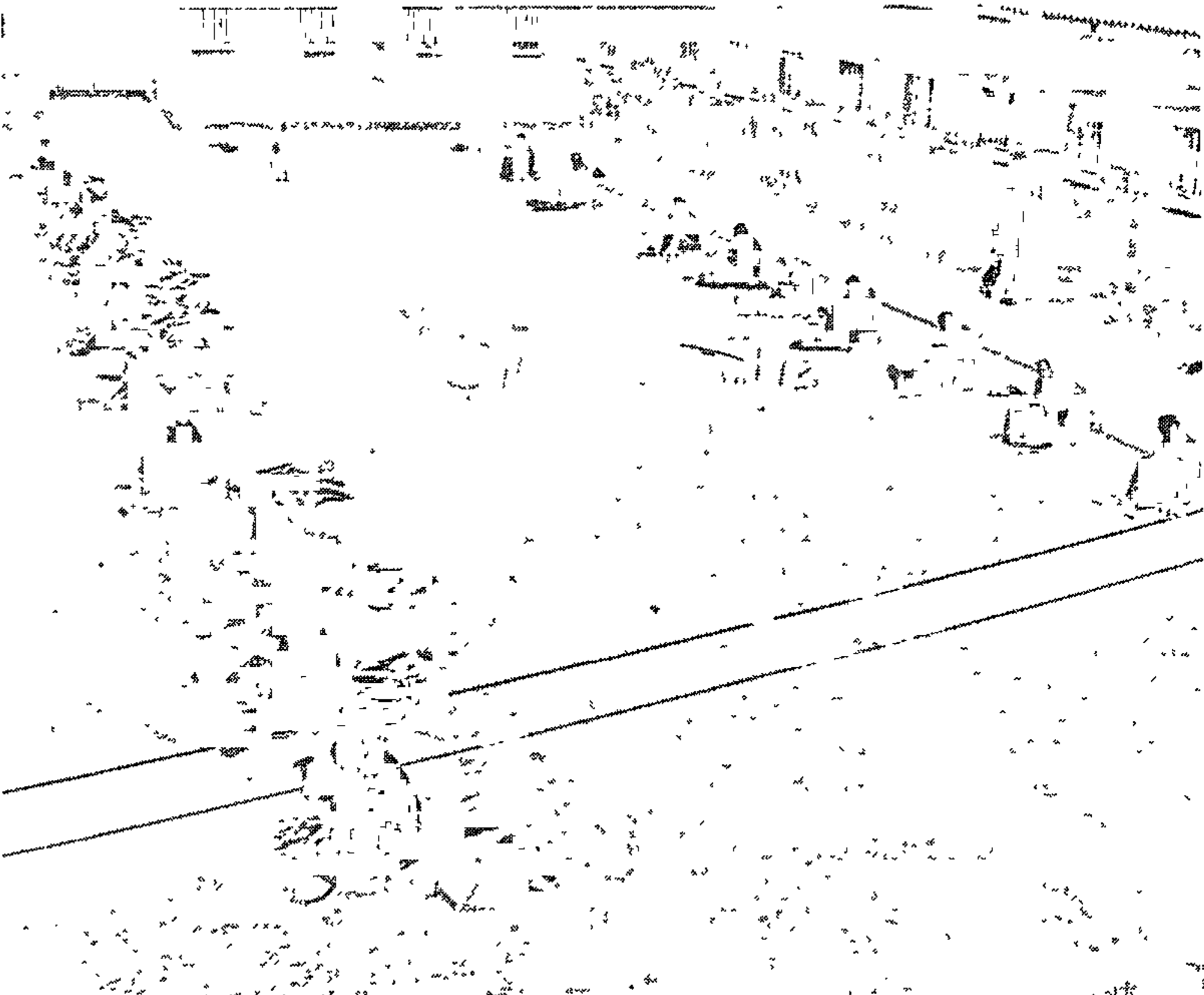
Although it is far too early for detailed social histories, the exhibition will offer a unique insight into the Island through the use of archival material, photographs, memoirs and cultural artefacts from various prisoners, Dr Andre Odendaal, one of the exhibition organisers, announced this week

Several political prisoners will help to assemble and interpret material brought from the island

Asylum

"The exhibition will also offer several other perspectives on the importance of the Island. These include its repeated use as a place of banishment, asylum and imprisonment, its natural history, including the geology, flora and fauna, and its use as a source of refreshment," Dr Odendaal said

Situated some seven kilometres from the mainland, the Island has for almost four centuries been a place of banishment for prisoners and



HISTORIC PICTURE Prisoners break rocks in the prison yard. This is one of the historic pictures which will form part of the exhibition. Picture: MAYIBUYE CENTRE, UWC

of confinement for lepers, lunatics and the poor sick

In more recent times, with most black political prisoners — including ANC president Nelson Mandela — being held on the Island, it has

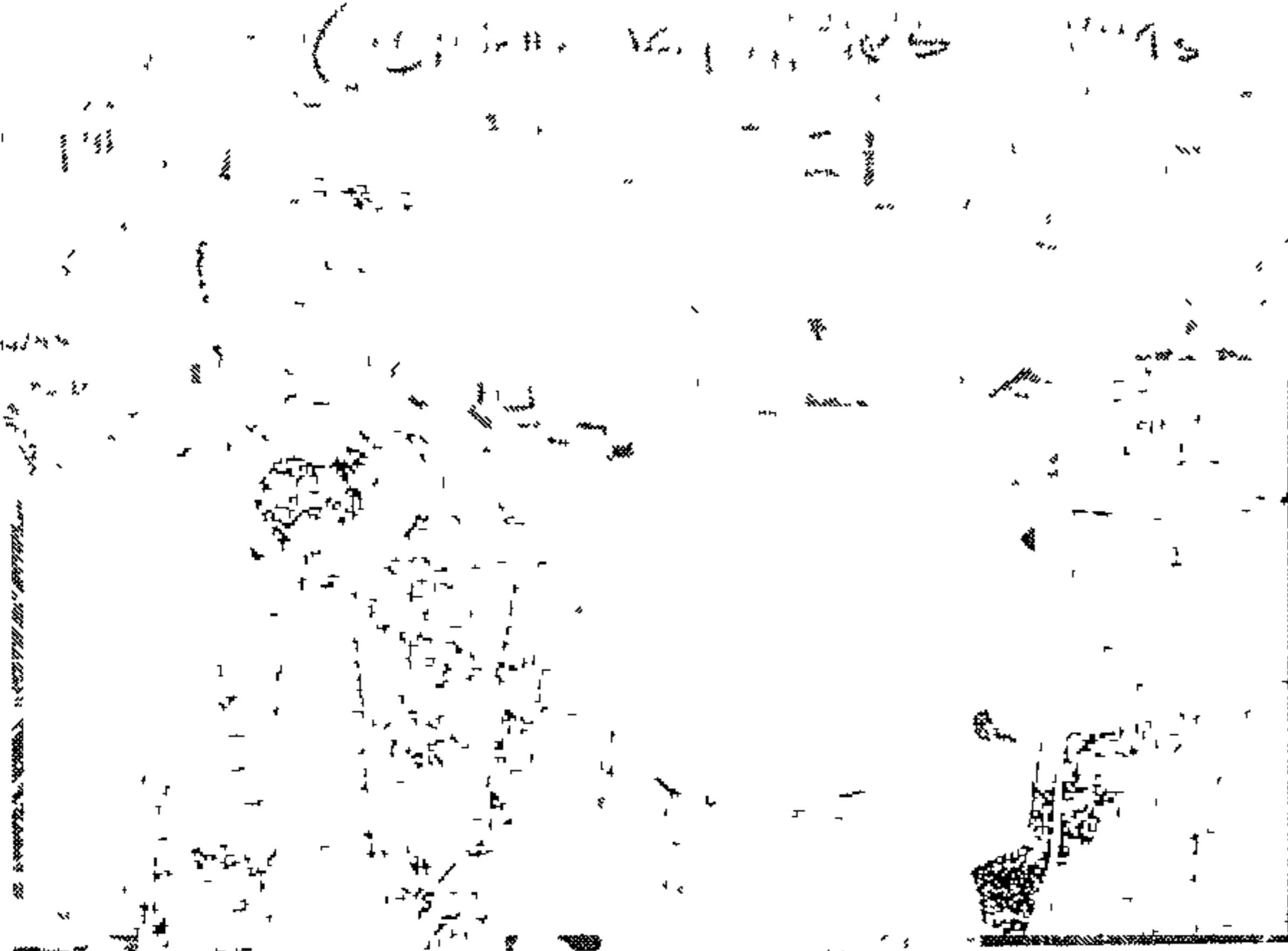
come to symbolise political resistance and human dignity in the face of adversity

Scheduled to open at the SA Museum on May 26, the exhibition will continue for three months

Odendaal said the exhibition had been designed so that it could travel to other museums and community centres in the Western Cape. Thereafter, it would become part of the cultural resources of the Mayibuye Centre

Developed by a team of researchers headed by Dr Odendaal (Mayibuye Centre) and Dr Patricia Davidson (SA Museum), the exhibition will contain archival documents, photographs, letters from prisoners, clothing and other artefacts relating to the history of the Island. The natural history exhibits include material on the geology of the island, the vegetation and the bird life

● Since the last of the political prisoners were released or moved from Robben Island in 1991, its future has been the subject of heated debate between developers who view it as prime real estate and conservationists who stress its natural resources



OLD FRIENDS ... Nelson Mandela and Walter Sisulu in conversation in the prison yard during their incarceration

(253)

'Man in chains' won't give up

Golden Miles Bhudu(), chief executive officer of the South African Prisoners' Organisation for Human Rights (SAPOHR), does not miss an opportunity to publicise his cause

As the "man in chains", Bhudu cuts a familiar figure at rallies and marches protesting against the death penalty

He was released from prison on a housebreaking charge in 1991. And last week, at the re-burial of executed Umkhonto we Sizwe cadre Solomon Mahlangu, Bhudu stood, chains draped over his body, campaigning for the abolition of the death penalty

The keynote speaker at the re-burial, ANC president Nelson Mandela, had to pass Bhudu to ascend the stage

Since he formed SAPOHR at Modder B Prison in Benoni in June 1988, Bhudu has been tireless in his campaign

The protest will be stepped up with President de Klerk's announcement that Parliament will shortly debate the lifting of the moratorium on the death penalty

For the next week, starting at Azapo's offices today, SAPOHR will hold lunchtime pickets at the offices of political groups

Bhudu says statistics show that blacks are more likely than white offenders to be given the supreme punishment

He quotes statistics showing that of the 1 070 people hanged between 1980 and 1988, 97 percent were black

From June 1982 until June 1983, 47 percent of the 81 blacks convicted of murdering whites was executed. On the other hand only 2 percent of 52 whites convicted of murdering whites during the same period, was hanged — Political Correspondent



Tireless campaigner Golden Miles Bhudu, who heads the Prisoners' Organisation for Human Rights, uses every opportunity to stage his protest against the death penalty.

Robben Island panel to be set up

PETER GALLI

16/01/93

A ROBBERN Island advisory committee — as broadly representative as possible — would be appointed soon to steer discussions about future development, Cape Provincial Administration spokesman Johan Neethling said recently.

A private sector consultant would also be appointed, he said.

The island is currently a marine reserve and conservation area, housing a variety of marine and wildlife including penguins, buck, partridges and ostriches.

It has an operational prison that can house 850 criminals and 110 houses for correctional services staff. There are also shopping and sports facilities, a mosque and church.

Outgoing Tourism Minister Org Marais' request last week for R250 000 to conduct an environmental impact study of future development on the island was rejected by Parliament and funds for this would have to be found from another source, he said.

This assessment was imperative and would examine how many tourists the island could accommodate daily and the effects of this and development, he said.

However, any such development would probably not take place before 1997 and would involve across-the-board facilities ranging from a five-star hotel to self-catering accommo-

dation and camping facilities.

Robben Island Correctional Services commander Col De Nysschen said the Correctional Services Department would relinquish control of the island by the end of 1996.

But premises for a new prison and funding for this still had to be found.

"Transport costs make Robben Island the most expensive prison in the country to run. The new prison will have to be able to accommodate the overpopulation of prisoners in the western Cape and will therefore have to be large enough for about 2 000 inmates," he said.

A site for the new prison had not yet been found.

Asked whether a new prison was economically viable at present, De Nysschen said one needed to "look at the present budget for the prison to see that it was viable".

In another western Cape development, work was under way on the infrastructure for the residential side of the Victoria & Alfred Waterfront project. This would take the form of a townhouse development, comprising 600 units ranging from one to four bedrooms.

While a total of R40m would be needed to build the planned aquarium, an initial R25m would be sought, which would hopefully be raised from individual companies sponsoring specific parts of the aquarium.

Ex-detainees owe R200 000

Political Staff

FORMER detainees still owed the state more than R200 000 for the costs of unsuccessful court applications, Minister of Law and Order Mr Hernus Kriel said yesterday.

The total outstanding value in 15 cases was R204 522,21.

Mr Kriel, who was replying to a question tabled in Parliament by Mr Hennie Bester (DP, Green Point), did not give details of which former detainees or former banned people still owed money to the state.

The highest amounts owed were R25 645,05 and R24 718,58.

Police custody deaths up 37%

Political Staff **253**

THE number of people who died in police custody last year increased by 37% to a total of 210, Minister of Law and Order Mr Hernus Kriel said yesterday.

The highest number of deaths occurred in October (23) and December (22), and the lowest months were February (13) and March (14), he said in reply to a question tabled in Parliament by Mr Peter Soal (DP, Johannesburg North).

CT14/4/93

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253
Blom 14/4/93

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A private sector consultant would also be appointed, he said.

The island is currently a marine reserve and conservation area, housing a variety of marine and wildlife including penguins, buck, partridges and ostriches.

It has an operational prison that can house 850 criminals and 110 houses for correctional services staff. There are also shopping and sports facilities, a mosque and church.

Outgoing Tourism Minister Org Marais' request last week for R250 000 to conduct an environmental impact study of future development on the island was rejected by Parliament and funds for this would have to be found from another source, he said.

This assessment was imperative and would examine how many tourists the island could accommodate daily and the effects of this and development, he said.

However, any such development would probably not take place before 1997 and would involve across-the-board facilities ranging from a five-star hotel to self-catering accommo-

PETER GALLI

dation and camping facilities. Robben Island Correctional Services commander Col De Nysschen said the Correctional Services Department would relinquish control of the island by the end of 1996.

But premises for a new prison and funding for this still had to be found.

"Transport costs make Robben Island the most expensive prison in the country to run. The new prison will have to be able to accommodate the overpopulation of prisoners in the western Cape and will therefore have to be large enough for about 2 000 inmates," he said.

A site for the new prison had not yet been found.

Asked whether a new prison was economically viable at present, De Nysschen said one needed to "look at the present budget for the prison to see that it was viable".

In another western Cape development, work was under way on the infrastructure for the residential side of the Victoria & Alfred Waterfront project. This would take the form of a townhouse development, comprising 600 units ranging from one to four bedrooms.

While a total of R40m would be needed to build the planned aquarium, an initial R25m would be sought, which would hopefully be raised from individual companies sponsoring specific parts of the aquarium.

Duties, VAT hike slammed

PETER GALLI

Blom 14/4/93

THE increased VAT rate and higher transfer duties became effective last week.

Camdon's nationwide franchise chairman Scott McRae said government was "increasingly and misguidedly" tapping the property market as a tax milch cow.

"This is out of step with overseas trends, which have generous tax allowances to encourage property ownership. The budget outlined this short-sighted policy."

He analysed the increasing tax load on property as follows:

- When GST was in operation building a new home was subject to 13% GST on materials only. When VAT was introduced this was changed to 10% on materials and labour, which was now 14%.
- When buying a home from a developer, no GST was payable. Then 10% VAT was introduced, which increased to 14%. Estate agents' commissions were previously GST free, then subject to 10% VAT and now 14%.
- Under the GST system, transfer duty of 1% was payable on the first R30 000 and 3% on the balance. This rose to 1% on the first R50 000 and 5% on the balance. Now 1% is payable on the first R60 000, 5% on between R60 000 and R250 000 and 8% on amounts over R250 000.

McRae said a new property tax vision would result in a healthier construction sector and greater housing affordability.

Costly trips for a maid of honour

By NORMAN WEST
Polit. Reporter

WHEN is a maid no ordinary maid? When it costs the state R24 000 to fly her 45 times, business-class, between Uppington and Cape Town.

The Reverend Andrew Julius, former Minister of Health in the House of Representatives, said that Miss Jane Strauss, 32, was no "ordinary maid" but was a "housekeeper-cum-secretary" to him and his wife Daphne.

The leader of the majority National Party in the House of Representatives, Mr Jac Rabie, told Parliament this week — in answer to a question by Mr Michael Hendrickse, Labour Party MP for Schauderville — that the 45 air tickets for Miss Strauss had cost the state R23 558.

Mr Rabie said that at the time Miss Strauss was employed by the Public Works Department and she had accompanied Mr Julius to his Kalahari constituency in place of one of his private secretaries.

Hotel

He said that official sanction had been obtained for the plane trips because Miss Strauss also performed secretarial duties for Mr Julius. He added that on these trips Mr Julius had stayed in his private Keimoes residence which saved the state considerable amounts of money in hotel costs.

Speaking from his Keimoes home near Uppington, Mr Julius said that as a minister he was entitled to two private secretaries and an administrative secretary. One secretary could accompany him in business class whenever his duties demanded he visit his constituency. He said Miss Strauss had been in his family's employ for about 15 years. He said since 1985 she had doubled-up as housekeeper and secretary.

Duties

She was, therefore, entitled to be paid out of state funds by the Public Works Department and also qualified for other perks like pension and medical aid. He had obtained official permission from the accounting officer of the House of Representatives, Mr Patrick McEnery, to fly her to Uppington to do her duties as housekeeper-cum-secretary in place of one of his other aides. Reverend Allan Hendrickse said that according to parliamen-

Blacklisted — but he bids again for prison food tender

SPECIAL INVESTIGATION BY DE WET POTGIETER

A BUSINESSMAN blacklisted two years ago from supplying food to the Prisons Department in the wake of corruption allegations is poised to regain the lucrative contract.

An existing tender was cancelled last week and new specifications ensure that, Mr Chummy von Lempke's company, ProTol, will be the only one likely to meet them.

An investigation has, meanwhile, revealed that information about the new specifications has been leaked regularly to Mr von Lempke by a former prisons general and a senior state health official.

Two former prison officials have spoken out in the tender row and a National Party MP has taken up the matter with the Minister of Correctional Services and the Auditor-General.

Two years ago, Mr von Lempke's tender for soya-based food for prisoners was cancelled and ProTol blacklisted after a Sunday Times investigation showed that he had given gifts, cash and holidays to top prison and health department officials.

A senior prisons officer, General Deon van Wyk, took early retirement. Two other officials — Lieutenant-General Paul Freysen and Dr Johan Kotze of the Department of Health — were suspended but subsequently reinstated.

The Attorney-General still has to decide whether to prosecute the company and officials for alleged corruption.

TESTS

The current food contract, held by Rodlion, was cancelled last week — Correctional Services officials claimed the food was a health hazard because it contained meat. The new specification demands soya products with no meat.

Mr von Lempke, meanwhile, has indicated through his lawyers that he owns the patent on pure soya food products in South Africa. This means his company is effectively the only one which meets the specifications.

On October 16 last year, General Jacob Bothma and Brigadier Daantjie Freysen — the general's elder brother — told a Tender Board meeting that the Department of Correctional Services insisted the soya products it used should not contain any meat.

A week earlier, General Bothma and Brigadier Freysen had issued instructions to cancel further orders from Rodlion pending the outcome of SABS tests on soya sausages and meatballs it supplies.

The Sunday Times is in possession of taped conversations since then between General van Wyk, Dr Kotze and Mr von Lempke which indicate that Mr von Lempke was regularly informed of plans to cancel the Rodlion contract and advised how to go about re-securing it for ProTol.

In one conversation, Mr von Lempke asks Dr Kotze, "Are you now happy that they say no meat, fish, poultry, etc are allowed?"

Dr Kotze responds "Yes, because that is what we have been fighting for all along."

Mr von Lempke then says "We have now reached the stage where I don't think

any other company would be able to tender for what is called for in this specification without infringement of the patent."

In a conversation at the beginning of March, General van Wyk told Mr von Lempke he had been told that Rodlion was planning to "make a big song" out of the fact that previous specifications did not exclude meat, and that he had been told the current contract would be ended before March 16.

General van Wyk then said "I want to stress again the point I made the other night, that this has got to be handled strategically, very, very astutely."

Mr von Lempke replied "You know I won't do anything without discussing it with you."

In another conversation, Dr Kotze offered to let Mr von Lempke have an advance copy of his recommendations to the SABS.

HAZARD

Dr Kotze "I purposely noted that the existence of meat, fish or poultry in the product damages the microbiological quality of soya — I purposely put that in."

He said the reason for this exercise was to "close the door for these people."

Dr Henry van Rensburg, director of the Biological Sciences department of the SABS, confirmed this week that Dr Kotze attended the March 16 meeting where new specifications for soya products were discussed.

He said the SABS had been unwittingly drawn into the dispute over the soya products and had merely tested them.

But Rodlion's managing director, Mr Rodney Baxter, said there were no specifications for the production of soya products.

He said cancellation of the contract could cost his company more than R40-million and might jeopardise Rodlion contracts with other state departments.

Mr von Lempke refused to talk to the Sunday Times this week, but Dr Kotze admitted he was in regular contact with him and that they had discussed matters relating to state soya contracts.

WROTE

A spokesman for Correctional Services said General Bothma and Brigadier Freysen had acted correctly by insisting that no meat be included in soya products, as certain lots tested by the SABS had been found to constitute a serious health hazard.

Dr Mame Schoeman, MP for Queens-town, said he was "intimately aware" of the Rodlion affair and had taken the matter up with the Auditor-General, Correctional Services Minister Adriaan Vlok and State Expenditure Minister Amie Venter.

Mr Vlok's office confirmed that Dr Schoeman wrote to the Minister on October 30 last year in connection with the Rodlion tender, and said the MP had been told the matter was under consideration by the State Procurement Department.

Two former prisons officials — Brigadier Andries du Plessis and chief dietician Mrs Annalze Mans — said they were unaware of any problems with the supply of soya food containing meat.

Cash from
Star 19/4/93
Death Row

(253)
Death Row prisoners have collected R750 for Chris Han's family, and political prisoners at Pretorial Local Prison have sent messages of condolences, said Lawyers for Human Rights

concerned refused to prosecute members following the opening or referral of the said dockets; if so, (a) which attorneys-General and (b) in (1) how many and (ii) what matters? B490E

THE MINISTER OF LAW AND ORDER

(1) No

(a), (b), (c), (d), (2), (3) and (4) Fall away

Space Industry: Investigation into commercial

233 Mr C W EGLIN asked the Minister for Public Enterprises

(1) Whether, with reference to the reply to Question No 298 on 19 June 1992, the investigation into the commercial feasibility of establishing a space industry in the Republic has been concluded, if not, why not; if so, what were the findings,

(2) whether he will make a statement on the matter? B534E

THE MINISTER FOR PUBLIC ENTERPRISES.

(1) The investigation into the market opportunities, the competition in the market, the RSA's potential for a winning advantage and the risk factors, is already in an advanced stage

The investigation focuses on practical commercial opportunities for a low earth-orbit satellite vehicle, services and launching facilities. Because parties from various countries are involved, and the best technical partners must be brought together, the investigation is taking a substantial amount of time. The analysis of the market and the profitability of each projects time consuming

(2) A statement will be made if the report is made known, and a statement is justified

Hillbrow/Berea area: crime statistics

235 Mr L FUCHS asked the Minister of Law and Order

How many cases of (a) murder, (b) culpable homicide, (c) assault with intent to do grievous bodily harm, (d) common assault, (e)

HOUSE OF ASSEMBLY

on 5 May 1992, any persons have been (a) detained, (b) arrested, (c) charged and/or (d) convicted in connection with the bombing of certain premises, particulars of which have been furnished to the South African Police for the purpose of the Minister's reply, if so, (i) what are the relevant details in regard to each of the bombings and (ii) in respect of what date is this information furnished? B543E

THE MINISTER OF LAW AND ORDER

(a), (b), (c) and (d) No.

(i) Falls away

(ii) 31 March 1993

SAP: deaths in custody

247 Mr P G SOAL asked the Minister of Law and Order

How many persons died in police custody in (a) 1991 and (b) each specified month of 1992 for which statistics are available? B544E

THE MINISTER OF LAW AND ORDER

(a) 153

(b) January

February

March

April

May

June

July

August

September

October

November

December

Total

..

210

Murders of 16 persons

248 Mr P G SOAL asked the Minister of Law and Order

Whether, with reference to the replies to Question No 27 on 27 March 1990, Question No 55 on 15 March 1991 and Question No 131 on 18 March 1992, any persons have been detained, arrested, charged and/or convicted in connection with the alleged murders of 16 persons, whose names have been furnished to the South African Police for the purpose of the Minister's reply, if not, why

not, if so, (a) what are the names of the persons (i) detained, (ii) arrested, (iii) charged and/or (iv) convicted in connection with each of these alleged murders and (b) in respect of what date is this information furnished? B545E

THE MINISTER OF LAW AND ORDER

No, nobody has as yet been charged or convicted in connection with these murders as there is no evidence to implicate any person

(a) (i-iv) Fall away

(b) 31 March 1993

SAP: criminal conduct/civil damages

249 Mr K M ANDREW asked the Minister of Law and Order

(1) Whether any dockets were opened in 1987, 1988, 1989, 1990, 1991 and 1992, respectively, with a view to investigating alleged criminal conduct on the part of members of the South African Police in cases in which civil damages were paid by the Minister of Law and Order following a pre-trial settlement or a trial judgment, if so, how many were so opened in each of these years,

(2) whether any of the dockets so opened resulted in the successful prosecution of members of the Police, if so, how many in each of these years,

(3) whether the Attorney-General of the Transvaal refused to prosecute any members of the Police in respect of any dockets so opened, if so, in respect of how many such dockets? B517E

THE MINISTER OF LAW AND ORDER

(1), (2) and (3) Fall away

Note As a result of the magnitude of the administrative processes involved in order to determine the information, the information cannot, unfortunately, be made available at short notice

Railway stations open for passenger/goods

250 Mr R V CARLISLE asked the Minister for Public Enterprises

How many railway stations in the Republic

HOUSE OF ASSEMBLY

Cop questioned on statements delay

253

21/4/93

JOHANNESBURG — A police investigating officer failed to take statements from his colleagues until eight months after the death of an ANC Youth League member in police custody, an inquest in the Oberholzer Magistrate's Court heard yesterday.

Nixon Phiri, 16, of Carletonville, died on January 16, 1990, while being interrogated at the nearby Welverdiend police station.

Warrant Officer S Fauls, who was investigating the teenager's death, said he "never had a chance" to take statements from colleagues who were present when he died because "a lot of other cases" needed attention.

Counsel for the Phiri family, Mr Stephen Joseph, said it was strange WO Fauls had not tried to discover from officers in charge at the time of the boy's death, the cause of injuries on Phiri's head.

The inquest continues today — Sapa

Hansard

ing representatives from the US Departments of Commerce, Defence and of State as well as the Arms Control and Disarmament Agency held discussions on these subjects with a South African delegation in Pretoria on 2 and 3 December 1992. The South African delegation included representatives from the Department of Foreign Affairs and Denel (Pty) Ltd

(iii) Discussions on these issues are continuing

Increase in number of policemen

*13 Mr P G SOAL asked the Minister of Law and Order

- (1) (a) What was the total net-increase in the number of policemen in the South African Police Force in 1992 and (b) (i) how many are still in training and (ii) in respect of what date is this information furnished;
- (2) whether he will make a statement on the matter? B644E

The MINISTER OF LAW AND ORDER:

- (1) (a) 2 237
(b) (i) 2 337
(ii) 2 April 1993
- (2) No

Post Office: advertising campaign

*14 Mr P G SOAL asked the Minister of Post and Telecommunications

- (1) Whether the Post Office launched an advertising campaign recently; if so, (a) when and (b) what (i) are the details relating to, and (ii) was the cost of each aspect of, this campaign;
- (2) whether he will make a statement on the matter? B645E

The MINISTER OF POSTS AND TELECOMMUNICATIONS

The Managing Director of SA Post Office Limited replied as follows to the hon member's question

- (1) Yes, information programmes are being

Hansard

cluster postboxes and inviting inputs

- (b)(ii)
- (aa) R 145 000 (Production cost enclosed)
- (bb) R 269 000 (production cost enclosed)
- (cc) R 94 000
- (dd) R 300 000
- (ee) R 450 000
- (ff) R 280 000
- R1 538 000

- (2) In order to gain greater visibility as a client-oriented company and to promote our image among the public, further information programmes will be launched during the course of the year. Apart from this campaign, information sessions are being held with major clients, consumer bodies and parliamentary and extra-parliamentary groups, while efforts are also being made to obtain positive media coverage and favourable editorial comment on a large scale

Cape Town police station: charges against two persons

*15 Adv J J S PRINSLOO asked the Minister of Law and Order

- (1) Whether any criminal charges were laid at the Cape Town Police Station on or about 4 May 1992 against two persons, whose names have been furnished to the South African Police for the purpose of the Minister's reply, if so, what (a) was the nature of these charges and (b) are the names of the persons concerned,
- (2) whether any action has been taken as a result of these charges; if not, why not; if so, what action,
- (3) whether he will make a statement on the matter? B648E

***MINISTER OF LAW AND ORDER:**

- (1) Yes
- (a) and (b)
- Contravention of section 54(1)(a) and/or

54(1)(b)(ii) and/or (iv) of the Internal Security Act, 1982 (Act No 74 of 1982)

Mr Benny Alexander

Contravention of section 54(1)(b) read with 54(2)(b) and 54(2)(k) as well as 54(3)(c)(iv) of the Internal Security Act, 1982 (Act No 74 of 1982)

Mr Jay Naudoo

- (2) No
- Upon completion of the investigation, the case dockets were referred to the various Attorneys-General who subsequently refused to prosecute in both cases.

- (3) No

Record of Understanding: prisoners released

*16 Adv J J S PRINSLOO asked the Minister of Correctional Services

- Whether, with reference to the reply to Question No 16 on 17 February 1993, he will furnish information on the convictions for which prisoners who have been released in terms of the Record of Understanding were serving prison sentences, if not, why not, if so, what are the relevant details? B647E

The MINISTER OF CORRECTIONAL SERVICES

No, as already mentioned in my reply in the House of Assembly on 17 February 1993 to Question No 16 for written reply, it is departmental policy not to disclose personal particulars pertaining to individuals. For obvious reasons such as *inter alia* the interests of the released prisoner's family, his reintegration into society, etc it is not considered expedient to publicly disclose the information as requested. However, I would like to repeat my invitation to the hon member that should he be interested in further detailed information (including information on convictions), he is welcome to approach me whereupon I will consider making the information available to him on a personal basis

Haemophilus b: deaths

*17 Mr M J ELLIS asked the Minister for National Health and Welfare

- (1) How many children died of the disease

Haemophilus b (Hb) in the Republic during the latest specified period of five years for which figures are available,

- (2) whether any vaccines for this disease are currently available in the Republic, if not, why not, if so, (a) what vaccines and (b) what is the cost per dosage in each case,
- (3) whether she will consider recommending that the import duty on such vaccines be scrapped; if not, why not,
- (4) whether she will make a statement on the matter? B649E

THE MINISTER FOR NATIONAL HEALTH AND WELFARE

- (1) *Haemophilus influenzae* type B causes about 1/3 of all cases of bacterial meningitis in children under 5 years. In 1990 there were 227 deaths registered due to bacterial meningitis and meningitis of unspecified cause. It can be estimated that at least 70-100 children under 5 years die each year in South Africa of meningitis due to *Haemophilus influenzae* type B,

- (2) (a) no vaccines are currently available in the Republic. A major international pharmaceutical company is at present registering a *Haemophilus influenzae* type B vaccine, and
- (b) the cost per dosage in the USA is about \$15. Three doses will be needed for a complete course,
- (3) recommendations about import duty is made by the Board on Tariffs and Trade and each application is considered according to its own merits,
- (4) no

INTERPELLATION

The sign * indicates a translation. The sign †, used subsequently in the same interpellation, indicates the original language.

Own Affairs

Model C schools, steps to prohibit payment of fringe benefits

† CHIOLE asked the Minister of Education and Culture

HOUSE OF ASSEMBLY

- (1) Whether he is contemplating any steps in order to prohibit the payment of certain fringe benefits to members of management councils, principals and/or deputy principals of Model C schools, if not, why not, if so, what steps,
- (2) whether he will make a statement on the matter? B662E INT

*The DEPUTY MINISTER OF EDUCATION AND CULTURE Mr Charman, the interpellant should actually have asked the hon member for Brakpan for the information which he hopes to be given in this interpellation. On 17 March this year the hon the Minister gave detailed oral information on the issues in connection with which the hon member has now requested an interpellation. On behalf of the hon the Minister I should briefly like to provide the following information concerning this matter.

The hon the Minister is not aware of any formal fringe benefits being paid to principals, deputy principals or members of management councils. He has no formal knowledge of this happening, but should this happen, the hon the Minister would not be prepared to prohibit the paying of fringe benefits in this way, because it would not be contrary to the Educational Affairs Act (House of Assembly).

*Mr J CHIOLE Mr Charman, I find it shocking that the hon the Deputy Minister should say that there is no formal knowledge of additional compensation by means of fringe benefits, because the newspapers are full of reports about it.

I should like to tell the hon the Deputy Minister that the educational guidelines, norms and standards of any authority's educational policy should be set out and applied so purposefully that equal opportunities exist when the educational standards and achievements of the less affluent section of society are compared to the affluent section of society. For this requirement to be met, regulation and control by the authorities is essential, not only in regard to basic syllabi and salaries, but also in regard to fringe benefits, because fringe benefits are an integral part of the total remuneration package. Should the authorities neglect to control fringe benefits, as is currently the case and of which the

hon the Minister has no knowledge, this would gradually result in schools, in which the parents are not able to make the same relative financial contribution per child, having principals, and unavoidably other teachers as well, who are not as motivated and less well equipped, which will lead to distortion and detrimental treatment. Different remuneration norms will also contribute to serious tension between schools and communities, but also within a community itself, because the various management councils, even within the same feeder zone, may differ completely in their approaches, because we are saddled with a Government that cannot understand where the dividing lines between deregulation and abdication.

In case the hon the Deputy Minister has not been informed about this matter either, I shall now demonstrate to him what I am talking about. In *Rapport* of 28 March the following was reported:

By ministers twee skole, die Hoerskool Waterkloof in Pretoria en SA College School in Kaapstad, ry die skoolhoofde deesdae met motors wat deur die skool gekoop is.

I have here in my hand the so-called admission requirements for the Waterkloof High School—the application form consists of 23 pages. Just think what it must cost. The registration fee at this school is R100, and school fees amount to R100 per month. In the same newspaper of 28 March the chairman of the management council of that school also said:

Dit is onregerdig dat dr Becker sy eie motor gebruk. Dit dra die goedkeuring van die meederheid ouers weg.

Those parents also read about it for the first time in the newspaper.

The Elardus Park Primary School, where the monthly fee is R65, is in the same feeder zone. The following was stated on 22 March in an information document of that school:

Dit het onder aandag gekom dat die gevolge van die huidige swak ekonomiese en 02103901hoë werkloosheidsyfer nou ook deur gesondeeg het na ons skoolkinders toe.

Vanweë omstandighede bunte die kinders se behoeftes bestaan daar op die oomblik 'n groot behoefte aan kospakkies by die skool. Ek wil 'n ernstige beroep doen op meesters wat kans

sien daarvoor om vanaf 20 April 'n ekstra kospakkie saam te stuur skool toe.

The very same parents who cannot afford to buy food for their primary school children must, as a result of the Government's abdication policy, buy a German motorcar for the high school principal and pay for the fringe benefits of the teachers.

Mr R M BURROWS Mr Charman, I congratulate the hon the Deputy Minister on his newly acquired expertise in the field of education. I trust that the reply to a question that I placed on the Question Paper yesterday will deal with the reformulation of the policy of the Department of Education and Culture regarding the employment of teachers and their remuneration over and above that paid by the State, but I would be grateful if the hon the Deputy Minister could just tell us a bit about that policy now. Essentially the question revolves around whether State-aided schools have the right to decide on funding over and above the level paid for by the State.

It is common practice in Model C schools to remunerate teachers for extracurricular activities. It is common practice now to take into consideration the possible supply of houses, motorcars and other benefits, over and above those supplied by the State.

Essentially, in reaction to what the hon member for Pretoria West has said, one must point out that this money comes from the pockets of the parents, and it is to the parents that that management council or the governing body is answerable. I have no problem at all with the remuneration of educators over and above what they receive from the State. I do have a problem with governing bodies and management councils obtaining that money.

On the other hand, if the management council or governing body has to report to the parents annually and provide a balance sheet of how it spent the money, then that is the body to which it must be answerable. I believe it is incumbent on the Department of Education and Culture to supply the public of South Africa with a clear statement as to whether it is prepared to tolerate poaching, that is whether a school in a particular area can hire a teacher from another school by paying him an additional salary.

The hon the Deputy Minister may be aware—

HOUSE OF ASSEMBLY

Handwritten signature

ing representatives from the US Departments of Commerce, Defence and of State as well as the Arms Control and Disarmament Agency held discussions on these subjects with a South African delegation in Pretoria on 2 and 3 December 1992. The South African delegation included representatives from the Department of Foreign Affairs and Denel (Pty) Ltd.

Increase in number of policemen

*13 Mr P G SOAL asked the Minister of Law and Order

- (1) (a) What was the total increase in the number of policemen in the South African Police Force in 1992 and (b) (i) how many are still in training and (ii) in respect of what date is this information furnished,
- (2) whether he will make a statement on the matter?

THE MINISTER OF LAW AND ORDER.

- (1) (a) 2 237
- (b) (i) 2 337
- (ii) 2 April 1993
- (2) No

Post Office: advertising campaign

*14 Mr P G SOAL asked the Minister of Post and Telecommunications

- (1) Whether the Post Office launched an advertising campaign recently, if so, (a) when and (b) what (i) are the details relating to, and (ii) was the cost of each aspect of, this campaign,
- (2) whether he will make a statement on the matter?

THE MINISTER OF POSTS AND TELECOMMUNICATIONS

The Managing Director of SA Post Office Limited replied as follows to the hon member's question

- (1) Yes, information programmes are being

HOUSE OF ASSEMBLY

launched to communicate to clients the Post Office's future plans in regard to the rendering of postal services which will meet the needs of the total community

- (a) During February, March and April 1993
- (b) (i)

(aa) An advertisement in eight magazines to encourage people to post a letter or a card to a loved one before Valentine's Day. This formed part of a planned campaign to remind people that a written message through the post is still the most lasting form of personal distance communication.

Underlying this approach is to motivate people to send messages by mail for all special occasions and thereby increasing mail volumes

(bb) An advertisement in 15 Sunday and daily newspapers (3 placements) propagating the competitive interest rate of 11% currently paid on investments in savings bank certificates to encourage new investments

(cc) News clock before the 18 00 and 20 00 TV news bulletins promoting visibility of the Post Office

(dd) An advertisement in newspapers countrywide (3 placements) explaining the reasoning behind and benefit for the client of the recently announced tariff increases

(ee) An advertisement in newspapers countrywide (3 placements) as well as a radio information campaign explaining the correct use of the new no face value postage stamp—a new concept in South Africa

(ff) Some six million information pamphlets in six languages to especially rural communities explaining the new concept of

cluster postboxes and printing inputs.

- (b)(ii)
- (aa) R 145 000 (production cost enclosed)
- (bb) R 269 000 (production cost enclosed)
- (cc) R 94 000
- (dd) R 300 000
- (ee) R 450 000
- (ff) R 280 000

R1 538 000

(2) In order to gain greater visibility as a client-oriented company and to promote our image among the public, further information programmes will be launched during the course of the year. Apart from this campaign, information sessions are being held with major clients, consumer bodies and parliamentary and extra-parliamentary groups, while efforts are also being made to obtain positive media coverage and favourable editorial comment on a large scale

Cape Town police station: charges against two persons

*15 Adv J J S PRINSLOO asked the Minister of Law and Order

- (1) Whether any criminal charges were laid at the Cape Town Police Station on or about 4 May 1992 against two persons, whose names have been furnished to the South African Police for the purpose of the Minister's reply, if so, what (a) is the nature of these charges and (b) are the names of the persons concerned,
- (2) whether any action has been taken as a result of these charges, if not, why not, if so, what action;
- (3) whether he will make a statement on the matter?

THE MINISTER OF LAW AND ORDER

- (1) Yes
- (a) and (b)

Contravention of section 54(1)(a) and/or

*17 Mr M J ELLIS asked the Minister for National Health and Welfare

- (1) How many children died of the disease

HOUSE OF ASSEMBLY

54(1)(b)(ii) and/or (iv) of the Internal Security Act, 1982 (Act No 74 of 1982)

Mr Benny Alexander
Contravention of section 54(1)(b) read with 54(2)(b) and 54(2)(k) as well as 54(3)(c)(iv) of the Internal Security Act, 1982 (Act No 74 of 1982)

Mr Jay Naidoo

- (2) No

Upon completion of the investigation, the case dockets were referred to the various Attorneys-General who subsequently refused to prosecute in both cases

- (3) No

Record of Understanding: prisoners released

*16 Adv J J S PRINSLOO asked the Minister of Correctional Services

- Whether, with reference to the reply to Question No 16 on 17 February 1993, he will furnish information on the convictions for which prisoners who have been released in terms of the Record of Understanding were serving prison sentences, if not, why not, if so, what are the relevant details?

THE MINISTER OF CORRECTIONAL SERVICES

No, as already mentioned in my reply in the House of Assembly on 17 February 1993 to Question No 16 for written reply, it is departmental policy not to disclose personal particulars pertaining to individuals. For obvious reasons such as *inter alia* the interests of the released prisoner's family, his reintegration into society, etc it is not considered expedient to publicly disclose the information as requested. However, I would like to repeat my invitation to the hon member that should he be interested in further detailed information (including information on convictions), he is welcome to approach me whereupon I will consider making the information available to him on a personal basis

Haemophilus b: deaths

*17 Mr M J ELLIS asked the Minister for National Health and Welfare

- (1) How many children died of the disease

HOUSE OF ASSEMBLY

(a) (i) Name	(ii) Date of appointment as member of the Appellate Division	(b) Age as at 1 February 1993
J J Hefer	01 07 1984	61 years
E M Grosskopf	01 04 1985	62 years
J W Smalberger	16 12 1985	56 years
H H Nestadt	01 12 1986	60 years
W Vivier	01 12 1986	59 years
A J Milne	01 01 1988	63 years
M E Kumleben	08 03 1988	65 years
J P G Eksteen	01 05 1988	68 years
F H Grosskopf	01 05 1989	61 years
R J Goldstone	01 10 1990	54 years
P M Nienaber	01 10 1990	60 years
The Honourable Miss Justice L van den Heever	01 11 1991	66 years

Illegal strikes: charges/convictions

201 Mr H J BESTER asked the Minister of Justice:

How many workers in each race group were (a) charged with and (b) convicted of illegal strikes and related conduct in 1991 and 1992, respectively? B450E

The MINISTER OF JUSTICE

The required information is not readily available. Moreover, statistics for crimes committed by each race group are no longer kept separately. In an effort to be of assistance to the hon member, the following statistics for the period 1 July 1991 until 30 June 1992 were obtained from the Central Statistical Services

- (a) The total number of persons charged with illegal strikes and related conduct 47
- (b) The total number of persons convicted of illegal strikes and related conduct 39

Attorneys/advocates in civil cases: fees contingent on outcome

205 Mr A J LEON asked the Minister of Justice

- (1) Whether a decision has been taken that fees charged by (a) attorneys and (b) advocates in civil cases may be made con-

HOUSE OF ASSEMBLY

Bar's annual meeting during July 1993 (ii) (aa) and (bb) It is expected that the Bar will, as usual, issue a media statement regarding the matter after its annual meeting. The ALS has already issued a media statement in this regard on 26 March 1992. The system where a special fee arrangement applies can be used by all attorneys and advocates

- (2) No. It is a domestic affair which is dealt with by the Bar and ALS themselves
- (3) A statement is not necessary

Correctional supervision: sentences

214 Mr D J DALLING asked the Minister of Justice:

How many persons were sentenced to a form of correctional supervision in each month during the period 1 April 1992 to 31 January 1993? B131E

The MINISTER OF JUSTICE

1992	1993
April—91	January—416
May—106	
June—122	
July—119	
August—1 007	
September—257	
October—366	
November—489	
December—447	

SAP: private prosecutions

256 Mr H J BESTER asked the Minister of Justice:

(a) How many requests from civilians or their attorneys were received by each of the attorneys-general for certificates of *nolle prosequi* in respect of the institution of private prosecutions against members of the South African Police in 1988, 1989, 1990, 1991 and 1992, respectively, and (b) how many such certificates were issued in each of these years? B598E

The MINISTER OF JUSTICE

Separate statistics regarding the request for the issuing of certificates of *nolle prosequi* in respect of the institution of private prosecutions against members of the South African Police in 1988, 1989, 1990, 1991 and 1992, respectively, and (b) how many such certificates were issued in each of these years? B598E

tions against members of the South African Police are not readily kept by the attorneys-general. However, in an attempt to be of assistance to the hon member, the following available information was obtained from the attorneys-general. According to this it appears that one application was received in Cape Town in 1988, while two applications were received in Johannesburg in 1989 and two applications in Pietermaritzburg during 1992. Certificates of *nolle prosequi* were issued in the cases of Johannesburg and Cape Town. With regard to Pietermaritzburg one application was withdrawn by the applicant and the other application is still being considered.

Transnet: conference centre

274 Mr R V CARLISLE asked the Minister for Public Enterprises

- (1) Whether Transnet commissioned the building of a conference centre at Broederstroum in the Transvaal recently, if so, (a) when, (b) at what cost and (c) for what purpose; if not,
- (2) whether Transnet (a) purchased, (b) hired and/or (c) made use of such centre recently, if so, (i) when, (ii) for what consideration, (iii) for what purpose and (iv) from whom was it purchased, hired or obtained for use,
- (3) whether any consideration in this regard has been paid to a certain company and/or trust, the names of which have been furnished to the Minister's Department for the purpose of his reply, if so, (a) what amount and (b) for what purpose, in each case,
- (4) whether any (a) employees and/or (b) (i) spouses, and/or (ii) other family members of employees had or have any interests in the company and/or trust referred to in paragraph (3), if so, what interests,
- (5) whether he will make a statement on the matter? B632E

The MINISTER FOR PUBLIC ENTERPRISES

Transnet Limited has furnished the following reply to the hon member's question

- (1) No

HOUSE OF ASSEMBLY

drought was largely responsible for the lower surplus on the current account because this led to an increase in imports and a drop in the exports of agricultural products. In turn, leads and lags in foreign payments and receipts contributed to the larger capital outflow. These speculative capital movements were generally related to the appreciation of the USA dollar on international markets and the availability of funds on the domestic market. There were also certain repayments of maturing long term debt while no new loans were negotiated in this period.

(2) No

Capital outflow

*5 Mr J CHIOLÉ asked the Minister of Finance + What was the total net (a) long-term and (b) short-term capital outflow out of the Republic since 1 January 1990 up to the latest specified date for which figures are available?

The MINISTER OF FINANCE B590E

(a) The total outflow of long-term capital amounted to R6,2 billion during the three calendar years 1990 to 1992

(b) The total outflow of short-term capital (including unrecorded transactions on the current as well as the capital account) amounted to R9,3 billion in the corresponding period

Diepkloof Prison: grievances/demands of employees (253)
*6 Mr D J DALLING asked the Minister of Correctional Services

(1) Whether the authorities at Diepkloof Prison were recently handed a memorandum setting out various grievances and containing certain demands by members of the South African Police and a certain civil rights union, the name of which has been furnished to the Minister's Department for the purpose of his reply, if so, (a) when, (b) what specific and/or general (i) grievances were set out, and (ii) demands were contained, in this memorandum and (c) what was his Department's response to this memorandum, (2) whether he or his Department intends taking any steps pursuant to this memorandum, if not, why not, if so, what steps? B628E

The MINISTER OF CORRECTIONAL SERVICES.

(1) Yes

(a) 20 March 1993

(b), (i) and (ii)

A copy of the memorandum is attached for the hon member's convenience

(c) and (2)

The Department has taken note of the standpoints which were raised by the particular organization. In this regard it should be mentioned that in reaction to a letter from the particular organization containing similar standpoints to those contained in the memorandum, an invitation was issued on 18 February 1993 to discuss these standpoints with the Deputy Commissioner: Personnel Services. To date there has been no reaction to this invitation. It should however be categorically stated that this particular organization is not representative of the members of the Department of Correctional Services and consequently cannot be recognized as or act as a mouthpiece for the members of this Department. On the contrary, many members of this Department totally distance themselves from this organization.

It is this Department's policy to have discussions with its personnel in cases where specific grievances have been brought to the attention of management or where members indicate that they have a problem which they would like to discuss. However, the grievances in this memorandum are vague and lack a factual basis with the result that it is not possible to react specifically to

each supposed grievance. In general all managers are continually sensitized to give a hearing to, attend to and resolve the grievances of their members within reasonable limits. With regard to the demands made in the memorandum it should be mentioned that some time ago the Department of Correctional Services took the initiative to evaluate its labour relation arrangements with a view to possible future adaptations to the present systems.

In the normal course of events Departmental policy makes provision for members to have access on a well-ordered basis via the command structure to the highest level—even to the Minister. Furthermore, all members of the department have unrestricted access to the Ombudsman.

I would like to reconfirm the invitation which was extended on 18 February 1993 and request that it be utilized. After such a discussion the Deputy Commissioner concerned will give me a full report whereafter further action will be considered.

POP CRU

Police and Prison Civil Right Union
Polisie en Gevangenis Burgerregte Vereniging
(Established in Nov. 1989)

1st Floor, Office 7 P O Box 260100
Darragh House Excom 2023
Wanderers Street Phone: (011) 294200
Johannesburg 2000 Fax: (011) 294200
20 MARCH 1993

Memorandum to the Commissioner of the Department of Correctional Services

We, the members of POPCRU in the Transvaal Region are very much dissatisfied about the attitude of the Department of Correctional Services whenever we voice our demands. This Department has failed to address our problems from as early as 1990. The Pietermaritzburg issue is a proof of that. Unless this Department addresses our problems satisfactory the conflict-confrontation

will continue to exist. The channels of communications that are imposed on us have been a failure, the workstations have never taken off the ground because they are undemocratic and have been unilaterally formed to serve the interest of the management.

POP CRU is seen by members of both the department of the Correctional Services and Police Department as an adequate structure to address their problems at workplaces. We are informed by our reliable source that you refuse to recognize POPCRU because it is an affiliate of APPLA and that our closeness to Cosatu gives you problems. How misguided are you. We wish to state categorically that we are apolitical and independent. Dismissing us whenever we complain will not deter us. Many other people have paid much regrettable prices for the truth. We therefore demand

(1) Recognition of POPCRU

(2) Unconditional re-instatement of warders dismissed in Pietermaritzburg with immediate effect

(3) 30% increase across the board

(4) Better working conditions

(5) The stopping of victimisation and harassment of POPCRU members

(6) Freedom of Association

(7) Stop unilateral restructuring of the Department

(8) Stop the retrenchment of black POPCRU members in the form of the so-called Board of Inquiries

We expect respond soon
KENNETH MTHOMBENI
REGIONAL SECRETARY
Forward to Peace and Justice!

Complaint in terms of Protection of Information Act

*7 Mr D S PIENNAAR asked the Minister of Justice +

(1) Whether, with reference to the reply by the Minister of Law and Order to Question No 77 on 16 March 1993, the attorney-general concerned has received the docket in respect of the complaint lodged by Mr O J F Hartung in terms of

Gluckman's
findings ⁽²⁵³⁾
challenged
22/4/93

CARLETONVILLE
State pathologist Dr
Phillip Kemp yesterday
disputed independent
pathologist Dr Jonathon
Gluckman's findings in
the post-mortem of West
Rand, African National
Congress Youth League
member Nixon Phiri, 16,
who died in police custo-
dy two years ago.

Dr Kemp told an in-
quest court in Ober-
holzer in the western
Transvaal that Phiri, of
Khutsong township out-
side Carletonville, could
not have died of brain
haemorrhaging associat-
ed with external body in-
juries, as claimed by Dr
Gluckman.

Dr Kemp said he could
not ascertain the cause
of death because "there
was nothing in the post-
mortem which pointed
at a specific cause of
death".

Phiri died on January
16, 1990 during interro-
gation in police custody.
The inquest was post-
poned to May 4 — Sapa

Policemen acquitted of murder

CT 22/4/93

23

JOHANNESBURG — A possible cover-up by South African Defence Force members might have earned two military policemen an acquittal on murder charges, a Rand Supreme Court judge said yesterday as he convicted the two men of assault.

Sergeant-Major Willem Barend Snyman, 32, and Lance-Corporal Johann Heinrich Wilhelm Maree, 27, both of Roodepoort, were found guilty of assaulting Mr Raymond Ndima at the Doornkop military base south of Johannesburg on May 10 1991.

Witnesses saw the two driving Mr Ndima away in a bakkie after the assault. His body was found in a nearby veld five days later.

Mr Justice R van Schalkwyk said the case had been unsatisfactory, and substantial facts about Mr Ndima's death had not been revealed to the court. He said this could have been due to a cover-up by personnel at the military base, or for some other reason.

Snyman and Maree testified they had beaten Mr Ndima because he could not produce identification. The judge said they could have obtained the information without assaulting Mr Ndima.

They assaulted him "out of arrogance and for enjoyment" but this did not prove they had intended to commit murder or grievous assault, the judge said. Although there was a strong suspicion they were guilty of a more serious crime, they were entitled to the benefit of the doubt, he added.

Sentence is expected today — Sapa

Skull dug up at prison

Sowetan
By Mathatha Tsedu
Investigations Editor

23/4/93
253
■ FORENSIC TESTS Bones could be of people

buried long ago at former settlement on the site:

A HUMAN skull was dug up in the Losperfontein Prison outside Brits last month, leading to fears among prisoners that more people may have been buried there

Prison and police spokesmen yesterday confirmed the find but said the bones could be from an old cemetery in the area where the prison is built

Sowetan sources said the bones were dug out on March 26 under the supervision of warden Marks Kekana. The sources, who are prisoners, said the bones belonged to a prisoner killed by the prison authorities

"We are worried because we feel that this can

happen to us too," the source said

Correctional services spokesman Mr Mandla Mathibe said the bones were dug up by a warthog. He said the bones had been taken by police who were conducting an investigation

"It is a farm prison and we believe that it was built on a former settlement of black people. The bones are believed to be of those who resided at the site prior to the erection of the prison in 1974," Mathibe said

There is no indication of where the rest of the skeleton is

A request by *Sowetan* to visit the area and

253
speak to prisoners had not been acceded to at the time of going to press

SAP Northern Transvaal spokesman Lieutenant Irvan Johnson said the bones had been sent for forensic tests and results would only be available in four weeks

He said the bones had been "brittle", which meant they had been buried for a long time. Further investigations would depend on the results of forensic tests

The discovery of the bones came only eight days after a similar find at the Messina police station

Prisons review falls short of the mark

HERE is no South African study like Lanebaugh's *The London Hanged, Crime And Civil Society* in the 18th century or Robert Hughes' *The Fatal Shore* which chronicles our prisons. There are only the flashes to be found in Bosman's *Cold Stone Jug*, Levin's *Bandit* and Brevien Breytenbach's *Confessions of a White Albino Terrorist*.

With *South African Prison Law and Practice* (Butterworths 1992, hardcover is R180,12, softcover is R151,62), Dirk van Zyl Smit (a leading South African criminologist), however, gives us for the first time a carefully researched if synoptic

history of our own rites of passage through dungeon, convict station, Breakwater, prison farm system (so memorably recorded in *Drum*) and current "prison commands". His account of prison reform in South Africa is

particularly illuminating. In 1943 Margaret Ballinger and Jack Simons warned against "the militarist character of prison management". So did Judge FET Kruse, Alan Paton, Julius Levin and Reverend HP Junod. Has much changed? True, since 1990 visitors to Pretoria Maximum are benumbed by the lettering in Potgieter Street ("correctional services"), but the department is

still run by brigadiers and generals. Just last week, delivering judgment in the Hofmeyr appeal, the Appellate Division echoed on the facts of that matter (the illegal holding of a detainee in solitary confinement) the observation

delivered in that court by Judge Innes a full 82 years ago: "The present case shows that the desire to fall in with the views of the police may sometimes prevail over a due regard for the rights of the accused."

From this promising beginning to the book Van Zyl Smit proceeds, however, to offer what are termed "systematic perspectives". The postulate is that "prison law" exists, and can be further developed "as a separate body of law of specific relevance to prisoners and the administration of prisons". The result is an inconclusive wrestling with student textbook definitions of public law, constitutional law and "finding the South Africa Constitution".

The "perspective" so afforded is diffuse, it is not "systematic" even in the specialised sense of the seminar room. The pity is that in this process there is no real analysis. There is a scattered dabbling in judicial dicta, the important decisions in the field are touched upon here and there in a scattered way.

Had Van Zyl Smit begun with a consideration of the common law rights every person brings to the doors of the prison, and proceeded then to examine the lawful attenuation of those rights by the different prison regimes created by a variety of statutes (those relating to detainees, awaiting trial prisoners, the convicted, and special categories of prisoners) he could hardly have accepted what he terms the "deep embedding" of the distinctions some judgments have drawn between "rights" and supposed "privileges". Eclectic references to some English cases do not assist. The result is not legal analysis and it is not helpful.

What follows these "systematic perspectives" is a third section of the work: a detailed compilational account of statutory provisions regulating the lives of prisoners. It is in this and the historical introduction that the value of the book lies.

Otherwise it disappoints. The book (written in what is described as a "long process") also lacks editing, or apparently even a critical rereading. Stylistic quiddities abound. Thus Police and Prisons Civil Rights Union members — of whom the writer says he is an admirer — are said with an enviable agility both to "(struggle)" for survival and "to maintain their foothold" in consecutive sentences. We read of "sexual and other goods and services".

A singular noun is followed by a verb in plural form. There is an irritating and inconsistent economy in the use of quotation marks. There are sloppily statements prison authorities, obliged to acknowledge the reality of prison gangs, "are not able to exercise absolute power". South African constitutional law is said to be "so poorly articulated". What can these statements mean, in language or in law? Perhaps this is what WH Auden had in mind when he warned: "Thou shalt not sit with a statistician / Nor commit a social science".

Alj Gauntlett, SC, has defended many prisoners law cases

Max cleans up the streets

By CARMEL RICKARD

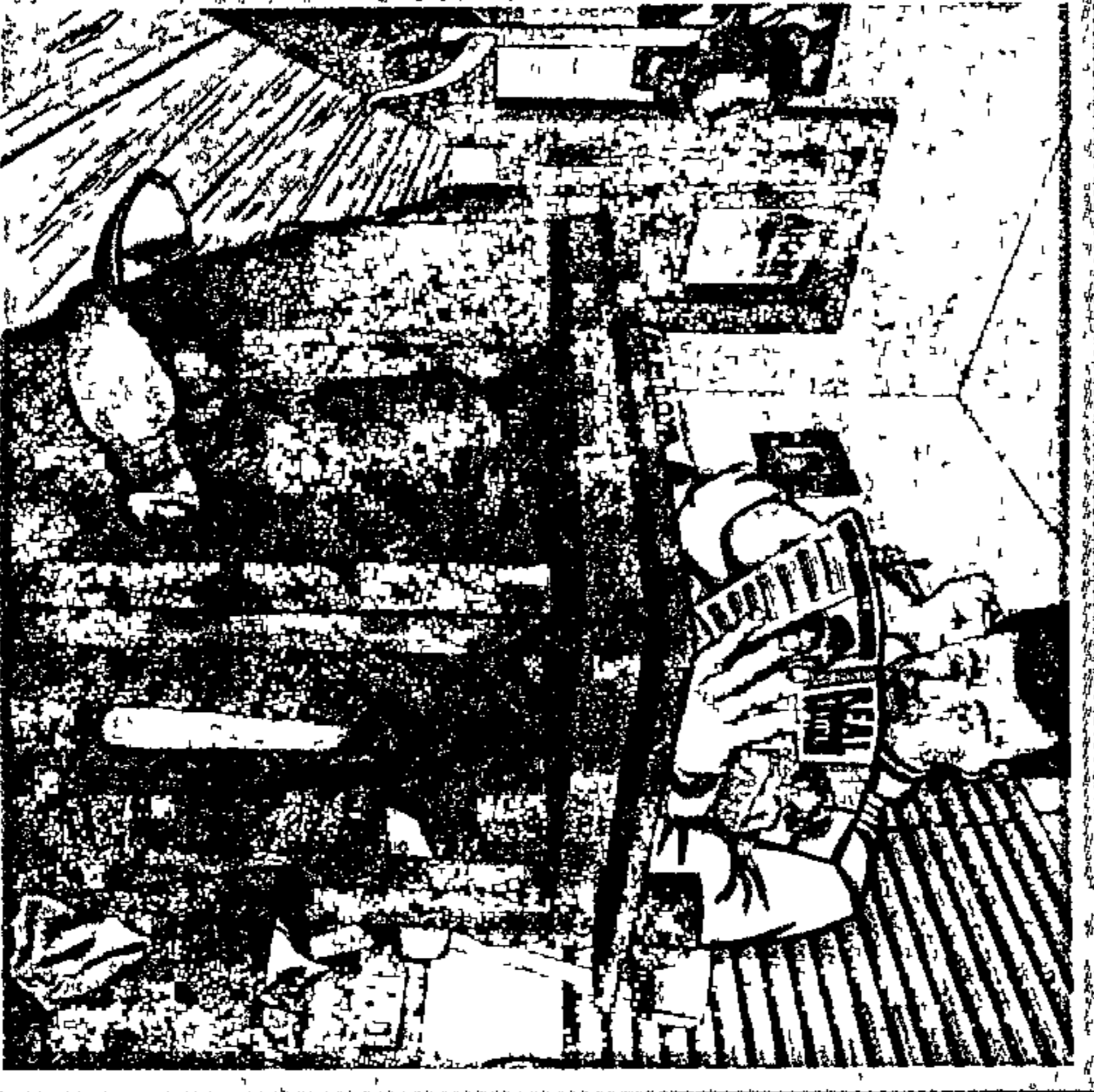
HANDS sunk deep into the pockets of his trench coat, steady eyes peering from beneath the rim of his hat as he strides through the maddening world of Durban's infamous Casha area, the enigmatic 'Lackboy' is back. This time he's on the trail of a young hoodlum who can answer crucial questions surrounding the shooting of two township rangers by a trigger-happy security guard.

Max is an elusive dude. Not much is known about him, yet his reputation extends far beyond his home town. No one knows how many disputes he's settled out of court, how many potential conflicts he's defused, how many people he's helped. His reported cases are few, but wherever people are caught in the stranglehold of a legal system that they don't understand, their thoughts turn to the image of a brilliant and young street lawyer capable of hacking through the tangle of red tape and corruption to help them.

People say he was a brilliant law student who should have taken his pick of the top law firms, all of whom are looking for talented young black lawyers. Instead, he chose to locate his office in the dingiest part of town and concentrate his practice on the needs of a clientele incapable of ever remunerating him adequately for his services. From this base he routes the allegiances of the inner city and the dusty township streets, tirelessly handling an exhausting workload of cases, often at great personal risk.

Max's first public appearance was in a *Street Law* comic strip in 1989, in a convoluted and ventriloquist-like beautiful woman caught in a fatal 1991 YVZ Zulu drama series, with Vincent 'Fakelard' in the lead role. He resurfaced again last year, in the pilot issue of a new youth magazine, *Real Time*, where he stepped in to mediate a rift between warring members of a rural tribal community torn apart by violence.

Now he's about to hit the streets again, in a full-colour comic strip in the pages of *Real Time*, due for release next month. The quarterly mag-



Street lawyer Max Mboya in *Real Time*.

azine, aimed at young adults, will feature a mix of politics, law, human rights, ecology, culture, gender, sex and Aids education.

The magazine, to be published by the recently formed Natal Youth Publishing Project (NYPP), aims to provide a vehicle for young people to air their views and develop their talents — most of the contents are written and illustrated by youths from the townships and suburbs. *Real Time* will be published in both English and Zulu editions and will cost R3,00. Distribution will be 4000.

Graphics: © TREVIN PUBLICATIONS 1993

both formal and informal and project members who distribute the magazine earn R1,00 per copy sold. The project also pays good money for articles or pictures published, and is on the lookout for hot young photographers in the Durban area. Anyone between 16 and 30 can join the project. For further information, contact NYPP project co-ordinator Gladman Nkomo on (031) 21-6086 or write to him at P.O. Box 3158 Durban.

'Fantastic' escape raises fears

By MONWABISI
NOMADOLO

253

THREE alleged ANC robbers who escaped from Diepkloof Prison under mysterious circumstances after smearing Chris Hanu in court are still missing amid fears that they might be dead. On the day he escaped, Simphiwe Solomon Mqanqeni made sensational claims in the Rand Supreme Court that the assassinated SACP and ANC leader, Chris Hanu, and ANC PWC chief Tokyo Sexwale, master-minded two armed robberies which left three dead and netted almost R1-million.

Mqanqeni's co-accused are Daniel Motaung, originally from Lesotho, and Phuthumile "T-man" William Makhosi, from the Transkei. All stayed in Phola Park, on the East Rand.

Government critics, meanwhile, claim the



WAITING ... Wife Portia Mlonyane.

case bears all the hallmarks of covert police meddling. They suggest the robbers - having sung their anti-Hanu song in court - went the same way as "disappeared" detainee and Mamelodi activist, Stanza Bopape.

Nothing has been heard of the three since their alleged breakout from the top-security prison with 13 others on March 26. Police say they have re-arrested three of

the 13. *CIPress* 25/4/93
Police said they were returning the 13 awaiting trial prisoners to the prison when the group had overpowered two armed policemen and warders inside the prison grounds.

The group had driven off in the police vehicle leaving the officers behind largely unscathed.

But, say critics, why did these officers not raise the alarm as the vehicle drove out the guarded gates?

A week before his assassination, Hanu expressed concern for the safety of the three escaped men - all members of Phola Park's Self-Defence Unit and not MK.

Hanu said: "Did he (Mqanqeni) disappear? Was he quietly eliminated. He should have been placed under heavy guard after making such allegations."

Portia Mlonyane, 23,

Mqanqeni's wife and mother of his two children, slammed the police story.

She said: "Police never informed me that my husband had escaped. I found out from his lawyer two weeks afterwards."

"If the police were really serious about re-arresting him they would have visited or questioned me. My address is in their registers."

Her main fear, however, is that Mqanqeni has not sent her a message since the breakout. The two kept in close contact while he was in prison.

Police spokesman W/O Andy Pieke denied that police had the men's addresses.

He said investigations were continuing.

Two days after Mqanqeni's claims in court, Law and Order Minister Hennis Kriel used parliament to attack MK as a "bunch of criminals".

Man found dead in cell

JOHANNESBURG. — A man, arrested for drunkenness, was found dead in a police cell in the East Rand town of Springs yesterday morning, police spokesman Major Ida van Zweel disclosed. (253)

A post-mortem will be conducted soon on Mr Johannes Moroko, 47, of no fixed address, Major van Zweel said.

Mr Moroko was arrested on Saturday night, and was found dead at 6 15am yesterday — Sapa

ET 26/4/93

Man dies in police cell

■ Post-mortem to be conducted: 253

Sowetan 26/4/93
A MAN arrested for drunkenness was found dead in a police cell in Springs yesterday morning, police spokesman Major Ida van Zweel disclosed.

Van Zweel said Mr Johannes Moroko (47), of no fixed address, was arrested on Saturday night. He was found dead in his cell at 6.15 yesterday morning.

A post-mortem will be conducted soon.

In another incident on the East Rand, members of the Internal Stability Unit yesterday morning found the body of Constable YN Masaeu in KwaThema, outside Springs, with a bullet wound in the head.

Police are investigating both incidents — *Sapa*

17. 11. 1993

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OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Regulation Gazette
Regulasiekoerant
No. 5070



Vol. 335

PRETORIA, 1 MAY 1993
MEI

No. 14766

PROCLAMATION

by the
State President
of the Republic of South Africa

No. R. 37, 1993

253

CORRECTIONAL SERVICES AND SUPERVISION
MATTERS AMENDMENT ACT, 1991 (ACT No 122
OF 1991)

Under section 50 of the Correctional Services and
Supervision Matters Amendment Act, 1991 (Act No
122 of 1991), I hereby fix **1 May 1993** as the date on
which—

- (a) sections 38, 41 (b), 45 and 47 of the said Act
(hereinafter referred to as the Amendment
Act),
- (b) section 41 (a) of the Amendment Act, in so far
as it adds paragraph (h) to section 276 (1) of the
Criminal Procedure Act, 1977 (Act No 51 of
1977), and
- (c) section 42 of the Amendment Act, in so far as it
inserts section 276A (1) in the Criminal Proce-
dure Act, 1977,

shall come into operation in respect of the areas of the
Magisterial Districts of Bredasdorp, Heidelberg (C), Herma-
nus, Middelburg (C), Molteno, Newcastle, Paulpieters-
burg, Riversdale, Steynsburg, Swellendam,
Utrecht, Volksrust and Vryheid

Given under my Hand and the Seal of the Republic
of South Africa at Cape Town this Twenty-ninth day of
April, One thousand Nine hundred and Ninety-three

F. W. DE KLERK,
State President

By Order of the State President-in-Cabinet

H. J. COETSEE,
Minister of the Cabinet.

PROKLAMASIE

van die
Staatspresident
van die Republiek van Suid-Afrika

No. R. 37, 1993

WYSIGINGSWET OP AANGELEENTHEDE
RAKENDE KORREKTIEWE DIENSTE EN TOESIG,
1991 (WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aange-
leenthede rakende Korrektiewe Dienste en Toesig,
1991 (Wet No 122 van 1991), bepaal ek hierby **1 Mei
1993** as die datum waarop—

- (a) artikels 38, 41 (b), 45 en 47 van genoemde Wet
(hieronder die Wysigingswet genoem),
- (b) artikel 41 (a) van die Wysigingswet, in soverre
dit paragraaf (h) by artikel 276 (1) van die Straf-
proseswet, 1977 (Wet No 51 van 1977), voeg,
en
- (c) artikel 42 van die Wysigingswet, in soverre dit
artikel 276A (1) in die Strafproseswet, 1977,
invoeg,

in werking tree ten opsigte van die gebiede van die
landdrosdistrikte Bredasdorp, Heidelberg (K), Herma-
nus, Middelburg (K), Molteno, Newcastle, Paulpieters-
burg, Riversdal, Steynsburg, Swellendam, Utrecht,
Volksrust en Vryheid

Gegee onder my Hand en die Seel van die Repu-
blik van Suid-Afrika te Kaapstad, op hede die Nege-
en-twintigste dag van April Eenduisend Negehoederd
Drie-en-negentig

F. W. DE KLERK,
Staatspresident

Op las van die Staatspresident-in-Kabinet

H. J. COETSEE,
Minister van die Kabinet

CONTENTS			INHOUD				
<i>No</i>		<i>Page No</i>	<i>Gazette No</i>	<i>No</i>		<i>Bladsy No</i>	<i>Koerant No</i>
	PROCLAMATION				PROKLAMASIE		
R 37	Correctional Services and Supervision Matters Amendment Act (122/1991) Commencement of certain sections	1	14766	R 37	Wysigingswet op Aangeleenthede ra- kende Korrekte Dienste en Toesig (122/1991) Inwerkingtreding van sekere artikels	1	14766

Claims of kids held in jail cells

5 Times [C. Metro]

215193

By NAZEEM HOWA

DESPITE moves last year by authorities to ensure that children awaiting trial are held at places of safety rather than in jail cells, juveniles are still often being detained at police stations, a legal researcher claims.

Michelle Morris warns that the present situation will continue unless there is a complete overhaul of the justice system.

Ms Morris said "While the law stipulates that juveniles under the age of 18 may not be held with adults, an exception allows for children to be held in cells if no alternative place can be found."

Police claim that juveniles in custody never share cells with adults. According to Ms Morris, the authorities have started to improve the conditions under which children are held at Pollsmoor prison.

"Additional staff have been appointed to the juvenile section which has been moved away from the main building."

These changes came about after an intensive campaign by several children's rights advocacy groups and the Community Law Centre at the University of the Western Cape.

The campaign also resulted in the government releasing all children under the age of 14 who were awaiting trial before Christmas last year from prison.

But, according to Ms Morris, these changes have only addressed half the problem.



JUVENILE ARREST Police in Cape Town after they arrested and handcuffed young boy suspected of theft. Picture BENNY GOODMAN

(253)

"From the moment of arrest until just before their first court appearance, children follow virtually the same judicial process as adult awaiting trial prisoners. In fact, children are slightly worse off in that the Legal Aid Board doesn't prioritise their cases as the charges are normally for petty offences like shoplifting or loitering," she said.

She said research showed that both children and parents were usually unaware of their legal rights and rarely had legal representation.

In an attempt to en

sure that children awaiting trial spend as little time as possible behind bars, the Community Law Centre at the University of the Western Cape — with the assistance and support of Nicro and the attorney-general's office in Cape Town — has launched a youth advocates project which attempts to increase the scope of legal and social services for children at risk or in trouble with the law.

"Final-year law students visit each of five Magistrate's Courts in greater Cape Town regularly to offer assistance to children in the holding cells."

Ms Morris said stu

dents found between 15 and 20 children daily in holding cells at the Cape Town and Mitchell's Plain Magistrate's courts, while between five and six children were found in cells at the smaller courts.

Once a child offence has been identified, the students try to establish whether the parents have been contacted or whether they need legal assistance.

"After the initial interview the student will meet with the senior state prosecutor to discuss the case."

"For some of the more serious charges we will negotiate a postponement until we have managed to engage legal assistance for the child," said Miss Morris.

While last year's campaign has resulted in some gains for children's rights advocacy groups who now have access to children being held at Pollsmoor, children being held at police stations are still a major concern.

"To see a child being held at a police station you must be a lawyer and you must have the child's name," Miss Morris said.

Another initiative in the Western Cape has seen several children's rights advocacy groups propose that a police liaison officer for juveniles be appointed.

Police liaison officer Captain Cliska du Plessis said in terms of the Prisons Act no juvenile under 18 may be detained in a police lockup with adults.

Where a bed is home

LONG hidden from public view, hostels for migrant labourers in the Transvaal have in recent times gained notoriety as theatres of violence.

But because the bloodshed was largely restricted to areas north of the Vaal River, migrant labour hostels at Nyanga, Guguletu and Langa have not really attracted much public attention.

Now a new book by UCT deputy vice-chancellor Dr Mamphela Ramphele offers a unique insight into Cape Town hostels.

Due to be launched on May 4, A Bed Called Home documents the lives of the hostel-dwellers of Cape Town, for whom a bed is literally a home for both themselves and their families.

"A major concern I've tried to share with readers is the fact that the migrant labour system may be off the statute books, but that does not mean the hostels are going to disappear

Unless organisations like the National Housing Forum take firm and strong action immediately, people will continue to live in those conditions for a long time to come."

The book is based on research Dr Ramphele did for her PhD which was awarded by UCT in 1991.

She undertook the research in an attempt to discover how people made sense of living under very severe constraints.

Dr Ramphele said "There is a lot of resilience out there. People have managed to lead meaningful lives, but those who were successful have paid personal and social costs for being confined to such limited physical space."

"When people think of hostels they seem to forget that there are many decent humans beings living there who have managed to keep their humanity and dignity in spite of the indignity they have been subjected to," she said.

Prisoner, 21, knifed in cell

By AYESHA ISMAIL

A 21-YEAR-OLD prisoner is being treated in a Cape Town hospital after he was stabbed several times in a holding cell at Pollsmoor Prison by two convicted murderers due to be sentenced for the killing of a fellow prisoner

Department of Correctional Services spokesman Lieutenant-Colonel Barry Eksteen said the incident took place around 7 30am in the holding cell at the prison

He said the victim, Keith Moss who was already serving a sentence and was due to appear in court on charges of fraud and theft, was in a cell at Pollsmoor with 21 other prisoners, waiting to be transported to court

"Keith Moss was stabbed in the neck and chest by two prisoners with pocket knives," Col Eksteen said. Prison warders intervened and Moss was taken to the prison hospital where he received emergency treatment

SI Times (C/Metro) 215193

After the stabbing, Moss was rushed to the Victoria Hospital where he was admitted to the Intensive Care Unit, Col Eksteen said

Moss was released from the ICU on Thursday and is in a stable condition in the hospital

Moss' alleged attackers were due to be sentenced on Wednesday in the Supreme Court after earlier being found guilty of killing a fellow prisoner

Both have previous convictions which include manslaughter, escaping from prison, and assault

Col Eksteen said the matter was being investigated internally and by the South African Police

He said the motive for the attack was unknown, adding that he was not in a position to explain why the alleged attackers had knives in their possession

A source at the prison said this week that the alleged attackers faced the death sentence or else a lengthy prison sentence and would probably have been transferred to another prison

"To prevent being transferred, they committed this crime in order to prolong their stay at Pollsmoor", the source claimed

He said senior officials at the prison were warned by warders on Tuesday that "something of this kind" would happen

Col Eksteen said the head of the prison and senior prison officials denied that they were informed about the possible incident

Death in custody

Sowetan 4/5/93

AN Eastern Transvaal woman died in police custody on Friday, regional commissioner of police Major General CL Smith said yesterday.

(253)

Ms Sellinah Tsotetsi, of the farm Hartbeeskul Val, was detained in terms of the Mental Disorders Act.

She was detained alone and was

Sowetan 4/5/93

found dead at 9pm on Friday, Smith said. She died of natural causes and foul play was not suspected, he said.

Reincorporation 'is not an option'

MARIANNE MERTEN
BOP HUTTHATSWANA's reincorporation into SA was not a viable option if the homeland's pension fund benefits could not be guaranteed by a future SA government.

Addressing a meeting in Mmabatho on the current position of the government pension fund yesterday, Bophuthatswana Manpower Minister the Rev Simon Seodi said it was clear that there would be little or no control over Bophuthatswana's Sefalana Employee Benefit Organisation (Sebo), if it was merged with the SA pension fund. **6/10/91 4/5793**

The SA scheme was in deficit because it had lent about R40m to government and it was uncertain when the money would be repaid, he said. It was obvious that funds from Sebo — which had built up a surplus of about R84,1m according to the latest actuary reports — would be used to make up the deficit, Seodi said. Sebo had given "every Bophuthatswana citizen a very real stake in the country" because contributions were invested and people were able "to see the results". Sebo had started with assets worth R600m which had increased to about R3bn.

Govt reviewing releases of political prisoners

CAPE TOWN — Government was reviewing all the political releases which had taken place over the past three years, Correctional Services Minister Adrian Vlok said in Parliament yesterday.

Vlok was introducing the debate on the Correctional Services Amendment Bill, which provided for the arrest of prisoners released in error. "There will not be a second (Lucky) Malaza. We're doing everything in our ability to make sure this does not happen again. If it does, we will have to set it right," he said.

The legislation could affect at least one prematurely released prisoner. Malaza, who is currently being held in Bophuthatswana after allegedly being involved in a bank robbery. Vlok said that in spite of the more than 10 000 releases processed by his department a month, only a few mistakes had been made.

The legislation also provided that prisoners would serve their entire term of imprisonment, in one form or another. Prisoners who were not suitable candidates to serve portions of their

sentences in the community would be kept behind bars for the full duration of their sentences, Vlok said. "We are convinced that this policy will be crime preventative and we believe that it will serve as an important deterrent."

The legislation also proposed a new disciplinary system, which Vlok said would bring SA into line with international practice. This was scrapping corporal and dietary punishments, and instead awarding or withdrawing privileges.

W A Botha (CP Uitenhage) said his party would support the Bill if it would help bring reduce SA's high crime figures. He said the CP had warned government against political releases of ANC and PAC prisoners.

DP MP Tony Leon said although the DP supported the Bill, it was ironic that while the Correctional Services Department was scrapping corporal punishment, it was not ruled out in the Justice Department's proposed Bill of Rights.

TIM COHEN

Reconciling economic and political demands

DURBAN — A major dilemma confronting African countries was to reconcile the demands of economic and political liberalisation simultaneously, Small Business Development Corporation MD Ben Vosloo said yesterday.

Addressing the International Council for Small Business Southern Africa, Vosloo said in practice this meant reducing the role of the state in the economy while at the same time increasing the role of the people in the political process.

This had to be done without succumbing to unrealistic expectations and rampant populism. "Successful Pacific Rim countries pursued economic growth before they started to pay proper attention to political democratisation," Vosloo said.

Many African countries, in contrast, unsuccessfully followed Kwame Nkrumah's example in Ghana by opting for the primacy of politics. "The simple truth is that a stable, free and responsible political system can only be built upon the foundations of a sound and productive economic substructure."

Small Industries Development Bank of India GM G K Saxena told the conference that efforts by the Indian government and institutions had enabled the small scale sector to develop as an important part of India's economy.

The sector now accounted for as much as 80% of employment and 61% of total value of industrial production in the manufacturing sector, Saxena said. It also contributed 57% to India's 1990/91 exports. — Sapa.

ETA 2 DEAL

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relooking for an ce company that ery reasonable ms AND one that s claims promptly, nd courteously, is only one



LOVELY LISA ... Motor rally fans at the Cape Showgrounds in Goodwood had something else to enthuse about last night when finalists in the Miss Cape Motor Show vied for the crown, won by local lovely Lisa Allen. With Lisa are second princess Maricka Jurgens (left) and third princess Annemarie Jordaan.

Picture: ALAN TAYLOR

AWB march on Pretoria

THE AWB and two white unions will march on Pretoria's Union Buildings to protest against the unjust handing over of the country to communism. AWB leader Mr. Eugene Terre'Blanche told a packed city hall last night.

He said the AWB was in the Cape to recruit "rebels" for a "bloody" and "ruinous" resistance war to protect the rights of Afrikaners. "President F W De Klerk is stealing what belongs to us at the (negotiation) table."

Mr Terre'Blanche repeated that he would have shot Mr Chris Hanlon to protect his "yokk".

BUSINESS BRIEF
Gold (Ldn close) N/A

Unanimous support for tough weapons bill

All parties in parliament yesterday backed the five-year minimum jail term for the illegal possession of machineguns, grenades, limpet mines and similar weapons.

The unanimous support for the Arms and Ammunition Amendment Bill yesterday follows in the wake of the weekend East London Highgate Hotel attack.

The Deputy Minister of Law and Order, Mr Gert Myburgh, said last year 495 people were killed and 574 injured with illegal weapons.



WAITING GAME Teachers wait impatiently for Mr Pieter Saaiman, Minister of Education and Culture, to appear at the gates of Tuynhuys to accept memoranda from them protesting against the department's rationalisation plans. **Report** — Page 5

Vlok looks at political releases

THE Department of Correctional Services was reviewing all political releases that had taken place since February 2, 1990, Correctional Services Minister Mr Adriaan Vlok said yesterday.

Introducing debate on the Correctional Services Amendment Bill, he said that if there were other cases of incorrect releases, they would be dealt with under the re-arrest procedure proposed in the measure.

Existing legislation did not provide for re-incarceration of a person released in error.

The department's normal release policy had been free of mistakes, despite the fact it dealt with about 10,000 releases a month, he said.

However, after February 2, this policy had to be "interfered" with, and in this process "a few mistakes" including the premature release of bank robber Lucky Maza, had been made, he said.

— Sapa

● See Notes in the House — Page 7

PHOTO OF 251 INQUIRY REPORT

Star 4/5/93

Rethink on prisoners

By Chris Whitfield
Political Correspondent

253

CAPE TOWN — The release of every political prisoner since February 2 1990 was being re-evaluated with a view to arresting those incorrectly freed, Correctional Services Minister Adriaan Vlok disclosed yesterday.

He was introducing debate on the Correctional Services Bill, which includes the so-called "Lucky Malaza clause" in terms of which a person released in error could be reincarcerated.

Vlok said the department's release policy had been free of error but dramatic chan-

ges in the political situation had influenced it.

"Certain interferences into this policy had to be made in the national interest of our country as a whole," he said.

In this process a "few mistakes" had been made, including the release of convicted murderer Malaza and others.

It had been reported that 12 criminals were freed in September's release of political prisoners.

The Bill also provides for a new release policy, in terms of which all prisoners would serve their full sentences in one form or another. "Prisoners who are

not suitable to serve a portion of their sentences in the community will be kept behind bars for the full duration of their sentences."

The Bill also scraps corporal and dietary punishment of prisoners because "a prisoner's behaviour can be controlled more effectively by the awarding or withdrawing of privileges and concessions," Vlok said.

Democratic Party MP for Houghton Tony Leon said the Bill reflected a "new spirit of enlightenment", but this was not shared by the Department of Justice for which whipping was still an appropriate court sentence.

Bill not lucky for some *Sowetoensis*

By Ismail Lagardien
Political Correspondent

■ **Rightwinger, bank robber could go back inside:**

LUCKY Malaza and Barend Strydom could return to jail when the Correctional Services Bill tabled in Parliament yesterday is passed — probably within weeks.

(253)
Introducing the bill in Parliament yesterday, Minister of Correctional Services Mr Adrian Vlok said the Government was considering re-arresting certain criminals who had been released since February 2 1990.

The bill contains what has become known as "the Lucky Malaza clause", in terms of which any person released in error could be re-arrested.

Vlok said the Department of Correc-

tional Services' early release programmes had been relatively faultless but "a few mistakes" had crept in.

Government sources said yesterday certain prisoners who were released after the Record of Understanding of September last year could be re-arrested.

This could include Strydom, "especially because of his latest remarks".

Strydom has stated that he had no regrets and that he would kill again.

The Correctional Services Bill also provides for new early release programmes in terms of which alternatives could be sought for completing sentences outside prison.

ment decision When the matter was brought to my attention, it was felt that it certainly fell within the bounds of an ambassador's powers to take such a decision in respect of the embassy Moreover, when I was consulted after Dr Treurnicht's death, it was also my standpoint that while the State would handle it in terms of the convention, there would certainly not be any objection if particular city councils were to feel that they wished to do so on account of their autonomy in respect of those particular premises.

Ministers

Press freedom

*1 Mr P G SOAL asked the Minister of Law and Order Whether, with reference to the reply by the then Minister of Home Affairs to question No 7 on 18 March 1992 regarding legislation allegedly detracting from the free flow of information and restricting the Press from reporting, any steps have been taken or are being contemplated in respect of the repeal or partial repeal of certain Acts, particulars of which have been furnished to the South African Police for the purpose of the Minister's reply, if not, why not, if so, (a) (i) what steps and (ii) when and (b) what are the names of the Acts in question? B694E

The MINISTER OF LAW AND ORDER.

No

Of the various Acts referred to by the hon member, the reference to the Police Act, 1958 (Act No 7 of 1958) is applicable to the South African Police Section 27A of the Police Act is at issue here The provisions of this section aim to protect the interests of the accused as well as the interests of the State The unauthorized publication of any sketch or photograph of an accused before a trial has been commenced with may be prejudicial to the interests of an accused with respect to an identification parade Furthermore, the unauthorized publication of any sketch or photograph of a State witness may cause intimidation of such person's family and eventually prejudice the State's case Viewed against this background it is not this Department's intention to repeal section 27A at this stage

(a) (i), (ii) and (b) Fall away

HOUSE OF ASSEMBLY

*2 Mr A GERBER — National Education [Question standing over]

*3 Mr A GERBER — National Education [Transferred to Own Affairs (for 12 May 1993)]

NEC: education forum

*4 Mr R M BURROWS asked the Minister of National Education.

- (1) Whether officials from his Department had any meetings with representatives of the National Education Conference to discuss an education forum, if so, (a) when did these meetings take place and (b) what was the outcome of the meetings,
- (2) whether he will make a statement on the matter? B729E

The MINISTER OF NATIONAL EDUCATION.

(1) Yes

(a) On 18 January 1993

(b) While there is consensus concerning the need for consultation and the participation in the process of education reform of a broad spectrum of stakeholders, no agreement was reached concerning the nature of and mechanism for this consultation and participation

(2) No

Mr R M BURROWS: Mr Chairman, arising from the hon the Minister's reply, is it not true that a meeting also took place on 1 April? Further to that, I wonder whether the hon the Minister would give an indication as to whether he would express a commitment to establishing an education forum on as inclusive a basis as possible

The MINISTER: Mr Chairman, the meeting that took place on 1 April was one between the NEC and me, not officials of the Department It was a meeting in which I took part personally With regard to the second part of the hon member's follow-up question, I want to reply that all I want him to do is to exercise a little more patience, perhaps only a few hours, and he will be able to read of my commitment in the newspapers

Mr R M BURROWS Mr Chairman, further arising from the hon the Minister's reply, I would like to know, with regard to the date of 18 January which he indicated, whether it is not correct that there were other meetings of officials of his Department and members of the NEC before that date with regard to this particular matter of an education forum

The MINISTER Mr Chairman, to the best of my knowledge that was the only meeting that took place between officials of my Department and the NEC All the other meetings took place between me and the NEC

Traditional healers

*5 Mr M J ELLIS asked the Minister for National Health and Welfare

- (1) Whether, with reference to the reply to Question No 1 on 27 May 1992, she has given further consideration to including traditional healers in the restructuring of the health-care system, if not, why not; if so, what are the relevant particulars,
- (2) whether she will make a statement on the matter? B730E

The MINISTER FOR NATIONAL HEALTH AND WELFARE

(1) Yes, co-operation has taken place for some time at grassroots level with regard to primary health care The Interim Committee as well as the Traditional Healers' Council, the latter being a body which continued the activities of the Interim Committee, is now in a position to negotiate with the Department of National Health and Population Development. The proposed agenda includes a discussion of an organisational structure for the control of traditional healers;

(2) no.

Aids unit restructured

*6 Mr M J ELLIS asked the Minister for National Health and Welfare.

- (1) Whether the Aids unit run by her Department had to be restructured in 1992, if so, (a) why and (b) (i) how was this unit restructured and (ii) what was the total cost of this restructuring,

- (2) whether the matter has been resolved, if not, why not, if so, to what extent,
- (3) whether she will make a statement on the matter? B731E

The MINISTER FOR NATIONAL HEALTH AND WELFARE

(1) Yes,

(a) to bring it into line with the principles suggested by the World Health Organisation, namely that a network of organisations be established to function together as one comprehensive Aids prevention programme and

(b) (i) five functional sections have been implemented, namely

Aids support, marketing, training and education; research, and administrative services and

(ii) none;

(2) yes, it is indicative of a shift away from a specialist unit situated at Head Office to an expansion which includes the departmental regional offices, the Aids training and information centres, as well as other role-players,

(3) no

Press freedom

*7. Mr P G SOAL asked the Minister of Correctional Services: Whether, with reference to the reply by the then Minister of Home Affairs to Question No 7 on 18 March 1992 regarding legislation allegedly detracting from the free flow of information and restricting the Press from reporting, any steps have been taken or are being contemplated in respect of the repeal of section 44 (1) (e) and (g) of the Correctional Services Act, 1959 (Act No 8 of 1959), if not, who not, if so, (a) what steps and (b) when? B733E

The MINISTER OF CORRECTIONAL SERVICES

Sections 44 (1) (e) and (g) of the Correctional Services Act, 1959 (Act 8 of 1959) are

HOUSE OF ASSEMBLY

not aimed at generally limiting reporting in the media and are not unqualifyingly prohibitive Section 44 (1) (f) of the Correctional Services Act, 1959, which the media experienced as limiting, was already scrapped during 1992. I would like to state clearly that my Department follows an open policy and that the media is at liberty to report on any matters pertaining to Correctional Services.

For the hon Member's convenience I would like to briefly elucidate the purposes of sections 44 (1) (e) and (g) respectively.

Section 44 (1) (e), in the first place, is mainly aimed at the security of prisons. The hon member will concede that the safe detention of prisoners is primarily in the interests of the community. As sketches and photographs of prisons could be utilized to facilitate the freeing or escape of prisoners, it is therefore essential, in the interests of the community, to exercise a degree of control in this regard. There is no objection to the publication of photographs for purposes of, *inter alia*, documenting the aesthetical or historical aspects of prisons and such approval is granted regularly.

In the second place, section 44 (1) (e) is also, *inter alia*, aimed at protecting a prisoner and his family from adverse exposure. In this regard it is important to note that the publication of photographs and sketches of prisoners is not limited within the first 30 days after conviction. The same applies in respect of photographs and sketches of a prisoner or group of prisoners appearing as accused at a court building, or on premises adjacent to a court and used in relation thereto. The purpose is that at this stage justice must be seen to be following its normal course.

After a prisoner has been found guilty of a crime and justice is seen to have followed its normal course, the rehabilitation objective of imprisonment comes to the fore. The continued publishing of photographs may be contrary to the objectives of rehabilitation and could eventually have an effect on the prisoner's reintegration when he returns to society. It is also in the interests of the family of the prisoner to avoid unnecessary exposure to embarrassment which could result from the continued publication of such photographs or sketches.

- (3) whether any arrests have been made in the Turner case, if not, why not, if so, what are the relevant details,
- (4) whether any persons arrested or prosecuted in connection with the death of Dr Turner will be entitled to claim indemnity from prosecution in terms of the Indemnity Act, 1990 (Act No 35 of 1990), or the Further Indemnity Act, 1992 (Act No 151 of 1992), if not, why not, if so, on what grounds? B728E

THE MINISTER OF LAW AND ORDER

- (1) No
- (2) No, but every clue which has been received in connection with the murder is being followed up
- (3) No, owing to a lack of insufficient information

Section 2 of the Indemnity Act, 1990 provides that the State President may grant indemnity to any person, either unconditionally or on the conditions he deems fit, in respect of any event or category of events. The provisions of this section are stated in very wide terms and it would be possible for the State President to consider any application for indemnity by any person involved in the death of Dr Turner.

The Further Indemnity Act, 1992 applies to any act with a political object advised, directed, commanded, ordered or performed by such person before 12 00 on 8 October 1990. The definition of "act with a political object" includes any act or omission advised, directed, commanded, ordered or performed—

- with a view to the achievement of a political object, or
- for the promotion or combating of an object or interest of any organization institution or body of a political nature, or
- with the *bona fide* belief that such object or interest will be served, or
- with the approval or on instruction or in accordance with the policy of such organization, institution or body

The State President may thus also in terms of this Act consider any application for indemnity by any person who caused the death of Dr Turner, if his conduct falls within the ambit of an act with a political object.

MR A J LEON Mr Chairman, arising out of the hon the Minister's reply that no progress has been made in the investigation of this murder and that no arrest or prosecution has taken place, and given the fact that Dr Turner, who was a very high-profile political activist in Durban, was assassinated 14 years ago, is it not a matter of concern and disappointment to him that such a lack of progress has been experienced in this particular investigation, and are there any steps envisaged to try to bring this matter to justice once and for all?

THE MINISTER Mr Chairman, I immediately want to say this to the hon member. It is not pleasant for me to know that a murder has not been solved, irrespective of whether it is a high profile person or a beggar. I want to state categorically that for the SA Police the important thing is to track down the murderers of people. Yes, of course 14 years have passed, but the hon member has been in the legal profession long enough to know that one does not always get hold of the guilty person. This seems to be the case here.

I want to assure the hon member further that intensive detective work has been done in the last while—and was done in the beginning especially, when the clues were fresh—in order to determine who the murderers of Dr Turner are, and it is with regret that I have to say that we have not yet been able to succeed in tracking down the murderers.

MR A J LEON, Mr Chairman, further arising out of the hon the Minister's reply, is he aware of the fact that Dr Turner's daughter has recently been in South Africa attempting to follow up this matter and that, despite attempts to contact senior officials in the Government, including the hon the Minister's Department and that of the hon Minister of Justice, she received no co-operation whatsoever in her quest for further information on this matter?

THE MINISTER Mr Chairman, I am not aware of our receiving such a request. I am not aware of a request being made in that regard to my office at all. It may have been, but unfortunately

HSRC calls for action on wife-battering

By Norman Chandler
Pretoria Bureau

Wife-battering has to be urgently dealt with, says the Human Sciences Research Council (HSRC).

It recommends a comprehensive policy dealing with woman-battering overall. The phenomenon is not regarded by the authorities as a serious crime in South Africa and so it is difficult to combat.

The HSRC says: "Legal remedies are currently of little value because they are not practical and accessible, and also do not enjoy the support of the legal system and the police."

In a report, "Battered women seeking solutions: A study of women who have taken refuge at the rape crisis shelter in Cape Town", the HSRC says that help from family is not always available because of "social and emo-

tional relationships with the woman and the batterer"

It adds that the stigma of being beaten up also forces women to hide their plight from friends and acquaintances.

"Since women are still often regarded as their husband's property, wife-beating is commonly seen as a domestic matter which should be resolved in private," the report says.

Shelters such as those in Cape Town and other large cities and towns are usually the only refuge, even if temporary.

Funding for and access to better-equipped shelters are among recommendations contained in the report, while there was also found to be a need for long-term shelter facilities as "a lack of alternative accommodation forces many women to return to the batterer".

'Indefinite' strike by prisoners

An "indefinite" hunger strike by more than 20 political prisoners at Leeuwkop Prison to bring about their release has entered its fourth day, the African National Congress PWV region claimed yesterday.

Correctional Services spokesman Warrant Officer Rudi Potgieter confirmed that 20 inmates at the prison north of Johannesburg had "indicated that they are on a hunger strike".

The ANC's PWV region said in a statement the strike started on May 1.

The prisoners argue that their release should have followed soon after the Record of Understanding had been concluded between the Government and the ANC.

In their view, ex-political prisoners who had committed identical offences had been released and there was no justification to imprison them.

The inmates also demanded that their plight be included in key demands agreed by the ANC alliance for a transitional executive council and an election date. — Sapa

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D E P O S I T

Lawyers fear Hani accuser may be dead

CIPRESS 9/5/93

By MONWABISI NOMADLO

(253)

LAWYERS representing the "Mqanqeni trio" have withdrawn their services as they have not heard from their clients - who are feared no longer alive.

The trio escaped last month from Diepkloof Prison under mysterious circumstances after one of them, Simphiwe Solomon Mqanqeni, made the sensational claim that the late Chris Hani and ANC's Tokyo Sexwale masterminded armed robberies.

Defence lawyer Tiego Moseneke told City Press at the Rand Supreme Court on Monday they had no option but to withdraw from the case as they did "not have proper instruction" from their clients.

Simphiwe Solomon Mqanqeni, Daniel Motaung and Phuthumile "T-man" William Makhosi were facing

charges of robbery, murder, attempted murder, illegal possession of firearms and ammunition.

The three escaped from Diepkloof Prison under mysterious circumstances on March 26 after Mqanqeni made claims that the late Chris Hani and the PWV ANC's chairman, Tokyo Sexwale, masterminded robberies that netted almost R1-million.

The missing three have not been re-arrested or seen since their mysterious escape from the prison fortress - amid fears that they might be dead.

Moseneke said they were "greatly concerned about their safety". There must be a full investigation by police in conjunction with the defence lawyers, he said.

A relative of Mqanqeni, S'bongile Tshongweni of Thokoza, told City Press that Mqanqeni complained to her a number of times while in prison that he was being forced to make a confession implicating the late Hani and Sexwale.

After he had made his claims he escaped that night.

Law and Order Minister Hernus Kriel labelled MK as a bunch of criminals two days later in parliament.

Police spokesman Col AC Dyke said police have done everything they can to search for the missing men - but without success. However, when asked why police had not yet visited the escapees' families, Dyke said this was not necessary as "police had their own way of investigating".

CAPRES 413170

Hospital for 3 hunger strikers

THREE of the 21 prisoners on hunger strike at the Leeuwkop Prison are to be moved to hospital tomorrow because of their deteriorating health, the Leeuwkop Political Prisoners' Support Committee said on Friday.

(253)
Jacob Ndimande, Kenneth Mntambo and Joseph Bhengu were among the hunger strikers whose condition, when visited on Friday, had visibly deteriorated, the committee said.

The hunger strikers, all of whom claim political prisoner status, are demanding their release from prison in terms of the Record of Understanding between the government and the ANC.

Prison authorities were not available for comment on Friday, but on Tuesday Correctional Services spokesman W/O Rudi Potgieter said the application for the release of prisoners who committed politically motivated crimes were treated in accordance with the Further Indemnity Act.

BLACK COPS CRY BETRAYAL

By MONWABISI NOMADLO

THE Police and Prisons Civil Rights Union (Popcru) has slammed Apla for violating an agreement not to attack black policemen following the Dobsonville ambush in which four policemen were killed.

The union's secretary-general, Peter Nkuna, said his union had met Apla commanders recently and the two agreed that there would be no further attacks on Popcru members or black policemen by Apla operatives.

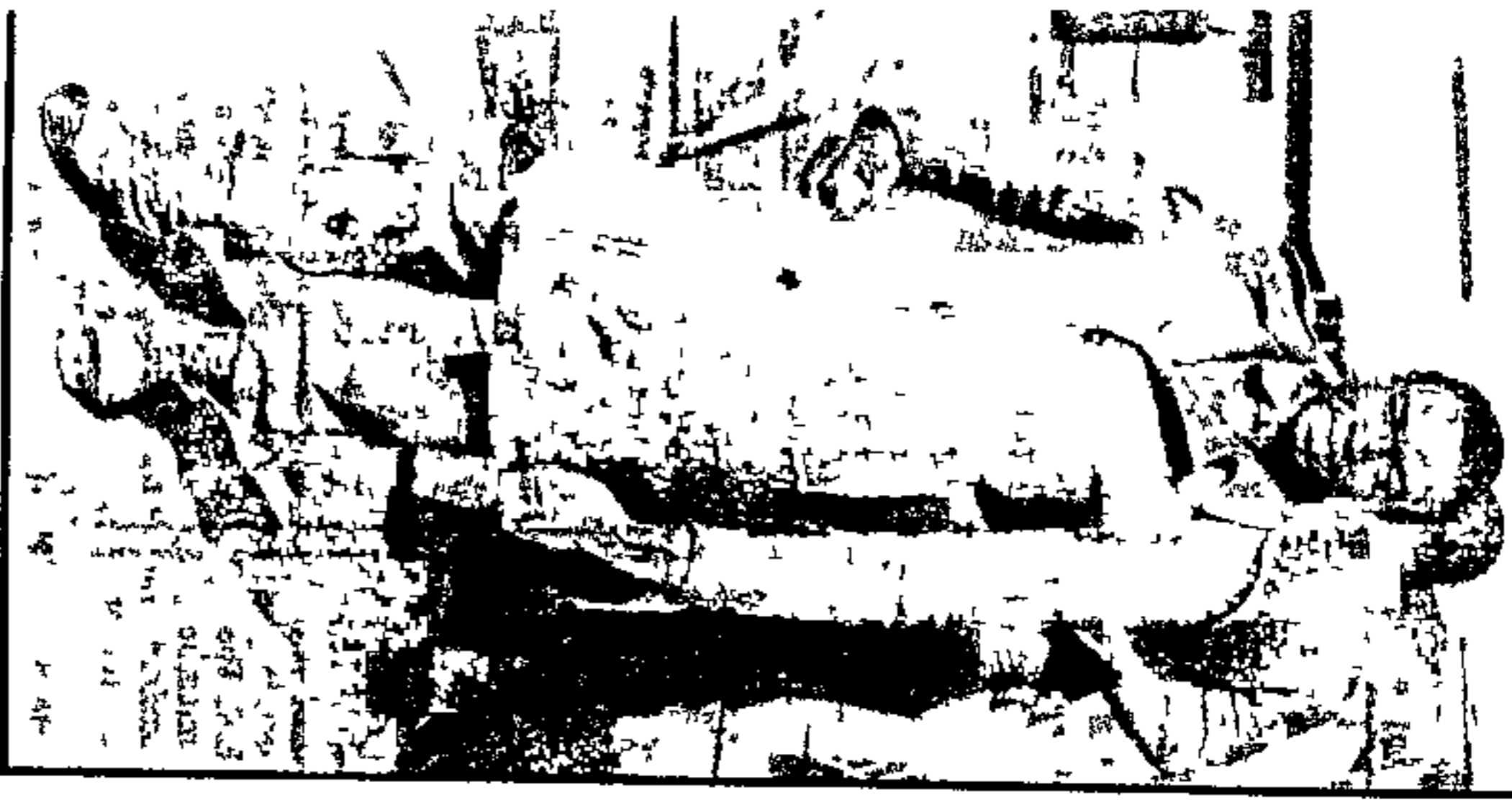
Nkuna said the shooting of blacks was done mostly by right-wing members in the force, adding that even the Protea police station shootings that claimed four lives during the Han rally were executed by white policemen.

"Popcru members did not fire shots. I was there personally and we were folding our arms while white policemen fired into the crowds," Nkuna said.

The accusation of a breach of agreement against Apla came in the aftermath of Wednesday's ambush in Dobsonville which left four police officers dead - including a woman - and five injured.

At around 5.45 am on Wednesday, four AK-47-wielding assailants ambushed the police Canter vehicle (Igudugudu, in township lingo) at the intersection of Old Roodepoort and Main roads, known as Indingiliza. Some of the 23 municipal police officers who were returning from night duty returned fire, but the men fled into the dawn.

The attack came hot on the heels of the Highgate Hotel attack in East London on Saturday night which claimed the lives of five whites. Apla claimed responsibility for the attack. The intersection where the police were ambushed



Outcry over dawn attack

City Press 9/5/93

was the scene of another attack last year in which three people were "murdered by police", a resident told City Press.

Police spokesmen described the killing of the four policemen this week as senseless and offered R200 000 for information leading to the arrest and conviction of the killers.

Nkuna said Popcru called for the withdrawal of white policemen from the townships, as they were killing people and black police officers suffered as a result.

Nkuna said the 7 000-member Popcru wanted right-wingers to be purged from the security forces before they could be placed under multi-party control.



DAWN AMBUSH The fatal Igudugudu after the Dobsonville attack, above. One of the victims of the ambush, left, is carried away. Photos: EVANS MBOWENI

Row looms in Parliament over prison food contract

SI Times 9/15/93

By DE WET POTGIETER

A HEATED debate over moves by a blacklisted businessman to regain a lucrative prisons food contract is expected when the Correctional Services budget comes before Parliament this week.

National Party MP for Queenstown, Dr Mame Schoeman, said on Friday that he met President FW de Klerk about the issue on Thursday (253).

Dr Schoeman said Mr de Klerk had indicated he had not been aware of the gravity of the matter, and had promised to pursue it.

Dr Schoeman, Mr Tony Leon of the Democratic Party, and Mr Derek Christophers, NP MP and member of the Parliamentary Select Committee on Finance, have also met Mr Rodney Baxter, manag-

ing director of Rodhion, whose tender for the supply of soya products to prisons was cancelled three weeks ago.

Recently Johannesburg businessman Mr Chummy von Lempke tried to regain the contract. His company, ProTol, was blacklisted two years ago amid corruption allegations.

A Sunday Times investigation revealed a fortnight ago that information about new specifications for soya products had been leaked to Mr von Lempke and that the specifications had been drawn up in such a way that his was the only company likely to meet them.

The new specifications demand soya products only.

Mr von Lempke has indicated through his lawyers that he owns the patent on pure soya food products in South Africa.

Hunger strike: Threat to peace

JOHANNESBURG —

The ANC says that if one of the Leeuwkop Prison hunger strikers dies it could jeopardise attempts to bring about peace in the townships.

The ANC said in a statement that 21 hunger strikers had refused food for a week and their health was deteriorating.

The ANC regarded them all as political prisoners and supported their demand for release in terms of the Pretoria Minute and Record of Understanding — Sapa

Hunger strikers

'worsening'

JOHANNESBURG —
The condition of two
hunger strikers ad-
mitted to Leeuwkop
prison's hospital is de-
teriorating, the ANC's
PWV region said yester-
day

253-0124/93
The ANC said in a
statement the two men —
Alfred Shongwe and
Phineas Ndlovu — were
among six prisoners ad-
mitted to the hospital
since 21 prisoners start-
ed a hunger on May 1 to
demand their release.
Two of the 21 prisoners
have quit the hunger
strike — Sapa

- (2) In view of the reply to Question 2 (1) an investigation does not seem necessary
- (3) Yes The tender system is available to one and all to tender. No exception is made in respect of books. The State Tender Board cannot impose restrictions on publishers in a free market system. The Competition Board also has no problem with competition between publishers and the small businesses.
- (4) Yes, if a tender is received from an Indian bookshop it must be considered in the normal manner according to Tender Board directives.

Mr M RAJAB, Mr Chairman, arising out of the hon the Minister's reply, given the fact that Model C schools are a recent innovation, could the hon the Minister tell us what the situation was before the introduction of Model C?

The MINISTER Mr Chairman, that information is not readily available, but I would be only too pleased either to direct a letter to the hon member for Springfield or to reply to an additional question.

Murder of retired police officer: arrests

*3 Mr N SINGH asked the Minister of Law and Order

Whether any arrests have been made in connection with the alleged murder of a certain retired police officer, whose name has been furnished to the South African Police for the purpose of the Minister's reply, if not, why not, if so, (a) (i) what is the name of, and (ii) what charges have been brought against, each person so arrested and (b) what is the name of the officer in question? D219E

The MINISTER OF REGIONAL AND LAND AFFAIRS (for the Minister of Law and Order)

Yes

- (a) (i) Warrant-Officer Pravin Ramdass
Constable Anilraj Singh
Constable D Williams
Police Assistant A E Ayer
Police Assistant M N Mchunu
- (ii) Murder

(b) Captain Jeffrey Durugrah

Mr N SINGH Mr Chairman, arising out of the

HOUSE OF DELEGATES

- putured stores administration system
- (2) (a) Yes
- In the case of vehicles, a logbook, in which the reason and authority and the kilometres travelled for every trip must be entered, is kept for every vehicle at the various units country wide.
- The policy adhered to in respect of the issuing of arms and ammunition is as follows:

Members who must be issued with firearms, as mentioned in paragraph (1) (b) above, must first apply to their respective Station Commanders whereafter the application will be considered by the respective District Commander or Station Commander.

Members who report for duty, and who are not authorized to take firearms home, are issued with a firearm and ammunition in the Charge Office. All firearms and ammunition which are in the possession of members during a tour of duty, are comprehensively recorded in all cases.

- (b) Yes, as already mentioned in paragraph (2) (a)
- (3) Yes, as already mentioned

Mr N SINGH Mr Chairman, arising out of the hon the Minister's reply, I thank him for the reply, but once again I would like to discuss this matter with the hon the Minister of Law and Order.

The MINISTER Mr Chairman, I will follow the same route in that regard.

Correctional Services: contract to supply food Expenditure

- *5 Mr M RAJAB asked the Minister of State Expenditure
- (1) Whether, with reference to certain information furnished to the Minister's Department for the purpose of his reply, (a) a certain businessman and/or (b) his company was black-listed in respect of the supplying of food to the former Prisons

ons Service, if so, what are the names of this businessman and his company,

- (2) whether the said businessman and/or his company has been awarded a contract to supply food to the Department of Correctional Services, if not, why not, if so, what are the relevant details?
- (3) whether any representations in regard to the awarding of this contract have been made to him or his Department, if so, (a) by whom and (b) what was the purport of these representations? D223E

The MINISTER OF STATE EXPENDITURE

- (1) Yes A certain businessman and his company had been placed by the State Tender Board on its list of restricted suppliers in regard to the submission of tenders. The restriction is, however, not only limited to the supplying of food to the former Prisons Service but applicable to all State business. The company is Pro-Tol (Pty) Ltd and its director, Mr F E von Lempke.

(2) No The State Tender Board decided not to consider his tender for the contract concerned as the Board was of the opinion that the firm had acted in an improper manner.

- (3) Yes,
- (a) (i) the legal representative of Pro-Tol
- (ii) Mr G C Oosthuizen, MP

(b) (i) request the State Tender Board for re-evaluation of the matter and rescindment of the restriction

(ii) request the State Tender Board to reconsider the reasonableness and fairness of its decision

The State Tender Board did not accede to the representations

Borough of Isipingo, inquiry

- *6 Mr M RAJAB asked the Minister of Local Government
- (1) Whether a commission was appointed to inquire into the affairs of the borough of Isipingo, if so,

HOUSE OF DELEGATES

CONF

6 hunger strikers in prison hospital

Star 12/5/93
253
By Kaizer Nyatumba
Political Correspondent

Six of the 20 prisoners on hunger strike at Leeuwkop prison, north of Johannesburg, have now been admitted to the prison hospital, with two of them unable to walk properly, the ANC's PWV regional leadership said yesterday.

The prisoners, who are all members of the ANC-SACP-Cosatu alliance, enter the 12th day of their fast today. They are demanding to be released as political prisoners.

All had refused to be put on drips, the ANC said.

Their friends and families said yesterday the men had vowed not to eat until they were freed.

They confirmed that at least six prisoners were in the prison hospital.

They said the men had applied to the Indemnity Board for release as political prisoners, but the board — in which they had no confidence — had

written back asking for more details. This, they said, was taking a long time.

ANC PWV regional secretary-general Paul Mashatile and Robert McBride of the region's peace desk visited the prisoners on Monday and advised them to take liquids. But the prisoners replied that they would have their next meal at home.

The ANC said it was discussing with its allies "possible" campaigns to highlight the prisoners' plight.

In a statement smuggled from prison through the Leeuwkop Political Prisoners' Support Committee, the men said the Government had neither legal nor moral grounds to continue jailing them long after the Pretoria Minute and the Record of Understanding were signed.

The Government, they said, was using them as hostages "to draw the ANC into (the Government's) controversial Indemnity Bill".

Robben Island reveals its fascinating history

JOSEPH ARANES (253)
Staff Reporter

AS the debate on the future of Robben Island heats up, the South African Museum and the University of the Western Cape's Mayibuye Centre are setting up an exhibition on the island's history and social significance.

Robben Island has a unique place in South Africa's history.

For three centuries — for exiles, prisoners, lepers, the mentally handicapped, the sick and the poor

But, since the '60s, it has been synonymous with the struggle against apartheid and a symbol of human dignity in the face of adversity.

Dr Patricia Davison of the SA Museum, who is co-ordinating the project with Dr André Odendaal of the Mayibuye Centre, said the exhibition aimed to focus attention on the importance of the island and facilitate debate about its future.

Dr Davison said the exhibition covered the history of the island from the time it was part of the mainland to the release of the last political prisoners.

The main attraction was the Apple Box display.

Most of the ex-prisoners packed their possessions in apple boxes which they gave to the Mayibuye Centre.

These included photographs, memoirs, letters and cultural artefacts which give an insight into their experiences on the island.

Dr Odendaal said that although the island was a prison, it became a symbol of resistance against in-

justice and of transcendence over inhumanity.

"It was a place of learning and scholarship, as well as punishment. Books were written there and degrees were completed.

"Prisoners were not forgotten by their families and friends. Instead, they grew in status and became acknowledged as leaders in exile. Their resilience and integrity has imbued the island with lasting social significance."

Dr Odendaal said the collaboration between the museum and the Mayibuye Centre was significant in itself. **MS/PS/93**

"Bringing together two organisations with different backgrounds, perspectives and resources, which might seem to have little in common, will help open ways for the future by facilitating the involvement of historically marginalised communities.

"It also will focus attention on the role museums can play in future processes of social reconstruction," said Dr Odendaal.

The Mayibuye Centre, nicknamed the "Struggle Museum", has an archive of personal and organisational papers belonging to anti-apartheid groups and individuals.

The exhibition, entitled *Esizithini* — Zulu and Xhosa for "the island" — opens at the South African Museum on May 26.

ARTEFACTS: Ms June Hosford of the South African Museum inspects some of the memorabilia brought back by prisoners when they were released from Robben Island.

Picture: BRENTON GEACH, The Argus



CITY

Star 13/5/93

Two prisoners on the run

Two sentenced robbers are on the run after escaping from Baviaanspoort Prison near Pretoria yesterday. The pair, who escaped in green prisoner's clothes, are Johannes Lethatla (27), 1,70 m tall and weighing 53 kg, and who was serving a 15-year sentence for rape and robbery, and David Mampuru (38), 1,62 m, 62 kg, and serving a 14-year sentence for robbery. — Sapa.

Star 13/5/93 (253)

Tender Board bars company

CAPE TOWN — A company which tendered unsuccessfully to supply food to the Department of Correctional Services has been placed on the State Tender Board's list of restricted suppliers, Minister of State Expenditure Amie Venter said.

Replying to a question by Mahmoud Rajab (DP Springfield), he said the restriction prohibited Pro-Tol (Pty) Ltd and its director, F E von Lempke, from supplying food to any State business.

Venter said the Tender Board had decided not to consider Pro-Tol's tender because it believed the company had acted improperly. — Sapa

Prison supply probe 253

A COMMISSION of inquiry would investigate a contract for the supply of soya-based food to prisons following reports suggesting corruption, Expenditure Minister Amie Venter and Correctional Services Minister Adriaan Vlok said in a statement yesterday.

The auditor-general would also investigate allegations that the state tender board cancelled a contract to supply the food, re-engaging a previous supplier who had been restricted by the board.

BIDM 14/5793

No respite for aged in SA prisons

w/mail 14/5-20/5/93

253

*South Africa's more than 600 elderly prisoners have come under the spotlight following the alleged assault on an 84-year-old man by warders. **STEPHEN LAUFER** reports*

AN alleged assault on an 84-year-old prisoner by two warders at Pretoria Local Prison has highlighted the plight of the aged within South Africa's penal system

The prisoner, Thomas Joseph Chauke, was sentenced to six years' jail in 1989, when he was 80 years old. He had been convicted of illicit gem dealing.

Witnesses who want to remain anonymous because they fear reprisals, but who include prison personnel and prisoners, say Chauke was beaten by a white sergeant and two warders on April 20.

They claim the warders involved are Afrikaner Weerstandsbeweging members.

When visited by *The Weekly Mail* five days after the assault, Chauke still had two black eyes and difficulty swallowing and walking.

The prison commander, a Colonel Badenhorst, said this week that he had no information on the alleged assault.

Witnesses say that while sun-

ning himself during an exercise period, Chauke was approached by the two warders, who demanded that he hand over a carrier bag. Chauke always carries the bag, which contains a few meagre belongings — it appears to be his "security blanket".

When he refused to part with the bag, he was allegedly kicked, punched and beaten. The warders then dragged him to the sergeant's office, where he was beaten further.

Chauke was taken to the prison hospital with facial swelling, bloodshot eyes and difficulty swallowing. He was X-rayed for a suspected fracture of the cheekbone.

Asked by a black colleague what had happened, the warders allegedly involved in the assault said that he had been attacked by other prisoners. They later told

their colleague that Chauke had refused to be searched, forcing them to use "reasonable physical force" to facilitate the search of his bag.

Medical experts, prison warders and fellow prisoners describe Chauke as senile. He has grey cataracts in his eyes, and difficulty focusing on what is happening around him. When visited by a representative of Lawyers for Human Rights, he was unable to explain coherently what had happened to him.

The Department of Correctional Services says there are 629 men and 14 women over the age of 60 being held in South African prisons.

Other aged prisoners in Pretoria Local are described as suffering from heart ailments and other chronic illnesses.

The department says it is "nor-

mal practice that aged prisoners are treated with empathy and when possible, special arrangements are made to deal with individual cases according to specific needs."

Asked about procedures for early release, correctional services spokesman Colonel Barry Eckstein said factors taken into account included "the prognosis in prison and safety of the community." The department "is sympathetic to senior prisoners and age is also taken into account" when considering early release.

Personnel at Pretoria Local say Chauke and others have been turned down for early release, but ask what danger they could pose to society, arguing that early release would allow them to die with dignity.

Badenhorst said there were occasional complaints of assault, but that he couldn't "remember disciplinary action or a court case resulting in the last 12 months".

Lawyers for Human Rights in Pretoria say they plan to press charges in the case of Chauke.

Prisoners fast for freedom

W/maail 14/5 = 20/5/93

By JACQUIE GOLDING (253)
SIXTEEN prisoners on a hunger strike at Leeuwkop Prison outside Johannesburg have been admitted to the prison's maximum security hospital after entering their 13th day without food.

The prisoners, regarded as political by the African National Congress but not by the Department of Correctional Services, started their protest fast last week. They are demanding their release in terms of either the Pretoria or Groote Schuur minutes.

According to Peace Desk co-ordinator for the PWV region Robert McBride, two of the prisoners are unable to walk and are "deteriorating rapidly".

McBride visited the prisoners earlier this week and said they could not be persuaded to suspend their hunger strike. "They refused to be put on drips and said they would continue the strike until the Department of Justice promised to release them," he said.

The prisoners, including Mthuthuzeli Ngoqandu, a Port Elizabeth Civic Organisation member arrested in September 1985 for the murder of a policeman, told the

Leeuwkop Political Prisoners Support Committee they were being held hostage by the government, which was using them to draw the ANC into supporting the government's controversial Further Indemnity Act.

The Act is intended to give amnesty for political crimes, including those committed by officials of the state, security forces and government ministers.

Ngoqandu served four years on death row but in 1991 was reprieved along with McBride and 15 others. He was sentenced to 25 years' imprisonment and has been applying for indemnity since 1990. McBride said political prisoners such as Ngoqandu should have been released under the Record of Understanding.

Correctional Services media liaison officer Colonel Barry Eksteen confirmed the hunger strikers had been hospitalised, saying "no one is in an unsatisfactory state of health within the context of the duration of their hunger strike".

He added that the prisoners were being treated within the international guidelines pertaining to hunger strikers.

Cops accused of targeting PAC

By MOSES MAMAILA

AN Apla guerrilla has allegedly died in police custody while more than 40 PAC members have been detained under security legislation in what appears to be a low-intensity warfare by the security operatives on the PAC's military wing

According to Pretoria-based lawyer Moss Mavundla, 30-year-old Apla operative Peter Ismael Mabina, also known as Sabat Maitwane, died in Odi prison in Bophuthatswana on May 6. Mavundla said the Apla cadre was detained in Moretele by the Bop police on April 6 and was subjected to severe torture while in police custody which led to his death a month later. Bop police spokesman Col Dave George declined to

comment on the issue and referred City Press to the prison authorities. However the spokesman for Bop prison services could not be reached after several attempts. Mavundla also released the names of five alleged Apla members who have been held under Section 29 of the Internal Security Act.

'Sheltering cadres'

Among the five was former Apla cadre Simon Ncime, who was released from Robben Island in 1991. Ncime was detained in Paarl on April 30. Mavundla added that Tzaneen PAC organiser James Boko Baloi was arrested by the SAP after he had been accused of sheltering four Apla members. The four alleged Apla members, who include a 17-

year-old youth, were detained on April 28 after they were linked to an attack on a farm near Tzaneen. A white farmer is believed to have been killed in the attack.

Police spokesman in Pretoria, Lt Frans Mojapelo, confirmed that since February 46 PAC members, including Apla and Paso members, have been detained under Section 29.

He said he could not comment further because the suspects were detained under the Internal Security Act.

PAC secretary for political affairs, Jaki Seroke, accused the police of harassing PAC members.

"As a result of this harassment, a 16-year-old PAC member was gunned down in Soweto this week simply because he was wearing a PAC T-shirt," he charged.

16/5/93

By CARMEL RICKARD

FAMILIES of people who die in politically suspicious circumstances will soon have an additional champion to ensure the truth emerges.

In a new scheme, the first of its kind, an independent forensic pathologist is due to start working full-time on such cases from September.

The doctor, who is still to be appointed, will be employed by a new Natal-based organisation, with R500 000 from the Danish government for a 12-month trial period.

The organisation wants to make an expert pathologist available to families and lawyers of people who

Special doctor to seek truth on suspect deaths

have died while in custody; at the hands of the security forces; or "in suspicious circumstances which may be contrary to the public interest or the interests of justice".

The organisation will also provide medical expertise to people alleging they have been assaulted or tortured.

Durban Legal Resources Centre director Mr Richard Lyster said the doctor would help relatives of people who died in political conflict, even if the security forces were not involved.

The idea was suggested by a Danish observer from the international Ecumenical Monitoring Programme of South

Africa, which realised the post mortems of people dying in detention or at the hands of the security forces were being carried out before relatives were able to arrange for a private doctor.

Independent Johannesburg pathologist Dr Jonathan Gluckman said the scheme was an extremely good idea.

The burden of such work had fallen largely on himself and two doctors in the Cape, but if they were unavailable, it was difficult to find someone else.

Mr Lyster said he was still negotiating with the South African Medical and Dental Council about the arrangement.

Inquiry ^{3 Times} into soya ^{16/5/93} contracts

By SHARON CHETTY

A COMMISSION of inquiry has been appointed to look into contracts for supplies of soya food products to the Department of Correctional Services. This follows revelations in the Sunday Times that businessman Chummy Von Lempke and his company, Protol — black-listed by the State Tender Board — are bidding to regain a lucrative contract for the products after their tender was cancelled two years ago in the wake of allegations of corruption (253).

On Thursday afternoon State Expenditure Minister Amie Venter and Correctional Services Minister Adriaan Vlok issued a joint statement in Parliament saying that, due to the nature and intensity of allegations regarding the supply of soya products, President de Klerk had been asked to appoint a judicial inquiry. (253)

The matter was also under investigation by the Auditor-General, Mr Venter said.

202 died in SA jails last year, says Minister

A total of 202 people had died in prison during 1992, of which 36 had been suicides and 13 after assaults by fellow prisoners, Minister of Correctional Services Adriaan Vlok said yesterday. (253)

In a written reply to a question from Peter Soal (DP Johannesburg North), he said 140 of the deaths had been due to natural causes. Star 18/5/92

Thirteen prisoners had died from causes including drowning, falling from prison vehicles and a prison vehicle accident.

No inquest reports had yet been received — Sapa.

Six murderers freed early

Star
18/5/93

By Chris Whitfield
Political Correspondent

CAPE TOWN — Former KwaZulu deputy minister Samuel Jamile has been freed in terms of the controversial Further Indemnity Act after serving only two years of a life sentence for murder and attempted murder.

The Correctional Services Ministry announced yesterday that Jamile was among six prisoners — all convicted of murder — who were freed.

Jamile was sentenced to life in May 1991 for the April 1987 murder of Joseph Khumalo and attempted murder of Thokozile Shabalala

The others freed yes-

terday were

● M W Biyase, understood to be an IFP supporter convicted of five murders and two attempted murders in Natal's Msinsini district and sentenced to an effective 20 years' jail

● P Tikame, understood to be an ANC supporter convicted of murder in Uitenhage and sentenced to 10 years' jail

● H M Chego, thought to be a UDF supporter sentenced to 24 years in prison after being convicted of two murders with extenuating circumstances in February 1986.

● J M Chego, understood to be an UDF supporter sentenced to 19 years in prison for murder with extenuating circum-

stances in February 1986

● P J J Leeb, who according to The Star's files, claimed he had been a member of the Special Forces and later of the CCB, was sentenced in November 1989 to eight years in jail for murdering a black man.

Last night Democratic Party law and order spokesman Peter Gastrow called on "the public, the police and the judiciary to jointly protest these releases".

He said "it is shocking at this stage of rampant lawlessness that some of the hardest murderers are let out prematurely"

The statement issued by the Correctional Services Ministry yesterday said the National Council

on Indemnity had decided the six complied with the requirements of the Further Indemnity Act, "namely that their transgressions were committed with a political motive and that their release could promote reconciliation and peaceful solutions"

It said the six had committed their crimes "long before the cut-off date of October 8 1990, some even as far back as 1986".

The statement said that the Government would "like to reiterate that the release of these persons must in no way be seen as a condonation of the serious crimes which they committed".

A-G opposed killer's release

The Argus Correspondent

DURBAN. — The Natal Attorney-General opposed the release of convicted murderer Samuel Jamile because it was questionable whether it "may promote reconciliation and peaceful solutions" — as required by the Act under which he was released.

Attorney-General Tim McNally, S.C, said other

ARC 19/5/93
grounds for opposing Jamile's application for release to the National Council on Indemnity had been that: (252) (253)

● Jamile steadfastly maintained his innocence throughout the trial. Hence there was no question of his having claimed to have committed a murder with a political motive.

● The court did not find the motive to have been political.

92/11/10 Dr P J van der Merwe
Honorarium R150,00

92/11/26 Mr C Rushmere
Honorarium R 60,00

92/11/26 Prof F J Buys
Honorarium R 60,00

92/12/04 Dr P J van der Merwe
Honorarium R150,00

- (b) (i) No direct payments as salaries were made to sports administrators by the Department of National Education
- (ii) The honoraria which were paid to the persons concerned already been mentioned
- (c) The Directorate of Sport and Recreation Advancement of the Department of National Education made the payments

Mr L FUCHS Mr Chairman, arising out of the reply of the hon the Minister, can he tell us whether his Department or any other Government department has paid any amounts of money to a member of the judiciary who was also a sports Administrator in 1992?

THE MINISTER Mr Chairman, my Department deals with many sport administrators. We do not pay salaries to any administrator directly in relation to sport. If the hon member has any further information available in this connection, I would on a subsequent occasion like to give the reply in writing.

Mr L FUCHS Mr Chairman, further arising out of the reply of the hon the Minister, I would like to know whether he can tell us whether any other Government department has paid a member of the judiciary any amounts of money [Interjections]

The MINISTER Mr Chairman, I am not the Minister of the Budget or the Minister of Finance or the Minister of State Expenditure, and therefore I am not responsible for any other departments' expenditure [Interjections]

Mr L FUCHS Mr Chairman, not really arising out of any reply, may I ask the hon the Minister whether he actually knows what the score was in the game between the parliamentary rugby team and the Russian Republic side last night?

THE MINISTER Yes, Mr Chairman I am very pleased to be able to announce that the re-

HOUSE OF ASSEMBLY

local regional services council as well as the Regional Development Advisory Committee. However the investigation is still in its initial stage and it is therefore too early to indicate whether or not Pollsmoor and/or its environs will in fact be extended.

I would like to give the hon member the assurance that any future development in this area will be done with circumspection after consultation with all relevant authorities.

Meeting between NEC and State

*5 Mr R M BURROWS asked the Minister of National Education.

- (1) Whether he, any other Minister and/or any Departmental officials were involved in a meeting with representatives of the National Education Conference and the chairman of the National Peace Accord during the week of 3 to 7 May 1993, if so, (a) who was represented at, and (b) what was the outcome of, this meeting.
- (2) whether he made any representations to the Cabinet pursuant to the outcome of this meeting; if not, why not, if so, what was the purport of these representations.
- (3) whether he will make a statement on the matter? B806E

THE MINISTER OF NATIONAL EDUCATION

- (1) No There was no meeting with representatives of the National Education Conference (NEC). At the request of the Chairman of the National Peace Committee, a discussion was held with representatives of the Peace Committee and of various organisations on 4 May 1993.
- (a) The Ministers and Heads of Departments of National Education and of Education and Training, the Chairman of the National Peace Committee, representatives of the African National Congress (ANC), the National Education Co-ordinating Committee (NECC) and the Congress of South African Students (Cosas).

- (b) The meeting did not have a specific outcome. A report was made to the

Cabinet as a result of a discussion on matters relating to examination fees.

- (2) Yes A full report on the meeting was submitted to the Cabinet. It was decided that all parties concerned should be consulted concerning the payment of examination fees.

- (3) No A statement will be issued after this process of consultation has been completed.

Farm labourers' housing: subsidy scheme

*6 Mr A S BEYERS asked the Minister of Agriculture.

- (1) Whether a subsidy scheme in respect of farm labourers' housing was discontinued at the end of 1992, if not, what is the position in this regard, if so, why.
- (2) whether the Government has decided to reinstate this scheme, if not, why not, if so, when was the scheme reinstated or is it to be reinstated.
- (3) whether he or his Department received any representations in this regard from organized agriculture, if so, what was the purport of these representations.
- (4) whether he will make a statement on the matter? B808E

THE DEPUTY MINISTER OF AGRICULTURE

- (1) Yes Great interest in the scheme caused the allocated funds for 1992-93 to be completely committed by the end of November 1992 and no new applications could subsequently be considered. This commitment shall, however, be met in full during the current financial year.
- (2) The Department of Agriculture was compelled to rearrange the priorities in respect of the assistance measures which must be accommodated during the 1993-94 financial year. Continuation of the scheme is being kept in abeyance pending a final decision on assistance measures at present under consideration. The Department of Local Government and National Housing has also been approached to provide funds from the National Housing Fund for this purpose.

HOUSE OF ASSEMBLY

'War' in jails over releases

THE Democratic Party yesterday claimed a "civil war" was brewing in prisons over the government's early release of political offenders, including murderers

DP Justice spokesman, Mr Tony Leon, said that the latest batch of releases under the Further Indemnity Act were tantamount "to a game of musical chairs".

He said prisoners left behind were in a state of rage and were seeking reclassification

Among the six prisoners released this week was the former

253
209
CT 19/5/73
the motive for the murder

KwaZulu Deputy Minister of the Interior, Bekizwe Samuel Jamile, who was jailed for life less than two years ago after being convicted of murder and attempted murder

DP law and order spokesman Mr Peter Gastrow said it was shocking that the "hardest murderers" could be released on apparent "political" grounds. He noted that the trial judge had found in Jamile's case that political differences between Inkatha and the then-UDF had not been

the motive for the murder

● The Ministry of Correctional Services said this week that the latest releases complied with the requirements of the act.

● Lawyers for Human Rights yesterday criticised Jamile's release, claiming he was freed in spite of having committed crimes without a political motive, and the ANC announced it was "following certain leads", possibly about irregularities surrounding the release — Political Correspondent, Sapa

ANC torture claims denied

BLOEMFONTEIN — Free State police have denied allegations by the ANC that one of its members, Mr Joseph Moholo, was tortured before he committed suicide in a police cell at the weekend.

Police said Mr Moholo had been found hanging from his cell door on Saturday. He had used the cord of his tracksuit pants. (#) (203)

Mr Moholo had been arrested on Friday on suspicion of being in possession of ammunition and a home-made firearm. — Sapa

CT 19/5/93

'Growing rage' over indemnity

3/0 AM 19/5/93

Political Staff

CAPE TOWN — The DP yesterday claimed that a "civil war" was brewing in prisons over government continuing early release of political offenders, including murderers

DP justice spokesman Tony Leon said the latest batch of releases under the Further Indemnity Act were tantamount "to a game of musical chairs".

He said prisoners left behind were in a state of rage and seeking reclassification.

Among the six prisoners released this week were former KwaZulu Deputy Interior Minister Bekizizwe Samuel Jamile, who was jailed for life less than two years ago after being convicted of murder and attempted murder.

DP law and order spokesman Peter Gastrow noted that the trial judge had found in Jamile's case that political difference between Inkatha and the then-UDF had not been the motive for the murder

"Some of the others who have been released committed horrendous crimes," he

said.

Our Durban correspondent reports that the ANC announced it was "following certain leads", possibly about irregularities, surrounding Jamile's release.

The ANC's southern Natal regional chairman Jeff Radebe said the organisation wished to reserve comment.

KwaZulu Chief Minister Mangosuthu Buthelezi said he was concerned about the uproar that would follow the release of Jamile and KwaZulu MP Wilbert Biyase.

However Inkatha, while delighted with the freeing of the two, said it faced a "long struggle" to lobby for the release of 180 political prisoners in Natal.

Sapa reports from Pretoria that Lawyers for Human Rights also criticised Jamile's release. LHR spokesman Andries Nel expressed the organisation's "outrage at the government's dishonest handling of the political prisoner release process".

Ministry's records tell how 705 prisoners died

Star 19/5/93

253

By Bronwyn Wilkinson

A prisoner was burnt to death by steam escaping from a toilet at the Losperfontein Prison in the western Cape in what Ministry of Correctional Services records described as a freak accident on December 28 1990.

The death was one of several recounted in the ministry's annual reports from July 1989 to December 1992 released to The Star yesterday.

Minister of Correctional Services Adriaan Vlok told Parliament on Monday that 202 prisoners died in prison last year.

Twenty-six died in accidents, fights or trying to escape.

According to prison records, a sentenced prisoner who was working on a river bank on September 7 drowned when — against the orders of a temporary warder — he jumped into the river to fetch a shovel.

Another prisoner drowned in November 1990. According to prison records, the prisoner, from Brandfort Prison in the Free State, was working at a school. "Against the orders of the guard he jumped into the swimming pool and drowned before anyone could save him," the records state. An inquest found no one could be held responsible for his death.

At the Maritzburg Prison in April 1990, a warder who was guarding a truck stumbled, his firearm went off and a prisoner on the truck was shot dead.

In August last year, a prisoner from Nylstroom Prison in the northern Transvaal was sitting on the back of a pick-up truck loaded with shooting targets. While the truck was moving, "two of the targets were blown off by the wind and in the process the prisoner fell from the pick-up and he was fatally injured", the records said.

In August 1990, prisoners from Bethal Prison in the east-

ern Transvaal were collecting refuse bags from a roadside. The driver of the truck reversed to fetch a prisoner.

"At this point a prisoner fell out of the back of the truck and the truck consequently rode over him," the records said.

Between July 1989 and December 1992, prisoners also died from natural causes, committing suicide, trying to escape, when boilers exploded, accidentally being shot by warders, falling off roofs and being struck by lightning.

A total of 705 prisoners died during that period.

Between July 1989 and June 1990, 219 prisoners died, 192 died in the next year; and 294 in the 18 months to December last year. Records for this year are not yet available.

According to the records, no one has been held responsible for any of the deaths by unnatural causes, but inquests are pending and investigations continuing.

26 prisoners die in escapes, fights and accidents

(253)

FRGT 20/5/93

□ Total of 202 lives lost in jail last year

The Argus Correspondent

JOHANNESBURG — A prisoner was burnt to death by steam escaping from a toilet at Losperfontein Prison in the Western Cape in what Ministry of Correctional Services records described as a "freak accident" on December 28 1990

The death was one of several recounted in the ministry's annual reports from July 1989 to December 1992, released this week

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According to prison records, a sentenced prisoner who was part of a team working on a river bank on September 7 last year drowned when — against the orders of a temporary warder — he jumped into the river to fetch a fellow prisoner's shovel

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Govt reneged on prisoners - ANC

Star 20/5/98

By Kaizer Nyatumba
Political Correspondent

The ANC's PWV region yesterday accused the Government of flouting the September 26 Record of Agreement by its alleged refusal to release remaining political prisoners, "some of whom have been incarcerated since 1985".

The organisation said the release of political prisoners was a political issue and had to be dealt with by a joint ANC-Gov-

ernment committee instead of being entrusted to the Department of Correctional Services or the "discredited" National Council on Indemnity.

The ANC's PWV region further accused Leeuwkop Prison officials of having reneged on an agreement that those on hunger strike to demand their release as political prisoners would not be punished.

The ANC said a team led by PWV regional secretary-general Paul Mashatile visited the prison

on Friday and persuaded them to end their 15-day fast on condition "urgent steps" were taken to secure their release and that no disciplinary action ensued.

(253)
But officials broke that undertaking, removing prisoners' privileges and downgrading their status, the ANC said "Their action is particularly insensitive given the untimely release of rightwingers and members of the KwaZulu Legislative Assembly."

FW, Coetzee 'performed dismally in release tasks'

The Argus Correspondent

DURBAN. — President De Klerk and Justice Minister Kobie Coetzee should no longer have exclusive control over the release of political prisoners, a spokesman for Lawyers for Human Rights said here.

Reacting to the release of six political prisoners this week, Mr Andries Nel of the Penal Reform Project of the LHR said both President De Klerk and Mr Coetzee "have performed dismally in their task and unless restrained will continue to do so".

Mr Nel recommended the formation of an audit committee consisting of the parties concerned to expedite the process and finalise the releases.

He said members of his organisation were "outraged" at the government's "inept and dishonest" handling of the release process.

"The government's sorry track record on this issue is replete with examples of attempts to placate its constituency by releasing criminals

who happen to have rightwing or security force links to counter the releases of leftwing prisoners"

The government was now using its "discredited" Further Indemnity Act to release people who were convicted of crimes which had nothing to do with politics, he said

Among the people who were released this week are former Kwazulu Deputy Interior Minister Samuel Bhekizizwe Jamile and former Kwazulu Legislative member Wilbert Madodeni Biyase.

In a sensational trial, Jamile was found guilty of the murder of Mr Joseph Khumalo and the attempted murder of Mr Khumalo's fiancée, Miss Thokozile Shabalala, at Mamba Valley in the greater Durban area on the night of April 5 1987. The couple were Mr Jamile's tenants at the time.

He was sentenced to life imprisonment.

Biyase was serving a 20-year sentence for five counts of murder and three of attempted murder.



Pollsmoor 'overload on sewers'

CT 21/5/93 (253)

Municipal Reporters

RESIDENTS of Tokai and Kirstenhof are dismayed at the prospect of Pollsmoor Prison being considerably expanded — as they say their sewers will not be able to cope

Mr Rod Knapp, chairman of the Kirstenhof and Environs Ratepayers' and Residents' Association, said spills of raw sewage into the Westlake River were not uncommon, as the system was already battling to cope with an overload

The Minister of Correctional Services, Mr Adriaan Vlok, said in Parliament on Wednesday that the extension of Pollsmoor into adjacent land at Westlake was being investigated, but no decision had yet been taken

Replying to a question tabled by Mr Rogér Hulley (DP, Constantia), Mr Vlok said his department and the Department of Public Works were "investigating the possible options" with regard to the "considerable shortage of prison accommodation in the Western Cape"

Using a section of state-owned land at Westlake, adjacent to Pollsmoor, was one of the options

Mr Vlok gave Mr Hulley the assurance that any future project would only be undertaken after consultation with all relevant authorities

Mr Johan Sydow, chairman of the Tokai Ratepayers' Association, said yesterday that he had not been told of any Pollsmoor expansion plans

"We will fight any expansion of the prison," he said

Mr Henry Aikman, principal planner for the Constantia Valley Local Council, said it seemed the prison envisaged expanding to the south of Westlake River

He said the prison contributed about 60% of the load on the local sewerage system

A ROOM WITH A VIEW - QUI: NO WINDOW

W/week 2115-211993.

253

253

T WAS on Pretoria Central Prison's Death Row, while awaiting his notice of execution, that Zonga Mokgato began making sculptures. He made his pieces out of matches, because he was allowed to have matches and was not permitted sharp objects like knives. Each match was carefully burnt, smoothed, then glued to the next one, painstakingly, obsessively, one by one, angling the planes thus created here, creating curves there, building the sticks into columns in another place. Until finally a shape was created, a complexity of related forms developed, and all the thousands of matches had transformed themselves into a ship.

One might speculate on the significance of the subject matter: the ship of death carrying the soul across the great water, the metaphor of weightless water as envisaged from the inside of four blank walls, the ark if you like.

But Mokgato himself — one of the celebrated Uptington 14, that group of township residents who were convicted of the murder of a local policeman on no firmer grounds than that they were part of a crowd, some of whose members were guilty of the murder — interprets his artmaking in more basic ways.

"I made these things because I was lonely, and I didn't know what to do with myself. If you think about things and the world outside, it can make your heart sore. But if you keep busy, the time goes."

It comes as something of a surprise — though on a mature reflection it shouldn't — to discover that Mokgato's view of what he was doing is shared by many of the other people who will be exhibiting along with him in the Political Prisoners' Art exhibition opening at the Market Galleries on Sunday.

There are few claims of grand expressiveness being made for the work on show. With only two exceptions the exhibiting group is made up of basically untrained and strictly amateur practitioners, people who, faced with the endlessness of prison time stretching before them, took up art as a kind of alternative to basket weaving or cockroach counting.

But for all that, the situation in which the work was produced guarantees its interest. That and, as Mokgato notes, the basic loneliness out of which it was born.

"Making art was a way of escaping from the prison situation," says exhibition co-ordinator Steve Marais, convicted of terrorism in 1986, released in late 1990. "But it was also a way of using time. We were locked up alone in our cells at

For many of South Africa's political prisoners, art became a way to escape from loneliness, to nourish the self and thereby defeat the system. An exhibition of these 'little triumphs', previewed by

IVOR POWELL, opens at the Market Galleries this weekend

a quarter past four in the afternoon, earlier on weekends, and then left to amuse ourselves until the next morning. You had to do something."

Marais — who is one of the few prisoners who did in fact have an art training, having spent four years studying at Michaelis art school in Cape Town — describes a drawing he did. It is made up entirely of lines drawn with the aid of a ruler, modulated and drawn out to create the play of forms on the surface. The single drawing — a kind of two-dimensional equivalent to Mokgato's activity on Death Row — took more than two weeks, working many hours each day and deep into the night to complete.

He also made portraits of the warders' "cherries" on commission.

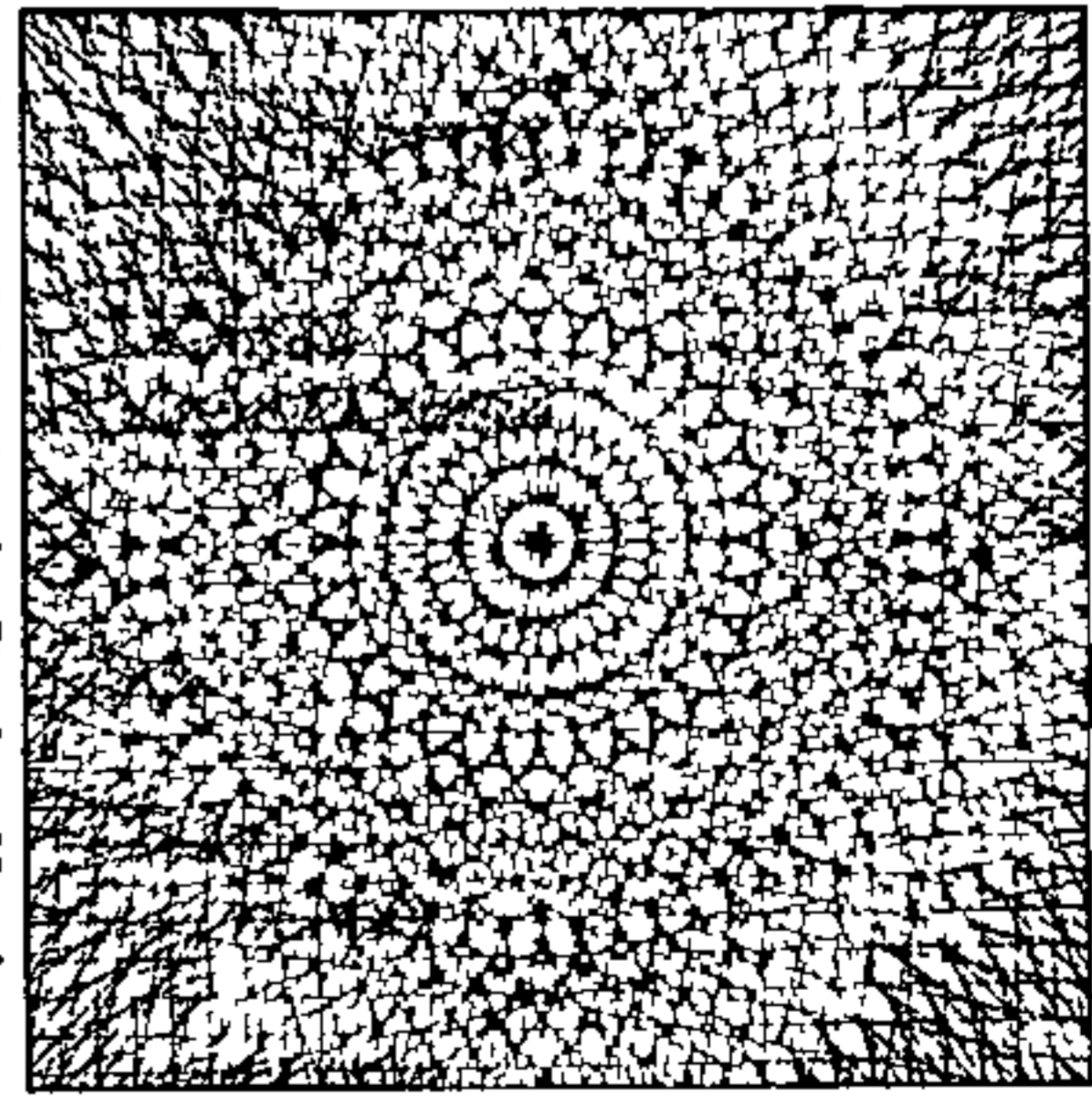
Jansie Niehaus who, together with her husband Carl, was convicted of scheming to achieve the then seemingly commendable aim of blowing up the SABC's broadcast tower in 1983, also uses the word "escape".

"Making art," she continues, "was a way of being yourself when everything around you was so regimented."

"But it was also a way of holding on to the things that were beautiful in that environment. Sometimes you would see a pot plant blooming and you could keep that by trying to draw or paint it. It was a way of staying calm."

Or of staying sane, as, among others, her husband and African National Congress Department of Information and Publicity spokesperson, Carl Niehaus, described it.

It was also a way of communicating, not only with his outside life through imaging memories but also, more directly, with Jansie in her cell in Pretoria Women's prison, about a kilometre down the road.



Intricate ... A drawing by Stephen Marais

"The warders were a bit suspicious at first. They thought we were passing messages in some kind of code through the pictures. But finally they allowed it."

"Actually art did become a kind of code. But an emotional code, a way of sharing our feelings without including the warders."

The intensely personal note that Niehaus strikes when he talks about making art in prison is one which, ironically in view of the fact that they were all in prison as a result of their political commitment,

is echoed by all the participants I spoke to. The prisoners might have been political, but the art they made very seldom was.

Quite apart from the physical restrictions placed on the prisoners — no portraits of fellow prisoners, not even, in theory, self-portraits because that was also reproducing the image of a prisoner, no detailing of the prison environment, and so on — it is striking that none claim their activity was directed by an inner need to make a statement.

There is instead the overriding need to sustain and to nourish the self, to create a free space to inhabit. And, in so doing, to defeat the system that held them in its clutches.

Marais embodies the little triumph implicit in this in a series of drawings based on impressions of warders watching over the prisoners. Lounging in varying postures of boredom and indolence on upright chairs and surrounded by the litter of their day's junk food consumption, the warders are expressionless and more or less faceless. And their eyes have been blanked out with the familiar black censor's bars.

● The exhibition will be opened by ANC president Nelson Mandela on Sunday May 23 at 5.30pm. It will showcase works by prisoners from, among other prisons, Pretoria Central, Robben Island and Pretoria Maximum Security. Exhibition closes June 11.

Strike: 'Prisons reneged'

W/Mon 21/5-27/5/93 (253)
By JACQUIE GOLDING

THE African National Congress has expressed "dismay and outrage" at prison officials who broke an agreement on the status of the 16 hunger strikers at Leeukop Maximum Prison.

The hunger strike was suspended last Friday. A verbal undertaking was given to a delegation from the ANC's PWV region by a Brigadier Harding and Major Van Zyl earlier that morning that no disciplinary action would be taken against the strikers and they would not lose their A grade status.

Led by regional secretary Paul Mashatile, the ANC delegation persuaded the strikers — who consider they are political prisoners within the definition of the Groote Schuur and Pretoria minutes — to suspend their 15-day fast on condition that urgent steps be taken to secure their release.

"But 24 hours later, this agreement was broken. The prisoners' status was downgraded and privileges were removed from them," said Robert McBride, peace desk co-ordinator for the region.

"Contact visits are the most important thing to you when you are in prison," added McBride. "It's your life support, your contact with the outside world."

Correctional Services media liaison officer Linda Weppenaar denied any agreement had been reached.

"When prisoners suspend their strike, there is an internal investigation followed by remedies to assist the prisoner and his family," said Weppenaar. "If he is found guilty, he is downgraded and certain privileges are taken away. It is normal procedure when prisoners go on strike to evaluate the situation before deciding on a form of disciplinary action."

Mandela escape plan revealed

By DESMOND BLOW

(253)

A BOLD plan whereby Nelson Mandela was to have escaped by helicopter in 1981 from his life imprisonment on Robben Island and seek asylum in the Cape Town embassy of a friendly Western country has just been revealed.

Documents detailing the plan will be exhibited at the Robben Island Exhibition that opens at the Mayibuye Centre in Cape Town on Wednesday.

Mandela apparently agreed to the escape, providing the ANC high command approved and documents detailing the plan were sent to Oliver Tambo in London.

The escape was planned for January 1 1981, but it was not put into operation, perhaps because it was suspected there might have been a leak.

This was a possibility, because the following year Mandela was moved from Robben Island to

Pollsmoor Prison on the mainland.

The originator of the plan was Eddie Daniels, who spent 15 years on Robben Island from November 1964 to December 1979 and knew Robben Island Prison "like the back of my hand".

Daniels was jailed for sabotage as a member of the African Resistance Movement (Arm), but since his release has become a member of the ANC.

He told City Press this week that he worked with Mandela on the escape plan for three years before his release.

Daniels said that more people than Mandela could have escaped, depending on the size of the helicopter, and named others in Mandela's section of the prison as including Walter Sisulu, Ahmed "Kathy" Kathrada and Govan Mbeki.

Daniels said he had kept details of the flight of helicopters over Robben Island for several years.

These helicopters supplied passing ships with mail, films and food and would often fly around the island as if making a sight-seeing tour. The helicopters often carried a basket or net slung below to deliver goods to ships.

Daniels said he believed that with so much helicopter activity the warders on duty at the radar post would react slowly in asking the helicopter to identify itself.

He said he had discussed the situation fully with M (Mandela) and felt the rescue could be made with the help of no more than two people, including the pilot.

He gave eight points of the planned escape.

■ "The rescue to be staged at 9.15 am on New Year's Day, 1981.

■ "The H (helicopter) would leave Cape Town at the appropriate time to reach Robben Island at 9.15 am.

■ "In the helicopter will be the

■ To Page 4

THE CELL BLO-

City Press

By MOSES MAMAILA and JUSTICE MOHALE

THE prisons story remains the same. The good, the bad and the ugly.

Perhaps these words describe the story of the infants who are innocent, but are in jails where their mothers are serving sentences.

City Press this week visited the Johannesburg Prison, also known as Sun City, where some of the 189 children under the age of four are kept.

This is what our investigations revealed.

The good Most mothers are happy that the law allows them to stay with their babies and children, some of whom were born in prison.

A 27-year-old mother, who was jailed in May last year after being convicted on fraud charges, said her 10-month-old baby was born in prison.

"I am very happy because I am staying with my child. My boy keeps me happy and stable. I do not have many things to think about because I have the company of this boy," said the woman.

She said the prison authorities had done everything humanly possible to make the child as happy as possible, adding that there was very little that could be done to improve the situation.

"The prison provides milk, food, toys and creche facilities for the children. What more can they really do?" explained the mother.

Most mothers were pleased that the old racist laws had been scrapped and that prisoners were not divided along racial lines.

"We are leading the way to the new SA. We are living here happily, side by side, without any racial hatred," said a white Bolivian mother who was arrested in 1991 at Jan Smuts Airport after being found in possession of drugs.

The bad Most mothers however maintained that prison was not the right place to bring up kids.

City Press takes a look at the plight of SA's baby jailbirds.



INSIDE STORY ... This toddler is just one of a 189 such cases in SA jails today. Although the mites are being well looked after, others say jail is no place to bring up a child.

"Despite all the facilities for the kids, prison remains a prison and this is not an ideal place to keep children," said a 32-year-old mother who was arrested after being found in possession of dagga.

"This place is too cold. It is not healthy for crawling toddlers because the

floor is very cold," she added.

Another prisoner said that children were being punished for the deeds committed by their mothers.

"We must admit that we are responsible for the suffering of these kids. Right now they cannot go

and play in the garden or sit in the sun because they are imprisoned," said the worried mother.

The ugly: The women prisoners expressed their concern over the fact that children were exposed to fighting among inmates.

"There are all these evil fights in the cells over men although we are all natural women," said a 19-year-old mother who was more explicit about sex in jail.

"Fights are triggered by petty things in the cells. Sometimes one would complain that another woman had taken her lover. You see what makes it all a joke is that all these people are women, but they have divided themselves into sexes."

"This is the evil that the children are exposed to in jail," said the woman, adding that the place was hell.

According to deputy director communications of the Correctional Services, Col Danie Immelman, between March and May this year there were 189 children under the age of four in prisons countrywide.

Of this number, 154 are black, 30 coloured, three white and two Asian.

A total of 53 of these children were born in custody.

Immelman said every thing possible was being done to secure the interests and welfare of the children.

The children were visited by a doctor twice a week. Although there was a hospital at the prison, those with serious cases were referred to an outside hospital.

A programme on children in prison will be televised on TV1's *Agenda* tonight.



JAILY TOTS ... A warder at Johannesburg Prison does her responsible for the suffering of these kids," said one.

Shot hairdresser 'damaged for life' - awaits verdict

A HEALTHY young Gugulethu hairdresser became "a profound cripple" after being assaulted by a fellow resident, the Cape Town Supreme Court was told this week.

This assessment was contained in a medical report by an orthopaedic surgeon in a R1,1-million damages claim brought by former hairdresser Linda Goba.

According to the report she was paralysed from the chest down after she was shot in the neck almost seven years ago.

The massive claim has been brought against Gideon Malineozi.

PL

By MARTIN NTSOPI

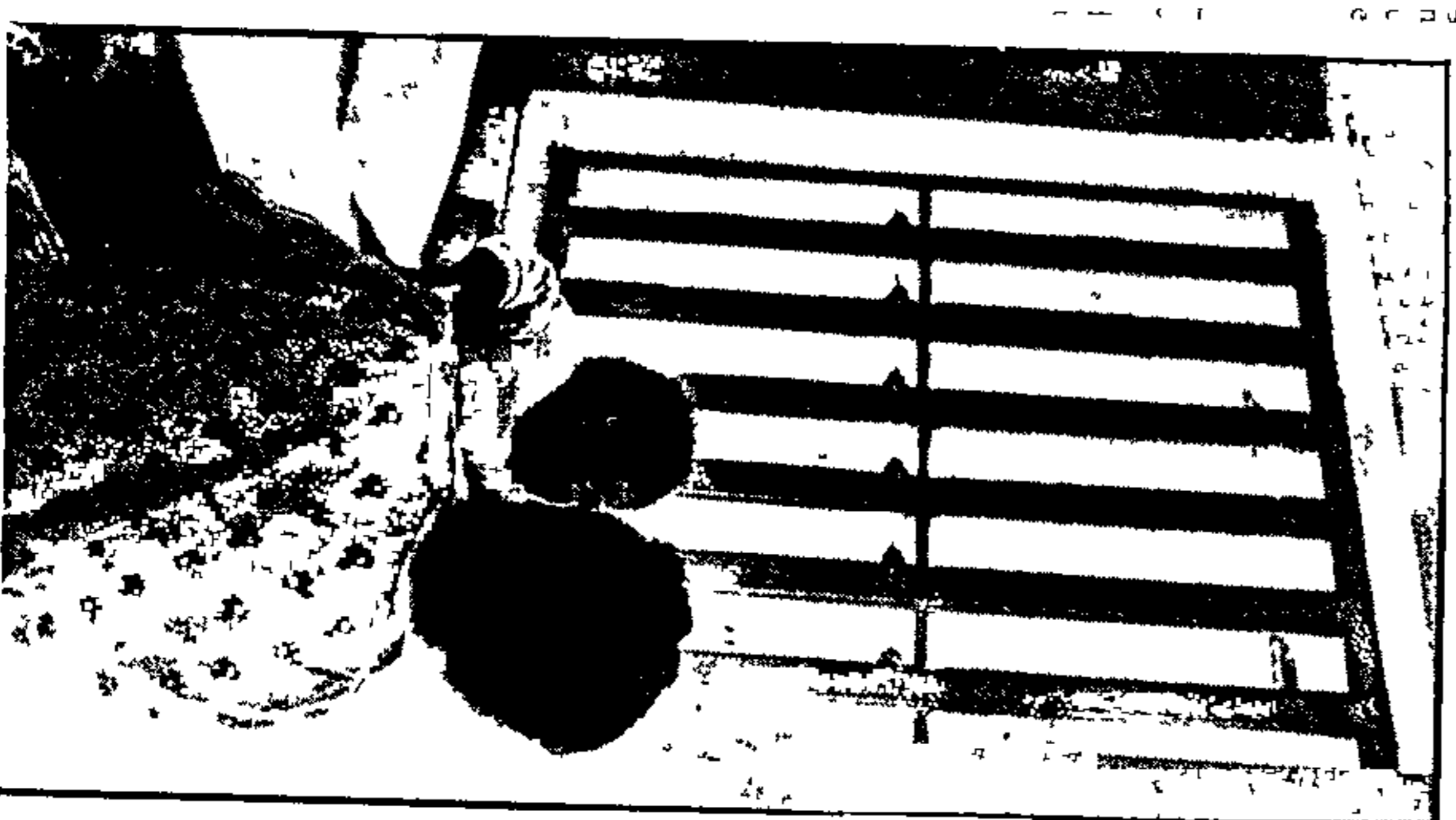
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The Michael P' fixed pleaded Johannesburg last year B his plea to fore a Court judge

THE CELL BLOCK KIDS

C/Press

City Press takes a look at the plight of SA's baby jailbirds.



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JAILY TOTS . . . A warden at Johannesburg Prison does her best to keep these yardbird youngsters entertained. "We must admit that we are responsible for the suffering of these kids," said one worried mother. "Right now they cannot go and play in the garden or sit in the sun."

Picture: MIKE MZILENI

Punishment without prison

5 Times CCJ Melton 23/5/93

(253)

By DIANA STREAK

CHARMAINE stole money from her employer and was convicted but not jailed.

She has not been separated from her husband and two children, but is nevertheless being punished.

Norman, a convicted sodomist, was relieved not to be sent to jail where he might be victimised.

Charmaine and Norman are two of thousands of offenders who are part of the Department of Correctional Services' year-old correctional supervision programme, which offers a constructive alternative to prison.

Problems

Depending on problems they may have, such as drug or alcohol abuse or sexual problems, probationers must also attend prescribed programmes as well as mandatory life skills programmes run by the Department.



CHECKING . Warders Alpha Melton and Vernon Hamilton visit a probationer convicted of mandrax possession. Picture AMBROSE PETERS

sent to jail the family usually becomes a welfare case, which is an added burden on the state.

There are strong economic advantages for correctional supervision. It keeps productive people in society and costs R895 a day per person instead of R42 a day to keep a criminal in prison.

Col Lourens said 80 percent of those in the programme in the Western Cape were employed and this meant over R600 000 a month in earnings stayed in the region's economy.

If the conditions of probation are broken, offenders will receive a verbal warning for the first offence, a written warning for the second offence and could spend 72 hours in prison while the authorities consider other options.

Involved

Probationers have been involved in many community projects for the elderly and homeless and Col Lourens hopes to deepen this by using them to provide and upgrade the infrastructure for squatter camps — but this will have to be done with

cult," said Charmaine. "But the officers make you feel at ease. They are sensitive when they come to your home to check on you." Charmaine was sentenced in February to a year's correctional supervision.

At present unemployed, she spends part of her time undergoing compulsory life skills programmes.

"It would have been hard to leave my children," she said. "My husband would have chosen this instead of me going to prison. I have changed my attitude and learnt a lot from the programmes, about things like Aids."

Norman, who attends a Safeline rehabilitation programme for sex offenders, said "I have learnt my lesson I am already very different and I will change more."

Norman has been under correctional supervision for nearly a year and says he hopes to go back to being an entrepreneur once his sentence is finished.

The innovative alternative to time in jail has paid dividends, according to the Department of Correctional Services.

The programme is designed to keep convicted felons in the community rather than behind bars and the success rate to date is 88 percent.

Based on a similar system in the American state of Georgia, it was first implemented in Pretoria in 1991. Cape Town followed suit last April and it is now being used countrywide.

Nearly 4000 probationers are under supervision.

The programme's director, Brigadier Get Jonker, said the department was very proud of the high initial success rate.

Magistrates who pass sentence on criminals can recommend a period of correctional supervision instead of a jail sentence, mostly for young first-time economic offenders, increasing their chances of rehabilitation.

"We would like to see an increase in the use of the sentence," Brigadier Jonker said.

Warders who have to check that probationers are at home every night are generally well received but do run into hostile situations and on some occasions have had to flee for their lives.

During an evening out with Warders Alpha Melton and Vernon Hamilton, the Metro visited probationers whose crimes ranged from drunken driving and mandrax possession to theft.

They lived in backyard shanties, flats and mansions but all cooperated with the warders and signed the register without demur.

Colonel Johan Lourens, head of Correctional Supervision in the Western Cape, said the programme meant probationers could stay at home and proceed with a normal life and prevent "prison contamination" from hardened criminals.

Probationers must, however, have a specific address and preferably a telephone so that they are accessible to the monitoring officers at all times.

Electronic monitoring could make this easier in the future.

"We contact them at work, phone them at home and visit them at least once a week," said Col Lourens.

"We have to have good contact with employees because they have to tell us when probationers don't turn up for work. That's what the programme is all about — the enhancement of responsibility and discipline."

Previously offenders had to have a job but because of the economic climate this is no longer enforced and the department has introduced an entrepreneurial skills programme.

This includes training in financial and marketing skills and many probationers are now self-employed.

The programme is particularly suitable for female offenders because it does not disrupt family life.

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Ing...
He said community response had been excellent.

23/5/93
253

23/5/93
STIMES (Limerick)
**Prisoners save
warder from mob**
(253)

By DIANA STREAK

TWO prisoners took on a stone-throwing mob and allowed a warder to escape after their truck was ambushed outside Paarl this week.

Sergeant Jacob van Deventer and the two prisoners were returning from Malmesbury when they were attacked.

Near the Wellington offramp a group of youths blocked the road and forced them to turn off the main road.

Two kilometres further on the driver was forced to stop by asbestos pipes placed in the road.

"They heard screaming and shouting and the mob appeared and started to throw stones at them," said prisons spokesman Lieutenant Mike Green.

"Once the truck stopped the two prisoners got out and threw stones back at the youths because they wanted to give the warder a chance to escape," he said.

After the unarmed warder and two prisoners had fled the mob torched the truck.

SI Times 23/5/93

South Africa's own Alcatraz

THE 500ha Robben Island, South Africa's own Alcatraz, lies 8km off Cape Town.

The prison buildings occupied only a small area on the north-east of the island.

During World War 2, an airfield and a harbour were built on the island. The last political prisoners were released or moved from the island in 1991. (253)

I am not scared of anyone, says muti-man Jamile

By FRED KHUMALO

"NO one walking on two feet will do anything to me ... I'm not scared of anyone."

That's what former KwaZulu deputy interior minister and prominent inyanga Samuel Jamile said in response to rumours that he feared for his life in the wake of the uproar that followed his release on Monday.

Jamile, sentenced for life in connection with a murder and an attempted murder, was released on Monday in terms of the Further Indemnity Act.

"Those who interfere with my life do not live long," said the former president of the National Inyanga Association, citing the potency of his muti as the sole reason for his speedy release from prison.

Exclusive

In an exclusive interview with City Press he added that those who had made attempts on his life were either dead or paralysed.

Madala Mnyandu, cited in court as the man who hurled a handgrenade at Jamile in 1988, is currently in prison. He lost sight in one eye and one leg is paralysed after the attempt on Jamile's life.

Jamile even mentions the name of the now late Justice Mitchell, who sentenced him to life imprisonment two years ago, as proof of the potency of his muti.

"Mind you, I'm a healer, not a killer. My muti is life-giving. It gives me life and protects me against my enemies," said Jamile.

He dismissed rumours that he had fled from his Clermont home to Ulundi.

"I'm here in Ulundi temporarily, getting my pharmacy back into gear. As soon as I'm satisfied that it is operating properly, I'm going back to my home in Clermont."

Jamile said he was still willing to stand for election to the KwaZulu Legislative Assembly as "politics is my life".

However, he said he had been advised by his lawyer to take a break from active politics until the furore over his release dies down.

Formerly a teacher in Marianhill, near Pinetown, Jamile had two muti shops - one at KwaDabeka near Clermont and one in Ulundi - before his arrest.

The wealthy inyanga rose through the ranks of Inkatha, becoming a Central Committee member and a member of the KwaZulu Legislative Assembly before his appointment as deputy interior minister in 1989.

Among perks that came with the job were two chauffeur-driven Mercedes Benzes.

He has survived at least three assassination attempts.

Then came the marathon trial which ruined him financially. After paying R200 000 to lawyers and ceding his properties as security, Jamile eventually ended up needing a Pro Deo counsel.

"Those who fear me need to be cured of their unfounded fears," he said good-humouredly.

Jamile's detractors also seem to be convinced of the potency of his medicine. Legend goes that in the late '80s, when youngsters attempted to firebomb his Clermont home, they saw "huge waves from an angry ocean rushing at them".

Quoting

On the question of whether he is a political prisoner, Jamile bursts forth: "I have never killed anyone whether for political or personal reasons. But if the state deems it fit to classify me as a political prisoner, what can I say? If my muti can make the state come to its senses, should I complain?"

Jamile, who likes quoting from the Bible, said "I will die only when God and my ancestors say the day has come. At the moment I'm busy concocting life-giving muti that will heal the nation."

Robben Island — a 'vision for peace'

BY JEREMY DOWSON

INFAMOUS Robben Island could become the base for a permanent "peace institute" for young South Africans, if an initiative called Peace Visions launched by seven non-governmental organisations last night attains its ultimate goal.

The organisations, involved in the plan — the first stage of which is to begin on July 2 — are Idasa, Centre for Inter-group Studies, Leadership South, Peace Secretariat (Western Cape chapter), the Arts Foundation, the Quaker Peace Centre and African Community Theatre Service.

The initial 18-month phase will involve 280 young South Africans — drawn mainly from the Western Cape — attending weekend peace workshops on Robben Island and aboard the training ship, RSA.

Peace Visions director Mr. Na-tem Dollie said it was hoped the initiative would transform Robben Island — and particularly its light-house — into a "symbol for peace".

Peace Visions lists its three main aims as being: ● To engender a "community of consensus" and an understanding of differences associated with peace and national identities, ● To facilitate dialogue among South African youth about the peace process, and ● To contribute towards "lasting, structures of peace" and "creating a social climate where the level of violence is minimised".

253 CT 26/5/92

Island: Warning against 'opportunism'

Staff Reporter

(253) ARG 27/5/93

FORMER Robben Island prisoners will strongly oppose any plans by the state or business interests to capitalise on Robben Island, according to former political prisoner Mr Ahmed Kathrada.

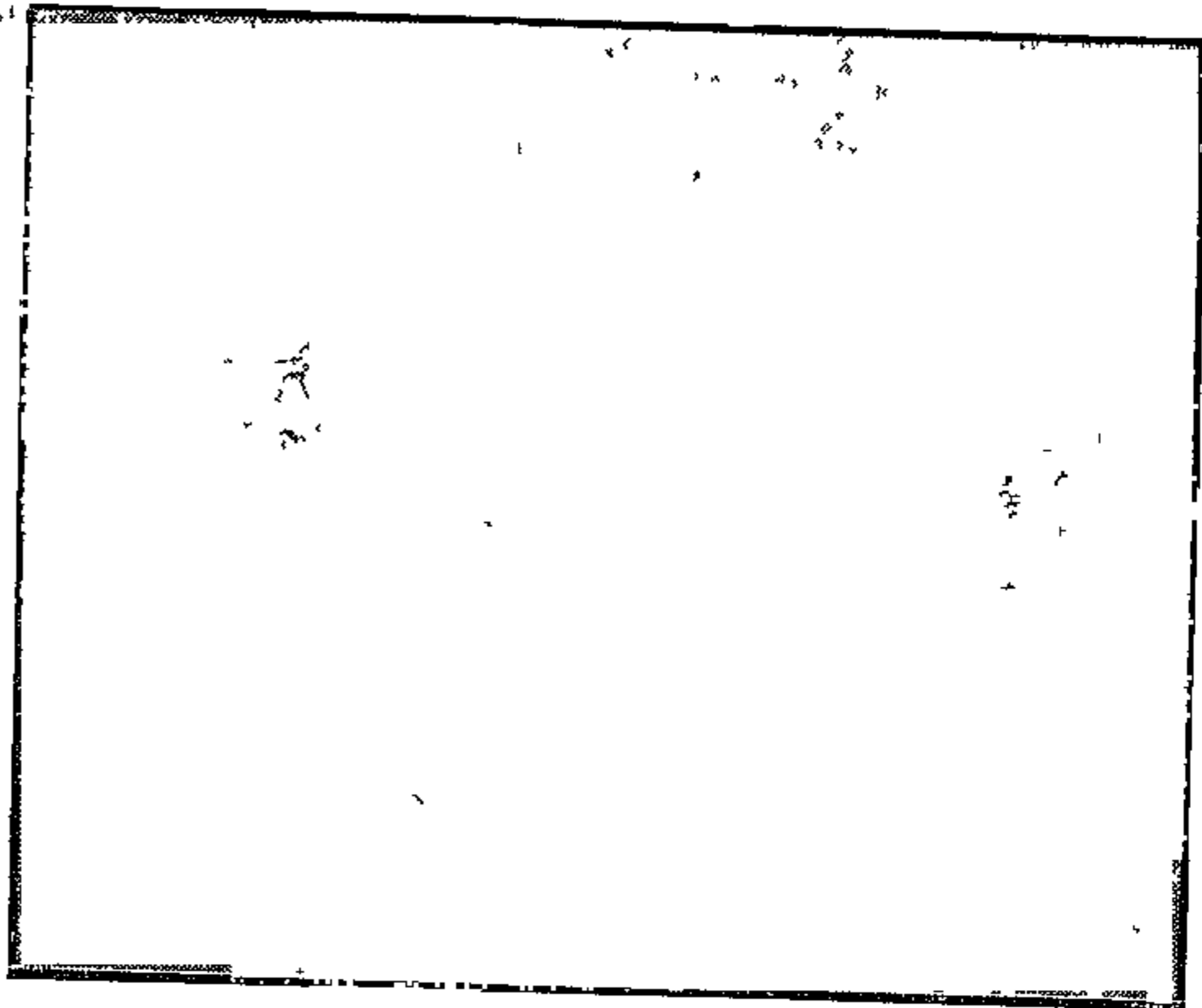
Speaking at the opening of a Robben Island exhibition at the South African Museum last night, he said. "We will do all in our power to stop the type of blatant opportunism that would seek to capitalise on the popularity of Mr Nelson Mandela to attract tourists to vulgar commercial enterprises such as casinos, multi-star hotels and nightclubs."

He said that while the efforts of environmentalists and conservationists would be welcomed, he could foresee "uneasiness about activities that might adversely detract from the main focus of the island as a monument to political prisoners and the struggle for democracy in South Africa"

Entitled *Esiqithu*, the Robben Island exhibition is a joint effort by the museum and the University of the Western Cape's Mayibuye Centre

In his opening speech Mr Kathrada said while prisoners would not forget the brutality of apartheid, they would not want it to be a monument of their hardships and suffering.

"We would want it to be a monument reflecting the triumph of the human spirit against the forces of evil — a triumph of freedom and human dignity over repression and humiliation"



ISLAND MEMORIES: Former Robben Island prisoner Mr Ahmed Kathrada, who opened the Robben Island exhibition at the South African Museum, with some of the documents, photographs and other items on display

Picture OBED ZILWA, The Argus

Section 29 law for PAC men

CT 27/6/93 (3/4) (253)
Staff Reporter

FOUR Western Cape PAC members arrested in Tuesday's pre-dawn swoop are being held under Section 29 of the Internal Security Act.

This was disclosed yesterday by PAC national executive committee member Ms Patricia de Lille.

The four who are being detained for at least 10 days in terms of Section 29 are Mr Sizakele Mahlutshana, regional organiser of the South African Chemical Workers' Union, Mr Nkosemti Naki, Mr Michael Siyolo and Mr Siphwe Makwezo.

A police public relations directorate spokesman in Pretoria said police were holding 50 members of the PAC in connection with unsolved crimes.

Twenty-one were being held under Section 29 and the remainder under Article 50 of the Criminal Procedure Act, he said.

Twenty-two others had been released after questioning.

Dr Gluckman dies aged 79

JOHANNESBURG — Controversial pathologist Dr Jonathan Gluckman, 79, died in a hospital here early today, following a back operation

Dr Gluckman caused a stir last year when he said he believed most of the 200 detainees on whom he had performed post-mortems "had been violently done to death by lower-level policemen"

(253)
His claims were later challenged by Law and Order Minister Mr Hennis Kriel and the police

et 27/6/93
In a statement, Lawyers for Human Rights saluted Dr Gluckman as "doctor for human rights"

"Dr Gluckman took up the cause of the most vulnerable and marginalised members of

our society — prisoners — and fought against their abuse and torture

"As a doctor for human rights we pay tribute to his contribution towards highlighting deaths in police custody and promoting a human rights culture in South Africa," said the statement

Dr Gluckman leaves his wife Lois, two sons, one daughter and grandchildren — Sapa

Glimpse of prison life

(253)
Staff Reporter

THE dark world of Robben Island, which became known as a university boasting one of the most impressive concentrations of intellect in the country, is unveiled in a unique exhibition that opens to the public at the South African Museum today

Rivonia trialist Mr Ahmed Kathrada has donated his correspondence and memorabilia from the 19

years he spent incarcerated on Robben Island for display

Other former political prisoners have donated football trophies, slippers, hand-made tea strainers, prison shoes and framed pictures that give a glimpse into the people imprisoned on the island.

Having spent 19 years in a cell of four square metres, Mr Kathrada was the first person to obtain a degree while on the island.

SIDNEY 28/5/93

Prison investigated

NATAL's attorney-general is investigating allegations of violent criminal activity, including drug smuggling, among high-ranking officials, warders and inmates at Durban's massive Westville Prison complex

253

REPORTS Sapa, Business Day Reporter,
Own Correspondent

1966: 'The gallows dominated our lives

the singing, the screams, the sawdust

underfoot to hide the blood and mess'

By **HUGH LEWIN**, who spent eight months in the old Pretoria

Central Prison as part of a seven-year jail sentence. His book *Bandiet*, an account of his prison experiences, was banned for many years.

HERE is an obscene irony to the threatened reintroduction of hanging in South Africa. Just as the authorities are ostensibly negotiating a transition away from apartheid, they threaten to resurrect one of the ultimate symbols of the apartheid system: the gallows in Pretoria. Leaving aside the arguments we're likely to hear in any debate about capital punishment, there are two points I offer as someone who once lived in the hanging jail in Pretoria and who has returned after 21 years to this post-February 1990 home which is, I'm told, edging towards a post-apartheid sunrise.

Firstly, no debate can ignore the realities of the official death process, how it is administered and the effect it has on those who administer it.

Nor can we ignore the peculiar relationship between the South African prison system, with the rope dangling at its core, and the society outside the walls.

I spent eight months in 1966 in the old Pretoria Central Prison, as part of a seven-year sentence for sabotage, imposed in December 1964.

That was before they hid the gallows in a new "Beverley Hills" behind Central.

The gallows dominated our lives, from the moment we walked into the huge entrance hall with its sign saying "Stille/Silence" — where there was never silence, always the reverberating sound of singing from B2, death row.

Always the tally on the board in the hall with up to 100 awaiting death, most of them black. Always the singing. Always the twice-weekly waiting in the yard on the way to the workshops while they knocked in the coffin lids.

Always the walk up through Pos Nommer 5, with the tall wall on the right and the small laying-out room on the left.

And the half-opened door through which they brought the bodies — the sawdust underfoot sometimes hiding the blood and mess.

They hanged a woman once. Her screams on the way to the gallows woke us at dawn. "They had to put her in a straitjacket first," a young boer told us afterwards.

"They always have to put on a sort of chastity belt for women," he added.

Stepping over the sawdust, we understood why.

The same young man came to the workshops one morning looking green-gilled. A hangover, we joked. No, he said, his turn to attend that morning's session in B2.

They'd done six at once and the rope had pulled one of the "kaffir's" skin right off his face. "Helse gemors (hell of a mess)," he said, then left us to have his tea while we carried on welding.

That was the most terrifying part of Central: you accommodated the sound and presence of the gallows, learnt to adapt to them as a necessary part of prison life.

The current process of negotiation is, I'm told, an attempt to move beyond these structures. I would hope so.

But, purely in the spirit of negotiation, here are two prerequisites for reintroducing the rope:

First, let's confirm the so-called deterrent value by going public. After all, Nigeria publicly shot armed robbers on Bar Bench in Lagos, Idi Amin held public executions. Let us, in our new, open South Africa, celebrate the establishment of an independent TV by rolling in the cameras at "Beverley Hills" so that we can have the shit and blood and twitching bodies brought to us in full colour over breakfast.

More seriously, let those who prescribe the law administer it.

All judges have the right to visit any prison at any time — though very few, to their discredit, have even bothered to do so.

Let it be legally required of every judge who dons the black cap that he personally attend the subsequent execution, personally assist the doctor who, 20 minutes after the drop, examines the bodies, and personally assist the cleaners in mopping up the mess and hauling down the coffins.

The judges should bring the pro-hanging MPs with them. Anything less is a dereliction of responsibility.

Equally, a return to the rope is an admission by our rulers that they cannot break with the mechanics of apartheid.

It applies in all prisons, wherever they kill people officially. But there's a peculiar difference in South Africa, which we as white political prisoners learnt most forcibly.

We were the effective blacks of that society, with the worst conditions, the least privileges and no say over any aspects of our lives, or influence over the regulations which controlled us.

We learnt to survive in a society which is essentially corrupt and devoid of moral core, established only to preserve a semblance of order.

Where, unlike school, you can't be expelled for misbehaviour. Step out of line and you get thumped. And the gallows are always there as the final solution for law and order.

It is a system which is dehumanising and corrupting. It quickly produces cynicism, frustration and anger. Today, it is still the reality for black South Africans. In the absence of real change, we remain an imprisoned society.

Gruesome steps of 'death dance'

253

By ALEX DODD

VUSI DLAMINI was given the task of cleaning death-row cells while he was a prisoner at Pretoria Central from 1975 to 1977

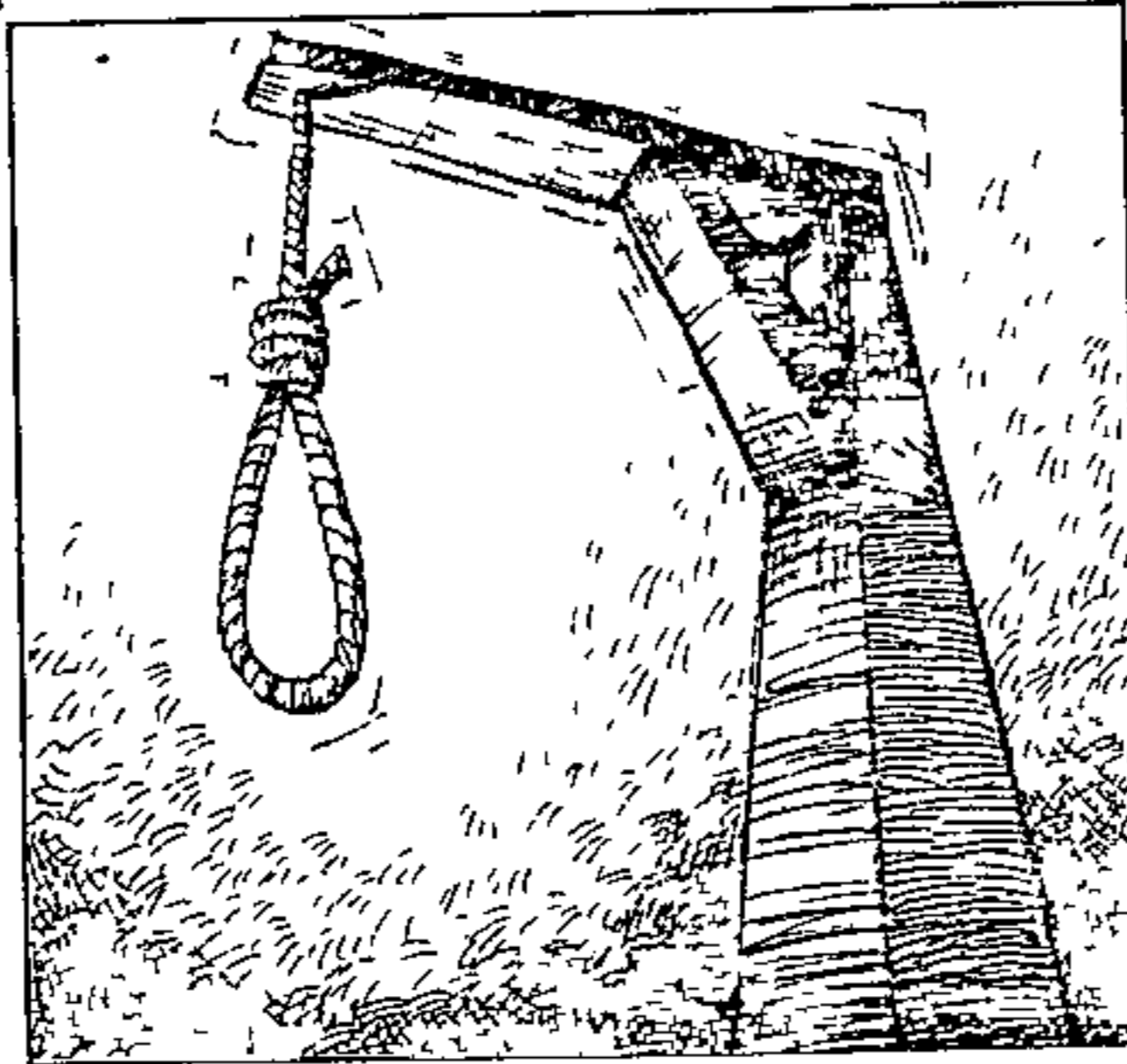
He recalls how he used to eat left-over pieces of chicken scavenged from the rubbish bins — but never on Tuesdays or Thursdays, because on those days the trashed chicken, which was on the menu of privileges for the condemned, was sometimes mixed with blood and excrement after the hangings

Dlamini never witnessed a hanging, but he has the sequence pieced together in his head from other prisoners' stories, the sounds and his observations. His picture is echoed in Phyllis Naidoo's book, *Waiting to Die in Pretoria*, and fleshed out by Hugh Lewin in *Bandiet*. They describe how when a death-row inmate's time approached, he was transferred to a cell closer to the gallows. Five days before his execution, his weight and neck measurements were taken by the hangman so that the noose would be guaranteed to fit.

On the eve of hangings, warders removed shoes, clothing, mattresses and sheets from the cells of the condemned. At 3pm, they were offered specially prepared, deboned chicken for their last supper. They were also entitled to visits from family members.

Regulation dress for the condemned was a khaki shirt and long pants. There were no buttons or laces, no tie and no belt — to ensure they had no means to end their lives before the state did. Vests and underpants were removed so they couldn't tie these around their necks.

On the mornings the hangings took place, long before the sun rose, sirens began to wail from behind the koppie which flanked the prison, adding to the rising chants and hymns of inmates which always accompanied the condemned on



their way to the gallows

First the condemned were taken to the prison chapel, where the chaplain prayed for them. Half an hour was allocated for this service but, if a prisoner was in a particularly distressed state, the prayers could be extended beyond the allotted time. "But the warders were anxious not to keep the hangman waiting and asked the condemned to 'finish off,'" writes Naidoo.

The chaplain, whom Dlamini still refers to as "the pray-killer", did not accompany the prisoner to the gallows. He would wait at the bottom of the steps and, says Naidoo, after he was "advised that it went nicely", he reported to family members waiting outside.

The executions were witnessed by a host of officials, including a sheriff, two lieutenants, three chief warders, four head warders, five section warders, a commandant and a doctor.

"These were people with ties," says Dlamini, recalling that he used to see many of the witnesses leaving the gallows and heading straight for the dining room and a full breakfast

Naidoo describes how, before being hanged, women were strapped up between the legs, "to cater for the bloody mess there'd be after the ordeal. This preparation naturally frightens the hell out of you, and you start shrieking and lose all composure. They would then 'be forced' to straitjacket you."

Once in the gallows, the prisoner would step on to a black box and stand in front of the custom-made noose. His wrists were tied firmly, so that if he struggled the knot would not loosen. A hood was fastened over his head. The last thing he would probably hear was a loud clatter as the trap door in the black box opened and he dropped. The body usually twitched for a while, in what was known as the "death dance".

When all visible signs of life were absent, the body was taken down — usually about 20 minutes after the trap doors burst open — and was examined by a doctor, who would certify the person dead.

"When people die in hospital, the nurses plug all the openings: your mouth, ears, nose, anus and vagina. But this cannot be done with a person to be executed. After the execution, excretion begins immediately. So there is blood and puke on your legs and over the rope that is strung around your neck," says Naidoo.

"The rope used for blacks is rarely changed, so around your neck is the blood and puke of compatriots who have been executed before you."

The state claimed the body as state property, so families were not allowed to bury the bodies customarily.

Dlamini used to clean the cars that transported the bodies to the state-assigned graves. It was his duty to take the corpse bags from the cars to the prison laundry. Often "those khaki bags with black numbers on them were stained with blood".

NEWS Azapo lauds dead pathologist • Weeding out the nation's smokers

Tributes pour in for

Jonathan Gluckman

■ Fearless doctor revealed details of police brutality to a shocked SA:

By Ruth Bhengu

THE death of pathologist Dr Jonathan Gluckman on Tuesday night in Johannesburg should have a different effect on different people

Those in the police force must be sighing with relief, while the dispossessed, whose hopes were pinned on Gluckman and courageous medical professionals like him, are distressed, to say the least

The 75-year-old Gluckman, who died after a back operation, commanded great respect in the black community

Tributes from political and professional organisations have been pouring in for the pathologist who earned himself the label "controversial"

A fellow doctor and admirer, Dr Gomolomo Mokae, who is also publicity secretary for the Azanian People's Organisation, referred to Gluckman as "a man of very high principles"

"He was a credit not only to the medical profession but to the South African nation in general. Just recently he gave the world an insight into the torture going on in South African prisons

"It is ironic that up to his death the SAP had not as yet provided satisfactory answers to questions he raised," Mokae said

Gluckman caused a furore last July when he revealed that police had murdered about 90 percent of the 200 people whose bodies he had examined after their deaths in custody

He said "The police are out of control and are murdering prisoners in custody."

He also claimed to have evidence of "police handling people in a vicious manner". But the police denied it

Minister of Law and Order Mr Hermus Kriel, after investigating the police, said only 29 percent of 200 deaths had occurred while the prisoners were in custody.

The SAP report on the investigations on its own people said of 118 people on its list 14, were still alive, seven killed in the TBVC states and Lesotho, 29 died "not in police detention or due to police action", 26 died "during police action" and in eight the SAP "could not legally be accountable".

The police report showed that 34 people had died while in detention, six were suicides, while in 14 cases police were not accountable. Eight were under investigation and in six police were prosecuted for murder, six died while in the care of the Department of Correctional Services and two died "as a result of SADF action"

In three cases, the SAP were prosecuted for murder and culpable homicide. Gluckman's response to the police claim that some of the people were still alive was that he was "stupefied". But

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Jonathan Gluckman ... died after a back operation.

so was the entire country, which had expected the Government to set up an independent commission of inquiry. Instead, police treated Gluckman as a thorn in the flesh and called him a liar

Spokesman for the Law and Order Ministry Captain Craig Kotze said: "Based on the information at our disposal, including information given to us by Dr Gluckman, the original allegations that police were out of control and were murdering prisoners in custody, left right and centre, cannot be substantiated"

Whether the police have managed to convince themselves that they are innocent, the reality of the situation is that people are still dying in police custody. Reports show that up to 119 people have died this year only. Is there anyone out there willing to fill Jonathan Gluckman's shoes?

To Pa

Promotions on merit

ARG 29/5/93
THE door is open for a coloured general to be appointed in the Prisons Service, as there are already two coloured brigadiers, said the Minister of Correctional Services, Mr Adriaan Vlok.

Replying to debate on his budget vote, he said the service's manpower programme was aimed at showing the face of South Africa. However, coloured staff had specifically asked that promotions be on merit and not simply tokenism. The department was running intensive courses to help staff progress — Sapa. (253) (126)

**Strait-jacket
death: No action**

Political Staff

NO action had yet been taken against two Correctional Services officers following the death of Carol "Debbie" Meyers, who was placed in a strait-jacket in Pollsmoor Prison in June 1989, the Minister of Correctional Services, Mr. Adriaan Vlok, said yesterday.

The matter had been referred to the attorney-general for a decision regarding possible criminal proceedings against the two officers, Major S Muller and Captain I Oersen, but the decision was not yet known (253).

Aids convicts sleep apart

CAPE TOWN — Prisoners with Aids were kept separate from other inmates of South Africa's jails at night, Minister of Correctional Services Adriaan Vlok said in Parliament yesterday. He said they were permitted to join in programmes with other prisoners in the daytime and in the evenings. South Africa was a world leader in dealing with Aids in prisons, he added — Sapa (253) (42)

Officers promoted after death

TWO Pollsmoor officers, accused of inhuman conduct in straitjacketing a prisoner who later died, had been promoted before the inquest was completed, the Minister of Correctional Services, Mr Adriaan Vlok, said yesterday

He was replying, in debate on the department's vote, to a call from Mr Mahmoud Rajab (DP, Springfield) to review the death in 1989 of Carol Meyers, 20, after being held in a strait-jacket for 23 hours (253)

Mr Rajab said the promotion of two officers named by an inquest magistrate as being guilty of inhuman conduct for their role in the straitjacketing was surely a reflection on the competence of their seniors.

Mr Vlok said the officers, a Captain Muller and Lieutenant Ingrid Oerson, were promoted after the incident to major and captain "in terms of merit and efficiency principles"

This was done before the inquest findings were handed

down in January this year.

This did not imply that no steps would be taken against them

Immediately after the incident became known, departmental standing orders were reviewed to prevent a recurrence. ARG 29/5/93

After a police investigation, a docket was handed to the Attorney General.

As soon as his report was received departmental action would be considered — Sapa

ARGUS 15/13
253

You too can be a guard — just apply to Mr Vlok

MARTIN CHALLENGOR
Weekend Argus Political Staff

PEOPLE with a lot to say about the government's handling of prisoners can now do something about it themselves — they can become volunteer correctional supervision officers

Mr. Adriaan Vlok, Minister of Correctional Services, announced in his budget vote in parliament yesterday that the Department of Correctional Services was looking for help

At the moment it was using full-time, fully-trained prison warders to check on people who had been sentenced to periods of correctional supervision

Under this system, criminals have to spend every night in their own homes, rather than go to jail, but can go to work, are not separated from their families, and are less of a drain on the state.

Mr. Vlok announced the department's plan to recruit, appoint and train volunteer and temporary correctional supervision officers from various communities to help implement the programme.

Check convicts, CIPress just up 306193 your 253 street

By DAN DHLAMINI

MEN in prisons' clothing have been employed by the Potchefstroom branch of Checkers/Shoprite - at the height of a strike.

On Friday a spokeswoman for the store, M van den Berg, said the store no longer employed prisoners. She said they stopped using them on Thursday afternoon.

The chain has been hit by a three-week national strike by about 10 000 Saccawu members. The workers are seeking recognition of their union.

On Thursday City Press staff counted up to 15 men in prisoners' clothing off-loading delivery trucks at the chain's Potchefstroom storeroom.

But the head of the Potchefstroom prison, Capt. J. Loubser, said he was not aware of any of his prisoners working at Checkers/Shoprite. Prison regulations did not allow convicts to work for non-governmental institutions, except for minor jobs such as gardening in private homes.

However, he promised to investigate the matter.

Van den Berg did not say why the company no longer employed prisoners, but sources close to the issue claimed the prisoners were withdrawn by the prisons authorities.

Residents from Ika-geng, Promosa and Moha-din - black, coloured and Indian townships, respectively - have heeded a call by the local branch of Saccawu to boycott the store.

Residents expressed anger over the use of prisoners to further the interests of white businessmen.

The strike stems from the termination of the union's recognition agreement two years ago when Pepkor, a holding company, took over control of the store.

Saccawu spokesman Jeremy Daphney said the union had been trying to negotiate a new agreement with management.

However, in May the union intensified its campaign. Last weekend about 10 000 union members marched from the city centre of Johannesburg to the Checkers/Shoprite branch in Hillbrow.

Scores of strikers are out on bail after being arrested for staging sit-ins in the stores nationwide. They are charged with trespassing.

'A doctor who took on the state's might ... for truth'

C/press 30/5/93

By OBED MUSI

THE doyen of South African pathologists, Dr Jonathan Gluckman, 78, this week died after a back operation.

He attracted international attention recently when he alleged that in many cases of death in detention he strongly believed the SAP to have been involved.

This opened a can of worms culminating in widespread rumours that a "hit squad" would remove him because he would reveal that "dirty tricks" had been used on those who had allegedly committed suicide in detention or while in the hands of the police.

At the time a friend of his was reported as saying that the pathologist had sent copies of his reports to a country abroad to be published "in case anything happened to him".

The hefty manuscript also contained his unedited memoirs which now sadly may never be published.

It will be recalled that he was the family pathologist in the Steve Biko inquest and that he was later the consultant for other families whose next-of-kin had died in similar circumstances.

After being involved in dozens of forensic consultations his sense of justice could stand no more, said an old-time colleague.

"He took on the might of the mighty South African government and was prepared to be pilloried by anyone for what he believed to be the truth — and he stuck to his ethical guns throughout," he said.

A product of elite institutions like Parktown Prep, Houghton College and Wits, where he later taught, he was nevertheless a man of the people, said a black medico who declined to be named.

His friend and colleague, Soweto leader Dr Ntatho Motlana, said: "He showed all SA that no one in authority can continue to kill people willy-nilly — as in the Lenkoe case — when he showed that electric shocks were used by the security police to extract what was to be later presented in court as truth.

"He was courageous, friendly, intelligent and had a full commitment to his calling."

In a statement, Azapo's Dr Gomolemo Mokaie paid tribute to Dr Gluckman: "He was a pathologist with a difference and his death must have touched the hearts of many members of the medical profes-



REMEMBERED! ... Dr Gluckman's evidence caused a sensation at the Steve Biko inquest.

sion.

"In his commitment to the Hippocratic oath he was head and shoulders above us all and did us proud.

"Respect for him extended beyond the borders of medicine to the rest of the world, and to the inhabitants of this embattled land he was a hero.

"This dates back to 1977 when he cocked a snoot at the government and its police force — giving an insight into the wanton brutality to which Biko must have been subjected to before his death

"Recently he once again ruffled the government's feathers when he suggested that the "new SA" detainee's lot still leaves a lot to be desired. In short it is still horrible

"He suggested that the SAP still took liberties with those detained in the country's prisons."

May his soul rest in peace



Kathrada recalls Robben Island at exhibition

STimes [C/Metro] 30/5/93

By SAHM VENTER

OF all the images of his 19 years on Robben Island — South Africa's Alcatraz — Ahmed Kathrada best remembers a freezing night at the hands of drunk white prison guards

They came into the cells late at night on May 28, 1971, and forced him and other political prisoners to strip and stand shivering with their hands against the concrete walls while their belongings were searched

Mr Kathrada relived the memory on Wednesday night when he spoke at a ceremony opening an exhibit at the South African Museum in Cape Town

The fact that a state-funded museum is highlighting the harsh conditions faced by black political prisoners illustrates how South Africa is changing. But the memories are still painful for those who were imprisoned on Robben Island

Escape

Mr Kathrada, 63, an African National Congress member, was sentenced to life in prison after being convicted of trying to overthrow the National Party government. He was freed in 1989 by President F W de Klerk

One of his fellow prisoners was Nelson Mandela, who at one time was to be airlifted to freedom in an elaborate escape plan featured in the exhibit

Lieutenant Mike Green, who worked on Robben Island at the time the plan was hatched, attended Wednesday's ceremony and was among those



EXHIBIT A prisoner's typical possessions on display — an apple box, which traditionally held prisoners' belongings — prison-issue boots, a tin mug and utensils and a photograph of Sade cut out of a magazine and kept in a hand-carved wooden frame
Picture: ERIC MULLER

studying the intricate prison map sketched by Eddie Daniels, the political prisoner who drafted the escape plot

Mr Daniels said a helicopter would have

plucked Mr Mandela from Robben Island's courtyard early on New Year's Day 1981, when security was expected to be lax

Lieutenant Green said it would have been a "disaster" because watch towers the ANC expected to be unmanned were in fact staffed that day

Leg irons and prison uniforms in scratchy wool are displayed alongside censored prisoners' letters, prayer books, and handwritten certificates prisoners awarded less-educated inmates they taught in a clandestine prison school

A cell measuring two metres by two metres was Mr Kathrada's home while he was on Robben Island, which housed political prisoners from 1961 until 1991. Nowadays, only 700 common criminals live on the windswept, rocky island,

and the prison is expected to close its doors in 1996

Even within the confines of Robben Island, the bizarre rules of the apartheid system were observed, said Mr Kathrada, treating Indians like himself and coloured prisoners better than Mr Mandela and other blacks

To supplement their rations, blacks were allowed only one loaf of bread a year, at Christmas, and had to buy it. Other prisoners got a quarter-loaf each day. In the winter, black prisoners wore shorts while others were given long pants

Mr Kathrada remembers how he and his fellow inmates would return daily from digging in the quarries with blistered and bloody hands, and sleep on cold cement floors

Robben Island's his-

tory goes back more than four centuries. It first was used as a prison for deviant seamen, and later became a leper colony and lunatic asylum

Now, the ANC and other political groups whose members were held there want a say in its future

The government has rejected calls to turn the island into a casino and hotel playground for the rich after its closure

Conservationists want to preserve the 1418-acre island's plants and animals. The ANC says it supports this, as long as nothing detracts from the memory of the prison

"While we will not forget the brutality of apartheid, we do not want Robben Island to be a monument of hardship and suffering," Mr Kathrada said

"We do want Robben Island to be a monument reflecting the triumph of the human spirit against the forces of evil" — AP

Relatives claim warders watched fire-bomb attack

□ Two prisoners in hospital after jail fracas, says department

JOSEPH ARANES
Staff Reporter

RELATIVES of two prisoners at Victor Verster Prison in Paarl allege that inmates were attacked with fire bombs by fellow prisoners while prison warders looked on

Mr William Lasker said his son Martin, who is serving a 22-year sentence, told him about the incident when he visited him recently

"A couple of prisoners, including my son, were in their cell in the medium-security section when they were attacked by a group of prisoners

"They repelled the initial attack, but the group returned and tossed fire bombs into the cell, causing the blankets and mats to burn and injuring two prisoners who were treated at the prison hospital

"My son was injured during the fight and when I visited him, he was still walking with a limp and complained about severe back pains

"How can this happen in a place of confinement with hundreds of warders around?"

"Do prisoners not have the right to be protected from harm when they are incarcerated and why were we not told by the prison authorities about the incident?" asked Mr Lasker

Mrs Katy Arendse, whose husband Chris is in Victor Verster, said she heard of the incident when she visited her husband and was upset because her close friend, Ronald Fortuin, also a prisoner, was put in hospital for burns

"My husband was out working when the incident happened, but warders came and took him and some other pris-

oners and locked them in the maximum-security section of the prison

"They said he was the leader of the gang which was attacked and had caused all sorts of trouble in the past"

She said that was untrue

"How can a prisoner with a bad record enjoy the privileges he had?" she asked

The Department of Correctional Services confirmed the incident, but refuted allegations that warders stood by during the attacks

Warrant Officer Rudie Potgieter said "A group of prisoners staged a surprise attack and two 'bombs', each consisting of a cup of thinners with pieces of cloth in it, were thrown into the cell

"The warders intervened immediately and prevented further assault or damage to property

"The inmates of the cell were taken to safety by warders and while this was in progress, a second group of prisoners tried to get hold of them, but were prevented from doing so by the warders," said Warrant Officer Potgieter

He said it was department policy to inform families of prisoners who were seriously injured

"In this case, they were not informed because the injuries were only minor and two prisoners were treated at the prison hospital

"All prisoners involved in the incident were transferred to the maximum-security prison and de-graded because of their disorderly behaviour

"The incident was investigated and criminal matters arising from it were handed to the police for investigation," said Warrant Officer Potgieter

(253)
ARCT 31/5/93

Hunt for dangerous escaped prisoner

Crime Reporter

Star 31/5/93
(253)
An escaped prisoner who police believe hid out at Winnie Mandela's Soweto home last week is still at large, and the SAP has warned that he is extremely dangerous.

Soweto police spokesman Major Joseph Ngobeni said yesterday that Bongani Christopher Khumalo (alias Gundwane) was to stand trial in Johannesburg in August and September on two counts of murder, several attempted murders and possession of a hand grenade and an unlicensed firearm.

Police believe he hid at Winnie Mandela's house last week, but when they searched the property could not find him.

Khumalo escaped from Baragwanath Hospital on May 20. It is believed he injured his ankle during the escape, and may be walking with a limp.



Wanted man . . . Bongani Christopher Khumalo.

Anyone with information should contact Detective-Sergeant Morrow at (011) 980-8140 or page him on (011) 804-2777 code 10052.

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

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No. 5091

Vol. 336

PRETORIA, 1 JUNE
JUNIE 1993

No. 14849

PROCLAMATION

by the
State President
of the Republic of South Africa

No. R. 48, 1993

CORRECTIONAL SERVICES AND SUPERVISION
MATTERS AMENDMENT ACT, 1991 (ACT No 122
OF 1991)

Under section 50 of the Correctional Services and
Supervision Matters Amendment Act, 1991 (Act No
122 of 1991), I hereby fix **1 June 1993** as the date on
which—

- (a) sections 38, 41 (b), 45 and 47 of the said Act
(hereinafter referred to as the Amendment
Act),
- (b) section 41 (a) of the Amendment Act, in so far
as it adds paragraph (h) to section 276 (1) of the
Criminal Procedure Act, 1977 (Act No 51 of
1977), and
- (c) section 42 of the Amendment Act, in so far as it
inserts section 276A (1) in the Criminal Proce-
dure Act, 1977,

shall come into operation in respect of the areas of all
the Magisterial Districts in respect of which the said
sections 38, 41 (b), 45 and 47 and the said portions of
sections 41 (a) and 42 have not been so put into opera-
tion by any of the proclamations specified in the Sched-
ule hereto

Given under my Hand and the Seal of the Republic
of South Africa at Cape Town this First day of June,
One thousand Nine hundred and Ninety-three.

F. W. DE KLERK,

State President

By Order of the State President-in-Cabinet

H. J. COETSEE,

Minister of the Cabinet

14948—A

PROKLAMASIE

van die
Staatspresident
van die Republiek van Suid-Afrika

No. R. 48, 1993

WYSIGINGSWET OP AANGELEENTHEDE
RAKENDE KORREKTIEWE DIENSTE EN TOESIG,
1991 (WET No 122 VAN 1991)

Kragtens artikel 50 van die Wysigingswet op Aan-
geleentheid rakende Korrektiewe Dienste en Toesig,
1991 (Wet No 122 van 1991), bepaal ek hierby
1 Junie 1993 as die datum waarop—

- (a) artikels 38, 41 (b), 45 en 47 van genoemde Wet
(hieronder die Wysigingswet genoem),
- (b) artikel 41 (a) van die Wysigingswet, in soverre
dit paragraaf (h) by artikel 276 (1) van die Straf-
proseswet, 1977 (Wet No 51 van 1977), voeg,
en
- (c) artikel 42 van die Wysigingswet, in soverre dit
artikel 276A (1) in die Strafproseswet, 1977,
invoeg,

in werking tree ten opsigte van die gebiede van al die
landdroesdistrikte ten opsigte waarvan genoemde arti-
kels 38, 41 (b), 45 en 47 en genoemde gedeeltes van
artikels 41 (a) en 42 nie by enige van die proklamasies
genoem in die Bylae hierby, aldus in werking gestel is
nie

Gegee onder my Hand en die Seel van die Repu-
bliek van Suid-Afrika te Kaapstad, op hede die Eerste
dag van Junie Eenduisend Negehonderd Drie-en-
negentig

F. W. DE KLERK,

Staatspresident

Op las van die Staatspresident-in-Kabinet

H. J. COETSEE,

Minister van die Kabinet

14849—1

SCHEDULE	BYLAE
NUMBER AND DATE OF PROCLAMATION 78 of 14 August 1991 R. 20 of 20 March 1992 R 86 of 1 August 1992 R 115 of 1 October 1992 R. 121 of 1 November 1992 R 133 of 1 December 1992 R 4 of 1 February 1993. R 24 of 1 April 1993 R 37 of 1 May 1993.	NOMMER EN DATUM VAN PROKLAMASIE 78 van 14 Augustus 1991 R 20 van 20 Maart 1992 R. 86 van 1 Augustus 1992 R. 115 van 1 Oktober 1992. R 121 van 1 November 1992 R 133 van 1 Desember 1992 R 4 van 1 Februarie 1993. R. 24 van 1 April 1993. R 37 van 1 Mei 1993

CONTENTS			INHOUD		
<i>No</i>	<i>Page No</i>	<i>Gazette No</i>	<i>No</i>	<i>Bladsy No</i>	<i>Koerant No</i>
PROCLAMATION			PROKLAMASIE		
R 48			R 48		
Correctional Services and Supervision Matters Amendment Act (122/1991) Commencement of certain sections	1	14849	Wysigingswet op Aangeleenthede rakende Korrektiewe Dienste en Toesig (122/1991) Inwerkingtreding van sekere artikels	1	14849

PAC youth shot in jail

Sowetan 2/6/93.

~~253~~ ~~253~~ 253

By Bongani Mavuso

A POLICEMAN allegedly shot dead a youth "by mistake" at the Houtkop police station in Sebokeng on Sunday.

Mr Lucas Mohapi said he last saw his son Edgar (19), a Standard 9 pupil at the Rophele Secondary School at Orange Farm, alive last Friday morning.

Edgar, who is said to be a PAC activist, was arrested on Friday with his friends Bheki Malevu and two others identified as Bakeng and Velt at Orange Farm.

"Police informed me on Sunday evening that my son had been shot in the head by mistake," Mohapi said yesterday. "They told me to go to the police station and inquire.

"When I went there, a police officer told me Edgar was sitting with his friends smoking in an office when he was shot in the head. He asked if police could do anything to help."

Vaal police spokesman Major Piet van

Deventer yesterday confirmed the shooting.

"It seems it (the shooting) was an accident. The matter is under investigation."

Van Deventer said the policeman involved had not been arrested. "We can't reveal his identity."

Mrs Rita Malevu said her son Bheki was seriously assaulted.

"His face was badly swollen. Initially, police told me he was not being held there. When I went to inquire again on Sunday, I saw him being fingerprinted.

"I was informed that Bheki tried to commit suicide by cutting his stomach with a sharp object. I don't understand why police initially said he was not being held there."

Mohapi said police informed him that the boys were arrested for illegal possession of two 9mm pistols. He could not confirm that

his son was a member of the PAC. "I am baffled by the police contention that my son was shot by mistake. They told me he was co-operative. I can't understand the circumstances under which my son was killed. I feel the police are hiding something about the way he was killed," he said.



Edgar Mohapi (19) was last seen alive last Friday morning.

C

Mom's agony over son's cell death

By Abdul Milazi

"Come to the police mortuary, there is someone there who looks like you," Maria Phiri (40) was told by three policemen on the day after her son had died while being interrogated at the Welverdiend police station in Carletonville.

"I almost fainted with shock when I found that the person they were talking about was my son Nickson. He was dead," Phiri said tearfully

Nickson Phiri (16), who was a member of the ANC Youth League-affiliated Khutsong Youth Congress, died on January 16 1990 while being interrogated at the police station which has since been closed.

A three-month inquest into Phiri's death ended inconclusively last week because of "contradicting evidence" by police and the family.

Phiri, an illiterate domestic worker who lives in a tiny shack in Khutsong, attended the inquest without the faintest understanding of the proceedings

"Our lawyers told us that they had opened a case against the police because my son died in their custody I was told to come and speak in court That's all I knew," she said

Police claimed Phiri had died of an epileptic seizure.

Earlier in the inquest, independent pathologist Dr Jonathan Gluckman testified that he had found evidence of bleeding in Phiri's brain. There were bruises on his head and body and his lungs had been congested with blood. He had also found a "large amount of free blood" in his stomach

A witness arrested with Phiri, Ishmael Booyesen (22), told the court that he had seen three policemen assaulting Phiri.

For the domestic worker, her oldest child was her only hope for a better life. But he is gone, and so are her hopes

Hansard

Hansard

wanted the parents to become more involved years ago This campaign has caused that to happen
If Sadhu takes a decision in Pretoria and gives an undertaking, and its members in the Western Cape pay no attention, surely it is not the fault of the Minister and the department if a rebellion

takes place in Sadhu and there is no control Is it my fault or that of the department if there is a power struggle, which has nothing to do with education or with what the department is doing, among teachers' associations outside? [Interjections] [Time expired]
Debate concluded.

Hansard

Hansard

HOUSE OF DELEGATES

QUESTIONS

Indicates translated version.

For oral reply

General Affairs

Cost of government

*1 Mr M F CASSIM asked the Minister of State Expenditure:

- (1) Whether, with reference to the alleged stated goal of the Government to achieve greater economics of scale and rationalization within government, the cost of government to the nation has increased in real terms, if not, what is the position in this regard; if so, to what extent,
- (2) whether he will make a statement on the matter? B273E

THE MINISTER OF STATE EXPENDITURE:

- (1) No The cost of government refers to more than that of central government It encompasses that of the general government, i.e. central, provincial and local government (including TBVC states and self-governing territories). According to the latest information of the Central Statistical Service (PO441) the change in real terms in expenditure for the general government over the past five quarters was as follows

1992	1	0,2%
	2	0,1%
	3	0,0%
	4	-0,3%
1993	1	-0,4%

- (2) No

Mr M F CASSIM Mr Chairman, arising out of the hon the Minister's reply, are we then to assume that there is positive saving on the part of the Government?

The MINISTER Mr Chairman, on the face of it, that would seem to be the case I shall pursue the point the hon member has raised, and

try to give him a more substantial reply In the meantime, may I refer him to the bulletin of the Central Statistical Service, PO441, of which I shall enclose a copy when I reply to him
Mr A RAJBANSI Mr Chairman, the hon the Minister referred to the governments of the TBVC and other states Further ansing out of his reply, is it not correct that anyone who wants to argue in favour of dismantling own affairs as part of the rationalisation programme should also ask, amongst other things, for the dismantling of the KwaZulu government?

The MINISTER Mr Chairman, I take it that the hon member does not want to initiate a debate on this right now However, I will consider what he has said, because a debate on this issue is necessary The trend of saving and reducing expenditure shows that we are moving in a positive direction

Death at Pollsmoor: Inquest

*2 Mr M RAJAB asked the Minister of Justice

- (1) Whether an inquest has been conducted into the death of a certain person, whose name has been furnished to the Minister's Department for the purpose of his reply, in Pollsmoor Prison on or about 29 June 1989, if not, why not, if so, by whom;
- (2) whether any findings have been made in respect of the conduct of prison staff allegedly involved in the incident resulting in the death of the above-mentioned person, if so, what were the findings,
- (3) whether a report on the inquest has been handed to the Attorney-General of the Cape, if not, why not, if so, when,
- (4) whether the Attorney-General has taken any decision as a result of the findings contained in this report, if not, why not, if so, what was the decision,
- (5) whether he will make a statement on the matter? D278E

THE MINISTER OF JUSTICE

- (1) Yes, it was conducted by a magistrate of the Magistrate's Court, Wynberg
- (2) Yes, he found that the death was not brought about by any act or omission in-

volving or amounting to an offence on the part of any person

(3), (4) and (5) Yes, on 15 January 1993 In this regard cognizance has to be taken of the provisions of sections 17 and 21 of the Inquests Act, 1959 (Act 58 of 1959), which enables an attorney-general to, after considering the record of the proceedings, request the re-opening of the inquest or to institute criminal proceedings if he is of the opinion that it should be done

No decision has been made as the Attorney-General is awaiting representations from the legal representatives of the deceased's mother

Crime prevention unit at Chatsworth

*3 Mr A RAJBANSI asked the Minister of Law and Order

- (1) Whether any arrests have been made by the crime prevention unit at Chatsworth since the so-called A Team unit was disbanded, if not, why not, if so, how many,
- (2) whether, since the disbandment of the above-mentioned unit, any Mandrax tablets have been seized in the area concerned, if so, how many? D280E

The MINISTER OF LAW AND ORDER

- (1) Yes, 235
- (2) Yes, 731

Mr A RAJBANSI. Mr Chairman, arising out of the hon the Minister's reply, is he prepared to give us comparative data in respect of the efficiency of the present restructured crime unit and the performance of the A Team?

The MINISTER Mr Chairman, if that question is placed on the Question Paper, I will gladly do so. Permit me to say that considering what the hon member said at the World Trade Centre on Thursday evening, I wish he was as concerned about the deaths of people murdered by Apla as he is about this particular issue

Mr A RAJBANSI Mr Chairman, on a point of order. That is an unrelated matter. If the hon the Minister has guts here, he should also have guts at the World Trade Centre

HOUSE OF DELEGATES

case was also present and we took decisions on various matters

Firstly, we decided that a press statement would be prepared by the commissioner for publication. This statement will deal with requirements and restrictions in respect of the clearance of imported goods by returning residents. It is anticipated that a better knowledge of the do's and don'ts will go a long way towards removing misunderstandings between customs and the public. The public is also being made aware of the fact that officers are required to wear name plates, so that offenders may be identified. That is the first step

Secondly, the commissioner reassured an instruction that all officers who interact with the public should wear name tags in future. That is an important step

Thirdly, the commissioner and I will visit Durban. I am sorry that it will not be possible for me to spend a whole day there during this parliamentary session, since I have many duties regarding legislation. However, I shall be visiting Durban during that time. I intend to visit the airport for an *in loco* inspection, and I shall inform the hon member of my visit

Public Service: merit awards

*5 Mr M RAJAB asked the Minister of Education and Training (Minister responsible for the Commission for Administration):

Whether the Commission for Administration administers a system of merit awards for all members of the public service; if not, why not; if so, what are the relevant details? D291E

The MINISTER OF EDUCATION AND TRAINING (Minister responsible for the Commission for Administration):

No. The various departments mentioned in the Public Service Act, 1984, themselves administer certain prescribed systems with regard to merit awards in the case of members of the Public Service

Own Affairs

Funds for housing: insurance company

*1 Mr M F CASSIM asked the Minister of Housing:

(1) Whether his Department recently obtained funds for housing programmes through a certain insurance company, the name of which has been furnished to the Minister's Department for the purpose of his reply, below the market interest rate, if not, what is the position in this regard, if so, (a) when, (b) what is the name of the company in question, (c) what amount and (d) under what conditions,

(2) whether he will make a statement on the matter? D261E

The MINISTER OF HOUSING

(1) No. As far as could be ascertained, the former Financial Consultant had exploratory discussions with an Insurance Company. However, it appears that no tangible results were derived therefrom

(a), (b) (c) and (d) fall away

(2) No

Mr M F CASSIM Mr Chairman, arising out of the hon the Minister's reply, is he aware that this particular insurance company has advertised its intention to make available vast sums of money for housing at an interest rate of 10%?

The MINISTER Mr Chairman, for the information of the hon member Mr M F Cassim, such monies are not loaned by this Administration. Local authorities have to apply for such loans. Their applications have to be made in consultation with the administrator in charge of local authorities. In turn, the administrator concerned has to consult with Treasury to ascertain whether such loans can be serviced

Mr M F CASSIM Mr Chairman, further arising out of the hon the Minister's reply, why can the necessary machinery not be put in place to explore all the possibilities for obtaining this much needed funding for social upliftment in the country?

The MINISTER Mr Chairman, I have stated on many occasions in this House that we must naturally explore every possible way of ensuring the upliftment of the underprivileged community, particularly with regard to housing, welfare, etcetera. Money is required

In any event, with the restructuring of the Administration, there has to be a new scenario

HOUSE OF DELEGATES

Strait-jacket death: No action

By BARRY STREEK
Political Staff

THE attorney-general had not taken any decision about legal action against two officers following the death of a woman in Pollsmoor Prison in 1989 after she was strapped into a strait-jacket, the Minister of Justice, Mr Kobie Coetsee, said yesterday. The attorney-general was

CF 3/6/93 (253)
awaiting representations from the legal representatives of the deceased's mother, Mr Coetsee said in reply to a question tabled in Parliament by Mr Mahmoud Rajab (DP, Springfield)

Last week, the Minister of Correctional Services, Mr Adriaan Vlok, said no action had yet been taken against the two officers, Major S Muller and Captain I

Oersen, who had ordered that Carol (Debbie) Meyers be placed in a strait-jacket

Meyers died within 24 hours of being placed in the strait-jacket

He also revealed last week that both Major Muller and Captain Oersen had been promoted after her death but before the inquest findings into her death were given on January 15 this year

Straitjacket doctor to face enquiry

SOUTH 5/6-9/16/93

By Donald Zake

FOUR years after the death of straitjacketed Pollsmoor prisoner Carol "Debbie" Meyers, the Medical and Dental Council (SAMDC) has begun investigating a complaint against the Wynberg District Surgeon who certified her fit for the punishment.

A spokesperson for the SAMDC told SOUTH this week that the council had received a formal complaint against Dr PU Fischer, and had asked him for an explanation. The complaint, and Fischer's

reply, would be submitted to a committee of preliminary enquiry, which would decide whether a full disciplinary enquiry should be held. The spokesperson said the Fischer case would be considered by the committee "this month or next month".

During the debate on the Correctional Services budget vote in Parliament last week, Democratic Party prisons spokesperson Mr Mahmoud Rajab said he was shocked at the conduct of Fischer, who according to the inquest magistrate had given Meyers a superficial examination

and then "washed his hands of her".

Meyers, who had been overheard threatening to commit suicide, died in Groote Schuur Hospital after being held in the jacket for 23 hours.

In the same debate Minister of Correctional Services Mr Adrian Vlok confirmed that two Pollsmoor staff whose conduct in the straitjacketing episode was described by the magistrate as "inhuman", were promoted after the death — as revealed by SOUTH in February. However he said the promotions,

Major for former Captain Susanna Muller, and to Captain for Pollsmoor medical staffer Lieutenant Ingrid Oerson, were in terms of "merit and efficiency principles" and did not rule out future disciplinary action once the Attorney General's decision was known.

Cape Attorney General Mr Frank Kahn said although he had the findings of the inquest, Meyers's family had indicated they wanted to make representations to him before he decided whether to prosecute anyone. They have not yet done so.

Handwritten mark resembling a stylized 'A' or '4'.

Self-governing territory/ statutory bodies	Commerce and services	Housing	Industries	Small industries	Mining	Agriculture	Transport	Other
KwaZulu								
(a) (i)	659	(1)	—	2 794	—	5 302	—	—
(a) (ii)	659	(1)	—	2 794	—	5 302	—	—
(aa)	—	—	—	—	—	—	—	—
(a) (iii)	—	(1)	—	—	—	—	—	—
(bb)	R17 530	(1)	—	R5 712	—	R2 605	—	—
(b)	—	—	—	—	—	—	—	—
Lebowa								
(a) (i)	171	4 110	—	—	—	—	—	—
(a) (ii)	171	4 110	—	—	—	—	—	—
(aa)	—	—	—	—	—	—	—	—
(a) (iii)	—	—	—	—	—	—	—	—
(bb)	R19 772	R8 560	—	—	—	—	—	—
(b)	—	—	—	—	—	—	—	—
OwaOwa								
(a) (i)	185	120	—	205	—	66	—	—
(a) (ii)	185	120	—	205	—	66	—	—
(aa)	—	—	—	—	—	—	—	—
(a) (iii)	—	—	—	—	—	—	—	—
(bb)	R15 650	R6 186	—	R3 843	—	R12 600	—	—
(b)	—	—	—	—	—	—	—	—

(1) Not available

Self-governing territories: Blacks employed

359 Mr P G SOAL asked the Minister of Regional and Land Affairs

How many Blacks in each self-governing territory were employed in undertakings established (a) on an agency basis and (b) by development corporations for such territories as at the latest specified date for which figures are available? B824E

The MINISTER OF REGIONAL AND LAND AFFAIRS

No persons are employed by undertakings which were established on an agency basis as mentioned in (a) as no undertakings was established on that basis. The following information received from the Self-governing Territories, is applicable to (b)

Self-governing territory	Latest specified date	(b) Number of persons employed in undertakings established by development corporations
Gazankulu	30-09-92	5 010
KaNgwane	30-09-92	11 114
KwaNdebele	30-09-92	4 579
KwaZulu	30-09-92	44 625
Lebowa	30-09-92	18 996
OwaOwa	30-09-92	5 246
Total		89 570

Leeuwkop Prison: prisoners on hunger strike

366 Mr D J DALLING asked the Minister of Correctional Services.

(1) Whether any of the prisoners at Leeuwkop Prison whose names have been furnished to the Minister's Department for the purpose of his reply embarked upon a hunger strike recently; if so, (a) how many, (b) when and (c) in respect of each such prisoner, (i) of what offence was he convicted, (ii) what is the date of the offence in question and (iii) what sentence was imposed.

(2) whether the said prisoners have made any demands, if so, what was (a) the purport of these demands and (b) his Department's response thereto,

(3) whether any of the offences referred to in paragraph (1) (c) (i) were committed pursuant to any political motivation, if so, (a) which of these offences and (b) what are the names of the prisoners involved,

(4) whether he will make a statement on the matter? B859E

THE MINISTER OF CORRECTIONAL SERVICES

(1) Yes

(a) Twenty-one (21)

(b) 1 May 1993 to 8 May 1993 (two (2) prisoners)

1 May 1993 to 11 May 1993 (three (3) prisoners)

1 May 1993 to 14 May 1993 (sixteen (16) prisoners)

(c) (i) (ii) and (iii) For obvious reasons such as *inter alia* the interests of a prisoner's family, his rehabilitation, etc, it is departmental policy not to disclose personal particulars pertaining to individuals. However, should the hon member be interested in further detailed information of a specific case, he is welcome to approach me, whereupon I will consider making the information available to him on a personal basis.

(2) Yes

(a) They demanded to be released in

terms of the Further Indemnity Act, 1992 (Act 151 of 1992)

(b) The prisoners in question were assisted as far as possible with their applications for release in terms of the Further Indemnity Act, 1992 (Act 151 of 1992) and the applications were sent to the National Council on Indemnity. Furthermore, these prisoners were treated in terms of internationally acceptable principles which included, *inter alia*, the following

— that the prescribed balanced diet is still served at every mealtime even if the prisoner refuses to eat it

— that participants were regularly cautioned regarding the detrimental effects of such actions to their health

— that medical treatment is available on a continuous basis

(3) The hon member will probably agree with me that this matter is one of the aspects which should be considered by the National Council on Indemnity. Therefore, I am not in a position to comment in this regard

(a) and (b) As at (1) (c) (i) (ii) and (iii)

(4) No

Own Affairs

Departmental schools: amounts spent

73 Mr R M BURROWS asked the Minister of Education and Culture

What total amount was spent in the 1990-91, 1991-92 and 1992-93 financial years, respectively, on (a) school textbooks, (b) library books, (c) hostel accommodation subsidies, (d) pupil transport subsidies, (e) school audio-visual equipment, (f) school buildings, (g) stationery and (h) school furniture at schools falling under his Department? B815E

The MINISTER OF EDUCATION AND CULTURE

Police 'not aware' of ²⁵³ man's death in detention

¹⁹⁹³
LAW and Order Ministry spokesman Captain Craig Kotze yesterday said he was not aware of any death in detention of a PAC member arrested during the recent police clampdown on the organisation

Captain Kotze was reacting to an earlier statement by the PAC in which it said it was considering laying charges against Law and Order Minister Mr Hernus Kriel and his predecessor, Mr Adriaan Vlok, for the death in detention of a PAC member after he was arrested in the swoop — Sapa

1923

Howse

WEDNESDAY, 9 JUNE 1993

Howse

1924

rightful claim to its own tertiary educational institution

*THE DEPUTY MINISTER OF EDUCATION AND CULTURE Mr Charman, what the hon member for Brits said, is true. However, it is also true that in the end an institution must also be economically viable in order to be retained. This department takes the view that everything in its power should be done to see to it that Afrikaans speaking students who wish to qualify as teachers will be able to receive their training there. That will only be possible if the college is made viable.

†I refer to the steps that have actually been taken to make the college more viable. I just want to elaborate on that. First of all, as the hon member knows, the college has been opened to all races. It has been converted into a bilingual institution, and the admission requirements have fortunately also been changed. I am proud to announce that the standards have remained intact.

It is no longer necessary to take Afrikaans as a subject, and it is also no longer necessary to have passed Afrikaans in the matriculation examinations. Despite this, however, there were 1 200 applications during the past year, primarily from the KwaZulu area. Only 120 were accepted, and of those only seven turned up at the end of the day. The reason for this is that apparently there are insufficient study loans available. I want to request the KwaZulu government to make these loans available in order to make the college more viable.

*Mr J A JORDAAN Mr Charman, earlier this evening we heard the NP and the ANC refer to their Rolls Royce here. That, of course, is the Roelf and the Ramaphosa show. When it comes to education in this country, I want to say to the hon member for Brits that as far as education in this country is concerned, we call the hon member for Pinetown the Rolls Royce of politicians.

HOUSE OF ASSEMBLY

1925

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WEDNESDAY, 9 JUNE 1993

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open at all times. We would like to thank them for their support. One can achieve that.

*I referred to the fact that this year as many as 3 000 applications from other groups may be received for consideration. I must also point out that to a certain extent—perhaps the hon member for Pinetown will differ with me on this point—one must also guard against the overtrading of teachers. I know we are going to become one department.

*One should proceed cautiously. I think that with the support of all the parties in this House it will be possible to keep this college open and to enable Afrikaans-speaking students to receive their training as future teachers there by taking the steps that we announced here this afternoon. Debate concluded.

QUESTIONS

Indicates translated version

For oral reply

Own Affairs

Hennemann: Illegal march/evacuation of primary school

*Mr A GERBER asked the Minister of Education and Culture:

- (1) Whether pupils of a certain primary school, the name of which has been furnished to the Minister's Department for the purpose of his reply, had to vacate their school as a result of an illegal march by Blacks through Hennemann on or about 7 May 1993, if not, what is the position in this regard, if so, for how long were they prevented from returning to the school to receive tuition,
- (2) whether the Free State Education Department addressed a letter to this school beforehand in which it was requested *inter alia* that parents should not enter the school grounds while carrying weapons, if so, what are the relevant details,
- (3) whether parents are entitled to claim back any compulsory school fees in respect of the period during which their

children were prevented from receiving tuition as a result of the above-mentioned events, if not, why not, if so, what amount may they claim back,

(4) whether he will make a statement on the matter? B910E

*THE DEPUTY MINISTER OF EDUCATION AND CULTURE

- (1) Yes, from 9 35-13 15,
- (2) no,
- (3) no, school fees paid by parents are intended primarily for the running costs of the school. The cost of the tuition itself is borne mainly by the state in the form of the salaries of the teachers,
- (4) no

For written reply

General Affairs

Indemnity granted to exiles/prisoners

220 Mr P G SOAL asked the Minister of Justice

- (1) What, as at the latest specified date for which information is available, was the total number of (a) exiles and (b) prisoners who had been granted indemnity in terms of the Indemnity Act, 1990 (Act No 35 of 1990),
- (2) whether any applications for indemnity by (a) exiles and (b) prisoners have been unsuccessful to date, if so, (i) how many and (ii) for what reasons,
- (3) whether there have been any disputes between the Government and any other bodies in respect of the granting of such indemnity, if so, what are the (a) names of the bodies concerned and (b) relevant particulars in regard to these disputes,
- (4) whether any of these disputes have been resolved, if not, why not, if so, what is the total number of exiles and/or prisoners involved,
- (5) whether he will make a statement on the matter?

HOUSE OF ASSEMBLY

B466E
Coulter

The MINISTER OF JUSTICE

At the outset it is important to take cognizance of the fact that a clear distinction has to be drawn between those instances where indemnity has been granted in terms of the provisions of the Indemnity Act, 1990 (Act 35 of 1990), and the indemnity provided for in the Further Indemnity Act, 1992 (Act 151 of 1992) The following answer consequently only relates to indemnity in terms of the 1990 Act Regarding the position in terms of the 1992 Act refer to the answer to question No 92 of 18 March 1993 (col 678)

Most applicants who apply for indemnity furnish an address inside the Republic as their residential address It is therefore impossible to ascertain whether an applicant is an exile when an application for indemnity is received The Government and the United Nations High Commissioner for Refugees, however, agreed in the Memorandum of Understanding dated 4 September 1991 to a separate process to assist in the repatriation of exiles to South Africa This is a separate exercise where each returnee submits a Voluntary Repatriation Application Form in order to be cleared in terms of the Memorandum of Understanding before returning to South Africa The UNHCR acts as facilitator in this process

- (1) (a) As no indication is given on the application form whether or not the applicant is an exile, it is not possible to determine how many exiles have applied for indemnity
- 5 220 People have, however, been granted indemnity for illegally leaving the country in terms of the Indemnity Act, 1990 (Act No 35 of 1990) It can be assumed that these people were exiles
- 6 963 People have been cleared under the voluntary repatriation process to date
- (b) None The release of prisoners is a separate exercise and does not fall under the Indemnity Act 1990
- (2) (a) (i) Yes 88 Persons who submitted Voluntary Repatriation Application Forms, have not been cleared

The MINISTER OF JUSTICE

With regard to applications in terms of the Indemnity Act, 1990, no figure regarding exiles is available as no indication is given on the application form whether or not the applicant is in exile 370 Applications for indemnity have, up to 24 March 1993, been refused

(u) Exiles who made use of the voluntary repatriation process of the UNHCR were not cleared because it was established that they had outstanding criminal offences for which they could be prosecuted should they return

(v) Persons who were refused indemnity under the Indemnity Act, 1990, amongst whom some exiles could be included, were refused because the acts for which indemnity was sought, could not be regarded as events qualifying for indemnity as visualised by this Act

- (b) (i) Prisoners are not indemnified, they are given a remission of sentence Consequently they do not apply for indemnity but for release 4 368 Prisoners were unsuccessful in their applications for release These were all instances which by no stretch of the imagination could be regarded as political
- (ii) Those prisoners whose offences were not regarded as political offences, were not released
- (3) (a) Yes Various political organisations, acting on behalf of their members, as well as groups such as Lawyers for Human Rights and the Human Rights Commission, from time to time disagreed with decisions not to indemnify certain applicants
- (b) The disputes were all about the question whether a specific offence should be regarded as a political offence
- (4) No statistics are kept regarding these

The MINISTER OF JUSTICE

Disputes Where a dispute developed regarding the result of a specific application, the matter was referred to an Indemnity Committee for a recommendation and then again submitted to the State President for consideration Interested parties could appear before the Indemnity Committee and submit argument at that forum In order to obtain figures it will be necessary to examine each file in the Office for Indemnity, Immunity and Release which is not feasible

(5) A statement is not necessary

Goldstone Commission: members/advisers/officials

342 Adv T LANGLEY asked the Minister of Justice:—

- (1) Whether he will furnish the names of the (a) (i) members, (ii) advisers and (iii) officials of, and (b) other persons involved in, the Goldstone Commission, if not, why not; if so, what are the relevant details,
- (2) whether this commission makes use of subcommittees to carry out some of its functions, if so,
- (3) whether any (a) members of such a subcommittee and/or (b) persons referred to in paragraph (1) took part in a raid on premises of the Directorate of Covert Information of the South African Defence Force, if so, (i) what are the names of these members and/or persons and (ii) in respect of each of the persons referred to in paragraph (3) (b), (aa) what is his or her nationality, (bb) in what capacity was he or she acting and (cc) who is his or her employer? B799E

The MINISTER OF JUSTICE

(1) (a) (i) The members of the Goldstone Commission (hereinafter referred to as the Commission) are

- 1 The Honourable Judge of Appeal Mr R J Goldstone (Chairman)
- 2 Adv D J Rossouw (Vice Chairman)
- 3 Adv M N S Sithole
- 4 Miss L G Baqwa
- 5 Mr G Steyn

(ii) I am informed by the Goldstone Commission that the Commission does not have any advisers as such at its disposal Members of the legal profession are appointed from time to time to serve on committees of the Commission and experts are utilized to, for instance, serve on the panel on mass action The Commission may also, in terms of section 5 of the Prevention of Public Violence and Intimidation Act, 1991 (Act 139 of 1991), with the concurrence of the State President, appoint as many institutes as it may deem necessary to assist it in the exercise and performance of its powers, duties and functions

(iii) The officials who serve on the permanent personnel of the Commission are as follows

- 1 Adv J J du Toit (Deputy Attorney General, Witwatersrand)—advocate for the Commission
- 2 Adv J P Pretorius (Senior State Advocate of the office of the Attorney General, Transvaal)—advocate for the Commission
- 3 Adv Glenn Cuthbertson (A Legal Administration Officer) — secretary
- 4 Lieutenant-Colonel H Heslinga (from the Soweto Murder and Robbery Unit)
- (b) The administrative personnel who have been transferred from the Department of Justice, are
- Mrs L de Beer—secretary
- Mrs E Pelton—secretary

The Commission also has investigating units which are deployed in the regions where the most problems are encountered The following persons are members of the investigating units

Witwatersrand Investigating Unit

- 1 Col A Eagar
- 2 D/Sgt P M van der Merwe
- 3 D/Sgt M J Moremi
- 4 Adv H Fabricius (Advocate of the Pretoria Bar)

Four dangerous convicts escape

Star 9/6/93

(253)

Four dangerous long-term prisoners escaped from Leeuwkop Prison maximum security section near Johannesburg early today after sawing through metal bars on the cell window, the Correctional Services Department said.

They escaped about

3 am in civilian clothes

The men were sentenced for robbery, unlawful possession of firearms, housebreaking and theft, attempted murder and escape. They are Stanley Masinda (19); Zaccaria Mokone (24), Cam Ndlovu (23); and Eric Simelone (26)

Masinda has the word "kill" tattooed on his forehead and a "7" on his right arm. Mokone has a cross on his left arm

The department said the men were dangerous and asked the public to contact the nearest police station if they were seen. — Crime Reporter

Falati to start two-year sentence today

ARRANGEMENTS have been made for Xoliswa Falati, convicted of kidnapping and assaulting four Soweto youths, to report to the police today to start a two-year prison term

Her lawyer, Mr Michael Parker, said arrangements had been made with a police investigating officer for Falati to hand herself over

He declined to say where and when she would report. But it is believed she will go to Orlando police station in Soweto

Sowetan 9/6/93 (253)

■ Arrangements made for Xoliswa to hand herself over to police:

But police spokesman Major Joseph Ngobeni said police had by yesterday not received a court order concerning Falati's imprisonment

Falati and her co-accused, Winnie Mandela and John Morgan, were convicted of kidnapping murdered teenage activist Stompie Seipei and three others on December 29 1988. Stompie was found dead in a veld on January 6 1989

The court upheld a kidnapping conviction against Mandela but set aside her five-year sentence and fined her R15 000

Falati was quoted in a weekend newspaper as saying "The fine will mean nothing to Winnie, she has money like dust. Winnie is the culprit. I don't have a drop of blood on my hands but I'm being jailed" — Sapa

SA jails clean but very violent, says study

By Mike Littlejohn
Special Correspondent

NEW YORK — While significant reforms had been implemented and conditions improved in South African prisons, they remained places of extreme violence and the ratio of inmates to population was one of the highest in the world, says a new study.

The report by Human Rights Watch was issued ahead of the opening in Vienna next week of a United Nations conference on human rights.

In a letter addressed to UN Secretary-General Boutros Boutros-Ghali, the authors of the report termed their findings, which covered several countries other than South Africa, "discouraging".

UN rules were being violated in virtually every state investigated. The group called for the creation of a UN body with a mandate to inspect prisons.

A Human Rights Watch team investigated prisons in South Africa last year and included Pretoria Central and Robben Island in their survey.

"The most striking feature of prison life in South Africa is its violence," their report said.

In a gang system, assaults occurred daily and sexual abuse was common while there was substantial evidence of collusion by ward-

ers, "even to the extent of instigating murder" (253)

However, said the report "South African prisons must be among the cleanest in the world." Those in the homelands were run down.

There was overcrowding as well as inadequate facilities throughout the system and, in the rural areas, little provision for outside visitors to see inmates.

Perhaps the most important result of political developments in South Africa affecting prisons was the release of large numbers of security prisoners and the repeal of racially discriminatory laws relating to the system, the report said.

Department of Correctional Services spokesman Colonel Barry Eksteen said the department was "fairly satisfied with the accurate and objective observations" by Human Rights Watch but some aspects of their report were misleading.

He said there had never been any evidence in a court of law of warders' collusion in the gang system, or that warders had instigated murder.

Also, considering South Africa's enormous prison population — about 110 000 with an annual turnover of 400 000 — the number of assaults was relatively low, Eksteen said.

SA prisons win World acclaim

APR 10 6 1983
253

RAMSAY MILNE
The Argus Foreign Service

NEW YORK — South Africa has been generously praised by a United Nations-sponsored organization, Human Rights Global Watch, which says "significant reforms" have been made in South African prisons.

The report, submitted this week to UN Secretary-General Boutros Boutros-Ghali, found South African prisons "among the cleanest in the world" attributing improved conditions to the political changes since 1990.

It was based on an investigation during two visits by investigators last year and this year. Among the prisons visited were Pretoria Central, Durban Westville, Robben Island, Pollsmoor, Modderbee and Brandvlei.

The inquiry team tempered its praise with several criticisms, the sharpest of which were levelled at overcrowding in many prisons, and at prison violence.

The report said that with 356 prisoners to every 100 000 citizens, South Africa continued to have one of the highest prisoner-to-population ratios "And many aspects of prison life remain depressingly unchanged from the years of official apartheid."

The report added "The most striking feature of prison life in South Africa is its violence.

"An elaborate gang structure operates throughout the prison system and riots between different gangs take place regularly. Individual cases of assault occur on a daily basis and sexual abuse is common.

Gang wars rife, says UN watchdog

"There is substantial evidence of collusion by warders in the gang system, even to the extent of instigating murder. In addition, assaults by prison warders on prisoners occur frequently."

Racial discrimination continued to play a role in the prison system, said the report, adding that the most significant variations in physical conditions were caused by different treatment for black and white prisoners.

Though apartheid in the prison system had formally ended and white and black prisoners were held in the same institutions, whites often received better treatment, including housing in less-crowded cells, greater access to training facilities and less onerous work.

Another aspect that drew favourable comment from the investigators was that job training on "quite a sophisticated level" was available in some prisons, usually those that formerly housed only white prisoners.

● Zaire, Malawi and Brazil were listed as having the world's worst prisons.

Although United States prisons were generally held to be adequate, the report said that with a ratio of 455 prisoners to 100 000 inhabitants, and with more than a million people behind bars, the US could claim "the dubious distinction of being among the world's leaders in both categories."



Star 10/6/98
Dangerous prisoners escape
(253)

By Charmeela Bhagwat

A total of 350 prisoners escaped from custody between January and April, and yesterday's breakout at Leeuwkop maximum prison near Johannesburg was the third at the prison this year, the Correctional Services Department said yesterday.

Four dangerous long-term prisoners escaped from the prison early yesterday after sawing their way through their cell window's metal bars, the department said

The department considered

the high number of escapes in such a serious light that the issue was discussed "as a matter of urgency" at a general staff meeting last week, said Correctional Services spokesman Colonel Danie Immelman.

At the meeting, regional commissioners were asked to take "all necessary steps to prevent escapes", he said

Earlier, another spokesman, Colonel Barry Ecksteen, said 70 of the 350 escapers had escaped from prison, 278 from work teams outside prison walls, three during escorting to and

from courts and nine during transfers to and from hospitals

The convicts who escaped yesterday were serving sentences for robbery, the unlawful possession of firearms, house-breaking and theft, attempted murder and escape

Stanley Masinda (19), Zacaria Mokone (24), Cain Ndlovu (23) and Eric Simelone (26) were wearing civilian clothes when they escaped. Masinda has the word "kill" tattooed on his forehead and a "9" tattooed on his right upper arm. Mokone has a cross tattooed on his left arm

Star 12/16/93

SA prisons have cleaned up their act, says UN report

NEW YORK — Though almost always a subject of criticism by international human rights groups for its treatment of prisoners, South Africa has received unexpected and generous praise by a UN-sponsored organisation.

Human Rights Global Watch says "significant reforms" have been made in South African prisons.

The report, submitted this week to UN Secretary-General Boutros Boutros-Ghali, hands South Africa one further bouquet. "South African prisons must be among the cleanest in the world," it says.

By contrast, even in relatively prosperous countries,

plumbing, which it describes as "an essential ingredient in a humanely run prison" is often faulty or entirely absent, it says.

In Britain, for instance, nearly 40 percent of jail cells have no plumbing, forcing prisoners to use plastic buckets as toilets or for washing, it points out.

The report, which attributes the improved conditions in South African prisons to the political changes that had taken place since 1990, was based on an investigation of prison conditions in South Africa in 1992 and 1993, during two visits by Human Rights Watch investigators.

Among the prisons visited

were Pretoria Central, Durban Westville, Robben Island, Pollsmoor, Modderbee and Brandvlei.

The investigators, however, tempered their praise for the improvements that had taken place with several criticisms, the sharpest of which were levelled at overcrowding in many prisons and prison violence.

The report points out that with 355 prisoners per 100 000 citizens, South Africa continues to have one of the highest prisoner-to-population ratios in the world.

"Many aspects of prison life remain depressingly unchanged from the years of official apartheid," the report says.

RAMSAY MILNE
Foreign News Service

253

"The most striking feature of prison life in South Africa is its violence. An elaborate gang structure operates throughout the prison system and riots between different gangs take place regularly, individual cases of assault occur on a daily basis and sexual abuse is common.

"There is substantial evidence of collusion by warders in the gang system, even to the extent of instigating murder. In addition, assaults by prison warders on prisoners occur frequently," says

the report. Racial discrimination continues to play a role in the prison system, it says, adding that the most significant variations in physical conditions in South African jails are caused by different treatment for black and white prisoners.

Though apartheid in the prison system has formally ended and white and black prisoners are now held in the same prisons, whites often receive better treatment, ranging from housing in less crowded cells to greater access to training facilities and less onerous work.

In another aspect that drew favourable comment

by the investigators, the report says job training on "quite a sophisticated level" is available in some prisons, usually those that formerly housed only white prisoners.

Though US prisons were generally held to be adequate, the organisation points out that with a ratio of 455 prisoners per 100 000 inhabitants and with more than a million people behind bars, the US could claim "the dubious distinction of being among the world's leaders in both categories".

On any given day there are 1 300 000 inmates in US jails. More than 2 500 condemned persons are awaiting execution in the 36 states

that apply the death sentence.

Around the world, says the report, which was based on a six-year investigation, prison conditions, policies and practices "usually fall below the level of decency".

"From torture in a police lock-up to degrading conditions and abuse by guards and other inmates in a long-term prison, prisoners all over the world are abused in gross violation of their rights under international and domestic law, almost invariably without recourse or remedy."

Zaire, Malawi and Brazil are listed among the world's worst offenders.

Star 15/6/93

Hunger strike

(253)

Four senior members of the Ennerdale and Surrounding Civic Association yesterday began a hunger-strike in protest against their detention at the Vanderbijlpark Police Station. The four were part of a group of 11 activists detained by police on Friday after protests against the Ennerdale Local Development Committee.

(259)

Ennerdale detainees Star 16/6/93 refuse to take food

By Jacqueline Myburgh

Four Ennerdale residents, including local civic association chairman Farouk Jardine, are on hunger strike in the Vanderbijlpark police cells where they are being held under section 50 of the Internal Security Act.

The men are demanding to be charged or released immediately, according to Raymond Arends, an executive member of the Ennerdale and Surrounding Areas Civic Association (Esca). (253)

The men were arrested on Friday afternoon, along with seven women who were later released.

Police said in a weekend

statement they were facing charges related to incidents in Ennerdale last week.

Police spokesman Major Piet van Deventer said yesterday the charges were still being investigated.

He said the men had refused to eat food provided by the police since Monday morning and were drinking only milk and an energy drink provided by family members and their doctor.

The arrest of the 11 civic association members came after a week of confrontation between Esca and the TPA's local development committee. Esca claims the committee is misusing funds and has not addressed problems.

APR 16/6/93 (253)
86 detained

EIGHTY-SIX people were held under the Internal Security Act last year, Minister of Law and Order Mr Hernus Kriel said in reply to a question from Mr Lester Fuchs (DP Hillbrow) in parliament. He said 93 had been held in 1991 and 273 in 1990. — Sapa.

Kriel: Less detainees

By BARRY STREEK
Political Staff

THE number of people held in detention without trial had declined significantly before a two-week limit was introduced last year, Law and Order Minister Mr Hennis Kriel revealed yesterday

Replying to a question tabled in Parliament by Mr Lester Fuchs (DP, Hillbrow), Mr Kriel said 273 people were detained without trial in terms of Section 29 of the Internal Security Act in 1990, 93 in 1991 and 86 last year

AT 16/6/93 (NS3)

The Internal Security Act was amended last year to limit to two weeks the period for which people may be held without trial. This period could be extended by the courts under certain circumstances.

He also provided for the first time a list of those who had been detained in terms of Section 29.

In the past, successive ministers of law and order have refused to name those who had been held in terms of Section 29 because, they alleged, it would not be in the public interest.

Reef civic leaders on hunger strike

JOHANNESBURG — Four civic leaders from Ennerdale are on their second day of a hunger strike in the cells of the Vanderbijlpark police station

The Ennerdale and Surrounding Civic Association (Esca) members are protesting against their arrest under security legislation on Friday

A police spokesman confirmed yesterday the four Esca members, including chairman Mr Farouk Jardine, had refused to eat since Monday morning

The men were taking "some form of liquid supplied to them by family members", he added

Esca deputy chairman Mr Roger McCullough said on Monday the detainees had embarked on the hunger strike to force the authorities to free them

The activists were detained by police after a demonstration against the Ennerdale Local Development Committee — Sapa

23 OCT 16/6/73

2091

WEDNESDAY, 16 JUNE 1993

Answered. 2092

HOUSE OF DELEGATES

QUESTIONS

Indicates translated version

For oral reply

General Affairs

Chatsworth/Pinetown: transporting of fellow-workers

*1 Mr A RAJBANSI asked the Minister of Transport

- (1) Whether any persons have been prosecuted for providing transport to fellow-workers between Chatsworth and Pinetown during the latest specified period of 12 months for which information is available, if so, how many;
- (2) whether he will allow persons to provide such transport to fellow-workers, if not, why not, if so, for what reasons;
- (3) whether any such fellow-workers may be charged a fee covering the cost of transporting them, if not, why not, if so, what are the relevant details;
- (4) whether he will make a statement on the matter? D312E

The MINISTER OF TRANSPORT

- (1) No. Because of complaints received law enforcement actions were launched in Pinetown during May 1993. During these law enforcement actions approximately 22 pirate taxis were charged and found guilty under Article 31 (1) (a) of the Road Traffic Act, 1977 (Act No 74 of 1977).
- (2) Yes. In accordance with Article 1 (2) (b) of the Road Traffic Act, 1977 (Act No 74 of 1977) allowance is made for lift clubs. It is however important to note that the definition of lift clubs only allows for

—clubs of which every member takes a turn to transport members of the club by car to or from a certain place for a specific purpose, or

—clubs of which each member is the owner of a car and of which one or some members transport the members of that club to a certain place for a

HOUSE OF DELEGATES

2093

WEDNESDAY, 16 JUNE 1993

Answered. 2094

specific purpose in a car or cars owned by himself or the members

- (3) No
- (4) No

Mr N SINGH Mr Chairman, arising out of the hon the Minister's reply, is his Department contemplating the abolition of public road carrier permits for the conveyance of passengers? The MINISTER No, Mr Chairman

Westville prison: conditions/gangs

*2 Mr M RAJAB asked the Minister of Correctional Services' 253

- (1) Whether an investigation was recently undertaken by his Department into (a) conditions, and (b) the activities of prison gangs, at Westville Prison; if so, when;
- (2) whether this investigation has been completed, if not, why not, if so, what were the findings;
- (3) whether he will make a statement on the matter? D313E

The MINISTER OF TRANSPORT (for the Minister of Correctional Services)

- (1) (a) and (b) No specific investigation regarding the incidence of prison gangs at Durban (at Westville) has been undertaken recently. However, I presume that the honourable member is referring to recent press reports regarding allegations of criminal activity between members of the department and prisoners at the Durban Prison. These allegations came to light during 1992 and the Department immediately commenced with an internal investigation. Evidence at that stage suggested that criminal elements could be involved and the matter was also handed over to the South African Police for investigation. Consequently, the Attorney-General also recently commenced with his own investigation into this matter.
- (2) The Departmental investigation which was primarily aimed at identifying shortcomings in and contraventions of Regulations and other Departmental orders, resulted in departmental steps being

2093

WEDNESDAY, 16 JUNE 1993

Answered. 2094

taken against various members. These steps included departmental charges in terms of Correctional Services Regulation 71, written reprimands and transfers to other sections/posts. In the process control measures at the specific prison were also stepped up. 253

The investigations by the South African Police and the Attorney-General have not yet been finalized. Depending on the results of these investigations, further actions which may include criminal prosecution as well as further Departmental action against the members and prisoners involved, will follow.

- (3) No, except to stress that my Department places a high premium on effective management and sound administration as well as professional conduct by all its members. Criminal conduct and irresponsible actions by members and prisoners alike, will not be tolerated and will be dealt with within the ambit of the Law.

Board of SABC: Indians as candidates

*3 Mr A RAJBANSI asked the Minister of Home Affairs

- (1) Whether any members of the Indian community applied to be considered for appointment to the new South African Broadcasting Corporation Board, if so, (a) how many and (b) what are their names;
- (2) whether any of these persons' names appeared on the short list of recommended candidates drawn up by the selection panel, if so, (a) how many and (b) what are their names? D318E

The MINISTER OF HOME AFFAIRS

- (1) Yes
- (a) and (b) The information as required by the honourable member is not readily available. The list of 566 persons who have been nominated and who indicated themselves available to serve on the SABC Board was released by the Panel for general information but does not contain an indication of the population groups of the nominees. The full list is obtainable from my office.

- (2) Yes
- (a) and (b) The short list of 86 persons which was released by the Panel does similarly not contain any indication of the population groups of the nominees and is also obtainable from my office.

Own Affairs

Shopping centres' sale by public tender

*1 Mr A RAJBANSI asked the Minister of Housing

- (1) Whether it is his or his Department's policy to sell shopping centres by public tender, if not, why not, if so why;
- (2) whether any shopping centres were offered for sale by public tender in the Transvaal recently, if so, what are the relevant details;
- (3) whether he will make a statement on the matter? D317E

The MINISTER OF HOUSING

- (1) No. The shopping centres are first offered to the existing tenants.
- (2) Yes. The Housing Development Board, as the legal owner of such properties had decided, after extensive and protracted, but unsuccessful negotiations with its tenants in the Coligny complex, to advertise the sale of the complex by public tender.
- (3) Yes. I have immediately upon receipt of information and representations from inter alia, an Honourable Member of this House, on 27 May 1993, recommended to the Board to reconsider its decision to sell the complex by public tender and to enter into fresh negotiations on the selling price with the tenants. I have also requested the Housing Development Board to ensure that, in future, the implementation of any decisions of this nature, is made subject to my prior concurrence.

Mr M RAJAB Mr Chairman, arising out of the hon the Minister's reply, will he give this House the commitment that he will not allow the sale of this particular shopping centre by public tender until and unless he has thoroughly investigated and resolved this entire matter?

The MINISTER Mr Chairman, in the circumstances I must make sure that I use the right

HOUSE OF DELEGATES

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this investigation will be submitted, if not, why not,
 (3) whether he intends instructing the SADF to institute such an investigation, if not, why not, if so, when?
 B846E

THE MINISTER OF DEFENCE

(1) (a) No, Defence Force members are tested according to the K53 system in terms of the Defence Act 1957 (Act No 44 of 1957 as amended) and the Road Traffic Act (Act No 29 of 1989) the SA Defence Force is entitled to issue its own licences
 (b) Yes The regulations are contained in the SADF Logistics Policy and Procedures 14, Pamphlet 1, Part 3, Chapter 5, "Road Transport in the SA Defence Force" and in the Army Training Instruction 2/91, Appendix A-14, paragraphs 26 to 29

(2) Yes The enquiry can, however, only be completed when the required judicial proceedings have been concluded and the evidence which is heard or presented during these proceedings, has been taken into account

(3) Until such time as the findings and recommendations of the SA Police Enquiry are known, this decision is being kept in abeyance

SADF: regulations applicable to military vehicles

371 Mr E K MOORCROFT asked the Minister of Defence

(1) Whether military vehicles used for the transportation of passengers are subject to the same regulations applicable to civilian vehicles used for that purpose; if not,

(2) whether any internal regulations and/or rules of the South African Defence Force make provision for military vehicles used for that purpose, if not, why not, if so, (a) who is responsible for ensuring that such regulations and/or rules are complied with and (b) what is the maximum speed at which Samil vehicles are allowed to travel on (i) freeways and

(u) (aa) tarred country and (bb) dirt roads when transporting school cadets?
 B850E

THE MINISTER OF DEFENCE

(1) Yes
 (2) (a) The driver and/or the non-commisioned officer or a member of a higher rank who is appointed in each specific instance to accept the responsibility Defence Force Road Traffic Inspectors are also employed and work on a sample method
 (b) (i) and (ii) 80 km per hour

Death sentences commuted

373 Mr P G SOAL asked the Minister of Justice
 (1) How many death sentences were commuted in 1992,
 (2) whether he will furnish the names of the persons whose sentences were so commuted, if not, why not, if so, what are their names?
 B826E

THE MINISTER OF JUSTICE

(1) 59
 (2) The names of the persons and their substitutive sentences are as follows

VMMDoncabe	30 years' Imprisonment
SMBlöse	30 years' Imprisonment
MMathabula	25 years' Imprisonment
JMNkwenyana	15 years' Imprisonment
STNtlabathu	15 years' Imprisonment
MZMncube	Imprisonment for life
ME Nondula	Imprisonment for life
A Generals	30 years' Imprisonment
MS Mavelela	25 years' Imprisonment
E Hanana	30 years' Imprisonment
JT Ledula	20 years' Imprisonment
ITSoteli	15 years' Imprisonment
SD Mabane	Imprisonment for life
JN Masango	30 years' Imprisonment
B Maseko	Imprisonment for life
MZ Mhunu	Imprisonment for life
JNMosuwe	25 years' Imprisonment
S Phungula	25 years' Imprisonment
NL Zibonda	25 years' Imprisonment
P Dlemnyango	30 years' Imprisonment
ANgidi	Imprisonment for life
DS Mlumbi	Imprisonment for life
MG Khuzwayo	Imprisonment for life
GJ Harper	20 years' Imprisonment
MZ Mole	30 years' Imprisonment

SE Nyide 25 years' Imprisonment
 LD Lubutu 25 years' Imprisonment
 JB Bhengu 25 years' Imprisonment
 MG Sale 25 years' Imprisonment
 J Grooboom 25 years' Imprisonment
 D van Wyk 25 years' Imprisonment
 TKunnalo 25 years' Imprisonment
 J Leishebu 25 years' Imprisonment
 D Moretse 25 years' Imprisonment
 JMelato 25 years' Imprisonment
 SW Malongisa 30 years' Imprisonment
 B Sigeza 30 years' Imprisonment
 IMakhaza 40 years' Imprisonment
 JMorten 25 years' Imprisonment
 E Tabethe 25 years' Imprisonment
 ZMkhungo 25 years' Imprisonment
 B Dladla 25 years' Imprisonment
 MLushaba 25 years' Imprisonment
 VMbatha 30 years' Imprisonment
 SMHlongwane 30 years' Imprisonment
 M Chonco 30 years' Imprisonment
 S Kharyle 20 years' Imprisonment
 AL Mahara 20 years' Imprisonment
 GR Eybers 20 years' Imprisonment
 JZM Magubane 20 years' Imprisonment
 ZN C Mbatha 30 years' Imprisonment
 HM Ngobo 30 years' Imprisonment
 M Ntaka 25 years' Imprisonment
 J Mathabula 25 years' Imprisonment
 W Diamini 25 years' Imprisonment

O V Mabaso 25 years' Imprisonment
 J Mkhonto Imprisonment for life
 MJ Ndabeni Imprisonment for life
 VD Dawson 18 years' Imprisonment

Local authorities: persons living outside designated areas

396 Mr M J ELLIS asked the Minister of Home Affairs
 How many persons were living outside areas designated as local authority areas in each province in the Republic as at the latest specified date for which statistics are available?
 B920E

THE MINISTER OF HOME AFFAIRS

According to the 1991 Population Census (7 March 1991) the following number of persons per province were enumerated outside local authority areas (i.e. outside urban areas with some or other form of local authority)

Province	Number
Cape	1 228 196
Natal	696 235
Transvaal	1 992 495
Orange Free State	817 670

... AND ALLOW GROUPS TO ACT TOGETHER

A RECENT attempt to challenge allegedly inhumane prison conditions at Pollsmoor Prison, thwarted at the last minute by prison officials, teaches several lessons: the contrast between prison conditions for black and white prisoners, the difficulties of integration, and the urgent need for a change in the law on standing to allow class actions.

The planned application, which would have been a test case on prison conditions, arose out of dissatisfaction by white prisoners after Pollsmoor's integration in December 1991. White inmates had come to accept the standards of accommodation and hygiene in their comparatively spacious whites-only sections.

Cells with only 18 inmates, single beds with complete bedding, hot and cold water, appetising food, adequate health care and spotless, vermin-free quarters, left them unprepared for the conditions of their black counterparts. When they were integrated into these formerly blacks-only cells they could not accept the squalor, overcrowding and lack of hygiene. They decided to challenge these conditions, together with their black fellow inmates, who until then had accepted this situation as the norm.

The first efforts to obtain judicial intervention started in May 1992 when a white prisoner, Alan Matthews, who later became our client, complained during his trial to the judge, Mr Justice Lategan, about the conditions at Pollsmoor. The judge instructed the prisoner's pro deo counsel to investigate. However, even though the advocates submitted a report backing their client's complaints and damning the conditions at Pollsmoor, the judge made no order about the problem.

The prisoner and other inmates then started preparing an application to compel the Department of Correctional Services and the authorities at Pollsmoor Prison to improve and upgrade prison conditions, claiming they violated certain provisions of the Consolidated Prison Regulations, the South African Department Orders (the Prison Standards Orders which apply to all the country's prisons), and United Nations' codes on prisons.

In an affidavit prepared for the application, Matthews claimed "The experience of being removed from the civilised whites-only cells to the non-white cells was like travelling back in time."

In particular he complained about chronic overcrowding, with cells designed for 16 inmates accommodating more than twice that number, with one communal sleeping mat for eight men, bedding limited to two lice-infested blankets per person, cells maintained at below reasonably civilised minimum standards of hygiene, foul smelling, polluted with dagga and cigarette smoke, damp, poorly lit, badly ventilated and with hopelessly inadequate ablution facilities.

His affidavit also chronicles widespread use of and exposure to dagga and Mandrax allegedly with the knowledge of prison warders, even though some inmates were required by order of court to undergo treatment for drug dependency, the absence of a rehabilitative programme, poor medical care, no religious counselling and the failure of prison authorities to investigate complaints. He also complained that prisoners spend all but an hour a day cooped up under these conditions.

The director of the Human Rights Watch prison project, a New York based organisation monitoring prison conditions around the world, supported the application. Joanne Weschler visited Pollsmoor in August last year with other Human Rights Watch officials, as part of a fact finding tour of local prisons. In her affidavit she refers to "dramatically greater overcrowding" and "filthy and unsanitary conditions" at Pollsmoor. She also quotes the prison head as informing her that while the stated capacity of the prison was 1 619, at the time of her visit it accommodated 3 192.

On the eve of the court application to improve these conditions, the prison authorities effectively put a stop to it by prohibiting further legal consultations.

Citing a non-existent provision of Prison Regulation 123, the prison head claimed that prisoners could only consult a lawyer if they had letters requesting such a consultation.

Requests by the LRC to consult about the termination of their mandate were refused until a letter was produced by the LRC from their client, stating that he wished to continue with the case. Although permission was then granted for a legal consultation, when the LRC arrived at the prison for an interview, the authorities said Matthews had been transferred to the Transvaal two days previously.

Thus Pollsmoor Prison officials effectively aborted what had promised to be a seminal case on prison conditions by cutting off access to our clients. Equally to blame though is the present law on *locus standi* which insists that in an application such as this, only prisoners themselves or their close relatives can be litigants. Our law does not yet allow a public

spirited individual to bring a case clearly in the interests of the community, unless the individual is personally affected. Sadly therefore, until the law changes, or the ideal circumstances present themselves, an application such as this must be put on hold.

The Department of Correctional Services comments: "The Commissioner of Correctional Services has twice invited the LRC to discuss any problem they may encounter in serving their clients, directly with the regional commissioner of the western Cape or with the commissioner's office in Pretoria. The LRC did not make use of the invitation."

"The prisoners who allegedly planned the action against prison conditions indicated in a written affidavit that they were no longer interested in such a case. The allegation that the action was 'thwarted at the last minute' by officials is rejected."

"Prisoner Matthews did not apply to consult with a lawyer in accordance with normal procedures. As soon as this was established, and that the prisoners did not want to proceed with the action, the head of the prison discontinued the legal visits."

"The prisoner was then transferred to Durban to stand trial on further charges. His transfer was by no means an effort to 'abort' the action. He is free to approach his lawyer at any time through normal channels to assist him in any legal matter."

"The claim that there is racial discrimination in prisons is rejected. The same facilities are being used by black and white and the same policy applies to all races. The department also uses a sound classification system which has nothing to do with the race of the prisoners. The allegations that food served to whites was more appetising, that there was a difference in health care and that only whites had hot and cold water, are unfounded."

"Further allegations such as the absence of rehabilitation programmes, poor medical care, no religious counselling and failure of prison authorities to investigate complaints are also untrue."

"The lice-infested blankets have been dealt with and the matter is completely under control. This also forms part of a maintenance programme to upgrade the maximum security prison at Pollsmoor. In this regard a private contractor has been appointed to deal with all the major works whilst the department manages minor works. The programme is scheduled for completion in the 1994/5 financial year at an estimated cost of R4 240 000."

"The serious overcrowding problems which the department is experiencing at the Pollsmoor maximum prison, arising out of the upsurge in the crime rate, is well known."

Shehnaz Meer is an attorney with the Legal Resources Centre, Cape Town.

Bars to exposing conditions in prison

A planned test case on prison conditions was thwarted by officials. SHEHNAZ MEER describes what happened at Pollsmoor.



N July 2 1989, Carol Anne Meyers, a 20-year-old woman serving a short period of imprisonment, died at Groote Schuur Hospital after being trussed up for 23 hours in a straitjacket on the floor at Pollsmoor Prison.

During an inquest into her death, prison warders said she was confined in a straitjacket because she was depressed and had hinted at suicide.

On June 10 1991 Johannes Oor (26) was found hanging in the isolation section of Uprington Prison. Eight days earlier he had been put into solitary for a month, following an argument with a prison warden during which Oor threw a shoe at a light bulb. At the inquest the magistrate found there was a strong possibility that Oor had been unlawfully assaulted by the prison warden during the argument.

Although these two prisoners died under different circumstances, both deaths were closely linked to a misuse by prison officials of the Correctional Services Act, Section 80.

This section provides that a prisoner who displays or threatens violence or who is believed to be contemplating escape, may be confined in an isolation cell and/or be placed in irons or subjected to some other "approved means of mechanical restraint".

This confinement or restraint may only last for as long as it is "urgently and absolutely necessary" to secure or restrain a prisoner; the Commissioner of Correctional Services must authorise the confinement if it lasts over a month, and the minister if it lasts longer than three months. Section 80 is not a disciplinary provision. Solitary confinement as a method of punishing a prisoner is dealt with elsewhere in the Act, and may be imposed only after a trial.

In the Meyers case, the inquest court found her death was caused by prolonged restriction in a straitjacket that was too tight. This led to uncontrollable bleeding when she was released from the straitjacket, and then to organ failure. The court also found that all those involved regarded the straitjacket as a method of punishment. Captain Muller, head of the female section of the prison who ordered her confinement in a straitjacket, Dr P U Fisher, the district sur-

Protecting people's rights even behind prison bars

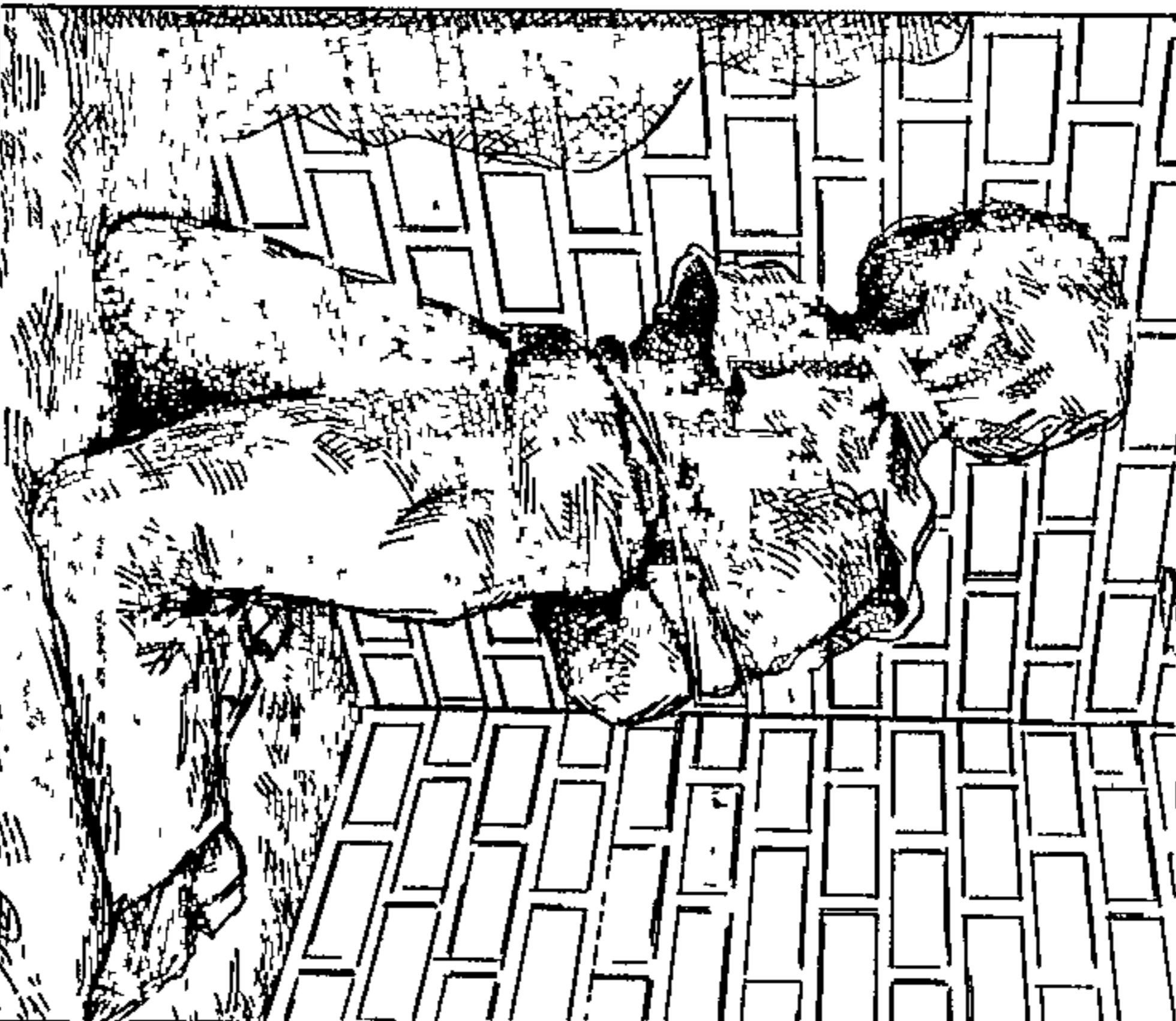
Revealed in a report 18/6-24/6/93
The deaths of two prisoners in the Cape has put the spotlight once again on the treatment of convicts — and particularly the use by officials of the controversial Section 80 of the Act —
By SANDY LIEBENBERG

geon who certified her fit for the straitjacket; Lieutenant Oerson, the prison nurse on duty and the various wardresses involved in restricting her. The court remarked that in many senses, she was treated worse than a prisoner punished under the Act — she was for example, denied the use of toilet facilities and exercise.

The court also found that Fisher and Oerson operated under a misapprehension that where their ethical and professional duties towards prisoners in their care clashed with the expectations of prison culture, slavish obedience to superior orders came first. Many of the provisions of the Prison's Act, the regulations, prison standing orders and the Commissioner's internal circular relating to the safeguards to be applied in these circumstances were ignored.

Ultimately the court found the negligence of the prison officials caused Meyers' death but that they could not have foreseen her death.

In the Oor inquest the court did not find that his death was due to an act or omission by anyone. However evidence at the inquest revealed that — as in the Meyers case — various provisions of Section 80 were misapplied or breached. Oor was ordered confined to an isolation cell for a month; this contravened the provisions of Section 80 which makes it clear that confinement should be only for as long as it is absolutely and urgently necessary. The circumstances of this case also strongly suggest that the solitary confinement allowed under Section 80



was being misused for the unauthorized purpose of punishment. The court also found that the prison officials involved had breached their legal duty of care towards Oor by not keeping him under proper observation to prevent him from obtaining and using the belt with which he hanged himself. Prison standing orders and prison policy by contrast both clearly acknowledge that there is an increased likelihood of suicide among prisoners in solitary confinement.

The Oor and Meyers cases raise several questions which demand serious answers if similar tragedies are to be avoided in the future:

- What action will be taken if prison officials misuse and ignore provisions of the law and violate the basic human rights of prisoners in their care?
- In the Meyers case the Cape Attorney General is still to make a decision regarding a prosecution of the responsible officials arising out of her death, but in the meantime both officers involved have been promoted "in terms of merit and efficiency principles" one to major, the other to captain.
- In the Oor case, the Attorney General of the Northern Cape has declined to institute any prosecution on the grounds that such a prosecution is not warranted.

Strong action is needed as a clear signal that the rights of prisoners will be respected, and violations of such rights will not be tolerated.

The cases also raise questions about general practice in South African prisons: are solitary confinement and mechanical restraints being used as a convenient way of punishing prisoners under the guise of Section 80, to avoid following the disciplinary procedures laid down in the legislation?

Finally one questions why the inherently dangerous procedures — of solitary confinement and straitjackets are needed to achieve the objectives referred to in Section 80. Surely there are more effective and humane methods to deal with prisoners who are threatening escape or violence, especially when such violence is broadly interpreted to include threats of suicide and displays of frustration by prisoners?

Ironically the very method which was supposed to save her life, caused Meyers to suffer a cruel death. In the Oor case, the method used to calm and restrain him led to his death by suicide.

At the very least one hopes that after these two cases the Department of Correctional Services will restrict solitary confinement and straitjacketing to an absolute minimum. In addition, prison regulations should be tightened, and compliance with these provisions by prison officials strictly monitored to ensure the safety of all prisoners subjected to these methods.

There is also a challenge to all of us — we must ensure that the extreme measures which led to the deaths of Meyers and Oor will not pass the test of a Bill of Rights which respects the life and dignity of all prisoners in South Africa.

• The Department of Correctional Services comments: "The department has specific instructions and regulations which control the use of mechanical restraint and isolation of prisoners in accordance with Section 80 of the Correctional Services Act. Any violation of these instructions is considered in a very serious light and the necessary steps are taken. In both cases in question, inquests were held and the outcome referred to the Attorney General.

• Sandy Liebenberg is an attorney in Cape Town.

Hanging in the balance

South 1916 - 23/6/93

Death row prisoners await the outcome of a parliamentary debate on the death penalty

By Christelle Terreblanche

society" (253)

THE LIVES of 285 people on death row could depend on the outcome of a parliamentary debate and "free vote" on Thursday. State president FW de Klerk will be guided by the debate when he decides whether to lift the current moratorium on the imposition of the death penalty.

Members of parliament have been urged to vote against lifting the moratorium, or not to take part in the debate.

Although the vote will not be binding and would be used to "guide state president FW de Klerk in a decision on the matter", outrage was expressed from political, religious and legal quarters when De Klerk decided in March to put the matter to the vote before a new political dispensation is in place.

"The idea that the discredited tricameral parliament is sitting on matters of life and death of people they do not represent, is the ultimate crime," says Professor Kader Asmal, ANC constitutional expert and professor of human rights law at the University of the Western Cape.

Asmal sees it as significant that mostly white parties like the National Party, Democratic Party and Conservative Party are largely in favour of the death penalty, whereas the traditionally black parties are vehemently opposed to it.

The Afrikaans churches have also called for the lifting of the moratorium.

The ANC and Inkatha asked at Codesa last year that the moratorium on hangings not be lifted before the election of a new government, which will probably abolish the death penalty.

Asmal's views are echoed by Society for the Abolition of the Death Penalty spokesperson Mr William Kerfoot, who has lobbied parliamentarians to vote against the moratorium being lifted.

"The moratorium placed on the death penalty in February 1990 was an excellent idea. But the reasons for lifting it now are entirely misconceived," says Kerfoot.

The government has said the debate is justified with the continuing violence and especially the killing of farmers.

Kerfoot points out that if the moratorium is lifted now, the people executed will not be the ones guilty of these crimes.

He believes there is enough evidence from all over the world that the death penalty is not a deterrent.

"The death penalty is a savage and barbarous punishment. A better deterrent is a properly regulated and policed

Asmal accuses the current parliament of "taking revenge" and playing up to its own constituency by holding the debate before the elections.

Of the 285 people currently on death row, 176 are blacks. The Department of Justice emphasises however that not all of these will be sent to the gallows if the moratorium is lifted, because only 52 have gone through the entire process of automatic appeal and revision of sentence.

"The obscenity of this lies in the fact that 95 percent of people on death row are not represented by the people who will decide on their fate," says Asmal, calling the debate a "charade".

Kerfoot also notes that in South Africa a huge part of the accused are hanged after trials in languages they cannot understand. "Even without that hurdle, the chances of mistakes in a hearing are large."

He also mentions the unrepresentativeness of the judiciary, which is 95 percent white and the fact that some judges never hang and other do so regularly. He calls it the "lottery aspect" of the penalty.

Mr Michael Hendrickse, Labour Party MP for Schauderville, points out that the Law Commission said in its interim report on group and human rights in 1991 that the matter of the death penalty must be referred to a constitutional court to weigh it up against a bill of human rights.

This could only happen under a new constitution.

He also remembers that De Klerk, along with ANC president Mr Nelson Mandela, appealed to the Venda authorities last year not to hang two ritual murderers.

"We don't say that people must walk free. But of the 20 000 people who committed murder last year, a minute percentage would be sent to the gallows," Hendrickse said.

Yet South Africa has executed more people in the past 15 years than most other countries in the world and most of them have been black. In 1987 alone, 164 people were hanged, more than were hanged in a whole decade in the United States.

The Department of Justice argues that a bill of rights has little impact on the death penalty, because based on the American constitution, 36 of the country's 51 states have instituted hanging.

Once parliament has voted, De Klerk will himself decide whether or not to bring back the noose.

Koevoet link in Goniwe death?

South 1916 - 23/6/93

By Shadley Nash

A HIGH-RANKING police officer this week fought off accusations that he was running a Koevoet-style operation in the eastern Cape when the "Craddock four" were killed in 1985.

Koevoet was a notorious police unit used during the war in Namibia.

Colonel Eric Winter was called to give evidence at the re-opened inquest in to the deaths of Mr Matthew Goniwe, Mr Fort Calata, Mr Sicelo Mhahle and Mr Sparrow Mkhonto in the Port Elizabeth Supreme Court.

He was called to testify ahead of another policeman, Major Deon Nieuwoudt, who will be asked to testify in connection with the deaths of three policemen and an alleged police informer in 1989.

It was alleged during testimony that there was a "nexus" between the deaths of the four policemen in 1989 and the Craddock Four and that Nieuwoudt, a bomb expert, had a lot to tell.

Evidence centred largely on the activities of the security police unit in which Winter served. Winter said that five of the 12 police personnel serving under him at Craddock had served in the former South West Africa but he could not confirm that any of them were members of Koevoet.

He denied that he wanted to use Koevoet's operational methods in the Eastern Cape when he was head of the security police in Craddock from 1985 to 1990.

In earlier evidence the court heard that Winter received daily reports from his team on the activities and conversations of Goniwe in his home and on his telephone via a bugging device.

A transcript of a conversation Goniwe had with Port Elizabeth UDF activist Derek Swarts at 5am on the day that Goniwe disappeared was read in court. Winter told the court he could remember informing Port Elizabeth police that Goniwe was on his way there.

Counsel for the families of the four slain men, Mr George Bizos, submitted that Winter would have received the transcripts of that conversation on arrival at his office at 7am. He also submitted that Winter left his office 30 minutes later with two other policemen and did not return to Craddock that day. — PEN

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Thursday July 1 1993

Service Conditions of Teachers'
CTPA Executive Committee

I sentence you to a life of soccer!

Clara 20/6/93

By MOSES MAMULA

PRISONERS at Bavianspoort maximum prison say they have transformed the notorious prison into a hostel.

Much of this is due to the creative policies of the prison's recreation department head, W/O Peter John Ras, who introduced a new sporting culture to the prison.

"As a result of Ras's initiatives, gangsterism, drug smuggling and general fights have drastically subsided as we concentrate on sport," said soccer coach Martin Mhlanga, who was preparing his men for a match with Orlando Pirates in four weeks' time.

The encounter with the Mighty Bucs, the first professional team to play against the prison inmates, is expected to be held in the prison, which is situated outside Pretoria.

"Prates are in for a big hiding," vowed Mhlanga as he received several tips from former Kaizer Chiefs' coach, Ted Dumitru, who is now coaching director of the SA Soccer Academy.

Said Mhlanga "For us this place is no longer a prison but a hostel. We live side by side with one another in peace despite the fact that we are jailed."

Ras, who is popular among the prisoners, told City Press the most important thing was not the game, but that they were being introduced to their role models.

"It gives them a new

Bandiete on top even though they're inside

253

sense of acceptance when they see their stars training and playing with them. They feel that they are part of the community," said Ras.

He said although the prisoners were jailed for crimes, they could not be condemned to spend the rest of their lives in prison.

"What we are trying to do is to engage their minds with positive things. Maybe some of

the wasted talent could be nurtured and developed.

"Who knows, some of these people could be playing for the national team after serving their sentences," said Ras.

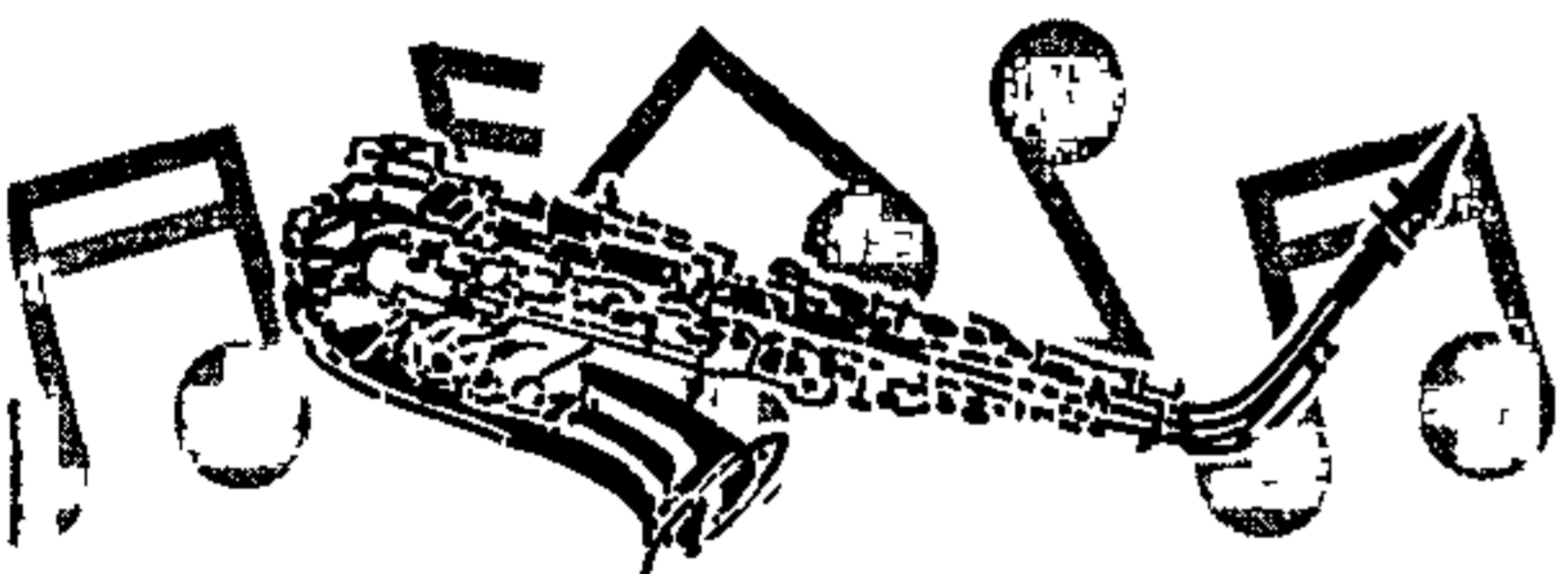
He told how when Prates' official Irvin Khoza, club striker Bashun Mhlangu and former soccer supremo Cyril Kobus visited the prison at the beginning of the year, they opened a new chapter for the inmates.



TEAM TALK... Bavianspoort convicts discuss the big match against Bucs with recreation officer WO Peter Ras (left) the prison's team coach Martin Mhlanga and SA Soccer Academy director Ted Dumitru. ■ Peter Andri & Mel...



FAN-TASTIC... Soccer German Kubheka in training for the unique clash.



IT'S EASIER TO LIVE BETTER WITH EIGHTERINERS SAVANTFORS

By ALLISTER SPARKS

THE death of South Africa's foremost pathologist, Dr Jonathan Gluckman, releases me from a 16-year pledge of confidentiality to reveal his role in exposing the truth about Steve Biko's death in detention at a time when the Minister of Justice was attempting a cover-up

I had just become editor of the Rand Daily Mail, that wonderful crusading newspaper which struggled through the dark years of apartheid to expose the evils of the system

It was my first experience of the double whammy of government pressures and unsympathetic proprietors which had driven my two predecessors from the editorial chair, and which in time was to drive me out as well and eventually shut down the paper altogether just as its moment of vindication was at hand

Gluckman was one of the backroom heroes of the struggle for justice in South Africa, a tall, rotund man whose slightly pompous air concealed a passionate humanitarianism that drove him into some of the darkest corners of this oppressive society

He lived graciously, with a liking for fine French wines and good cigars I once asked him why, with his refined tastes and medical skills, he preferred spending his life cutting up cadavers rather than healing the sick. "Because," he said simply, "that is where the truth lies"

The truth was his passion, and that is what led Gluckman to phone me on the morning of September 29, 1977, with a request that I call at his rooms. Biko had died in detention two weeks before, and the Minister of Justice, Jimmy Kruger, had announced that death was due to a hunger strike — adding, in a phrase that has gone down in the annals of apartheid crudity, that "his death leaves me cold"

Lumbar puncture

Gluckman was in a state of some agitation when I arrived. He had attended the post-mortem examination on behalf of the family, he told me, and it was clear Kruger was lying. He showed me the post-mortem report Biko had died of brain damage

Moreover, the district surgeons who had examined him in detention must have known this, for they had ordered a lumbar puncture which showed an excessive number of red cells

The question was, what to do about it? Kruger was obviously attempting a

Dr Gluckman exposed truth on Biko's death

253
27/11/6/93



JOHN VORSTER. Threatened to pass a press control law.



STEVE BIKO A cover-up on his death was attempted



JIMMY KRUGER: He said Biko's death "leaves me cold".

cover-up and had hinted that there might be no need for a public inquest. We had to publish the news to force him to hold an inquest.

But we would have to conceal Gluckman's role in doing so, both for reasons of medical ethics and because he would be a material witness if the inquest were held. So I made my pledge of confidentiality

Back at the office I briefed a senior reporter, Helen Zille, and despatched her to Port Elizabeth to see the doctors who had examined Biko in detention

Zille met the three doctors. Their alarm at being confronted with the facts convinced us that they had indeed known what was wrong with the prisoner

Awkward position

They blustered, half answered some questions, then took refuge in the ex-

cuse that there might be an inquest to avoid answering more

So we found ourselves in the awkward position of knowing the facts but not being able to source them clearly. Zille and I composed a carefully-worded report which began "An investigation by the Rand Daily Mail — which included interviews with doctors who examined Steve Biko in detention — has revealed that the black consciousness leader showed no signs of a hunger strike or dehydration"

The report went on to say that our investigation indicated that Biko had died of brain damage, and that the facts we had unearthed contradicted Kruger's statements. We published the report under a banner headline "No sign of hunger strike — Biko doctors"

Next day the roof fell in. Kruger protested that the report was false and demanded an instant hearing of the Press Council, a body set up by the Newspaper Press Union — the proprietors' organisation — in the face of threats by Prime Minister John Vorster to pass a press control law if the newspapers did not "discipline themselves"

I refused. The rules of the Press Council allowed an editor seven days to respond to a complaint, and I didn't want to be bullied by Kruger into having an immediate hearing

But the president of the NPTU, members of his executive, and eventually my own managing director called on me in a relentless build-up of pressure throughout the day to get me to accede. If I did not, they said, Vorster would cite it as proof that the Press Council was inadequate and he would introduce his legislation. I would be responsible for getting us a press control law

Didn't bother

Eventually I yielded. That night I appeared before the Press Council, constituted like a court with a retired Appeal Court judge, Oscar Galgult, presiding.

I was represented by Sydney Kenridge, that superb advocate who now practises as a QC in Britain. Kruger, having lodged his complaint in writing, did not bother to attend

As the hearing got under way it quickly became clear that if a refusal to hold an urgent hearing was considered unacceptable to Vorster, so was an acquittal

Not being able to call Gluckman as a witness or cite the post-mortem report made our case difficult to present, but even so it was evident that Kenridge's pithiest points were making no impact on Galgult. Five hours later, at one in the morning, the judge delivered his verdict. Guilty

The headline was not substantiated by the facts, Galgult said. It was therefore "misleading and tendentious". Furthermore it was incorrect to say that the facts revealed by the newspaper's investigation contradicted what Kruger had said. The paper was "severely reprimanded" for its transgressions

History has vindicated us, of course. But the verdict still stands in the records of the Press Council, and the newspaper is dead because of the thousand wounds like that which it suffered in its final years. Now Jon Gluckman is dead too. Only the truth survives

Star 25/6/93

Govt won't free Tsafendas

The Government was not going to release Dimitri Tsafendas, the Minister of Justice, Kobie Coetsee, said yesterday. Replying in debate on the second reading of the General Law Third Amendment Bill, he said if any party was going to make political capital out of Dr H F Verwoerd's murderer, it was the NP — Sapa (253)

A place for SURVIVORS

South 2616 - 3816 193

By Edwina Booysan

COWLEY House, formerly a home-from-home for newly-released political prisoners, has found a new role. The premises in Woodstock will now house a health care organisation devoted to assisting victims of violence and torture.

The Trauma Centre for Victims of Violence and Torture, a joint project of the South African Health and Social Services Organisation (Sahaso) and the Church of the Province of South Africa (CPSA), will offer rehabilitative services.

"We cater for people who have been traumatised by experiences of detention, imprisonment, torture, combat, exile, civil unrest or other forms of political violence," said Mr Tom Winslow, the Centre's interim co-ordinator.

The Centre offers a wide range of services including various types of counselling, medical referrals, social assistance and support.

Winslow explained how Cowley House has changed its function according to the needs of the time.

"There was a need for a place where relatives visiting prisoners on Robben Island could stay when they arrived in Cape Town," he said.

"They would often sleep on

benches at the railway station. From 1978, for the next 13 years, Cowley House served as a rest house."

The focus of the facility changed in 1990 with the release of the first political prisoners.

A reintegration programme was started at Cowley House. Released prisoners arrived there and were given a basic medical examination.

"About one in five of the ex-prisoners had serious undiagnosed medical problems," Winslow said.

It was noticed that many of them needed not only maternal assistance but emotional assistance as well.

With the help of volunteers, including doctors, psychologists, nurses and social workers, the Centre was able to provide this service.

A non-governmental organisation, the Centre relies on local, foreign and individual contributions for funding.

"We receive about 80 percent of our funds from a foreign government whose name will only be made known with the official launch of the Centre on July 2," Winslow said.

The Trauma Centre opened its doors in January this year and although it has not advertised its services, it has been extremely busy.

"We did not have a full-time



COWLEY HOUSE: Formerly a halfway home for newly-released political prisoners, the Woodstock premises will now house a health care organisation to assist victims of violence and torture

staff, but relied on the services of the volunteers," Winslow said.

Winslow said the Centre is designed to deal with four specific types of survivors: survivors of captivity and torture, returned exiles, urban violence, and rural and farm violence.

"There is also a need for counselling of returned exiles," Winslow said.

"The National Coordination Committee for the Repatriation of South African Exiles (NCCR), which has now collapsed, only provided for the maternal needs of returnees. There was no exploration of emotional issues.

"The problems of families separated during exile who are now forced to live as a unit again, people who married non-South Africans

while in exile and whose spouses now need to adjust to life in the country; children born elsewhere, who have to adjust to a new way of life and education system, all need to be addressed," Winslow said.

In Crossroads alone, the Centre has already identified 433 people directly affected by political violence, which includes murder, attempted murder and arson, Winslow said.

"Crossroads is a Bosnia in our own backyard, yet the police are mainly focussing on the stonings on the N2," he said.

"The Centre is trying to respond to things as they happen, whether it is a massacre in the community, the assassination of a civic leader, or a petrol bombing.

"We have held health clinics since

April, where we remove survivors from the area of conflict by bringing them to the Centre for counselling or assistance. In all we have managed to see about 15 percent of the total number affected."

The Centre's chaplain, Father Michael Lapsley, was "offered to the Centre" by the CPSA.

"One of the Centre's underlying principles is that survivors can help others. As a returned exile and a survivor of a letter bomb in 1990, I speak from personal experience when helping others," Lapsley said.

He believes he shares a "common relationship" with other survivors in having worked through his ordeal and also the fact that

he is a priest.

"Sometimes people who have been traumatised need expert intervention, but more often they also need someone who will just listen. They need to know that there is someone they can trust," he said.

Winslow said the Centre will also soon begin offering skills-training courses around issues of violence and psychological trauma.

"We will also start special programmes for children using expressive therapy such as music, games, art and drama," he said.

"This will be to assess how children are coping in the aftermath of violence.

"We are involved in a particularly interesting time in history. Now is the time to heal, wounds which have been open for so long."

Don't cage our kids'

ARG 26/1/93

■ A new system of justice for South Africa's youth? There's still a long way to go, say a group of advocates who have worked in Cape Town's courts for the past six months.

DI CAELERS
Weekend Argus Reporter

THEIR are bouquets for Cape Town magistrates, public prosecutors and even correctional services officials — but, for the South African Police only a firm thumbs-down

That's the "score" from a group of youth advocates, following six months of work in the Cape Town courts. Their firm message is that the police must be educated about children's rights — and learn to respect them — before a new system of justice for youth in trouble with the law can operate successfully.

In a new book, *Letting In The Light Seeking Justice For The Children Of South Africa*, officially launched last week, the final-year law students of the University of the Western Cape detail their often heart-rending experiences during the first public-defender project of its size for children in trouble with the law in South Africa.

A project of the Youth Advocacy Unit of UWC's Community Law Centre, the book is described as "a workbook for children in trouble with the law and their families, friends and advocates."

Discussing its relevance, project director and long-time children's rights activist Ms Michelle Morris told Weekend Argus that confusion over the system of justice for children was resulting in families believing their children were "bad children" and that prison was the best place for them, or people thoughtlessly writing off the country's youth as extremely violent.

"We want to motivate people to start thinking of alternatives in dealing with the problems faced by the youth. We felt a need to take this discussion beyond the child activists and into the schools and communities."

She explained that the six-month project had followed the release last year of a report, *Justice For The Children No Child Should Be Caged*, which called for the release or relocation of all children awaiting trial in prisons and police cells.

It was one of the first steps towards "the recreation of a culture of children's rights" and a small part of the nationwide movement towards the reform of the juvenile justice and welfare systems for children in trouble with the law.

Ms Morris said "Through the youth advocates' work in Cape Town and the outlying areas, the magistrates and public prosecutors slowly are becoming more aware of the desperate need for child-friendly courts and police officers.

"The justice system must be one that protects children, not one that is used to terrorise and destroy the hope of the youth."

Prisoners break wall to escape

Star 28/6/93

253

By Bronwyn Wilkinson

A group of 20 awaiting-trial prisoners broke through the wall of their cell at Wolmaransstad prison in the western Transvaal yesterday and made a mass escape.

Department of Correctional Services spokesman Colonel Barry Eksteen said he was relieved the other seven prisoners in the cell had decided to stay behind, instead of taking part in the largest jailbreak in recent history.

Eksteen said the prisoners broke off a steel plumbing pipe from a toilet and shar-

pened it on the shower floor

They then wrapped a towel around the pipe and took it back to their cell, where they started smashing through the cell wall

"The prison is an old one, and the walls are made of corrugated iron on the outside and asbestos on the inside," Eksteen said.

He said that just after midnight the prisoners made a hole in the wall big enough to crawl through

"They told the other seven guys in the cell to either go with them or go back to sleep. These seven decided to go back to sleep," Eksteen said.

The escapers threw their blankets over the razor wire on the perimeter fence, clambered over and ran off

Eksteen said the men were wearing civilian clothes because they were awaiting-trial prisoners

Fifteen were awaiting trial on commercial crimes, four had been arrested as attempted murder suspects and one for robbery

Western Transvaal police spokesman Major Hannes Wehrmann said police were looking for the men, but by late yesterday, none of them had been re-arrested

Wehrmann said police had no way of knowing whether the 20 had split up

Suspect

dies: 3

28/6/93
cops in

court

253

KOSTER. — Three Western Transvaal police constables appeared at a special session of the Koster Magistrate's Court yesterday in connection with the death of a rape suspect early yesterday morning, it was reported.

The three men, Constables M J Viviers, H J Bester and M K Segone, were charged with the death in detention of a rape suspect.

Western Transvaal police liaison officer Major Hannes Wehrmann said the three policemen had been released on their own responsibility and were warned to appear in court today.

The murder charge stems from the arrest and subsequent death of a man known only as Tutu, in connection with the alleged rape of a woman in Koster's Reagalle township.

A post-mortem is to be held today. — Sapa.

Star 29/1/93
'We will not obey'

MARITZBURG — The Police and Prisons Civil Rights Union (Popcru) says in future its members will not obey orders from racist officers. (253)

Popcru reacted yesterday to claims by black policemen who said they had been told to keep out of the way by white seniors during the occupation of the World Trade Centre. (254)

10 convicts Star 29/6/93 recaptured, 10 still on run

By Bronwyn Wilkinson

Police have recaptured 10 of the 20 awaiting-trial prisoners who broke out of their Wolmaransstad prison cell in the western Transvaal on Sunday.

SAP spokesman Lieutenant Belinda Kleynhans said two of the men were picked up in Wolmaransstad early yesterday, six more were found in nearby Magwase and another two were recaptured in Rustenburg.

The 20 men broke out of their cell shortly after midnight on Sunday, using a sharpened steel plumbing pipe, stolen from a toilet, to smash a hole in the cell wall big enough to crawl through. The men, wearing civilian clothes, threw their blankets over the razor-wire fence, clambered over and fled. (253)

Fifteen were awaiting trial on commercial crimes, four had been arrested for attempted murder and one for robbery.

Police expect to recapture more of the escapers soon, said Kleynhans.

Policemen appear for death of rape suspect

KOSTER — Three policemen appeared in the Koster Magistrate's Court in the Western Transvaal yesterday in connection with the death in custody of a suspect early on Sunday *CF 29/6/93*

A police spokesman said the three were not asked to plead and no charges were put to them. The case was postponed to July 16 for further investigation.

The three men, Constables M J Viviers, H J Bester and M P Segone, were arrested on Sunday after the death in detention of a man known only as Tutu.

The suspect had been arrested on Saturday night for allegedly raping a woman in Koster's Reagaile township — Sapa *(253)*

Largest jailbreak in recent history

8 of 20 escaped prisoners caught

Sowetan 29/6/93

Sowetan Correspondent

EIGHT of the 20 awaiting-trial prisoners, who broke through the wall of their cell at the Wolmaransstad prison in the Western Transvaal on Sunday, have been rearrested. (253)

SAP spokesman Lieutenant Belinda Kleynhans said two of the men were picked up in Wolmaransstad early yesterday and six more were found in nearby Magwase.

The 20 men broke out of their cell shortly after midnight on Sunday in the largest jailbreak in recent history.

Department of Correctional Services spokesman Colonel Barry Eksteen said the prisoners broke off a steel plumbing pipe from a toilet and sharpened it on the shower floor.

They then wrapped a towel around the pipe and took it back to their cell, where they started smashing through the

cell wall.

"The prison is an old one and the walls are made of corrugated iron on the outside and asbestos on the inside," Eksteen said.

Hole

He said that just after midnight the prisoners made a hole in the wall big enough to crawl through.

Seven other prisoners in the cell had remained behind after they were given an offer to join or sleep, he said.

The escapers threw their blankets over the razor wire on the perimeter fence, clambered over and ran off.

Eksteen said the men were wearing civilian clothes because they were awaiting-trial prisoners.

Fifteen were awaiting trial on commercial crimes, four had been arrested as attempted murder suspects and one for robbery.

Handwritten notes and stamps at the bottom of the page, including a date stamp "29/6/93" and various illegible markings.

Star 20/6/98

Jailbreakers tear off bars

Four awaiting-trial prisoners escaped from police cells in Howick yesterday after tearing the bars and mesh off a window — Sapa

(253)

CT 30/6/93
253

Police union will refuse to obey 'racist orders'

MARITZBURG — The Police and Prisons Civil Rights Union (Popcru) says in future its members will not obey orders from racist officers.

Popcru reacted on Monday to claims by black policemen who said they had been told to keep out of the way by white seniors during the occupation of the World Trade Centre by right-wingers.

The Natal Midlands region of Popcru warned the Afrikaner Volksfront and the Ministry of Law and Order that black police and prisons officers would resist racist orders and this could lead to "confrontation and unnecessary loss of blood". — Sapa

By JENNIFER GRIFFIN

EVERY day for four months William Bulewen, 12, and Sello Manyai, 14, sat in their cold, damp prison cell and wondered when their social worker, Henry Makita, who placed them there, would return. He never did.

The homeless boys had approached Makita for help. They no longer wanted to sleep on the dirty pavement with the other glue-sniffing street kids. William and Sello's case has highlighted the fact that children imprisoned for a crime have more legal rights than the numerous, uncharged street children, who are held with increasing regularity in South African jails because social workers can't find homes for them.

"That a social worker knew about those kids being there and allowed them to sit there for over three months is cruel," said Amy Flickinger, an American missionary who

Prisoners of SA's brutal structures

CPROB 44-1193

253

visits the jailed children at least twice a week.

By law a child accused of committing a crime must be seen by a magistrate within 48-hours of his arrest. However, more and more homeless kids who land in jail have not broken the law — and there is no provision within the law to protect them.

"You can't underestimate the psychological and emotional trauma that a child undergoes when he is thrown into the back of a police vehicle when he hasn't done anything wrong," said Flickinger, who runs an outreach programme for Johannesburg street kids. The Department of Correctional Services estimates that from March 3 1993 there were

1 490 children under the age of 18 in jail, 810 of whom were awaiting trial.

Last year a report published by several human rights groups estimated that over 4 400 children were in prison. Prison warders have been accused of abusing children in the cells. Some actually set the children up for assault and rape, a former 32-year-old prisoner told a newspaper. Sometimes the children sleep with the older prisoners in exchange for protection.

The problem was highlighted last year following the death of 13-year-old Neville Snyman in Cape Town's Robertson Prison. The older boys in his cell allegedly sodomised him, beat him and ruptured his internal organs when

they jumped on his stomach.

"It's too bad in jail. When you come from outside the other prisoners hit you. They want money. If you don't have money, then they beat you," said Vuyo, a resident of Streetwise, a shelter for Hillbrow's homeless children. Vuyo, 17, was jailed briefly after being caught stealing.

After William and Sello were finally removed from their jail cell and sent to a government children's home, they still flinched when asked to speak about their time in jail. "In the cells you can't even see a car moving," said William. "We didn't know what was going to happen to us."

Police and government officials seem unconcerned that jail cells have been converted into holding pens for kids from broken homes who have resorted to life on the street.

"We agree that a prison is not ideal, but some juveniles can be a threat to society," said former Correctional Services Minister Adriaan Vlok. "We have to accommodate them temporarily in anticipation of their appearance in court."

However, many of the children are never charged and never see the inside of a court.

According to a handbook published by Lawyers for Human Rights, "Most of the children in jail are black. Few white children are held in custody overnight." The rising numbers of street children in the past few years has contributed to the increasing number of kids in prisons. And the problem isn't likely to improve under a new government.

The night McBride will never forget

OF THE four years and two weeks he spent on Death Row in Pretoria Central Prison, the one night that still haunts Magoos Bar bomber Robert McBride is August 12 1987. *S. Timmer*

A member of the ANC's regional peace desk since his release last September, Mr McBride stayed awake throughout that long night ... listening to the man in the cell next door dying.

Frikkie Muller had been sentenced to death a year earlier for the murder of a Calvinia farmer and his wife. *(253)*

"Frikkie always said they would never hang him ... he had vowed no one would take his life," Mr McBride recalled this week. *(11)*

"Quite early that evening, I heard lots of talk from the cells. In those days, you were not allowed to talk except between 4pm and 8pm unless you were in a part of the cells we dubbed the Pot.

"Frikkie was talking when he shouldn't have been. He said he was going to kill himself.

"Another person shouted to him that he should go ahead and do so instead of making threats

"There was silence for a while, then I heard the warders go into his cell.

"We later worked out that Frikkie had slit his wrists with a nail from his shoe because after that incident the soles of our shoes were removed."

Two warders wrestled with Muller in the doorway of his cell as they put him into a straightjacket.

"For the next few hours, all I heard from the cell next door were moans and swearing.

By SHARON CHETTY

"Then, around 4am, Frikkie stopped talking and all that could be heard were painful sighs.

"I heard him groan and in Afrikaans, he cried out to God to take him away before Sighwala did.

"Sighwala in Xhosa means cripple on Death Row we believed the hangman was a cripple and he was always referred to as Sighwala," said Mr McBride. *4/7/93*

Prisoners who were due for execution were woken at 6am so they could pray before taking the final walk to the gallows.

But Frikkie Muller cheated the hangman. When the time came to awaken him for execution, he was already dead. Mr McBride

skipped breakfast that morning. When the warder arrived with his food, he looked into the passage and was confronted by a river of congealed blood.

"As the door of Frik-

kie's cell was opened, it flowed out ... it was the most sickening sight."

Colonel Barry Eksteen of the Department of Correctional Services confirmed that Muller had slit his left wrist with a nail and had been treated and given stitches.

"Muller was placed in a straitjacket due to his continuous threats that he would persevere to the end with his attempts to commit suicide," Colonel Eksteen said

Mr McBride was sentenced to death for the bombing of a Durban beach-front bar in 1986, in which three women died. He was released as a political prisoner last year.



ROBERT McBRIDE
Listened to moans

Detainee dies
CT 5/17/93
in charge office

(23)
GROBLERSDAL. — Eastern Transvaal police are investigating a murder charge following the death of a detainee in the charge office here on Saturday.

Police said the man, 28, was a suspect in a motor theft and had been arrested by a member of the public.

NO EASY WALK

By MOSES MAMAILA

TWO ANC veterans who spent decades on Robben Island this week described their imprisonment as a waste of time and human resources

Today, they are almost forgotten and far removed from the political limelight. However, they deny they have been sidelined

In an exclusive interview, ANC stalwarts Wilton Mkwayi and Andrew Mlangeni told City Press: "It was a waste to keep us there for 26 solid years"

"The government had no business to keep us there because we have always wanted to resolve the problems of the country through negotiations."

But a third ANC veteran, Elias Motsoaledi, said although the government made a mistake by arresting ANC leaders who were committed to peaceful resolution of conflict, he would not say the long imprisonment was wasted because it advanced the cause of the struggle for liberation

But who are these old men? What are they doing now? And why is it that they are not in the news anymore?

When City Press visited Motsoaledi's home in Mzimhlophe, we found the well-known former Robben Islander holding his grandchild in the small sitting room

There were two small shacks in the yard to supplement the small house but Motsoaledi did not complain about that in our presence, saying "such problems should be resolved internally. You cannot wash your dirty linen in public"

Motsoaledi said he had just undergone surgery for throat cancer. He declined to comment on reports that the ANC had refused to pay for treatment at the Park Lane Clinic because it was "too expensive"

Mistakes

According to sources, the ANC ordered Motsoaledi to go to the cheaper Johannesburg Hospital

Asked if he had been sidelined by young leaders in the ANC, Motsoaledi gave a categorical "no"

"I am a member of the National Executive Committee. What senior position can I still aspire to?" asked Motsoaledi, who is an organiser of the ANC in rural areas

Motsoaledi, who was born in Phokwane village, Sekhukhuneland, on July 26 1924, was sentenced to life imprisonment on June 12 1964 after he was convicted on sabotage charges

He was released on October 19 1989

Wilton Mkwayi was jailed for life on December 18 1964

He said the case should have ended on December 17 but the judge said he could not sentence somebody on his birthday. Mkwayi was born on December 17 1923

City Press 11/7/93

Robben Island old guard out of limelight but not forgotten

in the Border region.

Commenting on the years he spent in prison, Mkwayi remained adamant that the period had been wasted.

"Had the government realised at the time that ours was just a peaceful transition to democracy as they do now, there would not have been the need to arrest us"

"The problem is that it took them a long time to realise their mistakes," explained Mkwayi

However, Mkwayi also added that the dedicated ANC leaders were clever enough to make use of the time they spent on the Island

"Some of us had only passed Std 4 when we went to the Island but we managed to pass matric there. Some who had money also made it to university," said Mkwayi

Mkwayi, who like Motsoaledi is an ANC organiser in rural areas, said he had not been sidelined but he actually avoided the media.

He said some people who had been jailed or spent decades in exile thought that they would personally benefit for their contribution but that was all a fallacy

Andrew Mlangeni, who still stays in the house he occupied before he was sentenced, said although he had no quarrel with those staying in town he would not move out of Soweto because that is where his power base was

Mlangeni, who was also sentenced to life imprisonment, was released on October 15 1989. He heads the ANC transport department

He maintained that had the NP government negotiated with black leaders a long time ago, there would have been no need to arrest the ANC leaders

He added that the government had been forced to understand and accept that the ANC advocated a peaceful resolution of the political crisis because pressure had been exerted

"Had the NP seen the truth early enough, we would not have been jailed"

253

Sculpting their way to freedom

Prison artists
find a new
meaning to
life and hope
for future

St Times 11/19/93

GRAPHIC clay images of a township necklacing, tribal history and fantastical creatures have graced the library of a South African prison since last year.

They are the work of a group of 10 medium security prisoners at the Groenpunt Prison outside Vereeniging.

While pottery may not be everyone's idea of "doing time", for the pioneer group learning the craft may open the door to a new and productive life.

The men, who are serving sentences of up to 15 years for crimes ranging from housebreaking to murder, have been sculpting their way to freedom since June last year.

The clay workshop, supervised by Vaal Triangle Technikon lecturer Rita Tasker de Koningh, was begun after prison staff identified a need for a creative course.

"The idea was to teach a skill that would have a therapeutic effect and enable a prisoner to make money after release," said Mrs Tasker de Koningh.

Delighted

Starting with only a supply of free clay, the first class got underway with inmates using plastic knives as modelling tools.

"I first demonstrated how to make clay workable with the basic equipment and tools required to start the workshop," she said.

Inmates then started making simple items such as "pinch" pots but quickly graduated to more complex sculptures.

"Pot making is seen as a traditional female job, so once they had mastered the basics they were eager to move on to more advanced forms.

"I was delighted to see how quickly and precisely participants mastered various techniques," said Mrs Tasker de Koningh.

She now wants to introduce painting of the pieces before they are fired, but this requires a more advanced type of kiln.

"Bricks have been donated and the kiln

By NICK OLIVARI

is half built. All we are waiting for is another donation of concrete."

She said the "one step at a time" approach adopted for the course had introduced inmates to the possibilities of employment from very limited resources.

"They realise they can develop a process of manufacture which will increase productivity and generate income for more sophisticated equipment. This also gives a prisoner a more realistic attitude towards future goals in life."

(253) Equipment

The budding artists will hold their first exhibition in January.

"We are positive about sales, but the whole course has been designed so they are forced to deal with setbacks as well as advances," she said.

"Failure to sell will help them to deal with a setback in the future."

Proceeds from the exhibition will be pumped back into the course to buy better equipment, such as a pottery wheel or gas kiln.

The feelings of the inmates concerned were summed up by one housebreaker, who said "I won't go back to the old ways now that I can make a living with clay."

2/12/79
Suspect dead.

Cops. suspended

JOHANNESBURG

Three policemen have been suspended after the death on Saturday of a man allegedly involved in killings in the Vaal Triangle township of Sebokeng, Witwatersrand police said yesterday.

Spokesman Major Henriette Bester said the suspect is Mr Victor Kheswa, 28, of the Kwamadala Hostel, Vanderbijlpark. — Sap (253)

New booths 147193 prison-built

Pretoria Correspondent

When South Africans go to the polls next April many will cast their votes in brand new polling booths — built by prisoners and staff of the Department of Correctional Services.

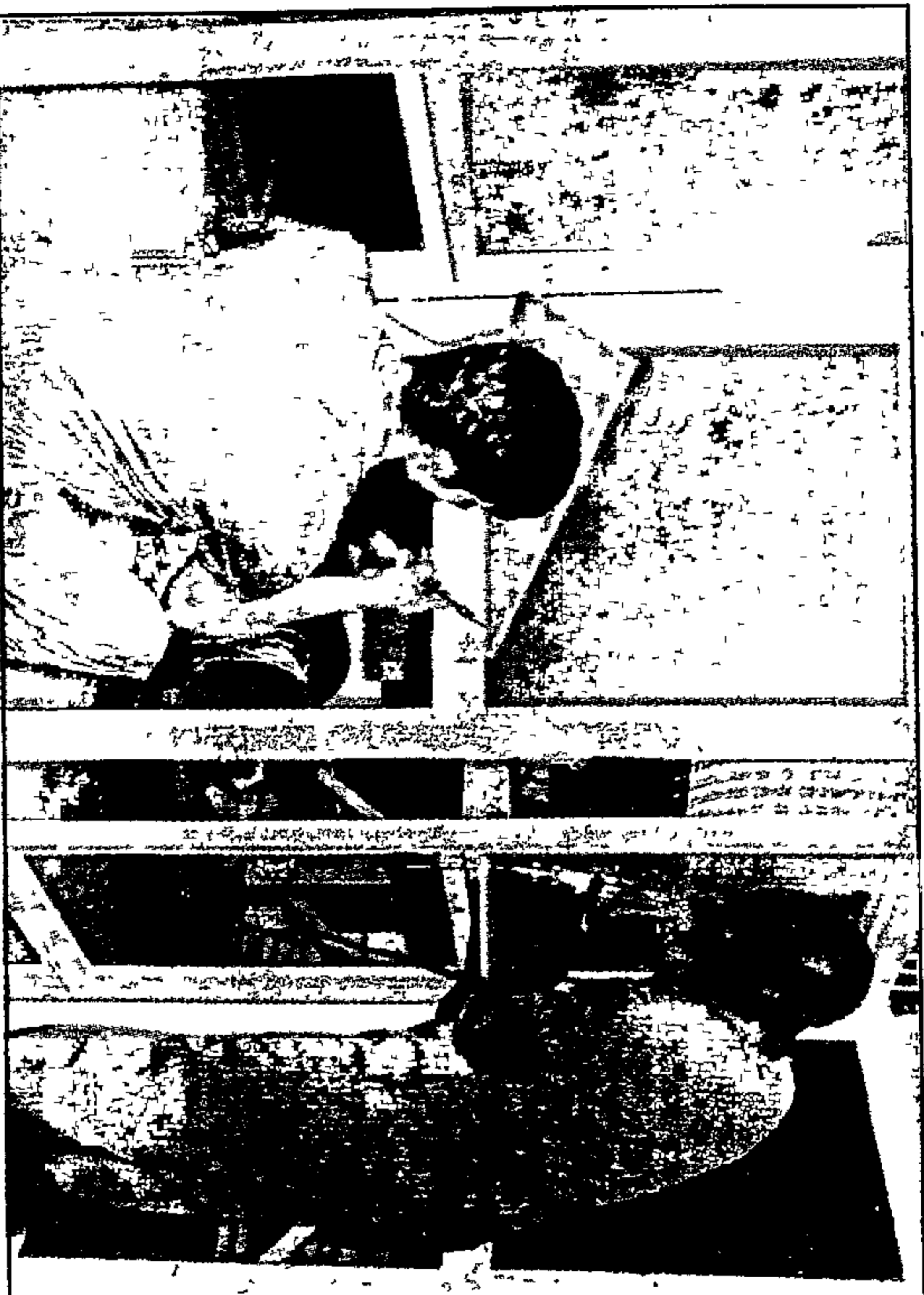
The tender for the construction of 5 500 booths is fast nearing completion at Pretoria Central, Zonderwater, Leeuwkop and Kroonstad prisons.

The booths differ from those white South Africans are used to in that they are triangular and not the old square version.

Correctional Services said each booth cost R112 and took about 14 hours to produce.

The remainder of booths needed for the more than 7 000 polling stations will be coming from old stock.

An estimated 27 million people are eligible to make their mark in the booths in the country's first multiparty general election on April 27.



Democracy In the making . . . prisoners and Correctional Services staff at Pretoria Central Prison work on the 2 200 voting booths which they are building for the landmark South African general election in April.
Picture: Patricia Hagen

In Zulu King Goodwill Zwelithini's four-and-a-half-page speech at Sunday's *imbizo* (meeting of the Zulu nation) in Durban, the word "peace" was not mentioned once.

Instead, Zwelithini made veiled threats of violence and sparked concern that the slaughter in the townships could reach new heights, jeopardising the April 27 elections.

After the king had whipped up the emotions of the 60 000-strong crowd with warnings that kwaZulu faced the threat of annihilation, spear-wielding men rose from their seats to roar: "Let us fight."

Clad in a suit and wearing mirror shades, Zwelithini replied "No, not now I'll tell you when."

The rally underlined that the Inkatha Freedom Party intends to use Zwelithini to buttress its demand for an IFP-style federal constitution. If the African National Congress and National Party resist, the monarch could spearhead IFP calls for the secession of Natal/kwaZulu.

The Zulu kingdom Zwelithini is anxious to safeguard comprises the kwaZulu homeland and Natal province, according to IFP negotiator Walter Felgate. The boundaries of the kingdom were carved out in the last century in various wars with the British colonists.

How are the ANC and the NP threatening the kingdom's future? In two ways, Felgate says by planning to repeal legislation which established the kwaZulu homeland, and by incorporating it into South Africa before a new constitution is drafted.

"We say no to that. KwaZulu must find a permanent place in a new South Africa. The sovereignty of kwaZulu is there. We must exercise its authenticity."

The argument, and the mobilisation of the king in its support, involves

The Zulu king picks up the IFP spear

'Let us fight,' roared the crowd at Sunday's imbizo. 'I'll tell you when,' said the king, throwing his weight behind the IFP's threats of violence and secession. By FAROUK CHOTHIA



Armed Inkatha supporters make their way towards the rally on Sunday

Photo: ACHMED MOONSAMMY

more than a little sleight of hand. Democratic Party MP Kobus Jordaan holds that the IFP has deliberately blurred the definition between the homeland and the kingdom.

"The kingdom of the Zulus is not, and has never been, one and the same structure as the kwaZulu government," Jordaan argues. "The kingdom was there long before these structures

were introduced."

He adds that the multi-party negotiating forum has "guaranteed Zwelithini a future at both national and regional level" by agreeing that "the institutions, status and the role of indigenous law shall be recognised and protected in the new constitution."

Zwelithini's weekend speech had more to do with the elections than

with any threat to the Zulu monarchy. IFP sources confirmed that Zulu nationalism would be the focal point of their election campaign, and Zwelithini a key player in this regard.

In the election, the sources said, the IFP would rally Zulu support by arguing that the ANC and the NP had "cheated" Zulus at the negotiating table. They therefore needed to throw

their weight behind the IFP.

Zwelithini, who has greater appeal than IFP leader Mangosuthu Buthelezi, would be a vote winner.

In his speech, Zwelithini said "loyalty to kwaZulu is the very first requirement in the demonstration of Zuluness." Anyone who tries to annihilate kwaZulu "commits treachery to the nation."

This assertion is pregnant with threat. "In Zulu history, the penalty for treachery is death," Zwelithini is, in a way, justifying the killing of ANC supporters," comments ANC Natal Midlands deputy chairman Blade Nzimande.

Sociologist Gerhard Mare adds that Buthelezi has "two strings to his bow" — a dual strategy pitched at both Zulus and other Natalians. "Buthelezi says Zulu people must define their own future and, within that strategy, the king is the lynchpin."

"The second string is the region, which is an amalgamation of seven million people. Buthelezi says the region is under threat and asks people whether they want to be under Pretoria's control again. He does that through the IFP (not through Zwelithini's *imbizo*) and it appeals to whites, Indians and coloureds."

Nzimande believes Buthelezi is not only using Zwelithini to extract concessions at the negotiating table and to win votes, but is "putting into place all the elements of secession."

"If he loses the election, he will demand the secession of the Zulu kingdom. For that he will need no democratic validation — and he will do it through Zwelithini. Political territory will have to be given to him on the plate. Those who oppose it will be traitors, and killings would be justified."

Although the IFP intends returning to the negotiating table, there are doubts about whether it will allow the April elections to go ahead.

Felgate, who is known to wield enormous personal influence over Buthelezi, says the IFP rejects and will not take part in an election for a constituent assembly. The party is adamant that the constitution has to be finalised at the negotiating forum.

Warns Felgate: "If there is a deadlock in the negotiation process, we could expect increased violence. There won't be an election without us. There can't be an election without half of the electorate."

The IFP could muster the support of the white rightwing — and at the same time give impetus to a secessionist movement, he adds.

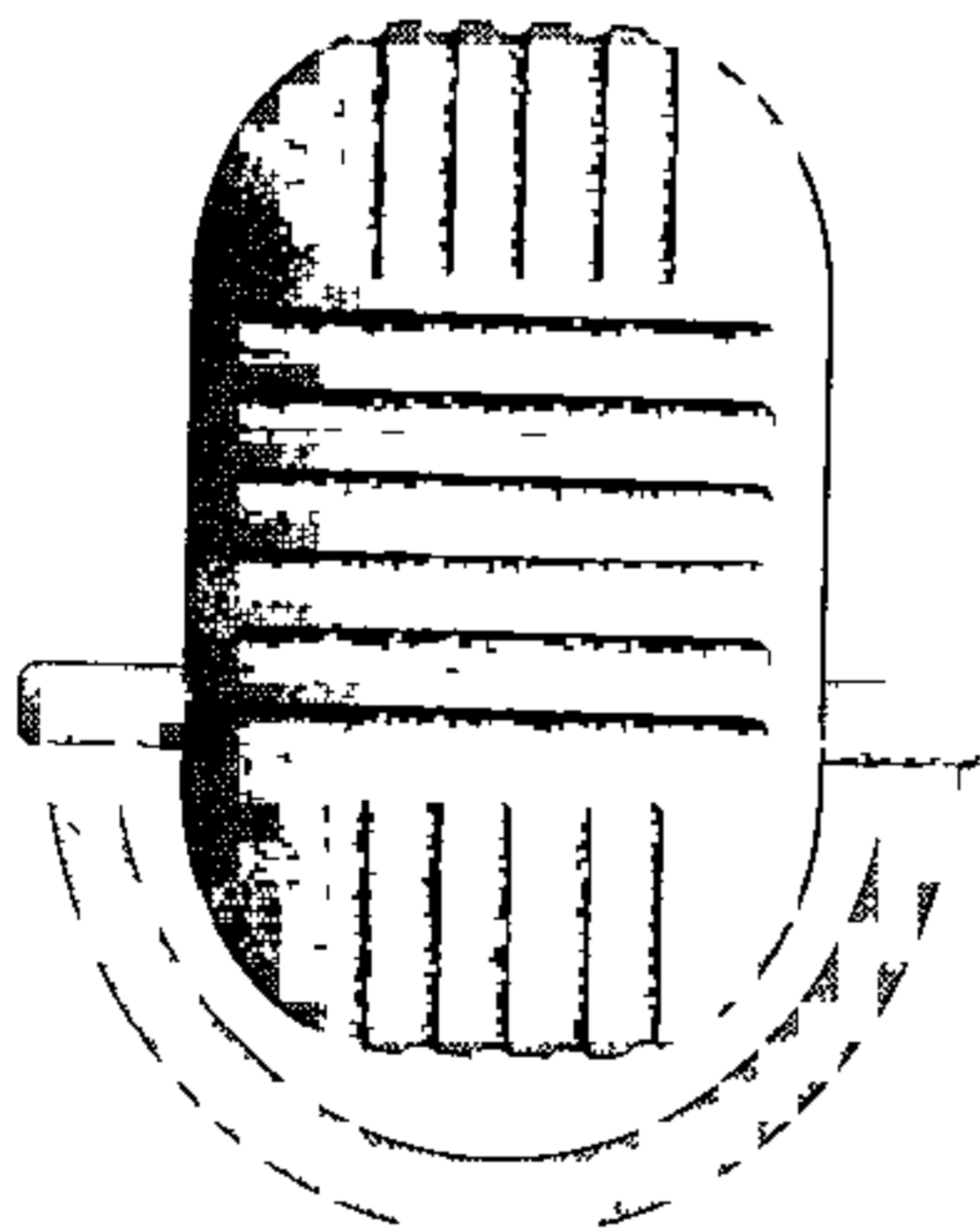
In addition to his alliance with the Conservative Party and the Afrikaner Volksfront (AVF) in the Cosag group, Buthelezi is forging links with the Afrikaner Volksfront (AVF). Days after rightwingers assaulted IFP negotiator Faith Gcaza at an AVF protest march at the World Trade Centre, Buthelezi met generals Constand Viljoen and Tienie Groenewald in Ulundi. He described their "man-to-man" discussion as "highly therapeutic."

Rightwing political analyst Wim Booysse sees the white rightwing and the IFP as natural allies. "Documents are circulating saying that the white right needs a partner. The concept is growing that the rightwing is not a whites-only thing."

Nzimande remarks that there is "a very interesting coincidence" between the regional proposals of the AVU and Inkatha's call for a Zulu kingdom. "The AVU refers to the whole province as kwaZulu, not as Natal/kwaZulu. We may see Buthelezi demanding a Zulu *volkstaat* with help from the right."

Mare foresees a lengthy spell of violence in Natal/kwaZulu and believes the threat comes from both the IFP and ANC. "There are certain rules around democracy," he says. "You must accept that you might lose. In this region, neither Inkatha nor the ANC accept that they are in the minority. This is the only part of the country where this is the case."

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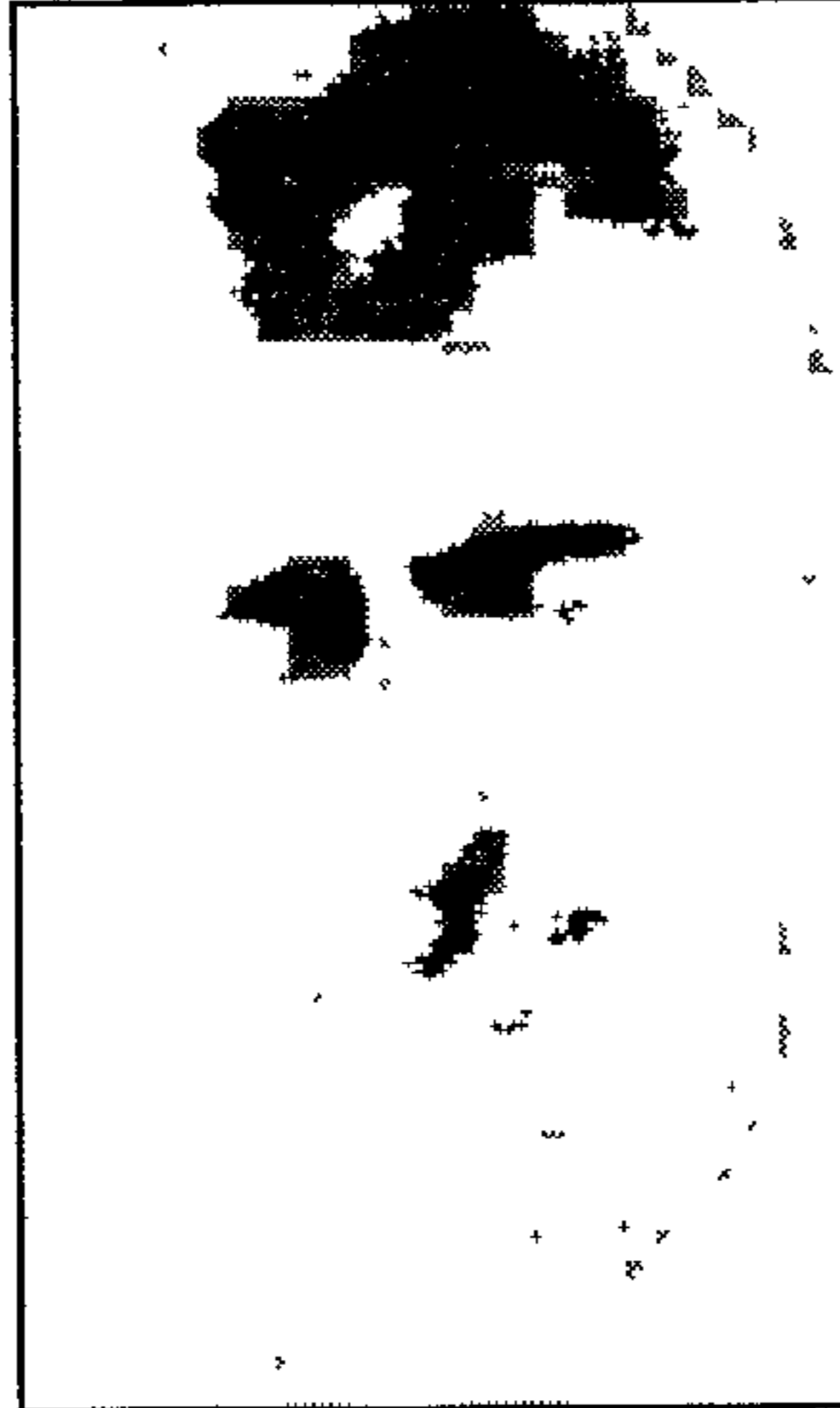
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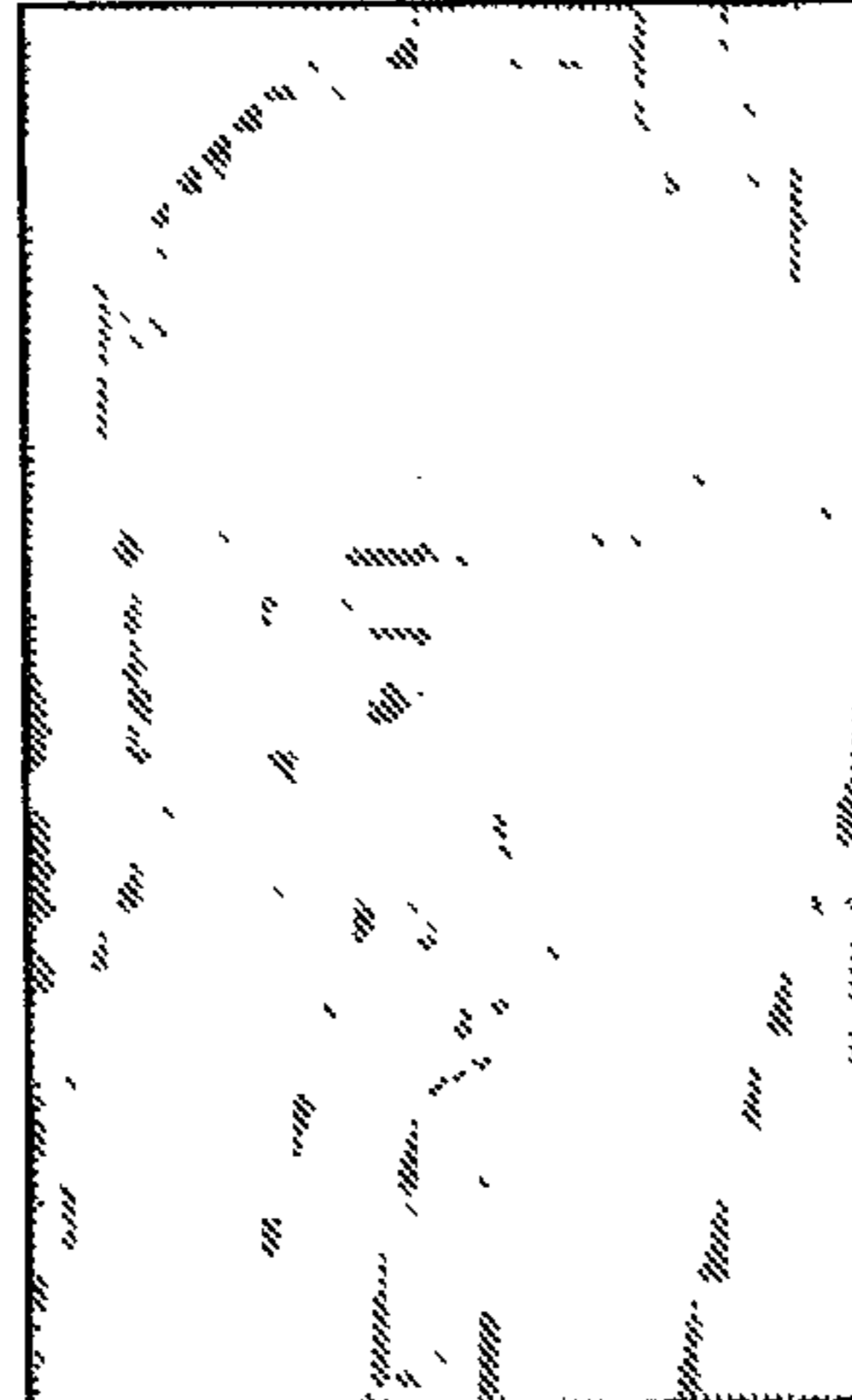
~~253~~ (253)



Accused ... Major Arthur Cronwright



Accused ... Major Gideon Niewoudt
Photo SABC



Accused ... W/O Jeffrey Benzien
Photo: SOUTH

Mtatsi said he could not see the faces of his torturers, but he is confident that he recognised the voice of, among others, Niewoudt

Niewoudt was recently subpoenaed to give evidence at the Goniwe inquest in connection with the deaths of three security policemen, alleged to have been killed as part of a police cover-up of their involvement in the Goniwe murders

●The "A team's" work with the East London Security Branch was co-ordinated by Van Wyk, who was based at the Cambridge police station. Van Wyk was described as the leader of the torturers. "He was the main guy. He was the most vicious policeman," said a former detainee, who asked not to be named

Warrant Officer Jeffrey Benzien, Lieutenant Frans Mostert and Warrant Officer Koos Nortjie:

Former MK commander Ashley Forbes was interrogated by Benzien for nearly three months after he was captured by the security police in Cape Town during April 1987

At the time, Benzien was part of the Anti-Terrorist Unit, a special section of the security branch in Cape Town. He worked with Mostert, infamous among activists of the defunct United Democratic Front for assaults and torture.

This week, Forbes described how a

wet plastic bag was put over his head and he was suffocated "to the verge of death". A rod was forced up his anus and he was given electric shocks while he was questioned

"Benzien would act like a father figure," said Forbes, "He would never shout and would try to be understanding. But he would always be the one to assault you"

Benziens partner, Nortjie, would constantly shout at Forbes and threaten him, but he never beat Forbes

After beating him unconscious, Forbes said, Benzien would revive him and allow him to wash and dress before taking him for supper in a restaurant

After a particularly bad beating, Forbes would be taken out of his cell for "investigation". According to Forbes, Benzien would then buy him medicine and keep him out of his cell long enough for his wounds to heal.

The torture became so bad that Forbes attempted suicide. His attempt failed but Benzien came to the hospital to continue questioning and torturing him

●The ANC's western Cape secretary general, Tony Yengeni, was also interrogated by Benzien in 1987. This week he said "Benzien used a wet rubber bag over my head and I was beaten to a pulp. My body was swollen and there was blood all over the place"

Benziens is reported to have become the station commander at Hermanus, on the Cape south coast.

It's totally ridiculous says SAP

Asked to comment on these allegations, Major General Leon Mellet, SAP chief of public relations, said:

"In response to your proposed article on allegations of torture, I wish to express my strongest objection and amazement as to the contents of the article. w/Mail 16/7-22/7/93

"The tone of the article, and the allegations therein, is typical of the slanted and biased reporting of *The Weekly Mail*, which seems to be not only the opinion of the South African Police but also that of the Goldstone Commission.

"The allegations are all presented as fact, with not the slightest attempt to suggest that such claims could be one-sided or hearsay, or even having been tested to be the truth.

"What is even more amazing is that some of the allegations (which are presented as fact) date back more than three decades. It is totally ridiculous, even by the poorest journalistic standards, for *The Weekly Mail* to now expect the SAP to comment on such untested and far-fetched allegations."

Police torturers dodge their dirty deeds

By PAUL STÖBER and STEPHEN LAUFER

AS the African National Congress awaits the findings of the third inquiry into abuses in its detention camps, the state's own torturers — the security policemen who systematically terrorised apartheid's opponents for four decades — have not yet been forced to confront their past.

Few have been forced to take responsibility for their misdeeds in a court of law.

Official silence on their activities stands in stark contrast to the situation in eastern Europe since the fall of communism, where torturers and secret policemen have been called to public account in several ways. State files have been opened to the public, making it possible for victims to confront their tormentors and, in some cases, to take court action. Many of these confrontations have been broadcast in the media.

Many of South Africa's early torturers are retired, living comfortably on state pensions; others are still active in the police force. These men used torture not only to extract information but also as a deterrent: their reputation made many think twice before becoming involved in underground — or even legal — activities against apartheid.

From the mid-1960s to the late 1980s, torture allegations were a routine feature of political trials across the country. Detainees' detailed accounts of what they suffered have been published by South African human rights organisations as well as by the United Nations and Amnesty International.

There can be little doubt that many victims died at the hands of their torturers, or committed suicide as an escape. The Human Rights Commission has on its records at least 90 deaths in detention since 1963. Official explanations include "falling while taking a shower", "injuries received while slipping on a piece of soap", "fainting and falling against a desk" and "injuries sustained while falling down some stairs".

In a wide range of discussions with generations of torture victims, it emerged that:

●There is agreement that as many police torturers as possible should be named publicly, if for no other reason than to prevent them from ever holding office again.

●Physical and psychological torture are part of the same process. The physical abuse meted out was aimed at breaking the detainees psychologically.

●Detainees tortured many years ago still speak about their experiences as if they happened yesterday — if they are prepared to speak about them at all.

●As the torturers refined their skills, so their victims became more experienced in resisting interrogation.

●If the use of torture was not official policy of the security police, it was routine. Senior police officers knew detainees were being tortured and in some cases even took part themselves. Some interrogators bragged that they had been sent to France, Algeria and Portugal to study torture techniques.

The South African Police has yet to acknowledge that some of its members have been involved in the widespread and systematic abuse of detainees. The SAP's response to requests for information about the officers accused of torture makes it clear that it has no intention of subjecting them to public scrutiny.

Asked about their current whereabouts, Lieutenant A Swartz said: "It is not the policy of the SAP to furnish any information regarding the members in your inquiry."

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MANY victims of police torture are now prominent South African political leaders, some of them important negotiators at the World Trade Centre. They include the African National Congress' Mac Maharaj, Tokyo Sexwale, Ebrahim Ebrahim and Tony Yengeni, the South African Communist Party's Jeremy Cronin and Thenjiwe Mtintso, and the Natal Indian Congress' Pravin Gordhan.

From interviews in recent weeks with these and less well-known victims, *The Weekly Mail* has been able to assemble a list of policemen who have frequently been accused of torture. All the names reported appear in more than one statement by erstwhile victims, or in court cases where detainees have accused policemen of torture. In some cases, victims did not know the names, or the full names, of their tormentors.

Theunis "Rooi Rus" Swanepoel:

First-hand accounts indicate that Swanepoel, a SAP chief interrogator, was a torturer over two decades.

●Indres Naidoo was arrested in April 1963 while attempting sabotage for Umkhonto weSizwe. Swanepoel personally led the arresting squad.

"We were challenged and told to put our hands up, which we did," Naidoo said in an interview this week. "Suddenly, and without warning, Swanepoel fired a shot at me, hitting me in the arm. 'You're a lucky coolie,' said Swanepoel, who had obviously aimed for my heart."

The beating of the four captives began immediately. Naidoo no longer remembers who hit who. "We all ended up with broken ribs or arms, bloodied and swollen."

They were taken to the Johannesburg Railway Police headquarters, where Swanepoel was in charge of a room full of burly security branch policemen, said Naidoo.

Swanepoel told Naidoo they would play South Africa's national sport, rugby. Naidoo was the ball. "I was kicked and beaten, thrown to the ground." The subsequent head of the former Bureau of State Security, Hendrik van den Bergh, has remained in Naidoo's memory as a participant in the "rugby game."

Later, Swanepoel ordered his men to give Naidoo electric shocks. "I can't say how long the shock treatment went on for — I still can't work it out," said Naidoo.

●Mac Maharaj was brutally tortured by a team of interrogators led by Swanepoel after he was detained in July 1964.

Over a period of two months, Maharaj was repeatedly pistol-whipped, threatened with a sword and lit matches, and given electric shocks. "Swanepoel was also developing his favourite method of attacking genitals with a pair of pliers," said Maharaj this week.

●Fred Carneson, now a pensioner in Cape Town, was an underground functionary of the SACP when he was arrested in 1966.

In Pretoria, Swanepoel introduced Carneson to the "statue method": the prisoner is kept standing and awake for hours and days on end. "They kept me standing until my eyes started to pop out," said Carneson.

That weekend, Carneson was flown back to Cape Town. "On the plane, my limbs started jerking uncontrollably. It was like an epileptic fit. A doctor later told me I had been suffering from battle fatigue," he said.

Warrant Officer "Spyker" van Wyk, Major Arthur Cronwright and Andries Struwig:

Among Swanepoel's "pupils" was Van Wyk, known as a hands-on torturer. He supervised the interrogation

Police torturers have been allowed to remain faceless — but The Weekly Mail has put together a list of those accused of being the worst offenders. By PAUL STOBER, STEPHEN LAUFER and ECNA

of, among others, anti-apartheid activist Stephanie Kemp.

●In an interview this week, Kemp, who now works at the Alexandra Clinic, said she was assaulted by Van Wyk. "He threw me to the ground and beat my head against the floor," she recalled. Kemp also said she had received the "statue" treatment. She sued the police in 1963 and received a settlement.

●Van Wyk tried the intellectual approach with underground SACP and ANC activist Jeremy Cronin when he appeared in his soundproof prison cell one day in July 1976. Cronin had been arrested under the Terrorism Act for producing illegal pamphlets. "Van Wyk was wearing a blood-stained jacket and fumbling with electrodes. The message was clear," remembers Cronin.

●Cronwright and Struwig took part in the interrogation of Dan Montsisi, who now works for development agency Maila Trust.

Montsisi was repeatedly beaten about the head while in detention in October 1977. By then he had already been detained for four months and had survived an earlier bout of torture. He sued the police and was paid an out-of-court settlement.

Warrant officers Nic Deetlefs, Lawrence Prince and Des Carr:

Ebrahim Ebrahim was kidnapped by the National Intelligence Service from Swaziland in December 1986 and handed over to the security police.

Ebrahim said this week he had been placed in a sealed cell and exposed to noise until "I nearly lost my mind. You feel like you're in hell and your mind is about to crack." The noise, which prevented him from sleeping or even resting, made him physically sick.

Ebrahim said that before the torture began, he was told by Deetlefs: "We are not going to assault you, but if you survive I will be convinced you are not a human being."

Ebrahim, who brought charges against the police, was awarded damages late last year. The police are appealing.

●Deetlefs was named in various claims for damages brought against the police in the early 1980s.

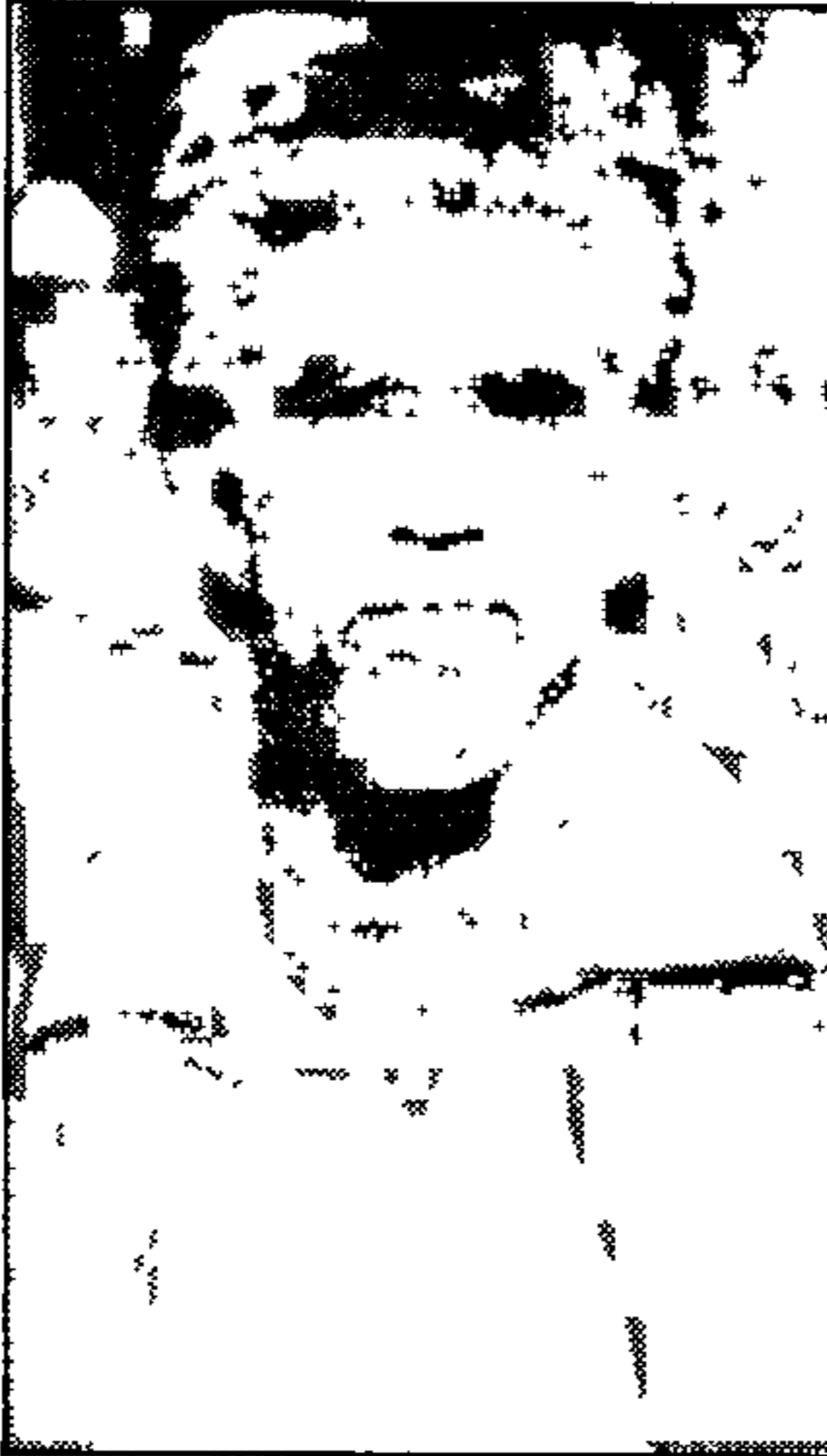
Former trade unionist Monty Narsoo, whose claim was successful, said Deetlefs had continually "threatened and swore" at him during his detention.

●Narsoo also named Prince and Carr as participating in the team which interrogated him. Narsoo was deprived of sleep, tied up and assaulted, and given electric shocks to the genitals.

FACES BEHIND

W/ Mail 16/7-22/7/93

(253)



Tortured ... Mac Maharaj



Tortured ... Tokyo Sexwale



Accused .. Theunis 'Rooi Rus' Swanepoel

Captain H, Warrant Officer H, Sergeant F and Lieutenant N (victims are able to identify them and have provided us with surnames, but did not know full names):

Thenjiwe Mtintso, currently a member of the politburo of the SACP and of its negotiations commission, was a black consciousness activist close to Steve Biko when she was arrested by these officers in 1976.

In an interview this week, she said "As soon as we reached the King Williams Town police station, F started beating me. He hit me in the face and body, and by the time the others arrived half an hour later, I was bloody and swollen."

The beatings, by N and an accomplice, continued in earnest some days later in East London, "for about a week".

Later, Mtintso was taken back to King Williams Town daily for interrogation by Captain H and F, with Sergeant H and N present.

"F and Captain H stood me facing a wall, and began banging my head against it incessantly. This went on for days."

Some time later, the wall banging began again, continuing for about 10 days. "When it finally stopped, I had become so conditioned that I had this

irrational wish for it to continue," she said.

Mtintso still suffers from severe headaches as a result of this torture method. A scan has shown a depression of her skull at the forehead.

About three weeks after her arrest, Mtintso was told that her 18-month old son, Lumumba, had died in a car accident. She would be allowed to attend the funeral if she gave the police the information they wanted.

'Benzien would act like a father figure. He would never shout and would try to be understanding. But he would always be the one to assault you.'

Captain H later took Mtintso to Ker Road police station and showed her a cell where another political detainee had died. Police had declared that it was suicide. Captain H said to Mtintso, "I'll show you how he really died" and forced her to

sit on the floor.

"Then he pulled a wet towel around my face and neck from behind. He kept wetting it, then tightening it around my face again. Struggling for breath, I knew he could have died this way — suffocated, with a broken neck. I knew I was near death, I knew that Captain H had to make just one mistake and pull the towel too tightly," she said.

This treatment continued for a fit day, with Mtintso being revived each time she passed out.

The "A team" of the Ciskei security police, Captain Charles van Wyk and Major Gideon Niewoudt:

ANC Eastern Cape education officer Zola Mtatsi said this week that Niewoudt was one of the many policemen who tortured him during numerous detentions in the 1980s.

"In 1986, Niewoudt was one of four security policemen who took me to an abandoned school outside Port Elizabeth. I was made to climb into a large canvas bag with a sack over my head."

"Water was then thrown on the bag while electric shocks were repeatedly applied to my ears. At the same time, I was assaulted and questioned. A rubber band was also tied tautly around my face, over the two sacks, to suffocate me."

WHETHER his beliefs are a mutated myth of oral history or the final flickerings of an ancient Judean civilisation is a mystery, but Robert Sadiki of Gazankulu prides himself on being a "black Jew"

Sadiki's distinctive and enigmatic lifestyle makes him a well-known character in the township of Vleifontein, near Louis Trichardt. At the mention of his name, people in the area first inquire whether one is referring to Sadiki the teacher. When that is confirmed, they lower their voices and ask more tentatively "Sadiki — the Lemba?"

Although most people in the surrounding hills of Gazankulu have heard of the Lemba people or "black Jews" and rumours circulate about them operating as a kind of "African Broederbond", nobody seems to know much about them.

Probed for details, locals in the area soften their voices and begin to mumble with a kind of sceptical reverence about how the Lemba are very beautiful, about how "their noses are longer, like white Jews", about how they've met a few Lembas.

As visitors approach Sadiki's home, his friends ask them to extinguish their cigarettes and ask for tea instead of beer. He comes to the door wearing a spotless, cream overcoat and immaculately polished black shoes. He moves slowly, with a kind of dignity that reminds you to brush your shoes off before entering his living room.

He turns down the volume on the television soap opera *Loving*, inviting us into a world which is a bizarre marriage of an ancient culture and a modern, middle-class lifestyle.

"Culturally we are the black Jews," he explains, adding that a taboo on the eating of pork and circumcision are their two most prominent links to white Jewish culture.

"Our people are concentrated in Venda and Zimbabwe, but you will find Lemba people in Soweto, in Pretoria, in Lebowa, in Mozambique — all over southern Africa. Somebody said Robert Mugabe was a Lemba, but I'm not quite sure."

Sadiki becomes vague when asked to explain the heritage of his people, whether they are linked to the Falashas of Ethiopia and how they ended up at this end of Africa.

He says his brother, who lives in Dube, Soweto, used to have a Falashan bible. He adds that such historical details can be established by reading a book by the president of the Lemba Cultural Association, Professor Mathibe.

"The book is available at the Revelation bookstand at the market in Thohoyandou — opposite the OK Bazaars," he suggests.

"Every year in October we have conferences at a farm near here, where the old people show the little ones how our culture was and how it should be maintained. People come from far



Sadiki, the Lemba ... Robert Sadiki and his bowls for meat and dairy products
Photo RUTH MOTAU

The fading origins of South Africa's black 'Jews'

W/maid 16/7-22/7/93

The Lemba people believe they are the descendants of a Jewish tribe which escaped captivity in Judea in 586BC and headed southwards into Africa in search of trading centres. Nowadays, the Lemba are losing their culture and rituals as they are assimilated into modern South African society.

ALEX DODD reports

and wide to this meeting.

"Usually the head of state in Venda is invited and always comes to give a speech.

"We go into a thatched house with no windows and start singing, dancing and playing mbiras (thumb pianos) for hours. As we are singing and dancing some people will fall down.

"Those people are the spirited ones — the ancestors (*vhakalanga*) coming into the body of the living ones to tell our community what needs to be done. They are carried away and treated and given what they need by the old ladies.

"They go back to normal by Sunday, when the celebrations end."

The story that is passed from grandmother to grandchild is that the Lemba escaped the cap-

tivity of many Jews in 586BC and, as a result of conflict with the Arabs, migrated from Judea through Africa in search of trading centres.

Sadiki says the culture is dying, and he hasn't really acquainted himself with its ancient history. But he likes to stick to the customs, so the culture doesn't die altogether.

"Nowadays we are just like everybody — especially the youngsters. From the 1960s onwards people have become more lax. The Sixties were the turning point for us," he says.

"My mother's *dompas* used to say "Ethnicity Lemba, Tribe Venda", but now that's fallen away. Bit by bit we are going away from our culture. Before, we were not allowed to marry a Sotho or a Shangaan — Lembas are all relatives because of marriage. Now we are mixed with different nations.

"Unlike white Jews, Lembas have assimilated other cultures."

Sadiki does not find it contradictory that a Jewish member of the Lutheran Church. "Most Lembas are churchgoers nowadays."

But there are certain Lemba customs that rigidly upheld in his home, and he boasts his name makes him a direct descendant of one of the 12 original nations of the Lemba. Professor Mathibe's transcribed oral history. There's even a mountain named after his grandfather in Zimbabwe, where his forefathers first settled, he says.

When his wife — introduced only as "Sadiki" — emerges from the kitchen wearing an elegant, beige turban and carrying the tea, she asks the guests to wash their hands in an accompanying bowl of water before eating.

"Like all Jews, you know, we don't eat pork," he says. "This pig, where it stays, is a very filthy place."

Sadiki explains with a kind of warm gravity in his voice that he believes in the ethic of *vhashavhi*, which means, "firstly, to be afraid of dirtiness — to stick rigidly to cleanliness and, secondly, to continue the traditional trade".

"There is a strong belief among us that we meant to be rich people, and we'd rather put our accounts to our own people. Lembas are business people, which comes from our ancestors, who were traders who used to make things out of iron and sell them."

Taking a wooden bowl and a clay bowl from beneath the television, Sadiki says, "I bring these to maintain my culture."

In days gone by the Lemba would separate their meat and dairy products into these separate dishes.

Another ritual that distinguishes Sadiki from his neighbours is the once-monthly procedure of head-shaving.

"It is a custom applied by our forefathers take out their hairs for cleanliness. At the end of each month, one should sit over a bowl of water and see the moon reflected in that water and shave the head bare."

Although his nephew says he would never dream of doing this, Sadiki's head is so smooth one almost expects to see reflected upon it the elaborate frieze ceilings of his otherwise modest home.

After the eight o'clock news and a discussion about political developments in South Africa, Sadiki ponderously recalls another of his collection of customs.

"The Lembas' way of showing respect for our elders is to clap our hands together with hollowed palms (*ulasha*) as one sits," he says.

A few moments later he adds, "In olden days our forefathers didn't used to use plates. They used to drink sorghum beer from calabashes."

And then "Would you like another cup of tea?"

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LINDSAY SMITHERS

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Checks needed - Popcru

Step 1617193
The South African Police need a system of checks and balances to prevent policemen abusing their power, Police and Prison Civil Rights Union deputy president Enoch Nelani said after a meeting with Regional Commissioner Calitz yesterday. — Crime Staff ~~(253)~~ (253)

Township residents celebrate as the Kheswa mystery grows

SITHUSO 18/7/93

THE SMILING MONSTER

THE last time lawyer Anina van der Westhuizen saw Victor Kheswa was a Friday afternoon. He was accompanied by two policemen and waving to her from a car as it pulled out of the Vanderbijlpark police station.

Less than 24 hours later, the man known to people throughout the sprawling Vaal Triangle townships as the Vaal Monster was dead — his wrists white from the bonds that had tied him, a streak of dried mucus running up his cheek. For the past week, as the tale of the

CHARIS PERKINS and BRIAN SOKUTU trace the background of the man who came to be known as the 'Vaal Monster'

man known as Khetisi has unfolded, conflicting reports of his political affiliations have been punctured with vivid accounts of the gruesome murders and massacres which, township residents said, made him one of the most feared men in their midst.

Once admired by pensioner William Mabaso as his neighbour's "braght" toddler, Khetisi was no longer so

chummy 23 years later when he led his gang to attack the Mabaso family.

Mr Mabaso, his wife Maria and four children say they fled their home in Zone 7, Sebokeng, after Khetisi and his gang looted the building, set it alight, and sprayed the walls with gunfire.

"I knew that child. He was a bright toddler who grew up very well — but he got the name Vaal Monster because of what he did to people," said Mr Mabaso.

He believes Khetisi's "cruel and greedy" mother, Emma, is to blame. She spoilt him by allowing him to steal cars when he was a kid.

The boy's father, Samuel, deserted the family "after a confrontation with his wife over their son's activities".

By the time Khetisi was 12, he was driving stolen cars and selling dagga. He also led a small gang terrorising Sebokeng residents. Mr Mabaso said:

The youngster ran into trouble with former friends in March 1990 when ANC-aligned comrades tried to persuade him to stop robbing customers at a petrol station.

In December 1990, he escaped an attempt by comrades to necklace him and fled to Kwamadala hostel. That, according to ANC branch

chairman Tseles Kekepeisi, was when random attacks on residents by gunmen in cars began.

Mr Kekepeisi, who first met Khetisi in 1987, said one of the first victims of the Kwamadala gang was ANC Youth League Sebokeng member Christoffel Nangalame.

He and Khetisi had been childhood friends, but Khetisi was angry that Christoffel had accused him of forcing a woman to drink poison. The woman later died.

On January 6 1991, Mr Nangalame's body was found on a refuse dump in Boypatong's Tsetse hostel. He had been garrotted with wire.

Gunmen linked by survivors to the Khetisi gang fired on mourners attending an all-night funeral vigil for Mr Nangalame, killing 45 people and wounding more than 60.

Khetisi became an Inkatha Freedom Party member at the hostel and, according to Vaal regional secretary William Nhlalopo, rose to become chairman of the IFP's Sebokeng branch.

But Khetisi, who died in police custody, evidently also had links with the SAP.

Charged

Several witnesses saw him observe the funeral service for the murdered wife and daughter of ANC activist Ernest Sotsu in July 1991 from inside a police van.

Khetisi had been charged with the murders, but he was not in custody at the time and no one can explain his presence in an SAP vehicle that day.

Stranger still are the links, first claimed then denied, with the ultra-right World Apartheid Movement — recently renamed the World Preservationist Movement.

Law and Order Minister Herens Kriel said a police investigation had shown



MONSTER OR MYTH? Was Victor Kheswa shy and retiring, or the perpetrator of gruesome killings?

Sebokeng residents, Mr Mabaso said
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Law and Order Minister
Hernus Kriel said a police
investigation had shown
there was no evidence to
prove Khetisi had ever
been a WPM member.

Khetisi's lawyer drew a
different picture of her cl-
ient, claiming he was an
"intelligent young man".

"His teachers liked him
very much. He was popular
with the girls and a good
organiser. He was one of
the big boys in the school."

"His father, who lives in
Lesotho, bought him a car.
Maybe that is where the
trouble started, because it
caused jealousy among the
people in Sebokeng."

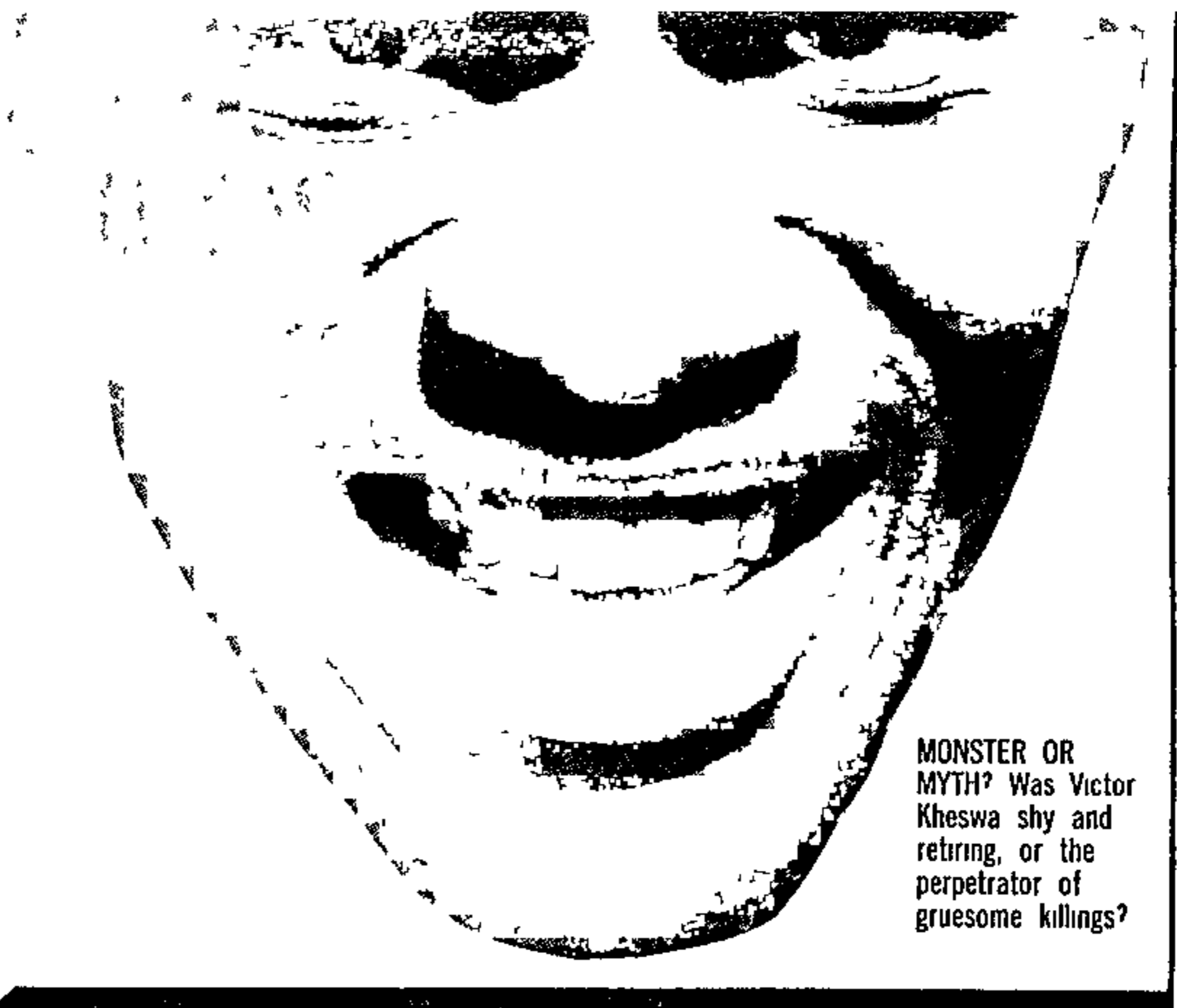
"He was known as a
monster, yet I knew him to
be shy and retiring," she
said.

Police

The IFP claims the
Khetisi affair is part of a
campaign by state intelli-
gence agencies to link it
with right-wing violence.
The ANC insists Khetisi
was a state agent, killed in
custody to prevent infor-
mation about the source of
Vaal violence coming to
light in court.

The police have appoint-
ed a special task force to
probe the matter.

But the residents of
Sebokeng have already
considered their verdict.
They danced in the streets
when Khetisi died.



MONSTER OR
MYTH? Was Victor
Kheswa shy and
retiring, or the
perpetrator of
gruesome killings?

Coloured warders fed up with temporary houses

SITimes (C/Metro) 18/7/93

By **AYESHA ISMAIL**
COLOURED prison warders stationed at Worcester Prison claim they are being discriminated against because they are being accommodated in pre-fabricated asbestos dwellings, while their white colleagues live in brick houses

The houses — originally used to accommodate victims of the Laingsburg floods 12 years ago — were set up as "temporary" accommodation at least eight years ago, warders claimed

White warders employed at the prison are accommodated in "proper houses" and have access to "temporary" accommodation in flats in the town until a house becomes available, prison sources claimed

Family members of coloured warders complained this week that their houses are unstable, leak, and are too small for families to live in

"Some nights my chil-

FOR WHITES . . . brick houses
 Pictures **AMBROSE PETERS**

dren cannot sleep because the house shakes when the wind blows"

A nine-year-old girl said that their house reminded her of the children story "The three little pigs"

"When the wind blows, and our house moves, I think about the wolf saying 'I'll huff and I'll puff and blow your house down'," she said

A woman said her baby had developed asthma since they had moved into the one of the dwellings and other children had bad coughs

and chest problems. Warders said that they had complained to the prison authorities several times

"All they say is that the matter will be investigated. They also send people to come and repair any damage to the houses, but when it rains they still leak," a warder said

"We will have to stay here until we can afford to buy a proper house in the town"

Warders also complained that they paid R86 rental for their

accommodation and R152 for electricity and water, their white colleagues who live in "proper houses" pay R52 for rent and R120 for the same services.

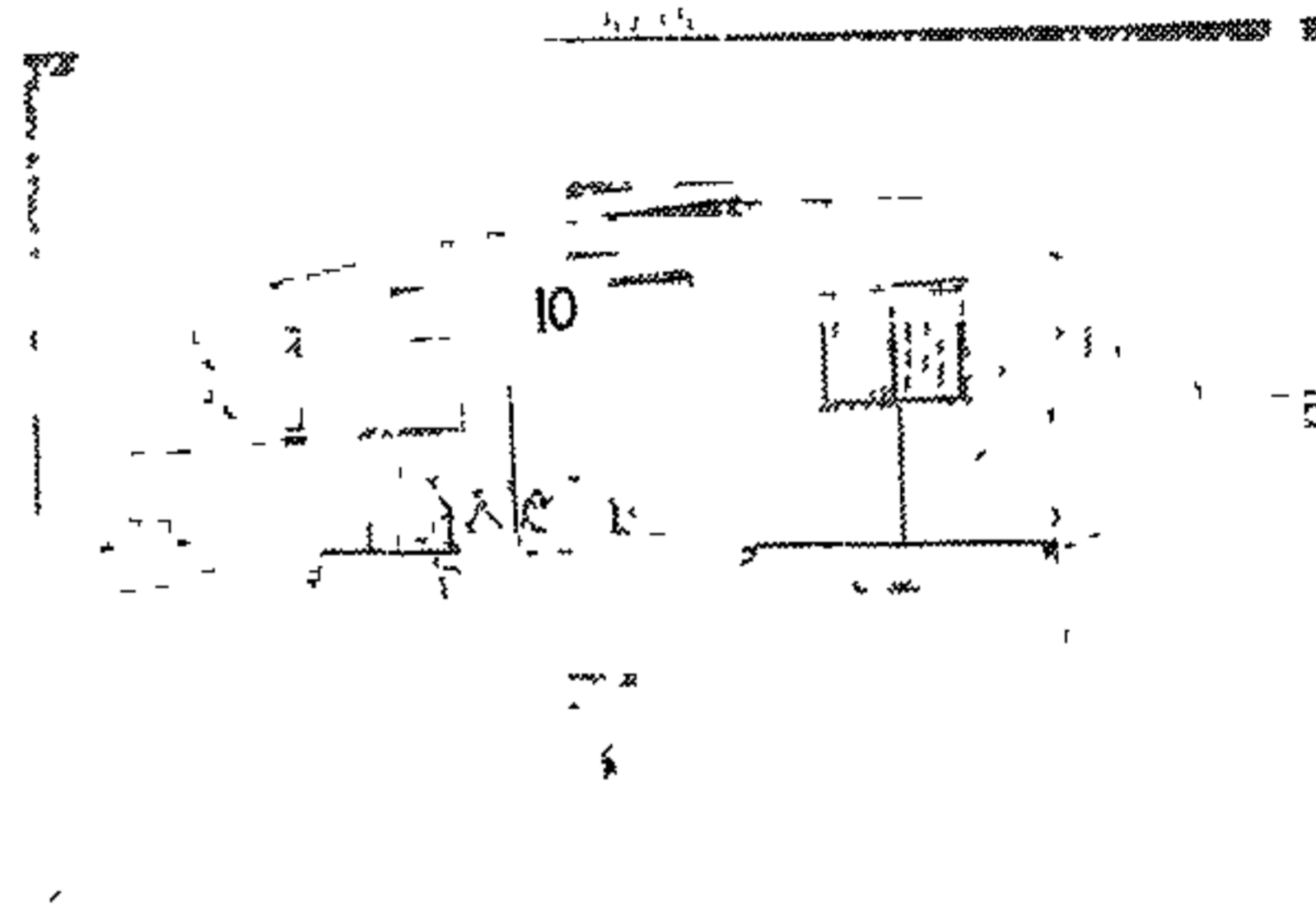
(253)
 A spokesman for the Department of Correctional Services Colonel Barry Eksteen said that temporary houses were erected at Worcester, as was done at several other prison properties, to assist staff with a place to stay, or until they could afford to buy their own homes

"Although not the best these houses are fairly comfortable

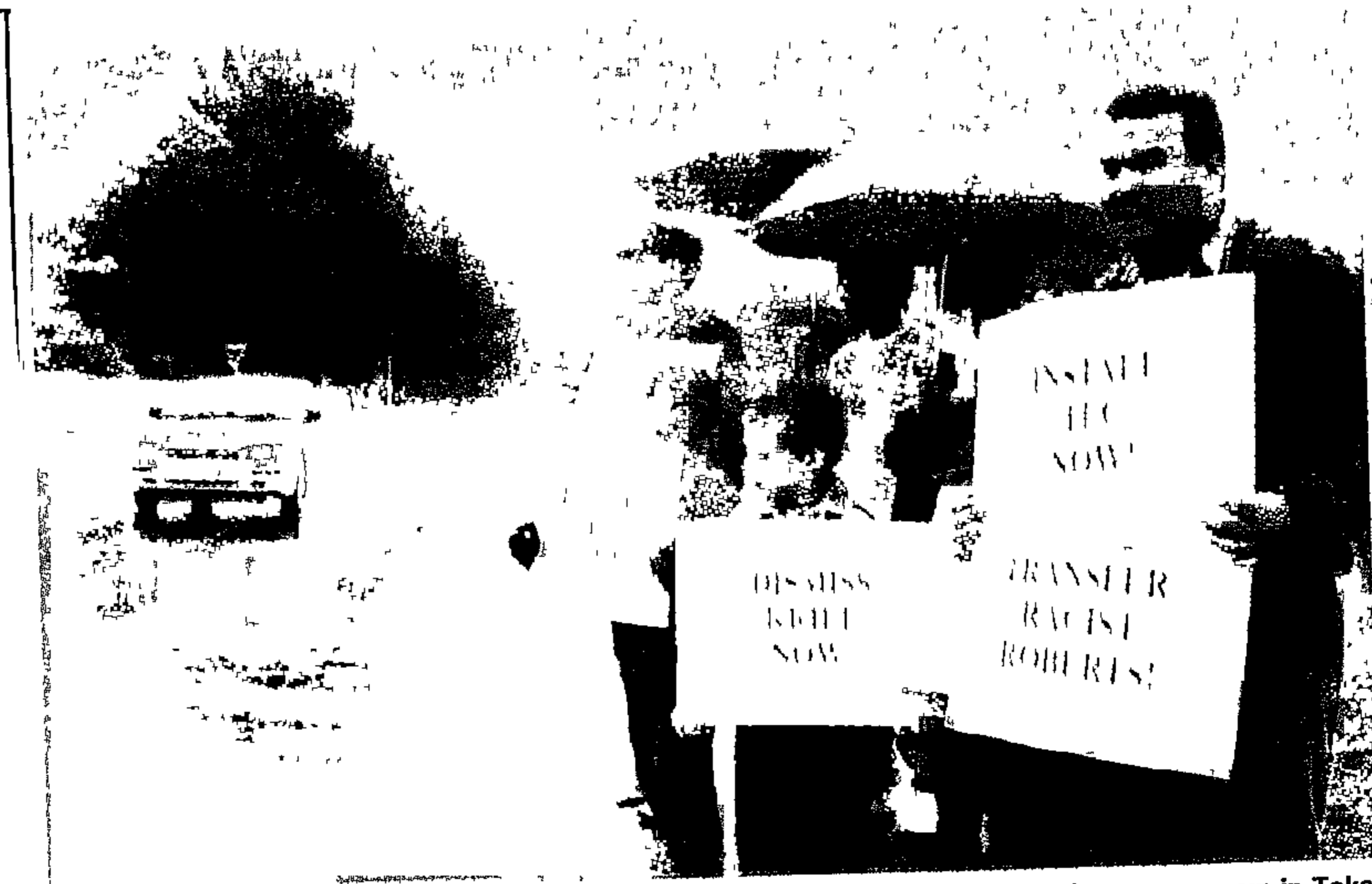
"It is true that some of the houses need maintenance, but an ongoing upgrading process has nearly reached completion," Colonel Eksteen said

He said all members could apply for vacant houses and housing was allocated to members on merit "where race plays no role"

"The allegation that coloured members pay more for housing is rejected"



FOR COLOURED Pre-fabricated asbestos



PROTEST. Pollsmoor Prison warders and their families yesterday demonstrated in pouring rain in Tokai Road to highlight demands which included recognition of the Police and Prisons Civil Rights Union (Popcru) by the Department of Correctional Services, reinstatement of dismissed and suspended members and replacement of the prison's commanding officer, Brigadier J C Roberts. Picture **JACK LESTRADE**

IFP awaits Kheswa autopsy

Sowetan 20/7/93

By Abbey Makoe

THE Inkatha Freedom Party said yesterday it would not bury its member, Khethisi Kheswa, until the police made the post-mortem results public

Kheswa, notoriously known as the "Vaal Monster", died under mysterious circumstances while in police custody 10 days ago

Police have, until today, not disclosed a State pathologist's findings regarding his death

IFP Vaal region official Mr William Nhlapho said yesterday that his organisation feared a possible cover-up by the police (253)

"We will not bury Khethisi until the police disclose their findings about his death," Nhlapho said (SAP) (115)

Vaal police spokesman Major Piet van Deventer said the IFP did not have to wait for the police to reveal their findings

He said the organisation was free to appoint its own independent pathologist if they suspected a cover-up

Van Deventer told *Sowetan* that the findings might only be released after a month

Samples, he said, had been taken from Kheswa's body and investigations into his death were continuing

News in brief

11 prisoners escape trial

ELEVEN awaiting-trial prisoners have escaped from the cells at Bronkhorstspuit police station, it was reported yesterday *Sowetan 2/17/93*

A police spokesman said yesterday the men, aged between 18 and 40, had broken the bars over the windows with metal implements smuggled into the cells. They were being held in connection with vehicle theft, assault and housebreaking (253)

NEWS Pathologist examining Vaal Mo

Kheswa's burial on hold

Sowetan 23/7/93

By Abbey Makoe

VICTOR "Khethisi" Kheswa, who died in police custody on July 10, will not be buried this weekend (253)

Mr William Nhlapo, a spokesman for the Inkatha Freedom Party in the Vaal, said yesterday that the IFP was keeping to its stance that Kheswa would not be buried until the police had made public their findings about the cause of his death.

Kheswa, who was notoriously known as the "Vaal Monster" and was linked to

massacres in Vaal townships, was a member of the IFP.

Police spokesman Major Piet van Deventer said a State pathologist was still examining samples taken from Kheswa's body.

He said the IFP was free to appoint a pathologist of its choice if it felt there was too long a delay in releasing the autopsy results.

Nhlapo said Kheswa would only be buried once the autopsy results had been made public as it feared the State autopsy might be a cover-up.

Drive to build trust in townships

SAP will open

Steer 28/1/93

cells to scrutiny

By Helen Grange

The SAP has agreed to open police station cells to civilian scrutiny as one of several precedent-setting agreements designed to make its actions "more transparent" to Reef township communities.

The deal, brokered by the Wits/Vaal Peace Secretariat's police/community relations committee (PCR) and endorsed by the IFP and ANC, was described as a "significant breakthrough" yesterday by PCR committee chairman Bishop Peter Storey.

The agreements are the result of consistent efforts by the Wits/Vaal Peace Secretariat to build a measure of trust between the key players in the East Rand township violence.



The police cell "Visitors Programme" will allow an agreed panel of civilians access to police cells "at any time of day or night" to interview any prisoner and report on that interview.

"This could allay many anxieties," Storey said at a press conference.

The programme — to be introduced as a pilot scheme in the Wits/Vaal region — could be in place by the end of the year, he said.

Aubrey Lekwana, the ANC alliance representative on the PCR committee, said the programme would be "very important" to ordinary women and children who "don't have the capacity to engage lawyers".

He suggested that members of the visiting panel have at least some paralegal training and in addition the courts should be open to receiving evidence from these members.

"It'll clear out a lot of allegations against the police concerning treatment of prisoners," he said.

The SAP has also agreed to:

- Keep a register at local police stations of people who have been arrested and where they are being held.

● To Page 3

● From Page 1

This information will be made available to people with a direct interest.

- Provide reports at each PCR meeting on trends in political violence in the region.
- Do their best to provide specific responses to requests for information in specific cases.

- Ensure the Police Reporting Officer for the region assists the PCR in specific cases by examining SAP dockets or files to ensure that the

investigation is full and proper. He will report his findings to a nominated SAP officer and the PCR. (Negotiations need to take place with the Attorney-General to get access to dockets and files in his privilege.)

- Instruct all station commanders and other SAP units to inform the Local Peace Committee chairman of any extensive major SAP action so that monitoring can be arranged. (It is noted there may be circumstances so urgent as to

make this impossible.)

- Instruct "outside" SAP units operating in any locality to report all their arrests, attempted arrests, searches and seizures and removal of witnesses to the local police station immediately afterwards.

Meanwhile, an agreement which was reached after the Chris Hani assassination that the declaration of Unrest Areas in the Wits/Vaal region should be subject to a process of consultation was awaiting formal rat-

ification, Storey said.

Storey said the new agreements and guidelines would be evaluated from time to time. They represented a new police/community relations approach.

The agreements were yesterday endorsed by the SAP representative on the PCR committee, Lieutenant-Colonel Alf Dyke, who said he agreed the SAP needed "a real facelift". The IFP's Humphrey Ndhlovu also endorsed the agreements.

Prisoners aid democracy

DURBAN — South African prisoners may be hard at work building for democracy, but whether or not they will be able to vote is still to be decided.

While the negotiators at the World Trade Centre were being petitioned yesterday to allow prisoners to vote next year, many inmates were busy building polling booths.

Staff and prisoners at Kroonstad and four other prisons are fast completing 5 500 booths for which they won the tender.

Department of Correctional Services spokesman said the Voters' Act prevented prisoners from taking part in elections — Sapa

Victor Kheswa 'died of unnatural causes'

By CHARIS PERKINS

THE post-mortem examination on Mr Victor Kheswa found that he died in police custody of "unnatural causes", according to a source close to his family (253)

Police this week refused to discuss the post mortem on the "Vaal monster"

But the source says Mr Kheswa had not, as police claimed last week, suddenly taken ill and died in a car on the way to Sasolburg Hospital

State pathologist Leon Wagner, who by law is unable to discuss his findings, said he would be submitting a final report to the police tomorrow "I have wrapped up the investigation and have my ideas on

what happened," he said.

Three Vanderbijlpark policemen, Detective Sergeant Pedro Peens, Sergeant Petrus Claassen and Lance-Sergeant Lourens Claase, were suspended after Mr Kheswa's death

Police probe warders

SI Times (C/Metro) 25/7/93

By **AYESHA ISMAIL**

CHARGES are being investigated by the SA Police against several warders after they allegedly assaulted a prisoner who had "slashed" the face of the head of Pollsmoor Prison

This was confirmed by the Department of Correctional Services this week in response to questions put to them by CAPE METRO. The department also confirmed that a charge of assault is being investigated against the prisoner

According to information contained in a letter smuggled out of Pollsmoor, the inmate who allegedly assaulted prison head Lieutenant Colonel

Johan Stassen earlier this month, was badly beaten by several warders minutes after the incident (253)

The author of the letter, a fellow prisoner, claimed he had witnessed the assault on the inmate who was "beaten so badly he sustained a broken arm and was taken to Victoria Hospital"

The prisoner claimed that on July 4 the inmate was on his way to the prison cafeteria when he asked a prison warder if he could be moved to another section

"He explained to the warder that he wanted to change cells because he was being sodomised by other prisoners

"The warder did not want to listen to his complaint and the prisoner then approached Lt-Col Stassen who was standing near the cafeteria," the prisoner alleged in the letter

The prison head apparently ignored the prisoner

"Lt-Col Stassen adopted an aggressive attitude and the prisoner then took out a razor-blade and slashed Stassen's face," the author of the letter alleged

He claimed the prisoner was assaulted by three warders

According to a prison source the injured prisoner was taken to hospital on July 13, nine days after the alleged assault

A Department of Correctional Services spokesman, Colonel Barry Eksteen, confirmed a prisoner had asked for a transfer to another section

"He did not at that stage give a reason for his request"

According to departmental records, the prisoner did not lodge any complaints, he said

"Because the matter forms part of an investigation by the South African Police which may lead to criminal charges the department cannot comment any further," he said

Prisoner shot dead

Sowetan 29/1/93
POLICE yesterday shot and killed a
Leeuwkop prisoner after he and
seven other inmates had escaped
after robbing a warder of the keys to
a bakkie (253)
Correctional Services Depart-
ment spokesman Captain Koos
Gerber said the eight prisoners held
up the warder and forced him to
hand over the keys to the bakkie.

metro

Car chase ends bold jail escape

Star 29/1/93

253

By Charmeela Bhagawat
Crime Reporter

Police shot dead a dangerous Leeuwkop prisoner yesterday after he and seven other inmates escaped from the prison in a bakkie.

Correctional Services Department spokesman Captain Koos Gerber said the eight dangerous long-term prisoners held up a warder at Leeuwkop's entrance at about 2:30 pm and forced him to hand over the keys to a prison bakkie and to open a firearm safe from which they took a handgun.

He said the prisoners got to the entrance by threatening a warder inside the prison at gunpoint.

Initial information indicated that the prisoners were in possession of a firearm in the prison.

Two unarmed warders gave chase with their own cars, and two Sandton detectives, who noticed the chase, joined in.

Sandton Crime Investigations Services commander Major Guy Killian said the prisoners at the back of the bakkie pointed firearms at the detectives, who returned fire, killing one escaper and wounding the other seven.

Police said a passer-by was slightly injured in the exchange of fire.

A shocked Gray security guard yesterday described how he had to dodge bullets while doing his rounds at Unidata Customer Services on the corner of Marlboro Drive and Desmond Avenue.

Security site commander Philip Mahlangu said he was walking along the premises' border when he saw a white bakkie followed by several cars speeding up Desmond Avenue.

"The shooting started on the corner of Kramerville Road. The men at the back of the bakkie and the police were shooting at each other," he said.

He said the bakkie came to a standstill on the Marlboro Drive corner, where Killian said the police shot one of the bakkie's tyres.

"One of the chaps jumped out of the bakkie and hid in the flower garden, pointing his gun at police. The driver fell out of his seat and slumped to the ground," Mahlangu said.

Mahlangu said he hid in the flower bushes while bullets whizzed past him.

Gerber said the prisoners jumped out of the bakkie on Marlboro Drive and fled in different directions, but the detectives and three traffic officers gave chase.

Four wounded escapers were taken to Leeuwkop Prison and the three others to another hospital.

5001 JUL 93

Kheswa: 'Natural death'

CT 30/7/93

Own Correspondent

(253)

PRETORIA — Three weeks after the death in police custody of alleged mass murderer Victor Kheswa, police announced yesterday that a post-mortem showed he had died of natural causes.

Police also said the suspension on the three policemen who took Kheswa from his cell for an investigation had been lifted. They did not

specify what the natural causes were. However, IFP spokesman Ms Suzanne Vos, who confirmed Kheswa's Inkatha membership, said she found the result "suspicious".

Kheswa's lawyers had seen him only 48 hours before he had died. This seemed at odds with the result of the autopsy, she said.

She said the Khwesa family were awaiting results of an autopsy by a private pathologist.

No decision yet on 'Vaal Monster' inquest

CT 31/7/93

Staff Reporter

203

IT has not yet been decided whether to hold an inquest into the death of alleged mass murderer Mr Victor Kheswa despite a post-mortem which showed he died of natural causes

The attorney-general of the Free State, Mr Muller van der Merwe, said yesterday he had not received the police docket

A police spokesman said a docket would not be forwarded if the person died of natural causes

Mr Kheswa, dubbed the "Vaal Monster", died in police custody three weeks ago

The IFP has had a second post-mortem conducted. The results are not yet known

253 - A LITTLE MORE

By MOSES MAMILLA

253

SAMUEL Zwane has always dreamt of scoring a magnificent goal against an Orlando Pirates' goalkeeper

But the 29-year-old soccer star had to go to jail to realise his lifetime dream when his team, Bavianspoort Prison, clashed with the Buccaneers on the prison grounds this week. The prisoners lost 8-2.

"I have always dreamt of playing against a professional team like Pirates. When I scored a goal against William Shongwe of Pirates, it was like a dream come true.

"I was very happy to be in the game. I have now realised that there are a lot of things that youths can do to avoid indulging in crime. When I leave prison, I will concentrate on sports," said Zwane zealously.

Zwane, who was jailed in 1987 after being sentenced to 10 years for car theft, scored the second goal for his side in a historic match.

Zwane was nominated the man of the match. The first goal for the prison side came from Difference Mathabatha, 29, who took a good shot from a penalty spot.

Mathabatha, who used to play for the Black Vul-tures at Mphahlele in Lebowa, said he too had dreamt of playing against a professional team.

"It was a dream that I was not sure I would realise. Even when I tried to play very hard I never thought I would see it happen while in prison!"

He was jailed in 1988 for 20 years for participating in a witchhunt which ended in murder.

He said "When I am released I will continue with my studies and soccer will be my main sport. This occasion has inspired me a great deal."

The game was the branchid of Pirates' officials and the head of the prison's sports facilities, W/O Peter Ras.

Speaking after the game, Pirates public relations



Samuel Zwane, William Shongwe and Difference Mathabatha.



CP Press 18/93

officer Skhumbuzo Mthembu said the community considered the prisoners outcasts

He said, "Prates, being the people's club, has an obligation to do something for the development of our community. Our role here is to rehabilitate these people and show them that they are accepted by the community."

"By this, we can help to instil a sense of missing home and this would go a long way in changing their behaviour to qualify for remission."

Commenting about the score, Ras said although the prisoners lost the game by a wide margin, the most important thing was that the occasion took place at all. It seemed strange that prisoners could be so visibly happy in such grim surroundings.

SHAKE ON IT ... Pi-rates' hotshot Marks Maponyane (above) meets the Bavianspoort inmates, most of whom - like these chefs below - were turned out in their 'prison beer' to watch their sides' big clash against their superheroes. ■ PICS: ANDRIES MCINEKA



Behind bars with Gaye and Clive

SITimes 11/8/93

GAYE DERBY-LEWIS, one of the three people accused of murdering SA Communist Party leader Chris Hani in April, declared from behind prison walls this week she had "done enough for the volk".

In the first interview she has given since being arrested in connection with the assassination, she said: "All my priorities have changed. When I get out, I want to do something entirely different."

Her husband, Clive, one of the other co-accused in the case, expressed similar sentiments when he, too, gave his first interview since being arrested.

"I used to think I could right all the wrongs in the world myself. Not any more," he said.

The couple are being held at Pretoria Central Prison; Mr Derby-Lewis in the maximum-security section and his wife in the women's section.

Mr Derby-Lewis, a former Conservative Party MP and President's Council member, said: "When I get

By **ELSA SEMMELINK**
and **CHARMAIN NAIDOO**

out of here, I want to do some further studies of race... perhaps anthropology. (253)

"Maybe Gaye and I will write some books together.

"And once I'm satisfied that I've done what I ought to do, I might try something entirely different — maybe even take up chicken farming."

Three months of incarceration have apparently humbled the couple, who were renowned for throwing sumptuous parties at their Krugersdorp home.

"One doesn't fully appreciate one's freedom until one has lost it," said Mr Derby-Lewis.

Mrs Derby-Lewis's blue eyes still sparkle, but occasionally, they fill with tears for no apparent reason, and she is noticeably slimmer.

"I am putting up a brave front," she said.

The 53-year-old former nun from Australia spends 23 hours of each day in seclusion, going through her

extensive files of newspaper reports, writing letters and reading.

Although the couple exchange notes regularly, they see each other only once every two weeks — or when they appear in court.

Mr Derby-Lewis said: "They've allowed me to bring in my weights, so I'm getting a lot of exercise, and I even have a vegetable garden."

He also spends much time answering letters and messages from supporters.

"I can't keep up. I'm about three weeks behind in my correspondence, but I do manage to fit in some reading as well."

Meanwhile, in the Rand Supreme Court on Friday, legal representatives of the Derby-Lewises and the other co-accused, Janusz Walus, sought disclosure of further particulars of the charges, without which, they said, a defence could not be prepared.

But Mr Justice EF Eloff ruled that sufficient information had already been provided, and said the state was not required to provide the evidence it planned to present during the trial.

Mr Walus and the Derby-Lewises are charged with:

- The murder of Mr Hani at his Boksburg home on April 10;

- Conspiring between January and April to murder 10 people whose names appeared on a "hit list";

- Taking possession of the murder weapon — an unlicensed and stolen Z88 9mm pistol, between February 24 and April 10; and

- Being in possession of five rounds of 9mm ammunition.

They have not yet been asked to plead.

There was tight security at the court on Friday. Three armed policemen sat directly behind the accused, and a man with the Walus defence team introduced himself as instructing attorney Henry Stopforth's bodyguard.

Irish Devil says goodbye to Five

By **CHARMAIN NAIDOO**

THE golden-voiced Little Irish Devil, Radio Five's Martin Bailie, leaves the radio station at the end of September.

In anticipation of the deregulation of the airwaves, Martin is part of a group applying for a licence to run an independent station in the Western Cape.

"It was a hard decision for me to make, but it wouldn't be fair to either party to continue with another contract. My hope is that the new legislation will be introduced in September or October and that could give rise to a conflict of interests," he said.

Martin, who has been with Radio Five for nine years, says he is looking forward to the new challenge but acknowledges that "much of what I will be putting into practice I learned at 5 FM".

- Sixty organisations have tabled recommendations for the proposed independent broadcasting authority.

A spokesman for the technical committee that drew up the proposed bill for the new regulatory body — due to be ratified by Parliament in September — said responses had been received from the SABC, Radio 702, the SA Chamber of Commerce, the SA Union of Journalists and a number of independent broadcasters.

The proposed bill is due to be tabled at the multi-party negotiating forum tomorrow.



MARTIN BAILIE

Virus killed Kheswa, court told

By MELANIE GOSLING

ALLEGED mass murderer Mr Victor Kheswa, who died in police custody last month, died of a viral infection which attacks the heart and can lead to acute heart failure.

Professor Leon Wagner, a senior forensic pathologist at the University of the Free State, who conducted the post-mortem, said in an interview yesterday that microscopic analysis of Mr Kheswa's heart tissue had shown the presence of the virus myocarditis.

He said the virus caused inflammation in the heart and could disrupt the heart's normal rhythm.

If this occurred, acute heart failure would result.

"If an individual with myocarditis were subjected to the stress of interrogation for instance, it would be more than sufficient to induce disrhythm of the normal heartbeat which would lead to acute heart failure," Prof Wagner said.

Dr Gert Saayman, a Pretoria pathologist who was instructed by the Inkatha

Freedom Party to conduct an independent post-mortem later, was unable to determine the cause of death because of the advanced state of decomposition of the corpse.

Dr Saayman said however, that his examination had not revealed any significant injuries to the body or vital organs.

The attorney-general of the Free State, Mr Muller van der Merwe, said yesterday that he was waiting for the police to complete their investigation before studying the docket on Mr Kheswa.

CT 3/8/93 (253)

Star 4/8/93

Focus on prisoners' plight

The plight of awaiting-trial prisoners received special attention yesterday when the National Institute for Crime Prevention and the Rehabilitation of Offenders launched an Awaiting Trial Awareness project by visiting suspects in the Johannesburg Prison — Staff Reporter (253)

Summit on violence

THE Police and Prisons Civil Rights Union ended a special meeting in Johannesburg yesterday with a call for summit on violence.

The union said the aim of the summit, to involve all communities, would be to stabilise battle-scarred townships, with Popcru members taking the lead in policing townships in an "unbiased" manner. "The summit is needed due to information we have about the causes of the violence, which is orchestrated within the security forces."

MK cadres lead SAP members during march

Star 9/18/93

Port Elizabeth — History was made in Port Elizabeth yesterday when black policemen were led on a march to a mass rally by a small band of Umkhonto we Sizwe members

The rally at Zwide township's Dan Qeqe stadium — organised jointly by the Police and Prisons Civil Rights Union (Popcru) and the ANC, and aimed at fostering reconciliation between the police and community — was attended by about 10 000 people.

Braving SAP threats of departmental censure, about 300 uniformed policemen and prison warders were warmly applauded by thousands of people who lined the route from Kwazakhele township to the stadium, amid

shouts of "Viva AmaPolisa" (Viva the police).

Such was the spirit of reconciliation, that while non-Popcru members of the force watched their colleagues march by under the banners of Popcru, the ANC and SACP, youths hitched rides to the stadium atop their official SAP vehicles.

At the rally, addressed by ANC national executive member Tokyo Sexwale and regional ANC officials, Popcru members took an oath declaring that they were the "people's police".

"Today we have unchained ourselves and come out of our isolation," Popcru leader and former policeman Gregory Rockman told the crowd. — Pen.

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Jail death: Surgeon faces inquiry

By **CLAIRE BISSEKER**

FORMER district surgeon found by an inquest to have been "irresponsible and inhumane" in his handling of a young Pollsmoor prisoner, who died after being straitjacketed in 1989, is to face a full disciplinary inquiry.

Miss Carol Anne Meyers, 29, of Parkwood, died from kidney failure and extensive bleeding on July 2, 1989 after being straitjacketed for 24 hours.

Her screams of pain were ignored by prison staff, according to evidence by a cell mate who said the action was taken after they were overheard discussing suicide. The deceased was serving two years for robbery and resisting arrest.

Former Wynberg district surgeon Dr Peter Fischer was found "grossly negligent" by an inquest court in January 1993 for having certified Miss Meyers fit for the straitjacket.

After a four-year legal battle her mother Mrs Josephine Meyers tearfully welcomed the news yesterday.

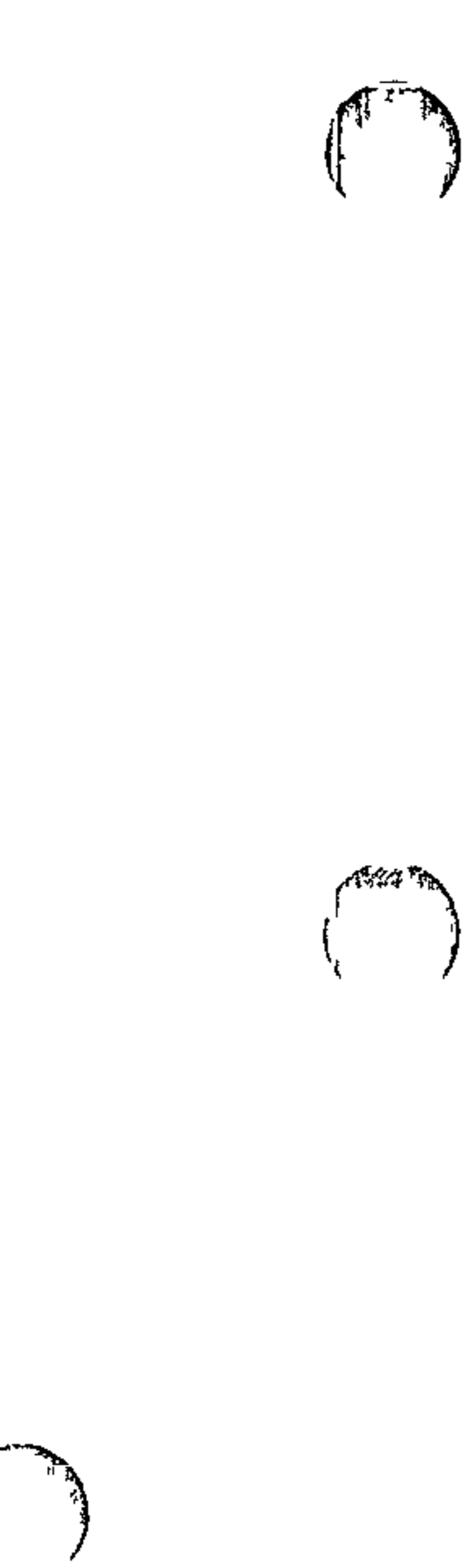
Dr Fischer, of Constantia, was suspended as district surgeon in January this year after Mrs Meyers appealed to the SA Medical and Dental Council (SAMDC).

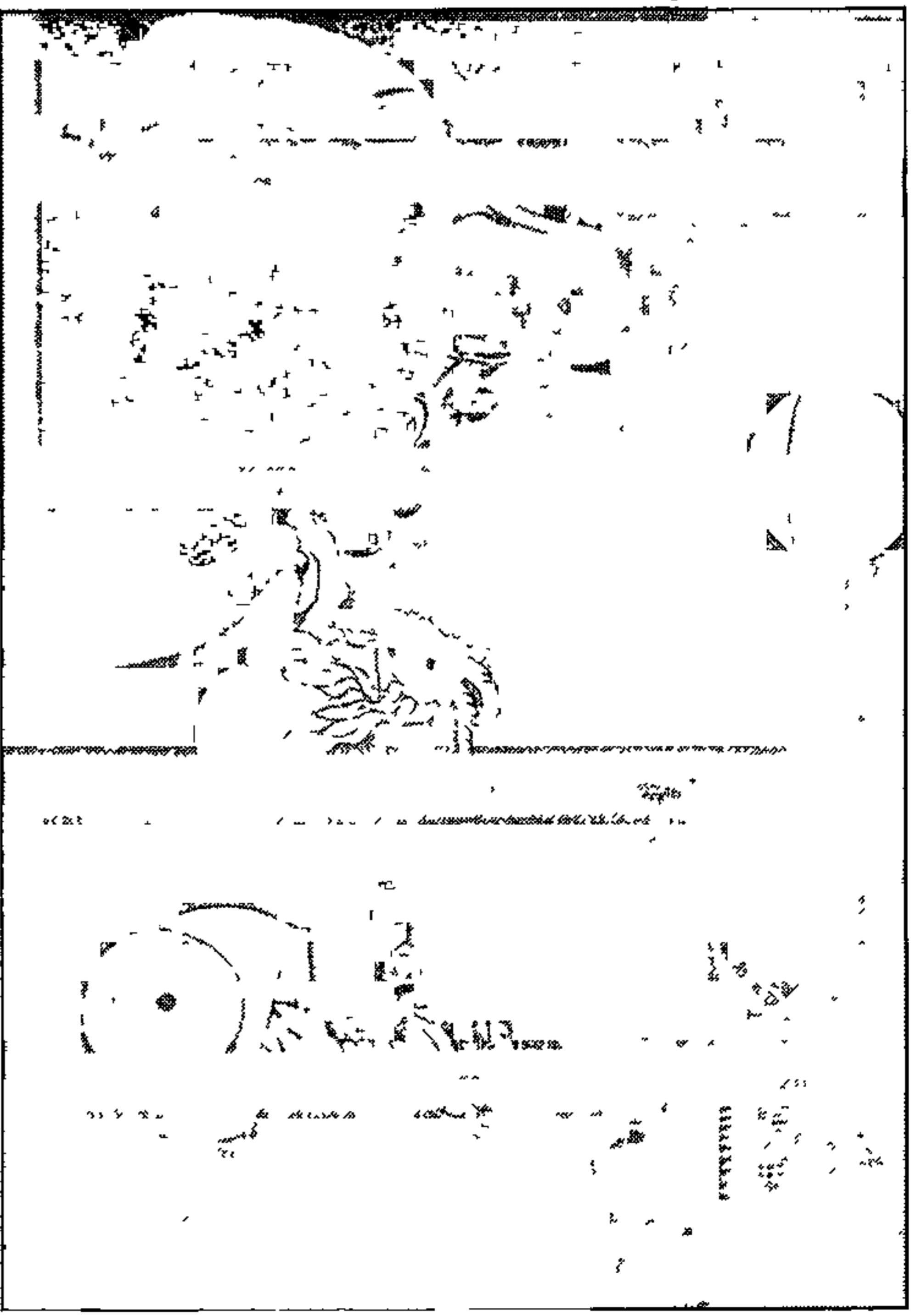
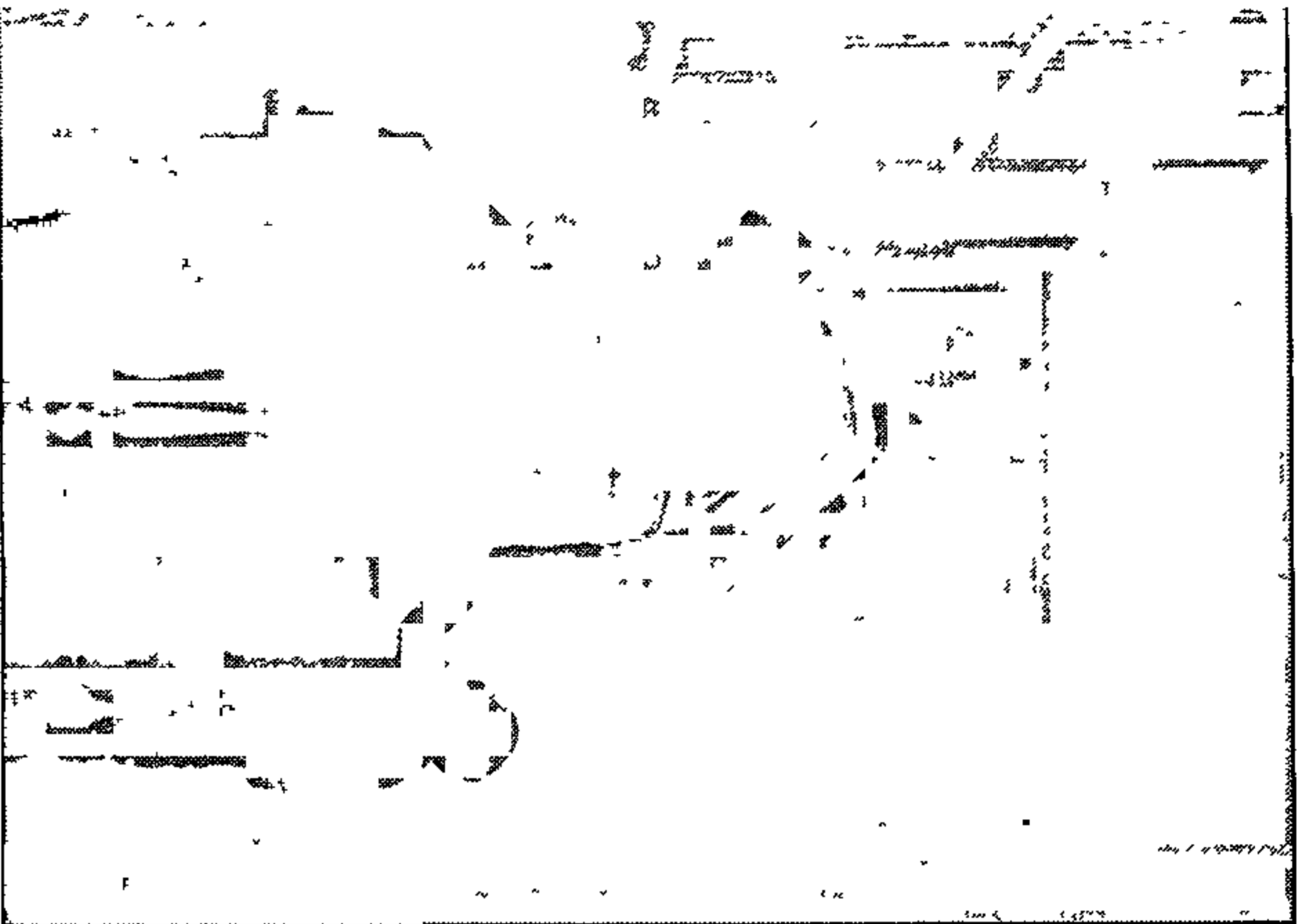
SAMDC registrar Mr Nico Prinsloo said yesterday a full disciplinary hearing had been recommended by the preliminary inquiry committee last week.

Dr Fischer yesterday claimed he had been made a "scapegoat" for the prison service.

Mrs Meyers' attorney, Ms Sandra Liebenberg, said yesterday she was expecting a response from the SA Nursing Association in November regarding an inquiry into the conduct of prison warder Ms Ingrid Oerson, who was also found guilty of "gross negligence" at the inquest.

053) CT 10/8/93





Creativity behind bars . . . signwriter Mark Pearson (above) has done his best to brighten up the corridor outside his cell.

PICTURES KAREN SANDISON

The youngest prisoners a warder (left) takes two children for a stroll in a corridor at Johannesburg Prison. The children's mothers are prisoners at the jail and the youngsters live in cells too.

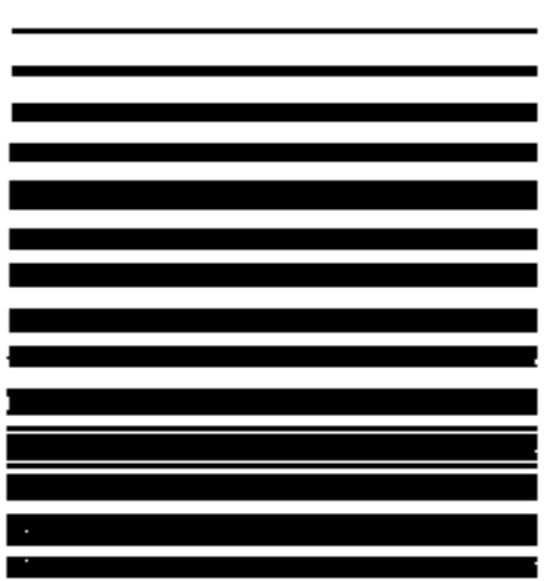


Johannesburg Prison, located south of the city, is home to 5 842 prisoners, serving sentences for crimes including murder, rape and petty theft. Bronwyn Wilkinson toured the prison and spoke to some of its inmates.

STAR 1018193

In this Sun City the bill is hard time

253



If something belongs to someone else — leave it alone. If you take something — put it back."

The words, crudely printed on a handmade sign on the wall of a cell in Johannesburg Prison, is seen oddly out of place.

Signs of regret abound in the three prisons (Medium A, Medium B and Women's) that make up Johannesburg Prison, also known as Diepkloof Prison or Sun City.

The authors of the graffiti, struggling to stave off boredom behind the prison walls, come across as friendly and charming people. It is hard to remember that some of them are robbers, murderers and rapists.

Simon (19)*, awaiting trial on charges of car theft, had a bad start in life. His father died when Simon was nine. His mother is a prostitute. Simon ran away from the family's Soweto home last year and headed for the streets of Hillbrow.

He has been in the juvenile section of Medium A prison before and prefers the prison to the streets.

"We get fed here. We are warm and a lot of my friends are here," he says.

Simon stammers that he has never taken up the street habit of glue-sniffing.

"Glue messes up your brain and I want to be a doctor or a lawyer."

He acknowledges that he is on the wrong path for his chosen career.

"But if someone will just pay for me to finish school (he has completed Std 5), I am sure I can

be good.

In the same cell as Simon is Thoko (12), the boxing champion. He was arrested for stealing cigarettes and says he will plead guilty so he can stay in prison. Thoko explains he had "an attitude problem" when he first came to prison.

"When we said our prayers I used to say 'Lead us into temptation' and 'Forgive us our sins but we won't forgive those who sin against us'."

"But I'm fixed now," he asserts with an impish grin.

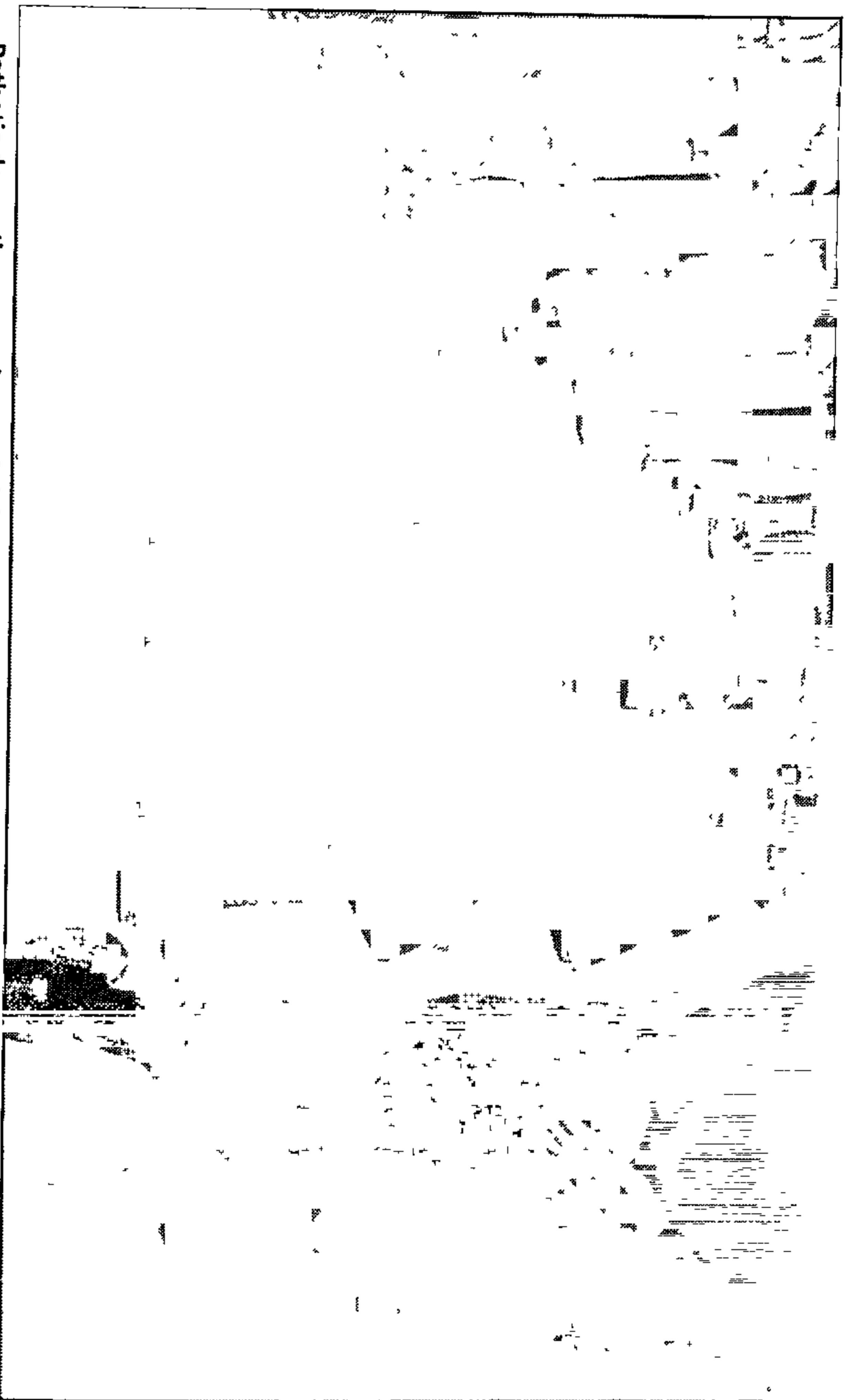
White

In the sea of black is one white face. It belongs to a 17-year-old boy arrested for fraud. He has been here for two weeks, and knows all the songs although they are sung in Zulu, Sotho or Xhosa.

The rest of Medium A prison is packed with 3 119 prisoners in communal cells holding up to 20 inmates. A few are held in single cells. Of the total, 2 820 are awaiting trial. Each morning the prison resembles a sausage factory as prisoners are packed into trucks taking them to court.

Back in the cells blankets are folded into the shape of flowers, towels tied with toilet paper from ribbons around pillows in an attempt to give five-star hotel status to a place where the bed is a steel bunk. Here prisoners can, on the basis of good conduct, earn privileges like television and, for some, keeping pets.

In the Medium A kitchen, Andrew (35) stirs a huge vat of hot spmash for lunch. He was sentenced to 14 years for robbery and theft, and today is the first



Pathetic decorations . . . prisoners brighten their cells by folding blankets into the shape of fans and candles

day of his ninth year in prison. The only white man working in the kitchens, he says he has made "great friends" with the black inmates.

"Before this I never thought blacks were really people. Now I know they are no different to me," he says. He has learnt to speak four black languages.

The spmash goes with meat, potatoes and cabbage (washed

in enamel baths that just might have been ripped out of a bathroom).

Discipline in the prison is rigid. The commander, Brigadier Wessel van Niekerk, explains why he and the three prison heads run the place like an army barracks: "Lack of discipline is the reason why these people are with us. We try to teach them discipline because it may keep

them from coming back."

When Van Niekerk and other officers enter a cell, prisoners line up at the foot of their bunks, holding up their identification cards. But the officers hardly need consult the cards of long-term prisoners. The prisoner and his keeper know each other well.

About 100 m from Medium B stands Medium C prison, which

consists of 301 single cells. According to Van Niekerk, there are no specific criteria for putting prisoners into single cells.

"But if a prisoner prefers to be alone, we try and accommodate him," Van Niekerk says.

The prisons seem fully racially integrated.

The first cell in Medium C is home to Mark Pearson (28), a

served two years. He paints all the signs in the prison.

Pearson has a girlfriend of three years standing at home. "I hope she waits for me, but if she moves on, I'll understand."

A tortoiseshell cat wanders down the corridor. He lives in the cell next door to Pearson, and comes and goes as he pleases.

Upstairs, Bert (25) has been in solitary confinement for 23 days. At an internal hearing, he was sentenced to a month in solitary — with dietary restrictions — for smuggling dagga into the prison. He is serving four years for fraud.

Payment

Dagga smuggling, he says, is "big business" in the prison, but refuses to say where he got the drug from as it will "complicate" other people's lives.

He has, however, kept the shoes he was paid for the smuggling deal.

Van Niekerk explains that prisoners in solitary confinement may not read anything except a Bible and they may not smoke tobacco into the cell and then because they don't have any paper, they smoke their Bibles!"

He adds, "We are not dealing with angels."

Van Niekerk acknowledges that dagga and Mandrax smuggling are rife in the prison, but says it is difficult to catch people out.

Downstairs, Dr. Bernard Caplan — sentenced two years ago to 16 years in jail for murdering

out to prisoners and fixing them when necessary.

"I used to be a medical doctor, now I'm a book doctor," he says simply.

Three floors up is perhaps the prison's most famous inmate, former National Soccer League boss Abdul Bhanjee.

He refuses to grant an interview, but passes his regards to everyone who knows him. His cell is more sparsely decorated than those of his neighbours. The only personal touch is a floral divert cover.

There are more flowers in the women's prison, where some of the 513 prisoners have hung lace curtains to conceal the bars. Women spend the day in knitting groups or in the sewing workshop making prisoners' uniforms.

In the women's prison is a creche where seven children under the age of four are looked after by four women prisoners.

The children sleep in one communal cell with their mothers, who leave them at the creche every morning.

The women have committed crimes ranging from theft to murder.

In the sewing workshop, one woman grimly mans a machine which cuts out and sews button-holes.

Unless she is granted parole, she will be here for the rest of her life for murder.

"But," she says, "every day in here feels like a life."

*Where only first names appear, they are pseudonyms. Full names have been used with the permission of the prisoner.

Star 11/8/93

Warders fire to halt fighting

Leeuwkop prison warders fired on inmates when a meal turned into a melee yesterday, a Correctional Services spokesman said. (253)

Captain Koos Gerber said 33 inmates were injured at the prison, north of Johannesburg.

Two groups of prisoners attacked each other with eating utensils and sharpened objects in the prison mess at about 3 pm, Gerber said.

Warders had to flee, but returned and fired at the prisoners with birdshot.

When order had been restored, three seriously injured men had to be taken to a nearby provincial hospital while 30 others with light wounds were treated in the prison hospital.

— Staff Reporter

8/Day 12/8/93

Police union plans march

LLOYD COUTTS

THE Police and Prisons Civil Rights Union (Popcru) hoped to mobilise 10 000 supporters in a march to Witwatersrand regional police headquarters on August 21, a spokesman said yesterday (253).

The march is from Popcru's Johannesburg offices to the Braamfontein police headquarters (254).

The ANC said earlier this week it had been approached by Popcru for its co-operation in arranging a demonstration similar to one held in Port Elizabeth on Sunday at which about 300 police men and women and prison wardens in uniform committed themselves to impartial policing. Police are investigating the incident.

ANC PWV chairman Tokyo Sexwale said on Tuesday Popcru's members were committing themselves to a democratic police force and reconciliation with the community.

Call to help prison children

Staff Reporter

(253) ~~248~~
A PROPOSAL that Archbishop Desmond Tutu set up a commission to investigate the rehabilitation of prison children is among resolutions the Anglican diocese of Cape Town's synod will consider today and tomorrow.

The proposed resolution refers to concern at the "alarming number" of children held in jail in South Africa and their exposure to a high incidence of crime and gangsterism there.

It refers also to recent reports of children being abused and even murdered by hardened criminals while in

Aug 12/8/93
custody, and says children in prison need protection

The archbishop is asked to establish a commission that would investigate and recommend alternative rehabilitation measures, and the church's possible involvement in them.

The resolution calls for private sector funding for new rehabilitation methods

The synod will also consider a resolution calling for the Diocese of Cape Town to be divided into three new and smaller dioceses

(253)
~~(248)~~
AUG 12/8/93
**Bid to
keep the
street
children
out of jail**

CLIVE SAWYER
Municipal Reporter

BEGGING and loitering will cease to be crimes if changes to a by-law are approved.

Amendments to the by-law for the Convenience of Persons Using Streets or Public Places are to be put to the city council executive committee today.

The proposed changes are a sequel to a council resolution last year to find ways to prevent street children being "drawn into the criminal justice system"

They include removing "annoyance" as a reason for acting against a person and allowing action only when an offender has been warned.

At present only police may act in terms of the by-law. This will be extended to council law enforcement officers.

Begging was not something which required legal sanction, a city administrator's report said.

"Very few people, if any, are prosecuted and in my view society no longer expects begging to be visited by criminal sanction."

"The criminal law must simply not be used to cure all social ills."

The report said street children were most likely to fall foul of by-laws dealing with loitering, begging, and sleeping in public places.

Homestead director Annette Cockburn said her organisation did not accept that loitering should be a crime.

The report said loitering had a wide meaning and people on legitimate business could be said to be loitering.

Sections of the by-law which will stay will forbid people from littering, or running, walking, sitting or lying in such a way that they obstruct traffic or pedestrians.

56 inmates refusing prison food

Staff Reporters

(253)
A GROUP of Victor Verster
maximum security prisoners
are refusing prison food after
being transferred from one sec-
tion of the prison to another
against their will.

Correctional Services
spokesman Koos Gerber said
prison authorities were inter-
viewing the 56 prisoners indi-
vidually to establish their
grievances.

Although the prisoners were
refusing prison food they were
not on a hunger strike as they
were eating snacks from the
prison tuck shop, said Captain
Gerber

Relatives of prisoners
claimed on Tuesday that 100
maximum security prisoners
had gone on a hunger strike to
protest against "maltreatment
and living conditions".

Captain Gerber confirmed
that the first indication of pos-
sible prisoner action came on
Tuesday when about 50 prison-
ers refused breakfast and
lunch.

Church plan for jailed kids

218 253 CT/14/8/93

Staff Reporter

THE Anglican Diocesan Synod resolved yesterday to promote the participation of clergy and laity in children's prison programmes amid concern over the high level of abuse suffered by children in custody

A commission would also be set up to investigate other forms of rehabilitation for these children. Synod delegates heard that

there are over 4 000 children in prisons countrywide, some as young as nine, and that they run the risk of gang rape, contracting Aids and of being murdered because "there is no juvenile justice system in South Africa"

The Rev Gilmore Fry of Hazendal said there were no places of safety for children awaiting trial in rural areas

In the Peninsula there are only

two places of safety

On education, the synod demanded yesterday the resignation of Mr Peter Saaiman, Minister of Education and Culture in the House of Representatives

Although concerned the education crisis would "erupt and cause havoc", the synod refrained from endorsing the imminent South African Democratic Teachers' Union (Sadtu) strike

Popcru on the march

THE Police and Prisons Civil Rights Union plans to march through the streets of Johannesburg on Saturday to highlight its demand for recognition by the authorities. *Sowetan*

Popcru spokesman Mr Andile Mdledle said members would march to the SAP regional commissioner's offices in Braamfontein *18/8/93*

Their demands include recognition of Popcru, provision of police benefits to those classified as police assistants, appointment of black officers to command units in the townships to curb violence and the scrapping or amending of the Police Act.

— *Sapa*

(Handwritten mark)

253



Warders off hook over girl's death

APR 21/8/93
THE Attorney General of the Cape is not going to prosecute prison staff who earlier this year were criticised for their role in the death of a strait-jacketed woman prisoner at Pollsmoor

A spokesman for the AG's office, Jan Theron, yesterday declined to give reasons for the decision, but said the Department of Correctional Services would be told by letter they should investigate the matter and take departmental steps against their officials

The prisoner, 20-year-old Carol Meyers, was put in the jacket on June 29, 1989, after she was overheard talking about suicide

An inquest, held three years later, heard how she spent 23 hours in it, screaming in agony, and soon after being released died in Groote Schuur hospital

The inquest magistrate accused prison staff of seriously neglecting their duty, saying they were guilty of "irresponsible and inhuman" conduct

It is reliably understood that the department did conduct an internal investigation into the incident shortly after it happened, but decided to postpone action against officials involved pending the inquest

The officials are still working in the department

An attorney acting for the Meyers family, Sandy Liebenberg, said she was disappointed by the AG's decision

● The SA Medical and Dental Council will be holding a disciplinary hearing into the conduct of Wynberg district surgeon Dr Peter Fischer, who allegedly certified Meyers fit for the straitjacket

Prison death: No charges

253

CT21/8/93

By DAN SIMON

NO prosecutions are to follow the death of a young Pollsmoor prisoner who died as a result of injuries sustained while she was strapped in a straitjacket, according to the attorney-general

This was disclosed by advocate Mr Jan Theron of the attorney-general's office who said "no prima facie evidence" had been found to indicate that "anyone had intentionally planned" to kill Carol Anne Meyers, 24, on July 2, 1989

Ignored

Meyers, who was serving a two-year sentence for robbery and resisting arrest, died of kidney failure and extensive bleeding after she was strapped tightly in a straitjacket for 24 hours

An inquest court heard that her screams of pain were ignored by

Straitjacket 'not meant' to kill her

prison staff who were on duty at the time and who had helped to place her in the straitjacket

According to evidence from a cell mate, the decision to put Meyers in a straitjacket was taken when both she and Meyers were overheard discussing suicide

An inquest magistrate found former Wynberg district surgeon, Dr Peter Fischer "grossly negligent" in January 1992 for having certified Meyers fit for a straitjacket

He also accused prison staff — who are still working in the department — of being guilty of "ir-

responsible and inhuman" conduct.

South African Medical and Dental Council registrar Mr Nico Prinsloo said last week that a full disciplinary hearing had been recommended by a preliminary inquiry committee

Dr Fischer was suspended as district surgeon in January this year after Meyers' mother, Mrs Josephine Meyers, appealed to the council

"Disappointed"

Department of Correctional Services spokesman Captain Koos Gerber said the department "would decide" on what course of action to take once it had received official correspondence from the attorney-general

Lawyer Miss Sandra Liebenberg said she was "disappointed" with the attorney-general's decision and said she may discuss other legal options

Popcru march on Pollsmoor

Sit Turoo (Metro) 22/8/93
MEMBERS of the Police and Prisons Civil Rights Union and the African National Congress marched to Pollsmoor Prison yesterday to demand recognition and the reinstatement of its dismissed members.

The Union also called for the replacement of Lt-Gen W. H. Willems as commissioner of the prison and expressed its concern at the inequality in the treatment of prisoners.

Popcru has given the department 14 days to respond to its demands.

Black cops chant 'Kill the Boer'

By TENDAI DUMBUTSHENA

HUNDREDS of uniformed black policemen, some carrying R4 and R5 rifles, marched on SAP headquarters in Johannesburg yesterday chanting "Kill the boer, kill the farmer" and "One settler, one bullet".

The SAP members and about 500 prison warders — members of the Police and Prisons Civil Rights Union (Popcru) — were taking part in a protest march to demand improved service conditions. They also demanded the removal of white policemen from strife-torn townships and their replacement by a joint force consisting of black policemen and members of the ANC's military wing, Umkhonto we Sizwe, and the Pan Africanist Congress army, Apla.

Some of the protesters chanted, "Let's fight the boers. If the boers don't want to negotiate, we better fight. We told the boers that MK (Umkhonto we Sizwe) is coming." They also chanted slogans denouncing President FW de Klerk and Law and Order Minister Hennis Kriel, and hailed black leaders, including ANC president Nelson Mandela.

The protesters were escorted by heavily armed police commanded by white officers. On several occasions white policemen and their protesting black colleagues were involved in bitter arguments.

An SA Communist Party flag was seen fluttering over the heads of the policemen in the march. Tension mounted when some of the marchers demanded the release of Popcru leaders arrested shortly after the start of the march, which went from Wanderers Street to the SAP's regional headquarters in Jorissen Street, Braamfontein.

Police threw a cordon round the building and placed razor wire at the entrance to prevent marchers from entering to hand over a petition. Police sharpshooters lined the rooftops of surrounding buildings.

A number of MK members, in uniform but unarmed, joined the march, as did officials of the ANC SACP, Cosatu and PAC. White policemen listened impassively as ANC PWV chairman Tokyo Sexwale delivered a fiery speech urging them to join black colleagues in "serving the community".

He urged them to disobey the orders of "those who instruct you to kill people in the townships". The tense situation was defused after a lengthy discussion between Mr Sexwale and Major Kobus Peche, during which the SAP agreed to release the two detained Popcru members on condition that the marchers dispersed.

The protest was hailed by Cosatu national organ-

isation secretary Mphahlele.

The marchers dispersed after a lengthy discussion between Mr Sexwale and Major Kobus Peche, during which the SAP agreed to release the two detained Popcru members on condition that the marchers dispersed.

The protest was hailed by Cosatu national organ-

isation secretary Mphahlele.

isation secretary Mphahlele.

S Times 22/8/93

Does the cap fit, comrade?



COMRADES IN ARMS — a Popcru member, carrying a sub machinegun, exchanges caps with a member of MK during yesterday's protest march to SAP headquarters. Picture JOE SEFALE

Black cops 'kill' chant

From Page 1

user Sipho Binda as "a move by black policemen to reclaim their dignity".

Popcru's demands include the scrapping of the Police Act and improved benefits such as medical aid, sick leave, pensions and bonuses. The union warned that, unless the demands were met by October 29, Popcru members would stage mass action on a national scale.

A letter issued by regional SAP Commissioner General Koos Calitz warned members of the police against participating in marches organised by political parties.

Policemen who joined the protest could be charged under Police Regulations, forbidding "conduct unbecoming".

Police were warned by letter they would risk disciplinary action by participating in the march. SAP spokesman Captain Wikus Weber said videos taken of the march would be used to identify individuals.

Sapa reports, meanwhile, that the two arrested men were brothers Mondli and Thokozam Madondo. They were later released. Colonel Piet Calitz said they would be charged with obstructing police in their duties.

Flitestar future hangs in the balance

By ROGER MAKINGS

SOUTH AFRICA'S largest independent domestic airline is facing closure unless the government agrees to stop subsidising SAA.

Flitestar director Joggie Vermooten said yesterday the airline — which flies to Cape Town and Durban from Johannesburg — was engaged in "make-or-buy" talks with the government.

"Things are at a delicate stage. We can't carry on like this. We need to know soon, within the next few months, where we stand on what is not a level playing field," he said.

Flitestar accused SAA of keeping domestic fares artificially low, a fact acknowledged by the Competition Board which last year recommended that the national carrier increase fares and cut surplus capacity to allow competing airlines an equal share of the market.

"In a nutshell, we have to get the government to implement its domestic aviation policy which would see SAA run on a commercially viable basis and give independent airlines a chance to compete on an equal footing. If this is not done, Flitestar will have to reconsider its position in the market," said Mr Vermooten.

Flitestar claimed SAA was losing money on its

Judges demand say in new constitution

By CARMEL RICKARD

THE country's Chief Justice and all the judges president are meeting in Pretoria this weekend amid growing demands by judges for a say in the debate over a new constitution and bill of rights.

Legal sources say they have been forced into silence on these key issues because they have not been invited to make an input, and no mechanism exists which would allow them to do so.

It is understood the judges are disappointed and concerned that they have not been able to discuss key aspects of the constitution and the bill of rights with the technical committees responsible for drafting these documents.

Clear evidence of the growing concern came on Friday when the judge president of the Transvaal, Mr Justice Frikke Eloff, took the unusual step of raising the problem in public with Justice Minister Kobie Coetsee.

Anxious

During the opening of the new Pretoria Supreme Court buildings, Mr Justice Eloff noted that it was important for judges to make their input on the constitutional debate. He also called on Mr Coetsee to ensure the judiciary were given the opportunity to contribute.

This weekend's urgent meeting is another indication of growing concern among the judiciary.

According to legal sources, they will be discussing the proposed con-

THE CIGARETTE FOR CONNOISSEURS

In the traditional 20s tin



CONSTITUTION

stressed in SE ito

An official know w qualifie was su barged she is. there." The pre-rac Junxia mate second

'I'm not afraid of trouble'

■ BY CYRIL MADLALA

After being in the forefront of a march by black policemen and prison warders to SAP headquarters in Johannesburg on Saturday, Monwabisi Moto (27) is not spending sleepless nights worrying about possible disciplinary action.

The prison warder at Johannesburg Prison is also transvaal chairman of the Police and Prisons Civil Rights Union (Popercu), whose members are demanding the removal of white officers from strife-torn townships.

"We demand that black officers take charge of the units in the townships, failing which we will be duty-bound to call on Apla, Umkhonto we Sive and the Azanian National Libera-

tion Army to help us monitor the affected townships

"We demand that white officers go and respect white lives in the suburbs, as they did during the World Trade Centre invasion. This will allow black officers to respect lives in the townships," he said.

Flirtation

253

Popercu members marched, and some exchanged caps, with MK members on Saturday

It is this flirtation with liberation armies that Moto knows will not endear his organisation to the authorities

Yesterday Law and Order Ministry spokesman Craig Kotze warned that the SAP would "naturally defend its professionalism at all costs",

and investigations would be held to decide whether action should be taken against the marchers

He accused the ANC of attempting to politicise the police force, and turn it into a battleground of political rivalry.

But Moto believes the liberation armies have more credibility in the townships than the SAP. Black policemen, working through community structures with the armies, had more chance of curbing violence.

He is not worried that authorities might take disciplinary action against Popercu members seemingly torn between two loyalties. "Some senior white officers are members of the right-wing movement and no action is taken against them," is Moto's simple logic.

'Kill the boer' cops may be charged

Own Correspondent

JOHANNESBURG — Police had videotaped their colleagues chanting "Kill the boer" outside John Vorster Square on Saturday and would take action against them, police spokesman Captain Wikus Weber said yesterday.

No arrests had yet been made.

He said the 300 policemen could face criminal charges or internal discipline, like suspension.

Popcru yesterday came out strongly against the use of "racist" slogans by its members.

Hundreds of policemen and prison warders, accompanied by ANC, SACP, PAC, Cosatu and uniformed uMkhonto weSizwe members, chanted "kill the Boer, kill the farmer" as they marched on SAP headquarters here.

The marchers demanded the scrapping of the Police Act, which does not allow a police union, and improved work benefits. *CT 23/8/93*

Popcru's national president, former police lieutenant Mr Gregory Rockman, last night said a national picket by Popcru members could be expected on Wednesday.

He said members were "sick of being pushed around" and there was an urgent need for all interested parties to "sit down and talk".

● Popcru members marched to Pollsmoor Prison on Saturday and handed over a memorandum with a list of grievances.

Responding to the marches, the government yesterday accused the ANC of trying to undermine the professional integrity of the SAP — Staff Reporter, Own Correspondent, Sapa

NEWS Popcru demands removal of prison commander in Cape

Sowetan 23/8/93 Cops march

Over pay

ABOUT 2 500 members of the Police and Prisons Civil Rights Union staged a march through Johannesburg on Saturday for increased wages and improved working conditions

A memorandum was presented to the Braamfontein police headquarters

The union is demanding a 30 percent pay hike and an end to what it calls racial discrimination in the police force

Tension heightened when the marchers, many of them policemen in uniforms toting service revolvers, reached police headquarters

A scuffle then broke out between peace monitors and members of the police, who formed a security cordon around the building

The fracas broke out when the monitors tried to enter a nearby building where it was alleged five Popcru members were being held by police

Two Popcru members were taken away in an SAP minibus when they also tried to enter the same building. The two

brothers, Mr Mondli Madondo and Mr Thokoza Madondo, were later released.

Police Colonel Piet Cahitz said they would be charged with obstructing the police in their duties. He would neither confirm nor deny whether five Popcru members had also been held by police

African National Congress PWV regional chairman Mr Tokyo Sexwale complimented the policemen who took part in the march, urging them "to be on the side of their people" and not to attack them.

He warned that action would be taken should the policemen be victimised for their part in the protest.

Meanwhile, members of Popcru and the ANC also marched to the Pollsmoor Prison in Cape Town on Saturday to demand recognition of the union and the reinstatement of its dismissed members

The union also called for the replacement of Lieutenant-General WH Willemse as prison commissioner — *Sapa*



POLICE CHANT ... Popcru members marching through the streets of Sebokeng on their way to join their colleagues in Johannesburg on Saturday.
PIC. LEN KUMALO



Star 24/8/93
**SAP sleuths
probe march
by Popcru**

A crack team of investigators will examine all aspects of Saturday's protest march by members of the Police and Prisons Civil Rights Union (Popcru) in Johannesburg, Police Commissioner General Johan van der Merwe said yesterday. (254)

"They will also investigate allegations of the chanting of political slogans such as 'Kill the boer, kill the farmer'

"I wish to state quite categorically that I will never tolerate any action by any SAP member which may compromise our integrity. (253)

He added that the crack squad team had already begun analysing evidence gathered during the march

■ The PWV region of the ANC yesterday urged the Government to begin co-operation with Popcru in the light of Van der Merwe's statement

The organisation urged authorities to take the policemen's concerns seriously and said Popcru would be legalised under an ANC government. — Sapa

'Kiss the farmer' was march slogan

CT 25/8/93
JOHANNESBURG. — Popcru claimed yesterday its members shouted "kiss the Boer, kiss the farmer" and not "kill the Boer, kill the farmer" here and in Cape Town at the weekend.

Popcru, in a statement, denied that its marches were organised by the ANC and said Popcru members belonged to a wide range of parties, liberation movements and civics.

Popcru offered to help police investigate criminal and departmental cases against its members who participated in the weekend marches.

● The IFP would call on its Transvaal supporters to do whatever was necessary to protect themselves because security forces could not be trusted, the IFP said yesterday. — Sapa (25) (253)

Popcru claims chant was 'kiss farmers'

TIM COHEN

B/Day

POLICE and prisons union Popcru said yesterday an internal investigation into its Johannesburg march showed that members shouted "Kiss the Boer, kiss the farmer" not "Kill the Boer, kill the farmer".

The union also offered to give the SAP the names of its members who participated in the march, following Police Commissioner Gen Johan van der Merwe's announcement of a special investigation. 25/8/93

Popcru denied that its marches were organised by the ANC and said its members belonged to a range of organisations.

Popcru said if investigations showed that a member had chanted "Kill the Boer" it would suspend the person. (253)

Sapa reports the Regional Witwatersrand Police Commissioner Lt-Gen Koos Calitz accused Popcru yesterday of compromising the impartiality of black policemen by aligning itself politically.

"They have now discredited the image of black policemen in the eyes of (whites)".

On Monday more than 300 policemen launched a Popcru branch in Kimberley.

Star 25/8/93

'It was kiss, not kill, the boer'

The Police and Prisons Civil Rights Union (Popcu) claims its marchers shouted "Kiss the boer, kiss the farmer" and not "Kill the boer, kill the farmer" in Johannesburg.

Popcu also denied that its marches were organised by the ANC and said its members belonged to a wide range of parties. — Sapa.

253

HIV: No special prison plan

SOUTH AFRICAN prison authorities are not planning to follow the American idea of putting Aids and HIV positive inmates in a separate purpose-built jail

The prison for inmates dying of Aids is being built at Orlando, Miami officials said. They said it would be more cost-effective to be able to treat the patients in prison than in hospitals

The first prison of its kind in

the United States, civil libertarians describe the concept as retrograde, a throwback to the days of the leper colony

Aids is the main cause of death among US prisoners

Department of Correctional Services spokesman Colonel Barry Eksteen said South Africa did not have the money or enough HIV infected prisoners to justify a prison exclusively for them

(2530/93)
There were 22 prisoners with full-blown Aids and about 200 HIV positive inmates, he said. They were separated from the general population at night, but were permitted to mix freely during the day with other prisoners. CI 26/8/93

Condoms would not be issued to inmates as it would condone sodomy, which apart from being against the law, went against "religious and ethical" beliefs

Number of children in Pollsmoor up by 600%

Staff Reporter

THE number of children being held in Pollsmoor Prison has risen by 600%, according to the National Institute for Crime Prevention and Rehabilitation's (Nicro) annual report

Nicro's Tygerberg branch reports the number of children in Pollsmoor prison has risen from 20 last year to 120.

About 70% of the children are 16 years old or younger.

According to Nicro's report, most of the children aged 17 and 18 are being held for serious offences and present a danger to the community.

CT 27/8/93

(253) (48)

Prison warders may join unions

PRISON warders are to be allowed to join trade unions, but will still not be permitted to strike, Correctional Services Minister Adriaan Vlok said on Friday.

CIPRESS 29/8/93
The Cabinet had agreed that the Labour Relations Act would apply to the Correctional Services Department in future, subject to Parliamentary approval, he said in a statement.

Vlok's announcement follows recent marches by uniformed members of the Police and Prisons Civil Rights Union (Popcru) in Johannesburg and Cape Town, demanding recognition of the union.

(253)
"As the management of the Department of Correctional Services identified a need for members to belong to trade unions or personnel organisations a considerable time ago, this new measure is a positive development which will be to the advantage of both management and members," he said.

Prisons discard restraint jackets

Staff Reporter

253

STRAIT-JACKETS will no longer be used as a restraining measure on prisoners, the Department of Correctional Services announced yesterday.

The announcement follows the death of a Pollsmoor prisoner after she had been strapped tightly in a strait-jacket for 24 hours.

An inquest magistrate accused prison staff of being guilty of "irresponsible and inhuman" conduct following the death in 1989 of Carol Anne Meyers, 24.

Colonel Danie Immelman, deputy director, communication, for Correctional Services, said strait-jackets would only be used in extreme cases and only if prescribed by a doctor or psychiatrist.

Meyers, who was serving a two-year sentence for robbery and resisting arrest, died of kidney failure and extensive bleeding after her screams of pain were ignored by prison staff, a court inquest has heard.

No prosecutions followed, but Correctional Services said it "would decide" on what course of action to take once it had received official correspondence from the attorney-general.

Colonel Immelman said the incident involving Meyers was a "reality to be taken into consideration and might have had an influence" but wasn't the sole reason for changing the policy.

Home closed, more Pollsmoor youths

9/21/93

Staff Reporter

THE number of juvenile offenders in Pollsmoor Prison rose from 20 last year to 120 this year because the Siyakhaphala home of safety in Stellenbosch was closed.

A report in the Cape Times last week on the Nicro annual report stating most of the youths aged 17 and 18 who were held for serious offences presented a danger to society, was incorrect, Nicro social worker Ms Rozette Jeptha said.

The report said findings disprove the claim that most children (in prison) are 17 or 18 years old, or that all youths in prisons committed serious crimes and are a danger to society.

She said most of the children's parents were unemployed, they were poor and starving and it was wrong to send them to prison.

They should rather be sent to a school for juvenile offenders, places of safety or perform community service at old age homes, mental hospitals and other centres, she said. In a lifeskills course, Nicro taught children responsibility to the law in six classes.

She said the Siyakhaphala home — closed in May — would re-open soon.

Straightjacket decision 'step out of dark ages'

(253) ARG 6/9/93

Staff Reporter

A DECISION by the Department of Correctional Services to stop using straightjackets to restrain convicts has been welcomed by Lawyers for Human Rights as a "step out of the dark ages".

The department decided to stop using straightjackets except in very special cases after the inquest on prisoner Carol Anne Meyers found she died from injuries caused by being tied in a straightjacket.

Meyers, who was jailed for two years on charges of crimen injuria, robbery and resisting arrest, was put in a straightjacket by prison authorities at Pollsmoor Prison on June 29,

1989, after she allegedly discussed suicide with a fellow inmate.

"It is indeed tragic and an indictment of the powers that be that Carol Anne Meyers had to die before it was eventually conceded that as a form of punishment it (straightjacketing) is barbaric, cruel and inhuman," said Lawyers for Human Rights regional director Riaz Saloojee.

"We welcome the decision and commend the suggestion that straightjackets be used only under the most circumspect of circumstances."

Mr Saloojee said the department's decision was a "step out of the dark ages".

SAP will sack police aides

Own Correspondent

JOHANNESBURG —
The SAP has confirmed
that it will dismiss a
number of special con-
stables — but only to
streamline the force

However, those who
qualified could join the
permanent force, police
spokesman, Lieutenant
Bran du Preez said yes-
terday (25)

He said, however, that
the figure would not be
as high as the 13 300
quoted in a Sunday
newspaper CT6/9/93

Prisoners want to vote

THE SOUTH African Prisoners Organisation for Human Rights has called on the government to allow all sentenced prisoners and people in police custody to be allowed to vote in elections. **South**

Spokesperson Mr Golden Miles Bhudu said SAPOHR had established that white prisoners had been allowed to vote in the past elections. **10/9-14/9/93**

Approached for comment, the Department of Correctional Services said in previous elections prisoners in enfranchised race groups were allowed to vote in elections only if they were serving jail sentences for which there was the option of a fine. **(253)**

Prisoners awaiting trial could also vote, Colonel Dame Immelman confirmed. Reacting to the SAPOHR demand, Immelman said the Ministry of Home Affairs had to decide on any changes and would have Correctional Services' support.

Election was 'free and fair'

THE BASOTHO National Party's petition challenging the outcome of Lesotho's parliamentary general elections earlier this year has been dismissed. **South**

The petitioners have been ordered to pay the cost of the court action. **10/9-14/9/93**

Handing down judgement, Lesotho chief justice Mr Justice Peter Brandan Cullinan said there was no doubt the elections were free and fair.

If rigging of elections was possible, as alleged, it would have applied in all 65 constituencies. Only 28 petitions had been filed. **(262)**

The Basotho National Party had sought to use the court for political gain, he said.

Kids 'abused in adult jails'

153 258
CT 11/9/93

Staff Reporter

CHILDREN as young as seven share cells with adult offenders in prisons and police cells throughout South Africa and become the victims of violent rapes and assaults, according to Mr Alan Jackson, director of the Child Welfare Society

Addressing the Conference on Child Abuse and Neglect at the University of Cape Town yesterday he said that in October 1992 Neville Snyman, 13, was brutally raped and killed in Robertson Prison while awaiting trial

In June and July of 1992, 200 to 300 children were imprisoned in Pollsmoor Prison awaiting trial or awaiting placement in children's homes, he said

"In Pollsmoor they were held in cells away from adult offenders, but the prison authorities did not officially recognise any responsibility for them

"They did not benefit from the basic privileges afforded adult inmates like exercise, access to books, radio or TV education and recreational facilities"

These imbalances had since been rectified but some children still remained in Pollsmoor and a campaign has been launched to release them, he said

Frequently imprisoned children had been released onto the

Incest's 'terrible silence'

Staff Reporter

INCEST remained one of the most neglected, misunderstood and taboo topics in the area of violence against females, delegates heard yesterday at the conference on Child Abuse and Neglect at the University of Cape Town.

Addressing the conference, Professor Dianne Russell of the Institute of Criminology at UCT, said the "terrible silence" about incest increased the suffering of victims

It also protected offenders, allowing them to continue their destructive behaviour and go unpunished.

The incidence of incest was greater

in South Africa than in the United States, she said

As in the case of sexual violence against women, incest had been "privatised and depoliticised".

It was seen as "just another example" of child abuse rather than as a direct consequence of the power imbalance in a patriarchal family.

Prof Russell criticised recent court judgments involving sexual abuse, saying the offenders had got off too lightly.

In March, the action group Women against Incest was formed in Cape Town and she urged similar groups to form in other parts of the country.

streets without any support services to help undo the harm caused by the prison experience, he said

"Various non-government organisations have worked towards having children released from prison and have campaigned to ensure that fewer children are arrested and supported Nicro in continuing to lobby for programmes to be set up to provide alternatives to imprisonment of children"

Police, he said, tended to arrest children for minor offences like urinating and drinking in public and loitering.

In many cases they did not inform the family of the arrest of the child

Mr Jackson said there was no adequate juvenile justice system

in South Africa and changes in legislation were needed to make more appropriate provision for juveniles. Most children are dealt with as if they were adult offenders

Deficient

The Child Care Act was also criticised because it makes provision for prisons to be considered "suitable for the reception of the child" but says nothing about services provided to them

"The act remains deficient in relation to compulsory reporting of child abuse in that psychologists, teachers and administrators in creches, pre-schools, children's homes and shelters are not obliged to report child abuse," Mr Jackson said

Kids 'abused in adult jails'

(153) ~~153~~
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White prisoners treated badly

A VAAL magistrate this week promised to investigate a complaint by two white murder suspects about alleged racial discrimination at Diepkloof Prison. *C Press 19/9/93*

Magistrate Marius Serfontein said the two men claimed they were treated shabbily and preferential treatment was being given to black inmates. Diepkloof Prison head Colonel T Kuhn said he was surprised by the allegations. (253)

Cop on trial after prisoner fled 'attack'

City Press 19/9/93
By ELIAS MALULEKE

THE trial of a police sergeant who allegedly battered a prisoner at Pretoria North Police Station on March 19 will resume tomorrow at the Pretoria North Magistrates' Court (263) (S)

Sgt Schalk Willem Bezuidenhout, 31, of 261 West Street, Pretoria North, has been charged with assault with intent to do grievous bodily harm.

It is alleged he kicked and pistol-whipped William Nkonwana, who allegedly suffered multiple injuries.

Bezuidenhout has pleaded not guilty.

Nkonwana, 28, of Mamelodi East, staged a dramatic escape from the Pretoria North Police Station on March 19, to seek medical help after the incident.

After receiving medical assistance at Mamelodi Clinic, he arrived at City Press the following day and later handed himself over to the police.

Growing tension over police union

Star 20/9/93

253

BY BRONWYN WILKINSON

As temperatures continue to rise between the SAP and the Police and Prisons Civil Rights Union (Popcru), the union claims its members are facing increasing pressure from the SAP to give up their Popcru membership.

Popcru believes the SAP has become more threatened by the union since the organisation's march on Johannesburg's John Vorster Square last month.

At least 116 Popcru members face severe disciplinary action for taking part in the march, during which marchers reportedly chanted "Kill the boer, kill the farmer" and "One settler, one bullet".

Popcru spokesman Monwabisi Moto said recently that dismissal of the policemen who took part in the march would not make sense and added the men had been targeted because they were members of the union.

"The SAP claims it will do anything to stop crime and violence. It needs policemen; why fire trained policemen just for taking part in a march?"

Weaken

The official recognition of the union was the subject of heated debate in Parliament last week.

Police have announced that a pilot committee has been set up to investigate the establishment of another police union.

Popcru believed the SAP were planning to establish the second union to weaken Popcru, Moto said.

Ministry of Law and Order spokesman Captain Craig Kotze has denied that the second union would be set up purely as a Popcru rival.

Moto said the recent announcement that 13 000 assistant constables were to be integrated into the Permanent Force if they fit the criteria, or placed in civilian positions, was yet another means the SAP was using to rid its ranks of Popcru members or intimidate them into resigning from the union.

Popcru's strongest support base is among assistant constables.

Kotze denied the allegation.

Constable killed in Paarl police cells

Staff Reporter

253

A POLICEMAN was shot dead in the Paarl police cells last night after five prisoners overpowered him and took his firearm

Police spokesman Captain John Sterrenberg said two policemen entered a cell after 8pm to speak to five men awaiting trial on motor vehicle theft charges.

CT 22/9/93

The assistant constable was overpowered, his weapon was taken and shots were fired. He died of gunshot wounds.

The sergeant escaped into a courtyard.

The police eventually persuaded the men to hand over the weapon.

Charges of murder, attempted murder and attempted escape are being investigated.

NEWS Overwhelming majority passe

23 prisoners go on hunger strike

Sowetan 24/9/93

AN estimated 23 inmates of Leeuwkop Prison, outside Johannesburg, have embarked on an indefinite hunger strike, alleging victimisation and assaults

Leeuwkop commanding officer Brigadier Johan Harding yesterday confirmed the strike. He said the authorities were investigating the cause

The strike, in its third day yesterday, started after a prisoner was placed in solitary confinement, chairman of the South African Prisons Organisation for Human Rights, Mr Golden Miles Bhudu, said yesterday

Human rights atrocities

Bhudu said the prisoner had written to a TV station, detailing alleged human rights atrocities at the prison

Following inquiries by the station, the prisoner was allegedly placed in solitary confinement

Other SAPOHR-aligned prisoners rallied to support their fellow prisoner and embarked on the hunger strike

Bhudu claimed the hunger strikers

were calling for recognition of the SAPOHR as a civil rights organisation, as well as an end to human rights violations and for Leeuwkop Prison authorities to either charge or release the prisoner

(293)

He said a commission of inquiry should look into the conduct of Leeuwkop personnel and alleged prisoners were often assaulted and denied medical treatment

Commenting on the claims, Harding said prisoners would not be placed in solitary confinement for merely writing a letter. The exact reason for the strike was still not clear to the authorities

He also said that in cases of alleged assaults, prisoners were welcome to lay a charge with the police. "We won't stop them in any way"

It was not prison policy to allow victimisation and assaults. "If such evidence came to light we will take immediate steps to rectify it", said Harding. He described treatment of prisoners at Leeuwkop as good and fair — *Sapa*

Top cop slams racist union

VUYO BAVUMA
Weekend Argus Reporter

POLICE have dismissed Police and Prisons Civil Rights Union (Popcru) calls for the removal of white members of the Internal Stability Unit from townships as racist demands.

Regional commissioner of police General Nic Acker has rejected Popcru claims published last week that only white ISU members receive danger pay for township duty and that they are "racists and not dedicated to their work".

General Acker said in a statement to Weekend Argus that ISU members performed excellent work under difficult circumstances, which were further complicated by organisations that spread improper perceptions

"All the members have signed the Police Code of Conduct as contained in the National Peace Accord and fully live up to this undertaking"

He denied that danger allowances were paid only to white officers and said all policemen benefited.

Commenting on the numbers of coloured and white policemen in African areas, General Acker said this was because there were not enough recruits from African townships.

"The request that white and coloured policemen must leave the area emphasises the organisation's racist undertone"

On Popcru's claim that ISU members did not speak African languages and were therefore useless, General Acker said it was true that language presented a problem in black residential areas, but this was a mutual dilemma.

The ISU played an extremely important part in crime prevention for which all law-abiding members of the public were grateful.

Last month ISU members arrested 27 people for motor vehicle theft, six for possession of 1 217 Mandrax tablets, 12 for unlicensed firearms, seven for possession of ammunition and 35 for stock theft.

Yesterday Popcru reiterated its allegations and announced that union members, joined by sympathetic members of the African National Congress armed wing, would march through Khayelitsha tomorrow.

Speaking at a Press conference, union deputy chairman Nathan Ramalame said the union wanted black policemen to work in black areas just as "white policemen work in Parow"

The Popcru march from the Trek filling station to Khayelitsha Stadium begins at 9am and will be followed by a rally at 11am

Speakers will include representatives of the ANC, the SACP, the PAC and the SA National Civics Organisation.

Nicro: 'Keep youth out of jail'

(253) CJ 25/9/93

WITH violence reaching crisis proportions in Cape Town, The National Institute for Crime Prevention and the Rehabilitation of Offenders (Nicro) yesterday made a plea for the courts to use rehabilitation programmes to keep juveniles out of custody.

Where juveniles, and in some cases adults, intend pleading guilty to minor offences, the

court may drop all charges and assign the accused to rehabilitative Nicro programmes, bypassing the court system.

The programmes, launched 18 months ago, have been informally accepted by magistrates courts across the Peninsula.

Nicro spokeswoman Ms Rosemary Shapiro believes the lack of a juvenile justice system in

South Africa has produced professional juvenile criminals

Courts are also overloaded with juveniles charged with minor offences and apart from the emotional damage they suffer in pre-trial custody, they also run the risk of contracting Aids if sexually assaulted in prison or police cells, she said.

Participants may be required

to perform community service or join a six-week youth programme where counselling and workshops aim to teach the offender ways to cope in society without contravening the law.

Cape Town Magistrate's Court senior prosecutor Mr John Rebine said the court's attitude to Nicro's system was "very favourable".



BLUES AND BROWNS. Popcru members and the ANC's military wing uMkhonto weSizwe yesterday during the peace march through Khayelitsha

Picture FANIE JASON

Popcru, MK members hug on march

MORE than 300 members of the Police and Prison Civil Rights Union met with members of the ANC's armed wing uMkhonto weSizwe and the South African Communist Party yesterday.

The meeting took place during a march for reconciliation in Khayelitsha

The former enemies hugged and patted each other on the back as the march proceeded through the township

Reporters on the scene described the atmosphere as jubilant.

Popcru members were due to take a com-

munity police oath at a rally addressed by Popcru president Mr Gregory Rockman and ANC regional secretary Mr Tony Yengeni in the Khayelitsha stadium late yesterday.

On the Reef, traffic came to a virtual standstill in Sebokeng on Saturday as more than 300 plain-clothed and uniformed members of Popcru, led by local political organisations, marched through the streets.

ANC PWV region chairman Mr Tokyo Sexwale urged members of Popcru to defend the people's constitution, not a political organisation

Addressing the Popcru rally at the Sebokeng Zone 7 Stadium, Mr Sexwale said: "The people of South Africa no longer need De Klerk's police, all we need now is the people's police"

"We as the ANC do not have a police force Popcru belongs to the people, not the ANC, as reported by local newspapers

"Popcru is not coming to join the ANC but is joining the liberation movements because they have had enough of De Klerk's propaganda and are now joining the people," Mr Sexwale said. — Sapa

027/9/93

Ex-adversaries meet

MORE than 300 members of the Police and Prison Civil Rights Union (Popcu) met with members of the African National Congress armed wing Umkhonto we Sizwe and the South African Communist Party yesterday *Sowetan 27/9/93*

The meeting took place during a march for reconciliation in Khayelitsha on the Cape Peninsula

The former enemies hugged and patted each other on the back as the march proceeded through the township — Sapa *253*

Star 27/9/93

Get whites out - Popcru

Cape Town — About 300 police and prison warders marched through Khayelitsha yesterday to demand the removal from the townships of white Internal Stability Unit members ~~(253)~~ (253)

They were supported by thousands of people who joined their march.

The security men, members of Gregory Rockman's Police and Prisons Civil Rights Union (Popcru), handed in a memorandum at the police station, calling for the removal of white "racist" police from the townships.

Later the Popcru members pledged "to serve all communities irrespective of colour or creed ... in an unbiased manner, and be transparent and accountable to the people".

— Own Correspondent.



Picture FANI MAHUNTSI, Argus Group Picture Service
NEW BROOM: South Africa's new chief jailer, Henk Bruyn he wants prisons to become more "open".

More 'open' jails urged for S Africa

ARGUS/9/93 (253)

□ Aims of new prisons chief

The Argus Correspondent

PRETORIA — South Africa's new chief jailer is a big man with a ready smile who wants prisons to become more "open" — and believes a society's level of civilisation is measured by the way it treats its prisoners.

Henk Bruyn, 44, will become the country's youngest Commissioner of the Department of Correctional Services when he takes over from Wille Willemse in January next year.

A modern public servant and acutely aware of the political changes sweeping the country — and his department's position in them — General Bruyn was in regular contact with Nelson Mandela as a young warder on Robben Island in the 1970s.

When he next met Mr Mandela 20 years later, he was commander of the Pretoria Central Prison and the African National Congress president had come to speak to his supporters — political prisoners who had not yet been freed after President De Klerk's reforms.

There were no hard feelings, he says. "The meeting took place in a good spirit. I've had a lot of contact with political parties, including the ANC, and it's always been open and friendly."

The son of a sheep farmer in the Calvinia district, General Bruyn joined the prisons service in 1969, as a warder. He obtained a national diploma in public administration at the Tygerberg Technikon, followed by a degree in criminology and municipal administration through Unisa.

Ten years in the prisons department's parliamentary service — during the difficult years of the P W Botha era and the state of emergency — prepared him well for the task of heading 23 000 officials, 240 prisons and 111 000 prisoners through the stormy transition to democracy.

"As an official, you cannot step into the terrain of politics. But you have to be sensitive to the requirements of people in the political terrain."

His difficult childhood in the arid Karoo, he says, gave him a "soft spot" for people who were suffering — including prisoners.

"Prisoners are also people with feelings, with families, with remorse. I have sympathy with them." But he does not want to turn prisons into "kindergartens".

General Bruyn believes that being deprived of freedom is punishment enough for a criminal.

"Freedom is one of the most cherished ideals any individual can have. You don't have to punish a prisoner further for being in jail. You have to give him the opportunity to develop, to be able to go back into a productive life in the community."

And jailing should not be the responsibility of the state only, he adds.

"You are working with people for whom the family, the church, the community have failed. Prison is a last resort. If a prisoner leaves the prison and commits a crime again, the community has to realise it is not our fault alone."

For this reason he wants the community to become involved in the work of correctional services. How to get the community involved, he admits, is a difficult question with which prison authorities throughout the world are struggling.

But his department has already started establishing correctional councils on which members of different communities can serve and become involved in the administration of prisons. General Bruyn's "open" policy also extends to the media, which he wants to give more freedom to report about prison conditions.

"The day we have an open correctional system — that will be a great milestone for me."

South African prisons, General Bruyn believes, have already come a long way in adapting to changing circumstances in the country. They have moved closer to internationally-accepted norms and practices and are following a more "open" approach towards rehabilitation programmes and privileges for prisoners to ease their reintegration into society.

At the same time, South African prisons have been relatively free of riots and mutinies, a fact he ascribes to good discipline. While he himself wears civilian attire, he defends the department's use of military-style uniforms and rank structures on the grounds that these contribute towards the maintenance of discipline.

The department has also gained wide reacceptance into the international prisons fraternity, starting with a ground-breaking visit by General Bruyn to Cuba in 1990 to attend the United Nations' conference on the treatment of prisoners.

This, General Bruyn says, was one of the high points of his career, and since then official contact has been established with several African prison services, including those of Zimbabwe, Tanzania, Malawi and Mozambique.

"We can learn a lot from other African countries and vice versa."

General Bruyn is optimistic about the future.

"I am looking forward to all the changes and would like to be of service to South Africa and all its people."

"Our task is to fight crime. I'm optimistic about the new South Africa, but crime will be a problem there, too."

FW 'ignores calls' to free political prisoners

PRESIDENT F W de Klerk was refusing to acknowledge ANC petitions for the release of remaining political prisoners, the organisation said yesterday

The ANC claimed De Klerk was reneging on last year's Record of Understanding, in terms of which all ANC political prisoners whose offences were committed before October 1990 would be released

"De Klerk has reneged on promises to release ANC political prisoners several times before. The ANC regrets that he has reneged on this agreement too."

According to the Human Rights Commission, at least 86 ANC political prisoners who qualified for release in terms of the Record of Understanding were still behind bars.

"Their continued imprisonment seems to be completely arbitrary. In some cases their co-accused were freed. In the course of

LLOYD COUTTS

1993 government's response to our demands that they be released has been as if no such agreement ever existed (253)

"Instead the National Council on Indemnity is put forward as the only recourse for prisoners claiming political status. The council consists of the same judges who tried and convicted political prisoners."

In June the council investigated the cases of about 20 political prisoners at Leeuwkop Prison. The council judges had then admitted to Lawyers for Human Rights attorney Andries Nel that they had found the cases to be political. "They claimed to have made recommendations to De Klerk concerning these prisoners. But, four months later, there is still no word."

The ANC demanded the council be scrapped

Political prisoners: FW under fire

CT 29/9/93

By ANTHONY JOHNSON
Political Correspondent

THE ANC yesterday accused President F.W. de Klerk of renegeing on a commitment given a year ago to release ANC political prisoners.

The ANC said the promise to release the prisoners who had committed offences before October 1990, was contained in the Record of Understanding signed on September 26, 1992 by Mr De Klerk and Mr Nelson Mandela.

The organisation said in a statement that the Human Rights Commission had established that at least 86 ANC political prisoners who qualified for release in terms of the Record of Understanding were still behind bars. "Their continued imprisonment seems to be completely arbitrary. In some cases their co-accused were freed."

A spokesman for the State President said last night that Mr De Klerk would respond to the ANC's accusations in due course.

Prison hunger strike ends

Star 29/9/93
A six-day hunger strike by 22 inmates of Leeuwkop Prison, near Johannesburg, who accused officials of intimidation, harassment and human rights abuses, was called off yesterday, according to the Department of Correctional Services. Spokesman Colonel Barry Ecksteen said the department would investigate allegations that inmates who belonged to the SA Prisoners' Organi-

sation for Human Rights (Sapohr) were given poor food and medical care, and no toiletries or recreational facilities.

He rejected claims that the prison head was involved in the abuses.

Sapohr organiser Joe Mampuru demanded on Monday that the implicated officials be charged. He was not available yesterday to confirm whether the strike had ended.

— Staff Reporters

Sowetan 1/10/93

THE PRESENT population of convicted prisoners stands at 112 000, the majority of whom are black. The first version of the draft Electoral Bill, which explains who will be entitled to vote, was tabled before the negotiating council at the World Trade Centre on Wednesday and sparked off a spirited debate in the chamber.

A clause in the first version of the draft Electoral Bill, entitling South Africa's prison population to vote, was overwhelmingly accepted by the negotiating council.

The draft legislation will replace the present Electoral Act of 1979 which bars convicted people from voting.

The technical committee on the Electoral Bill, backing its proposal for the inclusion of prisoners, said prisoners should only be denied the minimum of rights necessary for their incarceration.

"As voting is not so necessary, it has been decided to delete the bar to voting on the principle of criminality," says the technical committee.

The draft interim constitution provides for South Africans over the age of 18 to vote.

ANC alliance

The suggestion to include prisoners was welcomed by the African National Congress alliance which strongly argued for the extension of the franchise to all South Africans, including those living in the "independent" homelands.

The ANC, which is enjoying a wave of popularity, stands to gain a lot if the Bill is adopted.

Only the Government, Democratic Party, Afrikaner Volksunie and Bophuthatswana rejected the idea of giving prisoners the vote.

SACP chairman Mr Joe Slovo said that not to grant prisoners the vote would be a "vengeful attitude".

This remark preceded the heated debate which literally put apartheid on trial and the age-old argument that it was the system which created the criminals.

Deprivation

Those who supported the clause said it was indeed apartheid that had caused deprivation and had created reluctant criminals.

"Why should a man who holds up a bank with an AK-47 and kills four people be allowed to vote?" demanded Afrikaner Volksunie negotiator Mrs Corha Kruger.

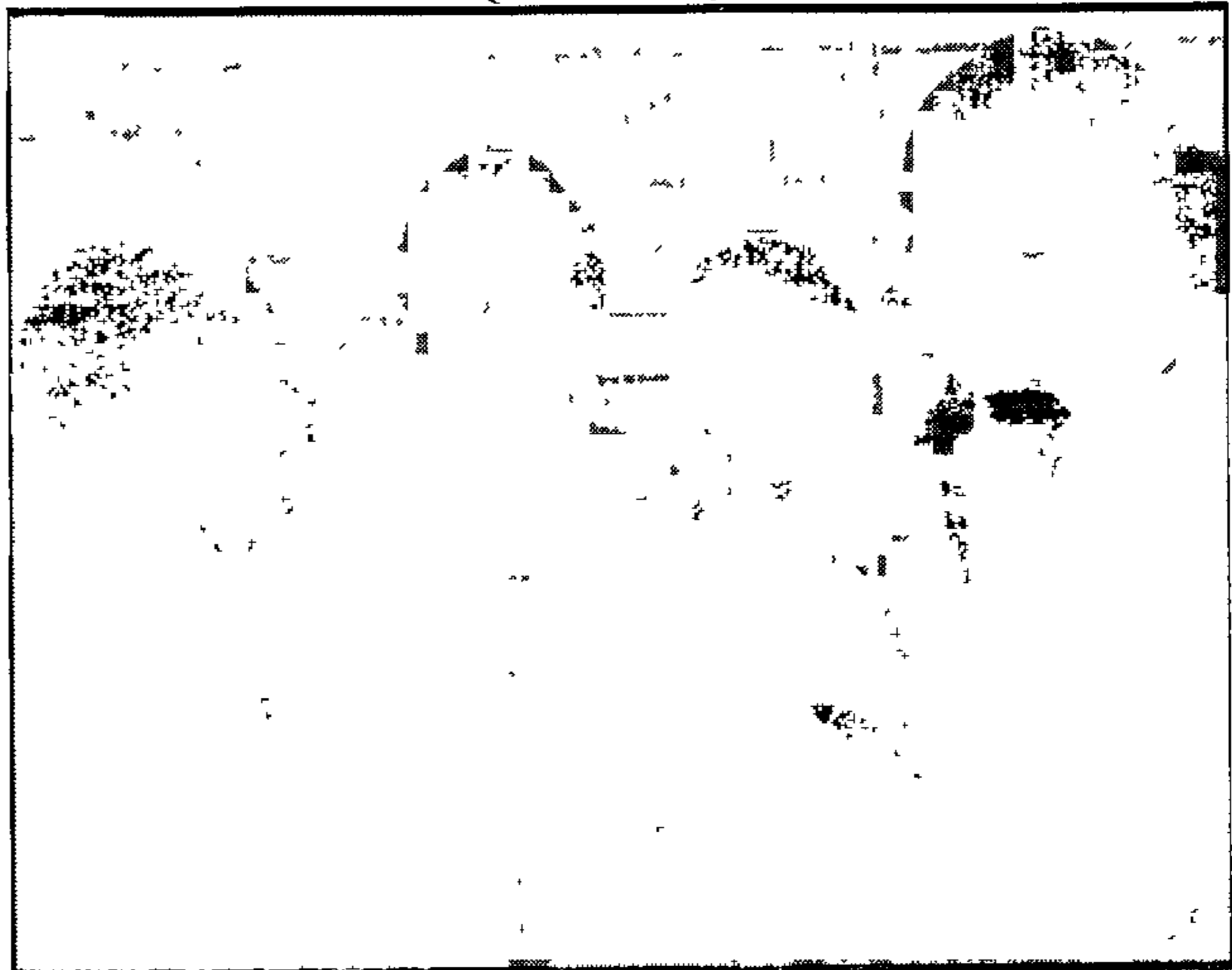
South Africa had the worst criminal figures in the world and thousands of prisoners had already been indemnified, said Kruger who argued that no Western democracy contained such a provision in its electoral laws.

DP negotiator Mrs Dene Smuts called at least for categories of criminals to be barred from

Prisoners might get the vote when South Africans of all races go to the polls for the first democratic elections on April 27.

Political Correspondent **Themba Molefe** reports on the debate surrounding this

issue: (253) (~~3049~~)



A prison band in action.

voting.

"A rapist is a rapist and I don't think he should get the vote," she said.

Replying briefly to the debate, technical committee spokeswoman Frene Ginwala said there was in fact a trend led by some states in the US and Canada which supported prisoner voting rights.

Some even allowed prisoners to stand for office, Ginwala noted. "But the council can decide on that."

Debate continues

When the debate continues next week, the prisoners clause will generate heated debates inside and outside the World Trade Centre walls.

Meanwhile, criminologists still have to speak their minds on the issue.

Brigadier Chris Olckers, spokesman of the

Department of Correctional Services, told *Sowetan* that the department would comply with the provisions of the law if it is passed.

The draft Bill also proposes that registered parties should provide a deposit of R50 000 or R20 000 for contesting elections.

● The negotiating council is scheduled to meet again on October 5 to discuss constitutional issues.

A series of bilaterals focusing on outstanding issues including the vital matter of regional powers will fill the intervening week.

Planning Committee chairman Mickey Webb said bilaterals on regions in particular had been given a week to reach completion.

The council has four more weeks to finalise the draft interim constitution to present for endorsement to Parliament when it begins its final 1993 sitting on November 8.

CT 2119/33
(153)

IFP prisoners on hunger strike

PRETORIA — Forty-nine IFP prisoners have embarked on a hunger strike, the Correctional Services Department confirmed yesterday.

IFP spokesman Mr Ed Tillet disputed the figure, saying the state was deliberately understating the situation.

Correctional Services headquarters said there were 34 IFP prisoners on hunger strike in Durban and 15 in Maritzburg.

The strikers are demanding their immediate release in accordance with the Further Indemnity Bill — Sapa

Inkatha prisoners on hunger strike

By SIPHO KHUMALO

INKATHA prisoners, who accuse the government of discriminating between them and ANC political prisoners when it comes to indemnification, this week embarked on a indefinite hunger strike

It is believed about 120 convicted Inkatha prisoners serving sentences in two Natal prisons are engaged in the hunger strike

Former Inkatha Youth Brigade executive member Toti Zulu said this week that the strike was likely to spread to other prisons in Natal

Zulu was recently released from prison on appeal after being sentenced to a lengthy prison term for the murder of a Maritzburg priest, Rev Victor Afrikaander

Zulu and Inkatha information officer Ed Tillet said they wanted to remind the government that the indemnity process had as its ob-

jective "the levelling of the political playing field in a process aimed at facilitating peace and reconciliation" *CIPRESS 2/10/93*

Zulu said that, far from promoting reconciliation, the protracted incarceration of Inkatha detainees had instead led to bitterness and resentment *(253)*

Zulu maintained that a significant number of Inkatha prisoners held office-bearing positions prior to their "detention" and charged that there were suspicions the government was "deliberately prolonging their incarceration to thwart their contribution to the election campaign"

At least 1 477 political prisoners have been released since the proclamation of the Further Indemnity Act, including former KwaZulu deputy minister of works Samuel Jamile and prominent Inkatha member Wilbert Biyase

However, Correctional Services spokesman Bert Slabbert said many Inkatha members have benefited from indemnification

"The truth is that many Inkatha members have been released since the process of indemnifying people started," Slabbert said

Correctional Services communications director Brigadier Chris Olckers said all necessary precautions would be taken concerning the strike

"They will receive all their meals at the set times and will be treated in accordance with internationally-accepted standards" Olckers said

Of 120 imprisoned Inkatha members 60 are kept at the sprawling Westville Prison and another 60 in the Maritzburg New Prison. They were convicted of crimes ranging from murder public violence and arson to illegal possession of arms and ammunition

IFP hunger strikers monitored

Political Staff

DURBAN — Inkatha Freedom Party members who are on hunger strike at two Natal jails have been moved into single cells and are being monitored by medics. *ARC 5/10/93*

Brigadier Chris Olckers, Director of Communication Services in the Department of Correctional Services, said today that 23 prisoners at the Maritzburg New Prison and 21 at Westville Prison were now on hunger strike.

For some of the prisoners this is their fifth day without food in the protest, aimed at their release as political prisoners.

Originally 50 IFP prisoners in the two jails went on hunger strike.

Brigadier Olckers said that when prisoners went on a hunger strike they were placed in single cells for medical purposes, as they were monitored by medical staff.

"They receive their meals like all other prisoners."

Ed Tillett, spokesman for the IFP, said he planned to see the IFP hunger strikers in Westville Prison today.

He believes they qualify for release as political prisoners in terms of the guidelines worked out between the government and the ANC.

Red Cross may monitor 40 IFP hunger strikers

APR 11/93
The Argus Correspondent

DURBAN. — The International Committee of the Red Cross could take on the role of monitoring the hunger strike by 40 Inkatha Freedom Party members in two Natal jails.

IFP official Ed Tillet has spoken to the ICRC to ask them to monitor how the hunger strikers are being treated in Westville Prison and Pietermaritzburg New Prison.

The local office of the ICRC told Mr Tillet that the ICRC's normal practice was not to get involved in such issues, but it would discuss the request with its head office in Pretoria.

There are 16 IFP members on hunger strike at Westville and 24 at Pietermaritzburg. They are demanding release as political prisoners. There are 253

photo
sold

253

ANC claims countered

253

Political Staff

THE ANC yesterday criticised the government for not releasing 86 political prisoners, but the government hit back, saying the ANC's claims had no basis in fact.

The Ministry of Correctional Services said 29 of the 86 listed had already been released, no record could be found of 22 of the people on the list and "further evidence had been requested to support the claim that the crimes of 20 more of the prisoners on the list had, in fact, been politically motivated"

Prisons without bars?

ARL 9/10/93
258

DI CAELERS
Weekend Argus Reporter

DOING time but not in prison

That's the concept behind alternative sentencing options that has shot South Africa — and particularly the Cape region — into the forefront of creative and positive justice in Africa.

But, say the experts, there is still a long way to go because while the systems are all in place to deal with offenders suitable for alternative sentencing, the courts must now go all-out to make use of the facilities.

The National Institute for Crime Prevention and the Reha-

■ Jail without the bars, prison warders or bad food? That's what alternative sentencing is all about and, say the experts, it saves the taxpayer plenty of money.

bilitation of Offenders (Nicro), Cape Town, is the organisation that has successfully established alternative sentencing options. Senior social worker Rosemary Shapiro said it was a natural follow-on from a major campaign last year to see thousands of children released from South African prisons.

Alternative sentencing is not only available to juveniles — it can apply to anyone who has committed a minor offence including property offences, crimes injuria and minor assault — but

in South Africa it offers a vital alternative to seeing children incarcerated in prisons.

Ms Shapiro explained the three "diversionary" options offered to the courts as follows:

- Youth offender programme,
- Victim-offender mediation, and
- Pre-trial community service

All three options offered prosecutors a way of making offenders take responsibility for their actions and to do something "to put things right".

"Diversion is the opportunity for offenders to recognise their wrongdoing and apologise to the victim or the community by involving themselves in a programme that is done in their free time and without pay."

"Restitution is offered by way of direct payment to the victim, by way of time given to the community or to a life-skills training project. All three options are educational and rehabilitative," Ms Shapiro said.

Diversion from the criminal justice system was a particularly viable option for youth in trouble with the law because they not only avoided a criminal record which would seriously jeopardise their chances in later life, but

also avoided the "criminal" stigma.

The social worker said "And they will avoid the damage of contact with more experienced offenders and with the effects of imprisonment."

But Nicro Tygerberg social worker Rozette Jephtha told Weekend Argus that prosecutors needed to change their attitude to alternative sentencing and to use it more effectively.

"One of the main problems," she said, "is that it tends to be only the elite few that are offered these opportunities. We've tried to train prosecutors to realise that the systems work just as well for those from squatter camps as they do for those with

more upper-class type backgrounds."

Other concerns included a possible "widening of the net" with people whose cases would previously have been dropped going into diversion, and that suitable candidates did not know they could ask for that option.

Ms Shapiro has attended conferences in Swaziland and Zimbabwe where she has shared the Cape's success story with representatives from about 14 African countries and she told Weekend Argus great interest was shown in the programmes.

She stressed that while some diversion was being done in Johannesburg and Maritzburg, Cape Town was definitely streets ahead of anywhere else in Africa

submit

submit

ANC calls for release of prisoners

Star 12/10/93

■ BY MONTSHIWA MOROKE

During an International Political Prisoners' Day march on John Vorster Square police station in Johannesburg yesterday, the ANC demanded from President de Klerk the immediate release of all political prisoners.

In a memorandum to De Klerk, Correctional Services Minister Adriaan Vlok and Justice Minister Kobie Coetsee, the ANC said the continued imprisonment of "hundreds of political prisoners" was in contravention of the Pretoria Minute as well as the September 1992 Record of Understanding.

The agreement promised the release of all ANC prisoners who were sentenced before October 1990, yet more than 80 of them were still in prison, some since 1985.

Hostages

253

"The ANC believes he (De Klerk) is keeping these political prisoners as hostages for future political trade-offs and an amnesty for killers within the State machine. We reject this totally."

■ The Ministry of Correctional Services last week called the ANC's claims regarding the more than 80 prisoners "distortions and pure fabrications."

It said the ANC's list of 86 alleged political prisoners had been evaluated and, of those listed, 29 had already been released and no record could be found of 22 others.

The ministry had requested further evidence on 20 of those listed to support the claim that their crimes were politically motivated.

Talks on 30 IFP hunger strikers

Sowetan 12/10/93

INKATHA Freedom Party representatives were yesterday due to meet Natal's Prisons Commissioner to discuss the treatment of 30 IFP convicts on a hunger strike for political indemnity (253)

Inkatha also said in a statement that Minister of Correctional Services Mr Adriaan Vlok had agreed to meet party representatives this week to discuss claimed maltreatment of the hunger strikers

A spokesman for Correctional Services in Natal, Colonel Andy Anderson, said there were 13 prisoners at Westville Prison and 17 at Maritzburg Prison who had gone without food, some for as long as 10 days. However, he said the

Maritzburg convicts had indicated they would eat supper yesterday night. The prisoners' condition was satisfactory, given the circumstances, Anderson said. About a fortnight ago Inkatha announced that more than 150 of its members serving time for public violence-related crimes would undertake the protest to demand their release.

Inkatha said Government political indemnity was unfairly applied, leading to African National Congress members being released while Inkatha members remained incarcerated. Inkatha said its members were convicted for violent acts which were in defence of themselves and their families — Sapa

Inkatha appeal on prisoners

PRETORIA — The Inkatha Freedom Party appealed to Correctional Services Minister Adriaan Vlok yesterday to speed up the evaluation of imprisoned Inkatha members likely to fall under the ambit of the Further Indemnity Act.

But, at a meeting between the Minister and an Inkatha delegation in Pretoria yesterday, Vlok said

ADRIAN HADLAND

he was not in a position to interfere with the procedures of the National Council of Indemnity, which undertook the evaluations.

Inkatha had requested that the applications be considered as soon as possible, preferably by the end of the year. A council source said this was likely.

Star 20/10/93

Plan to cut cell deaths

A visitors' scheme which will allow police cells to be opened to public scrutiny in a bid to prevent deaths in detention is being implemented by the SAP and the Police Board.

Board chairman Johan van Vuuren said in Pretoria yesterday 60 police stations were taking part in the scheme (253)

The board had appointed 33 lay visitors to visit police cells at any time, and the International Committee of the Red Cross had also been granted visiting rights.

Van Vuuren told a media briefing that the scheme was based on similar schemes in operation overseas.

He said it was hoped it would be an important step in eliminating cell deaths.

"The success of the scheme will be tested over the next six months, and if it is implemented properly we believe it will benefit the public and police," he said — Pretoria Bureau.

Star 22/10/93

Red Cross sees 500 in cells

(253)

CRIME REPORTER

The International Committee of the Red Cross (ICRC) has paid more than 500 visits to detainees in South African and homeland police stations since last October, when Minister of Law and Order Hernus Kriel authorised the visits

ICRC public relations officer Vivian Humphrey said today that in line with the organisation's worldwide standards and procedures, ICRC delegates spoke to detainees in private, had access to all

facilities used in connection with detention, and were allowed repeat visits

ICRC detention co-ordinator Walter Fuellemann said delegates assessed the material and medical conditions of detention, and the treatment of detainees

"The visits and repeat visits that totalled 577 were concentrated mostly in those police stations situated in regions affected by political disturbances

"The focus towards stations in areas such as the Witwatersrand, Natal, eastern Cape and the Free State is in

accordance with our mandate, to concentrate on security detainees and persons arrested in relation to violence and unrest."

Humphrey said the visits included those to awaiting-trial detainees held by the Department of Correctional Services

The visits were part of the ICRC's broader objective of preventing abuses, improving conditions of detention, lessening suffering and upholding humanitarian law

However, the agreement with the SA authorities prevented delegates from publicising findings

SA Govt meet in Harare

Popcru pledge on policing

POLICE and Prisons Civil Rights Union members on Saturday marched to Orlando Stadium, Soweto, to give the community an undertaking of greater community policing

The African National Congress' military wing, Umkhonto we Sizwe, and the Pan Africanist Congress' Azanian Peoples' Liberation Army joined the march, while cries of "one settler one bullet" pierced the air

Popcru gave Mrs Winnie Mandela, estranged wife of ANC president Mr Nelson Mandela, an oath of community policing, pledging impartial and transparent policing, at a Soweto rally

"There will be no peace in this country until policemen enjoy the support of the community," she said

Mandela said the police should work for peace in areas they were serving to save their children and their property

She urged policemen to establish trust with the community so that they should be welcomed instead of having petrol bombs hurled at them

In a verbal lunge at State President FW de Klerk, who was a joint recipient of the Nobel Peace Prize with Mr Mandela, Mrs Mandela said De Klerk was portraying himself as a symbol of peace in the international community while he was an "angel of death"

Mrs Mandela said it was an insult to Mr Mandela that he had to share the Nobel Peace Prize with a man dripping with the blood of innocent men, women and children Mrs Mandela also called for the reinstatement of policemen dismissed on Wednesday for participating in a strike in Port Elizabeth

She told the policemen that in her wildest dreams she had never thought that one day she would address people of the system, but the realities of the struggle had brought the community and policemen together

Popcru Transvaal regional chairman Mr Monwabisi Moto said his union's members were non-political and non-partisan in performing their duty —
Sapa

Gang fights break out again in jail

Star 28/10/98

■ CRIME REPORTER

Renewed gang fights in Pretoria Prison yesterday and early today have left 23 prisoners and several warders injured, said the Department of Correctional Services.

On Monday, 13 prisoners were injured when fighting erupted between two gangs.

Department spokesman Lieutenant Rudi Potgieter said it was not yet clear if the same gangs were involved, and what the dispute was about.

He said that late yesterday, about 186 inmates overpowered three warders, assaulted them and repeatedly stabbed one with sharpened objects. The prisoners seized cell keys and a teargas canister, and locked themselves in two cells. (253)

They then burnt beds to prevent the warders from getting to them, said Potgieter.

Thirteen prisoners and several warders were injured.

Then, at about 1 am today, gang members again attacked each other. Potgieter said warders on duty managed to stop the fighting without calling reinforcements, but 10 prisoners were injured.

"Whatever stirred the fight has not been resolved," Potgieter added. The department and the SAP were investigating.

Third prison riot leaves 10 injured

The Argus Correspondent and Sapa

PRETORIA — The third Pretoria Prison riot in four days has left 10 prisoners wounded — two of them seriously — after gangs again clashed in their cells early today.

The latest gang war brings the total wounded to 34. They include a warder who was injured while battling to break through a burning barricade set up by rioting prisoners yesterday.

Correctional Services personnel were today conducting intensive search and mopping up operations, frisking prisoners and searching cells for weapons after one of the worst outbreaks of prison violence in recent years.

Yesterday 13 prisoners and a warder were admitted to hospitals in the city after prisoners overpowered three warders and took possession of a teargas canister and a set of keys.

URG 28/10/73 (253)

4 killed in prison fights

Star 29/10/93

■ STAFF REPORTERS

Fierce gang fighting in five prisons across the country has left three inmates and a prison warden dead, and at least 53 inmates and four prison warders injured in the past week.

The Department of Correctional Services said the violence appeared to have been fomented by prison gangs.

Prison authorities said the situation was under control.

According to Monwabisi Moto, Transvaal chairman of the Police and Prisons Civil Rights Union, some of the violence may have been sparked by the killing of a prisoner known as "The General" in Johannesburg Prison ("Sun City").

"The General" was a gang leader who had a following in other prisons, he said.

Intimidation by gangs was rife in prisons throughout the country, particularly in "Sun City".

Last Friday, one prisoner was injured in a gang fight at Johannesburg Prison.

Moto said three men had been killed in further gang fighting there yesterday.

This week.

■ Thirty-four people were wounded in two days of gang fights in Pretoria Prison.

Correctional Services spokesman Lieutenant Rudi Potgieter said at least 10 prisoners were injured when fighting flared yesterday morning and two injured prisoners were sent to hospital.

Warders searched prison cells, confiscating a variety of home-made weapons, after rioting on Wednesday when 13 seriously injured prisoners and a warden were admitted to city hospitals.

■ Sapa reports that at Parys Prison yesterday, a young warden was stabbed to death and another slightly injured by an inmate who had stolen a knife from the prison kitchen.

A Correctional Services spokesman said the prisoner was to be transferred to Kroonstad Prison because of his "aggressive behaviour".

Before leaving, he asked to get some water from the kitchen, where he stole the knife. He ran down the passage and stabbed prison warden Rudolph Maree (20) in the chest.

The spokesman said the prisoner also stabbed another prison warden, Warrant Officer Johan Swart, who was only slightly injured.

■ On Wednesday, a prisoner was stabbed to death with a sharpened object during a soccer match at Rustenburg Prison.

■ Also this week, about 18 prisoners were injured in gang fights in a Port Elizabeth prison.

Correctional Services' Captain Koos Gerber said it was suspected that the incidents were all "gang-related".

"It should be remembered that a prison community is a microcosm of the community in general and that occurrences of violence in the community may well have an effect on prison inmates," he said.

Warder killed in jail unrest

CT 29/10/93

253

JOHANNESBURG. —Prison unrest spread to a fifth prison yesterday and a young warder was killed and another slightly injured when an inmate at Parys prison stabbed them with a knife he had stolen from the prison kitchen.

On the Parys stabbings, a spokesman said the prisoner, who was not identified, was to be transferred to Kroonstad prison because of his "aggressive behaviour".

On the Parys stabbings, a Correctional Services spokesman said the prisoner, who was not identified, was to be transferred to Kroonstad prison because of his "aggressive behaviour".

Before leaving he asked to get some water from the kitchen, where he stole the knife. He ran down the passage and stabbed two prison warders, killing one.

Prison authorities, who insist they have the situation under control, have not been able to quell the violence that has plagued prisons in the past week.

Lt Potgieter said it was not yet clear what had triggered the violence. Police were investigating outbreaks of gang-related prison activities. — Sapa

Prisoners riot for fourth time in a week

The Argus Correspondent

253

ARG 29/10/93
caused by rioting prisoners at Pretoria
Prison earlier this week

PRETORIA — Rioting again erupted at Pretoria Prison early today — the fourth time this week

“Details are sketchy but the incident did not take place in the section which was disrupted by the earlier rioting,” said a spokesman

The latest outbreak of prison violence comes as a thorough investigation is under way into the damage and disruption

“As far as can be ascertained, today’s incident involved six youths, one of whom was stabbed and treated at the prison hospital,” said the spokesman

Earlier this week gangs went on the rampage three times — wounding a warder, other prisoners and damaging cells, beds and other prison furniture

Today’s violence brings to 35 the number of people wounded this week

Jail gang fights injure 30

ADRIAN HADLAND

PRETORIA — Gangs fought pitched battles in Pretoria Prison this week, leaving more than 30 prisoners and warders injured in one of the worst outbreaks of prison violence in recent years. *Biday*

Correctional Services spokesman Lt Rudi Potgieter said long-term inmates had rioted on four separate occasions since Monday, setting up burning barricades and assaulting warders and each other. *29/10/93*

He said gang rivalry was probably the cause of the riots. Gang leaders had been dispatched to other prisons to "cool off" and an investigation had been launched.

Ten prisoners were still in hospital yesterday, two with serious injuries. In total, 34 people had been injured.

The rioting started on Monday with two "gang-related incidents", but the most serious violence came on Wednesday when two warders were overpowered. *(253)*

Two were assaulted and one was repeatedly stabbed. The prisoners took keys and teargas from the warders.

A search was launched for the keys whereupon the prisoners set fire to two cells and stacked beds in front of the doors to prevent warders from entering. To prevent loss of life due to the fire, the warders had to use the necessary force to open the cell doors. During this process several warders were assaulted and stabbed.

Potgieter said 13 prisoners and a warder had been taken to hospital. Yesterday a further 10 prisoners were injured, two seriously, when fighting broke out again.

Balboes behind bars

APR 30 10 1993
153

Peninsula one of the problem areas, says report

LIBBY PEACOCK

Weekend Argus Reporter

A REPORT on children in detention was released by the Department of National Health and Population Development this week — showing the Peninsula has one of the highest concentrations of children detained in prisons and police cells.

Other problem areas are Port Elizabeth, Durban and the Witwatersrand. The report followed the appointment of a working group in September last year.

A department spokesman said "remedial action" was being implemented and several possibilities, including the creation of a comprehensive legal system for juveniles, legal aid for children and a directorate for youth services, were being investigated.

The working group, which explored alternative centres for children in detention, decided that provincial committees — consisting of representatives from the state and private organisations — be appointed to implement the recommendations in the report.

WEEKEND ARGUS INQUIRY

Action being taken included plans by the Cape Provincial Administration to open two places of safety in the Eastern Cape.

The Department of Education and Training had funds for an additional school of industries for girls, the Provincial Administration of the Free State was building additional places of safety and the Natal Provincial Administration intended building a place of safety in Maritzburg.

Amendments to existing legislation were being considered to ensure that all legislation conformed with the Beijing Rules and the UN Convention on the Rights of the Child.

Reacting to the report, Nicro said it "made some progress with the process of promoting justice for children."

■ The Department of National Health and Population Development this week released a report on alternative centres for children in detention. While welcoming the progress, the National Institute for Crime Prevention and the Rehabilitation of Offenders (Nicro), said some of the proposals were unrealistic and the problems could be dealt with more effectively.

But effective handling of the problem was possible with far less than the R150 million recommended by the report, by channelling money to diversionary options for juvenile offenders.

Nicro said the immediate cause of the investigation leading to the report was the media exposure of the circumstances of children awaiting trial and kept in detention.

The most important contribution of the report was "to give recognition to the problem and acknowledge that it is the responsibility of the welfare sector to address it."

But Nicro also criticised the report, saying it left the "overriding impression that 'more of the same' build more institutions and employing more probation officers — was what was required.

Those proposals became "so unrealistic as to propose an average of more than one staff member a child for places of safety."

Nicro suggested more effective ways of dealing with the problems, such as reducing arrests of children for less serious crimes and increasing warnings, diverting children to alternative community-based programmes after arrest and transferring as many cases as possible to children's courts.

Serious offenders should go to court only with pre-trial assessment and proper legal representation.

The report "quite rightly" recommended cottage-style accommodation for places of safety, but stopped short of spelling out that proper staff training and motivation was essential to run these effectively.

JAILED KIDS: THERE ARE STILL 800 BEHIND BARS

DI CAELERS

(253) ARG 30/10/93

Weekend Argus Reporter

MORE than 800 children under the age of 18, who have not yet been convicted of crimes, are still behind bars in South African prisons — and one tenth of them is younger than 14.

That is according to the latest figures, as at October 14, supplied by the Department of Correctional Services, which monitors numbers on an almost weekly basis.

The latest statistics come in the week that Weekend Argus received a special award for enterprising journalism for its year-long investigations into the problem. Partly as a result of the investigation, an in-depth study on the problem has just been completed and was released this week by the Department of National Health and Population Development.

Draft legislation on the issue was also unveiled this week.

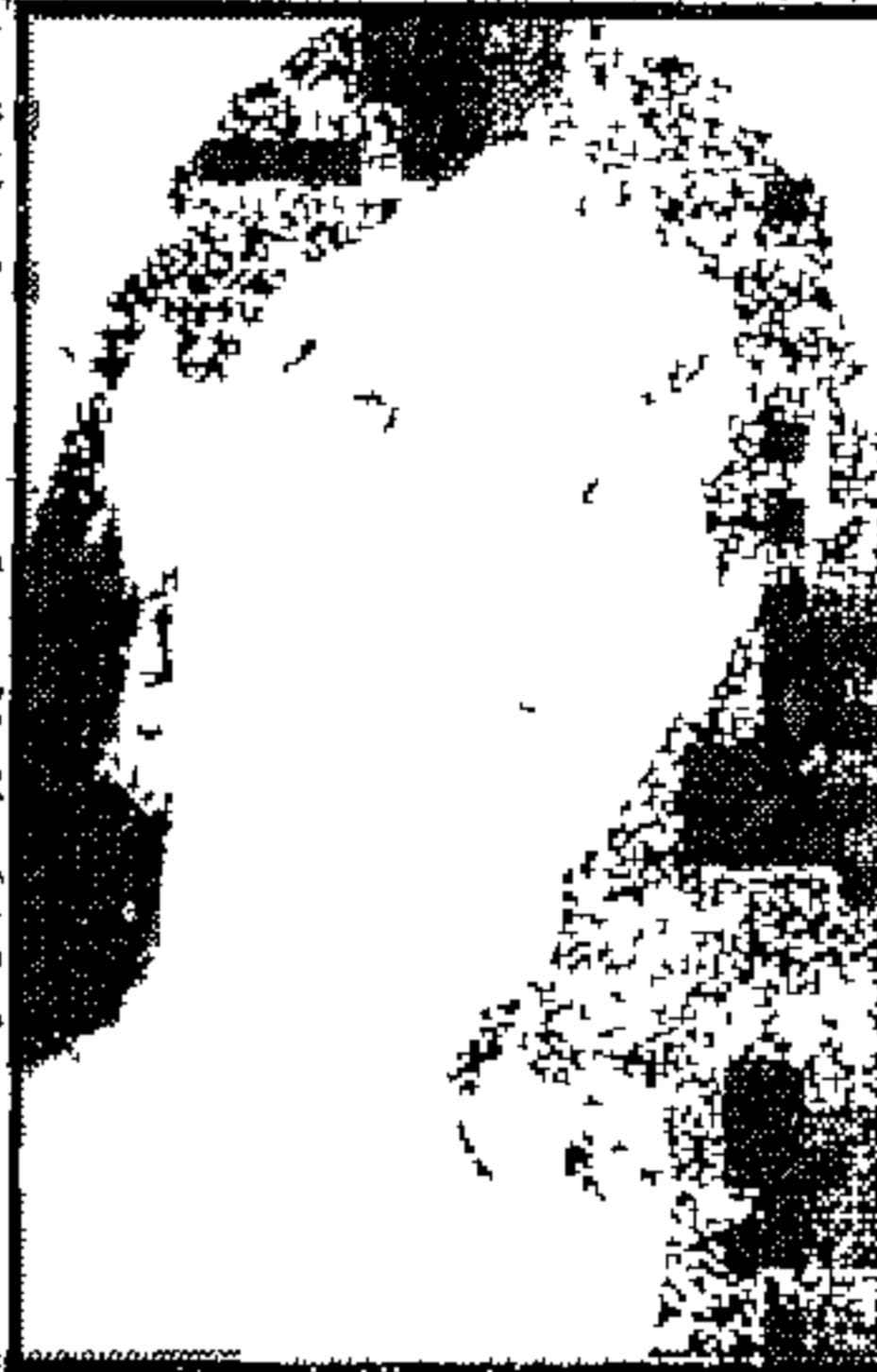
The statistics show that of the 766 children between the ages 15 and 18 being held, most are in Natal (169) and central Transvaal (114), with the Western Cape coming in third with 92 awaiting-trial juveniles.

Among juvenile offenders aged 14 and younger — which total 81 countrywide — only two are being detained in the Western Cape, compared with 55 in Natal and 13 in the Eastern Cape.

Durban has 271 awaiting-trial juveniles and Johannesburg 170. Eighty-eight children are being held at Polismoor.

While the figures have more or less halved since the same time last year, Rosemary Shapiro, senior social work consultant of the National Institute for Crime Prevention and the Rehabilitation of Offenders (Nicro) said: "We don't know how many children are in police cells, and in what sort of conditions. And, we're extremely concerned at allegations that

WEEKEND Argus INQUIRY



INVESTIGATIVE reports in Weekend Argus exposing one of South Africa's greatest social ills — the incarceration of young children — have been recognised by a national award for enterprising journalism.

Reporter Di Caelers (above) and the Weekend Argus were honoured at a special presentation in Johannesburg this week — picture, more details and more stories on page 6.

the police pick up children, drive them around a bit, beat them up and then drop them off without them even getting to the police cells.

Conditions in prisons for juveniles awaiting trial had been dramatically upgraded in the past year, but no structured format for monitoring police cells existed, she said.

Prisons probe, tighter security following riots

Weekend Argus Correspondent

PRETORIA. — Security is to be stepped up at all prisons, and an investigation has been launched in response to the outbreak of riots at four of the country's prisons

Following the outbreak of gang riots in the prisons in Pretoria, Parys, Rustenburg and Port Elizabeth this week, senior Deputy Commissioner of Correctional Services Henk Bruin issued instructions to prison officials to tighten up security.

This meant that afternoon and evening shifts would be strengthened, even if staff had to work double shifts

Ringleaders would be identified and transferred either to other sections or other prisons, and more searches would be conducted inside prisons to find illegal and homemade weapons, Lieutenant-General Bruin said. He also ordered an inves-

tigation into the causes of the incidents

Meanwhile, the rioting which has plagued Pretoria Prison this week appears to have abated, with no further incidents being reported since a youth was stabbed in a fight early yesterday

Correctional Services spokesman Rudi Potgieter said the situation at all of the country's prisons was now "calm"

Lieutenant Potgieter repeated earlier statements by Correctional Services spokesmen that outbreaks of violence were the result of prison gang disputes, adding that the incidents at the four prisons were unrelated.

■ Sapa reports that Correctional Services Minister Adriaan Vlok said yesterday 113 973 people were in jail at the end of August this year, while the department could accommodate only 87 706

Demos: SAP to impound taxis

CT 30/10/93
Staff Reporter

POLICE will in future tow away all vehicles blocking public roads following taxi protest blockades countrywide.

The police vowed to impound vehicles in such protests and warned that the drivers would be prosecuted and liable for a fine of up to R20 000. ~~274~~

Vehicles would be removed by tow truck. Should this be impossible, "the vehicle will be forced open and any mechanism that prevents the removal of the vehicle will be broken," the SAP said. ~~252~~

Prison warders 'start violence'

JOHANNESBURG. Prisoner representatives accused the warders yesterday of fomenting the violence in jails which has claimed three lives this week. ~~253~~

The South African Organisation for Human Rights warned violence in jails would "explode soon" if ill-treatment was not checked.

A Correctional Services spokesman rejected the allegations.

Correctional Services Minister Mr Adriaan Vlok said yesterday by the end of August, there were 113 973 people in jail. The department can only accommodate 87 706 — Sapa

Third Israeli

CT 30/10/93



Children for whom a prison cell is home

Their crimes may be serious but the system for dealing with juvenile offenders is inadequate, reports **Ferial Haffajee**

RICKY is 16 years old and started the year in Standard Seven at an Eldorado Park high school. He is ending it in jail on a murder conviction.

He has been holed up in a cell at John Vorster Square police station since he was found guilty of murder last Friday and sentenced to a term in a reformatory. He is waiting for a place at a reformatory in Cape Town, but he could be at the police station for weeks for months.

"My mother doesn't come to visit me. She don't know I'm here. She thinks I'm already gone to Cape Town," Ricky says, nervously.

He spends his days lolling on a single mattress in the dark, dirty and damp cell, as Jacqui Mofokeng smiles down at him from an old magazine cover that a former prisoner stuck on the wall above.

"I didn't mean to do it. We were fighting, he grabbed my pants, I stabbed him with a cold-drink bottle and ran away. I only knew that he died when the police did come to my house."

"I got free ball and I went to court a lot. It was over last week," he says.

Ricky was assigned a social worker, but not a lawyer, and faced his murder charge without legal representation.

There were 36 other children like him at John Vorster Square at the end of September and 60 at the end of August. Some, like him, are sentenced but have to wait for a place in a reformatory (they're remanded in prison by order of the Children's Court) and others are awaiting trial as juvenile prisoners. They're all in prison because there are too few places of safety for juvenile criminals going through the country's slow legal process.

According to Colonel Dave Bruce, the head of the South African Police's Department of Community Relations, there are only 500 places of safety for black children around the country.

While some, like Ricky, are kept in police station holding cells, most are remanded at Diepkloof Prison, near Soweto.

Almost all have been arrested for "economic crimes" like house-breaking, theft and robbery, though a few have been charged with murder and rape. The majority of those arrested are street children. On the day the *Mail & Guardian* visited Diepkloof, there were 300 children between 12 and 18 years old in prison.

The children are kept in a separate block of cells and are further divided into age groups. They spend at least half of their day sitting on their blankets quietly or singing hymns under the watchful eye of Sergeant Jabu Thusini, who would have made a good priest had he not chosen to become a policeman.

"I tell them I would like to meet them outside, that this is not the end of the world," he says.

Thusini is a strict disciplinarian and he treats his cells like a filing cabinet: perfect rows of beds, all perfectly made up and perfect rows of children sitting perfectly still. He turns them on with a flick of his hand and they sing well-rehearsed hymns — "He shall never lose his power" — then he turns them off and they revert to silence.

"Can we render a short prayer?" he asks at every cell and calls on the cell captain to pray. They do, with a desperation unusual in ones so young, and say things like "Forgive us Lord, for we know we have sinned."

Their cells, unlike those at John Vorster, are immaculate, but sparse, with the grey prison issue blankets folded into the intricate designs and decorated with twisted toilet paper — a unique prison art-form. There are very few personal belongings and the children wear their own, often tattered, clothes. Recreational facilities amount to a few pairs of well-worn sparring gloves and some soccer balls. They watch the odd video or hold "n dag van grappies" (a day of jokes) or concerts, says Thusini.

If they misbehave, Thusini cuts their privileges or makes them do exercises.

"They know that if their shirt is out, they're in for trouble," he says.

"We get up at four in the morning and clean and go to eat," says one of the cell captains. "We come back to the cell at six and sleep." Most complain of being bored.

"This prison was built as an admission centre. There are no facilities for recreation whatsoever," says Colonel Hendrik Kuhn, the head of the prison. "There is not much we can do. We hammer them with a strong religious impact and with discipline."

After last year, when a group of social workers and lawyers began highlighting the plight of children in prison, various organisations launched a "total strategy" to get children out of prison as soon as possible, says Kuhn. Together with the Transvaal Provincial Administration, Lawyers for Human Rights, the House of Representatives and the National Institute of Crime Prevention and the Rehabilitation of Offenders have worked out a quicker procedure of dealing with juveniles.

This involves writing to their parents when they are arrested, securing bail money and informing the control prosecutor once a child has been in prison for more than a month.

The response from parents has been minimal, says Kuhn. "Some said 'Keep him. I don't want him. I can't control him' or 'You're looking after him, he looks well.'"

A wizened 15 year old from Westbury, near Johannesburg, says "Ek het vry borg gekry, maar my ma se ek moet hier bly om te leer" (I got free ball, but my mother said I must stay here to learn). The youngest boy in the cell, a 12 year old with a Mr T haircut, also got free ball. However, there is no custodian into whose care



Above: Juvenile offenders in Leeuwkop Prison play checkers in perfectly neat cells

Right: Youths in Johannesburg Prison 'pray for their sins'

PHOTOGRAPHS GUY ADAMS

he can be released as his mother died many years ago and he came to Johannesburg to live on the streets.

The families of others can't afford the bail that has been set in court.

And, despite the "total strategy" campaign, the children at Diepkloof said they did not have lawyers. They complained that they are not allowed contact visits, but have to see their families through a glass partition. And they complained about being given only two meals a day.

There was, in fact, a third meal. Kuhn said the quarter-loaf of bread smeared with syrup and peanut butter they were served when the *Mail & Guardian* visited the prison was a take-away supper that they could eat whenever they were hungry.

Regarding visits, the Department of Correctional Services treats juveniles as any other category of prisoner. According to a department representative "The general rule is that awaiting trial prisoners are not allowed contact visits."

By the time one gets to a juvenile prison at Leeuwkop it seems almost a haven in comparison with the holding cells and awaiting trial prisons. Leeuwkop is a farm prison and its surrounds are lush.

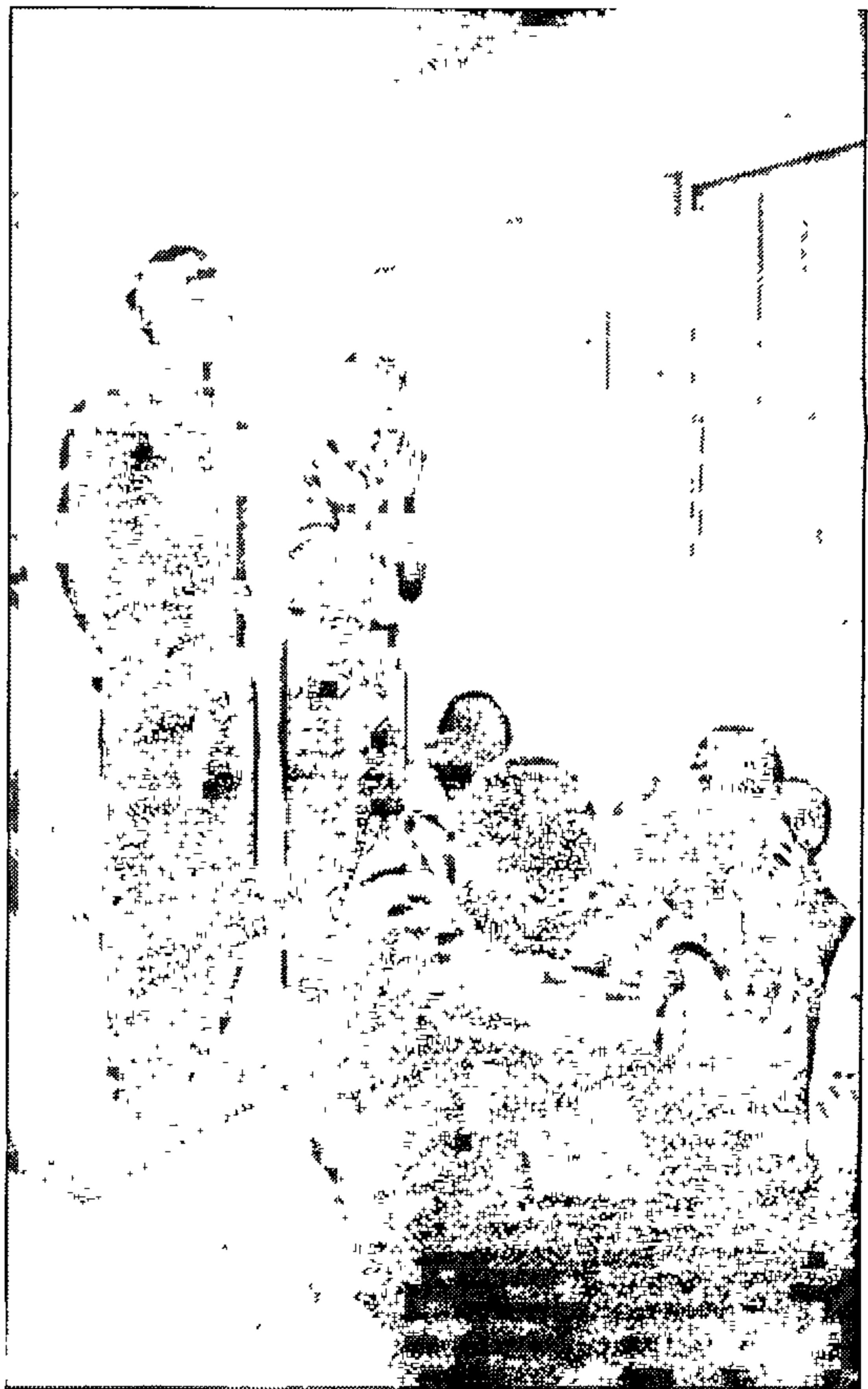
Sentenced juveniles at Leeuwkop either attend literacy classes, go to school, learn a trade or are placed in work teams to clean the prison or do the gardens. There is a soccer field, a library and a health centre.

Colonel Hennie Henrico, the affable head of the juvenile prison, says the school pass rate (80 percent) is good because there are no riots.

He is a hands-on kind of leader. He has also made schooling compulsory and says he samples every meal served to make sure that food is up to standard. But the prisoners eat in an outdoor mess hall with only a zinc roof for protection.

Henrico says the incidence of depression is high at Leeuwkop, though counselling is available to the children. Some prisoners complain that they are beaten by the warders, that fighting in the prison is rife and that facilities are lacking. There is, for example, one soccer field and two television sets for over 700 prisoners.

Henrico acknowledges there is fighting and that sometimes warders use force to break up fights. He thinks the facilities are sufficient.



Leeuwkop's juvenile prison works along the same line of privileges and punishments that adult prisons do. These include dietary and corporal punishment as well as solitary confinement. Henrico says a new disciplinary system is being introduced.

Like those at Diepkloof, prisoners at Leeuwkop create a space for themselves with little means. They, too, fold their blankets into candles and fans. They make photograph holders from papier-mâché and fill those with their dreams — pictures of models and sleek cars around and so do photographs of their girlfriends and, in some cases, small children.

One of the spaces featured a poem written on exercise book paper and stuck on the wall. It read "I who have nothing" and then numbered everything the prisoner did not have. "No

private cash, No besoek, No sugar, No Enos, No old battery, No envelopes, No radio. I have nothing at all but only friends who want all which is mine."

●At the end of August, there were 829 boys and 12 girls between the ages of seven and 17 years in prison. The Department of Correctional Services estimates that awaiting trial juveniles spend an average of four weeks in prison.

The department says children are assisted to apply for legal assistance through the public defenders office.

A monthly average of 55 children were held at John Vorster Square.

Alternative sentencing are available to juveniles are warnings, correctional service, community service, suspended sentences, corporal punishment for males, fines and periodical detention.

2/INSIDE MAIL

By
**PHILLIP VAN
NIEKERK**

The way to resist the right and its allies is to soldier on with the only legitimate process: multiparty talks

An alliance of Dr Nos

WHITE South Africans opening their newspapers on Tuesday were subjected to the full horror of a photograph of "a dangerous Apla terrorist", one of the rich haul of trinkets captured by the South African Defence Force during their raid into Umtata last Friday

Even more horrifically, the SADF seized an Apla poem, a truly barbaric assault on the English language, that ought to have won backing, at least from the literary minded, for further pre-emptive strikes of this nature

After the brilliant display of police intelligence work in Umtata, Law and Order Ministry representative Craig Kotze could afford to be nonchalant about the extreme rightwing's preparations somewhere in the Waterberg for armed insurrection against the government of national unity

"The South African Police is aware of a series of planned military operations," he said, but could not disclose any more police intelligence "as it will be counter-productive".

Thanks, Craig, but no thanks. If the government is aware of a "series of planned military operations", does it not owe the public a little bit more than bland assurances?

It could help us assess the threat of violence that is implicit in the bottom line of the Freedom Alliance

Either way, why is President FW de Klerk handing the Freedom Alliance a veto on a plate by claiming that the multiparty negotiating process lacks legitimacy without them?

The president has created a huge space for the Five Dr Nos — the Inkatha Freedom Party's Mangosuthu Buthelezi, Conservative Party leader Ferdi Hartzenberg, Afrikaner Volksfront leader Constand Viljoen, Bophuthatswana president Lucas Mangope and Ciskei's Oupa Gqozo. The threat of a referendum is absurd because we already know what the majority of South Africans think.

Perhaps the spectre of a referendum is an attempt to scare the Freedom Alliance with the bogeyman of democracy. But it is clear that the right will demand a say in the drafting of the question and — as Viljoen implied — will want whites or Afrikaners to be counted separately.

If blacks voted overwhelmingly "yes", and whites, in the present difficult circumstances, said "no", a referendum could end up being the most divisive and racially polarising thing that ever happened to this country.

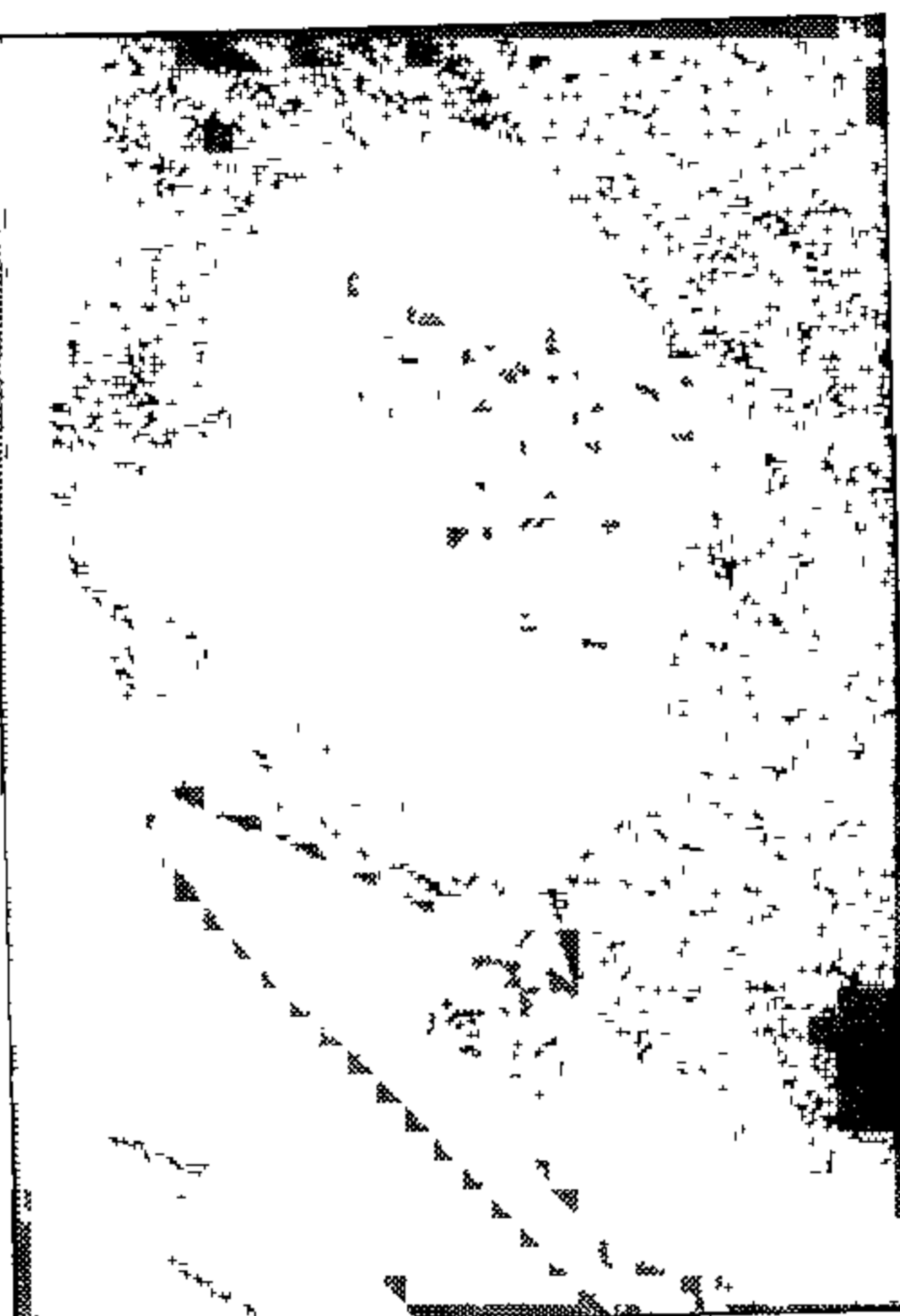
Even if they are denied a separate count, a referendum will enable the Freedom Alliance to delay matters by endlessly haggling over the question and the ground rules, using the ultimate threat of refusing to participate if they don't get their own way.

They could then achieve the very things that they all, as a group, can agree on — postponing the election, putting the Transitional Executive Council (TEC) on ice, and mothballing the Kempton Park talks — without having to deal with those that divide them.

By raising the notion of a referendum, De Klerk has either blundered tactically or is aiming at another target — the African National Congress

The World Trade Centre talks and ANC-government bilaterals are reaching another critical phase and there is a lot of work to be covered during the next 10 days. The government has used such moments in the past to extract last-minute advantage from the ANC, which is particularly vulnerable now because it is anxious to keep to the April 27 election date and set up the TEC in enough time before the election to truly level the playing fields

That gives the National Party the opportu-



Lucas Mangope ... Looking to survive

nity to negotiate where it is most comfortable — at the cliff-edge

De Klerk hinted on Monday at some of things he is seeking concessions on: security of tenure for civil servants à la Namibia, and greater regional powers

While the referendum is in itself a delaying mechanism, the spectre of the right offers De Klerk the opportunity to go to the ANC and make demands — for instance, on federalism — without appearing as if he is asking on his own behalf

But that does not answer the question how effective is the Freedom Alliance in its own right, so to speak, and how real is all of this talk of civil war?

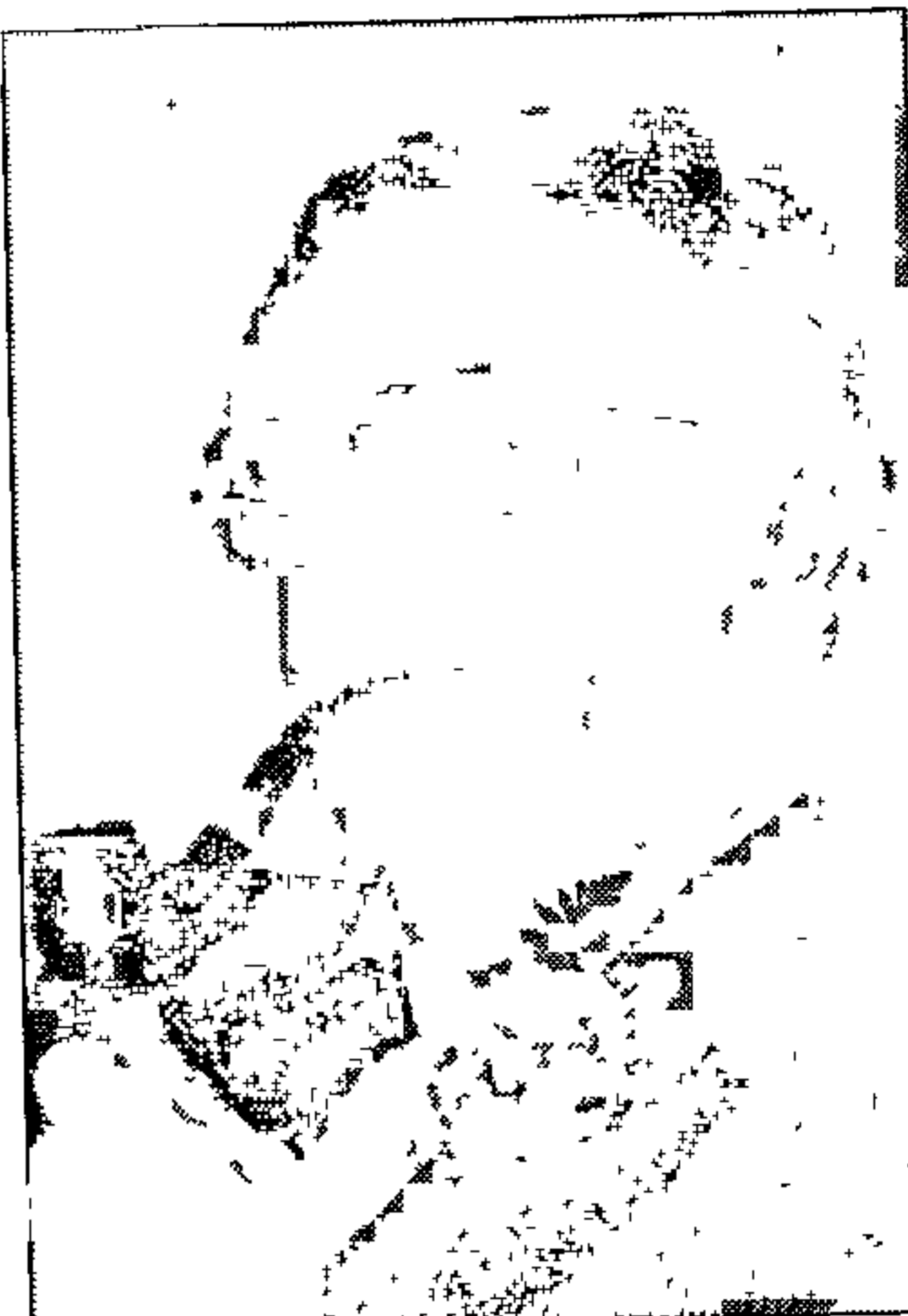
As the ANC has pointed out, the parties of the Freedom Alliance are all creations of apartheid, hostile to a new democratic order

Gqozo's delusions of grandeur lead him to seriously believe that he has a role to play in South Africa after an election — that a Ciskei state will emerge from the negotiations and that it will elect him

The more wily Mangope is simply a craven creature of apartheid, looking for all means to survive. By all accounts he is down on his knees every night praying to the good Lord to spare him and Bophuthatswana

The CP, while more formidable in terms of the constituency they represent, are lost in a kind of cloud cuckooland where the white man still thinks he can be the baas in this land. The party has a case as long as it talks in generalities about self-determination. As soon as it gets real and marks out geographic boundaries, all arguments for a *volkstaat* disintegrate.

If the rightwing had the potential to create a *volkstaat* without having to kick millions of blacks out, the multiparty talks would have given it to them long ago, if only to get people



Ferdi Hartzenberg ... Lost in cloud cuckooland

like Hartzenberg and Tom Langley off their backs

Buthelezi has the one property that the right lacks: a relatively coherent geographical area. But while the right can claim to represent a sizeable chunk of "the conservative Afrikaner", opinion polls increasingly suggest that Buthelezi has no right to speak on behalf of either kwaZulu/Natal or the Zulus, of which he is one minority voice

Though the NP and the ANC should continue to attempt to make the settlement as inclusive as possible, collectively there is no reason to believe that any of the Dr Nos would sign their own death warrants by supporting democracy in South Africa. They should thus not be allowed to veto what parties representing the other 85 percent of South Africans are doing

By forming the Freedom Alliance, the right have opted for strength in numbers, a hasty alliance that has no long-term cohesion. It has granted them a few more months in fool's paradise.

When that bubble bursts, the right has guns and enough stupid people to use them. How many, only Kotze seems to know

But it is the current holders of state power that continue to pump oxygen to the right — for instance, through homeland subsidies and through the SADF handing out guns to the white commandos

It is partly the NP's insurance policy against the ANC, partly the visceral bond between the rightwing of the NP and the Freedom Alliance, partly the painful knowledge that the old order is dying and that power is inexorably changing hands. That would explain the panic and desperation behind these last petty stands over the petrol price and cross-border forays into Umtata to murder children

It is now to the moderates of the NP that we have to look to deliver the final constitutional settlement, and their counterparts in the top brass of the military that we will have to depend on to douse the potential flames of rebellion

In the meantime, the only way of countering the right is to soldier on with the only process in the country that does have legitimacy: the multiparty talks at the World Trade Centre, and resist the rightwing's attempts to delay the end of apartheid rule

**S'TRUE EKSE**
Arthur Goldstuck

Moving the rock of ages

THE haunted rock of Rosslyn — a large rock that is reputed to have been removed several times but had always returned of its own accord — has been moved again. Sangoma Abram Mmuledi approached Koos van der Watt, depot manager of the company that owns the site, and told him the rock had spoken to him and asked him to move it to another site. Van der Watt agreed to the move, and provided a company truck as well as a forklift with a 13-ton capacity.

According to latest reports, the rock has not yet returned to Rosslyn.

Goose gang

A LARGE crowned eagle that has been terrorising poultry in Mariannhill near Durban was ambushed last week and "beaten up". Goose breeder Brad Lange, who had lost four newly hatched goslings in recent weeks, heard a commotion outside his house, and rushed out to see the eagle pinned against a wire fence.

Eleven honking geese had surrounded it and were taking turns pecking and stomping on it.

The eagle had to be rescued, and was taken to the Centre for Rehabilitation of Wildlife (Crow) suffering from shock and head wounds.

Quick diagnosis

A VAAL Triangle woman claims that, after reading in a local newspaper that a "cabal of medical doctors" had been involved in operating satanic circles several years ago, she asked her doctor whether he was a Satanist. He was momentarily speechless, she says, and then asked her: "Why should that affect you?" She insists that this is proof that he is a Satanist, and claims that she can identify two other people, both women, as practising Satanists.

A rose by only one name

FLOWER thieves have now extended their activities to the north western Transvaal. At Lichtenburg, they not only raid carefully selected plants and shrubs from residents' gardens, but also plunder the flowers from graves at the cemetery — apparently for resale purposes.

However, they are believed to have overstepped the mark in a raid on the local health clinic, where they stole rose bushes donated by Sanlam.

The roses were a hybrid that had been specially created for Sanlam; only a few have been donated to outside establishments, and each is identifiable.

Her privilege

ZIMBABWE'S parliament has voted to reprimand senior Minister of National Affairs, Employment Creation and Cooperatives Didymus Mutasa for making statements in contempt of the legislature.

The vote came after the Committee of Privileges had recommended that Mutasa be suspended for 12 months for castigating MPs during a meeting of civil servants. One of his supporters, MP Ruth Chinamano, responded to the vote by calling her fellow MPs "political prostitutes" and walking out of the House.

The Committee of Privileges has not responded to her statement.

By raising the notion of a referendum, De Klerk has either blundered tactically or is aiming at another target — the ANC

Murder of 'The General' sparks bitter battles

Behind the jail riots

BY BRONWYN WILKINSON

Last week's prison fights had their roots in a gang system that is more than a century old and which still flourishes in prisons countrywide.

Two inmates and a prison warden were killed and more than 54 prisoners and four warders injured in seven days of fighting in prisons.

It is believed the fighting was spawned by the killing of a man known in prison circles as "The General" in Johannesburg prison on October 22. He was a leader in 26 Gang, one of five major rival gangs in all prisons.

The gangs communicate across the entire prison system. If a prisoner is released and later convicted again and sent to another prison, he will indicate his previous gang membership by symbols and will rejoin the same gang.

Despite efforts by prison authorities to quell the intense gang rivalry in prisons, the gangs still flourish. Each has strong symbols, a secret language, hand-signs and strong hierarchies.

According to Fink Hayson, who wrote a long report on prison gang warfare in the 1980s when he was a law professor at the University of the

FIVE groups control life behind bars — each has its own symbols and hierarchies (253)

Witwatersrand, not much has changed in prison gangs since his report. In 1984, Hayson's report prompted authorities to commission a social study in prisons.

The authorities introduced a new system of privileges and extended educational, sports and recreation facilities in a bid to allay grievances, and thus reduce the pull of the gangs.

But authorities admit that despite their efforts, the gang system is still strong in the closed prison community. Last week's prison fights indicated the extent of the communication system and the strength of gang ties. Five prisons were affected.

The gangs originated outside prison in the 19th century. They stem from a group called the Ninevites, which permitted single-sex labour hostels. Homosexuality, fostered in the all-male environment, became a way of life. Early this century, a Nine-

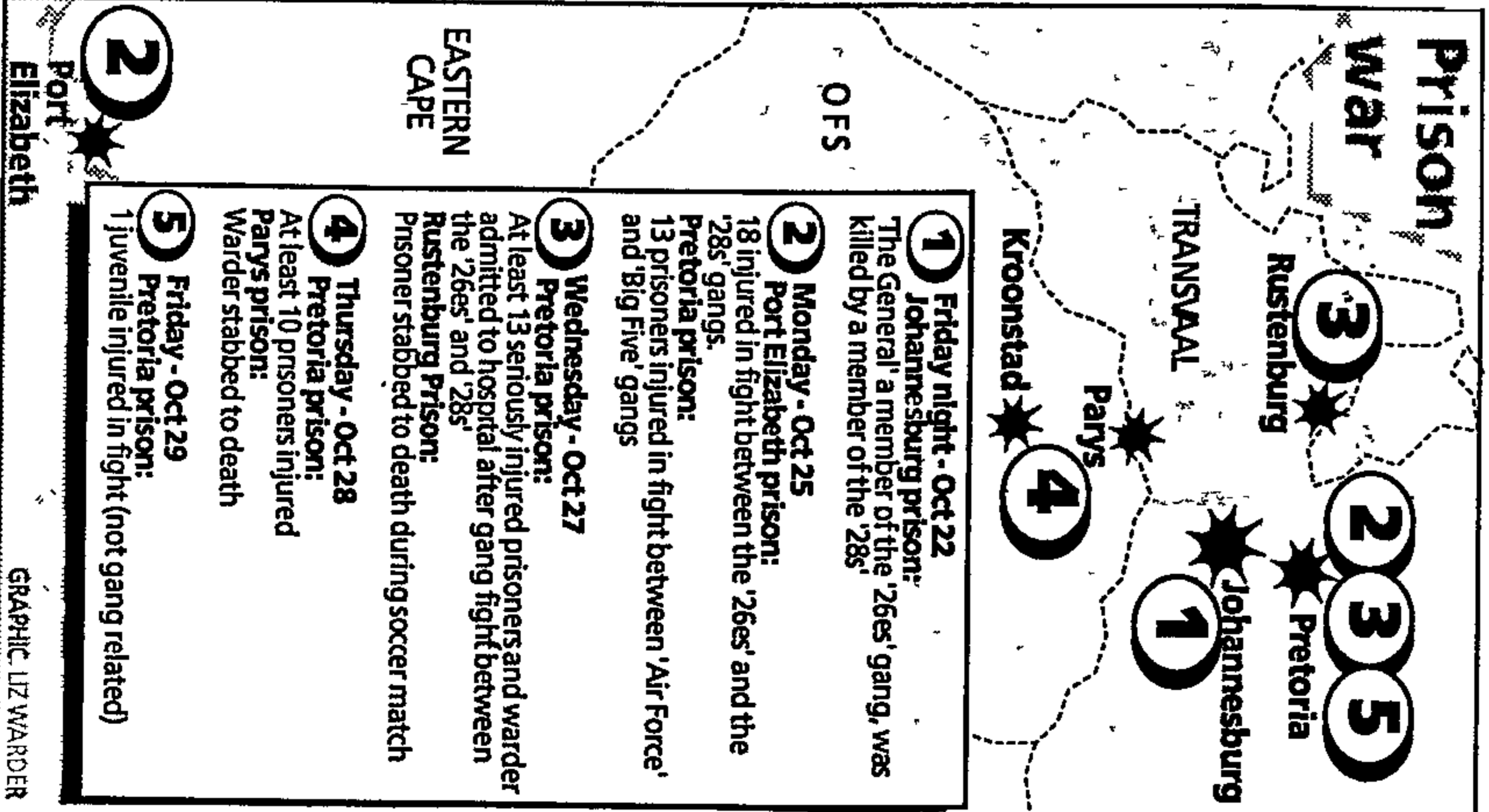
vites leader broke away from the group in a band of 27 fighters. He called his group the 27 Gang. The original Ninevites were left with 28 members and became the 28 Gang.

The leader of the 27 Gang was arrested and sent to prison. While he was in jail, a group of non-members smuggled luxuries into jail and he allowed them to form a new gang, the 26 Gang.

According to Hayson's report, the gangs died out in the outside world, but continue to flourish in prisons. The 28s, whose trademark is homosexuality, organise "wives" for prisoners. The 26s steal and smuggle supplies; the 27s protect the 28s and 26s.

Two newer gangs, the Air Force and Big Five, have also been established. The Air Force takes it upon itself to organise escapes, Big Five is feared because its members inform and collaborate with authorities, the report says.

Gang 26's "The General" was apparently killed last week by a member of the 28s. Fights in Port Elizabeth and Rustenburg broke out between the two gangs. Riots in Pretoria prison were between the Air Force and Big Five.



24 hurt in jail fight

Staff Reporter

TWENTY-FOUR prisoners were injured, two seriously, in a gang fight at Brandvlei prison, near Worcester, yesterday

A SA Correctional Services spokesman said gangsters used "sharpened objects", including shards from toilets broken during the fight, which started after 11am

yesterday. The wardens soon broke up the fight and the situation was back to normal last night

et 2/11/93 (253)
A spate of gang fights has broken out in at least five prisons in the Transvaal and Eastern Cape recently. A warder was killed when he was stabbed by an inmate during a fight at the Parys prison last week

Two inmates admitted to hospital

24 injured in Cape jail as riots spread

Star 2/11/93

■ BY BRONWYN WILKINSON

The wave of prison gang fights which erupted in five prisons around the country last week continued to spread yesterday, when 24 prisoners were injured in a fight at the Brandvlei Prison near Worcester in the Cape.

Department of Correctional Services spokesman Colonel Roy Gamble said that during the gang fight, prisoners had attacked one another with sharpened objects, including pieces of broken toilet bowls.

He said two seriously injured prisoners were admitted to a provincial hospital for

MEMBERS of rival gangs attack each other with sharpened objects, including pieces of broken toilet bowls

(253)

treatment. The others were treated by prison medical staff for minor injuries

The fight broke out between rival gangs shortly after 11 am. Gamble said warders had brought the situation under control quickly.

The fight is being investigated by the SAP and the Department of Correctional Services, but it is not yet known which prison gangs were involved in the clash

In the past eight days, two prisoners and a warder were killed and more than 54 prisoners and four warders injured in fights at prisons in Johannesburg, Pretoria, Rustenburg, Port Elizabeth and Parys

The fighting is believed to have been sparked by the killing of a leader in the 26 Gang in Johannesburg Prison on October 22.

Another prisoner dies in jail unrest

Star 3/11/93

■ BY MICHAEL SPARKS

Another prisoner has died in the unrest that is sweeping jails throughout the country, bringing the death toll in the unrest to four, Correctional Services spokesman Rudi Potgieter said yesterday.

The prisoner, who has not been named because his next of kin have not yet been informed of his death, died yesterday after being admitted to hospital in Worcester in the Cape. He had been injured in gang fights in the nearby Brandvlei jail on Monday.

AUTHORITIES blame gang violence for fourth death in wave of fighting at prisons

(253)

Four people were injured yesterday morning, one seriously, in the Cradock jail in the eastern Cape after the riots spread to the area.

Potgieter said the fight broke out between 14 prisoners in the section for sentenced prisoners and was "definitely connected to the

gang violence" that has been sweeping other jails for more than a week.

The prisoners used home-made sharpened weapons during the fight, which warders quickly brought under control. The police and the Department of Correctional Services are investigating.

So far, three prisoners and one warder have died and 82 prisoners and four warders have been injured in fights at jails in Johannesburg, Pretoria, Rustenburg, Port Elizabeth, Parys, Worcester and Cradock.

Kid Row: Big deal?

■ A whole new deal for South Africa's children in prison is proposed in the findings of a government working group which examined this controversial issue.

DI CAELERS, Weekend Argus Reporter

IT will require a massive R157,1-million injection into facilities, services and manpower to overhaul the way in which jailed children are treated in South Africa.

That's the recommendation of a special government working group which released its year-long findings last week in a report entitled *Alternative Centres for Children in Detention*.

The report, aimed at producing "a global perspective on the handling and treatment of children who commit offences", was compiled by the Department of Local Government and National Housing and released by the Department of National Health and Population Development.

The working group recommended the immediate appointment of a commission to conduct in-depth investigations into

■ The large number of youths between the ages of 18 and 21 in detention,

■ Small, decentralised residential facilities where children could be detained,

■ A central register of all children in detention,

■ The joint management and control of schools of industry and reform schools by welfare and educational institutions,

■ A comprehensive legal system for juveniles and legal aid for children, and

■ The need for youth farms, camps and children's homes with special programmes for children

It stated that the large number of children in police cells and prisons (more than 800 aged under 18 as at October 14) indicated the inadequacy of alternative services and facilities such as community-based probation services, counselling classes, and prevention and treatment programmes

And the figures indicated "a need for additional schools of industry and reform schools so that children can be transferred directly from places of detention"

What was needed, said the working group, were 88 posts for additional social workers/probation officers and 176 additional social auxiliary worker posts countrywide. In addition, 1 894 staff members were also needed for the running of new places of safety, children's homes and community-based treatment centres

Extra facilities necessary were places of safety for 1 450 children, children's homes for 600 children, a reform school for 200 girls and community-based treatment centres for 250 children

The report found that the South African situation did not conform to the principles of the Convention on the Rights of the Child and the Beijing Rules

■ Children should not be subjected to the normal legal process,

■ They should appear in court as soon as possible after arrest,

■ The removal of children from their parents' care should be considered only if there was no other alternative, and

■ If this did happen, the period of such separation should be minimal

Group members agreed that a department of welfare accept overall responsibility for services to children under 18 in detention, that a directorate be developed for youth services, and that the co-ordination mechanism created by the group continue to transfer children awaiting trial in prisons and police cells to presently under-used facilities

Among the other recommendations were

■ More juvenile court hearings be converted into inquiries in terms of the Child Care Act,

■ All children, when arrested, be referred to a social worker/probation officer and that they be subjected to screening, selection and assessment programmes,

■ Their educational, medical, psychological and social needs be met as far as possible,

■ Places of safety be used as assessment centres, and

■ Co-operation agreements between South Africa and the self-governing territories be concluded

AR 6/11/93 (253)

Prisons fight 'intensified violence'

By BEN MACLENNAN

A WARDER can search a prisoner and confiscate a home-made knife, but how does he stop that prisoner breaking the toilet in his cell and using the razor-sharp shards to murder a fellow-inmate?

This is one of the problems facing the Department of Correctional Services after the surge of gang violence in which three prisoners have died and 99 have been injured nationwide since October 22.

The Department's Director of Communications, Brigadier Chris Olckers, said this week that orders had been issued to step up security in prisons, and that teams of department officials were investigating each incident.

"We are really taking it very seriously," he said.

Gang conflict was common in jails.

"Virtually every week you have a gang-related incident in one of the 287 prisons in the country. It is, however, unusual to have so many serious incidents in such a short space of time."

Since October 22 at least 97 prisoners have been injured, three killed and two warders injured in violence in prisons nationwide.

Brig Olckers said it should be noted that not all prisoners in the sections where fighting took place actually participated, and that the prisoners involved were only a small percentage of the national prison population of about 114 000.

Violent crimes

"One must also remember that we are dealing with hardened criminals," he said.

"Thirty-five percent of these people, whether they are convicted or awaiting trial, have been linked to violent crimes. So the potential for violence within the prison is quite high."

The "sharpened instruments" used in the fights were not necessarily smuggled from outside.

Prisoners sharpened spoons on cement floors to make knives, he said.

"A guy will break his toilet or washbasin and that ceramic is as sharp as anything. They wrap a cloth around it and use it."

He said staff usually used batons and teargas to break up fights — often at risk to themselves.

Ringleaders were then identified and removed from the section or to another prison. This had already happened at Pretoria, where the ringleader had been identified as a long-term white prisoner.

— Sapa

Kriel to meet IFP and CP on Popcru, police

253 ARG 8/11/93

Political Staff and Sapa

PRETORIA — Law and Order Minister Hernus Kriel will meet the Inkatha Freedom Party and the Conservative Party this week to discuss the politicisation of the police force following the recent activities of the Police and Prisons Civil Rights Union (Popcru)

This follows a meeting yesterday between Mr Kriel and African National Congress chief legal adviser Mathew Phosa to discuss draft proposals for a single national police force as well as proposed powers for regional policing

Both Mr Phosa and Mr Kriel's office have confirmed the meeting. Mr Kriel's spokesman Craig Kotze said the discussions should be viewed as "an exchange of ideas" as it was the constitution which would determine the shape of the police force

Mr Phosa said "The meeting was about a police chapter which will be attached to a constitution. We are presently defining the unbundling of police activities

"For instance, national police functions would include issues like internal security, while regional policing would deal with things like forensics, laboratories and ordinary criminal matters"

Following yesterday's meeting, both parties are understood to be drafting detailed functions and an agreement on a joint approach

Mr Phosa confirmed that the issue

of Popcru had cropped up in the negotiations

"We did discuss Popcru in passing. We agreed that policing should be non-political and we have agreed that there should be effective dispute resolution mechanisms beyond the current ones. We are dealing with the question of effective compulsory arbitration to prevent strikes," he said.

Mr Kriel's meetings this week with the CP and IFP to address Popcru specifically come against a background of outrage expressed by both those parties that the ANC was "taking over the police force" through the work of Popcru

The role of the Internal Stability Unit in black townships was also appraised during the bilateral talks

The government/ANC delegations apparently agreed that representatives from Katshehong and Thokoza, on the East Rand, would meet Mr Kriel and top police officials in Pretoria tomorrow to discuss their grievances

Earlier in the day an Umkhonto we Sizwe gathering in Johannesburg accepted the idea of joint patrols with the police

But MK commander Oupa Monareng, amplifying the decision at a news conference, added that MK wanted the command and control of such patrols to be distinct from the police or the Defence Force.

The two-day conference of senior MK personnel also agreed to play a significant role in the proposed National Peacekeeping Force (NPKF)

Two weeks ago SOUTH received a letter from an inmate at Brandvlei Prison in Worcester alleging abuses.

VUYELWA MOTLALI

compiled this report on claims that the prison is a "torture camp" under rightwing control:

Letter from inside Brandvlei Prison

"A PERCEPTION has been created that prisoners in South African prisons are looked after and cared for by the South African government according to world standards of prisons services

The public has been fed with all possible sorts of public relations dishonesty. The name of the department has been changed from Prisons to Correctional Services, but inside experience is nothing less than that of torture camps

The daily human rights abuses, especially at Brandvlei Prison, contradict the term "correctional services". Offenders are not imprisoned at Brandvlei Prison — they are "captured"

Basic human rights, like that of medical treatment, are abused at Brandvlei. This prison is infested with rightwing racism.

Afrikaner Volksfront pamphlets are openly displayed in this prison. Allegations of killings which were never investigated are no secret here at Brandvlei Prison.

Prison warders make no secret about killing prisoners, thereafter telling the family that the prisoner

Prison letter alleges abuses

South 12/11 - 16/11/93

253



RESPONSE

Captain George Britnell, of the Southern Cape Liaison Office.

There are some prisoners who "are simply malicious in the allegations that they make". He says the letter does not reflect specific incidents but contains generalisations

"Prisoners often exaggerate their experiences because of the subjective way in which they judge their life in prison," said Britnell.

"To reply to one of the allegations by way of example, I emphasise the fact that Brandvlei is one of very few prison complexes to have a full-time district surgeon, a team of professional nursing staff and a pharmacy

Correctional services "places a high premium on the physical care of prisoners. It also expects its members to demonstrate an apolitical approach to their work."

Lawyers for Human Rights believes the fact that prisoners feel compelled to smuggle letters of complaint out of prison is in itself an indictment on the Department of Correctional Services, said Mr Andries Nel, co-ordinator of the Penal Reform Project.

The project has been formulated by Lawyers for Human Rights, especially to deal with complaints received from inmates

"Our experience with many prisons has been that prisoners whose complaints reach our offices are inevitably victimised by those in authority over them," he said.

"We believe these letters reflect a malaise within the department that requires thorough and independent investigation," said Nel.

"If the department itself is convinced that prisoners are cared for according to internationally accepted standards, then they should have no objections to the formation of such a commission."

escaped from custody.

Charges have been made against this particular cabal of racist rightwing killers but not a single one of them has ever appeared in front of an independent tribunal to account for his crimes

There is a torture machinery in this prison that needs to be dismantled

Letters have been written and smuggled out to relevant institutions like the Black Sash, Lawyers For Human Rights and even to members of major political organisations. But those letters are returned to the same "immune criminals" (prison officials) and the writers of those letters are subjected to the most brutal action

The aim of this brutality is to

scare those who also intended to take such action.

The slogan in this prison is, "One farmer, one prisoner".

What these rightwingers are unable to achieve at the World Trade Centre through negotiations, is taken out on their captives, the black prisoners

Prisoners are the victims whenever there is a deadlock between the Volksfront, its Conservative Party partners and the government or the ANC

When they talk about options to follow, prisoners are their targets.

The public out there thinks the rightwingers are threatening action.

No, they are already in action, but that action is taking place in the South African prisons, Brandvlei

Prison in particular

Something will have to be done, and done quickly, failing which, even those votes expected from prisoners will depend on how hard a nut that prisoner is to vote against the will of these monsters.

By the same token, those organisations expecting a vote from prisoners must at least respond to prisoners' grievances, to restore the confidence the prisoners had in them, because, at the end, they will need our vote and they will need it dearly. But of fundamental importance are our rights and our dignity which have been trampled upon.

We don't want our complaints returned to the very people we complain against. We want lawful action to be taken now

Caning continues as legal whipping controversy rages

STimes (Cimetro)

253

14/11/93

Sentence

Whipping was abolished as a disciplinary measure in South Africa's prisons earlier this year, bringing the Correctional Services Department into line with a United Nations convention against "cruel and degrading" punishment.

But criminologists say it is still the most common sentence handed down by juvenile courts in South Africa.

In a recently compiled document on corporal punishment, the Justice Department said the courts considered whipping a suitable sentence.

It was quick, and an offender felt he had "paid his debt".

Senior social work consultant at the National Institute for Crime Prevention and the Rehabilitation of Offenders in Cape Town, Rosemary Shapiro, said there was no data to show whipping had any rehabilitative effect or real deterrent value.

Whipping, she said, was a short-term solution which did long-term damage. More energy should be devoted to intercepting juvenile offenders before they came to court and diverting them to options such as community service, youth offender programmes including life-skills training, or victim-offender mediation.

She said she had recently attended a series of Southern African conferences on children and the law, and noted that for many people punishment had become "absolutely synonymous" with beating.

"The whole debate is about when to beat, and when not to beat, not about whether to beat."

— Sapa

By BEN MACLENNAN

A YOUNGSTER may not be hit on the bare backside when being whipped on the orders of a magistrate, according to the Criminal Procedure Act.

His buttocks, says the law, have to be covered with "normal attire".

What happens in practice at the Cape Town Magistrates' Court cells is that a boy is told to pull down his pants and is caned in his underpants. If he doesn't have underpants, a piece of cloth is placed over his buttocks.

A police sergeant at the cells said he didn't know why the rule existed.

"Maybe they want him to be hurt but they don't want him hurt that much," he said. "But even with a cloth or clothes on, you hit them open. When they receive cuts, it's very seldom that the wounds don't bleed."

The sergeant is one of the policemen who carries out what street children call *latjes*, ordered as punishment for juvenile offenders.

Only boys can be sentenced to a caning; girls are untouchable.

The beating is done with a cane slightly thicker than a pencil, dipped in disinfectant after each punishment to prevent Aids.

Children were caned there "every day," said the sergeant.

Warders allege racism

SI Times 14/11/93

By CARMEL RICKARD

MORE than 40 prison warders at Kwazulu-administered Kandasput prison this week called on Pretoria to take over administration of Ulundi's prisons after claiming the department practised racist policies.

The warders, most of them members of the Police and Prisons Civil Rights Union, compiled a three-page memorandum of complaints, which has been sent to the Ulundi authorities. (105)

Ulundi's deputy commissioner of correctional services, Colonel Sergius Msomi, has denied the allegations. (253)

According to the Popcu memo, all white warders above the rank of sergeant have official government vehicles with which they travel to and from work, using petrol paid for by the government. The only black member with this privilege is the commander of the prison.

Colonel Msomi said official cars were only provided for the commander, the head

of agriculture and the electrician to use after hours, during emergencies and for other compulsory night visits.

The Popcu members alleged some officers took prison labour home at weekends to work for them.

Colonel Msomi said the allegations were unfounded.

Popcu's complaints include allegations that white warders did not have to attend parades, while blacks did.

Colonel Msomi said that at Kandasput, all commissioned officers and warrant officers of all races were exempt from parades unless they had to officiate.

However, he said "it does happen that seconded white personnel are addressed apart as a group when issues being discussed are only relevant to them".

Last-minute debate before draft Bills go to Parliament

NEGOTIATORS will meet again tomorrow to refine the draft constitution and the draft electoral Bill before they go to Parliament.

Any agreements between government and the Freedom Alliance this week will be debated by negotiators and the constitution amended accordingly.

The alliance views this as the final opportunity for its demands to be accommodated, although President FW de Klerk has said that the door will not be closed until the election, leaving room for all parties to negotiate changes.

The planning committee met in Cape Town yesterday to finalise issues which were left unresolved at the end of last week's negotiations in the rush to convene the plenary to adopt the constitution.

Despite negotiators having accepted the 11th-hour deal between government and the ANC, one or two issues might be revisited. It is unlikely major changes will be considered, but it is understood that there will be some attempt to re-open the issue of a single ballot.

Our Political Staff reports that the negotiators accepted last Wednesday that voters should have a single ballot — a propos-

BILLY PADDOCK

al which was part of a six-point package presented by government and the ANC.

The proposal was initially strongly opposed, but opposition was dropped after the ANC and government had lobbied extensively.

The DP wants the issue re-examined. DP home affairs spokesman Dene Smuts yesterday berated the Freedom Alliance for not being at Kempton Park and missing a golden opportunity to strengthen devolution of power and federalism.

Meanwhile, the Transitional Executive Council planning committee has been inundated with applications for administrative posts in the TEC, the Independent Electoral Commission and the media commissions. An official said yesterday that applications for the 147 posts advertised had topped 5 000.

Despite the fact that the jobs would only last for about six months, many of the applicants "are very highly qualified and have sent in some very interesting motivations supporting the establishment of the TEC and other structures," she said.

Tuckshops for prisoners strictly cash only

CAPE TOWN — Prisoners will soon be allowed to shop until they drop — but all transactions will be strictly cash.

The Correctional Services Third Amendment Bill tabled in Parliament yesterday makes provision for the establishment of shops in prisons for the first time.

Correctional Services Ministry spokesman Capt Bert Slabbert said the "tuckshops" would stock items such as toiletries, non-perishable foods and tobacco.

Political Staff

Prison recreational clubs would be allowed a say in the tendering process.

Slabbert said all prisoners would be allowed to use the shops, but some prisons were too small to make them a going concern.

In the past, prisoners had had to supply lists of items they wished to buy to the prison authorities.

DAC and government to meet next week

SA'S PRISONS: Centres of lawlessness, rape, drug dealing, gangsterism and official misconduct

263 WMS-11/11/93

Where gangster bosses rule as warders look on



In the wake of recent riots, **Alex Dodd** speaks to a former prisoner about the gangsterism inside South Africa's prisons

WITH bloody fights erupting in prisons across South Africa, an ex-prisoner has spoken out about the gang warfare that is a daily reality of South African prison life.

Cephas Mbedzi (27) spoke exclusively to the *Mail & Guardian* at his office in Venda. He was released last year after serving a five-year prison sentence for housebreaking in Johannesburg Prison, Pretoria Central, Leeuwkop and Modderbee

His tale of survival on the inside amid "total lawlessness, disorder, official misconduct, corruption and gangsterism" is borne out by events of the past fortnight, in which gang battles have left five dead and at least 53 inmates and four prison warders injured in prisons as far apart as Port Elizabeth and Pretoria.

Correctional Services' Captain Koos Gerber said this week the incidents were all "gang-related", adding that "it should be remembered that a prison community is a microcosm of the community in general and that occurrences of violence in the community may well have an effect on prison inmates"

Mbedzi is more specific "The causes of fighting among rival gangsters range from control of the drug trade, to food, to fighting for sexual partners" He says he witnessed the regular assault of newcomers to prison, collusion between gang bosses and prison officials drug dealing and drug abuse, use of handmade weapons and poison and systematic gang rape.

"I'd rather die than go back to prison," he says.

His first brush with the realities of prison life took place in 1991 in the holding cells at Randburg prison, where he was held down by fellow cellmates and robbed of the "expensive tracksuit" he was wearing when arrested.

After two months and two court remands he was transferred to Johannesburg Prison or Diepkloof, commonly known as "Sun City"

"Never mind that I lived in a

world of crime," he says "When I got there I didn't mix well with these guys" In the police van that carries newcomers (from holding cells) and inmates (from court visits) to prison, the inmates began to beat the newcomers, robbing them of valuables

"Half the people in the van ended up getting severely injured or fainting I couldn't count how many *klaps* I received when I was in that van," says Mbedzi.

"This is where the 'poaching' of young people begins. The gangster bosses or their agents choose younger guys They confuse newcomers by beating, pushing and trampling them and then they either sweet-talk them with offers of protection or intimidate them in order to get closer to them"

In the van, a middle-aged member of the Big Five Gang wooed him with the line "Just sit here my friend, you'll be safe with me we'll talk later"

Newcomers arrive at Sun City every day, mostly allens awaiting deportation The constant flow of new prisoners is the gangsters prime source of income.

After registration and fingerprinting, Mbedzi says, the other prisoners took control, calling the shots about who should go to which section An informal apartheid operates inside prisons "If a white man goes to a black section he'll be killed and vice versa.

"Some prisoners enjoy a special relationship of trust with the warders and it was these prisoners who took us to our cells," says Mbedzi He was taken to a cell occupied by about six members of the Big Five gang, known in prison as the "impimpis" (stooges) because they help the warders by informing on other gangs.

"The warder locked the cell and left. They exert no control. There is an arrangement between the warders and the gang bosses The warders are paid off by the bosses to turn a blind eye to whatever dirty business goes on inside the cells. There's plenty money in there.

"The guy seated impressively in the corner smoking dagga or



Living in hell ... Newcomers are raped, robbed and sometimes assaulted by other inmates, says a former prisoner PHOTOGRAPH: STEVE HILTON-BARBER

cocaine is the boss Those who brought us there consulted with the boss and then we were ordered to strip and parade naked before them. The boss picked four young men and put them aside"

Mbedzi says the gangsters go for newcomers from Mozambique, Lesotho and Zimbabwe who often wear leather jackets, or have swallowed money or put it in the soles of their shoes

After selection the others were taken to the toilet where they were searched thoroughly for money and body scarifications They were forced to bend while the inmates searched them

"The marks on people's bodies hold a message," says Mbedzi A mark on the left hand means "wife" in any prison, while tattoos can be gang insignias The Big Fives are marked with a swastika overlaid with the number five, an Airforce gang member boasts a swallow tattoo and other markings include crossed swords, mermaids, the head of a lion and a knife piercing a heart.

Among Mbedzi's group of new arrivals was a man who, while serving an earlier sentence, had received the mark of the 2-6 gang — enemies of the Big Fives. When the Big Five members discovered his tattoo, they began rubbing at it with a pumice stone until it had been scratched from his arm

"That man cried and cried until he was quiet," says Mbedzi

He adds "Men with money are taken aside, offered protection and told that their money will be taken care of."

After being searched the group were told to scramble for their possessions, which had been piled on

the floor "You're being hit and beaten all the time so you just grab anything you can lay your hands on"

The cell was divided in two on the one side the bosses sat laughing, counting money and smoking dagga, while on the other "the commoners were cramped on blankets head to tail like slaves — no smoking no talking"

This was the beginning of two years of "living in hell" for Mbedzi, who thinks he had it easy compared to most prisoners. He believes the fact that he was literate and his excessive body hair — which made him unappealing as a "wife" — saved him from the worst excesses of gangsterism and rape

One of his co-accuseds was less lucky Mbedzi was forced to watch his friend's head moving back and forth beneath the curtain of a double-decker bed as he was raped by eight men.

Using his education as a bargaining tool, he used to write letters of appeal to the courts for gang bosses and in so doing, managed to avoid joining a gang throughout his sentence. He was never forced to kill or stab a fellow prisoner to qualify as a gang member Many prisoners are, he says

The gangs train recruits in their chosen methods of warfare the 2-8 gang, for example, is made up of older prisoners many of whom work in the kitchens and use laundry chemicals to poison food The Big Fives prefer the martial arts

Mbedzi says that this was a likely cause of the latest outbreak of prison violence "When you're sitting at meal times with everybody minding their own business and someone lashes out and stabs someone, you know there's training going on"

MAIN CAMPUS

Academic Planning Officer

The University of the North is currently developing a strategic plan Central to this plan will be the academic programmes of the University which will need to be rigorously evaluated and new academic plans developed An academic planning officer is urgently required to assist in this exercise

The incumbent will compile, maintain and assist with the interpretation of comprehensive statistical data on all aspects of the University's academic programmes, develop discussion and policy documents for the Academic Planning Committee with which he/she will be closely involved, co-ordinate academic planning activities involving all faculties and research units, co-ordinate activities and ensure a regular flow of information between the Academic and Physical Planning Committees of the University The successful applicant will need to have a great deal of initiative, creativity and drive, and will report to the Vice-principal responsible for academic affairs

A Master's degree in education or related relevant fields will be a minimum requirement. Experience in educational planning and policy will be essential

Closing date: 30 November 1993

GENERAL INFORMATION

Typed applications, which should contain a full curriculum vitae and the names, telephone numbers and addresses of three referees, should be sent to the undersigned, from whom further particulars may be obtained **The Deputy Registrar (Personnel), University of the North, Private Bag X1106, Sovenga 0727.** Particulars concerning salary scales may be obtained from the Personnel Section, attention Mr Douglas Phahlane, tel (01521) 68-2503 or fax. (01521) 67-0529



UNIVERSITY OF THE NORTH

SSK&B RECRUITMENT 42561

CORRECTIONAL SERVICES RESPONDS

DEPARTMENT of Correctional Services director of communications Captain Koos Gerber responded to Cephas Mbedzi's allegations

●It is possible that prisoners can be manhandled and even robbed while in transit from the courts to the prison and vice versa Once at the prison, prisoners have ample opportunity to lodge complaints with prison officials Complaints are normally reported to the police

●Accommodation is allocated by warders in charge of the various

sections and no prisoners have any say as to where other prisoners are housed

●All sections are manned on a 24-hour basis and, in the event of prisoners being manhandled, they can raise the alarm and the necessary action will be taken

●Homosexual activities do occur in prison It is, however, against the rules and every complaint is investigated and steps taken.

●There is no apartheid in prisons based on race Racial friction

is very limited and deaths due to racial friction have never occurred.

●It is common knowledge that prisoners sometimes smuggle dagga and even other drugs into prison and, although we go to great lengths to prevent this, it is almost impossible to stop

●The existence of gangs in prisons is a universal problem Gang-related activities, such as the victimising of fellow inmates, are not tolerated and strict action is taken against perpetrators

Authorities uneasy about convicts voting

CAPE TOWN — SA prison authorities are facing a huge problem — arranging for thousands of inmates to vote on April 27.

New Commissioner of Prisons Gen Henk de Bruin said at a Robben Island news briefing on Saturday "We won't be able to transport them to the polls, so special arrangements will have to be made for them to vote in prison."

He said he believed it would be best if prisoners were left out of the voting process, but "the decision has been taken and we will take care of the situation".

The first problem was arranging identity documents for those who needed them

"We will also have individual prisoners trying to recruit voters, as well as intimidation," said De Bruin

The department was expecting trouble as election day approached

There was also anger among prisoners that some would be excluded from voting

"The prisons are overpopulated and now, for the first time in our history, we have political debate occurring in prisons"

De Bruin said some prisoners expected

all inmates to be freed on April 27, and this was also causing friction

He said prison staff were aware of what might happen and were geared for any uprising that might occur around the time of the election.

It would be impossible to allow politicians to address prisoners

The distribution of election pamphlets would not be permitted as this would cause further problems

Prisoners were well informed as they had access to newspapers and radio, he said — Sapa

Hani's killer to go free?

Sowetan 6/12/93

THE GUIDELINES BEING negotiated for a possible amnesty would determine whether convicted murderer Clive Derby-Lewis would be freed, Correctional Services Minister Mr Adriaan Vlok said at the weekend

Derby-Lewis and Polish immigrant Janusz Waluz were sentenced to death for the murder in April of South African Communist Party general-secretary Mr Chris Hani

Speaking at a media briefing on Robben Island, Vlok said there were still prisoners in jail convicted for political crimes

Asked about a possible amnesty and if it would affect Derby-Lewis, he said "I hope there will be one. The Derby-Lewis case will depend on the criteria of the guidelines of the possible amnesty being negotiated"

Vlok said the prisons department is pre-

■ NEW AMNESTY Correctional Services

Minister says guidelines still to be negotiated:

pared for the new dispensation

"If it is going to be necessary to act in a stricter way against criminals, we must be prepared to accept more prisoners. As the receiving department, we have a role to play and intend doing so

New dispensation (253) (S)

"We are looking at how we will fit into the pattern of the new dispensation

"After the election the department will be geared to carry on in the same professional way. We are geared to serve the new government as an apolitical department"

He said despite the poor ratio of warders to prisoners, the department was proud of there being remarkably little trouble in prisons

General Henk de Bruin, who will become the new Commissioner of Prisons in January, said the new dispensation would provide a tremendous challenge to the department to "take the TBVC states back into the system"

He said South African prisons used systems which those prisons did not. It would therefore be a major challenge to bring them on to par in areas like parole and correctional supervision, financial systems and labour relations, he said — Sapa

NEWS FEATURE *From illiteracy to Std 5 in only two years*

Sowetan 6/12/93
Turning over new leaf
(253)

By Glenn McKenzie

■ **KEEN PUPILS** *Leeuwkop convicts, among millions of illiterate adults, learn to read, write:*

THE PRISONERS MAKE a captive audience
In a bleached and sterile classroom at Leeuwkop Medium Security Prison, 42 inmates are learning to read and write

But these prisoners are learning more than just the alphabet

"They teach me that if I respect myself, other people will respect me too. I can learn as much as I want to here," says Sam Moleko, a 20-year-old pupil who is serving eight years for house-breaking

The prison class is an experiment in adult education. Project Literacy designed it to take students from illiteracy to Standard 5 equivalence in two years. And these inmates are the first learners to test the project

"Education is primarily child-oriented. We really need classes that teach adults how to read and write and give them a general education," says Ms Rosemarie Lindner, a teacher who helped design the project

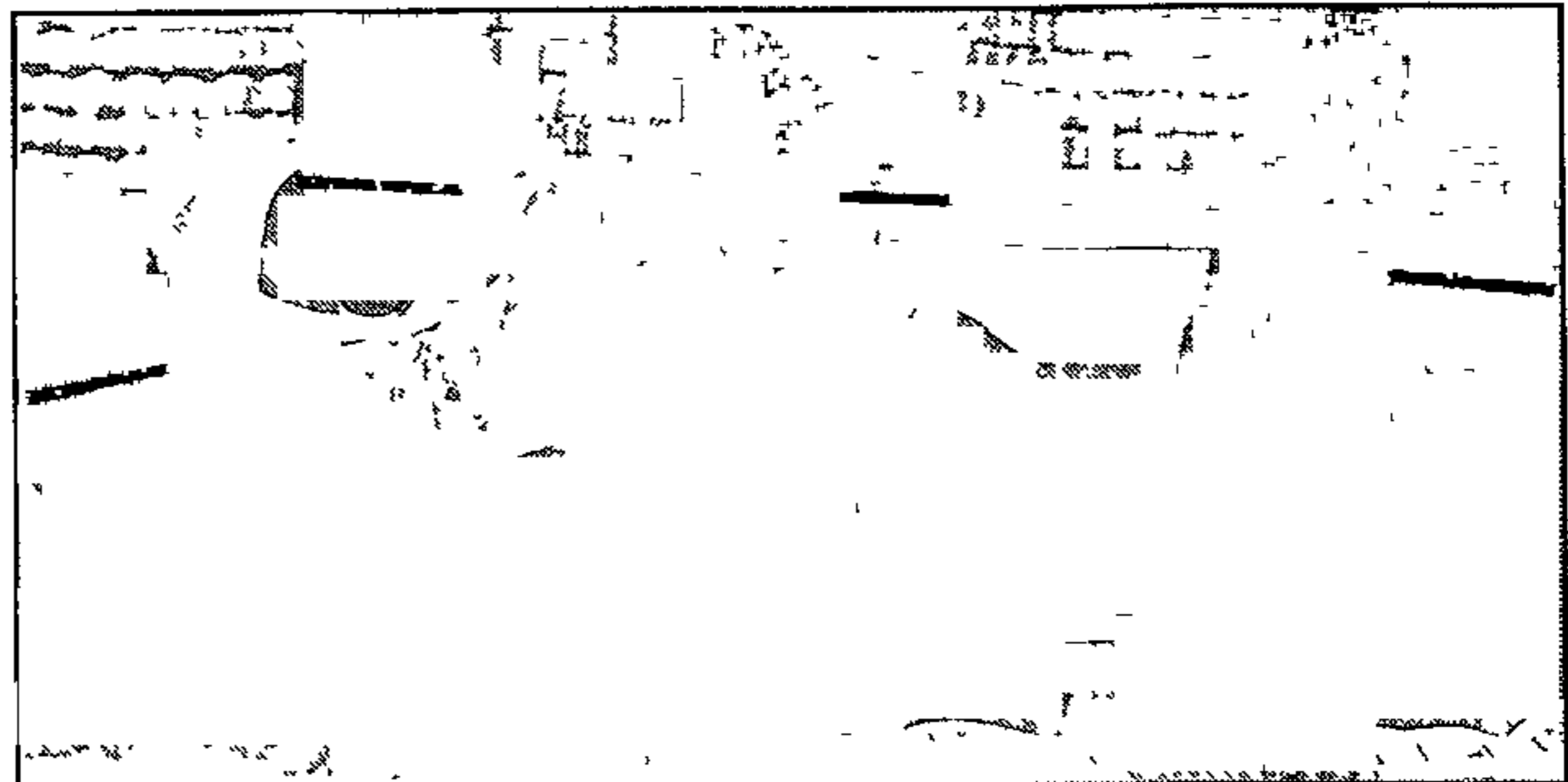
Project Literacy has had no problem attracting students for their pilot project. The only prerequisite for the course was that the applicants had to be completely illiterate

In fact, organisers say some inmates found the prospect of learning five years of education in two years so attractive that they underplayed their literacy skills in the hope of being admitted to the special class. These students were sent to other school programmes, because Project Literacy only wanted inmates with no education, to test the effectiveness of their curriculum

As in some other education programmes, the Leeuwkop inmates learn basic English, numeracy, Tswana or Zulu, and integrated studies in social and natural sciences

But, unlike other schools, Project Literacy also teaches adult life skills like adding up grocery bills, filling out forms, and writing letters. Self-esteem-building activities help prepare the overall-clad prisoners for the outside world

"You have no idea what it must be like to write a letter to your family for the first time. These are things most people take for granted," says Project Literacy director Ms Jenny Nesner



HARD WORK ... Project Literacy teacher Mr John Ndlovu (second from left) explains a point to one of his students.

And they are activities that the inmates want to learn, say organisers

Five months into the programme, 33 of the 42 students are progressing on schedule. Teachers say the other nine will also finish, although it may take more time. Each pupil is allowed to learn at his own pace

If the model programme at Leeuwkop is successful, it could be taken to other prisons and to "marginalised adults" in South African communities. Currently about 16 million South African adults cannot read or write

"People often forget that our illiterate people are parents and voters, and community leaders. They are not all children," says Nesner

Teachers and organisers of Project Literacy say they do not know if their curriculum will work for everyone

Unlike prisoners, most adults do not have six hours a day to spend in the classroom. In fact, other part-time education programmes operated by Project Literacy in township communities run only eight hours a week

There is also the problem of money. Even if the Leeuwkop programme is successful, mil-

lions of rands will be needed to offer it on a wide scale. Nedbank is currently bankrolling the Leeuwkop project

"I would like to say that a major problem is funds. After 20 years of teaching, we still don't have the funds to do everything we would like to do," said Nesner

But for students such as Moleko, the project is already a success. He wants to become a teacher when he leaves prison. "I didn't get the chance to read before. My mother was too poor and she had three children," says Moleko, who likens his teacher to Superwoman. "I want to give this chance to other people now"

Hani killers unlikely to be eligible

Amnesty date tops the agenda

Star 6/12/93

■ BY PAUL BELL

The Negotiating Council will meet in Cape Town today with the critical issue of a cut-off date for amnesty for political offences at the top of its agenda.

While reports yesterday suggested that the Government would try to persuade the ANC to accept December 1 1993 as the cut-off date, it is reliably understood that this was only one of six options to be considered.

November 20 is also regarded by the leading negotiating partners as the most widely acceptable date, and therefore most likely to be set.

In terms of the amnesty, those serving prison terms for political crimes committed before the cut-off date would be pardoned, while others who had carried out such crimes would be freed from prosecution.

Clive Derby-Lewis and Janus Walusz, sentenced to death in October for the murder of South African Communist Party general secretary Chris Hani in April, would not be eligible. Derby-Lewis is to apply in the Rand Su-

NOVEMBER 20 is regarded as the most acceptable cut-off date for deciding who will get pardons for political crimes

preme Court today for his case to be reopened.

Sapa reports from Cape Town that Correctional Services Minister Adriaan Vlok said on Saturday the guidelines being negotiated for a possible amnesty would determine whether Derby-Lewis would be freed.

Speaking at a media briefing at Robben Island, Vlok said there were still prisoners in jail convicted for political crimes.

Vlok said the Prisons Department was prepared for the new dispensation.

"If it is going to be necessary to act in a stricter way against criminals, we must be prepared to accept more prisoners.

"We are looking at how we will fit into the pattern of the new dispensation.

"We will remain as a national department but will have regional commissions to allow maximum devolution and for the community to get more involved.

"After the election, the department will be geared to carry on in the same professional way. We are geared to serve the new government as an apolitical department." (253)

He said that despite the poor ratio of warders to prisoners, the department was proud of what he called the small amount of trouble in prisons.

General Henk de Bruin, who will become the new Commissioner of Prisons in January, said the new dispensation would provide a tremendous challenge to the department to "take the TBVC states back into the system".

He said South African prisons used systems which those prisons did not, so it would be a major challenge to bring them up to standard in areas such as parole and correctional supervision, financial systems and labour relations.

It's a big job feeding the prisoners

Stur 6/12/93
Cape Town — More than 118 million meals are prepared and served annually by 150 departmental caterers and trained prisoners in SA's 195 prisons and prison complexes, excluding the TBVC states and KwaZulu

According to figures released at a weekend media briefing on Robben Island, each year SA's 113 000 prisoners consume more than 118 million meals that include 97 tons of potatoes, 12 million loaves of bread, 8 554 tons of maize meal, 12 636 tons of vegetables, 13 608 000 litres of milk and 7 776 tons of meat.

The department plans to be 93 percent self-sufficient in food production within two years.

Prison workshops have been extremely busy during the past year. Included in items produced were 3 000 voting boxes, 5 500 polling booths, 65 450 tables, 128 000 sheets, 120 000 pairs of shoes, 29 000 metal mugs and 57 050 postal bags. — Sapa

253

Black brigadier to head prison

■ BY CLYDE JOHNSON
LOWVELD BUREAU

A 58-year-old Barberton Correctional Services officer yesterday became the country's first black person to have been put in charge of a maximum security prison. 10/12/93

Brigadier Andre Terblanche officially handed over to Brigadier Msutha Timothy Khoza at prison headquarters yesterday.

Khoza said it had been his dream for many years

to become head of the Barberton Prison. As a little boy it always concerned him to see prisoners on parole being guarded with spears and knobkerries. (253)

Asked whether he envisaged any changes in management style, he replied: "The Barberton Prison is unfortunately referred to as the country's notorious jail and, like my predecessor, I hope to rid it of this reputation."

Brought to book in prison

By DIANA STREAK

A GRADUATION ceremony with a difference was held at Pollsmoor Prison yesterday when nearly 200 prisoners, most of them juveniles, received certificates.

It seemed, like any other school prize-giving

ST Times 12/12/93

as proud parents took their seats while a band played — but when the students filed in they were in prison uniforms and not school ties

The study courses range from school standards and adult literacy programmes to technical courses (253)

The pass rate was 82 percent, slightly higher than the average 79 percent pass rate when the juvenile education programme was launched in 1988 in conjunction with the Department of Education

The Department of Correctional Services' director of education and training, Brigadier Henk Greeff, said

prisoners had to enter the Labour market on their return to society and it was important to prepare them

"The training must be relevant and acceptable to the community," he said

For this reason, outside examiners were involved and the certificates issued by education departments

Abner Solomon, 20, who came first in the standard six class, has been in prison for two years and hopes to study fitting and turning

"I thank God for the privilege I've got," he said Solomon, in jail for attempted rape and kidnapping, said he had had to leave school in 1988 because his father was an alcoholic and his family had financial problems

Omar Abduragman, 19, came first in the standard five class and hopes to complete standard six next year

He is serving 30 months for robbery



CONGRATULATIONS Juvenile prisoners at Pollsmoor wave the education certificates they received yesterday
Picture AMBROSE PETERS

Popcru slated for joining MK rally

CT 18/12/93

253

PARTICIPATION by Police and Prisons Civil Rights Union (Popcru) members in SAP uniforms in the uMkhonto weSizwe Day celebrations in Johannesburg on Thursday has been criticised by police and the Conservative Party.

Law and Order Ministry spokesman Captain Craig Kotze condemned the policemen for marching. He slammed the ANC for allegedly abandoning the principle of impartial policing.

"This is even more important in the light of the upcoming elections which must be seen to be free and fair. The SAP cannot be politicised in this fashion," said Capt Kotze.

"The ANC would kick up an immense song and dance if policemen marched under an AWB banner," he said.

He warned that the matter would be investigated and action taken.

The CP's spokesman on law and order, Mr Schalk Pienaar, said the policemen's participation amounted to contempt for SAP discipline and a challenge to SAP authority.

"It was also a challenge to Minister (Hernus) Kriel and (SAP Commissioner) General Johan van der Merwe who have repeatedly threatened to take disciplinary steps against such transgressors," Mr Pienaar said.

"During this parliamentary session, legislation was created to suspend such offenders and if the Minister and the Commissioner do not want to make themselves look ridiculous, toothless and powerless, they should immediately take appropriate steps.

"If they do not, then the public's worst fears will be realised — that the ANC is already in control of the country and that it has no respect for law, authority or order" — Sapa

Row on police in MK Day parade

(25) (253)
A ROW has developed over Police and Prisons Civil Rights Union (Pop-cru) men in SAP uniforms marching in Umkhonto we Sizwe Day celebrations in Johannesburg. *ARC 18/1/93*

Criticism came from government members and the Conservative Party

Law and Order Ministry spokesman Craig Kotze condemned the participation of the policemen and the ANC in the Thursday function for again "flagrantly abandoning the principle of impartial policing".

"This is even more important in the light of the upcoming election, which must be seen to be free and fair. The SAP cannot be politicised in this fashion," Mr Kotze said

"The ground rules for union activity in the police are now in place for everyone to see and there is simply no excuse for any member of the police to march under any political banner.

"The ANC would kick up an immense song and dance if policemen marched under an AWB banner. It is time the ANC realised there is a common interest and should not be so short-sighted"

Mr Kotze added that the participation of Pop-cru members would be investigated and the appropriate action taken

The CP spokesman for law and order, Schalk Pienaar, said the participation of the policemen was blatant contempt for SAP discipline and an open, repeated challenge of SAP authority

"It was also a challenge to Minister (Hernus) Kriel and (SAP Commissioner) General Johan van der Merwe, who have repeatedly threatened disciplinary steps against such transgressors

"During this parliamentary session legislation was created to suspend such offenders, and if the minister and the commissioner do not want to make themselves look ridiculous, toothless and powerless, they should immediately take appropriate steps.

"If they do not do this the public's worst fears will be realised — that the ANC is already in control of the country and that they have no respect for law, authority or order and will take the law into their own hands whenever they wish." — Sapa.

Military land to be used for a new prison

By DIANA STREAK *SI Times*

A SECTION of the Wingfield military base which borders residential areas has been proposed as the site for a new R130-million prison 19/12/93

A 50-hectare section of the base, known as Noordkamp, is to be taken over by the Department of Correctional Services early next year and the project will take three years to complete

The prison would accommodate 1 600 awaiting-trial prisoners and 200 houses for staff would be built on the site, a department spokesman said (253)

"Noordkamp is close to town so it is easier to get prisoners to court every day," he said

Goodwood's town clerk, Dave Wilken, said "We have approved the development in principle after consulting a wide range of members of the community"

"The Department of Correctional Services must now supply plans to us for approval."

Agreed

"The planning will be done in consultation with us so it will blend in with the community"

Ratepayers' associations have agreed to the prison being built on the site, which borders Edgemead and Monte Vista

"There is a real need for new prisons," said Patrick Rhategan, chairman of the Monte Vista Ratepayers' Association

He said the prison had been presented as one of several options at a public meeting which took place at the time ANC president Nelson Mandela said government land was "fair game for low-cost housing"

Other proposals had been for a shopping centre and a retirement village, but these had been considered impractical

Mr Rhategan said the prime site was suited to informal housing

Stop harassment, Popcru tells police

JOHANNESBURG — The "Police" and Prisons Civil Rights Union called on Law and Order Minister Hernus Kriel to restrain officers from "victimising and harassing members of the union"

Popcru called on Mr Kriel to immediately integrate assistant constables into the permanent force. ~~25~~ 253

"Popcru also notes with dismay the Department of Correctional Services's employment of new recruits as correctional assistants and calls upon Minister (Adriaan) Vlok to halt this practice without delay." ~~AA~~ 20/12/93

The union said it was imperative that affirmative action be instituted — Sapa.

The cell of death . . .



'I saw a blue flame and at the same time I was covered in blood'

Argus Correspondent SUSAN SMUTS reports on a grenade attack at Vereeniging prison in which three warders died

A YOUNG prison warder has described how he saw a colleague's face blown away by a hand-grenade during an apparent escape bid by convicts at Vereeniging prison on Saturday night

Three warders were killed and eight injured — three critically — when a man convicted of murder lobbed a Russian F1 grenade at them as they stormed a cell in Section C shortly after 8pm to stop a fight among inmates

Sergeant Robbie Kotze, 23, Sergeant Arend Swane-poel, 26, and Sergeant Petrus Rantsaila, 36, died in the attack

Major Braam van Jaarsveld, 40, Warder Frik van Wyk, 28, and correctional assistant Frans Lipolo, 30, are in a critical condition at the Garden City Clinic in Johannesburg

Warder Wolfie Pitzer, 25, Sergeant Frans Hamman, 25, Warrant Officer Gerrie Engelbrecht, Sergeant Coenraad Groenewald and Warrant Officer Loekie Steyn were discharged from Vereeniging Hospital yesterday

The Department of Correctional Services had been tipped off on Friday that

arms might be smuggled into prisons, Correctional Services spokesman Brigadier Chris Olckers said. No prison had been specified and regional commissioners had been alerted, he said

Warders speculated that the grenade had been obtained by a convict when he appeared in court on further charges. Brigadier Olckers said it appeared the man, who claimed to be an MK member, had been walking around with the F1 grenade and another grenade hidden in his underpants for a week

Warders told how prisoners, who had been huddled in a corner of the cell during the blast, clambered over the bloodied bodies of the victims to attack them with sharpened spoons and tried to take the master key to the gates which stood between their cell and freedom

The warders said they believed prisoners had set up a trap to lure them to the cell before hurling the grenade at them

Survivors were still shocked at the death of their colleagues as they described the nightmare. It began when they were called to the cell after prisoners stabbed an inmate.

Warder Pitzer said "I saw a blue flame and at the same time I was covered in blood. The force of the explosion pushed me back and I tried to run out of the cell." He had several injuries, including a shrapnel wound in the left eye

Sergeant Hamman said he threw the master key on to the roof to prevent prisoners escaping and to save the warders' lives because the prisoners would "kill you just for the master"

"It was a night I don't want to live through again," he said as he recalled trying to stop prisoners fleeing the cell. He said a prisoner had saved his life by seizing a baton and pushing the other prisoners back

Marilize Kotze, 23, widow of Sergeant Kotze, sobbed bitterly as she recalled her husband's fear of Section C. She claimed prisoners had previously threatened his life and said he wanted a transfer. The couple had been married for two years

Two men have been arrested and police are investigating three charges of murder, eight of attempted murder and two of escaping custody. Police spokesman Major

253
ARG 20/12/93
Piet van Deventer said further charges such as illegal possession of explosives, might be added after the investigation was complete. The possible involvement of other prisoners in the cell — which housed 34 convicts — was being investigated

Correctional Services Minister Adriaan Vlok — who announced on Saturday he would retire from politics after April 27 — expressed shock and outrage at the blast, and extended condolences to the families of the dead men.

He said such incidents could not and would not be tolerated

"Members of the Department of Correctional Services execute their duties unarmed in the interest of the community. The manner in which the hand-grenades were smuggled into the prison will be investigated at the highest level."

He said he would visit the victims as soon as possible

● Last night five awaiting trial prisoners escaped from the Vereeniging police cells after sawing through the bars of their communal cell

3 warders killed in blast at Vaal prison named

Sowetan 20/12/93

THE three prison warders killed when a Russian-made handgrenade exploded inside Vereeniging Prison on Saturday night were Sgt Robbie Kotze, Sgt Arund Swanepoel and Sgt M Rantsala (253).

Three warders critically injured in the explosion were air-lifted to the Garden City Clinic shortly after the blast. Correctional Services Department spokesman Brigadier Chris Olckers said the men were fighting for their lives in the clinic's intensive care unit.

Prison head

The wounded were prison head Maj Braam van Jaarsveld, warder Frik van Wyk, whose one arm had to be amputated, and an assistant, H A Lipolo.

Others injured in the explosion were warder V P Pitzer, W/O Gerrie Engelbrecht, Sgt F Hamman, Sgt C G Groenewald and W/O Loekie Steyn.

Olckers said the incident was receiving

top priority and was being investigated under the command of regional commissioner Major General Braam van Zyl.

He said the man who lobbed the Russian-made F1 handgrenade after a fight between prisoners was being held in custody at another prison and would appear in the Vereeniging Magistrate's Court on three charges of murder and another three of attempted murder.

Further charges

Olckers said the handgrenade had apparently been smuggled into the cell which accommodated several prisoners who had already been convicted but were awaiting further charges.

Correctional Services Minister Adriaan Vlok said the death of the three warders and the injuries to the others had come as a great shock to him.

Sapa

Warders killed as prisoner lobs grenade

THREE prison warders were killed and three others critically injured when a prisoner lobbed a hand grenade at them inside Vereeniging Prison on Saturday night. Five other people were also injured.

The unarmed warders had entered a cell after a fight broke out, Correctional Services spokesman Brig Chris Olckers said. Shortly afterwards one of the prisoners had thrown a Russian-made F1 hand grenade at them.

The prisoner who allegedly threw the grenade and another inmate tried to escape after the explosion. Both men were recaptured on the premises.

The warders killed were Sgt Robbie

Kotze, 23, Sgt Arund Swanepoel, 36, and Sgt M Rantsaila. 20/12/93

The critically injured warders were airlifted to Garden City Clinic in Johannesburg. They were prison head Maj Braam van Jaarsveld, 40, warder Frik van Wyk, who had to have an arm amputated, and an assistant, H A Lipolo. Olckers said they were fighting for their lives in the clinic's intensive-care unit. (253)

Others injured were warder V P Pitzer, W/O Gerrie Engelbrecht, Sgt F Hamman, Sgt C G Groenewald and W/O Loekie Steyn.

Olckers said the incident was receiving top priority and was being investigated by

a squad under the command of northern and western Transvaal regional commissioner Maj-Gen Braam van Zyl.

The prisoner who allegedly threw the grenade was awaiting trial on a murder charge, and was already serving 12 months for escaping from police custody.

Olckers said it appeared the prisoner had planned to hold warders hostage to secure his release.

A second explosive device — a stick grenade — was found in the prison courtyard yesterday morning and detonated under controlled conditions.

Correctional Services Minister Adriaan

To Page 2

Grenade

Vlok expressed shock and outrage at the incident. He said such incidents would not be tolerated. (253)

"Members of the Correctional Services Department execute their duties unarmed in the interests of the community. The manner in which the hand grenades were smuggled into the prison will be investigated at the highest level," Vlok said.

The Minister extended his condolences and sympathy to the bereaved and those injured in the blast. He said he would visit the victims at the earliest available opportunity.

Vaal Triangle police spokesman Maj Piet van Deventer said police were investigating three charges of murder, eight charges of attempted murder and two of attempting to escape police custody.

The man who allegedly threw the grenade was being held in custody at another prison and would appear in the Vereeniging Magistrate's Court this week.

Olckers said the grenade had apparently been smuggled into the cell, which accommodated several prisoners who had already been convicted but were awaiting trial on further charges. — Sapa.

From Page 1

Eight injured in prison cell fire

Star 21/12/93
Wolmaranstad

Eight prisoners were seriously injured in a fire at Wolmaranstad Prison in the western Transvaal last night after a prisoner apparently set a cell alight in response to a search by prison authorities.

Department of Correctional Services spokesman Brigadier Chris Ockers said the incident occurred after a surprise search of the prison, which houses about 120 inmates (253).

Warders took 20 minutes to extinguish the fire, which caused extensive damage.

A charge of arson is being investigated by the police.

■ Charges of murder may be brought against all 34 inmates of the cell in Vereeniging Prison where three warders died after a convict threw a hand grenade at them on Saturday night.

Eight warders were injured in the attack.

Five were discharged on Sunday while three are still in critical condition in the Garden City Clinic in Johannesburg.

Two convicts arrested on the prison grounds after the blast are to appear in court shortly on charges of murder, attempted murder and escaping custody.

Staff Reporter and Sapa

HSRC to study prison violence

Sowetan 24/12/93

By Bongani Mavuso

INDEPENDENT PROBE Ministry asked to recommend visiting judge:

THE HUMAN SCIENCES Research Council is to conduct a scientific study in South African prisons to investigate the climate of violence, staff and prisoner relations

Department of Correctional Services director of communications Mr Chris Olckers said yesterday the department had requested the HSRC to conduct the study

The South African Prisoners' Organisation for Human Rights yesterday welcomed the move. The organisation's head, Mr Golden Miles Bhudu said it was a "pity" that his organisation was not given free access to visit prisoners

"We don't have access to our members who are in a position to fully inform us about daily violence in prisons and the relationship between warders and

the prisoners," Bhudu said

Olckers said his department was striving to treat prisoners "as humanely as possible without impairing personal dignity" (253)

He said less than 20 gang fights occurred at more than 280 prisons throughout the country this year

"If the fact that more than 400 000 people enter and leave South African prisons annually is taken into account, this figure is indeed very low"

Olckers said South African prisons housed some of the most notorious, ruthless and violent criminals in the world "But every incident of violence is cause for concern. Nearly 35 percent

of the country's prison population are in prison because of violence-related crimes," he said

He said apart from regular visits by judges, the Minister of Correctional Services had requested the Justice Ministry to appoint a Supreme Court judge to visit prisons of his own choice and make a report on his findings

Bhudu commented "A climate of mutual understanding between warders and prisoners must be worked on immediately

"If prison authorities are committed to trying to heal the situation, they should reconcile, reform and democratise the prison system."

Star 24/12/93

Dagga drama in prison

A warder implicated in a dagga smuggling operation inside the Grootvlei prison near Bloemfontein shot dead a colleague and injured another after a quantity of the drug was found in his possession yesterday, the Department of Correctional Services said.

Warrant Officer E Smit (46) was killed. Warrant Officer L Nel was wounded.

A Correctional Services spokesman said the two were investigating complaints that

warders were supplying dagga to convicts when they saw Warrant Officer OT Nkomo handing a parcel to an inmate.

A search of Nkomo's and Warrant Officer SA Selinyane's bags revealed a considerable amount of dagga.

The two warders were in an office when Nkomo entered and allegedly fired at them.

Smit was killed instantly, but Nel managed to overpower Nkomo and arrest him —
Crime Staff. (253)

1993's 1 070 jailbreaks probed

THE individual circumstances of every incident in which a total of 1 070 prisoners escaped from custody during 1993 was being investigated by the Correctional Services Department and the police, a spokesman said yesterday. **BIDON**

Lt Rudi Potgieter said the circumstances surrounding each escape was different and if existing security arrangements were found to be at fault, these were rectified where necessary. **3112193**

He said the figure of 1 070 represented the number of prisoners who had escaped from custody during the 11 months from January to November. **(253)**

He emphasised that in some instances more than one prisoner had been involved which meant the number of incidents was actually less than the figure implied.

SUSAN RUSSELL

Potgieter added that 1 070 represented only 0,0029% of the daily average number of prisoners

There was a turnover of more than 400 000 prisoners a year with a daily average of about 111 600.

Most of the escapes had occurred when prisoners temporarily left prison to go to hospitals, courts and places of work

Potgieter said investigations sometimes showed that an escape had occurred as a result of negligence by members of the department

If this was the case, Correctional Services took appropriate steps even if that entailed charging the person or persons responsible