

PUBLIC SECTOR GOVT. - PRISONS

1994

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By JACK BLADES
THE new commander of South Africa's most notorious jail led us through two sets of floor-to-ceiling bars. The gates slammed behind us. Locked.

Ahead, about 500 convicts in drab green sat facing four warders

But no guns were evident. The mood of the men was rather like that of a football crowd. Laughter greeted the commander, Brigadier Msotho Timothy Khoza, as he sat down among them.

He took off his peaked cap, handed it to one of them to hold and began chatting.

He told them who we were and one asked boldly "Will you let me write to the Sunday Times?" Khoza said he would. There were cheers.

This was Barberton, which earned a reputation for brutality a few years ago when prisoners were reported to be dying of heat exhaustion after being forced to work under a hot sun. It is a reputation Khoza is determined to change — fast.

He is the first black officer to be given charge of a South African prison. And he is glad the latest prison reforms will help him.

He was enthusiastic about the trend towards giving prisoners useful work. "We want men to leave here able and wanting to work, instead of wanting to steal. We try to help them get jobs. I know it's tough out there when it's known a man is an ex-convict."

Khoza, 53, is no stranger

A change of guard at the jail of shame

Sunday Times 2/1/94

to Barberton, where he joined the Correctional Services in 1961 and returned after spells at other prisons. He was commissioned in 1979 and was in charge of the maximum security section until he succeeded Brigadier Andre Terblance as commander in December (R53).

He is married and has five children, two of whom are in the Prison Service. He wanted to be head of the Barberton Prison since his boyhood when he saw prisoners working outside being guarded with assegais and knobkerries. He wanted to do something for them.

"Prisoners are human beings too," he said. "Treat them as such and they'll cooperate with you. Even the men in jail gangs, in maximum security, are beginning to respond."

Brig Khoza said prisoners who can't read or write are taught, those who can are encouraged to develop their skills. Gardeners gra-

duate on the prison farm. Others who want to learn a trade are given the chance. "In the old days," said Brig Khoza, "a third remission of sentence for good conduct was the rule. That's gone. Now a prisoner must co-operate with us, learning to be a useful citizen, and if he does he can earn points which give him parole."

But Brig Khoza isn't a softy. He adds firmly: "If a prisoner won't co-operate, he must serve his full time."

Barberton has about 3 000 prisoners, black and white, who often share cells. About a third of the prisoners are in maximum security.

Most of the rest are freed from their cells between 6am to 10pm, and only one staff member supervises the lock-up.

At least 45 men are serving their sentences outside.

Some are under a form of "house arrest" — they can live with their families

on condition they have jobs, fixed accommodation and stay clear of crime.

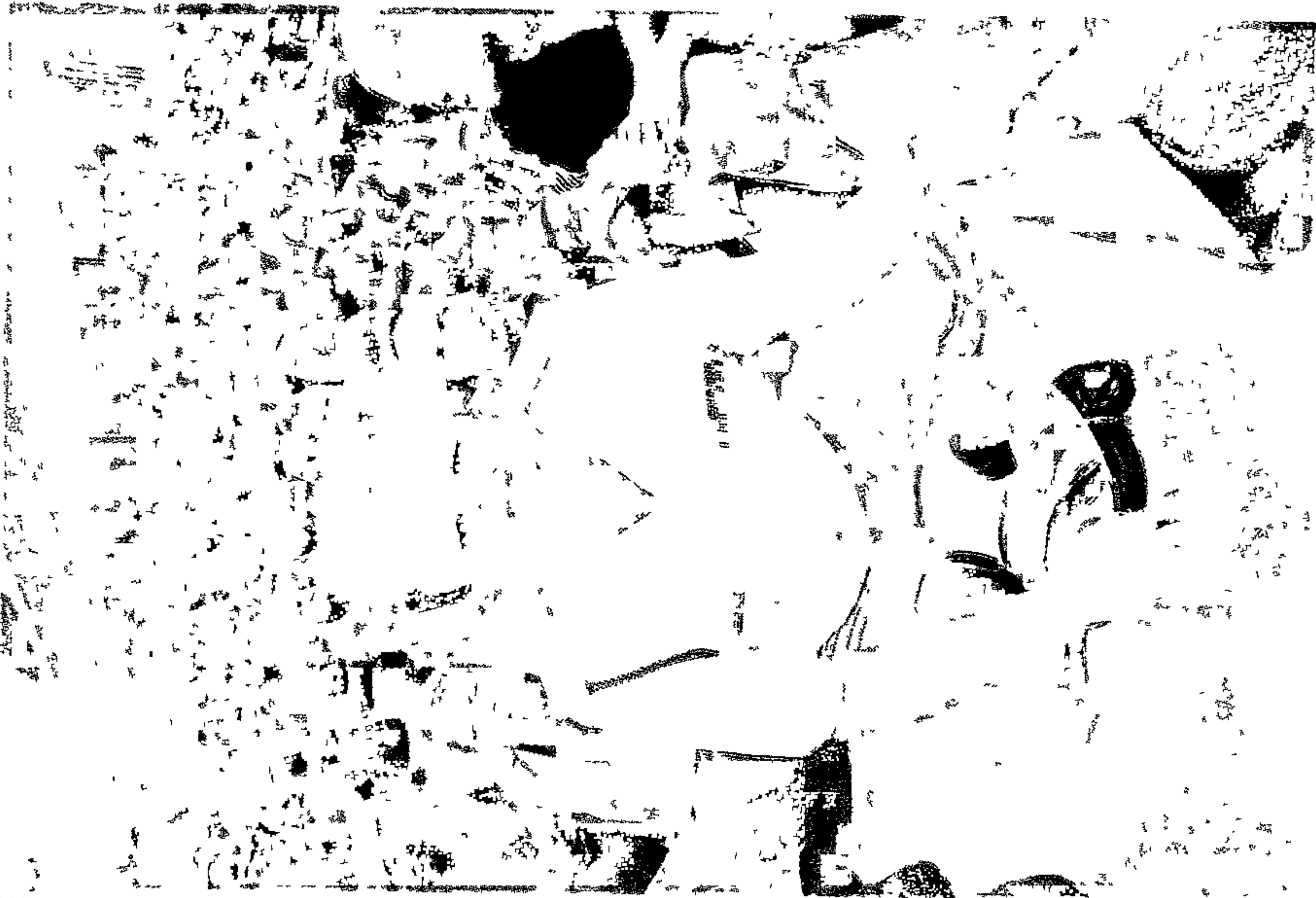
Some leave jail in the morning, alone, to work in town, returning to sleep. He believes the number of escapes — seven last year — is small.

Brig Khoza sees his biggest task as relieving the inevitable boredom of being in jail.

He wants to provide more sport — especially boxing and soccer. Dunga Thobela has paid a visit and last month Orlando Pirates played the prison officers' team — and beat them 7-0.

The match was watched by 2 000 people, half of whom were prisoners — "and there was no trouble," says Brig Khoza. "Co-operation between staff and prisoners is growing fast. Nobody went missing."

"If we can beat boredom we can cut down frustration and tension — and trouble," Brig Khoza said.



FIRM BUT FRIENDLY ... Brigadier Msotho Khoza, the new commander of Barberton prison, with some of the prisoners. Picture. JAMES SOULLIER

Radio Pretoria calls for aid

GAVIN DU VENAGE

CHAMPIONS of free speech and democracy were remarkably silent about threats to close down the right-wing Radio Pretoria, station head Mossie van den Berg said at the weekend. **BIDON 31194**

With only a few days left of the temporary licence government had reluctantly extended in mid-December, Van den Berg appealed for support of the station's attempts to get its licence extended or amended to a permanent licence. Radio Pretoria's temporary licence is due to run out on January 4. **(253)**

Organisations and countries that had for years claimed to be concerned about human rights, and the right to free speech, had kept silent on threats to close the station, he said.

Now that Afrikaners were using the same rights liberals espoused to promote their cause, freedom of speech was forgotten and the station was branded a danger, he said.

"It is the right of all peoples to promote their culture, and to do so through the broadcast medium," he said.

Last year right-wingers had vowed to protect the station from closure.

Its premises at Donkerhoek near Pretoria had been heavily guarded and surrounded by barbed wire.

Shortly before the last licence expired, an appeal had been broadcast for commando members to report to the station. More than 200 men had responded.

Home Affairs Minister Danie Schutte extended its licence at the last minute on condition the station did not indulge in political broadcasts. However, Van den Berg said he would use the guidelines followed by the SABC.

"I have told the Minister that we are prepared, even willing, to receive the same treatment (over political broadcasting) as the SABC."

With the new deadline approaching, Van den Berg would not be drawn on what would happen should the extension to Radio Pretoria's licence be refused by the authorities.

He said that the uphill struggle to get the last licence extended had begun again.

The station had put its case to government, and it was now up to the Minister, Van den Berg said.

WHO slams SA on jail condoms

BIDON 31194
KATHLYN STRACHAN

IN ITS strongest call yet for reforms in prisons, the World Health Organisation (WHO) has urged governments to provide condoms in prisons. And SA and the US have been singled out for reform with their widespread reports of male rape in prisons.

However, the Correctional Services Department said it would not change its policy as providing condoms would condone criminal sexual activity. "It is against the average morals and ethics of society," said spokesman Chris Olckers. **(253)**

The rate of infection in prisons was far less than the average HIV per capita rate. Out of 114 000 prisoners, 389 had tested HIV positive. While there was no compulsory HIV testing, many had asked to be tested, he said.

But local AIDS activists have identified the prison population as the weak link in the chain in trying to stem the spread of HIV. Prisoners interact with the rest of society and public health problems cannot be dealt with separately, they say.

Countries such as Switzerland, Canada, Hungary and Holland already give out condoms in prisons.

CT 12/1/94 (25) (253)

Law and Order man must resign — police

PRETORIA — The South African Police Union (Sapu) has called for the immediate resignation from the police of Law and Order Ministry spokesman Captain Craig Kotze

In a statement yesterday, Sapu accused Capt Kotze of using the police as a springboard to attack political opponents. It said it was "sick and tired of politicians abusing the police service to satisfy their own political agendas" — Sapa

Call on SAP spokesman to quit

Staff Reporter

(253)

ARC 12/1/94

THE South African Police Union (Sapu) has demanded the resignation of Law and Order Minister spokesman Craig Kotze and Police and Prisons Civil Rights Union (Popcu) president Gregory Rockman

nation of Mr Rockman as a candidate for the African National Congress in the coming election. "This just confirms Popcu's political affiliations which they, up to now, so strongly denied"

Sapu says in a strongly worded statement it is "sick and tired of politicians abusing the police service to satisfy their own political agendas"

Sapa reports that Captain Kotze, responding to Sapu's demand for his resignation, said "This call is somewhat strange considering it comes from what is regarded by many as an official puppet union."

It notes that Captain Kotze has "again used the SAP as a springboard to attack political opponents" It demands his resignation and loss of his rank so that he can be employed instead as a civilian spokesman for the Minister of Law and Order.

He added "If condemning the ANC's Peter Mokaba for shouting, 'Turn your guns on the police' and 'Kill the boer, kill the farmer' or condemning Apla for attacking soft targets or condemning violent rightwing action and rhetoric can be considered meddling in politics — then so be it"

Sapu is "not surprised" by the nomi-

South African prison law, long immune from legal challenge, is set to undergo a major overhaul as a result of the country's adoption of a Bill of Rights. Etienne Mureinik looks at how the Bill is likely to change life in our prisons

Bringing light to a concealed corner

Star 14/1/94

(253)

South Africans frequently ask whether their new Bill of Rights is a merely abstract document or whether it will actually change things

Some insight into the Bill's potential impact can be obtained by looking at what is happening to our prison law. It is often said that criminals should be sent to prison as their punishment, not for their punishment. The loss of liberty, in other words, is sufficient punishment, and the prison regime should not be extra punishment.

But in an invaluable study published late in 1992, South African Prison Law and Practice, UCT law professor Dirk van Zyl Smit showed that the prison regime itself was indeed harsh punishment.

Under the law as it then stood, a newly admitted prisoner was generally permitted 24 30-minute visits a year. A 10-minute phone call could be made only at the cost of forfeiting a visit. The prisoner was denied a private musical instrument, TV or cassette player, and permission to practise a hobby or write (except for letters). These restrictions could be relaxed, but they could also be tightened.

The quota of visits might be halved, and the right to trade a visit for a phone call, keep a radio, purchase reading matter or borrow more than one library book a month could be withdrawn. For a disciplinary infraction, a prisoner could be sentenced to 30 days solitary confinement, 18 on spare diet, 12 of them continuous. Spare diet meant 200 g maize meal boiled in water without salt, twice daily, and 15 g soup powder bouled in 570 ml water, once daily.

Nor was release from prison necessarily an end to tyranny. The governing legislation permitted a prisoner paroled before the expiry of the sentence to be recalled to prison for breach of a condition of parole without even being heard in his or her defence.

From Van Zyl Smit's searching analysis appeared, much more fully than can be conveyed here, just how much our prisons remained sanctuaries of immunity from democratic principles. And most of his account of our prison law is still true.

Last year, however, the prison authorities began to reverse the law. Some of their char-



Feeding line . . . prisoners wind slowly along the food queue at the Leeuwkop maximum security jail north of Johannesburg.

ges may be responses to Van Zyl Smit's powerful criticisms. But it is difficult to escape the impression that their work has to some extent been inspired by anticipation of challenge under the Bill of Rights.

The freedom that the Bill guarantees from cruel, inhuman or degrading punishment, for instance, would have been an obvious basis for challenging an order of solitary confinement on spare diet. That punishment has now been abolished.

And the Bill's new right of procedural fairness in administrative action might have given a paroled prisoner the right to demand a hearing before being recalled to prison, but that right has now been conferred

expressly by the revised prison law. So the Bill of Rights may well have been responsible for substantial reform even before its enactment. But what has been done is only a beginning, and much prison law remains questionable under the Bill.

That document gives prisoners the right, for instance, to communicate with and be visited by their spouses or partners and next-of-kin. This right might well be used to challenge the parsimonious allowance that current prison law grants.

The Bill guarantees prisoners access to a lawyer, and, where necessary to avoid substantial injustice, a right to legal aid. These rights should help overcome serious imped-

ments that prisoners now encounter in seeking legal assistance. And although the revised prison law is responsive to the Bill's new rights to administrative justice — rights to administratively fair, reasoned and justifiable — those rights require a substantially more comprehensive overhaul of the administrative system governing the award and loss of remission of sentence and of parole than has yet been accomplished.

The general effect of the rights to administrative justice may well be to bring every part of this sphere of official decision-making — upon which depends whether the prisoner

lives in hope or despair — under the discipline of criteria which are known, justified and consistent. The guarantees in the Bill of Rights promise a radical reshaping of imprisonment. None of them, however, is likely to force quite as fundamental a reconsideration of the prison system as the right which the Bill gives prisoners to be detained "under conditions consonant with human dignity".

Probably the most popular theory of imprisonment is that its purpose is to rehabilitate the prisoner. That used to be understood as an ambition to "cure" the prisoner of criminal tendencies. This conception of rehabilitation has fallen

into discredit, partly because the "cure" seems very often to fail, and many ex-prisoners revert to crime, and partly because the manipulative techniques required to "treat" a prisoner's criminal tendencies have come to be seen as an assault upon the prisoner's autonomy — an invasion of the prisoner's dignity.

Drawing on close study of international thought on the question, Van Zyl Smit suggests a conception of rehabilitation which takes the prisoner's dignity more seriously. Rehabilitation, under one reading of this conception, might mean emancipating the prisoner from dependency, at release, upon crime. At the very least, that might entail a duty on the authorities to ensure that the prisoner does not deteriorate, mentally or physically, on account of imprisonment. More ambitiously, it might be taken to entail a right to the kind of education which gives the released prisoner a fair opportunity to survive without crime.

The new right to be detained under conditions consonant with human dignity may eventually develop into a constitutional support for this more enlightened conception of rehabilitation.

In concrete terms, it may have the effect of converting prisoners' freedom to study from a privilege into a right. It might be used to challenge limitations on prisoners' access to news and information, and upon their freedom to communicate with the outside world. It might be used to challenge overcrowded accommodation.

None of the guarantees in the Bill of Rights are absolute, and a prison law may be defended from challenge under the Bill by showing it, in effect, to be a democratically justifiable limitation on the guarantee under which it is challenged.

Some such defences will no doubt be upheld. But not until after the prison authorities have been called into court and required to supply a full, public justification for the law. Even on its own, this will be great progress. It will bring public accountability to one of the most concealed corners of our community.

Etienne Mureinik is Professor of Law at Wits University.

Welcome for AWB prisoners denied

(253) CT 15/11/94

JOHANNESBURG — Prison warders are giving AWB prisoners preferential treatment, the SA Prisoners' Organisation for Human Rights claimed yesterday — but prison officials denied this last night

The organisation said in a statement that about nine AWB men charged with acts of terrorism in Munsieville, Krugersdorp, had been warmly welcomed by officials at Johannesburg Prison and were receiving preferential treatment

They had been given isolation cells instead of being kept in group cells with other awaiting-trial inmates and had been provided with new blankets, sheets and dishes

It was also claimed that prison officials had been taking food parcels to the suspects

The prisoners had also received

visitors wearing AWB uniforms and chanting AWB slogans

Department of Correctional Services spokesman Lieutenant Rudi Potgieter said the men had only been kept apart to maintain peace among other inmates

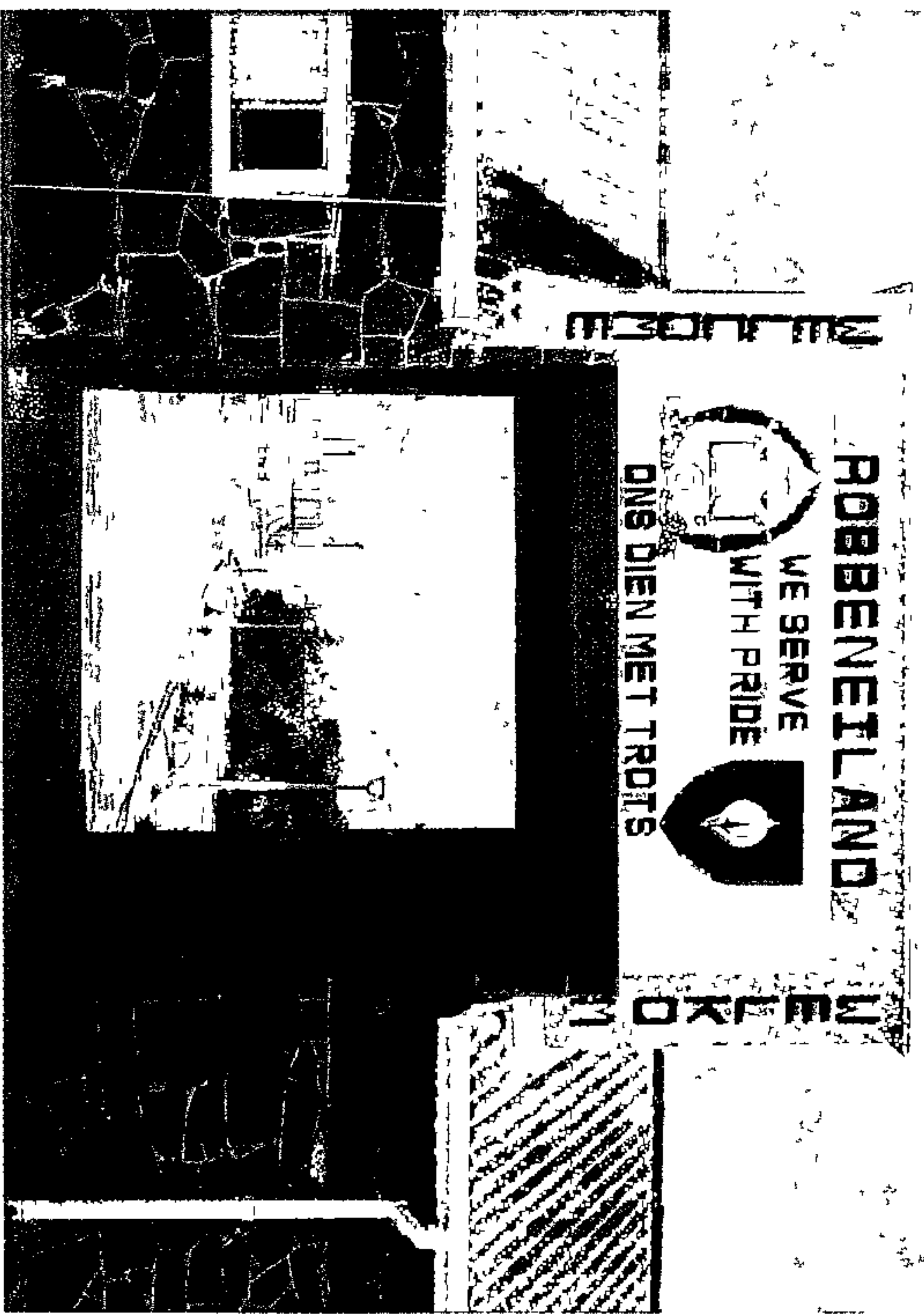
They were being housed separately from other prisoners "to prevent conflict and disruptions"

Unruly

He denied that the suspects had been "warmly welcomed" by prison officials and had received new, unused bedding and equipment

As awaiting-trial prisoners the men were entitled to visitors

The visitors had sometimes been unruly but had been warned to quieten down. The parcels they had brought had contained only items allowed to awaiting-trial prisoners



□ WELCOME ... That is the message the Department of Correctional Services displays to visitors entering from the port

Pictures ANDREW INGRAM, Weekend Argus



□ FAUNA: Penguins flock together in the famed Robben Island colony

Arresting island view

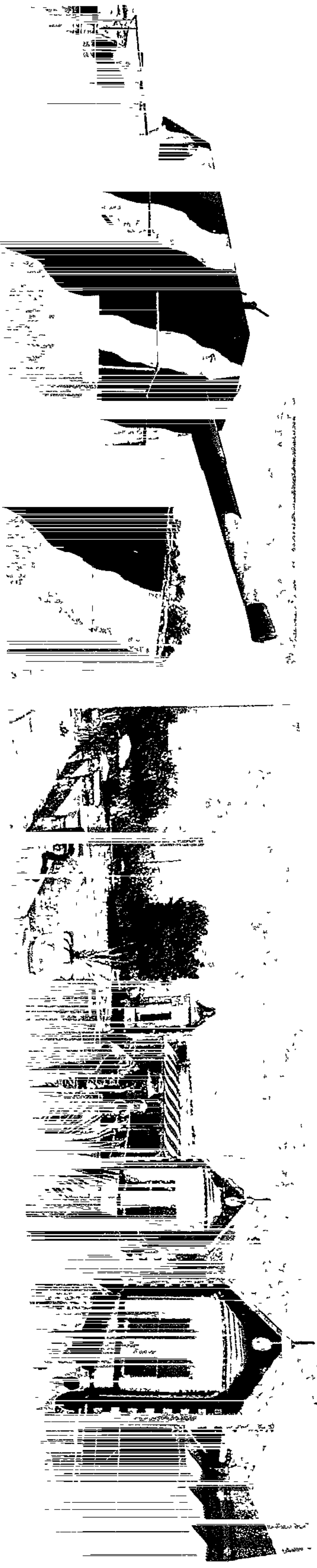
(253) Ark 22/1/94

Escape to Robben Island, the brochures could read Weekend Argus Reporter **HENRI DU PLESSIS** reports

HENRI wondered what it looked like — that piece of rock out there in Table Bay?

You'll have to wonder a little longer as tours to Robben Island are booked up in the first month of the year.

The Department of Correctional Services is operating



... on Y...
 people at a time because the
 tour bus has only 30 seats

According to guide and
 public relations officer Anne-
 marie Moolman, the tours
 have proved highly successful
 since they started in 1988

They take half a day, with
 visitors boarding the ferry in
 Cape Town harbour in the
 morning, to return at noon, or
 joining the ferry at noon to
 return at 4pm

For R35 a tourist gets the
 boat trip, a finger lunch and a
 bus tour of the island

A visitor will disembark in
 the small harbour and board
 the bus

The bus drives through a
 park gateway built of
 Malmsbury slate stone, on
 which the foreboding "Wel-
 come to Robben Island" is a
 cynical reminder of the "wel-
 come" to less-privileged vis-
 itors

On the other side of the
 gate is the main prison build-
 ing

To the right of the prison is
 the Kramat (Muslim shrine
 over a grave) of Muslim holy
 man Sayed Abdurahman Mo-
 ura, again in Malmsbury
 slate, but with gaily painted
 blue and green trimmings

The shrine is kept in good
 shape by the Cape Mazaar So-
 ciety

Not so the old church, built
 for the leper colony who lived
 on the island before it was
 made a prison

This sad building was con-
 structed in 1895 and was last
 used by the South African
 Navy after World War 2 when
 the island was used as a base
 for a short period

There is some game, in-
 cluding even ostriches — im-
 migrants all of them, of
 course

Also interesting to watch is
 the highly active jackass pen-
 numbers by the efforts of the
 seabird charity Sanncoob

Towards the centre of the
 island huge camouflaged me-
 chanical monsters bear testi-
 mony to the defence planning
 of the '40s — 9,2 inch guns
 with their magazines and
 shellrooms deep in the island

rock still stand magnificently
 maintained and proud, even if
 their shing has been removed

Entertainment is to be had
 observing the strange collec-
 tion of truly unroadworthy
 vehicles being driven. A traf-
 fic officer's nightmare, they
 are all finished in rusty
 brown, with only a few spots
 of original paintwork

But one of the things which
 makes Robben Island unique
 is its picture-postcard view
 — from Sea Point to the dis-
 tant haze of Yzerfontein the
 observer can feast his or her
 eyes on a coastline which has
 enchanted mariners since the
 first Portuguese caravan
 made its uncertain passage
 past the Cape

How long the tours will
 continue is uncertain

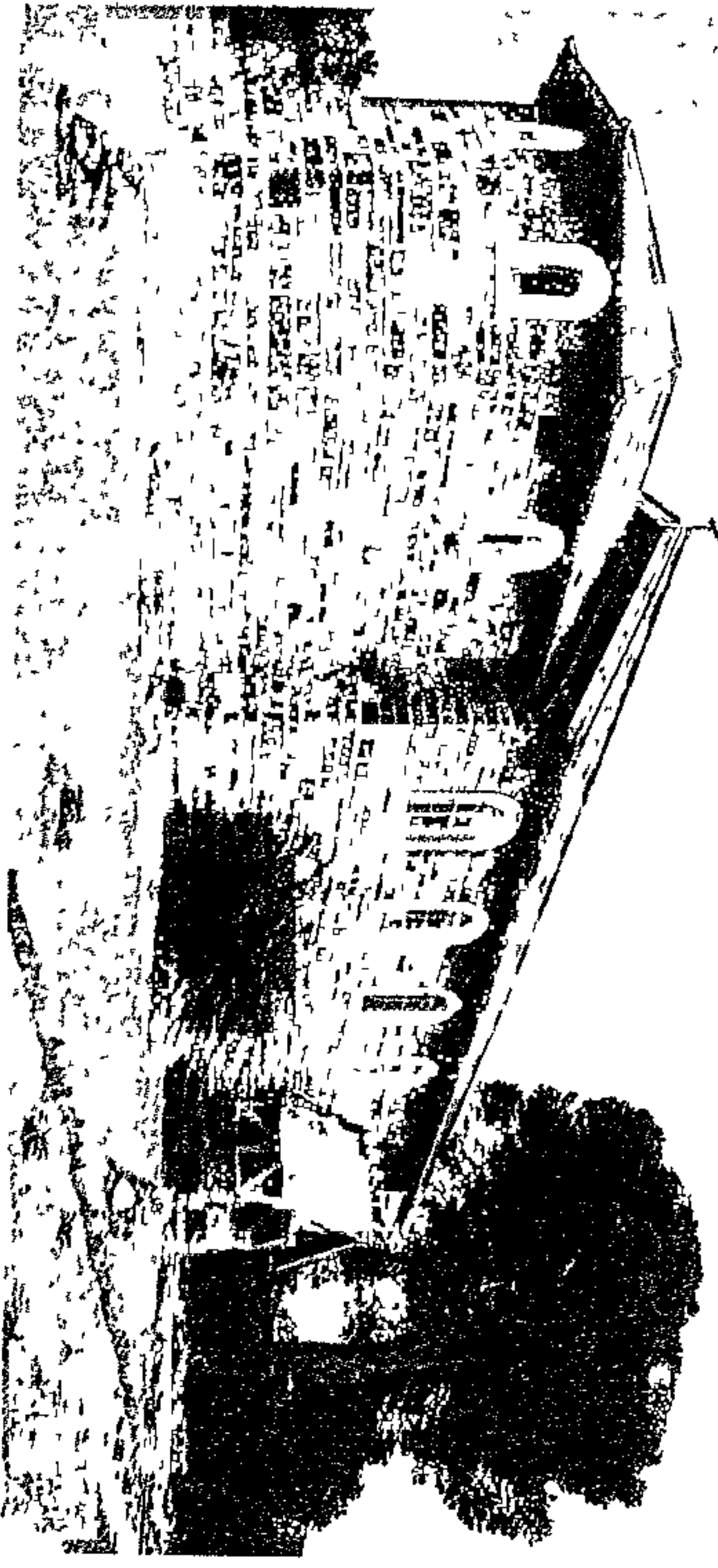
"We never plan more than
 a year in advance — who
 knows what changes may
 come to the island in the fu-
 ture," Sergeant Moolman
 said



□ FIREPOWER: A World War 2 artillery piece pokes from a camouflaged battle-ment



□ OLD STYLE: The gover- nor's house on Robben Is- land, right — colonial com- fort at its best



□ SANDY SHORE: For residents, at least the more priv- ileged, there is this stretch of pristine beach, unspoilt by litter. The water, of course, is icy cold

□ MONUMENT TO FAITH: The old "leper church", left, is one of the sights of the island.



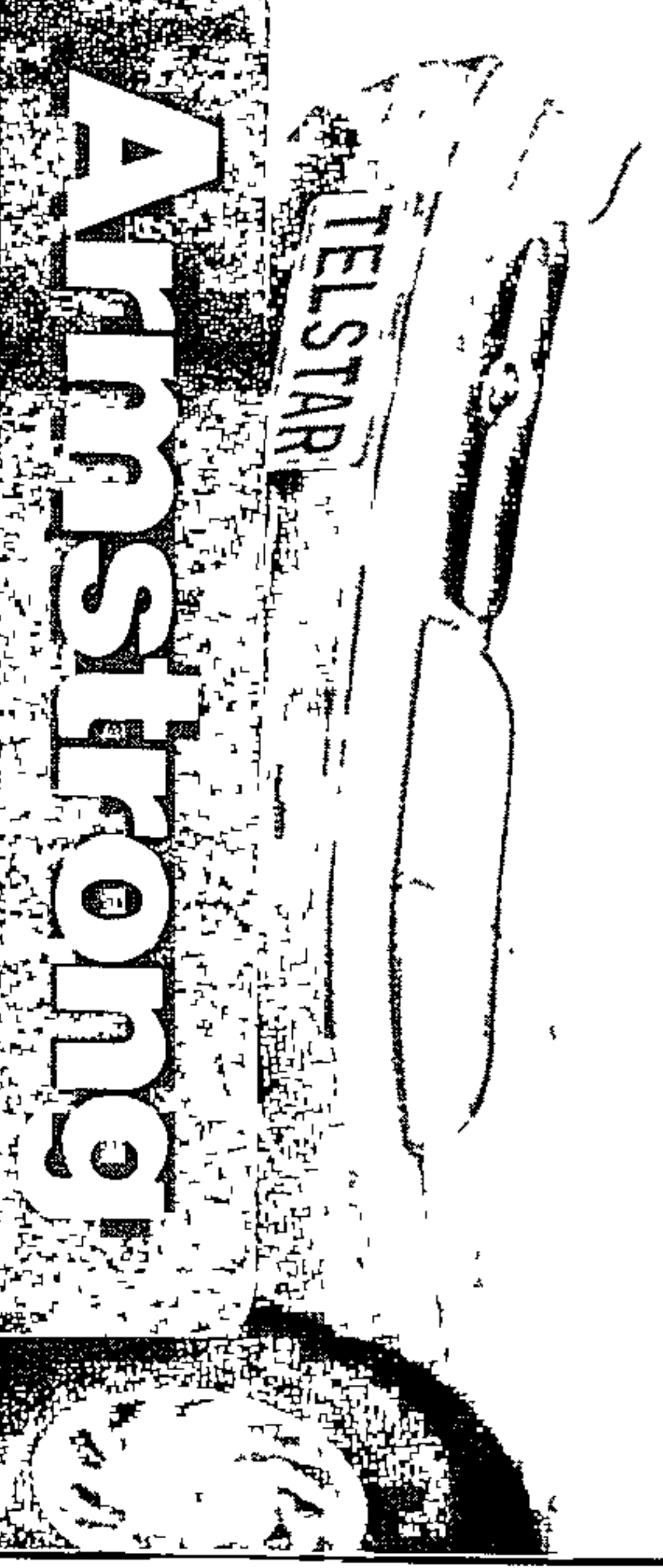
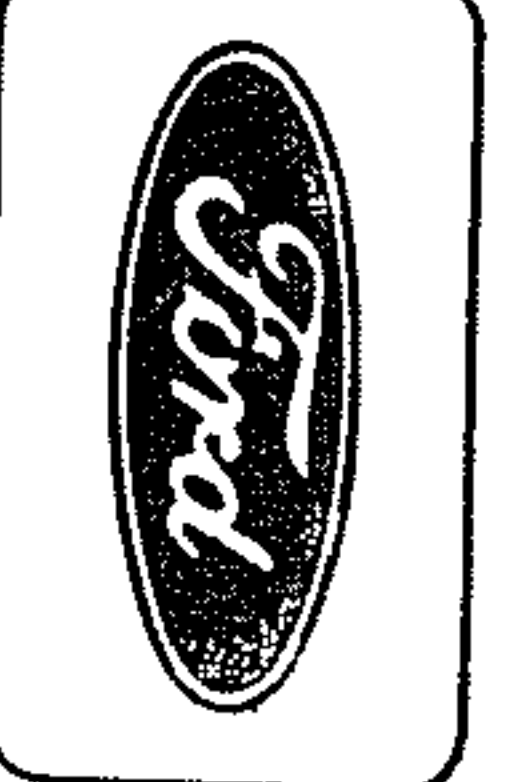
ISLAND GAME: Antelope graze casually around the island, with a dense alien rookery and indigenous milkwood as a hideaway.

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DEPOSIT				
INSTALLMENT				
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54 PAYMENTS OF	R1 595	R1 825	R2 135	R2 570
WHEELSAVE END VALUE	R33 162	R37 697	R43 875	R51 579
63 PAYMENTS OF	R1 195	R1 365	R1 602	R1 895
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DEPOSIT				
INSTALLMENT				
60 PAYMENTS OF	R1 590	R1 820	R2 126	R2 515
LEASE WITH 50% RV (60)	R1 230	R1 410	R1 650	R1 952
WHEEL RENT/RENTAL (60)	R1 178	R1 350	R1 585	R1 875
CAR ALLOWANCE BUYER (LARGE FLEET)				
DEPOSIT				
INSTALLMENT				
60 PAYMENTS OF	R1 520	R1 740	R2 035	R2 405
LEASE WITH 50% RV (60)	R1 150	R1 315	R1 545	R1 825
WHEEL RENT/RENTAL (60)	R1 095	R1 255	R1 475	R1 745

Industry price increase expected early February. Above prices valid while stocks last.

CIPRODD 30/1/94

'We'll shoot racists'

By MOSES MAMAILA

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BLACK warders at Boksburg prison have threatened to conceal firearms to defend themselves against "racist" officers who allegedly abused them.

They also accuse white warders of assaulting a prisoner for having an ANC tattoo.

According to Popcru members, who asked not to be named for fear of reprisals, black warders have vowed to "shoot dead" all the white officers who abused them.

Disgruntled black warders and officers at the prison this week submitted a petition to the commander, Brig Johan Du Toit, demanding the withdrawal of the assistant head of prison, a Maj van der Westhuizen. The major has been

accused of assaulting black warder, Themba Xinwa.

Correctional Services spokesman Capt Koos Gerber confirmed that the memo had been handed in by a group of staff members at Boksburg.

Popcru regional secretary Kenneth Mthombeni said the union had received several complaints from black warders.

He claimed that some warders were harassed by white officers who wanted to know why they did not heed the Zulu stayaway call.

Relating the assault on him, Xinwa told City Press that his crime was to help a prisoner who had been assaulted by a group of officers who are self-confessed AWB members. He said the prisoner was assaulted because he had an ANC tattoo.

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NEWS Venda officials repay fund mon

Inmates allege abuse, threats

By Glenn McKenzie

PHYSICAL abuse and threats by warders of Modderbee prison motivated an escape attempt by a group of prisoners in mid-January, a spokesperson for the inmates alleged last week

Mr Themba Hlela, an inmate claiming to represent the Modderbee Prisoners' Association, telephoned *Sowetan* with a list of allegations against prison staff

Hlela said prisoners were told they would be killed before April 27. He added that prisoners had been repeatedly called "kaffirs" by warders

In response to the threats, up to 40 inmates tried unsuccessfully to escape from the prison

Ten were subsequently punished and placed in isolation cells, he said

Department of Correctional Services spokesperson Captain JS Gerber confirmed that 10 prisoners had tried to escape in mid-January, and had subsequently been placed in isolation, according to department policy.

Gerber rejected allegations of physical abuse by prison staff

Hunger strike

He added that no evidence had been found to support claims that staff members threatened to kill prisoners, or called prisoners derogatory names

Hlela claimed that some prisoners had begun a hunger strike in response to conditions in the prison, but had been forced to stop after being threatened by warders. The Department of Correctional Services denied the charges

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Violence as prisoners go for the vote

Mduduzi ka Harvey

PRISONERS engaged in a national campaign to be given the vote have reported assaults, teargassing and other punitive treatment at the hands of prison authorities

Golden Miles Bhudu, spokesman for the South African Prisoners' Organisation for Human Rights (SAPOHR), said prisoners and warders had reported acts of defiance in at least seven prisons

Prisons affected include Barberton, where prisoners have downed tools, Bloemfontein, where prisoners are on hunger strike, Boksburg, where prisoners are refusing to work or eat; and Rustenburg

In Johannesburg central prison, inmates and awaiting trialists who have joined the campaign were forced to have their meals and subjected to intimidation and assaults, Bhudu said. At Modderbee, prisoners were force-fed and told they were not allowed to take part in the campaign. In Bethlehem and Pretoria local prison, inmates are refusing to work. (253) WJM 4-10/3/94

Bhudu said he had reports of violence at Leeuwkop and Bethal prisons. "Prisoners were assaulted, teargassed, set upon by dogs, and many have been put in isolation cells in an attempt to stop them from striking."

Department of Correctional Services spokesman Captain Koos Gerber confirmed "sporadic incidents" had occurred at "some prisons" where inmates "were refusing food and embarking on go-slows and work stoppages"

However, he said this could not be described as "mass action" as less than one percent of the prison population was involved

He said it was unclear whether the protest action would spread but that it was in prisoners' interests that they "stop such irresponsible behaviour as soon as possible"

The Independent Electoral Commission has meanwhile agreed to meet prisoners' representatives over the right of inmates to cast votes in the April election

Next week's meeting at the World Trade Centre with SAPOHR will discuss whether the Electoral Act can be amended to enfranchise prisoners

Prison drugs racket probed

SI Times [C Metro]

THE Department of Correctional Services is investigating drug smuggling in Pollsmoor Prison's maximum security section.

According to a well-placed source, drugs are brought in by prisoners' relatives during contact visits. Also, several warders allegedly fetch drugs from the homes of prisoners' families.

Groceries, meat and other goods requested by some prisoners are allegedly brought into the prison in the same way.

According to the source, the drugs and groceries are smuggled into the prison by the wives of two prisoners who have been allowed to drive into the maximum security section.

"Boxes of groceries, meat and drugs used to be off-loaded from their car and taken into a senior official's office," the source claimed.

The official's name is known to Cape Metro.

The source said the two women were allowed contact visits with their husbands in the official's office, although their husbands did not qualify for these visits.

On Christmas Day, 13 prisoners were admitted

By AYESHA ISMAIL

to hospital after apparently swallowing fake mandrax tablets.

"The prisoners bought the fake mandrax tablets from a prisoner who is the go-between for warders and prisoners. They were so upset that they blew the whistle," the source said 6/2/94.

According to the source, one of the prisoners is able, in return for R1 500, to get other prisoners' names removed from the lists of transfers to other prisons and, for R1 000, to arrange their transfers to cells of their choice.

This prisoner, whose name is known to Cape Metro, is also able to arrange contact visits for prisoners who do not qualify.

A spokesman for the Police and Prisons Civil Rights Union (Popcu) said the allegations were the tip of the iceberg. He said it was difficult to find the warders involved because they used prisoners to "do their work for them".

Captain JS Gerber, spokesman for Correctional Services, confirmed an investigation was under way into drug smuggling at Pollsmoor.

He denied that boxes of drugs and groceries

were delivered to warders' offices (253).

"There are three entrances to Pollsmoor Prison and it does happen from time to time that visitors gain entrance with their vehicles under false pretences," he said.

"No evidence could be found that the wives of the two prisoners mentioned gained access in this way."

He denied that warders fetched boxes from the homes of prisoners' families and that prisoners could bribe one of the inmates to influence where they served their sentences.

Carnival qu



Island: Reserve or monument

By ANTHONY JOHNSON
Political Correspondent

ALMOST 60% of white South African males believe Robben Island should be transformed into a nature reserve, according to a recent opinion poll

The poll, conducted by the Omnichek division of Research Surveys, found that one in five males believed the island should be turned into a casino (253)

The casino option was particularly popular among young respondents, while almost 70% of males over 50 backed the nature reserve idea. Only eight percent felt the area should be declared a national monument.

In a similar survey conducted among metropolitan black females, respondents were split between the nature reserve (30%) and national monument (37%) op-

tions, while the choice of casino also received the support of one in five.

Commenting on the findings, Research Surveys' Ms Binky Kellas said the disparity on the national monument question was most significant.

"White males do not possess the emotional attachment to the island and don't identify with it from a political perspective."

Golden Miles Bhudu — warned of mass action.

Prisoners fight for vote

■ **JAIL REVOLT** *Inmates plan mass action if not granted right to vote:*

By Glenn McKenzie

WHEN Dah Jele goes to the polls in April, he will be thinking about his friends who still won't be allowed to vote

Jele is a prison inmate who has spent seven years in jail after being found guilty of culpable homicide. He is due to be released on February 16, more than two months before elections. But many of his friends will still be in jail.

Unless the Transitional Executive Council changes the Electoral Act, more than three-quarters of South Africa's 100 000 prisoners won't be allowed to go to the polls in April.

Anyone in prison who has been convicted without the option of a fine will be excluded. That includes anyone convicted of robbery, breaking and entering, malicious injury to property, fraud, corruption, bribery or any violent crime. And it includes Jele's friends.

Imprisoned brother

Earlier this week, Jele's brother Philip visited him with the message that he would be able to vote after his release.

According to Philip, his imprisoned brother was elated. But he issued a dire warning.

"The prisoners will revolt if they can't vote."

South African Prisoner's Organisation for Human Rights confirmed the warning.

Last week SAPOHR members marched to the TEC offices in Pretoria and presented the council with a list of demands. A major point in the document called on the TEC to amend the Electoral Act.

The TEC's management committee, which includes Cyril Ramaphosa, Roelf Meyer and Joe Slovo, was to review the demands at a meeting on Monday. None could be reached for comment.

SAPOHR spokesman Golden Miles Bhudu warned of mass action in all jails beginning in March unless all prisoners are allowed to participate in elections.

"Prisoners have nothing to lose. If you deny them the right to vote, you deny them their humanity. There will be anarchy if these demands are not met," said Bhudu.

Bhudu said SAPOHR will call for a "tools-down" work stoppage in all prisons if the TEC has not dealt with the issue by February 25. Systematic "periodic hunger strikes" will follow.

Real criminals

"The purpose of this action is to render the prison department ungovernable," he said.

Bhudu, a former inmate who served five years for housebreaking, said many common-law "criminals" have been victims of apartheid laws and conditions.

"I don't condone what I did. I broke the law, and illegally entered someone's property. I didn't want to get caught, but I was. And then I really learned who the real criminals are," said Bhudu.

The "real criminals" according to Bhudu, are members of the Correction and Justice Departments. He said the message given by the current electoral act is that certain "crimes" like the "crime of apartheid" will go unpunished while other crimes will be doubly punished.

Many prisoners are angry that former "apartheid ministers" such as Kobie Cotzee and Hennis Kriel will be allowed to vote, while prisoners will not, Bhudu added.

"Until criminals are tried in a 'true' court of justice, there should be no conditions placed on the right to vote."

He added that living conditions in many prisons have not improved despite the end of apartheid almost four years ago.

"I assure you the improvements that have been made are not substantial," he added.

Report by Glenn McKenzie, 61 Commando Road, Industria West, Johannesburg.

Inmates plan mass action if denied vote

DURBAN — Prisoners have warned of rolling mass action in jails across the country if the Transitional Executive Council does not respond to demands by the SA Prisoners' Organisation for Human Rights (Sapohr) that they be allowed to vote

The current electoral act allows awaiting-trial prisoners and those sentenced to jail with the option of a fine to vote, but unless the TEC amends the act, more than three-quarters of SA's 110 000-strong imprisoned populace, most of them black, will remain voteless

Sapohr's rationale in calling for the enfranchisement of all prisoners is that they are the victims of the justice and prison systems, which remain largely unchanged from the days when

they were the primary instruments of apartheid repression

"Beneficiaries of the apartheid state and those in its police, 'defence force' and secret security forces responsible for murders, torture, unlawful assaults, assassinations, detention without trial, insurgency and bomb blasts in foreign countries, and the oppression of people, are all able to vote" a statement from Sapohr said

Sapohr demanded that all sane adults held in custody be allowed to vote

CT 15/2/94
"If the TEC fails to respond to our demands within 15 working days (by March 4), prisoners and social justice-loving people will embark on rolling mass action," said the statement

Prisoners warn of 'rolling mass action'

DURBAN — Prisoners have warned of rolling mass action in jails across the country if the TEC does not respond to demands by the SA Prisoner's Organisation for Human Rights that they be allowed to vote.

The Electoral Act allows awaiting-trial prisoners and those sentenced to jail with the option of a fine to vote, but unless the TEC amends the Act, more than three quarters of SA's 110 000 prisoners will remain voteless.

The organisation is calling for the enfranchisement of prisoners because "they are the victims of the justice and prison systems, which remain largely unchanged from the days when they were the primary instruments of apartheid repression".

Own Correspondent

The organisation called on the TEC to allow all sane adults held in custody, whether sentenced or in police lock-up, to vote.

It also called for the repeal of detention without trial, the release of all remaining political prisoners, the establishment of a commission of inquiry into human rights abuses in custody, and for the creation of a review board empowered to assess the welfare and release of prisoners.

"If the TEC fails to respond to our demands by March 4, prisoners and social justice-loving people will embark on rolling mass action throughout the country," the organisation said.

Broadcasting body shortlist at TEC

B/DAY 15/2/94

ADRIAN HADLAND

PRETORIA — A shortlist of nominations for the Independent Broadcasting Authority is likely to be approved by the TEC today.

The public will have two weeks to comment on the shortlist before each of the nominees undergoes public hearings to determine their suitability and skills.

The broadcasting authority is charged with ensuring no political party is advantaged, or disadvantaged, in broadcasts ahead of the election. It is also required to draw up a code of conduct for radio stations, investigate cross-ownership and examine the financial implications for the SABC of deregulation.

The TEC is also expected to react today to a plea by Home Affairs Minister Danie Schutte that the Independent Broadcasting Authority Act be amended to allow for the granting of temporary broadcast licences.

Applications for licences would be considered only by mid-year, making it essential that the body be given the authority to issue temporary licences, Schutte said. Without this, radio stations which had been given temporary licenses would be prevented from broadcasting for months.

Ciskei takes its place at the TEC for the first time at today's session and will be represented by Ciskei chief negotiator Mickey Webb.

TEC management committee co-chairman Pravin Gordhan said the TEC, its

management committee and subcouncils were beginning to get "on top of their responsibilities" and contributing to the holding of free and fair elections in April.

The TEC "is doing its job, is becoming effective", Gordhan said.

The appearance of KwaZulu police commissioner Lt-Gen Roy Doring at last week's meeting, in which he presented information on the operation of hit squads within his force, was seen as a "peak" in the TEC's activities.

The TEC had been trying to get Doring to appear before it since December last year. Its summonses were rejected by Doring who said the KwaZulu government did not recognise the TEC.

Doring agreed to give evidence to the TEC a few days before the Supreme Court in Natal was due to hear an urgent TEC application to force Doring to appear.

A smaller task group will conduct further investigations.

Other matters to be discussed by the TEC include, the election fund, the launching of a leaflet and brochure publicity campaign on the constitution and the desirability or otherwise for the retention of Section 29 of the Internal Security Act.

The TEC's subcouncil on law and order is also scheduled to give a briefing on the general situation in the country.

Women may need wax to vote

B/DAY 15/2/94

ADRIAN HADLAND

PRETORIA — Thousands of rural women were having difficulty obtaining ID documents ahead of the April election as their fingerprints had become blurred or cracked, the TEC reported yesterday.

Speaking on behalf of the TEC's subcouncil on the status of women, Free State traditional leaders' representative Mina Moroke said manual labour and the handling of animal dung as a housing cement and cleaning chemicals had changed the fingerprints of many women in the rural areas.

Some had been trying for 10 or 15 years to acquire reference books but had been recalled time and again by Home Affairs officials who could not match

new and old fingerprints, Moroke said.

The same difficulties were being experienced when they attempted to obtain voting documents.

About 80% of women in SA lived in rural areas while, of these, up to 60% suffered from fading fingerprints, Moroke said.

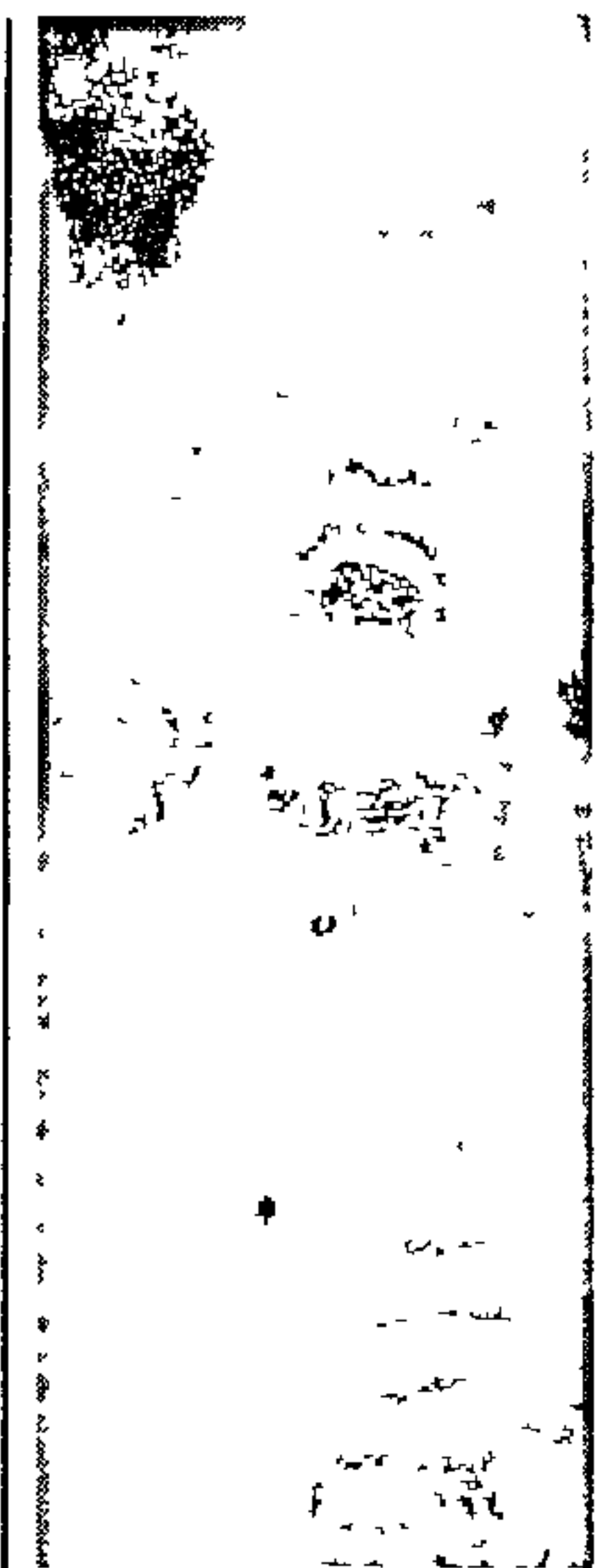
The subcouncil, which was created to remove obstacles restricting women's participation in the election, has recommended rural women apply wax or vasoline to their fingertips for three or four days before applying for ID documents. This would give their fingerprints greater clarity.

Rural women also faced

voting difficulties through the inhibition of their political activities by traditional chiefs, intimidation by non-participating political parties and the incorrect issuing of IDs stating incorrect names or gender.

A lack of access to information, poverty, illiteracy and the burden of housework and childcare further threatened to impede many women's participation in the election, the subcouncil found.

The subcouncil will liaise with the TEC, the Independent Electoral Commission, governments, state departments and traditional authorities to ensure women, who represent 52% of the electorate, place ballots on April 27 and 28.



ANC president Nelson Mandela, in a Beuzidenhout guise, shares a Retreat, Cape Town on Sunday.

Popcru seeks elections role

JOHANNES NGCOBO

THE Police and Prisons Civil Rights Union (Popcru) would seek a meeting with the commissioner of police to discuss policing during the April elections, Popcru president Enoch Nelani said yesterday.

Nelani, elected to the post at the Popcru congress in Johannesburg on Sunday, said that for the elections to be free and fair, Popcru should be given a chance to show its plan for elections policing.

Nelani said the organisation planned to consult with structures involved in monitoring the elections and discuss with them the possibility of Popcru supplying volunteers.

Nelani said that, during the elections, police should be drawn from violence-free areas to help police areas where trouble was expected, such as Natal and the PWV.

Report by J Ngcobo TML 11 Diagonal St, Jhb

Barberton trial could expose prison abuses

(253) WMI8-24/2/94

Mduduzi ka Harvey

BARBERTON prison inmates are hoping the upcoming trial of 14 fellow prisoners will expose a history of alleged abuses at the prison which, they claim, led to the cell-fire in which six prisoners died

Fourteen prisoners will appear in the Nelspruit magistrate's court on February 22, charged with arson and six counts of murder. But inmates are asking whether the August 1991 fire wasn't an act of desperation by prisoners whose complaints about brutal treatment, mysterious deaths and negligence — allegedly at the hands of prison authorities — went unheard.

They hope the trial will answer questions about the deaths of a number of prisoners, including that of medium security prisoner Reuben Makhete, who died in 1988 after repeated confrontations with prison authorities over inmates' treatment.

Shortly before his death, inmates claim, Makhete — charged with murdering another prisoner — threatened to use his pending trial to expose abuses, including the alleged neglect of sick prisoners.

Inmates were told he committed suicide — but believe he was murdered.

Other "mysterious" deaths that still haunt the inmates include those of:

●Bongane Stokwe, who died in 1990. Inmates were told he had escaped but

believe he may have been shot dead after being assaulted by prison officials after an escape attempt.

●Wilson Stompie Hata, who was allegedly found dead in his cell seated, with his legs stretched out before him. Inmates are not convinced he committed suicide by hanging himself with a shirt and stockings and want to know why his clothing was not torn when his body was found.

●Joseph Makamu, who died in October 1991 after a long illness. Inmates believe his death was caused by negligence on the part of prison staff.

Questions remain unanswered by prison warders on the night of the fire. Inside informants claim that instead of prison warders putting out the fire, the hose was directed at prisoners who were huddled in a cell toilet. Prisoners were allegedly kicked and punched by warders.

Department of Correctional Services spokesman Rudi Potgieter confirmed the death of six inmates by suffocation on August 22, 1991 after a cell was set alight by prisoners.

"The final post mortem reports ... indicated the cause of death as suffocation and no signs of assault were found," he said. Because prisoners were being prosecuted for murder and arson the matter was sub judice "You are therefore advised to follow the proceedings in court," he said

'TV channels' keep inmates apart

(253)

Political Staff

WHITE and black women inmates at Kroonstad prison were housed separately at night because they "watched different television channels", according to the civil rights group, Human Rights Watch

In a report Prison Conditions in South Africa, to be released worldwide today, it says racism remained in South African prisons despite legal reforms

At Kroonstad prison, authorities "justified the segregation on the grounds that, due to language problems, white and black prisoners wished to watch different television channels"

During several interviews at different prisons, the group heard of different treatment for white and black prisoners, that white guards routinely used racial insults and that both black and white warders were more likely to assault black prison-

ers and treat them more severely

At the Brandvlei prison hospital, inmates said only whites got milk and whites got different types of eating utensils

Where whites had been introduced into historically black prisons, this had resulted in efforts to improve conditions, for example, by introducing beds

Prison warders also reported racial discrimination in promotions and housing allocation, the report says CT 22/2/94

Call for fresh probe into claims of 'murders' in Barberton jail

□ Prisons report released (253) ARK 22/2/94

THE New York-based Human Rights Watch (HRW) organisation has called for an independent investigation into 1991 riots at Barberton jail, saying prisoners claimed correctional services staff murdered six prisoners during the unrest

The call is contained in a 116-page report released today, which said South Africa's prisons were "extremely violent", and in many aspects remained "depressingly unchanged" since the years of official apartheid

The report said prisoners in Barberton jail burned their cells in August 1991 in order to draw attention to their demands for early release

After the fire and protest subdued, six prisoners were dead

"The official version is that they died in the fire. But several prisoners interviewed by us, who said they witnessed the events, stated that the six were killed by the prison staff

"One prisoner said "They were brutally murdered by the prison members accompanied by the top officers. They trapped them with their boots on their stomachs, and beat them and pulled them along the floor to B section hospital. When they reached the hospital, some of them were still alive"

"Another described the incident as a 'festival of bestial brutality and terror'"

The report said 15 prisoners were charged with murder last year in connection with the deaths of the six. However, there had been no full and independent inquiry, nor had disciplinary action been taken against any of the warders allegedly involved in the incident

Comment from the department, incorporated in the report, was that "the legal process has already been activated and the results up to this stage can be analysed and followed up by any individual, observer or other interested party"

HRW said it appeared that in general, in the more than 20 prisons and police lock-ups visited by its representatives, assaults on prisoners by guards or other prisoners were common and not infrequently fatal

HRW had received numerous other complaints at Barberton jail of assaults on prisoners by staff, including beating with a sjambok and beatings in isolation cells

"In Kroonstad male prisons, we were also told about beatings in isolation cells. An ex-prisoner from Leeuwkop described a 'seven day-punishment' in which a prisoner would be put in an isolation cell for one week and be assaulted every day"

Prisoners in Umtata reported assaults by staff, and inadequate medical attention for prisoners who had been assaulted or who were sick for other reasons

Departmental comment, also incorporated in the report, was that any complaint of assault, no matter how petty, was taken seriously. Prisoners were daily given the opportunity to lodge complaints. All complaints of assault were the subject of formal departmental inquiries, and serious assaults were reported to the police

HRW said that according to repeated testimonies, in practice this mechanism often did not work, but it welcomed the comment as a statement of intent

HRW said Correctional Services had already implemented a number of general reforms to the prison system, including the use of correctional supervision, removal of restrictions on reporting on prisons, greater access to news and outside information for inmates, curtailment of the use of straitjackets and corporal punishment, and a much greater effort to segregate juvenile offenders from adults

However, the department still needed to bring the reality of prison conditions into line with its newly enacted laws and regulations. Many of the improvements needed could be accomplished through policy changes rather than significant financial outlay

Among the report's other recommendations were that

- All cases in which members of the Police and Prisons Civil Rights Union had been disciplined, demoted or fired by the department should be investigated by an independent arbitrator
- There should be more rapid racial integration of the prison system, and those prisons that had traditionally housed only black prisoners had to be improved to match the standards of those historically for whites only
- Military ranks and uniforms, and military-type discipline among warders, should be abolished
- The "privilege" system should be abolished and all inmates allowed contact visits, access to TV and the press, given unlimited use of the library and allowed to write and practise hobbies
- Restrictions on these rights should be used only as disciplinary measures

- Segregation of juveniles from adults should be improved
- HRW offered one recommendation which it said would require significant spending
- "Education and job training for inmates would benefit South African society. Prisoners would be able to find meaningful employment upon their release, diminishing the likelihood that they would return to crime" — Sapa

Campaign by prisoners for right to vote

Sowetan 23/2/94

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■ **MASS ACTION** 10 000 to mount

peaceful resistance campaign in prisons:

MORE THAN 10 000 prisoners will engage in mass action to demand the right to vote

From March 1 members of the South African Prisoners Organisation for Human Rights and their supporters in prisons throughout the country will mount a peaceful resistance campaign, including hunger strikes and work stoppages

This was announced by the organisation's chief, Mr Golden Miles Bhudu, at a Press conference in Johannesburg yesterday

"Prisoners have no choice but to embark on mass action to demand their rights," he said

"We expect the authorities to respond typically with intimidation and repression but it is the prisoners who demand this action because they want the world to understand their plight," said Bhudu

Bhudu said the Electoral Act restricted the vote in prisons to a small percentage of inmates

and was racist, hypocritical and unconstitutional

The act restricts the right to vote to white collar offenders who have an option of a fine

Memorandum

Bhudu said his organisation sent a memorandum to the Transitional Executive Council on February 5 demanding an amendment to the act.

"We were informed by very reliable sources in the ANC that most of the TEC parties could not insist on the extension of the vote to all prisoners as they were avoiding a deadlock," he said

In a message of support, The South African National Institute For Crime Prevention said the franchise was the right of all citizens of South Africa. It said convicted offenders were punished by virtue of their sentence and their punishment was their removal from society and the restriction of movement

NEWS FEATURE Education, skills should be taught in South African's prisons

Sowetan 24/2/94

Prison reform urgent for SA

253

By Peter Fabricius

WASHINGTON — Despite significant reforms in SA prisons, many aspects of prison life remain unchanged since the apartheid years, the New York Human Rights Watch organisation said in a major report yesterday.

In the report, *Prison Conditions in South Africa*, Africa Watch and the Prison Project — divisions of Human Rights Watch — found that prisons were still extremely violent and assaults on prisoners by guards or other prisoners were common and sometimes fatal.

Although apartheid in prisons — requiring black and white prisoners to be housed separately — was officially repealed in 1990, the report says that most prisons retain their "traditional racial profile" with formerly all-white prisons still largely white and formerly all-black prisons still largely black.

For instance in the formerly all-white Durban-Westville prison complex, 167 of the total of 229 were white. In three formerly all-black prisons, holding 2 507, 2 617 and 694 prisoners on the days of the visits, 61, 17 and 27 respectively were white.

And all-white prisons still had "dramatically" better living conditions than all-black prisons. Where whites had been moved into black prisons, conditions had improved. Many black prisoners still did not

FATAL ASSAULTS Prisons are found to be extremely violent places:

have basic furniture such as beds, shelves, tables or chairs, according to the report which was based on two separate missions to SA in 1992 and 1993 and visits to 20 prisons and to several police "lock-ups" (detention facilities).

It noted that disciplinary measures, such as withholding meals, solitary confinement and corporal punishment were outlawed last year — but these reforms were only to come into effect in March. It urged that these measures should be accelerated and greater efforts should be made to separate juveniles and adults.

Recommendations

All prisoners should be entitled to contact visits, TV and Press, unlimited use of the library, and to write poetry and practise hobbies.

Most of its recommendations would not be costly, the organisation says. The only one which would require significant expenditure was providing decent education and job training for inmates so they could find jobs and not return to crime after release.

HRW said it received "unprecedented" access to prisons from the Department of Correctional Services to conduct investigations. As a condition for this access, HRW gave the department an opportunity to comment on its

draft report. The final report contains the department's response.

In general, the department said, most of HRW recommendations had already been implemented or were about to be implemented. It agreed that cell furniture was inadequate because of cost restraints but that it was implementing an upgrade.

HRW observed some legal changes had been implemented to amend the three most striking features of South African prisons in the past — the elaborate segregation, strict secrecy surrounding prisons matters and the use of corporal punishment for offences committed in prison.

SA had also revised the death penalty and introduced non-custodial correctional supervision.

Among the changes, overcrowding had been relieved through the release of political and common prisoners, inmates had been given greater access to news and outside information, the use of straitjackets had been curtailed, and much greater effort had been made to segregate juveniles from adult offenders.

The authors opined that while reform would continue, some aspects of prisons would not change, including overcrowding and prison violence — which reflected the violence without the prison complexes visited in-

cluded Pretoria Central, Durban Westville, Robben Island, Pollsmoor, Roermond (Bophuthatswana) Umlata Central and Wellington (Transkei), Brandvlei, Kroonstad, Barberton and Modderbee — a total of 20 prisons.

HRW also visited police lock-ups in Cape Town, Verwoerdburg, Kensington, Khayalisha and Soshanguve.

HRW's specific recommendations — followed by the Department of Correctional Service's comments — include:

HRW — Juveniles should never be housed in adult institutions, nor be put into contact with adults prisoners outside cells, nor be transported to prison with them. HRW notes that allegations of sexual abuse of juveniles are "depressingly routine".

Overcrowding

DCS's reply — There are separate prisons for juveniles. But because of overcrowding and the need to incarcerate them as close as possible to their homes, some are held in special sections of adult prisons.

HRW — All alleged assaults of prisoners by guards or of collaboration by guards in prison gangs should be investigated and culprits punished. The mechanism for lodging complaints often does not work.

DCS — A departmental enquiry is held into every alleged assault and suitable action is taken.

HRW — Cell space should be used with each prison to avoid artificial overcrowding (the report noted cases where

cells were standing empty alongside overcrowded ones. Almost all overcrowding was with black prisoners.)

DCS — Rejected the suggestion of artificial overcrowding and said that separation of prisoners on the basis of sex, age, personal safety, etc, meant that some sections of prisons were more crowded than others.

HRW — All prisoners should have at least one hour's exercise a day.

DCS — This is policy. However overcrowding and staff shortages mean it does not always happen.

HRW — The provision making it an offence to discuss prison conditions during visits should be repealed.

DCS — There is no such provision in prison regulations (HRW replied that on one visit it had seen and photographed a sign in a visiting room of a prison prohibiting such discussion.)

HRW — Efforts should be made to house prisoners as close as possible to home and family.

DCS — Realises the importance of this but over-crowding prevents it in all cases.

HRW — Prisoners of all races and sexes should have equal access to vocational training and the best prison jobs (the report observed that whites and men had disproportional access to these).

DCS — Access to training and jobs is not based on race or sex but because men and women are separated, some facilities are not available to both.

Prison row brews over inmates' voting

Mass violence could erupt in prisons nationwide if they are not allowed to vote, reports **Mduduzi ka Harvey**

THE Transitional Executive Council and the Independent Electoral Commission could find themselves in court defending a Bill of Rights action within hours of April's election if prisoners are not allowed to vote. The bodies have been unable to agree on whether prisoners serving time without the option of a fine should get the ballot. The row has sparked a threat of action by more than 20 000 prisoners nationwide who are demanding inclusion in the election process.

According to South African Prisoners Organisation for Human Rights spokesman Golden Miles Bhudu, prisoners were disappointed by the decision of the TEC not to amend the Electoral Act to accommodate those behind bars.

"Prisoners will resist peacefully, go on hunger strikes, and refuse to work," said Bhudu.

With the TEC saying its hands are bound on the votes for prisoners issue by the Electoral Act agreed at the World Trade Centre, there seems little prospect for a general ballot in prisons.

This, said Lawyers for Human Rights spokesman Andries Nel, could lead to legal steps being taken in an attempt to force South Africa to

follow the practice in countries like Denmark, Germany and the Netherlands, where prisoners are allowed to vote. It was within the rights of prisoners to take legal action against the decision, he said. "They can sue the TEC or the IEC."

The court most likely to hear the case is the newly constituted constitutional court, but it will only begin sitting a day before the elections.

LHR favours voting rights for prisoners, said Nel. "Allowing them to vote would make the constitution-making body broader."

Nel said awaiting trial prisoners are eligible to vote, while those serving a sentence without the option of a fine do not qualify. Not allowing some inmates to vote will push up the level of tensions in prisons, he said, creating different classes of prisoners. "This could lead to violence and bloodshed."

Department of Correctional Services spokesman Colonel Barry Eksteen shared Nel's sentiments. "Although the department plays no part in deciding who may and who may not vote, we do respect the aspirations of all. However, we are worried the actions of SAPOHR could lead to deaths and injury of inmates."

He said SAPOHR's call for mass action, "could lead to mass violence in the prisons on a scale never seen in the country before."

■ Report by Mduduzi ka Harvey, 139 Smit St, Johannesburg

WM 25/2-3/3 94 (243) (253)

Warders fight for their rights

WM 25/2-3/3/94
Mduduzi ka Harvey (253)

PRISON warders are no better off than the convicts they are employed to watch over, according to Hlanganisa Tshabalala, a guard at Benoni's Modderbee prison.

In a memorandum to Correctional Services Minister Adriaan Vlok, Tshabalala says white warders treat black colleagues with the same contempt they have for the prisoners, abusing them in front of inmates and assaulting them. He says the working environment is "influenced by apartheid policies, where whites were favoured above blacks".

A 1992 Management Development Programme aimed at developing middle and top management from under-represented groups provides an example of affirmative action gone wrong, he claims. "In an institution where the majority of personnel are black, a group of 10 members were chosen for the course — five black and five white. Management and supervisors enjoy the sole prerogative of selecting the participants.

Questioning the 12-month duration of the programme, he says "Leading universities have three-week management programmes."

The prison services continue to promote whites to senior positions, although there were qualified blacks within the system, says Tshabalala. Senior

staff at Modderbee consisted of one white brigadier, one white colonel, two white lieutenant-colonels, five white majors and six white captains, while the highest ranking black officers were five lieutenants who were not involved decision-making.

He adds that promotion is given to white junior officers at the expense of black qualified staffers.

Nepotism is also rife at Modderbee, alleges Tshabalala. "An officer's son doing matric is always guaranteed a job ... entrenching the concept of 'n familie tronk' (a family jail)".

Afrikaans is used as the sole language of communication which, he says, is a deliberate ploy to deprive black staffers of information.

Tshabalala claims black graduates are placed in subservient positions to drive them to acts of frustration, which lead to charges of misconduct.

And black personnel felt the two-year probation period for new warders was unreasonably long.

Department of Correctional Services spokesman Rudi Potgieter denied Tshabalala's claim that prisoners and black warders were assaulted and insulted and said: "Employment, promotion and participation in management courses are awarded on the basis of merit and on the number of vacancies available." On the use of weekend and night duty as punishment, Potgieter said: "Performance of these duties are part of the warders' job description."

Call for votes for prisoners

By BARRY STREEK
Political Staff

THE prohibition of many prisoners from voting in the election was a violation of the fundamental right of every citizen to vote, the Black Sash said yesterday.

It said section 16(d) of the Electoral Act, which allows only some categories of prisoners to vote, should be repealed immediately.

CT 25/2/94
This provision conflicted with the Bill of Fundamental Rights in the interim constitution, the Black Sash said in a statement.

It said section 21(2) of the constitution stated that "every citizen has the right to vote".

"Unless a court specifically included a prohibition on voting in the sentence imposed, depriva-

tion of this basic civil liberty cannot possibly be viewed as necessary to the administration of justice," the statement said.

The Black Sash has also submitted its statement to the parliamentary Joint Committee on Home Affairs, which meets this morning to consider proposed amendments to the Electoral Act.

Jails department rejects claims

BIDON 2812.194

GERALD REILLY

THE Correctional Services Department has denied claims in an international Human Rights Watch report that SA prisons are a hotbed of violence

A spokesman said many changes affecting prisoners had been introduced and would be expanded as far as manpower and budgetary realities allowed

Corporal punishment was no longer used

Chronic overcrowding pressed manpower and affected control and security measures (253)

New accommodation was planned and in some

cases was already under construction. The spokesman said the daily prison population was nearly 30% greater than approved accommodation figures

During 1993, 14 inmates were killed by fellow prisoners — 0,002% of the more than 400 000 prisoners who passed through the system annually

'Forgotten' kids still languishing in SA prisons

Sowetan 28/2/94

By Mathatha Tsedu

Political Editor

253/278

THE Department of Correctional Services has approached the African National Congress for assistance in dealing with more than 1 000 children who were "dumped and forgotten" in prisons by police, the ANC said last night.

Speaking to the media after three days of a whirlwind tour of the Western Cape, ANC chairman Mr Thabo Mbeki said in Cape Town that 1 079 children under the age of 18 were being held as awaiting trial prisoners in South African jails.

He said almost all were black and prisons authorities had now approached the ANC for assistance in dealing with the problem. Many of the children were seven-years-old.

A letter from the Department of Correctional Services to the ANC gives this breakdown of children being held in prisons: Natal (523), Central Transvaal (180), Western Cape (138), Northern Transvaal (101), Eastern Cape (79), Northern Cape (38) and Southern Cape (20).

"Any assistance or action on your part to remedy the situation will be highly appreciated," the letter says.

Mbeki said the ANC approached the prison authorities last year and expressed concern at the number of black children in prisons. It asked for the monitoring of the situation, and the figures were the result of that request.

Research done

He said children aged between seven and 14 years were of particular concern and that research done in Natal last December found that all the children in this category were black.

"The police are just dumping these children and this is unacceptable. The ANC has to devise a plan within the reconstruction programme to deal with this matter," Mbeki said.

Other senior officials directly involved with this issue told Sowetan that a shortage of probation officers to interview the children before they are sent to prison, the virtual absence of the social structures to handle the children and overworked policemen were some of the reasons why black children were in jail.

Prisoners strike over vote issue

Sowetan 21/3/94

253

By Ruth Bhengu

■ **NO VIOLENCE** Plan to bring jails to a halt if vote is denied:

SCORES of prisoners yesterday embarked on a strike to protest against being denied the vote

The prisoners, who are members of the South African Prisoner Organisation For Human Rights, are planning to bring prisons to a halt by going on stoppages and hunger strikes

SAPHOR president Mr Golden Miles Bhudu said the strike was spreading from Johannesburg to Barberton, Bloemfontein, Pretoria, Johannesburg, Boksburg and Bethlehem

"At the moment it is peaceful because the authorities are standing by and not interfering," Bhudu said

Bhudu could not tell how many prisoners were involved but confirmed that the strike had spread

"It is difficult for us to monitor the strike because we have no access to the prisons but our members are communicating with us," he said

Spokesman for the Department of Correctional Services Captain Koos Gerber confirmed that the strike had started. But he said it was only "small portions" of the prisons that were involved

Asked what counter-action the prison authorities would take if the strike spread to the 280 prisons across the country, Gerber said the police would only monitor the strike

"Although we think actions like hunger strikes are irresponsible, we can

only monitor the situation and encourage prisoners not to do it," Gerber said

Meanwhile, awaiting-trial prisoners at Modderbee are also taking action in protest against high bail amounts and the detention of children. The prisoners are also demanding to be released so they can vote

A representative of the group called the Awaiting-Trial Action Committee, Mr Thozamile Fana, said at least 700 awaiting-trial prisoners were on strike

"We have given the magistrate 72 hours in which to respond," said Fana. "If he does not meet our demands we will refuse to appear in court," he said

IEC favours vote for prisoners

JOHANNESBURG — The Independent Electoral Commission (IEC) says it is in favour of extending voting rights to all prisoners

This was said in a statement following a meeting between the IEC and the South African Prisoners' Organisation for Human Rights (Sapohr)

While the Commission acknowledged there were divergent views about extending voting to any or all categories of prisoners, it would support an amendment to the Electoral Act which gave these rights to all prisoners for the April election, it said

The IEC would consult the Transitional Executive Council (TEC) and President De Klerk on the issue

If the TEC decided to support the IEC, an amendment to the Act could be made within 10 days, the statement said

Sapohr said after the meeting it would suspend any further protests or hunger strikes by prisoners

"The extension of voting rights to all prisoners will bring about a more democratic election," the organisation said

Section 16 of the Electoral Act deals with categories of

(253)
prisoners who are not entitled to vote, including any person "serving a sentence of imprisonment without the option of a fine" for offences involving violence or dishonesty. They include murder, rape, fraud and indecent assault

ARG 5/3/94
The Democratic Party has rejected the call to extend voting rights to all prisoners

"We do not support any move to extend the vote to murderers and rapists," Douglas Gibson, MP for Yeoville and the party's PWV chairman, said yesterday — Sapa

(News by S Denny, 141 Commissioner Street, Johannesburg)

Seven Boland towns employ experts to probe plans

Cape metropole boundaries row

■ The dispute about boundaries for the Cape metropolitan area has come to a head with the release yesterday of an investigating team of experts commissioned by seven Boland towns.

FRANS ESTERHUYSE
Weekend Argus
Political Correspondent

CONSULTANTS have slammed the proposed boundaries for the Cape metropolitan area as contrary to the spirit of the new constitution and in conflict with legislation for local government transition

Findings of the team in an 80-page report leaves in tatters the plan put forward by a working group of the Cape Metropolitan Negotiating Forum for including seven key Boland towns in the Cape metropolitan area

The new report was tabled at a public hearing in Cape

Town yesterday on the outer boundaries of the proposed metropole

It rejects the Cape Town-based forum's plan for including the seven "fringe" towns — Franschoek, Gordon's Bay, Paarl, Somerset West, Stellenbosch, Strand and Wellington — in the Cape metropole by using the boundary of the Western Cape Regional Services Council

As predicted in Weekend Argus last Saturday, confrontation now looms over the boundaries issue. However, some sources close to the dispute said yesterday moves were afoot to seek a negotiated solution — possibly by going back to the drawing-board

The report released yesterday was produced by an investigating team commissioned by the seven "fringe" towns

Protests had been mounting among leaders in these towns who feared an autocratic move to swallow them up into a giant metropolis controlled from Cape Town

The investigating team included economist Professor At-

de Vries of Stellenbosch University's Graduate School of Business, Professor Izak van der Merwe of the university's geography department, a Stellenbosch-based firm of urban and regional planners and a Cape Town-based firm of consulting engineers

One of their most damning findings against the boundaries plan for the Cape metropolis was that it met none of the eight criteria for a metropolitan area, as provided for by the new Local Government Transition Act

It was found, for example, that the "fringe area" did not qualify for inclusion in a metropolitan area because it did not form a compact urban area and was characterised by dominantly agricultural and rural land uses

Because the "fringe area" was far less densely populated than the primary area for the metropole, it also did not meet population distribution requirements for inclusion

The investigating team's conclusions included

- The primary area, includ-

ing the Peninsula and Wynberg, Goodwood, Bellville and Knys River, qualified in all important respects to be regarded as the Cape Metropolitan Area as contemplated by the Local Government Transition Act,

■ There was convincing evidence that inclusion of the "fringe area" in the Cape metropolis would not serve the objectives of the Act, and

■ A metropolitan area the size (about 5 200 square kilometres) of the existing Western Cape Regional Services Council area could impact negatively on the functions of the future regional government.

The investigating team put forward a series of guidelines which, it proposed, should be recognised by all concerned. These include

■ In the spirit of the constitution and the Local Government Act, the opportunity for negotiations should be used to the fullest, and

■ The phase of negotiation provided for in the Act, should not be clouded by short-term political, local or self-interest

(News by F S Esterhuysen, 122 St. George's Mall, Cape Town)

Cape set to have largest metropolis in the world

APR 5/1994 (253)
FRANS ESTERHUYSE

Weekend Argus
Political Correspondent

THE proposed Cape metropolitan area with an outer boundary embracing seven Boland towns will be the largest metropole in the world.

This was stated by the investigating team of experts who reported yesterday on implications of the controversial plan put forward by the Cape Town-based Cape Metropolitan Negotiating Forum

The team found that the metropolitan area with the highest population in the world, Tokyo — 26 million — covers an area of less than half of the proposed Cape metropolitan area, while its population density is 25 times greater

With the inclusion of the seven Boland towns, the proposed Cape metropolis will cover 5 200 square kilometres and its estimated population will be three million.

The team argues that if a metropolitan government has to assume responsibility for duties and functions on a scale such as that proposed by the Cape Metropolitan Negotiating Forum, the relationship between third, second and first-tier government would be negatively affected in the future Western Cape region. Regional planning could be thrown out of balance.

(News by F S Esterhuysen, 122 St. George's Mall, Cape Town)

focus on **WOMEN'S**

Sowetan 8/3/94

THE WEEK-LONG strike by prisoners protesting against the denial of their right to vote was suspended this week

But their cause is gaining more support as human rights and political organisations join the debate

What initially looked like an unreasonable demand by convicts is turning into a serious moral battle joined by highly regarded organisations like the National Institution for the Prevention and Rehabilitation of Offenders, the Independent Electoral Commission and very recently the Pan Africanist Congress of Azania

The PAC this week said the prisoners were a legitimate point which should be seriously considered

"In consultation with relevant structures, the PAC will address the prisoners on a countrywide basis on their plight and also canvass support for the PAC as the custodian of aspirations of the oppressed in the April 27 elections," said its director of publicity and information Mr Jaki Seroke

So far the only dissenting voice is the National Party which has opposed the extension of franchise to prisoners

The NP objected strongly even before the law was promulgated by the Transitional Executive Council, allowing only prisoners guilty of less serious offences to vote

Responding to recommendations by the Independent Electoral Commission that all prisoners be allowed to vote, the NP's spokesman Mr Danie Du Plessis said "The National Party opposes the IEC's recommendation that all prisoners, even those guilty of serious offences, now be allowed to vote

"This issue has been agreed upon and included in the electoral act. We believe the Electoral Act should be amended by proclamation if it is really an extraordinary issue that has not been previously negotiated. This issue clearly does not fall in this category," he said

The NP's view is the same as that of the head of the legal department of the African National Congress Mr Matthew Phosa. He said for the law to change it would take a "miracle"

But as the debate became more heated the leader of the South African Prisoners Organisation for Human Rights Mr Golden Miles Bhudu said even the ANC might change its tune. The strike which included work stoppages and hunger strikes looked like it would spread to the 280 prisons in the country affecting hundreds of prisoners. Bhudu said it was the only option left to prisoners whose basic rights are non-existent

His organisation which claims to have over 10 000 members in this country's jails, intended to bring South African jails to a standstill. By the second day there were reports of prisoners being assaulted by warders in Bloemfontein. The strike had spread throughout the country's prisons including Barberton, Pretoria Local, Boksburg, Johannesburg, Bethlehem and Modderbee. It was not only the convicted pris-

The prisoners' union Saphor has suspended its mass action after gaining support from a majority of political parties and organisations in their fight for the franchise, reports *Sowetan's* **Ruth Bhengu:**



Golden Miles Bhudu

oners demanding civil rights but also the hundreds of awaiting trial prisoners, giving the prison authorities a headache

In response the Department of Correctional Services accused Saphor of being "irresponsible, reckless and immoral". Brigadier Chris Olckers said the mass action would lead to violence the scale of which has never been seen in South African prisons

"It must be clearly understood that the department has respect for the aspirations of all the people, including inmates. But we play no part in deciding who must vote and not vote. This

falls outside the mandate of the Department" said Olckers

The department said it would monitor the situation and not try to stop the mass action

According to the law people who are serving sentences that do not carry an option of a fine cannot vote

People who are not allowed to vote include those who are

- Subject to an order of court declaring them of unsound mind or mentally disordered or affected,

- Detained as mentally ill patients under the Mental Health Act of 1973 or any applicable law,

- Detained under the Prevention and Treatment of Drug Dependency Act of 1992,

- Serving a sentence of imprisonment, without the option of a fine in respect of any of the following specified offences involving violence and dishonesty

- (i) Murder, culpable homicide, rape, indecent assault, child stealing, kidnapping, assault with intent to do grievous bodily harm, robbery, malicious injury to property and breaking or entering any premises with intent to commit an offence, and

- (ii) Fraud, corruption and bribery

Bhudu argues that in a country like South Africa which has a history of racial discrimination, politicians have no moral right to deny anybody their fundamental right to vote

Besides, he maintains, by virtue of being incarcerated, prisoners have paid their debt to society

"The situation is deplorable and hypocritical," said Bhudu. "The current Electoral Act says that most of the prison population the majority of whom are black, are to be excluded from the new South Africa"

The prisoners might have halted their fight for a while but indications are that they are far from giving up

It must be clearly understood that the department has respect for the aspirations of all the people including inmates

Abuse claim denied

Sowetan 10/3/94
THE DEPARTMENT of Correctional Services yesterday denied claims by the Pan-Africanist Congress that certain of its members in detention had been tortured, assaulted or harassed

In a statement earlier yesterday, PAC national organiser Mr Maxwell Nemadzivhanani said seven prisoners had approached the Supreme Court for restraining orders against prison warders

(253)
They are Freddie Matibela, Patrick Machindo, Godfrey Mathubela, Pila Matindolo, Wellington Keno, Vuti Dalizulu and Clifford Thobejane
Ministry of Law and Order spokes-

man Mr Craig Kotze said it was far too easy for the PAC to use "this kind of vehicle" for political propaganda and that legal channels existed to air problems and seek recourse

Replying to this, Nemadzivhanani said "Our legal people are finding it very difficult, there are very few cases with which we have had any success"

The PAC's lawyers could not be reached for comment

Correctional Services spokesman Captain Koos Gerber rejected the claim that prisoners were being victimised because of their political affiliation

Sapa

Decision on prison votes

Wm 11-17/3/94

Mduduzi ka Harvey. (253)

~~253A~~
OVER 100 000 prisoners will know by Monday whether they will make their cross in the country's first democratic election.

This follows a meeting between the Independent Electoral Commission and the South African Prisoners' Organisation for Human Rights, which is campaigning for inmates' right to vote. SAPOHR spokesman Marcus Cox said his organisation had decided to suspend mass action in prisons pending the outcome of the meeting.

"The IEC has given us their support, they have promised to take our demands to the TEC and there is a high probability the TEC will allow prisoners to vote," said Cox. But he warned: "If our demands are not met, the hunger strikes and go-slows in prisons will continue." he said IEC spokesman Niki Moore said: "The TEC has agreed to support and help prisoners' in their demand to vote," she said.

TEC spokesman Dries van Heerden said the TEC was awaiting the IEC's recommendations.

Prisons polls drive

8 Times [Cimetro]

By AYESHA ISMAIL

VOTER education in South African prisons began this week and a national programme will be in full swing within days, according to a spokesman for the Independent Electoral Commission's voter education department.

12/2/94
The IEC has accredited two organisations to conduct voter education in prisons, Lawyers for Human Rights and Nicro.

(253)
The programmes will be monitored by the Independent Mediation Service of South Africa (Imsa).

Voter education has already started in Transvaal prisons and will start in Natal tomorrow and the Western Cape on Tuesday.

While there will be voter education for all prisoners, it is still not clear whether the franchise will be extended to all of them, following a decision by the IEC last week to support such an amendment to the Electoral Act

(News by A Ismail, 122 St Georges Mall, Cape Town)

IFP accused of playing tough

Sowetan 16/3/94

Sowetan Correspondent

(253)

PRISON authorities have accused the Inkatha Freedom Party of trying to appear tough by organising a hunger strike by IFP members when they were close to being released.

IFP spokesman Mr Ed Tillett said on Monday that about 80 IFP people in jail for politically-related crimes committed before October 1990 would refuse meals, to demand their release as political prisoners. "They fear, quite justifiably, that if they are not released before the April election they will never be released," he said.

The IFP expected 150 of their people to join the protest. However, only 50 IFP prisoners did. Their applications for release went to the National Council on Indemnity in December last year and the IFP feels the council by now should have

made a decision and the decision should have been announced.

The office of Minister of Correctional Services Mr Adriaan Vlok said yesterday that about 80 cases were submitted by the IFP to the council.

Each case had to be properly researched.

"Obviously, this takes time, as some of these crimes were committed long ago and in many cases the facts that must now be considered did not form part of the initial court proceedings."

"The facts of the matter are that the cases are in the process of consideration and an announcement will be forthcoming soon."

"The IFP must be quite aware that this process is in its final stages and one can only assume that they now want to create the impression that it is through pressure from their side that the matter was concluded," the ministry said.

No votes for prisoners

(253)

Mduduzi ka Harvey

WM 18-2413194
THE Transitional Executive Council has refused to amend the Electoral Act to allow prisoners to vote in the country's forthcoming election.

According to the South African Prisoners Organisation for Human Rights (Sapohr), prisoners who had suspended mass action pending the TEC's decision have relaunched work stoppages and hunger strikes.

Sapohr's Miles Bhudu blamed the decision on the National Party and the Democratic Party. "After the NP and DP's decision to block the amendment at the TEC, we have no choice but to resume mass action."

Sapohr has also briefed Lawyers for Human Rights to contest the TEC's decision in court.

PE jail worst hit by riots

Prisoners rampage over TEC decision

Star 18/3/94

Prisoners went on the rampage in several jails yesterday, including the St Alban's maximum security prison near Port Elizabeth, in protest against the Transitional Executive Council's decision not to allow all categories of prisoners the right to vote in next month's election.

St Alban's was the worst hit, but Department of Correctional Services spokesman Captain Koos Gerber said jails across the country had been affected.

Another spokesman, Brigadier Chris Olckers, said prisoners had created no-go areas for warders at the jail.

At St Alban's maximum security jail, prisoners set alight

the contents of 28 cells. And violence flared up at the Medium A prison early today, when prisoners set alight blankets and mattresses.

Gerber said the situation was tense and that warders and police had brought the fires under control.

So far only minor injuries had been reported, he said.

At Krugersdorp prisoners burnt mattresses. They were followed by prisoners in Maritzburg and Durban.

The jail riot follows the South African Prisoners Organisation for Human Rights' (Sapohr) announcement on Wednesday that prisoners would resume "peaceful and

disciplined work stoppages and hunger strikes".

Sapohr claimed that action at Krugersdorp jails had been met by "brutal assaults" by prison warders.

The organisation said that since protests started on March 1, teargas and rubber bullets had been used and dogs had been set on inmates at Leeuwkop Prison, north of Johannesburg.

Olckers said Sapohr's call for protests was "irresponsible, reckless and dangerous".

He said the matter would be brought to the urgent attention of the TEC and the Peace Secretariat today.

(Report by D Guy 141 Commissioner St, Jhb and C Bhagawat 47 Sauer Str Jhb)

ARG 18/3/74
**Rightwingers
in jail fear
for safety** (253)

JOHANNESBURG — Imprisoned rightwingers and policemen will face grave risks to life and limb after the election, claims the Political Rights Organisation in a campaign to have the prisoners freed.

The organisation said at a press conference in Johannesburg that politically inspired threats had been made to Clive Derby-Lewis and Janus Wulusz, convicted of murdering Communist Party general secretary Chris Hani.

Death threats had also been made against Orde Boerevolk prisoner Corrie Lottering, who is on the 15th day of a hunger strike in protest against the government's refusal to grant him political indemnity.

The statement quoted him as saying he would rather die than remain in prison under an African National Congress government.

"There have been reports of Police and Prisons Civil Rights Union policemen and prison warders harassing white prisoners." — Sapa.

(News by A Thomson, 141 Commissioner Street, Johannesburg)

Inmates riot over vote decision

(253)

CT18/3/94

PRETORIA — Prisoners went on the rampage in several prisons yesterday, including the St Alban's maximum security prison near Port Elizabeth, in protest against the Transitional Executive Council's decision not to allow certain categories of prisoners the right to vote in the April elections.

Correctional Services spokesman Brigadier Chris Olckers said prisoners had created "no-go" areas for warders at the Eastern Cape prison and it was possible there might have been deaths and injuries.

"The contents of 28 cells were set alight," he said, adding that burning mattresses could release toxic fumes.

He said damage had already run into thousands of rands.

The riots follow the SA Prisoners' Organisation for Human Rights' (SAPOHR) announcement on Wednesday that yesterday prisoners would embark on "peaceful and disciplined work stoppages and/or hunger strikes" to demand the vote for all prisoners.

Yesterday SAPOHR claimed that action at Krugersdorp Prison had been met by "brutal assaults" by warders.

Since protests started on March 1, teargas and rubber bullets had been used and dogs had been set on inmates at Leeuwkop Prison near Johannesburg, SAPOHR said.

Brig Olckers condemned SAPOHR's claim that the action would be peaceful, and said chief executive officer Mr Golden Bhudu's call for protests was "irresponsible, reckless and dangerous".

He said the matter would be brought to the attention of the TEC and the Peace Secretariat today.

Mr Bhudu said the Department of Correctional Services was preventing the organisation from communicating with its members to convey the message that their action should be peaceful.

'Short-sighted'

BARRY STREEK reports that the decision of the TEC to ignore the advice of the Independent Electoral Commission to extend the franchise to all prisoners was short-sighted and foolish in the extreme, the Black Sash said in a statement yesterday.

The Black Sash called upon the TEC to request the State President to amend the Electoral Act to allow all prisoners to vote.

Protests rage in SA's jails

JACQUIE GOLDING

THE Independent Electoral Commission (IEC) would raise the question of prisoners' votes with the TEC and government in a bid to prevent mass action by the SA Prisoners' Organisation for Human Rights, IEC chairman Judge Johann Kriegler said yesterday. 18/3/94

Sapa reports prisoners went on the rampage in several prisons yesterday in protest against the TEC's decision not to allow certain categories of prisoners the right to vote.

Prisoners who may not vote include those declared by the courts to be of unsound mind or drug dependent, those serving sentences without the option of a fine for crimes involving dishonesty or violence and those convicted of murder, rape or culpable homicide.

Awaiting-trial prisoners may vote (253)

Kriegler said the IEC would meet the TEC and government today or next week. It would be difficult to provide voter education for the 110 000 prisoners, excluding those in the homelands, eligible to vote.

Report by J. Golding, TML, 11 Diagonal St, Jhb 772

Prisoners threaten to kill 2 hostages

SIBUSISO MABASO

RAMPAGING prisoners at Boksburg prison last night threatened to kill two warders they took hostage in demand for voting rights. A standoff was continuing until late last night as the TEC's Mac Maharaj was sent to conduct urgent negotiations with the "volatile" prisoners.

"Send us a high profile political leader, TEC and SAPOHR representatives or face our wrath," was their message.

The Boksburg rioting came after an announcement by the SA Prisoners for Human Rights on Wednesday that prisoners would embark on a peaceful and disciplined work stoppage and/or hunger strike if they were barred from voting in the forthcoming election.

A spokesman for the Department of Correctional Services, Lieutenant Jack Potgieter, confirmed that early yesterday two warders of Boksburg Prison were taken hostage by about 44 prisoners.

Potgieter said the warders were overpowered by the inmates who took the keys and locked the gate leading to the section where they are holed up, preventing prison staff from entering the area.

He said prisoners had indicated they wanted to be treated equally and that they were against the legislation that limited voting rights to others.

"They have threatened to resort to violence which we feel might jeopardise the personal safety of the two warders," Potgieter said.

"They have locked the gate leading to the affected section from the inside to prevent our staff members from entering."



VOTE RIOT . This telephoto picture, with the Pollsmoor Prison wall a dark barrier in the foreground, shows firefighters bathed in light from spotlights and flames as convicts, barricaded in the maximum security section, throw pieces of burning bedding out of the windows. The dark strips on the left are charred blankets and mattresses, hanging over the metal screen across the cell windows.

Picture BENNY GOOL

Vote riot at Pollsmoor

By WILLEM STEENKAMP and IVOR CREWS
PRISONERS in the maximum security block at Pollsmoor went on the rampage last night, burning bedding and barricading themselves in their cells following a day of prison riots in other centres.

In all, about 400 prisoners were involved in riots throughout the day at Pollsmoor. At least eight prisoners and five warders were injured.

Prisoners protested against the TEC decision not to extend the vote to certain categories of prisoners.

As violence erupted last night, fire engines and police raced to the prison and the siren was sounded to call warders.

Yelling "Viva!" and "We want to vote!", maximum-security prisoners at Pollsmoor burnt blankets and bashed beds against their cell windows last night.

Smoke from burning blankets and bedding billowed from the maximum security

block and prisoners threw flaming blankets from their cell windows.

Warders were unable to enter the cells as prisoners had barricaded themselves in by piling beds against cell doors.

Spokesman Lieutenant Mike Green said the riot in maximum security, which houses about 3 400 convicts, was confined to two large cells and involved about 100 prisoners.

Firefighters

Lt Green confirmed the prisoners were rioting because they had been denied the vote, but that prison authorities were powerless to change the situation.

He said firefighters, "about 25" police men and hundreds of warders were called to deal with the rioting last night.

Warders late last night managed to remove the prisoners from the affected

cells, and put them in cells "where they have nothing to burn".

By 9 30pm, about three hours after rioting started in the maximum security block, the prisoners quietened down but remained barricaded in their cells.

About 11am yesterday, about 300 prisoners at the Medium A section began rioting.

Warders had used teargas on the rioting prisoners and the situation was brought under control at about 2pm.

In Boksburg, prisoners took two warders hostage yesterday and violence flared again at St Albans Prison in Port Elizabeth.

According to Sapa, a police task force last night moved into a "no go" area declared by the Boksburg prisoners and rescued the warders.

● The Independent Electoral Commission and TEC held urgent discussions yesterday about the escalating conflict.

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— PAGE 2

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A DELEGATION of prisoners at Pollsmoor Prison's Medium A section were allowed to go from cell to cell on Friday to consult prisoners on the vote issue shortly before a riot broke out

This claim was made yesterday by a spokesman for the Police and Prisons Civil Rights Union (Popcru), who said the delegation had first met with the head of the prison and were given access to a telephone

He said calls were made to the ANC, the PAC and the SA Prisoners' Organisation for Human Rights (SAPOHR) on the issue of prisoners and voting

"All of a sudden the prisoners started stoning prison warders and the prison riot squad was called in"

Eight convicts and five wardens were injured in the day-long rioting, involving hundreds of prisoners that started in the Medium A section and spread to maximum security

Rampaging prisoners burnt bedding and barricaded themselves in their cells, following a day of rioting in other prisons in protest against a TEC decision not to allow certain categories of prisoners to vote

Yesterday an uneasy calm settled over Pollsmoor and warders described the situation as "tense" following a decision by officials to cancel visits to prisoners involved in the riots

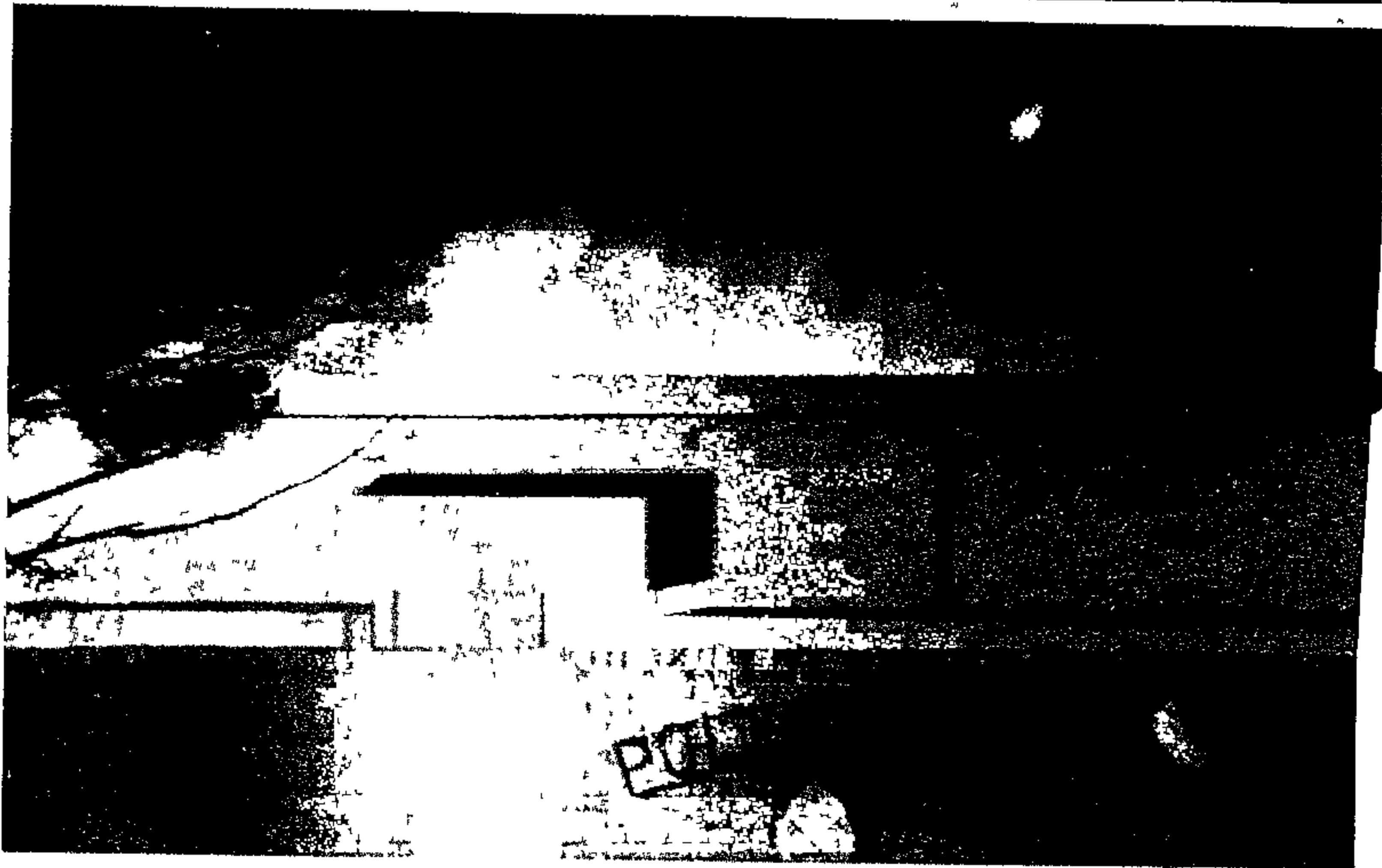
Mass action at the prison started in the Medium A Section on Thursday morning when about 60 prisoners marched around the yard singing and carrying posters, a Popcru spokesman said. A confrontation developed

A spokesman said "When they started shooting teargas and birdshot, the prisoners fled to their cells and all hell broke out"

2 Times (Cimetro)
2013194
(253)

By AYESHA ISMAIL

Pollsmoor riots in protest over 'no vote' move



PRISON RIOT. Flames light up Pollsmoor Prison on Friday night after a riot by prisoners demanding the right to vote in the elections
Picture BENNY GOO

ONE of the ways that political prisoners on Robben Island managed to escape "mental suffocation" and keep their minds off their incarceration, as well as to harness stress and keep fit, was to get involved in sport.

In a new book, Sport In Chains, CHERYL ROBERTS looks at the history of sport on the island

Pictures. AMBROSE PETERS

FACED with aching bodies and tired minds, political prisoners on Robben Island realised their health would deteriorate without physical activity — and turned to sport as a solution.

Best known for its gloomy maximum security prison, the island was for many years home to people like Nelson Mandela, Ahmed Kathrada, Steve Tshwete, Govan Mbeki and Walter Sisulu, who were sentenced to life imprisonment there

When the Nationalist Government declared Robben Island a maximum security prison, it did so to break political prisoners by removing them from society

But faced with the hardships — and tedium — of prison life the prisoners began a new struggle in the '60s — for the right to play sport and be involved in recreational activities

It was an uphill battle, with the prison authorities initially refusing "unauthorised" activities — other than those allowed by prison headquarters in Pretoria. It also gave the authorities a new weapon

'Islanders' turned to sport to break chains

SITimes 2013/194
CimetroJ 253

to use against prisoners Using their love of sport to punish them, the limited sports equipment was often confiscated during raids by prison authorities

Players and teams were often stopped from taking part in games as punishment for petty offences and one team, Rangers FC, wrote to the league co-ordinators informing them that they would be unable to play in a weekend game as they were being punished for not washing dishes earlier in the week

Prepared

Ironically, the right to participate in sport prepared many of those involved for the key political and sporting roles they are now playing in South Africa

Indres Naidoo, an official of the South African Communist Party, was actively involved in forming sports structures in the prison

"The prison authorities tried everything to strip their power to organise mentally," he said

"They delayed responses to our letters and supplied us with a minimum amount of building materials. All this was done to break our spirit

"But we refused to be broken and we persevered. The end result was that we had organised sport and recreation which all inmates could enjoy"

Another official of the SACP, Shurish Nanabhai, was also one of the founders of the Robben Island sports movement

"There were good moments and experiences in trying to play sport on the island. We needed

materials to build our facilities. So I managed to get a job in the stores where the supplies were kept," he said

"In a deliberate attempt to retard our sports progress the authorities would give us less building materials and then make us wait very long for more

"So to get things moving fast I pinched hundreds of bags of cement to build our tennis court and would give them out

when our guys came to collect the order prescribed by the authorities. This was the only way we were going to finish our tennis court"

Nanabhai recalled how all the political prisoners got involved in the arduous task of clearing a soccer ground

"Our soccer patch was filled with glass, stones, nails and bricks. We got every prisoner to help

"On Saturday mornings each prisoner would take a bucket and pick up all of this so the ground would be clean. We even managed to get hold of a roller to level the ground and about 50 guys would push this roller. Prisoners would cheer each other on by singing freedom songs"

In the beginning teams were based on political affiliation — with, for example, ANC and PAC teams. But the inmates realised this was divisive and decided to form "mixed" teams — with inmates convinced of the merit of establishing a common bond through recreation

Soon there were countless bodies and teams for soccer, rugby, chess, tennis, darts, cards, volleyball, table tennis, and boxing, all falling under the umbrella of the Robben Island Sports Committee



EGG SHELL FOR EXCELLENCE This soccer trophy held by Rachidi Molapo of UWC was made by prisoners from an ostrich egg shell

one another. Thank you notes were sent if someone borrowed soccer boots or if a cell was used for a meeting. Injuries were followed by "get well" cards

instrumental in starting a rugby league. Coming from the Eastern Cape, Tshwete brought with him his love of rugby, complementing his mates from Transvaal and Natal

the island's ref exam, saying he was qualified enough. After a meeting with the soccer committee the matter was resolved amicably and he went on to become a top A-

Fixtures

Fixtures were drawn up and given to clubs in advance of the event. Logs and results were kept and clubs received regular information.

Clubs took their games seriously and team talks, training and coaching sessions soon became regular features. Referee and first-aid units were also formed by the sports co-ordinating committee.

End-of-season functions were much-awaited occasions. Diplomas and certificates were hand-written by inmates and presented to outstanding sportsmen.

Organised sport grew rapidly on Robben Island and soon prisoners decided that a stadium was needed with Nanabhai as convener of the stadium committee.

"One hilarious incident happened when we got the idea to make a proper stadium, our dream soccer stadium with seating for spectators," recalls Nanabhai.

Excited

"The authorities reluctantly gave us some wood to make benches for the spectators. There was a certain lieutenant who we tried to get on to our side.

"We told him we would name the stadium after him if he would help us to improve it. He was very excited and gave us lots of wood. Of course, we just conned him, it was never our intention to call the complex after him and we never did. But at least we got our dream stadium."

Inmates always thanked and supported

terent sporting codes came together to participate in the "Summer Games", modelled on the Olympics and held over two weekends in the festive season.

Several "graduates" of Robben Island's sports structures are today involved in the organisation and development of post-apartheid sport.

Ronnie Momeopa, who now heads the ANC's media department, learnt many of his media skills on the island.

He would make cardboard cameras and videos and "film" the action to enhance the atmosphere. He became a common sight as he ran along the touchline.

He also kept the community well informed of the latest sports results by churning out hand-written results every half hour.

Says Dan Moyo, now personal assistant to South Africa's Olympic chief: "It was on the island that I experienced something of the Olympic Games. Okay, so we were acting as if we were at the Olympics, but for us it was the real thing.

"We had our team parades, published our results and cheered our teams. When I went to the Barcelona Olympic Games my mind returned to Robben Island. Our experience was similar, but of course on a much, much smaller scale."

Sports equipment was bought from shops like Logans and Lemkus in Cape Town with the assistance of the prisons authorities.

Steve Tshwete, known for his innovative and unifying role in South African sport, was

who were held into soccer

cer. To this day Tshwete still walks with a limp as a result of an injury he sustained during a rugby match on the island shortly before he was freed in 1979.

"It was my farewell match on the island and it was held four days before my release. I insisted on playing in spite of being a veteran.

Referee

"I got injured and should have had an operation, but because I was going home and did not want to be in plaster I avoided it and to this day I am still affected."

Another well-known Robben Island sports personality was Harry Gwala, the fiery leader of the ANC in Natal.

Gwala, a qualified referee before his imprisonment, refused to take

Administration was of a very high standard. Every meeting, no matter what its nature, was minuted. Each request from clubs or individuals was done in writing, although there was a constant struggle to obtain pens, files and paper.

Advocate Digkang Mosencke, a member of the Independent Electoral Commission, says he learnt about organisation and leadership on the island while learning to play tennis. He was one of the officials of the Robben Island Sports Committee.

Stix Morewa, secretary of Safa, played first league soccer on the island.

□ *Sport in Chains* is available from Township Publishing at P O Box 16536, Vlaeberg, Cape Town, 8018 or phoning (021) 448-1211.

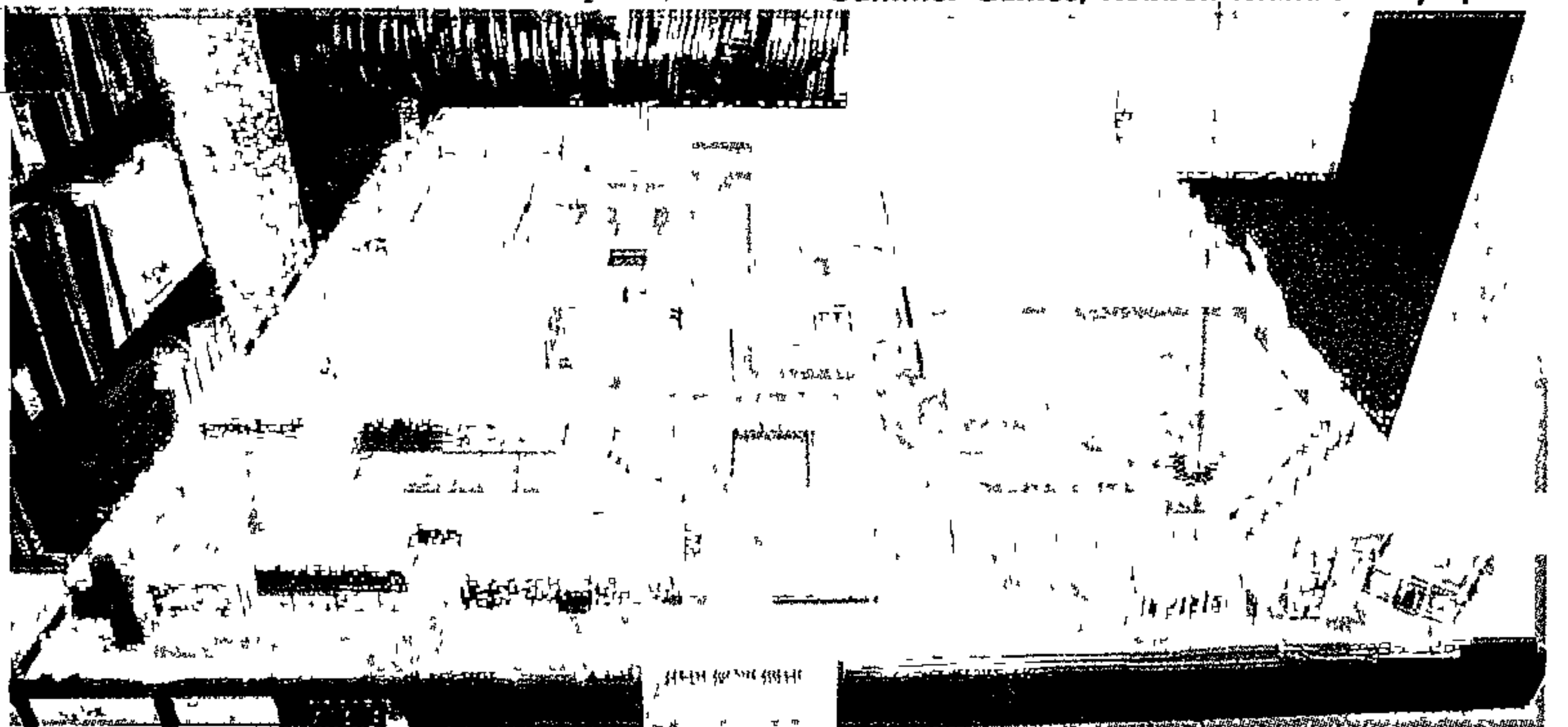
Summer Games Log: 14 to 16

1st	1st	1st	1st
2nd	2nd	2nd	2nd
3rd	3rd	3rd	3rd
4th	4th	4th	4th
5th	5th	5th	5th
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Programme

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13th	14th	15th	16th
17th	18th	19th	20th
21st	22nd	23rd	24th
25th	26th	27th	28th
29th	30th	31st	

ALL LOGGED... A hand-written fixture list for the Summer Games, Robben Island's "Olympics"



MODEL PRISON? ... This model of Robben Island shows the compound with the prison buildings, tennis courts and soccer field

Carefully handwritten, these certificates recorded for sporting achievements

Violence at prison claims two lives

TWO prisoners were killed and two others hospitalised on Saturday night in renewed prison violence in the Cape when a mob of prisoners burned cells at Paarl's Paardeberg Prison, the Department of Correctional Services said yesterday. *Sowetan 2/13/94*

Correctional Services spokesman Lieutenant Rudi Potgieter said about 300 rioting prisoners clutched matches and lighters, burning the contents of eight cells.

When department officials reached the cells they found two prisoners already dead and two others seriously injured. *(253)*

The injured, who had been overcome by smoke, were taken to a local provincial hospital.

The fire razed bedding and damaged the lighting system, windows and ablution facilities, Potgieter said.

This "unfortunate" incident followed a South African Prisoners' Organisation for Human Rights call to all prisoners countrywide to embark on a mass action to demonstrate their dissatisfaction with legislation limiting prisoners' voting rights, Potgieter said.

It also followed violence at the Boksburg Prison last week when two warders were held hostage by 40 rampaging prisoners.

The department, Potgieter added, had repeatedly warned that Saphora's call was extremely "irresponsible" and that it could lead to prison unrest resulting in loss of life.

"The department once again makes an urgent appeal to prisoners, for the sake of their own safety and that of other people, not to heed Saphora's call for mass action in prison, but to remain calm and responsible." — *Sapa.*

T . . .



2 die in prison vote riots

Star 21/3/94
Two prisoners were killed in jail riots at the weekend as protests against last week's Transitional Executive Council's (TEC) decision not to grant all prisoners the franchise gathered momentum countrywide.

While the TEC said earlier last week that the matter had been finalised, IEC spokesman Lorraine Fourie said that prisoners' voting rights would be discussed again today in a meeting between the Government, the TEC and IEC.

Department of Correctional Services spokesman Lieutenant Rudi Potgieter said the prisoners were killed at Paardeberg Prison, outside Paarl, on Saturday night.

They died after about 300 rioting prisoners set the contents of eight cells alight.

Potgieter said an investigation was under way to determine how the prisoners died. Another two were admitted to hospital, he said.

Erupted (253)

At Leeuwkop Prison in Sandton, one of at least 15 prisons which erupted in violence at the weekend, hundreds of prisoners from all four sections of the prison refused to get into their cells last night and had to be forced in by the police and prison warders.

The jail riots follow an announcement last week by the South African Prisoners Organisation for Human Rights (Sapohr) that prisoners would resume "peaceful and disciplined work stoppages and hunger strikes" to protest against the TEC decision.

In a telephone call to Sapa, a prisoner said inmates from Pretoria Central Prison's E and F sections had resolved to support Sapohr's position.

Crime Reporter

(47 Sauer Street, Johannesburg)

Two prisoners die in Paarl as riots spread

(253) CT 2-13/94

Staff Reporter

TWO prisoners at Paardeberg Prison, Paarl, died on Saturday night as rioting and mattress-burning in protest against being denied the vote spread through Western Cape prisons.

Correctional Services spokesman Lieutenant Rudi Potgieter confirmed the two deaths yesterday, but did not

name the men. Two others who had been overcome by smoke were taken to hospital, and were still there, he said.

An investigation is under way into how the two prisoners died. About 300 prisoners took part in the Paardeberg rioting on Saturday night.

Virtually all the contents of eight communal cells were set alight, even

while the prisoners were locked in the cells.

At Allandale Prison near Paarl the contents of five communal prison cells were set alight on Saturday night, but nobody was injured, Lt Potgieter said.

Yesterday, rioting at the maximum security block of Brandvlei Prison, Worcester, led to families and friends of prisoners being sent home without

seeing their menfolk, or after seeing them only briefly.

Lt Potgieter said prison officials had removed mattresses and bedding from the maximum security block since rioting broke out on Friday during which these items had been set alight.

Mrs Washula Arendse of Valhalla Park, who went to visit her brother but was prevented from seeing him, said

she had actually seen flames from some of the cells, heard what sounded like on hunger strikes, to destroy state property and to render the prison un-governable if their demand is not met.

The TEC put out a statement on Friday saying the votes-for-prisoners issue had not been finally decided. A decision would be made this week, possibly tomorrow.

Prisoners in Pretoria Central have sent a signed petition to the Transitional Executive Council demanding that all prisoners be allowed to vote in 'Racist' warders slammed — Page 2

in the house and he

A lot simply wasn't on yesterday

Determined to put one over the se



Two killed in prison riots

TWO prisoners were killed on Saturday night when rioting prisoners set alight the contents of cells at Paarl's Paardeberg Prison, the Correctional Services Department said yesterday. *S. Day*

At least six prisons have been damaged extensively in rioting in the past week. This followed last Wednesday's call by the SA Prisoners' Organisation for Human Rights for prisoners to demonstrate against limits on their voting rights.

Correctional Services spokesman Lt Rudi Potgieter said the Paardeberg incident, involving about 300 rioting prisoners, was the most serious. When department officials reached the cells they found two prisoners already dead and two seriously injured. The incident would be investigat-

WILSON ZWANE

ed by prison authorities and the police.

Potgieter said no lives were lost in uprisings at St Albans, Boksburg, Pollsmoor, Brandvlei, Grootvlei and Modderbee prisons. During violence at Boksburg Prison last week, two warders were held hostage by 40 prisoners. *(253)*

The prisoners' organisation made the call after a decision by the Transitional Executive Council not to allow certain categories of prisoners the right to vote.

Potgieter urged prisoners not to heed the call for protest, but to remain calm. He said it should be remembered that the Correctional Services Department did not decide who could vote. *213194*

Report by W Zwane TML 11 Diagonal St, Jhb

Right to vote: countrywide protests by convicts escalate

21 die as PRISONS

Star 22/3/84

BLOOD is on the hands of the leader of prisoners' human rights organisation, charges brigadier

BY JOVIAL RANTAO

A cell fire killed 21 prisoners at the Queenstown Prison yesterday as the countrywide protest by prisoners for the right to vote escalated.

And the mood at the majority of prisons around the country was described as "tense and volatile" by prison authorities today.

At Maritzburg Prison, about 2,000 prisoners broke out of their cells and toyed in the courtyards.

The jail's gates were welded shut to prevent prisoners escaping and SAP and SADF reinforcements were called in to monitor the situation.

Correctional Services spokesman Brigadier Chris Olickers said that late last

night a prisoner tried to escape by climbing on the shoulders of another prisoner. Police fired birdshot but no one was seriously injured.

In Pretoria Central Prison, Death Row prisoners also went on the rampage, setting bedding alight and destroying property.

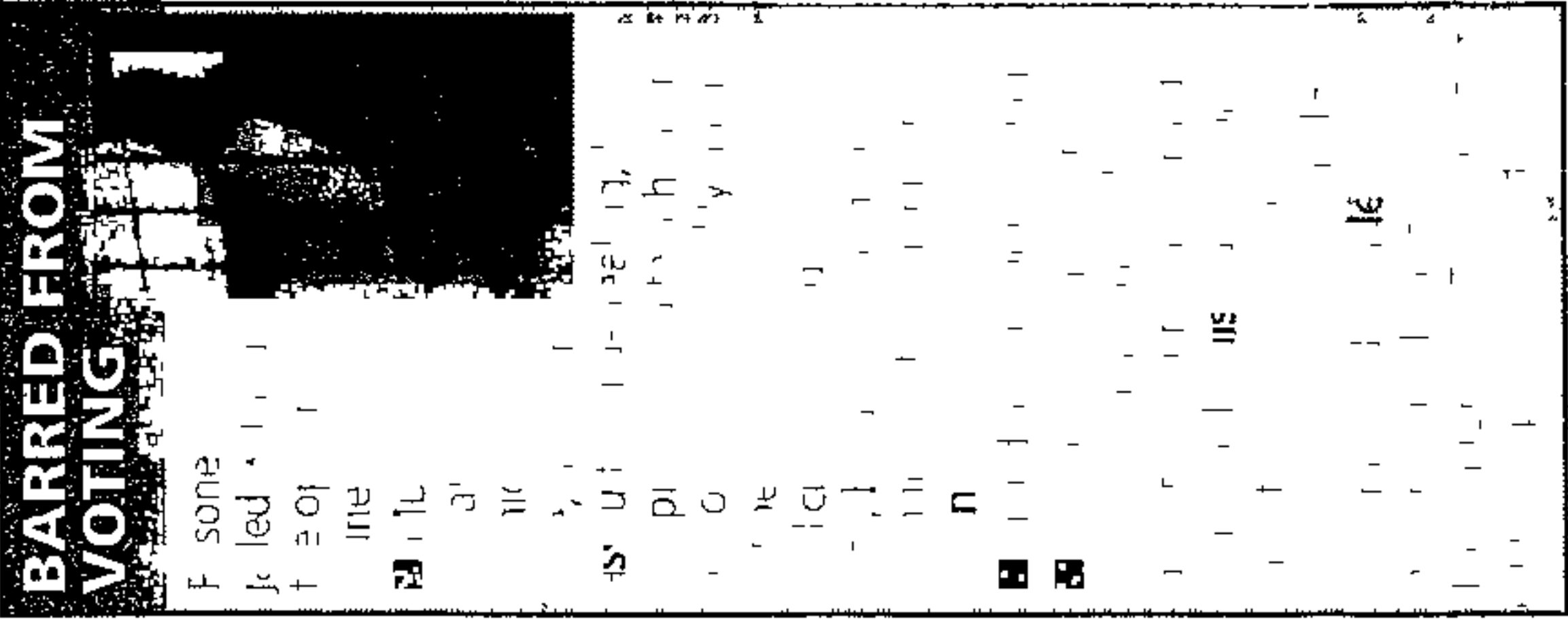
The South African Correctional Services (SACS) said a warder noticed smoke billowing from Cell 6 at Queenstown Prison at 11 45 am yesterday and sounded the alarm.

Attempts by the fire brigade and prison staff to enter the cell were made impossible by prisoners who blocked the cell door by stacking steel beds against it.

Sapa reports that by last night 3,000 prisoners were also on hunger strike countrywide. These included 614 at East London, 29 at Krugersdorp, 148 at Port Shepstone, 16 at Pollsifoor (Cape Town) and 210 at Brandvlei.

Describing the Queenstown

▶ To Page 2



BARRLED FROM VOTING

Some led a line of prisoners who blocked the cell door by stacking steel beds against it.

Some led a line of prisoners who blocked the cell door by stacking steel beds against it.

Some led a line of prisoners who blocked the cell door by stacking steel beds against it.

21 prisoners die in cell inferno

▶ From Page 1

blaze, Olickers said "The whole cell was ablaze with the assistance of the police and local fire brigade, prison staff managed to open the cell and put out the fire. Twenty-one prisoners were found dead".

The prisoners who died

in the fire were among 53 who supported a call by the South African Prisoners Organisation for Human Rights (Sapohr) to take part in mass action.

Olickers said it appeared that most of the prisoners died as a result of suffocation and smoke inhalation.

Autopsies will be performed to establish the exact cause of the deaths.

In a hard-hitting statement, Olickers added that it was time for Sapoohr chief executive Golden Miles Bhudu to face reality and that he now had blood on his hands.

"His supporters ran amok setting cells alight (and) we had to contain this violence. Bhudu, despite our repeated warnings, wants to continue with his mass action and as got blood on his hands and his conscience".

"The death and damage is a direct result of the irresponsible call made by Bhudu. He is on record as saying that the action would be peaceful."

ARC 22/3/94

Fire death swift for inmates in cell No 6

DENNIS CRUYWAGEN
Staff Reporter

DEATH for the 21 convicted medium-term prisoners in cell No 6 at Queenstown Prison came quickly

The men's bodies were found at 12 10pm yesterday, 25 minutes after prison authorities noticed the cell was on fire

The death toll was the worst in the history of the Department of Correctional Services, said spokesman Chris Olckers

The men barricaded themselves into the cell with their beds after unsuccessful talks with prison head F de Villiers about limits on their voting rights, Brigadier Olckers said

Then they set their bedding alight

Warders tried to enter the cell but could not do so because of the intense heat

● Independent Electoral Commission voter education programmes in Western Cape prisons were postponed today pending the Transitional Executive Council decision on prisoners right to vote

(News by D Cruywagen, 122 St George's Mall, Cape Town, and G A Dekker, 100 Bank Centre, Strand Street, Cape Town)

21 die in cell demo

Sowetan 22/8/94

TWENTY-ONE PRISONERS DIED in a cell at Queenstown Prison in the Eastern Cape during a fire yesterday. The tragedy has pushed the death toll in prison deaths since protests started last week to 23. Damage estimated at more than R1 million has been caused to prisons, the Department of Correctional Services said.

Eastern Cape prisons liaison officer Major Paul du Plessis said yesterday the prisoners did not die from their burn wounds, but from the toxic gases smothering them.

He said one cell was completely burnt out.

Du Plessis confirmed the arson was related to other prison violence around the country, with inmates demanding the vote in the April elections. The department attributed the fatalities and damage directly to the "irresponsible" call on inmates by South African Prisoners Organisation for Human Rights official Mr Golden Miles Bhudu to protest to secure the vote for the April elections.

The tragedy at Queenstown Prison was preceded at the weekend by inmates protesting and demanding that all prisoners be allowed to vote.

Fifty-three prisoners supported Bhudu's call by toying and refusing to eat, the statement said.

At 11.45am yesterday, a warden saw smoke coming from cell 6 and sounded the alarm.

The local fire brigade was called and 15 members of the Department of Correctional Services ran to help. Their attempts to gain entry to the cell were thwarted because prisoners had blocked the cell door by stacking steel beds against it, the statement said.

"Bhudu is on record as saying that the action would be peaceful. Such destruction, death and injury of people, some of whom are not part of the mass action, is anything but peaceful."

The department extended its sympathy to the families of those killed and called on all parties involved, including prisoners, to refrain from violence and protests because this could lead to more

deaths and injuries.

Sapa

94



All prisoners have right to vote - TEC

Star 23/3/94

■ STAFF REPORTERS

The Transitional Executive Council last night reviewed its earlier decision and agreed that all prisoners would be given the right to vote.

The Government and Ciskei reserved their positions.

The decision was reviewed because of "practical problems" anticipated by the Independent Electoral Commission in implementing the Electoral Act which presently only allows certain categories of prisoners the right to vote.

(253)
The TEC further agreed that a three-member committee, consisting of TEC, Government and IEC representatives, meet urgently to investigate the implementation of the reviewed decision.

Before last night's announcement an uneasy calm had returned yesterday to South Africa's prisons, hit on Monday by violent uprisings which left 23 dead and scores injured.

In Pretoria earlier yesterday, Marcus Cox, spokesman for the SA Prisoners' Organisation of Human Rights, said at a picket held outside the TEC building in Pretoria: "To prevent prisoners from voting in the election is nothing short of discrimination and is unconstitutional."

And before the TEC's announcement, steps had been taken to get the courts to rule on the rights of prisoners to vote.

Two murder convicts planned to bring an urgent application in the Pretoria Supreme Court next week.

Oupa Mbonani and Sibusiso Masuku, who are held at the Pretoria Local Prison, enlisted the expertise of the Lawyers for Human Rights in their application.

(47 Sauer St Johannesburg)

Prisoners can vote in the elections, says TEC

□ New decision made in face of riots, legal action

ALL prisoners can vote in the elections, the Transitional Executive Council has decided

The decision, made in Pretoria yesterday in the face of riots in several prisons and legal action by two prisoners, was a reversal of an earlier decision by the TEC not to extend voting rights to all prisoners

Last week the TEC voted to appoint a committee consisting of representatives of the TEC, the Independent Electoral Commission (IEC) and the government to decide on the issue

African National Congress delegate Cyril Ramaphosa yesterday said the committee had not been able to meet and called for a review of the TEC's earlier decision because "the situation had acquired much more dangerous proportions"

Meanwhile, the Queenstown prison opened its doors yesterday, allowing delegates from organisations and community leaders to inspect the cell where 21 inmates had died in a fire on Monday

The situation was still tense at prisons in the region yesterday, with more than 900 prisoners embarking on a hunger strike at East London's Fort Glamorgan prison

In addition, 634 prisoners were taking part in work strikes, refusing to join labour teams outside the prison, a spokesman for the Department of Correctional Services said

● President De Klerk's action regarding the recent Goldstone Commission interim report, in which some top ranking policemen were implicated in gun-running has been absolutely correct and beyond criticism, National Party Cape leader Dawie de Villiers said

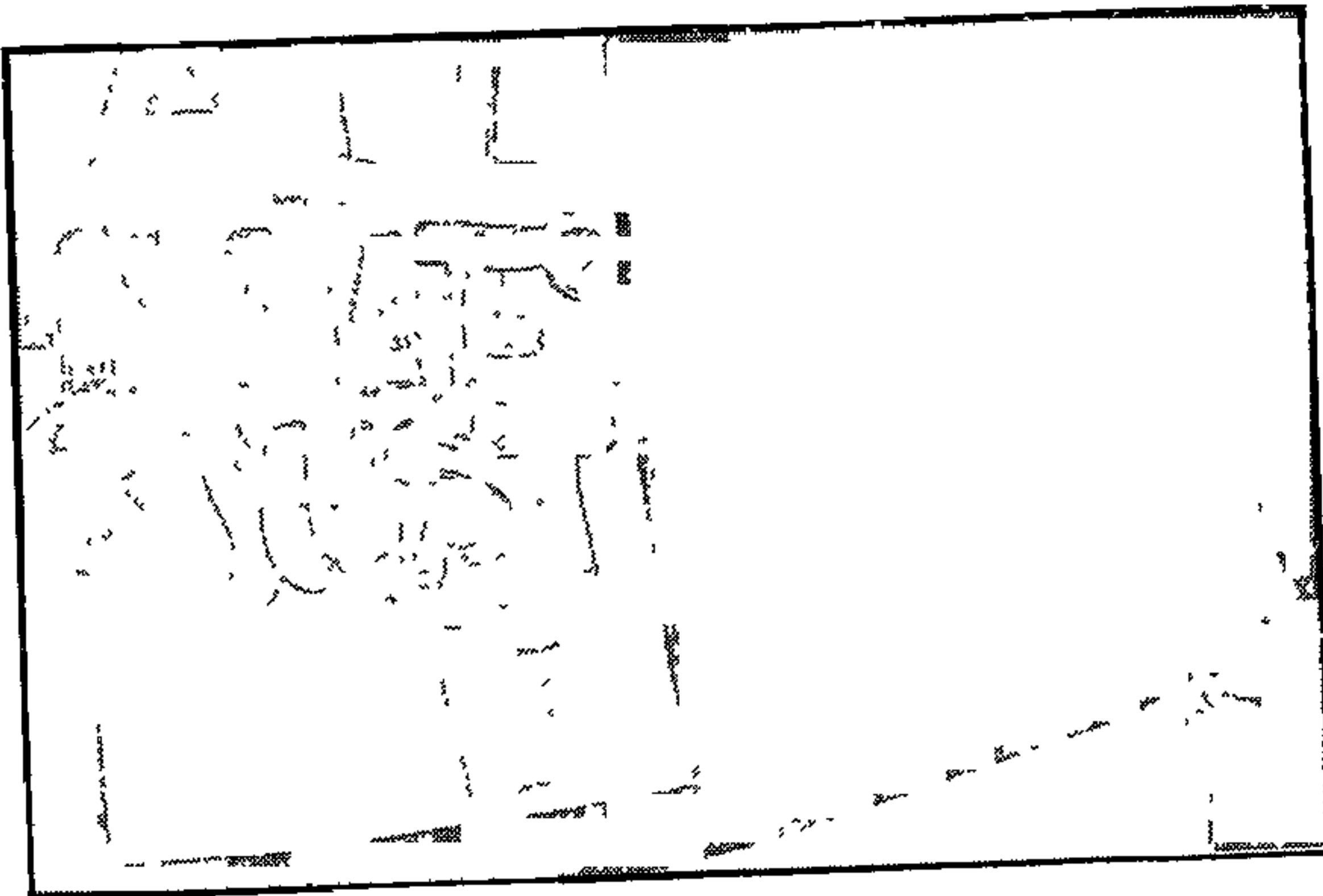
In a statement yesterday, Dr De Villiers said that when such serious allegations were made by a judge of appeal, the state president had a duty to see that such allegations be investigated to dispel charges of a cover-up

● At a meeting in Pretoria yesterday, the TEC ordered a freeze in the creation and upgrading of all posts in the public services

● The TEC adopted a resolution proposing that the National Assembly meet for the first time on May 6 in Cape Town to elect South Africa's new president.

The TEC proposal suggested the formal inauguration and swearing-in ceremony, be held on May 10 at the Union Buildings in Pretoria.

● The Afrikaner Volksfront plans to ratify its claim to Pretoria as the capital of its planned volkstaat at a mass rally in the city on Saturday



VOTER SUPPORT: A youth demonstrates for voting rights for prisoners outside the TEC offices yesterday. The protest was called by the South African Prisoners' Organisation for Human Rights after 21 inmates were killed earlier this week in a Queenstown prison

AVF leader Ferdie Hartzenberg said at a public meeting yesterday in Pietersburg that a draft constitution for the volkstaat would be announced at the rally

● Unfounded allegations that Transkei leader Bantu Holomisa and senior ANC officials masterminded the elimination of Inkatha Freedom Party officials in 1992 had been the continuation of a "dirty tricks campaign" by the IFP and the government to blacken his name, Major-General Holomisa told the Rand Supreme Court

General Holomisa made this claim in an uncontested court action in which he has claimed R100 000 from

the IFP on grounds that he was publicly defamed by IFP officials

● The Azanian People's Organisation says a bogus pamphlet calling for the killing of white people is being distributed in the name of the organisation at railway stations in Umlazi, KwaMashu, on the Natal south coast and other areas in Natal

● The South African Police Union demanded the immediate payout of pensions and leave money, following similar demands by civil servants in Bophuthatswana which eventually led to the downfall of its deposed president, Lucas Mangope

(Compiled by H S Robertson, 122 St George's Mall, Cape Town)

P.T.O

All (253)
CT 23/3/94
convicts

to get to cast a vote

PRETORIA — All prisoners will be allowed to vote in the April election, the Transitional Executive Council decided yesterday.

The decision was taken in the light of widespread prisoner dissatisfaction at the TEC's original decision last week that prisoners would not be allowed to vote, and subsequent riots at prisons countrywide.

Forty-two prisoners at Helderstroom prison near Caledon set their communal cell alight at about 7.40 last night, before hearing about the TEC's decision. No one was hurt in the incident.

The prisoners were evacuated and the fire extinguished before anyone was injured.

Earlier in the day, about 50 members of the South African Prisoners Organisation for Human Rights protested outside the TEC building.

Members of the SA Prisoners Organisation for Human Rights presented a memorandum to the TEC earlier yesterday calling for the establishment of a multi-party commission of inquiry into the death of 21 prisoners in Queenstown at the weekend.

● The Trauma Centre for Victims of Violence and Torture has asked the International Committee of the Red Cross to investigate reports by relatives that prisoners injured in last week's riot at Pollsmoor Prison have not received adequate treatment — Sapa

to stop his friend Elroy
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All prisoners to vote in April poll

Sowetan

23/3/94

Sowetan Reporters and Sapa

ALL prisoners will be allowed to vote in the April election, the Transitional Executive Council decided yesterday. The decision was taken in the light of widespread prisoner dissatisfaction with not being allowed to vote and the subsequent riots at prisons countrywide. A joint TEC and Independent Electoral Commission and Government team was established to finalise the details. The TEC decision reversed a decision last week not to allow prisoners who were jailed without the option of fine to vote, in spite of the Independent Electoral Commission advising that discriminating against some prisoners would create logistical difficulties. African National Congress delegate Mr Cyril Ramaphosa warned of many more deaths unless all prisoners were given the vote. He said 23 prisoners had already died. Earlier in the day, about 50 members of the South African Prisoners Organisation for Human Rights protested out-

side the TEC building against the TEC's opposition to prisoners voting.

The TEC resolution was made possible when the Democratic Party reversed its opposition on practical grounds.

Government representative Mr Roelf Meyer and Ciskei's Mr Mickey Webb reserved their positions but did not oppose the resolution.

Meanwhile, several prisons around the country descended into a state of "anarchy and chaos". Department of Correctional Services officials said yesterday.

And South African Prisoners for Human Rights Organisation spokesman Mr Golden Miles Bhudu warned that "rolling mass action" would continue after the April 27 election if inmates were not allowed to vote.

At Pretoria Maximum Prison, nine prisoners and three warders were injured in prison chaos that destroyed 18 cells on Monday. Day officials "regained control" at Queenstown Prison, where 21 people were killed on Monday, and at other prisons.

(253)

Government to act against right-wing radio stations

THE postmaster-general is to take action against two illegal right-wing radio stations operating from the Free State, Radio Koppies and Radio Vryheid.

Postmaster-General Ters Oosthuizen confirmed yesterday that the first steps against the stations had already been taken, but declined to divulge details.

Oosthuizen said his department needed evidence

LLOYD COURTS

before it could act. Radio Vryheid began broadcasting on Saturday, and it is understood the TEC has been requested by the Independent Media Commission to investigate Radio Koppies, which has been broadcasting for a few weeks.

Oosthuizen said his department's action would be carried out in a civilised manner to avoid violence.

While recent court actions against Radio Pretoria had taken time, "we managed to get them back in line", he said.

The Independent Broadcasting Authority (IBA) will assume general control of broadcasting matters, but while the authority's members have been named, the IBA Act has not yet been promulgated.

Until the Act is passed, the Home Affairs Department remains responsible for issuing broadcasting licences, and the Postmaster-General for issuing legal transmission licences.

Report by L Courts TML 11 Diagonal St, Jhb

Political comment in this issue by J Jones newswriter by D Armour, headlines and sub-editing by C Pickard-Cambridge all of 11 Diagonal Street Johannesburg



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All prisoners may vote, TEC decides

PRETORIA — All prisoners would be allowed to vote in the elections, the Transitional Executive Council decided yesterday.

Sapa reports the decision was taken in the light of widespread prisoner dissatisfaction with not being allowed to vote, and riots at prisons countrywide.

A joint TEC, Independent Electoral Commission and government team was established to finalise the details.

The TEC decision reversed a decision last week not to allow prisoners who were jailed without the option of a fine to vote.

The TEC resolution was possible because the DP reversed its opposition on practical grounds. Government representative Roelf Meyer and Ciskei's Mickey Webb reserved their positions, but did not oppose the resolution.

WILSON ZWANE reports the ANC had supported the call for all prisoners to be allowed to vote next month, but said their participation in future elections could be reviewed "once a fully democratic society" had been established.

The ANC called for an independent commission of inquiry into the 23 deaths in prisons in the past week, saying it believed that the brutality displayed by prison officials "significantly contributed to the deaths and injury to prisoners in the past few days".

The SA Prisoners' Organisation for Human Rights called yesterday for a multi-

party/probe into all deaths and human rights abuses in prisons

It said that such an inquiry would help reform prisons which had been turned into "volksstaats" by their predominantly white and right-wing officials.

Prisoners' organisation spokesman Golden Miles-Bhudu said his organisation, which last week called on prisoners to demonstrate against limits on their voting rights, was not responsible for deaths and violence in prisons.

Miles-Bhudu said prisoners who had committed acts of violence had been goaded into them by prison officials.

He said his organisation had called for "peaceful mass action". But any form of protest by prisoners was met with "brutal" force by prison warders.

He said a multiparty commission of inquiry should be established to look into all deaths and abuses of human rights in prisons. He also called on the TEC to intervene immediately and place the Correctional Services Department under close scrutiny.

Miles-Bhudu also alleged that the 21 prisoners who died at Queenstown Prison on Monday had died from inhaling tear gas and not smoke.

Correctional Services spokesman Col Barry Eksteen rejected this allegation.

However, all "allegations, facts and circumstances surrounding this tragedy will form part of a judicial inquiry", he said.

Report by W Zwane TML, 11 Diagonal St, Jhb

125 000 prisoners to vote

Star 24/3/94

■ BY HELEN GRANGE

The Transitional Executive Council's (TEC) decision on Tuesday to allow all prisoners to vote affects about 125 000 inmates in prisons around the country, including those in Transkei, Venda and Ciskei.

Prisoners will exercise their vote on April 26, while prison staff will vote on April 27 and 28, it has been decided.

Voting will take place at IEC-administered stations inside prisons in the presence of IEC monitors, international observers and party voting agents.

■ Sapa reports that long-term prisoners at Ciskei's Middeldrift Prison went on the rampage yesterday, insisting they be allowed to vote at home, not in jail.

■ Thirty-one prisoners remained on hunger strike at Fort Glamorgan prison in East London yesterday despite the TEC decision.

A Department of Correctional Services spokesman said 40 prisoners on a hunger strike in Cradock had also not suspended their strike. (253)

■ About 200 maximum security prisoners at Helderstroom Prison outside Caledon in the Western Cape yesterday set fire to six cells and broke windows.

No one was injured — Sapa

(H Grange, 47 Sayer St, Jhb and B MacLennan, 141 Commissioner St, Jhb)

Pollsmoor prisoners' injuries — plea for visit by Red Cross

DENNIS CRUYWAGEN
Political Staff

(253)

ARG 24/3/94

THE International Committee of the Red Cross has been asked to visit Pollsmoor Prison urgently to ascertain the extent of the injuries of rioting prisoners

The Trauma Centre for Victims of Violence and Torture has also called on the Department of Correctional Services to give independent health professionals — to be appointed by the Western Cape Peace Committee — immediate access to Pollsmoor

They would give adequate medical treatment "to all injured" prisoners and to conduct an independent inquiry

The centre made these calls after relatives and families claimed prisoners were not given adequate medical treatment after rioting last Friday when the Transitional Executive Council announced the franchise would not be extended to all prisoners

It has since changed its mind

The centre said rioting prisoners in Medium A section burnt their bedding and barricaded their cells

The revolt spread to the maximum security section

About 6pm last Friday, prison authorities teargassed and baton-charged a number of prison-

ers, causing serious rib and head injuries, the centre said

No information was available about the number of prisoners injured or the extent of their injuries

Meanwhile, in a letter smuggled from Pollsmoor, black prisoners have warned of rising racial tension

The letter said black prisoners had decided to beat coloured prisoners and white warders because they were working together

"The warders don't want the black prisoners. The situation is like that. You can expect anything, even death, at any time because of these white people"

Prisoners demand to vote at home

B/Dey 24/3/94

BISHO — Long-term prisoners at Ciskei's Middledrift Prison went on the rampage yesterday, insisting they be allowed to vote at home, not in jail.

Sapa reports a Middledrift officer said prisoners grabbed a master key and opened all cells in the jail. Prisoners gathered in a courtyard and set their cells alight.

"They know they are going to vote, but they are still burning and breaking. They say there is no voting ballot behind bars. They want to vote at home," the officer said, adding that prison staff were trying to negotiate with the inmates.

Warders expressed fears that similar uprisings had occurred in Mdantsane, but this could not be confirmed.

STEPHANE BOTHMA reports from Pretoria that the situation in other prisons was still tense yesterday with inmates continuing their hunger and work strikes despite the TEC's announcement on Tuesday that all prisoners could vote on April 26.

At least 23 prisoners were killed when violence erupted in cells following a call by the SA Prisoners' Organisation for Human Rights for prisoners to begin protest action to demand the vote in the elections.

The organisation yesterday called for an end to protests.

However, it would present further demands to the authorities to ensure that "brutality by warders" was ended and prison conditions improved.

Organisation spokesman Golden Miles Bhudu said one of the demands was the immediate establishment of a national prisoners' welfare and release forum aimed at preparing and reintegrating inmates into society.

"We are envisaging that the future government builds halfway houses near the 210 prisons around the country," he said, adding that most prisoners were released without jobs or accommodation and that halfway houses would help them back into society.

He also called for a multiparty commission of inquiry into the deaths arising from the recent protest — including the incident in which 21 prisoners were burnt to death at the Queenstown Prison after setting fire to their cell.

"We are deeply saddened that it has taken such tragic loss of life and brutality in the prisons to achieve voting rights," Bhudu said.

Meanwhile, the CP has strongly condemned the recent violence in prisons as well as the TEC's decision to give all prisoners the right to vote.

Report by B MacLennan, Sapa, 141 Commissioner St, Jhb, and S Bothma, TML, 218 Vermeulen St, Pretoria

Prisoners: Are they outcasts or citizens?

253 WM 25-30/3/94



Prisoners are punished for their crimes by depriving them of their liberty and freedom. Is it necessary to deprive them of their right to vote? asks **Kader Asmal**

FOR some time now, prisoners in our jails have been lobbying for a universal right to vote in the elections. That they have a case is reflected in the reported agreement of the venerable Independent Electoral Commission that the Transitional Executive Council should amend the Electoral Act of 1993, so as to remove the sloppy compromise of last November when the negotiating forum at Kempton Park agreed to the present law.

The furore of work stoppages, direct action and massive overreaction by the prison authorities over the past week, resulting in serious loss of life and damage to property, has been the consequence of regrettable prevarication by some political parties who have not conceded what is a legitimate demand.

The legitimacy of the prisoners' demand does not arise from any abstract notion of justice but from the principle of free participation in the electoral process.

The right to vote is not an absolute or unlimited right in any country. In common with other countries, we have disqualified persons of unsound mind or those detained as mentally ill or for drug offences. The justification for such exclusions is that these categories of persons would not be able to express their choices freely.

Restrictions are therefore permissible under any code of human rights. But such restrictions must not be arbitrary or capricious. Limitations on the suffrage must be rational and in pursuit of a legitimate aim. But most important of all, they must be seen in the context of the overall public policy of the state concerning who is entitled to vote.

Our public policy for the first democratic election is reflected in section 15 of the Electoral Act 1993, arguably the most far reaching provision in the world. We have decided to allow persons who are not citizens to vote. In addition, South African citizens who are

abroad on election day are also entitled to vote, another unusual step.

Contrary to what partisan cynics may say, such a liberal approach was not adopted for party political reasons but to make our first democratic elections as inclusive as possible. Obviously, some parties may benefit from British, German, Irish and Portuguese passport holders being able to vote. In this vein, other parties may enjoy an advantage with the enfranchisement of migrant labourers whose residence status as of December 1978 may not have been clear.

It was this principle of inclusivity, in the special situation prevailing in South Africa, that impelled the ANC negotiators at Kempton Park to look at the question of prisoners' disqualifications afresh. The government's reaction to comprehensiveness was, first, to stonewall, then to propose that only people who were sentenced to terms of imprisonment without the option of a fine or for non-fulfilment of a civil debt could vote. There seemed to be an unstated assumption that any crime involving dishonesty or violence required the additional punishment of vote deprivation, because of heinousness of the offence. The fact that a person who had paid an admission of guilt for criminal offences would not suffer this indignity did not appear to make any impression.

As a result and, because the matter became a "bottom line" issue, the present provisions disqualifying persons convicted of an attempt or the actual commission of a serious crime involving violence or dishonesty were adopted.

South Africa has the second largest prison population, per head of population, in the world, after the United States.

Successive reports, most recently by Human Rights Watch, have rightly condemned our prison conditions as being barbaric and inhuman.

The most important penalty we

can impose on prisoners is deprivation of their liberty and freedom, consigning them to what are often communal hell-holes.

It seems that a civilised jurisprudence would then extend to prisoners all the rights of citizens which can be expected to be exercised in prisons. There is no better way of ensuring a fundamental change in prison policy than by giving prisoners a vote.

Other countries' treatment of this topic is determined by their own history and constitutional assumptions and comparisons are therefore neither apt nor relevant. Anglo-Saxon countries usually prohibit prisoners from exercising suffrage rights, many Continental countries allow for a suspension of civil rights following conviction for certain offences.

A case in point was an application from the Netherlands which was decided by the European Commission on Human Rights in 1982 where a Dutch conscientious objector complained about the general rule in the Netherlands that every prison sentence of more than one year always resulted in a suspension of the exercise of the right to vote for three years. The commission, surprisingly, upheld the law, as not going beyond the restrictions justifiable under the European Convention on Human Rights.

The better opinion, which can only be tested before the Constitutional Court, is that a general and wide prohibition such as the present law is a punitive measure which cannot be justified under the future Bill of Rights as being "reasonable and justifiable in an open and democratic society based on freedom and equality".

In any event, the issue should not be left to be teased out by lawyers. The political solution, which the TEC cannot evade any longer, must surely take into account the absolute need for the free expression of opinion by our people, however reprehensible their previous conduct may have been.

The TEC should therefore grasp the opportunity to do the honourable and decent thing.

■ Kader Asmal is professor of human rights law at the University of the Western Cape.

PRISONERS got the vote this week, but the price they paid was high. At least 23 inmates lost their lives in rioting which shook prisons across the country, while scores were allegedly assaulted by prison warders battling to quell the revolt.

But in spite of the Transitional Executive Council's decision that the vote be extended to all categories of prisoners, it is not yet final that all those in prison will be allowed to vote.

The National Party insists that "criminals found guilty of serious crimes" be denied the right to take part in the elections.

In terms of agreements reached by the multi-party negotiating process last year the Electoral Act may only be changed through a joint decision involving the TEC, the state president and the Independent Electoral Commission.

Both the TEC and the IEC have already recommended that all prisoners be allowed to vote. The final decision now rests with President FW de Klerk who may refuse to sign the amended Act.

An NP source this week said his party feared that most prisoners would vote for the ANC. "People don't vote for a government which they hold responsible for putting them into jail."

Amid mounting calls for an independent commission of inquiry into prisoners' deaths, the Department of Correctional Services this week laid the blame for the fatalities at the door of the South African Prisoners Organisation for Human Rights (SAPOHR), which spearheaded the campaign for prisoners' enfranchisement and is led by former prisoner Golden Miles Bhudu.

The department attributes the fatalities and damage to SAPOHR's Miles Bhudu's call for prisoners to demand the vote, a spokesman said.

SAPOHR's Marcus Cox retorted: "Blaming SAPOHR and Bhudu for prison deaths and brutality is a gross distortion of the truth. Correctional Services are killing inmates and blaming the organisation that is fighting for prisoners' rights."

Twenty-one prisoners died after setting cells alight in Queenstown's prison and two died in a cell fire at Paardeberg prison.

The department said in a statement that in Queenstown, warders' attempts to save inmates were thwarted by prisoners who blocked cell doors by stacking steel beds against them.

Bhudu said this was "a blatant lie". He said: "From experience I know that prison doors open outwards. I cannot see how beds inside the cell can stop the door from opening to the outside."

The ANC backed Bhudu, saying: "The ANC rejects the suggestion by Correctional Services officials that the deaths are a result of mass action by prisoners."

Events that eventually saw prisoners getting the franchise this week included:

- A countrywide hunger strike involving more than 3 000 prisoners.
- Prisoners at Boksburg prison holding two warders hostage last Friday while demanding to meet Bhudu and senior ANC and PAC officials and the subsequent assault of 62 prisoners, which was condemned by the ANC as "shocking and outrageous".
- The breakout by more than 2 000 prisoners at Pietermaritzburg prison on Monday when they assembled in a prison courtyard, resulting in 120 prisoners sustaining injuries.
- Cell fires started by prisoners on Death Row at Pretoria Central and at prisons in Middelburg.

'Satanic' teenagers to appeal sentences

Mondli waka Makhanya

TEENAGERS Angelique Orso and Lawrence van Blerk, who claimed demonic possession led them to murder Orso's mother, will have to wait for the outcome of their appeal to learn whether they will serve the lengthy jail terms handed down in the Cape Supreme Court this week.

Orso (18) and Van Blerk (19) were sentenced to 11 and eight years in prison respectively for the September 1992 murder of Dawn Orso, who was bludgeoned with a frying pan and throttled with a metal curtain rod before her body was laid in a shallow grave in the Orso's garden.

In sentencing the pair, Mr Justice DM Williamson acknowledged a supernatural hold over Orso, but dismissed their defence that they had no control over what they were doing owing to possession by demonic forces.

Orso had had a troubled relationship with her mother, which came to a head in an intense argument the night before the murder.

On hearing her sentence, Orso would have collapsed in the dock if a relative had not held her. Face buried in her hands, she wept hysterically as she was led to a waiting police car.

Prisoners counting the cost of getting the vote

Prison riots made the TEC give prisoners the vote. **Mduduzi ka Harvey and Chris Louw** report

in the Eastern Cape and Mdantsane in the Ciskei

Wednesday to halt their campaign. Long-term prisoners at Ciskei's Middelburg Prison went on the rampage, insisting they be allowed to vote at

home rather than in jail. After seizing a master key and spilling into a courtyard, prisoners burnt their cells. A prison officer told Sapa Reports of similar uprisings at Mdantsane prison could not be confirmed.

And at Fort Glamorgan Prison in East London, 31 prisoners remained on hunger strike.

spokesman Colonel Barry Eksteen said another 40 prisoners at Cradock had also not suspended their hunger strike. (253)



Golden Miles Bhudu Correctional Services 'lying about deaths' PHOTO THEMBA HADEBE

"Treat people as if they were what they ought to be and you help them to become what they are capable of being."

Johann W. von Goethe

"We believe that, in the right environment, ordinary people are capable of extraordinary achievement. Our task is to help create that environment."

Jock D. McKenzie
Chairman and MD, Caltex Oil (S.A.)

The nation's townships have many small businesses. Some thrive. Most do not. A Caltex employee, Moegsten Harris, decided to find out why. He looked at a number of businesses including the Garden Pot Centre in Athlone, Cape Town, and discovered an acute shortage of management skills.

Moegsten introduced Mr Rudwaan Baderoen, manager of the Garden Pot Centre, to the Modern Management Programme at Caltex's training facility, Woodland Heights.

Caltex also provided money to purchase moulds and upgrade the Centre's cement mixers. With improved management and production, this community-based business is now showing tremendous growth. Our support continues.

Each year more than a hundred people attend our Modern Management Programme at Woodland Heights. The skills they learn enable them to increase their production, provide employment and make a profit. We at Caltex are committed to a skilled, productive and profitable South Africa.



No ordinary commitment.

PRISONS

FM 25/3/94
Give them cake, too

What price is the TEC prepared to pay to uphold its decision that most prisoners will not be allowed to vote on April 27?

The cost so far has been high. As the FM went to press the death toll in prison riots sparked by demands to vote stood at 23. Another 265 people had been injured, including 15 warders, and damage to property was estimated at R3m. Correctional Services spokesman Brigadier Chris Olckers said the situation in prisons across the country was "extremely volatile" (253)

The unrest followed confirmation by the TEC last week that certain categories of prisoners defined in the Electoral Act would not be allowed to vote. They include most of the 115 000 now in jail. But voting rights for all prisoners are being demanded by a number of groups including the SA Prisoners' Organisation for Human Rights (Sapohr), Lawyers for Human Rights and the National Institute for Crime Prevention & Rehabilitation of Offenders (Nicro). Sapohr called for mass action in prisons to protest against the TEC's decision. The call was slammed by Olckers as irresponsible and has been blamed for most of the violence.

At its regular meeting this week the TEC was due to debate a possible reversal of its ruling. The discussion was expected to be influenced by a meeting between Independent Electoral Commission (IEC) member Helen Suzman and TEC member Mac Maharaj to discuss ways to defuse the situation. The IEC's position on the issue is that, while the question of who should vote is a political decision for the TEC, it is logistically impractical to segregate prisoners into voting and nonvoting categories.

It seems that only full voting rights for all prisoners will calm the situation. Olckers says Prisons Commissioner Henk Bruin has written to the TEC giving the department's views on the situation and how it could be resolved, but declines to disclose details.

He adds, however, that the service is completely apolitical and will carry out whatever instructions it receives from the TEC. Arranging for all prisoners to vote would not be a major logistical problem — but it is not feasible for inmates to leave prisons to vote as has been demanded by Sapohr.

It is widely accepted in the civilised world that prisoners convicted of certain categories of crime have forfeited their right to exercise the franchise. There is no reason — apart from the pressure to capitulate expediently before the blackmail of prison violence — for SA to go against this view. ■

Fighting to break chains of old order

Star 26/3/94

(253)

DESPITE the TEC's decision to enfranchise prisoners, the shackles of apartheid still abound, Golden Miles Bhudu told MAUREEN ISAACSON.

IN CONVERSATION with Golden Miles Bhudu, executive officer of the South African Prisoners' Organisation for Human Rights (SAPOHR) and policy and project officer Marcus Cox this week, defences are up in an anger-charged atmosphere

"Prisoners must vote! Prisoners must vote!" say posters on the walls of their deskless offices in Khotso House. The office rent is paid for by the "almost dry" kitty of R25 000 the organisation received in US aid

The seven voluntary office workers who survive on a weekly salary of R125 are hard at work. Their concerns, like those of their uncompromising executive officer, are clearly not material. They share Bhudu's vision that the shackles of apartheid will finally be broken, and they do their best to serve the organisation's 15 000 members

What a week it has been for SAPOHR. First came the termination of its rolling mass action after the TEC's decision to enfranchise prisoners, followed by the raising of hopes that the *skop, skiet 'n donder kragdadigheid*, once rife in prisons, will become a thing of the past

But at what a cost. Twenty-one lives lost in the Queenstown Prison fire. Violent outbreaks in

Mantzberg, Pretoria, Boksburg and Paardeberg prisons and a historic visit on Wednesday by SAPOHR to Modderbee Prison to defuse a volatile situation

In the process, however, there have been lots of accusations levelled at the organisation. "Blood is on their hands," said Law and Order Minister Hernus Kriel after the deaths in Queenstown of prisoners backing an SAPOHR call to support the mass action for their enfranchisement

Bhudu and Cox have a burning desire to see justice done through the organisation that Bhudu started in Modderbee in 1988. Nigel-born Bhudu (30) has five years' "inside" experience for housebreaking and attempted theft. Durbanite Cox (25) spent five days inside for a "petty juvenile offence"

Bhudu says he cannot keep his mouth shut, which is why he was fired from both positions he has filled as an analytical chemist. "I'm prepared to lay my life down for this cause," and likens his vision to those of Martin Luther King and Malcolm X

Human rights

"I know the difference between right and wrong," says this charismatic man who took to protesting in chains and prison fatigues, in the streets of Johannesburg after the death of six prisoners in Barberton in 1991. "I know, prisoners from the inside. I was badly treated, spent most of my time in solitary"

He is adamant that the rolling mass action was intended to be peaceful and disciplined

Cox, who spent five years in exile in Australia and is taking a break from his studies in politics and law at the University of Melbourne, calls himself a socialist, committed to "nothing short of contributing to human rights and justice in South Africa"

He expresses astonishment at the accusations levelled against the organisation and insists that its appeal to the Department of Correctional Services for independent observers or monitors was not heeded

"The mass action was not just about the vote — the vote means recognising prisoners as benefiting from the democratisation process," says Cox

Although the two were not sure of whether prisoners in other countries were enfranchised, they conceded that there were certain categories of prisoners who were not allowed to vote in Australia, Scandinavia and the Netherlands

But Cox added that South Africa must be wary of comparing itself with other countries over this issue. "We must have solutions for South Africa. We are redressing the legacy of apartheid and the majority of people are in prisons because of apartheid"



VOTING VICTORY: SAPOHR kingpins Golden Mjoli and Marcus Cox continue with the struggle to fight for the rights of South Africa's prisoners

PHOTOGRAPH DEBBIE YAZBEI

sta1

26/3/94

253

CT 26/3/94
Popcru warns
of pay strike

JOHANNESBURG —
The Police and Prisons
Civil Rights Union
would enter negotia-
tions with the Police Fo-
rum on Monday with a
threat to strike if its de-
mands, including a 30%
pay increase, were not
met, Popcru president
Mr Enoch Nalani said
yesterday. (25/253)

Other demands in-
clude a call for the rein-
statement of 300 police
and about 250 prison
workers, dating back to
1990, and the lifting of
disciplinary charges
against Popcru members
who marched here last
August — Sapa

Convicts riot at Worcester

WORCESTER — Prisoners demanding the right to vote set fire to blankets and damaged the contents of three cells in Worcester Prison on Thursday night (23)

● Prisoners hurt in last week's strike action at Pollsmoor Prison had received a high standard of medical services, prison spokesman Colonel Barry Eksteen said yesterday CT 26/3/94

But Mr Tom Winslow of the Trauma Centre for Victims of Violence, Torture asked how one doctor could treat more than 100 injured prisoners — Sapa, Political Staff

Media denied interviews with inmates

(253)

ARG 26/3/94

Weekend Argus Reporter

WEEKEND Argus has attempted to speak to prisoners in Pollsmoor Prison about their voting rights.

But the Department of Correctional Services has refused interviews.

The department issued a terse statement saying "no interviews by the media with prisoners regarding this issue will be allowed".

However, Captain J S Gerber, of the department's media liaison section, said voter education programmes in prisons had started on March 14 and were being conducted by the Independent Electoral Commission (IEC).

Saki Maluleke, of the IEC, said various non-government organisations had been accredited by the IEC to conduct voter education programmes in prisons and had been doing so since mid-February.

Prior to this week's TEC announcement that all prisoners who are South African citizens would be allowed to vote in the election, only prisoners who were serving a sentence, but had been offered the alternative of paying a fine, were set to vote.

Demand for 'rights' costs 23 their lives

AMU 26/3/94 (253)

DALE KNEEN

Weekend Argus Reporter

GOLDEN MILES Bhudu is the man prison authorities believe is the "trouble-maker" behind the prison riots that have swept the country.

He's the person who heads the South African Prisoners' Organisation for Human Rights (SAPOHR), which urged prisoners to fight for their right to vote.

They heeded his call, but instead of embarking on an orderly programme of mass action, they rioted and 23 prisoners were killed.

The Department of Correctional Services would like to place the blame for their deaths at Mr Bhudu's door.

But, Mr Bhudu thinks otherwise.

He believes the "apartheid criminal justice and prisons,

■ An urbane, 31-year-old "ex-con" heads an organisation fighting for the rights of those behind bars.

systems" have to be changed to avoid a recurrence of last week's prison insurrection.

He has spent time behind bars for "pulling a job" at a store and making off with furniture worth thousands of rands.

Mr Bhudu, 31, was born in the suburb of Serutiville outside Nigel in the Transvaal.

He began work at Secunda's Sasol 2 as a laboratory assistant after matriculating in 1979, but his bosses were not impressed with his performance.

"I was discontented because my job was reserved for whites, coloureds and Indians only. Blacks were forced to be labourers," said Mr Bhudu.

He tried to form a union and

was fired, and was unemployed for 2½ years. Then he got a job at a company producing chemicals for agriculture.

There he noticed blacks were being exposed to chemical dust and some of the women had become infertile from toxic poisoning.

"I took up their plight with management, but they were only interested in getting rid of me." He was fired.

"I couldn't find anywhere else to work and fell on hard times. Then, there was the burglary at the furniture store and I was arrested."

Mr Bhudu was imprisoned for six years at Nigel Prison, then transferred to Modderbee Medium Prison.

"The prison was run by gang-

sters and prisoners were left at the mercy of the prison department."

SAPOHR was formed in the prison in 1989, two years before Mr Bhudu walked free on August 24 1991.

The organisation, which now has an office in Johannesburg's famed Khotso House, has campaigned tirelessly for the rights of prisoners.

When six prisoners died in Barberton prison during riots there in 1991, Mr Bhudu protested for five hours each day for five days.

The official version of their deaths was that they had committed suicide, but Mr Bhudu believed they had been murdered.

He waited for two years, then, last month, 14 prisoners appeared in the Nelspruit Magistrate's Court charged with arson and murder.

Prisoner vote ruling criticised

(253) ARG 28/3/94
The Argus Correspondent

JOHANNESBURG — Home Affairs Minister Dame Schutte last night said last week's decision by the Transitional Executive Council (TEC) and the Independent Electoral Commission (IEC) to allow every prisoner to vote did not necessarily mean they would be allowed to

He said the government was strongly opposed to prisoners serving sentences for murder, rape, fraud, assault and robbery being allowed to vote in the elections

"It is inappropriate that in a civilised community the improper demands and threats of criminals are yielded to

"It is further inappropriate that the TEC, which is less representative than the Negotiation Council, could overturn that council's well-deliberated decision in this regard"

Mr Schutte criticised the way the issue was being handled, saying it was not proper that such a contentious constitutional issue be dealt with by means of "subordinate legislation"

He said the criminals whose voting rights would now be relevant, were common criminals who could not claim that their crimes were politically motivated

Democratic Party head Zach de Beer said his party was also not in favour of voting rights being accorded to common criminals. However, the party supported the TEC and IEC recommendations out of respect for these bodies

(News by Abdul Milazi, 47 Sauer St, Johannesburg)

Prison vote doubts

JOHANNESBURG. — All prisoners would not necessarily be allowed to vote, in spite of the TEC and the IEC decision, Home Affairs Minister Mr Danie Schutte said early today

In a statement, Mr Schutte said the issue of prisoners' voting rights was still under consideration by a joint committee comprising the government, the TEC and IEC

The government was strongly opposed to voting rights for criminals convicted of rape, murder, robbery, assault and fraud

(253) CT 28/3/94
The number of rapes increased 10% to 26 894 in 1993, when 17 467 murders and 59 673 robberies with aggravated circumstances were reported

"Only an irresponsible authority will condone such crimes by bestowing voting rights on such criminals," said Mr Schutte

Mr Schutte said it was inappropriate that the well-deliberated decision of the multi-party negotiating council, which had been more representative than the TEC, could be overturned — Sapa

Prisons are 'calm but tense'

Soweto
By Barbara-Ann Boswell

2513-2913/94
THE SITUATION inside Western Cape Prisons is "calm but tense" after riots and burnings at the weekend, a spokesperson for the Department of Correctional Services said on Tuesday. (253)

Twenty-one prisoners were killed in Queenstown in the Eastern Cape and two were killed at Paardeberg prison outside Paarl over the weekend when riots broke out because of prisoner's limited voting rights.

Brigadier Chris Olckers, a spokesperson for the Department of Correctional Services, said autopsies on the two dead prisoners from Paarl had revealed they were killed before the fires broke out. A murder docket has been opened.

No other incidents had occurred.

Olckers said a confidential letter was sent to the Transitional Executive Council (TEC), sketching the scenario in prisons. The department was still awaiting a reply.

He said that at Queenstown in the Eastern Cape the local ANC branch sent a delegation to the prison to acquaint themselves with the situation inside the prison.

405 prison warders arrested at meeting

Star 3/13/94

■ BY JOVIAL RANTAO
LABOUR CORRESPONDENT

Police arrested 405 prison warders — all members of the Police and Prisons Civil Rights Union (Popcru) — for holding an illegal gathering outside the South African Correctional Services (SACS) offices in Pretoria yesterday (253)

The prison warders, from Vereeniging and Johannesburg prisons, were arrested before they could present their grievances to Lieutenant-General Henk Bruyn. They were taken to the Silverton Police Station where they were each issued with a R300 admission-of-guilt fine and released.

Police spokesman Captain Evan Johnson said several guns were confiscated during the arrest of the Popcru members. Licensed guns were handed back, but police were still in possession of 37 weapons, he added.

Popcru general secretary Nkana Mqwathi accused the SACS of unwillingness to listen to its employees' grievances. He said the warders would not pay the R300 fines imposed on them.

Mqwathi said the warders went to Pretoria because their grievances were not being attended to by local commanding officers. "Members are also frustrated at having to wait three to

four months before their grievances are attended to," he said.

The main grievances were the criteria used to pay certain SACS employees a prestige bonus varying between R2 000 and R15 000, and the lack of a rotation system for nightshift workers.

"Because there's no rotation system we find that 95 percent of members working nightshift are non-white. Our members demand that this should be changed," the Popcru leader said.

Mqwathi said he had tried to negotiate with prison authorities to avoid the action and arrest. He was denied access to Groenpunt Prison, near Vereeniging, where warders embarked on a sit-in on Tuesday.

He said Popcru would march on April 9 to highlight its grievances.

SACS liaison officer Lieutenant Rudi Potgieter said his department was surprised that the grievances had not been sent through existing communication channels.

The SACS, he said, placed high premium on the wellbeing of its staff and would do its utmost to ensure a satisfied personnel corps.

Potgieter said warders were not allowed to strike. Instead, they were entitled to compulsory arbitration.

SOUTH AFRICAN PRISONS: IT'S A JUNGLE IN THE CELL

Surviving in prison often means joining gangs as a form of protection. The Human Rights Watch recently published a book which researched the power of gangs in South Africa's prisons.

QUENTIN WILSON reports:

THE authorities attributed Mr Gerald Nkomo's death in a Vereeniging prison to "natural causes". As a result, there will probably never be an inquest into the his death in September 1992.

But his family paints a different picture. Days before his death, Nkomo, 19, complained to warders that he had been raped, and had asked for a transfer to another prison.

According to his sister who visited him, Nkomo was in good health but he had told her of being scared. He thought his cell mates were going to kill him because he was pressing his complaint of rape.

He was found dead shortly afterwards:

According to the Department of Correctional Services, the doctor who had examined Nkomo had found no signs of rape, and that there would be no inquest into his death because Nkomo had died of "natural causes".

Nkomo's story is one of many.

According to research completed by the Human Rights Watch (HRW), the incidence of violence and gangsterism in South Africa's prisons is of immense proportions. According to the HRW's book, "Prison Conditions in South Africa", there are three dominant prison gangs.

Known collectively as the "number gangs", the 26's, 27's and 28's trace their origins to the late 19th century when gangs were formed in

nesburg mines. As a result of apartheid's pass law system, these migrant workers were frequently subjected to imprisonment — and the gangsterism spread to the cells.

"By the 1920s, gangs had ceased to exist in their original form outside prisons, but had become entrenched inside," says the study.

"Each of the gangs has an elaborate quasi-military command structure, involving up to 30 different ranks, each rank has specific hierarchical duties, and internal discipline is strictly maintained.

"Promotion, particularly to the higher ranks, may be obtained by committing acts of violence on persons outside the gang."

The main gangs have distinguishing features

"The 28's are regarded as the senior gang, and are distinguished primarily by their organised system of "wyfies" or coerced homosexual partners." The 26's are associated with cunning, obtaining money and other goods by means of fraud and theft, while the 27's specialise in violence and are "symbolised by blood".

Other gangs, of more recent origin and regarded as illegitimate by the number gangs are the Big Fives, who collaborate with the authorities as informers and in other ways; and the Air Force, who organise mass escapes, says the report.

"Minor local gangs, sometimes associated with gangs in the outside world, also exist. Gang membership

According to the report, much of the gang activity inevitably leads to violence.

"In theory, the number gangs are not antagonistic to each other, but in practice they are competing for scarce resources — including the recruitment of other prisoners.

"Accordingly, the potential for violent conflict is great. Each prison will tend to have one dominant gang, which imposes its own discipline beneath that of the prison authorities.

"Attempts to disturb this structure can lead to warfare between the gangs; large influxes of prisoners from other parts of the system may also upset the existing equilibrium."

HRW questioned the commitment of prison warders to effectively rid their prisons of gangsterism.

Prison warders interviewed by HRW apparently acknowledged gangsterism to be a problem. Although warders said they tried to separate gangs by housing them in different communal cells, HRW claimed that this was not the case on their tours of the prisons.

"It was clear to us from our interviews with prisoners and ex-prisoners that at least some prison warders are in active collaboration with the gang system. The very existence of the Big Five is suggestive of a less than whole-hearted opposition to the gang system."

HRW proposed that if the living conditions in South Africa's prisons are improved, gangsterism in prisons could begin to be curbed.

"The causes of the gang system are complex, and difficult to address in the short term," HRW said. "It is clear that the effects of the system are multiplied by the lack of work or recreational activity, especially in maximum security prisons, the extreme overcrowding and consequent lack of privacy in many prisons; and the tolerance of elements within the prison authorities of some 'anti' activities."



PRISON GANGS: Released prisoners sometimes continue to live by secret gang codes learnt in the cells of South Africa's prisons

"uniforms".

Gang membership is theoretically voluntary. But being in confinement for up to 23 hours a day in overcrowded communal cells places enormous power in the hands of the gang hierarchies.

HRW workers say they spoke to

be free of the gang system, but could not do so for fear of losing their "privileges".

HRW recounted cases of prisoners having to "buy" the right to a bed from gang leaders. Others said they had been denied access to visitors — and had to pay gang leaders in advance for following visits.

Inmates told how to vote, but no decision

By AYESHA ISMAIL

AS VOTER education at several South African prisons nears completion, the government is still to decide whether all prisoners will be allowed to vote.

The ANC, the PAC and the DP have said the vote should be extended to all prisoners, but the National Party remains against such a move.

Earlier this week an NP advert, which gave an unequivocal thumbs down to voting rights for all prisoners, raised the hackles of other parties.

The advert suggests that in terms of the ANC and the DP's position the notorious Cape Station Strangler will be entitled to vote. The advert has been referred to the Independent Electoral Commission.

Last Tuesday, after 23 prisoners died in violent protests for the right to vote, the TEC decided the vote should be extended to all prisoners.

For this to happen, the Electoral Act must be amended by proclamation by State President F W de Klerk.

TEC deputy executive director Dr Theuns Eloff said the matter was being discussed by a joint committee before being referred to the State President.

A Department of Correctional Services spokesman said this week that all prisoners had been allowed access to voter education.

Spokesman Captain Koos Gerber said voter education was open to all prisoners "but they attend these programmes on a voluntary basis. Nobody is forced to attend."

Inquests had already begun into the deaths of prisoners who died in riots earlier this month, he said.

(News by Ayesha Ismail, 122 St Georges Street, Cape Town)



Bad news . . . Tshidi Khuzwayo sobs after a list released by warders named her husband Siphso as one of the prisoners who needed to be "stitched up" after clashes at Diepkloof Prison yesterday. PICTURE GARY BERNARD

'Prank' sparks jail riot

From Page 1

Prison authorities called in the Internal Stability Unit and three fire engines. Two hours later the prisoners had been subdued, Olekers said.

Some 24 prisoners sustained abrasions, lacerations and burns in the process, he said.

Warder Monwabisi Moto said the warder who had fired the teargas canister had been convicted last year for assaulting a warder, fined and suspended from duty. In terms of the law he should not have been in the prison.

SA Prisoners Organisation for Human Rights chairman Goldeni Males Bhudu said yesterday the proclamation that would allow all prisoners to vote had not yet been signed by President de Klerk. He would lead a march to the Union Buildings tomorrow to demand that the proclamation be signed immediately.

(47 Sauer St. Johannesburg)

Prison riot after 'prank' by warder

Sowetan 7/14/94

■ INMATES UPSET Twenty-four

By Glenn McKenzie

AT LEAST 24 PRISONERS were injured in unrest at Sun City prison outside Johannesburg after a warder threw teargas at a co-worker as a "prank", a Correctional Services official said yesterday.

Brigadier Chris Olckers said inmates at Sun City rioted several hours after teargas drifted through cells early yesterday morning. The gas was the result of a "prank" played outside the prison by a warder on a co-worker, Olckers added.

Very upset

"Some prisoners were very upset and understandably so. I probably would have been upset myself in the same situation," said Olckers.

Police and Prisons Civil Rights

treated for abrasions and burns:

(253)

Workers Union members who worked at the prison claimed the teargas incident was part of a racial attack against Popcru members.

Black warders and prisoners were assaulted by whites wearing sheets to disguise their identities, they alleged.

"I saw enough. I couldn't take it any more," said Popcru member Mr Mondli Madondo.

Olckers said Correctional Services would hold a full internal investigation into yesterday's unrest. The department vehemently denied that warders assaulted prisoners or employees, he added.

Prison doctors treated 24 inmates for

burns and abrasions. None of the patients was serious enough to warrant hospitalisation, said Olckers.

Small demonstration

Outside the prison, South African Prisoners Organisation for Human Rights spokesman Mr Golden Mules Bhudu led a small demonstration of prisoners' relatives.

"We are going to wait here the whole day," said Mrs Tshidi Khuzwayo, whose husband Aaron is in Section C of the prison where the incident took place.

By yesterday afternoon peace had returned to the prison and families were able to visit inmates again.

'Prank' sparks jail riot

Star 7/14/94

■ BY JOHN SODERLUND

The firing of a teargas canister by a Diepkloof Prison warder early yesterday sparked a riot by prisoners that led to 24 inmates being injured.

The problem began when a warder detonated a teargas canister outside medium B area of Johannesburg Prison at 2 am, said Correctional Services communication services director Brigadier Chris Olckers.

Olckers said the warder had directed the canister at a colleague in a nearby guard hut as a prank.

About 1 000 prisoners in three sections reacted at about 8 am by setting fire to blankets.

► To Page 3

Dozens injured in riot sparked by 'prank'

Biday 7/14/94

KATHRYN STRACHAN

A "HIGHLY irresponsible" prank by a warder at Johannesburg Prison early yesterday led to a riot by 1 000 prisoners, in which dozens were injured, Correctional Services said

Prisoners set fire to their cells after a warder fired teargas at a colleague in a watchtower on the boundary of the prison grounds at 2am. However, the cannister exploded in a ditch and the gas blew into the cells of about 400 sleeping prisoners.

Correctional Services spokesman Brig Chris Olckers said the warder had been charged with the illegal possession of tear-

gas. The cannister had not been issued by the department. (253)

Olckers said 24 prisoners had been injured, but none was hospitalised. However, three ambulances were seen leaving the prison and warders released the names of 46 injured prisoners to relatives outside the prison gates.

Olckers said the prison's commanding officer, Brig Wessel van Niekerk, had addressed the prisoners at 8am. He explained that the incident was a joke that went

wrong, but this was rejected by the prisoners, who set their bedding alight.

"They were obviously quite upset and believed it had been done deliberately."

Other prisoners joined the protest, which eventually involved 1 000 inmates.

The SAP's internal stability unit had been called in as a back-up, but the riot was quelled by the prison's internal force.

SA Prisoners' Organisation for Human Rights spokesman Golden Miles Bhudu said warders had told his organisation that teargas had been thrown into the cells.

□ To Page 2

Riot

Biday 7/14/94

□ From Page 1

during the night and the riot had broken out after prisoners' demands to see the commanding officer were refused.

He said two warders had been held hostage, but were released when the internal stability unit intervened. Most of the injuries were sustained when prisoners were assaulted by warders and police. (253)

He said the warder who had thrown the teargas had been suspended from duty pending charges of assault against prisoners and warders.

Olckers denied Bhudu's allegations. He said the name of the warder could not be released because a court case was pending.

A top-level investigation has been ordered by Transvaal regional commissioner Maj-Gen Piet Zandberg.

Meanwhile, Sapa reports that prisoners at Bophuthatswana's Odi Prison at Mabo-

pane set fire to the building yesterday to back their demands to be released. A spokesman said inmates had demanded their release as they had been prosecuted and sentenced by the deposed government of former President Lucas Mangope.

Eight prisoners and six warders were admitted to hospital in Mafikeng on Tuesday after violence at Rooigrond Central Prison. Extensive damage was caused when the prison was set on fire.

Riot

Bibay 714194 . □ From Page 1

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Popcru considers national strike ballot

Star 12/4/94

LABOUR CORRESPONDENT

The Police and Prisons Civil Rights Union (Popcru) would hold a national strike ballot if the Transitional Executive Council, the SA Police and the Department of Correctional Services (DCS) did not meet their demands

Popcru's main demands are for the reinstatement of union members dismissed in 1990, a 30 percent salary increase, the implementation of a promotion review board at all levels, and

for women employees to receive all benefits and longer maternity leave

Popcru general-secretary Nkana Mqwathi said although the union was in principle against strikes, pressure from members was forcing it to conduct a ballot to decide whether to strike on April 22 (253)

He stressed that Popcru was flexible on certain demands, but would not budge on others

Mqwathi said Popcru members wanted this month's election to go ahead unhindered, but

wanted certain guarantees from the TEC, SAP and the DCS. He hoped a Popcru strike would not hold the election to ransom

Thousands of Popcru unionists, supported by uniformed Umkhonto we Sizwe members, marched in Pretoria over the weekend to present demands

The TEC's subcouncil on law and order was not available for comment last night

■ The South African Police Union has objected to certain reports in the media referring to it as a conservative union

Call to FW: Let prisoners vote

(253) CT 13/4/94

PRETORIA — A Transitional Executive Council delegation is to ask President F W de Klerk to give all prisoners the vote

Claims that the government was deriving political benefit from its opposition to giving violent criminals the vote were aired at yesterday's executive council meeting

Meanwhile, the IEC has given the go-ahead for polling stations to be set up at psychiatric hospitals — but certified patients will not be eligible to vote

Certified patients are committed to an institution by the courts, while other patients are institutionalised voluntarily

According to Mr Lage Vitus, national executive director of the South African Federation for Mental Health, about 50% of the 20 000 certified psychiatric patients in South Africa would like to vote

Mr Vitus said many mentally ill people had a good sense of judgment and "one could argue why a criminal could vote and not a mentally ill person"

The TEC also called yesterday for a moratorium on all strike action and work stoppages by public servants until after the election to ensure a stable voting environment

A delegation from the TEC's management committee would discuss the moratorium with trade union federations and individual trade unions from this week. ANC TEC representative Mr Cyril Ramaphosa said "We will appeal to various trade unions and workers themselves that all of us need to put national interests first at this critical time," he said

— Sapa, Own Correspondent

Row over prisoner vote

Star

13/4/94

■ BY ESTHER WAUGH
POLITICAL CORRESPONDENT

A joint Transitional Executive Council/Independent Electoral Commission delegation is to see President de Klerk about Government moves to block the extension of the right to vote to all prisoners.

ANC secretary-general Cyril Ramaphosa told yesterday's TEC meeting that Home Affairs Minister Danie Schutte refused to implement a TEC decision granting all prisoners the vote

Schutte, he said, had made his stand at a meeting with IEC member Helen Suzman, Correctional Services Minister Adriaan

Vlok and himself. Schutte said the Government did not see its way clear to implementing the TEC decision.

Ramaphosa accused the Government of using the issue for party political purposes. The Government, he said, now had to face the reality that the IEC and TEC had agreed to extend the vote to all prisoners, while the NP was using the issue in advertisements against the Democratic Party.

Agreement could not be reached on the size of the delegation to see De Klerk, but this would be finalised by TEC joint executive secretaries Mac Maharaj and Fame van der Merwe.
(47 Sauer St, Johannesburg)

(253)

(SOUTH)

Prisoners ready to cast votes

By Shannon Neill

PRISONERS throughout the Western Cape will be ready to vote on April 27 following intensive voter education programmes by the Independent Electoral Commission (IEC) in all prisons.

Spokesperson for Correctional Services, Captain Koos Gerber, said the department was giving the IEC its full assistance to facilitate voter education in prisons because it was believed to be important.

Branch director of Nicro, Cape Town, Ms Isabel Hancock, said Nicro had been chosen by the IEC to run the programmes because of the experience social workers already had working in prisons.

Another Nicro worker, Mr Irvine Kinnes, said the programmes had been well received by prisoners whose main concerns were whether they would vote inside or outside the prison and, if they voted inside, whether they would be intimidated.

He said political parties would not be able to canvass in prisons but political literature would be made available in prison libraries.

S Neill, 76 Darling Street, Cape Town

South 1514 - 19/4/94

253



GOING THROUGH THE PACES: An IEC official explains voting procedures to prisoners at Havequa Prison in Wellington
Photo Yunus Mohamed

Prisoners' vote in NP's court

Sowetan 19/4/94

By Glenn McKenzie

THE prisoners' vote issue has been put in the lap of the National Party after the Pretoria Supreme Court rejected an application by Lawyers for Human Rights to change the Electoral Act to allow prisoners to vote

Yesterday the Supreme Court decided it did not have the jurisdiction to deal with the prisoners' voting issue. The question should instead be turned to a constitutional court, something which would not exist until after the election

Both the Transitional Executive Council and the Independent Electoral Commission have recommended that the Government allow prisoners to vote in the country's first all-race election next week. But the Government has steadfastly refused to support the recommendation

LHR spokesman Mr Jody Collapen said the organisation now had no other recourse but to appeal to President FW de Klerk to change his mind on the issue

The National Party has repeatedly said it would never agree to allow prisoners to vote. Yesterday NP spokesman Mr Dante du Plessis said that stance had not changed.

Meanwhile, the South African Prisoners Organisation for Human Rights said yesterday the chances

of peace in prisons had decreased

"It's a sad case. There's a possibility that prisoners could take action on their own, but we don't know," said Sapohr spokesman Mr Golden Miles Bhudu

LHR would continue conducting voter education programmes in prisons for the time being, LHR spokespeople said (253) (304)

"It doesn't look good. But it's not fair to the prisoners to stop yet," said LHR spokeswoman Ms Cecille van Riet

(Report G McKenzie, 61 Commando Road, Industria West, Johannesburg)

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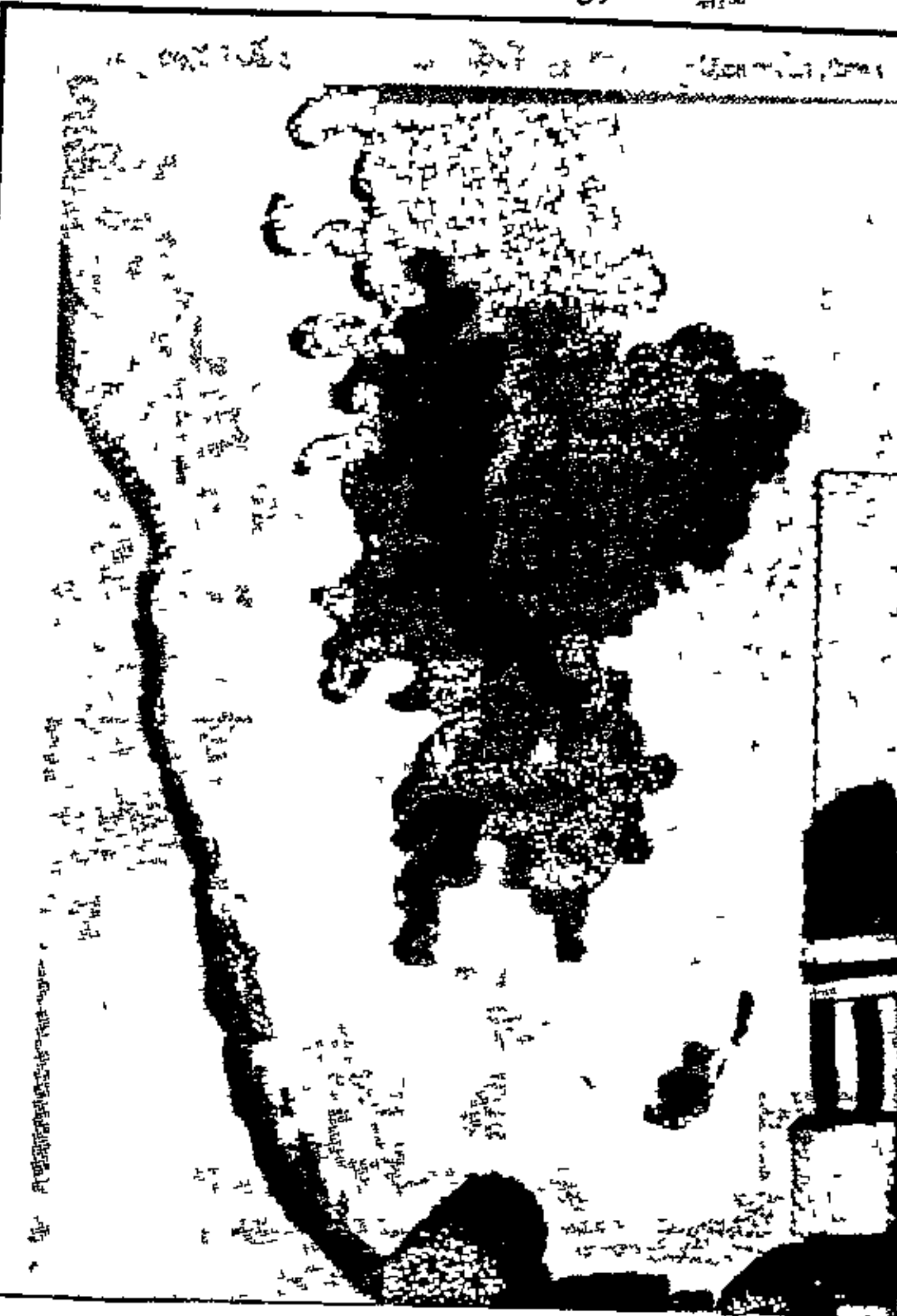
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(Report G McKenzie, 61 Commando Road, Industria West, Johannesburg)



Prisoners' voting rights not a Supreme Court issue

PRETORIA — The Supreme Court did not have the authority to decide on the right of prisoners to vote and the matter should be dealt with by a future Constitutional Court, the Pretoria Supreme Court found yesterday. *31 Day 19/4/94*

Transvaal Judge President CF Eloff dismissed an application by two long-term Pretoria prisoners, Sibusiso Masaku and Oupa Mboani, for a declaratory order that the provisions of the Electoral Act, prohibiting them from voting in next week's elections constituted a violation of their fundamental rights in terms of the Constitution Act, which would come into effect on April 27, and were therefore invalid.

Both prisoners' death sentences for murder were commuted to 30 years' jail.

Judge Eloff said the applicants realised that once the Constitution Act came into force the Supreme Court would be expressly excluded from deciding on constitutional matters. The applicants had contended it would take some time before a Constitutional Court was established and, although they might have certain rights in the meantime, they would have no way of enforcing these rights. *(253)*

He said if he were to accede to the prisoners' demands he would, in a roundabout way, assume a jurisdiction which would, in time to come, be the exclusive jurisdiction of a Constitutional Court.

The judge said the question of voting rights for prisoners was a moral and philosophical issue which should be determined by a specialised court. — Sapa

Report by E Oelofse, Sapa 141 Commissioner St, Jhb

Prisoners' plea to vote dismissed

The Supreme Court does not have the authority to decide on the right of prisoners to vote and the matter should be dealt with by a future constitutional court, the Pretoria Supreme Court found yesterday

Transvaal Judge President Mr Justice C F Eloff dismissed an application by two long-term Pretoria prisoners, Sibusiso Masuku and Oupa Mboam, for a declaratory order that the provisions of the Electoral Act prohibiting them from voting in next week's election constituted a violation of their fundamental rights in terms of the Constitution Act

Both prisoners' death sentences for murder were commuted to 30 years' jail

Mr Justice Eloff found the court did not have jurisdiction to decide on the constitutionality of an Act of Parliament

The judge said the question of voting rights for prisoners was a moral and philosophical issue which should be determined by a specialised court — Sapa.

(E Oelofse, 141 Commissioner St, Jhb)

Parties urged to campaign behind bars

Women learn how to cast ballot in jail

BY JOHN PERLMAN

The women gathered in the bare, barred room may not have been able to recognise themselves in the brightly coloured posters on the wall in front of them

Scenes of smiling people in brightly coloured clothes, walking down grassy lanes towards a polling booth, must seem a world away from the women's section of Pretoria Central Prison

But if yesterday's voter education workshop at Pretoria Central was anything to go by, the prisoners seem to think this is as much their election as anybody else's

"They feel that they are entitled to vote," says Bridgette Mashaba, a University of Pretoria law student from Soshanguve who has taught voter education at both Pretoria Central and Leeuwkop

The deadlock between the

Government and the TEC over prisoners' voting rights has not yet been resolved — the De Klerk administration believes people convicted of serious crimes should not vote

But the Pretoria Central audience listen attentively and there's no shortage of volunteers for a trial-run ballot at the end

The voter education message, Mashaba says, is getting through. "There hasn't been a single spoilt ballot so far," she says

Upstairs from the large cell-like hall where Mashaba has been working with a group of about 55 women, Zodwa Mtuli — also a Tuks law student — is explaining the ballot to a similar sized group.

Once again, the mixed group of white and black women listen intently, except when the antics of a couple of the little children there — mothers may keep them with them in jail

until they are three — become impossible to ignore

One of the prisoners asks about intimidation — it's a common question, Mtuli says "Just make your mark, nobody is going to see it," she answers Mtuli outlines the Electoral Act and its penalties for intimidation "I told them that the IEC will take care of them," she says

But the women downstairs are not so sure "They say they have to inform the TEC if the election is free and fair but they are only allowed to use the phone once a week," says Mashaba "Yet they have to inform the TEC within 48 hours"

Mashaba says the prisoners seem to be very well informed "But they say newspapers are not enough They want the political parties to campaign inside the jails," she says

(47 Sauer St, Johannesburg)

nt to vote

Strikes resume in jails

Sowetan 21/4/94

PRISONERS will resume work stoppages and hunger strikes because of State President FW de Klerk's refusal to sign a proclamation allowing them to vote, the South African Prisoners' Organisation for Human Rights said yesterday.

Sapohr spokesman Mr Golden Miles Bhudu told a Press conference in Johannesburg that protests would begin at 2pm today. The Transitional Executive Council decided on March 22 that the Electoral Act be amended by proclamation of the State President to allow all inmates the right to vote. (253)

"Mr de Klerk is refusing to sign, even though we have secured the support of the TEC, all major parties, liberation movements and community-based organisations," said Bhudu.

"Sapohr is stunned that Mr de Klerk is still exercising minority rule. This is unconstitutional, racist and hypocritical.

"In the past white prisoners were allowed to vote. Over 95 percent of prison inmates are black. South African prisons remain racist, apartheid institutions.

Bhudu said the National Party had said it would not amend the act because it was opposed to murderers and rapists voting, but more than 70 percent of prisoners were not violent offenders and even fewer were rapists or murderers. —Sapa

(Report by K Swart, 141 Commissioner Street, Johannesburg)

Mass action threat over prisoners' vote

THE SA Prisoners' Organisation for Human Rights said yesterday its supporters would embark on "rolling mass action" this afternoon unless President FW de Klerk approved last month's Transitional Executive Council resolution extending the franchise to all prisoners.

Spokesman Marcus Cox said De Klerk's refusal to amend the Electoral Act by proclamation would prevent more than 95% of the prison population from voting. In terms of existing legislation, people

8/Day 2114194
WILSON ZWANE

convicted — without an option of a fine — of crimes such as murder, kidnapping and rape, are not eligible to vote

Cox said because circumstances in SA were unique, prison inmates had to be looked at in a socioeconomic context. "Over 95% of inmates are black. You have to be racist not to see that the majority of inmates are there because of apartheid." Denying prisoners the vote would serve

to escalate violence in prisons, he said. Organisation leader Golden Miles Bhudu said he expected De Klerk to respond "positively" by no later than 2pm. If he did not, his organisation would embark on mass action, which would continue after the elections. The protests would include hunger strikes and work stoppages.

Cox said the organisation also wanted to engage the NP in a public debate over the prisoners' right to vote (253)

Report by W Zwane, TML, 11 Dragonet-St, Jhb

Mass action starts over prison vote

Friday 22/4/94

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THE SA Prisoners' Organisation for Human Rights yesterday launched its "rolling mass action" yesterday after President FW de Klerk did not immediately endorse last month's TEC resolution extending the franchise to all prisoners.

Organisation spokesman Marcus Cox charged that De Klerk was denying most of the prison population the right to vote because he knew that they would not vote for him.

De Klerk told a news conference yesterday he would probably reach a "final decision" on voting rights of prisoners today, Sapa reports from Pretoria.

No conclusion on the issue had been reached at talks between himself and a combined TEC and Independent Electoral Commission delegation and he intended consulting further on the issue, he said.

Organisation leader

WILSON ZWANE

Golden Miles-Bhudu and several members of the organisation were yesterday staging a sit-in at the NP's Braamfontein offices. Cox said the sit-in would not end until De Klerk endorsed the TEC resolution.

Correctional Services spokesman Col Barry Eksteen reported several incidents of vandalism and work stoppages at prisons.

Four cells were burnt at Piet Retief Prison when prisoners set mattresses, blankets and clothes alight; inmates of Heidelberg Prison refused to carry out instructions and prisoners at Nelspruit Prison broke equipment and windows.

Correctional Services Minister Adriaan Vlok yesterday expressed his shock at the SA Prisoners' Organisation for Human Rights' call on prisoners to embark on a defiance campaign.

"In the light of the tragic death of 23 prisoners and

the destruction of property totalling more than R3m which occurred previously in this regard, I consider their call totally irresponsible," Vlok said.

Meanwhile, more than 400 policemen and prison warders have embarked on a strike in the eastern Transvaal town of Standerton, demanding that uniformed members of the AWB be prevented from coming near the local police station, JOHANNESBURG reports.

The town has been tense since an incident earlier this year when the AWB prevented township residents from conducting a march. Shooting broke out when police intervened and 68 people were injured.

Yesterday, Police and Prisons Civil Rights Union general secretary Nkani Mqwathi said union members had embarked on strike action on Wednesday when regional Correctional Services and the SAP failed to address grievances.

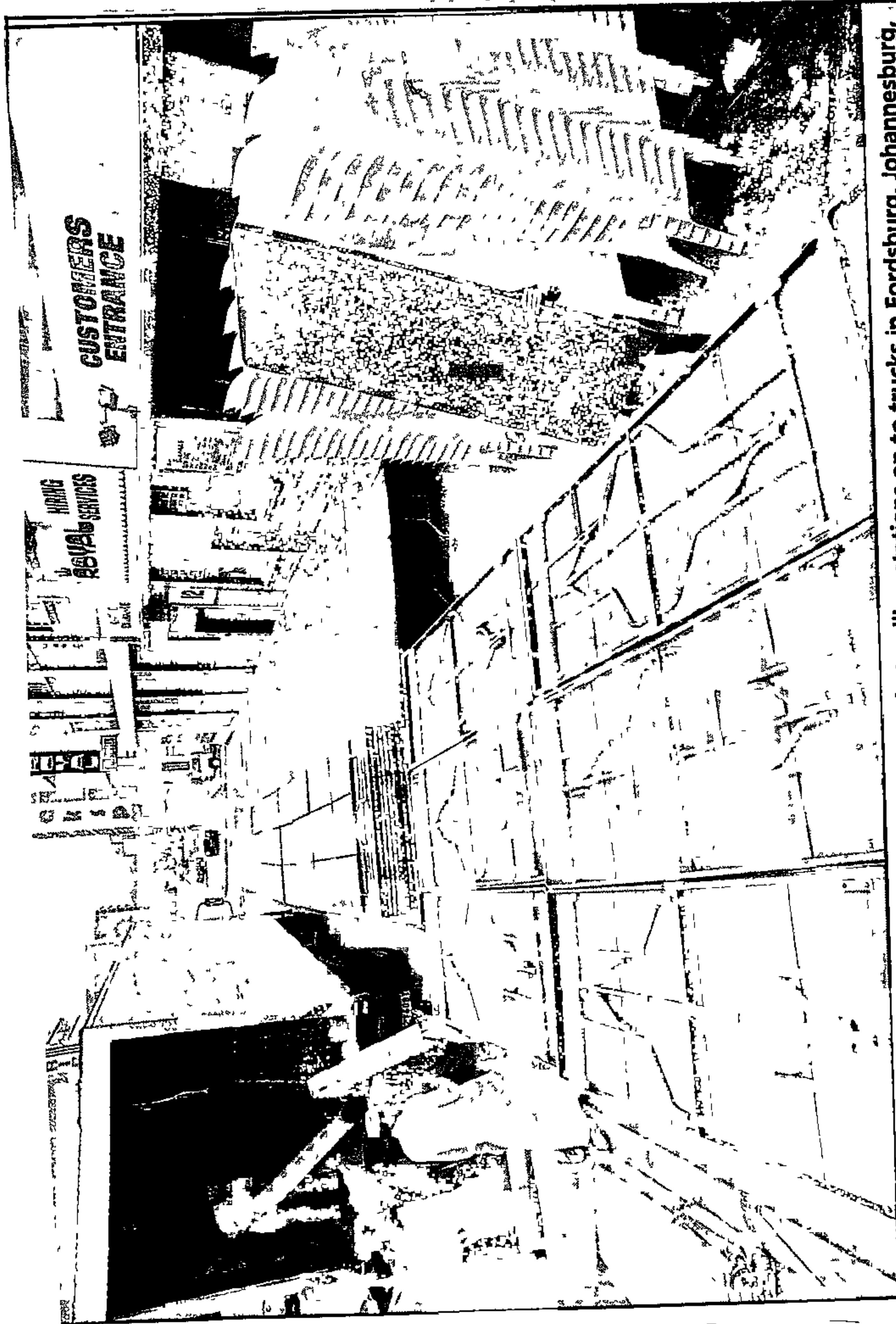
In Thoyoyandou the Venda Police Action Committee yesterday threatened a police strike in the homeland should its demands not be met by today.

Venda police commissioner Lt-Gen Mulder van Eyk said yesterday an investigation into matters relating to the demands would be carried out.

Report by J Ngcobo, TML, 11 Diagonal St, Jhb, E van Wyk and C Moloi, Sapa, 141 Commissioner St, Jhb

By Charles Schulz





Turning the tables... workers load tables to be used at polling stations on to trucks in Fordsburg, Johannesburg, yesterday. At least 70 000 tables will be needed at the 9 000 polling stations nationwide. PICTURE DUIF DU TOIT

Vote for best ad

A host of consumer product advertisements which exploit the topical "voting" theme have been created. On Monday, The Star will publish a selection of these ads in a special advertising feature. Readers will be invited to tell us which ads they like best and why. There will be prizes for the best entries.

President de Klerk said he would make a decision only today on whether he would sign a proclamation that would allow all prisoners to vote.

De Klerk told journalists after a meeting with the TEC and the IEC in Pretoria yesterday that he still had to consult further on the issue.

Prisoner poll decision today

22/4/1994
Star

The meeting was called after the South African Prisoners Organisation for Human Rights (Sapohr) had threatened to resume its mass action if De Klerk did not sign the proclamation by 2 pm yesterday.

However, wildcat actions began before the deadline when Sapohr officials marched to the

National Party offices in Milpark, Johannesburg, and chained themselves to poles. They vowed to remain until De Klerk signed. Prisoners at the Johannesburg Prison also boycotted lunch in what is believed to be the beginning of a mass hunger strike.

— Staff Reporter and Sapa.

(47 Sauer St, Johannesburg)

(253)

FW takes on TEC over prisoners' right to vote

S Times 24/4/94

By CARMEL RICKARD

THE issue of whether all prisoners may vote has escalated into a constitutional battle between the state president and the Transitional Executive Council. But it has also provoked a legal first — a case heard by the courts based on the new constitution and Bill of Rights.

The Electoral Act says only certain categories of prisoners may vote. However, it is worded in such a way that it is proving difficult to establish which prisoners are entitled to participate.

For this reason the Independent Electoral Commission has recommended that the Electoral Act be changed and that prisoners be allowed to vote. The TEC has now also given its support to the IEC recommendation.

Only State President F W de Klerk has the legal power to change the Electoral Act at this stage. He met with ANC president Nelson Mandela late last

week for talks on the issue and an announcement is expected tomorrow.

However, the constitutional conflict is clear — the TEC says the state president does not have the political power to refuse its recommendation that he change the law. Speaking legally, however, the decision rests with him.

But Sapa reports ANC secretary-general Cyril Ramaphosa said in Cape Town yesterday his party was confident Mr de Klerk would reconsider his position and authorise a change to the Act tomorrow.

While politicians deal with the constitutional problem, the Supreme Court has also been asked to consider the question. On Monday Lawyers for Human Rights brought an application against the state president and the Minister of Home Affairs on behalf of two former death row prisoners serving 30 years for murder.

They said Section 16 of the Electoral Act, which

distinguishes between those prisoners who could vote and those who could not, contradicted several clauses of the new constitution, and asked for this section to be declared unconstitutional. (253)

However, Transvaal Judge President Eloff said he was unable to grant the application. He said that, under the old constitution, the court was not entitled to overturn an Act of Parliament (such as the Electoral Act). (253)

Under the new constitution, which comes into effect on April 27, only the Constitutional Court could consider whether a law was valid, and that court had not yet been set up.

Judge Eloff also stressed that the TEC and IEC were both bound by the law as it stood and that it "did not behove" either body to assume the power to decide whether the contentious section of the Electoral Act was unconstitutional.

● Mr D A Kuy SC, with Mr W P N Scales, instructed by Lawyers for Human Rights, appeared for the two prisoners. Mr Jeremy Gauntlett SC, with Mr D A Preis, instructed by the state attorney, appeared for the State President.

Sinatra cancels second show

SINGER Frank Sinatra, who collapsed on-stage last month, cancelled a performance at New York's Radio City Music Hall on Friday shortly before the show was due to begin.

The announcement said the 78-year-old crooner was suffering from upper respiratory congestion and had been advised by his physician not to perform. — Sapa-Reuter

Prisoners' right to vote not finalised

WHETHER all prisoners will be able to vote still hangs in the balance, with the fraught issue not being finalised as expected yesterday.

In spite of discussions between President F W de Klerk and ANC president Mr Nelson Mandela, a government spokesman said the matter had not been resolved, and further discussions would take place.

Parties originally agreed during negotiations that prisoners who had committed serious offences would not be allowed to vote, although awaiting trial prisoners and people imprisoned who had been given the option of a fine could vote.

The Transitional Executive Council reversed this decision after protests by prisoner representatives and unrest in prisons. But the government refused to comply with the TEC's decision, resulting in the impasse.

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THE NATIONAL COMMISSION FOR

Defiant prisoners persist with demands

SELLO MOTLHABAKWE

PRISONERS at several jails around the country embarked on hunger strikes and various forms of defiance yesterday to demand the extension of the vote to all prisoners

An expected statement by President F W de Klerk on prisoner franchise was not forthcoming yesterday, although government sources confirmed the issue was discussed at a Cabinet meeting in Cape Town as well as between De Klerk and ANC president Nelson Mandela

A government spokesman yesterday said further talks would take place, TIM COHEN reports

SA Prisoners' Organisation for Human Rights spokesman Marcus Cox said protest action had been initiated by his organisation to persuade government to accede to prisoners' demands for an unlimited extension of the right to vote. Acts of defiance included go slows, refusal to work and hunger strikes

Correctional Services Department spokesman Brig Chris Olckers confirmed that a few prisoners had embarked on defiant activities at isolated centres

Olckers said the situation at Nelspruit prison, where inmates rioted last week, had returned to normal

Disturbances were also reported at the Pietersburg and Ermelo prisons last week. There were no incidents at Johannesburg prisons

Three members of the prisoners' organisation, among them its leader, Golden Miles Bhudu, yesterday re-



mained chained outside the Union Buildings in Pretoria in support of the demand to vote.

The prisoners' organisation had earlier raised concerns about prisoners' voting rights following disagreement between De Klerk and the TEC over which categories of prisoner should be granted the vote

Parties originally agreed during negotiations that prisoners who had committed serious offences would not be allowed to vote, although awaiting trial prisoners and people imprisoned who had been given the option of a fine could vote.

But the Transitional Executive Council (TEC) reversed this decision after protests by prisoner representatives and unrest in prisons

However, government refused to comply with the TEC's decision, resulting in the impasse which still existed yesterday

Report by S Motlhabakwe and T Cohen, TML, 11 Diagonal St, Jhb

No vote for 'violent' prisoners

Star 21/4/94

STAFF REPORTERS

The Government has rejected pleas that all prisoners be allowed to vote in the country's first democratic election

Prisoners who have been convicted of murder, rape and robbery with aggravating circumstances will be excluded from the polls, the Cabinet decided at a meeting in Cape Town yesterday

Minister of Home Affairs Danie Schutte made the an-

nouncement only hours before special voting was due to start at prisons across the country

The minister said the Government "was not willing to depart from the principle contained in the existing Act, which stipulates that certain categories of prisoner who have been found guilty of serious crimes should not be permitted to vote"

He added: "Such a restriction is in accordance with internationally accepted norms"

The Electoral Act had been amended, he said, to give effect to this decision by defining more precisely the crimes of murder, rape and robbery with aggravating circumstances and limiting non-voting prisoners to those who had committed or attempted to commit these crimes

Schutte said the Act had been amended by the State President in consultation with the Independent Electoral Commission and the Transitional Executive Council

(253)

~~REDACTED~~

Prisoners

go to the polls, too

Sowetan 27/4/94

By Sharon Chetty

PRISONS throughout the country were transformed for a few hours into hives of activity, as inmates cast their special votes (253) ~~(307)~~

Despite prolonged protests by the SA Prisoners Organisation for Human Rights, murderers, rapists and those convicted of fraud, corruption, bribery and armed robbery with aggravating circumstances were excluded from voting.

In several areas, logistical problems led to the polls opening late.

At Diepkloof prison, voting got underway only around lunch-time as officials had to wait for ink, ballot papers and boxes to arrive.

Brigadier Chris Olckers, spokesman for the Correctional Services department, said presiding officers at the prison polling stations were authorised to stay open until all eligible prisoners got their chance to vote.

He said the worst problem experienced was of polls opening late.

"We are confident that every prisoner who qualifies will get to cast a vote," he said.

Smooth poll
Sowetan 27/4/94
in jails

VOTING in prisons proceeded smoothly yesterday as special polling stations were set up for as many as 100 000 prisoners, a Correctional Services spokesman said. (253)

No incidents were reported and the atmosphere in prisons was calm, he said.

Independent Electoral Commission officials set up the stations and guards took eligible prisoners to cast their votes.

There was no adverse reaction from murderers, rapists and other prisoners denied the vote by a last-minute cabinet decision yesterday, the spokesman said.

Prisons Commissioner General Henk Bruyn this week barred the media from prisons to "keep the atmosphere as calm as possible". — Sapa

(Report by J Rees, 141 Commissioner Street, Johannesburg)

Robben Island prisoners part of historic day

~~Sapa~~ 27/4/94
Cape Town — Prisoners on Robben Island, where Nelson Mandela spent 18 of his 27 years in jail, were among the first black South Africans to vote in the election (253)

Presiding officer Elrich Johannes, said voting began at about 7:35 am yesterday after the boat taking electoral officials from Cape Town harbour to the island broke down (SAPA)

Johannes said voting was initially slow because prison authorities required each voter to be tested with a single metal detector.

He said voter education in the jail had clearly been effective. "Everybody seems to know what to do and what this election is about. It may just be what I want to think, but they seem to me to have a sense of history and occasion." — Sapa-Reuter

(73 Market St, Jhb)

No serious trouble as prisoners cast ballots

B. Dew
VOTING inside many of the country's prisons went ahead without much disturbance yesterday as prisoners lined up to cast their votes in the country's first democratic elections

Independent Electoral Commission (IEC) representative Ben van der Ross said yesterday there had been some "unpleasantness" at Johannesburg's Leeuwkop and Diepkloof prisons after prisoners had grown restless when IEC polling teams arrived late

But Correctional Services spokesman Brig Chris Olckers said prisoners had simply become "naturally" restless and had "banged mugs against the bars"

Correctional Services Commissioner Gen Henk Bruyn expressed his appreciation to IEC chairman Judge Johann Kriegler for the IEC's professionalism

He also thanked the thousands of prisoners involved for their responsible and disciplined approach.

Olckers said 2 454 prisoners had voted at Leeuwkop Prison

Correctional Services official Capt Peter Venter said voting by 721 prisoners on Robben Island had proceeded smoothly

And Correctional Services spokesmen Lt Rudi Potgieter and Capt Bert Slabbert said

28/4/94
SELLO MOTLHABAKWE
and BEATRIX PAYNE

no negative reaction to the President's proclamation barring certain categories of prisoners from voting had been noted inside the prisons

Prisoners convicted of murder, rape and robbery with aggravating circumstances cannot vote in these elections

Lawyers for Human Rights yesterday criticised the decision and said it was irresponsible and cynical *(253)*

ANC spokesman Baleka Kgosisile said the decision was regrettable in the light of efforts by the organisation and all transitional structures to press De Klerk to grant the vote to all prisoners *(254)*

SA Prisoners' Organisation for Human Rights spokesman Golden Miles Bhudu said De Klerk and the present Cabinet had for the last time taken a crucial decision above the heads of the TEC and the liberation movements

Bhudu's claim that the restriction would sideline about 98% of the 115 000 prison population was rejected by Correctional Services, which said the estimate was highly exaggerated

Report by S Motlhabakwe and B Payne TML, 11 Diagonal St, Jhb

Star 5/5/94

Prisoners riot over vote

■ BY CHERYL HUNTER

Warders at Witbank Prison yesterday isolated prisoners and cleared cells of all furniture — including beds — following two days of rioting at the prison.

Correctional Services spokesman Brigadier Chris Olckers said inmates of a minimum security section had stoned warders yesterday and on Tuesday and attempted to douse them with boiling water, demanding that their section be allocated black warders only.

He said problems began when prisoners started a go-slow to protest that not all prisoners had

been able to vote.

The department's task force moved into the prison yesterday and removed "all sharp objects and other potential weapons from cells, including beds which have been used as battering rams in the past (253)

Troublemakers were identified and removed to another section.

Olckers said there was no need for the disturbance as 94 percent of the 87 000 prisoners entitled to vote had voted.

South African Prisoners Organisation for Human Rights spokesman Marcus Cox said prisoners were "demanding release under a new

South African government" He said prisoners believed they were the "victims of apartheid and had been imprisoned for crimes of poverty"

Cox said that "97 percent of the inmates in this section are black and 70 percent of these had not been sentenced for serious offences like murder or rape"

He said it was impractical to release all inmates. Not all prisoners had been sentenced under these circumstances, but if amnesty was considered for criminals currently being tried, it was "hypocritical and negligent not to consider those already jailed"

Probe ordered in prison

Sowetan 6/5/94
AN UNSPECIFIED number of warders and policemen have been suspended after several prisoners were injured during a search at Witbank Prison on Wednesday (253)

The SA Police and the Department of Correctional Services said yesterday more suspensions could follow

Initial investigations showed certain

staff members "may have exceeded the bounds of the law by using excessive violence".

The injury of inmates led to the Commissioner of Police General Johan van der Merwe and his Correctional Services counterpart General Henk Bruyn ordering a top-level investigation

Sapa.

Warders' conduct to be probed

By Day
THE conduct of prison warders and police who quelled a riot at Witbank prison on Wednesday would be the subject of an investigation ordered by Police Commissioner Gen Johan van der Merwe and Correctional Services chief Gen Henk Bruyn.

Reports received after this week's incident at the prison indicated officers on the ground could have exceeded the bounds of law by using more force than was necessary to subdue prisoners, Correctional Services spokesman Brig Chris Olckers said yesterday.

6/5/94
The incident followed prisoner demands for amnesty following the elections.

Olckers refused to say whether any prisoner had been seriously injured.

Another Correctional Services spokesman said earlier that the apparent excessive force used by some officers in putting

SELLO MOTLHABAKWE

down the disturbance was regrettable.

Several warders and policemen involved had been suspended until further notice, he said. *(253)*

A top-level investigation had been launched as a matter of urgency. The investigation would be headed by police Brig Daan Siebert, Eastern Transvaal chief of crime combating and investigation, he said.

SA Prisoners' Organisation for Human Rights spokesman Golden Miles Bhudu said his organisation welcomed the investigation. "The (prison) authorities had in many instances denied these abuses."

The organisation said refusing it and the media access to prisons had hamstrung scrutiny of the volatile situation in prisons.

Forgive but never forget

'The horror of openly racist hell' — that was Robben Island, says new book

■ With Robben Island's most famous ex-prisoner, Nelson Mandela, being inaugurated as president on Tuesday, a former fellow-prisoner looks back in anger.

JOHN YELD
Weekend Argus Reporter

MS 7/5/94

253

FORGIVE but never forget — and particularly never forget the physical and mental abuse inflicted by apartheid's jailers at places like Robben Island prison.

That's the attitude of many veterans of South Africa's liberation struggle, including academic, author and politician Neville Alexander, whose *Robben Island Dossier, 1964-1974. Report to the International Community*, is being published this week by UCT Press.

Dr Alexander, who headed the Workers' List Party's election list in the Western Cape and was second on its national list of 30 candidates, was jailed in 1964 with four women and three men for alleged conspiracy to commit sabotage through the activities of the Yu Chi-Chan Club and the National Liberation Front.

For most of his 10 years in jail he was held in Robben Island prison's infamous "Isolation section" where his fellow-inmates included Nelson Mandela, Walter Sisulu, Dennis Brutus and Toyvo ja Toyvo, among many other prominent political leaders.

The dossier was originally written as a report to international organisations to highlight the harsh and inhumane conditions on Robben Island at the time of his incarceration, with life in the prison being described as "the horror of an openly racist hell".

In his foreword, Dr Alexander writes "It was an unspoken injunction understood by all prisoners who were released from the island that one of the most important contributions they could make to the wellbeing of those they left behind was to let in the light of public scrutiny on the goings-on in that prison.

Dr Alexander said he had completed the dossier within four months of his release in 1974, "both because I wanted to use the period when things were still fresh in my memory and because of the timeliness and agendas of certain international organisations, including the United Nations Special Committee (on apartheid) and General Assembly, as well as the International Commission of Jurists.

"Because of the ever-present threat of prosecution under the draconian Prisons Act (1959), both my authorship and my role in proliferating the information contained in the dossier had to be concealed.

"It was a very serious matter since I was not only flouting the Prisons Act but also my house arrest order in terms of which I was prohibited from 'publishing' anything. 'Publishing' included explicitly the kind of text I was sending into the world."

In a foreword veteran politician Helen Suzman — whose first visit to Robben Island in 1967 was credited by Dr Alexander as the turning point in the treatment of political prisoners — writes that the dossier should be compulsory reading for a public "only too ready to forget South Africa's oppressive past.

"It is a stark reminder of the grim days of retribution during apartheid's darkest hour under the relentless hostility of Verwoerd and Vorster towards the so-called enemies of the state.

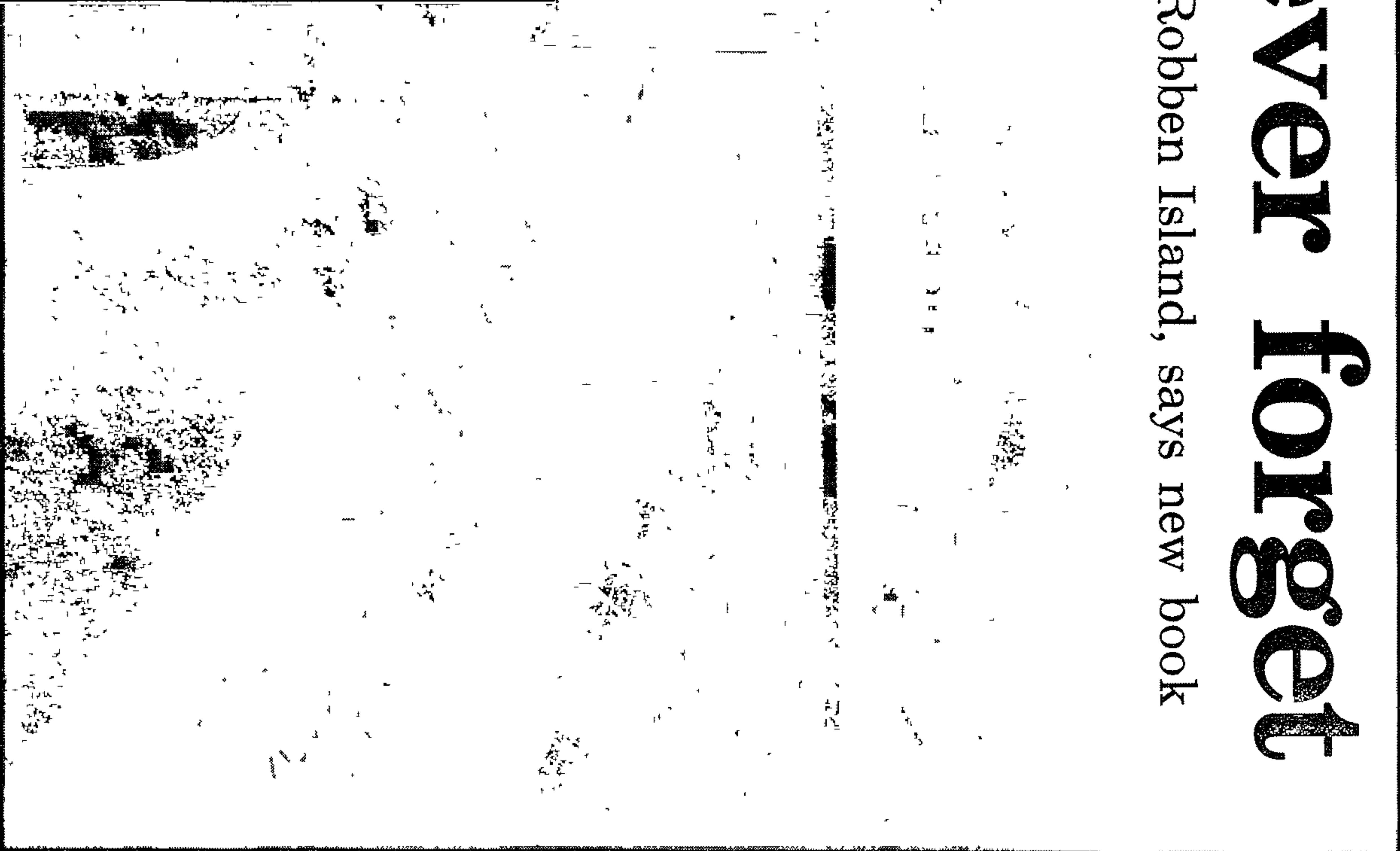
"Their attitude was reflected in the treatment endured in prison by such people as Robben Island, in the early days, was perhaps the worst example of that official attitude — that is, that deprivation of liberty was insufficient punishment, even if it is for life.

"Further punishment should therefore be meted out within the prison system itself.

"If there is one important fact that emerges from the prison journal of Neville Alexander, it is the dire need for a watchful eye to be kept on the manner in which the most helpless of all human beings — those behind bars in prison — are treated."



EX-PRISONER: Neville Alexander when he was younger



DOSSIER: A photograph of the prison on Robben Island carried on the cover of Neville Alexander's book, published this week

How a hunger strike turned to violence

Prisoners laboured between a rock and a hard place

THE dossier contains graphic accounts of hardships in Robben Island prison during the 1960s, including exhausting hard labour, meagre and often unappetising food, the lack of proper clothing and bedding and the brutality of certain warders.

"All political prisoners are sentenced to 'hard labour', a very vague term which is interpreted most whimsically, depending on policy, temperament and atmosphere at the various levels of prison bureaucracy.

"For years, the 'knap-line' (knap-ping was prison-talk for crushing stone) was one of the main points of friction and confrontation between the political prisoners and the authorities. Anyone who has seen what is involved will realise that this form of retributive punishment can drive the most phlegmatic man into a state of fury.

"Prisoners have to sit from 7.30 or so in the morning until 4pm with only one hour's break for lunch, crushing large stones with a five-pound hammer down to a fine gravel to be used on roads and in concrete mixers, *inter alia*.

"To the novice, of course, it is a traumatic, nightmarish experience, especially when he is faced with the threat of punishment for not crushing the prescribed quota (and the authorities continue to enforce piece-work even though their own courts have ruled that such enforcement is illegal).

"The work is maddening enough. The very knowledge that there are pneumatic machines which can produce in a few hours what a span of prisoners produce in a year is enough to drive one to desperation.

"To have to sit in the sun without moving and (for months at the beginning) without being allowed to speak to one's neighbour was hell on earth.

"But, some officers went further. They would often punish the prisoners by seating them in the most disadvantageous places in the quarry, especially those corners where the cold north-wester or the fierce south-easterly winds could buffet them throughout the day.

"The whole should also be seen in the context of prisoners who are not given enough to eat and (who) do not have adequate clothing to put on. Often prisoners have been forced to work in the rain without the protection of waterproof coverings.

"On the knap-line, where there is little movement of the body involved, this could be disastrous, especially at the time when prisoners had no change of clothing.

ARG 7/5/94 253

counts of physical violence

"On 28 May 1971, a certain head warden (whose sinister personality is so disturbing that he is described in detail in Addendum Three to this document), who at the time was in charge of the single-cells section of the prison, arbitrarily deprived two young political prisoners from Namibia of their meals for the day.

"On the previous day he had done the same thing to two other Namibians

"As a result of his provocative action all the prisoners in the section went on hunger strike, demanding that their two colleagues should be properly charged

"In retaliation, a gang of warders, led by Chief Warden, raided the single cells that night from 1am until approximately 4am

"Each prisoner was forced to stand in his own cell, stark naked and with hands up against the wall, while the warders ransacked his cell for alleged unauthorised items

"Needless to say, not a single such article was unearthed. But 28 prisoners were assaulted, some of them severely

"Most of these were Namibians, including Toivo Ja Toivo, who was alleged to have been the ring-leader and an agitator

"Japhtha Masemola was beaten unconscious, while Abel Chiloane was so severely injured that for days he urinated blood

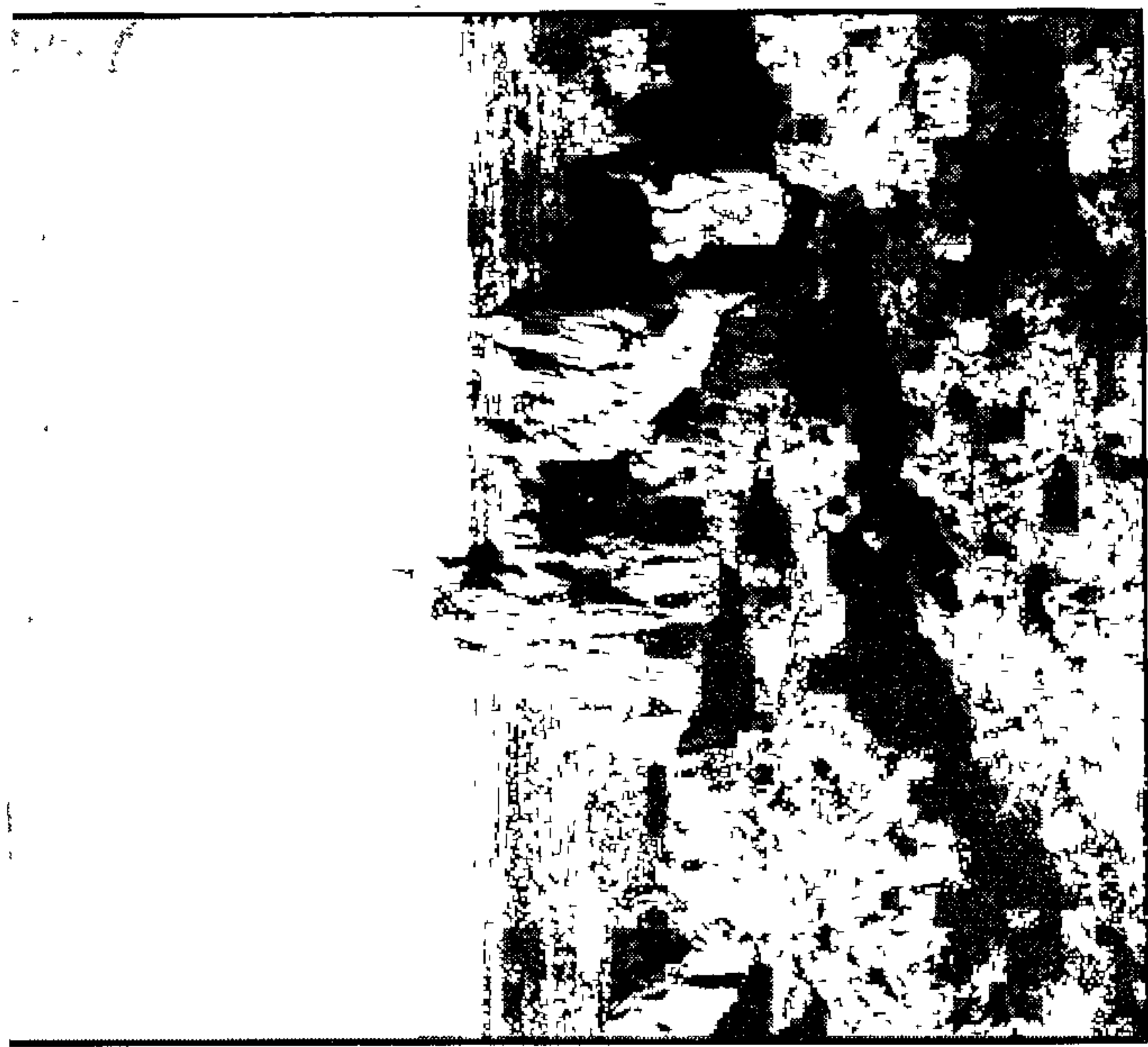
"Attempts to get the assaults reported to lawyers were stymied, and the doctors were simply not available for three whole weeks, by which time visible injuries had healed up

"Psychologically, this was a turning point for Robben Island prison

"The authorities came to realise that the prisoners had been so angered that if at any stage this type of thing were to be repeated, there would be a shooting and a killing



BEATEN: The Dossier describes how Namibian Toivo Ja Toivo was assaulted during a hunger strike in Robben Island prison, for being a 'ringleader and agitator'



VIEW FROM ISLAND: This photograph of Table Mountain from Robben Island across the cold waters of Table Bay is carried on the back cover of **Robben Island Dossier**

Claim of 'violent' SA jails disputed

HENRI du PLESSIS
Staff Reporter

(253)
ARG 11/5/94

MORE than 35 percent of South Africa's 400 000 prisoners have been jailed because of violent crimes, says the Department of Correctional Services

But it was a generalisation to state that South African prisons were "extremely" violent, the department said in response to a report on conditions in jails by the international human rights body, Human Rights Watch

The report, released by the organisation's Africa Watch division recently, claimed that South African prisons were among the most violent in the world

The major objections department spokesmen had to the re-

port was the liberal use of testimony given by prisoners as fact without an attempt to substantiate their claims

Claims of widespread cruelty and assaults by warders were viewed with particular scepticism, a department spokesman said

In its report, Africa Watch also made numerous suggestions how prison conditions could be improved. Free access to library facilities, free study opportunities, access to television and newspapers and properly furnished cells were among the suggestions

Africa Watch also stipulated minimum space for inmates, encouragement of hobbies and sports and active state participation in tertiary education

One aspect the report highlighted was the alleged lack of openness and access to prisons by outside observers at the height of the apartheid era

But the department's spokesman said the access which Africa Watch had to the different prisons they visited proved a level of openness existed

"Other organisations like Lawyers for Human Rights, the International Committee of the Red Cross, Supreme Court judges, magistrates and many more also have the same access to prisons," he said

The report acknowledged the Department of Correctional Services' attempts to redress a shortage of basic furniture in cells

Prison warders' mutiny

WILLEM STEENKAMP (253)
Weekend Argus Reporter

POLICE were put on standby last night as warders who had occupied the offices of Paarl Correctional Services area commander Roelf Janse Van Rensburg at the Allandale Prison allegedly became abusive and started swearing at senior prison officials.

Earlier in the day about 30 warders, all members of the Police and Prisons Civil Rights Union (Pop-cru), occupied the office of Jacobus Ellis, head of Paardeberg Prison near Paarl. But when Major Ellis drove to Allandale the warders followed him and then occupied Colonel Janse Van Rensburg's offices.

A spokesman for the warders said they were unhappy with the conduct of Major Ellis and he had not addressed their complaints on various issues. They said they had laid complaints with higher authorities, but nothing had been done.

Warders' demands include the transfer of Major Ellis from Paardeberg and the removal of Colonel van Rensburg and his entire management team.

Bert Slabbert, a spokesman for the

Department of Correctional Services said the warders had been informed that their complaints would be investigated. The men had then been asked to leave the offices as they were impeding Colonel Janse Van Rensburg in carrying out his normal duties.

Captain Slabbert said in spite of these requests the warders refused to leave. He said the men had become abusive at times and swore at officials. The police had been called in and were ready to remove the warders, but late last night negotiations were still continuing in an effort to reach an agreement.

Captain Slabbert said: "The Commissioner of Correctional Services, General Henk Bruyns, finds it strange that the men in question had not written or passed on their complaints to him directly. ARG 21/5/94

"It is well-known that he has an open-door policy but as of yet he has received no complaints whatsoever from these men. An undertaking was given that their complaints would be investigated but the men were not satisfied. But we are still talking and hope to resolve the issue amicably," said Captain Slabbert late last night.

Boland prison warder sit-in prompts probe

STimes [Metro]
22/5/94

THE Department of Correctional Services has decided to investigate grievances at two Boland prisons following a 10-hour sit-in by warders.

The sit-in followed the occupation on Friday morning of the office of Paardeberg Prison's commander Major Jacobus Ellis. The warders demanded that he be removed from his post. Outside his office more than 100 warders gathered, bearing placards accusing him of being "racist".

After about two hours Major Ellis left his office and a Popcru spokesman told warders that Major Ellis had agreed to vacate his post.

The warders said they wanted Major Ellis to put his resignation in writing. They then drove in convoy to Allendale Prison to demand the removal of the head of the prison there, Major Roelf van Rensburg.

They claimed that while Paardeberg Prison fell under Allendale Prison, Major van Rensburg had failed to investigate complaints brought to his attention.

Off-duty warders from Paardeberg Prison and several other Western Cape prisons were brought in to take over the responsibilities of warders involved in the sit-in. (253)

The 10-hour sit-in was called off after the Department of Correctional Services agreed to an internal investigation into grievances, correctional service's liaison officer Brigadier Chris Olckers confirmed yesterday morning.

Brig Olckers denied allegations that white warders were more easi-

By AYESHA ISMAIL

ly promoted than coloured warders. Promotion, he said, was done "purely on merit and hard work".

He also denied that white warders did not work the night shift as alleged by warders at Paardeberg.

"I don't know about the situation at Paardeberg, but at all other prisons all warders have to work shifts," he said.

Popcru has warned that if its grievances are not addressed and demands met in the shortest possible time, "we will embark on this kind of action again".

A union spokesman said Popcru had recommended that a board consisting of all interest groups be set up in the Western Cape region.

The board should consist of representatives from Popcru, the Department of Correctional Services, Nicro, the Association of Civil Servants, Lawyers for Human Rights and academics, the spokesman said.

This board would deal with grievances and restructuring of prisons.



UNHAPPY .. Warders demonstrate outside Paardeberg Prison Picture: AMBROSE PETERS

254
253

Popcru wants to meet Kriel

23/5/94

THE Police and Prisons Civil Rights Union (Popcru) is to approach Western Cape premier Mr. Hernus Kriel this week to discuss problems experienced by the province's prison warders.

This follows a recent 10-hour sit-in at Allendale Prison in the Bolland by Popcru members demanding the removal of top prison officials.

A Popcru spokesman said yesterday the Department of Correctional Services had agreed to probe Popcru allegations of racism, sexual harassment and assault by senior warders.

A departmental spokesman said memoranda from those involved in the disputes were awaited.

Top left

Team to probe warders' complaints against prisons

DAVID YUTAR
Staff Reporter

(253) ARG 26/5/94

ALLEGATIONS by the Police and Prisons Civil Rights Union of mismanagement at the Allandale and Paardeberg prisons in the Boland are to be investigated by a specially appointed team of senior officers.

The regional commissioner for correctional services in the Western Cape, Gerhard Spangenberg, said that although some of the allegations had been investigated in the past, he had decided to launch the investigation "in the interests of good order"

The two prisons were the scene of unrest last week after warders staged a sit-in and occupied the office of the head of Paardeberg Prison near Paarl. They demanded the transfer of the Paardeberg head as well as the removal of the area commander and management team at Allandale Prison.

Warders claimed their complaints to "higher authorities" had come to naught.

Major-General Spangenberg said the team, which would include an impartial junior officer, would also address "any other or new complaints that may come to their attention"

Biday 27/15/1974

Prisoners are entitled to basic human rights

253

WITH the elections behind us, a legitimate government finally in place and President Nelson Mandela at his desk, SA can turn its attention to unfinished business, such as whether all people in prison should have the franchise.

There was something illogical in the outgoing regime's refusal at the last minute to allow all prisoners to vote, when that same government had not only released criminals from prison but had even agreed to the inclusion on election lists of people convicted of crimes it said disqualified them from voting.

One NP spokesman argued that prisoners could not be allowed to vote because they had infringed the rights of innocent members of the public.

The public might have been better protected if such people had been kept in prison and allowed to vote rather than let loose for political reasons when they had in some cases served only derisory parts of their sentences.

Now that people in prison are no longer rioting to get the vote, the question of whether they should be looked at calmly and as a matter of principle outside party politics.

The main argument put forward against allowing prisoners to vote is that they are unfit to be part of the society they have harmed.

The very act of jailing them removes them from society, however, while it may be argued that imprisonment itself is punishment enough. It involves not only the loss of liberty but exposure to the risk of a whole range of other punishments that are not part of the formal system, including brutalisation by prison gangs. Prison sentences may also turn out to be death sentences from AIDS as a result of sexual assault.

People in prison are entitled to basic rights, such as the right not to be put there in the first place except by the process of law and the right from inside jail to bring actions against the state to enforce their rights.

The transitional constitution provides that sentenced prisoners are entitled to be held under conditions "consonant with human dignity", including the provision of adequate nutrition, reading material and medical treatment at state expense. They are further entitled to communicate with their spouses or partners, next of kin, religious counsellors and doc-

JOHN KANE-BERMAN

In addition, the new Bill of Rights entitles them to consult lawyers of their choice and "to be informed of this right promptly".

In humane societies, such as the one contemplated in the Bill of Rights and Mandela's speech on Tuesday, people in prison are entitled to retain all these rights no matter how serious their crimes. To guarantee them these rights but remove the franchise is anomalous. It rests, moreover, on the assumption that the franchise is a privilege to be earned and forfeited rather than the starting point of all human rights.

The vote is also a means of self-defence — the ultimate weapon of ordinary citizen has to get rid of corrupt or tyrannical governments by non-violent means. People in prison would almost automatically be subjected to the greatest abuse by such governments and they should have the same rights as anyone else to get rid of them.

The abuse can be terrible indeed. I well remember being physically sickened by Benjamin Pogrund's ar-

ticles in the Rand Daily Mail describing the treatment of people, usually black of course, in SA prisons. The newspaper, its shareholders, its editor Laurence Gandar and Pogrund paid a price, but there is no question that they did SA and human rights a public service. They forced a guilty and embarrassed government to make improvements, as Alan Paton, for one, publicly acknowledged.

Whether or not people in prison should have the franchise is irrelevant to the fundamental question of combating the murders, rapes, armed robberies, car hijackings and other acts that have made SA such a paradise for violent criminals.

Combating crime means, among other things, keeping people in prison when the courts have sent them there, not springing them loose by the thousand.

SA has a shortage of prisons, and overcrowding exacerbates gang warfare and rape. But with so many demands on the public purse, every additional rand spent on a new prison is a rand not spent on a new house or a new school.

We need, therefore, to think of other ways of dealing with those criminals who, in the opinion of the courts,

would not be a danger to society if they were not locked up.

Perhaps one way would be to extend the practice of community service greatly, giving prisoners the opportunity to pay their debt to society by working to implement the new government's reconstruction and development programme by repairing and building roads, constructing clinics and houses, or laying sewers and drainpipes.

Community service should not, however, be a "soft option". The work should be punishingly arduous, both to retain the punitive element and to discourage the unemployed from committing crimes simply to get jobs. Ways would have to be found to accommodate these extramural prisoners. Presumably some could live at home, while others would have to be accommodated "on site", possibly in tents or prefabricated structures. Strict regulations and adherence to the Bill of Rights would protect these prisoners from being housed, fed or transported in slave labour conditions — or from being otherwise mistreated.

□ Kane-Berman is SA Institute of Race Relations executive director.



About six people were injured when fighting between members of the Nancefield-Dube West Street Taxi Association and Zoloto-Johannesburg Association broke out in several areas of Soweto yesterday. Police later intervened and a meeting was held at Ipelegang Community Centre PICS MBUZENI ZULU

Amnesty dilemma for Omar

By Themba Molefe
Political Correspondent

HUNDREDS of prisoners claiming political status yesterday threatened hunger strikes and work stoppages in South African jails unless they were granted political amnesty and released.

The ultimatum from the South African Prisoners' Organisation for Human Rights came ahead of a meeting later yesterday between white rightwing leaders and Justice Minister Mr Dullah Omar on amnesty for jailed and accused rightwingers.

Addressing a Press conference in Johannesburg, Saphir leader Mr Golden Miles Bhudu said the organisation was angered by Omar's meeting with Conservative Party leader Dr Ferdie Hartzenberg to discuss a call for indemnity and amnesty for rightwingers.

The rightwingers include 34 accused of involvement in a series of bombings that coincided with South Africa's April elections.

Saphir's formal request of May 30 for a meeting as was provided for in the Interim Constitution.

had not been heeded, the organisation said. Omar said last night he would make an announcement soon on amnesty. The Government was presently dealing with applications for amnesty made before the new Government of National Unity came into power.

A source close to the Ministry said a meeting between Omar and Saphir could be held as early as Monday.

In further statements last night Omar said the question of Mr Chris Ham's murderers was not about amnesty but about whether they fell within the definition of 'political prisoner'.

Omar was referring to Clive Derby-Lewis and Janus Walusz, who were the subject of the meeting between him and Dr Ferdie Hartzenberg on indemnity for rightwing prisoners.

The Minister declined to comment on the outcome of that meeting.

In a formal Press statement, Omar emphasised that the cut-off date for amnesty would not be extended beyond December 6 1993, as was provided for in the Interim Constitution.



Golden Miles Bhudu

New rules for jailed youths

JACQUIE GOLDING AND TIM COHEN

THOUSANDS of jailed youths and children are set to have the terms of their imprisonment adapted under new regulations drawn up by a variety of government departments

The departments of Public Safety and Security (responsible for arrests), Justice (responsible for sentencing), Correctional Services (custody) and Welfare (child care), have jointly drawn up regulations following President Nelson Mandela's statement in his opening of Parliament speech. (253) (258)

Mandela said he had issued instructions that guidelines be drawn up which would "empty our prisons of children and ... place them in suitable alternative care".

The four directors-general and responsible Ministers met on Friday to "fine-tune" the guidelines and alternative care arrangements, a Correctional Services source said at the weekend.

"The guidelines are in place and the directives will be sent out to the various prison departments once the Cabinet has given its stamp of approval," he said, adding that it was a "mammoth" undertaking and quite costly.

Justice Minister Dullah Omar said yesterday the guidelines had been completed and the President was to be briefed. Mandela was likely to announce the details of how the new system would work soon

Currently, 756 children are awaiting trial while 881 are serving sentences, according to the Correctional Services Department.

AGENCY REPORTS

Community bank plan for housing

THE PWV government was considering setting up a community bank to help finance the building of 150 000 houses, the province's co-ordinator of reconstruction and development, Ben Turok, said yesterday.

GRETA STEYN

Speaking after an RDP conference in Soweto, Turok said the financing of the ambitious housing programme proposed by PWV premier Tokyo Sexwale would not depend solely on government funds

"We are entitled to finance from the national housing budget but the proposal we are looking at is a self-contained scheme. A presentation has been made to the PWV cabinet on using a community bank to finance the housing scheme," Turok said.

Further detail would be available at a later stage, but the banking move had nothing to do with existing community banking initiatives.

At the weekend conference Sexwale was defiant about the 150 000 target, which had met with resistance from central government and scepticism from industry. Acknowledging that he had "treaded on some toes", Sexwale told the conference if the target was not reached in the first year, the same target would be set for the second year

Turok said the scheme would be for durable houses, rather than site and service. He said some rigorous technical assessment would be done,

especially on acceptable standards, as the proposal "transgressed the boundaries of narrow professionals"

The conference was also told of an agreement with the Small Business Development Corporation to train people in every PWV township

Turok said 50 vocational training centres would be set up in the region, each training 100 people a year in skills needed to set up small businesses. The project would be financed by a R1m SBDC grant, and the corporation would make a further R5m available in loans to people who had completed the course and wanted to set up businesses.

The Johannesburg City Council also supported the project, and discussions were under way with other funders to secure more finance

A proposal was also discussed at the conference to set up local planning forums on the regional RDP. The main issues discussed related to the importance of the civics in setting up these forums and the possibility of their being granted statutory powers. It was decided that community development officers would have to be trained as a matter of urgency.

Sapa reports that ANC MP Moses Mayekiso told the conference that financial institutions and banks should pay a levy or tax to help finance housing

such as bridging the...
...of "top up" subsidies and consumer...
...for ownership and...
...of "top up" subsidies and consumer...
...for ownership and...

Prisoners stage sit-down strike

CAPE TOWN — About 120 prisoners at Brandvlei maximum security prison near Worcester staged a sit-down strike yesterday, demanding amnesty for non-political prisoners.

The protest followed a call earlier in the day from SA Prisoners' Organisation for Human Rights (SAPOHR) urging common law prisoners countrywide to embark on "rolling mass action" to demand amnesty.

The strike ended after intervention by warders from the Police and Prisons Civil Rights Union (Popcru) who were returning to duty after a protest of their own.

About 45 warders broke ranks at a medal parade at dawn yesterday to present their complaints to commanding officer Brig Piet Freysen.

The Correctional Services Department said the warders' complaints would be brought to the attention of higher authorities.

The prisoners had demanded to speak to Golden Miles Bhudu of the SAPOHR.

The warders had persuaded them to give the head of the prison, Col WJ Pepler, until tomorrow to discuss the matter with Brig Freysen, and the men then re-entered their cells.

In their memorandum the warders complained about "years of oppression" by prison authorities since the 1990 Popcru strike, and a lack of attention to repeated memorandums drawing attention to problems.

The department said Freysen had accepted the list of demands.

JOHANNES NGCOBO reports that Bhudu told a news briefing earlier yesterday common law prisoners had patiently awaited an announcement on their release from President Nelson Mandela, but to date nothing had happened.

"We are calling for an urgent meeting with President Mandela and will in the meantime call on all our members to embark on peaceful action," said Bhudu.

The organisation had requested a discussion on amnesty for offenders convicted of non-violent crimes, Bhudu said.

PWV set to gain the lion's share of funds

THE PWV is set to gain the lion's share of funding previously given to the TPA, even though the old Transvaal has been quartered.

The TPA's budget had been about R8bn, but the PWV was likely to claim about R6bn of this, TPA communications director Piet Wilken said yesterday.

Although the allocation might appear too heavily weighted in favour of the PWV, Wilken said allocations would be in line with the services provided by the regions.

"The PWV is, after all, the powerhouse of the country," he said.

The PWV is also set to benefit from taxes on horse racing of about R119m. The four major racetracks which previously helped fund the whole province fall within the PWV's boundaries.

The Transvaal used to raise its largest amount of income from car licence fees, which in 1992/93 totalled about R439m. How this income will be divided is still to be decided.

Wilken said the new provinces would have to come to an arrangement on income from horse racing and car licences.

Meanwhile, Sapa reports provincial premiers met in Pretoria last

TIM COHEN

night for "confidential discussions" ahead of their meeting today in the city with Constitutional Development Minister Roelf Meyer and Public Service and Administration Minister Zola Skweyiya to discuss provincial executive powers.

PWV premier Tokyo Sexwale said the premiers would meet occasionally in different regional capitals.

Northwest premier Popo Molefe, who is ill, was represented by Satish Roopa.

Today's meeting is a follow-up to a meeting in Cape Town last month, and follows the removal by proclamation on Friday of all provincial powers. The powers were temporarily assigned to central government departments in preparation for their being devolved to the provinces.

Most premiers are expected to apply to exercise all the powers determined by the Constitution. While some of these powers can be exercised exclusively, others can be exercised only subject to central government's approval.

Meyer said at a recent briefing he envisaged a process in which the provinces negotiated with central government for powers.

'Severe punishment' called for

PRETORIA — The 17 men found guilty on 45 murder charges and 18 attempted murder charges in the Boipatong massacre should be severely punished, the prosecution said yesterday.

The state said the Boipatong massacre had shocked the world as an example of man's inhumanity to man.

The men will be sentenced today in the Pretoria Supreme Court by Justice JMC Smit who, during his earlier judgment, referred to the night of June 17 1992 as one of the most unfor-

fortunate in SA history.

Armed with firearms, knobkerries, spears and assegais, a few hundred men from the KwaMadala hostel near Boipatong indiscriminately attacked and killed men, women and children.

Defence counsel R Strydom said the court should take into account as an extenuating factor the rivalry between the ANC aligned self-defence units in Boipatong and IFP supporters in the hostel.

This and other factors had caused the accused to take the law into their own hands. — Sapa.

500 in prison riot, hostages taken

(253)

APU 9/6/94

The Argus Correspondent
JOHANNESBURG: — A siege set in at Modderbee Prison near Springs today as about 500 prisoners rioted, took warders hostage and set fire to the prison.

At least one prisoner was killed as prisoners and warders fought and several warders and prisoners were treated by paramedics at the scene.

The siege began soon after 9am and by noon, crack police teams had surrounded the prison preparing to storm the building under a cloud of black smoke.

At noon, police fired stun grenades and teargas into the prison.

Department of correctional services spokesman Rudi Potgieter said some warders had escaped and he was only aware of one warder who was still being held, "although the prisoners are claiming they have more hostages".

Some of the warders were injured while escaping and were receiving medical attention outside the prison, but were not believed to be seriously injured, Lieutenant Potgieter said.

Prisoners set the store-room — filled with prisoners' clothes — alight, but the fire department put it out and switched off the electricity to the prison so as to prevent any further fires.

Lieutenant Potgieter said at least 500 prisoners were involved in the riot, but there "could well be more". He added that officials from surrounding prisons were called in to aid staff.

He could not confirm that one prisoner had been shot dead, although reporters saw the man's body being removed from the scene in a mortuary van. Several prisoners were treated on the perimeter of the prison.

According to South African Prisoners' Organisation for Human Rights spokesman Golden Miles Bhudu, the riot is a result of an announcement he made yesterday calling for peaceful action throughout the country — work stoppages and hunger strikes — to force the president to consider his appeal for amnesty for common offenders.

Several ambulance and police vehicles battled to reach the sections which were under attack by disgruntled prisoners.

A white minibus which, according to a policeman on the scene was driven out of the prison, was riddled with bullets. Inside there was blood and a shovel.

The policeman said it was not clear if any prisoners had tried to escape.

Dept monitors

Popcru demo

9/16/94
A TASK force from the Department of Correctional Services at Brandvlei Prison near Worcester is monitoring a protest by about 40 Police and Prisons Civil Rights Union (Popcru) members who disrupted a medal parade yesterday (253)

The protesters demanded a response to their grievances.

The force, equipped with riot shields and batons, watched while a Popcru delegation met commanding officer Brigadier Piet Freysen yesterday afternoon.

Bid to extend prisoner amnesty

Sowetan 9/16/94

By Tyrone August
Political Reporter

■ SAPOHR ACTION Amnesty is
sought for common-law criminals:

HUNDREDS of members of the South African Prisoners' Organisation for Human Rights will go on hunger strikes and work stoppages from today to back demands for amnesty.

The organisation has also called for an urgent meeting with President Nelson Mandela.

Sapohr's announcement comes in the wake of the organisation's meeting in Cape Town on Monday with Justice Minister Mr Dullah Omar to discuss indemnity for common-law prisoners.

Really disgusted

"We felt really disgusted with the response," said Sapohr leader Mr Golden Miles Bhudu yesterday. "We felt down and out."

The organisation was informed that the release of prisoners who fell out-

side the scope of the existing indemnity legislation was not within Omar's area of responsibility. (253) (252)

Bhudu said Sapohr was told it was the responsibility of the Minister of Correctional Services, Mr Siphon Mzimela. But yesterday Sapohr said it received a fax that Mzimela was "committed" at the moment.

Mzimela's spokesman, Captain Bert Slabbert, confirmed Sapohr's request for a meeting but said this was not

possible "in the near future"

"But we took cognisance of the request," he said.

Slabbert said Sapohr's actions could jeopardise the whole process and called on all prisoners to remain calm and patient. Yesterday Omar told *Sowetan* in a statement. "(Those) found guilty of ordinary criminal offences — no matter in what socio-economic circumstances — do not qualify for amnesty as political prisoners."

PWV premier goes alone into Modderbee to talk to armed prisoners

(253)

10/6/94

Tokyo gets warden freed

Star 10/6/94

AUTHORITIES have laid the blame on the shoulders of Sapoht for their call to mass action

■ BY DUNCAN GUY

An unprotected and unaccompanied PWV Premier Tokyo Sexwale met armed, rioting prisoners at Modderbee Prison on the East Rand early today and secured the release of a warder who had been held hostage for 20 hours.

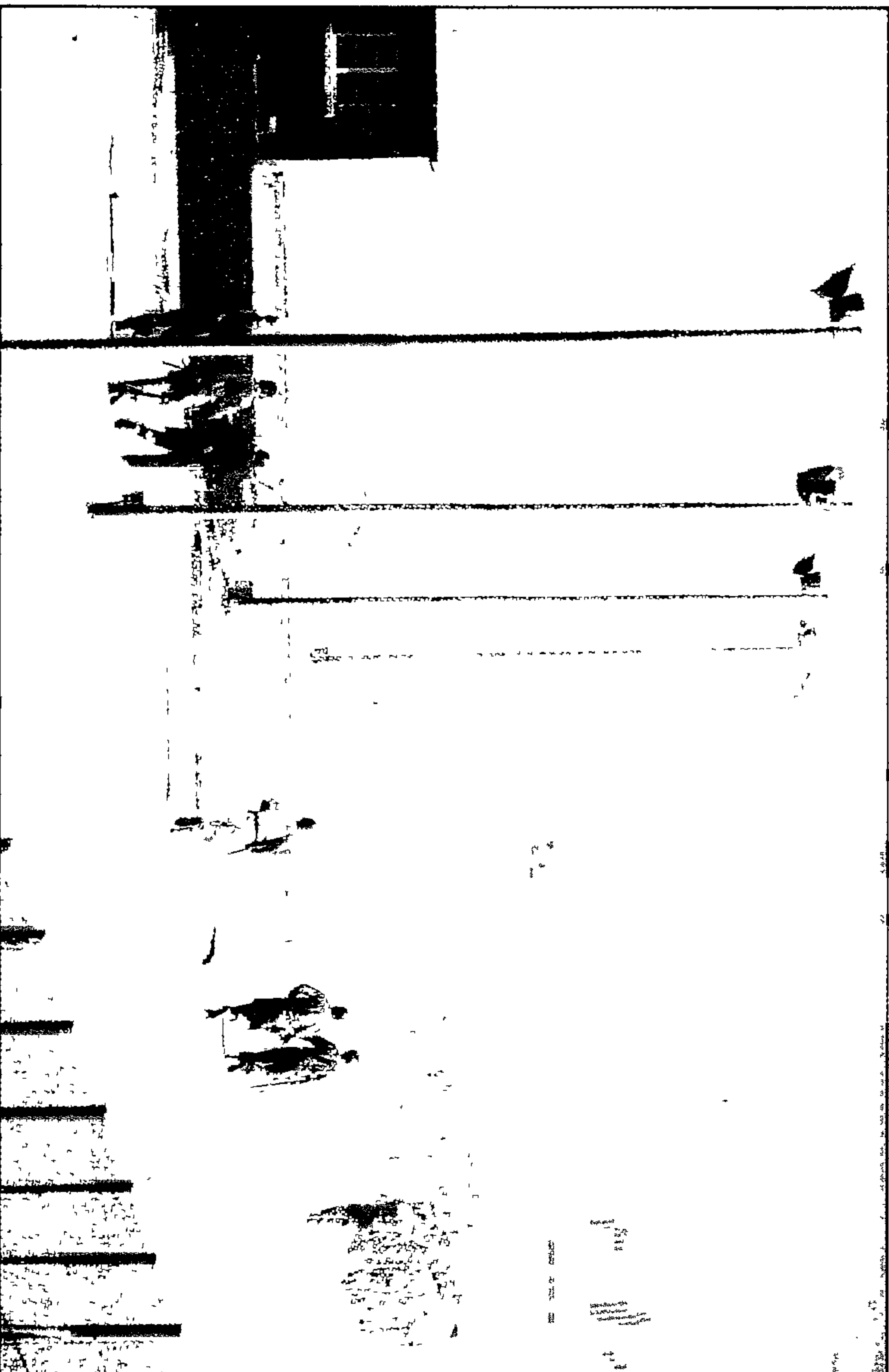
Rioting spread to six other prisons yesterday as inmates demanded that the Government finalise the amnesty issue and that they be released under a general amnesty.

The Modderbee hostage, Sergeant Kobus van Heerden (23), was released at 5.05 am and managed to walk to an ambulance from the prison which Correctional Services spokesman Brigadier Chris Olickers said was still a "no-go" area for Correctional Services staff.

There was a mass escape through service tunnels early today by prisoners who removed bars along the way. They emerged above ground through manholes beyond the prison cordon.

"They were discovered by chance by patrolling officers who saw them and made the first arrest," said Olickers, adding that one escaped prisoner was shot dead.

Eleven were arrested. "At the time, we had the choice of sending up a chopper with searchlights. But because of the sensitive stage of negotiations that had been reached between the prison committee, our negotiators and Sexwale,



Siege drama . . . police, prison officials and firemen converge on Modderbee Prison yesterday.

we decided not to."

"Well only be able to ascertain how many prisoners escaped once we have restored order inside," said Olickers.

Sexwale arrived at Modderbee Prison on the stroke of midnight after the prisoners'

committee had met South African Prisoners Organisation for Human Rights (Sapoht) executive, Golden Miles Bhudu.

Olickers said Bhudu had managed to meet the eight-prisoner committee but had not faced the masses in the courtyard.

Sexwale, his security guards and provincial Security Minister Jesse Duarte entered the prison courtyard around 2.40 am.

However, Duarte and the security guards later withdrew — apparently at the request of the prisoners — leaving Sexwale alone with the prisoners armed with an assortment of homemade weapons.

Bhudu, at a pre-midnight press conference, said he regretted that the "peaceful protest" he called for on Wednesday to demand releases under a general amnesty had turned so violent.

He said he did not condone the burning of blankets yesterday, "but it was provoked by

'The most terrifying experience of my life'

■ BY DUNCAN GUY

An exhausted Tokyo Sexwale emerged from the Modderbee Prison at daybreak today to describe his sleepless night inside the jail as one of the most frightening experiences of his life.

The PWV premier, who faced thousands of armed prisoners alone in the early hours this morning, said "it's the most terrifying experience of one's life to go into a prison where there are no lights, to go and convince prisoners to release a white member of staff they kept as a shield because of feared counter-attacks from warders."

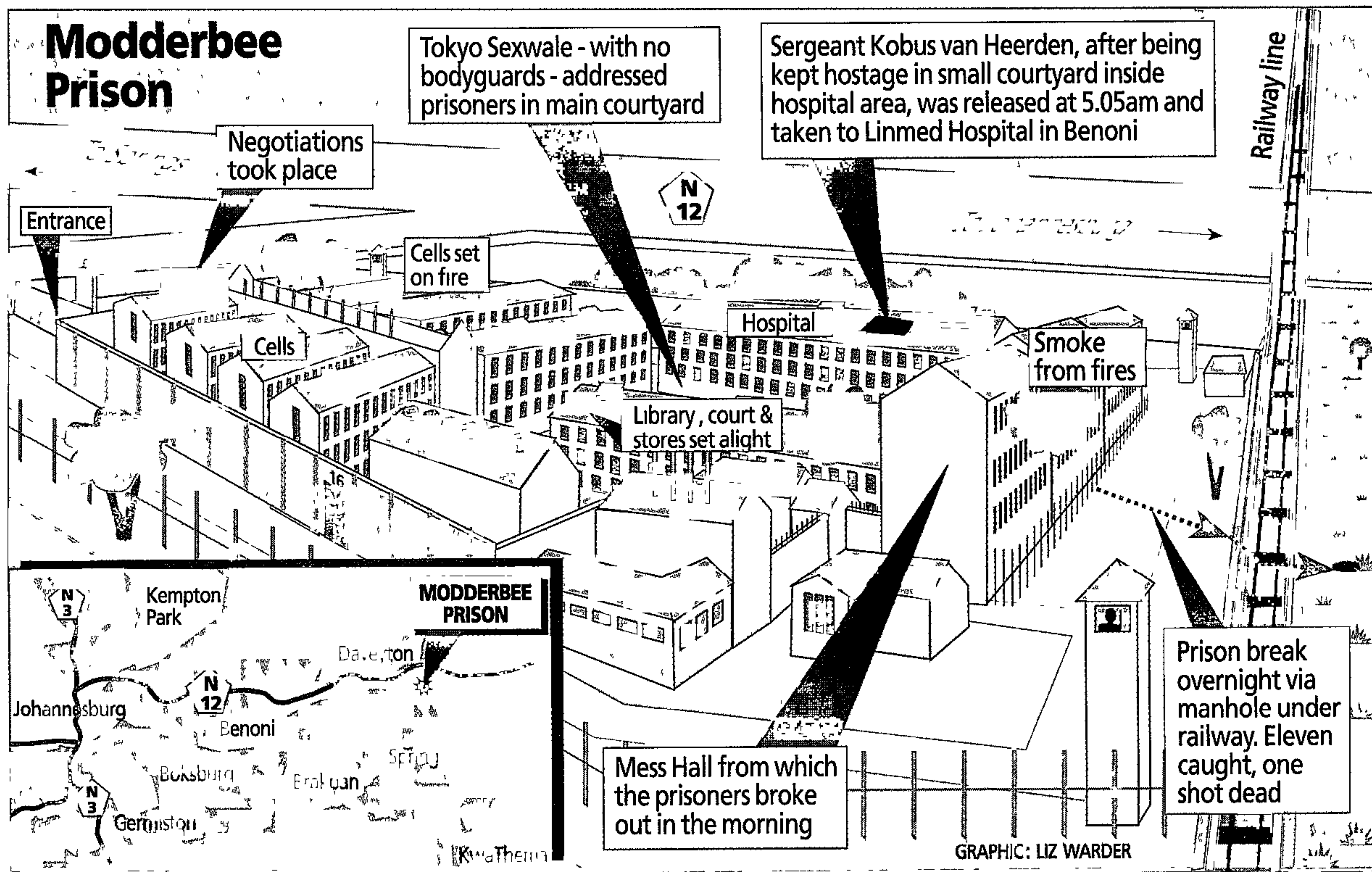
He said the prisoners in the courtyard had surrounded him with their hands joined, but were by no means united about releasing warden Sergeant Kobus van Heerden.

As he left the prison after more protracted negotiation following Van Heerden's release, Sexwale wearily told The Star that President Mandela would meet Justice Minister Dullah Omar and Correctional Services Minister Dr Sipho Mzimela in Pretoria today to address the Modderbee prisoners' woes.

He said human rights lawyers and priests would be invited to help police maintain a stand-off between warders and prisoners.

PICTURE GARY BERNARD

▶ To Page 3



Tokyo secures release of warden

Star 10/6/94

◀ From Page 1
warders who turned it into a Guy Fawkes"

Olckers said the threat to public safety, prisoners and warders had all indirectly resulted from the call by Sapohr for mass action (253)

Sergeant van Heerden, the hostage, suffered a broken hand and ribs and had also been stabbed in the face

Before braving the prison courtyard, Sexwale told Van Heerden over the radio "Vas-byt, di saak sal opgelos word" (Hold tight, the matter will be resolved)

Two prisoners have died and 29 people have been injured
Charmeela Bhagawat reports that jails across the country erupted into violence last night

■ Department of Correctional

Services spokesman Captain Koos Gerber said at the Ncome Prison in KwaZulu about 300 prisoners held two warders hostage. Prison officers released the two and about 36 prisoners were injured in the operation

■ At the J S Steyn Prison in the Eastern Cape, prisoners went on the rampage and burnt the contents of 18 communal cells

■ Two hundred prisoners from the maximum security section of Brandvlei Prison near Worcester refused to be locked into their cells last night

■ At Kroonstad Prison inmates set the contents of three or four cells alight. Prisoners did the same at Leeuwkop

■ Early today, Witbank Prison, where about 1 000 prisoners refused to move from the courtyard all night, was very tense

Warders quick to nab escapees but chaos still reigns at prison

Star 10/6/94

■ BY DUNCAN GUY

Warders and police, some draped in prison blankets, reacted sharply to an alarm that prisoners were escaping just after 2 30 am today

"All guards stay at your posts," an officer shouted over the radio, which reported activity "down at the soccer field"

Armoured vehicles, ambulances and warders' private cars rushed up a nearby road

An hour or so later, Correctional Services staff hauled at least seven escapees by their collars past journalists, back into what was left of their burning cells

Word went around that one had been rearrested at nearby Daveyton Station at 4 am

"And the first train passes at

4.30 am," someone chirped.

Confusion reigned. At 3 45 am it was announced that prison warden Sergeant Kobus van Heerden was free. But soon that information was declared incorrect.

"They've been holding a white prisoner hostage, one we never knew about," said Correctional Services' Brigadier Chris Olckers (253)

A police helicopter spent the night circling the prison, shining a long beam of light into the complex

It lit up smoke that lingered above the rooftops — the aftermath of a long day of arson inside the courtyard and cells

Guards wearing overcoats and sporting R-1 rifles stood at the entrance, along with their families who brought in coffee flasks

to help them through the bitterly cold night.

At intervals, groups of prison wardens knocked off from duty inside, taking their riot gear out with them

A family, believed to be of a prisoner who was sentenced yesterday, waited outside but refused to speak to reporters

There was none of the shouts and noise of yesterday

Olckers reported that the prisoners inside had settled down. Many were without blankets and had not been fed during the day.

Shortly before 5 am singing broke out, followed by the news that PWV regional Premier Tokyo Sexwale had succeeded in negotiating Van Heerden's release

Many runaway convicts are still at large.

Prisoners

ARG 10/6/94

(ncz)

353

UNIVERSITY OF CAPE TOWN
SALDRU LIBRARY

Levot

Deal with amnesty, ²⁵³ ARG union tells government

Staff Reporters

10/6/94

A NEW hostage drama erupted today when a warder was taken captive by prisoners in Tulbagh as the crisis in prisons deepened.

The South African Prisoners' Organisation for Human Rights (Sapohr) today called off mass action 24 hours after prisoners rampaged in jails around the country. The violence left at least one person dead, scores injured, and buildings wrecked.

The protests were called off on condition the government addressed "amnesty for non-violent common offenders"

"I am calling on all our members to immediately terminate any further action," Sapohr leader Golden Miles Bhudu said outside Modderbee prison on the East Rand.

Police reinforcements and a specialist team of hostage situation negotiators were sent from Cape Town to Obiwa prison at Tulbagh where 360 inmates had taken the warder hostage.

The prisoners demanded to hold a press conference.

Countrywide rioting in prisons followed a call for mass action by Sapohr.

Urgent talks to free warder hostage

JOHAN SCHRONEN
Crime Reporter

URGENT negotiations were under way this afternoon in an attempt to obtain the release of a prison warder with a heart complaint who was being held hostage by 350 inmates at

At Modderbee, where 500 prisoners have been rioting since early today, at least 10 shots were fired.

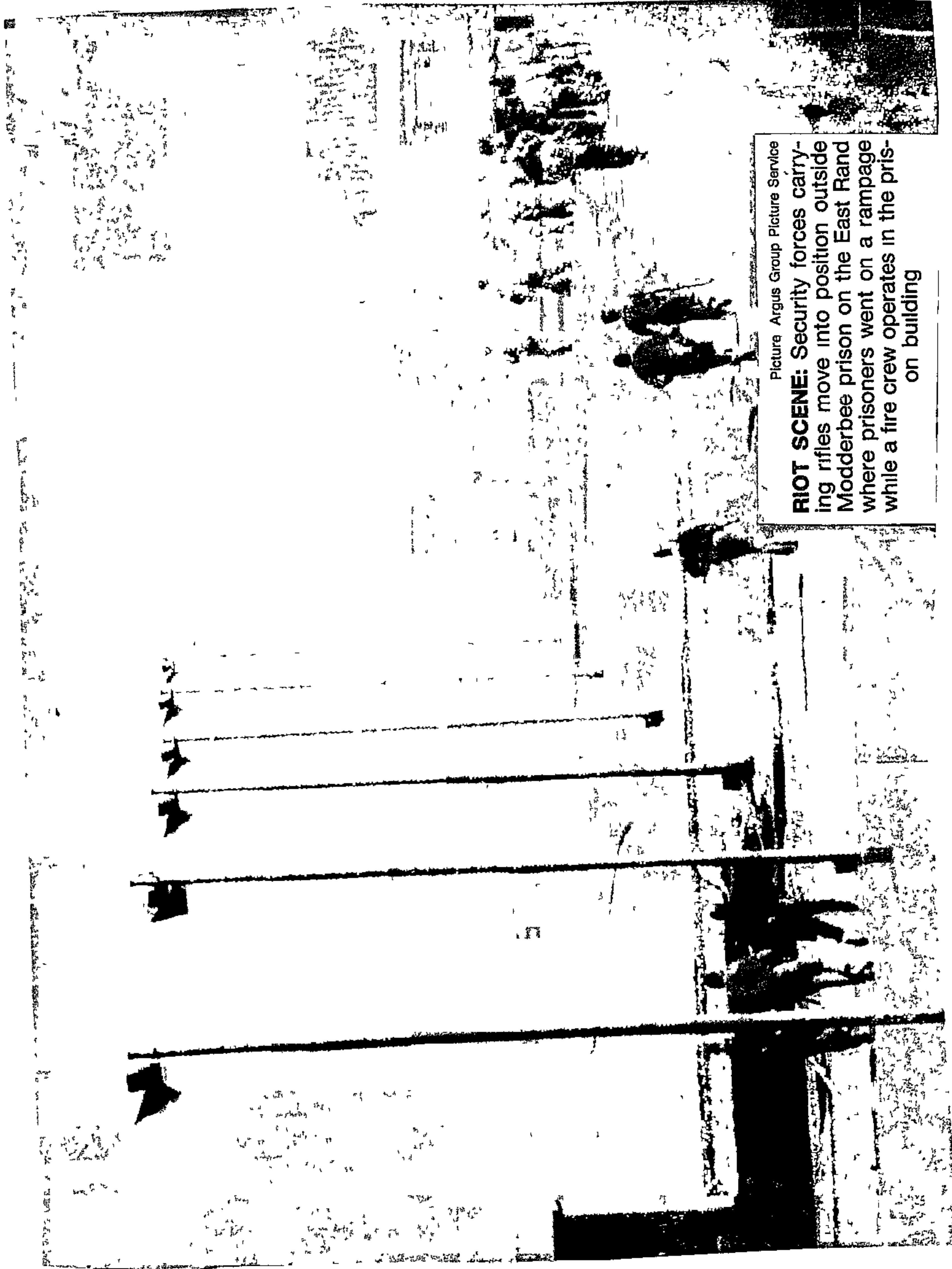
The Argus Bureau in Port Elizabeth reports that Kirkwood prison was "wrecked" in a night of arson and destruction.

Striking prison warders were reported to have taken over the office of the officer commanding at Pollsmoor Prison in Tokai.

Pollsmoor warders demonstrated today against what they termed the inhuman treatment of warders who are members of the Police and Prisons Civil Rights Union.

At Modderbee, stun grenades and rubber bullets were fired into the section of the prison

253 ARG 10/6/94



Picture Argus Group Picture Service

RIOT SCENE: Security forces carrying rifles move into position outside Modderbee prison on the East Rand where prisoners went on a rampage while a fire crew operates in the prison building

Umlanga prison at Tumbaga

The situation at the prison was tense but calm after the prisoners grabbed the warden after breakfast about 7am while he was locking cell doors.

Scores of prison warders congregated on the lawns and on the steps outside the prison while their colleague Fifi Roux, suffering from a weak heart, was held captive.

Prisoners, who had earlier royi-roiyed and shouted, appeared to have calmed down.

A warden said a doctor had been allowed in to see Lieutenant Roux, 50, who was showing signs of distress.

The warden said Lieutenant Roux had not been assaulted and the doctor was treating him for his heart condition.

Regional Commission of Correctional Services Major-General Koos Spanner was in the prison with policemen and was negotiating with some of the prisoners.

Meanwhile a specialist team of Internal Stability Unit members arrived in plain clothes in an unmarked bakkie which contained bullet proof vests and a large bolt cutter.

The bakkie was parked near the entrance to the prison and the team of four men was waiting for further instructions.

A police helicopter has also been summoned to the area and an ambulance was on standby near the building.

gone to ground and at least 50 warders were deployed on the prison's south side from where continuous shouting was heard.

Smoke billowed from two windows on the south side of the building.

Earlier a warden held hostage at Modderbee was released after the personal intervention of PWV premier Tokyo Sexwale.

President Nelson Mandela held high-level crisis talks today in a bid to quell unrest at Modderbee.

At the meeting were Correctional Services Minister Siphon Mzimela, Deputy President F W de Klerk, PWV Safety and Security Minister Jessie Duarte and Mr Bhudu.

Mr Mandela sent Dr Mzimela to Modderbee to deliver a message.

Contents of the message were not disclosed.

Mr Bhudu said he was not in a position to reveal decisions taken at the Pretoria meeting but did say he was not happy with its outcome.

He said the prisoners wanted police to take over administration of Modderbee.

At Brandvlei prison near Worcester, staff and police restored some control after rioting at the youth section yesterday.

"There's no more drama. The situation is under control," said Correctional Services spokesman Rudie Potgieter today.

Violence has flared at seven prisons since yesterday with prisoners demanding amnesty.

Rioting was reported at Leeuwkop Prison near Pretoria, J C Steyn Prison in Port Elizabeth and at Ncone Prison in KwaZulu-Natal.

The violence follows the call on Wednesday by Mr Bhudu for amnesty for all non-violent offenders.

He also demanded that those serving time for certain violent crimes should have their cases reviewed.

Report, picture — page 3

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ARG

10/6/94

31 prisoners hospitalised

CT 10/6/94
By ANDRE KOOPMAN

THIRTY-ONE prisoners at Brandvlei Prison, near Worcester, were admitted to hospital after several cells in the youth section were torched yesterday afternoon.

One of the prisoners — all of whom are under 21 — was "very seriously injured", SA Prisons Services spokesman Brigadier Chris Olckers confirmed last night.

Another prisoner is missing, feared dead. Meanwhile more than 200 other prisoners in the jail's maximum security section were early this morning in a tense stand-off with warders in a prison courtyard after they refused to enter their cells yesterday afternoon.

Brig Olckers said the situation was "volatile". The prisoners in the damaged youth section had been moved to other prisons in the compound.

The riot was sparked by prisoners demanding to be freed in terms of amnesty for political prisoners announced by President Nelson Mandela.

Brig Olckers said that the cabinet was giving the question of remission of sentence "urgent consideration" and said that "impatient and irresponsible" elements were fanning discontent.

● Convict saves warden — Page 4

Prison erupts over amnesty demand

WM 10-16/6/94 (253)

Stefaans Brümmer

THE government faces a potentially explosive situation in prisons nationwide after Justice Minister Dullah Omar turned down demands for an amnesty for non-violent, non-political crimes.

Modderbee Prison on the East Rand erupted yesterday — with one prisoner allegedly killed and warders attacked and held hostage — as prisoners took up a call for "non-violent action" by the South African Prisoners' Organisation for Human Rights (SAPOHR)

SAPOHR chief executive Golden Miles Bhudu said the Modderbee protest came as a "direct result" of the call his organisation made on Wednesday for "all our members in all South African prisons to embark on all forms of peaceful action".

He said SAPHOR had asked on Wednesday to see President Nelson Mandela after Omar had referred them to Correctional Services Minister Siphosiso Mzimela, who "told us he was too busy to see us".

Bhudu said "We didn't have

another avenue but to do what we have done. We called for non-violent action at prisons countrywide."

Presidential spokesman Parks Mankahlana yesterday confirmed Bhudu had spoken to Omar, but said the demands had been rejected. He said Bhudu had contacted the President's Office asking for a meeting, but was told to send a written request — which had not yet been received.

A meeting between SAPHOR and the Ministry of Safety of Security could be on the cards today, Mankahlana said.

Correctional Services spokesman Lieutenant Rudi Potgieter said the protest at Modderbee started at mid-morning when prisoners "took over part of the prison", set a clothing store alight, wrecked the library, cells and the prison court room, and took hostage at least one warder, a sergeant. Claims by prisoners that they were holding 10 warders hostage were being investigated.

Bhudu claimed one prisoner was killed, but Potgieter said "There are

prisoners in outside hospitals for treatment (as a result of the violence). It may be that one has died, but we do not know yet."

Potgieter said seven warders had been taken to outside hospitals, while others had been treated on the prison grounds. Police and prison reinforcements had been rushed to the scene.

A memorandum to Mandela's office — accompanying a request to see Mandela which Bhudu says was faxed — states "SAPOHR is shocked at the government's disinterest and lack of affirmative commitment in addressing the issue of amnesty for so-called 'common law' offenders serving terms of imprisonment throughout South Africa."

"It is inconceivable to us that the government is far more concerned with granting indemnity and amnesty to scores of persons who, for decades, committed the most heinous crimes against humanity."

SAPOHR's demands include an amnesty for non-violent common law offences and the review of violent crime convictions.

NEWS Warden held hostage in pris

Riot, fire at Reef prison

■ SIEGE BATTLE Inmate killed

and 18 injured in prison uprising:

Sowetan Correspondent

A SIEGE set in at the Modderbee Prison near Benoni on the East Rand yesterday as about 500 prisoners rioted, took warders hostage and set fire to the prison

At least one prisoner was killed and 18 were injured as prisoners and wardens battled. Several warders and prisoners were treated by paramedics at the scene

The siege began shortly after 9am and by noon crack police teams had surrounded the prison preparing to storm the building under a cloud of black smoke.

Stun grenades

At noon, police fired stun grenades and teargas into the prison

Department of Correctional Services spokesman Lieutenant Rudi Potgieter said some warders had managed to escape and they were aware only of one warden who was still being held, "although the prisoners are claiming that they have more hostages"

Some of the warders were injured while escaping and received medical attention outside the prison (253)

Prisoners had set alight the storeroom of the prison, but the fire department extinguished the fire

Potgieter said at least 500 prisoners were involved in the riot, but there "could well be more" and that officials from surrounding prisons had been called in to aid Modderbee staff

Shot dead

He could not confirm that one prisoner had been shot dead, although journalists saw the man's body being removed from the scene

At Brandvlei Prison near Worcester, prisoners have threatened to stage further sit-ins if they are not considered for amnesty. About 200 prisoners in the maximum security section are participating in the sit-in and are refusing to return to their cells

The strike began on Wednesday when 53 warders joined prisoners in a sit-in when the prison's officer commanding refused to read a list of grievances at a medal parade

There are 880 children in SA jails

12/13/14

Sowetan & RadioMetro **By Bongani Mavuso**

Talkback



with **Tim Modise**

More than 880 children are in South African jails, according to a report by the Department of Correctional Services. The report, which was released last week, shows that the number of children in custody has increased significantly since 2010.

By September 2014, the number of children in custody had risen to 880, up from 700 in 2010. The report also notes that the majority of these children are from the townships and are involved in petty crimes such as theft and drug dealing.

It is a sad state of affairs, says a spokesperson for the Department of Social Development. He said that the government is working to address the issue by providing more support and services to the communities where these children live.

A number of other officials and community leaders have also expressed concern over the situation and called for more action to be taken.

The programme is a joint effort between the Department of Correctional Services and the Department of Social Development. It aims to provide these children with the support and services they need to lead a better life.

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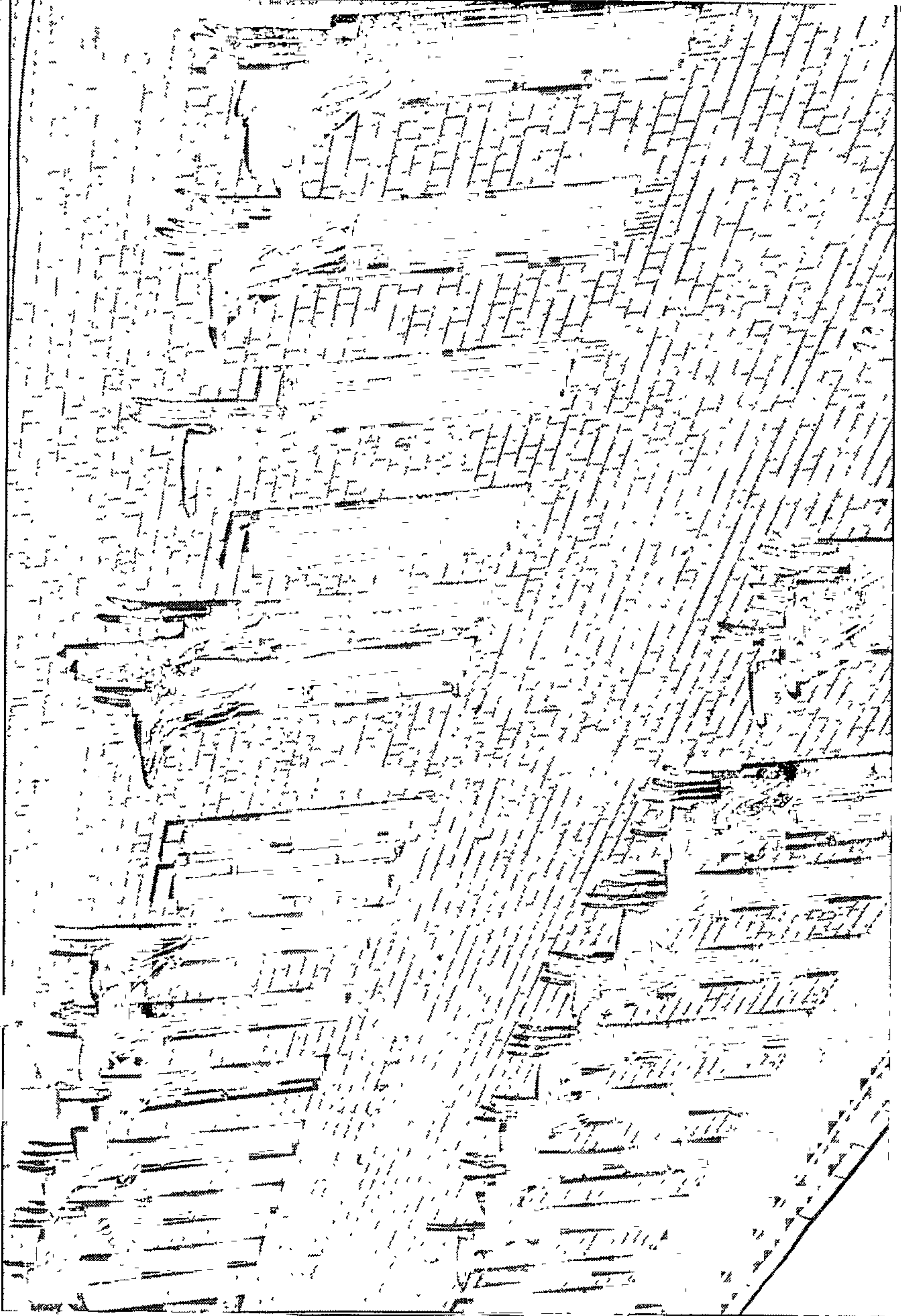
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A number of other officials and community leaders have also expressed concern over the situation and called for more action to be taken.

The public should note that imprisonment is not a form of punishment. It is intended to reform criminals.

Solly, Petersburg

FOOTNOTE: Prisoners' legs hang out of cell windows inside Modderbee Prison during this week's violence



PHOTOGRAPHS RUVAN BOSHOFF

Upheavals at Modderbee decried

Prison rioting spreads

Star 11/6/94

THE rioting which erupted at Modderbee Prison near Boksburg on Thursday morning quickly spread countrywide and the situation was still volatile in places last night.

All was quiet at Modderbee Prison after the Government announced a six-month across-the-board remission for all common-law prisoners.

Violence erupted at several other prisons yesterday. Incidents were reported at J C Steyn Prison near Kirkwood in the Eastern Cape, Obiqua Prison at Tulbagh in the Boland, Medium B Prison at Kroonstad in the Free State, Brandvlei Prison near Worcester in Western Cape, Pollsmoor Prison in the Cape Peninsula and at the old Umtata Prison in Eastern Cape.

Correctional Services spokesman Captain Koos Gerber said 18 cells at J C Steyn Prison had been partly burnt or damaged during the night. There were no clashes between prisoners and warders, and no injuries.

About 600 prisoners gathered in the courtyard yesterday morning, demanding their release. The situation was brought under control.

Gerber said a warder was being held hostage at Obiqua after 300 prisoners went on the rampage yesterday. The hostage had not been assaulted or injured by prisoners, who were also demanding their immediate release.

In Kroonstad's Medium B Pris-

DESPITE the Government's offer of six months' remission of sentence for all common-law prisoners, violence erupted at several other prisons yesterday.

253



BOLT HOLE: Sergeants Magiel Duvenhage and Johan Botha guard the manhole through which Modderbee prisoners escaped

on about 100 prisoners set fire to four cells on Thursday night. No clashes with warders occurred and the fires were extinguished almost immediately. The situation was quickly brought under control, Gerber said.

At Brandvlei Prison, a prisoner was taken to Somerset Hospital in Cape Town after being hurt when cells were set alight on Thursday.

Warders at Pollsmoor demonstrated yesterday morning

against what they termed the inhuman treatment of warders belonging to the Police and Prisons Civil Rights Union. They took over the office of the commanding officer.

About 40 prisoners set fire to their blankets and mats at the Old Umtata Prison yesterday morning.

At Modderbee, a prisoner was shot while attempting to escape yesterday, bringing the death toll

to two. The other prisoner died in hospital on Thursday.

PWV Premier Tokyo Sexwale, responding to prisoners' demands to speak to him, visited the prison in the early hours of yesterday.

Sexwale, shrugging off warnings by prison authorities that it was dangerous to enter the prison, negotiated alone with armed and desperate inmates, and succeeded in securing the release of

a hostage, Sergeant Kobus van Heerden. At least 11 prisoners have been rearrested after breakout.

Van Heerden (23), who had been held hostage for over 20 hours, was released at 5 am yesterday. He walked to an ambulance despite broken ribs and a broken hand, and was admitted to the Luned Hospital in Benoni.

Earlier, prisoners had put forward eight demands. Among them were a meeting with President Mandela or a regional parliament member, that the Modderbee Prison administration be replaced by a "neutral" body because every prison was "a little volkstaatje", and that no further action be taken against those involved in the rioting.

SA Prisoners Organisation for Human Rights spokesman Golden Miles Bhudu claimed warders had provoked the violence.

He said he could not accept responsibility for the unrest that followed his call on Wednesday for national peaceful action in prisons countrywide.

Announcing the remission, Correctional Services Minister Siphiso Mzimela said the minister had advised Mandela that the remission the president had referred to in his inaugural speech should be implemented. Only State debtors and the mentally ill did not qualify.

A judicial commission of inquiry would investigate the riots at Modderbee and other prisons — Sapa.

Modderbee: the trail of prison's men on the run

Star 11/6/93
JANINE LAZARUS

SODDEN uniforms, odd shoes and unopened packets of cigarettes lay scattered around a manhole through which about 30 prisoners tried to escape from violence-ravaged Modderbee Prison early yesterday.

At least 14 men were recaptured by officials from the Department of Correctional Services. One of them was shot dead. Five escapers were discovered in the glare of a searchlight lying flat on their stomachs near a perimeter fence overlooking the main Springs road off the N12 highway.

Those who were rearrested had been jailed for crimes ranging from petty crimes to economic offences. But, said Commissioner of Correctional Services General Henk Bruyn, "any man on the run must be considered dangerous" (253)

Acrid smoke

A heavily pregnant blonde woman — the wife of one of the prisoners — in the company of a man, an older woman and two young girls walked towards the main gate. "Please don't take photographs of the children," she pleaded. "They have to go to school."

When the media was allowed into the grounds, Brigadier Chris Olckers of the Department of Correctional Services asked photographers not to take photographs of prisoners' faces. "If they become at all anxious, come back to this door. They are prisoners in an unnatural situation."

An acrid smell of smoke filled the dingy corridors of the prison's administrative building. The buildings had been virtually decimated, their windows shattered, corrugated iron roofs hanging on threads.

Burnt books lay in front of the gutted library. Sodden toilet rolls lay in a dirty heap in the storeroom. Blankets, cell mats, and carpets still smouldered.

Stormwater drain

The escapers' journey through a stormwater drain that runs from beneath a courtyard at Modderbee Prison to a main road less than 800 m away must have been cold and damp. Those who managed to escape could have made it to Daveyton in four minutes on foot, if they were moving fast.

"This was planned well ahead, that's for sure," said one prison official. "We were warned on Wednesday to be on standby. We expected it to happen from the outside — not the inside."

By late yesterday afternoon, officials were still keeping an eye on the manhole. "Some of the prisoners could still be in the tunnel," said one.

The main entrance to the stormwater drain was blocked off with an iron grid, but it — as well as iron bars placed intermittently throughout the drain — were smashed with bricks and handmade tools.

Nearer the highway, more soaked clothes, filthy pillow cases and prison-issue blue towels were found near a hole in the fence overlooking the highway. "They must have ditched their clothes because they were cold," said an official.

By midday yesterday, there was still a heavy presence of armed officials at the prison.



... Internal stability division reinforcements from Paarl were prepared for any
y during the 12-hour hostage drama at Obiqua Prison in Tulbagh yesterday

Picture ANNE LAING

Remission statement ends Tvl prison riot

CT 11/6/94

(253)

JOHANNESBURG — Rioting at Modderbee prison near Boksburg ended yesterday afternoon after the government granted all common-law prisoners a six-month "across the board" remission of sentence.

The remission, which should come into effect within 10 days, was announced by Correctional Services Minister Mr Siphon Mzimela. The only prisoners exempt from this remission were state debtors and the mentally ill.

Two dead

Mr Mzimela said a judicial commission of inquiry would investigate the prison riots.

Rioting at Modderbee left at least two dead and 30 injured, and caused extensive damage to prison buildings and property. By lunchtime yesterday relative normality had returned to the prison.

The announcement followed high-level crisis talks between Mr Mzimela, President Nelson Mandela, Deputy President F W de Klerk, PWV Safety and Security MEC Ms Jessie Duarte and SA Prisoners Organisation for Human Rights leader Mr Golden Miles Bhudu in Pretoria yesterday morning.

'Volkstaat'

Mr Bhudu called a halt to all prisoner mass action yesterday after the meeting with Mr Mandela which, he said, had convinced him the prisoners' demands would be met.

He said he had served five years in the Modderbee prison, which he called "a volkstaat of its own".

● Violence continued at several other prisons yesterday. Incidents were reported at the J.C. Steyn prison in the Eastern Cape, the Obiqua prison in Tulbagh, the Medium B prison in the Free State, Brandvlei prison near Worcester, Pollsmoor Prison and the old Umtata Prison.

● Yesterday's announcement of a remission of six months for all common-law prisoners was not the result of pressure from prisoners but flowed from a decision taken "way back", Mr De Klerk said.

Answering questions at a press conference at the World Economic Forum conference in Cape Town he said it was customary when "things of great momentum" happened in a country, some alleviation be granted to people.

The announcement had been "long overdue".
Sapa

Face to face with a rioting jail mob

JOHAN SCHRONEN
Weekend Argus Reporter

A BID to trade the freedom of a warder in return for an interview nearly backfired when hundreds of prisoners in Tulbagh came close to taking two journalists captive as well.

With SABC cameraman Izra Jwill, I entered the lions' den to satisfy the rioting prisoners' demand to speak to the media in exchange for releasing warder hostage Fifi Roux of Obiqua medium-security prison.

But Lieutenant Roux, who has a heart defect, was released only much later after we had almost given up hope that the prisoners would free all three of us.

The plan was that we were to be locked in to speak to 360 angry inmates in exchange for the warder. The freedom gambit eventually succeeded after it almost turned sour for us when negotiations to free Lieutenant Roux deadlocked.

Rioting at most affected prisons throughout the country came to an end yesterday afternoon after the government announced a six months across-the-board remission for all common-law prisoners.

The remission, which should come into effect within seven or 10 days, was announced by Correctional Services Minister Siphosiso Mzimela at a Press conference at the Modderbee Prison outside Benoni where the rioting began this week.

The remission announcement followed widespread rioting and prison unrest across the country by prisoners demanding their release in terms of a general amnesty. The riot at Modderbee left at least two dead, 30 injured and extensive damage to the prison.

Dr Mzimela travelled to Modderbee after attending high-level crisis talks with President Mandela in Pretoria yesterday morning.

Mr Mandela met Dr Mzimela, Deputy President De Klerk, PWV Safety and Security MEC Jesse Duarte and SA Prisoners' Organisation for Human Rights leader Golden Myles Bhudu.

Earlier, at Tulbagh, Lieutenant Roux, 50, was locking prisoners in their cells after breakfast yesterday morning when a gang overpowered him and dragged him into a cell.

The rest of the prisoners, armed with sharpened planks from wooden tables they had broken, chased the other warders out.

The major demands of the prisoners were to meet the media and politicians to explain amnesty conditions. A long list of demands was handed to correctional services regional chief Major-General Spanengberg.

Late yesterday afternoon Jwill and I entered the security section of the prison after the Department of Correctional Services ordered that only two journalists were allowed in. They had to be male.

As the grid gates slammed closed behind us, I already regretted the situation. We were in the courtyard of Obiqua and in front of us were about 350 chanting inmates.

I knew I had to hide any fear, so I walked a pace or two ahead of the gang who were escorting me from the gate to a table they had brought from the kitchen.

■ To page 8



ON THE BALL: English points machine Rob Andrew gets some tips on local kicking conditions from one-time Newlands hero and ex-Springbok Errol Tobias. Picture: Leon Muller, Weekend Argus



PICTURE: Brenton G. of Weekend Argus
CARLING SCORES: English rugby captain Will Carling gets some moral support for today's test, sandwiched between two Cape beauties, Sarah Travis, left, and Samantha Williams.

Cracks in unity as FW, Mbeki clash

MICHAEL MORRIS
Political Correspondent

MOUNTING political tension in the cabinet over controversial and far-reaching proposals for a truth commission broke through the surface of national unity at a major international conference in Cape Town.

An indication of strains in the cabinet on this critical issue emerged in speeches by President Mandela's two deputies — Thabo Mbeki and F W de Klerk — during the closing session of the World Economic Forum last night.

Mr Mbeki gave an emotional account of the disappearance of a cousin who the family feared may have fallen victim to a politically-inspired death squad.

A truth commission would, hopefully, get to the bottom of this, he said.

Earlier, Mr De Klerk disclosed at a briefing that he had not been "consulted" on Justice Minister Dullah Omar's ground-breaking proposals for political amnesty linked to a truth commission, and said the plan could not be considered "agreed" government policy.

In his speech to the forum, he warned that "sensitive questions" relating to amnesty and the truth commission "has a great potential to undermine the goodwill and the new sense of national unity" in the country.

Processes to deal with political crimes of the past could not be "one-sided, based on the premise that the killing and maiming of children

■ To page 2

Facing the jail mob

From page 1 (253) April 11/6/94

My heartbeat was just getting back to normal when the prisoners said it was time to meet the lieutenant and inspect the cells.

But my heart sank when we were pushed tightly against the bars of cell No 9.

Were they going to pull us in? Were we going to be their extra leverage in the game they were playing?

They were clearly upset about supposed amnesty in the new South Africa.

We were eventually led to the exit gate but the senior warders demanded to know where Lieutenant Roux was and an argument followed with us on the wrong side of the locked gate. Finally one of the warders, realising our predicament, unlocked the gate and let us out.

"I will do as much as I can but I don't walk with freedom in my pocket to give to you," said General Spanengberg.

Jail quietens after minister announces six-month remission

Modderbee loses its stings

APR 11 1964

(253)

JOHANNESBURG. — Rioting at the Modderbee prison near Boksburg, which left two dead and at least 30 injured, abated when the government announced a six-month, "across-the-board" remission for common law prisoners.

The remission, which is scheduled to come into effect within seven to 10 days, was announced yesterday by correctional services minister Siphosizwe Mzimela.

He said a judicial commission of inquiry would investigate the riots at Modderbee and other prisons where inmates had rampaged.

Although the prison was quieter late yesterday, warders were still trying to calm rioters in some sections of the building and 14 inmates were still on the run after an estimated 30 prisoners broke out of the jail on Thursday night.

The burnt-out remains of the prison storeroom and library bore testimony to the riot which paralysed the East Rand institution for more than 30 hours.

The roof of the prison storeroom caved in from the fire, causing extensive structural damage.

Breakages were estimated to run into millions of rands as smouldering blankets and clothes lay in heaps in the prison courtyard.

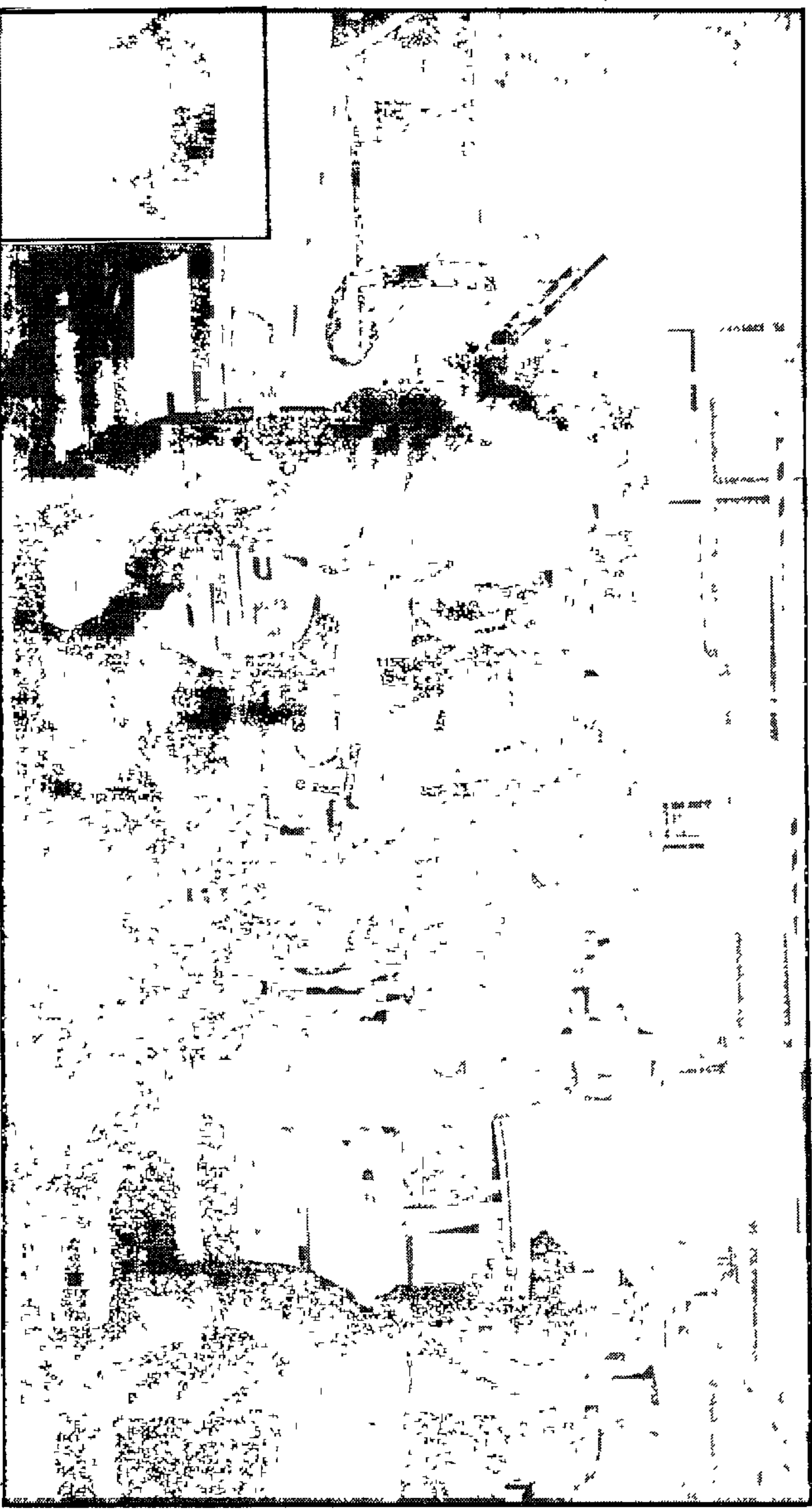
The adjacent library was also gutted and water-damaged books lay strewn across the floor.

Nearby, a large group of prisoners stood behind a six-metre high fence while warders searched them and later escorted them back to their cells.

The prisoners were noisy but contained after a cordon of correctional service warders closed in on them and confiscated several homemade weapons.

Sharpened spoons, axes, iron bars and rods were among the objects seized.

The remains of beds which had been ripped apart and used as weapons to destroy prison property lay in piles in the courtyard.



GETTING READY: Members of the Internal Stability Unit cock their guns as they move closer to the Tubbagh prison INSET: Lieutenant Fih Roux who was held captive for almost 12 hours by prisoners

Prisoners' tunnel flight bid thwarted

JANINE LAZARUS

Weekend Argus Correspondent

JOHANNESBURG. — Sudden uniforms, odd shoes and unopened packets of cigarettes lay scattered around a manhole through which about 30 prisoners tried to escape from violence-ravaged Modderbee Prison.

Early yesterday at least 14 men were recaptured by officials from the department of correctional services. One was shot dead. Five escapers were discovered in the glare of a searchlight lying flat on their stomachs near a perimeter fence overlooking the main Springs road off the N12 highway.

Those who were re-arrested had been jailed for convictions ranging from petty offences to financial crimes. But, said commissioner of correctional services

General Henk Bruyn: "Any man on the run must be considered dangerous."

The escapers' journey through a stormwater drain that runs from beneath a courtyard at Modderbee Prison to a main road less than 800m away, must have been cold and damp. Those who managed to escape could have made it to Daveyton in four minutes on foot — if they were moving fast.

"This was planned well ahead, that's for sure," said one prison official. "We were warned on Wednesday to be on standby. We expected it to happen from the outside — not the inside."

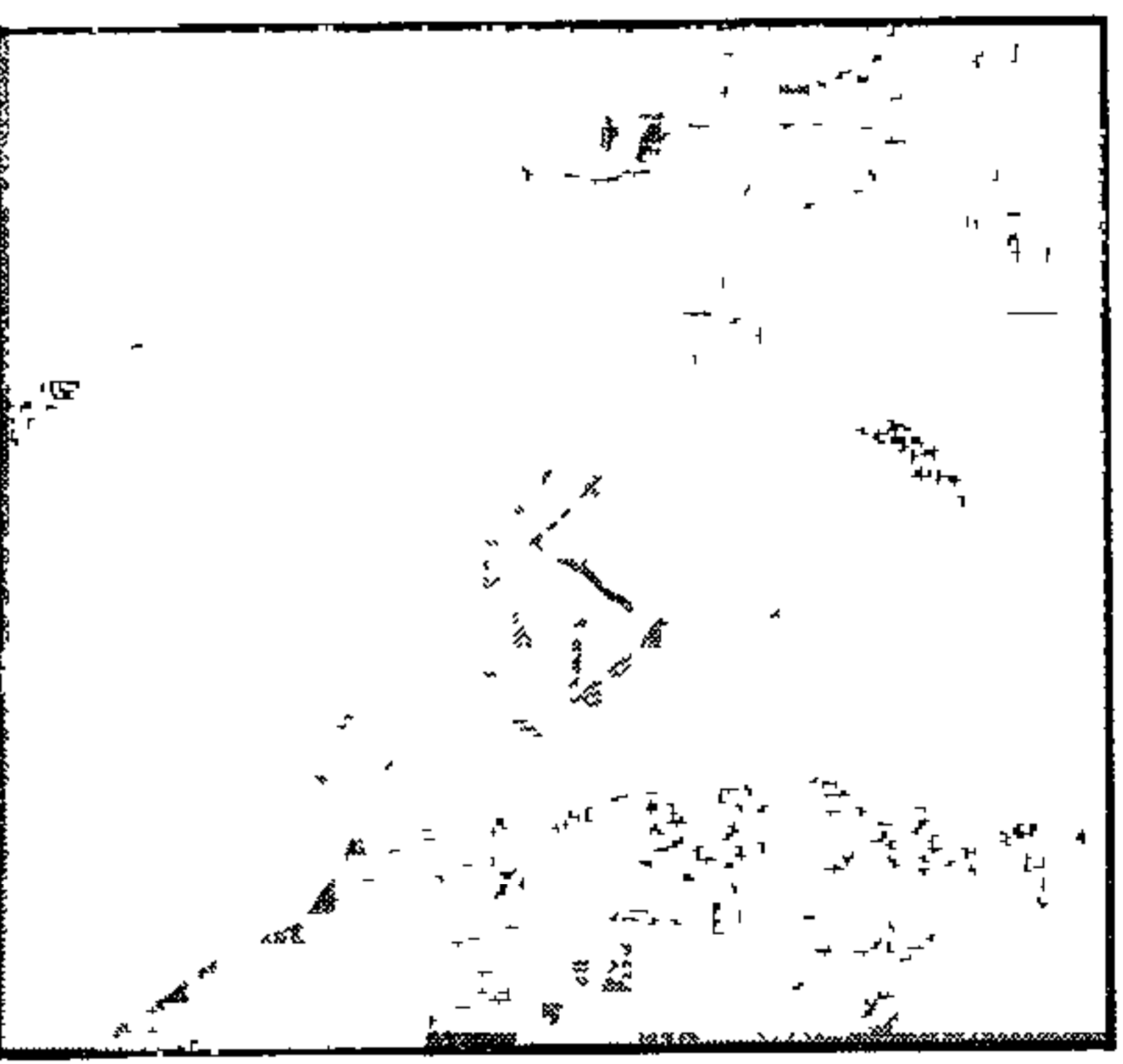
By late yesterday afternoon, officials were still keeping an eye on the manhole. "Some of the prisoners could still be in the tunnel," said one

By midday yesterday, there was still a heavy presence of armed officials at the prison.

A heavily pregnant blonde woman — the wife of one of the prisoners — with two young girls, walked towards the main gate. "Please don't take photographs of the children," she said, "they have to go to school ..."

When the media was allowed into the grounds, Brigadier Chris Ockers of the department of correctional services asked photographers not to show prisoners' faces. "They are prisoners in an unnatural situation," he said.

An acrid smell of smoke filled the dingy corridors of the prison's administrative building. The buildings had been virtually destroyed, their windows shattered, corrugated iron roofs hanging by threads.



ESCAPED: Raymond Modicaine catches his breath after he escaped from the inmates who dragged him into a cell

Prison head escapes from angry captors

STimes 12/16/94

THE acting head of St Albans prison near Port Elizabeth, Major Barries Barnard, slipped to safety after being held hostage for more than 10 hours while negotiators held the attention of hundreds of inmates.

Correctional Services spokesman Major Paul du Plessis said Major Barnard escaped at about 9.50pm. He was not harmed.

"After various strategies, the negotiators succeeded in allowing him to slip through a dining hall and a kitchen, and then into another part of the prison," Major du Plessis said.

Major du Plessis said some prisoners co-operated and conveyed the plan "secretly" to Major Barnard.

He said the acting head was taken to visit his wife, Hester, before going for a medical check-up.

Major Du Plessis said negotiations were called off for the night after the hostage was safe even though about 600 prisoners still had access to a courtyard and several cells.

Major Barnard, 50, a father of two, was snatched from under the noses of four prison officer escorts and dragged into a cell by about 20 prisoners while conducting an inspection at about 11.30am yesterday.

The awaiting-trial prisoners were demanding that they be set free and charges against them dropped in return for Major Barnard being released unharmed.

Major Barnard was seized when he answered a call from an inmate who had been given bail. When the man was let out of a locked cell, about 20 others stormed out. Major Barnard

Sunday Times Reporters

was pulled into the cell when the men were filing back in. (252)

After he was taken hostage, guards accompanying him were driven out of an internal courtyard, bordered by cells, by about 120 prisoners.

Using a steel volley-ball post, wrenched free from the concrete floor, the prisoners broke open cells, releasing another 500 inmates.

Meanwhile, at Witbank prison about 350 prisoners are refusing to go back to their cells.

Inmates at the new prison were apparently unhappy about the six-month remission announced on Friday by Correctional Services Minister Siphon Mzimela.

At Modderbee prison on the East Rand, the restoration of calm has enabled officials to count inmates, revealing that 87 out of 104 who escaped during rioting on Thursday were still at large. Sixteen had been recaptured and one shot dead during the breakout.

Prison authorities have remained tight-lipped over promises made to rioting prisoners at Modderbee which led to the release of a warder held hostage for 20 hours.

But the handing-over of Sergeant Kobus van Heerden by inmates on Friday was the direct result of early-morning negotiations by PWV Premier Tokyo Sexwale.

Dr Mzimela said the Department of Correctional Services' memo on the implementation of sentence remission, amnesty and indemnity had been sent to the government two weeks ago.



VISITORS' DEMANDS . Relatives and friends of inmates at Victor Verster prison hurl abuse at warders who refused to allow them access to the complex when violence broke out there yesterday.

Picture CLIVE SMITH

Prison head freed: Talks go on

Own Correspondent

PORT ELIZABETH. — St Albans prison was "under control but tense" yesterday as negotiations continued with prisoners who earlier took acting prison head Major Barries Barnard hostage.

Maj Barnard was released late on Saturday night after 600 awaiting-trial prisoners held him hostage for more than 10 hours to back their demands for unconditional release and the withdrawal of all charges against them.

The awaiting-trial prisoners do not qualify for the six-month remission of sentence for all common law prisoners announced by Correctional Services minister Mr Siphon Mzimela on Friday.

Considerable damage was caused by prisoners who broke down cell doors, burnt blankets and smashed toilets, Correctional Services spokesman Major Paul du Plessis said.

Maj Barnard, 50, was dragged into a cell as rioting broke out at 11.30am on Saturday, with au-

thorities initially in the dark as to why the rioting began

The prisoners only later issued their demand

Maj Du Plessis said police left the prison after Maj Barnard's release on Saturday night and negotiations with prisoners were continuing late yesterday

● Meanwhile the JC Steyn prison at Kirkwood near Port Elizabeth was "under control" yesterday with prisoners still in the prison courtyard as temporary repairs took place

Structural damage to the prison was estimated at R600 000

and equipment damage at about R1 million.

Half the prison was wrecked and its hospital and clothing depot destroyed as 570 prisoners armed with scalpels, knives and syringes went on the rampage on Thursday night

Maj Du Plessis said 20 of the prison's 33 cells had been damaged by fire. Some cells were destroyed and prisoners have had to sleep in the open.

Emergency repairs got underway on Saturday so prisoners could begin returning to their cells

(253) CT 13/6/94

Prisoner slain

11 hurt at Victor Verster

By PETER DENNEHY,
DAN SIMON and
WILLEM STEENKAMP

VIOLENCE erupted yesterday at Victor Verster Prison near Paarl where 665 prisoners refused to return to their cells on Friday.

One prisoner died — allegedly killed by his fellow inmates — and 11 others, four of whom were admitted to hospital, were injured.

The prisoners were being held since Friday in an internal courtyard where negotiators had been talking to them.

Correctional Services Department spokesman Lieutenant Kudi Potgieter said after it became apparent yesterday that talking to the inmates was having no result, department personnel "moved in". "Fighting broke out among the prisoners and one inmate died," he said. "There will be an inquiry into his death."

Lt Potgieter said many of the prisoners were "heavily armed" with home-made weapons.

Smoke

Ambulances rushed in and out the prison complex as the violence took its toll following a search for "sharpened weapons". The violence started in the Medium A block. While warders tried to quell the riot, it spread to the Medium B block about 1pm. The riot was quelled there as well.

Inmates set mattresses and blankets alight, resulting in a huge pall of smoke hanging over the complex for several hours.

With cells for up to 700 prisoners torched in the latest rioting, the number of convicts without accommodation in the Western Cape has risen to over 1 000. SA Correctional Services Department spokesman Lieutenant Mike Green said last night. Cells were also torched last week at Brandvlei Prison near Worcester.

"We haven't got space for them," he said, adding the Victor Verster prisoners were being held in a mess hall.

The Western Cape had the most overpopulated



PRISON VIOLENCE - A huge cloud of smoke hangs over Victor Verster Prison's Medium A and Medium B sections after prisoners set mattresses and bedding alight — torching cells for 700 prisoners — during a day of rioting at the prison yesterday. One prisoner was killed and four others seriously injured in the violence.

Picture: CLIVE SMITH

prisons in the country, he added. Dozens of family members and friends, who arrived at the Victor Verster Prison earlier yesterday to visit inmates, were barred from entering for hours.

Assistant head of the maximum security prison, Major J Van der Westhuizen, said yesterday two warders were injured by prisoners.

He said one warder was "seriously injured" when he was knifed in the back by an inmate. Major Van der Westhuizen did not know "how" the second warder was injured.

Two people who managed to visit an inmate were Vernon Ehrenreich, 17, and Danwer Nieman, 17. They said

they saw a group of warders "carrying" a bleeding inmate near the Medium A section.

"Five warders with batons were carrying the man and it looked as if there were bullet holes in his left leg which was covered in blood."

Lt Green said last night the atmosphere in Western Cape prisons was "very tense" but there had been no further incidents.

● Awaiting-trial prisoners at Pollsmoor Prison overpowered and took a warder hostage on Saturday morning, Lt Green said.

The prisoners were almost immediately subdued and the warder was freed unhurt, he said.

● Prison head freed — Page 2

ALSO IN 30'S

NOW!

THE LIGHTEST
TASTE THE LIGHTEST DUNHILL
OF THEM ALL

Man killed in Paarl prison violence

VIOLENCE erupted at Victor Verster Prison in the Western Cape yesterday after 665 prisoners refused to be locked up again in their cells. **BIDAY**

Sapa reports one prisoner died — allegedly killed by his fellow inmates — and 11 had to be treated for injuries. **13/6/94**

Correctional Services spokesman Lt Rudi Potgieter said that yesterday afternoon all was quiet at Victor Verster, but earlier more than 600 prisoners at the jail had demanded their immediate release.

Before the violence the prisoners were being held in a prison courtyard where negotiators had been talking to them.

Potgieter said that later in the day it had become apparent that negotiations were getting nowhere, so Correctional Services personnel "moved in" on the prisoners.

"Fighting broke out among the prisoners themselves and unfortunately one inmate died as a result of this," Potgieter said.

Potgieter said officials feared that many of the prisoners holding out at Victor Verster were "heavily armed" with home-made weapons. **(253)**

JOHANNES NGCOBO reports that the 87 men who escaped from Modderbee Prison near Benoni on Friday are still at large. Potgieter said Correctional Services was appealing to the public to call the nearest police station if any of them was seen.

Correctional Services Minister Siphon Mzimela's spokesman Bart Slabbert said a judiciary commission of inquiry would be

To Page 2

Prison

launched this week to investigate the violence. **BIDAY 13/6/94**
(253)

In an attempt to defuse the situation, President Nelson Mandela on Friday met Mzimela, PWV security and safety minister Jesse Duarte and SA Prisoners' Organisation for Human Rights (SAPOHR) spokesman Golden Miles Bhudu. They resolved that prisoners should be given a six-month remission on their sentences.

Potgieter said violence had left four prisoners dead and 72 prison warders and prisoners injured since Thursday.

Two prisoners died at Boksburg-Benoni Hospital, one was found dead in a cell at Modderbee Prison outside Johannesburg, and one was killed during an attempted escape.

Potgieter said prisoners were approaching department staff to demand their release. "But this is not up to us. This is a question for the politicians to ponder."

He confirmed earlier reports that "for the time being" all was quiet at other prisons.

From Page 1
● Comment: Page 6

Bhudu defends prison actions

Star 1316194

■ BY DUNCAN GUY

Many people believe that Golden Miles Bhudu has blood on his hands after prison riots, sparked off by his call for mass action, led to hostage dramas, prisoners' deaths, several injuries and enormous damage to property

But the South African Prisoners' Organisation for Human Rights (Sapohr) leader pointed a finger at prison authorities yesterday. This was in spite of the latest hostage dramas having taken place in Port Elizabeth on Saturday night.

Bhudu, at his Eldorado Park home, pledged to go on with his battle to "liberate" the prison service, which he said was not yet part of the new South Africa.

"Every prison is its own volk-

staatjie," he claimed.

Bhudu said he had not called for the kidnapping of warders, whom he had got to know and detest during his five-year stay at Modderbee Prison for house-breaking, but nevertheless fully condoned the prisoners' actions. "It's a pity prisoners must do what they have done to get attention," he added.

Efforts in the past, such as smuggling letters to the UN and the OAU, had been in vain.

Bhudu also questioned why his organisation, which had virtually no access to its constituency, was treated like a terrorist movement.

He claimed Sapohr aimed to get the Department of Correctional Services to live up to its

new name and help the ANC's Reconstruction and Development Programme regarding prisons.

"South African prisons are breeding grounds for further crimes and violence (253)

"That's why they (ex-convicts) are not scared of going back to prison. They know they can belong to gangs and get the benefits of the warders, and be used by them to violate the rights of other prisoners.

"They (the prisoners) lifted me up and welcomed me and told me they were planning to capture (PWV Premier Tokyo) Sexwale."

"I told them: Don't you dare do that. The organisation, you, and everything we are working on will go down the drain."

Star 13/6/94

Jail unrest under control

◀ From Page 1

escaped, one was shot
dead (253)

On Saturday morning, riots broke out at St Albans, where more than 600 prisoners took senior warden Major "Barnes" Barnard hostage.

A warden was also taken hostage at Oubiqua Prison at Tulbagh on Friday.

Today Saphr's Golden Miles Bhudu said Saphr was calling for the re-establishment of the amnesty resolution committee because prisoners were unhappy with the six-month remissions offered by the Government.

Saphr's Marcus Cox said the remission did not distinguish between prisoners who were more deserving of sentence reductions or releases.

He said it offered the same reduction to "those sentenced for rape as it does for stealing".

► **Bhudu defends
prison actions**
- Page 5

Prison unrest in control

■ STAFF REPORTERS

Prisons around the country were reported tense but calm early today after another inmate was killed yesterday at Victor Verster Prison in the western Cape 13/6/94

Department of Correctional Services spokesman Lieutenant Rudi Potgieter said prison officials were in control at the Paarl facility (253)

He said the demonstrations at St Albans Prison, near Port Elizabeth, had also been 'quelled' after a warden was taken hostage and released on Saturday.

The prison riots were sparked off by a call for peaceful protest action over amnesty by the SA Prisoners' Organisation for Human Rights (Saphr).

On the East Rand, 87 prisoners were still reported at large after escaping from Modderbee Prison early Friday morning, when they and 17 others got out through a manhole while riots racked the complex.

In the riots, two Modderbee prisoners were killed and 19 were injured. Of those who

► **To Page 3**

Manhunt for 87 escaped prisoners from Modderbee

□ Convict killed and 11 injured in Victor Verster riots

JOHANNESBURG. — A manhunt was under way today for 87 prisoners who escaped from Modderbee Prison, east of here, during a protest for the reduction of sentences.

The prisoners escaped on Friday morning.

Prisons spokesman Chris Olckers said "They are searching for them and history has shown that any escaper is, at

the end of the day, tracked down."

He added that warders were searching cells at Modderbee for dangerous objects and handmade weapons.

"At the moment anything is still possible. But we have stepped up security measures as part of an ongoing process."

"The situation countrywide is generally under control," he said.

Rioting in at least 10 prisons

by common-law prisoners demanding amnesty began on Thursday in one of the biggest challenges yet to President Mandela's government. At least four prisoners have been killed.

One of the dead was a prisoner at Victor Verster prison near Paarl.

He was killed and 11 were hurt in clashes among more than 600 inmates.

Correctional Services

spokesman Rudie Potgieter said the prisoners refused to return to their cells after lunch yesterday and demanded their immediate release.

The prisoners were being held in an internal prison courtyard, where negotiators were talking to them.

But by the afternoon it was apparent that talking to the inmates was getting nowhere, so Correctional Services personnel "moved in" on the prisoners, Lieutenant Potgieter said

Uneasy calm returns to PE prisons

ARC 12/6/94
The Argus Bureau
PORT ELIZABETH. — An uneasy calm has returned to two Eastern Cape jails where prisoners spent a bitterly cold weekend in the courtyards after extensive damage to prison buildings.

A Correctional Services spokesman said today the situation was tense but under control, with cleaning up operations scheduled for today.

A senior prison official at St Alban's outside Port Elizabeth

"Warders and security staff began an operation to put the prisoners back to their cells. While this operation was in progress, fighting broke out between the inmates."

"It was established afterwards that one prisoner was killed during the infighting and 11 were wounded. Four of them were taken to hospital."

"The situation was brought under control and investigations to ascertain what caused the infighting are under way."

— Sapa-Reuter.



Prisoner dies as jails crisis spreads

(253)

VIOLENCE erupted at Victor Verster Prison in the Western Cape yesterday after 665 prisoners refused to be locked in their cells again.

One prisoner died — allegedly killed by his fellow inmates — and 11 were injured.

Department of Correctional Services spokesman Lieutenant Rudi Potgieter said late yesterday that all was quiet at the prison, but that earlier more than 600 prisoners had confronted prison authorities demanding their immediate release.

Potgieter said by yesterday afternoon it was apparent that talking to the prisoners was getting nowhere, so prisons personnel "moved in on" the prisoners.

He said it was feared that many of the prisoners holding out at Victor Verster were "heavily armed".

Meanwhile, police are still searching for

87 prisoners who escaped from Modderbee Prison on the East Rand on Friday

Potgieter warned the public not to approach or try to apprehend anyone whom they believed to be an escaped convict.

Considerable damage was caused to St Albans Prison outside Port Elizabeth where 600 awaiting-trial prisoners held a warder hostage for more than 12 hours on Saturday.

Acting chief warden Major Barries Barnard was released unharmed late on Saturday night.

A Correctional Services spokesman said yesterday was calm at Upington Prison in the Northern Cape where damage estimated at R300 000 was caused on Saturday.

At Witbank Prison, about 350 prisoners are refusing to go back to their cells.

A Correctional Services spokesman said the prisoners were apparently unhappy about the six-month amnesty announced on Friday by Correctional Services Minister Siphosiso Mzimela. — Sapa.

THEY SAY TALK IS CHEAP.
WELL! YOU SHOULD SEE MY
PHONE BILLS.



Top Cal looks o



Riots highlight

Overcrowding

ET 14/6/74 (253)

THE rioting by prisoners which left two prison blocks, housing 847 prisoners, burnt down highlighted the critical overcrowding in Western Cape prisons.

A task force of heavily armed members of the Department of Correctional Services yesterday kept watch on the tense situation at Brandvlei Prison near Worcester, scene of riots by inmates since last Wednesday.

As an uneasy calm returned to the prisons yesterday, plans were laid to rebuild the torched Medium B prison at the Victor Verster near Paarl and a juvenile prison block at Brandvlei.

The Department of Correctional Services has begun rehousing hundreds of prisoners in other prisons in the region. The Western Cape has the most overpopulated prisons in the country, according to Correctional Services Department spokesman Lieutenant Mike Green.

Lt Green said that according to

“worse” for overcrowding as a result of the enormous load of awaiting-trial prisoners, he said. There were 6 296 prisoners there, despite Pollsmoor only having the capacity to accommodate 3 884 prisoners.

Correctional Services spokesman Lieutenant Rudi Potgieter said plans were underway to build a prison in Malmesbury to house 2 000 prisoners.

There were also plans to build a prison in Goodwood to house 1 500 prisoners. Both were only expected to be completed in five years.

Overcrowding had not been an issue with the rioting prisoners, said Victor Verster commander Koos van Staden.

● Violence again broke out at Upington Prison in the Northern Cape yesterday when about 120 inmates plundered three cells.

Prison authorities also reported several incidents of arson but said the situation had returned to normal by noon — Staff Reporter, Own Correspondent, Sapa

Prisoners moved from burnt facilities

a prisoner count conducted at the end of May, Brandvlei Prison was housing 2 550 prisoners — while it only had approved accommodation for 1 607.

Victor Verster Prison was holding 2 028 when it was only designed to take 1 159 prisoners.

“There was no option but to move 685 prisoners after the Medium B block was burnt down. Otherwise the prisoners would have been packed like sardines,” Lt Green said.

Pollsmoor Prison was the

Remission deal not acceptable

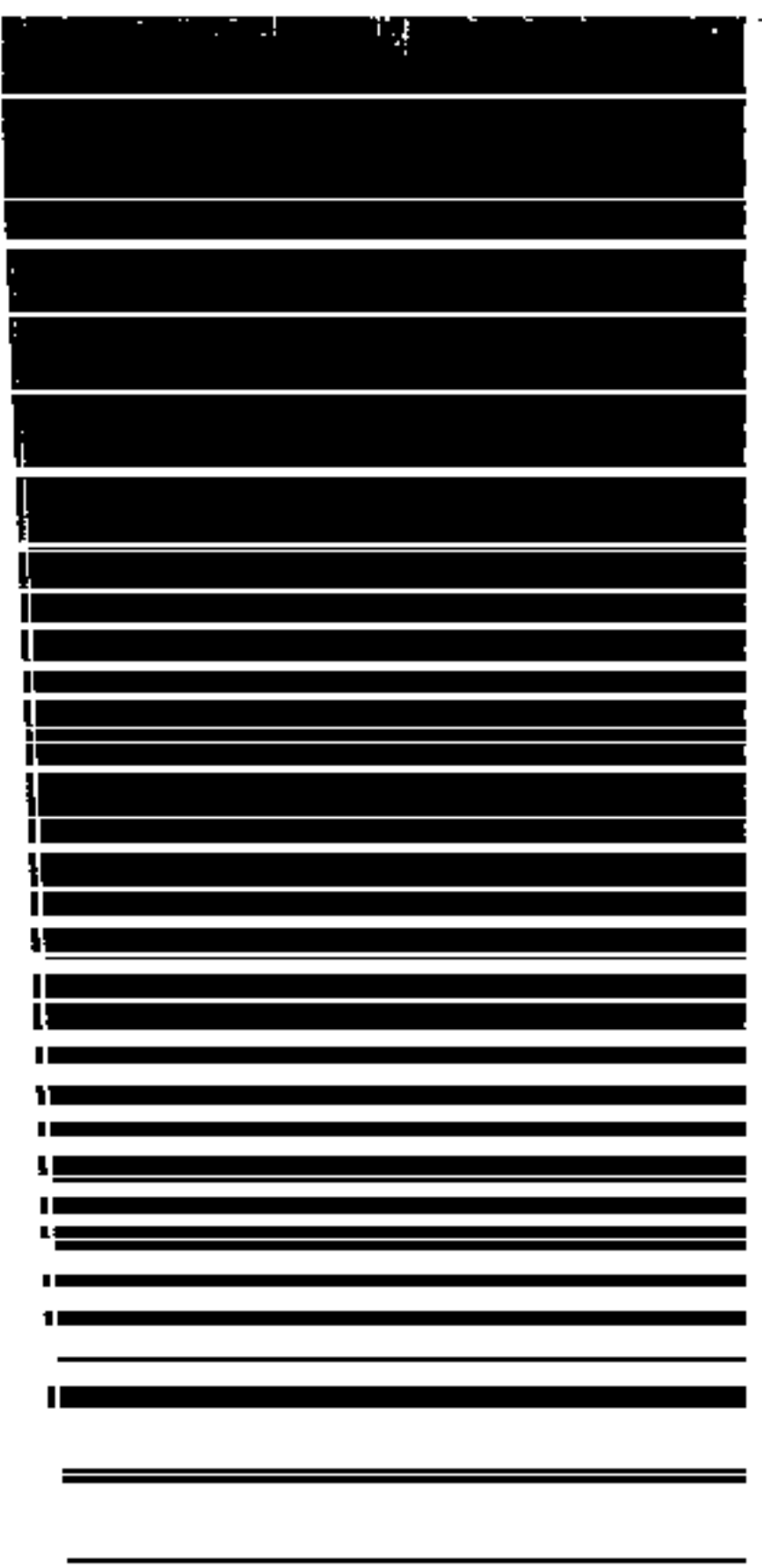
JOHANNESBURG. — The South African Prisoners Organisation for Human Rights (Sapohr) yesterday called for an amnesty resolution committee to review a six-month remission of sentences rejected by its members.

Sapohr leader Mr Golden Miles Bhudu said the remission was “grossly unfair” as some prisoners were more deserving of remission than others. Sapohr would ask President Nelson Mandela to establish a committee to determine more equitable remissions and amnesties.

Sapohr wanted full amnesties for non-violent first offenders.

Sapohr welcomed the commission of inquiry to investigate the cause of riots at the Reef’s Modderbee Prison.

“We don’t take any responsibility for the death and injuries, which were provoked by warders. We are dealing with prisoners who are very angry and frustrated,” Mr Bhudu said — Sapa

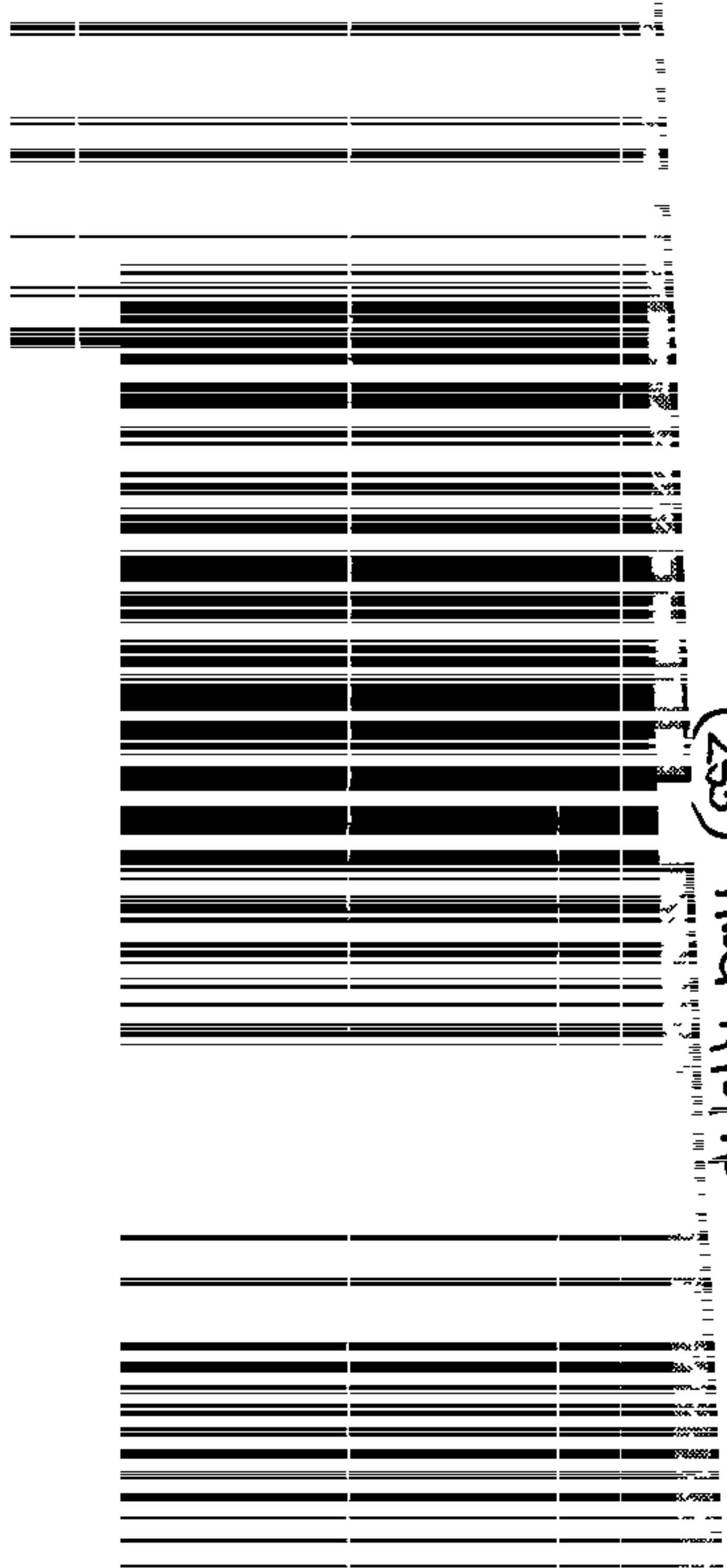
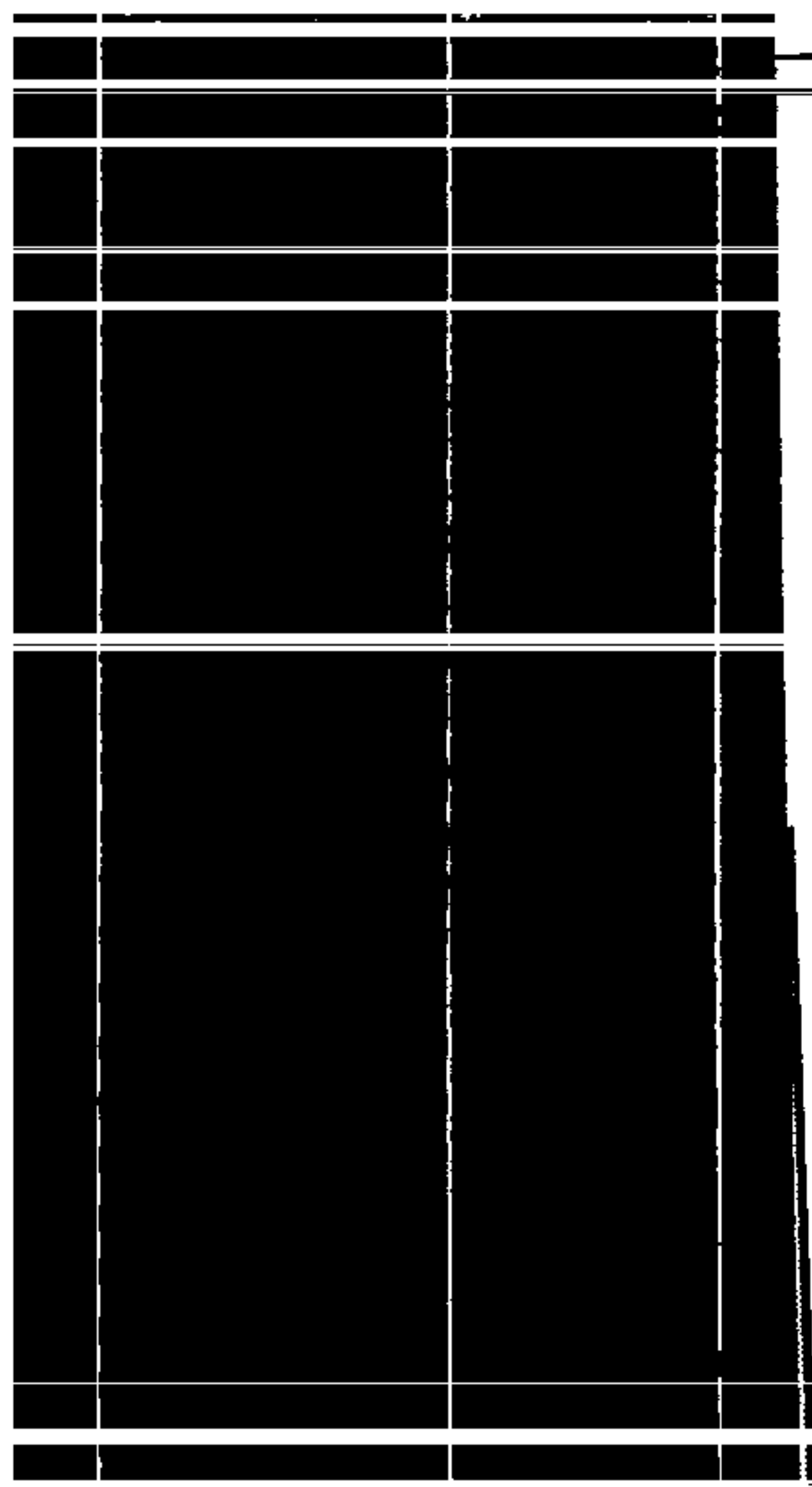


The Argus, Tuesday June 14 1994

PRISON ARSON

Fierce prison revolt

(253) A05 14/6/94



DAMAGE to Western Cape prisons due to violent unhappiness over amnesty arrangements will run to millions of rands and the loss of accommodation for more than 1 000 prisoners has thrown the prisons service into crisis

Western Cape prisons are already among the most overcrowded in the country

About 670 prisoners have had to be moved from Victor Verster after burning down an entire block on Sunday, while 331 Brandvlei prisoners have had to be given alternative accommodation after setting fire to their cells last week

As a "tense quiet" pervaded prisons in the region yesterday, Correctional Services officials started counting the costs

Spokesman Lieutenant Mike Green said damage to Western Cape prisons amounted to millions of rands "The cost of rebuilding two prisons? You can think for yourself in today's terms" "And it's not just the buildings, it's the beds, mattresses and other equipment

"There is talk of building a new prison near Goodwood for 1 700 prisoners The cost runs to several million rands Work it out from that"

"We have lost accommodation for about 1 000 prisoners We are housing them wherever we can so as not to cause further overcrowding

"Basically, our other prisons are all overcrowded, we are just having to squeeze them in where we can," Lieutenant Green said



INSIDE: A warder tours a burnt-out cell at Victor Verster Prison's destroyed Medium B Block Prison chief Koos van Staden estimates the damage to be in excess of R1,2 million

Yesterday Victor Verster officer commanding Brigadier Koos van Staden shook his head as he took The Argus on a conducted tour of burnt-out Medium B Block

He said he had never witnessed such extensive damage to a prison in his 27 years of service

A few prisoners salvaged what they could from the smouldering ruins as several cats — prisoners' pets — strolled about listlessly

B Block housed about 670 of the prison's 2 000 plus population

Brigadier Van Staden praised the Paarl fire brigade for their quick work in preventing the fire from spreading and complimented his own staff for being able to remove all prisoners to safety with no injuries

Two warders were injured over the weekend, one knifed in the back

He said the fire was set simultaneously in three cells on opposite ends of the courtyard and spread rapidly in the breeze

Within two hours the block was destroyed

"It seemed well planned and well organised they are angry about the amnesty," the prison boss said

The only victims of the fire were a number of caged birds kept as pets by the prisoners

B Block's pigeons — which have become a fixture on top of the lone pine tree in the courtyard — seemed unaffected by the commotion around them

Pictures DOUG PITHEY The Argus

6/94

OUTSIDE: Twisted metal, shattered windows and burnt foam mattresses and blankets are all that remain of B Block after inmates set fire to their living quarters on Sunday

Correctional Services had already started an internal investigation while police were investigating criminal charges

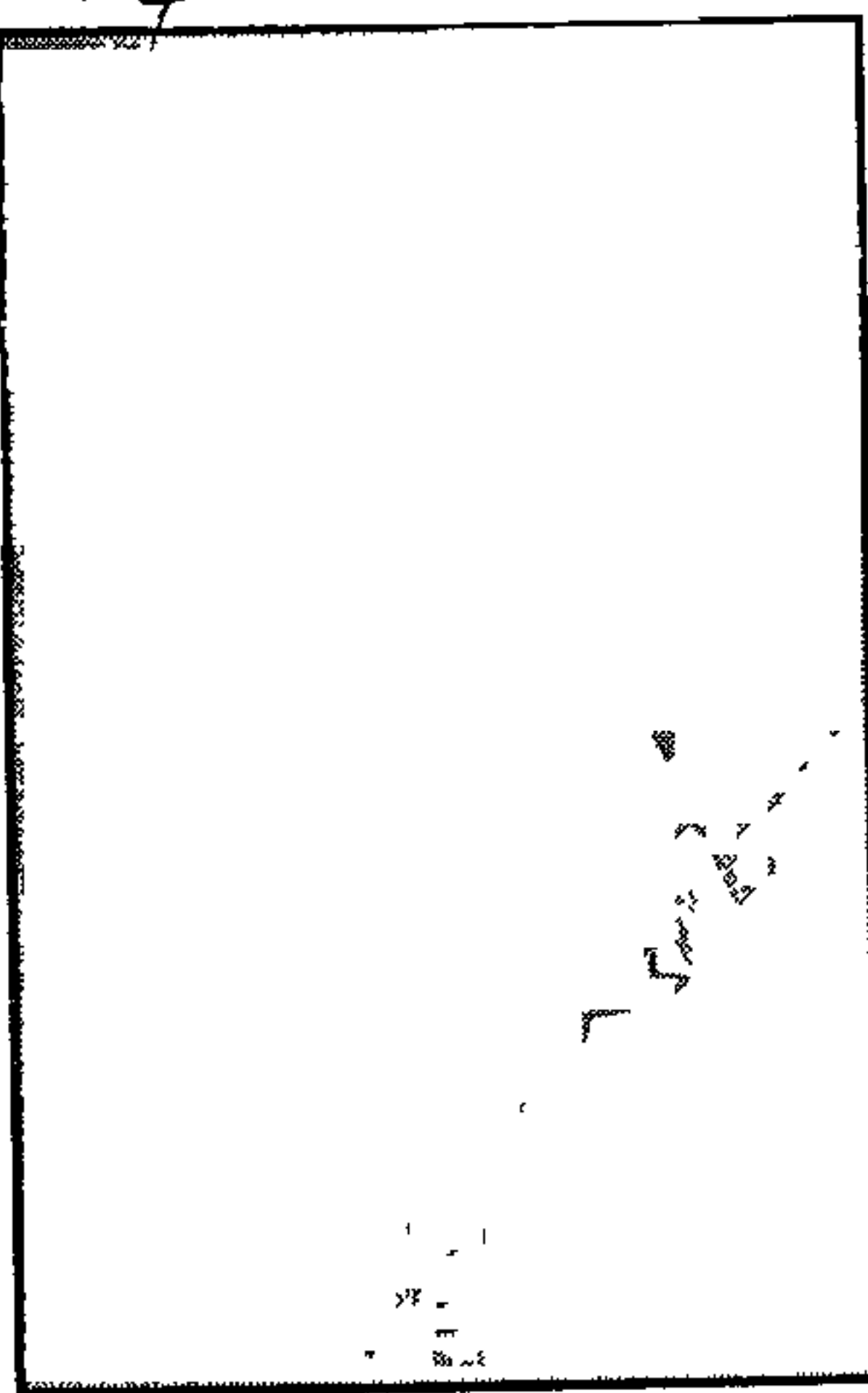
Meanwhile, the Public Works Department has already visited the prison to assess the damage "But whether they will repair or rebuild I don't know"

Isolating culprits or ring-leaders among a population of convicted criminals would not be easy, Brigadier Van Staden conceded

Intimidation within the prison population was a major factor

Police spokesman Lieutenant Ben Theron said police were investigating all leads and planned to charge culprits with arson and malicious damage to property

NOT A PRETTY PICTURE: Warrant Officer Gert Kramer displays the charred frame of a television set and Sergeant Deon du Plessis the remains of a fish tank inside a destroyed B Block cell at Victor Verster



Pollsmoor warders sit in after transfer

253
1/11/94

JOSEPH ARANES, Staff Reporter

WARDERS at Pollsmoor Prison are staging a sit-in outside the commanding officer's office to protest against the transfer of a colleague.

More than 100 warders, all members of the Police and Prisons Civil Rights Union (Popcru), occupied the courtyard outside Brigadier Johan

Roberts's office about 8am today before handing the brigadier a letter addressed to the minister of correctional services, outlining their grievances

A spokesman for Popcru said the main reason for the protest was the "unfair transfer" of union member Stephen Korabie

"Major Korabie was transferred to Pollsmoor Prison from the regional

commissioner's office without any explanation and without being told what his new job entails"

Correctional Services spokesman Lieutenant Mike Green confirmed the transfer of Major Korabie and said the regional commissioner informed the officer exactly why he was being transferred and what his new job at the prison entailed

SA Long Distance Taxi Association spokesman yesterday to outline the need for an umbrella group to represent SA's 480 taxi associations.

Picture GARTH LUMLEY

Afrikaner unity body mooted

DEBORAH FINE

THE Freedom Front (FF) has proposed the establishment of a plenary committee with the CP to unite Afrikaners in their attempts to achieve a political solution in seeking the survival of Afrikaners.

Front leader Gen Constand Viljoen was expected to discuss the proposals with CP leader Ferdi Hartzenberg and Deputy President Thabo Mbeki at a meeting in Pretoria yesterday.

Viljoen said yesterday there were two political parties representing Afrikaners hoping to establish a volkstaat through negotiation and the constitutional process.

The establishment of a plenary committee would enable the Freedom Front and the CP to debate the issue before proposals were put to government.

Viljoen suggested that Afrikaners who did not vote in the elections show support for a volkstaat by signing petitions at magistrates' courts. Those who supported the front during the election would not need to sign the petition as their votes would be taken as support for a volkstaat.

Viljoen said the council was set up to investigate the feasibility of a volkstaat. He invited interest groups to put proposals to the council.

Some prisons 'calm' as violence rocks others

Business Day Reporter

UNREST continued at several prisons around the country yesterday and plans were made to transfer prisoners from Victor Verster Prison near Paarl to other Western Cape prisons after Sunday's torching of cells by inmates.

Violence broke out again at Upington Prison in the Northern Cape yesterday when about 120 inmates plundered three cells. Sapa reports damage of R30 000 was caused when prisoners rioted on Friday.

JOHANNES NGCOBO reports about 500 Bethal prisoners yesterday rejected a six-month remission offer by Correctional Services Minister Siphosizwe Mzimela and refused to leave the prison to work, demanding full amnesty instead.

Correctional Services spokesman Lt Rudi Potgieter said prisoners had torched cells at JC Steyn prison in the Eastern Cape. However, the situation was calm but tense in other prisons.

Violence erupted at Victor Verster on Sunday when more than 650 inmates refused to return to their cells. One prisoner died and about 50 were injured. Four were admitted to Tygerberg Hospital.

About 270 prisoners are to be

moved to other prisons including Helderstroom, according to Victor Verster head Big Koos van Staden.

Meanwhile, police were yesterday still searching for the 87 prisoners who escaped during last week's uprising at Modderbee Prison, situated on the East Rand.

A spokesman said 104 prisoners escaped. One was shot dead and 16 had been recaptured.

Yesterday the SA Prisoners' Organisation for Human Rights (SA-POHR) called on government to establish an amnesty resolution committee for prisoners to brief President Nelson Mandela.

"We don't want to determine the specifics of the amnesty and remissions unilaterally. It is for an informed committee to determine, but we would be arguing that a commission should begin with the possibility of full amnesties for non-violent, first offenders and deductions of half the sentences," said SAPOHR spokesman Golden Miles Bhudu.

He added that those awaiting trial spent months and years in prison before being tried.

Shortlist

Ministers boycott Ulundi meeting

THE ANC's three KwaZulu/Natal regional ministers yesterday boycotted the first sitting of the provincial cabinet in Ulundi, leaving the province still without effective government or a capital.

A highly placed source in Ulundi confirmed that ministers Jacob Zuma (Economics and Tourism), S'bu Ndebele (Roads and Traffic Control) and Zwelli Mkhize (Health), citing concerns over their safety, failed to attend the meeting despite arrangements made for them to be picked up by VIP cars.

The ANC and the ruling Inkatha Freedom Party are at loggerheads over the sitting of the provincial capital.

Yesterday's boycott followed a meeting last week between premier Frank Mdlalose and Zuma, at which Zuma told the premier that ANC representatives were opposed to Ulundi as the regional seat of government.

Ndebele said yesterday his organisation had mandated Zuma to inform Mdlalose ANC regional MPs and cabinet ministers would not be attending the meeting if it was held in Ulundi.

He said Mdlalose knew very well the ANC was opposed to meeting in the former KwaZulu homeland capital.

The ANC and Inkatha have been in dispute since Mdlalose swapped previously agreed cabinet positions without consulting the ANC more than a month ago.

According to Ndebele, the new row was sparked by Inkatha's unilateral decision to hold cabinet meetings in Ulundi.

KwaZulu/Natal education minister Prince Vincent Zulu's announcement that his office would be based at Ulundi was met with fierce resistance from teacher and student organisations.

On Monday the ANC, Cosatu and SACP in the Natal Midlands said their members in the legislature and in the cabinet would boycott all meetings of the legislature and the cabinet if they were held in Ulundi.

ANC/Cosatu/SACP alliance spokesman Blade Nzimande said yesterday the alliance had, at a regional general council at the weekend, deplored the "high-handed, unilateral and premature actions" of Inkatha in announcing that the seat of education would be in Ulundi.

"The meeting resolved that a referendum be immediately called to test the will of the people in the province about the issue of the capital," said Nzimande.

Another ANC region that wants the regional capital to be in Maritzburg is Northern Natal, which called for a boycott of meetings in Ulundi three weeks ago.

Our political staff report from Durban that a meeting between Constitutional Development Minister Roelf Meyer and KwaZulu/Natal regional ministers was postponed yesterday following the crisis.

Warders stage sit-in protest at Pollsmoor

CAPE TOWN — Warders at Pollsmoor Prison near Cape Town staged a sit-in outside the commanding officer's office yesterday over the transfer of a colleague.

More than 100 warders, all members of the Police and Prisons Civil Rights Union (Popcru), occupied the courtyard outside Brig Johan Robert's office before handing the brigadier a letter addressed to Correctional Services Minister Sipho Mzimela outlining their grievances.

A Popcru spokesman said the main reason for the protest was the "unfair transfer" of union member Maj Stephen Korable. **By Day 15/1/94**

"Maj Korable was transferred to Pollsmoor Prison from the regional commissioner's office without any explanation and without being told what his new job entails," he said. **(253)**

Correctional Services spokesman Lt Mike Green confirmed the transfer of Korable and said the regional commissioner had told the officer exactly why he was being transferred and what his new job entailed.

Meanwhile, Correctional Services spokesman Lt Rudi Potgieter said in Pretoria that prisons which were the scenes of violence last week were calmer yesterday.

There had been no incidents and "routines were slowly returning to normal". But prisoners were still unhappy about the issue of amnesty, he said.

Among the prisons damaged during the outbreaks of violence were the Medium B block at Victor Verster Prison near Paarl and a juvenile prison block at Brandvlei Prison near Worcester.

Two escapees from Modderbee Prison on the East Rand were rearrested at an SA Prisoners' Organisation for Human Rights news conference in Johannesburg on Monday.

Correctional Services spokesman Lt Rudi Potgieter said that a third escapee had reported to the prison yesterday morning.

An escapee was shot dead and 16 were rearrested soon after 104 prisoners broke out of the jail during riots on Friday. Eighty-four are still at large. — Sapa

Back to normal in Cape jails

Crime Staff

IT is "business as usual" in prisons in the Cape after warders at Pollsmoor called off their sit-in at administration offices.

After the third strike in less than a week at Pollsmoor, where warders occupied offices, Correctional Services officials obtained a court order yesterday to prohibit the action of the warders.

Popcru members occupied offices in protest against "unfair treatment" of Steven Korabie who was transferred to Pollsmoor from the department's regional headquarters.

Minister of Correctional Services Siphosiso Mzimela invited Major Korabie to discuss his grievances.

Department spokesman Mike Green said today he had no report of work disruption in any of the 20 command areas in the Western Cape region.

"The warders demanded to see the minister and I'm sure they will reach an acceptable decision between them."

Striking warders left peacefully after the court order arrived at Pollsmoor about 5pm yesterday.

NEWS FEATURE Sapohr battles for reform and sentence reduction for 'victims of apartheid'

The prisoners' struggle

UNPOPULAR CAUSE Public

not really interes:

ed in Bhudu's fight:

15/6/94 Sowetan

In other words, prisons remain places of brutalisation, not rehabilitation, places that make people desperate

Bhudu says his organisation is writing to President Nelson Mandela to plead with him

and sentenced without legal representation

"Yet those criminals who upheld apartheid, who killed and destroyed in the name of racism and exploitation, will benefit from amnesties that mean they will never go to prison. This is gross hypocrisy," says Bhudu

"Although Sapohr has terminated its mass action, the organisation has not halted its campaign for prison reform and amnesty"

The latest six-month sentence reduction has raised Sapohr's hackles

"We believe the sentence reduction is grossly unfair," says Bhudu

It does not differentiate between those who are more deserving of sentence reductions or release

It offers the same reduction to those sentenced for violent offences as it does for stealing

Committed crimes

"It also tells common-law offenders that they are less a part of the new South Africa than apartheid criminals, who committed crimes against humanity but will benefit from amnesties"

The Government recently announced amnesty for prisoners who committed politically motivated crimes before December 5 1993

"The violence and high tensions in prisons we are seeing is a direct result of understandable frustrations and grievances on the part of inmates," says Bhudu

"Sapohr has been warning of the rising tensions for the past 18 months

"The department of Correctional Services has consistently ignored our calls for a meeting to discuss means of keeping peace in prisons because they know the root cause is in their institutions

"Inmates endure widespread violations of their rights at the hands of a racist institution that has not changed with the democratisation of the coun-

It tells common-law offenders that they are less a part of the new South Africa than apartheid criminals who committed crimes against humanity but will benefit from amnesties

to review the six-month sentence reduction.

"It is a matter of grave importance that something be done now to give inmates hope that they are going to be considered," says Bhudu

It is difficult for the public to decide whether Bhudu's struggle is just That's probably why it is ignoring the issue of prisoners and hoping it will go away But will it?

End

By Ruth Bhengu

CHIEF EXECUTIVE of the South African Prisoners Organisation for Human Rights, Golden Miles Bhudu, knows that his outfit is the least popular of all organisations fighting for civil rights

The fact that four prisoners died and 19 were injured last week during a riot has made the public even less sympathetic to his cause

"It is unfortunate that people have to die before the public takes notice of prisoners," says Bhudu

"But the prisoners are desperate enough to take action that might result in death. It is a chance they are prepared to take so that something is done about their conditions"

The recent demonstrations that spread to most prisons were in protest against the announcement of a blanket six-month sentence reduction by Minister of Correctional Services Dr Siphon Mzimela last week

Prisoners took some warders hostage in an effort to draw the attention of prison authorities

Few weeks

This incident comes a few weeks after more than 21 prisoners died when Sapohr called for a mass action campaign to get the vote for all prisoners

The campaign has been suspended. But that has not stopped Bhudu from fighting. Ever since he was released from prison in 1988, Bhudu has been a thorn in the flesh of the prison authorities

His mission is to get the authorities to reform prison conditions and make them more humane

Bhudu, who spent four and a half years in jail after he was sentenced to six years for housebreaking and theft, believes that those who break the law should be brought to justice

But he also believes that there is a better way than "brutalising" and "degrading" them

But spokesman for the South African police Brigadier Chris Olckers says it is not true that prisoners are brutalised

"If we were so inhumane and racist, how come the newspapers receive calls from prisoners?"

"There are more than 40 000 people who go through South African prisons in a year, how come none of them have come out and reported how they were brutalised?" says Olckers.



Golden Miles Bhudu

He says it is difficult to let reporters visit most of the jails because the situation is volatile following the recent prison riots

"It's was like knocking on a brick wall," says Bhudu. "The prison authorities have always covered up the daily assaults and the inhuman way in which prisoners are treated"

"That is why we formed this organisation inside Modder B. We had tried everything else. We had written letters to all the organisations we could think of and nothing happened"

"You must remember that for years prisoners had been trying to form an organisation that would protect them. But they could not succeed because of the reaction of the prison authorities," he says

Political prisoners

Bhudu says common-law prisoners received a great deal of support from political prisoners who helped them draft their constitution and whatever memoranda they wanted to send to the authorities

"During that time common-law prisoners and political prisoners were under one roof and in one section. We had contact with some of the Delmas trialists who helped us draft our constitution"

Bhudu believes that common-law prisoners, like political prisoners, are victims of apartheid and committed crimes because of poverty

He argues that the majority of common-law prisoners are blacks who constitute the bulk of the disadvantaged people in the country

"In South Africa the majority of inmates are there for crimes of poverty. They are there because of apartheid (97 percent of inmates are black) and over 85 000 of them were tried

Probe into punishment for youths

ARL 16/6/94

Staff Reporter

(253) (WNS)

IN an effort to ensure that young offenders are removed from prison cells as "a matter of urgency", a ministerial committee has been established to examine places of safety.

The announcement was made today by Western Cape Health and Welfare minister Ebrahim Rasool

He has recommended that the broad brief of the ministerial committee would be to create appropriate alternatives for young offenders.

The committee comprises experts from organisations such as Nicro, Child Welfare, Lawyers for Human Rights, universities and officials from the State Welfare Department.

The committee will start working immediately and report back regularly.

Charred remains of flaming anger



SMOKED FISH: An army officer holds the remains of a prisoner's fish tank which was destroyed in the Victor Verster riots on Sunday

Photo Yunus Mohamed

By Shannon Neill

A FEW scruffy pigeons and a couple of cats watched as wardens at the Victor Verster Prison in Paarl picked through the rubble and run of what was once the Medium B prison block on Monday.

Sheets of blackened metal from the corrugated structures lay in twisted heaps on the ground. The destruction was caused by a fire angry prisoners had started after being left out of the government's amnesty deal last week. It resulted in the worst ever rioting in South African prisons.

Piles of burnt beds lay on the grass in the middle of the block surrounded by clothing, shoes, books and a beautifully carved wooden boat made by one of the prisoners.

Inside the buildings, mattresses and lockers still smouldered. In one shower stall, a pot plant that had miraculously escaped the blaze looked out of place in the sooty mess.

In one cell, a burnt-out tin of hot chocolate and a pamphlet on how to say the rosary were all that remained.

In the cells which were not burnt, water dripped from a burst geyser onto the soggy remains of prisoners' precious photographs, books and clothing. *South* 1716-2116/94

The fire started at about 12 noon on Sunday when prisoners torched cells. The fire quickly spread through the block with prisoners starting more fires as they hurried through the gates to safety.

Within half an hour the entire block was an inferno. Only the quick action of warders evacuating the block prevented the loss of life, said Major Fanie Gouws, the warden in charge of Medium B.

Some prisoners were able to save personal belongings and pets, but others were less lucky. *(253)*

Pointing at the charred remains of a fish-tank, Gouws said "Foeitog. That was prisoner Willem's tank. He really loved his fish but he couldn't save them because the tank was too heavy to carry."

"He doesn't want to come see what he can save salvage because he says it will just break his heart to come back in here."

Others were able to save some of their personal belongings, but as warders searched through the ash-

es, it was clear many prisoners had lost everything.

Rioting broke out at the prison following similar incidents at other prisons throughout the country because prisoners were dissatisfied with the amnesty given by the government.

The six-month amnesty applies only to political prisoners, and prisoners feel it should be extended to include non-political prisoners.

The rioting left four prisoners dead and warders and prisoners injured. It resulted in more than R50 million damage.

Police and Prisons Civil Rights Union (Popcru) accused the government of being responsible for the violence because of "its dragging its feet" on indemnifying prisoners.

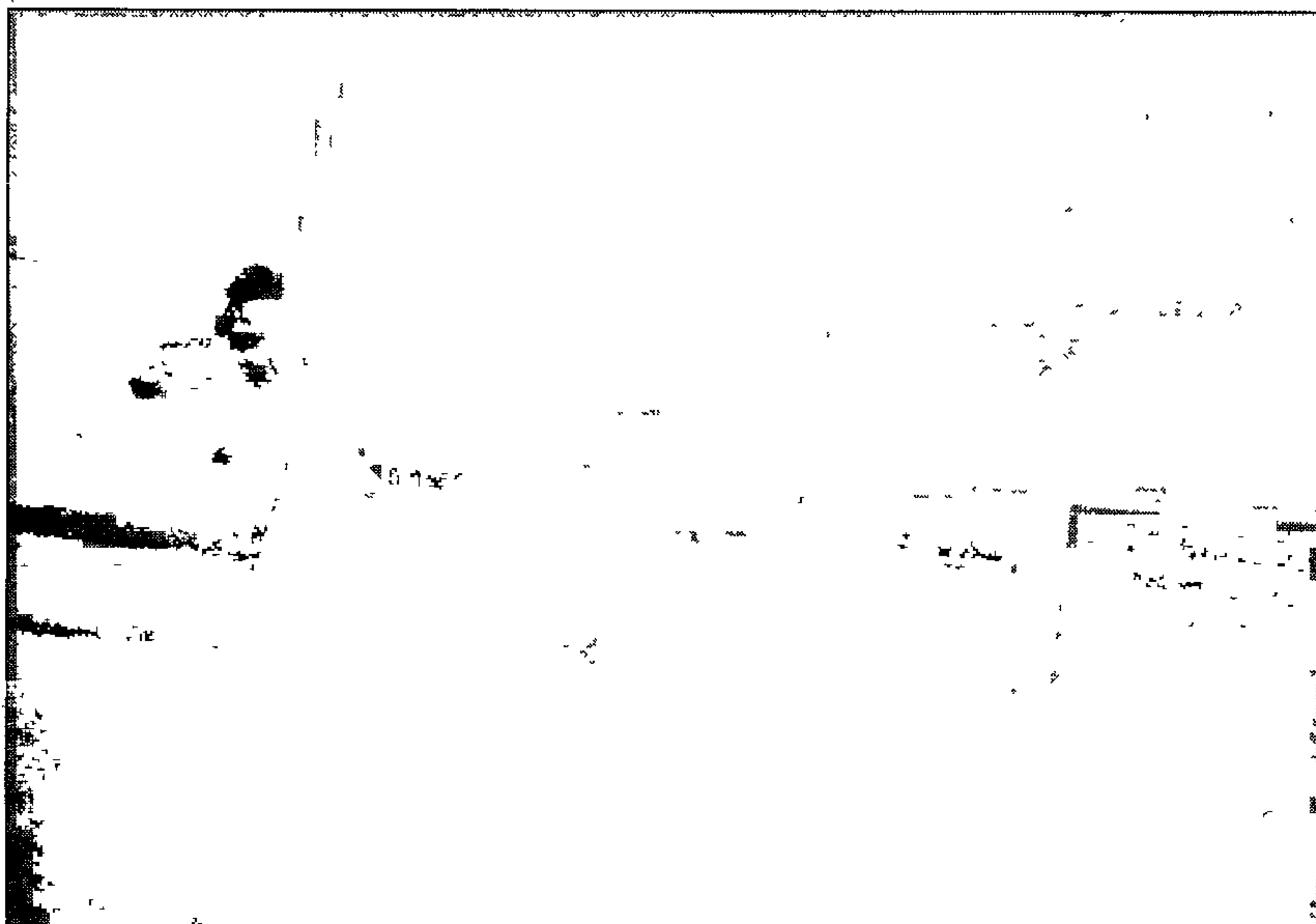
Leader of the South African Prisoners Organisation for Human Rights (Saphor), Mr Golden Miles Bhudu, has called on the government to review the amnesty. Bhudu asked for a committee to be established which could investigate each prisoner's case.

The Department of Correctional Services has launched an internal investigation into the riots.

violence in the country's jails

253 W M 17-23/6/94

off than their charges



Closing the stable door ... Modderbee warders check where prisoners escaped

PHOTO RUVAN BOSHOFF

their own solution. We wanted to communicate this to the authorities, but by now lines of communication had broken down as our monthly meetings with management were no longer held."

Shabalala said resistance to white

authority had heightened after the election, with prisoners assaulting white warders. "In the space of two weeks four warders were assaulted and one stabbed, but still the authorities did not want to change their Dracoman attitude."

The amnesty issue had been the last straw

"Violence begets violence, and the brutality imposed with impunity by white officers was the ultimate cause of the death and destruction that we saw at Modderbee," Tshabalala said

Correctional Services responds to claims

ALLEGATIONS of racism and neglect of warders' and inmates' grievances claimed to have caused rioting were denied by the Department of Correctional services this week.

Department spokesman Koos Gerber said: "Personnel of the department perform their duties in a professional manner and racism is not tolerated at all."

Although Gerber said allegations that prison gangs were used to silence inmates with complaints were "absurd", he did confirm that Modderbee administrators had held discussions with prison gang members in 1992. This had resulted in an agreement that the gangs "would cease unruly behaviour".

Responding to claims that a group of Sapohr members had been confined to single cells because they were instigating other prisoners to go on hunger strike, he said. "The group was put in single cells after an incident in which a warder was assaulted, for the period ensuing the investigation. This was done at the request of other prisoners."

Gerber denied warders had been asked to sign a document that forced them not to consider prisoners' complaints.

He said: "The only undertaking obtained from members was one of treating prisoners in a politically unbiased and professional manner."

On the breakdown of channels of voicing warders and inmates' grievances, he said: "All complaints are dealt with accordingly and prisoners are given the opportunity to voice these on a daily basis without unnecessary delay."

Battle to represent the right

Jan Taljaard

SPRINKLING tolerance to left and right in a bid to get the new South Africa off to a smooth start, president Nelson Mandela has opened up fissures in the ranks of Afrikaner conservatives

Deep tensions are surfacing between the Conservative Party/Afrikaner Volksfront (CP/AVF) grouping of Ferdi Hartzenberg and the Freedom Front/Volkstaat Council grouping (FF/VC) of General Constand Viljoen. Both parties are vying for the position of the representative of white conservatives, and have become hyper-sensitive to how the new government treats them.

When Mandela initially mooted the idea of a tripartite forum among the government, the FF and the CP/AVF, the move was construed by the latter as an opportunity to negotiate with the government on an equal footing with the FF and perhaps oust Viljoen from his effective position as standard-bearer of ultra-conservatism.

Viljoen's pro-election stance was rooted in the promise of providing the Afrikaner with a mechanism to negotiate a *volkstaat* once the poll was over.

The FF now feels it has paid its dues by participating in the election. It therefore regards its position as main representative of the rightwing as its just reward. It would therefore much rather have Hartzenberg negotiating with the government via the VC than directly across the table.

After Monday's talks between the FF, the CP and Deputy President Thabo Mbeki it seems that Viljoen may be succeeding in his attempt to make the CP/AVF grouping subordinate to the VC.

In a statement issued immediately after the talks, Hartzenberg complained that the discussions had "differed completely" in spirit from an agreement reached with Mandela two weeks earlier. He vowed that he would go back to the president.

Sources inside the CP also tell of more private suspicions about Viljoen and Mbeki. The two negotiators are now accused of having concocted a private deal before Monday's talks.

"It seems," added one source, "Mandela may say one thing but that his ministers have their own agendas." He cited Justice Minister Dullah Omar's hardline approach to the issue of indemnity.

AVF chief secretary Pieter Aucamp explained that the CP did not see the VC as a suitable body for achieving Afrikaner independence.

Other differences revolve around the degree of autonomy envisaged for a *volkstaat* or a representative Afrikaner body. While the AVF/CP is seemingly hellbent on total sovereignty, the FF/VC may only be looking towards a federal arrangement.

Under this, a representative body such as the VC would look after the interests of Afrikaners, much as the Jewish Board of Deputies safeguards Jewish interests. It is hoped that some statutory powers and eventual territorial independence will flow from such a body.

The AVF/CP also blames Viljoen for not allowing the so-called "two-pronged action", to which it says Viljoen originally subscribed, to take its course. This would commit the FF/VC to pursuing the *volkstaat* ideal by pure constitutional means while the AVF/CP uses a mixture of negotiations, passive and active resistance.

Authorities ignored warning signals

253

W M 17-23/6/94

Stefaans Brummer

WARNING signs of the past week's violent prison protests were apparent for some time but were ignored by the authorities, experts say.

The protests by prisoners demanding a general amnesty started last Thursday at Modderbee Prison on the East Rand and quickly spread to about 17 prisons countrywide.

A total of six prisoners died, two warders were seriously injured and at least R50-million damage was caused. While calm seems to have returned — for now — the causes of the protests suggest a more intractable conflict between prisoners and authorities. And not everyone is satisfied with Correctional Services Minister Sipho Mzimela's announcement last Friday of a six-month blanket sentence reduction.

The South African Prisoners' Organisation for Human Rights (Sapohr), whose call for "peaceful protest" on Wednesday last week was the immediate spark for the riots, has rejected Mzimela's offer as "grossly unfair" as it did not differentiate between prisoners.

Sapohr called for the establishment of an amnesty resolution committee to determine "a more equitable amnesty and sentence reduction dispensation".

Experts trace the latest protests to friction resulting from the denial of the right of some prisoners to vote, which led to prison riots before the elections, to confusing and contradictory statements on an amnesty, and to tension between prison personnel.

There were several approaches to authorities before the prisons erupted, but reaction is understood to have been slow.

Immediately before the protests, Justice Minister Dullah Omar rejected Sapohr's demands for a general amnesty for non-violent common law prisoners and Sapohr approached



No action. Correctional Services Minister Sipho Mzimela

PHOTO RUVAN BOSHOFF

Mzimela, who "told us he was too busy to see us". Sapohr then demanded a meeting with President Nelson Mandela, which was only granted after the protests started. Mzimela also attended the meeting.

Mzimela's spokesman, Captain Bert Slabbert, said this week Mzimela had "never said he would not see Sapohr, only that he did not have the time to see them then".

He said Sapohr had not put across its demand for a meeting as urgent, and that a memorandum from the organisation had not warned of mass action.

Another warning to Mzimela that something was afoot came on June 6 when the Modderbee branch of the Police and Prisons Civil Rights Union sent him a memorandum complaining of human rights abuses against prisoners, unfair labour practices, racism and corruption.

Slabbert said Mzimela had been in office for only a month, and that Popcr had not made concrete pro-



Rejected Sapohr's demands ... Justice Minister Dullah Omar

PHOTO AP

posals

"Reforms and affirmative action cannot happen in ten days. They put the minister in a very difficult position. They put the gun against his head, and then want to negotiate."

Amanda Dissel, a researcher with the Prison Project of the ANC-aligned Centre for the Study of Violence and Reconciliation, said there had been "quite an expectation that prisoners would be released after the elections. That was allowed to fester."

She said Sapohr had called for a general amnesty before the elections, and ANC prisons experts had talked privately about an amnesty for common law prisoners. Mandela's remarks on an unspecified amnesty in his inauguration speech had further raised expectations.

Dissel warned that the amnesty issue could spill over into demands for better prison conditions, and that violent protest could gain currency as a method to back demands.

She said a representative prison-

ers' body to negotiate with authorities was needed. Sapohr was hamstrung as it was not allowed inside prisons and was "an ostracised body".

Dissel said Correctional Services should become more transparent and liaise with outside bodies like Sapohr, Nicro and the Centre for the Study of Violence and Reconciliation. A probe into the demands of prisoners and an inquiry into the deaths of prisoners in the protests should be launched, she said.

Professor Charl Cilliers, head of the Unisa Penology Department, said the latest prison protests were essentially a political phenomenon.

The National Party had made a "big mistake" in allowing only certain categories of prisoners to vote, as that had led to friction among inmates.

Promises of amnesty had led to further tension, he said. The ANC, for example, should have spelt out details of who would qualify when it made amnesty promises.

He said the government had to find common ground with Sapohr and Popcr, and boost the morale of prison personnel, which was low because of infighting.

It has been reported that non-Popcr prisons staff are up in arms after Popcr warders allegedly associated themselves with prisoners' amnesty demands and helped prisoners communicate with the outside, helping the spread of the protests.

Slabbert denied the voting riots had anything to do with the new protests.

He said the Independent Electoral Commission had praised Correctional Services for the conduct of elections in prisons, and that in the end prisoners themselves had accepted the distinction between categories of prisoners who could and could not vote.

He blamed confusion over amnesty on "certain organisations", who he said had "sown confusion and created expectations".

Durban's house of horrors

WM 17-23/6/94

A mountain of unclaimed, decomposing corpses was just one of the nightmares **Farouk Chothia** recently discovered at the largest mortuary in Natal/kwaZulu

A CLANDESTINE visit to Durban's Gale Street mortuary, the largest in Natal/kwaZulu, has exposed nightmare working conditions and claims of serious irregularities. These include

- Unclaimed and decomposing

corpses, some of which have been at the mortuary for a month or longer

- A shortage of cold-room space and cutting rooms for autopsies

- Allegations that district surgeons have written post-mortem reports without carrying out examinations, and that undertakers are touting for business

- Complaints of racism and victimisation by black staff. The sight greeting the *Mail & Guardian* reporter who was smuggled into the Gale Street mortuary was gruesome: between 40 and 50 corpses lay in a cold room built to accommodate 24 bodies. Lying

strewn on the floor, some corpses had been there for a month or more

Speaking on condition of anonymity, staffers blamed the logjam on the absence of mortuaries in townships and the failure of police to track down families of the dead

They argued that in terms of police procedure, investigating officers had to obtain fingerprints within seven days and to try to track down families within 14 days, failing which the dead had to be given a pauper's funeral

Police spokesman Major Bala Naidoo said police preferred to give families more time to identify bodies

He denied overloading at Gale Street, saying there were mortuaries throughout the province and that a new one had been built in Phoenix, south of Durban

But staffers said that on most occasions, except with politically motivated deaths, police made no effort to track down families. Investigating officers broke standing orders by relying on black policemen and staffers at the mortuary to take fingerprints

"These are then sent to Pretoria, and it takes six weeks or more before we receive replies on identification. Many decent people are given paupers' bur-

ials because relatives have not been traced," said one staffer

The workers also complained about the shortage of cutting rooms. "The cutting rooms look like dirty abattoirs. Bodies are shoved around on the floor and there's blood everywhere," said one worker

The sources also said that police had recently caught three district surgeons who had written out post-mortem reports without conducting examinations. The bodies had been brought to the Gale Street mortuary, where "in one instance we found that the report showed a man had sus-

tained two stab wounds in the chest and neck when he had sustained gunshot wounds. Apart from it being illegal, the failure to conduct proper post-mortems could mean families lose insurance claims"

Professor Jan Botha, a state pathologist who conducted post-mortems at Gale Street, declined to comment as "the matter is sub judice"

Insiders said another snag at Gale Street was that staffers were forced to tout for undertakers. They claimed a husband and wife team — the man was a warrant officer at the mortuary police station and the woman an undertaker — expected them to tout for them or pan of "victimisation"

The source added that a black policeman had been accused of selling state fridges to another funeral parlour

Naidoo said while the possibility of touting "can not be ruled out", there had been no substantive proof of the allegations.

New path for pathology

AN independent medico-legal unit, the first of its kind in Africa, is lobbying the government for changes in forensic pathology.

Formed earlier this year with a grant from the Danish government, the Durban-based unit also offers the services of independent forensic or medical assessments in cases of political or state violence, in an attempt to prevent pathologists covering up for police.

Unit co-ordinator Wendy Watson said services were offered to families across the country.

The unit was lobbying the government "to formulate a protocol which stimulate discussion on changes in the system of state pathology".

For example, the handling of politically motivated deaths should move from the Department of Safety and Security to the Department of Justice. "If a person dies in a case where you cannot expect the police to investigate themselves," said Watson

The unit believes post-mortems should be conducted at a provincial level, "rather than in police laboratories. This would result in more efficiency and accuracy".

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THE PUBLIC SERVICE



Swazi newspaper owner thrown out

Mduduzi ka Harvey

THE controversy surrounding the Swaziland government's failure to renew newspaper owner Douglas Loffler's work permit has aroused fears that this could be a ploy to silence the press in the kingdom.

Briton Loffler owns five newspapers in the country — among these the *Times of Swaziland* which is the kingdom's leading newspaper and is a frequent critic of the government, calling for accountability and transparency.

Two months ago Loffler was told by the Ministry of Home Affairs that his

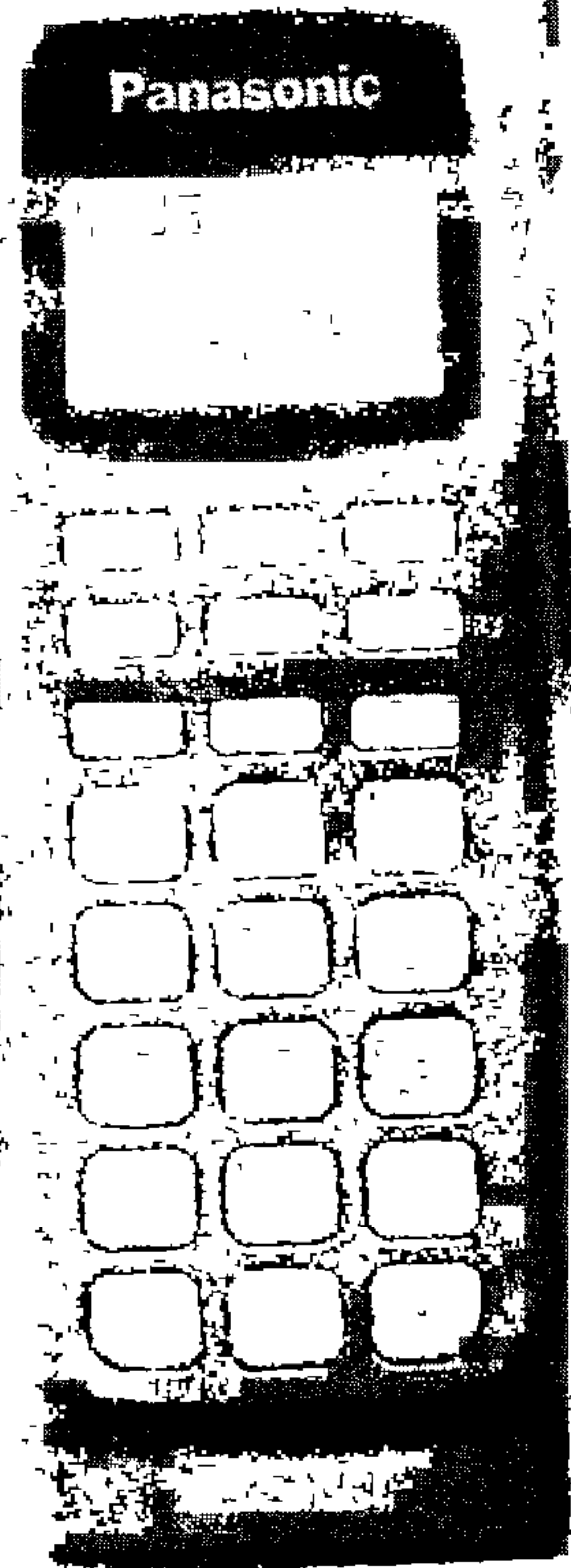
work permit would not be renewed and was given an ultimatum to leave Swaziland by the end of June.

Loffler who has lived in the kingdom for the past 23 years was dumbfounded by the news "I was not given a single reason for the refusal and I thought maybe it was because the authorities found *The Times* too blunt and outspoken."

But his 120 employees stood by him and converged on Home Affairs Minister Prince Sobandla Dlamini's office and presented a petition expressing concern about their and the paper's future.

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Prison riots: Dreadful conditions and promises of amnesty sparked off

Black warders no better

Black warders who have sympathy for prisoners are victimised by their white colleagues, reports
Mduduzi ka Harvey

THE plight of black warders is not very different from that of prisoners in South Africa's prisons, say two warders at Modderbee Prison interviewed by the Mail & Guardian this week.

"Our prisons are run like 'volkstaatsies' — black prisoners and warders are considered kaffirs, and white authorities rule both with an iron fist and refuse to accept change," said Hlanganisa Tshabalala, a warder at Modderbee for the past two years.

During his years there, Tshabalala said the regime at the prison had gone from bad to worse. "We are the targets of public trades by white officers, so we enjoy neither the respect of prisoners nor that of our white colleagues," he said.

The problems at Modderbee had worsened since prisoners joined the South African Prisoners Organisation for Human Rights and warders joined the Police and Prisons Civil Rights Union. "The authorities consider these organisations pro-ANC and a threat to the white domination in prisons."

"Sapohr members who had grievances were put into isolation cells

and called instigators, while Popcru-affiliated warders were called recalcitrant and labelled 'langsterte' (baboons). Weekend and night duty were added to warders' schedules as punishment for their affiliation," Tshabalala said.

He added that the gangsterism endemic to South African jails was encouraged as a way of weakening prisoners. "Gangs are used to bring to discipline prisoners complaining about assaults or brutality."

Divisions were also sown among black warders, Tshabalala said. "Those considered sympathetic to prisoners' problems were isolated and downgraded to insignificant tasks, while others were promoted."

Warders had been required to sign "letters of affirmation" that they would not attend to prisoners' grievances, as this would be considered unprofessional.

"If prisoners had problems, the white warders would jot them down but there would be no timeous response or they would be disregarded. This situation was the same for Popcru-affiliated warders who had complaints."

Tshabalala said internal tribunals held in response to prisoners' claims of assault by warders were a waste of time. "These cases are presided over by senior officials who are friends of the warders and

the complaints are normally swept under the carpet. There is no way a prisoner can win."

Popcru members — even those who attended courses — had little chance of promotion, he added. "Decisions on who should be promoted are made by white superiors. If you are considered a 'langstert' your chances are nil."

He said requests for an impartial body to hear the complaints of both prisoners and warders had "fallen on deaf ears."

Amon Shabalala, a Modderbee warder for 12 years, said prison administrators had started communicating directly with prisoners without consulting black warders, which had undermined them. He explained "Initially black warders were the natural channel for prisoners' complaints. Then management started negotiating directly with prison gangs like Big 5, 28s and Air Force. This created an atmosphere where black warders were seen as irrelevant."

Shabalala said the campaign against Sapohr had intensified in the first week of April, when prisoners had decided to go on a hunger strike to force the government to give them the vote. "This resulted in all Sapohr leadership inside the prison being put in isolation," he said. "Hunger strikers complained that warders had come into their cells and forced them to eat, using batons."

"The prisoners decided to find

Escaped prisoner tells of cell wars

Mduduzi ka Harvey

ONE of the prisoners who broke out of Modderbee Prison has given a vivid inside account of the upheavals which left four dead and 19 injured at the East Rand jail last week.

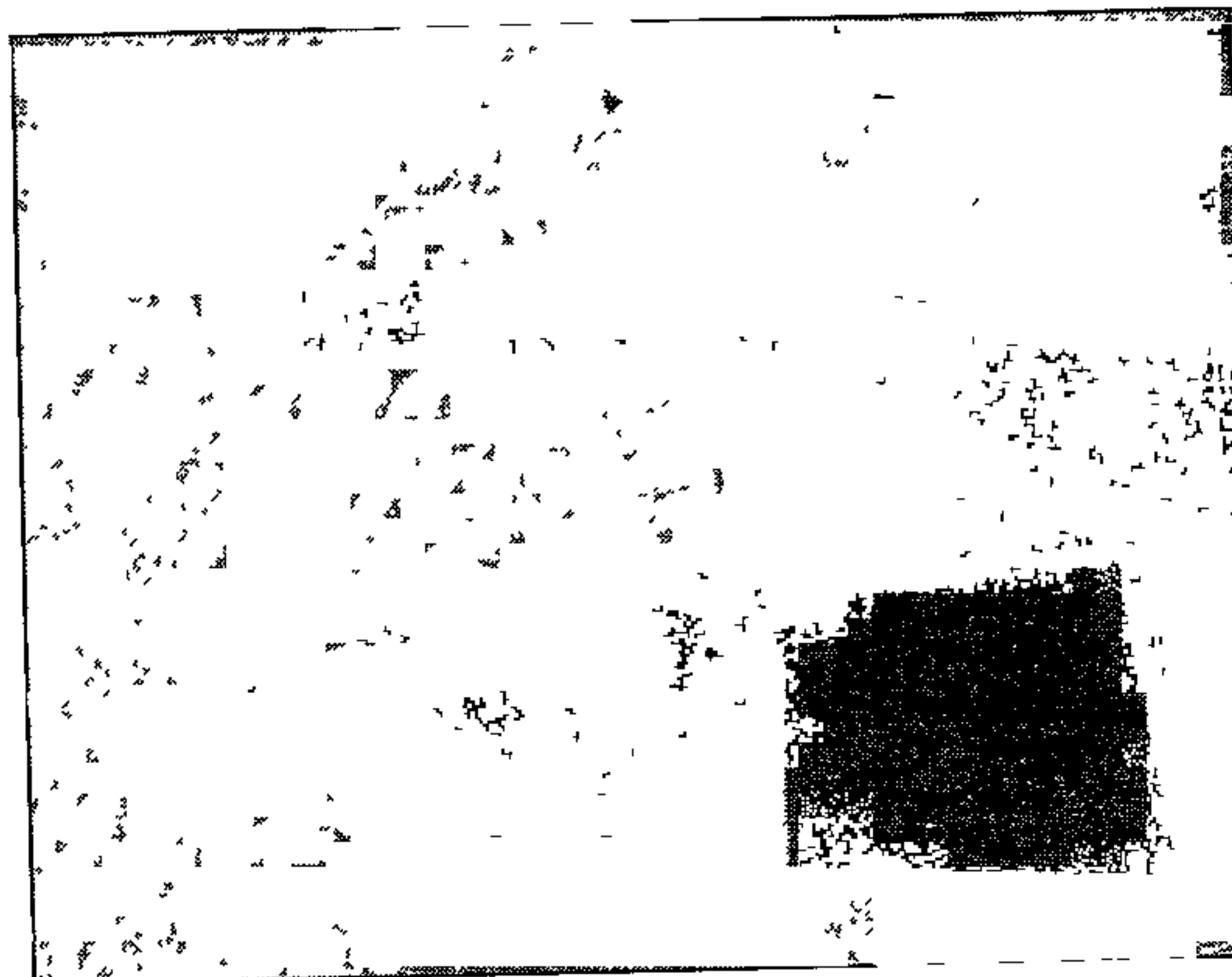
Housebreaker Clifford Baholo (21), one of the 87 prisoners who escaped from Modderbee at the height of the violent protest over demands for amnesty, spoke to the *Mail & Guardian* from a safe house this week. He has since been recaptured and returned to jail, where he is serving a four-year sentence.

Baholo said the election had aroused hopes among black inmates that the old prison system would be "voted out" and that the new government would halve their sentences. They were enraged when this did not happen. "We were being treated the same as people who killed for apartheid, like Janus Waluz."

He said the disturbances had started at 10am last Thursday when inmates began toy-toying near the J and K blocks, the "Raadsak" section.

As the crowd grew and began moving towards the reception area, warders with guns took up strategic positions on the prison roof, while about 100 others surrounded the jail. The prisoners had armed themselves with sharpened spoons, pipes and other homemade weapons.

"As prisoners tried to force their way into the reception area at about noon the first shots were



No escape .. Security forces guard the manhole down which Clifford Baholo fled Modderbee Prison. PHOTO RUVAN BOSHOFF

fired. Someone collapsed in front of me with a bullet in his head," Baholo said. "Inmates started running around in all directions trying to find a place to hide. The next I saw was another inmate, Serame, fall with bullets in his stomach."

Fellow-prisoners dragged Serame to the prison hospital, but there was no one to assist him and he was left unattended.

"Everyone was running amok. The warders ran from the different sections to reception looking for guns to protect themselves as inmates chased them in an attempt to capture hostages. Some warders eventually got to reception, where they fought back with their 'donkapiel' batons."

Outnumbering the warders, the prisoners forced their way into the reception area. "At this stage a warder called 'Rambo' came on to the scene with a pump-action shotgun which he fired at the inmates. After firing six shots, he was forced to flee."

At 1pm two warders, one white one black, were captured and held hostage in cells. Initially the prisoners vowed not to release them until

all their demands had been met, but after discussion, it was decided to release the black warder.

An uneasy calm settled on the jail until 8pm, when blankets were set alight in the cells. "Gang wars were being planned as the various factions prepared for an onslaught. It was each man for himself, everyone was terrified. On the outside the warders were waiting and in the inside the gangs were in control," said Baholo.

"I was shaking from fear and decided I wasn't going to die in prison. I had to escape."

Finding a manhole cover in the prison grounds, he lowered himself into a sewer and walked several kilometres to Johannesburg and short-lived freedom.

"Friends and relatives thought they were seeing a ghost. When I explained my situation they all advised me to return to prison immediately."

"It was never my intention to run away for good. Although it's nice outside I have to pay my dues. I have committed a crime against society and for that I have to serve my time," said Baholo.

COURTS

Holding children in jail opposed

ARL 2/6/94

248 253

PATRICK FARRELL
Supreme Court Reporter

JAILS were not created for children and if the Department of Correctional Services could have its way, there would be no children in prisons.

This was said by Correctional Services spokesman Mike Green in response to a Supreme Court judge's criticism yesterday of the detention of children in jails.

Sentencing the killers of a 13-year-old Robertson jail detainee, Mr Justice Van Deventer said there was no excuse for keeping children in jail for months before they were put on trial.

Lieutenant Green said "We have come out strongly against holding children in prison before their trials. However, it is up to the Department of Justice and the police to stop the issuing of detention warrants. If a child is brought to a jail and there is a warrant to hold them, we cannot refuse to take them. We have to make the most of a bad situation."

Lieutenant Green said some of the bigger jails had special wings for youthful offenders, but at smaller jails overcrowding and lack of facilities made it impossible to separate children completely.

"At Pollsmoor, we have put

aside part of the women's wing where youths can be held, but still we don't want them in jail."

In smaller jails, youths had separate ablution facilities and warders tried to keep them away from other criminals as much as possible.

"Prisons were not created for children," he said. "It must have a psychological impact on them to be locked up in the same prison as murderers and rapists, even if there are not in the same cell together."

He said some form of detention facility must be created, perhaps on the lines of reform school, but with strict security, to hold youthful offenders.

"You must remember that some of these 15- or 16-year-olds are awaiting trial for serious crimes like murder and rape. You cannot just release them on to the streets."

Lieutenant Green noted that President Mandela had urged in his address to parliament that children be released from jails as soon as possible.

This had presented authorities with a mammoth task that would cost millions, but a start had been made, said Lieutenant Green.

The project would be spearheaded by Welfare and Popula-

tion Development Minister Abe Williams.

Lieutenant Green said this change would not be a case of "just opening prison doors — it is still early days and a number of issues have not been worked out but we have started on the road".

The conviction and jailing of four youths in the Supreme Court for a *Lord Of The Flies*-type murder of a young cellmate in Robertson jail has once again highlighted the plight of children in prisons.

Neville Snyman was only 12 years old and in jail awaiting trial on a charge of house-breaking when he was sodomised, forced to drink disinfectant and was held under a boiling hot shower until his skin started to peel off.

He was assaulted so badly that seven of his ribs were broken.

His murderers were youths, too, most awaiting trial for housebreaking and theft.

The reasons for the murder were not adequately explained by the accused, but their evidence suggested Neville was blamed by some of his cellmates for incurring a beating they were given by an older prisoner.

Sentencing the killers yesterday, Mr Justice van Deventer

said they had killed Neville out of "boredom and frustration".

The case reminded him of the *Lord Of The Flies* novel where "youths became animals".

Neville shared cell 10 with nine other youths, some of them as young as 12, but some also were strapping boys of 17.

Seven of those youths stood trial for his murder, but three minors were acquitted after the State said it would not argue for their conviction.

Mark Reynard, 18, Isak Jacobs, 18, Marius Samuels, 18, and a minor were found guilty.

The State alleged the accused all took part in the fatal beating. Two of them were alleged to have strangled the boy eventually with a sock after the torture.

An autopsy revealed between 80 and 100 bruises on Neville's body and the eventual cause of death was put down to the boy suffocating on food he had vomited up from shock.

There was also evidence of a gang among the youths called the "Four Stars" to which some admitted they belonged. The judge made reference to this gang and said it might have influenced some of the youths "out of loyalty" to take part in the killing.

NEWS Inquest relives dea*Sowetan 2 2/6/94 (253)*
Prisoner dies in cell

A STERKSTROOM man was found hanged in a police cell within five minutes of being arrested for assault

The 30-year-old man, Simphiwo Mboso of Masekhe township in Sterkstroom, was arrested by police for assaulting his ex-girlfriend and stabbing her

Police liaison officer Major Henry Chalmers said Mboso was placed alone in a cell at 7 30pm on Tuesday and five minutes later, when a policeman returned to the cell, he was found hanging from a belt tied to a hinge behind the door

Chalmers said Mboso was taken down and rushed to hospital but was already dead — *Ecna*

Prisons to get 11% cash boost

Star 23/6/90

BY CHERYL HUNTER

Correctional Services was one of the few ministries which "escaped" having a chunk of its spending cut to contribute to the Government's Reconstruction and Development Programme, according to Correctional Services Ministry spokesman Captain Bert Slabbert. (253)

Finance Minister Derek Keys announced that the budget for correctional services would

be increased this year by 11 percent to reach a total of R1,950 billion.

Slabbert said the budget would allow the accommodation of 115 200 prisoners compared to that of 109 100 last year.

However, the department planned to spend money this year on making the prison system more "self-sufficient".

He said this would be achieved by extending prison workshops and farming.

Minister visits awaiting-trial children in prison

~~(248)~~ (253) Political Staff CT 24/6/94

AWAITING-TRIAL children, held in a special section at Pollsmoor, were visited yesterday by the Minister of Correctional Services, Dr Siphon Mzimela, and his deputy, Mr Abe Williams

The ministers inspected the facilities and the conditions under which the children were kept

There are 82 children between the ages of 15 and 17, who have not been sentenced, in the prison

Dr Mzimela and Mr Williams vowed to do everything possible to clear prisons of awaiting-trial children.

Prison revolt brewing — among warders

By Quentin Wilson

A MAJOR rebellion is brewing among warders in Western Cape prisons following a clampdown on members of the Police, Prisons and Civil Rights Union (Popcru) at Pollsmoor

Following protests by warders over the last two weeks, a Supreme Court interdict has effectively banned Popcru at Pollsmoor.

According to the interdict, obtained by the Department of Correctional Services last week, Popcru members are banned from holding meetings and demonstrations on the premises and, if they are not on the grounds to work, they must keep a distance of at least 100m from Tokai prison complex.

While deep-seated tensions between prison workers and management have been simmering for some time, conflict spilled into the open following the removal of Popcru member Major Stephen Korabie from his post as a regional prison inspector earlier this month.

Korabie's problems began in March when he uncovered serious allegations against the head of a Western Cape prison during an inspection. After reporting the mat-

ter to his superiors, he grew disenchanted with the department's "unwillingness" to take any disciplinary action.

When Korabie refused to serve on an internal investigating committee, because he believed it was a "token gesture that would not expose the truth", he was axed from his post and transferred to Pollsmoor (253)

"It was just the catalyst that sparked off real protest against the conservative, racist and old style management we all hoped would end after the election," he said.

Late last month, prison staff at Baardberg prison demanded a proper commission of inquiry into allegations made against their prison head, while he, Major Jaap Ellis, be put on paid leave until the investigation is completed.

At Pollsmoor, wardens staged a sit-in and demanded that regional commissioner, General Gerhard Spannenberg, apologise for the treatment meted out to Korabie.

Captain Koos Gerber, spokesperson for the department of correctional services, defended the interdict saying the department had "no other alternative" to deal with "unruly personnel members".

Southern

2416-2816/94

Popcru threatens mass protests

JOHANNESBURG — The Police and Prisons Civil Rights Union (Popcru) has threatened mass protests in the former homelands, where it alleges members are being given a raw deal

"We want to remind these people that Popcru was formed during repressive times and we will not hesitate to do what we did to the apartheid regime," said Enoch Nelani, the union's national president

Popcru was formed by dissident policeman Gregory Rockman who is now an African National Congress Member of Parliament

Mr Nelani said yesterday that station commanders and commissioners in the former independent and self-governing states were harassing and treating Popcru activists badly, including denying them stop-order facilities

He expressed concern about the conflict that had surfaced between black and white officers ahead of amalgamation of the police forces in the Eastern Cape

"They want to maintain white supremacy," he told a news conference (253) (253)

Mr Nelani said union leaders had held talks on Thursday with the province's MEC for safety

and security, who was to begin a series of meetings with authorities in the various areas

In a separate initiative, Popcru would begin recruiting white officers to help transform itself into a professional union

"We should appreciate we have this diversity and manage it to the benefit of the union," said Mr Nelani ARG 25/6/94

He also expressed concern at the delay in the passing of the new Police Bill, saying it could contribute to further destabilisation because all units that defended the apartheid government were still intact — Sapa

Secret plot angers MPs

Fight for capital turns city's way

■ After Pretoria lost its provincial capital status it became even more desperate to grab parliament from Cape Town to compensate for the loss.

DAVID BREIER

Weekend Argus Political Staff

PRETORIA has become even more determined to hijack parliament from Cape Town after losing its PWV provincial capital status to Johannesburg.

But the battle for parliament appears to be turning in Cape Town's favour as African National Congress MPs resent the way a secret cabinet cabal has manipulated the issue to favour Pretoria.

Pretoria Capital Initiative spokesman Andy Shoredits said the effect of moving the provincial capital from Pretoria to Johannesburg would be "quite devastating".

He said Pretoria's economy would be seriously affected by the loss of large numbers of administrative staff to Johannesburg and this would have a multiplier effect which would hit businesses throughout Pretoria.

"We have nothing against Cape Town — it's a lovely place," said Mr Shoredits. But he said the decision on where parliament should be must be made in the national interest.

Mr Shoredits insists that it makes more sense to have parliament in Pretoria where most government departments have their headquarters instead of expecting MPs to keep tabs on their administrations by remote control 1 500km away in Cape Town for much of the year.

Pro-Cape Town lobbyists estimate it would cost up to R2 billion to build a new parliament in Pretoria with all the accessories, including housing for MPs. But Mr Shoredits scoffs at this figure, saying it would cost R500 million

Pretoria's loss of its provincial capital status — it was previously the Transvaal capital — has raised the ante in its battle with Cape Town for parliament.

Parliamentarians who favour the move believe Pretoria now has a stronger moral argument as the city has so far sacrificed the most in the new South Africa by losing its provincial infrastructure. A similar battle over the capital of KwaZulu-Natal is still being waged between Maritzburg and Ulundi.

But there is a growing backlash in the ANC caucus which dominates parliament, against any move to Pretoria. ANC MPs said they were buying flats or houses in Cape Town and far preferred the idea of parliament remaining here.

The strong preference for Cape Town among many rank-and-file ANC MPs emerged when the ANC parliamentary caucus resolved that the secret cabinet committee on the siting of parliament should be disbanded.

The ANC caucus wants a more representative parliamentary committee operating

in the open to decide on the issue.

If this initiative succeeds it will strongly tilt the balance in favour of Cape Town as the secret four-man cabinet committee is known to be loaded in favour of Pretoria.

It has no Cape members and includes Minister of Constitutional Development Roelf Meyer, who strongly favours the move to Pretoria. Other members are Minister of Finance Derek Keys, Minister of Transport Mac Maharaj and Minister of Public Works Jeff Radebe.

A special task force headed by Cape Town City Council exco chairman Clive Keegan has launched an intensive investigation into the financial cost to Cape Town if it should lose parliament to Pretoria.

There are fears that such a move could have a devastating long-term effect on the economy of metropolitan Cape Town. While the short-term loss might not be that great, there is concern that the city could lose out on investment and the Olympic Games in 2004 if it loses its present status.

Firemen douse fire in postbox

Weekend Argus Reporter

FIREMEN were called to put out a fire in a pillar postbox in St George's Mall, outside the Cape Sun Hotel.

Street vendor Andrew Dick alerted a security guard after seeing smoke filtering from the box yesterday.

The fire brigade put out the fire after a guard was unsuccessful in dousing it.

Post Office spokesman John Sadie asked anyone who had posted mail yesterday in the box, at the corner of Castle Street and St George's Mall, to contact the central post office.

"Urgent inquiries are needed if accounts paid by cheque were mailed in it," he said.

It's believed that somebody had tossed a burning cigarette into the postbox.

9 centres for juveniles planned

Cape Town — The Department of Correctional Services is planning nine provincial juvenile detention centres

In its annual report, tabled in Parliament yesterday, the department said three such centres were already in operation. Ninety juveniles were being held at the Rustenburg Juvenile Prison and 1 519 at Pollsmoor and Leeuwkop juvenile prisons

Correctional Services Minister Siphon Mzimela hinted last week he might approach the Cabinet today with proposals for the housing of awaiting-trial juveniles (253)

Following President Mandela's statement that jails should be "emptied" of children, Mzimela said sentenced children would be housed outside prisons

The department said juveniles were generally kept separately from adult prisoners — Political Correspondent

NEWS

Board agrees in principle

Privatisation of prisons studied

Star 29/6/94

Cape Town — A prisons advisory board has agreed in principle to the privatisation of jails, Commissioner of Correctional Services General Henk Bruyn said in his department's annual report released yesterday.

The report also noted a dramatic increase in escapes, from 702 in 1992 to 1 171 in 1993.

Bruyn said Correctional Services' National Advisory Board last year gave the Minister advice on privatising prisons, contracting out certain prison functions and operating community based detention centres

The board agreed with the principle of privatised or contracted-out detention centres. The matter is being investigated.

Bruyn said the increase in escapes was partially due to the fact

CORRECTIONAL Services report shows a dramatic increase in prison escapes

that more hardened prisoners were being detained, and to an increase in the number of long-term prisoners

Another reason for escapes was prisoners' concern for the safety of their families in the strife-torn townships

Overcrowding

Another reality was poor structural conditions, overcrowding and staff shortages

He said the HIV infection rate among prisoners was a third of that of

the community at large

He said the restriction of privileges as a disciplinary measure in place of dietary punishment and floggings introduced last year was effective, and good results were being obtained.

The report said more than 114 000 prisoners were occupying cell accommodation for about 80 000 prisoners at the end of 1993 (253)

Prison accommodation capacity had increased by 3,5 percent, while the number of prisoners had gone up by 4,9 percent

The report said the department was looking at cheaper options than the expensive construction of new prisons.

These included converting other structures, such as unused mining complexes, into prisons.

— Sapa

'Probe aliens in prisons'

Star 29/6/94

■ BY JO-ANNE COLLINGE

Illegal aliens are spending upward of three months in a "minute" cell in Kempton Park Police Station, members of the PWV Standing Committee on Public Safety and Security discovered on their visit there last week.

Committee chairman Peter Leon has proposed that Home Affairs Minister Mangosuthu Buthelezi be asked to look into the situation of illegal aliens, especially those in Kempton Park.

During yesterday's meeting of the committee, Leon also questioned

whether it was consistent with the "human dignity" provision in the Bill of Rights that prisoners in Tembisa Police Station were compelled to sleep on mats on the floor.

The committee intends visiting another 10 police stations in the region in the next two months

Committee member Oupa Monareng submitted that station commanders should not get such lengthy warning of visits as to enable them to effect "artificial" improvements to the conditions in which policemen worked and prisoners were held. (253)

Monareng said there were indications at Tembisa that an emergency clean-up and paint job was done. While it was certainly not the standing committee's role to act as inspectors of police, it was its job to get a clear picture of the actual policing conditions.

Currently police standing rules require 48 hours' notice of a visit.

■ The committee also made it clear that the PWV government would be watching the nationally applicable Police Bill with keen eyes and ensuring that interest groups in the province got a

chance to make their feelings known.

According to committee deputy chairman Obed Bapela the Bill is to be introduced in the National Assembly late this week. The committee will meet next week to establish mechanisms for public response.

■ Members of the committee intend to equip themselves to carry out their role in setting policing policy. Wits University is to offer a course for members and alternate members of the committee, placing emphasis on community policing.

'More than a quarter of prisoners unsentenced'

CT 29/6/94 Political Staff (253)

MORE than a quarter of the people in the country's heavily overcrowded prisons are unsentenced or awaiting-trial prisoners

This was revealed yesterday when the annual report of the Department of Correctional Services was tabled in Parliament

It said in 1993 an average of 114 047 people were detained in the country's prisons

It also said 72 990 of these were long-term and 16 719 short-term prisoners, meaning 24 338 prisoners were unsentenced or awaiting trial.

Prisons board agrees on privatisation plan

(253) A PRISONS advisory board has agreed in principle to privatised jails, Commissioner of Correctional Services Henk Bruyn says in his department's annual report

He also noted a dramatic increase in escapes, from 702 in 1992 to 1 171 in 1993

General Bruyn said the correctional services' national advisory board last year advised the minister on privatising prisons, contracting out some prison functions and community-based detention centres

The board agreed with the principle of privatised or contracted-out detention centres, but felt the matter should be looked at again "to thoroughly investigate all possibilities and how they can be implemented" General Bruyn said the increase in escapes was owing partially to the fact that more hardened and dangerous prisoners were being detained, and to an increase in the number of long-term prisoners

"Another contributory factor is prisoners' concern at the violence in the country, and the safety of their families in the strife-torn townships"

ARKU 29/6/94
Another reality was poor structural conditions, overcrowding and staff shortages

However the HIV infection rate among prisoners was a third of that of the community at large

On December 31 last year there were 419 diagnosed HIV-infected and 19 Aids cases in detention. This implied that one in 225 prisoners was HIV infected, as against one in 80 people in the community

He said each prison had a member of the staff who had been trained to deal with Aids matters. Prisoners were under supervision, and this limited sexual intercourse

He said the system introduced during 1993 of restricting privileges as a disciplinary measure to replace dietary punishment and floggings was effective. The system of correctional supervision was enjoying an 87 percent success rate, which compared very well with similar systems in other countries

He reported that at the end of 1993 more than 114 000 prisoners were occupying prisons designed for about 80 000 — Sapa

Not all inmates to benefit from sentence remission

Stuur 30/6/94

■ BY ESTHER WAUGH
POLITICAL CORRESPONDENT

Cape Town — Not all prisoners will benefit from the recently announced six-month remission of sentence.

Correctional Services Minister Siphon Mzimela yesterday also told the National Assembly that those found guilty of having committed crimes during last month's prison riots would be tried and sentenced.

Replying to a question

by Democratic Party MP Douglas Gibson, the Minister said those excluded from the six months sentence reduction were those serving sentences as judgment debtors, mentally ill prisoners, and those who had escaped or absconded and were still at large on May 10.

(253)
Mzimela said the police and his department were investigating several alleged offences committed during the prison

riots.

These alleged offences included hostage-taking, kidnapping, arson, attempted murder, assault, attempted escape and public violence.

He noted that prisoners' behaviour was considered before placing them on parole. "Negative behaviour will therefore result in a prisoner being penalised and not being placed on parole as early as could have been the case if good conduct had prevailed."

'Children in jail' ruling scrapped

Political Staff

253

PROVISIONS allowing for children awaiting trial to be kept in prisons are to be scrapped from the statute books.

The cabinet has accepted Correctional Services Minister Siphosiso Mzimela's recommendation that section 29 of the Correctional Services Act be amended.

ARL 3/6/94
The Act allows for awaiting trial juveniles to be detained in prisons. It will now be amended so that unsentenced children will be kept in places of safety provided that such places are available.

In his opening address to parliament last month, President Mandela pledged that prisons would be "emptied" of children.

Mr Mzimela has subsequently distinguished between sentenced and awaiting trial juveniles.

The Department of Correctional Services has committed itself to establishing nine juvenile prisons in each of the provinces. Three such prisons have already been established — in Rustenburg and at Pollsmoor and Leeuwkop Prisons.

After a visit last week with Welfare Minister Abe Williams to Pollsmoor Prison, Mr Mzimela said 82 unsentenced children between the ages of 15 and 17 were being kept in the women's section of the prison.

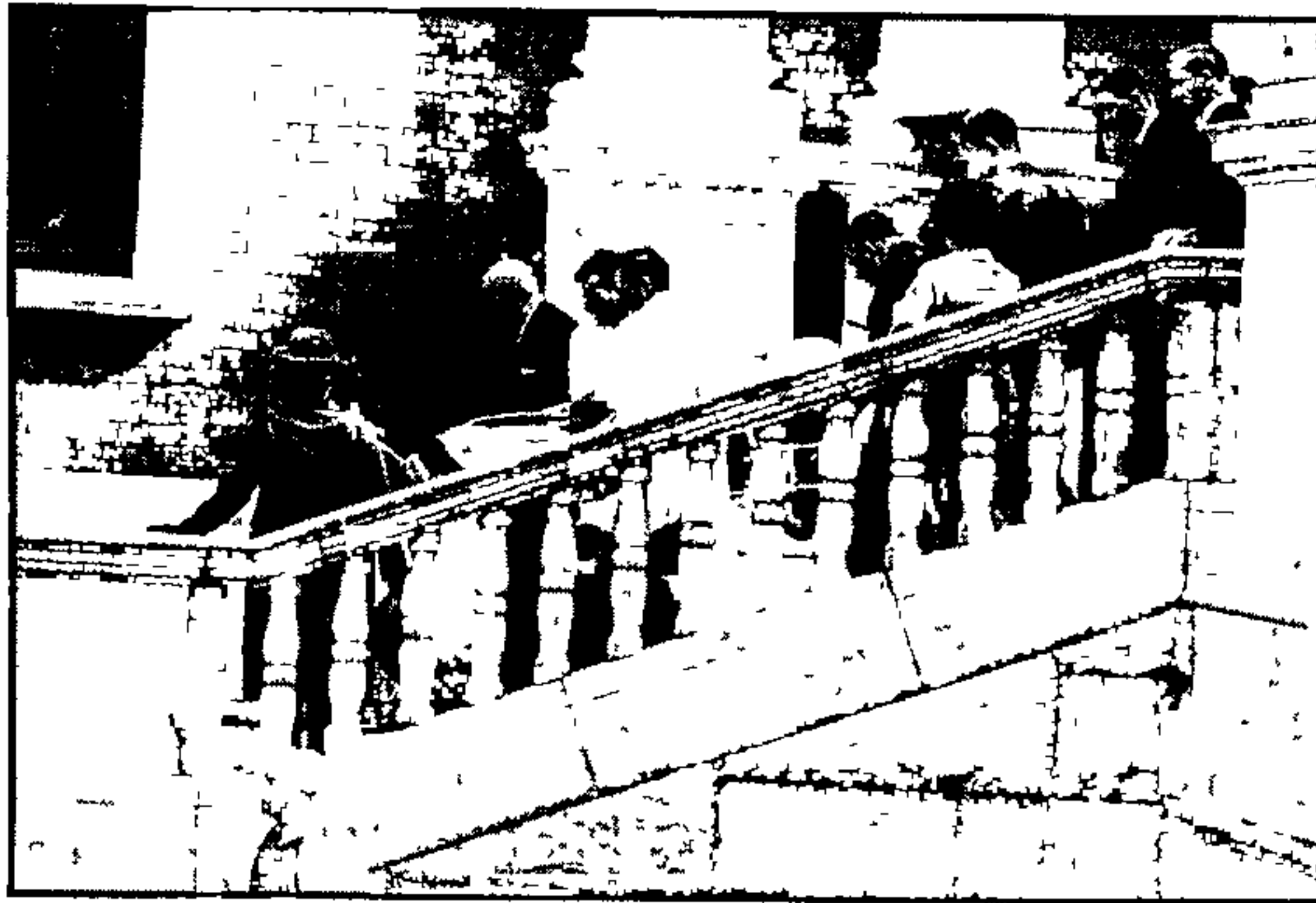
A confused assassin

BACKGROUND TO THE NEWS

This is how The Argus reported the assassination of Dr Hendrik Verwoerd in a special edition on September 6, 1966.



Demitri Tsafendas



FLASHBACK: The body of Dr Hendrik Verwoerd is carried on a stretcher down the steps of parliament after he was stabbed

BONNY BIRD

OK'S

OPPORTUNITY

Cheapest

4.99
2kg

OK'S

Cheapest

2.99
400g

Pot O' Gold Beans in Tomato Sauce.

OK'S

Cheapest

3.89
750ml

All Joy Tomato Sauce

OK'S

Cheapest

75c
125g

Cameo Soap

OK'S

Cheapest

2.69

Lusitania Hake Fillets

OK'S

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THE Prime Minister Dr H F Verwoerd died of stab wounds inflicted on him in the Houses of Parliament this afternoon by a man wearing the uniform of a parliamentary messenger

The name of his assailant was given as Demitri Tsafendas

Ministers, other Government members and members of the Opposition rushed to the aid of the Prime Minister after he had been stabbed in his front bench seat

The Leader of the House of Assembly, Mr B J Schoeman, said that the Prime Minister was certified dead when he reached the Groote Schuur Hospital

Mr Schoeman said Parliament would meet at the usual time tomorrow for a motion of condolence in the death of the Prime Minister

Two members of Sapa's parliamentary team, who were in the Press Gallery at the time, saw the man walking up to Dr Verwoerd where he had just sat down in his bench

He suddenly lurched forward, half jumped on to Dr Verwoerd's bench and stabbed at him with a long dagger

Dr Verwoerd tried to ward off the blows. The man was seen to strike at Dr Verwoerd's throat and chest more than once.

The Prime Minister was stabbed four times. Dr E L Fisher, MP for Rosettenville, who attended to Dr Verwoerd immediately after the stabbing, said he received four wounds — one through the heart, one in the carotid vessels in the left neck, one in the region of the right lung and one in the region of the left lung

Mr Jannie Rall, MP for Harrismith, said he saw the man walk quickly into the Chamber from the direction of the lobby

As he walked he thrust his hand under his jacket. Mr Rall said he observed to a companion that the man was behaving strangely, but they concluded that he was hitching up his trousers

Mr Cas Greyling, Nationalist MP for Carltonville, who was one of the first to reach Dr Verwoerd's assailant and pull him off the Prime Minister, said he became suspicious of the man when he saw him walking into the de-

bating chamber towards Dr Verwoerd

Mr Greyling dashed from his seat in the cross-benches some 30 yards away and he saw the man raise his hand and plunge the knife downwards into the breast of the Prime Minister

It took everybody at the House a few seconds to realise what was going on. Several Ministers and members from both sides of the House then jumped up and pulled the man off Dr Verwoerd

He put up a violent struggle and it seemed as if he was trying to stab some of them too. They took hold of him, however, dragged him away from Dr Verwoerd and pinned him down on the floor

Other members, including several medical doctors, attended to Dr Verwoerd. The front of his shirt was bloodstained and blood flowed on to the green carpet where it quickly formed a large pool

Dr C V van der Merwe (Nat Fauresmith) gave Dr Verwoerd the 'kiss of life'. He was assisted by Dr E L Fisher (UP Rosettenville), Dr A Radford (UP Durban Central) and Dr G de V Morrison (Nat Cradock)

Dr Verwoerd had an ashen colour and sagged limply in his bench. At one stage the Minister of Foreign Affairs Dr H Muller brought a cushion and put it under his head

Not only members but also other Parliamentary officials, Dr Verwoerd's personal bodyguard, the Commissioner of Police (Lt Gen JM Kevvy) and other people were at this stage on the floor of the House round the Prime Minister

The Prime Minister was carried from the Chamber on a stretcher about 2.30pm and taken to hospital by ambulance

Dr Verwoerd had walked into the Chamber from the direction of the lobby. He was smiling and chatting to MPs on the floor of the House

As he turned to sit down in his front bench to the right of the Speaker — the time was almost exactly 2.15pm by the chamber clock — the man ran from across the floor and stabbed him high up on the left side of his chest

Dr Verwoerd was to have celebrated his 65th birthday on Thursday. He was born in Holland in 1901

Kriegler to probe prison unrest ⁽²⁵³⁾

Political Staff

CT 30/6/94

IEC chairman Mr Justice Johann Kriegler is set to head a probe into the recent prisons unrest which left 30 prisoners dead, government sources confirmed last night.

The riots, before and after the April 27 election, led to a victory for prisoners — gaining a six-month remission of sentence. The prisoners had demanded release in anticipation of the ANC's victory.

Judge Kriegler's appointment still has to be ratified by President Nelson Mandela, the sources said.

Durban-based advocate Mr Pius Langa, president of the National Association of Democratic Lawyers, and Durban attorney Mr Ronnie Pillay, will also serve on the special commission which will review the entire penal code.

Their brief will be to reduce South Africa's massive prison population of 114 000 — of which nearly 1,700 are children — and restructure the prison system.

The commission will also probe the causes of the prison violence and recommend ways to reduce the number of prisoners in jail for petty offences.

Kriegler to head prisons probe

CAPE TOWN — IEC chairman Judge Johann Kriegler is set to head a probe into the recent prisons unrest which left 30 prisoners dead, government sources confirmed last night. *BIDOL*

Kriegler's appointment had still to be ratified by President Nelson Mandela, the sources said. *30/6/94*

The commission's brief will be to reduce SA's prison population of 114 000, restructure the prison system, look into the causes of the prison violence, and draw up recommendations on reducing the number of prisoners in jail for petty offences

The setting up of the commission has received the Justice Department's nod

JOHANNES NGCOBO reports that the SA Prisoners' Organisation for Human Rights said yesterday it was due to meet Mandela tomorrow to discuss amnesty for common-law prisoners

The organisation's head Golden Miles Bhudu said the meeting preceded plans for public demonstrations to call for amnesty for common-law prisoners.

Political Staff

Bhudu said high on the agenda would be a request to facilitate the establishment of an amnesty resolution committee to advise Mandela on amnesty releases

Bhudu yesterday alleged that amnesty and indemnity had been given to the very worst criminals in SA

Over 100 amnesties and indemnities were given to a group Deputy President FW de Klerk had identified as political prisoners *(253)*

"Many categories of inmates are more deserving of releases/amnesties or sentence reductions than many of the 100 or so already released political prisoners," he said.

Meanwhile, Lawyers for Human Rights director and Amnesty Council chairman Brian Currin said 61 political prisoners had been released and not 100

He added his council had about 800 applications awaiting processing.

Top post for prisons' Gen Bruyn

Political Staff

THE commissioner of prisons, General Henk Bruyn, has been appointed commissioner of the re-organised Department of Correctional Services, the Minister of Correctional Services, Mr Siphon Mzimela, announced yesterday.

General Bruyns, 45, was a warder on Robben Island in 1971, where many current cabinet ministers and MPs served prison sentences.

He joined the prisons service in 1969, after matriculating from Paarl Boys High School the previous year, and was promoted to Lieutenant-General in 1992 before being made a full general as well as commissioner earlier this year.

Mr Mzimela said the appointment would be effective from today. He will be the commissioner for five years.

al di- would not hesitate to act

Dispute over prison death

Biday
JOHANNES NGCOBO

A ROW is looming between the Correctional Services Department and the SA Prisoners Organisation for Human Rights (SAPOHR) over the death last week of a prisoner allegedly assaulted by prison warders at Leeuwkop Prison in Sandton *4/7/94*

Correctional Services spokesman Capt Koos Gerber confirmed yesterday that Wright Mpetsheni had been assaulted when warders used force to restore order in the prison in March, after prisoners demonstrated for the right to vote *(253)*

"In the process Mpetsheni sustained minor injuries to an elbow, a foot and lost a tooth," he said

Gerber said it was believed Mpetsheni had died of tuberculosis

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Popcru talks on dismissals

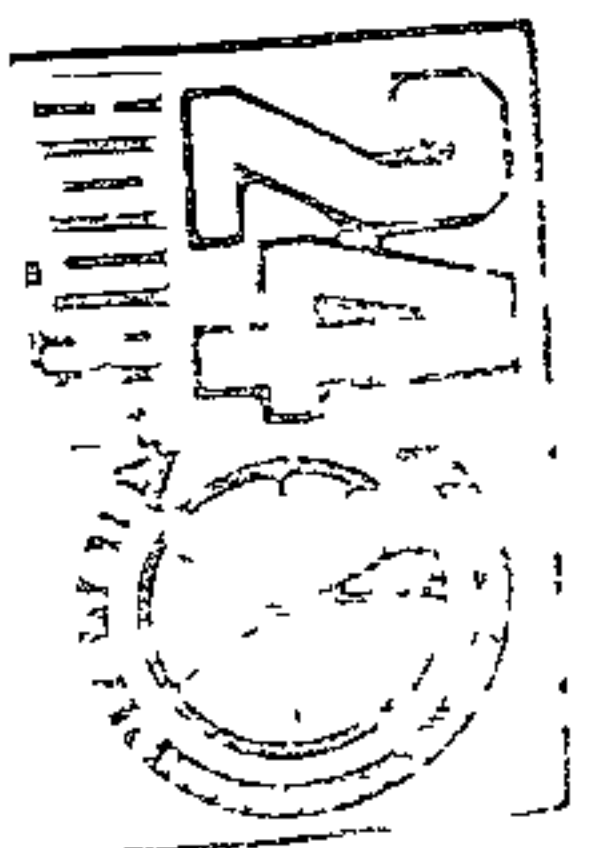
PRETORIA — Talks on the dismissal of members of the Police and Prisons, Civil Rights Union since 1990 were held here yesterday between union officials and Minister of Correctional Services Dr Sipho Mzimela. **(253)**

The Department of Correctional Services said Dr Mzimela had agreed to look into the matter and had invited Popcru to submit their views. **CT 6/7/94**

Talks were also held on restructuring the department, training, prisoner programmes and the employment of assistant warders — Sapa

FORBIDDEN ISLAND

1/17/71 APR 11



Protection or commercialisation?

□ The fate of Robben Island when the prison term runs out . . .

JENNY VIALL
Staff Reporter

ROB BEN Island, home to 800 medium-term prisoners, is expected to remain a jail until 1996 but this will ultimately depend on the availability of cells elsewhere

Current plans are to phase out the prison over the next two years, with a tentative target date for the withdrawal of the Department of Correctional Services set for the end of 1996

According to Colonel Hen-na de Beer, commanding officer of the prison, there are about 800 medium-term prisoners on the island as well as 500 other people, including warders, the light-house-keeper, three teachers

and their families.

Meanwhile the future use of the island is being investigated by a national working group, co-ordinated by Peace Visions, which operates under the auspices of Archbishop Desmond Tutu's office

Peace Visions organised a symposium on the island two months ago to discuss a feasibility study on various options.

The symposium proposed that President Mandela be asked to appoint a national consultative committee to determine future uses of the island

This committee would include Peace Visions, the Robben Island Advisory

committee, made up of representatives from Correctional Services and Nature Conservation and other institutions which have expressed interest in the island, among them a financial and scientific institute

It was suggested the committee be chaired by Professor Kader Asmal, Minister of Water Affairs and Forestry.

The feasibility study made these points

- Most interest groups would like to see the island used for an educational purpose
- The social, cultural and political history of the island should be protected and a museum established

● No shrine to the past should be built but rather something that will reflect the triumph of the human spirit over injustice

● "Crass commercialisation" of hotels and casinos is unacceptable.

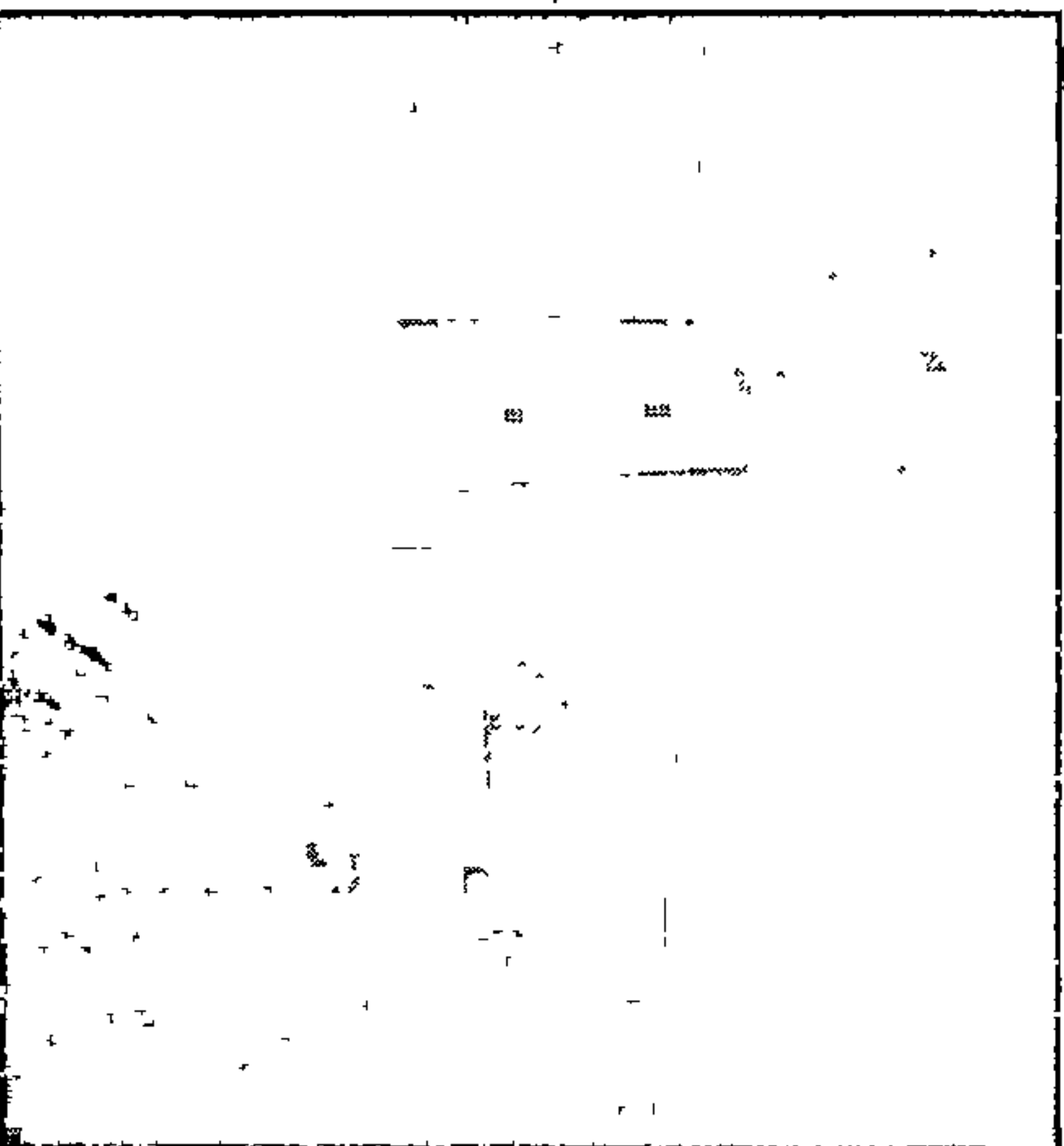
● The introduction of limited tourism for educational purposes which also has a fund-generating capacity.

● The need for collective decision-making on the island's future that would include interest groups, the government, the state and regional government

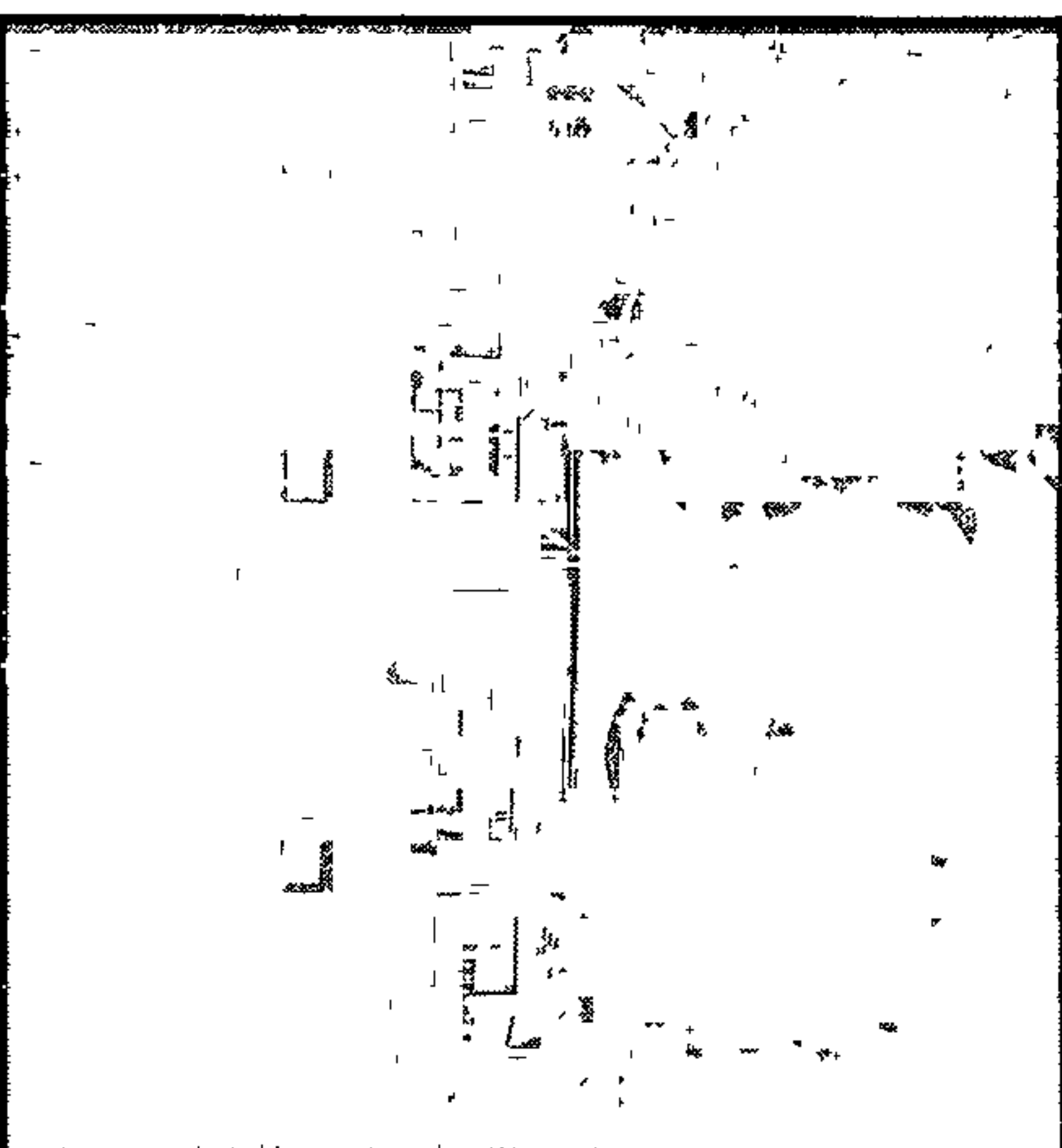
● If a peace institute is built it should be through consultation and collective decision-making with community involvement.

FORBIDDEN ISLAND: Prison, leper colony, lunatic asylum, naval base . . . Robben Island has had many guises over the centuries, but has always been off-limits to ordinary South Africans. This may be about to change .

Picture ANDREW INGRAM, The Argus



GUIDING LIGHT: The Robben Island lighthouse stands on the spot where Jan van Riebeeck had a beacon more than 300 years ago



A PLACE TO STAY: The guest house on Robben Island. It used to be the residence of the governor of the leper colony.

Report lists SA deaths, torture

(253) CT8/7/94
JOHANNESBURG — Widespread human rights violations, including the death of at least 39 detainees in police custody in suspicious circumstances and torture and ill-treatment of detainees and prisoners, occurred in South Africa last year, according to Amnesty International

AI also singled out political organisations, including the African National Congress, for human rights abuses and said more than 4 300 people were killed in political violence in 1993

The organisation said in its annual report that few of those responsible for human rights violations were brought to justice

AI claimed security force members continued with extrajudicial executions and other human rights violations, "despite attempts to make police more accountable to local communities"

AI said police were implicated in assassinations and deaths in custody which appeared deliberate.

Referring to the findings of the Motsuenyane Commission into human rights abuses by ANC officials in exile, AI said while the leadership had assumed collective responsibility for the violations, it had declined to discipline the perpetrators — Sapa

Children prisoners to get freedom

Remission for 2 000 more

MICHAEL MORRIS, Political Correspondent
and JOHN VILJOEN, Staff Reporter

ALG 8/7/94

253

ABOUT 2 000 children, women with minor children and disabled people in prison for minor offences are to be released.

These are in addition to the 13 000 people already given a six-month special remission of sentence last month.

This special remission, announced by Correctional Services Minister Siphon Mzimela, will apply to people in these categories who were in prison on May 10

And the Judge President of the Cape, Mr Justice G Friedman, has called for special prisons to be opened for people under 18.

The 2 000 now due for release do not include people convicted of committing or attempting to commit murder, culpable homicide, robbery with aggravating circumstances, assault with intent to do grievous bodily harm, child abuse, rape, any other crimes of a sexual nature and dealing in drugs

Dr Mzimela said President Mandela had approved the measure which should be seen "as a further demonstration of the government of national unity's sincerity and commitment towards all the people of our country"

He said the Department of Correctional Services would urgently identify all prisoners in these special categories

An interdepartmental committee, including the departments of health and welfare and non-governmental organisations such as Nicro, would study each case to make sure that

- Prisoners fell within the ambit of the special remission.
- Children or disabled prisoners would be placed in the care of a parent, relative, guardian or suitable institution
- Mothers qualifying for remission were the legal parents of children under 12

In an interview Judge Friedman said special prisons should be built for children under 18.

Last month's Supreme Court conviction of four youths for murdering a 13-year-old at Robertson jail "out of frustration and boredom" has highlighted conditions in which young offenders are kept

Trial judge Mr Justice van Deventer said the case reminded him of the William Golding novel *Lord of the Flies*, in which "youths turned into animals"

Judge Friedman said today that maximum security institutions with specially trained staff should be opened to keep under-18s awaiting trial gainfully occupied

They should have specially trained staff able to accommodate and respond to the needs of the young detainees.

Existing places of safety did not measure up to these requirements. They were not sufficiently secure, nor was the boredom element adequately dealt with

The problem of how to cope with juveniles convicted of serious crimes was even more acute, he said

Escapes from reformatories were "legendary" and prisons, where children came into contact with hardened criminals, were not the answer. The solution was to establish juvenile prisons like those in Britain.

SA jails to free 300 children

293
253

CT 9/7/94

By CHRIS BATEMAN
Political Staff

ABOUT 300 child convicts "at the most" will be unconditionally freed in terms of yesterday's remission of sentence for "lesser offenders", which includes mothers of children under 12 and disabled people, it emerged yesterday

The government gesture benefits all qualifying prisoners serving sentences as at May 10 — President Nelson Mandela's inauguration day

The releases will exclude people convicted of murder, culpable homicide, robbery with aggravating circumstances, assault, child abuse, rape, sexual crimes and dagga dealing or growing

Some 2 300 women, 881 children under 18 and 60 disabled people are currently serving

Good care a condition for release

prison sentences — but only a small number of them will be affected by the announcement.

Those who qualify will be identified by a committee which includes non-governmental bodies such as the National Institute for Crime Prevention and Rehabilitation of Offenders.

Minister of Correctional Services Dr Sipho Mzimela said he expected the first releases to begin within two weeks

Other qualifying criteria are that children under 18 or disabled people can be placed in

the care of a parent, relative, selected family, guardian or suitable institution; and that the mother is the legal parent of a child under 12

Dr Mzimela reiterated that section 29 of the Correctional Services Act was to be amended to forbid the admission of unsentenced children to prisons

Well-placed sources within the department said that "at most" 300 children would be released — the largest percentage of the three categories

● Manual labour should be reinstated in prison and convicts should be told that a prison term was not a holiday, Free State Minister for Safety and Security Mr Papi Kganare said yesterday

Addressing about 20 farmers at Ladybrand, Mr Kganare said those killing innocent people were nothing but murderers. — Sapa

AWB, prisoners' group meet Omar

CT13/7/94 (253)

PRETORIA — Justice Minister Mr Dullah Omar met the AWB and the SA Prisoners' Organisation for Human Rights separately yesterday to discuss amnesty for convicts.

The AWB, who met Mr Omar to discuss amnesty for right-wingers jailed for political crimes, left the meeting on a positive note, saying further talks were likely.

The right-wing contingent, comprising AWB deputy leader Mr Ernest van der Westhuizen and lawyers Mr Chris de Jager and Mr Fanie van Vuuren, asked that right-wingers, including those responsible for the bombings

shortly before the April election and those jailed for political crimes after the December 5 cut-off date, should qualify for amnesty.

The SAPOHR delegation left their meeting with Mr Omar on a less positive note, saying the talks had been disappointing in that they had failed to address prisoners' grievances.

The one positive aspect, SAPOHR spokesman Mr Marcus Cox said, was that the minister had supported the idea of setting up a committee on amnesty. But Mr Omar had insisted that the matter fell within the jurisdiction of the Correctional Services Ministry.

Prison death truss on way out

253 ARG 23/7/94
■ Use of straitjackets may be banned in South African prisons

ADELLE HORLER
Weekend Argus Reporter

PRESSURE is growing on the Department of Correctional Services to stop using straitjackets following a call for a complete ban by African National Congress MP Carl Niehaus.

And the South African nursing association has added to the debate by slamming the use of straitjackets to restrain prisoners as "outmoded and, as a rule, totally unacceptable".

A Correctional Services spokesman said the department was waiting for a decision on the issue.

"It was discussed with the Commissioner of Correctional Services this month and Mr Niehaus, who was present, can confirm that he is considering options for a suitable replacement," said spokesman Barry Eksteen.

He explained that since prisons did not have residential doctors to prescribe sedatives for unruly prisoners, some form of restraint while waiting for a doctor to arrive was needed — hence the use of straitjackets.

Although they are still in use, Correctional Services has worked on its policy on the jackets since a Pollsmoor prisoner died after being trussed up for about 23 hours in 1989.

As of August 1993 the policy is "if a prisoner goes berserk at a small prison, endangering his own life, that of others or property, the head of the prison must seek the advice of the doctor".

"The doctor may then order that the prisoner be placed in a straitjacket only until he arrives and decides what to do next. If the doctor doesn't prescribe it, the jacket cannot be used," said Colonel Eksteen.

Since then a straitjacket has been used only once, for 40 minutes at Groenpunt Prison near Vereeniging in the Transvaal.

"Taking into account that we have more than 110 000 prisoners a day in

our 280 prisons, with a turnover of more than 400 000 a year, you can see that the use of straitjackets has nearly reached zero point," he said.

But this change wasn't made in time to save the life of Carol "Debbie" Meyers, who died while serving a two-year sentence at Pollsmoor for crimen injuria, robbery and resisting arrest.

Meyers spent about 23 hours strapped into a bag-like jacket which had been padded with blankets as it was too big for her, after prison staff overheard her discussing suicide.

After being released she was vomiting blood and passing black stools. Her temperature was two degrees below the lower limit of a clinical thermometer, her pulse 140, blood pressure unrecordable and blood sugar zero.

According to an inquest in 1992, she died of organ failure and extensive bleeding, from crushing injuries caused by the too-tight jacket, after prison staff had ignored her cries of pain.

The inquest found the district surgeon had been "grossly negligent" for having certified Meyers fit for a straitjacket, and accused prison staff of "irresponsible and inhuman" conduct.

But by then, Correctional Services had already promoted the same staff members — Susanna Muller, head of the women's section at Pollsmoor, and Ingrid Oerson, a prison nurse — "in terms of merit and efficiency principles".

After a disciplinary hearing earlier this month the Nursing Council ruled that Oerson be struck off the nurses register, although the sentence was suspended for five years.

But an internal disciplinary hearing by the Department of Correctional Services found Nurse Oerson not guilty and she is still at Pollsmoor, tending prisoners as a qualified medical officer.

The same disciplinary hearing found Susanna Muller guilty — she has been transferred to Pretoria where she works in an administrative capacity.

CAPE



'Voices' that will echo long

253

□ 'SA wouldn't touch film'

MICHAEL MORRIS
Political Correspondent

SOUTH African television producers and film financiers are still rooted in the apartheid past, backing ventures that project "apartheid themes", claims top documentary film producer Jirgen Schadeberg.

They were not interested in any socially or politically relevant themes, he said.

Mr Schadeberg co-produced the documentary on Robben Island's 400-year history, *Voices From The Island*, with the BBC.

The film was shown for the first time last week at the University of the Western Cape's Mayibuye Centre as part of its "celebration of democracy" festival.

Berlin-born Mr Schadeberg came to South Africa for the first time in the 1950s and worked as chief photographer for Drum magazine.

After working extensively abroad during the 1960s and 1970s, he returned to South Africa to make documentary films.

He said he tried unsuccessfully for three years to get South African backing to make the film on Robben Island.

"South African television stations and film financiers are not interested in any projects which have any form of social or political theme."

"When I mentioned this project to them three years ago, their response was 'Why stir up the past. It will only create more problems. Let's forget the past'."

Eventually, he persuaded the BBC to co-produce the film.

He said the "indifference" he encountered in South Africa showed that "the old apartheid structures are still in place in the media and film business and television".

"They still block and censor film projects that are deemed to be politically or socially unacceptable and the propaganda film-makers, who were a front for apartheid, are still here making programmes on a regular basis for SABC."

"The only difference is that they now appear to have changed, disguising themselves, but, deep down, they are still preserving the old apartheid themes."

● Ivan May, assistant general manager of Nebank — which co-sponsored the film — said that through its involvement in the film, the company had sought to convey the message that the past should be forgiven, but never forgotten.

"If we forget, it can happen again," he said.

Life on 'The Island' had other, more positive side, says 'veteran' Maharaj

CELEBRITY ISLAND. Robben Island ... symbol of oppression — or hope? picture: ANDREW INGRAM, The Argus. APR 25/7/94

ON the face of it, Mac Maharaj has plenty to be bitter about when it comes to talking about his 12 years on Robben Island.

He and many others lived out, there, the ultimate meaning of being apart, of being subjected to apartheid.

But they'd expected that, it was the price they were prepared to pay, to be true to their beliefs.

The bitterness stemmed from the gratuitous acts of meanness by petty officials, or the meanness of the system itself.

Speaking at the premiere of *Voices From The Island* — shown as part of the Mayibuye Centre's "celebration of democracy" festival — Mr Maharaj described a particularly hurtful encounter, of being told by a grinning officer that a request from his wife for a special visit to discuss "a very personal problem" had been turned down.

"It was the one time in prison that I was on the verge of weeping because I almost knelt to beg him

And, I'm not sure if I was right not to have begged him."

But, his audience was left wondering, was almost confused, by his astonishingly unembittered assessment of an island life of "humanity" rather than sadness.

The film, he said, had "captured an essential part of the multi-faceted truth" of Robben Island.

"But, for me, the film is filled with sadness, and life (on the island) was not just one of sadness. It was a great moment, a step on the learning curve, filled with humour — although, maybe, wry humour — and not sadness. There is a human story there."

Even the heroism with which the islanders had been mantled was often misplaced.

Mr Maharaj said, "The true heroes are the families, the wives, our parents, our children. I was a hero simply because of an accident of history. I was caught. If I hadn't been, you wouldn't have known of me."

"I got caught because I slipped up in my underground work. That's history you make a mistake and you become a hero," he noted wryly.

Journalists — many from other parts of the world — were similarly confounded when Nelson Mandela returned to the island earlier this year, to his tiny cell, to the bleak adjacent courtyard and the soulless lime quarry where he and his fellow prisoners had been made to dig with

such pointless effort.

There was puzzlement among the journalists precisely because the African National Congress leader was, frankly, so cheerful about his 27 years of incarceration.

He had appeared to take such care not to allow the moments of intense pain and bitterness to infect the broader themes of comradeship, hope, tolerance, fortitude and conviction.

Mr Maharaj appeared to take precisely the same care to separate events and feelings, never to lose sight of the scale of things, the context of emotion.

Voices From The Island, he said, would "conscientise South Africans and people throughout the world."

He added, "I hope the story of Robben Island will not be the sad story which comes out of this film, but a story of humanity, of laughter, of songs, even songs of joy, of pride in being alive, and pride in knowing that whatever we did had the support of the entire world."



UNEMBITTERED: Transport Minister Mac Maharaj, who was imprisoned on the island

Popcru threatens to strike over demands

JOHANNESBURG — The Police and Prisons Civil Rights Union said yesterday its members might strike unless its demands received prompt attention

The union's Wits region said its patience with government inaction was stretched to the limit.

"The 100 days' honeymoon is over and we demand results." Popcru said its members were demanding a strike or protest march on August 15.

The branch said it would seek support for its demands "from all workers' unions in our country"

It said the government had been told of these demands, but all the union had received was promises.

"Nobody is prepared to listen to us. The government of the day is unwilling to address the imbalances created by apartheid."

Grievance procedures provided in the existing Police Act were ineffective and had "failed to bring about a happy and committed policeman". — Sapa

Court defence for Afrikaans

PRETORIA — The Freedom Front would take the SABC to court if that proved to be the only way to protect Afrikaans, the party said yesterday. *Biday*

Spokesman Pieter Mulder said he had obtained legal advice and it was clear the SABC would be contravening Clause 3 of the Constitution if it went ahead with scrapping Afrikaans on TV1. *218/94*

"Clause 3 explicitly states that language rights may not be curtailed"

Mulder said the SABC was a public institution which meant it had to abide by the stipulation

In Cape Town, Archbishop Desmond Tutu on Monday spoke out against the proposal to drop Afrikaans but appealed to Afrikaners not to be "hypersensitive" about their language

He said: "Downgrading the status of Afrikaans would be one of the most inept actions the SABC could take."

"We are seeking reconciliation and unity in our country, yet some Afrikaners are feeling so threatened they are talking of a 'taalstryd' To fuel their fears at this stage is totally unnecessary."

Meanwhile, in the Budget debate Andries Beyers (NP) said President Nelson Mandela should intervene and prevent a war against Afrikaans which would probably be launched from ANC ranks

He said there could be no talk of reconciliation if Afrikaner rights were trampled

This onslaught against the language came from several sources, especially the ANC-dominated SABC board — Sapa.

'Impatient' Popcru threatens August strike

THE Police and Prisons Civil Rights Union (Popcru) yesterday said its members might strike unless its demands received prompt government attention

The union's Witwatersrand region said that its patience with government inaction was stretched to the limit. *218/94*

"The 100-day honeymoon is over and (we) demand results" *(S)* *(SS)*

Popcru said its members

were demanding a strike or protest march to be held on August 15. *Biday*

The branch said it would seek support for its demands "from all workers' unions in our country".

It said its demands had been brought to the attention of the previous government, the Transitional Executive Council and the ruling political parties

It had communicated

with the new government, but had received only promises.

"Nobody is prepared to listen to us," Popcru said. "The government of the day is unwilling to address the imbalances created by apartheid."

Grievance procedures provided in the existing Police Act were ineffective and had "failed to bring about a happy and committed policeman". — Sapa

RECEIVED
MIRIAM

ANC prisoners 'impatient'

Biday

18/94

JOHANNES NGCOBO

TENSION between the ANC-led government of national unity and ANC political prisoners who were left behind bars during 1992 was brewing, Lawyers for Human Rights (LHR) said yesterday.

LHR said more than 40 prisoners currently held at Leeuwkop Prison had threatened to embark on a hunger strike if they were not released starting from next week.

This followed an agreement signed between the NP government and the ANC in 1992 over the release of political prisoners.

As a result of the agreement, more than 150 people were released from prisons, including political and common law prisoners.

Cosatu spokesman Neil Coleman said the labour movement was calling on Justice Minister Dullah Omar to release the remaining political prisoners.

Coleman said it was unacceptable to Cosatu that there were still political prisoners behind bars who

had committed acts that contributed to the installation of the new government of national unity.

This was echoed by PWV MP Lindi Zulu, who said it was unacceptable that ANC members who were arrested for furthering the aims and objectives of the movement during the apartheid era should continue to languish in jail.

She said the organisation had also called on the Justice Department and other bodies set up to deal with indemnity to speed up the process so that political prisoners could be out before the year's end.

There were about 100 prisoners whose indemnity applications had not been accepted.

LHR said it had counted about 800 political prisoners jailed since the agreement. Among them were people who were arrested for possession of illegal weapons, for killing security force members in the

1980s, and those who had been involved in factional fighting.

LHR said the prisoners felt the ANC-led government had neglected them.

It said among the 800 prisoners were members of ANC-aligned self-defence units who were arrested for their role in defending their communities prior to the unbanning of the ANC and other liberation movements in 1990.

LHR said its director Brian Currin had been seconded to chair a government advisory committee set up to look at indemnity applications.

(253)

Prisoners threaten 'a violent revolt'

THE SA Prisoners' Organisation for Human Rights (Sapohr) warned yesterday that prisoners who believed they were eligible for release under the amnesty provisions would stage a violent revolt if their pleas for freedom continued to be ignored by Correctional Services.

The threat followed a refusal by Johannesburg Prison commanding officer Brig Wessel van Niekerk to hand a memorandum from prisoners to PWV provincial legislature member Robert McBride and Sapohr head Golden Miles Bhudu.

Bhudu said the refusal by Van Niekerk to hand over the memo, intended for delivery to PWV Premier Tokyo Sexwale, indicated the situation in prisons had not changed.

JOHANNES NGCOBO

Prisoners' attitudes towards resolving problems were gradually changing from peaceful to violent. *Biday*

Bhudu said he did not know what other peaceful means prisoners could explore to secure their release - as promised by President Nelson Mandela at his inauguration on May 10. *10/8/94*

Correctional Services spokesman P Potgieter denied prison management had been asked to pass on the memorandum.

Potgieter said Van Niekerk had told McBride and Bhudu a prisoners' petition would have to be checked by prison management before being given to outsiders.

(253)

PWV setting up gender commission

JACQUIE GOLDING

A PWV legislature/Womens' Coalition gender commission would be set up before government's first 100 days in office were up, PWV premier Tokyo Sexwale said yesterday.

Speaking at a news conference where the PWV Women's Coalition handed over its women's charter, Sexwale said women were invited to form a commission with the legislature in an effort to get issues affecting women into the constitution.

This was in line with President Nelson Mandela's opening address in Parliament, where he pledged to give a report-back on reforms within 100 days of taking office, Sexwale said.

References to issues directly affecting women, such as rape and wife battering, were omitted from the interim constitution or were not clear.

Sexwale said that since government came to power, SA had become one of the top 10 countries in the world in terms of female representation in Parliament. It had previously been rated 141st.

He added that government had a duty to ensure that women were satisfied with the constitution.

PWV Women's Coalition representative Dorothy Motubatse said the charter echoed the aspirations of women nationally.

Acting chairman Kay Gounden said the Women's Coalition supported the legalisation of prostitution and abortion. *(355A)*
 Sapa reports from Cape Town that a motion proposed by Adelaide Tambo (ANC), declaring August 9 National Women's Day, was approved unanimously by the National Assembly yesterday.

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Popcru calls off march

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Labour Reporter

THE Police and Prisons Civil Rights Union (Popcru) has cancelled its planned march on parliament today.

APR 18/8/94

The march had been arranged to highlight the rash of police killings and to call for restructuring of the services.

Popcru organiser Heston Lottering said the decision to cancel was taken at an executive meeting last night but he declined to divulge the reasons.

It is believed Popcru cancelled the march because rival South African Police Union (Sapu) members were planning to join it and call for the resignation of Safety and Security Minister Sydney Mufamadi.

Mr Lottering said today Popcru distanced itself from any calls for Mr Mufamadi's resignation.

"Our problem is with police management, not the minister," he said.

Police chief hits out at soft bail system

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JOHAN SCHRONEN
Crime Reporter

ARG 18/8/94

THE Western Cape's top policeman, Nick Acker, has lashed out at "unacceptable liberal conditions of bail" and called for a rethink by the government whose "first duty" is to maintain law and order.

And senior Cape Town detective Des Segal, head of the murder and robbery unit, has criticised a "lenient and sympathetic" justice system which, he claims, encourages the killing of policemen.

General Acker, who is regional police commissioner, said "The balance of the justice system has been tilted too far in favour of the criminal."

"I have personally tried to address the bail situation from all angles in the past."

General Acker suggested that the 48-hour holding period be re-introduced to give detectives time for their initial investigations.

"The present system forces the police to charge a suspect immediately after his arrest. Previously we could complete an initial investigation during the first 48 hours of custody to decide whether to charge the man or free him."

"But now a possibly innocent person must be charged so that he can apply for bail."

"On the other hand records show that suspects often break their bail conditions and commit more offences."

Colonel Segal called for the reintroduction of the death sentence and said taxpayers' money was being wasted as police tracked down hardened criminals who were given "red carpet" treatment the moment they were arrested.

"I strongly believe in human rights and I agree that a person is innocent until proven guilty, but at the moment months of intensive investigation go down the drain when a very effective bail production line easily puts a suspect back on the streets before we can question him properly," Colonel Segal said.

"A hardened killer and rapist gets placed like a king on a throne by some lawyers who spend their time doing lucrative bail applications."

"I recently heard that a gang of armed robbers who are on the run and still pulling off robberies had deposited about R500 000 in the account of a Johannesburg firm of lawyers in case they were arrested."

Law-abiding people expected protection from dangerous elements who instead enjoyed "royal freedom" after shocking crimes, said Colonel Segal.

732 children now held in SA prisons

By BARRY STREEK
Political Staff

NATIONALLY 732 children under 18 are being held as awaiting-trial prisoners, Correctional Services Minister Dr Siphso Mzimela said yesterday.

Only five were girls, he said in reply to a question tabled by Ms Priscilla Jana (ANC)

After President Nelson Mandela called for an end to the practice earlier this year, Dr Mzimela ordered an urgent investigation.

However, the department has run into trouble, particularly in rural areas, which lack alternative facilities.

It was the responsibility of magistrates not to issue certi-

ificates to keep children in prison, Dr Mzimela said.

He said that on July 22 one boy was being held in the Northern Cape, 23 in the Northern Transvaal, 315 in kwaZulu/Natal (including two between seven and 11 years, six aged 12 and 12 aged 13), 30 in North-West, one in Eastern Transvaal, 93 in the Eastern

Cape, 17 in the Free State, 180 in PWV, and 67 in the Western Cape.

Three girls were being held in kwaZulu/Natal, one in the Northern Transvaal and one in PWV.

Dr Mzimela said one boy under 11 in kwaZulu/Natal was being held for theft and the other for "other economic

crimes", six 12-year-olds for theft, one 13-year-old for robbery, three for burglary, six for theft and two for other economic crimes.

In the Western Cape three 14-year-old boys were being held — one for theft and two for other economic crimes — as were 11 15-year-olds, 17 16-year-olds and 36 17-year-olds

CT. 19/8/94

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By **THEMBA KHUMALO**
Political Correspondent

Shock at report on cell deaths

THE deaths of detainees in police custody between January and December last year were reduced in a police report to mere statistics - 276

But parliamentarians in Cape Town were shocked to read in the 143-page report by Police Commissioner Johan Van der Merwe that that number of detainees had died in police custody, and wondered how many of these were tortured or strangled to death by their captors

The annual report, tabled in parliament on Wednesday, said only nine detainees died "as a result of alleged assault by members of the SAP

(excluding lawful application of force to effect an arrest or to prevent an escape)

Seven policemen were suspended because of these deaths and 19 were charged, but none so far have been convicted for the deaths

The report read as follows

- Number of fellow detainees charged with the death of a detainee 20
- Number of fellow detainees convicted one
- Number of fellow detainees acquitted 0
- Number of cases against fellow detainees

still under investigation nine

- Number of members of the public charged with the death of detainees (awaiting trial), 12

■ Number of cases against members of the public still under investigation 21

■ Number of inquests finalised regarding suicide seven

■ Number of inquests still under investigation regarding suicide 30

■ Number of inquests finalised regarding detainees who died as a result of natural causes 17

■ Number of inquests

still under investigation regarding detainees who died as a result of natural causes 14

Deaths of suspects being held in police custody came under the public scrutiny after the late Dr Jonathan Gluckman, a 78-year-old independent pathologist, revealed that 90 percent of the 200 detainees whose bodies he had examined died of torture or strangulation by the police (253)

His utterances provoked a public outcry and the government was forced to review the circumstances which surrounded the deaths in police custody

Following his statement, Gluckman received a string of death threats from anonymous people

PWV plan to ease teacher shortage

MORE than 1 200 new teachers were needed in the PWV at the start of next year if educational needs were to be met, PWV education minister Mary Metcalfe said yesterday.

Some schools had classes of up to 200 pupils. A government-built school at Orange Farm squatter camp had no teachers at all. Many other schools depended on volunteer teachers who were not paid for their time.

While many township schools were desperately short of teachers, there were also scores of unemployed teachers throughout the PWV — and more teaching posts had to be created immediately, Metcalfe said.

The major task facing her department was lobbying central government for additional funding to create extra posts.

However, the problem was not confined to the PWV. All areas reported that they did not have enough teachers to carry out the reconstruction and development programme, Metcalfe said.

In an attempt to assist the many people who had managed to reach matric but had not passed — their numbers were estimated at 500 000 in the PWV — the education department had embarked on a "second-chance programme".

The plan would give those who had failed matric in recent years another chance to qualify through correspondence courses. People would also be able to upgrade their matric qualifications through the programme.

This would also mean that the considerable state resources used to get pupils as far as matric would not be wasted.

Metcalfe appealed to business and

KATHRYN STRACHAN

churches to take the lead in the campaign to get education back on track, as economic development could not be achieved unless quality education was provided.

She said vast amounts of government education spending had been wasted in the past. Not only had irrelevant, inaccurate and ideologically biased curriculums been taught, but a false division in education and training had been created, leaving pupils with limited options when they left school.

Creating a single education system would not be done by simply amalgamating existing structures, she said.

A totally new structure had to be created with a new management style and which was accountable and responsive to the needs of the community.

Meanwhile, national Education Minister Sibusiso Bengu said the Council of Education Ministers had earlier this week appointed a task group to help guide the delegation of powers to provincial education ministries.

Provincial education ministers have complained that they are unable to effect changes because their legal authority is limited.

Bengu said the team would advise him as soon as possible on powers that should be delegated to the provinces in the interim phase leading to the formal assignment of powers.

Formal assignment would be carried out once the necessary legislative and administrative processes had run their course.

Mandela calls for more jails

CAPE TOWN — It was imperative to build more prisons in SA to relieve overcrowding, President Nelson Mandela said after a tour of Pollsmoor Prison yesterday.

At a news conference after his visit, Mandela said Pollsmoor, which had a capacity of 4 000, now accommodated more than 6 000 prisoners. Cells designed to hold a single inmate now held three.

Pollsmoor was the only prison in the region and had to serve 23 courts, he said.

"It looks ironic that a government which is committed to bettering the lives of our people should think of building more prisons," Mandela said. "But we have to take steps to relieve the present situation. Therefore it is imperative that we find more room for the prisoners."

He said government would embark on a "crash programme" to ease prison overcrowding while at the same time plans

were afoot to reduce SA's crime rate, which was the second highest in the world.

"It is so high and the criminals organised so well, they are no longer afraid of the police. It is reaching a stage where they are running areas, and criminals have taken over the task of regulating how the community should behave," he said. "Unless the crime rate was lowered, it would be difficult to accommodate all the prisoners."

Sapa reports that Mandela, who was an inmate at Pollsmoor from 1982 to 1988, was accompanied by Correctional Services Minister Siphosiso Mzimela, Health Minister Nkosazana Zuma and Commissioner of Prisons Henk Bruyn (253).

Visiting prisoners in the maximum security section, he said conditions had improved since his time there.

B/Day 24/8/94
Own Correspondent

Bill aims to get pre-trial children out of jail

Political Correspondent

LEGISLATION to empty jails of children awaiting trial was tabled in parliament today

The Correctional Services Amendment Bill forbids the detention in prison of an unconvicted child, unless as an emergency measure limited to 48 hours and

ordered by a court

Current legislation allows an unconvicted child to be held in prison if no suitable place of safety is available.

President Mandela told parliament in May that he had told the department of correctional ser-

vices to empty prisons of children.

A memorandum on the Bill said it was necessary to provide for the detention in prison of an unconvicted child accused of a schedule one offence, such as murder or rape.

(253)

ARG 24/8/94

Govt may build more prisons

THE GOVERNMENT would embark on a crash programme to relieve the crush in South African prisons, President Nelson Mandela said yesterday

This could involve building more prisons, in spite of the recognised need for more schools and clinics, he said. However, providing more prison space would be a "stop-gap measure"

Addressing a media conference after visiting the maximum security section at Pollsmoor Prison near Cape Town, Mandela said prison overcrowding was "beyond words"

"It is absolutely imperative for us to

Sowetan
**The dire need
is to have more
prisons**

find more room for the prisoners," he said

And he warned that South Africa's rising crime rate — the second highest in the world — was "so unacceptably high" that it threatened the Government's social upliftment programmes

Criminals had lost their fear of the

24/8/94
police and were running entire areas on the Witwatersrand and the Western Cape. While the Government had a long-term plan to bring down crime, Mandela said he had seen for himself the overcrowding at Pollsmoor which served 23 courts (253)

"The dire need is to have more prisons. It sounds ironic that at the present moment when we have a government that believes it is a democracy that has come to change the mind set of the community, that we should think in terms of building more prisons," he said — Sapa

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Mandela acts on crowding in prisons

253

ARG 24/8/94

JOE ARANES
Staff Reporter

A CRASH programme to relieve overcrowding in South Africa's prisons is to be discussed by President Nelson Mandela with the cabinet

President Mandela, who visited Pollsmoor prison yesterday for the first time since he was transferred as an inmate to Paarl in 1988, said the jail, like others across the country, was "overcrowded beyond words"

"I will approach fellow members of the government to evaluate programmes to relieve the problem, even if it means we must build more prisons

"This prison can accommodate 4 000 prisoners, but more than 6 000 are locked up here and three prisoners share a cell meant for one"

He said Pollsmoor served the 23 courts in the Cape Town area and absorbed 1 500 new prisoners daily

"It may seem ironic that a government that believes in democracy and in trying to change the mindset of people should think in terms of building more prisons instead of schools and entertainment centres, but we have to do something to alleviate the overcrowding

"The problem is being made worst by our soaring crime rate.

"We have the second highest crime rate in the world and it is so high that criminals are no longer afraid of the police.

"They (the criminals) have taken over the task of regulating how our communities should behave and unless we bring down the levels of crime it is going to be more difficult to accommodate criminals."

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Packed prisons — government to act

By MELANIE GOSLING

THE government is to embark on a "crash programme" to relieve the overcrowding of prisons, President Nelson Mandela said after a tour of Pollsmoor Prison yesterday

He also said plans were underway to reduce the crime rate in the country

It was imperative to find more room for prisoners in South Africa where overcrowding of prisons was "beyond words", he said

Pollsmoor, which has a capacity of 4 000, currently accommodated more than 6 000 prisoners, and single cells housed three prisoners, he said

Mr Mandela said Pollsmoor was the only prison in the region and had to

CT 21/8/94 (253)
serve 23 courts. About 1 500 prisoners came to the prison daily and close to 2 000 daily near Christmas, he said.

"It looks ironic that a government which is committed to bettering the lives of our people should think of building more prisons. But we have to take steps to relieve the present situation. Therefore it is imperative that we find more room for the prisoners," Mr Mandela said

He said the level of crime in South Africa was the second highest in the world

"It is reaching a stage where criminals have taken over the task of regulating how the community should behave," he said

Prison for awaiting-trial children to be outlawed

CAPE TOWN — The detention of awaiting-trial children in prison is to be outlawed — unless there is no alternative and even then they cannot be held in prison for longer than 48 hours

The detention of any awaiting-trial youth under 18 will also have to be specifically ordered by the courts

The new provisions follow a statement on May 24 by President Nelson Mandela when he opened Parliament that the detention of children in prison was unacceptable

Correctional Services Minister Siphon Mzimela said earlier this year that on May 26 this year about 800 unsentenced children under 18 were in prison. Last week, he said, there were still 732 children under 18 being held as awaiting trial prisoners

Mzimela said he had ordered an urgent investigation into the situation, emphasising the need for alternative detention facilities

The Correctional Services Amendment Bill, tabled in Parliament yesterday, forbids the detention of any

Political Staff

unconvicted children in prison.

However, it provides for the detention of an unconvicted child where his or her admission to a place of safety cannot immediately take place.

In this case, this detention would be only an emergency measure for not longer than 48 hours and would be allowed only if a court ordered this

The amendment to section 29 of the existing law will be proclaimed on different dates in different areas when places of safety become available for the detention of children

This provision could mean that it will take some time before detention of awaiting-trial children is finally scrapped because places of safety will have to be built in rural areas

JOHANNES NGCOBO reports that the SA Prisoners' Organisation for Human Rights said yesterday building more prisons would exacerbate levels of criminality. The organisation was reacting to a call by Mandela for more prisons to be built.

It said it would appeal to Mandela

to reconsider his position on new prisons. "Building more prisons and making harsher laws are the solutions taken by the short-sighted and ill-informed and we would beg the President to consider the implications," said organisation spokesman Golden Miles Bhudu

Increasing the number of prisons was not the answer to crime and inhumane and overcrowded prisons.

Correctional Services spokesman Lt Rudi Potgieter said prisons were overpopulated by about 14 000 people. (253)

He said the Western Cape had accommodation for 14 748 prisoners, but held 20 645, while the Eastern Cape held 10 613, though the approved number was 10 406

Potgieter added that Free State prisons were supposed to accommodate 11 273 but held 11 790 and the central Transvaal, while accommodating 19 450, should take 16 380

This followed a remark made by Mandela at Pollsmoor prison on Tuesday that prisons were overcrowded.

Unisa shuts offices after riot by protesting students

UNISA has closed the university's Johannesburg and Pretoria offices following clashes yesterday between staff members and demonstrating students' representative council members in Pretoria

Unisa's management committee said the behaviour of students over the past few days "in respect of littering buildings, vandalism, insulting behaviour and disruption of the institution's activities was unacceptable and not fitting the dignity and image of Unisa students in general"

The committee said the closure of the facilities, including the library in Pretoria and the Johannesburg study centre, remained in force until student representatives met the management committee

Closure of the centres follows a demonstration by SRC members in Pretoria yesterday. The students were agitating for the recognition of the student body

Sapa reports that a toyi-toying group of students stormed the university's administration building and clashed with security personnel inside

Four staff members and three students were injured in the fracas. Among staff members injured were Leon Bezuidenhout, who sustained a suspected fractured skull, and Thinus Prinsloo who had a heart attack. A female student was taken to hospital suffering from a broken ankle. The

SELLO MOTLHABAKWE

crowd was driven out by police who arrested and later released a student

Unisa rector Marinus Wiechers addressed the demonstrators after requesting police to leave the campus. He denied having summoned police and said he was saddened by the way the students had dishonoured the university. (Biday)

Wiechers also denied having been under the influence of alcohol when he addressed a group of students at an earlier meeting. He had only had a glass of wine at a business lunch earlier that day.

SRC chairman William Mphilo called for student representation on the university's council and senate. (2518194)

The SA Parastatal and Tertiary Institutions Union said it "deeply regretted the barbaric conduct of students on the Unisa campus". The union criticised the management committee for the lack of adequate security, saying it had ignored a security plan of action submitted to it by the union last year.

The union demanded disciplinary action against all students involved and steps taken to protect staff members and property against violation and vandalism. It also called for the provision of a student centre on the Sunnyside campus in Pretoria.

Legal Aid Board report

Political Staff

CAPE TOWN — Only 10% of the 703 455 people accused in district courts were represented by lawyers, the Legal Aid Board said yesterday. (Biday)

And 61,05% of those accused in the regional courts were unrepresented, it said

The board said in its 1992/93 report, tabled in Parliament, the majority of South Africans could not afford lawyers. (2518144)

"It is self-evident that such a situation is not compatible with a democratic society." (253)

The board said it was faced with the greatest challenge in its history as a result of the new dispensation. It planned to expand its services in the criminal law field to provide legal representation annually to a minimum of a further 150 000 adult accused and to all juvenile offenders.

During the 1992/93 financial year the board spent R52,1m, a 62% increase on the previous year, it said

Bill outlaws kids' detention

CT 25/8/94 (253)

By BARRY STREEK
Political Staff

THE detention of awaiting-trial children in prison is to be outlawed, unless there is no alternative — and even then they cannot be held for longer than 48 hours

The detention of any awaiting-trial child under the age of 18 will also have to be specifically ordered by the courts.

These provisions follow a statement by President Nelson Mandela when he opened Parliament on May 24, that the detention of children in prison was unacceptable

The Minister of Correctional

Services, Mr Siphon Mzimela, said earlier that on May 26 this year about 800 unsentenced children under the age of 18 were in prison

Last week he said there were still 732 children under the age of 18, five of whom were girls, being held as awaiting-trial prisoners

He added that 315 of these children, two of whom were under the age of 11, were being held in kwaZulu/Natal.

Mr Mzimela said then he had ordered an urgent investigation into the situation

The Correctional Services Amendment Bill, tabled in Parliament yesterday, forbids the detention in prison of any uncon-

victed child, except where he or she cannot immediately be admitted to a place of safety

In this case, this detention will only be an emergency measure, for not longer than 48 hours, and will only be allowed by court order

The amendment to section 29 of the existing law will be proclaimed on different dates in different areas, when places of safety become available for the detention of children

This could mean that it will take some time before the detention of awaiting-trial children is finally scrapped, because it will be a while before there are places of safety in all rural areas

Experts say child jail bill not enough

DI CAELERS
Weekend Argus Reporter

TWO days in prison is 48 hours too long for children who "can be raped in 10 minutes".

Reacting to the Correctional Services Amendment Bill tabled in parliament on Wednesday, juvenile-justice specialists said a new system that dealt comprehensively with child offenders, from the moment of arrest to the end of the sentence, was necessary.

The Bill forbids the detention in prison of any unconvicted child, except where he or she cannot immediately be admitted to a place of safety, but does not outlaw the imprisonment of children

In this case, the detention would be an emergency measure for a period not exceeding 48 hours and ordered by the court.

"The new Bill is a buck-passing exercise," said Ann Skelton, director of the Lawyers for Human Rights' applied criminal justice programme in Maritzburg.

"Unilateral restructuring by one government department doesn't work," she said.

Ms Skelton explained that four government departments — safety and security, welfare, correctional services and justice — had a hand in the issue of imprisoned children

The new Bill might stop children being held in prisons, but

■ The new correctional services bill keeps children out of prison for long periods, but it does nothing to protect them from police cells, say advocates calling for a comprehensive, new juvenile justice system.

would not stop children being held in police cells.

This simply meant "shifting the problem (from correctional services) over to safety and security".

Ms Skelton also criticised the intention of phasing in the new law to accommodate areas which had no appropriate places of safety.

She said the process could take years.

"Even with the new Bill, children who are accused of shoplifting can be held for 48 hours.

"That's no good. They can be raped in the first 10 minutes," she said

Cape Town Child Welfare Society director Alan Jackson said the prevailing system of imprisonment and other forms of institutionalisation were likely to further criminalise the child.

The result would be a society with one of the highest crime rates in the world.

While the new Bill went some way to meeting a fundamental human rights principle regarding children — that no child should be imprisoned — the fact that the legislation did not outlaw the imprisonment of sentenced children was a problem.

Mr Jackson said: "What is required is something entirely new.

"We must begin to vigorously establish programmes, which are in themselves appropriate consequences to the behaviour of each child concerned and which are designed to keep children out of institutions and set them on a more positive course."

National Institute for Crime Prevention and the Rehabilitation of Offenders' (Nicro) consultant on restorative justice Rosemary Shapiro said that, within weeks, important consultative material would be available to guide role players towards a new strategic plan

The only answer is a comprehensive juvenile justice system

"There's no doubt the human rights issue of young people in conflict with the law is being addressed, but the community is also calling for accountability.

"A new system needs to take the parallel needs into account."

The movement in the government of national unity was strongly guided by a long, difficult campaign fought particularly by non-governmental agencies and private welfare bodies.

"They have tried to ensure young people are not held in prisons and police cells, but the reality is that most of the present solutions are *ad hoc* ones," said Ms Shapiro.

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Six or eight new local authorities planned

253

ARG 27/8/94

■ The imminent decision on the boundaries of the Western Cape metropole and the local authorities within it "may not please everybody", says provincial committee chairwoman Hilda Ndude.

JEAN LE MAY
Weekend Argus Reporter

LOCAL elections in greater Cape Town are likely to be based on six or eight new primary local authority areas which will replace more than 60 municipalities in the metropole

If Local Government Minister Peter Marais and the provincial committee reach consensus on accepting the recommendations of the majority report of the Demarcation Board on the metropolitan boundary, there will probably be six new primary local authorities

If they agree on an arrangement closer to the recommendation of the minority report, there are likely to be eight primary local authorities — including Stellenbosch and Paarl/Wellington.

This recommendation is known to be acceptable to the African National Congress, the Metropolitan Negotiating Forum and the Cape Town City Council

Weekend Argus has been informed that the proposed new primary local authorities will be something like this

■ 1 The Southern Peninsula, with a boundary running from Llandudno to Ottery, then southwards to Strandfontein

■ 2 The northern municipalities, taking in Milnerton, Goodwood, Parow and Pine-lands, with a possible extension as far as Atlantis

■ 3 Bellville, including Khayelitsha, Blue Downs and Delft

■ 4 The expanded central area, a broad band across the peninsula, including the Atlantic suburbs, the city, the southern suburbs, the Philippi farms and Mitchell's Plain on False Bay

■ 5 Durbanville, Kraaifontein, Bracken-fell and Kuils River

■ 6 The Helderberg basin, including Somerset West, Strand, Gordon's Bay, and Macassar

■ 7 The Stellenbosch area

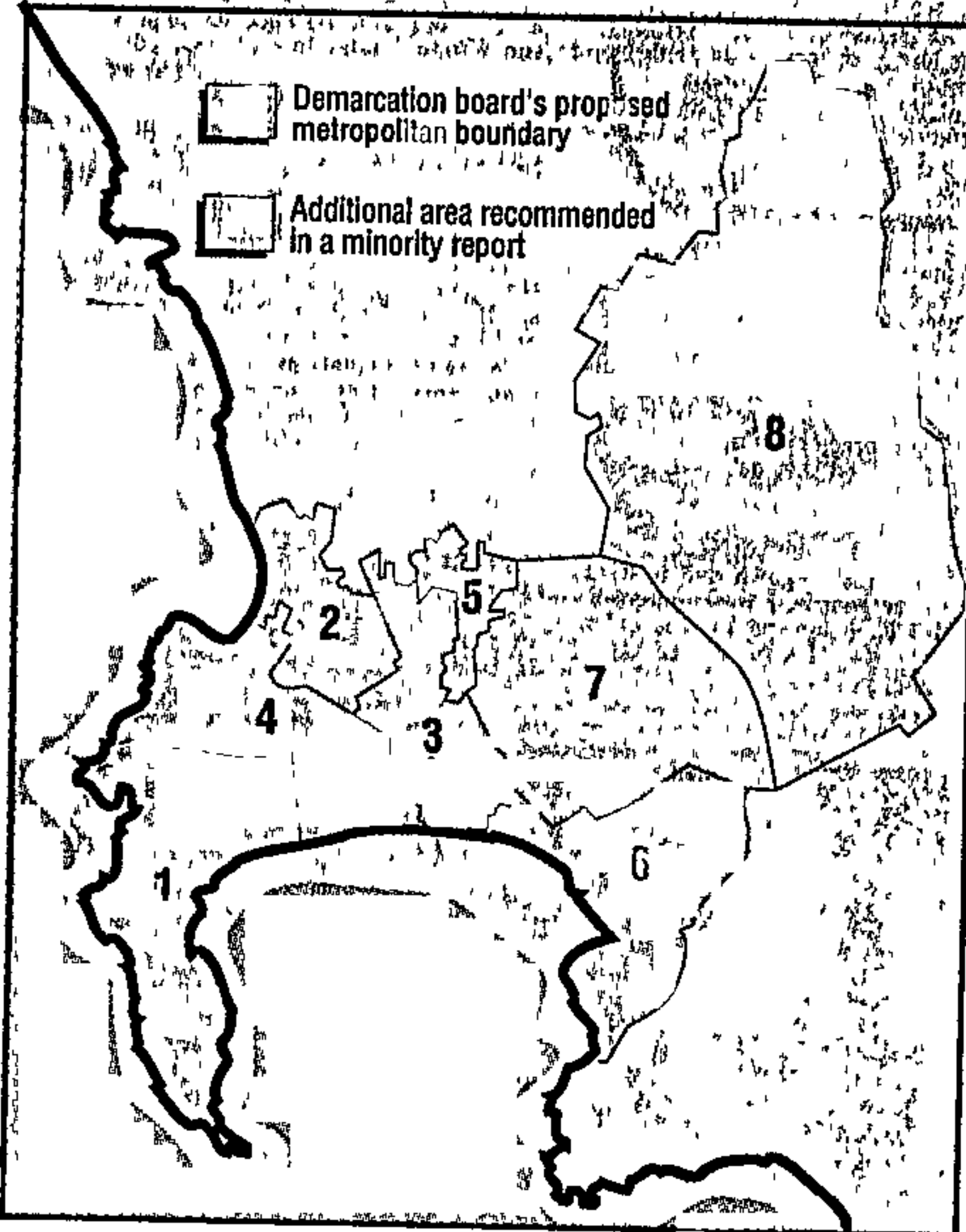
■ 8 The Paarl-Wellington area

The new primary local authorities areas will replace the more than 60 local authorities which exist within the region at present

They are designed to cut across racial

boundaries by including the present municipalities and the "non-status" areas where there are informal settlements or where there has never been a municipality, such as Hout Bay, Brown's Farm and Redhill

Planners consulted by Weekend Argus said one of the problems was that it was not clear from the Local Government Transition Act whether agricultural land



should fall within the sub-structures of the metropole

Land at present not included in municipalities falls under the RSC, but there appear to be no firm guidelines as to what will happen to this land if the metropolitan authority takes over the functions of the RSC

Hilda Ndude, chairwoman of the provincial committee and ANC member of the provincial legislature, said in an interview that "the most important function of any new metropolitan structure for the Western Cape was that it should stop the present fragmentation of races and of fiscal base and start governing"

The provincial committee, together with provincial Minister of Local Government Peter Marais, will take a decision — possibly next week — on the boundaries of the new metropole since the Demarcation Board, appointed by the minister, failed to reach consensus.

"Everyone concerned has been given ten days to comment on the board's report," said Mrs Ndude

"We shall carefully consider all the comments and, in making our decision, we shall give equal weight to the majority and minority reports of the board

"We intend to reach consensus, but the outcome may not please everybody," she warned

There was also some doubt as to whether the majority report was taking the powers and duties of the Transitional Metropolitan Council into account in defining the boundaries of the primary local authorities, she said

Mrs Ndude said there was concern that the majority recommendation would cause unnecessary disruption of services and would substantially erode the fiscal base of the metropole

The minority report emphasised that the reasons for creating metropolitan government were to co-ordinate the management of growth and services and to pool a portion of local revenues for re-allocation on the basis of need

"The forum feels that the majority report of the board has failed to look at the long-term implications of governing the metropole. They seem to see their recommendations as medium-term," she said

Exposed: The hell of filthy court cells

THE Western Cape Minister of Police Services has called for Cape Town Magistrates Court's holding cells to be "demolished or turned into a museum" because "they were not even fit for animals"

Mr Patrick McKenzie demanded an in-depth investigation into "the horrifying conditions that police and prisoners" have had to accept for so many years. He asked why policemen and not correctional services staff were manning the cells, used for prisoners awaiting trial.

By PETA KROST

"This is not a prison, it is a dungeon much like those Charles Dickens wrote about in England last century," was his angry response after he paid a surprise visit to the cells this week at the request of the South African Police Union.

"The prison services should be ashamed of themselves for allowing this establishment to continue operating. It goes against all human rights," Mr McKenzie said.

"The staff accommodation is not acceptable for human beings and the prisoners' conditions are much worse."

When Mr McKenzie visited the court cells on Friday, there were 185 prisoners in the cells. On an average day, there were about 90 prisoners with only one policeman to every 12 to 25 prisoners, he was told.

The minister, who had no idea what to expect, was clearly horrified when the first cell door was opened for him.

At least 40 people were jam-packed inside the damp, dimly-lit four by three-metre flea-infested cell, which is used as a holding cell for prisoners before they appear in court.

The windows were closed and blocked out and there was an overpowering stench of stale smoke and urine and faeces from the single out-of-order toilet.

"This is the most inhumane thing I have ever seen — this building should be condemned," he said.

Mr McKenzie was escorted around the prison by SAPU national president Lieutenant Colonel Andy Miller and duty officer Sergeant J P Grobbelaar.

In another cell, there were at least four youngsters under the age of 12 waiting to appear in court.

One angelic-faced boy, who appeared to be no older than eight, sat silently in the corner of the filthy cell. On his face was an open sore that clearly needed medical attention.

"We are turning them into criminals just by letting them spend time

here. This is like declaring war on children and taking away any hope they have of a decent future," the minister said.

"So much for the president's call to stop children being imprisoned."

The minister was then taken down a narrow, badly-lit staircase to the underground cells.

The windowless underground cells are connected by a dark passage, in which the stench of urine and human faeces is unbearable. Sgt Grobbelaar, who has been working there for 12 years, said a ventilation shaft which was supposed to circulate fresh air had been out-of-order for as long as he could remember.

The minister also saw how a lawyer was forced to consult with a client through the bars of the cell while 10 other inmates listened in as there were no consulting rooms.

Mr McKenzie was shown asbestos-covered pipes and Constable Morné van Tonder, who has worked in that area for four years, said he had to regularly visit a doctor to be treated for chest complaints.



THROUGH THE BARS . Mr McKenzie has a close look at an overcrowded underground cell. Pictures. NIC BOTHMA



JAILED CHILDREN . Frightened and with one needing medical attention, these children huddle together in the corner of a dingy cell.

Jail hunger strikes guidelines approved

Cape Town — Guidelines on the treatment of prisoners on hunger strike have been approved by government departments, including those of Health and Correctional Services.

The draft protocol, which will be submitted to the National Health Forum, says that when a patient is no longer capable of making a rational decision and faces death, the ultimate decision on whether to intervene should be left to his or her doctor. (253)

Quoting the World Medical Association's

1992 Malta declaration on hunger strikers, it says the doctor should, however, have clearly told the patient beforehand whether he is able to accept the patient's decision to refuse treatment or artificial feeding.

If the doctor cannot accept the patient's decision to refuse aid, the patient will be entitled to turn to a different doctor.

However, this "does not apply to State medical officers" since they are "by the nature of their duty responsible for the hunger striker's health" — Sapa.

'Impatient' Popcru threatens August strike

THE Police and Prisons Civil Rights Union (Popcru) yesterday said its members might strike unless its demands received prompt government attention.

The union's Witwatersrand region said that its patience with government inaction was stretched to the limit. 218/94

"The 100-day honeymoon is over and (we) demand results." (SS) (SS)
Popcru said its members

were demanding a strike or protest march to be held on August 15. B/Day

The branch said it would seek support for its demands "from all workers' unions in our country".

It said its demands had been brought to the attention of the previous government, the Transitional Executive Council and the ruling political parties.

It had communicated

with the new government, but had received only promises.

"Nobody is prepared to listen to us," Popcru said. "The government of the day is unwilling to address the imbalances created by apartheid."

Grievance procedures provided in the existing Police Act were ineffective and had "failed to bring about a happy and committed policeman" — Sapa

Bill flawed, says child rights body

253
Staff Reporter

A CHILDREN'S rights group has taken issue with an "emergency" clause in the Correctional Services Amendment Bill which allows children accused of "serious" crimes to be held in prison for up to 48 hours

The National Children's Rights Committee said that while the Bill was a positive step to give effect to President Nelson Mandela's call to empty prisons of children, it was flawed in several important ways.

Its chief objection is to an emergency clause which allows the 48-hour detention of children in prison if they are accused of offences listed in Schedule 1 of the Criminal Procedure Act

The group said the emergency clause was an improvement on

ARG 1/9/94
the past — in that it separated children from young adults in custody and stopped their indefinite detention — but it would continue to cause problems for children in trouble with the law

Schedule 1 crimes were not only violent acts and included theft, receiving stolen property and fraud

It did not disagree with children accused of particularly violent and dangerous crimes being placed in secure custody, but the continued reliance on prison for secure care — even for a short period — was a failure to implement fundamental rights in the interim constitution

Also, because there was a lack of legal representation for children in trouble with the law, it

would be difficult to enforce the maximum detention period of 48 hours.

The group called for a full study in the number and availability of places of safety as a matter of urgency

Other problems included the fact that there was no legislation forbidding the detention of unconvicted children in police cells, no time limit had been set for the implementation of the Bill, and the focus was on the unconvicted child and not all children.

The committee said the interim constitution and the United Nations Convention on the Rights of the Child, to which South Africa was a signatory, placed a moral obligation to implement children's rights as early as possible

Prisons facing new wave of mass action

THE South African Prisoners' Organisation for Human Rights yesterday gave the Department of Correctional Services seven days to set up a committee to consider amnesty for common-law offenders or face another wave of prison unrest

SAPOHR leader Golden Bhudu told a Johannesburg news conference that failure to set up the committee would result in "peaceful and disciplined mass action" at jails countrywide. This would include refusing food, refusing to work and go-slows

"Given that in the past this call for mass action has resulted in death and destruction in prisons, we are calling on observers and peace monitors to ensure the authorities do not respond with their usual *kragdadige skiet, skop en donder*.

"Their arrogant and violent response is the basis for peaceful action becoming unrest"

Bhudu said SAPOHR, together with youth wings of the ANC, the Pan Africanist Congress, the Azanian People's Organisation and Inkatha Freedom Party, had on July 9 submitted a memorandum to President Nelson Mandela and the ministers of justice and correctional services calling for an amnesty committee

The call was made because the granting of amnesty and indemnity had been "grossly unfair"

"It has been shifted and changed to fit right-wing offenders while the victims of apartheid have been left behind"

Since July 9 SAPOHR had met Minister of Safety and Security Sydney Mufamadi, Minister of Housing Joe Slovo,

PWV MEC for Local Government Dan Mofokeng and Eastern Transvaal Premier Mathews Phosa

"All received us with warmth and expressed support for our memorandum but found the matter out of their jurisdiction. They referred us to the Minister of Correctional Services and the president" (253)

Despite the passage of three months and at least 10 letters, there had been no response

"Hence we have no alternative but to tell the Government it has seven days to respond before peaceful mass action begins in prisons throughout the country"

SAPOHR proposed an amnesty committee of criminologists, lawyers, prisoners' organisations, civic bodies, political-party representatives and clergymen

"This committee must be transparent and accountable and be vested with the responsibility of arriving at a fair and logical system of amnesties and sentence reductions for common-law offenders

"It is this committee that must give substance to the amnesty promises made before and after the elections"

SAPOHR spokesman Marcus Cox said the call was not for the release of rapists, murderers or violent repeat offenders.

"We are calling for amnesty or sentence reduction for common-law offenders, victims of apartheid society who committed their crimes because of poverty and hunger and who were often sentenced without legal representation"

— Sapa

Apla men end their prison hunger strike

FOUR Apla men held at Pollsmoor Prison in connection with the St James Church and Heidelberg Tavern massacres ended a three-day hunger strike yesterday after a visit by Pan-Africanist Congress leader Mr Clarence Makwetu (253)

Mr Makwetu said the men ended the hunger strike after authorities promised they would look into easing restrictions against them (T 3/9/94)

The men were protesting at not being allowed contact visits or to mix with other detainees and at being placed with hardened criminals

Mr Makwetu was accompanied to the prison by PAC Western Cape MP Mrs Patricia de Lille — Sapa

Jail 'action' threat

JOHANNESBURG — The South African Prisoners' Organisation for Human Rights yesterday gave the Department of Correctional Services seven days to set up a committee to consider amnesty for common-law offenders or face another wave of prison unrest.

Sapohr leader Mr Golden Bhuda told a news conference failure to set up the committee would result in "peaceful and disciplined mass ac-

tion" at jails countrywide, including refusing food, refusing to work and go-slows.

He called for authorities not to react with "their usual kragdadige skop, skiet and donder" which could turn peaceful protest action into un-

rest. Sapohr spokesman Mr Marcus Cox said the call was not for the release of rapists, murderers or repetitive violent offenders — Sapa

(253) CT 3/9/94

Bail system for review, says Omar

(253)

CT 3/9/94
By BARRY STREEK
Political Staff

JUSTICE Minister Mr Dullah Omar last night disclosed that the government was reviewing South Africa's bail system

He said this was part of a broader re-examination of the country's legal system "which could make an impact on the curbing of violence at every level".

Mr Omar was responding to criticism from Western Cape Minister of Police Services, Mr Patrick McKenzie, who said the minister was "strangely silent" on the question of easy bail for gangsters

Mr McKenzie said: "The perception is that the government is more sympathetic towards the criminal than victims."

Mr Omar said that if Mr McKenzie had any serious proposals, he should submit them to the Department of Justice.

Mr McKenzie said: "The fact that arrested persons are granted bail so easily is hampering police effectiveness."

It was not acceptable to state that the Constitutional Court would have to address the problem.

Prisoners fed at R2,95 a day

SOUTH African prisoners get three nutritious meals a day — at a cost of just R2,95 each — And their meals are a far cry from the Dickensian days of dry bread and water

Menus rotate on a 12-day basis. A typical day's fare starts with a choice of porridge and milk (miekie meal, oats or Malabella), two slices of bread with margarine and jam, and coffee or tea

Lunch consists of sandwiches (margarine, syrup or jam) and soup, fruit juice or a non-alcoholic maize drink

For supper, prisoners get fish or eggs, textured vegetable protein, chicken, pork or beef, with vegetables or salad and mealie meal or samp or rice, and coffee or tea

Department spokesman Colonel Barry Eksteen said the meals were cheap because the

department supplied nearly all its own agricultural products. Buying in bulk also reduced costs

(253) CT3/9/94
The meals were compiled by dieticians

In Parliament yesterday, a Correctional Services spokesman said that 80% of the R44,27 a day it cost to keep a prisoner was spent on staff — Staff Reporter, Sapa



TRAINING . . . In Leeuwkop Prison the inmates have the opportunity to learn a useful trade.

■ PICS: EVANS MBOWENI

Assault on crime

CIPress 4/9/94

(253)

Ex-cons band together for rehabilitation

By SIPHO ZUNGU

HE IS one of those who think they can make South Africa crime free. And the first impression he makes at first sight is of a hardened one – clean shaven with an “ou blou baadjie” haircut.

He could prompt you to ask: Can ex-prisoners be of any good to society?

Ready to give the answer should be Phillip Tlhapane, a former long-term prisoner and secretary of a committee of ex-prisoners, called Common Prisoners' Rehabilitation Agency (Compr).

Tlhapane and four other ex-convicts are on the committee of this group and they believe that their aims and objectives can help the Department of Correctional Services in the task of social rehabilitation of prisoners.

Golden Miles Bhudu, of the South African Prisoners Organisation for Human Rights (SAPOHR), also a former convict, says the idea the five have is a very good one.

“But it would need millions of rands to make it a success. Anyone who wants to try and stop crime is welcome to do it. Nicro claims to be assisting in the rehabilitation of prisoners.”

“We see Nicro as an organisation of liberals that say one thing and do the opposite. Prisoners seen by Nicro get nothing that can stop them from going back to prison again.”

“Compr might as well try. I wish we could get together and talk, maybe we could share some ideas and do something worthwhile. It is difficult to get an organisation off the ground. I struggled for three years to get SAPOHR off the ground,” Bhudu said.

“Presently it is difficult for one coming out of prison to be accepted fully by the society. It is difficult even to get back into a job, even if one has the qualifications and skills,” he said.

The Department of Correctional Services agrees with Bhudu on that score. It says it does its utmost to rehabilitate prisoners but society rejects ex-convicts, and that cannot be blamed on the department.

Correctional Services spokesman Captain Koos Gerber said he did not know of Compr.

“The Department of Correctional Services however welcomes all positive contributions which have the wellbeing of prisoners at heart,” he said.

Presently Compr comprises five executive members, Tlhapane, Chairman Victor Makhanya, PRO Collin Nxumalo, and Executive members Siphon Mbewu and David Khorombi.

Their aim, Tlhapane says, is to unite all common law prisoners of all races and both sexes in SA for the purpose of assisting the department of Correctional Services in the task of social rehabilitation.

It is also to establish in them the will to lead law-abiding and self-supporting lives and encourage their self-respect as well as to develop their sense of respon-



EVALUATION . . . Prisoners have to pass regular tests while undergoing training.

sibility within the community.

City Press visited the Leeuwkop Prison Training Centre where skills ranging from cabinet making, upholstery, welding, fitting and turning, sheet metal work, plastering, glazing, painting and building are learnt.

On qualifying, the prisoners become artisans. But not everyone is trained. They have to undergo an entry test and then take part in a three-month trial period. Should one fail the entry test, he will be told that he can learn something else. Some become operators and others do non-skilled work.

Those who pass the tests do further tests every three months. The courses normally take three years, after which a diploma or a certificate is issued. The final tests, which are evaluation tests, are done by the Department of Manpower.

Warders too may undergo the same training if they wish to have the skills. They are subjected to the same tests.

Lieutenant Johan van Zyl, who is in charge of the training centre, said one prisoner was not accepted because he was regarded as too old at 46 to start with a National Training Certificate.

Lt van Zyl pleaded on the prisoner's behalf, he said, and the prisoner was accepted. The prisoner, who only had a standard four education, learnt mathematics, engineering science and technical drawing. In the final exam, he got an “A”.

Compr believes that the skills the prisoners learn while inside can be utilised outside and “instead of getting out of prison to go back again”, the prisoners can work under the Compr umbrella.

“This could be the answer to the overcrowding of prisons. Instead of building more prisons, which does not eliminate crime, something that keeps people away from crime should be sought. And it is exactly what we are doing,” Tlhapane said.

The five, who are all in the PWV area, say their idea will be tried out in the region and should it be successful, they will go national.

Funds cut may free prisoners

CAPE TOWN — Up to 30 000 prisoners would have to be released if the Correctional Services Department was forced to implement a suggested 4% cut in its 1995/96 budget, the department's financial services deputy commissioner Maj-Gen Hardy Fourie said on Friday.

Addressing the parliamentary select committee on correctional services, Fourie said the cut, proposed by the State Expenditure Department, would also lead to the retrenchment of 1 195 officers.

SA already had one of the highest prisoner to general population ratios in the world, and prisons were on average 33% overcrowded. It was estimated the prison population in 1995/96 would be about 118 000, held in prisons designed for 88 441 people.

The already low current standards could be maintained only if the criminal justice system — the police, Justice Department and Correctional Services — received a

Friday 5/19/95
ADRIAN HADLAND

5,2% overall budget increase. A 4% cut would be disastrous.

The situation had been exacerbated by an increase in prisoners jailed for serious offences and in the attendant lengthening of sentences. If 30 000 prisoners were released some would be serious offenders.

Committee chairman Carl Niehaus called for a reassessment of the department's priorities and for greater emphasis on petty, non-violent criminals being allowed to serve their sentences under correctional supervision. A greater focus on education and training was also needed to reduce relapses into crime. A rationalisation of the department's administrative procedures could cut costs.

Niehaus said the release of 30 000 prisoners should be prevented as it would cause a breakdown in the judicial system.

(253)

29 000 would have to be released

Police, prisons face ^{Star 5/9/94} 'disastrous' cash cut

Cape Town — The police and the departments of Correctional Services and Justice have been told that their total budget might be slashed by 4 percent next year, the National Assembly's committee on Correctional Services heard on Friday.

This could mean that Correctional Services would simply have to release 29 000 prisoners, said the department's chief deputy commissioner for operational support services, General Faan Malan.

"After 10 months we will have lots of them back. That's our experience up to now," he said.

The releases would have to be effected either through a general amnesty or by applying the department's bursting policy. The cut would be "disastrous".

Deputy commissioner for fi-

ancial services, General Hardie Fourie, told the committee that the cuts, which had been proposed by the Department of State Expenditure, would mean retrenching 1 000 staff members.

Unhappy

The figures for retrenchments and releases were based on an assumption that the Correctional Services budget remained unchanged and that police and Justice took massive cuts to make up the 4 percent (253).

However, they would obviously be unhappy at this situation. Correctional Services would meet the other departments on September 27 to discuss exactly how the cut should be shared.

A recommendation from the meeting would go to the Cabinet

session in late October at which the provisional 1995/96 Budget would be approved.

Fourie said Correctional Services needed one staff member for every seven prisoners in order to do its job.

At present it had one to 12. Figures for Britain were one to 1,2, Botswana 3,1, Australia 0,99 and Swaziland 1,7.

There was a personnel backlog of 6 638, he added.

Committee chairman Carl Niehaus said it appeared that Correctional Services was being treated like a stepchild by the Government. He asked the generals to draw up a list of the department's priorities so that the committee could work with it to achieve for prisoners the human rights goals set out in the constitution. — Sapa.

Budget cut could free 30 000 prisoners

Own Correspondent

JOHANNESBURG — Up to 30 000 prisoners would have to be released if the Correctional Services Department was forced to make a suggested four percent cut in its 1995/96 budget.

The department's deputy commissioner for financial services, Maj-Gen Hardy Fourie, also told Parliament's

select committee on correctional services at the weekend that the cut, proposed by the State Expenditure Department, would lead to retrenching 1 195 officers.

Prisons were on average 33% overcrowded, and it was estimated the average prison population would be around 118 000 for 1995/96, with the present prison capacity set at 88 441.

Already-low present standards could only be maintained if the criminal justice system received a 5.2% budget increase.

To make matters worse, ever more prisoners were being jailed for serious offences, for longer periods, and if 30 000 prisoners had to be released some would have to be serious offenders.

Within 10 months many of them would be back inside, he said.

Committee chairman Mr Carl Niehaus, called for a reassessment of the department's priorities and for petty, non-violent criminals to be allowed to serve their sentences under correctional supervision.

More of a focus on educa-

tion and training was also needed to reduce the rate of recidivism, and a rationalisation of the department's administrative procedures could cut costs.

The release of 30 000 prisoners, which might include hardened criminals, should be prevented, as it would cause a breakdown in the judicial system, Mr Niehaus said.

1 171 made escapes last year

(253) CT 6/9/94

LAST year 1 171 of a total of 116 000 prisoners escaped from police custody in South Africa, the Minister of Correctional Services, Dr Siphosizwe Mzimela, said yesterday.

He added in reply to a question tabled in Parliament by Senator James Selfe (DP), that South Africa had an unfavourable staff-to-prisoner ratio.

Dr Mzimela said 264 prisoners escaped from prisons, 845 from work teams and 62 while under escort to and from courts and during transfers from public hospitals. By the end of last year 496 of these prisoners had been recaptured.

Every escape or attempted escape was thoroughly investigated to identify shortcomings, and preventive measures had been introduced where necessary.

"It increasingly happens that prisoners receive aid to escape from, inter alia, big crime syndicates or other persons from outside prison."

Dr Mzimela said the department had an unfavourable staff complement in comparison with the number of inmates it had to deal with, and this inevitably effected the security situation.

In Australia, he said, the ratio of prison staff to prisoners was 1:0,99. Other ratios given were: Britain 1:1,2; Belgium 1:1,61; Swaziland 1:1,7; Botswana 1:3,1 and Spain 1:3,89.

In South Africa, Dr Mzimela said, the ratio was a low 1:5,58.

Minister reports 1 171 prison escapes

B/Day 6/9/94

Political Staff

CAPE TOWN — Last year 1 171 prisoners escaped from prisons in SA, Correctional Services Minister Siphon Mzimela said in the National Assembly yesterday.

He said that by the year-end 496 of these prisoners had been recaptured.

The number of escapees represented 0,002765% as a percentage of an average of 116 000 prisoners over a 365-day period. But SA had an unfavourable staff to prison ratio in comparison with other countries.

Mzimela said 264 of the 1 171 prisoners escaped from prisons, 845 from work teams outside the walls of prisons and 62 while under escort to and from courts and during transfers from public hospitals.

Every incidence of escape or attempt to escape was thoroughly investigated to identify shortcomings, and preventive measures were introduced where necessary. "It increasingly happens that prisoners receive aid to escape from inter alia big crime syndicates or other persons from outside prison."

Mzimela said the department had an unfavourable staff complement in comparison with the number of inmates it had to deal with and thus inevitably effected the security measures at prison.

"This problem will have to be addressed by the expansion of the establishment, bearing in mind the subsequent financial implications"

In Australia the ratio of prison staff to

prisoners was 1:0,99, while in Britain it was 1:1,2, in Botswana 1:3,1, Swaziland 1:1,7, Belgium 1:1,61 and Spain 1:3,89, but in SA it was 1:5,58, Mzimela said.

Sapa reports police said yesterday 10 awaiting trial prisoners, including two members of the Balacava Gang, escaped from a police lorry on Friday.

A spokesman said the lorry with 33 awaiting trial prisoners was travelling from Wynberg to Pollsmoor Prison when 10 men escaped at the Tokai turnoff by "forcing the door open".

Most of the men were due to appear on robbery and theft charges and two were allegedly members of the Balacava Gang which terrorised shop and shebeen owners in Cape Town townships last year.

They were dangerous and the public should call the nearest police station if they saw the men, who should not be approached.

It was reported from Ficksburg yesterday that the Free State police had rearrested five of a group of 13 prisoners who escaped from the police cells at the town on Sunday. The men sawed through bars in the sleeping and exercise area, and escaped through the roof.

Meanwhile, James Gosten, 42, regarded as dangerous, escaped from the Kimberley prison. He was serving a 20-year sentence for several convictions, including robbery.

Bank with Government Guarant

10 years to get children out of jail

Political Staff

PRESIDENT Mandela may have to wait for 10 years before the end of the nightmare of awaiting trial children in South Africa's police cells and jails. ~~253~~ (253)
 AUG 8/9/94

This has emerged in evidence before the national assembly's portfolio committee on correctional services, which is dealing with draft legislation to remove awaiting trial children from prison.

At present, awaiting trial children are held in prison, police cells or in nine centres around the country. Mr Mandela has told cabinet ministers responsible to get awaiting trial children out of jail.

Brigadier C F Cronje of the SAPS' Visible Police Division said it would take 10 years for adequate, secure alternative centres to be built to accommodate awaiting trial children.

Brigadier Cronje told the committee that 1,8 million people were arrested by police a year. This included 48 000 children.

Kids in police cells: Rethink

By BARRY STREEK,

DRAFT legislation to limit the detention of awaiting-trial children in prisons is likely to be tightened up to include restrictions on their detention in police cells. (253)

But the absence of adequate places of safety in most of the country as alternatives to prisons and police cells has presented a major problem to implement President Nelson Mandela's call to keep children out of jail.

This emerged yesterday in evi-

dence given to the standing committee on correctional services by government departments and civil liberties bodies. (276)

Police Brigadier C F Cronje said 12 000 juveniles were detained in police cells during November and December last year, but 11 300 were released after only four days.

The Department of Justice's director of legislation, Mr Gerhard Nel, said the proposed legislation was defective and should be scrapped.

CT 8/9/74
In the whole of the Johannesburg magisterial district there were no places of safety to which children could be sent as an alternative to imprisonment. If the bill was implemented there, the magistrate would "not be able to do anything with juveniles, except let them free", Brig Cronje said.

● President Mandela said on Tuesday an interim report by the commission of inquiry into unrest in prisons had been submitted to him.

A new warders' union

By Lulama Luti
Political Staff

A NEW union representing prison warders will be launched tomorrow because of an apparent split within the Police and Prison Civil Rights Union. Former Popcru general secretary Mr Peter Nkuna is said to be behind the move to establish the Correctional Officers Union of South Africa, to be launched at Vista in Soweto. *Sowetan* was reliably informed that Nkuna, a former prison warder at the Johannesburg prison, was behind moves to establish the splinter union

A source within Popcru said Nkuna had approached the police union to establish working relations with them. "He told us there was a need to have separate unions for policemen and prison warders. We rejected this idea because we as Popcru serve all parties in the force," said the source. He told *Sowetan* Popcru suspended Nkuna about a year ago after allegations that he misappropriated funds. This was confirmed by a Popcru official at the union's head office. "I don't think at union level we can entertain this by responding to it formally. People have a democratic right to form splinter groups and they are enti-

pled to it," said the official. The source said Nkuna confessed to an investigating committee that he had misappropriated about R7 500. "We found out about this" (the new union) when a delegation headed by Nkuna came to our office and asked us to co-operate with them. We rejected this because they talked about sharing our resources," he said. He alleged that Cousa was busy organising among prison warders, claiming to have an agreement with Popcru. "We want to warn our members that if they join this group it would be out of their own free will and not because there's an agreement with us on this

(253)

BY GENÉ FESTER

Drugs breaking into prisons

Southeaster (Suppl. to South)

9/9- 13/9/94

(253)

POLLSMOOR Prison authorities have acknowledged that drugs such as dagga and mandrax still find their way into prison and to the prisoners.

Regional Correctional Services liaison officer, Lieutenant Mike Green said "We have a problem with drugs in prison

"The only way to ensure that drugs do not enter the prison is to restrict contact with the outside world and to strip search visitors

"Some prisoners work outside the prison where they have access to drugs' Visitors have been known to smuggle mandrax and small quantities of dagga into prison

"We are usually successful in tracking down the drugs and the offenders are punished"

In an attempt to address this problem, Pollsmoor held a Drug Awareness Day last Saturday

Prisoners participated in a poster competition with the theme, "Drug abuse leads to imprisonment"

Martin Croucamp, 19, is serving a four-year sentence for burglary

"I started breaking into houses to support my drug habit," he said

"Drugs are no good, look what happened to my life I have been here since I was 17 and will only be released when I am 21"

Abraham Cupido, 20, an ex-gang member and former mandrax addict is serving a three-year sentence for car theft "I stole cars and

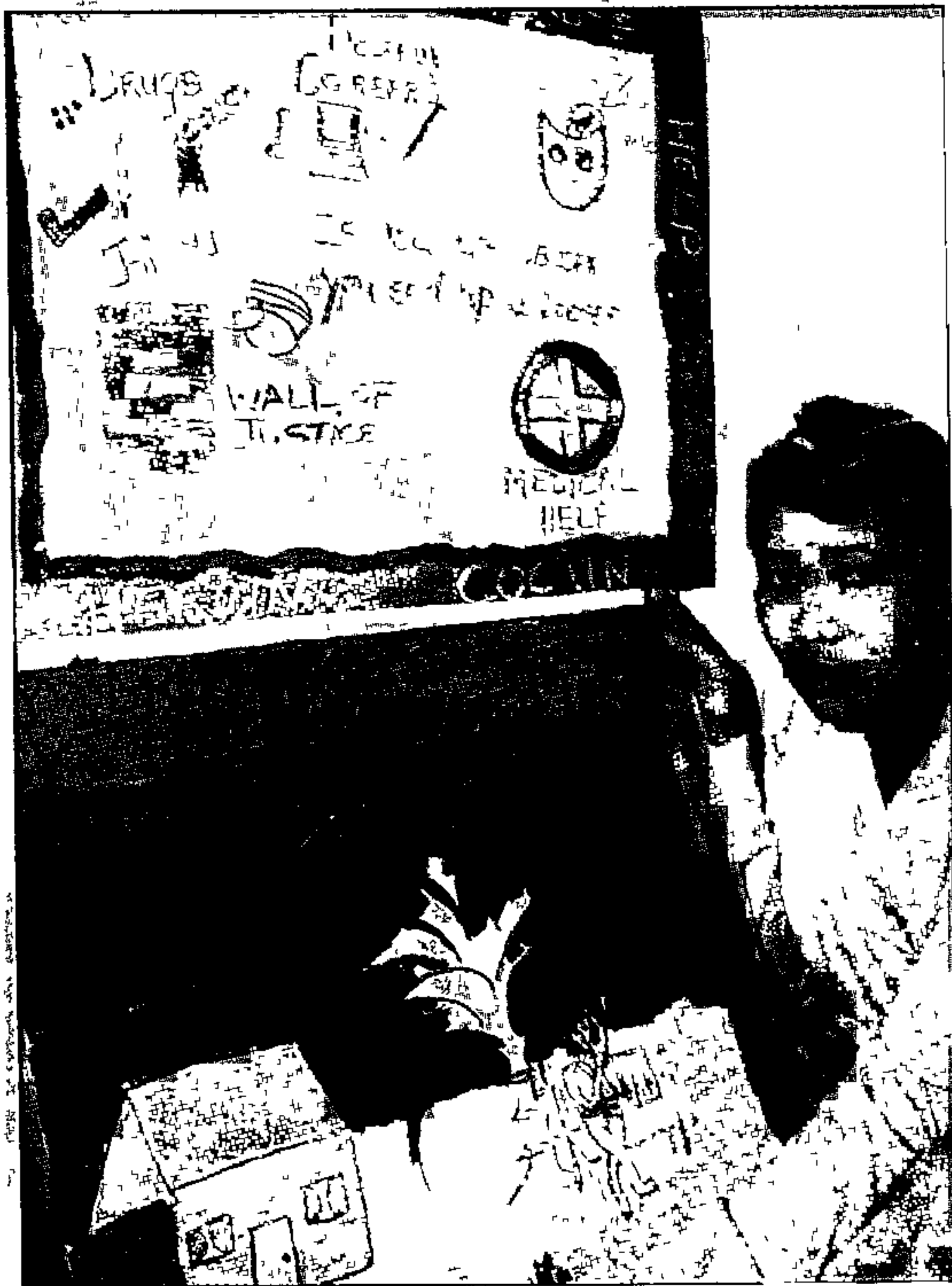
sold them to obtain money to buy mandrax I regret it, every day of my life," he said
"Prison changes you, it is rough place where survival is difficult."

A mother of one of the inmates, Mrs Miriam Rinquist said she did not realise her son was using drugs
"I was stupid Only after they arrested him I realised he was on

● A prisoner who won third prize in the poster competition was disqualified when he was discovered to be in possession of drugs

drugs," she said
"I blame myself I was divorced with two children and I worked nights There was no-one to look after my children My son provided money to help us survive"

Lieutenant Green appealed to people not to smuggle drugs to inmates "People do not realise that by bringing in drugs they are not only endangering the lives of the prisoners but also the lives of other inmates", he said



THE ART OF SAYING 'NO': Prisoner Katie Botha with her poster message against drugs Photo: Roger Sedres

ANC proposal will 253 protect child suspects

Political Staff

SUSPECTS of 13 and younger will not be held in prison or police cells before being sentenced if African National Congress proposals become law.

The National Assembly's portfolio committee on Correctional Services continued its debate on the Correctional Services Amendment Bill today. This changes the law for people of 17 and under awaiting trial.

At present about 48 000 people in this age bracket go through the police cells every year, and there are about 700 in jails awaiting trial now.

ARG 13/7/94
State law advisers are to re-draft parts of the Bill to reflect ANC MP Dave Dalling's contention that suspects of 13 and under never be held in a prison, police cell or lock up.

Instead, Mr Dalling said later, these children would be held in a reformatory or hospital, or placed in the custody of their parents, guardian or foster parents.

There were at present nine centres around the country where such children could be held, and the effect of the Bill would be to put pressure on other towns and cities to provide such facilities.

SA jail rate is third highest

WASHINGTON — SA ranked behind Russia and the US in the proportion of its people held behind bars last year. It also jailed non-whites at a quarter of the rate America incarcerated African-Americans.

Even so, SA's imprisonment rate, at 368 per 100 000 population was far ahead of the next country, Singapore, with 229, on the latest annual rankings prepared by The Sentencing Project, a Washington-based reform lobby.

Russia topped the chart at 558, followed by the US, at 519. China, which is believed to have the world's largest prison population, was omitted for lack of data.

The group found it striking that even before SA's government changed, the ratio of black male South Africans in jail was a quarter that of African-Americans — 851 per 100 000 compared with 3,822.

Hong Kong came in fifth of 52 countries with 179 followed by Poland (160), New

Zealand (135), and Canada (116), Mexico (97), the UK (93) and Australia (91). Among industrialised nations, Japan had the lowest rate (23).

Zaire posted an 88, but the group observed that "nearly 7.5% of the inmates in the prison system die each year due to malnutrition and poor health care".

The US taxpayer paid \$26.8bn to hold the country's 1.34-million prisoners last year. The number of male African-Americans in jail — 583 000 — exceeded the number enrolled in higher education by 45 000.

Figures cited by the group suggested little correlation between incarceration and crime rates in the US. Between 1990 and 1991 the prison population swelled nearly 120%, while the victimisation rate for violent crimes remained largely unchanged at around 33 per 100 000.

Biday 14/11/94
SIMON BARBER

PAC threatens action over prisoners

Mondli waka Makhanya

THE Pan Africanist Congress appears headed for a showdown with the government over demands for amnesty for its political prisoners.

The organisation this week threatened "the mother of all mass action" inside and outside prisons if the government does not release the 90-odd PAC members convicted of politically motivated offences or awaiting trial for such crimes.

A hunger strike by PAC prisoners at Pollsmoor prison near Cape Town was halted last week to allow for further consultation with the government.

The PAC is coming under mounting

pressure from its rank-and-file members who want to see tangible benefits of the organisation's decision to participate in the April elections. "People are saying that if we can't even secure the release of our comrades, then what was the point of going to parliament?" said a PAC leader.

The South African Prisoners' Organisation for Human Rights has been roped in by the PAC to help organise protests, should this be necessary.

The PAC also wants halted the trials of PAC members currently under way. These include those accused of murdering American Fulbright scholar, Amy Biehl, and those accused of carrying out attacks on the St James Church and the Heidelberg Tavern in Cape

Town and the Baha'i mission in Mdantsane.

Minister of Justice Dullah Omar has already made it clear to the PAC that he will not move the December 6 1993 cut-off date for political offences to April 27, as the movement is demanding. Were he to do so, dozens of rightwingers accused of a pre-election bombing spree would also qualify for indemnity.

The PAC also claims that Azanian Peoples' Liberation Army operatives who are surfacing from underground are being arrested by police for questioning, including an Apla cadre at De Brug army base. This has led to some Apla members being reluctant to sign up with the integrated defence force.

WM9-15/9/94

(253)

Still no defence briefing on Storm report

(253) ARG 20/9/94
19,000 prisoners freed this year

Political Staff

ABOUT 19 000 prisoners have been released early from jail so far this year through special remission of sentence and amnesty provisions, Minister of Safety and Security Sydney Mufamadi has said.

James Selfe of the Democratic Party asked Mr Mufamadi about the release of pris-

oners since January 1:

President Mandela's inauguration on May 10 was marked by a six month remission of sentences for all prisoners. Most sentenced children under 18 on that day who were in jail were released, plus most disabled prisoners and women who were the mothers of children under 12.

Prisoners on go-slow strike

JOHANNESBURG — Boksburg Prison inmates were refusing yesterday to work in prison workshops in a bid to get more exercise.

SA Prisoners Organisation for Human Rights leader Mr Golden Miles Bhudu said 280 prisoners had been on strike since daily after-work exercises were suspended a week ago.

Department of Correctional Services spokesman Brig Chris Olckers said a handful of prisoners were on a go-slow.

Smaller groups were being taken for exercise "to ensure their safety". This meant everybody could not exercise every day. — Sapa

CT 20/9/94

19 000 set free since January 1

Sowetan 21/9/94

By Ismail Lagardien
Political Correspondent

AT LEAST 19 000 prisoners have been released under amnesty or special remission since January 1, according to statistics from the Department of Correctional Services.

Some of those have been re-arrested. However, Safety and Security Minister Sydney Mufamadi has said it is difficult to say how many of the 19 000 have been re-arrested.

(253)

Mufamadi was responding to a question in Parliament on Monday by the Democratic Party's Mr James Selfe.

"Due to the magnitude of the question and the high financial and manpower resources which would have to be utilised to provide the answer, the desired information can, unfortunately, not be supplied," Mufamadi said.

He said the South African Police Services did not keep statistics of re-arrests.

Mufamadi also disclosed that 22 241 firearms, presumably illegal ones, had been confiscated by police since January last year.

Most of the weapons (18 831) were seized during police action, the Minister said.

In response to a question from Mr Gert Myburgh (National Party), Mufamadi said the old (SAP) system of recruiting had been replaced and a new initiative had been implemented.

The minimum academic requirement for recruitment into the SAPS was a Standard 10 certificate.

Hunger strike at prison

JOHANNESBURG. — The South African Prisoners Organisation for Human Rights yesterday said about 200 prisoners at Leeuwkop maximum-security prison north of Johannesburg were due to begin an indefinite hunger strike at midnight last night.

SAPOHR said the strike was to support demands for the establishment of an amnesty resolution committee.

Correctional Services spokesman Brigadier Chris Olckers warned that the strike could lead to loss of lives. He called on SAPOHR to rethink its position. *FRCT 24/9/94*

A spokesman for the Minister of Correctional Services said the minister was giving the matter his attention.

SAPOHR's Golden Miles Bhudu yesterday said the strike was called by the prisoners themselves. — Sapa. *(253)*

Hunger strike at Leeuwkop

CT 26/9/94

253

JOHANNESBURG. — About eight prisoners at the Leeuwkop maximum security prison north of here have embarked on a hunger strike in support of demands for the establishment of an amnesty resolution committee.

Correctional services spokesman Colonel Barry Eksteen said on Saturday that eight men had refused breakfast.

The eight, who had been transferred to Leeuwkop after being involved in the riots at Modderbee prison earlier this year, had indicated they were going on a hunger strike.

Col Eksteen said all meals would be served to the men and the situation would be monitored.

The South African Prisoners' Organisation for Human Rights (SAPOHR) warned on Friday that about 200 Leeuwkop inmates would begin an indefinite hunger strike at midnight on Friday.

SAPOHR spokesman Mr Golden Miles Bhudu said his organisation had not called for the strike, but merely supported it — Sapa

'Prisoner used my son as sex slave'

16/10/94

L. Press

253

By KHANGALE MAKHADO

MARGARET Mokoena of Soweto kept praying and hoping that her 19-year-old son Antonio would join her after serving his six-year prison term for rape

But yesterday she buried the boy after he had died in detention.

As his remains were lowered into a grave at the Avalon Cemetery, a grieving Mokoena vowed she would not rest until she found out how her son had died.

She said his death came barely a month after he had complained that he was being sodomised by an elderly cell

mate at "Sun City" prison near Diepkloof.

Antonio died at the Garden City Clinic on October 5 after being taken there by prison authorities.

"When I visited him there early in September he complained bitterly about being consistently abused by a cellmate"

Her son told her he had reported the matter to the authorities, but they had taken no action, she said. The cellmate then threatened to poison him

Mokoena said she complained to a social worker and a colonel at the prison on September 23 and was promised that her son would be transfer-



DEAD SON ...
Antonio Mokoena.

red to a juvenile cell the next Monday

"But when I went to visit him on the Monday I was turned back and told juveniles were not allowed visitors on that day - I had to come on

Thursday."

She said prisoners told her her son had fallen ill over the weekend and had vomited blood for three days but was not given any medical attention.

Correctional Services Brigadier Chris Olckers said they were awaiting the autopsy results, but it appeared Antonio had died of double pneumonia.

Olckers said Antonio had not reported being sodomised.

Olckers said on the Monday that Antonio was to be moved to a juvenile cell it was discovered that he had chicken pox and he was quarantined in a single cell.

- (1) Whether any State-funded or State-assisted housing projects are under construction at present, if not, why not, if so, (a) how many housing units will be provided under these projects and (b) where is each such project under construction,
- (2) whether any such projects have been delayed or cancelled, if so, what are the relevant details? N371E

The MINISTER OF HOUSING

- (1) Yes, under two dispensations
- Housing projects within the framework of the new housing subsidy scheme
- In terms of the policy applicable during the previous dispensation

(a) and (b) The Regional Housing Boards have, as first allocation, approved a total of 56 projects which provide for 68 146 housing units. The following allocations were approved in terms of the various subsidy categories

— 45 256 units @ R12 500	North West	3 954 units
— 11 124 units @ R 9 500	Eastern Transvaal	7 887 units
— 11 766 units @ R 5 000	PWV	52 248 units
68 146 units were approved for the various provinces, namely	Northern Transvaal	518 units
	Western Cape	339 units
	Eastern Cape	Nil
	Northern Cape	Nil
	KwaZulu-Natal	Nil
	OFS	3 200 units

The reason why no units were approved for certain provinces is that the regional housing boards had not yet been finally established. There are projects in the pipeline which may well already have been approved by now. With regard to the previous dispensation, a total of 17 216 housing units are under construction, namely

North West	Nil
Eastern Transvaal	2 597 units
PWV	Nil
Northern Transvaal	4 989 units
Western Cape	1 146 units
Eastern Cape	1 297 units
Northern Cape	4 756 units
KwaZulu-Natal	(Does not include the former KwaZulu area)
OFS	2 200 units.

All in all, the total number of houses which have been approved and which are either being constructed or about to be constructed under both the previous and the current dispensation is 85 362

(2) No

Questions standing over from Wednesday, 21 September 1994

Places for safekeeping of awaiting-trial children

*8 Mr H A SMIT asked the Minister for Welfare and Population Development:†

- (1) Whether a shortage is being experienced in respect of places for the safekeeping of awaiting-trial children, if not, what is the position in this regard, if so, where is such shortage being experienced,
- (2) whether he or his Department has investigated the possibility of using other existing facilities to accommodate such children, if not, why not, if so, what are the relevant details,
- (3) whether any personnel at existing places for the safekeeping of awaiting-trial children are undergoing staff and management training on an ongoing basis, if not, why not; if so, what are the relevant details? N431E

†The MINISTER FOR WELFARE AND POPULATION DEVELOPMENT

- (1) Yes, all places of safety are due to low security measures not suitable for high-risk awaiting-trial children. Over and above shortages in certain metropolitan areas, there is a need for decentralised

places of safety in rural areas country-wide. As a result of the vastness of the country, the transport of children between courts and places of safety creates a problem. The Department also experiences major financial shortages in its Budget for the erection and maintenance of such places of safety. The provinces are experiencing a serious shortage of social workers and probation officers,

- (2) yes, by the former Minister. Unused or under-utilised buildings were investigated by the various provinces. The Provincial Administration of the PWV is at present investigating a mine hostel in Randfontein to serve as a place of safety. Other possible facilities were not suitable for the accommodation of awaiting-trial children,
- (3) yes, personnel undertake management orientation courses and junior management courses, and care officers are motivated to attend courses which are offered by the National Association for Child Care Workers

Courses in self-defence and security are offered by the Department of Correctional Services, NICRO and other training institutions on request. Continuous in-service training also takes place

Mr H A SMIT Madam Speaker

The SPEAKER Order! Is the hon member interrupting the hon the Minister?

Mr H A SMIT Yes

Arising out of the hon the Minister's reply to the question, I should like to know from him which Department's primary task it is to establish such facilities when they are in short supply?

†The MINISTER FOR WELFARE AND POPULATION DEVELOPMENT Madam Speaker, when a case is being investigated by the police, the child awaiting trial is in the care of the Department of Correctional Services. After the child has been sentenced, he or she stays the responsibility of the Department of Correctional Services

We are, however, changing the process. We want to see if we can take those children out of prison as soon as possible and put them in a

place of safety. When a child is arrested and has not been sentenced, it is difficult to make him or her the responsibility of one Department

Road accidents: deaths

*19 Mr D H M GIBSON asked the Minister of Transport

- (1) How many persons died in road accidents in the Republic (a) in 1993 and (b) from 1 January 1994 up to the latest specified date for which statistics are available,
- (2) whether the Government is giving consideration to (a) reducing the speed limit on national roads and/or (b) taking any other action aimed at reducing the number of road accidents, if not, why not, if so, what are the relevant details? N450E

The MINISTER OF TRANSPORT

(1) During 1993, 9 443 persons died in road accidents in the Republic and from 1 January 1994 up to 30 June 1994, 4 736 persons died in road accidents

(2) No, but a National Speed Management System Task Group was appointed to obtain the co-operation of all interested parties in developing and implementing a scientific, managed system. This system make, provision for the setting of an appropriate speed limit based on circumstances on any type of road

My Department is in the process of implementing a total integrated Traffic Management System in order to give education, enforcement and engineering the priority they deserve. In our endeavour to establish a traffic safety culture in South Africa, we need to make provision for the involvement of the organised road users as well as the community at large in promoting orderly traffic and traffic safety

Traffic safety is the responsibility of all levels of government and therefore meetings with the provinces regarding certain aspects of traffic safety such as law enforcement have already taken place

As far as law enforcement is concerned,

Prison population threat to RDP

By BARRY STREEK
Political Staff

THE government was bluntly warned yesterday that it would have to cut down the prison population or face massive increased spending — R2,8 billion in capital costs and R419 million a year for personnel costs, more than the entire budget for the RDP this year.

"Judging from available statistics, South Africa most probably has one of the worst (prison) personnel-to-inmate ratios worldwide," the Commissioner of Correctional Services, General Henk Bruin, said in the introduction to a White Paper on his department's policies.

"There is an existing accommodation shortage of almost 26 000 and a manpower shortage of nearly 7 000.

"To address this backlog will amount to about R2,8bn in capital funds and about R419m annually for personnel costs."

General Bruin said South Africa either needed a smaller correctional system for it to be funded adequately or a re-appraisal of the priority of the system in the national economy in relation to other services and backlogs in the country.

NO SEX PLEASE — YOU'RE PRISONERS

See PAGE 3

Correctional systems all over the world faced overpopulation. At the same time, they faced soaring crime rates and a general public outcry of "get tough on criminals".

However, the effect of longer and more prison sentences on already overcrowded and understaffed prisons was not appreciated.

They also faced "unrealistic expectations of the public of what the correctional function should or could achieve under conditions often counter-productive to the ideal and the vision of rehabilitation and security," General Bruin said.

In the White Paper, the department said that recent events indicated that its functioning in respect of safe custody was "being stretched to its limits".

"The department is experiencing an abnormal increase in incidents of escapes, unrest, arson and hostage-taking," it added. (253)

One factor which contributed to this was the type of prisoners being detained, who were "more aggressive, better organised, cunning, ingenious, etc".

Other factors were inadequate prison structures and security equipment, insufficient prison accommodation and shortcomings in the numbers and training of personnel.

However, the department acknowledged the fundamental rights of offenders which were embodied in the constitution.

"Therefore, it is necessary to incarcerate and treat prisoners in a humane manner and to create a climate which is conducive to rehabilitation," the White Paper said.

CT 22/10/94

Sex, condoms not a priority for prisoners, says minister

VUYO BAVUMA
Political Staff

SEX is not a priority for prisoners and they are not concerned about the distribution of condoms in prisons, Minister of Correctional Services Sipho Mzimela said

Replying to debate on his budget vote in the national assembly yesterday, Dr Mzimela said prisoners were more worried about serious problems like overcrowding

He had visited prisons in Johannesburg and Cape Town and "not a single prisoner" complained about the lack of condoms

MPs should not dehumanise and trivialise the prisoners' plight, he said

Earlier, A C Nel (ANC) said the ministry should provide condoms to the prisoners to curb the spread of Aids. It was futile to ignore sexual activities among the prisoners, he said

Dr Mzimela said Correctional Services staff knew what should be done, but lacked funding

If funding was available, the ministry would organise workshops to teach prisoners manual skills so that they could make marketable goods

But the proposed four-percent budget cut would defeat such objectives

Earlier, Dr Mzimela said prisoners convicted of non-violent crimes, women with children, children under 18 and people over 60 should be released to alleviate the pressure of overpopulation in prisons

He said first-time offenders should be kept separate from hard-core criminals, and those who had committed crimes while in prison should be placed in maximum security prisons

Several MPs called for the eradication of apartheid in the prison services and the complete re-training of staff

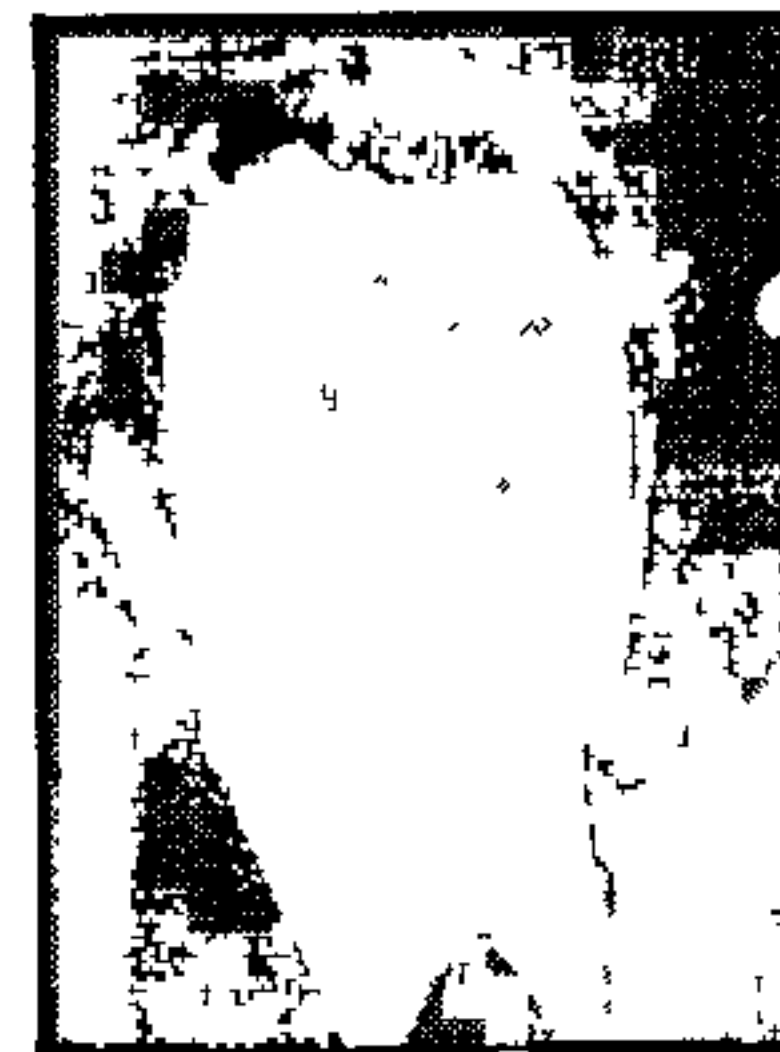
Carl Niehaus (ANC) said South Africans could not be proud of the changes in the country while prisons were still places of "deprivation and the denial of people's most basic human rights"

Maureen Malumise (ANC), who broke down after recalling that she never saw her children alive after she was detained in 1986, was led away from the podium by colleagues. Earlier she said the conditions in women's prisons were also important

(253) ANC 26/10/94



Kader Asmal ... highly emotional issue.



Pieter Mulder ... Afrikaans losing ground.

- 6 1 Die geografiese gebied bekend as Kaap provinsie sal die funksionerings gebied wees
- 6 2 Die gebied kan van tyd tot tyd verander word soos deur die grondwet voorsien
- 6 4 Die gebied sal in 'n aantal funksionele streke opgedeel word na die oordeel van van die bestuurskomitee
- 7 LIDMAATSKAP
- 7 1 Lidmaatskap is oop vir enige nie-regerings organisasie / liggaam / groep / gemeenskapsprojek wat binne die gebied optree en daar gevestig is waarvan die aktiwiteite ooreenstem met die doelstellings van die Vereniging
- 7 2 Volle lidmaatskap word by 'n algemene vergadering van die Vereniging verkry. Voorlopige lidmaatskap en waarnemers status kan by streeks vergaderings toegeken word
- 7 3 Om volle lidmaatskap te bekom moet 'n toekomstige lid voorgestel en

Hunger ⁽²⁵³⁾

strike over ET 3/11/94 indemnity

JOHANNESBURG — ANC officials are to meet President Nelson Mandela on Saturday to discuss a hunger strike by inmates at the Leeuwkop maximum security prison protesting against not being indemnified for political acts.

A statement by the ANC political prisoner support committee yesterday said ANC deputy president Mr Walter Sisulu and PWV legislature member Mr Robert McBride met the strikers to discuss their protest.

"The prisoners expressed their anger and disappointment at the delays in their release six months after the defeat of the apartheid system, against which they fought and for which they are now imprisoned."

Saturday's meeting would discuss ways of expediting their release.

— Sapa

No room to move in Pollsmoor

South 4/11 - 8/11/94

By Shannon Neill

THE maximum-security prison at Pollsmoor is more than 155 percent overpopulated with the overall overpopulation figure there standing close to 100 percent

Director of Prisons Communications Services, Brigadier Chris Olckers, says Pollsmoor Prison is overpopulated by 93 percent, meaning that staff are stretched to the absolute limits to keep the prison going

Pollsmoor Maximum was built to hold 1 703 inmates. The current population is 3 219

Staff are supposed to work 12 days on, two days off. All overtime has to be taken within 14 days or it is cancelled. Because they are short staffed, warders have already lost 1 000 double shifts this year, according to Olckers

Olckers says "Staff members develop a negative attitude toward their jobs and the prisoners

"We need more recreational and development facilities, but if the community and the government have to decide between a primary school or a workshop for prisoners — you know what they'll choose"

SOUTH was allowed into the prison to look at conditions there

The acrid smell of disinfectant greets you as you enter the maximum-security prison, but there are none of the Hollywood-type scenes of prisoners screaming or banging enamel mugs on the bars of their cells

There is no visible violence but the atmosphere is tense and arguments constantly break out among the prisoners or between the prisoners and warders

The fights are quickly subdued by the dog handlers who patrol the corridors

A prisoner attacks another one for allegedly stealing "een van die broers se goue ringe". The warder separates the two with his German Shepherd and the attacker is dragged away shouting

The uneasy quiet returns. Single cells are used to hold three

prisoners and communal cells designed for 16 usually accommodate between 45 and 50 inmates

The double bunks are pushed together and prisoners hang blankets over them to provide some semblance of privacy (253)

The danger with this, says Olckers, is that warders cannot see in Prisoners targeted by the gangs for disciplining or death are unsafe

There is one toilet and one shower in the communal cell. In the evenings prisoners often have to wait for two hours to use either

"At night the air in the cell is bad from the people breathing. There is no privacy and there are fights because people can't wait to use the toilet," one prisoner said

"There is too little work and we just sit here all day feeling frustrated with each other"

Olckers says "Prisoners get an hour for exercise each day and an hour at the most for bathing. That means that for at least 22 hours a day they are stuck together in this confined space

"South Africa subscribes to international conventions with regard to prison conditions and in terms of these the conditions in our prisons are completely unacceptable"

Because of the overcrowding, few prisoners have access to the rehabilitation programmes, the workshops or the library

The prison runs a literacy programme but because of limited resources very few prisoners can take advantage of it

"In terms of the RDP the department is investigating all possibilities for educating people. About 35 percent of the prison population — or 400 000 people — is illiterate

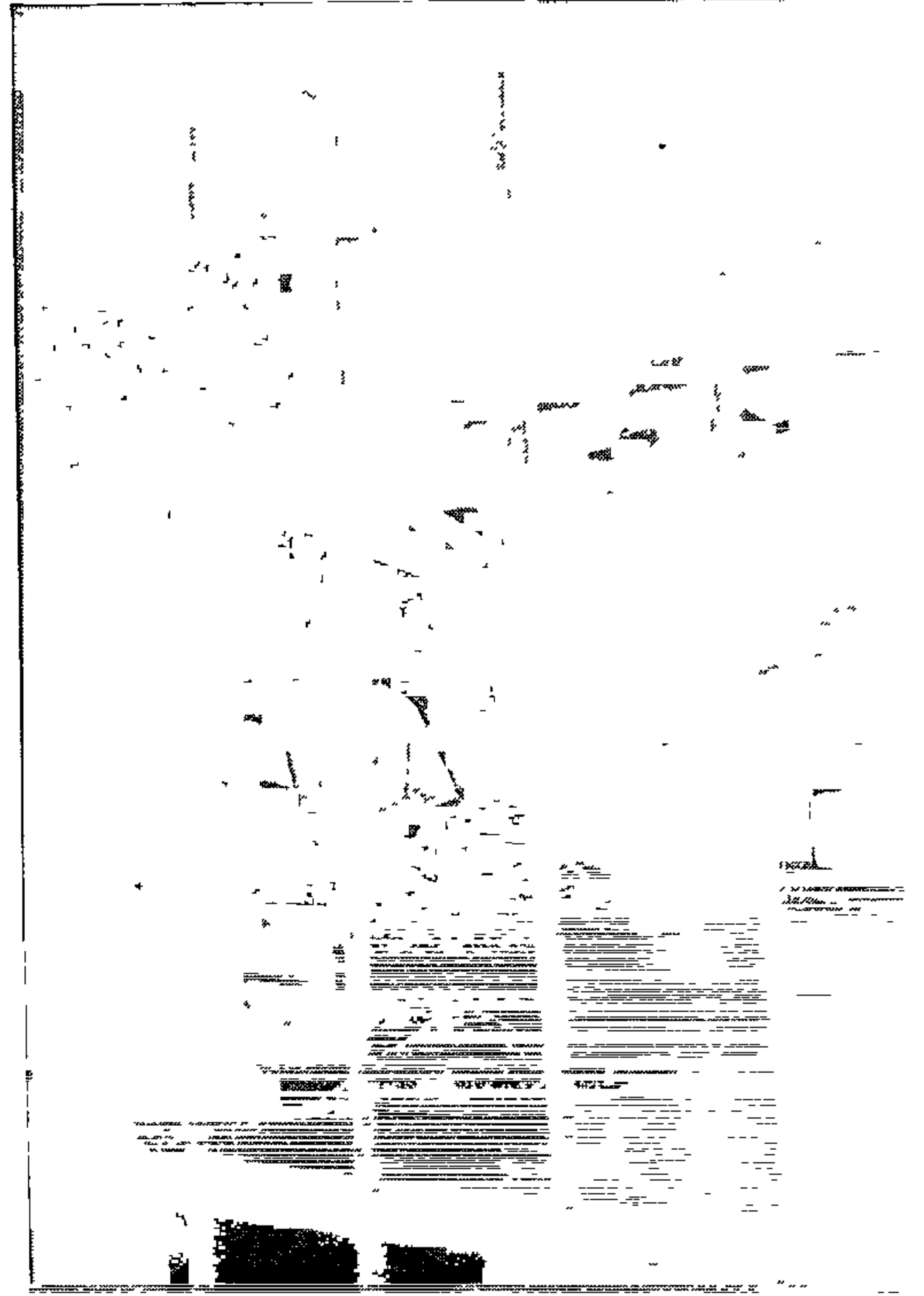
"We're involved with about 40 NGOs promoting literacy and we've implemented a programme where it takes two years, rather than the previous five, to learn to read

"It takes money though and at this point we just don't have it"

● Next week in SOUTH —
Gangs in prison, Children in prison, Women in prison

CROWDED CONDITIONS: Up to 50 inmates have to share a cell designed to hold 16 people

Photo Yunus Mohamed



STUCK TOGETHER ALL DAY: These three youths share a single cell

Photo Yunus Mohamed

8 in prison hunger strike

By EUNICE RIDER

253

CT 10/11/94

EIGHT inmates are now on hunger strike at Pollsmoor Prison

Correctional Services spokesman Brigadier Chris Olckers said last night it was unclear how many of the Heidelberg trialists had joined the hunger strike, which started on Monday morning.

Amy Biehl murderer Mzikhona "Easy" Nofemela, 19, who was recently

sentenced to 18 years' imprisonment, had been joined in the strike by St James Church trialist, 18-year-old Mr Geinikhaya Makoma.

It was not clear which of the three Heidelberg Tavern trialists, Mr Brian Madasi, Mr Luyanda Gqumfas and Mr Khustar Mabandla, was on strike.

All the strikers have claimed membership of the Pan-Africanist Congress (PAC), said Brig Olckers.

**'Children not
above the law'**

253
NATIONAL ASSEMBLY. — New legislation to keep awaiting-trial youngsters out of prisons did not place children above the law, chairman of the National Assembly's Correctional Service committee Mr Carl Niehaus said yesterday. Some magistrates appeared to have criticised the legislation passed last month, he said.

CT 10/11/94

Packed prisons: Convicts may be turned away

By CARMEL RICKARD

OVERCROWDING of jails has become so bad that heads of prisons could refuse to admit any more prisoners on human and constitutional grounds.

This warning was issued by Major-General Erica van Zyl of the Department of Correctional Services at a legal forum in Cape Town this weekend.

The forum — called by the Department of Justice — aims to initiate a programme to restructure the country's legal system.

General van Zyl said prisons were over-populated by 100 percent, which did not allow proper treatment and care of prisoners, and thwarted rehabilitation programmes.

Officials warned that the Constitutional Court might well rule that imprisoning someone in such overcrowded conditions was unconstitutional.

They said that something drastic and innovative had to be done about overcrowding. It was so bad that heads of prisons, aware of the guarantees in the Bill of Rights, could refuse to implement court warrants to hold people in overcrowded jails because of inhuman prison conditions.

Officials said the trend of longer prison terms for more and more offenders with less and less space to accommodate them "cannot continue any longer."

Building more prisons was not the solution because the economy could not afford it. (253)

Opening the conference, the Minister of Justice, Mr. Dullah Omar, said the public was outraged by the level of violent crime which was so bad it could hamper the formation of a human-rights culture.

Amnesty demand by PAC hunger strikers

By AYESHA ISMAIL

EIGHT PAC members held at Pollsmoor Prison have vowed to continue their hunger strike until their demand to be classified as political prisoners has been met.

They believe that once declared political prisoners, they will be eligible for amnesty.

Mzwabantu Allion Gxokwe, Walter Tanda and Andile Tshiceka started their strike at breakfast on Monday. Tanda and Tshiceka, sentenced to 25 years for their part in the Crazy Beat Disco attack in Newcastle on February 14 last year, are awaiting trial on a further charge.

Mandla Maduna and Mzikhona Nofemela started their strike on Tuesday. Nofemela is serving 18 years for the murder of American student Amy Biehl.

Vuyisile Brian Madasi, Khustar Zola Mabandla and Luyanda Gqumfa will stand trial in the Supreme Court tomorrow in connection with the attack on the Heidelberg Tavern on December 30 last year.

A spokesman for the Department of Correctional Services, Lieutenant Mike Green, said their demands had been handed to the Department of Justice.

In accordance with prison policy, the men see a doctor every day while on hunger strike.

SI Times (Cimeta)
13/11/94
(253)

Popcru leads protest against 'victimisation'

MIDDELBURG — Members of the Police and Prisons Civil Rights Union protesting outside police regional headquarters here yesterday were unhappy with senior police management, the union said in Johannesburg (253)

Union spokesman Mr Nkane Mqwathi said members complained of victimisation by senior police officers "intent on sowing division between Popcru members and communities"

Popcru members — numbering about 200 — were to present a list of grievances yesterday. — Sapa

McBride in bid to defuse hunger strike

Star 17/1/94

ANC PWV legislator Robert McBride visited a group of ANC political prisoners at Leeuwkop Prison, north of Johannesburg, yesterday in a bid to persuade them to end their 10-day-old hunger strike.

McBride, a former Death Row prisoner freed under amnesty, said he had visited the prison to brief the 18 men on

efforts by the PWV government to get them released.

But they are now determined to continue their hunger strike. They say this is necessary to prevent the release of political prisoners again slipping off the agenda.

McBride said he had been told that more political prison-

ers at Leeuwkop would join the hunger strike on Monday.

The prisoners said in a statement: "Those of us who are in prison for offences committed before October 8, 1991 (cut-off date for release under amnesty) demand immediate release. Our freedom must be guaranteed or we are prepared to starve to death."

We are not going to spend another Christmas in jail."

McBride also said the condition of the hunger strikers was deteriorating.

Following McBride's visit, Correctional Service spokesman Lieutenant Rudi Potgieter denied that there were any hunger strikers at the prison. — Sapa

(253)



Police were called in to calm angry Wildebeesfontlen residents who had staged a sit-in at the Evaton Town Council offices since last week. The residents have threatened to continue their sit-in if the administrators do not meet with them about their grievances involving stands in the area.

PIC: LEN KUMALO

Remission for over 60s

CERTAIN prisoners aged 60 years and older have been granted special remission of sentence, Correctional Services Minister Dr Siphon Mzimela announced yesterday

Mzimela indicated that about 250 prisoners would benefit

He said President Nelson Mandela had, in terms of the Constitution, granted special remission of sentence to all those aged 60 years and older and sentenced on or before May 10 this year

Those convicted of serious crimes such as murder, culpable homicide, rob-

bery with aggravating circumstances, assault with intent to do grievous bodily harm, child abuse, rape or any other crime of a sexual nature and trading in or cultivating dependence-producing substances would, however, not qualify for remission

Prisoners sentenced as judgment debtors and those detained in terms of the Mental Health Act would also not qualify

Mzimela said the special remission had been extended to those sentenced to correctional supervision before May 10 1994

Remission would also be granted to those sentenced before May 10 but who were placed on parole or correctional supervision before, on, or after this date, as well as prisoners who were released on bail pending appeal and who, at a later stage, started serving their sentences

The remission would become effective once an interdepartmental committee under the auspices of the Correctional Services department was satisfied that a person fulfilled the requirements and would be cared for or would be self-supportive after release — Sapa

1711194
(253)

Pollsmoor sit-in prisoners teargassed

ET 18/11/74

By EUNICE RIDER
POLLSMOOR prisoners were teargassed yesterday and forced back into their cells after they burned blankets and mattresses in a sit-in protest in which they demanded that President Nelson Mandela release them immediately, "as promised".
Corrections Services spokesman Lieutenant Mike Green confirmed last night that

120 prisoners had gone "on strike" in an exercise yard, burning bedding and refusing to return to their cells, after a call from Mr Golden Miles Bhudu, leader of the SA Prisoners' Organisation, for Human Rights.
Lt Green said the Medium A Section prisoners claimed they had been promised their freedom and release by Mr Mandela before the April election.

He said that when the prisoners refused to return to their cells by about 3pm yesterday afternoon, they were surrounded by warders and teargas was fired at them.

"They were then forced back to their cells by warders," He confirmed that warders manhandled some prisoners and damage had been caused to cell gates in the struggle. He said he received a call

later from former prisoner Mr Bhudu, who called off the strike, saying he had secured a government appointment for November 28, to discuss prisoners' demands.

Lt Green said no warders were injured in the fracas but "a handful of prisoners were very lightly injured with bruises".

Mr Bhudu, could not be reached for comment.

Pollsmoor protest turns ugly

ARG 18/11/94

HENRIËTTE GELDENHUYS
Staff Reporter

MORE than 100 defiant Pollsmoor prisoners were beaten with batons and were teargassed to force them to return to their cells, a prisons spokesman said.

The medium security prisoners refused to take part in a physical training exercise yesterday and held a sit-in protest in the courtyard, said Correc-

tional Services spokesman Mike Green. When the prisoners, who were burnt blankets and a mattress in the courtyard, demanded to be released before moving, warders "had to use the necessary violence to move them back to their cells", said Lieutenant Green.

No one was seriously injured

during the confrontation at 4.30pm, but some prisoners were bruised and scratched, he said. Media representatives were refused access to Pollsmoor prison. The prisoners' protest was part of nationwide strike action organised by the South African

Prisoners' Organisation for Human Rights. The protest was held to call for an Amnesty Resolution Committee to "arrive at a fair, logical and informed system of amnesties and sentence reductions". Prisoners were told only late yesterday afternoon that strike action by the prisoners' organi-

Batons and tear gas used to subdue 100 defiant prisoners

sation had been suspended pending a meeting with members of parliament and Justice Minister Dullah Omar, said Lieutenant Green.

"They tried to make the prison ungovernable. But they're a small minority among 6 000 prisoners"

Lieutenant Green said prison authorities could not allow pro-

testers to stay in the courtyard at night because it would have created an opportunity for them to escape.

"Our first responsibility is to protect the public," he said

● In a separate action, 14 HIV-positive prisoners have embarked on a hunger strike, saying promises had been made that they would be released. Lieutenant Green said a memorandum containing their demands had been forwarded to the ministry of justice.

Prisoners hungry for indemnity

WJM 18-24/11/94 (253)

Mduduzi Ka Harvey

THE hunger strike of prisoners at Leeuwkop Prison demanding indemnity as political prisoners entered its 11th day yesterday with two in critical condition and seven more inmates threatening to join.

The 16 striking prisoners, who vowed not to turn back "until we spend Christmas at home", are among 200 inmates countrywide demanding their release in terms of the Indemnity Act and various agreements signed between the ANC and the government.

The prisoners at Leeuwkop are being held in the maximum security wing. They claim no doctor has attended to them. Two are in a critical condition and can't walk without being helped. As a result of their actions the prisoners claim they have been downgraded — no visits from family and friends, no telephone calls and in some cases solitary confinement.

For inmates their treatment is a contravention of the Tokyo Declaration which guarantees that a prisoner will be sent to hospital after 10 days on hunger strike or as soon as they lose 10kg.

Department of Correctional Services spokesman Rudi Potgieter denied the allegations: "We treat our inmates according to international standards. Medical supervision is always there. The doctor decides who has to be hos-

pitalised," he said

This week the prisoners told the *Mail & Guardian* their strike was intended to send a message to the ANC that they were feeling neglected because of the government's foot-dragging.

"We were instructed to do what we did by people who are now sitting in parliament. Why should we be sitting inside?" one inmate said.

Mostly ANC-aligned, the prisoners sent out a statement saying: "There is no moral excuse for continued imprisonment now that the ANC is a majority party in the government."

Among those on hunger strike are six members of the National Union of Metalworkers of South Africa, who were among 250 people sacked in 1991 from the Jupiter factory in Germiston.

The company called in United Workers Union of South Africa members to replace them. Some of the replacements were killed, and the Numsa Six received prison terms ranging from 12 to 24 years for their deaths.

According to the six, their case is being treated as an industrial case, but they argue that their actions were politically motivated.

"All our actions were during the time when union leaders were being assassinated: there was the siege of Cosatu House, Neil Aggett was killed. Do they want to say this was industrial?" asked one hunger striker.

The six want their case to be treated in the same way as that of several members of the South Africa Railway and Harbour Workers Union (Sarhwi), convicted of the necklace murder of four strikebreakers in 1986. The Sarhwi members have been released on political grounds.

Also striking are Soweto self defence unit members Bathandwa Godlo and Stanley Wanyane, jailed after a shootout with police on their return from Bophuthatswana where they had gone to fetch guns with two colleagues at the height of political turmoil in the townships. One of their colleagues escaped and the other was killed, while they were arrested and both sentenced to 15 years.

They say the formation of SDUs was in response to a call by people like former MK chief of staff Chris Hani, and therefore they see no reason to be incarcerated. They claim theirs was a call to stop violence and not to cause it. And as SDUs in the East Rand are getting full recognition, they feel as SDU members they must be recognised as political prisoners who qualify for release.

For now, prisoners believe their only ray of hope to be the Indemnities Office, which was established in Pretoria in June this year. So far prisoners claim about 30 inmates have been released out of 200 and their patience is running out.

Pollsmoor inmates set beds alight

CT 19/11/94

By EUNICE RIDER

FOURTEEN HIV-positive Pollsmoor prisoners yesterday barricaded their shared cell's gates with their beds and set alight their bedding and mattresses, after insisting on immediate amnesty or an appointment with the Minister of Correctional Services.

Lt Mike Green of the Department of Correctional Services said the 14, who went on a hunger strike on Thursday morning, yesterday insisted on seeing Mr Siphosizwe Mzimela, the Minister of Correctional Services last night. Mr Mzimela is overseas.

He said the prisoners carried out their threat but warders put the fires out through cell windows.

Lt Green said the HIV-positive prisoners claimed that shortly before the election they had seen on television that they would be granted amnesty, and they wanted to be freed "at once".

Set alight

The 120 Medium B prisoners who went on strike by lighting bedding in an exercise yard and refusing to return to their cells on Thursday, were calm yesterday following a call from SA Prisoners' Organisation for Human Rights leader, Mr Golden Miles Bhudu, on Thursday night, to stop their action.

But Mr Bhudu's message had not filtered through to the Buffeljagsrivier Prison near Swellendam, where at noon yesterday about 80 prisoners set alight their bedding in a demand for their immediate freedom "as promised before the elections".

Lt Green said the windows and toilet bowls were smashed by the prisoners. One prisoner was injured

On Thursday the 120 striking Pollsmoor prisoners were teargassed and forced back into their cells by warders. Lt Green said "a handful of prisoners were lightly injured" in the incident.

Hunger strike ends at prison

Crime Reporter (253)

FOURTEEN HIV-positive Pollsmoor prisoners yesterday broke their three-day hunger strike, calling for immediate amnesty or an appointment with the Minister of Correctional Services.

The prisoners started their strike on Thursday morning and set their bedding and mattresses alight on Friday. They claimed that, shortly before the election, they had seen on television that they would be granted amnesty and they wanted to be freed at once.

CT 2/11/94
The minister, Mr Siphiso Mzimela, is overseas.

Prisons short of 7 154 staff

THE South African Prisons Service had a staff shortage of 7 154 members in October, Correctional Services Minister Mr Siphon Mzimela disclosed yesterday.

Responding to a question he said the prison with the most inmates was Durban with a prison population of 6 465 and a staff/prisoner ratio of 16 (253).

This was followed by Johannesburg with 6 272 (17) and Pollsmoor with 6 076 (16). CT 22/1/94
Buffeljags River has the highest staff/prisoner ratio (19).

Warders strike in Natal

(253)

DURBAN — More than 200 warders are on strike at Ngcome Prison outside Vryheid in northern kwaZulu/Natal. Police could not say what their grievances were.

CT 24/11/94

24 'ANC prisoners' on hunger strike

PRETORIA. — The number of prisoners on hunger strike at Leeuwkop Prison has risen to 24, a Correctional Services spokesman said yesterday.

He was reacting to claims by the Political Prisoners' Support Committee that "all 30 ANC political prisoners" at Leeuwkop were refusing to eat.

Colonel Barry Eksteen said 16 prisoners began striking on November 8 and another eight joined them on Tuesday.

In a statement the committee said the prisoners were demanding a "definite commitment" to their release before Christmas.

The hunger strike had reached a critical stage for those entering their third week, the statement added "They are extremely weak and many are unable to walk." — Sapa

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SANLAM CENTRE

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H WONDER OF THE WORLD
ERIENCE AN ADVENTURE
EYOND THE LOST CITY
XPLORE WITH US THE MAGICAL

More prisoners join hunger strike

WM 25/11 - 1/12/94

Mduduzi ka Harvey (253)

THE hunger strike by inmates of Leeuwkop Prison demanding political indemnity intensified this week as eight more strikers joined the 18 who have been refusing meals for the past two weeks.

According to inmates who called the *Weekly Mail & Guardian*, more are preparing to join the protest. The prisoners want to spend Christmas at home and are blaming Deputy President FW de Klerk for dragging his feet in signing their releases.

Some are angered by the fact that six months after the new government came into being, they are still languishing behind bars without any word from the government. Others blame the ANC for its failure as the majority party to pressure other political players into releasing them.

The solution may lie in next week's meeting between Minister of Justice Dullah Omar and the South African Prisoners' Organisation for Human Rights. At issue will be demands for the release of 250 political prisoners, the formation of an amnesty resolution committee which must urgently convene to arrive at a fair and informed system of amnesties and sentence reductions for common law prisoners and to start smelting

AR6 26/27/96

Juvenile Justice: No jail, no wail

No charges will be laid unless cases are taken to court

DI CAELERS
Weekend Argus Reporter

A NEW juvenile justice system, which turns South Africa's way of dealing with youth offenders on its head, could be a reality within just one year.

Officially released in the form of proposals for draft legislation, the new system says criminal charges should be a last resort, with "diversion processes" the pivotal method for dealing with youth in conflict with the law.

Children being jailed, or held in similar secure facilities, would be "an unusual occurrence", but there's no easy way out for youngsters who have committed serious offences — they would be held accountable, but subject to a court governed by appropriate rules.

Court overcrowding as a result of hundreds of petty offences would be a thing of the past

The proposals are the result of years of work and consultation throughout the country and the main role players include the National Institute for Crime Prevention and the Rehabilitation of Offenders (Nicro), the University of the Western Cape's Community Law Centre, Cape Town Child Welfare, Lawyers for Human Rights, the University of Cape Town's Institute of Criminology, Community Peace Foundation and the Provincial Administration of the Western Cape.

Major departures from the country's present system, which administers justice for juveniles by applying the Criminal Procedures Act, the Child Care Act and the Correctional Services Act, include the following

- The young person may be cautioned rather than arrested,

- They are not charged unless the case is going to proceed to court (such as for serious offences or when conflict resolution with the Family Group Conference breaks down),

- The most common way of handling the offending behaviour of a young person is with a Family Group Conference, and

- It will be unusual to hold a young person in custody either at the pre-trial stage or at sentencing.

The new system would effectively raise the age of criminal capacity to 14 years and state that only young people of 14 or older could be tried

■ A new system of justice for South African children in trouble with the law promises to turn the present system on its head — and could be up and running within a year.

by criminal courts.

"However, young people between the ages of seven and 13 are able to be held accountable for their behaviour, by means of a caution or a family group conference"

The draft document claims the "present system merely continues to reproduce more of the same, using systems and procedures that neither curb crime nor assist the young person to take responsibility for their actions".

The new system would instead:

- Emphasise accountability, encouraging the young person to acknowledge and take responsibility for his or her offending behaviour;

- Encourage restorative justice and the resolution of conflict,

- Bring young people, their family groups and communities to the centre of the decision-making process,

- Protect the rights of the young person and the victim, with direct restitution to the victim being a particular feature;

- Provide alternatives at every stage of the process — at arrest, pre-trial and at sentencing — so that "diversion procedure" becomes a central part of the system rather than peripheral to it,

- Encourage plans to prevent re-offending;

- Provide methods to minimise the need for institutionalisation at any stage of the process, and

- Be sufficiently flexible to ensure cultural appropriateness.

The document lists "caution of a young person by a police officer" and "written notice to attend a referral meeting" as alternatives to arrest, and says the type of offences in such cases includes trespass, disturbance, or any minor victimless offence.

A nine-month phase of consultation is to follow the release of the proposals for draft legislation on juvenile justice. The adoption of the legislation is expected within a year.

Natal prison strike over (253)

ULUNDI — Striking staff at Ncome prison in northern kwaZulu/Natal all returned to work yesterday, the Department of Correctional Services said

CT 26/11/94

■ Non-government bodies and state departments have joined forces to back proposals for a new juvenile justice system for South Africa to be presented to parliament in nine months.

DI CAELERS

Weekend Argus Reporter

REVOLUTIONARY plans for a new juvenile justice system for South Africa have received the thumbs-up from non-government bodies and state departments.

They have committed themselves to piloting the proposals until final acceptance, by parliament in nine months

The new ideas are to be tested and researched at all levels of the justice system during this period of consultation

And the National Committee on Children in Detention has been renamed the National Committee on Juvenile Justice and will act to centralise planning and consultation around the proposals

Last weekend, Weekend Argus detailed the proposals for new draft legislation around children in trouble with the law, revealing that in the new system criminal charges should be a last resort

Children being jailed, or held in similar secure facilities, would be "an unusual occurrence", but, there's no easy way out for youngsters who have committed serious offences — they would be held accountable, but subject to a court governed by appropriate rules

The proposals were accepted at a workshop, before which they were handed to President Mandela and his deputy, Thabo Mbeki

The workshop was attended by NGOs including Nicro, Lawyers for Human Rights, UCT's Institute of Criminology, the Community Law Centre at the University of the Western Cape and Cape Town Child Welfare, and by representatives of the departments of justice, welfare, safety and security and correctional services

Don Pinnock, of UCT's Institute of Criminology and one of the drafters of the proposals, described the new developments as "extremely exciting"

"Our way of dealing with kids in conflict with the law has been really alien to young people and has been so punitive that offenders become its victims the moment they come into contact with it"

Principal legal drafter of the proposals, Lawyers for Human Rights' Ann Skelton, said the high level of accord was a very positive step towards the development of a comprehensive juvenile justice system.

Nicro's Rosemary Shapiro, who organised the workshop, was elated at the understanding and goodwill of all the principal role-players. "All the important organisations and people are on board the process. This is good news for the young people of South Africa"

Jailing of juveniles resorted to only in exceptional circumstances

Aelt 3/12/94

(253)

(248)

Child-crime reform

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'Stop easy bail'

ARC 8/12/94
253

MICHAEL MORRIS
Political Correspondent
NATIONAL Party and African National Congress ministers in the Western Cape have joined forces to demand that the courts stop granting bail to people charged with violent crime. They say easy bail is defeating the police, and they are to take up the matter with Minister of Justice Dullah Omar.

Their comments add to a steadily growing controversy over suspects in vio-

□ Parties join forces to demand justice minister acts

lent cases being released on bail and committing more crimes.

Regional Minister of Environment Affairs, Nature Conservation and Tourism Lerumo Kalako and Minister of Police Patrick McKenzie said the ease with which bail could be obtained in cases involving serious crimes was unacceptable. They were speaking in a fiery debate on a private member's motion by Democratic Party leader Henne Bester on the "demoralised and mismanaged" police

services, which was marked by sharp exchanges between NP and ANC legislators.

Mr Bester warned that the ease with which offenders were granted bail meant "justice is no longer seen to be done in the community".

Mr Kalako said, "Time and again people have been arrested on serious crimes such as murder, rape and armed robbery, but within minutes or days they are free." Supporting Mr Kalako, Mr McKenzie said he would gladly accompany his cabi-

net colleague in visiting Mr Omar to raise these concerns.

"It is wrong and cannot continue" Mr Omar himself recently urged that courts "refuse bail in appropriate cases".

His comment and much of the controversy arose from the case of an alleged taxi warlord, who was arrested on a murder charge while out on bail on an earlier murder charge.

Mr Omar also ordered the South African Law Commission earlier this year to

consider wide-ranging proposals to deal with mounting public concern over bail laxity.

Legal experts have pointed out that while the public perception is that the problem is the fault of the new constitution, in fact the problem lies in its administration rather than the constitution itself.

In yesterday's debate, Mr Kalako also repeated his appeal for army assistance being given to the police.

Mr Bester called for a "radical look" at government spending priorities, warning that the police budget could not be cut or merely kept at this year's level.



TURNING THE TABLES: Shirley Ginn and her lawyer, Essa Moosa, leave the office of Western Cape deputy police commissioner Quinton Visser today after laying criminal charges against Adriaan Vlok. Picture: LEON MULLER.

ARG 14/12/94

Vlok charged for bomb claim

ARG. 14/12/94 -

253

'The tables have turned,'
says Umkhonto member

CLIVE SAWYER
Political Correspondent

UMKHONTO we Sizwe member Shirley Gunn today charged former law and order minister Adriaan Vlok with crimen injuria and obstructing justice for his 1988 claim that she had bombed Cosatu headquarters at Khotso House in Johannesburg.

"It's a great day, the tables have turned completely," she said on her way to the office of Western Cape deputy police commissioner Quinton Visser.

Affidavits by former police and "askaris" — guerrillas who became police — published in the past month claimed Mr

Vlok knew the bombing was the work of the police

The policeman who made the allegation is in a witness protection programme arranged by the Goldstone Commission

The policeman said Mr Vlok congratulated askaris at a braai after the bombings

Brigadier Visser barred journalists from his office when Ms Gunn and her lawyer, Essa Moosa, entered to hand over her affidavit and lay charges

He said his office was private and "the public" could not enter

At an impromptu Press conference afterwards, Ms Gunn said "I feel good, I really do"

She dismissed Mr Vlok's naming of her as a suspect in regard to the bombing as "a sheer case of fabrication"

Ms Gunn, a Western Cape unionist who

trained as a guerrilla in Angola and Cuba in 1986 and 1987, returned to the country at the end of 1987

She was detained for prolonged spells but no charges were ever laid against her

She said Mr Vlok's allegation had made her "a sitting duck" while she was out of detention

"He was signing my death warrant, because in the eyes of the public, had the police stumbled across me they would have had a licence to kill me"

The lingering doubt about her innocence because of Mr Vlok's statement had meant she had not felt truly free, even after her release from detention with other political prisoners in 1990

Mr Moosa said Brigadier Visser had told them the police were apolitical and would start investigating the allegations in the docket opened today

Striking warders 'fire on sheriff'

(253)

Own Correspondent

MARITZBURG — The sheriff of Dundee and his deputies came under fire from striking warders at Ncome Prison yesterday when they attempted to serve a Supreme Court interdict on Popcru committee members

Sheriff J G Celliers said "at least 20 shots were fired into the air" by 12 warders armed with revolvers, pistols and automatic rifles

One shot not fired into the air struck the chassis of Mr Celliers' car, which was driven by two deputy sheriffs

"We fled . . . it was very frightening indeed," said Mr Celliers "We are not used to this sort of thing and we are not armed. All we were trying to do was to serve some papers, but no one wanted to accept service"

The warders began striking on Monday over the issue of promotions

The Department of Correctional Services said in a statement yesterday that activities at the prison were at a standstill. The department was uncertain whether prisoners were receiving food or medical services

et 15/12/94

Tail calls

ails' shock

CT 15/12/94 (253)

'Third force' boss' R10 000 cell phone bill

Own Correspondent
PRETORIA. — Suspected "Third Force" police Colonel Eugene de Kock ran up a R10 000 cellular telephone call bill from his Verwoerdburg police cell — including one to transfer almost R1m from his Swiss bank account.

arrested on May 4 The courts twice refused him bail pending his trial on February 20 on the grounds that he was unlikely to stand trial and would interfere with state witnesses He was held in Verwoerdburg to give him easier access to legal representatives

This was revealed in the Supreme Court here yesterday in a successful application to have Col De Kock moved to Pretoria Central Prison.

According to an affidavit submitted to court by Gauteng deputy attorney-general Ms Antoinette de Jager yesterday, Col De Kock used his cellular telephone to contact a journalist at the Weekly Mail & Guardian newspaper 26 times, trying to have information published that would discredit members of the team appointed to investigate his alleged crimes He also contacted a state witness and made regular calls to SA Police Service members

Alcohol

The application was argued on the assertion that the former Vlakplaas commander had too many privileges and too little security at the Adriaan Vlok police station cells.

Documents before the court showed that between July and October, Col De Kock had paid R7 034,50 for cellular calls Another R3 255,59 has yet to be paid.

The court was told that since July, Col De Kock had made cellular telephone calls worth more than R10 000 from his cell — including one to transfer almost R1m from his Swiss bank account to an institution in Portugal, where his wife and his two children are believed to be living

Col De Kock, in his answering affidavit, said the cellular telephone was not in his possession throughout that period, so he was not responsible for the full amount.

'Abusing'

The court heard that Col De Kock — who faces 106 criminal charges, including murder and kidnapping, relating to Third Force activities — also had alcohol, a colour television set, a video recorder, an M-Net decoder and a steak knife when a special investigation team inspected his cell on December 8. He had been having drinks with visitors in his unlocked cell.

Ms De Jager said the conditions under which Col De Kock had been detained could easily give the former policeman the opportunity to escape

Col De Kock, who had an alarm installed in his cell after someone tried to enter it one night, had also been taken on outings, once to the Verwoerdburg Rugby Club.

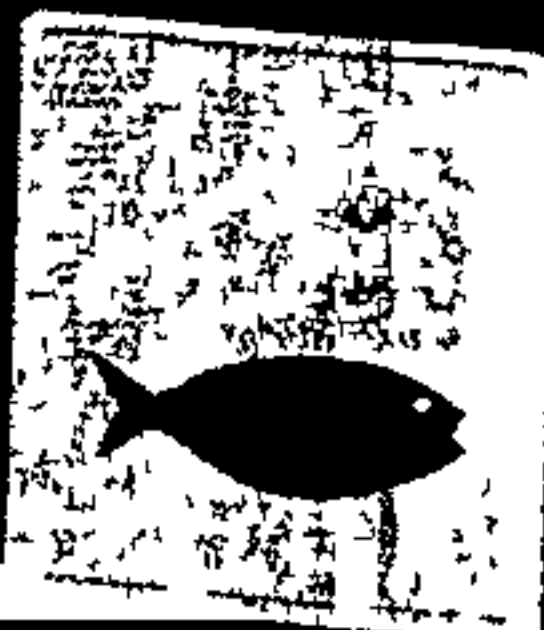
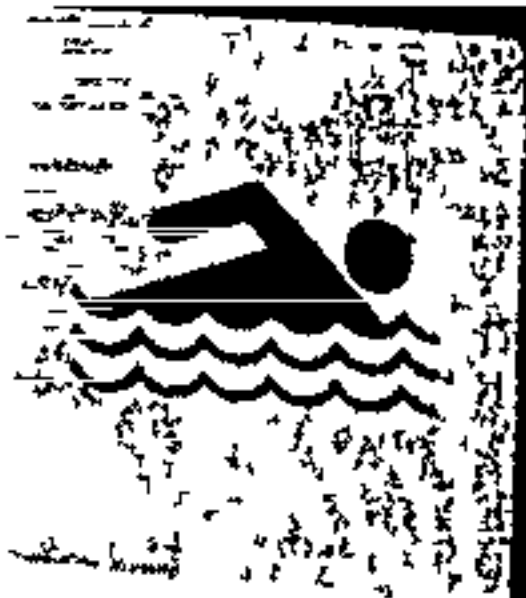
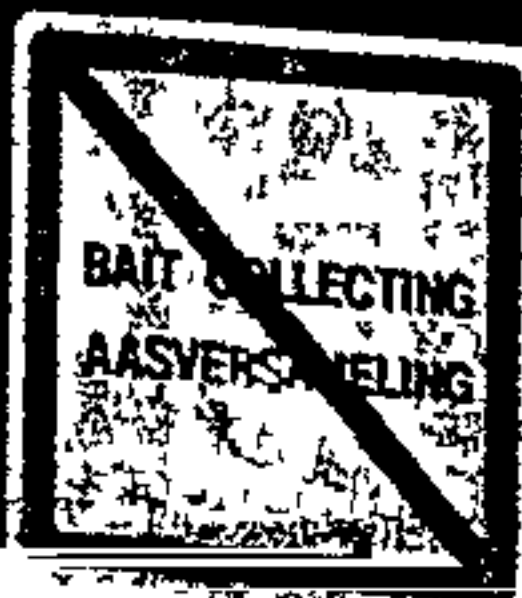
"Attempts had been made to limit the possibility of escape and interference with state witnesses by keeping him in detention This objective was, however, being defied by the fact that the accused was receiving unprecedented privileges under police protection and was abusing the privileges granted to him for humanitarian reasons," Ms De Jager said

The former policeman was

Col De Kock's legal team did not oppose the application to move him to Pretoria Central Prison.



WESTERN CAPE NATURE CONSERVATION
WESKAAPLANDSE NATUURBEWARING
RESTRICTED MARINE AREA/BEPERKTE MARIENE GEBIED



... Cape Nature Conservation officer Mr Pat Stacey of Kalk Bay with the new signs erected on the False Bay coast in a bid to stop the of marine resources.

Picture: BENNY GOOL

Charges possible for De Kock cell guards

PRETORIA. — Criminal charges and disciplinary steps, including possible dismissal, are being investigated against policemen allegedly involved in irregularities relating to the treatment of former Vlakplaas commander Colonel Eugene de Kock, a ministry of safety and security statement said on Friday.

(253)
The statement said Minister of Safety and Security Mr Sydney Mufamadi had been told of irregularities in the way in which Col de Kock had been treated while held at Verwoerdburg's Adriaan Vlok police station.

CT 19/12/94
The minister had agreed that the "royal" treatment afforded to Col de Kock was unacceptable and that he should be transferred to a prison — Sapa

Popcru threat of major action against prisons

Star 20/12/94

■ OWN CORRESPONDENT

Cape Town — The Police and Prisons Civil Rights Union says the Department of Correctional Services is "out of touch with the rest of South Africa" and the union is planning "major" industrial action at all prisons in the new year.

Regional Popcru chairman Hendrik Davids said yesterday apartheid and discrimination against black members and prisoners was "still alive and well" in the prison service.

He challenged Correctional Services Minister Siphosiso Mzimela "to deny the fact that his department is still a bastion of apartheid".

The latest list of promotions "proved that affirmative action was virtually non-existent".

Nationally, 85 percent of officers and senior management promoted

this year were white.

In the Western Cape, white officers and managers made up more than 95 percent of promotions, he said.

Davids accused the department of using the integration of former homeland prison services as a smokescreen for affirmative action. (253)

Popcru wanted to see its members in non-homeland regions promoted, he said.

Instead of practising true non-racialism, "we believe that they will try to promote blacks who share their point of view and hold no threat to their own little world".

Davids said Popcru members were sick and tired of discrimination.

"Action will be taken — that is a reality".

It would be a busy festive season for Popcru, canvassing members and organising for "some form of industrial action" towards the end of January.

Prison warders establish new union, Cousa

AIN MACDONALD
Weekend Argus Reporter

(253)

A NEW prison warders' union, the Correctional Officers' Union of South Africa (Cousa), has been formed after prison warders broke away from Gregory Rockman's Popcru this week.

A Cousa spokesperson said the break

emanates out of frustration and anger with the leadership of Popcru.

"The prison warders claimed that the leadership of Popcru has proved itself as incompetent and prejudiced and the leadership of Popcru has dismally failed to serve the interests of prison warders."

May under the leadership of Cousa president Enoch Nelani.

One bone of contention was an invitation from the Danish Prison Union this year, by which Popcru members were invited to visit Denmark to study the Danish system. Popcru leaders had undertaken to draw up a draft document on the Danish system

ARG 24/12/94

Warders on go-slow

DURBAN. — Warders (253) have begun a go-slow at Durban's Westville Prison. A Police and Prisons Civil Rights Union spokesman said warders had abandoned all duties except feeding and providing medicine to prisoners. ARG 24/12/94

19 juveniles in escape

Sowetan
KWAZULU-NATAL police were yesterday still searching for 19 juveniles who escaped from Durban's Westville Prison and 14 prisoners who escaped from Vryheid's Ncome Prison at the weekend

(253)
Both escapes came during a go-slow by members of the Police and Prisons Civil Rights Union (Popcru)

Popcru KwaZulu/Natal organiser Mr Babah Nyandu said the go-slow was to press demands for the immediate removal of Minister of Correctional Serv-

ices Dr Siphho Mzimela and the provincial commissioner-general of prisons

Popcru is also demanding promotions, transparency in recruiting, a stop to alleged bribery and nepotism, and the reinstatement of Popcru members dismissed in 1990, allegedly for union activities

27/12/94
Department of Correctional Services spokesman Major Koos Gerber on Friday said the go-slow was irresponsible and if lives were put at risk, action would have to be taken — *Sapa*.

40 prisoners escape Popcru warders strike

Star 27/12/94

Durban — More than 40 prisoners were on the run in KwaZulu/Natal yesterday after escaping from three prisons during a strike by warders, a department of correctional services spokesman said.

Major Koos Gerber said a total of 54 inmates had escaped over the Christmas weekend but 12 had been recaptured by early yesterday morning.

He said prison services in the province had been severely affected by a go-slow strike by members of the Police and Prison's Civil Rights Union (Popcru), which started on Friday.

"Popcru members do come to work but refuse to do any duties other than make sure the prisoners are fed," Gerber said.

He said police and warders from Gauteng had been called in to maintain order at Ncome prison in Vryheid after 16 inmates had escaped on Saturday.

"This prison is the worst affected because most of the warders are Popcru members. At the time of the escape there was only one warder on duty at each of the two prisons at Ncome," Gerber added.

He said seven inmates had escaped from Maritzburg prison.

"Warders caught a prisoner escaping (on Sunday) who then informed them that seven other prisoners had escaped the night before."

He said 21 inmates from Durban's Westville prison were still being sought by police after 31 prisoners escaped on Saturday.

Gerber said Popcru was demanding the resignations of Correctional Services Minister Siphon Mzimela and that of KwaZulu/Natal's regional prisons commissioner, General Johan Hills.

"They wanted an answer by December 23 which we gave them, but they were not happy

with this and decided on a go-slow strike," Gerber said.

■ A 17-year-old boy died in his Heidelberg police holding cell early yesterday after he was arrested in Zonk'izwe on Christmas Day for crimen injuria and hindering the police in the execution of their duties.

SAPS spokesman Warrant Officer Andy Pieke said that the boy had been taken to the AG Visser Hospital at about 2 pm on Sunday after complaining of stomach cramps. (253)

The boy, whose name has not been released, was prescribed medication and the first dose was administered at 6 pm.

Pieke said paramedics were called at about 1 am when the boy was found in obvious pain by a policeman during routine cell inspection. He died later.

A post-mortem will be held and police have opened an inquest docket — Crime Staff

Prison warders to end go-slow

CT 28/12/94

(253) 

DURBAN — Agreement was reached between the Department of Correctional Services and the Police and Prisons Civil Rights Union (Popcru) yesterday, ending a go-slow in kwaZulu/Natal prisons that led to the escape of 54 prisoners

Popcru regional secretary Mr Nhlanhla Ndumo appealed to prison warders to return to work today

The parties agreed to form a committee to examine the union's demands

Acting Minister of Correctional Services Dr Ben Ngubane, who chaired the meeting, agreed to make representations to President Nelson Mandela on a union demand for Minister of Correctional Services Mr Siphon Mzimela to be removed

Union's demands for review

Dr Ngubane said the meeting was a success. The parties had set "an inclusive transparent process in motion to handle grievances"

He said the committee would include ministerial, departmental and union representatives

To be known as the kwaZulu-Natal Correctional Services Task Group, it would also deal with possible disciplinary steps against warders

The committee will consider

union demands for promotions and merit awards, allegations of nepotism and bribery, and a demand for the reinstatement of Popcru members fired in 1990 for union activities

Popcru regional chairman Mr Bhekani Ngubo said the union was happy with the outcome of the meeting

Regional Commissioner of Correctional Services Major-General Johan Hills, whose removal is one of Popcru's demands, said the confrontation in the province's prisons could have been averted had the union put its demands "to the correct authority on a national level"

● Twelve of the 54 escaped prisoners have been rearrested. They escaped from Durban's Westville Prison, Vryheid's Ncome Prison and prisons in Maritzburg and Empangeni — Sapa

control of camp ● R3,3m stolen property recovered

Prisons go-slow ends

AGREEMENT was reached yesterday between the Police and Prisons Civil Rights Union and the Department of Correctional Services, ending a go-slow in KwaZulu-Natal prisons that led to the escape of 54 prisoners

All the escapes were on Christmas Eve during a go-slow by Popcru members who refused certain tasks, including nightshift

A total of 12 prisoners have been recaptured so far. Twenty-one of the 31 juveniles who escaped from Westville Prison near Durban were still at large yesterday morning, Correctional Services spokesman Major Koos Gerber said

The last of the 10 to be captured called for help from the prison roof on Monday morning when he was unable to get down. At Vryheid's Ncome Prison, 14 of 16 prisoners who escaped were still at large yesterday morning, as were seven who escaped from Pietermaritzburg.

A group of 62 policemen from Gauteng was sent to Ncome at the weekend to restore order.

Three awaiting-trial prisoners escaped from Empangeni Prison yesterday morning.

KwaZulu-Natal police spokesman Colonel Casper Stein said the three men escaped after scaling a roof in the prison grounds. A search is under way

Regional Popcru secretary Nhlanhla Ndumo called on prison warders to return to work today.

Acting Minister of Correctional Services Mr Ben Ngubane agreed to make representations to President Nelson Mandela on a union demand for the removal of Minister of Correctional Services Dr Siphosizwe Mzimela

Ngubane, who chaired the meeting, said it was a success. The parties had set "an inclusive, transparent process in motion to handle grievances". (253)

He said the committee would include representatives of the Minister of Correctional Services, departmental officials and Popcru members. — Sapa

Chaos as inmates steal key to Empangeni Prison

Popcru agrees to end strike

Durban — The Police and Prisons Civil Rights Union agreed yesterday to end a go-slow strike at prisons in KwaZulu/Natal, a Popcru official said.

"Popcru is happy because most of the things we have asked for have been obtained. We call on each and every member of Popcru to come back to work and perform duties from tomorrow," regional chairman Bhekani Ngubo told a news conference.

The agreement was reached after a meeting between a Popcru delegation and prisons authorities led by acting Minister Ben Ngubane.

In terms of the agreement, a committee will be established to look into Popcru's grievances relating to promotions, bonuses, recruitment and nepotism, Ngubo said.

Ngubane told reporters that yesterday's meeting had been a success and that a process had been put in place to address Popcru's demands.

Breakdown

The meeting followed a breakdown in prison services in the province after Popcru called a go-slow on Friday when its demands submitted to the Department of Correctional Services were not met.

Meanwhile, 43 prisoners were still at large yesterday after breakouts by prisoners at four prisons since Saturday.

An inmate at the Empangeni Prison in KwaZulu/Natal was wounded and another escaped when about 30 prisoners awaiting trial tried to escape yesterday, a prisons spokesman said.

Major Koos Gerber said the wounded prisoner was one of three inmates who climbed a wall after inmates had overpowered three warders and took a key for one of the prison gates.

"Realising that their attempt to escape had been foiled, they took to the courtyard and went to a separate section in the prison," he said.

"There they managed to force open wire mesh, which covered the passage, and three of them managed to climb over the wall."

"The police were alerted and tried to stop the prisoners from getting away."

"In the process, one prisoner was wounded and another was returned to the prison. It is believed that one prisoner managed to escape," Gerber said in a statement.

Gerber said the escapes were linked to the Popcru strikes, which had crippled the prisons service. (253)

He said the escape drama began earlier in the day after about 50 of the 65 warders went on a go-slow. The attempted breakout took place at 9 am.

Proper count

He said. "The Popcru members were apparently only prepared to assist with the unlocking and lock-up of prisoners, giving of food, and with medical parades."

As order returned to the prison, Gerber told the press: "At present, attempts are being made to find the missing key and to do a proper count of the prisoners to make sure only one prisoner managed to get away."

Protected Spring		0.6	1.4	4.2	
Other			0.3	2.2	1.6
Per Capita Consumption	n/a	15.1litres	18.9litres	21.0litres	15.9litres
Sanitation					
Flush toilet	74.6	20.7	15.4	0.2	
VIP	2.5	2.6	1.7	2.1	
Other Pit Latrine	19.6	63.1	68.9	95.2	
Bucket Toilet	0.7	2.3	4.5	1.4	
Chemical Toilet			0.6	0.2	
None	2.5	11.4	9.0	0.9	100.0
Energy Usage					
Wood and Other		51.1		55.1	77.5
Paraffin and Other		32.1		34.3	16.7
Electricity	75.6		37.3		
Electricity and Other	24.4		62.7		
Other		16.8		10.6	5.9
Time taken to fetch Wood and/or Water (Minutes Daily)					
Wood Only	(6.4min)	68.7min	53.3 min	90.0min	131.6 min
Water Only		51.6min	363.8 min	384.6 min	394.7 min
Wood and Water	(6.4 min)	120.3min	417.1min	474.6min	526.4 min
Education					
Adult Illiteracy Rate	27.1%	43.4%	34.8%	37.6%	56.4%
Sample Size (Households)	709 (16.2)	352 (8.0)	357 (8.1)	2017 (46.2)	923 (21.1)

* Per Capita Water Consumption only recorded amongst those who fetched water and recorded amount collected viz 29, 259 1857 and 861 for groups 2-5 respectively..

* Sample Sizes for adult illiteracy rate includes all members of household over 18 years and who have completed Standard 4 and above.

Forum acts to prevent deaths of detained kids

Own Correspondent

EAST LONDON — The death last week of a child beaten and tortured by other prisoners in the Humewood police cells is being taken up urgently by the Children in Detention Forum — to prevent a recurrence

The forum, set up two years ago, is made up of members of the police, provincial social services, Correctional Services, the Justice Department and other concerned bodies

A member of the forum and provincial social services co-ordinator Mr Ashley Theron said immediate action had been taken on the death of the child, believed to have been 10 years old

The child, detained on charges of serious assault, died in hospital four days after being assaulted by other youths in the cell

There were also burn marks on his chest and between his toes, indicating he had been tortured

Mr Theron said determining the age of child prisoners and tracing their parents were usually major problems

"There are also long periods of detention because of the slow movement of juveniles to other facilities like reform schools and places of safety"

Mr Theron said, however, that in two years a 50% reduction in the number of juvenile suspects detained in police cells had been

achieved

Social workers assessed every child detained to decide on the most suitable place of detention

A centralised place of custody for juveniles whose detention was essential had been established at the Humewood police cells, where there was a full-time social worker

"The Justice Department has committed itself to setting up a legal procedure to speed up the court procedure and a senior state prosecutor has been appointed to monitor each juvenile detainee"

Mr Theron said the forum had cited the lack of places of safety as a major problem

CT 29/12/94

Popcru says prisons could face strikes

(253) (254) Staff Reporter 29/12/94

THE Police and Prisons Civil Rights Union (Popcru) yesterday warned that local prisons could face worker strikes if their grievances were not addressed.

A spokesman for the Pollsmoor branch of Popcru said members were drafting a letter to the Minister of Correctional Services, Mr Sipho Mzimela, to draw to his attention to their complaints, which included the 80% dominance of whites in positions of authority, Mr Mzimela's apparent lack of commitment towards creating sound labour relations and no affirmative action plan being visible.

42 prisoners still at large

Durban — The Department of Correctional Services said yesterday that 42 prisoners — many of them dangerous criminals — were still at large after escaping during the go-slow by warders in KwaZulu/Natal

"Some of them are dangerous criminals who are now in the community," Correctional Services spokesman Colonel Barry Eksteen said

Among the prisoners were murderers, rapists and robbers, he said, adding that he was compiling a list of names

The prisoners escaped during the go-slow strike by members of the Police and Prisons Civil Rights

Star 30/12/94
Union (Poperu) which began last Friday

The strike ended after acting Correctional Services Minister Ben Ngubane agreed on Tuesday to set up a task group to look into complaints about lack of promotions, nepotism, unfair recruitment and unequal merit bonuses

"It's all back to normal. People are back at work," Eksteen said

"I blame Poperu. You cannot condone actions where dangerous people are allowed back into the community," he said (263)

KwaZulu/Natal police spokesman Lieutenant-Colonel Bala Naidoo said a robbery suspect was

shot and wounded by a policeman and another was on the loose after breaking out of a holding cell at a Durban police station on Wednesday

He said three robbery suspects were being held at a temporary holding cell at the Pine Parkade satellite police station. A policeman had opened the door to check on them and the suspects pushed him and fled

"One suspect was arrested in the police station and two others fled into the street. A policeman fired shots and one suspect was wounded and arrested. The third managed to escape," Naidoo said — Reuter

PUBLIC SECTOR - GOVT. - PRISONS

1995

JANUARY - MAY

Correctional Services rejig discussed

President Mandela met Police and Prisons Civil Rights Union (Popcru) members and Correctional Services commissioner-general Henk Bruyn in Pretoria yesterday to discuss the restructuring of the Correctional Services Department

The president's office said in a statement that Mandela had emphasised the importance of discipline, the resolution of problems through consultation and consensus, and the need for an inclusive approach in dealing with the restructuring of all departments (253)

The talks included issues such as salaries, training, promotions and the reinstatement of Popcru members dismissed for union activities. 404 11/1/95

The restructuring of the jail system would be discussed at a forum between the department and its employees, the statement said, adding that the dismissal of Popcru members would be discussed on Friday — Reuter

■ Patrick Wadula reports that the Department of Correctional Services has established a total of 22 correctional boards on which community leaders could serve to encourage community participation

People interested in serving on a correctional board are invited to contact Major Alma de Jager at (012) 324-3660 before January 27

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lehong without electricity

Row over pay promise

HIGHER WAGES Some gardeners

earn a 'pittance' of R800 a month:

PRESIDENT Nelson Mandela yesterday promised public service gardeners higher wages after the passing of this year's Budget

Presidential spokesman Mr Joel Netshitenzhe said in Pretoria that Mandela had addressed more than 100 gardeners at his official residence, Mahlamba'ndlopfu, earlier in the day, assuring them that he knew some were earning a "pittance" of R800 a month

Netshitenzhe was commenting on claims by leaders of the South African Health and Public Service Workers Union yesterday afternoon that Mandela had promised the gardeners a minimum monthly wage of R1 500 by March 31

Sahpswu general secretary Mr Silas Baloyi objected to Mandela "running behind our backs to talk to a section of our members instead of responding to the union"

He added: "Mr Mandela is trying to neutralise and to divide us"

Minimum wage

Sahpswu members last week went on strike for four days to press for a minimum wage of R1 500 a month and a 15 percent pay rise for public service workers

Union leaders claimed that gardeners working at Mandela's residence had also gone on strike. This was denied by his office.

Sahpswu on Friday suspended the strike for two weeks to "give the government the opportunity" to respond to the union's demands

According to Netshitenzhe, Mandela explained to the group that the current Budget had been inherited from the previous government

Salary adjustments

The new Budget in March, he said, would bring about salary adjustments for public servants, resulting in pay rises particularly for the lowest paid workers

Netshitenzhe said there was "no way" in which Mandela would have mentioned specific figures to the workers as he was fully briefed on the talks on public servant salaries — Sapa

Popcu to take action

THE Police and Prisons Civil Rights Union yesterday said it would launch a programme of action on January 23 that would continue until the South African Police Services and Correctional Services departments were transformed.

The launch will be marked by regional marches culminating in the presentation of a memorandum to Parliament, Popcu president Mr Enoch Nelam said.

He said President Nelson Mandela promised to attend to the union's grievances during a meeting with union leaders on Tuesday.

253
Gowetman
13/11/95

Popcru threatens mass action over restructuring

THE Police and Prisons Civil Rights Union (Popcru) warned yesterday that correctional and police service command structures would be hit by mass action if they were not restructured to reflect SA's population. Popcru president Enoch Nelam said the campaign, aimed at forcing President Nelson Mandela to speed up the restructuring process, would be launched on January 23. He said his organisation would or-

ganise marches in the nine provinces and this would culminate in a march to Parliament in Cape Town. Referring to Popcru's meeting with Mandela on Wednesday, Nelam said the union had proposed the formation of an interim restructuring and advisory committee, inclusive of labour representatives, to review the promotion policy.

Meanwhile, Sapa reports that 17 of the 18 Popcru members arrested on Wednesday at Poyntons building in Pretoria for trespassing and later released were rearrested yesterday for the same offence. A police spokesman said after their arrest on Wednesday the Popcru members had been released with the option of paying a R100 fine before February 22 or appearing in court on March 7.

JOHANNES NGCOBO

BD 13/1/95

... on two counts of fraud

... Ignatius ... found guilty in ... Court on two ... admitted to unlaw- ... in financial rands ... forged German ... had applied to ... Treasury for the ... the cash would ... door Development ... ravan Park Share- ... operties in 1988

DEBORAH FINE

He was granted the money but did not use it for this purpose. He then failed to resell the money to the Treasury. He also admitted he had attempted to sell German marks when he was not legally authorised to do so in April last year. Bothma said he had not been aware the foreign currency was forged. Held in custody, Bothma was ordered by Magistrate LJ van Schyff to appear in court again on February 23 for sentence.

Students allege violent destabilisation plan

THREE Congress of SA Students members claimed in Tembisa yesterday they had been recruited by a disenchanted SA National Civic Organisation (Sanco) executive member to destabilise communities and organisations through violence and assassinations. Gift Mokoena said they had been given guns last year to target high-level Sanco members and people in the local negotiating forum. He said they had also been provided with money for food. When they did not carry out the attacks, the former Sanco member demanded his guns back, Mokoena said. He alleged all three were present when plans to attack the Zimisele and Langaville areas in Tembisa were discussed.

BONILE NGQIYAZA

Subsequently, Langaville squatter camp had shacks burned to the ground, Mokoena said. "We don't know anything about the death of civic leaders in the area as we were no longer involved," he said. ANC Youth League spokesman George Mothibeli said they would like to see the former Sanco executive member arrested and charged for the alleged offences. However, the league's Tembisa branch had not taken the matter up with the police, Mothibeli said. SAPS spokesman Lt Deon Peens said the police could not comment on these allegations until affidavits had been lodged.

BD 13/1/95

MARKER'S FUND

Civilization is a limitless multiplication of unnecessary necessities. *Mark Twain*

luxurious Q&Z for your cruise to South Africa

Report on De Kock ready soon

Star 17/1/95 (253)

■ BY JOVIAL RANTAO

A top-level departmental investigation into irregularities which led to former Vlakplaas commander Colonel Eugene de Kock's "royal" lifestyle when he was an awaiting-trial prisoner at the Verwoerdburg police station is expected to be completed soon.

Head of the investigation team Brigadier Gert Petzer told The Star that he would be ready to submit findings of his probe to police headquarters in Pretoria in three weeks.

After reading the report the Police Commissioner and the Ministry of Safety and Security

would decide on whether or not to take internal disciplinary action, or to lay criminal charges against policemen involved in the irregularities.

Brigadier Petzer said he had already questioned more than seven people and he expected to interview many more before he completes his investigation.

Pretoria police liaison officer Captain Dave Harrington said none of the policemen at the Verwoerdburg police station has been arrested or suspended.

"Such steps will only be taken once the investi-

gation has been completed," he said.

De Kock's "royal" lifestyle in prison, where he had been held since May 4 facing 106 criminal charges including eight of murder, was exposed in a successful Supreme Court application to have De Kock transferred to the Pretoria Central Prison.

Besides having freedom of movement, De Kock had a colour TV set, a video recorder, an M-Net decoder and cellular phone in his cell.

His trial starts on February 20 in the Pretoria Supreme Court.

► Indemnities row - Page 6

Few have been recaptured

Scores of convicts on the run

SAW 19/1/95

■ BY ADAM COOKE

Nearly 100 prisoners have escaped from prisons and police cells around the country since the Christmas weekend, yet few have been recaptured.

The escapes were highlighted by a weekend breakout of five prisoners from Middelburg Prison in the Eastern Transvaal.

Two of the escapers were recaptured on Tuesday and one was shot dead by police trying to arrest him on Monday. The other two, described as dangerous, are still on the run. Police said yesterday that they had questioned a prison warden in connection with the escape.

The biggest breakout during this period came over the Christmas weekend when 54 inmates escaped from three prisons in KwaZulu/Natal. Only 12 have been recaptured.

Prison services throughout the province were, according to Correctional Services, under "severe strain".

Prisons had been affected by a go-slow strike by members of the Police and Prisons Civil Rights Union.

While 12 escaped prisoners had been recaptured, neither KwaZulu/Natal police nor prison services had any more information yesterday.

Another escape, this time from police cells in Daveyton on the East Rand, emphasised the

A SPATE of nearly 100 jailbreaks since Christmas highlights the pressures on SA's prison services (253)

problem of poorly equipped and maintained prisons. Three convicts climbed through a hole in the roof shortly after Christmas.

On New Year's Eve, eight men escaped from cells in Benoni. They had been arrested on charges of culpable homicide, rape, housebreaking and theft. The eight were regarded as extremely dangerous.

In the Eastern Cape, four convicts escaped while awaiting trial at Fort Glamorgan Prison. They were held on charges of murder, armed robbery and rape.

Also over the Christmas weekend, two awaiting-trial prisoners escaped from police cells in Kareedouw. One has since been recaptured.

In another breakout, a Polish citizen wanted in Germany by Interpol in connection with drug trafficking, escaped. Police said he had escaped after a visit from his "extremely glamorous" girlfriend.

Five prisoners awaiting trial escaped from the Viljoenskroon Prison in the Free State at the weekend.

Popcru gearing itself for major confrontation

ROGER FRIEDMAN
Labour Reporter

ARC 20/1/95

(253)
THE Police and Prisons Civil Rights Union is gearing itself for a major confrontation with police and prisons management, starting with the proposed occupation of Wynberg police station during lunch-hour today

The union has called on all its members to march to Parliament on Monday to demand the "total restructuring" of the two departments

Police management has called on on-duty Popcru members not to take part in the march as policing was an essential service

Police liaison chief Raymond Dowd said the police were not opposed to

any member "exercising his or her democratic right to protest" but "loyal" Popcru members "should realise their commitment was to serve the public first"

Popcru regional organiser Heston Lottering said the march by all members would proceed, irrespective of permission being granted

He warned that "strong action" would be taken if either department took disciplinary steps against any Popcru member for attending the march

He appealed to members not to be "intimidated" by management

He said "The more we reach out to the departments, the more they turn their backs on us"

Popcru drops plan to occupy police station

ARG 21/1/95 253

SHELLEY CARMICHAEL
Weekend Argus Reporter

PLANS by the Police and Prisons Civil Rights Union (Popcru) to occupy the Wynberg police station yesterday fell through after fears that their march, planned for next week, may be jeopardised.

The protest was to have been in reaction to the police district commander's refusal to allow union members to march on Parliament on Monday.

But fear of further action against the union convinced Popcru leaders to cancel the planned occupation, said Cameron Mcako, the union's Western Cape vice-chairman.

However, Popcru intended taking to the streets on Monday, he said.

Mr Mcako said apartheid in the correctional services and police force was the reason for the march.

The predominantly-white top structure and slow process of change were the union's main concerns.

They would demand the immediate reinstatement of Popcru members who had been dismissed or demoted.

An interim promotions board would be called for to review the existing promotions policy.

Mr Mcako said Popcru was also seeking the dismissal of civil servants who were involved in previous atrocities.

Popcru hoped the march would help to begin the process of affirmative action within the correctional services and police force.

Popcru marches to demand end to white 'sunset clause'



Staff Reporter
ABOUT 1 000 Police and Prisons Civil Rights Union (Popcru) members took to the streets of Cape Town today to present a series of demands to the government.

The demands were contained in memoranda addressed to Safety and Security Minister Sydney Mufamadi and Correctional Services Minister Siphon Mzimela.

The march from Zonnebloem to outside parliament, led by national Popcru president Enoch Nelani, was monitored and videoed by non-Popcru members of the police.

A chain was thrown across the entrance to parliament and about 50 policemen in riot gear and bearing plastic shields stood by.

Luxury vehicles bringing parliamentarians to work were shown to a back entrance.

Mr Nelani used a megaphone mounted in a traffic police vehicle to address union members before the march began.

"We cannot allow the situation where white supremacy is preserved," he said to thunderous applause.

"We want to see a restructured police and prisons, representative of our communities, at all levels of management."

If Mr Mzimela did not want to restructure his department, he would be compelled to leave.

"Down with Mzimela," Mr Nelani chanted.

Picture LEON MULLER, The Argus

ON THE MARCH: Police and Prisons Civil Rights Union members gather outside parliament today to demand the restructuring of the police and prisons services.

Some of the banners on display read "We are not willing to suffer another 40 years", and "Our wives are leaving us".

Outside parliament, the unionists milled about as leaders demanded to hand the memoranda to ministers personally.

After about 90 minutes, the memoranda were eventually accepted by the chairmen of the parliamentary standing committees on correctional services and safety and securi-

ty, Linda Mti and Carl Niehaus. Mr Niehaus said "We are aware of the concerns being raised by Popcru and the need for just conditions. These are serious problems that must be addressed."

Mr Mti said a major announcement concerning police commissioners could be expected within a week.

Included in the memoranda addressed to the two ministers was a demand that the "sunset

clause" guaranteeing the jobs of white civil servants in the new South Africa be revoked.

Claiming that little had changed in the police and prisons since the advent of the new South Africa last April, the union said it wanted to be consulted on all aspects pertaining to the restructuring of the two services.

It also demanded a wage freeze for senior ranks to narrow the gap between top-level and junior ranks.

253

ARC 23/1195

Popcru and officials set for confrontation

JOHANNES NGCOBO

(253)

A CONFRONTATION is looming between the Police and Prisons Civil Rights Union (Popcru) and senior police and prisons officials over the carrying of arms and wearing of uniforms during protest action by policemen.

Popcru is to hold protest marches to provincial safety and security headquarters throughout the country today, demanding, among other things, that the new national police commissioner be a civilian.

Popcru president Enoch Nelam said at the weekend his organisation was going ahead with proposed marches today, amid threats from the Correctional Services Department and SA Police Services that protesting police officers who wore uniforms and carried service pistols would be disciplined.

A Correctional Services spokesman said the Popcru protest posed a serious risk to the public and would contribute to a shortage of staff in prisons.

The department said recent staff indiscipline at jails in KwaZulu/Natal had led to "mass escapes which put the community at risk".

Sapa reports department spokesman Brig Chris Olckers said the march would be monitored and police called in if necessary. Marchers would face disciplinary steps as they had not applied for leave, he said.

An SAPS spokesman said if a crisis developed during the marches, police would ask for help — possibly from the SA National Defence Force.

Popcru spokesman Lando Sam said the march had been called because the department had not addressed Popcru members' grievances.

"I'm more than surprised to hear them talking about their concern for the community," he said. "If they had the welfare of the community at heart they would have addressed our grievances by now."

Change: Ultimatum by Popcru on mass action

ARC 24/1/95

(254) (253)

ROGER FRIEDMAN
Labour Reporter and
The Argus Correspondent

THE Police and Prisons Civil Rights Union has given the government until February 3 to "respond positively" to its demand for accelerated change in the police and correctional services or face mass action.

Popcru deputy-president Oupa Monyoba said in Johannesburg yesterday that the union would have no option but to embark on go-slows, sit-ins and then "full-scale mass action" if the SA Police Service and the Department of Correctional Services did not accede to its demand for visible change.

Thousands of Popcru members in eight provinces — except KwaZulu-Natal — marched on various provincial legislatures and parliament yesterday in the first part of a campaign aimed at bringing change to the police and correctional services.

Calls were made for the resignation of Correctional Services Minister Siphon Mzimela and a review of the promotions policy of both the police and correctional services.

Mr Monyabi said "I hope mass action will be our last resort because

the country cannot afford unrest in the prisons and police services now"

Popcru president Enoch told a Press conference in Cape Town yesterday that unilateral restructuring of the security forces would undermine the country's security system in the future.

"More than any other state institutions, the security forces carry the burden of the past

"They were used deliberately as a political instrument of the ruling National Party to enforce harsh apartheid laws

"While most of these laws have now been rescinded, the public image of the forces has not improved

"We as Popcru believe that this transformation of the old to the new can only take place if the change process allows for internal democratisation"

Correctional Services Department spokesman Bert Slabbert said yesterday that go-slows and other forms of protest action were "unfortunate". He said the department would study Popcru's demands and would respond later.

● See page 15

Popcru marchers demand Minister resigns

THOUSANDS of members of the Police and Prisons Civil Rights Union yesterday converged on the seats of seven provincial governments to demand the resignation of Correctional Services Minister Sipho Mzimela.

Targeted provinces were Gauteng, Western Cape, Eastern Transvaal, Northern Transvaal, Northwest, Free State and Northern Cape.

Police and Correctional Services officials have said action would be taken against Popcru members who took part in the march without permission from their superiors. But Popcru deputy president Oupa Monyobo said if steps were taken against union members the union would embark on rolling mass action.

Handing a memorandum detailing

JOHANNES NGCOBO

(253)
the union's demands to Gauteng safety and security minister Jessie Duarte, Monyobo said his organisation was aware that white police generals were against the changes planned by national Safety and Security Minister Sydney Mufumadi.

Protesters in Gauteng, carrying placards calling for better wages and the immediate resignation of Police Commissioner Gen Johan van der Merwe, called on government to review the "sunset clause" which guaranteed the jobs of white civil servants. BD 24/1/95

They alleged that Lt-Gen Koos Claaritz and Lt-Gen Johan Swart, who

according to media reports were resigning from the police force on medical grounds, had been involved in "apartheid atrocities".

"They should remain in the force until they answer for the wrongs they committed in the apartheid era," Monyobo said.

Correctional Services spokesman Lt Rudi Potgieter said about 800 Popcru members had marched on Parliament and handed a memorandum to ANC MP Carl Niehaus.

Other demands included the immediate reinstatement of Popcru members who had been dismissed for union activities, the implementation of new disciplinary and grievance procedures and equal medical and housing benefits for both sexes

Police (253)
warders
CT 24/11/95
in racism
protest

HUNDREDS of policemen and prison warders marched to Parliament yesterday to express dissatisfaction over "entrenched racism" in the departments of Safety and Security and Correctional Services.

The march by Police and Prisons Civil Rights Union members was part of a nationwide campaign to highlight grievances over the slow pace of political transformation in the two departments.

Popcru national president Mr Enoch Nelani said his organisation was dissatisfied with the inaccessibility and ineffectiveness of Correctional Services Minister Mr Siphon Mzimela.

The protesters chanted and sang under banners which read, "It's still the old government's prison service" and refused to leave until the chairmen of the select committees on Safety and Security and Correctional Services, Mr Linda Mti and Mr Carl Niehaus, accepted their memorandum.

The memorandum noted that "apart from the national minister and some advisers, the majority of the management and command structure of the SAPS remains unchanged, old methods are still employed".



ON THE MARCH . . . Hundreds of uniformed policemen and women and prison warders marched to Parliament yesterday as part of a Popcru campaign to express dissatisfaction with the slow pace of reform in the police and prison services

Picture BENNY GOOL

'Now it's time for others to compromise'

BACKGROUND TO THE NEWS

ROGER FRIEDMAN, Labour Reporter

The Police and Prisons Civil Rights Union says the sunset clause negotiated at Kempton Park which guarantees the jobs of white civil servants for five years is getting in the way of restructuring the police and prison services.

(25) AR 25/11/95

REALISTICALLY, the security services cannot be restructured as long as all the top positions are held by whites and their jobs are guaranteed, says Police and Prisons Civil Rights Union national president Enoch Nelani

The quietly-spoken Hillbrow constable was explaining the demand contained in memoranda handed to the Ministers of Safety and Security and Correctional Services this week that the constitutional committee revoke the so-called sunset clause

Mr Nelani said in an interview in Popcru's Athlone offices this week that the axe had to fall and the Truth Commission should perhaps determine where this should be done

"Negotiating is obviously all about give and take. Very serious compromises were made and we respect our comrades who made the compromises

"But compromise was largely a one-way process... the comrades had to compromise to accommodate the new South Africa and now it's time for the others to compromise

"We should be trying to win over our white colleagues so they are prepared to pay the price willingly," he said

"We are not suggesting demotions, but people should be able to wake up one morning and think for themselves. We have always had the advantages, now let us also give our colleagues a chance"

"But obviously, in order to restructure the top structures, you will have to retire people — whether it is on early pension or something else, some people will have to go," Mr Nelani said

Restoring the credibility of the two services would go hand-in-hand with restructuring

"You will not have a credible service if some of your top people are exposed by the Truth Commission as having been involved in clandestine activities

"We are obviously not looking for angels but the people at the top should have a good record," he said

"If people at the top found to have been involved in dirty tricks could be retired, it would create some sorely-needed space"

Moving people sideways or retiring them early would be costly — as was guaranteeing jobs

And who would fill the top positions given the dearth of suitably



Enoch Nelani

qualified policemen and warders of colour, Mr Nelani asked

Popcru proposed an immediate start to affirmative action through a new set of criteria governing promotions

Given the history of South Africa, and the fact that the majority of South Africans had been deprived decent education, qualifications should not be the only factor taken into account in dealing with promotions

"We propose a set of criteria that takes experience and human potential and capability into account.

"We would like the process to move with speed, and it should be an inclusive process so that those people who have to pay the price do so with some enthusiasm"

Mr Nelani said, politically, Popcru supported the government of national unity, but as a labour movement it had a responsibility to address the working conditions of its members

The 35 000-strong union has observer status at Cosatu and is considering formally affiliating later this year

Popcru is also re-considering its relationship with the more conservative South African Police Union (Sapu)

"We agree with the Cosatu slogan 'One Industry, One Union', but believe it is still premature to talk as Sapu is still seen as a tool of management

"Ideally, the workers should not allow themselves to be divided"

But, Mr Nelani said, Popcru had begun to attract white members — "even in the old Transvaal and Orange Free State they are so nervous but they are joining"

Popcru storms out of meeting

ARG 27/1/95 (23)

ROGER FRIEDMAN, Labour Reporter

A UNION negotiating team stormed out of a meeting with regional correctional services commissioner Gerhard Spangenberg today after the general allegedly described the reconstruction and development programme as "s...t" and "just a piece of paper".

Police and Prisons Civil Rights Union (Popcru) regional chairman Hendrik Davids said Popcru "rejected with contempt the sarcastic and arrogant way in which General Spangenberg conducted today's meeting" and called for his resignation.

The meeting was to have discussed the reconstruction of the prisons service.

General Spangenberg was unavailable for comment after the meeting and his spokesman, Mike Green, was apparently in a meeting.

Captain Davids said the Popcru delegation had walked out of the meeting "in disgust" as the general had been "shouting and swearing".

He added: "After numerous attempts at negotiating with him, it has become clear that General Spangenberg must go as he is out to undermine any change in the Department of Correctional Services."

Captain Davids said Popcru planned to mobilise "our communities and friends" to embark on "mass action" to demand his removal.

The action would continue until the department's provincial office, 97 percent of whose officers were white, was "rectified" to reflect the composition of the population of the Western Cape.

28/1/95
Stormy meeting (253)

A UNION negotiating team stormed out of a meeting with regional Correctional Services commissioner Gerhard Spangenberg in Cape Town yesterday after the general allegedly termed the Reconstruction and Development Programme "just a piece of paper". The meeting was to have discussed the reconstruction of the prisons services.

General Spangenberg and a spokesman were unavailable for comment. Captain Hendrik Davids, the union's regional chairman, said the Police and Prisons Civil Rights Union would mobilise "friends and the community" and embark on mass action until the department's provincial office, which comprised 97 percent white officers, was "rectified" to properly reflect the composition of the Western Cape's population — Own Correspondent

Star 28/1/96
Warders' sit-in goes on

REPRESENTATIVES of the Police and Prisons Civil Rights Union and the commanding officer of Leeuwkop Prison, north of Johannesburg, were in talks yesterday to try to end a sit-in by prison warders which had entered its third day. Correctional Services spokesman Lieutenant Rudi Potgieter said the dispute was about promotions. He could not elaborate. He added that 98 warders were involved — Sapa *(253)*

Prisons general denies RDP slur

(253) ARG 28/1/95
ROGER FRIEDMAN

Weekend Argus Labour Reporter

REGIONAL Correctional Services commissioner Gerhard Spangenberg has denied describing the Reconstruction and Development Programme as "s . t" and "just a piece of paper"

He threatened to take legal steps against Popcru for making the allegations

Police and Prisons Civil Rights Union regional chairman Hendrik Davids said yesterday a Popcru negotiating team stormed out of a meeting with General Spangenberg after his "attack"

Popcru "rejected with contempt the sarcastic and arrogant way" in which General Spangenberg conducted yesterday's meeting. They called for his resignation

The meeting was to have discussed the reconstruction of the prisons service

Captain Davids said the Popcru delegation had walked out of the meeting "in disgust" because the general "shouted and swore"

"After numerous attempts at negotiating with him, it has become clear that General Spangenberg must go as he is out to undermine any change in the Department of Correctional Services."

Captain Davids said Popcru planned to mobilise "our communities and friends" to embark on "mass action" to demand his removal

The action would continue until the racial imbalance in the department's provincial office was rectified

'Minister shuns board'

By Mathatha Tsedu
Political Editor

A CLASH is looming between the Parliamentary Select Committee on Correctional Services and the Minister, Mr Siphon Mzimela, over the latter's alleged refusal to meet with the committee

Committee members said at least four letters had been sent to Mzimela requesting meetings to discuss burning issues. The minister has responded in one sentence answers, simply stating that he does not have time. Sources said the committee had agreed to send a last letter, to which no response has been received.

"If he still refuses, we are going to have to ask President Nelson Mandela to

intervene, as we are now convinced that the minister does not want to meet with us."

Mzimela, a member of the Inkatha Freedom Party, was not available for comment as he is overseas.

Committee chairman Mr Carl Niehaus said it was true that four letters had been sent to the minister.

"All I can say right now is that so far no meeting has taken place, but we are hoping to meet with him soon," Niehaus said. *Sowetan 30/1/95*

He said the committee wanted to discuss issues relating to political prisoners and conditions in prisons, which the minister may be able to deal with administratively. Sources said the committee had visited several prisons and had

found shocking conditions and unbridled racism.

"The treatment of Aids-suffering prisoners is shabby and borders on a contravention of international conventions to which this country subscribes. This is a violation of the human rights of prisoners as enshrined in our constitution. That people are prisoners does not mean their rights are suspended."

"As a committee, we cannot move into the department and say do this. We can only advise the minister and all our efforts to do so are being spurned by him. (253)

"The problem is that when the prisons explode and there is loss of life, people then spring up but by then it is too late," the source said.

Spotlight on the Island

CF 30/1/95 (253)

SENATE deputy president Mr Govan Mbeki and Correctional Minister Dr Siphosiso Mzimela yesterday visited Robben Island with a delegation of German labour leaders and businessmen.

The German delegation was led by Federal Minister for Labour and Social Affairs Dr Nordt Blum.

Mr Mbeki, who spent more than 23 years at the prison, recounted some of the difficult times political prisoners had endured on the island.

He showed the delegation some of the manual labour sites and took them to Section B, where he and President Nelson Mandela were held.

Dr Mzimela told the delegation that discussions were being held on the future of the island.

He said the two main ideas were that the island should be reserved as a monument to the human rights struggle, or be converted into a tourist attraction.

Dr Blum said he had met his counterpart, Labour Minister Mr Tito Mboweni on Saturday to prepare a memorandum of understanding, providing for German assistance to South Africa.

The memorandum seeks ways to help South Africa build an effective labour administration and to advise South Africans in drafting social legislation.

Dr Blum said the visit had demonstrated the constructive relationship which existed between the two countries - Sapa

'Jail officials call us AIDS kaffirs'

Mar 31/1995 (253)

BY HOPEWELL RADEBE

Senior Johannesburg jail officials discriminated against HIV-positive prisoners by locking them in separate cells and calling them "AIDS kaffirs", the Johannesburg Magistrate's Court heard yesterday.

An HIV-positive prisoner, who may not be named to protect his identity, testified in mitigation of sentence in a trial of a Soweto man convicted on three counts of housebreaking and theft.

The 30-year-old Soweto man is also HIV positive and is currently serving a nine-year sentence on various charges of housebreaking and theft.

The man had escaped from jail last year and was arrested a few days later.

The prisoner said Johannesburg Prison ward-

ers and three senior officials — whom he identified as Captain Swane-poel, Major de Jager and Colonel Koen — called prisoners suffering from AIDS "AIDS kaffirs".

He said some of the warders openly stated that they were AWB members and did not care about him or President Mandela.

He said that on one occasion he saw a warder refusing to address the accused's complaints of ill-health and said there was nothing he could do about it.

"We have been stripped naked, assaulted and denied our regular meals," the prisoner said.

He also said jail authorities openly told other prisoners who was HIV positive, and locked them in separate cells.

The prisoner was asked by State prosecutor C Coetzee whether the act of being separated

from other prisoners was not done in order to combat the disease.

The prisoner said psychological effects of such treatment were damaging to HIV-positive prisoners. They were shunned by their fellow inmates and scorned by warders.

Johannesburg Prison medical official Captain Martinus Botha, testifying for the State, said jail officials were doing their best to give sick prisoners the medical attention they deserved, including special diets prescribed by doctors.

Botha denied that prisoners who did not comply with jail rules were denied food and clothing and chained naked in their cells as punishment. He also denied that HIV-positive prisoners were ill-treated and discriminated against.

The trial was postponed to April 26.

Resignations welcomed

(253) CT 2/12/95

THE Correctional Officers Union of South Africa has welcomed the resignation of five generals from the Correctional Services department.

COUSA said in a statement it hoped others in management positions would follow suit and make room for younger people who were not threatened by democratic change.

The union said about 95% of commanding officers in Correctional Services were white.

Sapa

NEWS FEATURE Parliamentary committee member finds shocking conditions in rural jails

'Blatant racism' in NTVI prisons

FLASHBACK:
Dean Tshenuweni Farisanul (left) leads a delegation of Reverends Ndanganeni Phaswana, Solomon Serote, Moagi Molefe and Don Nkadameng to meet the banned ANC.

By Mathatha Tsedu
Political Editor

Sowetan 2/2/95

A DELEGATION led by a member of the parliamentary select committee for correctional services has found shocking conditions in various Northern Transvaal prisons, where racial discrimination has persisted despite the change of government

Former Lutheran priest Dean Tshenuweni Farisanu, an ANC MP, said when he visited Louis Trichardt prison he found

- Up to five black warders sharing one rondavel that had no toilet or shower,

- All whites had either houses on the prison grounds or in the greater Louis Trichardt area, with subsidies from the Government Blacks who had applied had not received any response, and the commanding officer later admitted to forgetting to process the applications,

- Prisoners reported widespread assaults, including on women One warder, who was accused of assault, admitted to it but said he had been angered by the prisoner,

- The highest rank held by a black warder was that of sergeant,

- White staff members spent their time doing other things, while blacks were made to do all the work,

- Out of a prison population of 361, only five were white, but the white staff component was 44 percent.

- Racial attitudes led to blocking of parole for black prisoners who stood up for their rights One prisoner, who was due for parole, was sent to another prison after arguing with a white warder When he came back later, the warder allegedly said "That dog is back I will make sure he does not get parole again",

- The commanding officer of the prison exhibited a negative attitude towards the delegation, which included representatives from provincial government, church leaders and other civilians, and

- The attitude of the prison authorities is geared to humiliating prisoners rather than rehabilitating them Black warders were repeatedly told that while Mandela may be in charge of the Government, the white warders were in charge of the prison

Correctional Services spokesman Lieutenant Rudi Potgieter confirmed that black staff lived in a rondavel, but said none of them had complained about this until Farisanu visited the prison He said while there were no ablution facilities in the rondavel, "there are toilets near the prison buildings"

The department, Farisanu said, viewed assaults on prisoners in a serious light and those involved would be investigated and dealt with

"One is not saying that prisoners are angels but their rights as human beings must be respected Prisons were the cutting edge of the apartheid system and many of us who spent many months in jail know what it is like

"It is very depressing to find that very little, if anything at all, has changed in these prisons While some changes may need legislation, other things can be done now to improve the lives of our people

"For example, the present constitution outlaws discrimination and what we found in Louis Trichardt and other prisons was blatant racism that our people still suffer," Farisanu said

Strike at prison over 'racist' officers

(253) ARC 3/2/95

PIETER MALAN
Staff Reporter

POLICE and Prisons Civil Rights Union (Popcru) members at the Voorberg Prison near Porterville are striking in protest at the allegedly racist behaviour of senior officers

Union members have been on strike since Wednesday to back demands that the prison head and his deputy be put on immediate leave and their allegedly racist behaviour be investigated

The strike is in the face of a decision by the union's national structure on Tuesday to call off all protest actions

A Correctional Services Department spokesman said the

district commissioner was considering the Porterville demands, but that it was "unreasonable" to put certain officers on immediate leave because there were well-established channels for investigating problems

Popcru's Voorberg chairman, Isaac Williams, said 80 members had begun striking after the union's demand for action against the prison head and deputy head had been ignored since October last year

The two officers had been guilty of "racist behaviour" on several occasions, Sergeant Williams alleged

Their general control of the prison was so slack that two

warders had recently been attacked by prisoners, he said

Popcru Western Cape chairman Hendrik Davids said the Voorberg strike had not been called off after Popcru's suspension of strike action because of the seriousness of the situation there, but it could still be resolved before the weekend

Correctional Services spokesman Mike Green said the regional commissioner had received the union's requests and "was working on them"

He added "Like elsewhere in the country, Popcru is undermining the discipline with unreasonable actions aimed at officers in key positions"

Indemnity: (253) Prisoner audit on cards

ESTHER WAUGH

Weekend Argus Political Staff

AN AUDIT is to be done of prisoners across the political spectrum who believe that they should be released for politically motivated crimes.

This follows two sets of meetings this week between Justice Minister Dullah Omar and the ANC, and a with a joint PAC/Inkatha Freedom Party delegation.

PAC MP Richard Sizani and IFP MP Temba Khosa told a joint press conference that they had raised the release of political prisoners of their own parties as well as the cases of 22 prisoners, held in Transkei following a coup attempt.

Both parties said they were still compiling final lists of their political prisoners. Mr Sizani added that the PAC estimated to have between 160 and 200 prisoners

In a statement, the parties said the 22 Transkeian prisoners were convicted of treason against the former homeland, "a non-existing entity which was never recognised by the outside world"

Furthermore, South Africa's indemnity laws never applied in Transkei and Bophuthatswana prisoners convicted of plotting a coup had been released before last year's election

Mr Khosa said the December 5, 1993, cut-off date for amnesty for politically-motivated crimes was invalid because political violence continued.

ANC MP Carl Niehaus, who was part of the party's study group on correctional services which met Mr Omar, said they had raised particular problems concerning prisoners who applied to be classified as political prisoners.

"Any person who can actually make a claim that he or she had acted in terms of political considerations, should have a fair chance to apply for indemnity," Mr Niehaus said.

Death, destruction as rioting prisoners run amok

■ STAFF REPORTER

Two people died as warders and prisoners clashed at Leeuwkop Prison outside Johannesburg yesterday, while 300 rioting prisoners caused substantial damage to an Empangeni prison on the KwaZulu/Natal north coast.

Unrest broke out at Leeuwkop when warders intervened in a fight between prisoners. A prisoner and a warder were killed.

The riot at the KwaZulu/Natal prison followed a go-slow by

warders who refused to serve food to prisoners.

Police said the Leeuwkop incident began after prisoners grouped together when a prisoner was threatened by another prisoner wielding a knife.

Four warders ran to the scene to break up the fight. A "large group" was involved in the fight, in which Sergeant M Nkonjama was fatally stabbed.

Andrew Christopher, the prisoner initially disarmed by warders, was also killed. Two other warders were injured in the at-

tack, and Sergeant C T Ngqobo is still in a serious condition.

Police and Prisons Civil Rights Union (Popercu) president Enoch Nalemi was angered by the outbreak, and said yesterday that warders had earlier this month expressed dissatisfaction with working conditions at the prison.

He said he was disappointed with the conflict, as disputes between warders and "the community of prisoners" were rare.

KwaZulu/Natal Correctional Services said the go-slow at institutions started on Friday, and

by yesterday it had spread to at least another six of the province's prisons.

Warders at the Empangeni prison had refused to serve the prisoners breakfast yesterday, and convicts started rioting and breaking bars when food had not arrived by 9 am.

"About 300 prisoners broke out of their cells into the courtyard, causing much damage to the prison building," police said.

Popercu said the industrial action was over unfair distribution of a merit wage increase.

Star 14/2/95

(253)

KwaZulu prisons hit by go-slow ⁽²⁵³⁾

ARG 14/2/95

DURBAN — Warders at Empangeni Prison in KwaZulu-Natal did not arrive for work today, severely disrupting services, prison authorities said.

Nine other KwaZulu-Natal prisons were affected by go-slows today, correctional services spokesman Mike Deysel said.

"We have nine prisons affected by go-slows, and at Empangeni Police and Prisons Civil Rights Union (Popcru) members have left the prison completely," he said

Three striking warders at Empangeni Prison were arrested yesterday on intimidation charges, Captain Deysel said

Popcru members are demanding that a merit award system be scrapped or adjusted to ensure equal annual bonuses for all prison staff

Yesterday internal stability division (ISD) police surrounded the prison, where inmates rioted and escaped into a courtyard.

Captain Deysel said non-striking warders were trying to render essential services at Empangeni and had been able to feed the prisoners, but were unable to accompany them to court or to supervise exercise periods. — Reuter

Minister names top trio for labour revamp

ARG 14/2/95

The Argus Correspondent

JOHANNESBURG — Labour Minister Tito Mboweni has announced the appointment of the top three civil servants who will be charged with the implementation and success of the new Labour Relations Act.

The post of director-general in the new Department of Labour goes to current University of Fort Hare registrar Si-pho Pityana

Veteran trade unionist Les Kettleidas has been appointed deputy in charge of human resources, policy and labour relations

Acting director-general Joachim Kastner has been appointed deputy director-general in charge of labour market programmes and administration.

Mr Mboweni also announced that the Labour Ministry's five-year plan, which will outline all the programmes the ministry hopes to embark on in the next five years, will be released "soon, probably in the next two weeks".

He said the three men will have the task of building the new Labour Department, implementing changes within the labour department and bringing its workings in line with government policy.

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Crisis at eight KwaZulu prisons

(253)
Sowetan
14/2/95

Sowetan Correspondent and
Sapa

■ GO-SLOW Protest apparently sparked by merit award system

CRISIS WAS BREWING AT EIGHT KwaZulu-Natal prisons yesterday, where Police and Prisons Civil Rights Union (Popcru) members embarked on a go-slow, and members of the predominantly white Public Servants Association (PSA) threatened to revolt because they had to work extra shifts.

Popcru members began the protest at four prisons on Friday and according to a spokesman for the Department of Correctional Services, the members yesterday embarked on strike action at other prisons. Prisons affected are Ncome, Maritzburg, Waterval, Glencoe, Empangeni, Kokstad, Estcourt and Eshowe.

The go-slow was apparently sparked by unhappiness at the department's merit award system.

A prisons spokesman said the issue was

fully discussed with approved employee organisations, including Popcru, on February 6. He said the planned merit awards process was approved by all organisations except Popcru.

Spokesman Captain Mike Deysel said high-ranking officers were on the way to the prison which was being surrounded by police.

About 45 members of the police Internal Stability Unit had been placed on standby.

Deysel said most warders yesterday refused to serve the prisoners breakfast.

Convicts started rioting and break-

ing bars when breakfast had not arrived by 9am.

"About 300 prisoners broke out of their cells into the courtyard, causing much damage to the prison building," he said.

Meanwhile, the remaining warders, the majority of them whites belonging to the PSA, warned that they would not "carry the can" indefinitely for their Popcru colleagues.

Meanwhile, the Correctional Services Department said rioting prisoners at Empangeni, on the KwaZulu-Natal north coast, caused substantial damage to the prison on Monday afternoon.

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R138-m in aid for prisoners 'missing'

Sowetan
14/2/95 (253) (254)

By Sibusiso Mabaso

A HIGH-POWERED COMMITTEE consisting of two premiers and seven prominent political activists has been appointed to investigate claims that millions of rands belonging to the Association of Ex-political Prisoners were unaccounted for.

The committee was formed after angry ex-political prisoners — attending the Robben Island consultative conference in Cape Town at the weekend — demanded to know what had happened to the AEPP and how the trust had spend funds donated by foreign donors.

About R138 million was apparently donated by French, Australian and German donors. The funds were to be used towards alleviating the social and economic plight of ex-political prisoners.

Shock disclosure

The shock disclosure of the alleged misappropriation of AEPP trust funds was made by a disgruntled former employee of the organisation at the Robben Island conference, which brought together former political prisoners.

The former AEPP employee later told the *Sowetan* in an interview that there were allegations that some funds had been used to purchase homes and cars for certain officials and employees of the organisation.

He claimed that seven cars belonging to the AEPP had been registered under the name of a senior AEPP official.

Documents substantiating the former AEPP employee's claims were produced during one of the plenary sessions of the conference. The session was told that none of the R138 million donated by foreign donors found its way to social

upliftment projects.

In addition, the session was also told that about R5 million originally earmarked for Eastern Cape AEPP projects had apparently not been used for these schemes.

The former employee said loans had been given to staff members and that he himself had borrowed large amounts of money without repaying them.

He claimed some AEPP officials had used the money to finance their own private businesses.

Angered by the allegations, the ex-political prisoners demanded a full explanation and immediate probe into the AEPP trust funds and urged that charges of theft should be laid against the culprits.

AEPP official Mr Naledi Tsiki, who was chairing the conference, was asked by delegates to respond to the allegations.

"Comrades, it is important to take note of the fact that there are no other officials of the AEPP present at this conference to answer your questions," he told the conference.

His utterances caused an uproar among the delegates, who immediately shouted Tsiki down.

A potentially explosive situation was averted when the ANC's Ahmed Kathrada appealed for calm and told delegates to appoint a committee to investigate the financial affairs and activities of the AEPP.

Those appointed to serve on the committee were Gauteng premier Tokyo Sexwale, Free State premier Mr Terror Lekota, Mr Ahmed Kathrada, Dr Aubrey Mokoape, Mr Dikgang Moseneke, Mr Kwedi Mkhahphe, Ms Thandi Modise, Ms Barbara Hogan and Mr Jeff Radebe.

More prison warders (253) join protests

DURBAN — A go-slow by prison warders at Kwa-Zulu/Natal's Empangeni prison, which sparked a riot yesterday morning, had spread to at least six other prisons by the evening.

Correctional Services spokesman Capt Mike Deyssel said members of the Police and Prisons' Civil Rights Union (Popcru) embarked on a go-slow at prisons in Maritzburg, Vryheid, Eshowe, Estcourt, Newcastle and Kokstad.

He said Popcru members at New Hanover said they would protest today.

Deyssel said three Popcru warders had been arrested for intimidation.

Popcru said its protest was aimed at "unfair" distribution of merit wage increases.

INGRID SALGADO reports that a prison warder at Leeuwkop prison near Johannesburg died last Friday after a prisoner stabbed him in the neck with a sharpened spoon.

A prisoner, Andrew Christopher, also died in the ensuing scuffle, police spokesman Col Dave Bruce said yesterday. **BD 12/95**

About 150 prisoners were "getting noisy" in the prison's courtyard and a search of prisoners found one armed with a sharpened part of a pair of scissors, he said. Another prisoner then attacked Sgt M Nkonjama. He later died in hospital.

Two other warders sustained stab wounds. Sgt TC Ngqobo's condition was "serious" and he was in intensive care. — Sapa.

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Probe into funds claim

(From page 1)

been used to buy homes and cars for certain officials and employees of the organisation

He claimed that seven cars belonging to the AEPP had been registered under the name of a senior AEPP official. ~~(254)~~ (253)

Documents allegedly substantiating the former AEPP employee's claims were produced at the conference

The former employee alleged that none of the R138 million donated by foreign donors found its way to social upliftment projects

In addition, it was claimed about R5 million originally earmarked for Eastern Cape AEPP projects was apparently not used for these schemes.

The former employee said loans had been given to staff members and that he himself had borrowed large amounts of money without repaying them

He claimed some AEPP officials had used the money to finance their own private businesses. ARG 14/2/95

Angered by the allegations, the ex-political prisoners demanded a full explanation and immediate probe into the AEPP trust funds.

AEPP official Naledi Ntsiki, who was chairing the conference, was asked to respond to the allegations

"Comrades, it is important to take note of the fact that there are no other officials of the AEPP present at this conference to answer your questions," he said.

His response caused an uproar among the delegates

The ANC's Ahmed Kathrada proposed that a committee be formed to investigate the claims.

Those appointed to the committee were Gauteng Premier Tokyo Sexwale, Free State Premier Terror Lekota, Mr Kathrada, Aubrey Mokoape, Dikgang Moseneke, Kwedi Mkaliphi, Thandi Modise, Barbara Hogan and Jeff Radebe

Top-level probe into 'missing' funds for ex-prisoners

(253)

The Argus Correspondent
JOHANNESBURG — A high-powered committee of two premiers and seven prominent political activists has been appointed to investigate claims that millions of rands belonging to the Association of Ex-political Prisoners are unaccounted for.

The committee was formed after angry ex-political prisoners — attending the

Robben Island consultative conference at the weekend — demanded to know what had happened to the AEPF and how the trust had spent funds given by foreign donors.

About R138 million was apparently donated by French, Australian and German donors. The funds were to be used to ease the social and economic plight of ex-political prisoners.

The shock disclosure of the alleged misappropriation of AEPF trust funds was made by a disgruntled former employee of the organisation at the Robben Island conference, which brought together former political prisoners.

The former AEPF employee later told the Sowetan in an interview that there were allegations that some funds had

(To page 5, col 8)

ARGENT 14/2/95

Mystery of all the missing millions

253
251

By Sibusiso Mabaso

FILTHY RICH Azapo thinks many

people are involved in swindling:

ANC MP Mr Ahmed Kathrada, who is the coordinator of the newly appointed committee formed to investigate the financial activities of the organisation accountable for the disappearance of R138 million, said no one was certain what happened to the money

The Association of Ex-Political Prisoners was supposed to look after the social and economic plight of former prisoners with the money

Kathrada said he never followed the activities of the AEPP and was not a member

Gauteng premier Mr Tokyo Sexwale, who was also appointed to serve on the newly formed committee, was not available for comment

His secretary said he was sick and asleep

Kathrada said the AEPP and an or-

ganisation of former MK combatants were disbanded about three years ago and had their assets absorbed by an organisation that failed to get off the ground, the Centre for Community Development

According to *Sowetan's* source, the CCD leased two farms in Umtata and Butterworth in the former Transkei homeland to establish development projects

Refused to speak

The former general secretary of the AEPP, Mr Naledi Tsiki, refused to speak to *Sowetan* yesterday because "you wrote a story which is very damaging to me as a person and to the AEPP as an organisation

"Your report does not reflect what

took place at the conference (in the Cape) and I have no confidence that you will be able to effectively provide a correct reflection now on the phone"

In reaction, Pan Africanist Congress leader Mr Clarence Makwetu said he was hopeful the money would be found

Makwetu said it was the first time that he had heard of the AEPP fund and the committee appointed to investigate the missing funds should "leave no stone unturned"

Azapo spokesman Mr Strike Thokoana said "We are aware of people who are filthy rich yet they have never worked. Where do they get the money from? "We think there are many other people involved in embezzling funds intended for specific projects"

Prisoners' association denies fraud

NALEDI Tsiki, secretary-general of the Ex-Political Prisoners' Association has denied claims that organisation members misappropriated R138m contributed by foreign donors to help former inmates get jobs and generate income.

He said: "The report is malicious and inaccurate. We have never received donations exceeding R10."

He said he would call a news conference today where, he said, it would emerge that no money was misused: "We want to bring audited reports of our finances for all to see." (253) (289)

During a consultative conference at the weekend members demanded an investigation of claims that millions of rands were not accounted for. BD 15 [2] 95

A committee including Gauteng premier Tokyo Sexwale, Free State premier Patrick Lekota, Ahmed Kathrada, Aubrey Mokoape, Dikgang Moseneke, Thandi Modise, Barbara Hogan, Dikgang Moseneke, Kwedi Mkhali and Jeff Radebe was

MDUDUZI KA HARVEY

appointed to look into the association's finances.

Allegations were that funds were used to buy houses and cars, to grant loans without repayment, and that officials had used money for personal business.

Claims that money had come from German, French and Australian donors were denied by representatives of all three governments.

The Centre for Community Development took over the association's assets last year when donors decided that with the end of apartheid, they were no longer in a position to give money to the Ex-Political Prisoner's Association.

Centre director Stanley Mngadi said: "We worked to transform the association and we got the finances for this from the Development Bank of South Africa. I have no information at my disposal that shows money was misused."

Warders walk out of Empangeni jail

Sowetan Correspondent

■ NINE PRISONS Popcru calls

members out on strike:

Sowetan 15/2/95

STRIKING POLICE AND PRISONS Civil Rights Union members yesterday walked out of Empangeni Prison in KwaZulu-Natal in what the province's Department of Correctional Services spokesman said was a full-blown strike

The spokesman said all Popcru members there walked out without official leave after refusing to go on parade yesterday morning

Staff shortage

He, however, said warders from Pretoria had been sent to the prison to alleviate the staff shortage

A total of nine KwaZulu-Natal prisons have now been affected by Popcru go-slow action

'Our main concerns are for the well-being of prisoners and the com-

munity, who have a right to demand that we fulfil our duty We are doing everything to resolve the matter as soon as possible and see to it that prisoners do not escape," said the spokesman

Popcru spokesman Mr Baba Nyandu said he expected political intervention to resolve the protest because management was "conservative and not prepared to listen to us"

National spokesman for the department Mr Mike Deysel said senior management was travelling to the province to assess the problems first-hand

"But that doesn't make the go-slow any less illegal and the demands by Popcru cannot be met," he said

At the centre of the protest is Popcru's demand that a merit wage increase be shared by all staff

Nyandu said the union's stance was not in defiance of President Nelson Mandela's call on civil servants to temper their protests.

Conservative

"We are committed to the Government but we are being forced by conservative management

The go-slows will continue until there is a moratorium on the merit increase," he said

Deysel said "In my opinion it's a completely irresponsible action by Popcru There are legitimate alternative mechanisms for grievances"

quality to study for a...
Business Standard 2...

35 prisoners hurt during KwaZulu/Natal jail chaos

Star 15/2/95

(253)

Durban — Chaos erupted at Glencoe Prison yesterday when prisoners stormed the main gate and warders opened fire with rubber bullets, injuring 35, as the crisis at KwaZulu/Natal prisons deepened

Police and Prisons Civil Rights Union (Popercu) members at 11 prisons are taking part in an illegal go-slow

It seems the unrest was sparked by unhappiness over the Department of Correctional Services' planned merit awards system.

A Glencoe warder was slightly injured during a confrontation between striking and non-striking employees

The prison warders who have plunged at least nine of the 33 prisons in the region into chaos after staging walkouts, go slows and strikes over the past two days had not consulted their leaders before this campaign,

Popercu president Enoch Nelani said

The department's spokesman Brigadier Chris Olckers said about 1 000 warders were involved

Nelani said the union had sent its deputy president Oupa Mnyoba to the region to investigate

He said there had been progress in negotiations with the police

Also yesterday, warders at Empangeni Prison failed to report for duty.

Three warders were arrested at the prison on Monday on intimidation charges after 300 rioting prisoners caused substantial damage to the prison

The strikes follow an outbreak of violence at Leeuwkop Prison outside Johannesburg in which a prisoner and a warder were killed on Friday. — Labour Reporter, Own Correspondent.

Prison aid group denies R138-m fraud

■ BY BONGIWE MLANGENI

The Association of Ex-Political Prisoners yesterday denied that the organisation had received R138 million from donors and used the funds for personal benefit.

AEPP general secretary Naledi Tsiki said the organisation had raised just more than R5 million since it was formed in 1990. "We have no idea where the figure of R138 million comes from," he said.

According to a newspaper report earlier this week, R138 million was donated by international donors to uplift ex-political prisoners, but some funds were used to buy homes and cars for certain AEPP members.

The newspaper also said a committee had been formed at the conference of ex-political prisoners in Cape Town last week to investigate misappropriation of funds at the AEPP.

Tsiki admitted that it had given loans of about R6 000 to staff members.

He said that of the approximately R5 million donated, about R4 336 427 had been fully audited and could be accounted for. The remaining R1 069 467 was still being audited and the report would be out by the end of March.

Star 16/2/95

2 000 children in SA jails ^{SHOW.} 2/2/95

Cape Town — South Africa has up to 2 000 children between the ages of 13 and 17 in jail for offences ranging from theft to murder, Minister of Correctional Services Siphon Mzimela told a briefing at Parliament yesterday.

Mzimela said there were also up to 18 000 "juveniles" in jail. These young people were over 17 years of age but were too young to be classified as adults.

While every attempt was made to keep child prisoners separate from the adults, this was not always possible.

A former prison for women in Maritzburg was being converted and another facility in the Cape would open shortly to house child prisoners.

The minister said that among urgent steps which needed to be taken were the building of rehabilitation centres and the retraining of custodial staff — Political Correspondent. (253)

Minister calls for rehabilitation centres

CAPE TOWN — Prisons should be reserved for hardcore criminals only, while other prisoners should be housed in rehabilitation centres, Correctional Services Minister Siphon Mzimela said yesterday.

A great deal had to be done to bring correctional services in line with the interim constitution and the Bill of Rights, he said, announcing that the Kriegler commission's report on the causes of unrest in SA's prisons would be submitted to President Nelson Mandela this week.

The probe followed the wave of unrest, violence

and strikes at prisons countrywide last year.

A new emphasis had to be on rehabilitation rather than punishment. Instead of prisons, rehabilitation centres should be built.

These centres would have to be staffed with specialised personnel such as psychologists, social workers and councillors. Custodial staff would have to be retrained.

Inmates would have to receive skills training to become productive members of society.

While it would be difficult to foresee when government would have sufficient funds to introduce

these changes, a partnership with the private sector might be viable.

Other measures to raise funds could include selling prisons on prime land and using the revenue to build others (253)

Meanwhile, government was looking to set up youth development centres instead of prisons for children. About 1 400 children aged 17 and younger were awaiting trial or serving sentences in jails.

The Correctional Services department did not have separate facilities for children, although they were kept apart from adult inmates — Sapa

New ideas on jails

Political Reporter (253)

AN investigation report into the causes of unrest in South African prisons and plans to prevent further disputes will be submitted to President Nelson Mandela in the next few days, Correctional Service Minister Dr Siphso Mzimela said yesterday.

Addressing a parliamentary briefing, Mzimela said a great deal of work needed to be done to bring the Correctional Services in line with the Interim Constitution and Bill of Rights *sowetan 21/2/95*

In the past prisons were used to punish criminals but now the emphasis was on rehabilitation, he said. The entire criminal justice needed to be overhauled and more rehabilitation centres instead of prisons be built.

Mzimela said there was a need to retrain the custodial staff. Sentenced persons must

go through diagnostic procedures before being placed in a rehabilitation centre, which should be run by psychologists, social workers and counsellors.

The Government was unable to introduce these changes because it was hamstrung by financial constraints, he said.

At this stage, it was investigating means of joining forces with the private sector to provide these services.

Mzimela said the Government also planned to sell prisons on prime land and use the revenue to build rehabilitation centres on less expensive land. It was also planning to make the rehabilitation centres self-sufficient by introducing profit-making industries.

Mzimela said the ministry was building two youth development centres for sentenced children in KwaZulu-Natal and the Western Cape.

Child offenders' new deal in prison reform

Political Staff

(253) ~~248~~ ARG 21/2/95
CORRECTIONAL Services Minister Sipo Mzimela has plans to convert the Siyakhathala place of safety near Stellenbosch into one of a range of youth development centres to keep child offenders out of mainstream jails.

Mr Mzimela said yesterday that Siyakhathala, other places of safety and disused prisons for women were under consideration as part of a national prisons reform programme.

He was to visit Siyakhathala today but had to cancel his plans because of other commitments. A ministry official said today Mr Mzimela would visit the place of safety soon.

Problems at Siyakhathala, run by the Department of Social Welfare in the provincial administration, recently include:

● A fire on October 9, when five children were seriously

burnt, and there were allegations of random beatings before and afterwards;

● An incident in which 58 children absconded after taking keys by force;

● Resignation of middle management troubled by the conduct of care officers; and

● Continuing complaints by children about alleged assaults and sexual abuse.

Regional Health and Welfare Minister Ebrahim Rasool gave an undertaking the children would be transferred to other centres.

At a briefing yesterday Mr Mzimela said his department had made a "lot of progress" in nine months.

All children who had not committed violent crimes had been released but there were still nearly 2 000 children and 16 000 to 18 000 people aged between 18 and 21 in prisons.

Popcru attacked by minister

Political Staff

CORRECTIONAL Services Minister Siphon Mzimela has accused the Police, Prisons and Correctional Services Union (Popcru) of ignoring agreements on maintenance of prison discipline

ARG 21/2/95 (253)
Mr Mzimela said yesterday that Popcru did not want to understand that the department could not simply replace all management positions through affirmative action

"That would be unconstitutional and would go against agreements that were signed"

Wide-ranging plans to overhaul SA prisons

ARLT 21/2/95

(253)

TYRONE SEALE
Political Staff

PRISONS should be reserved for hardcore criminals who must be spared the "mental torture" of idleness, says Correctional Services Minister Sipo Mzimela

At a briefing yesterday to spell out his department's plans for a wide-ranging overhaul of correctional services, Mr Mzimela said rehabilitation centres should be built instead of prisons, and prisons should be reserved for hardcore convicts only

"Prisoners must be given an opportunity to change their behaviour so that they can return as productive members of society," he said

In an interview after the

briefing, Mr Mzimela said he was particularly concerned about overcrowding in "mega-prisons" such as Pollsmoor and its counterparts in Durban, Maritzburg and Johannesburg

Ministerial spokesman Chris Olckers said the Department of Correctional Services' main problem existed in the Western Cape where jails were overcrowded by "up to 190 percent"

At the briefing, Mr Mzimela said a report on a commission of inquiry, led by Mr Justice Kriegler, into the causes of unrest in prisons would be submitted to President Nelson Mandela within days

But, he said "Even before one studies the commission's report, it is clear that a great deal has to be done in order to

bring correctional services in line with the interim constitution and the Bill of Rights

"The new emphasis is on rehabilitation rather than punishment. Bluntly put, rehabilitation cannot take place in our prisons"

He said the majority of sentenced persons could begin to rehabilitate themselves only if the following steps were taken

- An overhaul of the entire justice system

- The building of rehabilitation centres instead of prisons

- The retraining of custodial staff

- Screening of convicts before placement in rehabilitation centres

- The staffing of rehabilitation centres by psychologists, social workers and counsellors

He acknowledged it was difficult to foresee a time when the government would have sufficient funds to promote these changes, but there were workable options such as

- Allowing the private sector to become a partner of the government in providing some of the services

- Selling prisons located on prime land and using the revenue to build rehabilitation centres on cheaper land

Tasting fruit of hard labour

Political Staff (253) ARG 21/2/95
PRISONERS across South Africa are literally tasting the fruits of their labour

Convicts who were previously farmed out, as it were, as an ultra-cheap labour force to farmers, now work exclusively on correctional services farms, producing fruit, vegetables, milk, eggs and other produce for consumption behind bars

Correctional Services Minister Sipo Mzimela said yesterday the use of prison labour on farms had during the apartheid years attracted an international campaign against South African produce

"That (labour) system was stopped because South Africa had to export her products."

Warder shot as E Cape inmates riot

Port Elizabeth — A prison warder was shot and another taken hostage when prisoners armed with guns and grenades opened fire in St Albans Prison near Port Elizabeth last night.

The warder was shot in the stomach and his condition has worsened overnight.

Correctional Services spokesman Major Paul du Plessis said it appeared that the prisoners had three firearms and a number of grenades.

He said when warders entered a cell to break up a fight, a prisoner drew a firearm and opened fire.

Du Plessis described the situation as "tense" and the internal stability division was at the scene.

This morning SABC radio informed Sapa that Correctional Services had asked SABC not to broadcast the worsening condition of the warder.

The prisoners are tuned to several stations. They are expressing great glee at every mention of the prison and becoming increasingly militant," according to SABC. — Sapa.

THE CAPE

(253)

Jail siege: Warden taken hostage by armed inmates

PORT ELIZABETH — About 100 prisoners armed with firearms and grenades are still holding a warden hostage at St Albans prison.

The drama began about 9 15 last night when prisoners began fighting in a cell and warders were called.

Shots were fired and Warrant Officer Hannes Diedericks was wounded. He was released later, but another warden, Jonathon Phillips, was held hostage.

The prisoners are demanding their immediate release and buses to take them to the townships. — The Argus Bureau

ARCT 23/2/93

NEIGHBOURHOOD

In Southern Argus today.

WYNBERG residents are up in arms about the development of a block of flats on property behind a local primary school — property which the Muhammadayah Primary School had hoped to acquire. The high-density development, in Sussex Road, will comprise 40 units and is scheduled for completion in June.

● FOR the second time in a month, a giant removal truck has been "beached" on Kloof Nek's roller-coaster roads, causing traffic chaos.

Tension mounts over prison hostage drama

Own Correspondent

(253)

PORT ELIZABETH — St Alban's Prison was the scene of a tense deadlock last night as more than 100 prisoners armed with at least three handguns and three handgrenades continued to hold a warder hostage after critically wounding another officer

The prisoners, who staged a mock fight on Wednesday night and opened fire on warders who intervened, are demanding they be released before they hand over Warrant Officer Jonathan Phillips

Correctional Services Minister Mr Siphon Mzimela has called on the prisoners to release their hostage before there is bloodshed at the prison

Negotiations over two-way radio between prisoners — holed up in two separate cells — police, prisons officials and a South African National Civics Organisation delegation, con-

tinued through the day yesterday

The hostage drama began at 9 15pm on Wednesday when inmates shot and critically wounded WO Hannes Diedericks, 37, and took WO Phillips hostage

A Correctional Services spokesman said warders had spotted three firearms and three handgrenades. He did not know how the prisoners had obtained the weapons

The condition of WO Diedericks — who was taken to hospital in a police helicopter — was described last night as "very serious"

Mr Mzimela took a firm stance last night "The government cannot and will not tolerate such undisciplined and criminal activities among prisoners," he said

The 102 awaiting-trial prisoners involved in the drama are charged with crimes varying from housebreaking to murder

Prison tense as armed prisoners hold hostage

Own Correspondent (253)

PORT ELIZABETH — St Alban's prison in Port Elizabeth was the scene of a tense day last night as more than 100 prisoners armed with at least three handguns and three hand grenades continued to hold a warden hostage after critically wounding another officer.

The prisoners, who staged a mock fight on Wednesday night and opened fire on warders who intervened, are demanding they be taken to a township and released before they hand over W/O Jonathan Phillips.

Correctional Services Minister Siphon Mzimela has called on prisoners to release their hostage before there is bloodshed at the prison.

On Wednesday night inmates shot W/O Hannes Diedericks in the stomach and took Phillips hostage after they intervened in the mock fight.

Diedericks — who was taken to Greenacres Hospital by police helicopter — was described last night as being in a "very serious" condition.

Correctional Services spokesman Maj Paul du Plessis said it was not known how the prisoners had obtained the weapons. The department would investigate.

The 102 awaiting-trial prisoners are charged with crimes varying from housebreaking to murder.

Sapa reports from Cape Town the NP said the hostage drama challenged President Nelson Mandela to prove he was not merely paying lip service when speaking out strongly against such actions.

NP Correctional Services spokesman Henne Smit said "It is unheard of that prisoners get hold of firearms. This situation cannot be tolerated."

Job guarantee clause set to go

DAVID GREYBE

implementing the reconstruction and development programme

Another factor which mitigated against a drastic cut in the size of the public service were chronic staff shortages in the health and education sectors.

Sapa reports Skweyiya said he was "anxious" that 11 000 public service posts advertised last year should be filled as soon as possible.

Between 1,3 and 1,5-million applications had been received, and the State "was not prepared" for such a large number.

The filling of the posts had now been referred to individual Ministers with guidelines drafted by the Public Service Commission

Skweyiya said the government was "sympathetic" to the wage demands of public servants but faced severe budgetary constraints in trying to meet such demands

He strongly condemned "racist threats" against white public servants by some striking public sector workers and said the Ministers of Safety and Security and Justice had been approached to ensure the safety of public servants.

Skweyiya admitted that there had been problems in ensuring fully functional administrations in some provinces, such as the Eastern Cape. However, claims that the administration

was collapsing in such areas were exaggerated.

Skweyiya, speaking in Parliament later, said his Ministry had almost completed the organisational rationalisation of the public service with the unification of the 11 former public services of SA, the TBVC states and self-governing territories

Commenting on the new-found "spirit of co-operation and participation" between the State as employer and public service unions, Skweyiya was confident that the need for industrial action had been averted

Representatives of government and the 18 unions started work last week on "a joint task team effort" into all issues of conditions of service, including the improvement of salaries and wages, within a three year plan

Skweyiya said the exercise was not limited only to salaries and other conditions of service. It also extended to affirmative action and labour relations

Skweyiya said the need for affirmative action was constitutionally entrenched and both the Cabinet and public sector unions had agreed on measures to implement affirmative action in the public service

He said it was regrettable that Deputy President FW de Klerk had tried to inflame tensions within unions with his criticism of affirmative action

Association to

Deadlock continues in prison drama

253

STAV 24/2/95

■ STAFF REPORTER

Negotiations to secure the release of a warder being held hostage by prisoners armed with guns and grenades at the St Alban's prison near Port Elizabeth remained deadlocked this morning.

Another warder, Warrant Officer Hannes Diederichs (30), who was shot in the stomach when the hostage crisis began on Wednesday night, is in a serious condition.

A Department of Correctional Services spokesman said the prisoners were demanding their immediate release and a bus to take them to nearby townships.

The awaiting-trial prisoners overpowered warders during a mock fight on Wednesday night and took Warrant Officer Jonathan Philips (30) hostage.

Correctional Services spokesman Colonel Barry Eksteen said the estimated 100 renegade prisoners had not let anyone near the cells in which they were holed up. The prisoners are armed with three handguns and three grenades.

Members of the SAPS's Internal Stability Division and other police are at the scene.

The man who appeared to be the prisoners' ringleader was a notorious gang leader in the Port Elizabeth area.

Jail warder (253) held hostage

By **Sowetan** Correspondent

THE situation at Port Elizabeth's St Albans Prison, where about 50 awaiting-trial prisoners were holding a warder hostage, was "tense but under control" last night, a Correctional Services spokesman said. 24/2/95

The Eastern Cape Correctional Services liaison officer Lieutenant Leon Deere told *Sowetan* yesterday afternoon that there had been no significant shift in the demands of the prisoners.

"Negotiations are still continuing between the Correctional Services delegation, the prisoners' team and Sanco," Lieutenant Deere said.

Prisoners were still holding Warrant Officer Jonathan Phillips (38) hostage until their demands for an early release are met. The officer has 18 years experience in correctional services and is married with three children.

The trouble started about 9.15pm on Wednesday when a warder went to the Medium A section of the prison after fighting broke out among a group of prisoners. *Sowetan*

During scuffles the warder was shot in the stomach and another non-commissioned officer was taken hostage.

Popcru wants progressive regional commissioners

ROGER FRIEDMAN
Weekend Argus Reporter

AS the regional commissioner's selection board winds up proceedings in Pretoria, the Police and Prisons Civil Rights Union (Popcru) in the Western Cape says only a "progressive" appointment committed to the new South African order can address simmering racism in the troubled police service

The selection board — headed by national commissioner George Fivaz and comprising all regional police ministers, representatives of the national safety and security ministry and foreign police experts — narrowed the list of 300 applicants down to a short-list of

44 this week *ARLT 25/2/95* ~~(253)~~
The board is due to complete deliberations this weekend while announcements are anticipated early next month

The board has refused to release details on the make-up of the short-list, but it is understood at least one civilian is on the list

Two weeks ago, the Western Cape Anti-Crime Forum announced it could not support the nominations of two Western Cape generals Nick Snyman and Deon du Toit who were perceived to be front-runners for the region's hot seat

Yesterday, Popcru regional chairman Hendrik Davids said they were not insistent that one

of its members be appointed as the majority of their members came from junior ranks

Mr Davids said Generals Snyman and Du Toit — as present members of police management in the region — "still used the old management style"

"I cannot see them adapting successfully to the new dispensation

To implement community policing successfully, whoever was appointed should start off by enjoying the support of the community, he added

■ Incumbent Western Cape commissioner Nick Acker recently announced his early retirement

Prisoners hurt as hostage drama ends

PORT ELIZABETH — Two prisoners were wounded — one seriously — when a police special task group stormed a St Albans Prison cell yesterday to free a warder who had been held by armed prisoners for 76 hours.

Charges of attempted murder and kidnapping were being investigated against the 103 prisoners who held W/O Jonathon Phillips, Eastern Cape police spokesman. Maj Dame Marais said. This would be in addition to charges they faced when they

took Phillips hostage.

Marais said the 103 awaiting trial prisoners would not be given any preference in respect of speeded up bail applications — an offer they rejected during negotiations to end the siege.

The Correctional Services Department said a special task group was called in after negotiations between Eastern Cape premier Raymond Mhlaba and the prisoners failed to secure the warder's release

□ To Page 2

Prisoners

(253) BD 27/2/95 □ From Page 1

Phillips had been barricaded in a communal cell with the prisoners — who were demanding they be set free immediately — since 9pm on Wednesday.

The drama began when warders were called to break up a fight between awaiting trial prisoners in a communal cell. As the cell door was opened, prisoners opened

fire, shooting a warder in the abdomen

Among weapons seized from prisoners were two pistols, four grenades, a teargas canister and knives.

Phillips has been taken with his family to a Correctional Services Department holiday home to recuperate from his ordeal — Sapa.

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□ From Page 1

Prisoner dies after 76 hours in cells

Warder freed after 76 hours in cells

PAT CANDIDO
The Argus Bureau

PORT ELIZABETH — A prisoner has died after being wounded in the hostage drama at St Alban's prison here.

After 76 hours as a hostage of angry awaiting-trial prisoners at St Alban's, warder Jonathan Phillips was released unharmed. A colleague, Hannes Fredericks, who was shot in the stomach, when Warrant Officer Phillips was taken hostage, is in a critical but stable condition.

After his release Warrant Officer Phillips was examined by a doctor and found to be fit but tired, with a slight bruising around one eye. He has been reunited with his family.

The end to the drama came about 2am yesterday when a special police task group penetrated the cell and freed the warrant officer in an operation that took about 25 seconds.

The task force of 21 men under the command of Mike Fryer entered the cells at 150am yesterday. Two prisoners were wounded and were taken to hospital. One died early today from a wound in the stomach.

In an extensive search of the cells after the prisoners were re-

moved, police found a 9mm pistol, a 7,65mm pistol, an M26 grenade, three inactive grenades (two smoke, one stun), one full aerosol teargas canister and an assortment of sharpened objects and knives.

The decision to send in the task force was taken after the mood of the prisoners, all of whom are awaiting trial for other offences, became aggressive when it became clear their demand for bail would not be met.

The drama began on Wednesday evening when about 100 prisoners, with guns and grenades staged a mock fight and took Warrant Officer Phillips hostage when warders went to break it up. Warrant Officer Fredericks was shot.

Negotiations continued for 75 hours. Members of the SA National Civics Organisation and the ANC spoke to the prisoners, who demanded to see Eastern Cape premier Raymond Mhlaba.

On Saturday after lengthy negotiations, Mr Mhlaba gave prisoners a written undertaking that if they freed their hostage and handed over their weapons he would do everything possible to have a special court convened so they could apply for bail.

A court appearance was arranged, on condition they handed over Warrant Officer Phillips and surrendered their arms.

Mr Mhlaba gave prisoners until yesterday morning to discuss his offer.

Correctional Services spokesman Paul du Plessis said the prisoners became "agitated and aggressive" when it became clear they would not be granted bail unconditionally.

They said they were not interested in a court appearance under the conditions stipulated during negotiations, and were not prepared to release Warrant Officer Phillips.

Discussions with police commissioner George Fivaz in consultation with Mr Mhlaba and "higher authorities" followed and it was decided to deploy the special task group.

Major Du Plessis emphasised that the decision to storm the cells was taken only after all negotiations had failed.

He said that at no stage during negotiations was any promise made that bail would be granted.

It is still not known how the arms were smuggled into the prison.

shootout (253)



WEAPONS HAUL: Warrant Officer Francois Slabbert, with some of the weapons confiscated from St Alban's prisoners after a 76-hour hostage drama

Police storm E Cape prison

CT 27/2/95 (253)

PORT ELIZABETH — Charges of attempted murder and kidnapping are being investigated against the 103 prisoners who held a prison warden hostage for 76 hours at St Albans Prison until he was freed in a dramatic raid by the police special task group early yesterday.

Warrant Officer Jonathan Phillips, 38, was taken hostage on Wednesday night. Warrant Officer Hannes Diedericks was shot in the abdomen during the incident and is in hospital in a serious but stable condition. He was dragged to safety by colleagues.

Yesterday's storming of the cell where WO Phillips was being held was over within 25 seconds, a Correctional Services statement said.

Two prisoners were wounded, one seriously, in the raid. WO Phillips was brought out with no visible injuries except a bruised eye.

Hostage warder released

He and his wife Helen and their three children were taken to a Correctional Services holiday home yesterday for him to recuperate, a family member said.

The special task force contingent, commanded by Lieutenant-Colonel Mike Fryer, was called in after negotiations between Eastern Cape Premier Mr Raymond Mhlaba and the prisoners failed to secure the release of WO Phillips.

Mr Mhlaba was at the prison on Saturday morning and he and

a large contingent of police and prison staff waited tensely as the 11am deadline set for the release of WO Phillips approached and expired.

After the expiry Mr Mhlaba entered into further negotiations with the prisoners but no agreement was reached.

Discussions with national Police Commissioner George Fivas followed this breakdown and it was decided to bring the special task group into action.

East Cape police spokesman Major Danie Marais said the 103 men, who were awaiting trial prisoners, would not be given any preference in having their bail applications speeded up.

Among weapons seized from the prisoners by the special task group were a 9mm pistol, a 7,65mm pistol, an M26 hand-grenade, three inactive grenades, a teargas canister, knives and various sharpened objects.

Detainees: Govt, ICRC sign accord

The Government and the International Committee of the Red Cross yesterday signed an agreement on access to detainees in South African police cells, a joint statement by Safety and Security Minister Sydney Mufamadi and the Red Cross said.

The agreement took into account legislative changes, including the repeal of certain sections of the Internal Security Act, the Criminal Law Amendment Act and the Public Safety Act.

It also provided for the organisation to be notified and to have access to people held under a state of emergency in terms of section 34 of the constitution. It was signed by Mufamadi and Red Cross delegation head Vincent Nicod (253).

Although the Red Cross has had authorisation for unannounced visits to police stations since October 1992, this was the first agreement signed between the two parties. — Sapa

Star 28/2/95

Mandela asked to intervene in prisons row

253

ARG 3/3/95

TYRONE SEALE
Political Staff

PRESIDENT Nelson Mandela has been asked to intervene in a row between Correctional Services Minister Sipo Mzimela and the parliamentary committee on correctional services over the cancellation of a meeting scheduled for Monday.

The Inkatha Freedom Party's withdrawal from parliament has locked IFP member Dr Mzimela and senior ANC official Carl Niehaus, who chairs the correctional services portfolio committee, in an acrimonious verbal battle.

Mr Niehaus said yesterday that the committee had tried since October to discuss critical issues with Dr Mzimela, including prison overcrowding and rising levels of violence.

Dr Mzimela is one of three IFP cabinet ministers who have withdrawn from parliament pending this weekend's Ulundi conference at which the party membership will decide whether IFP MPs should return to their benches.

At a briefing yesterday, Mr Niehaus said Dr Mzimela had finally agreed to meet the committee on Monday.

He said the committee was concerned about the imprisonment of about 15 000 children and youths under 21, the under-utilisation of places of safety and industrial schools and the promotion mainly of white officers.

The committee was also worried about abuses of the parole system, which at times returned serious offenders to society while people who had committed relatively petty crimes remained behind bars.

Mr Niehaus said the committee wanted to hear Dr Mzimela's views on the privatisation of prisons and

the mooted sale of prime property to build and improve prisons elsewhere.

The committee would also question Dr Mzimela on promotions.

Since November, 75 percent of officers promoted were white, while in the Western Cape where labour relations were particularly problematic, 78 percent of promotions involved whites, Mr Niehaus said.

Later yesterday Mr Niehaus announced that Dr Mzimela had written to him yesterday, saying he would not meet the committee on Monday due to unforeseen circumstances.

Mr Niehaus released a copy of his reply, in which he expressed the committee's "utter astonishment" at the "disdain and contempt" with which it was being treated by Dr Mzimela.

"Your cancellation of our scheduled meeting, after months of delay, together with your absence from the national assembly on Tuesday and Wednesday when important matters regarding the functioning of the Ministry of Correctional Services were scheduled for discussion, leaves me with no other option but to bring the issue of your dereliction of duty to the attention of President Mandela."

Mr Niehaus said he had been asked by Mr Mandela to submit a memorandum on Dr Mzimela's conduct.

Interviewed later, Dr Mzimela said he could "lay bets" on what the portfolio committee wanted to tell him at the meeting, the appointment for which had been made by him.

"The committee is going to tell me what I know. It's not going to provide me with what I need to solve the problems."

Having visited nearly 60 prisons countrywide, he knew exactly what the problems were.

Niehaus cautious on prison privatisation

(253)

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CAPE TOWN — Correctional Services parliamentary committee chairman Carl Niehaus reacted cautiously yesterday to proposals of prison privatisation.

Niehaus said a comprehensive investigation was needed.

He was reacting to suggestions made recently by Correctional Services Minister Siphon Mzimela that the department was considering the privatisation of prisons.

Niehaus said the committee was concerned that differences in the quality of prisons would start to develop.

It would probably be necessary to maintain a national control mechanism to ensure the maintenance of standards.

Niehaus said he supported Mzimela's proposal that land surrounding Pollsmoor prison be privatised as long as a decline in standards did not occur.

In addition, the funds gained should be used to improve conditions at the prison.

Committee members would attend a briefing on privatisation at Pollsmoor prison next week, he said.

ADRIAN HADLAND reports Niehaus accused Mzimela yesterday of dereliction of duty.

Niehaus said Mzimela had refused any contact with the committee for almost six

TIM COHEN

months and had repeatedly turned down appointments and meetings.

Niehaus said he had asked President Nelson Mandela to intervene.

The committee was currently trying to convert a Correctional Services White Paper into draft legislation which would have wide implications for the organisation of prisons in SA.

Other critical matters requiring discussion included overcrowding problems in most prisons and rising levels of violence, Niehaus said in a letter to Mzimela.

Niehaus said earlier the committee had been unable to set up a meeting with Mzimela despite four attempts since October. Each had been rebuffed.

Following the latest request, despatched two weeks ago, a letter arrived at the committee yesterday saying Mzimela was unable to meet on Monday "due to unforeseen circumstances".

While the Inkatha Freedom Party, of which Mzimela is a member, walked out of Parliament last week, party leader Mangosuthu Buthelezi said its ministers and deputy ministers would keep their posts and continue to fulfil their obligations

3 000 deaths for truth commission

PRETORIA — About 3 000 deaths are likely to fall within the ambit of the truth commission's activities, retiring police commissioner Gen Johan van der Merwe said yesterday.

If all these incidents were fully investigated in a balanced manner, there was "no way" in which the commission would be able to complete its work within

five years, he told a Pretoria Press Club luncheon.

Van der Merwe said 187 civilians and security force members were killed by liberation movements between 1976 and 1990. In the same period 68 people arrested for political crimes died in detention.

According to the Inkatha Freedom Party, 1 400 of its members were killed in

this period and the ANC said it lost 1 140 members.

"These figures do not include the hundreds of people killed during faction fights, through the 'necklace' method and in hostel and train violence."

The Bill on the commission stipulated it would direct its attention to all incidents between 1960 and December 1993. — Sapa.

(253) SPAN 3/3/95

Prisons minister reported for 'dereliction'

■ BY ESTHER WAUGH
POLITICAL CORRESPONDENT

Cape Town — ANC MP Carl Niehaus has reported Correctional Services Minister Sipho Mzimela's "dereliction of duty" to President Mandela.

The latest development followed the Adjustment Appropriation Bill debate on Tuesday and Wednesday's in-

terpellation debate in the National Assembly — both occasions on which Mzimela was absent.

After Wednesday's debate, DP MP Dene Smuts moved a motion calling for the appointment of a parliamentary commission to investigate the possible suspension of the IFP ministers' pay for dereliction of their ministerial duties.

In a letter dated yesterday, Mzimela told Niehaus, who is the chairman of the parliamentary committee on correctional services, that he could not meet the committee on Monday "due to unforeseen circumstances".

In his response, Niehaus said he had received the letter "with utter astonishment

about the disdain and contempt that you treat" the committee.

"There are critical matters that we need to discuss, including problems of overcrowding and rising levels of violence. One would have expected that you would treat a meeting with the select committee as a priority," the ANC MP said.

Afrikaners are still in charge

■ **DISTURBING PICTURE** Blacks

retrenched while whites are promoted:

By **Ismail Lagardien**
Political Correspondent

MANAGEMENT OF SOUTH AFRICA'S prisons remains in the hands of white Afrikaner men — even after restructuring and affirmative action policies have been applied

By November last year the Minister for Correctional Services, Dr Sipo Mzimela reported that his department had made sufficient progress with reconstruction and with the integration of the prisons services of the former homelands

Yet of the nine provincial commissioners that have been appointed, seven are white generals, four of whom were promoted; and only two are black (Major-General MT Khoza in the Eastern Transvaal and Brigadier EZ Mkhatswa in the Northern Transvaal)

Sowetan 3/3/95
Out of 16 promotions from colonel to brigadier 11 were white and five black. The overall composition of officers that have been promoted nationally were 75 percent white (468 promotions) and 25 percent black (151 promotions)

These figures were compiled by the ANC's Mr Carl Niehaus, the Chairman of Parliament's select committee on correctional services, and were to be presented in the National Assembly during an interpellation on Wednesday.

However, because of the absence of the minister, who is a member of the Inkatha Freedom Party that is presently boycotting Parliament and the Constitutional Assembly, the debate could not proceed

Niehaus said while he did not expect change overnight "it is, however, reasonable to expect that clear transformation structures and a programme for reconstruction should be in place by now"

Prisons: 'I have the answers' — Mzimela

(253)

CT, 3/13/95

CORRECTIONAL Services Minister Dr Siphosiso Mzimela yesterday said he knew exactly what needed to be done to solve problems in South Africa's prisons.

"I've visited more than 45 prisons, and I've seen for myself what's going on. I know exactly what needs to be done, and what our limitations are," he said.

The Kriegler Commission's report on the causes of violence and uprisings in prisons had been received a fortnight ago, as well as the Red Cross's annual report.

He was busy summarising the Kriegler report for President Nelson Mandela, he said.

Dr Mzimela was reacting to earlier claims of dereliction of duty by National Assembly Select Committee chairman Mr Carl Niehaus.

At a briefing in Cape Town yesterday Mr Niehaus had said it was "regrettable" that his committee had not yet been able to establish

a working relationship with Dr Mzimela.

After repeated attempts to meet him since October 1994, a meeting with the Minister had eventually been arranged for Monday.

However, Mr Niehaus said he had received a letter from the Minister yesterday afternoon cancelling the meeting "due to unforeseen circumstances".

Dr Mzimela confirmed he had cancelled the meeting, but said another would be rescheduled once Parliament reconvened on March 15.

It would not have served any purpose to meet the committee on Monday as IFP members would not be present and another meeting would have had to be scheduled with the full committee.

Reacting to the claim that he had been derelict in his duties, Dr Mzimela said Mr Niehaus was "intoxicated with the wine we call

delusions of self-importance"

As chairman of the portfolio committee on Correctional Services, Mr Niehaus, said the selling of prisons could be considered if there was some point to it and as long as it did not increase overcrowding.

There was, however, considerable concern in the committee about suggestions of privatising the prison service.

He said the privatisation of prisons services in countries like Britain and the United States had led to a lowering of the standard of services.

"We believe an extensive study should be made on this privatisation."

Mr Niehaus said at a press briefing that his committee had not discussed the matter, but would be briefed on the issue on Wednesday at Pollsmoor Prison, by the deputy commissioner of Correctional Services — Sapa

Niehaus slammed by minister

NATIONAL Assembly Correctional Services select committee chairman Carl Niehaus has come under fire from Correctional Service Minister Siphon Mzimela and his Commissioner General Henk Bruyn for alleged false accusations and interference in departmental affairs.

The minister and the commissioner were reacting in separate statements to allegations levelled against them by Mr Niehaus at a Press briefing on Thursday (253)

Mr Niehaus accused Dr Mzimela of "dereliction of duty" and said his committee had not yet established a working relationship with the minister.

ARG 4/3/95
This was rejected by Dr Mzimela who said Mr Niehaus's "self-importance" was creating big problems in the department.

"He does not seem to realise that he is neither the minister nor the commissioner of correctional services.

"If Mr Niehaus wishes to make a positive contribution towards correctional affairs, he will have to change his attitude and approach."

Responding to the cancellation of a meeting with the committee on Monday — which prompted Mr Niehaus to

report him to President Nelson Mandela — Dr Mzimela said he had informed other committee members of the postponement.

"They agreed to this and it is only Mr Niehaus who is now causing unnecessary trouble."

The Speaker, Frene Ginwala, and ANC Chief Whip Arnold Stofile had also been told that he would be unable to respond to Wednesday's National Assembly interpellation by Mr Niehaus, Dr Mzimela said.

He had spoken to Mr Mandela and had confirmed that he would meet the committee after March 15.

General Bruyn said he rejected Mr Niehaus's interference in departmental affairs, such as the appointment of provincial commissioners.

Such appointments were legally within the commissioner's competence and had been done in deliberation with the cabinet.

"If Mr Niehaus suggests that there are irregularities with the recent promotions, he must present the facts."

Initiatives to redraft the Correctional Services Act had already been taken some time ago and it was unacceptable for Mr Niehaus to claim credit for this, he said. — Sapa

NEWS IN BRIEF

Strike about bonuses

THE recent go-slow and strikes by Correctional Services members at several prisons in KwaZulu/Natal had resulted from dissatisfaction in the way the annual merit awards bonuses were presented to a select few

Correctional Officers' Union of SA Western Cape president John Joseph said members were unhappy about the "deplorable, racialistic and biased criteria" applied in awarding the merit awards bonuses. **BD 7/3/98**

Joseph claimed in 90% of cases it was the same people every year who were awarded the bonuses

Warder

kept his faith

(253)

CT 7/31/95

OWN CORRESPONDENT

PORT ELIZABETH THE father of three who stared death in the face for 76 hours while being held captive by inmates at St Alban's prison, warder Jonathan Phillips, has told of his ordeal and his quiet acceptance that "whatever must be, must be"

The slightly-built warrant officer said he was confronted with death during the three-day hostage drama, but his religious faith did not fail him

He described how prisoners took him hostage after warders intervened in a fight in one of the communal cells. He said he had stopped to help another warder in the scuffle when two shots were fired at him and he was hit over the head with a gun.

Dazed

When the prisoners dragged him to the control gate, they ordered him to tell the warders on the opposite side that he wanted it opened.

However, when he shouted that the prisoners, and not he, wanted the gate opened, he was hit on the head with a grenade, which left him dazed.

The warder said that during his ordeal he was constantly under threat from some of the prisoners who wanted to attack him, stab him or kill him. These prisoners were restrained by other inmates.

WO Phillips said the quick storming of the cell early on Sunday took his captors completely by surprise. The crack police squad had freed him in 25 seconds.

Warder held hostage by armed prisoners

253

Sowetan
7/3/68

Sowetan Correspondent

A WARDER, held hostage by armed prisoners at St Albans prison, in Port Elizabeth said yesterday he had no doubt that they intended to kill him

Warrant-Officer Jonathan Philips, who has been a warder for 18 years, spoke of his ordeal at a Press conference yesterday, saying it was quite simply his faith and belief as a committed Christian that kept him going through 76 hours with very little sleep and tremendous antagonism from a small group of prisoners, the ringleaders who had organised the plan to

escape

Philips was released at 2am on Sunday a week ago when a special police task group penetrated the cell where he was being held hostage in the dark and released him, killing the ringleader and injuring another prisoner

Philips, who has not yet returned to work, said he was assaulted at least three times. Once he was hit on the back of the head when he entered a cell with other warders to break up a mock fight among prisoners. He was still dizzy when he was taken hostage. He was also hit on the side of the head

with a handgrenade and later with a gun butt. He said from the start it was quite clear that the mood was dangerous and tense. Not all the prisoners were involved.

In fact, some were so scared and worried about what was going on that they would not look at him. Others were deeply concerned about their own safety.

At the start of the drama two shots were fired at him. Both missed.

He said he only heard after his release that Warrant-Officer Hannes Frederick had been wounded. He is in a serious, but stable condition.

NEWS FEATURE Appointed first black director of education for prisons

Sitole cuts across barriers for post

EDUCATING PRISONERS

By Chris Nkwe

BRIGADIER Khulekani Sitole is not just your ordinary prison warden. His is a success story. At the age of 33 he has "almost reached the ceiling", to use his own words.

He has just been appointed the first black director of education and training in the Department of Correctional Services.

And don't mistake him for an affirmative action appointee. He is not.

"I'm qualified for this position. I underwent the toughest interviews of my life. I was grilled during the three interviews before this appointment. It was real tough," he admits with a smile. There are still many adjustments to make.

This Ritz-born former Free Stater made it to the top of some 153 applicants short-listed for the position.

Sitole would like to change the current face of the Correctional Services Education and Training department.

"I support the RDP and feel every prisoner's have to be afforded the chance to be literate. All juveniles should be forced to get into some sort of education, be it academic, technical or basic hand skills so that they acquire some life

Plan to equip inmates with life skills:

skills before they leave prison.

"We have to support our prisoners in every possible way. We should help them register for the courses of their choice, liaise with their families for textbooks, handle their mail and help them with their assignments," he says.

Considering his own educational record, the burden of helping prisoners go through their education should be an easy task for this young brigadier. The last time he was in a classroom was when he was doing his Primary Education Teachers Certificate.

After this he did four degrees part-time and is in the second year of his PhD in Educational Technology with the University of South Africa. He holds a Vista University BA in Education and Psychology (1984-87). He also has a B Ed (1988-89) and BA Hons, in which he obtained a distinction in psychometric assessment and psychology (1990-91), and an M Ed in Psychology from Unisa. In 1992 he did a six-month course in technical education in the United States.

His unimpressive Junior Certificate

marks robbed him of going straight to matric. Instead he pursued a teaching career. He did his Primary Education Teacher's Certificate at Tshuya College in QwaQwa.

After completing his teacher's course in 1982 he went to work as an apprentice fitter.

He went back to teaching in 1983 and taught at various schools in Soweto and the Free State, rising through the ranks to become principal and education administrator.

His last appointment was that of area organiser in charge of the administration work of the Free State Department of Education in Harrismith, Conolia, Warden, Memel and Vrede.

His source of inspiration, he says, has always been his mother.

"My father, who was a teacher, died when I was only in Standard 3 and mother had to educate all three of us single-handedly," says Sitole.

His mother is a school principal in QwaQwa and his wife Lungile and his sister and all her aunts are teachers.



Brigadier Khulekani Sitole

POLITICS

W Cape to get three new jails

□ *Overcrowding still a problem*

(253)

ARC 9/3/95

TYRONE SEALE
Political Staff

THE building of three new prisons in the Western Cape and the upgrading of others will create room for another 4 704 prisoners by 1998, but will not eliminate overcrowding.

One of the new jails is at Wingfield, where 1 501 prisoners should move by January 1997.

Frans Booysen, Correctional Services deputy commissioner industries, told the parliamentary portfolio committee on correctional services yesterday that seven new prisons costing R510,7 million would be built in the Western Cape in the next five years. These would accommodate another 5 149 prisoners.

Also during this period, upgrading and renovation of 56 jails countrywide would cost R65,9 million and would provide space for 1 628 prisoners.

Listed among the seven new jails are redesigns of part of Brandvlei at Worcester and Victor Verster at Paarl, following damage last year by rioting prisoners.

In the Western Cape, the new prisons, apart from Wingfield, are Voorberg at Porterville, which will be completed by August 1996 to house 1 216 prisoners, and Malmesbury where 1 197 inmates will move by August 1998.

Brandvlei is expected to be redesigned by May to house 316 inmates.

The department also expects to complete renovations at Victor Verster by May, providing accommodation for 417 prisoners.

Briefing parliamentarians at Pollsmoor yesterday, Major-General Booysen said: "On completion of the five new prisons in the Western Cape, the over-population in this province will still be the highest in South Africa."

He said to eliminate the current backlog — there are 26 000 too many prisoners in jails across the country — and to keep abreast of the prison population growth to date, 90 000 accommodation units would have to be created within 20 years.

This would, by 2014, create a manageable over-population of 20 percent.

General Booysen said in an interview later that the new prisons and the redesigns at Brandvlei and Victor Verster would feature smaller cells which would allow authorities to work with smaller groups of prisoners, thus improving rehabilitation.

"We can't just look at creating more (prisons). There must be a contribution from the community," said General Booysen.

He said society at large had to create the social conditions that would keep people from committing crime.

'Free political prisoners'

(253)

CAPE TOWN: Lawyers for Human Rights says more than 300 political prisoners are still being detained in South African jails

LHR spokeswoman Ms Paula McBride said yesterday the process of granting amnesty to political prisoners should be speeded up to secure the release of the detainees

Those who were convicted of crimes should not have to appear before the proposed Truth Commission because their trials had already uncovered the truth about their crimes, said Mrs McBride — Sapa

CF 9/3/95

Mandela clamps down on prison rights group

(253) Star 10/3/95

■ BY ESTHER WAUGH
POLITICAL CORRESPONDENT

Cape Town — President Mandela has barred the South African Prisoners' Organisation for Human Rights (Sapohr) from activities which "could promote unlawful activities or lead to loss of lives and damage to property" in prisons.

Correctional Services Minister Dr Siphon Mzimela said last night that such activities had been restricted with immediate effect.

The move followed an ultimatum by Sapohr to the Government to establish an amnesty

resolution committee before April 10 to arrange the release of common-law prisoners, or prisoners would embark on mass action.

Mzimela said the Government would not be held to ransom.

"It is the prerogative of the president to decide when and how he will grant special remissions of sentences to prisoners, and he is adamant that he will not be compelled to make any decision in this regard by threats from whatever quarter.

"The president will grant special remission of sentence whenever, in his opinion, it is proper to do so," Mzimela said.

Mandela orders crackdown on prisoners' organisation

Political Staff

PRESIDENT Mandela has ordered a crackdown on activities by the South African Prisoners Organisation for Human Rights that could promote lawlessness and violence.

Correctional Services Minister Siphon Mzimela said yesterday he had been instructed by the president to restrict immediately organisation activities that could lead to loss of life and damage to property.

Dr Mzimela disclosed the crackdown in a statement responding to the organisation's ultimatum to the government to set up an amnesty resolution committee before April 10 to determine the release of common-law prisoners.

The ultimatum warned the government that failure to meet this demand would lead to prisoners countrywide embarking on mass action, go-slows and demonstrations.

Dr Mzimela said that because demands of this nature had in the past led to riots, loss of life and damage to property, Mr Mandela had ordered restrictions on the organisation.

"The government of national unity will not allow itself to be held to ran-

(253) ARG 10/3/95
som by threats of violence," Dr Mzimela said.

"It is the prerogative of the president to decide when and how he will grant special remission of sentence to prisoners and he is adamant that he will not be compelled to make any decision in this regard by threats from whatever quarter.

"The president will grant special remission of sentence whenever, in his opinion, it is proper to do so."

Dr Mzimela said the organisation had had a chance to discuss and motivate its proposal of an amnesty resolution committee with the Kriegler Commission of inquiry into unrest in prisons and the National Advisory Council on Correctional Services.

"In both cases it had been unequivocally recommended that the establishment of a resolution committee could not be supported and it had therefore been turned down."

Dr Mzimela said the organisation had been told yesterday about the decision against a resolution committee and restrictions on the organisation.

"A call is made on all prisoners not to allow themselves to be incited to unlawful action," he said.

Govt clamps fetters on prisoners' union

B010/3/95
(253) (134)

CAPE TOWN — Government has barred the SA Prisoners' Organisation for Human Rights (Sapohr) from operating in prisons. The order was issued yesterday by Correctional Services Minister Sipho Mzimela on the instruction of President Nelson Mandela. Mzimela said he had been instructed "to restrict with immediate effect, all . . . Sapohr activities at prisons which could promote unlawful activities or . . . lead to loss of lives and damage". Sapohr leader Golden Miles Bhudu had told government to set up an amnesty resolution committee before April 10 with

ADRIAN HADLAND

a view to determining the release of common law prisoners, or prisoners countrywide would start mass action, Mzimela said. Such demands had in the past led to riots, deaths and extensive damage. Government would "not allow itself to be held to ransom by threats of violence". It was Mandela's prerogative to decide when and how he would grant special remission of sentences.

Government, following recommendations by the Kriegler commission probe of

unrest in prisons and a study by the national advisory council on correctional services, had decided "not to accede to the request for the establishment of an amnesty resolution committee".

Sapohr, which had been given the opportunity to motivate its proposals to both bodies, had been informed of the restrictions placed on it.

A senior Correctional Services Department source said "The organisation has been all but banned". If it wanted access to any prisoner it would have to apply to the commissioner of prisons.

NEWS 'Now they must beg me' — th

Business skills ²⁵³ *Sowetan* 10/3/95 training for cons

Sowetan Correspondent

PRISONERS will in future be offered entrepreneurship training in addition to occupational training, to give them greater personal and financial freedom on leaving jail.

Correctional Services deputy commissioner in charge of industries, Major-General Frans Booysen, told members of Parliament yesterday that while the department and organisations such as Nicro were fairly successful in placing ex-prisoners in jobs, stumbling blocks remained.

These included unemployment and the social stigma attached to people who had criminal records. Booysen said with entrepreneurship programmes, groups of prisoners could possibly, upon their release, form their own small or medium enterprises. They could then work within these businesses until they could find jobs or run their own businesses elsewhere.

Occupational training — also known as prisoner development — matched courses offered by other institutions, thus increas-

ing ex-prisoners' chances of finding private-sector jobs.

He said food production and other agricultural activities were part of the department's growing programme to provide prisoners with skills to ease their re-entry into society. During the 1993-4 financial year Correctional Services had saved R20,3 million by letting prisoners — who "earned" a maximum R96 a month — produce their own food.

Agricultural activities, mainly on 16 Correctional Services' farms totalling about 40 000ha countrywide, had resulted in prisoners producing 92 percent of vegetables, 99 percent of pork, 67 percent of eggs and 65 percent of fruit they ate.

The training of prisoners in building trades was extremely important, as prisoners could be used to build prisons or other buildings needed by the State.

Booyesen said planned projects would significantly increase the training rate. At present only four percent of the more than 100 000 prisoners countrywide were in training programmes.

LHR calls for changes in prisons

253
Sowetan
10/3/95

By Ismail Lagardien
Political Correspondent

RECOMMENDATION Refocus

policy to keep people out of prison:

LAWYERS FOR HUMAN Rights has recommended vast changes to South Africa's penal system, emphasising the need for a serious look at the causes of crime and violence with a further emphasis on rehabilitation

The LHR yesterday told Parliament's portfolio committee on correctional services that "prison reform and the diversion of offenders from custodial sentences" ought not to be seen as being soft on criminals

"Reform in the correctional system is rather an essential element in the effort of the new Government to address crime and the social and economic crisis that fuels it," the LHR submission stated

"The policy of the Department of Correctional Services in the new South Africa must be refocussed to keep people out of prison, or if they are incarcerated; to treat them as individuals with all the rights of any citizen of South Africa

"The deprivation of liberty imposed

by prison is the punishment to which offenders are sentenced. Once they are in prison they must be given the opportunity to live productive lives upon release"

Giving the input for the LHR, Ms Bronwyn Manby focussed at length on the rights of prisoners within the system, their safety, accommodation and health, education and training, leisure activities, religious care and contacts with the outside world

Violence in prisons had to be eradicated as much as possible — and this would include attacks by warders on prisoners, Manby said

This, she said, could be addressed by way of looking at the gang system within prisons. She said prison authorities could overtly use gangs as informants and "as informal enforcers" of prison authority

Manby recommended that violent prisoners and non-violent prisoners be separated as a means of reducing violence in prisons. However, it may be necessary to look at some of the causes of violence, she said

She also recommended that, as a precautionary measure against possible HIV infections, condoms be distributed in prisons

Simply stating that sexual relations between men is not tolerated does not mean that it does not exist. She said a distinction had to be drawn between homosexuality and sex between men

Among her recommendations was the removal of uniformed chaplains in prisons and making these more representative

Manby pointed out that of the 28 chaplains in the department, 14 were from the Dutch Reformed Church

Right of info test case

By Mziyasli Ngudle 10/3/95

Sowetan

253

THE extent of right of access to state-held information will be examined today when six long-term Barberton prisoners ask the Constitutional Court to declare their right to access police dossiers.

Mr Joseph Gumede, Mr Siphwe Mpikwa, Mr Christopher Nzimande, Mr Simon Majola, Mr Vusi Thandekwayo and Mr Michael Shabalala, who were charged with the murder of a fellow prisoner on February 26 1993, have invoked Section 23 of the Constitution in their plea for a fair trial.

Section 23 provides that "every person shall have a right of access to all informa-

tion held by the state or any of its organs at any level of government, in so far as such information is required for the exercise or protection of any of his or her rights."

Opposing this in their heads of arguments, Attorney-General of Transvaal Advocate Klaus von Lieres und Wilkau and police Commissioner General George Fivaz, who are both respondents, contend that the right does not extend to criminal proceedings. The question facing the court is whether Section 23 can be used by the accused to obtain further information in criminal proceedings and, if so, whether they should be given access to police dockets. Lawyers for the accused argue that their clients can invoke Section 23 to get access to information.

Prison group is restricted

CT 10/3/95 (253)

CORRECTIONAL Services Minister Mr Siphō Mzimelo yesterday restricted "with immediate effect" all activities by the South African Prisoners Organisation for Human Rights (SAPOHR) at prisons.

This follows an ultimatum to the government by SAPOHR leader Mr Golden Miles Bhudu demanding an amnesty resolution committee be established before April 10 with a view to determining the release of common law prisoners.

Mr Bhudu threatened that prisoners around the country would embark on mass action if the government failed to comply with this demand.

Mr Mzimelo said the government would not be held to ransom by threats of violence.

"It is the prerogative of the President to decide when and how he will grant special remission of sentence to prisoners."

SAPOHR had discussed their proposal with the Kriegler Com-



RESTRICTIONS: Correctional Services Minister Mr Siphō Mzimelo.

mission of Inquiry into prisons unrest and the National Advisory Council on Correctional Services.

"In both instances it was recommended that the establishment of an amnesty resolution committee cannot be supported." — Sapa

Prisoners go for trading futures

(253) ARG 11/3/95

TYRONE SEALE

Weekend Argus Political Staff

PRISONERS will in future be offered courses in entrepreneurship, in addition to occupational training, to give them greater personal and financial freedom on leaving jail.

Frans Booysen, the Correctional Services deputy commissioner in charge of industries, told MPs this week that while the department and organisations such as Nicro were fairly successful in placing ex-prisoners in jobs, stumbling blocks remained.

These included unemployment and the social stigma attached to people who had criminal records.

Major-General Booysen said with entrepreneurship programmes, groups of prisoners could, upon their release, form their own small or medium-sized enterprises and work within these businesses until they could find jobs elsewhere.

He said food production and other agricultural activities were part of the department's growing programme to provide prisoners with skills to ease their re-entry into society.

Occupational training — also known as prisoner development — matched courses offered by other institutions, thus increasing ex-prisoners' chances of finding private-sector jobs.

During the 1993/4 financial year Correctional Services had saved

R20,3 million by letting prisoners — who "earned" a maximum R96 a month — produce their own food.

Agricultural activities, mainly on 16 Correctional Services farms totalling about 40 000 ha countrywide, had resulted in prisoners producing 92 percent of the vegetables they ate, 99 percent of their pork, 67 percent of their eggs and 65 percent of their fruit.

Some of the new projects to provide training opportunities are

- The production of cornflakes for prisoner rations,

- Timber plantations to be used in the making of furniture and other equipment required by Correctional Services or other government departments,

- An ostrich meat and hide project, and

- Nut orchards

The training of prisoners in building trades was extremely important, as they could be used to build prisons or other buildings needed by the state.

General Booysen said planned projects would significantly increase the training rate. At present only four percent of the more than 100 000 prisoners countrywide were in training programmes.

- Prisoners did their bit for democracy by producing 21 000 ballot boxes and 6 950 voting booths for last year's general election, said General Booysen.

MPs urge prison group to negotiate

ART 15/3/95

(253)

TYRONE SEALE
Political Staff

THE South African Prisoners' Organisation for Human Rights should use all negotiation forums at its disposal to highlight grievances instead of making "emotional and dangerous" calls that could lead to violence

The African National Congress parliamentary study group on correctional services has urged the organisation to reconsider its call on prisoners to prepare for protests based on demands for amnesty for common-law prisoners

The study group is part of the multiparty portfolio committee on correctional services

On Monday the prisoners' organisation reiterated its ultimatum to the government to set up a committee by April 10 to consider amnesty for common-law prisoners or face protests countrywide

Last week, in response to the organisation's original call for prisoner action, President Mandela authorised Correctional Services Minister Sipo Mzimela to restrict organisation activities that could lead to violence, a loss of life and

physical damage

Yesterday the study group said in a statement that amnesty was one of many important issues

"This matter is to be addressed with great circumspection, taking into consideration the need for the humane and fair treatment of prisoners on the one hand, and the interests of society at large on the other

"Our study group has been seized by this question for some time, but we feel that the situation is being made unnecessarily volatile by the way the issue is being approached by Sapohr"

Prisons are simmering

POLITICAL STAFF

Overcrowding, gang and other violence, enforced idleness and human rights abuses are among the problems documented by the ANC parliamentary study group on correctional services during its visit to prisons.

During visits to common-law and political prisoners, the group also detected increased expectations from prisoners that they would receive am-

nesty after the ANC-led Government of National Unity took office in May.

The situation in prisons, the group said, was made unnecessarily volatile by the South African Prisoners' Organisation for Human Rights.

The prisoners' organisation, which has effectively been banned from prisons by President Mandela, vowed to embark on mass action if no steps were taken to grant amnesty to common-law prisoners.

(253) Star 15/3/95

6 819 escaped from custody in '94

SHOW 17/3/95
253

Shock figures on leaky jails

BY CHERYL HUNTER
CRIME REPORTER

A staggering 6 819 prisoners and suspected criminals, many of them charged with or convicted of violent crimes, escaped from custody in South Africa during 1994.

Department of Correctional Services spokesman Major Koos Gerber said 1 233 of these escapees were convicted criminals in the custody of his department.

The other 5 586 escapees

OVERCROWDING and 'decaying' state of some prisons and police cells make mass breakouts easy

were in police custody at the time of their breakouts and were either awaiting-trial prisoners or arrested suspects.

Police spokesman Colonel Ray Harrald said the suspects did not escape only from police

cells, but also from arresting officers in the field and during transportation to court.

While this figure reflects only 62 more escapes than during 1993, Gerber said the nature of more recent escapes had been increasingly daring.

He said one of the largest problems aiding escapees was overcrowding in jails. "South African prisons are overpopulated by about 19%".

South African jails housed 113 856 convicts in December, when international standards

allowed for only 95 000 prisoners in these quarters.

Gerber described the state of jails in the country as "rotten". Many of the jails were crumbling from "sheer age", making escape an easy task.

He said that in one incident, prisoners in Bethal, Eastern Transvaal, had used the lid of the toilet in their cell to break a hole in the wall and walk to freedom last year.

A policeman, who asked not to be identified, said "The cells are so old that you can

Escapes in 1994

PRISONERS

412	From work teams under guard of warders	246	From work teams under guard of temporary members	46	While in public hospitals	22	While attending court
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SUSPECTS FROM POLICE CUSTODY



practically scratch the cement from between the bricks with your fingernails."

Daveyton police station on the East Rand bore testimony to this fact when reporters visited the station last year.

Rusted metal bars were twisted aside to allow bodies to slip through and cell doors hung on broken hinges.

Gerber said themselves had been available for many months from jail last year.

He said illegal had crippled jails, resulting in mass outbreaks from Modderfontein.

The Department of Correctional Services

from

STAFF REPORTERS and SAPA

Education Minister Sibusiso Bengu met the SA Student Congress (Sasco) in Johannesburg last night for what its spokesman, Charly Nkandime, described as "very constructive talks".

Nkandime said Sasco would condemn all forms of criminality and vandalism on campuses as well as violent disruptions to ensure that the education year was not destroyed.

"But at the same time we affirmed our right to forms of protest when it arose," he said today.

He could not guarantee the Sasco would bring an end to the current violence as not all the groups were controlled by Sasco. He said that violent disruptions at universities around the country were still a problem.

Violent disruptions at universities around the country were still a problem.

Correctional Services forum under fire

(253) ET 22/3/95

A FORUM on restructuring the Department of Correctional Services has come under fire before its first meeting in Johannesburg today.

A Police and Prisons Civil Rights Union (Popcru) spokesman said yesterday that although his organisation was sending representatives to the meeting, it was disturbed that the forum had been set up and a chairperson appointed by Prisons Commissioner Henk Bruyn without any consultation.

One of the items on today's agenda is an affirmative action plan for the department.

Although both the South African National Defence Force and the SA Police Service have undergone major re-organisation in line with the changes in South Africa, the Department of Correctional Services has survived virtually untouched. Among those attending the meeting will be representatives of Popcru, the Public Servants Association, the South African Nursing Association — which includes prison medical staff among its members — Correctional Services management, and the Public Service Commission.

Chairman of the National Assembly's standing committee on Correctional Services, Mr Carl Niehaus, has also been invited.

Stellenbosch academic Professor Linda Human, an expert on management issues and affirmative action, will chair the meeting. — Sapa

QUESTIONS

(253)

†Indicates translated version

For written reply *HANSARD*
28/3/95

Prisoners in SA prisons: number accommodated/
overpopulation

19 COLNGRAMAREMISA 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 1994, if so, (a) which prisons and (b) what was the average rate of over-population in each case?

N36E

The MINISTER OF CORRECTIONAL SERVICES

- (1) (a) 95 695 on 31 December 1994

- (b) The daily average prison population for December 1994 was 112 716. On 31 December 1994 there were 113 856 prisoners in South African prisons

- (c) On 31 December 1994 there were 22 097 unsentenced prisoners in South African prisons

- (2) Yes

- (a) and (b) On 31 December 1994 the position was as follows

The Province of KwaZulu-Natal

Prison	% Over-populated
Bergville	9,4
Bulwer	27,9
Dundee	11,8
Durban Medium A	11,5
Durban Medium B	52,4
Durban Medium D	17,9

Empangeni	70,3
Glencoe	8,6
Greytown	5,3
Ixopo	3,8
Kokstad	11,9
Kranskop	34,4
Matatiele	7,1
Melmoth	2,3
Nongoma	5,6
Pietermaritzburg Medium A	41,3
Port Shepstone	44,2
Sevontein	1,5
Stanger	22,6
Utrecht	4,9
Vryheid	39,0
Waterval Medium A	42,2
Waterval Medium B	23,2

The Province of Northern Cape

Prison	% Over-populated
Barkly West	20,3
Calvinia	23,5
Douglas	37,0
Kimberley	62,7
Kuruman	42,0
Richmond	2,3
Springbok	22,9
Victoria West	5,1

The Province of Northern Transvaal

Prison	% Over-populated
Lous Trichardt	41,7
Nylstroom	17,4
Pietersburg	50,7
Tzaneen	88,1

The Province of North-West

Prison	% Over-populated
Brits	40,1
Christiana	39,2
Klerksdorp	58,1
Losperfontein	13,1
Odi	10,0
Potchefstroom	25,4
Rustenburg	20,4
Wolmaransstad	69,2

The Province of Eastern Cape	
Prison	% Over-populated
Barkly East	25,7
Bizana	36,7
Burgersdorp	0,5
Cacadu	129,5
Craddock	32,8
Dordrecht	2,1
East London Medium A	59,0
East London Medium B	27,9
Fort Beaufort	21,6
General J C Steyn	8,0
Graaff-Reinet	16,1
Grahamstown	30,7
Jansenville	34,3
Kwa-Baca	3,0
Lusikiski (old)	73,2
Mount Fletcher	18,9
St Albans Maximum	65,0
St Albans Medium B	43,9
Sterkspruit	20,5
Stutterheim	8,0
Tabankulu	32,6
Umtata (New)	21,4

The Province of Eastern Transvaal

Prison	% Over-populated
Barberton Farm Medium	28,0
Barberton Farm Medium A	33,6
Barberton Farm Medium B	22,0
Barberton Town Male	2,9
Bethal	14,3
Lydenburg	29,6
Middelburg (Tvl)	26,8
Nelspruit	11,4
Witbank	18,4

The Province of the Orange Free State

Prison	% Over-populated
Bethlehem	36,0
Bloemfontein	43,4
Edenburg	47,7
Fauresmith	78,8
Frankfort	30,5
Goedemoed Medium A	25,2
Goedemoed Medium B	8,1
Groenpunt Maximum	0,1
Grootvlei Maximum	53,9
Grootvlei Medium	0,7
Harnsmith	26,3
Heilbron	27,7

Hoopstad	30,3
Kroonstad Medium A	7,7
Kroonstad Medium B	2,7
Ladybrand	11,9
Lundley	12,0
Odendaalsrus	27,8
Parys	42,0
Senekal	35,8
Virginia	10,7

The Province of Pretoria—Witwatersrand—Vereeniging (Gauteng)

Prison	% Over-populated
Baviaanspoort Maximum	52,4
Baviaanspoort Medium	17,3
Boksburg	38,4
Heidelberg	25,1
Johannesburg Medium A	15,2
Johannesburg Medium B	68,0
Krugersdorp	30,4
Leeuwkop Maximum	51,0
Leeuwkop Medium A	27,2
Leeuwkop Medium B	4,1
Leeuwkop Medium C	52,3
Modderbee	5,7
Nigel	63,3
Pretoria Local	58,9
Vereeniging	7,1

The Province of the Western Cape

Prison	% Over-populated
Allandale	58,3
Beaufort West	63,2
Brandvlei Maximum	66,1
Brandvlei Medium A	74,4
Buffeljachtstrivier	36,3
Caledon	65,1
Dwarsrivier	50,8
George	89,7
Hawequa	13,2
Heiderstroom Maximum	54,2
Heiderstroom Medium	58,9
Knydna	106,1
Ladismith (Cape)	93,3
Malmesbury	32,4
Mossel Bay	62,7
Obiqua	19,7
Oudtshoorn	35,2
Oudtshoorn (New)	87,3
Paarl	21,4
Pollsmoor Maximum	89,8

Prison	Prison warders/prisoners killed/seriously injured
Pollsmoor Medium A	49,1
Pollsmoor Medium B	35,6
Pollsmoor Minimum Security	11,8
Prince Albert	30,0
Riebeeck West	64,8
Robertson	39,2
Staart of Paardeberg	33,0
Stellenbosch	34,7
Swellendam	50,0
Umondale	60,0
Van Rhynsdorp	27,8
Victor Verster Maximum	74,9
Victor Verster Medium A	27,8
Voorberg	72,7
Warmbokveld	52,2
Worcester Female	9,2
Worcester Male	71,0

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 into the five-year building programme of the Department of Public Works. This programme is revised annually according to the availability of funds. The fact that a specific project appears on the building programme does not imply that it will be executed within five years.

It can be mentioned that the following projects are listed on the five-year building programme

- building of new prisons in Pietermaritzburg, Voorberg, Wingfield, Malmesbury, Victor Verster and Brandvlei,
- the upgrading of the Calvina, Christiana, East London Medium B and George prisons,
- extensions, alterations and improvements to the Louis Trichardt and Leeuwkop Medium A prisons,
- the building of new sections for unsentenced prisoners at the Buffeljachtstrivier, Caledon and Worcester prisons, and
- the building of 10 single cells at the Caledon Prison

The finalisation of the above-mentioned projects will increase the accommodation capacity of South African prisons by approximately 6 000

The average rate of over-population in South African prisons on 31 December 1994 was 18,98%, which represents a decrease of 10,92% in comparison with the 29,9% on 31 December 1993

24 Mr H A SMIT asked the Minister of Correctional Services

Whether any (a) prison warders and/or (b) prisoners were (i) killed and (ii) seriously injured by prisoners in 1994, if so, (aa) how many and (bb) in which prisons, in each case?

The MINISTER OF CORRECTIONAL SERVICES

(a) Yes

(i) (aa) One member of the Department of Correctional Services died as a result of injuries sustained after a serious assault by prisoners

(ii) (bb) Grootvlei Prison

(i) (aa) One hundred and twenty-one members of the Department of Correctional Services were seriously injured by prisoners during 1994 at the prison mentioned below

(bb)	Barberton	1
	Bloemfontein	1
	Brandvlei	1
	Durban	10
	East London	6
	Eshowe	1
	George	1
	Goedemoed	1
	Grahamstown	3
	Groenpunt	1
	Grootvlei	2
	Helderstroom	4
	Johannesburg	5
	Klerksdorp	9
	Krugersdorp	4
	Modderbee	16
	North End	1
	Obiqua	2
	Odendaalsrus	1
	Parys	1
	Pietermaritzburg	1
	Pollsmoor	16
	Port Elizabeth	1
	Pretoria	7
	St Albans	6
	Vereeniging	11
	Victor Verster	1
	Virginia	1

Waterval	1	Leeuwkop Maximum	16
Witbank	2	Modderbee	4
Worcester	1	Odi	2
Zonderwater	2	Voortrekkerhoogte	4
		Witbank	2
(b) Yes			
(i) (aa)	20		
(i) (bb)	3		
(ii) (aa)	1		
(ii) (bb)	2		
(iii) (aa)	1		
(iii) (bb)	1		
(iii) (cc)	1		
(iii) (dd)	1		
(iii) (ee)	1		
(iii) (ff)	1		
(iii) (gg)	1		
(iii) (hh)	1		
(iii) (ii)	1		
(iii) (jj)	1		
(iii) (kk)	1		
(iii) (ll)	1		
(iii) (mm)	1		
(iii) (nn)	1		
(iii) (oo)	1		
(iii) (pp)	1		
(iii) (qq)	1		
(iii) (rr)	1		
(iii) (ss)	1		
(iii) (tt)	1		
(iii) (uu)	1		
(iii) (vv)	1		
(iii) (ww)	1		
(iii) (xx)	1		
(iii) (yy)	1		
(iii) (zz)	1		

The Department of Correctional Services regards every complaint of an assault, no matter how petty, in a serious light. Prisoners are daily given the opportunity to lodge any complaints or requests. Should it appear that there is reason to believe that a prisoner is under threat, preventative measures, for example allocation to different sleeping quarters or working places, are instituted.

In cases of injuries which are related to complaints of alleged assault, a suitable entry is made in a complaints register and/or a register of injuries and in addition to the necessary medical treatment which may be administered or prescribed by the medical practitioner, a Departmental inquiry is instituted into the alleged assault.

Disciplinary action is taken in terms of Correctional Services Regulation 99 in respect of substantiated complaints of minor assault, whilst complaints of serious assault are immediately reported to the South African Police Service for investigation, in which case the legal process takes its normal course.

National Programme of Action for Children: co-ordination/development

35 Ms M E TUROK asked the Minister for Welfare and Population Development

(1) Whether the responsibility for the co-ordination and development of the National Programme of Action for Children has been moved from his Department, if so, why,

(2) (a) what role is his Department to fulfil in the implementation of the said programme and (b) in what manner will the social needs of (i) (aa) abandoned, (bb) neglected, (cc) abused, (dd) homeless, (ee) disabled and (ff) Aids-affected children and (ii) children in prison and police cells be met by the programme N52E

I wish to mention that all deaths in prisons in respect of which a medical practitioner is unable to certify that the prisoner died as a result of natural causes, are dealt with in terms of section 86 of the Correctional Services Act, 1959 (Act No 8 of 1959). Full investigations have to be conducted by the South African Police Service and the Department of Correctional Services, a post-mortem carried out and an official inquest held in terms of the Inquests Act, 1959 (Act No 58 of 1959).

(ii) (aa) and (bb) As a result of assaults by fellow-prisoners a total of 57 prisoners suffered injuries in respect of which they had to be referred to prison hospitals or hospitals outside prisons. These assaults took place at the following prisons

Brandvlei Maximum	2
Brandvlei Medium A	3
East London Medium A	9
Geluk	1
General J C Steyn	1
Groenpunt Maximum	2
Hawequa	4
Heidelberg	1
Klerksdorp	6

The MINISTER FOR WELFARE AND POPULATION DEVELOPMENT

(1) Yes, according to a Cabinet decision on 7 December 1994 a ministers core-group have been appointed for this purpose under the chairmanship of the Minister of Health,

(2) (a) the Department is an active member of the Steering Committee National Plan of Action for Children and will contribute from its line function responsibility to fulfil the implementation of said Programme and

(b) (i) (aa) to (ff) and (b) (ii) The process for the development of a National Plan of Action for Welfare will culminate from the process of a White Paper for Welfare which had been initiated. A co-ordinating body will be appointed for the NPA process for Welfare in which provision will be made to address the social needs of the relevant categories of children

Alexkor: vessels sank/precautions

61 Mrs A VAN WYK asked the Minister for Public Enterprises †

(1) Whether any vessels belonging to Alexkor sank from 1 January 1995 up to the latest specified date for which information is available, if so, (a) who was responsible for it, (b) what was the estimated (i) damage and (ii) loss in production and (c) how many (i) breadwinners and (ii) dependants were affected by it,

(2) whether precautions have been taken or are being taken to (a) protect the interests of the employees and (b) secure the property of Alexkor, if not, why not, if so, what precautions?

The MINISTER FOR PUBLIC ENTERPRISES

(1) Yes During the night of 9 to 10 February 1995 eight Alexkor-owned vessels were sabotaged in Port Nolloth, three of which were sunk

(a) A charge was laid with the Police but no arrests have been made

(b) (i) An estimated damage to vessels amounts to R1,5 million

(ii) It is conservatively estimated that production losses will amount to at least R3 million

(c) (i) 33 Breadwinners

(ii) 71 Dependants

(2) (a) The divers have been assigned to other vessels in the fleet. The remaining crew members are assisting with the restoration of the damaged vessels. Besides their basic wages the latter are being compensated with 50% of the average bonus income of the vessels in operation

(b) Beach patrol has been intensified and surprise visits are being paid at night to vessels. The installation of sophisticated security equipment is presently being investigated

Staff shortages in Department

72 Mr H A SMIT asked the Minister of Correctional Services

(1) Whether his Department is experiencing any staff shortages, if so, what is the extent of the shortages,

(2) whether any steps are being taken to remedy the situation, if not, why not, if so, what steps?

N123E

The MINISTER OF CORRECTIONAL SERVICES

(1) Yes A scientifically based investigation into the establishment revealed that the Department of Correctional Services has at present a proven establishment backlog of 6 656 posts. According to this investigation the Department of Correctional Services' establishment should have 36 095 posts. However, due to financial realities and a restrictive budget, only 29 439 posts can be financed

The personnel shortage is further intensified by the participation of members of some employee organisations in strikes, go-slow and other undisciplined behaviour

QUESTIONS

†Indicates translated version

For written reply

(253)
HANSARD 31/3/95

Persons under 18 years in prison

20 Col N G RAMAREMISA asked the Minister of Correctional Services

- (a) How many persons under the age of 18 years were serving prison sentences on (i) 30 June 1994 and (ii) 1 January 1995 and (b) in which prisons were these persons serving sentences?

N37E

The MINISTER OF CORRECTIONAL SERVICES

Before replying to this question, I wish to furnish the hon member with the following perspective. The Child Care Act, 1983 (Act No 74 of 1983) as well as section 30(3) of the Constitution of the Republic of South Africa, 1993 (Act No 200 of 1993) defines a "child" as a person under the age of eighteen (18) years

Furthermore, the President approved special remission of sentences to *inter alia* all persons under the age of eighteen (18) years who were or would have been incarcerated on 10 May 1994 (except those who had escaped before and were still at large on this date)—prisoners under the age of eighteen (18) years who had committed offences of a particular nature, were also excluded

(a) (i) 745

(ii) 667

(b) Barberton

Baviaanspoort

Beaufort West

Bethal

Bethulie

Bloemfontein

Boksburg

Burgersdorp

Caledon

Calvinia

Christiana

Cradock

Dordrecht

Douglas

Durban

Dwarsrivier
East London
Empangeni
Ermelo
Eshowe
Glencoe
Grahamstown
Greytown
Green Point
Grootvlei
Harrismith
Heidelberg (Tvl)
Helderstroom
Hopetown
Ixopo
Johannesburg
Kimberley
King William's Town
Knysna
Kokstad
Kroonstad
Krugersdorp
Kuruman
Ladismith (CP)
Ladybrand
Leeuwkop
Malmesbury
Middelburg (CP)
Middelburg (Tvl)
Modderbee
Mossel Bay
Mtunzini
Ncome
Odendaalsrus
Oudtshoorn
Parys
Patensie
Pietmaritzburg
Pretersburg
Pollsmoor
Port Shepstone
Potchefstroom
Port Elizabeth
Pretoria Local
Queenstown
Robertson
Rustenburg
Sevontein
Standerton
Senekal
Stellenbosch
St Albans
Tzaneen

Uniondale
Upington
Van Rhynsdorp
Ventersburg
Vereeniging
Virginia
Warmbokveld
Waterval
Wimburg
Witbank
Worcester
Zonderwater

Sentenced prisoners transferred to mental institutions

76 Mr H A SMIT asked the Minister of Correctional Services

How many sentenced prisoners were transferred to mental institutions in 1994?

N124E

The MINISTER OF CORRECTIONAL SERVICES

Seventy-two (72)

Housing subsidy of certain individuals to be reduced

85 Mr J A RABIE asked the Minister of Housing †

- (1) Whether she announced recently that the housing subsidy for individuals earning R800 per month or less, is to be reduced to R15 000, if not, what is the position in this regard, if so, (a) what amount has been budgeted in this regard and (b) from what date will this system come into operation,

- (2) whether in this regard any subsidies for individuals (a) have already been approved and/or (b) are in the process of finalisation, if not, why not, if so, how many in each of the provinces in each case,

- (3) whether she will make a statement on the matter?

N147E

The MINISTER OF HOUSING

(1) Yes

- (a) Separate amounts for the various subsidy levels are not budgeted for. It is, however, estimated that an additional amount of R179 million will have to be allocated to supplement

project-linked subsidies already approved. It is further expected that the R15 000 subsidy level will result in an additional expenditure of R173 million in the 1995/96 financial year. The necessary budgetary provision has been made to accommodate the additional expenditure.

- (b) 15 March 1994 (The date of implementation of the housing subsidy scheme which presently provides for project-linked subsidies)

- (2) (a) and (b) No, due to the short lapse of time since the announcement on 16 February 1995. However, in terms of the announcement, projects which have already been approved in accordance with the existing three subsidy levels, can be revised on application by the developers to the relevant provincial housing boards provided that the additional resources will be used to improve the housing of the applicants within the context of the project. All future project applications will be based on the four subsidy levels.

(3) No

Prisoners having Aids or being HIV positive: policy iro treatment

101 Mr A C NEL asked the Minister of Correctional Services, HANSARD 31/3/95

- (1) Whether his Department has a policy in respect of the treatment of prisoners who have been identified as having Aids or being HIV positive, if not, why not, if so, what is the policy,

- (2) whether such prisoners are being kept separate from other prisoners, if so, (a) why and (b) under what circumstances are they being kept,

- (3) whether his Department carries out compulsory testing procedures in this regard, if not, why not, if so, (a) why and (b) under what conditions are prisoners tested for this disease,

- (4) whether he or his Department has established whether such testing procedures are in keeping with the Constitution, if not, why not, if so, what are the relevant details?

N190E

QUESTIONS

†Indicates translated version

For written reply

Prisons: disruption of services

5 Sen M G E WILEY asked the Minister of Correctional Services:

- (1) Whether any disruption of services occurred at certain prisons in KwaZulu-Natal in February 1995, if so, what steps he intends taking to prevent similar events to occur,
- (2) whether any warders were involved in these disruptions, if so, how many,
- (3) whether the said warders are to be charged, if not, why not, if so, for what offences,
- (4) whether the Police and Prisons Civil Rights Union was involved in these disruptions, if so, (a) what role did it play in this regard and (b) what were its demands,
- (5) whether any Popcru members prevented any warders from performing their contractual duties, if not, what is the position in this regard, if so, what are the relevant details?

S22E

The MINISTER OF CORRECTIONAL SERVICES

- (1) Yes, disruptions in services occurred at the Waterval, Estcourt, Vryheid, Glencoe, Eshowe, Empangeni, Ncome, Pietermaritzburg, Kokstad, Greytown, Mtunzini and Dundee Prisons during February 1995

Interim court interdicts were obtained on 15 and 16 February 1995, prohibiting members from striking at the following prisons

Waterval	(case no 493/1995)
Glencoe	(case no 408/1995)
Empangeni	(case no 481/1995)
Eshowe	(case no 502/1995)
Vryheid	(case no 503/1995)
Estcourt	(case no 509/1995)

An interim interdict was initially obtained for Ncome Prison on 13 December 1994. On 28 February 1995 this interdict was extended to 23 March 1995 (case no 4021/94) prohibiting members from striking.

I must point out that no member of the Department of Correctional Services is above the law. The provisions of the Public Service Labour Relations Act, 1994 (PSLRA), are applicable to the Department and its personnel corps. In terms of Section 20(1)(j) of this Act, the services of members of the Department are classified as essential services. In terms of Section 19(1) of this Act, personnel rendering essential services may not strike. Furthermore, the PSLRA, provides for dispute resolution mechanisms, amongst others, conciliation boards in the event of individual disputes of rights and arbitration (as substitute for the right to strike) in the event of collective disputes regarding rights and interests.

It is recognised that members may have grievances from time to time. Any grievance can be dealt with in terms of the Departmental grievance procedure and the dispute resolution mechanisms provided by the PSLRA.

The Department has now reached the point where undisciplined, illegal and unconventional behaviour will no longer be tolerated. The Department reserves the right to act strictly within the ambit of the legal remedies at its disposal and will deal with labour unrest in terms of the PSLRA. These include

- the deduction of leave without pay in respect of personnel who are absent from duty without authorisation (Section 19(7) of the PSLRA). This is a mandatory stipulation which does not allow for the exercising of discretion by the Commander or Commissioner. It is thus not negotiable,
- obtaining Supreme Court interdicts to prohibit personnel from taking part in strikes
- considering dismissal of members, in terms of the stipulations of Sec-

tion 19(11), who are participating in a strike in contravention of Section 19(1) of the PSLRA,

— the institution of criminal charges against members who

* illegally enter Departmental premises (Trespass Act, 1959),

* hinder Management and/or other personnel in the performance of their duties (Section 42A of the Correctional Services Act, Act 8 of 1959),

* intimidate Management and/or other personnel to participate in illegal (Intimidation Act, 1982),

— the suspension of personnel pending the outcome of criminal and/or Departmental investigations,

— disciplinary charges in terms of Correctional Services Regulation 71(1), and

— investigations into the suitability of personnel for further employment in terms of Correctional Services Regulation 77(1), etc

- (2) Yes, approximately 1 000 members were involved. Due to the unique circumstances, accurate totals are difficult to obtain, for example, in respect of go-slow strikes. Totals may also fluctuate from day to day.

The total number of members involved per prison on 13 February 1995, are as follows

Ncome	406
Pietermaritzburg	362
Waterval	63
Glencoe	34
Empangeni	60
Kokstad	22
Estcourt	25
Eshowe	30
Greytown	16
Mtunzini	15
Dundee	5

7) illegal strike actions commenced on 15 February 1995

Total 1 045

- (3) With regard to the disruption of services in February 1995 possible actions will depend on the quality and quantity of evidence available against individual members. Members will be Departmentally prosecuted should *prima facie* cases exist for, *inter alia*, absence from duty and/or disregard of lawful commands. Unfortunately intimidation often leads to unwillingness of witnesses to testify. Criminal charges of intimidation have been laid against 5 members at 2 prisons.

(4) Yes

- (a) POPCRU's Regional Office in KwaZulu-Natal incited members, by way of facsimile messages to several prisons, to cause disruption of services by, for example, taking part in go-slow strike actions.

- (b) The primary cause of the strike actions was the payment of merit awards. POPCRU demanded that merit awards should be divided equally among all members and not paid only in meritorious cases as prescribed by public service directives.

Following the obtaining of the interim court interdicts [sub-paragraph (1) above], POPCRU challenged the Department in the Industrial Court. After studying the Department's answering affidavits, and before filing its replying affidavits, POPCRU withdrew its application and the Department then commenced with the payment of merit awards.

It is unfortunate that a large number of personnel were affected by the irresponsible actions of a small minority.

- (5) Incidents were reported where POPCRU members allegedly attempted to prevent other members from performing their normal duties. As already mentioned criminal charges of intimidation have been laid against five members. POPCRU members refused to perform their normal duties and thereby prevented prisoner labour teams from working.

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Prisons: Role players practice peace

Political Staff

CORRECTIONAL Services Minister Sipo Mzimela and the national assembly committee on correctional services have buried a well-honed hatch-

et

ARG 29/3/95

The relationship between the African National Congress-dominated committee and Dr Mzimela, an Inkatha Freedom Party member, has

long been tense and awkward, based largely on ideological polarity

Yesterday Dr Mzimela and the committee finally kept a long-standing and often postponed appointment, and mutually committed themselves to better communications, and a working relationship based on serving the more than 100 000 people behind bars at the moment — and protecting society from them

(253)

Women prisoners to be offered skills training

TYRONE SEALE, Political Staff

(253)

FINANCIAL management and entrepreneurship are among the skills that will soon be offered to women prisoners, whose education and training behind bars have so far been limited to domestic skills and crafts.

ARG 29/3/95

Khulekani Sitole, director of education and training in the department of correctional services, said yesterday that free education up to Standard 5 was equally available to male and female prisoners. Correspondence courses were also available to both groups of prisoners.

Vocational training and other programmes offered by prison authorities had, however, been limited for a number of reasons, including security considerations, as all prison workplaces were used by male prisoners, some of whom had convictions for crimes against women.

Brigadier Sitole told the national assembly portfolio committee on correctional services that in the past there had been "no tangible planning" for the training of jailed women.

Asked by Meisi Malumise (ANC) what commercial courses were available to jailed women, Brigadier Sitole said he was planning to introduce financial management and entrepreneurship courses in addition to the existing training in domestic skills and crafts.

He noted there was a relatively small number of women in prison and it would be very expensive to establish centres where they could be on their own.

Correctional services' spat with Niehaus resolved

■ BY PATRICK BULGER
POLITICAL CORRESPONDENT
Cape Town — The parliamentary committee on correctional services yesterday patched up its differences with Minister of Correctional Services Dr Siphiso Mzimela.

The committee, chaired by ANC MP Carl Niehaus, had fallen out with the minister — who is one of three IFP ministers in the Cabinet — over his non-attendance of a previous meeting. Niehaus had complained to President Mandela when Mzimela had given notice that he would

not be able to attend a hearing of the committee about two weeks ago. Yesterday, however, the minister told the committee he had decided in principle to brief the committee on a monthly basis wherever possible.

"There is a concern that we need to have better contact, Niehaus said. (253) Mzimela said he felt it was important to communicate more effectively. "The suggestion to meet once a month is well-taken and, in principle, I agree," he said.

SPAW 29/12/95

700 children kept in jails — some only 7 years old

(253)

AIRG 29/3/95

TYRONE SEALE
Political Staff

MORE than 700 unconvicted children were in jails at the end of January because of insufficient community-based alternatives and a shortage of places of safety

By January 31, 27 children aged between seven and 13 were in prisons, along with 44 children aged 14, 127 aged 15, 237 aged 16 and 287 aged 17

Of these, 146 were in Pollsmoor, 316 in Durban-Westville prison, 78 in Johannesburg and 48 in East London

On January 31 there were also 8 619 sentenced juveniles in jail.

"The reality is that at this stage there are insufficient community-based alternative services. Therefore unconvicted children are detained in correctional institutions all over the country by order of the court," said Buks Jordaan, deputy commissioner of the

Department of Correctional Services' chief directorate for development programmes and religious care

Major-General Jordaan told the portfolio committee on correctional services yesterday that the department wanted to see an end to the incarceration of children.

Meanwhile, measures were being taken to isolate children from other prisoners and, as far as possible, to place them in the care of compassionate female staff

In terms of an amendment last year to the Correctional Services Act of 1959, no unconvicted child under the age 14 may be detained in a prison for longer than 24 hours

An unconvicted child who is between 14 and 18 may be detained for up to 48 hours only if the court has ordered that the child be put in a place of safety and if admission to such places

of safety cannot immediately take place.

General Jordaan said that while the courts were trying to adhere to the principle of having no children in prison at all, there had been cases where there was no alternative accommodation for children whose parents were not contactable.

General Jordaan said his department was in constant contact with non-governmental organisations, the courts and government departments, and Correctional Services social workers were constantly helping to trace detained children's parents, but still the department had been left with 722 children at the end of January.

While the responsibility for social work services to children awaiting trial rested with the Department of Welfare, social workers of the Department of Correctional Services would as far as possible provide a basic supportive system.

Need for places of safety, alternatives to jail

Children put strain on prison system

Star 30/3/96

■ OWN CORRESPONDENT

Cape Town — More than 700 children were awaiting trial in jail at the end of January due to insufficient community-based alternatives and places of safety.

On January 31, 27 children aged seven to 13 were in jail, along with 44 children aged 14, 127 aged 15, 237 aged 16, and 287 aged 17

Of these, 146 were in Pollsmoor, 316 in Durban-Westville Prison, 78 in Johannesburg, and 48 in East London.

On January 31 there were also 8 619 sentenced juveniles in jail.

"The reality is that at this stage there are insufficient community-based alternative services .. therefore, unsentenced children are detained in correctional institutions all over the country by order of the court," said Buks Jordaan, deputy commissioner of the Department of Correctional Services' chief directorate for development programmes and religious care.

Major-General Jordaan told the portfolio committee on correctional services on Tuesday that the department wanted to see an end to the incarceration of children. In the meantime, measures were being taken to isolate children from other prisoners and, as far as possible, to place them in the care of compassionate female staff

Detained

In terms of an amendment last year to the Correctional Services Act, no child under the age of 14, who has not been convicted of a crime, may be detained in a prison for longer than 24 hours

A child between 14 and 18, who has not been convicted, may be detained for up to 48 hours only if the court has ordered that the child be put in a place of safety, but admission cannot take place immediately

General Jordaan said while the courts were trying to adhere to the principle of having no children in prison at all, there had

been cases in which there was no alternative accommodation for youngsters whose parents could not be contacted.

His department was in constant contact with non-governmental organisations, the courts and other governmental departments, while Correctional Services social workers were constantly helping to trace detained children's parents

But the department had still been saddled with 722 children at the end of January

The department regarded all persons under the age of 21 as extremely vulnerable

While sentenced children of 17 and younger were dealt with in the same institutions as juveniles aged 18, 19 and 20 — and shared classrooms, the workplace and recreation facilities — they had separate sleeping quarters

Separate establishments for sentenced juveniles existed at Leeuwkop, Rustenburg, Pollsmoor and Hawequa (in the Western Cape).

POLITICAL BRIEFS

667 children in SA prisons (253)

THERE were still 667 children under the age of 18 serving sentences in prison at the beginning of this year, the Minister of Correctional Services Dr Siphso Mzimela has told Parliament

CT 3/1/95

Govt interference responsible for 'ridiculous' early release of prisoners, says judge

BY HELEN GRANGE

Administrative interference in sentences, Government amnesties and blanket prison sentence reductions were responsible for the "ridiculously" premature release of some prisoners, legal experts say.

They were responding to comments on Monday by Mr Justice Brian Southwood during his sentencing of diamond dealer and Sandton millionaire Paul Miller.

Scrap

Mr Justice Southwood sent Miller to jail for 10 years for

were released on parole after having served only five months of their effective two-year sentences.

Their serving less than a quarter of their sentences made a mockery of the criminal legal system, he said.

Jody Collapen of Lawyers for

Human Rights said yesterday that most prisoners released early had benefited from the president's blanket amnesties or sentence reductions.

"And then there is the correctional services department's internal policy of parole for good behaviour," he said.

"The situation is a cause for serious concern, and Mr Justice Southwood's comments need to be taken into account

Options

"Obviously, if the perception in society is that criminals are

not being adequately punished, there is more chance of victims going the self-help route."

National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro) national director Dr Esther Lategan said Nicro believed prison was a place only

for criminals who posed a danger to society

"Other sentencing options should be developed for other types of criminals"

Mr Justice Southwood rejected the possibility of correctional supervision for Miller

(253)

STAR 5/4/95

Shock prison escape figures

(253) CT 5/4/95
DURBAN. An average of more than 40 prisoners a month have escaped from jails in kwaZulu/Natal since December last year, a prisons official said yesterday.

A total of 171 prisoners had escaped, 131 from inside prisons, Captain Mike Deysel said.

In the latest escape, nine awaiting-trial prisoners broke out of Empangeni jail on Monday. Five are still on the run. Capt Deysel warned the public not to approach them but to report sightings to the police — Reuter.

Jails 'may free thousands' due to cash crisis

(253)
CAPE TOWN — Correctional Services would have to release prisoners in their tens of thousands unless more money was found for the department, the parliamentary select committee on correctional services heard yesterday **BDS/495**

The department's R2,419bn budget meant it could afford to keep no more than 96 900 prisoners, Correctional Services financial manager Maj-Gen Hardie Fourie said. It cost the department about R5,52 a day to maintain a prisoner, excluding personnel costs

The prison population was projected to

grow from the current 113 000 to about 126 400 inmates

The State Expenditure Department had said that should the total rise above 96 900 inmates, Correctional Services could motivate for extra funds. If the Cabinet did not approve, the only other option would be to release prisoners.

Last year about 29 500 prisoners had been released early. There were no immediate plans to do so this year

Correctional Services Minister Sipo Mzimela said 51 555 prisoners were granted parole last year. — Sapa.

Protest over amnesty demands

Prisoners in strike action at 10 jails

■ BY CHERYL HUNTER
CRIME REPORTER

Prisoners at 10 prisons around the country embarked on strike action yesterday following a call by the SA-Prisoners' Organisation for Human Rights.

Sapohr announced at the weekend that prisoners around the country would proceed with non-violent forms of protest to demand the establishment of an amnesty resolution committee to review the sentences of political prisoners.

The organisation had earlier set yesterday as the deadline for the Government to respond to its demands regarding political prisoners or face mass action.

Department of Correctional Services spokesman Lieutenant Rudi Potgieter said only 10 prisons had been affected by the strike so far.

"Some prisoners have gone on hunger strikes and others are refusing to join work teams, but there has been no violence in the prisons," Potgieter said.

Earlier, the department said extra security measures had been put in place in preparation for possible strikes.

Response

Sapohr spokesman Toby Borgeest said the organisation had met government representatives, but had not yet received a concrete response to its demands and the protests would therefore go ahead.

He said convicts had been asked to engage in passive protests including go-slows and hunger strikes, but had been urged not to become violent.

Borgeest said President Mandela had raised prisoners' hopes when he said at his inauguration last year that certain categories of prisoners may be released.

Sapohr demanded that it get clarification on what classification of prisoners, if any, would be eligible for early release

(253)
Star 11/4/95
'THIS call is irresponsible because prisoners do not hold peaceful protests'

Potgieter said the call for peaceful protest in prisons was "very irresponsible as experience has shown that convicts do not hold peaceful protests and the situation may easily become volatile and end in violence".

He said Mandela had prohibited Sapohr from entering all prisons except with the permission of national Police Commissioner George Fivaz, following previous violent incidents and deaths sparked by the organisation's activities.

"They are to have no more free access to prisons and may only visit prisoners after applying for permission at the commissioner's office," a spokesman for the department said.

"It is Sapohr which is raising the expectations of the prisoners. Mandela has already said there will be no amnesty committee," Potgieter said.

Adam Cooke reports that the strike action that began yesterday follows a national campaign of mass action in April last year organised by Sapohr which revolved around the issue of which prisoners could vote in the general election, but spread to a broader demand for a general amnesty after the election.

The mass action resulted in the death of a number of prisoners, several hostage dramas, and a large number of breakouts at prisons throughout the country.

Even after the campaign was called off when Mandela and other senior political figures held talks with the organisation, the rioting continued.

The violence came to an end after the Government decided to allow a six-month across-the-board remission for all common-law prisoners in June last year.

Prisoners start strike action

(253) ~~(5)~~

SPECIAL CORRESPONDENT

CT 11/4/95

JOHANNESBURG: Prisoners at 10 of the 234 prisons around the country began strike action yesterday following a call by the SA Prisoners' Organisation for Human Rights (Sapohr)

Sapohr announced at the weekend that prisoners country-wide would begin non-violent forms of protest, such as hunger strikes, to demand an amnesty resolution committee to review the sentences of political prisoners

The organisation had earlier set April 10 as the deadline for the government to respond.

Prisoners start hunger strikes

PRISONERS at 13 of SA's 234 prisons embarked on partial hunger strikes and go-slows after government failed to set up an amnesty resolution committee by yesterday — the deadline set by the SA Prisoners' Organisation for Human Rights (Sapohr).

The organisation renewed its call for prisoners countrywide to demonstrate peacefully to disrupt the daily routine of prisons, a Sapohr spokesman said. It had issued clear instructions that there should be no violence or damage to property.

However, Sapohr was still negotiating with government for an amnesty resolution committee. *BD 11/4/95*

Government had, by yesterday, failed to accept Sapohr's proposal that an independent and transparent mechanism be set up to address prison overcrowding and amnesty for certain common law prisoners.

Correctional Services Department spokesman Brig Chris Olckers said the department had made contingency plans in case mass action led to violence and destruction of prison property. If necessary, it would ask the SA Police Service for support, he said.

However, "at this stage, it would appear that the (majority of) prisoners aren't heeding the call for mass action". He refused to name the prisons where protests

INGRID SALGADO

had begun. *(253)*

Olckers said the department would consider taking legal action against Sapohr if the demonstrations led to violence. Sapohr said that if government responded to the protests with violence, any injuries or loss of life would be "on their shoulders".

Correctional Services was budgeting on releasing close to 30 000 prisoners because of a lack of prison resources. "Our proposal (for an amnesty resolution committee) is better than the department just opening prison gates," Sapohr said. Olckers said government had rejected setting up the committee because it was "not viable".

President Nelson Mandela had intimated in his inaugural speech last May that government would proceed with amnesties. This had raised prisoners' expectations, Sapohr said, but "different people in government are saying different things".

Government decided last month not to accede to Sapohr's demands on the advice of the national advisory council on correctional services.

Correctional Services Minister Siphosiso Mzimela restricted the organisation's access to prisons in terms of the Correctional Services Act of 1959 last month.

Bid for nationwide prisons strike fails

■ BY CHERYL HUNTER

Attempts by the South African Prisoners' Organisation for Human Rights to instigate a nationwide strike by prisoners this week appeared to dwindle to a halt yesterday.

Sapohr announced at the weekend that prisoners would proceed with non-violent forms of protest to demand the estab-

lishment of an amnesty resolution committee to review the sentences of political prisoners.

By last night, however, only 13 of the 234 prisons in the country had responded to the call.

Department of Correctional Services spokesman Lieutenant Rudi Potgieter said a probe to determine the extent of the prisoners' response had been ordered following Sapohr's call for

mass action. However, the probe was called off last night because the "insignificant response by prisoners was not worth the cost and effort".

Sapohr claimed yesterday that prisoners involved in the passive protest had been intimidated and threatened at Barberton and Krugersdorp prisons.

Potgieter said these claims were being investigated.

(253) SPAR 12/4/95

Juvenile rights contravened

Sowetan 13/4/95

By Claire Keeton ²⁵³

HUNDREDS of unconvicted children are still being held in detention in South Africa, despite the law that they be released from prison within 48 hours

National Party Federal Youth organiser Mr Max van der Wath said they plan to protest these detentions at prisons and police cells countrywide on June 16

He said the Ministry of Correctional Services has failed to respond to demands made by NP Youth Action con-

cerning juvenile justice two weeks ago. They criticised the detention of 722 unconvicted juveniles, according to January 31 records

The NP youth demanded to know exactly how many unconvicted juveniles were currently in detention

Van der Wath said yesterday "We were told most juveniles are held in police cells, so they cannot get numbers"

Other demands from the NP youth were:

- All juveniles be released into custody or transferred to suitable correc-

tional institutions,

- An independent juvenile justice commission be set up immediately,

- A formal interdepartmental juvenile justice commission be established; and

- The RDP White Paper be rewritten to address the problems facing youths

Gerber said a 1994 amendment to the Department of Correctional Service Act provided for unconvicted children under 14 to be released from prison after 24 hours and for youths between 14 and 18 years to be released after 48 hours, except for specific circumstances

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Overcrowding taxes Pollsmoor

CT 19/4/96 (253)

BARRY STREEK
POLITICAL STAFF

SHOCK figures disclosed yesterday by the Minister of Correctional Services, Dr Siphon Mzimela, show that facilities at Pollsmoor Maximum Security Prison are being stretched to more than double their intended capacity.

The overpopulation of the prison, particularly among unsentenced juveniles, is so disturbing that the ANC's Western Cape leader, Mr Chris Nissen, and the chairman of the National Assembly's Portfolio Committee on Correctional Services, Mr Carl Niehaus, are to visit the prison this morning.

Mr Nissen and Mr Niehaus have called a press conference for this afternoon to discuss their findings.

Dr Mzimela said Pollsmoor could accommodate 1 703 prison-

ers, yet on March 29 this year, there were a further 1 901 prisoners who had yet to be convicted and sentenced.

In reply to a question, tabled in Parliament by Mr Willem Botha (Freedom Front), he said 210 awaiting-trial prisoners had been held in Pollsmoor for three to six months, 86 for six months to one year, and 33 for one year to two years.

"The problem of the serious over-occupation at Pollsmoor should be addressed urgently.

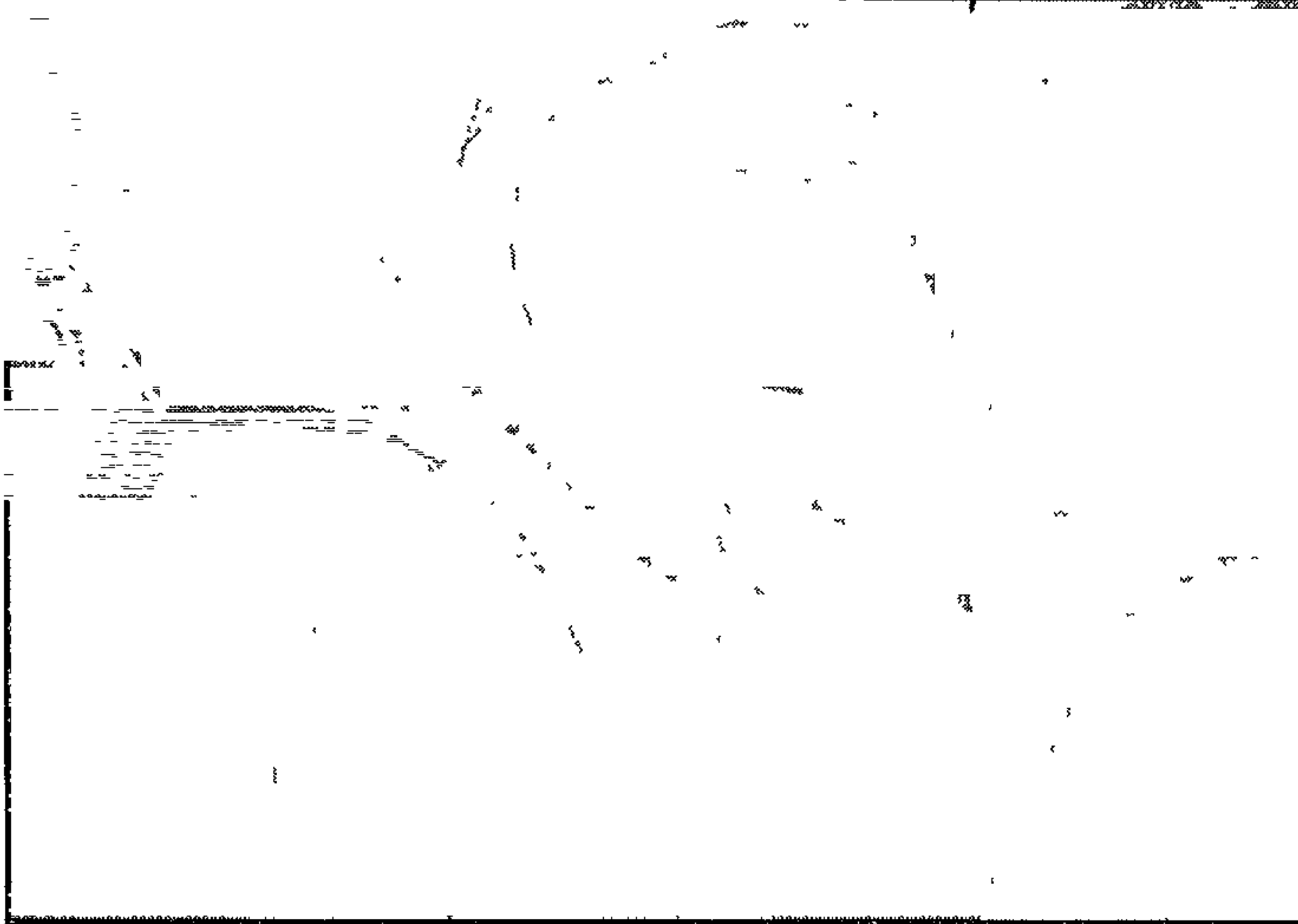
"It is evident that the number of unsentenced prisoners as well as the long periods for which they are being detained, are major contributory factors to this highly unsatisfactory situation.

"The population of this prison is reaching such proportions that the safety, human dignity and physical care of prisoners are being prejudiced," Dr Mzimela said.

MPs shocked by overcrowding in 'pressure cooker' prisons

AG 20/4/95

(253) 8



Picture Reuters

CHILD PRISONER: His face hidden from the glare of a harsh world, this child is one of 149 in custody in Pollsmoor Prison. In spite of President Mandela's call last year to empty the jails of children, countrywide the number of under-17s in jail is more than 1 000

In jail — for selling baskets without a licence

Political Correspondent

THE old woman's crime was to try to sell baskets

Because she had no business licence, she was put in jail while she awaited trial

She could not afford R50 bail and, languishing in jail in Upington, she has become one of 35 000 awaiting-trial prisoners of a total of 117 000 people in jail countrywide

Each prisoner costs the taxpayer R44 a day

The story of the basket-seller exasperates Carl Niehaus, chairman of the national assembly portfolio committee on correctional services

It was an "outrageous" case where correctional supervision was more appropriate, he said

Correctional supervision is also not as costly, at R11 a day

Then there were children in prison, 149 in Pollsmoor alone. The youngest is 11

He was in for housebreaking, his first offence, Mr Niehaus said

In adult cells, overcrowding was such that those meant for 16 housed up to 38 people

There were not enough beds and sometimes prisoners had just blankets on the floor

Mr Niehaus said some prisoners at Upington were being kept in cells burnt during last year's riots, cells without windows, lights or paint

"Keeping people in such a place is extremely unacceptable," Mr Niehaus said

Political Correspondent

THE government may have to release some categories of prisoners from jail as overcrowding turns prisons into overloaded pressure cookers

The crisis is causing violence and assaults on prisoners by warders have been alleged

Carl Niehaus, chairman of the national assembly committee on correctional services, said overcrowding in prisons averaged 200 percent

Mr Niehaus and Correctional Service Minister Siphon Mzimela, both former prisoners, visited jails in the Northern Cape during the past week

Yesterday, Mr Niehaus and Western Cape African National Congress leader Chris Nissen toured Pollsmoor Prison, one of the most overcrowded

Some prisoners there are unable to get their daily half-hour of exercise

Many children are being held in prison, in spite of legislation last year designed to prevent this

Mr Niehaus said that while amnesty had been rejected by the national advisory committee on correctional services, the problem of overcrowding meant it should remain as an option

A overall reform of the remission system was needed

The "credit system" aimed at ensuring that prisoners were given a chance to be considered for parole had led to a lot of confusion and resentment

Prisoners felt the system was arbitrary, and Mr Niehaus agreed it could be used in an arbitrary way

He said all the problems encountered in prisons reinforced the need for an independent prisons inspectorate

A system which allowed the community to monitor prisons and report to the minister and parliament should be considered

He said amnesty would have to be considered as a short-term solution but not for pris-

oners jailed for rape or other crimes of violence

He rejected the argument that releasing people from jail was a soft option

"There must not be the perception that prisons are just bottomless pits where you can send more and more people indiscriminately"

The ministries of justice and correctional services should cooperate to widen the options for sentencing, Mr Niehaus said

Mark Wiley, National Party senate spokesman on correctional services, said overcrowding in Pollsmoor was shocking

"In any prison that is 201 percent full, the conditions must be inhuman and have no rehabilitation qualities"

The intolerable workload on staff and increased risk of riots was "asking for trouble that could have reverberations countrywide"

Mr Wiley said Mr Mzimela should move some Pollsmoor prisoners to less populated jails as a short-term measure

The building of temporary emergency and temporary prison camps for minimum security inmates should be investigated

"Corrugated iron structures already exist at some prisons and there is no reason why more buildings surrounded by barbed wire and watchtowers could not be erected in months if not weeks"

Democratic Party senator James Selfe said the overcrowding of Pollsmoor showed the need for a radical overhaul of the entire correctional services system

Overcrowding made prisons virtually ungovernable and hindered any semblance of effective rehabilitation

Mr Selfe said steps should include the grading of prisons, more use of correctional supervision and community service for less serious offenders and first-timers, and greater efforts for rehabilitation

PROVINCE HAS MOST JAILED JUVENILES

Cape's symbols of failure

UNWANTED: There are more children in Pollsmoor than ever before, reports **BARRY STREEK**

AN often tearful 11-year-old boy called Derek was yesterday a sad and somewhat pathetic symbol of the failure of one of Nelson Mandela's first presidential orders — to empty South African prisons of children.

Derek, an alleged first offender, comes from Nyanga, but he does not know where his parents are and they don't know he is in jail.

He told National Assembly Portfolio Committee chairman Mr Carl Niehaus that he had been refused bail and was facing a charge of housebreaking.

Yesterday there were 149 boys of 17 and under in the children's section of Pollsmoor Prison awaiting trial in a building that should accommodate only 84 people.

And, despite Mr Mandela's urgent instruction nearly a year ago, the number of children in Pollsmoor has tragically increased to the highest level ever.

No one thinks they should be in prison, but the collective will of various government departments — particularly Justice, Police, Correctional Services, Welfare and the provincial welfare department — doesn't seem to be able to do anything about it.

"We don't want these children here," the prison's commander, Brigadier Johan Robberts, said yesterday.

"They should not be here. But if a magistrate orders that a child be detained in prison, we have to carry out that instruction."

Often parents can't be traced, although the head of the children's section, Warrant-Officer Christopher Malgas, said they contacted the parents' nearest police station when the children arrived at the prison.

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JAILED CHILDREN: Mr Carl Niehaus, chairman of the National Assembly's Portfolio Committee on Correctional Services, talked yesterday to Derek, 11, the youngest awaiting trial prisoner at Pollsmoor Prison Admissions Centre

Mr Niehaus said children were also detained in police cells, and he had been told an eight-year-old was recently held in Sea Point.

The Western Cape had more children in prison than any other province.

Closed

If the bureaucracy had got its act together the children could have been detained in places of safety. But the Syakhatale home in Stellenbosch is closed owing to labour problems, which have also reduced the Bonnytown home in Ottery to half capacity.

Fleur Home in Elsre's River is also closed.

Qualified social workers are paid R1 200 a month and child-care workers get less.

Last May Mr Mandela said "From now on the system of criminal justice must be the very last resort in the case of juvenile offenders."

"I have therefore issued instructions to the departments concerned, as a matter of urgency, to work out the necessary guidelines which will enable us to empty our prisons of children and to place them in suitable care."

But from the evidence Mr

Niehaus and ANC Western Cape leader Mr Chris Nissen found at Pollsmoor yesterday it was clear that those instructions have had little effect in the Western Cape.

Dream

Mr Niehaus said a huge challenge faced the government and the community to get all children out of prison.

Unless concerted and co-ordinated action is taken children like Derek will be a reminder that the system has failed and that Mr Mandela's "urgent" instructions remain a dream.

Overcrowding at Pollsmoor eases slightly

POLITICAL STAFF

THE chronic overcrowding at Pollsmoor Prison Admissions Centre — formerly known as the Pollsmoor Maximum Security Prison — has eased slightly over the past three weeks, its commander, Brigadier Johan Robberts, said yesterday.

But there were still more unsentenced awaiting-trial prisoners held at the prison yesterday than it should accommodate.

Brig Robberts said the centre, including the children's section, should hold 1 703 prisoners, but yesterday there were 1 916 awaiting trial prisoners there.

There were also 1 162 sentenced prisoners at the centre, most of whom were facing further charges.

Correctional Services Minister Dr Siphiso Mzimela said this week there had been 734 sentenced prisoners at the centre on March 29.

Tension

The effect of the overcrowding is that three people share "single cells" and up to 38 men share cells built to hold 16 people.

Warders said the overcrowding made rehabilitation more difficult and increased tension among prisoners and staff.

In one section, six warders were responsible for 278 prisoners and this had made it impossible to guarantee half-hour exercise periods in the morning and afternoon.

About 50 of those detained in the centre are being held as illegal immigrants, mainly from African countries such as Namibia, Angola, Botswana, Malawi, Nigeria, Liberia and Rwanda.

Some of them said they had been held in Pollsmoor for longer than six months.

Warders said countries often took a long time to confirm the identity of illegal immigrants.

Prison conditions elicit shock

CAPE TOWN — Politicians from three political parties expressed shock yesterday at the overcrowding in SA prisons, with ANC MP and Correctional Services committee chairman Carl Niehaus saying the situation was unconstitutional.

After a visit to Pollsmoor Prison yesterday, Niehaus said the overcrowding was so extreme that prisoners could take the government to the constitutional court for human rights abuses and would probably win.

Niehaus described conditions in the prisons as "entirely unsatisfactory", with cells occupied by double the number of prisoners they were built for.

At Pollsmoor, prisoners often had to make do with exercise periods of less than half an hour and many slept on the floor, he said.

Although the safety of society had to be consid-

TIM COHEN

ered, the best solution was to grant amnesty to certain categories of criminals whose sentences would be converted to correctional supervision.

NP MP Mark Wiley said the overpopulation at Pollsmoor was unacceptable and required immediate and urgent attention. Any prison that was 201% full must be "inhuman" and had no rehabilitation qualities whatsoever, he said.

He proposed the erection of emergency and temporary prison camps for minimum security inmates.

"Corrugated iron structures already exist at some prison grounds and there is no reason why more such buildings surrounded by barbed wire and watch towers cannot be erected in months, if not weeks."

Under no circumstances

should dangerous prisoners be released into society simply because government could not handle the crisis as this would perpetuate an already disastrous situation, he said.

DP MP James Selfe said conditions of overcrowding such as at Pollsmoor made prisons virtually ungovernable. He suggested greater use of correctional supervision and community service for less serious offences and construction of new prisons.

According to a parliamentary question, the daily prison population for December 1994 was 112 716, of which 22 097 were unsentenced prisoners. SA prisons could accommodate 95 695 prisoners, Correctional Services said.

STEPHANE BOTHMA reports that a Correctional Services spokesman said in Pretoria only about 3% of

the more than 50 000 prisoners granted parole by the department last year committed crimes during their parole period.

"The existing parole system in the country is very effective," Correctional Services community correction director Brig Gert Jonker said.

During 1994, an average of 4 296 prisoners were granted parole per month, of which 354 on average for the year violated their parole conditions. Only 3% committed new crimes, while the rest absconded.

SA had 117 000 prisoners in its 234 prisons, with the prisons system having an annual "turnover" of 400 000 prisoners each year.

Jonker said Correctional Services was experiencing a shortage of about 6 500 personnel countrywide. However, a plan had been put into place by which all vacancies would be filled by 2000.

MINISTER'S PLAN TO EMPTY PRISONS

24-hour assessment centres for jailed kids

ET 21/4/95

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WELFARE MINISTER Mr Ebrahim Rasool yesterday unveiled plans for children in prison. **CHRIS BATEMAN** reports.

CHILD assessment centres staffed round the clock are to be set up across the Western Cape to help empty the province's prisons and police cells of children and place them with parents or custodians.

The after-hours service, a national first, was announced by Health and Welfare Minister Mr Ebrahim Rasool last night in response to reports about the overcrowding of awaiting-trial children in Pollsmoor Prison.

With many places of safety closed and others operating at greatly reduced capacity, 149 boys of 17 and under are awaiting trial in the cramped children's section at Pollsmoor.

Saying "monumental problems" at Siyakhatala Home in Stellenbosch had led to him to decide occupants were better off at Pollsmoor, Mr Rasool said plans had been made to increase the capacity of Bonnytoun Home in Ottery to 125.

These had been delayed by a combination of official heel dragging and union indifference.

Siyakhatala Home would immediately be re-opened as an assessment centre and, together with Bonnytoun, it would accommodate boys aged 13-18 who are awaiting trial.

Girls awaiting trial would be placed at Rosendal House and boys aged 12 and under could be housed at other places of safety.

The Siyakhatala Home would help compile a register of children held by police and monitor recidivism.

Volunteers

Bonnytoun, which is undergoing alterations, admitted 20 children from Pollsmoor yesterday.

Mr Rasool said assessment centres had been set up in the magisterial districts of Wynberg, Cape Town, Parow, Atlantis, Paarl, Kuils River, Stellenbosch and Mitchells Plain, with 80 probation officers helped by trained volunteers at night and over weekends.

Mr Rasool said that between October 1994 and February this year, 266 children had been

assessed at Wynberg Magistrate's Court, 230 placed in parental care, eight in places of safety and 26 at Pollsmoor.

This had been undertaken in response to President Nelson Mandela's call earlier this year to release children from prison and to use the Criminal Justice System as a "last resort".

● The erection of emergency and temporary prison camps for minimum security prisoners should be considered, National Party Senator Mark Wiley said yesterday.

Mr Wiley, the NP's spokesman on correctional services in the Senate, said the shocking overpopulation that now existed in Pollsmoor prison was unacceptable and required immediate and urgent attention.

The NP urged the Minister of Correctional Services Dr Siphon Mzimela to move some of the prisoners from Pollsmoor to less populated prisons.

The Democratic Party's spokesman on correctional services Senator James Selfe said: "The most urgent necessity is the construction of new prisons which will alleviate the current prison overcrowding."

Children still in crowded prisons

WM 217 27/4/95 (253)

Rehana Rossouw

THERE'S an 11-year-old child serving a sentence for house-breaking at Pollsmoor Prison. He's a first offender. There's a place of safety for children like him at Kayamandi near Cape Town. It's empty.

This shocking situation was revealed by Carl Niehaus, chairperson of the National Assembly's portfolio committee on Correctional Services, after he visited Pollsmoor Prison on Tuesday in response to

reports that overcrowding there had topped 200 percent.

He found 149 children younger than 17 years old, held in a section that can only accommodate 84. The youngest was the 11-year-old house-breaker. Prison officials told him that the numbers of children held at Pollsmoor were increasing every year.

Of the 1 700 children presently being held nationally, most are behind bars in the Western Cape.

"In principle it is unacceptable to have children in prison. When the

children are kept in overcrowded prisons, where there is a shortage of staff, no family contact, little recreational facilities, no training opportunities and no chance of rehabilitation, then we have a serious problem on our hands," Niehaus said.

"These children become criminalised and start a cycle of imprisonment. It has been found that most habitual criminals enter prisons for the first time at a very young age. I am going to make sure we take action now to get these children out of prison."

Niehaus said places of safety in the Western Cape were not properly utilised. Siyakathala and Fleu-Homé in Elsie's River were not being used at all and Bonnytown, in Wynberg, was only half full.

This was despite a call by President Nelson Mandela in May last year for prisons to be emptied of children and for them to be placed in suitable care.

But the places of safety might not provide suitable care for the children. A spokesperson for the provincial department of health and welfare said Siyakathala, which can accommodate 126 children, was closed because of allegations of abuse and neglect of children there.

Mass remissions policy scrapped

'Nearly 10% of paroled prisoners re-arrested'

Star 20/4/95 (253)

About 420 of more than 50 000 South African prisoners granted parole last year committed new crimes before the expiry of their sentences, the Department of Correctional Services said in Pretoria yesterday.

Community correction director Gert Jonker told a press briefing 4 296 prisoners a month were paroled in 1994.

"Re-arrest warrants had to be issued in less than 10% of these cases."

Jonker said new crimes committed by paroled prisoners were largely of a minor nature. "I am aware of only one murder case," he said.

Jonker emphasised that parole did not constitute the early release of a prisoner.

"It is rather the placement of a prisoner under strict conditions. All prisoners have to serve their full sentences either on parole or in prison."

He said the department had come under fire in recent months for its policy of "early releases".

Jonker denied parole was used to alleviate overpopulation in South African prisons. The safety of the community was the main factor in the consideration of parole.

Department spokesman Brigadier Chris Olckers said the coun-

try's 234 prisons, with a total of 117 000 inmates, were overpopulated by about 25%.

"The number of paroles we grant hardly makes a dent in this figure."

Brigadier Olckers said "bursting" or a general remission of sentences was not being considered at this stage to alleviate overpopulation of prisons.

The previous bursting was in early 1993 when about 30 000 prisoners were set free before the expiry of their sentences.

The department had since reviewed its release policy and the system of sentence remissions had been scrapped in March last year, Jonker said — Sapa.

'Overcrowding is unconstitutional'

24/4/95 Sowetan (253)
By Ismail Lagardien
Political Correspondent

■ **JAMMED JAILS** *Inadequacy of*

criminal justice system blamed:

SOUTH AFRICAN PRISONS ARE bursting at the seams.

Overcrowding and lack of funds are two immediate problems that are compounded by what seems like a basic failure of South Africa's criminal justice system to deal swiftly and cleanly with the prosecution and conviction of people awaiting trial.

Of the estimated 117 000 prisoners in South African jails, at least 35 000 are awaiting trial.

This has led to prison populations exceeding their limits by more than 100 percent in places like Pollsmoor, where prison population is estimated at 201,8 percent.

In towns like Richmond in the Northern Cape, the prisons are over-populated by at least 2,3 percent while in tiny Sevontem the over-population is around 1,5 percent.

The figures for around the country range from 139 percent over-population at Cacadu and 73 percent at Lusikisiki, both in the Eastern Cape, while in Tzaneen in the Northern Transvaal the overflow is at least 88 percent.

Correctional Services Minister Dr Siphosizwe Mzimela and chairman of Parliament's Portfolio Committee on Correctional Services Mr Carl Niehaus have raised the unconstitutionality of overcrowding.

Earlier this week Mzimela said the urgency of the matter ought not to be underestimated.

He and Niehaus said the situation bred violence among inmates and between prisoners and ward-

ers. The Democratic Party and National Party responded with horror at the conditions in prisons.

"The shocking over-population that now exists in Pollsmoor is unacceptable and requires immediate and urgent attention. In any prison that is 201 percent full, the conditions must be inhumane and have no rehabilitation qualities whatsoever," the NP's Mr Mark Wiley said.

There is general consensus, though, that the problem lies less with

the prisons in themselves or with the penal system. A great deal of the responsibility for the overcrowding can be blamed on the inadequacy of the criminal justice system.

Immediate and short-term solutions need to be found.

"It is evident from the statistics that the number of unsentenced prisoners as well as the long periods for which they are being detained, are major contributory factors to this highly unsatisfactory situation," said Mzimela.

468 prisoners escaped in '94

LAST year 468 prisoners escaped from South African prisons, the Minister of Correctional Services, Dr Siphon Mzimela, said yesterday.

Dr Mzimela, who was replying to a question tabled in the Senate by Senator James Selfe (DP), said 102 of these prisoners had been re-arrested.

The ratio of staff to inmates in prisons was unfavourable. "Structural deficiencies" at some prisons also contributed to the number of escapes, Dr Mzimela said.

(253) CT 27/4/95

Mandela amnesty:

15 000 to go free

Political Staff

JOHANNESBURG — Prison authorities will today begin releasing an estimated 15 000 prisoners from jampacked jails

In terms of the special Freedom Day amnesty announced by President Mandela yesterday, only sentenced child abusers will not benefit from the six-month "special remission" of sentence

It is expected the move will reduce the prison population from an all-time high of about 117 000 prisoners to just above 100 000

President Mandela made his announcement in a nationally televised address in front of about 25 000 people at Gauteng's Freedom Day celebrations at the Union Buildings in Pretoria

A Correctional Services department spokesman, Major Kobs Gerber, said the goodwill measure would go a long way to relieving chronically congested prisons, especially in major urban areas

Prisoners sentenced to terms of less than two years would have a quarter of their sen-

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fines remitted
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President Mandela also announced an unspecified remission for people charged with illegal possession of arms and explosives before December 6, 1993

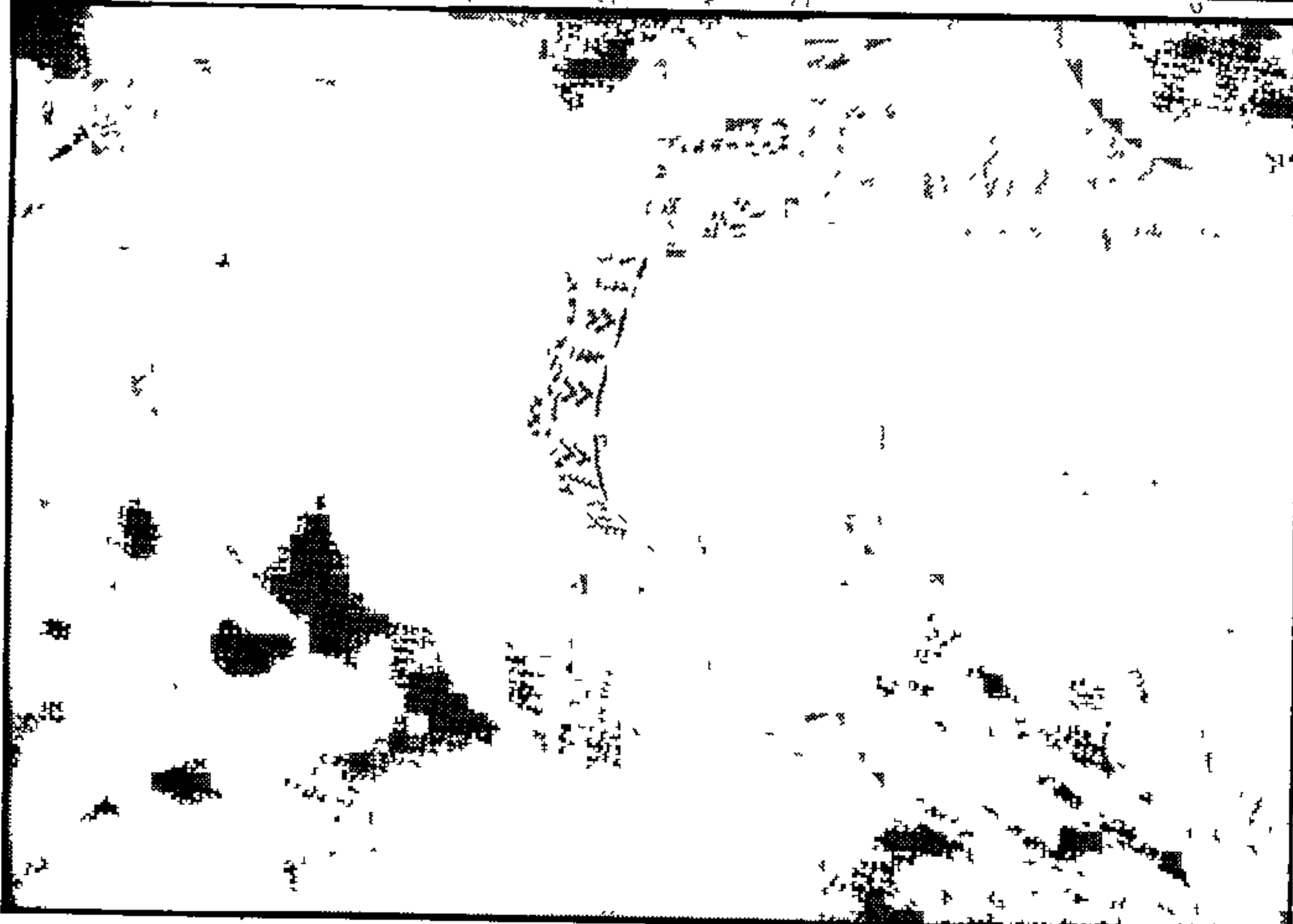
A government source said the measure was aimed mostly at rightwing "political offenders"

Major Gerber said all prisoners would be affected by the remission, but those with six or less months to serve would be freed immediately

"About 15 000 will be released as from today. The releases will be carried on until the process has been finalised," said Major Gerber

In an indication of how serious prison overcrowding had become, Correctional Services Minister Sipho Mzimela told parliament recently he was considering invoking the "bursting clause" in the Correctional Services Act that allowed him to discharge prisoners if overcrowding produced inhumane conditions

Major Gerber said Pollsmoor prison was "201 percent full"



GET AHEAD: Freedom Day went to the head of Daluxolo Hoho who came to celebrate with a unique head dress

Pictures DOUG PITHEY, The Argus

Mandela cuts prisoners' sentences in act of Freedom Day goodwill

PRESIDENT Nelson Mandela yesterday announced a reduction in sentences for certain categories of prisoners as an act of goodwill on the first anniversary of SA's first democratic elections.

Speaking at Freedom Day celebrations in Pretoria yesterday, Mandela announced a reduction of one-quarter of all prisoners' sentences, with a maximum of six months, and was greeted with applause when he said this would not include prisoners sentenced for child abuse.

He also announced a remission of sentences for prisoners convicted before De-

cember 6 1993, solely for possession of arms, ammunition and explosives associated with political conflict.

Correctional Services spokesman Maj Koos Gerber said the remission would apply to all offenders sentenced on or before April 27 this year, and would be granted to prisoners on the remainder of their sentences after previous remissions and amnesties had been deducted.

Gerber said his department still had to determine which prisoners qualified for remissions related to weapons possession.

Mandela told the large crowd at the

Union Buildings a message was being sent to prisoners that they should "mend their ways and make a fresh start".

SA had come through a long and painful process, and the ultimate goal of a better life for all had not yet been realised. There is no "short cut" and hard work was required from all sectors of society.

Democracy and freedom would be meaningless if crime and violence were not dealt with firmly, said Mandela. More resources would be allocated for training

of police officers, improving facilities previously ignored under apartheid, and setting up police community forums.

Mandela said this would be funded by shifting priorities within the police ministry and from the reconstruction and development fund.

Deputy President FW de Klerk said in Cape Town yesterday that the new constitution had entrenched sovereignty of the law and had freed all South Africans from many burdens of history.

Sapa reports about 10 000 Inkatha members gathered at Currie's Fountain in Dur-

ban yesterday prior to marching through the city to protest against Freedom Day celebrations being conducted when the party's demands for international media attention had not been addressed.

Earlier, protesters blocked the N2 and R102 routes into Durban from the South Coast — prompting fears that ANC supporters might be trying to prevent Inkatha members from joining the march. However, after police had cleared the roads, it became clear that the protest was to do with a local land rights issue.

See Page 4

PRETORIA CENTRAL OFFERS THE BEST IN HOSPITAL CARE

By MARLENE BURGER

WHEN a notorious rightwinger developed heart problems early last year, his doctor ordered immediate bypass surgery. A few months later, when the problems recurred, the man underwent the costly procedure for a second time.

The only thing that distinguishes him from thousands of other people with a similar medical condition is that he is a convicted murderer, one of 300 inmates on death row at Pretoria Central Prison at the time.

Later reprieved and now serving a life sentence, he is one of 5 000 prisoners to have been treated at the prison's hospital, whose patients have included ANC members Carl Niehaus and Robert McBride, former Cabinet Minister Pietie du Plessis and Dimitri Tsafendas, Prime Minister Hendrik Verwoerd's assassin.

The most recent "celebrity" patient in the 126-bed facility is Colonel Eugene de Kock, the former Vlakplaas commander, who collapsed with a lung clot on April 9 and was transferred to the hospital last Friday after 10 days in the H F Verwoerd hospital.

Colonel de Kock occupies one of the hospital's 21 single cells — the equivalent of a private ward, except for the bars on the



FIT TO STAND
Eugene de Kock, left, who is recovering in a single-cell prison ward similar to that enjoyed by the asthma sufferer, right

Pictures:
JON HRUSA

053

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window and the steel gate firmly locked at night

Though cramped, his present accommodation is almost twice the size of the single cell he has occupied since last December in Pretoria Central's maximum security section.

Colonel de Kock is still extremely weak, though recuperating satisfactorily, and will remain in the hospital for several weeks, though his trial on 121 criminal charges, including eight of murder, is due to resume on May 8.

He has lost a great deal of weight and was confined to a wheelchair for the first few days after returning to prison. However, he is now walking unaided, albeit slowly, and is about to start an exercise programme under the personal supervision of district surgeon Dr Okkie Ferreira.

Among Colonel de Kock's neighbours in the hospital is former Mineral and Energy Affairs Minister Pietie du Plessis, who has a chronic heart condition and is a permanent resident there

Du Plessis, jailed for fraud and due to apply for parole in November, was at the centre of a storm last weekend when his lawyer, Corné Wilkins, claimed his client was living in "precarious conditions" in the hospital and not receiving proper medical care. Du Plessis told Correctional Services commissioner General Henk Bruyn he was "surprised" by the allegation and said he was "doing fine"

With a full-time staff of 32 registered nurses and a large complement of aides and assistants, the practitioner-to-patient ratio in the hospital is higher than in outside medical centres.

On any given day, between 60 and 80 beds are occupied, 13 of them permanently by prisoners who have AIDS. One of the general wards has been set aside to house these patients, who are responding "remarkably well" to what Dr Ferreira says are innovative exercise and nutritional programmes, as well as to the individual medical attention they receive

"We have had enormous success in treating AIDS-related illnesses. One of our patients was close to death when he was admitted. We gave him blood transfusions and various other treatments, and he's put on 30kg, fully recovered from pneumonia and we have his tuberculosis under control"

Though the AIDS patients are isolated from other inmates at night, those well

Prisoners who get the full treatment

enough to do so mix freely with other prisoners by day. The number of prisoners known to be HIV positive at Pretoria Central is surprisingly low — 23, including those in the hospital

Tests, which may be carried out only with the prisoner's consent, take up most of Dr Ferreira's time each Friday

"We get between 12 and 15 requests a week. The primary tests are done in-house, but should a positive result be obtained, a second, confirmatory test is done by the state pathology lab before the patient is informed and counselled," says the man who spent 25 years in private practice before becoming a prison doctor

He enjoys his work, not least because "there is no limit to the quality of treatment my patients can get"

A panel of 17 private specialists, including dermatologists, ophthalmologists, urologists, psychiatrists and neurologists, are available and Dr Ferreira does not hesitate to refer patients to them

Because the hospital has an operating theatre in which only minor surgery can be performed and no intensive care facilities, all serious cases are treated outside

In the case of the heart bypass man, for example, the surgery was done at 1 Military Hospital. Patients may also be sent to one of several state hospitals in Pretoria for treatment

No matter how sophisticated the treatment required, the prisoner gets it free. With a medical budget of little more than R1-million for the current year, the quality of treatment is remarkable

The hospital's barred windows and locked gates leave little doubt that this is a prison, but the atmosphere is one of care rather than punishment

(253) ST 30/4/95

Staff work overtime to free prisoners

OWN CORRESPONDENT

253

JOHANNESBURG. Staff at the Department of Correctional Services worked throughout the long weekend to release about 3,800 prisoners under President Nelson Mandela's limited amnesty.

Spokesman Major Koos Gerber said yesterday the department would not have a clear idea of the number released over the weekend until lunchtime today.

"It is very difficult to know how the process, which started on Friday, is going, as we have 234 prisons nationwide, where prisoners may be eligible for release."

The 3,800 prisoners were eligible because their sentences had expired under the remission.

It would take longer to process the other 11,200 prisoners who could now be considered eligible for parole or placement under correctional supervision, he said.

CT 215195

Codes of conduct for Ministers/Deputy Ministers completed

*15 Mr J W MAREE asked the Minister of Trade and Industry

Whether, with reference to the reply by the President of the Republic to Question No 20 on 22 August 1994, the studies regarding the codes of conduct for Ministers and Deputy Ministers in other countries have been completed, if not, why not, if so, what are the relevant details?

N321E

The MINISTER OF TRADE AND INDUSTRY

The information regarding codes of conduct obtained by the Department of Foreign Affairs, was referred to the Minister of Finance with a request to him to draft in consultation with the Department of Foreign Affairs, a code of conduct for South African Ministers and Deputy Ministers

Furthermore, the Guidelines for Minister, used by the previous Government, a code of conduct for elected members of the ANC, and certain private sector customs have also been examined. A code of conduct has since been drafted and was supplemented with input from members of the Cabinet and Professor Louise Tager of the Law Review Project

The Ministers' Committee on the Service Conditions of Political Office-bearers, chaired by the Leader of the House who advises the President and the Cabinet, referred the draft code of conduct to the Secretary of the Cabinet for editing. The matter should be considered and finalised by the Cabinet shortly, after which the information will be made public

Land Claims Court: members appointed

*16 Mrs M J BADENHORST asked the Minister of Land Affairs

- (1) Whether the members of the Land Claims Court have been appointed, if so, what are (a) their names and (b) their qualifications in each case,
- (2) where will the said Court be situated,
- (3) whether he will make a statement on the matter?

N328E

Commission on Restitution of Land Rights: members appointed

*17 Mrs M J BADENHORST asked the Minister of Land Affairs

- (1) Whether all the members of the Commission on the Restitution of Land Rights had been appointed, if so, (a) what (i) is the name and (ii) are the qualifications of each such member and (b) where will they be stationed,
- (2) whether the Commission has started functioning, if not, why not, if so, from what date,
- (3) whether he will make a statement on the matter?

N329E

The MINISTER OF LAND AFFAIRS

(1) Yes, if the hon member reads newspapers or listens to the news she would no doubt be aware that the Commission was appointed on 1 March 1995

(a) (i), (ii) and (b)

Names of the Commission members	Qualifications	Centre situated
Mr W J Seremane	Matric, Par-tial B Proc	Pretoria
Mr W A Mgoqi	BA, BA (LLB)	Cape Town
Dr P G N Mayende	Doctor in Philosophy	East London
Mrs C J Walker	MA (Hons History)	Pietermaritzburg
Mrs E T Mashumi	Diploma Unionism and Negotiation	Pretoria

(2) The Commission was appointed with effect from 1 March 1995. Claims can be registered from 1 May 1995. The Commission is at present in the process of setting up offices and interviewing applicants for the filling of posts on its establishment and the Commissioners are in

the process of studying claims already received

- (3) A statement was issued on 18 January 1995, on the appointment of the Commission. The Chief Land Claims Commissioner will issue further statements on the operations of the Commission, since the Commission is an autonomous body. Given that the restitution process is so important to our country, and that it assumes a central position in our land reform programme, I shall no doubt be referring to work of the Commission frequently in my statements over the next three years.

Prisoners escaped from prisons

*18 Mr G OOSTHUIZEN asked the Minister of Correctional Services †

- (1) How many prisoners who had already been tried and sentenced, escaped from prison in the 1994-95 financial year,
- (2) whether any steps have been taken with the view to preventing escapes, if not, why not, if so, what steps?

Hansard 3/5/95 (253) N330E

The MINISTER OF CORRECTIONAL SERVICES

- (1) 342
- (2) Yes. These include the upgrading of security measures, the effective utilisation of security equipment and regular inspections at prisons to check the day to day security operations. Further, personnel are trained to be more efficient in the execution of their duties and disciplinary steps are instituted against members where negligence has played a role.

*19 Dr E A SCHOEMAN—Agriculture † [Question standing over]

*20 Dr E A SCHOEMAN—Agriculture † [Question standing over]

*21 Mr H A SMIT—Water Affairs and Forestry † [Question standing over]

Stir(ring) broadcasts

broadcasts! (253) (B) A

■ Prison radio is a concept which could place Pollsmoor in the forefront of national prison reform and may prove to be a valuable rehabilitation tool

ADELE BALETA
Weekend Argus Reporter

IT will be jailhouse rap at Pollsmoor soon when the prison starts broadcasting music, talk and advice shows on its own internal communication system

'Radio Pollsmoor', which initially will be an internal intercom system, could eventually be developed into an FM service

A project to start an internal broadcasting service is underway at the prison and the Correctional Services' department of education and training says it is merely awaiting management's rubber stamp on the proposals

Radio Pollsmoor would initially be aimed at juveniles between the ages of 18 and 21 and its main purpose would be to improve young inmates' communication and decision-making skills

The prison radio project could help bring Correctional Services to the forefront of international prison reform

After an assessment period the pilot radio project in the juvenile section would link up to all sections of the prison — and it is hoped it would be introduced to prisons nationally. A similar internal radio system is already being investigated for Leeuwkop Prison in Gauteng

Correctional Services' director of education and training, Brigadier Khulekani Sithole, said the radio project was aimed at "meaningful rehabilitation of juvenile inmates"

Once the proposals before management, which have been accepted in principal, are passed we would look into sending a team to Feltham Youth Prison in the United Kingdom to study the prison radio system there

Radio Pollsmoor, first mooted by Mr Don Pinnock of the Institute of Criminology at the University of Cape Town, is a joint venture with the Department of Correctional Services, Nicro and Bush Radio, a community radio service

Mr Pinnock says: "It's punishment to be sent to prison, but denying juvenile inmates constitutional rights is double punishment. Prisons should be about meaningful rehabilitation, transformation, training and resocialisation"

Radio was a dynamic medium and an effective way to entertain and educate people who had few or no literacy skills

Inmates would have the chance to become programme contributors, producers and broadcasters — equipping them with the necessary skills for employment in broadcast journalism once released

Mr Pinnock said a long-term goal would be to acquire a shortwave transmitter and broadcast to the broader community from behind the prison walls

Money had been received from the Dutch government to set up a studio inside the prison, said Mr Pinnock

A radio committee including inmates would be formed to build the station and decide on programme content

The idea is that the inmates own the radio station, he said

Bush radio programme manager Mr Shamiel Adams, who will be involved in training, said music was a major factor in the lives of young people. Rap music is enjoyed by the majority of inmates. "We will use music as a launch pad to search for people who could be used on the air"

The idea is that the internal radio would give inmates a platform from which they can express themselves, their emotions and ideas

"Inmates move in cliques and gangs inside prisons and at the end of the day there is no neutral ground or a body that looks into their concerns



■ JAILHOUSE JOL: Pollsmoor Education Officer Captain Maggie Schaup, right, and Bush Radio anticipate "Radio" Pollsmoor

IBA blasted for beating abo

Weekend Argus Reporter

CAPE TOWN's Bush Radio lashed out at the Independent Broadcasting Authority for the delay in granting them a temporary broadcast licence

In a strongly worded letter to the IBA, the community radio station's manager, Farah Moosa said funders had become fed-up with waiting for the station to become legal and wanted proof that it was in line for a licence

Mrs Moosa said reasons given by

the IBA for tardiness in allowing the majority of radio stations to go on the air in the Cape Metropolitan areas were "unacceptable". One of the reasons given was that Table Mountain caused technical problems

"The IBA's concerns about technical problems in the area as a result of Table Mountain showed a lack of foresight. The mountain has been around for a long time and ways to solve the problem should have been looked into a long time ago"

She said Bush Radio would not be

affected by the mountain because the use of directional antenna

Furthermore, she found "strange" that Radio Fish, which operated in the shadow mountain, had been granted a rare licence recently

"It appears the IBA cannot stand the idea of having a multi-million rand community radio able to compete with a commercial or public broadcaster"

"Judging by licences dishced far, the IBA is sticking to st

Involve NGOs in education - Carolus

Weekend Argus Education Reporter

THE government should start to consider the role which non-governmental organisations can play in South African education, says ANC deputy secretary-general Cheryl Carolus

Speaking at an open day at the Uluntu Centre in Guguletu, where NGOs were displaying their services to schools yesterday, Ms Carolus said the government was not in a position to deliver immediately on all education needs and demands

But, it would be foolish of them to ignore the opportunities presented by NGOs

Ms Carolus said South Africans' high expectations were acceptable

Steel giant awaits rez

WILLEM STEENKAMP
Weekend Argus Reporter

STEEL giant Iscor hopes to receive the go-ahead at the end of this month for its controversial multi-billion-rand steel project near Saldanha Bay, in spite of strong resistance from many residents and environmentalists

Iscor has applied for the rezoning of the land from agricultural to industrial, and a final decision is expected from the Western Cape Regional government by the end of this month

Environmentalists have expressed serious concerns about

the possible polluter the plant to the ecologically sensitive Langebaan Lagoon

Alex Holmes, spokesman for the Iscor, said it was people generally want the project to go ahead. The huge economic and job creation expected from the development and other industries

"The point is that people want the project to go further away from the town. This is not economically sound"

"Some people are concerned about polluter

ARL 6/5/95

(50)

(1599)

ARL 6/5/95

Amnesty hopes before election fueled upsurge — report

New light on jail riots

star 6/5/95 (253)

FRUSTRATED expectations over amnesty, an ill-timed new release policy and strained relationships between white warders and black prisoners were among the main causes of last year's prison unrest, according to a report by Mr Justice Kriegler released yesterday.

President Mandela appointed a four-man commission of inquiry headed by Kriegler into the causes of the unrest, after 37 prisoners were killed in rioting and clashes with warders between February 28 and June 27 last year.

Injuries were sustained by 750 prisoners and 145 members of the Department of Correctional Services. The unrest affected 53 prisons country-wide, housing 77% of the total prison population. Damage amounted to R11 million.

The Kriegler report states

KURT SWART

the unrest did not occur in a vacuum. It was part of heightened stress as the country underwent rapid socio-political change before the election. The system was affected by chronic overcrowding — on May 31 last year, 114 000 prisoners were housed in accommodation designed for 87 000.

However, frustrated expectations on amnesty made the most important contribution to the unrest. Each of the individ-

ual unrest reports identified this as the immediate cause

Prisoners felt they were victims of a repressive regime and an unjust criminal justice system. One major cause for unrest was the timing of the implementation of the Government's "new release policy". Many prisoners who already had the release dates endorsed on their cards "lost out" when the policy was introduced.

Some saw it as a "deliberate strategy of the National Party and the Department of Correc-

tionary Services to neutralise the expected amnesty of the new government"

While bad prison conditions in themselves do not cause riots, there were numerous complaints of assaults on prisoners by warders, as well as reports of abusive language and racist remarks

The commission also recommended a general remission of one-quarter of all sentences

But Correctional Services Minister Sipo Mzimela said Mandela had decided to limit amnesty



About 40 demonstrators led by SA Prisoner's Organisation for Human Rights President Golden Miles Bhudu gathered outside the Rand Supreme Court on Friday to demand the release of bank robber Lucky Malaza. Picture NICKY DE BLOIS

Prison unrest 'likely to continue over amnesties'

ADRIAN HADLAND

CAPE TOWN — Further prison unrest could be expected unless government's policy on amnesty was explained clearly to prisoners, a commission investigating prison violence said at the weekend.

About 750 prisoners and 145 prison staff were injured while 37 inmates were killed in outbreaks of violence between February and June last year, commission chairman Johan Kriegler said. "A great deal of tension" existed among prisoners on the amnesty issue.

More than 75% of the 6 200 written representations received by the commission cited the amnesty question as a major factor in the violence last year.

"There was wild speculation regarding the extent of the relief prisoners would receive on so momentous an occasion as the assumption of office by the country's first majority government," the report said.

There was also a general awareness that indemnity or amnesty had been granted to people accused or convicted of having committed serious crimes for political reasons. President Nelson Mandela's mention in his inauguration speech of an amnesty had encouraged "high hopes" among prisoners.

A partial six-month indemnity granted in June caused great dissatisfaction.

The commission said the partial indemnity warranted reconsideration. A general remission of a quarter of all sentences, subject to a maximum of three years, should be implemented and an independent avenue established for prisoners to file complaints, it said.

Children back in Pollsmoor prison cells after being freed

ARG 9/5/95 (253)

ESANN de KOCK
Staff Reporter

MORE than 40 children have been returned to Pollsmoor prison cells after no accommodation was found for them at places of safety in the Peninsula

This is in spite of a government decision yesterday that no children under 18 would be kept in prison or police cells

The government announcement seemed to have caught places of safety unaware and the "short-term" solution of releasing the children has been strongly criticised by Child Welfare and the National Institute for Crime Prevention and Rehabilitation (Nicro)

Mike Green, Western Cape Correctional Services spokesman, said 112 children were released from Pollsmoor yesterday and "a few more" from other prisons in the Peninsula. Of the 112 released from Pollsmoor, 42 were returned last

night "probably because no accommodation could be found for them"

He said the children now had to appear in court again within 48 hours "If they are not sentenced, they will have to go to places of safety"

Captain Green acknowledged there would be a problem if the children could not be placed

Rozette Jephta, Nicro Tygerberg programme co-ordinator, said the organisation had always been opposed to children being held in prisons and police cells

"We have been in favour of their release from such places provided alternative accommodation could be found for them"

Ms Jephta said Nicro last year served on a ministerial committee which made recommendations to the government about children being held in prison and police cells

"One often finds that the

places of safety are filled with children who could really be placed in the custody of their parents. But, as a result of family problems, they are allowed to stay on at places of safety — taking up space which should really go to serious offenders"

A spokesman for Child Welfare said the government's announcement yesterday was "not unproblematic"

● The Argus Correspondent reports from Johannesburg that 47 youths, awaiting trial on charges such as robbery, theft and housebreaking, were released from the Johannesburg magistrate's court in what was described by a court official as a rushed and disorganised process

The youngsters were transported to the court from the Johannesburg Prison and released by magistrates in terms of a change in the Correctional Service Act which came into effect yesterday

No place for released children

STAFF REPORTER

ET 9/5/95

MORE than 130 unsentenced children were taken from prison and police cells across the Peninsula yesterday morning, leaving the courts with the headache of finding them alternate accommodation before midnight.

About 700 juveniles nationwide stood to benefit from the announcement by Correctional Services Minister Dr Siphon Mzimela yesterday that unsentenced children younger than 18 would no longer be kept in prisons or police cells, after President Nelson Mandela amended the Correctional Services Act effective from midnight last night.

In future, children who are arrested will be released into the custody of their parents, guardian or any other suitable person, or kept in a place of safety in terms of the Child Care Act.

'Short-term'

However, Miss Tammy van der Sandt, spokeswoman for the National Institute for Crime Prevention and Rehabilitation of Offenders, said that although Nicro welcomed the move, there were not enough places to accommodate the released juveniles. "This is a short-term solution. We need a holistic solution," she said.

According to a spokesman for Correctional Services, 42 children had to be returned to Pollsmoor late yesterday as no accommodation could be found for them.

Wynberg Magistrate's Court senior prosecutor Mrs Esther Steyn said the Bonnytoon place of safety in Wynberg had only been able to accommodate six juveniles out of 25 from her court yesterday.

She said some juveniles might be returned to prison, although they could not legally be detained longer than 48 hours.

Many awaiting-trial juveniles were "violent criminals" who could not just be returned to their parents, she said. "One is 17 and has his fourth murder charge against him."

Just under 700 sentenced children will remain in jail until youth development centres are built, Dr Mzimela said yesterday.

Bengu hints at pay rises

Own Correspondent

KING WILLIAM'S TOWN — The sum of R1bn could be made available to improve teachers' salaries, with a decision expected by the end of this month, Education Minister Sibusiso Bengu said yesterday.

He said the Ministry had proposed that half of the R2,5bn allocated by government to improve salaries of public servants should go towards teacher allowances and parity.

Bengu told teachers at the Kaffrarian Girls' High School that the proposal was being negotiated with the negotiating council on education and an outcome was expected this month.

Also included in the proposal was a housing allowance for married women teachers.

He said the negotiating body had rejected a Ministry proposal that salaries of teachers in the lower ranks be improved first.

"The Education Ministry is committed to improving teachers' salaries and their conditions and all these can be covered in three years" he said. **BD 9/5/95**

700 children freed from prisons and police cells

ABOUT 700 children were released from prisons and police cells yesterday when an amendment to Section 29 of the Correctional Services Act came into effect.

All unsentenced minors under 18 years of age would be released into the custody of a parent, guardian, other suitable person or a place of safety as defined in the Child Care Act, Correctional Services Minister Siphosizwe Mzimela said. Unsented minors were children who had been arrested for allegedly committing an offence or who were waiting to appear before a court.

The day would be remembered as one which "dramatically changed the fate of many unfortunate children". The problem of child detainees had finally been resolved and Mzimela said he was "proud that we could rectify the wrong of the past in this way. President Mandela in particular is today a very happy man".

The amendments were approved by Parliament last year, following Mandela's slating of the "unacceptable practice" of keeping "young and vulnerable" children in prisons, in his state of the nation address last May. **BD 9/5/95**

The department's next step would be to

INGRID SALGADO

build more youth development centres where children who had been found guilty by a court of law could receive proper education and training, he said.

Such centres were already in place at Leeuwkop, Rustenburg and Pollismoor, and another was planned for Maritzburg.

Lawyers for Human Rights yesterday criticised Mzimela's department for not consulting other government departments which were "dramatically affected" by the releases, in particular the Safety and Security, Welfare and Justice Departments.

A heavy burden would be placed on the police, social workers and court personnel and there was a risk some children would be released on to the streets.

Some areas of SA did not have sufficient places of safety, the organisation said.

Although the Minister's move had broken through the lethargy surrounding the issue of children in custody, a more holistic and consultative approach by the department would have removed stumbling blocks and been less risky to the children involved.

Police no closer to solving Heyns murder

SIX months after former NG Church moderator Johan Heyns was assassinated at his Pretoria home, police are no closer to solving the murder.

"We are also not any closer to finding a

STEPHANE BOTHMA

and grandchildren in his living room.

At the time, police sources said it appeared the church leader had been killed

'Rushed and disorganised'

47 Youths are released from jail

253 ~~253~~
Star 9/5/95

Forty-seven youths, awaiting trial on various charges were released from the Johannesburg Magistrate's Court late yesterday in what was described by a court official as "a rushed and disorganised process".

The youngsters were the first wave to be released in terms of a change in the Correctional Service Act which came into effect at midnight.

Senior public prosecutor Brink Ferreira said their parents or guardians could not be traced, and that the only place of safety in the region was full.

There were more than 800 youngsters released nationwide yesterday, only hours after the amendment to the Act was announced by Correctional Services Minister Siphosiso Mzimela.

The proclamation was signed by President Mandela and gazetted on Friday.

It prohibits the detention of children in jails or police cells, and means

arrested children must either be released into the custody of their parents or kept in a place of safety as defined by the Child Care Act.

"We were notified by the prison that they were bringing the 47, and had to rush around trying to get police officers and charge sheets.

"Some of them might have had parents in rural areas, but there was no time to contact them, so they were released," Ferreira said.

He added that the Johannesburg courts had been running a "diversion programme" since August last year, in terms of which only juveniles charged with serious offences were kept in custody; those charged with lesser crimes were referred to the new programme.

"Those released yesterday were juveniles who had failed to make the programme and were in for serious offences."

Two juveniles who were being detained in connection with the murder

of an 82-year-old man were not released yesterday when a magistrate upheld a previous ruling refusing them bail and remanded them to the Brixton police cells.

But, explained Ferreira, the magisterial order was not valid in terms of the new amendment, and the case had to be heard again today.

Should there not be beds in the place of safety for them, they would have to be released.

Johannesburg Child Welfare social work consultant Jackie Loffell said they supported the decision, but pointed out that the welfare budget cuts hit beds in places of safety and family support services — the very services which needed to be strengthened to support the move to release awaiting-trial juveniles from cells.

A spokesman for the Salvation Army said at least one of the youngsters had turned to them for help last night. — Staff Reporters.

700 kids to be freed from jail

By Josias Charle

MORE THAN 700 CHILDREN IN South Africa's prisons are to be released into the custody of their parents or referred to places of safety, Minister of Correctional Services Dr Sipho Mzimela announced yesterday.

The move came into effect yesterday "I am very pleased to announce that as from today (Monday) all children

under 18 and awaiting sentence will no longer be kept in prisons or police cells. This is made possible after the President signed a proclamation which makes all this possible," Mzimela said.

He said the Act, which prohibited the detention of children, had already been approved by Parliament and was gazetted last year.

"The unacceptable presence of children in prisons and police cells has now finally been resolved and I am proud that we can rectify the wrongs of the

past this way President Mandela, in particular, is today a very happy man," said Mzimela. He said the next step would be to build youth development centres where the children who have been found guilty could receive proper education and training.

By 10.45am yesterday, 74 children had been released from prison in Pretoria to appear before magistrates who would decide where they were to be placed, Correctional Services spokesman Colonel Barry Eksteen told *Sapa*

Executive director of the National Children's Rights Committee Ms Shirley Mabusela said the releases were "exciting". She said it was important to ensure that children were not rearrested.

Many areas countrywide did not have rehabilitation facilities and the chances of children being rearrested there were high. Existing rehabilitation centres were also inadequate.

She said the Correctional Services Ministry should consult and work with non-government organisations, many

of whom were already involved in youth rehabilitation programmes.

The Johannesburg Parent and Child Counselling Centre last night cautioned that unless the released children are given treatment and proper counselling they could end up in Jumbo.

JPCCC director Ms Jacqui Michael said while her organisation was happy at the releases, their concern was over whether the Government had created adequate support systems within the community.

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9/5/95

Freeing children was a 'quick fix'

Staff Reporter

THE release of 620 awaiting-trial children from South African prisons was a quick fix to a political dilemma, but had done nothing to resolve the problems of those working with children in trouble with the law

This was said by Allan Jackson, director of Child Welfare in Cape Town, in response to this week's government decision to release children under 18 from prison and police cells into places of safety

Mr Jackson, who last year headed a ministerial committee to investigate the problem of children in custody, said President Mandela's announcement that all children should be released from jail had now been heeded.

This should have been the case much sooner, he said.

But the way in which it had been done was unfortunate, and failed to address some very real problems

These included the outdated system of sending convicted children to prison, the need for secure containment in child-friendly facilities of children awaiting trial for seri-

ous crimes such as murder and rape, and the need for family support programmes for families into whose custody awaiting-trial children were released

These programmes, he said, should include training in relationship-building, conflict resolution and problem-solving, the provision of skills-training and educational support, the lobbying of local and provincial government for basic resources and providing material assistance

Child Welfare believed the unilateral promulgation of a new act by the Correctional Services Department would not solve the problem

Much work needed to be done on an inter-departmental basis toward the building of a truly positive programme to address the problems.

Mr Jackson said it was no solution to return children to the same environment from which many of their problems arose

The unwillingness of many children's homes to accept children who had been in trouble with the law was also a problem

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ARC 10/5/95

130 KIDS IN WESTERN CAPE AFFECTED

D-Day for jailed children

(253)

AT MIDNIGHT tonight the only juveniles in SA prisons will be those already convicted. All those awaiting trial — 620 countrywide — will be released into appropriate custody, writes Crime Reporter **JACKIE CAMERON**.

HUNDREDS of unconvicted children are to be freed from South African prisons from midnight tonight

In a long-awaited move to empty South African prisons of children, all awaiting-trial juvenile prisoners have to be out of jails by midnight, when the Correctional Services Amendment Act comes into effect

This will affect about 620 children around the country, of whom about 130 are in Western Cape jails, Correctional Services spokesman Colonel Barry Eksteen said last night

President Nelson Mandela's proclamation of the act, signed on May 4, means awaiting-trial children may no longer be held in detention by the Correctional Services department

The change to the law does not affect convicted juvenile prisoners

The police, who are ultimately responsible for the children before they are convicted, were making plans yesterday for all of them to appear in court today to be released into appropriate custody, said police spokesman Colonel Raymond Dowd

"Duty officers in all the areas have been instructed to take charge of getting the children from prison to court," he said

"We are trying to work out where we can detain them, and have been having with the Department of Correctional Services and places of safety to make arrangements"

Police were trying to contact

the children's families and where possible would try to help them to attend the court appearances, as the courts might decide to release many of the children into the care of their parents

"Juveniles cannot be detained in police cells except in exceptional circumstances where it is in the interests of justice, or where the parents are incapable of looking after them," Col Dowd said

Police were informed of the change in policy at the weekend and were expected to hold a top-level meeting today to work out a new strategy

Correctional Services Minister Dr Siphon Mzimela is expected to spell out the details at a press conference in Durban today, Col Eksteen said

Proclamation

Meanwhile, the proclamation has also taken the Western Cape's Health and Welfare department by surprise

Regional Health and Welfare Minister Mr Ebrahim Rasool introduced 24-hour child assessment centres late last month to help empty the prisons of children

A spokeswoman for Mr Rasool, Ms Veronica Petersen, said last night that an additional 30 children could be accommodated at places of safety

She said it was probable that a meeting between several government departments would be held today to discuss the matter

"If all the departments affected by this come together to decide on

a strategy, we can definitely handle the problem," Ms Petersen said

Dr Mzimela, said at the weekend that he had ordered the closure of Bloemfontein prison because of its "sub human" conditions

The government's crash programme to improve prisons would have to be speeded up, he said when he released the final report of the Kriegler Commission of Inquiry into unrest in prisons

The commission said the Department of Correctional Services knew where the sources of friction lay, but it was largely unable to remove them because it did not have the money

At the commission's hearings the non-government organisations had "forcefully and persuasively" made the point that a range of grievances had "created an environment of alienation, resentment, disaffection, hostility, boredom and frustration"

"The submission by the Department of Correctional Services had largely supported this view"

The NGOs, however, saw a much bleaker picture than the department, which viewed some of the shortcomings in the system as transitory relics of the old South Africa which could be eliminated departmentally, given time and money

Many of the NGOs regarded the defects as congenital and irreversible without fairly radical surgery

"The NGOs decry the paramilitary character of the service and contend that it promotes a culture of control by force. The department's response is a guarded intimation that it is prepared to look into the matter

"The extent of the unhappiness about the new release policy was another area of disagreement"

Kids

Skw 10/5/95 (253)

All out by midnight' order leaves many among 700 without shelter

ROW OVER freed jail

MONDAY'S release order clearly found most Government departments unprepared

BY JANINE SIMON
NIKKI WHITFIELD
and PRISCILLA SINGH

There is a growing storm — political and social — over the hurried release across the country of more than 700 awaiting-trial juveniles on Monday night and yesterday. Some of the juveniles are facing charges of murder, armed robbery, attempted murder and rape.

They were released in terms of an amendment to the Correctional Services Act, which was gazetted in November 1994 but only came into effect from midnight on Monday.

Despite months of knowing the amendment was to come into force, some Government departments were not ready for Monday's out-by-midnight order. Ministry of Safety and Security spokesman Peter Gastrow said an official had only been notified of the proclamation late on Friday night. He had managed to fax it to the minister and the commissioner of police on Saturday.

The proclamation allows for children to be released into the care of their parents or places of safety but many of those released are roaming the streets because their parents could not be located in the rush or officially-recognised places of safety were already full.

Accusing fingers are being pointed at the SAPS for not tracing the juveniles' parents sooner.

Police also seldom used a

▶ To Page 2

Storm over freed jail children as many end on streets

◀ From Page 1

provision in the amendment which allows for continued detention over 48 hours of a young person aged between 14 and 18. If a magistrate was satisfied they could not be properly cared for

In Pretoria, for example, where 125 juveniles were released yesterday, police vehicles were sent out only late on Monday to locate parents. None were kept for the additional 48 hours,

despite knowledge that some were facing charges including murder and possession of an AK-47

But in the Cape, some juveniles were returned to Pollsmoor prison rather than dumped on the streets

Neville Channe, lawyer with the Community Law Centre and member of the legal subcommittee of the National Children's Rights Committee, said the

amendment was welcomed, but it had been irresponsibly and hastily executed

Johannesburg chief magistrate Chris Eeksteen said his department had started preparations months ago when he first learnt of the amendment

"I appointed a senior magistrate, Dannie Davel, to sit in Juvenile Court and scrutinise every case and investigate each and every one individually

"I understand that the shel-

ters are full, but as a practical solution, an investigation can be made for police cells to be converted into places of safety."

He also pointed out that the children were released unconditionally, with no guarantees that they would appear on allocated court dates for trial

"The magistrate will have no power to set out conditions of release if the children are out on their own recognisances. This appears to be a loophole"

Magistrate critical of juveniles' release

(253) (258)

BY HOPEWELL RADEBE

A Johannesburg magistrate yesterday slammed the amendment which led to the release of thousands of awaiting-trial juveniles

Magistrate Andrew Johnson was giving a ruling in an application by the State to continue the detention of two youths suspected of killing an 82-year-old priest

The State argued that the youths had no fixed addresses and their parents had not been located

Johnson said parliamentarians found it "easy to legislate" without having to assess the availability of infrastructure to accommodate juveniles who had committed serious crimes.

He said it was not appropriate simply to legislate without providing alternative measures for the courts to serve justice.

The amendment would have far-reaching negative effects for the victims' families, who desired to see justice done

Johnson ordered that the youths be kept in detention in the Brixton police cells until their parents, or appropriate places of safety, were found within the next two days

2 132 arrested while on bail

Cape Town — Police arrested 2 132 people out on bail between October 1 last year and February 28 this year, Safety and Security Minister Sydney Mufsoni told Parliament yesterday — Political Correspondent

Star 10/5/95
"Courts have a responsibility to ensure that not only the interest of justice is served but also to safeguard society."

He added that courts would have to rely on the willingness of parents or guardians to ensure that the suspects attend trial proceedings.

Prosecutor Corlia Moggee said various places of safety in the province contacted on Monday were found to be either full or not equipped to deal with child serious offenders.

A sister of one of the accused had said she did not want anything to do with him.

The hearing was postponed to tomorrow.

NEWS

Released juveniles could escape justice

BY NIKKI WHITFIELD

The hurried release of juvenile prisoners has led to fears that dozens will escape justice and fail to turn up for their court appearances.

On Monday night, a police van full of youths was turned away from the Twilight Children's shelter in Hillbrow, Johannesburg, by the shelter's authorities who claimed they "do not have the infrastructure" to cope with "children like that"

Salvation Army public rela-

tions officer Denise Baisley said the organisation's Simmonds Street men's home received a call from a Vereeniging police station asking for transport to collect a group of youngsters

"But the home was full already"

It is not known what happened to either of the groups

Police spokesman Wikus Weber said 24 juveniles had been kept in cells at Kempton Park. Of those, 19 had been released, one was waiting to be placed in a reform school and

four were to be sentenced for their crimes today

The 19 freed prisoners were "delivered to a police station in Tembisa (on Monday night) and after that they had to go their own way," he said.

Janet du Preez, director of the Witwatersrand Mental Health Society, said she received a call at midnight from the Meyerton police station where 20 released youths were being held.

"The kids had nowhere to go and the police didn't want to just let them go at that time of

night," she said. "They decided to keep them in the police station overnight and try to find accommodation for them in the morning."

In the Cape Peninsula, about 130 unsentenced children were taken from prison and police cells, leaving the courts with the headache of finding them accommodation. Forty-two had to be returned to Pollsmoor Prison.

In Soweto, five minors were released from custody. Attempts to trace their parents failed

Storm over freed jail children as many end on streets

From Page 1

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"The magistrate will have no power to set out conditions of release if the children are out on their own recognisances. This appears to be a loophole"

Children: Mandela 'ill-advised'

Political Staff

ARG 11/5/95

PRESIDENT Mandela's proclamation this week freeing children from prisons is another case of ill advice to the president, says the National Party.

NP spokesman on correctional services Gert Oosthuizen said that while his party welcomed the action to release children in custody and move them to places of safety, the NP regretted the clumsy way in which it had been handled

"Something which was made possible by legislation in 1994 and has been legally available as an option for the past eight months, has been tied to President Mandela's first year in office for political reasons and is

becoming a security fiasco," Mr Oosthuizen said.

The Democratic Party has warned that many of those released are no longer children in the true sense of the word but young adults charged with serious and terrible crimes, and the party has charged that little or no discretion was used by Correctional Services Minister Sipo Mzimela in the process of the release

Dr Mzimela yesterday shifted blame for problems arising from the mass release on to political parties and organisations which, he said, had all been role players in amending Section 29 of the Correctional Services Act which prohibited the detention of unconvicted children in prisons

(253)

Children freed from jail hold up matrons

(253)

(248)

ARG 11/5/95

The Argus Correspondent

DURBAN — Fourteen youths, some with knives, held up two matrons at the Excelsior Place of Safety in Pinetown within 72 hours of being released from prison

They freed 13 of the inmates after forcing the matrons to give them keys

Police have since arrested seven youths at Tollgate in Durban — none of them runaways

Police said that 14 released youths were taken to the institution last night in terms of the government's decision to keep juveniles out of prisons and police custody

On arrival at Excelsior they held up two matrons at knifepoint, tied them up with telephone cord, forced them under beds and took their keys, jewellery and clothing, then released 13 children living at the institution

The matrons were rescued by other children at Excelsior

Pinetown Child and Family Welfare Director Priscilla McKay said she was "not surprised" at the break-out as Excelsior was designed as a place of safety and did not have the security of a juvenile detention centre

She said the only secure areas were the dormitories. There were no guards and only ordinary fencing.

A resident who lives near Excelsior expressed concern about security in the area

"What about the safety of the people working in the area and our children's safety? What is going to happen to our properties?" she asked.

Today the Department of Welfare held an emergency meeting to discuss the incident but remained tight-lipped about the affair. Sources said Excelsior was discussing whether to take in any more ex-prisoners.

"We cannot say anything now, but we are investigating this," said Welfare spokeswoman Urmilla Riga.

Parties lashed for freed children bungle

Political Staff

CORRECTIONAL Services Minister Sipo Mzimela says political parties and non-governmental organisations should accept responsibility for the plight of unconvicted children who have been released from prisons. ARG 11/5/95

A number of political parties and other organisations have criticised President Nelson Mandela's proclamation this week which paved the way for the release of awaiting-trial children around the country. Critics say the proclamation is being implemented while many of these children do not have families they can return to, or while there are not enough places of safety to accommodate them.

In a statement yesterday, Dr Mzimela said the Correctional Services Act had been amended late last year after he had notified all relevant role-players that unconvicted children would in the near future no longer be kept in prisons.

Before the amendment, gazetted last November, Mr Man-

dela had on many occasions referred to the problem of children in jail and had stated very clearly that this should be rectified

The matter had been brought before the cabinet and the various ministers and their departments and political parties, NGOs and relevant government departments had again been given the opportunity to give evidence before the portfolio committee on correctional services

The amendment had flowed from this process, which had been followed by a five-month grace period leading up to Mr Mandela's proclamation.

"The question now arises as to what has been done in the meantime by the responsible parties who knew all along that unconvicted children would be released from prison soon.

"What concrete steps have they taken to prepare themselves for the accommodation or relocation of these children? The answer to this question may be very interesting," Dr Mzimela said.

Freed kids left

Out in the cold

Sowetan 11/5/95

(257)

By Gloria Mogase and Mzimasi Ngudle

were roaming the streets, apparently because their parents could not be located in the rush hour.

Meanwhile, a Sowetan Correspondent reports that magistrates, prosecutors and welfare organisations in KwaZulu-Natal slated the process as being too fast and unplanned.

"It is ludicrous and we feel we are party to a farce," a Durban magistrate said Friday.

Director of Pinetown Child and Family Welfare Mrs Priscilla Mckay said no facilities had been prepared to take in the children once they were released from prison and there were not enough places of safety to keep them.

The National Institute for Crime Prevention and the Rehabilitation of Offenders also criticised the release process as being exclusive of NGOs who should have been involved in the planning process.

Places of safety
President Nelson Mandela's spokesman, Mr Joel Netshitenze, said the matter was being handled by the Department of Correctional Services. He added that the major task facing the Government and the private sector was to find places of safety for the children.

A spokesman for the Department of Correctional Services, Major Bert Slabbert, said the release process was hampered by a lack of communication between justice, police and welfare departments.

Mzimela lashed out at the National Party and other political organisations who expressed concern over the release process.

Mzimela said these organisations had ample time to comment on the proposed amendment to the Correctional Services Act when it was tabled in Parliament.

"Unconvicted children were never supposed to be the responsibility of the Department of Correctional Services," Mzimela added.

THE BOY OF LEAVING PRISON turned into a nightmare for two 16-year-old boys from Tzaneen when they spent their first night of freedom on the daily Johannesburg Station.

The two boys were part of more than 700 children released from prison this week without being provided with food, transport or accommodation.

Correctional Services Minister Dr Siphosizwe Mzimela said in a TV interview on Tuesday that the children were released onto the streets.

The two boys from Tzaneen were spotted at Johannesburg Station by a Soweto resident, Mr Mofosi Mufamadi, on his way from work on Tuesday. They were making frantic efforts to phone neighbours in Tzaneen as their parents have no telephones.

On his way to work yesterday Mufamadi again saw the boys, who told him they had been released from Johannesburg Prison where they had been held since February on suspicion of a car theft.

Mufamadi said he decided to take them to his home after Johannesburg Prison authorities told him there was nothing they could do for them. Captain P. Pretorius of John Vorster Square, to where the boys were transferred before their release, said they were the responsibility of the Child Protection Unit. Attempts to contact the unit failed.

A total of 700 awaiting-trial juveniles were released on Monday and Tuesday in terms of an amendment to the Correctional Services Act.

The proclamation allows for the children to be released into the care of their parents or places of safety. But many of those released



These two 16-year-old youths were stranded after being released from prison on Tuesday. PIC: JOE MOLEFE

'No idea' where many freed juveniles are

(253) (898) STON 11/5/95

■ BY PRISCILLA SINGH and SUSAN MILLER

Social and welfare organisations were yesterday still desperately searching for places of safety or refuge for the more than 700 juveniles released from police and prison cells this week.

In Johannesburg, two juveniles who claimed they were among those released on Monday were asking for funds to get them to Tzaneen.

"Only about 10 children were accompanied by their parents in court and released into their custody. The rest of them, I have no idea," said Prince Maluleke of Lawyers for Human Rights.

In Pretoria, 125 children were released and only 51 have found a place of safety at the Jabulani Home in the city.

"Nobody knows where the other 74 children went to after they were released," Community Law Centre lawyer Neville Chamee said.

Mockery

In Maritzburg, Juvenile Justice Project director Ann Skelton reported that 44 children had been released. Many of them had to be transported 200km away to Zuma, where there is a place of safety. Twenty-four children have not yet been placed.

National Welfare, Social Service and Development Forum spokesman Riah Phuyega said agencies were already overloaded and "they really don't need problems like this, which could easily have been avoided."

"While we applaud the president's decision to release children from

prison, it is unforgivable to turn them out into the streets. It is a mockery of the president's intentions and it calls into question the competence of those directing the process," she said.

■ Jovial Rantao reports that Correctional Services Minister Siphon Mzimela yesterday strongly defended the Government's decision to release the children, and dismissed as "racist" criticism of the move by the NP and other political parties.

He conceded that the proclamation of the Correctional Service Amendment Bill, in terms of which 700 youths under 18 years were released, would pose short-term problems, but said he was convinced that these would be sorted out soon.

Mzimela charged that cabinet ministers and all role-players who had been informed about the amendment and the impending release of the children had done nothing to prepare for them.

He said all the role-players had had the opportunity to give evidence before the parliamentary select committee on correctional services, before the amendment of section 29 of the Correctional Services Act was discussed in both Parliament and the Senate.

"The question now arises as to what has been done in the meantime by the responsible parties who knew all along that unconvicted children would be released from prison soon. What concrete steps have they taken to prepare themselves for the accommodation or relocation of these children?" Mzimela asked.

~~252~~ (253)

'Dangerous' child released, escapes place of safety

Crime Reporter ARG 12/5/95

A TEENAGE boy facing charges of murder, rape and armed robbery is on the run in the Peninsula after escaping from a place of safety for the second time.

The case highlights the pleas of police for tighter control after President Mandela's proclamation last week releasing children from prisons to places of safety.

One of the investigating officers seeking the boy, 15, said he was "a real danger to the community".

The boy was sent to the Porter School, a reformatory in Tokai, in December after allegedly killing a man, and police said he allegedly committed more violent crimes after escaping in January.

He is accused of raping a 26-year-old woman in Athlone and robbing a man at gunpoint three days later. He was arrested after this robbery and held at Pollsmoor Prison.

On Wednesday, a day after he was released and transferred back to Porter School, he escaped again and is still at large.

Despondent investigating officers appealed for individual evaluations and scrutiny of each minor before transfers to places of safety.

A fact-finding tour of reform schools and places of safety in the Peninsula by a ministerial delegation yesterday disclosed inadequate facilities, although in some cases only minor changes were needed.

Popcru in apartheid protest (253)

Staff Reporter

ARG 12/5/95

MEMBERS of the Police and Prisons Civil Rights Union have launched protest action throughout the Western Cape to demand "fundamental changes in the apartheid management" of the Department of Correctional Services.

A group of warders at Pollsmoor Prison, who went on a go-slow yesterday, locked three gates to the prison today.

Correctional Services spokesman Mike Green said authorities planned to cut the chains to allow about 200 prisoners to be taken to and from court.

He said warders had refused to unlock cells to allow prisoners to eat or exercise.

Working warders who stood in for those on go-slow were unsafe because there was a higher risk that prisoners could try to escape, he said.

A Popcru statement said their members who worked for the Department of Correctional Services were "frustrated and dissatisfied with the state of affairs in the province".

"This is the direct result of the lack of visible and fundamental changes in the department," said Popcru.

Lieutenant Green said prison authorities were negotiating with a Popcru delegation about grievances.

Child suspects escape

253

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12/5/95

DURBAN: There has been a second break-out by juveniles at places of safety in kwaZulu/Natal

Twenty-seven juveniles escaped from the Excelsior Place of Safety in Pinetown on Wednesday, after 26 child suspects escaped from the Bayhead Place of Safety in Durban only hours after they had arrived at the facility on Tuesday

The group that escaped on Wednesday included 14 youths who had just been released from the Westville Prison

None of the escaped suspects has yet been re-arrested

Police spokesman Major Henry Budhram said the 14 released juveniles held up two matrons at knifepoint, tied them up with telephone chord, forced them under beds and took their keys, jewellery and clothing, then released 13 of the children who live in the institution before fleeing

The matrons were eventually rescued by children in Excelsior

Pinetown Child and Family Welfare director Mrs Priscilla McKay said she was "not surprised" at the break-out, as Excelsior was designed as a place of safe-

ty and did not have appropriate security measures

The Department of Welfare held an emergency meeting to discuss the incident yesterday, but remained tight-lipped about the whole affair "We cannot say anything now, but we are investigating it," said a spokeswoman.

Mrs McKay blamed the mass escape on bad planning and a lack of consultation and preparation. She said welfare staff had been caught totally unaware by the release of the youngsters — Special Correspondent

(253)
(258)
Joint action
for releases

ET 12/5/95

BARRY STREEK
POLITICAL STAFF

JOINT action by all ministers was necessary to address the release of children from jail, Minister of Welfare Mr Abe Williams said in the Senate yesterday.

He said he was aware of the problems surrounding the release of children from detention, but felt strongly children should not be kept in custody.

"We will try our utmost to address the needs of all the children and to protect the communities where necessary.

"The government will have to consider making funds available for extra personnel and expenditure to ensure that more places of safety become available."

Provinces 'furious' over juvenile decree

CT 12/5/95

CHRIS BATEMAN
POLITICAL STAFF

PROVINCIAL welfare ministers were "furious" about Correctional Services Minister Dr. Siphon Mzimela's sudden instruction to relocate all awaiting-trial child prisoners by midnight on Monday as this disrupted existing relocation programmes.

This was said yesterday by Western Cape Minister of Health and Welfare Mr Ebrahim Rasool, who revealed that there were still 45 awaiting-trial child prisoners in Pollsmoor Prison — despite firm instructions by Pretoria.

"They are still in jail" only because of the severity of the char-

ges and previous convictions such as murder, as well as serious questions about some of their stated ages", he said.

Mr Rasool said that since Monday 30 children had been reunited with parents and another 55 relocated to places of safety.

"The lesson has been about how central government must operate — we (welfare ministers) first heard about the deadline from the media — it'll be the death-knell of the government if ministers act without consultation," he said.

But Correctional Services sources replied that President Nelson Mandela made a clear statement of intention at the opening of parliament in May last year.

Rampage in place of safety

Freed juveniles attack women

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SPAN 12/5/95

■ OWN CORRESPONDENT

Durban — Two elderly women, both care officers at the Excelsior Place of Safety in Pinetown, were bound and trussed and held at knifepoint yesterday by a mob of youths who were released from prison under the Government's controversial move to free unconvicted children.

Margaret Gillot and Ruth Norris narrowly escaped serious injury when two teenage residents at the centre came to their rescue.

Local residents and welfare officers expressed their concern after the attack, with the Pinetown Children and Family Welfare Society saying that the sudden release of awaiting-trial child prisoners was deplored.

Priscilla McKay, the society's director, said their release was ill-considered and unconstitutional. It did not protect the best interests of the youths as no plans had

CONCERN grows as number of escapers from care centres in Durban region increases to 65

been made to prepare them psychologically and emotionally, she said.

Gillot yesterday visited her doctor for treatment following the attack by a mob of about 20 youths.

Gillot's worried son, Craig, yesterday said Excelsior was equipped to take in only 18 residents, but on Wednesday night had 34 — five usual residents and 29 awaiting-trial youths.

He said the youths were in a restless mood and the women tried to calm them down with beverages and biscuits.

But just after 8.30am yesterday, Gillot was attacked, tied up with a telephone cord and then strangled. The attackers released her when a resident intervened.

Meanwhile, Norris' arms and legs were bound and she was allegedly about to be thrown down a flight of stairs when a resident came to her rescue.

The mob then stole the women's jewellery and keys. Ten of the youths decided to stay at the centre and the other 19 fled. Seven were later picked up by police.

Meanwhile, another 19 awaiting-trial prisoners have escaped from Bayhead Place of Safety in Durban, adding to the 23 who escaped on Wednesday and bringing the total number of escapers in the area to 65.

■ A place of safety has been found for two awaiting-trial juveniles, accused of murdering an 82-year-old priest, who had been kept in prison since Tuesday on the orders of Johannesburg magistrate Andrew Johnson.

The two accused were remanded until a proper care centre could be found for them.

BRIEFS

Beds used as battering rams in go-slow Pollsmoor Prison

SECURITY at Pollsmoor Prison and the safety of the community is in jeopardy because warders are striking, says a prisons official.

Pollsmoor spokesman Captain Mike Green said yesterday that since members of the Police and Prisons Civil Rights Union (Popcru) had gone on strike, inmates had broken out of four cells, using their steel beds to ram open the doors.

He said the situation was now under control, but security was still "at risk".

Captain Green said all jail administration offices had been closed and desk staff were doing warders' jobs.

Union spokesman Eddie Johnson said warders at Pollsmoor were on a go-slow, but were still on duty. They were protesting against racism in the Correctional Services Department.

ARG 13/5/95

The prisons 'qui

GLYNNIS UNDERHILL

Weekend Argus Reporter

WELFARE organisations have hit out at the release of awaiting-trial children without adequate provision for alternative accommodation. The bungled operation has been dubbed a "fiasco" and a "quick-fix to a political dilemma".

Awaiting-trial children were returned at night to cells at Pollsmoor Prison in spite of President Nelson Mandela's proclamation that all unsentenced children younger than 18 be released from prison.

Alan Jackson, director of the Child Welfare Society in Cape Town, accused the Department of Correctional Services of "simply washing its hands of the whole affair" by releasing the children without ensuring there was adequate accommodation for them.

There were only two local places of safety with maximum security to deal with children charged with serious crimes like murder and rape and

■ Children were released from prison on orders from President Nelson Mandela — but some were returned to their cells in an operation described by child-rights activists as "chaotic".

most of the staff at these institutions were not properly trained to deal with the children, he said.

Mr Jackson said unilateral decisions had been taken by the Department of Correctional Services.

The Minister of Correctional Services, Siphosiso Mzimela, responded to criticism by pointing out all parties had had five months before the amendment of Section 29 of the Correctional Services Act was affected by Mr Mandela.

"The fact is that unconvicted children were never supposed to be the responsibility of the Department of Correctional Services. If other role players who are supposed to cater for unconvicted children took their responsibilities seriously, it would never have been necessary to amend Sec-

tion 29 of the Act.

"However, it became more and more that to send these unfortunate youngsters was the easiest way out and therefore to be amended to solve this problem overall," he said.

More than 130 unsentenced children from prison and police cells across the country after the proclamation was issued, the courts with the headache of finding the alternative accommodation before midnight.

Children were returned to Pollsmoor the evening after no accommodation found for them at places of safety in the

The children who were returned to appeared in court again within 48 hours.

Siyakhatala Home in Stellenbosch and town Home in Ottery are two places equipped to deal with these children. I said these institutions had been beset with problems.

Lots of safe places for the jail kids

Weekend Argus Crime Reporter

A **FACT-FINDING** tour of Peninsula reform schools and places of safety by a ministerial delegation revealed that ample facilities existed to accommodate imprisoned children.

A proclamation by President Nelson Mandela to release all children from prison and to transfer them to places of safety spurred a visit to four institutions.

The delegation included Deputy Minister of Welfare and Population Development Geraldine Frazer-Molokete, Virginia Petersen, a special adviser to provincial Health Minister Ebrahim Rasool, and Enver Daniels, special adviser to Minister of Justice Dullah Omar.

The tour, through the Constantia School for Boys, the Constantia School for Girls, the Porter School in Tokai and the Bonnytoun Place of Safety, revealed that ample facilities existed to accommodate awaiting-trial and sentenced children.

Mrs Petersen said after the tour that only minor structural changes to some buildings and more staff would be needed to transfer the children "within weeks, if not days".

"An inter-sectoral approach is needed to prepare properly for the mass transfer of children from Pollsmoor to places of safety," Mrs Petersen said.

"Our investigation is two-pronged to find short and long-term solutions.

"A short-term solution to get the children out of jail as soon as possible would be sustainable if it could be carried over into a long-term answer," Mrs Petersen said.

An inter-sectoral meeting between the Department of Justice, Social Services, Police and the Department of Education was scheduled for Monday to discuss the findings of the delegation and process inputs.

A decision is expected early next week and "heels cannot be dragged with children suffering in jail," Mrs Petersen said.



□ **SINGLE ROOM:** Members of the delegation, from left, Virginia Petersen, special adviser to provincial Health Minister Ebrahim Rasool, Geraldine Frazer Molokete, National Deputy Minister of Welfare and Population Development, and Enver Daniels, special adviser to the Minister of Justice inspect a decorated single room in Constantia School for Girls.



□ **PLACE OF SAFETY:** Bonnytoun in Wynberg offers ample accommodation for children held in Pollsmoor.

quick-fix fiasco

ARG 13/5/95 (298) (253)

... became more and more evident, these unfortunate youngsters to jail, way out and therefore the Act had to solve this problem once and for

unsentenced children were taken to police cells across the Peninsula. A ban was issued, leaving the headache of finding them alternative before midnight.

returned to Pollsmoor Prison in order no accommodation could be found at places of safety in the Peninsula. Those who were returned to Pollsmoor had to stay again within 48 hours.

Some in Stellenbosch and Bonnytoun are two places of safety for these children. Mr Jackson said that institutions had been beset by labour

Staff had downed tools last year due to labour problems, he said.

Bonyntoun is undergoing renovations, which has limited its intake of children.

"Structural changes are being made to our building to ensure the safety of workers — and the safety of children," said Marcelle Muller, chief social worker at Bonnytoun.

Bonyntoun can take a maximum of 84 children from the courts, she said.

Some of the children accused of murder or rape behaved like "little lambs", while others had extreme behavioural problems, said Ms Muller.

Mr Jackson, appointed by Western Cape Minister of Health and Social Services Ebrahim Rasool to chair an investigation into the measures necessary to release children from prison, said the release of the children did nothing to resolve the problems faced by the people working with children in trouble with the law.

The welfare department responded to recommendations by setting up assessment centres in courts and at police stations in the Western Cape

in an attempt to place awaiting-trial children appropriately.

"Many awaiting-trial children have, since the initiation of this programme, been placed in the care of their parents. However, allegations of abuse and industrial action at places of safety have prevented the fullest possible number of children being placed in these institutions," said Mr Jackson.

Rozette Jephtha, National Institute for Crime Prevention and Rehabilitation programme co-ordinator in Tygerberg, said the problem had arisen as there was limited accommodation at the places of safety.

The whole juvenile justice system in South Africa needed to be changed, she said.

■ A teenage boy facing charges of murder, rape and armed robbery is on the run after escaping from a place of safety in Tokai in Cape Town.

And 27 juveniles led by 14 youths who had just been released from Westville Prison escaped from the Excelsior Place of Safety in Pinetown after tying up and robbing two matrons.



Mr Petersen, special adviser to the Minister of Welfare and Population Development and Minister of Justice inspect a neatly furnished room for girls.



□ **MATES:** Awaiting-trial minors, watch a cartoon on television at the Bonnytoun Place of Safety, in Wynberg.



Accommodation for children present.



□ **PORTER SCHOOL:** Members of the delegation take a look at an unused building at Porter School in Tokai.

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SECURITY at Western Cape prisons was at risk because of a go-slow action by warders which began earlier this week, a Correctional Services spokesman said yesterday.

The go-slow has affected prisons throughout the region, including Pollsmoor at Tokai, near Cape Town, five prisons in the Paarl area, Brandvlei near Worcester, Voorberg near Porterville and Mossel Bay prison.

The go-slow by members of the Police and Prisons Civil Rights Union (Popcru) has meant that administrative staff have been forced to quit their desks and help with warder duties in an attempt to ease the crisis, according to spokesman Captain Mike Green.

The most serious incident so far was at Pollsmoor on Friday morning when prisoners, angry because they had not been fed by 11 30am, attempted to break out of their cells by ramming steel beds against doors.

More than 1 000 medium security prisoners were involved, Capt Green said.

"The inmates got agitated and started ramming their beds against cell doors in an attempt to get out. We had to repair four cell doors after locks and various bars were broken," he said.

Prisoners were aware of the slacker security and could attempt to take advantage of this attempt to escape. It could also lead to an increase in gang and smuggling activities inside affected prisons, Capt Green said.

"It's always dangerous when staff are not performing their duties. There's not enough security and the prisoners know this and take advantage of the situation," he said.

Although daily activities like exercise, feeding and unlocking were taking place and the sit-

Warders' go-slow action puts jail security 'at risk'

By YVETTE VAN BREDA

ST (CM) 14/5/95

uation is under control, security was still at risk as there was only a skeleton staff working.

Negotiations with the Pollsmoor prisoners on Friday had eventually quelled their angry mood, Capt Green said.

Court hearings on Friday had to be postponed after warders refused to bring prisoners to court.

Meetings with Popcru members were scheduled for early this coming week in an attempt to resolve the situation.

Earlier this week about 30 Popcru members blockaded the en-

trance to the Western Cape offices of the Correctional Services Department in Goodwood, near Cape Town, in support of demands for a forum to be set up to oversee the reform of the department and implementation of affirmative action.

Correctional Services commissioner General Gerhard Spangenberg said Popcru's demand was "surprising". It was incomprehensible that the union was prepared to break the law when various forums already existed at national and regional level to discuss their grievances.

Union spokesman Eddie Johnson said warders at Pollsmoor were on a go-slow, but were still doing their duties, according to a news report on Friday.

"It's all blatant lies. I spoke to a colleague who said there had been no violence. Nobody broke out of any cells."

Mr Johnson said the protests were against racism in the Correctional Services Department.

"The whole department is still racist. Promotions, merit awards, job allocations are all still done as in the apartheid era. The only thing that has changed is the flag," he said.

(253)

'Black warders are kept behind the bars of the past'

By JEFFERSON LENGANE

THE POLICE and Prisons Civil Rights Union (Popcru) maintains that racism is still evident in the working and living conditions of warders at the Leeukop prison south of Johannesburg - in spite of President Mandela's call a year ago to end racism and nepotism in the country's prisons.

"Undisguised racism and nepotism are still rampant here at Leeukop. The warders' quarters are still divided on a racial basis," said David Masenya, a senior Popcru shopsteward and warder at the prison this week

■ City Press visited the prison on Wednesday - and found that the white quarters and black quarters reflected the traditional contrast between white suburbs and black townships

The white quarters were teeming with prisoners doing cleaning and maintenance work

The streets are tarred and street names are displayed on proper sign posts

The black quarters form a glum contrast. The roads are untarred and dusty and there are

no road signs. Faint street names on makeshift boards have been pinned to street light poles

"The black married quarters are referred to as married quarters number two, while the white married quarters are referred to as married quarters number one," said Masenya.

"Similarly, the single quarters for black and white warders are referred to as number two and one, respectively

"In the black single quarters six people share one room - while in the white single quarters there are two to a room, and four at the most," Masenya revealed

Big houses

"The white married quarters have big houses and detached garages with servants' rooms

"Most of the houses in the black quarters are standard four-roomed houses with attached garages but no servant's quarters," he said

■ Sports facilities are also divided along racial lines. The rugby stadium in the white quarters has a grandstand and good lighting. The soccer stadium in the black quarters has no grandstand or adequate lights

ep 14/5/95
"The white side has a golf course, but not the black side," Masenya pointed out

Yet all warders contribute an equal amount of R13,68 a month towards the improvement of sports facilities for all. ■ Responding to the allegations and City Press' observations, Correctional Services media officer Colonel Barry Eksteen said "Racism is definitely not our policy at Correctional Services. Every staff member who qualifies can apply for housing - which will then be dealt by the prison management."

Eksteen blamed the discrepancy in sports facilities on the past, saying it is part of our history

Money

"Facilities must be made available to the people working here," he said "What we are saying is give us the money and as money becomes available facilities will be upgraded. It is not our policy to put up inferior structures"

■ Masenya complained that promotions were also considered on racial lines

He said, "Blacks seeking promotion are required to have matric and necessary qualifications,

such as computer literacy. Blacks are not given any opportunity to learn using computers at work - this privilege is reserved for whites only

"Blacks who are supposed to be promoted to the rank of warrant officer are not being promoted because they have no matric or computer literacy." (253)

Eksteen said, "The Department of Correctional Services places a high premium on the qualification of personnel but in terms of the Correctional Services Act, the commissioner can in exceptional cases promote a member to the rank of officer as dictated by needs of the department - despite the fact they do not have matric qualifications. Such promotion will be based purely on the principle of merit and efficiency after long service experience and knowledge"

■ Masenya said black warders, who were in the majority at the prison, were in the minority when it came to ranks. Most black warders worked in the agricultural lands, where one warder guarded at least 10 prisoners, while most whites did administrative work, he claimed.

m yesterday. Steve Khompela (captain), Deputy Pi
shwete look on ...

Crime soars after youth releases

CP 14/5/95

(253) (253) (253)

By WALLY MBHELE

A WIDESPREAD uproar has followed the controversial release of awaiting trial juveniles this week - as crimes involving children and youths escalated at an alarming rate barely 24 hours after their release.

More than 700 juveniles were released after an amendment to the Correctional Services Act providing for such freedom came into effect on Monday

Because of alleged poor prior arrangements, many youngsters were left on the streets as their parents or next of kin could not be traced

Others were left stranded because most rehabilitation and safety centres were full or could not accommodate children who had committed crimes such as murder.

Meanwhile, the crime rate soared countrywide - with children implicated in most of the shootings and car hijackings.

Some of the latest incidents of terror allegedly committed by youngsters include:

■ The shooting of a top Soweto traffic cop, Jeff Segale. Segale was shot three times in the abdomen by three youngsters who took his service pistol and fled the scene outside the Khazamula shops in Mofolo South.

■ In Durban, two elderly women welfare officers were held at knifepoint by juveniles who had just been freed and placed in the Excelsior Place of

Safety

■ 84-year-old Stuart Murray of Melrose was shot dead in Yeoville on Wednesday after youths tried to hijack his car.

■ Last week former journalist Lawrence Masekiso was shot dead and his car hijacked after he was accosted by youngsters in Soweto

■ Another former journalist and now top official of the Western (Soweto) Metropolitan Substructure, Vusi Gunene, was shot and admitted to a Johannesburg hospital after five youths fired several shots at him before driving away with his car in Soweto.

■ An 18-year-old Katilehong student is fighting for his life at Natal spruit hospital after another student shot him in the classroom on Thursday

■ Two police constables were seriously wounded in Molapo, Soweto, on Thursday when an unknown group of youths fired shots at them.

■ Two policemen and a woman were shot dead in KwaThema on the East Rand yesterday when a police vehicle went to investigate a hijacking.

■ In a snap survey conducted by City Press this week, most people said while it was uncivilised for any country to keep juveniles in prison, the government should have first considered each case according to its merits before embarking on the releases.

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From ...

CP 14/5/95

(253) (253)

Crime soars after youth releases

Most criticised the government for "being more worried about protecting the rights of criminals than protecting the victims' rights"

Peter Molotsane, who last year came close to death after an attack by

young thugs, described the releases as "a sad day for those who are on the receiving end of these children's wave of terror"

He said. "They chase parents away from their houses and stay with their friends and girlfriends

making their parents' houses havens for criminal activities"

Most residents argued that an impression had been created that the youngsters have a licence to commit crimes "because they know they'll

be in jail today and tomorrow they'll be free again"

A TV journalist who refused to be named said the releases were inconsistent with the feeling of people on the ground

"It shows how much

the legislators have become out of touch with the masses. Most will skip bail and never come to court again," he said

He said the government should have consulted with institutions to find a better solution

Support for child jail ban

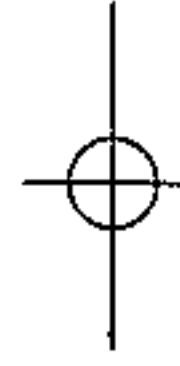
STAFF REPORTER

WESTERN CAPE attorney-general Mr Frank Kahn has commended the government for its ban on the jailing of juveniles.

Speaking at a community crime prevention conference in Bellville at the weekend, Mr Kahn said accommodation for the juveniles

existed and "the Departments of Education and Social Welfare must co-ordinate and access it"

Mr Kahn said it was a misconception that the new constitution encouraged the granting of bail more readily. Ineffective police investigation, however, "can seriously hamper the state in bail applications"



More warders in prison go-slow

Staff Reporter

253

POLICE and Prisons Civil Rights Union (Popcu) warders at all Western Cape prisons have joined their colleagues at Pollsmoor Prison on a go-slow.

A bid to resolve the dispute will be made at a meeting today between the union and officials.

ARG 18/9/95
Correctional Services spokesman Mike Green said the protests had spread to all the prisons during the past two days in spite of negotiations between the union and senior department officials.

"But we are coping and hopefully today's meeting will resolve the dispute."

LABOUR BRITTS

Popcru go-slow to continue ⁽²⁵⁾ ET 18/5/95 (253)

A GO-SLOW by the Police and Prisons Civil Rights Union in the Western Cape will continue notwithstanding the withdrawal of charges against 24 members, a Popcru spokesman said yesterday.

The members were charged after blockading Department of Correctional Services offices in Goodwood last week.

A meeting today to discuss union demands will determine whether the go-slow continued.

Rival prison unions clash over Popcru go-slow

ARC 19/5/95

(253)

Staff Reporter

A ROW has broken out between rival prison services unions and non-unionised members on how to resolve their dispute with the management of the Correctional Services Department

The warders all agree on the need for an independent local forum to oversee the transformation of the prison services, and on the need for a commission of inquiry to investigate how affirmative action is implemented

Last week all the parties united, had talks with management about their grievances

and decided to work on a joint strategy to resolve the issues.

But earlier this week, members of the Police and Prisons Civil Rights Union (Popcru) embarked on a go-slow

Lawrence Venter, a spokesman for Correctional Officers' Union of South Africa (Cousa) and non-union members, said Popcru's actions had divided staff and weakened their case.

"We agree with Popcru that prison officials are still running the service as they did under apartheid, and that no fundamental changes have taken place, but it was premature of them to embark on the protest

action without getting the consent of all the warders

"They ran amok by occupying offices, interfered with members who wanted to work, held officers hostage and incited prisoners against working members. This kind of action is condemned by all personnel"

Warrant Officer Venter said they were also perturbed by reports that the commissioner of the service, Henk Brun, had decided to withdraw charges against Popcru members.

"He must remember that we expect the same treatment from him when we embark on our action"

Popcru spokesman Eddie Johnson said their union decided to proceed with the protest action under the banner of the union because it offered members some protection

"It's unfortunate that (Cousa) have adopted such a hostile attitude towards us as ultimately they will also benefit from our actions as our demands include their participation in the forum"

Correctional Services spokesman Mike Green said the protests had spread to all prisons in spite of negotiations between the union and senior department officials.

ifacts

Popcru (253)

go-slow called off

Staff Reporter

PRISONS in the Western Cape are functioning normally again after Popcru members called off their go-slow protest action

Eddie Johnson, spokesman for the Police and Prisons Civil Rights Union, said the union and senior management of the correctional services department reached an agreement at a meeting yesterday.

Sergeant Johnson said the agreement would have far-reaching implications for prisons and had satisfied the union to such an extent that it was decided to call off the protest

"We are very relieved that a process has started to address our grievances and we would like to thank our members for the disciplined manner in which they conducted the go-slow"

He said full details of the agreement would be explained at a joint union and management press conference

FOAM

BRITAIN

Prisons back to normal ⁽²⁵³⁾
~~at 19/5/95~~

POLLSMOOR prisoners were becoming angry as they could not receive visitors, were not getting their meals on time and had to remain in their cells while Popcru warders were on strike, rival union the Public Servants' Association said yesterday.

'Free' youths back in prison

253

THE 45 youths who were not released from Pollsmoor Prison on Monday night have to appear in court again within 48 hours

They were returned to their cells after a special hearing, despite President Nelson Mandela's proclamation that all unsentenced children younger than 18 be released from prison by midnight on Monday

More than 130 unsentenced children were taken from prison and police cells across the Cape Peninsula on Monday, leaving the courts with the headache of finding them alternate accommodation before midnight.

A Correctional Services spokesman said the 45 youths were accused of serious crimes such as murder and rape.

On their next appearance the court will decide into whose custody they will be released

They could be released into the custody of their parents, foster parents or places of safety

● Popcru demanded yesterday that the commander of Pollsmoor, Brigadier Johan Robberts, resign from his post immediately and vacate his house at the prison.

A spokesman for the union's Western Cape branch said Popcru told Brig Robberts in a letter last month that he was an obstacle in the way of meaningful change at the prison, and that he was "no longer welcome" there as commander.

The letter, signed by regional secretary Mr Pieter Loggenberg, accused him of negotiating in bad faith on issues including ment rewards

It said Popcru was suspending all negotiations with him with immediate effect

The spokesman said a delegation delivered a second letter to Brig Robberts yesterday, asking if he had understood the first one, and demanding that he leave immediately

The spokesman for Correctional Services in the Western Cape, Captain Mike Green, confirmed that Brig Robberts had received the letter.

He said Correctional Services headquarters in Pretoria would comment later on the demands. — Sapa

Niehaus admits to foul-up

Adrian Hadland

(263) (233)

CAPE TOWN — A number of children who were moved earlier this month from SA prisons to places of safety had escaped, ANC MP Carl Niehaus said yesterday.

The children were among 700 under the age of 18 who were released from jail following an amendment to the Correctional Services Act. Most were awaiting trial and faced minor charges "more often than not unrelated to violence", Niehaus said. **ED 23/5/95**

Speaking on behalf of the ANC, rather than as chairman of the National Assembly's correctional services committee, Niehaus said he was disappointed at the negative reaction of parties and the public to the release.

The change in the Act received unanimous support in Parliament's correctional service committees and brought SA in line with international norms and the UN's charter on the rights of children.

Inadequate communication and co-ordination between the justice, correctional services, welfare and safety and security departments together with a shortage of places of safety resulted in the foul-up, he said.

ANC plea on children

253 ~~254~~ ARG 23/5/96

TYRONE SEALE
Political Staff

DIFFICULTIES surrounding the release of children from prison should not be used to undermine the principle of keeping them out of jail, says the African National Congress

Carl Niehaus, chairman of the ANC parliamentary study group on correctional services, said yesterday that the Democratic and National parties' criticism of the releases amounted to political opportunism.

At a media briefing Mr Niehaus repeatedly conceded that managerial and technical problems, largely stemming from a lack of co-ordination among government departments, had

marred the implementation of amendments to section 29 of the Correctional Services Act. This had disclosed a serious lack of places of safety, many of which had to be secured after escapes by some of the released youths, and it had raised the urgent need for a system in which children could be classified in terms of their alleged offences and security risks.

But he said "It's absolutely critical that we release these awaiting-trial children if we at all want to be in line with international standards where children under 18 are simply not kept in prisons".

He said an unspecified num-

ber of children had escaped from places of safety after their release, but everything possible was being done to trace them and return them to institutions where security had been stepped up.

Where new cases involving children came before the courts, there were efforts in areas such as the Western Cape to process children through the legal system as rapidly as possible to reduce the lapse between arrest and trial.

In certain cases courts were sitting for longer. "We have to accept this legislation is putting more stress on the limited number of

places of safety that exist in our country, and I can only re-emphasise the need for urgent co-ordination between the different departments".

Mr Niehaus said it was utterly irresponsible of the DP to create the impression in the public mind that the new legislation had resulted in the general release of murderers and rapists.

"(The DP) knows very well that the children who have been released are awaiting trial and have therefore not yet been found guilty in court

"The majority of children have been kept for a considerable period as awaiting-trial

prisoners for minor offences, more often than not unrelated to violence".

It was not intended to let children off the hook if they committed crimes

The new legislation simply meant children had to be treated differently and had to be given a chance in life instead of stigmatising them by putting them in prisons.

Mr Niehaus called for a comprehensive juvenile justice system that would distinguish between serious offenders and those facing lesser charges and which would place petty offenders back in the community.

He pointed out that the new legislation also said children under 14 could under no circumstances be detained in prisons for longer than 24 hours.

NEWS DP and NP criticism of jailed children's release was 'politically opportunistic'

Sowetan 24/5/95 (253)

'No jail for awaiting-trial kids'

Sowetan Correspondent

DIFFICULTIES SURROUNDING THE release of children from prison should be not be used to undermine the principle of keeping them out of jail, according to chairman of the ANC parliamentary study group on correctional services Mr Carl Niehaus

CRITICAL NEED New legislation

means children will be treated better:

Niehaus said this week that the Democratic Party and the National Party's criticism of the releases amounted to political opportunism. At a media briefing this week, Niehaus conceded that amendments to Section 29 of the Cor-

rectional Services Act. This had revealed a serious lack of places of safety and had raised the issue of the urgent need for a system in which children could be classified in terms of their alleged offences and security risks.

But, he said, "It's absolutely critical that we release these awaiting-trial children, if we want to be in line with international standards according to which children under 18 are simply not

kept in prisons."

An unspecified number of children awaiting trial had escaped from places of safety after their release, but everything possible was being done to trace them and return them to institutions where security had been stepped up.

It was utterly irresponsible of the DP to create the impression in the public mind that the new legislation had resulted in the release of murderers and rapists

Awaiting-trial inmates on 'strike'

ARC 25/5/95 (253)

DAVID YUTAR
Staff Reporter

AWAITING-trial prisoners at Pollsmoor Prison say they will refuse to attend trials until their demands are met

The prisoners are refusing to attend court as a protest against their conditions, which they say have reached a crisis point

The Argus was asked to collect a petition from a committee of awaiting-trial prisoners by prison major Pietef Fouche

"We have reached an agreement with the prisoners," said Major Fouche

"They will be allowed to present their pe-

tition to the Press on condition that they are not interviewed"

When The Argus met the group of prisoners, they suspected they were dealing with a "phony reporter" and demanded a Press card as proof of identity

The small group consisted of about six prisoners of all races

In a hand-written declaration, which was finally handed over, the prisoners said some of them had been awaiting trial from as long ago as 1992 and 1993

Other grievances, were over what they termed outdated "apartheid practises and attitudes" among the prison authorities and

court officials

In bail applications, magistrates "only believe policemen and investigating officers" when they testify that an awaiting-trial prisoner should be refused bail because he is a danger to the public, or has no fixed address

The statements of police officials in this regard were insufficiently tested and scrutinised, they claimed

When bail was granted, it was fixed at a prohibitively high amount so as to effectively be a denial of bail

Other grievances related to confessions made "under duress" and what they called

"racist and apartheid attitudes" among policemen, detectives, prosecutors and magistrates

The prisoners said 97 percent of awaiting-trial prisoners were "under-privileged" and as such were vulnerable to victimisation and discrimination

This bias on the part of officials in favour of the state was clearly in conflict with the spirit and letter of the new constitution

The prisoners have refused to attend trials since May 15

They said they would continue to do so "until our grievances are heard and our demands met"

Over 14 000 (253)
prisoners freed

ALTOGETHER 14 426 prisoners
have been released since President
Nelson Mandela announced a six-
month cut in jail terms on April
27, Correctional Services Minister
Dr Siphio Mzimela said yesterday

CT 26/5/95
Own Correspondent, Reuter

Penal reform — there's a long way to go

WM 26/5 - 1/6/95 (263)

The Kriegler Commission report on last year's prison unrest went largely unnoticed, but it made some important recommendations on penal reform, writes **Bronwen Manby**

THE long-awaited publication on May 5 of the final report of the Kriegler Commission, appointed by the President to look into the causes of the unrest in prisons following the election last year, passed with hardly a mention in the press. By comparison, the sudden release of 700 awaiting trial children, in some cases straight on to the streets, received headline attention for several days.

Yet the recommendations of the commission chaired by Judge Kriegler are of direct relevance to the controversy surrounding the release of the juveniles. They emphasise the need for increased community involvement in decisions relating to release of prisoners and increased consultation by the Department of Correctional Services about policy generally: it was precisely a lack of a properly devised joint strategy that caused the outcry at the recent releases.

The Kriegler Commission report contains few surprises — though it leaves a number of unanswered questions — for those who had any involvement in the crisis in prisons last year. The commission was asked to consider the unrest between April 26 and June 13 1994, in which seven prisoners died and some R1.1-million worth of damage was done (its mandate inexplicably excluded the pre-election

disturbances, in which 37 died, including 21 in a single incident at Queenstown). It concludes that the major causes of the post-election riots were confusion over the grant of amnesty; the introduction of a new release policy in March that took away from prisoners a fixed release date and in some cases lengthened their sentences, and general conditions in prisons.

The commission recommended that the question of amnesty be addressed by the grant of a general remission of one-quarter of all sentences, up to a maximum of three years, in accordance with the spirit of reconciliation symbolised by the government of national unity. The release of the report, submitted in February, was delayed until after the president's announcement on Freedom Day of a maximum six month amnesty, and Minister of Correctional Services Spho Mzemela has stated that this is the final word on the matter.

Of greater long-term importance are the recommendations relating to outside involvement in the correctional system. The report proposes the recruitment of community representatives to the institutional committees that make decisions relating to the award of "credits" that may, under the new policy, reduce a prisoner's time in prison, and places a new emphasis on giving the prisoner a proper hearing before

such bodies. To overcome the sense of isolation within a closed system in which "prisoners are — or feel they are — at the mercy of their keepers", the report recommends that prisoners be given unimpeded access to "organisations or persons manifestly independent of the government", and that mechanisms be created for departmental consultation both with prisoners themselves and with the community at large. Reforms of this nature are long overdue in South Africa's prisons.

The report disappoints, however, in the very general nature of its findings and recommendations, and in its reluctance to take sides where there is a conflict of opinion between the submissions made by NGOs and those made by the department. Above all, the commission does not draw any conclusions or make any recommendations relating to the management of prison disturbances in future.

Perhaps the most serious assertion made by the NGOs was that prisons are places of everyday and routine violence and racism, and that any assessment of prison disturbances must take this context into account. The report supports this contention by noting that the three problems regarding prison conditions most frequently mentioned by prisoners, in the 6 228 written representations it received, were in categories it calls "assaults" (801 mentions), "staff/prisoner relations" (775) and "race relations staff/prisoners" (675).

It also notes that only one official report of the violence recorded that staff were repr-

manded for the use of excessive force — even though it would be remarkable, if not miraculous, if there were not more instances where excessive force was used.

But finally, the report merely states that there is an irreconcilable distance between the contentions of the NGOs and prisoners' letters and the department's denial that there are any but isolated instances of abuse. Leaving unanswered, therefore, the whole question of the use of force in the suppression of the riots and allegations of violence against prisoners generally, the report concludes only that, even if the department's submissions are true, the future investigation of complaints still needs to be reformed so that prisoners can have faith in the system as such.

Prison reform is urgently needed in South Africa. Among the most urgently needed changes are those suggested by the commission, which should be implemented as a matter of priority. A process of increasing outside participation in the reform process is just beginning to get under way, with the department's agreement to participate in a "Transformation Task Group", suggested by several of the major NGOs in the field, organisations representing prisoners and ex-prisoners and the various unions of prison staff.

If the department makes such decisions without proper consultation, problems may be simply relocated rather than solved. The Kriegler Commission's recommendations, even if they do not go far enough, are an important spur to the development of a new culture of co-operation.

Bronwen Manby is a researcher in the Law Reform Department of Lawyers for Human Rights

The children who were freed - out were they!

253

SPAN 27/5/95

They've been out of the cells for three weeks — but some would prefer to go back to prison.

NEWTON KANHEMA

gets different opinions from juveniles who were among those transferred from prisons to places of safety

Sixteen-year-old Matsatsela (not his real name) rallies his fellow inmates "The place is fine and it is up to us to make it a happy one," he tells them

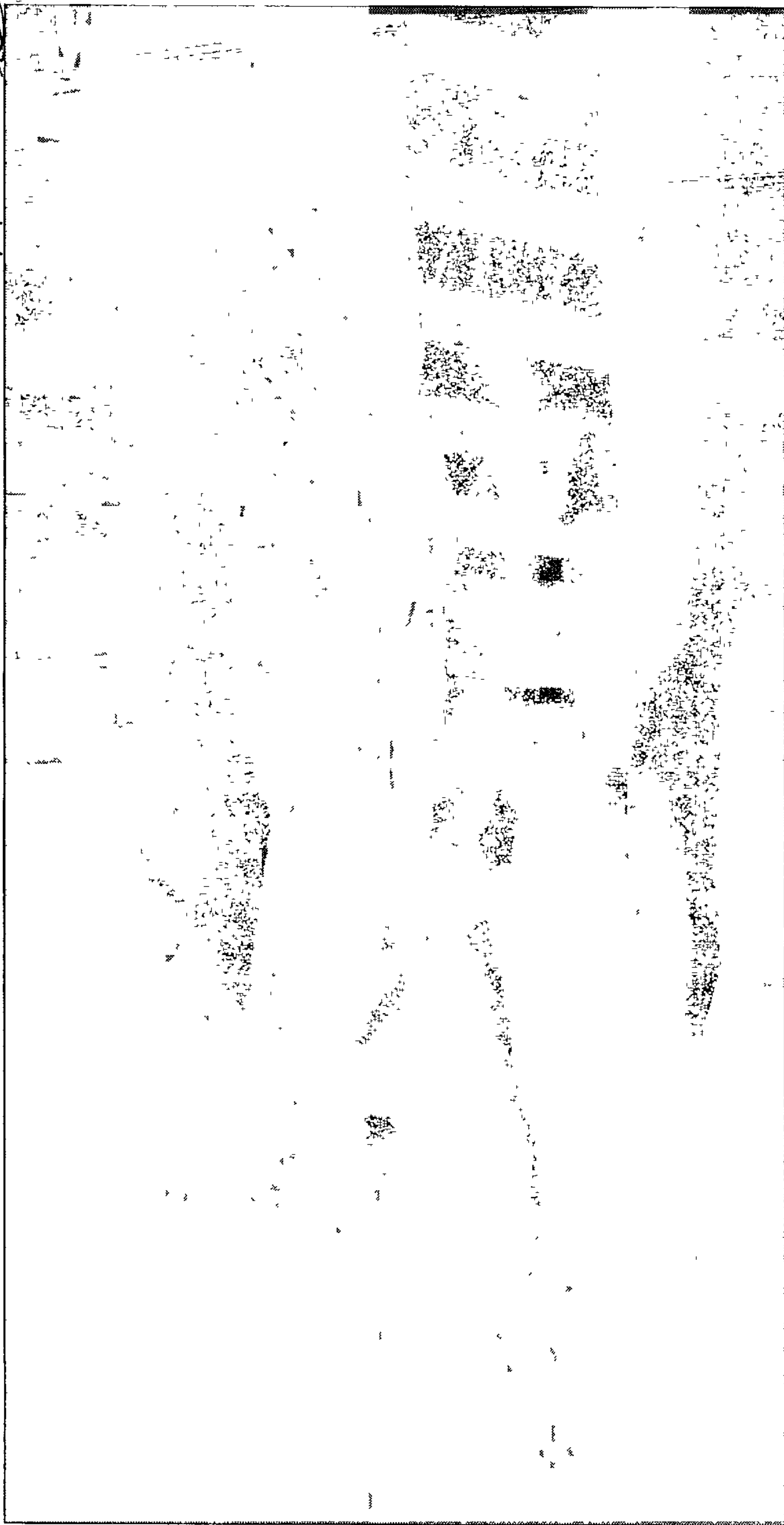
But Dikali, from Soweto, a murder and attempted murder suspect, says he will not cooperate with the authorities because "this place is a creche I want to go back to prison in Johannesburg"

I don't want to live with kids. This place is a creche. I want to go to Sun City. At least there are men there

"The place" is the Magaliesoord Drug and Alcohol Rehabilitation Centre, 40km north of Pretoria and the new home for 90 youths recently released from prison in terms of an amendment to the Correctional Services Act outlawing the detention of juveniles in prisons

It contains three drug and alcohol rehabilitation centres and now also serves as a place of safety and detention. Seventy of the centre's patients were moved to the neighbouring Elandia rehabilitation centre to accommodate the juveniles awaiting trial.

The new arrivals have started making demands and handing over ultimatums to their



IS THERE ANYBODY OUT THERE? The hands of the juvenile offenders at Protem Place of Safety and Detention The children, mainly held for theft but some for murder, rape and robbery, claim they have missed court appearances and their parents have not been able to visit them because of lack of public transport

PHOTOGRAPH ANTON HAMMERL

new keepers, claiming there is a major problem with transport to and from the centre

"This place is s t We are in the middle of nowhere and there is no public transport coming to this place and our

parents cannot visit us Most of us have missed our court appearances because there was no transport to the courts

"I was supposed to appear in Boksburg Magistrate's Court on May 23 but there was no trans-

port to take us there," says a 14-year-old.

Other children agree "Yes, we had a problem with transport, but this has been resolved. We have already talked to the court in question and the

problem has been settled," says the deputy superintendent of the centre, Maria Venter

She says the children have not been a problem in the three weeks since they were moved there.

However, on Thursday they went on "strike", refusing breakfast until their demands were met Police were called when things turned ugly

"We were told that we were not supposed to eat the break-

fast Three of our inmates defied this call and when they came out of the dining room they were attacked

"One had to be taken to hospital after he was beaten with a cup attached to a belt The situ-

ation was getting out of hand before the police arrived," says a child.

He says the children at the centre were given forks and knives to eat with and most of these utensils had been stolen and smuggled into the dormitories

"They are going to use these instruments (knives and forks) against each other. There is a lot of intimidation among the inmates I think this place is not strict enough for these people"

The children complain that they receive too little food and demand that transport be made available from every police station to enable their relatives to visit them.

"We have no money to buy cigarettes and we don't have

There is a lot of intimidation among the inmates. I think this place is not strict enough for these people

clothes to change," says Matsatsela. After the interview, Matsatsela demands a pack of 20 cigarettes for each photograph taken.

"If you are not prepared to pay then you better leave," he says when we decline to meet his demand

Venter says the majority of the children held at the centre were arrested for theft "We have a few murderers, rapists and robbers"

Dikali (19), held on a murder charge, two attempted murder charges and one of robbery, says he is not prepared to live with "kids" "I want to go to Sun City (Johannesburg Prison). At least there are men there."