

253

PUBLIC SECTOR - Govt -
Prisons

1-1-80-31-12-80

252

Flams und 1 A. 80

JUNE 1980

882

- (2) whether Mandela received visitors during the past three months, if so, (a) what are their names and (b) under what conditions did each visit take place,
- (3) whether any document emanating from Mandela has been sent to London, if so, what document;
- (4) whether the officials of his Department have any knowledge of the method by which the document left the prison premises, if so, how did the document leave the premises?

†The MINISTER OF PRISONS.

- (1) I do not deem it feasible to make known specific security measures. Security measures vary *inter alia* according to the nature of the visit, as may be inferred from the answer on (2)
- (2) Yes,
 - (a) and (b) 15/3/80 Judge D. M. Williamson Official visit to prison. Contact visit outside the hearing of a member of the Department

9/4/80 Mr S E Kawalsky: Legal representative Contact visit outside the hearing but within sight of a member

12/4/80 Mrs W Mandela 13/4/80 Family visit Non-contact visit within sight and hearing of a commissioned officer of the Department

14/5/80 Mrs H Suzman M.P. Contact visit within sight and hearing of a commissioned officer of the Department.

20/5/80 Mr S E Kawalsky Legal representative Contact visit outside the hearing but

883

FRIDAY, 13.

within sight of a member of the Department

7/6/80 Mrs W Mandela 8/6/80 Family visit Non-contact visit within sight and hearing of a member of the Department

- (3) I have no knowledge of such a document and I am not prepared to comment on unconfirmed press reports.
- (4) Falls away

Wans 17 Q.L. 881 13/6/80 Nelson Mandela: security measures

258 B2A

*6 Mr. J W E WILEY asked the Minister of Prisons

- (1) What security measures apply when Nelson Mandela receives visitors,

14(803) 27/5/80 Prisoners 253

666 Mr R J LORIMER asked the Minister of Prisons

- (1) (a) How many prisoners escaped from prison during 1979 and (b) from which prison in each case,
- (2) (a) how many of the escaped prisoners were re-arrested and (b) after what interval of time in each case,
- (3) whether any of the escaped prisoners committed serious crimes while at large, if so, (a) how many of them and (b) what crimes in each case,
- (4) whether any prisoners who escaped from prison during 1978 are still at large, if so, how many?

The MINISTER OF PRISONS

Because the information wanted is not readily available, it would require considerable research by a large number of members of the Prisons Service, taking up much time. The required information can therefore not be supplied.

Your attention is drawn to a written reply to Question No 253 on 21 March 1980.

12(733) Robben Island: Prisoners 7/5/80 (253) (324)
592 Mrs H SUZMAN asked the Minister of Prisons

How many prisoners on Robben Island (a) of 18 years and over and (b) under 18 years, are serving sentences for (i) crimes against the State and (ii) other crimes?

The MINISTER OF PRISONS

-
- (a) (i) 486
 - (ii) 240
 - (b) (i) 6
 - (ii) 8

(A) Dangerous persons

7 MAY 1980

736

Groenpunt	1
Hardap S W A	1
Johannesburg	1
Kimberley	1
Nigel	1
Pollsmoor	4
Pretoria	2
Victor Verster	1
Witbank	1
Zonderwater	1

1979

(1) (a) Killed 0

(b) Seriously injured 12	
Baviaanspoort	1
Bloemfontein	1
Brandvlei	1
Groenpunt	1
Johannesburg	1
Patensie	1
Pollsmoor	2
Potchefstroom	1
Senekal	1
Vereeniging	1
Zonderwater	1

(2)(a) and (b) Prisoners killed by fellow prisoners

	1977	1978	1979
Allandale	1	2	0
Barberton	0	2	0
Baviaanspoort	1	0	0
Bellville	0	2	0
Bethal	0	0	2
Brandvlei	2	1	4
Durban	0	0	2
George	0	0	1
Germiston	1	0	0
Grootvlei	1	0	0
Hawequa	0	1	0
Johannesburg	5	0	0
Kimberley	2	0	0
Klerksdorp	1	1	1
Kroonstad	0	1	0
Ladysmith Natal	1	0	0
Leeuwkop	3	5	0
Middelburg Tvl	0	0	1
Modderbee	0	2	0
Newcastle	0	0	1
Odendaalsrus	0	0	1
East London	1	1	2
Pollsmoor	4	2	3

737

WEDNESDAY,

Port Elizabeth	4	0	0
Pretoria	0	1	1
Simondium	0	0	1
St Albans	0	1	3
Upington	0	0	1
Vereeniging	1	0	0
Victor Verster	4	2	4
Waterval	1	1	0
Zonderwater	0	1	0
	33	26	28

Statistics on the number of prisoners seriously injured by fellow prisoners are not readily available

Prison Wardens: killed/seriously injured

12(735) 7/5/80 (253)
611 Mrs H SUZMAN asked the Minister of Prisons

(1) Whether any prisoner wardens were (a) killed or (b) seriously injured by prisoners during 1977, 1978 and 1979, respectively, if so, (a) how many and (b) in which prisons,

(2) whether any prisoners were (a) killed or (b) seriously injured by fellow prisoners during each of these years, if so, (a) how many and (b) in which prisons?

The MINISTER OF PRISONS

1977

(1) (a) Killed 0

(b) Seriously injured 10

Allandale	1
Bellville	1
Kroonstad	1
Nigel	1
Pollsmoor	3
Pretoria	1
Weenen	1
Zonderwater	1

1978

(1) (a) Killed 1
Johannesburg

(b) Seriously injured 19

Brandvlei	1
Durban	2
Eshowe	1
Goedemoed	1

26/3/80

253

Sinsing Amendment Bill
(2nd Reading)

See S. Hansard 4 Cols 989-993.

Hansard

8

Qua

CA

433

24/3/80

253

MONDAY, 24

MONDAY, 24 MARCH 1980

Indicates translated version

For written reply.

Members/staff of Department of Prisons

53. Mr N B. WOOD asked the Minister
Prisons'

(1) How many prisoners escaped from (a) maximum security prisons and (b) all other prisons during 1979,

(2) whether his Department is operating at full staff strength, if not, what is being done to improve the situation?

The MINISTER OF PRISONS:

(1) (a) 19.

(b) 1 610 of whom 152 escaped from prison buildings and the rest from work spans, public hospitals, during transfer etc

(2) No, Everything possible is being done to limit personnel losses

Established Departmental publicity groups are used to improve the Department's image and to make the public aware of the Prison Service as a career.

A comprehensive recruiting campaign is constantly lodged in an effort to recruit as many suitable candidates as possible.

Hansard
7(425) 21/3/80 (253)

Public bus services: prisoners

*7 Mr. I F A. DE VILLIERS asked the
Minister of Prisons

- (1) Whether public bus services are being used to transport manacled prisoners and armed warders between Pollsmoor Prison and the Wynberg magistrate's court, if so,
- (2) whether such arrangements are in accordance with the regulations and general practice of his Department?

The MINISTER OF PRISONS

- (1) No
- (2) Falls away

RDM 7/1/80

Prisons to assist Press

253

The Prisons Department is making special arrangements to assist the Press with "certain problems" it had in interpreting the Prisons Act.

Brigadier Hennie Botha, a public relations officer for the department, said yesterday he intended to introduce informal discussion groups, with members of the Press, twice or three a year because of the many inquiries the department received in connection with the interpretation of Article 44 of the Act.

Article 44, which requires total truth in reporting on pains of a heavy fine or a jail sentence, has effectively smothered newspaper reporting on prisoners and prison conditions for more than a decade except in cases where the department is portrayed in a favourable light.

Brigadier Botha said the Act was "one of the most difficult to administer" and the Press seemed to have problems in deciding when they were allowed to publish photographs of prisoners and when they might publish allegations.

Replying to a letter of criticism in a newspaper yesterday which said the "notorious" Prisons Act "might protect the department against all essential public scrutiny of its work," Brigadier Botha said Article 44 of the Prisons Act only required the truth concerning the management of prisons and prisoners' experiences.

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Cases.

Reports:

Accounting Standards Steering Committee. The Corporate Report.

American Accounting Association. Report of the Committee on the Measurement of Social Costs.

Papers:

MACFARLANE, W.S. "The objectives of Financial Reporting - Who wants What" A commentary on a paper presented by R.M. Rennie at the Sixth National Congress of Chartered Accountants.

OLSON, W.E. "The Accounting Profession in the 1980's" A paper presented to the Sixth National Congress of Chartered Accountants.

RENNIE, R.M. "The Objectives of Financial Reporting, Who wants What" A paper presented to the Sixth National Congress of Chartered Accountants.

SHAW, Prof. J.C. "The Objectives of Financial Reporting, Who wants What" A commentary on a paper by R.M. Rennie.

Periodicals:

ALEXANDER, M.O. "Social Accounting if you Please" Canadian Chartered Accountant January 1973

ANDERSON, R.H. "Social Responsibility Accounting" The C.A. Magazine September 1978.

ANDERSON, R.H. "Social Responsibility Accounting; Measuring and Reporting Performance" The C.A. Magazine May 1978

Warder in court after Pretoria escapes

253

WM 11/11/80

ss. 357-359

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(b) ev
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(c) tl
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- (2) Whe
the Court may

PRETORIA — A prison warder, alleged to have helped three Terrorism Act convicts to escape from maximum security in Pretoria Jail last month, appeared briefly in the Magistrate's Court here yesterday.

Mr. Francois Daniel Vermeulen (57), of Sunnyside, was not asked to plead, and his trial was postponed to February 11.

Mr Vermeulen was granted bail of R300 on condition that he report to the Sunnyside

Police Station daily.

On December 12 Alexander Moubarris, Steven Lee and Timothy Jenkins escaped from the maximum security wing of the prison where they were serving long terms under the Terrorism Act.

Moubarris is in Paris. The whereabouts of the other escapees is not known — (Sapa.)

determine, remain in the custody of the sheriff or messenger in that event it shall not be necessary to transmit a copy of any order to any sheriff or messenger

(3) A copy of every resolution for the voluntary winding-up of any company passed under section 349 and of every order of court amending or setting aside the proceedings in relation to the winding-up shall, within seven days after the passing or the making thereof, be transmitted by that company to the officers and registrars referred to in paragraphs (a), (b) and (c) of subsection (1).

(4) (a) Any officer and registrar to whom a copy of any such order or resolution is transmitted in terms of subsection (1) or (3) shall record such copy and note thereon the day and hour of receipt thereof

(b) Any registrar and officer referred to in paragraph (b) of subsection (1) shall upon receipt of a copy of any order or resolution referred to in subsection (1) or (3), enter a *caveat* in his register accordingly

(5) Any company which fails to comply with any of the requirements of subsection (3) and every director or officer of such a company who knowingly is a party to such failure, shall be guilty of an offence

358. Stay of legal proceedings before winding-up order granted.—At any time after the presentation of an application for winding-up and before a winding-up order has been made, the company concerned or any creditor or member thereof may—

- (a) where any action or proceeding by or against the company is pending in any court in the Republic, apply to such court for a stay of the proceedings, and
- (b) where any other action or proceeding is being or about to be instituted against the company, apply to the Court to which the application for winding-up has been presented, for an order restraining further proceedings in the action or proceeding,

and the court may stay or restrain the proceedings accordingly on such terms as it thinks fit.

359. Legal proceedings suspended and attachments void.—(1) When the Court has made an order for the winding-up of a company or a company has passed a resolution for the voluntary winding-up thereof—

- (a) all civil proceedings by or against the company concerned shall be suspended until the appointment of a liquidator, and
- (b) any attachment or execution put in force against the estate or assets of the company after the commencement of the winding-up shall be void.

(2) (a) Every person who, having instituted legal proceedings against a company which were suspended by a winding-up, intends to continue the same, and every person who intends to institute legal proceedings for the purpose of enforcing any claim against the company which arose before the commencement of the winding-up, shall within four weeks after the appointment of the liquidator give the liquidator not less than three weeks' notice in writing before continuing or commencing the proceedings.

(b) If notice is not so given the proceedings shall be considered to be abandoned unless the Court otherwise directs

Prison ranks ²⁵³ under scrutiny

Pretoria Bureau

HIGH-LEVEL departmental talks are taking place about changing the military titles of officers in the prison service, the Minister of Police and Prisons, Mr Louis le Grange, said in Pretoria yesterday.

No other service, not even the South African Police, was involved in the talks, he said. "It is a highly confidential internal issue and I regret it has been made public prematurely."

Yesterday, an Afrikaans morning newspaper said that military ranks for prison personnel would disappear in a rationalisation project for the whole of the public service.

But the chairman of the Public Service Commission, Dr Piet Rautenbach, said ranks in State departments had nothing to do with the commission.

"Neither has the possible changing of ranks anything to do with rationalisation," he said.

Pretoria sources claimed yesterday that any effort to change the traditional military ranks of prison personnel would face strong opposition from prison staff.

They said the ranks and uniforms formed an important part of the discipline pattern in the service.

It was pointed out that South Africa is one of the few countries among Western democratic nations where police and prison personnel have military ranks.

And it is claimed that this gives some credence to accusations by groups hostile to the National Party that SA is a police state. Though Mr Le Grange declined to comment on the issue beyond admitting talks were in progress, this is one possible reason why they are being held.

Budgeting by area of responsibility would allow more detailed analysis - whether the deficit was due to wastage, fall in staff productivity, large increases in the number of prescriptions in a particular department. Although the pharmaceutical records can tell how much of each type of drug was prescribed, they cannot say in which department it was prescribed, even though the outpatient departments have a separate dispensary.

Since no separate figures are kept for each department, it is not known how much it costs to run an outpatient department. While there are difficulties in allocating fixed costs and in spreading wages and salaries where some staff work partly in outpatient departments and partly in the main hospital, it would appear possible to keep separate records of variable costs. The official viewpoint argues that the aim of hospitals is to treat patients, not count costs, and since

between hospitals as no account is taken of case-mix, or quality of care provided. The average cost per outpatient attendance is estimated by dividing the average cost per inpatient day by three on the assumption that three outpatients cost the same to treat as one inpatient. This seems rather an arbitrary procedure.

The average cost per outpatient attendance at the Day Hospitals is more reliable as no inpatients are treated. However this figure still overestimates the average cost of treating general outpatients since the total costs include the costs of minor surgical operations, a twenty-four hour maternity service, and of home visits, none of which is a usual outpatient department activity.

(3.) Health indicators.

The incidence of notifiable infectious diseases, the cause and age of death by race group, and mortality figures are published in the Report of the Medical Officer of Health, Cape Town. More detailed analysis of perinatal and maternal mortality rates are to be found in the Annual Reports of the Department of Obstetrics and Gynaecology, UCT/CPA. A caution against using these figures to reflect the impact of the Day Hospitals on the health of the community is that any change in these health indicators may be due to improved nutrition, sanitation, housing, and socio-economic status in general. It was considered to be of little relevance to examine the trends in mortality rates, increase in the number of deaths over fifty for this reason, and also because the Day Hospitals do not provide a service to an area which previously had no health care facilities and furthermore, the number of Day Hospitals has been increasing slowly over time so that it is not realistic to look for changes in these trends and attribute them to the existence of the Day Hospitals. The trend in the perinatal mortality rate is considered as the quality of obstetric care does have an effect on this rate.

DISCUSSION

The crude death rates and the standardised mortality rates for whites, Asians and 'coloureds' and urban Africans are presented in Fig. 1. The interpretation of these figures is confounded by the differences in the underlying structure of the population. The population pyramids of the various groups were pictured in Part I with the exception of the urban Africans, which appears in Fig. 2. This population shows an excess of healthy working males and lack of elderly persons as a result of the

Cell conditions are 'pathetic'

One of three accused, Mr Clive Becker, died in "strange circumstances" while being held in custody by Brixton police after a R200 000 security van robbery, a Johannesburg magistrate heard today.

He had read in the Press that he had drowned while in police custody.

Mr du Toit is appearing with Mrs Dawn Francisco (34) of Alberton in connection with the robbery. An amount of R130 000 has still not been found by police.

Mr G Mogeridge, appearing for the State, apologised for Mr du Toit's having to appear in court in chains "as it was undesirable".

"But there is evidence that he spoke of escaping and had hacksaw blades and a cosh, which could have seriously injured a warder, in his cell," Mr Mogeridge said.

The court also heard that Mr du Toit had a previous conviction of escaping from custody.

The hearing continues today for the court to hear why it was necessary for the two to be kept in custody after having spent eight days in the police cells.

Defence Counsel for Mr Reginald du Toit, who is appearing in connection with the robbery asked that he be removed from the Brixton police cells.

Mr I W Blumberg told the court that his client had had no shower for four days, was chained and was not allowed food from outside.

"Conditions inside, where Mr du Toit is being held in solitary confinement, are pathetic

"And one must not lose sight of the fact that one of the accused in this trial died in strange circumstances while being held by Brixton police," Mr Blumberg said.

The magistrate, Mr M P Prinsloo, said he did not know the circumstances of

rural areas or cause of deaths' according to the Bantu Reference Bureau (Personal Communication). At least 50 000 deaths among Africans were not registered. These occur mainly in the rural areas. It is estimated that about 10% of the deaths in the main urban districts are not registered for Africans.

METHODS

The following indices were calculated:

- Crude Mortality Rates.
- Standardised Mortality Rates. Two standard populations were used: England and Wales representing a developed population and Mexico 1960 for a developing one.
- Age and Cause Specific Death Rates. Calculated mainly in five year age groups for the seventeen major divisions of the eighth revision of the International Classification of Diseases (ICD).
- Proportions of Causes of Death.
- Infant Mortality Rates.
- Expectation of Life. Calculated for 1970, the last census year.
- Competing Mortality Risks. This is the mortality experience of a population under the hypothetical conditions which would exist if a particular cause of death were eliminated. It gives an indication of the relative effect of that cause on the expectation of life.
- Calculation of rates involves a knowledge of the base population age specific population. No official estimates of this are available for inter-censal years. For whites, Asians and 'coloureds', the 1970 population has been projected forward using the age specific survival rates from 1970 and taking into account the actual births and deaths in the 0-4 age group. Allowance was made for migration.

For Africans, a different procedure was adopted as a population figure for only part of the country was required. The 1970 age distribution by magisterial district was used, the numbers being adjusted by the 1974 gross population estimates by economic region.

African are not published by the central government. The various medical officers of health have estimated the infant mortality rates for their urban areas. These show considerable variation. (See also ref.15). A mean figure and the range are given in Fig. 2. These de facto figures should be interpreted with caution as sick infants are often brought to the cities from rural areas. An indication of the situation in the rural areas is given by a sample survey carried out in Cape Town and Transkei among Xhosa-speaking Africans. An increase in infant mortality was observed with decreasing urbanisation, the figure for the completely rural areas being of the same magnitude as those parts of the world devoid of medical services. Fig. 4 summarises the age specific mortality rates of

Mortality rates greater than 5/1 000 appear in italics in Table I. For all of these major causes of mortality, the Asian and 'coloured' mortality rates exceed those of the whites.

However, in this context, what requires emphasis is that by using the major disease classification a certain amount of detail is lost. For example, despite the fact that the overall rates for diseases of the circulatory system are comparable for whites, Asians and 'coloureds', within this broad category the mortality rates for specific diseases vary markedly. Table II provides the proportional contribution of the major circulatory diseases for the whites, Asians, 'coloureds' and Africans. Whilst Ischaemic Heart Disease is the major Circulatory Disease in the white and Asian communities, Cerebrovascular Diseases are the major cause of Circulatory Diseases in the 'coloured' and African communities.

Similarly, if the Accidents, Poisoning and Violence category is examined in greater detail, motor vehicle accidents are the major cause of mortality in whites, 'coloureds' and Asians, the second most important cause in the white community is suicide, whilst that for the 'coloureds' is homicide. For Africans, the latter is the main cause in this category.

The expectation of life for 'coloureds' is lower than for whites. However, the ratios are 1.0 for the whites and 0.8 for the 'coloureds'.

Unless otherwise stated, all political reports in The Star are by W. L. Lenz, T. R. Duff, A. H. G. by W. Lenz, G. R. Linscott, F. S. Ester, J. D. Battersby and J. H. Marshall. Cartoons by A. Berry, J. H. Fedler, J. Jackson, J. Leyden and G. Muller. Headlines and posters by H. Howard. Political comment by W. Tyson. All of 47 Sauer Street, Johannesburg.

The 'coloureds' are 10% of the population, a difference which is largely attributable to the high infant mortality rate in this community. It is also noteworthy that Asian females have the worst expectation of life at age 45 of the three communities, which is in marked distinction from both males and females at 60 and males at 65. The fact that for the 65+ age group, Asian women have the highest mortality rates for respiratory, circulatory, digestive, genito-urinary and ill-defined causes of death (Table I) may contribute to this anomalous situation.

Fig. 7 summarises the percentage improvement in the expectation of life at birth subsequent to the total elimination of the mortality associated

the South African population from all causes of death. The proportional contribution of the seventeen major disease categories of the International Classification of Disease (8th revision) to the overall mortality of the various communities is summarised in Fig. 5. The whites show a typical 'developed' country spectrum of mortality with Infectious and Parasitic Diseases being of minor importance (2,0%) and Neoplasms (15,6%) and Diseases of the Circulatory system (50,5%) being of major importance. For urban Africans and 'coloureds', Infectious and Parasitic Diseases make an important contribution to the overall mortality (19,5% and 23,5% respectively), with diseases of the respiratory system and certain causes of perinatal mortality also being of importance. Within the category of Infectious and Parasitic Diseases, diarrhoeal diseases and tuberculosis are the most important causes of mortality. The 'coloureds' experience an interesting combination of 'developed' and 'underdeveloped' mortality with a high death rate from enteritis and diarrhoeal diseases in the young and circulatory diseases in later life. What is also of interest is the relatively large number of symptoms and ill-defined conditions, particularly in the African community (22,5%). This provides some indication of the provision and utilisation of medical services to Africans in the urban areas. In general, the Asians have a spectrum of mortality intermediate between 'coloureds' and the 'coloureds' and Africans, on the other.

Tsafendas 'beaten up' claim refuted

An intensive investigation by the Prisons Department could uncover no evidence that the assassin of Dr Verwoerd, Dimitrio Tsafendas, had been beaten up in prison.

The assault claim was made in London by the political fugitive Alex Moubarris who escaped from the maximum security section of the Pretoria prison last month.

In an interview with a London Sunday newspaper, Moubarris recalled how, when he spent eight months of his 12-year sentence in another prison, he met Tsafendas and talked to him in Greek.

"He said he was being beaten all the time but did not complain because he was afraid of the warders."

A spokesman for the Prisons Department said that Moubarris had many opportunities to complain about alleged assaults he had seen or information he had about alleged assaults. Also he had not complained to the International Committee of the Red Cross.

The spokesman added that every complaint about alleged assaults in prison were "considered in a serious light" and thoroughly investigated.

The statement from the Prisons Department continued: "In 1973 there were also allegations that Tsafendas had been assaulted by prison warders. At the time he was in good health. Intensive investigations could reveal no evidence of any alleged assault."

Since that time Tsafendas had made no complaints about alleged assaults to anybody.

circulatory diseases in the 'coloured' communities. The reason for this is that the mortality rates for Infectious and Parasitic Diseases are so high that they effectively swamp the proportional mortality of the Circulatory Diseases in the 'coloured' community. In the white community, the mortality rates for most causes of death are so low, the importance of the Circulatory diseases become disproportionately exaggerated.

The expectation of life for 'coloureds' is lower than for whites. However, the ratios are 1.0 for the whites and 0.8 for the 'coloureds'.

Bail is refused for ailing boy, 10

Staff Reporter

AN APPLICATION for bail for a 10-year-old boy who suffers from a chest and heart complaint and who was refused bail by a Roodepoort magistrate, was postponed yesterday for a further few days in the Rand Supreme Court.

The court was told that the Noordgesig boy, a standard 3 pupil, had been in jail for two weeks. He was arrested on January 4 on eight charges of housebreaking and theft.

Mr J B van der Merwe refused bail in the Roodepoort Magistrate's Court on January 15, after being told that the boy's mother's had R200 available. He also refused to release the youth into his mother's care.

Mr Justice Fritz Steyn yesterday postponed an appeal against the magistrate's decision until Tuesday.

It was "not a healthy condition" that a child like that should be detained unnecessarily, he said. He did not want to refuse the application outright. "One cannot recklessly keep a child like that out of school. One also cannot have the investigations hampered," he said.

In the magistrate's court the boy's mother said in evidence that her son stayed with her and had given her no problems. If he was released into her care, she would see that he attended court and did not interfere with the investigations, she said.

The boy, in evidence, assured the court he would not run away.

Detective Warrant Officer J J Botsma of Florida, told the court that nine other youths had been arrested. There were eight charges against them.

A large quantity of goods, including radios and bicycles, had been stolen and not all of it had been recovered. A coloured youth was still being sought by the police and might be warned by the 10-year-old boy, he said.

The "gang" had moved from house to house, breaking windows, drinking liquor and "messaging up the houses", he said.

Mr Van der Merwe said that the investigations would be hampered if the boy was let out. It was possible that he might change the location of the goods, which had not yet been recovered, and warn the offenders who were still free.

He said schools had not yet resumed and the youth, therefore, was free during the day.

Mr Justice Steyn said the youth could get adequate medical attention in jail.

A mother could not have proper control over a boy who had the opportunity of going out at night at least eight times, he said.

The judge postponed the application to Tuesday, the day before the schools start. It would be desirable to fix bail on that day and not merely to let the youth out in his mother's care, he said.

FROM ISLAND TO LEEUWKOP

SUNDAY POST

Reporter

ROBBER Island prisoners will be moved to Leeuwkop as soon as an additional maximum security wing is added to the prison. A spokesman for the Prisons Department said this week that architects

were still working out the plans for the new wing. "It is not possible to give the date for the completion of the building. That will be determined only after the completion of the plans and the closing of tenders," the spokesman said.

The removal of political prisoners inland was first announced last year. There are more than 400 political prisoners on Robben Island, including Mr Nelson Mandela, leader of the banned ANC.

No mention is made of professional jealousy among it may be that the secure position of the Western- is not threatened by indigenous healing, as its main certain conditions ensure a demand already in existence. It is probably on the basis of their effectiveness genous practitioners will ultimately be recognised profession or not. The papers presented contribute although, as Schweitzer says, it is difficult to effect of indigenous healing because the 'goals and objectives defined within a biomedical idiom'; the definitions 'illness' are different.

Various papers recorded that indigenous healers on to Western-trained doctors and also to mental hospitals that the fee may be returned to the patient if she improvement under the care of the *igqira*, Bhrman psycho-analyst, goes on to discuss the reasons for Vol.2).

Most of the papers recommend some degree of recognition on the grounds that they are effective, often more trained counterparts, though a better understanding effectiveness may be needed before scientifically can support this. Additional grounds are that are available in many urban and rural locations. there are as yet 'no registered Black clinical psychologists or psychiatrists in any of the urban townships, there is only a handful of social workers'. A large proportion of physical ailments are psychosomatic and less likely to be treated effectively by Western medicine. Further, recognition would enable a dialogue to take place which would result in an attitude less damaging to the patient on the part of Western-trained doctors (Watts *7) and enable both sides to learn from each other.

9. MENTAL HEALTH SERVICES

9.1 Historical Background.

Solomons (Vol.2) describes the origins of the mental health service in South Africa. Overcrowding grew from 8% in 1916 to 25% in 1960. Commissions

Whisson (*14), Watts (*7) and Holdstock (*15) show that diviners and herbalists continue to practise widely in the town as well as in the country. Westcott (Ch.12) and Holdstock note that problems dealt with extend far beyond the strictly medical, to a wide variety of problematic relationships and material losses or needs.

Monica Wilson (Vol.2) and Schweitzer (Vol.2) also regard many prophets and priests in independent churches as indigenous healers; they see healing as a large part of their role and utilise a variety of traditional and religious symbolic processes to this end. They are consonant with the culture and environment of their adherents. Schweitzer attributes their increasingly important role to the conflict which indigenous healing may present to Christian beliefs, and perhaps also to the fact that the movement is particularly concerned with problems resulting from urbanisation.

A number of reasons are presented for the frequent hostility towards such healers from Whites and from the medical profession in particular.

(i) Lack of knowledge, in itself engendering suspicion. The world views underlying indigenous healing are for the most part inaccessible to the Western-trained White doctor, and may appear inconsistent with a scientific approach. Such experience medical doctors have of the outcome of indigenous treatment is often biased as it is 'based on samples of patients who came to them after a failure in the hands of a traditional practitioner' (Solomon). She adds 'The fact that many of their own patients perceive treatment failure at their hands and seek out help in the traditional sector goes unreported. The case of the Thalidomide baby should be a constant reminder'.

(ii) The harmfulness of some treatments which is perceived, resulting in physical illness or death. However, harmfulness may also be partly related to:

(iii) The presence of charlatans practising beside healers who have undergone an apprenticeship, which she notes is a matter of concern to qualified healers. They would prefer the recognition of a professional association, but Wilson feels that the best control is exercised by patients themselves, who go to those who help them.

(iv) Whites tend to confuse divining and witchcraft (Wilson).

(v) The belief in a personal causation of disease can exacerbate quarrels or personal anxiety. Wilson concedes that there is some truth in this charge, although in the case of mental illness the belief in personal causation may be, in a sense, accurate; and divining techniques may be anxiety-relieving as well as anxiety-causing.

economic status than the average, and that where the difference was marked it could affect their work; that care groups had been successfully educated, and that those families which had had contact with care group members had better knowledge of the it than those who had had no contact on more health tasks.

Another group of lay workers has been particular problem -- described by S tional work for family planning had Family Planning Association. Howe talked of methods and were unable to an urgent need in the rural areas an

of this. Thus educator/distributors were taught to recognise the contra indications to oral contraceptives and signs for referral to a doctor or nurse and allowed to provide them. However, 73% of acceptors were on *Depo Provera* (a three-monthly contraceptive injection). So ED's are now trained to provide this. Sapire notes that this step meets community preference in regard to the method of contraception, but 'it is important to have a reliable back-up service to support them at clinics within a reasonable distance'.

The effectiveness of distribution within the community is shown in that whereas clinic-oriented sources show continuation on oral contraceptives to be between 14 and 33% after a year, Brazil where contraceptives were distributed in the community, their continuation rate was 83% for pill patients'.

From Swaziland, Sr Ntiwane (*39) describes the role and training of Rural Health Visitors (RHV's). The cadre was initiated because 'it has not been possible to build more clinics' yet it was considered important to have health units within walking distance of every family. 'The process of selecting trainees is one of community participation'; requirements are literacy and interest in health and other community matters. Training is done by a public health nurse and members of other health related ministries and voluntary organisations. Each RHV is allotted 40 households in her area. She carries out a wide range of preventive and educative tasks, deals with water supply, promotes pit latrines, gives emergency care, monitors diseases and co-ordinates community development activities.

Supervision is done by the local MCH clinic nurse and at visits of the Public Health nurse. The RHV's work 5 half days a week and are paid a monthly salary of E20,00 by the government.

Mr van der Merwe had earlier found that the course of justice might be hampered by the boy's release as police investigations had not yet been completed.

Mr Justice Steyn had said in the Supreme Court that on the basis of the application before him he could find no reason to dismiss the magistrate's judgment.

Mr J J Wessels, instructed by Mr J Meyers, appeared for the boy. Mrs L van der Walt prosecuted.

BOY ALLOWED HOME UNTIL TRIAL

THE 10-year-old Noord-gesig, Johannesburg boy who was refused bail recently was restored to the custody of his parents by a Roodepoort magistrate yesterday.

Mr J B van der Merwe allowed the boy — who is facing charges of house-breaking — to go home on condition he is brought to court by his mother on January 29 and that he does not get in contact with State witnesses or other persons involved in the case.

Mr van der Merwe also took into account new facts that the boy's school reopened today and that the police investigations would only be complete in two weeks time.

The ruling comes after the Supreme Court had turned down an application against the previous judgment of Mr van der Merwe.

supervision of chronic disease treatment, at risk groups, first aid, community organisation and motivation, and liaison with health services. When fully trained, it is hoped that the workers will be paid by a flat rate levy of 20c a month on all community members. Dick proposes that the success of the scheme should be judged according to the impact on health status, for which baseline data is already being collected.

Van Wyk (*13) describes a rather different scheme in an urban setting, whose main aim is to provide liaison between health services and the community. St John's Ambulance and Dr van Wyk at the Dr Abduruman Day Hospital in the Cape have been training 'Auxiliary Information Disseminators and Educators' (AIDES). They are volunteers, 5 who had been working with BABS, a community social improvement team, and 5 from volunteers working at the Early Learning Centre nearby. Auxiliaries would visit homes, note any major health problems and distribute literature on health topics and on health services available. If the scheme is successful, it is hoped that the role of the auxiliaries can be expanded.

Wagstaff (*21) has also been training lay health workers in Soweto 'to extend simple health care and education into the home and collect various basic data'.

Other village health worker schemes described by Savage in Chapter 6, are:

- (i) the 'agentes polyvalentes' of Mozambique;
- (ii) Family Welfare Educators in Botswana, and
- (iii) Village Health Workers in Lesotho.

Prisoner kicked, hit with rifle, court is told

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BLOEMFONTEIN — A man who unsuccessfully tried to escape from jail was hit on the chest with an FN rifle, attacked by a dog, hit with a klerie and kicked.

This was said in the Bloemfontein Regional Court yesterday at the trial of 17 warders at the Goedemoed Prison charged with culpable homicide after the death of 27-year-old Mr John Nkumkuma on July 19 last year.

A warder, Mr M Ndziba, said under cross-examination that Mr Nkumkuma was then taken into an inner court of the jail where he was picked up about 30 cm from the floor and dropped on to the back of his head.

Mr Nkumkuma was kicked on various parts of the body and the head while lying on the ground and appeared to be unconscious, Mr Ndziba said.

Blood was gushing from his nostrils, he said.

Mr Ndziba was under cross-examination by four of five defence counsel yesterday. Cross-examination resumes today.

Mr Ndziba is the fourth of 38 State witnesses.

All those before court have pleaded not guilty.

They are: Mr Sybrand Gous (21), Mr Petrus Snyman (32), Mr Jacobus Williers (30), Mr Gerrit Steenkamp (21), Mr Quinton Thomson (18), Mr Herman Oosthuizen (21), Mr David Mhungwana (26), Mr Mzoli Zingane (28), Mr Elliot Bhuga (28), Mr Wellington Mgidi (26), Mr Mzandwele Diko (27), Mr Abraham Ntholeng (27), Mr Samuel Ntlan (25), Mr Victor Kometsi (43), Mr Jackson Mboyl (24), Mr Simon Lbeona (41) and Mr Patrick Khomari (22).

It was put to Ndziba that his evidence differed in various respects from the further particulars given by the prosecutor at the request of defence counsel.

Mr A R Erasmus defenders said that according to the further particulars supplied by the State, Mr Nkumkuma had been assaulted four times.

The first was after his re-arrest when he was handed over to Mr Ndziba, the second after other warders had joined the two men, the third when a group of warders walked to the prison gates, and the fourth was in an inner court of the jail.

Mr Ndziba said more than 40 warders took part in the search for Mr Nkumkuma.

He said he had not confused the identities of the warders who allegedly assaulted Mr Nkumkuma.

—Sapa

calling attention to an offer or intended offer of shares of a company
ent as to prospectus.—(1) Every newspaper or other advertisement
who knowingly is a party to the issue of a prospectus in contra-
(1), shall be guilty of an offence.
e a prospectus which has not been registered.
e date of the registration thereof, and if a prospectus is so issued, it
for issue of prospectus.—(1) No prospectus shall be issued more than
s the Registrar has registered the prospectus he shall send notice of
teen days of the date of such prospectus.
gistration, together with such documents as are prescribed in this
ements of this Chapter have been complied with and it is lodged with
on of prospectus.—(1) No prospectus shall be registered by the Regis-
ary is proved, be taken as the date of the issue of the prospectus.
of registration of any prospectus in the Companies Registration Office
date of the prospectus.
ature to a prospectus shall be dated and the latest of such dates shall
not signed it, unless he proves that it was issued without his knowledge,
e deemed to have authorized the issue of such prospectus notwith-
as provided in subsection (2), every director of such company or partner
prospectus has been signed by or on behalf of directors of a company
is behalf.
firm or by an agent authorized by any such director or partner in
or if such company has only one director, by that director, or by not less than one-half of
or if the person making the offer is a company or firm, by two directors of such company,
person making such offer or by his agent authorized by him in writing to sign on his behalf
(2) A prospectus in respect of any other offer of shares shall be signed by every

'I cannot forget assault'

A WARDER who was being cross-examined in the trial of 17 warders who are charged with culpable homicide said he was shocked by the alleged assaults and he cannot forget them easily.

Earlier the warder, Mr M Ndziba had testified before Mr W A du Plessis in the Bloemfontein Regional Court about the alleged assaults on John Nkumkuma.

It was put to him by one of the defence counsels, Mr A R Erasmus that his evidence differed in various aspects from the further particulars given by the State prosecutor at the request of the defence.

The warders have pleaded not guilty.

In his evidence-in-chief Mr Ndziba said Mr Nkumkuma, whose escape from the jail had shortly before failed, was thumped on the chest with an FN rifle, attacked by a dog and hit on the back with a kerie.

He was later taken to an inner court of the jail where he was picked up about 30 cm from the floor and dropped on the back of his head.

He said while lying on the ground, Mr Nkumkuma was kicked on various parts of the body and the head.

He said more than 40 warders took part in the search and he did not confuse the identities of the warders who assaulted him. "I was shocked by this happening and therefore can't forget it easily," he added.

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Abafundi base U.C.T. bayenzi le eyabo intlanganiselo bebona
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Ngokwama logwayimbo indoda emele icala lomseben
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Court told how dead prisoner was assaulted

NM 24/1/80 (253)

BLOEMFONTEIN — A prisoner, apparently unconscious, was lifted 30 cm from the floor in an inner court of the Goedemoed jail near Rouxville and dropped on the back of his head, the Bloemfontein Regional Court heard on Tuesday

This evidence was given by a warder, Mr M Ndziba, at the resumed trial, before Mr W A du Plessis, of 17 warders — six whites and 11 blacks — on a charge of culpable homicide.

They have pleaded not guilty to causing the death of Mr John Nkumkuma, 27, at the Goedemoed jail on July 19 last year

Mr Ndziba said that about 6.30 a.m. on July 19 he received a report that a prisoner had escaped. He and another warder saw a white warder wrestling with the escaper.

Mr Steenkamp came along with an FN weapon which he thumped on the prisoner's chest. The prisoner apparently sagged

'The prisoner was trying to get up when Mr Gous kicked

him. It looked as if Sgt van Wyk was trying to prevent the prisoner from being assaulted

'When I passed through the jail entrance grille, I saw Mr Gous, Mr Willers, Mr Oosthuizen and Mr Mhungwa kicking parts of his body and his head while he was lying on the ground

'Then he was picked up about 30 cm from the ground and dropped on to the back of his head. He appeared to be unconscious. Blood was gushing from his nostrils'

Before he and his companion walked away, Mr Khomari kicked the prisoner once in the back.

Earlier Mr F de Wet, a dogmaster at Goedemoed jail, said he had not seen any warders assault the prisoner

Dr G Victor, a warder at Goedemoed jail, said he saw the prisoner lying in a pool of blood at the jail after he had been recaptured and handed over to other warders

'He had weals on his back. I didn't determine whether he was still alive.'

The hearing continues. — (Sapa.)

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84

with selected major categories of disease. Clearly, this is an entirely hypothetical situation. However, these competing risks life tables not only provide an indication of the relative importance of various disease categories to both the overall mortality experience and also to expectation of life of the three communities, but also, since there is an approximately linear relationship between the reduction of mortality and the percentage increase in life expectancy, any improvement will give rise to a proportional improvement in the expectation of life. Thus, if the mortality associated with any of the diseases included in Fig. 6 are reduced by 50%, then the increase in the expectation of life will be 50% of the improvements indicated.

With the exception of Neoplastic Diseases and Diseases of the Circulatory System in men, the 'coloured' community stand to gain most from measures directed at the control of any of the selected diseases included in Fig. 6. Of particular importance are the Infectious and Parasitic Diseases, diseases which are frequently amenable to the implementation of relatively simple methods of prevention.

ACKNOWLEDGEMENT

The writers wish to thank the Board of the Colonial Mutual Life Assurance Society for their generous financial assistance.

(253) Rpm
25.1.80

Prisoner died from beating, say doctors

Staff Reporter

BLOEMFONTEIN — Two doctors who examined John Nkumkuma, the convict who died shortly after his recapture near the Goedemoed Prison, agreed the injuries he sustained were from beatings.

Both Dr George Middleton, district surgeon for Aliwal North, and Dr L van Ieperen, senior pathologist for the Cape, said in the Bloemfontein Regional Court yesterday that the cause of death was multiple injuries.

They were giving evidence before Mr W A du Plessis at the trial at which 17 warders of the Goedemoed Prison are charged with culpable homicide after John Nkumkuma, 27, died shortly after he was returned to the prison following an abortive escape attempt.

tive escape attempt

The warders are Mr Sybrandt Abraham de Beer Fackulynn Gous, 21; Mr Petrus Daniel Saaiman, 32; Mr Jacobus Willers, 30, Mr Gerrit Jacobus Steenkamp, 21, Mr Quinton John Thompson, 18, Mr Herman Oosthuizen, 21, Sergeant David Thathem Mlangwana, 26, Mr Mzohisi Conning Zingane, 28, Mr Elliot Mthobisi Bhuqu, 28, Mr Wellington Tembani Mqidi, 26; Mr Mzwandili Diko, 27, Mr Abraham Mpholeng, 27, Mr Samuel Ntlati, 25; Mr Victor Kometsi, 43; Mr Jackson Mboji, 24, Mr Simon Lebona, 41, and Mr Patrick Khomani, 22.

Dr Middleton told the court he was telephoned from the prison and told to expect one of the prisoners who was badly injured.

Dr Middleton said: "The man was on his back on the back of a truck or van when he arrived in Aliwal North. I examined him on it and they took him straight to the hospital."

"He was suffering from an obvious 'cramal' haemorrhage and had to be operated on immediately," he said.

A hole had to be drilled in the patient's skull.

Nkumkuma suffered a cardiac arrest before the operation, he was resuscitated, operated on and suffered another arrest. It was impossible to revive him after the second attack and he died.

When questioned by the public prosecutor, Mr C M Weiss, as to whether these injuries could have been caused by one incident, Dr Middleton replied this was highly unlikely.

In reply to Mr J P Malherbe, an advocate instructed by the Attorney-General to appear for Warder Gous, Dr Middleton said the head injury could have been caused by a blunt but yielding instrument such as a leather bag filled with sand.

The hearing continues today.

Shoe evidence

By LEWELIAS

BLOEMFONTEIN — An advocate removed one of his shoes in the Bloemfontein Regional Court to help a witness describe how a shoe can be termed both a blunt and sharp instrument.

This was in the trial in which 17 warders are charged with culpable homicide after the death of a prisoner, John Nkumkuma.

Mr J P Malherbe spent more than five minutes in a beige-jacketed foot while Dr George Middleton explained how a shoe used to kick with could be termed a blunt instrument or a sharp one depending on which part of the shoe made contact.

Dr Middleton explained that if the top or toe of a shoe was used it could be termed a blunt instrument, and if the sole or heel, it could be called a sharp instrument.

Prisoner died of multiple injuries

A SENIOR State pathologist based in Cape Town told Mr W A du Plessis in the Bloemfontein Regional Court yesterday the death of a 27-year-old Goedemoed jail prisoner last year was caused by multiple injuries.

Dr L van Ieperen, who conducted a post-mortem on the prisoner, Mr John Nkunkuma, who died in an Alwal North surgery on July 19, said initially the cause of death was reconcilable with a head injury

He said later that he had changed his opinion after discussing the case with the Alwal North District Surgeon, Dr G M Middleton

Seventeen warders of Goedemoed Jail (in the Rouxville district) have

pleaded not guilty to culpable homicide, arising from the death of Mr Nkunkuma

The accused are Mr Sybrandt A Gouws (21), Mr Petrus D Snyman (32), Mr Jacobus Willers (30), Mr Gerrit J Steenkamp (21), Mr Quinton J Thompson (18), Mr Herman Oosthuizen (21), Mr David T Mhungwana (26), Mr Mzoli C Zingane (28), Mr Elliot M Bhuga (28), Mr Wellington T Mgidi (26), Mr Mzanewele Diko (27), Mr Abraham Ntholeng (27), Mr Samuel Ntlai (25), Mr Victor Kometsi (43), Mr Jackson M Mbhoyi (24), Mr Simon Lebona (41), and Mr Patrick Khomani (22)

Dr van Ieperen said under cross-examination by Mr A R Erasmus, one of the five defence counsel, that sub-dural bleeding of the skull could have been caused by a

blow on the forehead Mr Nkunkuma could have hit his head on a stone which could have resulted in haemorrhage

Dr Middleton said in his evidence-in-chief a prisoner was brought to his surgery on the afternoon of July 19. He had general bruises and abrasions and was "deeply unconscious"

Because of localised bleeding of tissues in the skull, an immediate operation was performed on the patient

"Before the operation could start, the patient had a cardiac unrest

"My partner and I applied resuscitation. After the surgery had been performed, another cardiac arrest occurred

"Resuscitation then proved unsuccessful and the patient died"

The hearing continues today

in public education. Doctors, nurses and the media should all take part

(a) Increasing Benefits

Sundgren (*24) pointed out that the benefits of medical treatment are exceedingly hard to estimate. However, *increasing patient compliance* was an obvious area for improvement. He noted in this context that doctor/patient communication is often inhibited by the 'clinical ethos' which medical students acquire early in their training. This promotes a detached scientific approach more suited to the laboratory, than to human interaction. He therefore recommended a course on dealing with patients early in the medical curriculum.

53

(111) Drugs

Folb (Vol.2) shows that medicines and pharmaceuticals account for 7-10% of the Cape Provincial Hospital Services annual vote and a substantially larger proportion of private expenditure on health. He also notes in South Africa, as in other countries, tendencies for medicines to be wastefully and inappropriately used.

Polypharmacy is rife. Hedden and Corbett (*75) note that 25-30% of hospitalised patients suffer complications as a result of adverse drug interactions. They find that the number of adverse interactions was contained at a reasonably low level for prescriptions of 2-5 drugs but rose dramatically thereafter, particularly for more serious interactions. It was recommended that:

- (a) doctors should be better informed about the hazards and wastefulness of drug interaction;
- (b) a feedback system could be introduced whereby pharmacists check prescriptions of more than 5 drugs and report back to doctors concerned the incidence and types of interactions expected;
- (c) a maximum number of drugs per prescription be established. Those exceeding five drugs would have to be vetted by a pharmacist or pharmacologist. This was thought to be less practicable, and that
- (d) further research should be carried out.

Itb noted that numerous medicines with equivalent pharmacological action are available on the South African market and in the coding lists of hospital services. This duplication is wasteful, especially since price differences are considerable.

It also argued that often patients are given drugs who do not need them all. Among his recommendations were:

1. Improvement in the quality of promotional activities of the pharmaceutical industry (with continued monitoring by the Medicines Control Council);
 2. Improvement in the quality of the decision-making of state and provincial coding committees.
- Government encouragement of a local pharmaceutical industry, though with caution to prevent disincentives for international pharmaceutical companies.
- Steps to improve knowledge at all levels within the medical profession, to improve therapeutic procedures and to encourage research.

54

is consistently worse than that of the whites. The 'coloureds' have higher mortality rates for all the major causes of death apart from cardiovascular diseases and neoplastic diseases in men over 65 years of age, neoplastic diseases in women in this group, and cardiovascular disease in men 45-64 years of age during 1960 and 1970. Clearly the rate of 5/1 000 which has been chosen is entirely arbitrary but a similar pattern of mortality emerges if lower or higher levels are selected.

Two aspects of these age-cause specific mortality rates require emphasis. Firstly, whilst being affected by the incidence of the diseases in question,

Prison death: Pathologist gives evidence

BLOEMFONTEIN — The death of a 27-year-old prisoner last year was caused by multiple injuries, a senior state pathologist told the Regional Court here yesterday.

Dr L van Ieperen, who conducted a post-mortem on the prisoner, John Nkumkuma, who died in an Aliwal North surgery on July 19, said initially the cause of death was reconcilable with a head injury.

He said later that he had changed his opinion after discussing the case with the Aliwal North District Surgeon, Dr G M Middleton.

Seventeen warders of Goedemoed jail in the Rouxville district have pleaded not guilty a charge of culpable homicide, arising from the death of Mr Nkumkuma.

The accused are Sybrandt A Gous, 21, Petrus D Snyman, 32, Jacobus Willers, 30, Gerrit J Steenkamp, 21, Quinton J Thompson, 18, Herman Oosthuizen, 21, David T Mhungwana, 26, Mzoli C Zingane, 28, Elliott M Mbhuga, 29, Wellington T Mgidi, 26, Mzanfwele Diko, 27, Abraham Ntholeng, 27, Samuel Ntlai, 25, Victor Kometsi, 43, Jackson M Mboyl, 24, Simonlebona, 41, and Patrick Khomari, 22.

Dr van Ieperen said under cross-examination that sub-dural bleeding could have been caused by a blow on the forehead Mr Nkumkuma could have hit his head on a stone resulting in haemorrhage.

Dr Middleton said that a prisoner was brought to his surgery on the afternoon of July 19. He had general bruises and abrasions and was "deeply unconscious".

Wounds on a lower limb appeared compatible with dog bites. Because of localized bleeding an immediate operation had been performed. A hole was drilled in the skull region above the left ear so as to relieve the haemorrhage on the brain.

"Before the operation could start, the patient had a cardiac arrest. My partner and I applied resuscitation. After the surgery had been performed, another cardiac arrest occurred.

"Resuscitation then proved unsuccessful and the patient died." Dr Middleton said it was "highly unlikely" that the bruises found on Mr Nkumkuma's body could have contributed to the brain haemorrhage. The brain injury was irreversible.

The hearing continues today — Sapa

29. What also gives some cause for concern is that although it is apparent that the Expectation of Life at birth for the 'coloureds' has shown a marked improvement between 1941 and 1970, it is salutary to note that neither 'coloured' males nor females, at either e₀ or e₄₅, have reached expectations of Life in 1970 which are as high as the

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The Cape Times, Friday, 25/11/80

237
253

of life at birth, and (2) e₄₅ - the expectation of life at 45 years of age. Characteristically women have a better expectation of life than men, and Fig. 6 indicates that this is so for both whites and 'coloureds'. In fact, so marked is this difference that at e₄₅ 'coloured' females have a better expectation of life than white males. What is perhaps of some concern is that the gap between the expectation of life for males and females is widening. This trend is apparent in both the whites and the 'coloured' communities, although it is particularly marked in the latter for whom Male:Female deficit of 1,0 years in 1941 at e₀ has become 6,9 years in 1970. For whites a deficit of 3,7 years in 1929 has increased to 7,0 years in 1970.

NW 25/1/80

Pathologist says prisoner died of multiple injuries

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Special Resolutions
STATUTES OF THE REPUBLIC OF SOUTH AFRICA — COMPANIES
ss. 199-200
Companies Act, No. 61 of 1973
ss. 199-200

BLOEMFONTEIN — The death of a 27-year-old prisoner last year was caused by multiple injuries, a senior State pathologist told the Regional Court here yesterday.

Dr L van Ieperen, who conducted a postmortem on John Nkumkuma, who died in an Alwal North surgery, said initially the cause of death was reconcilable with a head injury.

He later said he had changed his opinion after discussing the case with the Alwal North District Surgeon, Dr G M. Middleton.

Seventeen warders of Goedemoed jail in the Rouxville district have pleaded not guilty to a charge of culpable homicide arising from the

death of Mr Nkumkuma. Dr van Ieperen said under cross-examination by Mr A R Erasmus, one of five defence counsel, that Mr Nkumkuma could have hit his head on a stone, resulting in haemorrhage.

Dr Middleton said when the prisoner was brought to his surgery on July 19 he had general bruises and abrasions and was deeply unconscious.

Because of localised bleeding an immediate operation had been performed. Before the operation began, the patient had a cardiac arrest.

Resuscitation was applied, but after surgery another cardiac arrest occurred and the patient died.

The hearing continues today — (Sapa)

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Special Resolutions
STATUTES OF THE REPUBLIC OF SOUTH AFRICA — COMPANIES
ss. 199-200
Companies Act, No. 61 of 1973
ss. 199-200

Prisoner was hit with rifle butt, club warder

253
26.1.80
20m

Staff Reporter

BLOEMFONTEIN — The warder who escorted escaped prisoner John Nkumkuma 27 from a mountain near Goede-moed Prison told the Bloemfontein Regional Court yesterday that he saw warders attack Nkumkuma with a rifle butt and a club.

Warder Larrington Sibali was giving evidence in the trial in which 17 warders of Goede-moed Prison, near Alwal North, are charged with culpable homicide following Nkumkuma's death shortly after his recapture on July 19 last year.

They are: Mr Sybrandt Abraham de Beer Fackulynn Gous 21, Mr Petrus Daniel Saaman, 32, Mr Jacobus Willers 30, Mr Gerrit Jacobus Steenkamp 21, Mr Quinton John Thompson 18, Mr Herman Oosthuizen 21, Sergeant David Phathoin Mlangwana 26, Mr Mzobisi Conning Zingane, 28, Mr Fihot Mthobisi Bhuqa 28, Mr Wellington Tembani Mgidi, 26, Mr Mzwandile Diko 27, Mr Abraham Mpholeng, 27, Mr Samuel Ntlu, 25, Mr Victor Kometsi 43, Mr Jackson Mboji 24, Mr Simon Lebona 41, and Mr Patrick Khomani 22. They have all pleaded not guilty.

In evidence Mr Sibali said he and Mr Makhosem Ndzibe, a fellow warder, heard a whistle blow after they had been dropped off on the far side of a mountain near the prison.

Both he and Mr Ndzibe went in the direction of the blast and found Nkumkuma held him by the arms and started walking towards the prison.

A warder whom Mr Sibali identified as Mr Thompson ran

up to them and hit the prisoner, in the chest and stomach with the butt of an FN rifle.

Mr Sibali then identified Mr Gous as the one who came up and hit the prisoner on the right hip with a club.

Mr Sibali said: "He held the club in both hands. I saw him hit the prisoner once and then he had someone tell him not to hit the man."

"We let go of the prisoner as we thought the warder was going to hit us too," he said.

Mr Sibali then told the court that Mr Gous told Nkumkuma to get up and run.

"The man walked, he tried to run but he was limping," he said.

Another warder, whom Mr Sibali had heard called Saayman, ran up and told the prisoner: "Run back to the prison the same way you ran away from it."

He then kicked Nkumkuma who fell down and was hit by the warder with his fists.

Mr Sibali said he saw the man called Saayman strike the prisoner about five times in the face.

The group then ran off towards the prison and he and Mr Ndzibe walked behind at a distance of 50m. Mr Sibali said:

"He did not see Nkumkuma again."

According to Mr Ndzibe who gave evidence earlier this week, Mr Saayman hit Nkumkuma with a rifle butt. Mr Gous had hit the prisoner once in the face and Mr Willers hit Nkumkuma with a club.

The hearing continues on Monday.

Former judges face tough road back to the Bar

By BRUCE STEPHENSON

THE two judges, who resigned recently with the intention of working again as advocates, might not be re-admitted to the Bar.

Saturday the executive committee of the General Council of the Bar of South Africa ruled that it would not be desirable for a judge who has left the Bench to be re-admitted to the Bar to practice as an advocate.

The chairman of the General Council, Mr Douglas Shaw, QC, said yesterday that the matter had been reconsidered in the light of the applications by Mr Justice Anton Mostert and Mr Justice Mervyn King to return to practice at the Johannesburg Bar.

But Mr Shaw said the Johannesburg Bar would have the final say in the two former judges' applications for readmission.

The general council's decisions are not binding on its members but, normally speaking, all local societies will have agreed with that decision before it is reached by the general council.

Should the Johannesburg Bar turn the two judges down, they would not be barred from practising.

We recognise that they are qualified advocates and, in theory, they can practice.

However, it is not permitted for a member of the Bar to appear (in court) with a non-member. So they will be hard-put to find juniors.

Mr Shaw said they could be readmitted if there were found to be special circumstances.

Only two former judges have ever been readmitted to the Bar. They are Senior Transvaal Judge Joseph Ludorf and Judge Willem Muller of the Natal Bench. Both left for health reasons and were re-admitted when they felt fit.

Mr Johan Kriegler, SC, chairman of the Johannesburg Bar Council, said the council would meet "within the next few weeks" to consider the two applications.

Judge Mostert, 47, who defied the Prime Minister in disclosing vital aspects of the information scandal, is said to have resigned from the Bench because of concern over aspects of the judicial system.

Judge King, at 42 the youngest man ever appointed to a South African Bench, is said to have resigned over a "crisis of conscience" concerning a judgement he was forced to hand down in terms of the Group Areas Act.

Legal sources say judges and lawyers are extremely concerned that a system of "intermediate courts" might be introduced. This would mean that magistrates could be appointed to the Bench in a junior capacity.

is consistently worse than that of the whites. The 'coloureds' have higher mortality rates for all the major causes of death apart from cardiovascular diseases and neoplastic diseases in men over 65 years of age, neoplastic diseases in women in this group, and cardiovascular disease in men 45-64 years of age during 1960 and 1970. Clearly the rate of 5/1 000 which has been chosen is entirely arbitrary but a similar pattern of mortality emerges if lower or higher levels are selected.

Two aspects of these age-cause specific mortality rates require emphasis. Firstly, whilst being affected by the incidence of the diseases in question, these rates are also influenced by their fatality rates, for example, a decrease in the mortality related to Tuberculosis will not only be influenced by a decreasing incidence of this disease but also by improved prevention at primary, secondary and tertiary levels of intervention which will consequently decrease the fatality rate and, therefore, the associated mortality.

Secondly, it should be appreciated that although the calculation of rates is important for comparative purposes since they take into consideration the underlying population, for the providers of health care the actual numbers are also of importance. This is particularly true for those groups which contribute a comparatively large proportion to the total population, for example 'coloured' children 0-4 years old. The different demographic profiles of the two communities for 1961 are presented in Fig. 1, and this pro-

Both white and 'coloured' females have shown an increasing life expectancy at the age of 45, and although this has been small, it contrasts with the downward trend of both white and 'coloured' males.

Although it is apparent that the Expectation of Life at birth for the 'coloureds' has shown a marked improvement between 1941 and 1970, it is salutary to note that neither 'coloured' males nor females, at either 0 or 45, have reached expectations of life in 1970 which are as high as the whites were in 1929. What also gives some cause for concern is that although the expectation of life cannot be expected to improve indefinitely, it would appear that the 'coloured' life expectancy is levelling off at a much lower age than has occurred in the white community.

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Cell murder by police alleged

Court Reporter

A CHATSWORTH man watched a fellow-prisoner — an African man — sagging slowly to the floor after being beaten up by six policemen in a cell at the local police station last year, a judge was told when the Criminal Sessions opened in Durban yesterday.

The injured man, Mr Themba Mbhele, had been bleeding from his nose and mouth and looked as though he had stopped breathing' said the witness, Mr Joseph Moses

The Court heard that Mr Mbhele had died the following morning

The six policemen have pleaded not guilty to murder and a count of assault with intent to do grievous bodily harm

Appearing before Mr Justice Broome and two assessors were Sergeant Gunabathy, 46, Sergeant Lingappan Reddy, 35, Constable Jagadasen, 40, Constable Pathmanathan, 24, Constable Ganesan Arumugam 38, and Constable Dharmarajah Sadhasiva Chetty, 25.

Mr Moses told the Court he had been held prisoner at the Chatsworth Police Station in April last year

About midnight on the 24th he was locked in a small cell with five other men During the early hours two African men were put into the cell

He said Mr Mbhele had begun to groan and groan from the other prisoners and he was using very bad language'

Later six policemen came into the cell Mr Moses said the men attacked Mr Mbhele by hitting, punching and booting him'

At the start of the trial the State Advocate, Miss Colleen Thomas, said it would be alleged Mr Mbhele died as a result of a head injury suffered during the attack

Mr J E Hewitt (appearing for all six accused) said it would be claimed that Mr Mbhele had been injured before he was detained The accused would all deny assaulting Mr Mbhele

LAWYERS AND DOCTORS IN FURTHER EMPLOYMENT ARE CHARGED

I/C	Sector				
	Private & Medical Hospitals	Beds	General Government Hospitals	Provincial Government Hospitals	Beds
Transvaal	71	9 083	-	-	-
Natal	51	9 413	7	2	11
Orange Free State	41	13 915	20	-	-
Western Province	-	3 166	-	1	1
Eastern Province	-	3 350	150	139	289
South West Africa	-	927	127	202	356
Total	163	32 972	177	203	361

Year	Doctors	Specialists
1970	11	11
1971	11	11
1972	11	11
1973	11	11
1974	11	11
1975	11	11
1976	11	11
1977	11	11
1978	11	11
1979	11	11
1980	11	11

Year	Public Expenditure (R 1000 000)		Percentage of G.P.P.		
	Public Sector	Private Sector	Public Sector	Private Sector	Total
1959/60	96	95	2,1	2,1	4,2
1960/61	119	234	1,9	1,9	3,8
1971/72	519	378	2,1	1,5	3,6

Note:

- (a) Sources: Public Expenditure from Central Government (South Africa) Report of Central Government (South Africa) for 1959/60, 1960/61 and 1971/72 and the Public Expenditure for 1971/72 - See notes to Table 1 for method of calculation
- (b) Private sector expenditure does not include expenditure on industrial hospitals

Official arrogance

WE would have thought that the Department of Prisons, funded by taxpayers, exists to serve the country. That it therefore has a duty to answer inquiries about how it is doing its job. And indeed that, because of the special nature of its work, in which it has the responsibility of caring for people deprived of their liberty, it would be especially willing to provide information.

But no. We are wrong.

As a result of an inquiry by us last week about the treatment of political prisoners in Pretoria jail following the recent escape of three men, the Department of Prisons said existing privileges would not be prejudiced.

It added "Furthermore, it is not the department's policy to comment on routine and administrative aspects concerning the administration of prisoners."

How's that for official arrogance?

That sort of attitude is possible because the officials know that they have the Prisons Act behind them. Section 44(f) makes it effectively impossible for newspapers to publish any information about prisoners or prison conditions without the department's permission.

So the Department of Prisons can tell newspapers and the public to go to hell. Which is what its statement means.

498 political prisoners

By WILLIE BOKALA

A TOTAL 498 people are currently serving imprisonment sentences for political offences in South African jails, including Robben Island, the Prison Department confirmed this week.

This figure include the number of people serving sentences of as low as two years up to those serving life on the Island and reflects the total serving sentences for political offences as from January 24.

A spokesman for the department said there were currently 489 prisoners serving sentences on Robben Island and nine others housed in other prisons in the country. He could not name the prisons.

He said that of the 498,

eight were coloureds, 10 Indians and the rest Africans.

However, figures compiled by the South African Institute of Race Relations not confirmed by the Department of Prisons — show that of the total number of political prisoners at Robben Island, 43 are serving life sentences.

Seventeen of those serving life are South Africans and 26 Namibians.

The SAIRR list shows that 15 of the prisoners on the Island are finishing their sentences and are due for release this year.

The department could not give exact date of these people's release.

According to the SAIRR list, 71 people are serving sentences of over 15 years and that some of them have already served close to half or more than half their sentences.

Two are serving 30 years.

Soweto schoolgirl, Sibongile Mthembu, and former South African Students Movement executive member, Seth Sandile Mazibuko, are among

those serving the lowest sentences of two years each.

Miss Mthembu is held inland

The two were sentenced to two years each at the end of the Soweto Students Representative Council trial in Kempton Park last year.

The South Africans serving life sentence on the Island, according to the list, include

Samuel Chibane of Mamelodi East, Pretoria, Harry Gwala of Edendale, Pietermaritzburg; Dimake Malepe of Mamelodi, Pretoria, Nelson Mandela of Soweto (address given as Brandfort), Johannesburg,

Jeff Masemola (no address given); Govan Mbeki (address given as Transkei), Matthews Meyiwa of Hanimarsdale, Natal; Raymond Mhlaba of New Brighton, Port Elizabeth, Zakhele Mjilalose of Natal, Wilton Mkwayi of Orlando West, Soweto, Andrew Mlangeni of Dube, Soweto; Elias Motsoaledi of Orlando West, Soweto

Isaac Mthimunye of Section D, Mamelodi West, Pretoria, Vusumuzi John Nene of Edendale, Pietermaritzburg, John Nkosi of Atteridgeville, Pretoria, Walter Sisulu, of Soweto, Philemon Tefu of Mamelodi, Pretoria, and Ndoda Xaba of Pietermaritzburg.

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RACING BIKE

Racing Bike, 10 speed Armstrong, R100. For this bargain and many more turn to Classified on pages 18 to 20.

est scoring method

Prevalence	Severity	Community concern	Vulnerability to management	Total
++++	++++	+++	++	96
++++	++	++	+++	48
+++	+++	++	++	36
++	++	++++	++	32
++	++	++	++	16
++++	+	++	++	16
+++	+++	+++	++	54
++++	+	+	-	0
-	++	+++	++++	0

A method of ranking health problems

health problems are first listed, and then given a score (from 0 to 4 plus) under each of four headings:

2.4 An Informal Method for Setting Objectives

The following method for guiding the choice of priorities has been described by John Bryant. It has been used by medical and nursing students in Thailand, and one of its advantages is that it can be used where no numerical data is available. It, therefore, lends itself to discussion, to draw on the experience of a group of people.

This is partly due to a deficiency in information on the results of the programmes which can be resolved by recourse to appropriate data. Nevertheless, there will also be differences of judgement which cannot be resolved without prior agreement on the relative valuation of different benefits which have to be fed into the analysis, and in the intuitive process, these two factors may not be differentiated.

A very large proportion of decisions are now taken with no further analysis than this. Any further steps involve a way of systematically valuing the benefits of different programmes to render them comparable to one another.

253
29/1/80
Post

Prisoner died of head injuries, doctor tells judge



MR DHARMARAJAH-CHETTY (in light suit), one of the policemen accused of causing the death of a man in detention; leaving the Supreme Court yesterday

Court Reporter

A PRISONER who allegedly had been assaulted in a Chatsworth police cell died of head injuries, a State forensic pathologist told a Durban judge yesterday.

Dr Barend van Straaten was giving evidence at the trial of six Chatsworth policemen accused of murdering Mr Thembu Mbhele last April.

The policemen have all pleaded not guilty before Mr Justice Broome and two assessors. They are Sgt Gunabatho, 46, Sgt

Langappan Reddy, 35, Const Jagadesen, 40, Const Pathmanathan, 24, Const Ganesan Arumugam, 38, and Const Dharmarajah Sathasiva Chetty, 25.

Dr van Straaten, who conducted the postmortem, said he had found deep bruising on Mr Mbhele's forehead, the back of his head and under his chin.

The injuries were consistent with any kind of blunt force which could have been caused by falling, or by someone receiving blows, he said.

Mr Mbhele had been moderately under the influence of liquor when he died, Dr van Straaten said.

Mr Bheki Klarni, who had been arrested at the same time as Mr Mbhele, told the Court the police had given us a hiding after they were arrested in Moberi Heights for allegedly breaking the curfew laws.

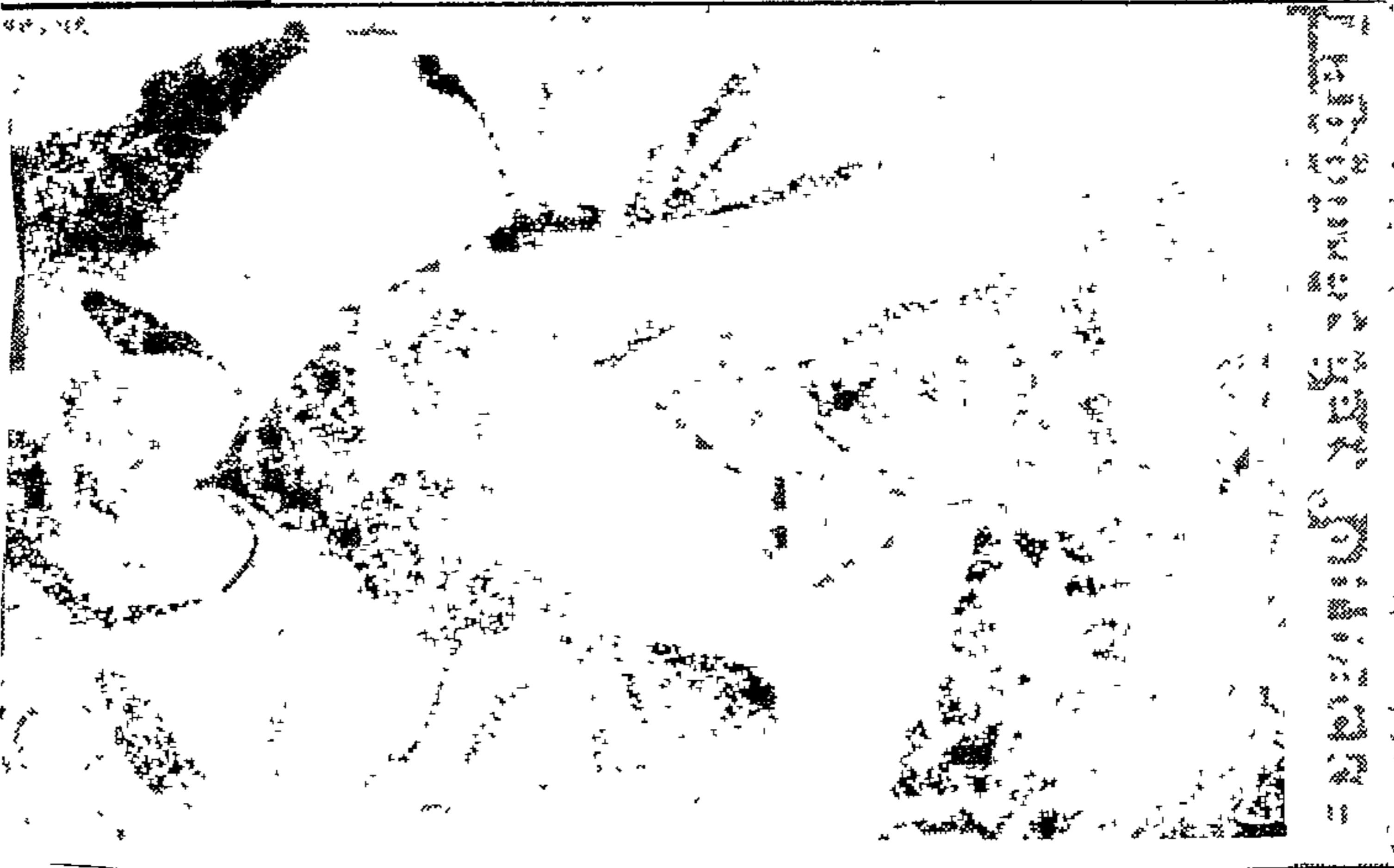
'They took short sticks to which the cell keys are attached and struck us with them,' he said. In the cell Mr Mbhele had become abusive and

the police came to find out who was causing the noise, he said. Four policemen came into the cell and began striking him and Mr Mbhele.

Then they made their beds on the floor and slept. Mr Mbhele had asked him to make his bed for him. 'When I woke up the next morning he was dead,' he said.

The hearing continues today. Miss Colleen Thomas appears for the State and Mr J. E. Hewitt for the accused.

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	M	F	M	F	M	F	M	F
0-1	0,51	0,54	2,10	1,24	7,00	6,86	19,69	19,83
1-4	0,04	0,04	0,21	0,35	0,75	0,77	2,58	2,48
5-24	0,01	0,01	0,09	0,06	0,08	0,03	0,21	0,23
25-44	0,05	0,05	0,28	0,17	0,42	0,31	0,72	0,78
45-64	0,44	0,18	1,73	1,04	1,73	1,02	3,80	3,64
65+	1,84	1,95	8,32	6,56	8,55	5,71	14,69	14,84
ALL	0,22	0,23	0,56	0,38	0,83	0,65	1,80	1,96
NO.	463	485	199	134	943	761	3765	3145

XVII ACCIDENTS, POISONINGS AND VIOLENCE (EXTERNAL CAUSE)

	W		A		C		B	
	M	F	M	F	M	F	M	F
0-1	0,85	0,69	0,70	0,31	1,18	1,24	0,32	0,19
1-4	0,49	0,21	0,31	0,27	0,63	0,61	0,21	0,20
5-24	0,71	0,22	0,68	0,20	1,40	0,38	0,68	0,12
25-44	1,18	0,30	1,43	0,37	3,32	0,70	1,22	0,26
45-64	1,25	0,42	1,55	0,40	2,89	0,76	1,10	0,31
65+	1,26	0,71	1,34	0,91	2,19	0,90	1,02	0,53
ALL	0,95	0,33	0,95	0,29	1,91	0,56	0,89	0,20
NO.	1973	677	333	104	2175	652	1868	324

Star 29/1/80 *(253)*
Prisoner was kicked all over - witness

Own Correspondent
BLOEMFONTEIN — A State witness in the Goedemoed Jail culpable homicide trial said under cross-examination, today that he did not see a prisoner being dropped on the ground and then hit and kicked.

Mr V Qhwanyaza, added that he came to these conclusions as a result of the noises he heard.

Mr Qhwanyaza said in his evidence before Mr W

A du Plessis in the Bloemfontein Regional Court yesterday that an escaped Mr John Nkumkumba (27), who had been recaptured was kicked on "all parts of his body" by a warder while lying in the prison quadrangle.

Seventeen warders at Goedemoed Jail have pleaded not guilty to causing the death of Mr Nkumkumba on July 19 last year.

The accused are: Mr Sybrandt Gouws (21), Mr Petrus Saayman (32), Mr Jacobus Willers (30), Mr Gerrit Steenkamp (21), Mr Quinton Thompson (18), Mr Herman Oosthuizen (21), Mr David Mlungwana (26), Mr Mzoli Zingane (28), Mr Elliot Bhuqa (28), Mr Wellington Mgidu (26), Mr Mzandwelé Dikoo (27), Mr Victor Kometsi (43), Mr Jackson Mboyi (24), Mr Simon Legona (41) and Mr Patrick Khomari (22).
 Mr J P Malherbe (for

Mr Gous) asked Mr Qhwanyaza, if he deduced from the noises he heard that the prisoner was being kicked and hit.

The witness replied: "Yes"

Mr C B Cilhe for Mr Steenkamp, Mr Thompson and Mr Oosthuizen) put it to him that Mr Thompson would strongly deny that he assaulted the prisoner as described by the witness.

(Proceedings)

F
88,18
 9,93
 1,12
 3,70
15,57
45,89
8,13
 13062

ALL CAUSES

	M	F
0-1	21,76	16,18
1-4	1,17	0,94
5-24	1,05	0,46
25-44	3,02	1,47
45-64	17,46	9,49
65+	73,62	54,55
ALL	9,44	7,40
NO.	19600	15374

Court is told of assault by warders on escaper

Star
30/1/80
253

Own Correspondent

BLOEMFONTEIN — A sergeant warden said today in the Goedemoed Jail culpable homicide trial that he saw a number of warders hitting a recaptured escaper with sticks and their hands but could not identify them

Aspects will be discussed

At present social data in any forceful manner is rapidly gaining acceptance and experimentation the momentum. In the following seas countries will be e

Sergeant C J van Wyk was giving evidence before Mr W A du Plessis in the Bloemfontein Regional Court at the trial of a group of warders at Goedemoed Jail in the Rouxville district

They have pleaded not guilty to causing the death of Mr John Nkumkumba (27), who escaped from the jail on July 19 last year but was recaptured shortly afterwards.

The accused are: Mr Sybrandt A Gous (21), Mr Petrus D Saayman (32), Mr Jacobus Willers (30), Mr Gerrit J Steenkamp (21), Mr Quinton J Thompson (18), Mr Herman Oosthuizen (21), Mr David T Mlungwana (26), Mr Mzoli C Zingane (28), Mr Elliot M Bhuqa (28), Mr Wellington T Mgidi (26), Mr Mzandwele Diko (27), Mr Samuel Ntlai (25), Mr Victor Kometsi (43), Mr Jackson Mboyi (24), Mr Simon Lebona (41) and Mr Patrick Khomari (22).

Sergeant van Wyk said he and another warden, Sergeant Kruger had organised a search party for an escaped prisoner. Later he saw a group of men running behind a man whom he recognised as the escaped prisoner. The group included Mr Willers, Mr Saayman and Mr Steenkamp.

"I immediately instructed the men to end the chase. Mr Willers had a stick in his hand with which he slightly prodded the prisoner.

"It appeared as if Mr Willers was just helping the prisoner on his way. "I asked members of the group not to assault the prisoner.

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"Mr Saayman helped me in preventing the others to get close to the prisoner

"The prisoner then fell — presumably when he stumbled over a bush.

"When he fell, Mr Gous — who had been with me from the beginning — kicked at the prisoner's head, but I can't say for sure whether the kick connected.

"I warned Mr Gous not to assault the prisoner and he obeyed.

"The prisoner got up on his own. To calm him, I asked him how he had contrived his escape. He replied he had escaped through the kitchen in C section.

"Some of the warders hit him with the flat hand and with sticks from behind but I can't say who they were.

"A sergeant warden, Mr Mlungwana, turned up with a 45 cm piece of iron pipe which he aimed at the prisoner. But the blow did not connect.

"I warned Mr Mlungwana he would be punished if he assaulted the prisoner."

(Proceedings)

I saw jaileers kicking him witness

BLOEMFONTEIN — A ga-
taman at the Goedemoed
Jail at Rouxville in the
Free State, told a Regional
Court Magistrate yesterday
he saw 12 warders kicking a
prostrate prisoner shortly
after he had been recap-
tured after trying to escape.

Mr P Motingoane was
giving evidence at the trial
of 17 jail warders who have
pleaded not guilty to caus-
ing the death of Mr John
Nkumkumba, 27, on July 19
last year.

Mr Motingoane told the
court he was on duty at the
gates to the inner courtyard
of the jail on July 19.

He saw the prisoner being
held up under both arms by
two accused, Mr Gous and
Mr Thompson.

"His nose and mouth
were bleeding. There was a
fresh bloodstain on the
clothing covering his chest.

"His feet were dragging
on the ground while Mr
Gous and Mr Thompson
brought him to the gate.

"They wanted me to open
the gate but I refused be-
cause of the prisoner's
condition.

"Mr Thompson and Mr
Gous released the prisoner
so that he fell head first on
to the ground. While he was
lying there they kicked him
everywhere on the body and
also on the head.

"Other warders also en-
tered and started kicking
the prisoner."

The accused are: Mr Sy-
brandt Gous, Mr Petrus
Soayran, Mr Jacobus Will-
eis, Mr Gerrit Steenkamp,
Mr Quinton Thompson, Mr
Herman Oosthuizen, Mr Da-
vid Mlungwana, Mr Mzoli
Zingane, Mr Elliot Bhuqa,
Mr Wellington Mgidi, Mr
Mzandwele Diko, Mr Abra-
ham Ntlongeng, Mr Samuel
Ntlat, Mr Victor Kometsi,
Mr Jackson Mboya, Mr Si-
mon Lebona, and Mr Pat-
rick Khomari.

The trial continues today.

— Sapa

Warders 'scrummed around prisoner'

A SERGEANT WARDER said in the Goedemoed jail culpable homicide trial yesterday that he saw warders hitting a recaptured escaper with sticks and the flat hand, but could not identify them.

Sergeant C J van Wyk was giving evidence before Mr W A du Plessis in the Bloemfontein Regional Court at the trial of 17 warders. They have pleaded not guilty to causing the death of John Nkunkumba (27), who escaped from the jail early on July 19 last year, but was recaptured shortly afterwards.

The accused are: Mr Sybrandt A Gous (21), Mr Petrus D Saayman (32), Mr Jacobus Willers (30), Mr Gerrit J Steenkamp (21), Mr Quanton J Thompson (18), Mr Herman Oosthuizen (21), Mr David T Mlungwana (26), Mr Mzohi C Zingane (28), Mr Elliot M Bhuga (28), Mr Wellington T Mgid (26), Mr Mzandwele Diko (27), Mr Abraham Ntlongeng (27), Mr Samuel Ntlati (25), Mr Victor Kometsi (43), Mr Jackson Mboyi (24), Mr Simon Lebona (41), and Mr Patrick Khomari (22).

Sgt van Wyk said he saw a group of men running behind a man whom he recognised as the escaper.

"I immediately instructed the men to discontinue the chase. I asked members of the group not to assault the prisoner."

PRISONER

The prisoner fell and Mr Gous kicked at the prisoner's head. He warned Mr Gous not to assault the prisoner and he obeyed. A sergeant warder, Mr Mlungwana turned up with a 45 cm piece of iron pipe (used in electrical installations) which he aimed at the prisoner. But the blow did not connect.

Beaton also be problematic team of health to manage the determinants approach to Watts (* 8) related beliefs different basis of the it teaches full person continuing become specialised improved by 90% of health care Jaffe criticised for the past sophisticated treat symptoms type facilities and more in He feels that or three-year general pra

(Vol. 2) notes that the population: 600:1 in Durban (190:1 for Durban Whites) to 40 000:1 in some rural areas. He and Kirsch both emphasise the world-wide phenomenon whereby increasing the number of doctors trained is not likely to fulfil needs in the rural areas when the distribution is so uneven: an overwhelming number of doctors prefer to live close to urban and in touch with professional extends this process to a wo years from 1970 to 1975, 'it and 50% of those from the Un of Cape Town left the country America', he said.

"I warned Mr Mlungwana he would be punished if he assaulted the prisoner. "At the corner of the administration building, the prisoner again fell and a group of warders scrummed around him. "They went further and proceeded to my office to continue with my work. I don't know what happened to the prisoner after I had left them." The case continues today.

Part of the reason for this training of doctors. A school showed that the qualities students they succeed at medical school were very different from those which they felt made a good physician; and that the vocational needs for which medical school should be preparing them differed markedly from those for which in fact they were being prepared. Students felt that needs of first importance were preparation to care for all people in South Africa and the awareness of their own personality and its effects on the doctor/patient relationship. Kirsch (Ch.7) suggests as a partial remedy that far more clinical practice be included in medical education, and this in situations giving more experience of community needs than a teaching hospital. A compulsory period of clinical practice in a rural hospital attached to the medical school would serve this purpose. He and members of Wits medical school recommended that selection should take into account personality and commitment as well as academic excellence, along the lines practised at Ben Gurion University in Israel.

253
252

Fattis & Monis Strike

For almost a month 88 workers at the Fattis & Monis factory in Bellville South have been on strike. They struck because five of their fellow workers were dismissed. The workers say the dismissals were because all five were members of a trade union. The union was trying to negotiate for better pay and hours of work - R40 a week and an 8 hour working day. A director of the factory says these demands are "out of all proportion", and unreasonable and would lead to "disruption" in his firm.

Officials of the 10 000 member union (the Food & Canning Workers Union), say the dismissed men had signed a document giving the union rights to negotiate for better conditions. The factory refused to negotiate with the union. It says the men were replaced by machines and that it was part of a cut-back of staff.

Although those dismissed were 'Coloured', more than half of the men who were on strike are African contract workers. In spite of the threat of being endorsed back to the homelands, the African workers are standing firm with their 'Coloured' brothers and sisters. On the first day of the strike, men from the Department of Labour tried to separate 'Coloured' and African workers who had gathered outside the factory. The workers refused to be separated. One said, "We were all there for the same purpose."

Moves of solidarity with the striking workers are increasing. Last week more than 500 university and college students from Peninsula Training College and Bellville Technical College came to be re-employed and for a boycott of Fattis & Monis products. The Western Province Traders Association says it will instruct sell the factory's products unless there is negotiation.

The South African Council of Sport (SACOS) has called on all schools affiliated to SACOS to support a call for re-employment a boycott of the factory's products.

More than 400 students from the University of Cape Town held called for a boycott of all Fattis and Monis products.

The Women for Peace movement has called on the factory to re-workers.

The Cape branch of Natfoc - the National African Federated has issued a statement in support of the dismissed workers.

Fattis and Monis insist that there is "no dispute". However firm says he is worried about calls for a boycott of the factory by blacks because much of the factory's trade is with black kept production going by employing scab workers in the plant workers. However production has slowed down.

Who are Fattis and Monis? Fattis and Monis is the factory following products: The following Record flours; Self-raising Bread flour, Sifted flour, Unsifted flour, Wheatie Treat flour; Philadelphia flour; Koeborg Mille pack - mealie meal; all Fattis & Monis brand name. These include icecream cones, macaroni, spaghetti, large and small shells, pasta ribbons and green, pain rings, dilatines. Fattis and Monis also produce products under the following brand names, Princess, Pot of name brand, Ckeckers and Roma. Fattis & Monis also contains bakeries in the Cape Town area. These include the Good Hope River, Wrench Town Bakery in Observatory and the Ultra Bakery.

WEST LONDON — A new women's prison here catering for 300 inmates is to be shown to civic leaders and the press at a special function on Thursday.

The officer commanding the East London prison command Colonel S J Oosthuizen, and two senior prison officials from Pretoria, the officer commanding prison information services, Brigadier H J. Botha and the chief of the inspectorate for women's prisons Colonel Luk van der Vaal, will show guests around the prison.

The new prison will have a custodial staff of 48 and five specialists in the social work, education, health and catering fields.

Work on the new prison, which brings the number in the East London prison command to eight, started in 1976. Most of the construction was done by prison artisans — DDR

253
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PRISON

the cost of raising the necessary funds has to be taken into account. The funds themselves are already justified by comparison with the alternative methods of provision, but there are additional costs involved in raising them: interest on loans, or administrative and incentive costs of raising taxation. These are normally insignificant for any given project, but may affect the overall amounts available for the health budget.

Where the methods of providing a given service use the same kinds of resources in different proportions, the decision-making can be simplified by means of Linear Programming, though health service choices cannot usually be presented in the simplified way required by this method.

2. CHOICE OF PROGRAMMES

So far, we have discussed methods of choosing means to obtain a given objective. But what tools are available to aid the choice of objectives themselves? Can anything be said on the question of the priority to be given to particular diseases or age groups, whether to allocate more to child welfare clinics or care of the aged?

Overall criteria are needed, and they have to be expressed in such a way that they can guide these detailed questions. Essentially, the problem is not only to relate resources used to objectives achieved, but to relate the various objectives to each other.

There are various means of doing this; but all of them require that expenditure be accounted for by the ends it is expected to achieve.

2.1 Programme Budgeting

Programme budgeting, also known as budgeting by objectives, involves the presentation of expenditure data according to the objectives to which it is directed. Thus, projects to combat TB would be grouped together, geriatric problems, sanitation programmes, etc.

This is necessary:

- (a) to know the cost of pursuing each objective;
- (b) to group together activities with the same objectives which can be compared by cost-effectiveness analysis;

(c) to know the effectiveness of a given amount of money when spent on different objectives, so that choices

New prison to open near Soweto

A NEW prison to replace the old Johannesburg Fort at Hospital Hill is being built near Soweto and is expected to open in about two years.

According to a spokesman for the Prisons Department in Pretoria, the new prison, to be called Diepkloof Prison, will house over 4 000 prisoners. Most of the prisoners will be transferred from the Fort which will not be used as a prison because it is too old.

Construction work which started more than a year ago is still in progress and will be completed by 1982.

The prison is situated behind the South African National Tuberculosis Association (Santa) Hospital which is next to Baragwanath Hospital near Diepkloof.

"Programme structure should, in my view, be mainly determined by the decisions to the taking of which one wishes it to contribute... One might suggest that where decisions are primarily a matter of political or moral judgement - of determining basic priorities - one would want the activities to be compared to reside in different programmes - the mentally handicapped against the alcoholics, but where it is a more technical question of how particular objectives can best be achieved - drug therapy against behavioural therapy - one would want the activities to be compared to be within a particular programme. This distinction ties up with an economic jargon of slightly older vintage - that of cost-benefit and cost-effectiveness, and through that to the main stream of neoclassical welfare economics, which attempts to make a distinction between the choice of the composition of the basket of outputs and the choice of the set of resources from which each output is to be produced. The former is, in a broad sense, a question of tastes, values, or utilities; the latter is a question of techniques".

He adds:

"In practice, it is not an easy matter to make a hard and fast distinction between technical matters and matters of values or utilities in the health services. From one point of view, the question whether to treat schizophrenics in hospital or in the community is a technical one. Which is the cheaper way to fulfil whatever are the society's requirements for the treatment of this group? But community care originally became fashionable as a good thing in itself. The practitioners are very apt to muddle the medical and economic arguments when it suits them, and the politicians and administrators equally so when it suits them, but the economist's concern is to keep them separate".⁹

Programme budgeting, then, entails the attempt at this separation, sorting out from the multiplicity of decisions those which can be made on the basis of administrative or economic, together with medical-technical criteria, and those in which the role of the public through political

Compared to the existence of hospitals alone, however, the DHO marks an enormous improvement, though Smith points out that there is still much to be done by integrating preventive and promotive with curative care and in better health- and community-orientation of their administration.

Ross, Maswego and Moja (Ch.17) report singular success in the narrower field of obstetric care achieved at clinics in the Durban area. Clinics were already providing obstetric care to Africans in 1974 but the perinatal mortality rate was high (67 per 1000) and referral criteria poor. A programme was begun, consisting of:

- (i) postgraduate midwifery training, with refresher courses at the base hospital and inservice training in clinics (of which feedback on midwives' referrals was an important component);
- (ii) reassessment of referral criteria;
- (iii) changes in emphasis of health education, and
- (iv) survey work, in which the midwives were involved, to determine the major causes of the high perinatal mortality rate.

In addition, family planning and child health programmes were under way. As a result, perinatal mortality has fallen from 67 to 56 per 1000, and in clinic deliveries, from 19,6 to 8 per 1000. Antenatal attendances increased markedly; the proportion of deliveries taking place in clinics has more than doubled, hospital deliveries have decreased. There was an increase in the rate of Caesarian sections and fewer ruptured uteri. Costs of a delivery, both to the patient and to the state, were considerably lower at clinics.

In contrast, Kitai's paper on the management of chronic disease shows how unsuited an urban hospital is for management of a condition which requires continuing and easily available care.

Watts (*7) and Whisson (*14) each describe from the point of view of the community the health services available in their respective areas.

Easy availability of medical care was not the only criterion. Respondents were keenly concerned with the quality of medical attention, including the attitude of doctors and tolerance of late payment, as well as the perceived effectiveness of their treatment. Patients were slow to blame a doctor for faulty advice. All informants found the costs of medicare a real problem, often prohibiting a further search for relief when initial treatment proved unsuccessful. Most informants saw no conflict between bio-chemical and spiritual healing and resorted freely to both. Tolerance of physical and mental illness is reflected in Whisson's comment: 'Like other sickness and death itself, mental sickness lies within the parameters of normality'.

3.4 RURAL SERVICES

Two of the papers discussed health services in 'White' farming areas (Westcott, Ch.12, and Scott, *58), while those of Pugh (*48), Kok (*25), Selvan, Engelbrecht and Fancham (*67) relate to health services in Black rural areas; the papers of Burney (*56) and Frankish (Vol.2) are also relevant to this issue. While similar problems of accessibility of health services are encountered in both types of areas, White farms are large and the area tends to be sparsely populated, while the reserves suffer from over-population and a degree of poverty resulting from the splitting of families which is less often encountered on White farms. While some form of mobile service is perhaps essential in the former areas, the dense settlements in the latter can be served by fixed health centres.

Judicial quality is high despite pay

Own Correspondent
CAPE TOWN — The fact that the Supreme Court Bench has been able to maintain its standards of competence, independence and impartiality in spite of low pay, has been of some surprise to the president of the Association of Law Societies

This was said in a statement issued in regard to the resignations from the Bench of Mr Justice Anton Mostert and Mr Justice Mervyn King. It was signed by the new president, Mr E R Liefeldt.

He said that the association did not wish to become involved in speculation as to the reason for the resignation of the judges, nor to comment on the attitude of the General Council of the Bar to their re-admission to the Bar, which was a domestic issue for the Bar Councils concerned.

The statement said that the standard of the independent judiciary in South Africa was a matter of pride locally and of congratulations internationally. It went without saying that the availability of highly competent, independent and impartial judges was a first priority if the standards of our civilisation were to be maintained.

"That the Supreme Court Bench has in recent years maintained these standards is a matter of some surprise to me and a tribute to the public-spiritedness of the judges, not because of the shortage in the country of suitably qualified persons for elevation to the Bench, but because of the pay they receive."

In recent years younger judges who had not had an opportunity to build up substantial estates were being appointed.

"At the same time the earnings of advocates approaching eligibility for the Bench have increased so that elevation may mean a financial sacrifice which a man otherwise eminently suitable for the Bench simply cannot afford to make, whatever the other advantages of his appointment may be."

It is, with respect, placing too high a premium on a judge's status to expect a highly competent advocate to accept, for say 25 years of his working life, an income which may be as little as a third or even a quarter of what he could earn in private practice.

He said that if financial frustration on the part of judges was to be avoided and that if appointment to the Bench was to continue to be attractive, the

...the rates in homelands probably exceed the figures for farming areas

...population is less selected than that in

253

2000
12/80

By Jaap Boekkool

If the 72-hour limit on visits by out-of-town blacks were to be lifted in Johannesburg, as it is to be in Pretoria and Bloemfontein, there would be a massive reduction in the Reef's black prison population

Staying over the limit of 72 hours is the biggest "crime" among blacks in Johannesburg. Each year between 50 000 and 60 000 are arrested for this offence, often during night pass raids by teams going around suburbs knocking on the doors of servants' quarters

At the Bantu Commissioner's Court in Market Street five special courts sit daily to deal with the thousands of cases

In some cases the illegal visitors are accused, prosecuted, remanded and sent to a jail like Modder Bee in no more than 10 seconds

After much Press criticism — including an article in The Star which

End of pass law time limit would empty jails in Johannesburg

JSA

JSA

253

Star
6/2/60

timed each case with illustrations of clocks — the magistrates now spend more time on each illegal visitor who is prosecuted.

Many thousands of cases are also intercepted by the Bantu Aid Bureau which tries to keep blacks, especially first offenders, away from a traumatic jail experience.

But even Aid Bureau officials admit that their

hands are often tied; they have to obey the law

The Government's rationale, in Johannesburg, for keeping out visiting blacks is that they pose a threat of cheap labour to the local, more highly paid, black labour force

Many of the illegal visitors are, in fact, looking for work — and innocently say so when they face the special courts

The director of the Aid Bureau, Mr J G Bender,

says that, to him, a pass offence is "no more criminal than a parking ticket

"It means the chap just parked his body in the wrong place," he explained

Yet, because most offenders are penniless work-seekers or poor relatives from the platteland, the great majority of illegal visitors end up in prison because they cannot pay a fine in lieu of a prison term

processes is essential; and the division will have to be more fine the more discriminating public decisions can be. 10

The results of programme budgeting may be valuable in themselves, although the mere procedure does not necessarily ensure that better decisions will be made. Their potential is realised only if there follows an assessment of the value of expenditure in each programme.

2.2 Programme Evaluation

Methods of evaluation range from simple procedures for looking at costs, where the conclusions are left largely to intuition, to highly complicated processes which present more or less clear-cut solutions. For these more

Only up to matrix

Political Staff

THE ASSEMBLY - The Government ban on political prisoners studying beyond matric is to stay

This was confirmed yesterday by the Minister of Prisons, Mr Louis le Grange, in the Assembly when he replied to a question which had been tabled by Mrs Helen Suzman (PFP Houghton)

Mrs Suzman asked Mr Le Grange whether he would reconsider the decision not to allow study privileges beyond matric to prisoners serving sentences for crimes against the State

The Minister replied "The matter is reconsidered regularly but at present I am not prepared to deviate from the existing standpoint"

be made explicitly se two extremes are

as noted that a d yield approxi-

one programme much exceeds

Programme and increasing expenditure on the first. By simply looking at a breakdown of the budget between programmes, the amounts spent on each may be compared with our intuitive notions of how much 'ought' to be spent on these things. Our judgement will depend on what we consider the benefits of expenditure under each programme to be, a process which cost-benefit analysis seeks to formalise (see below). For example, if it can be shown that expenditure on preventive medicine constitutes approximately 2% of all expenditure on health, it may be felt that the benefits from this kind of provision warrant an increase in the share of the budget allocated to it.

Unfortunately, such intuitive processes can pick out only the grossest incongruities which are recognised by all, whatever criteria of 'value' are used. The optimum level of expenditure on a particular objective is, from the point of view of intuitive judgement, highly uncertain, because of the wide variation in benefits attributable to a particular type of spend-

This is partly due to a deficiency in information on the results of the programmes which can be resolved by recourse to appropriate data. Nevertheless, there will also be differences of judgement which cannot be resolved without prior agreement on the relative valuation of different benefits which have to be fed into the analysis; and in the intuitive process, these two factors may not be differentiated.

A very large proportion of decisions are now taken with no further analysis than this. Any further steps involve a way of systematically valuing the benefits of different programmes to render them comparable to one another.

2.4 An Informal Method for Setting Objectives

The following method for guiding the choice of priorities has been described by John Bryant. 12 It has been used by medical and nursing students in Thailand, and one of its advantages is that it can be used where no numerical data is available. It, therefore, lends itself to discussion, to draw on the experience of a group of people.

Potential health problems are first listed, and then given a score (from one to four pluses) under each of four headings:

Diagram 1: A method of ranking health problems

Problem	Prevalence	Severity	Community concern	Vulnerability to management	Total
Large & poorly spaced families	++++	++++	+++	++	96
Inadequate antenatal & obstetric care	++++	++	++	+++	48
Malnutrition	+++	+++	++	++	36
Need for medical care	++	++	++++	++	32
Specific diseases:					
V.D.	++	++	++	++	16
Dental problems	++++	+	++	++	16
TB	+++	+++	+++	++	54
Common cold *	++++	+	+	-	0
YAWS *	-	++	+++	++++	0

* Added to test scoring method

D.D. (253)
11/2/80
**New Judge
in E Cape**

CAPE TOWN — The Minister of Justice, Mr Alwyn Schlebusch, announced here yesterday Mr Andries Petrus van Coller SC, had been appointed a judge of the Eastern Cape division of the Supreme Court by the State President

In a statement issued here, Mr Schlebusch said the appointment would be effective from March 1, 1980, and Mr Van Coller would be seconded to serve as a judge of the Supreme Court of Transkei — SAPA

Dalling worries over 133 hangings

227
253
7/2/80

Political Staff

THE ASSEMBLY — A total of 133 people were hanged in South Africa last year and the Government has made it clear that it has no plans at the moment to abolish or limit capital punishment.

Of the people executed, 98 were blacks, 33 coloured people and two whites.

This emerges from replies given in Parliament yesterday by the Minister of Prisons, Mr Louis le Grange, to questions tabled by Mr David Dalling, (PFP, Sandton).

Mr Le Grange said he was not aware why any legislation was needed at this stage to abolish or limit capital and corporal punishment.

Mr Dalling said in an interview later that, as a country judged by Western standards, the number of hangings each year gave cause for sober reflection.

"I believe capital punishment has no place in an enlightened judicial system, except for the most heinous crimes involving loss of life, and where no mitigating circumstances at all are present."

He called for a review of the whole question of the death penalty.

Mr Dalling said whipping or flogging — more descriptive terms for corporal punishment — were a hangover from medieval times.

1979... a record year for hangings

By AMEEN AKHALWAYA
Political Reporter

IN 1979, 133 people were hanged in South Africa, the highest number in any year since Union in 1910

The figure — revealed in Parliament this week by the Minister of Prisons, Mr Lous le Grange — exceeds by one the record of 132 in 1978

The number of hangings has risen sharply in recent years. Ninety people were hanged in 1977 and 61 in 1976. Before 1978, the highest number of executions in the Republic was 119 in 1964.

Besides the executions, 247 people were serving life sentences — including 36 on Robben Island — according to figures given in Parliament June last year.

According to the human rights organisation, Amnesty International, South Africa has one of the highest rates of judicial executions in the world.

But despite the record number of executions, the Government has no intention of abolishing capital punishment, the Rand Daily Mail Political Staff reports from the House of Assembly.

Nor does the Government intend abolishing or limiting corporal punishment in the Republic.

This was revealed in Parliament this week when the Minister of Justice, Mr Alwyn Schlebusch, and the Minister of Prisons, Mr Lous le Grange, replied to questions.

Mr Schlebusch told Mr David Dalling (PFP Sandton) "I am not aware of any reason why legislation on either the abolition or the limitation of the death penalty or corporal punishment should be introduced at this stage."

Answering a question by Mrs Helen Suzman (PFP Houghton), he said no women were hanged last year, but that two white, 33 coloured and 98 black men had been hanged.

Afterwards, Mr Dalling said "Whipping or flogging, more descriptive terms for corporal punishment, is a hangover from the dark ages, which the Government prefers to live with."

"It is a barbaric form of punishment which has no place in a modern society," he said.

Mr Dalling also said that as a country judged by Western standards, the number of hangings gave cause for "sober reflection."

"I believe that capital punishment has no place in an enlightened judicial system, except for the most heinous crimes involving loss of life, and where no mitigating circumstances at all are present," he said.

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is consistently worse than that of the whites. The 'coloureds' have higher mortality rates for all the major causes of death apart from cardiovascular diseases and neoplastic diseases in men over 65 years of age, neoplastic diseases in women in this group, and cardiovascular disease in men 45-64 years of age during 1960 and 1970. Clearly the rate of 5/1 000 which has been chosen is entirely arbitrary but a similar pattern of mortality emerges if lower or higher levels are selected.

Two aspects of these age-cause specific mortality rates require emphasis. Firstly, whilst being affected by the incidence of the diseases in question, these rates are also influenced by their fatality rates, for example, a decrease in the mortality related to Tuberculosis will not only be influenced by a decreasing incidence of this disease but also by improved prevention at primary, secondary and tertiary levels of intervention which will consequently decrease the fatality rate and, therefore, the associated mortality.

Secondly, it should be appreciated that although the calculation of rates is important for comparative purposes since they take into consideration the underlying population, for the providers of health care the actual numbers are also of importance. This is particularly true for those services which

Both white and 'coloured' females have shown an increasing life expectancy at the age of 45, and although this has been small, it contrasts with the downward trend of both white and 'coloured' males.

Although it is apparent that the Expectation of Life at birth for the 'coloureds' has shown a marked improvement between 1941 and 1970, it is salutary to note that neither 'coloured' males nor females, at either age 45, have reached expectations of life in 1970 which are as high as the whites were in 1929. What also gives some cause for concern is that although the expectation of life cannot be expected to improve indefinitely, it would appear that the 'coloured' life expectancy is levelling off at a much lower age than has occurred in the white community.

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Hansard

No

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253

Study privileges for prisoners

*6. Mrs H SUZMAN asked the Minister of Prisons

(257) (307)
Whether he will reconsider the decision not to allow study privileges beyond matriculation to prisoners serving sentences for crimes against the State?

†The MINISTER OF PRISONS

Hansard 100/15
The matter is reconsidered regularly but at present I am not prepared to deviate from the existing standpoint.

Prisons are dark, dank and dismal, in fact as grim as possible.

Or so I thought until I visited the new women's prison at Fort Glamorgan, East London. This one isn't.

Long, wide corridors create at least an impression of openness, and open quads between the cell blocks allow light to filter through the many windows

All securely barred, of course, even the windows in the creche, where prisoners' babies are cared for during the day

But bright tapestries, made by prisoners at the prison art needlework centre line the creche walls and almost defiantly gay toys litter the floor, offsetting the sterile whiteness of the four walls

Four walls, a bed, steel-grey locker, hand basin

and toilet comprise the single cells. They're stark. Brigadier Hennie Botha, administrative control officer of Prison Information Services, closed the door behind us and the cell became claustrophobic.

"This is how prisoners spend 15 out of 24 hours," he said "It's a very cruel world

"Foreign prison officials visiting South African prisons invariably comment on the strict discipline. Our primary objective is to instil a sense of discipline in the prisoner. One way of achieving this is to keep them busy — there's no time for idleness"

There are various training programmes for prisoners at the new prison. It is one of nine in the country where prisoners are taught to sew

Stark cells

J.P. 16/2/80

JUDY PARFITT reports on the new women's prison in East London, the objectives of the service and the facilities for inmates.

At the George and Worcester women's prisons, prison clothes — including officials' uniforms — worth R380 000 were manufactured in a year

There's also an art needlework centre which will provide the prison with additional revenue, and a sophisticated laundry

Prisoners will also man the kitchen, where food for 500 prisoners per meal can be prepared

The prison will operate a literacy programme and a course in basic arithmetic taught by trained prisoners after hours in the cells

Since 1966, more than 6 000 South African prisoners have completed the course. Prisoners can also register for correspondence courses

The new prison can accommodate 320 prisoners who will be under the supervision of an all-female staff of 48 with Captain M E van Staden, of the George prison, in charge

It will be occupied within the next week by women prisoners from throughout the Eastern

Cape, including long-term prisoners from Port Elizabeth and George

The prison will also serve as the Eastern Cape observation centre for women prisoners. Full-time social worker Major A Gerber will investigate the history and prison record of long-term prisoners — those serving sentences of two years or more — soon after admission

Then the prisoner appears before an allocation committee under the chairman of the Prison Board who submits recommendations to the Commissioner of Prisons regarding classification and a proposed treatment programme

Brigadier Botha said although all prisoners received individual attention, treatment programmes were still very generalised

He said the new women's prison would not employ a clinical psychologist, but prisoners would be referred for psychotherapy if necessary

Prisoners are classified into four groups according to their crime histories, tendencies, attitudes and escape risks.

The classification system influences privileges with maximum privileges in the A group and minimum privileges in the D group. According to the prisoner's behaviour, adaptation and progress in prison, she can be promoted or demoted to another group

Long-term prisoners are usually awarded B group status on arrival.

An A group prisoner is allowed a one-hour contact visit a month, may write three and receive three letters a month (if the prisoner does not receive a visitor she is entitled to write and receive two extra letters), is allowed to buy confectionery and other "prison luxuries", may subscribe to a daily newspaper and have a radio

B group prisoners are entitled to one half-hour non-contact visit a month by two people and may write two and receive two letters a month. If the visit is waived, the prisoner may write and receive an extra letter

Prisoners in the C and D groups are allowed one

One of the 10 cells where white women prisoners will be kept. Black prisoners are housed in group cells.

The prison creche. Babies may stay in prison with their mothers as long as they are "physically and psychologically dependent on them."

and bright tapestries

253

Colonel Erica van Zyl, chief inspectress of female prisons: routine and discipline.

half-hour non-contact visit by one person a month and may write and receive one letter

All prisoners may keep 12 photographs and women prisoners are allowed to wear make-up. Visitors are not screened, and the different groups are housed separately if possible

"The C and D groups comprise only five per cent of women prisoners," said Colonel Erica van Zyl, chief inspectress of female prisons.

If the prisoner misbehaves, her privileges are withdrawn. In the event of a serious offence, she is formally charged and appears in a prison court where trained officers hear the case. The prisoner may request an attorney to defend her.

If convicted, she faces a punitive diet — "Porridge and soup which is nutritious but hardly tasty," said Brigadier Botha — or confinement in an isolation cell.

The 10 single cells where white prisoners will be kept differ from the isolation cells in size only — isolation cells are slightly smaller.

"It would be impossible to accommodate all black prisoners in single cells. Furthermore, they are happier in group cells housing up to 20 prisoners," said Brigadier Botha. "Otherwise, prison conditions will be the same for all prisoners."

The single cells will be empty initially — presently there are no white women serving sentences at Fort Glamorgan or East London Prison.

Where possible long-

term prisoners will not share group cells with short-term prisoners and juveniles will be kept separately.

Do treatment programmes for women prisoners differ from those for men? "No, the approach is the same," said Colonel Van Zyl.

"Discipline, facilities, privileges and policy are all the same. The only difference is that female prisons are staffed by women."

But the escape risk is much lower with women prisoners — only 13 escaped in South Africa last year. And although the daily average of prisoners is 100 000, only 6 200 are women.

The prisoner's day starts with the rising bell at 6 am. Prisoners must have cleaned their cells and be dressed in their denim overalls and yellow scarves by 7 when their cells are unlocked.

Morning prayers, "sick parade" and breakfast follow and at 8 they start work — in the laundry, kitchen, art needlework centre, sewing class or creche.

At 11 am, work stops for lunch and the prisoners are locked up again from 12 to 1. Then it's back to work until supper at 4 pm — most prisoners will eat in diningrooms in the new prison — and another medicine parade. At 5 pm they are locked up for the night.

Prisoners don't work over weekends. They are encouraged to play netball and volley ball and may visit the library at specified times. Card games are also popular and the commanding officer may allow films to be screened occasionally.

"Prison life is rigorously routinised," said Colonel Van Zyl. "The prisoners are always made to walk in a straight line and may not talk in the corridors."

Colonel Van Zyl knows her job — she's been doing it for 18 years — is a strict disciplinarian and believes prisons should operate along rigidly authoritarian principles.

But, like Brigadier Botha, she is charming and sympathetic and far removed from the

archetypal, matron-like prison despot. "They're a myth," said Brigadier Botha.

She has a BA degree in criminology and sociology and her husband also works for the Prisons Department.

Brigadier Botha said there was an ongoing drive to improve the service. "Women staff are carefully selected — we even have a waiting list at the moment."

"They must have matric and we encourage them to study further. In fact, the women's corp has a very proud record."

Larger prisons have an inter-communication system enabling prisoners to tune into approved radio programmes and listen to music by request.

Brigadier Botha said he hoped to see one installed shortly in the new East London women's prison.

Until a few months ago, many prisoners slept on sisal and felt mats. These have been replaced by double-decker bunks.

The new women's prison also has a 10-bed hospital equipped for treating minor illnesses, with a qualified sister in charge.

Provision is made for mothers with babies too. "Infants stay with their mothers as long as they are physically or psychologically dependent on them — sometimes until they are two years old," said Colonel Van Zyl.

"Then they are farmed out to foster parents because a prison isn't exactly a healthy environment for raising a child."

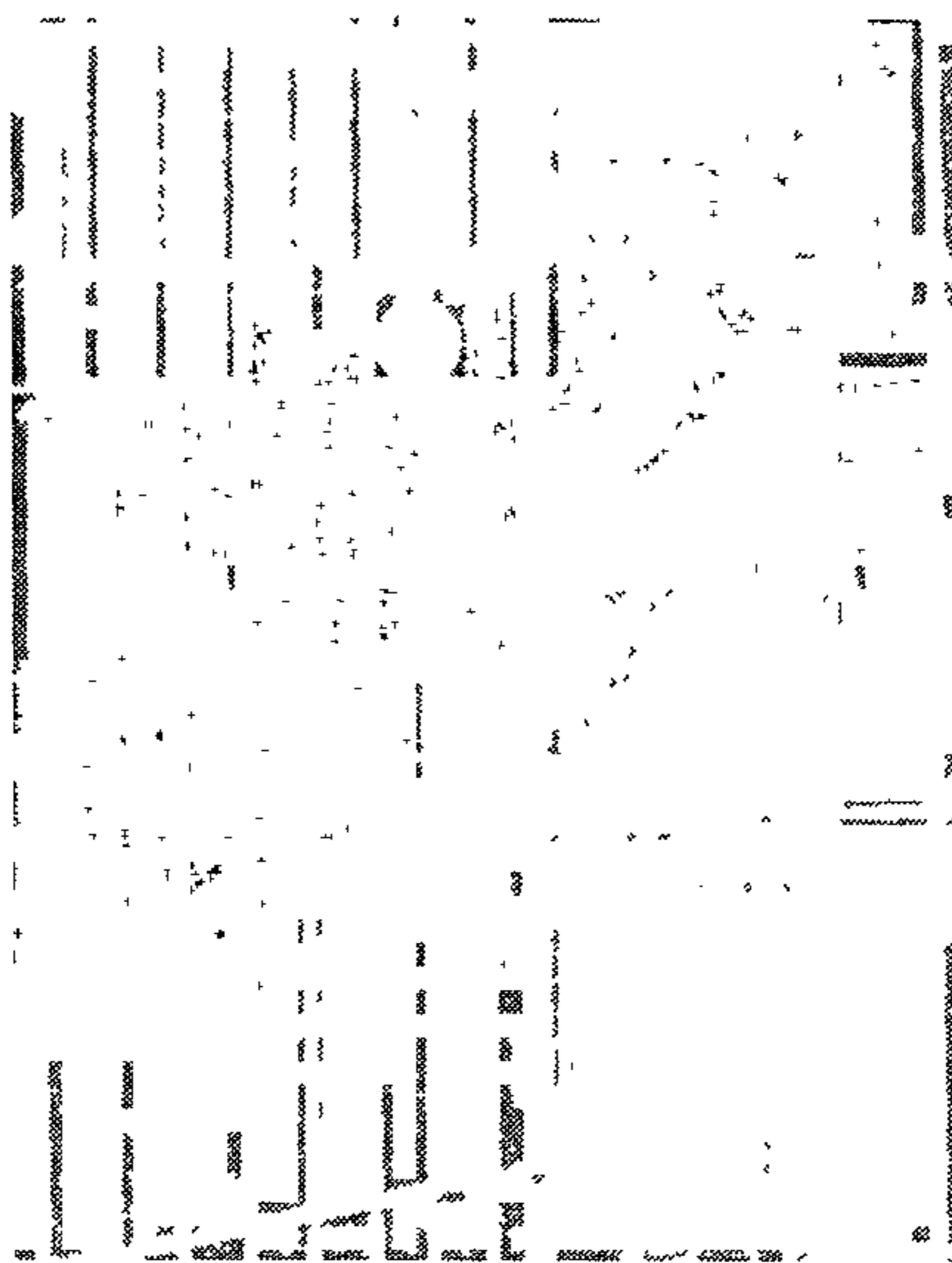
Children are cared for at the prison creche during the day, and spend nights and weekends with their mothers.

Prisoners are under the control of the Prison Board for the duration of their incarceration, and in some cases even after release.

The board also submits recommendations to the Minister of Justice for the eventual release of prisoners on parole.

The social worker plays an important role in preparing the prisoner for release and ensures a job is secured for each prisoner before her release.

"Hopefully a better person is returned to the community," said Colonel Van Zyl.



Brigadier Hennie Botha, administrative control officer of Prison Information Services, at the new women's prison at Fort Glamorgan, East London: no time for idleness.



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Vol 176]

PRETORIA, 18 FEBRUARIE
FEBRUARY 1980

[No. 6860

GOEWERMENSKENNISGEWING**DEPARTEMENT VAN GEVANGENISSE**

No R 350

18 Februarie 1980

WYSIGING VAN GEVANGENISREGULASIES

Die Staatspresident het kragtens die bevoegdheid hom verleen by artikel 94 van die Wet op Gevangenis, 1959 (Wet 8 van 1959), die regulasies in die Bylae hierby aangeheg, uitgevaardig

BYLAE

1. In hierdie regulasies beteken "die regulasies", die Gekonsolideerde Gevangenisregulasies gepubliseer by Goewermentskennisgewing R 2080 van 31 Desember 1965, soos gewysig by Goewermentskennisgewings R 992 van 30 Junie 1967, R 441 van 22 Maart 1968, R 801 van 10 Mei 1968, R 1865 van 11 Oktober 1968, R. 2227 van 6 Desember 1968, R 2325 van 20 Desember 1968, R 1530 van 18 September 1970, R 1979 van 13 November 1970, R 557 van 8 April 1971, R 1199 van 9 Julie 1971, R 53 van 14 Januarie 1972, R 776 van 12 Mei 1972, R 1476 van 25 Augustus 1972, R. 384 van 16 Maart 1973, R 922 van 30 Mei 1973, R 2368 van 14 Desember 1973, R 1842 van 11 Oktober 1974, R 1311 van 11 Julie 1975, R 921 van 28 Mei 1976, R 2261 van 3 Desember 1976, R 966 van 3 Junie 1977, R 967 van 3 Junie 1977, R 968 van 3 Junie 1977, R 1047 van 17 Junie 1977, R 1199 van 23 Junie 1977, R 1584 van 12 Augustus 1977, R 1731 van 2 September 1977, R 2094 van 14 Oktober 1977, R 992 van 19 Mei 1978, R 1759 van 1 September 1978, R 1993 van 6 Oktober 1978, R 1994 van 6 Oktober 1978 en R 2091 van 21 September 1979

2 Hoofstuk II van die regulasies word hierby gewysig—

2.1 deur die opskrif "OPNEMING, OORPLASING, AFSTERWE EN ONTSNAPPING" voor regulasie 89 deur die volgende opskrif te vervang "OPNEMING, AANHOUDING, OORPLASING, AFSTERWE EN ONTVLUGTING";

2.2 deur die subopskrif "(A) Opneming" voor regulasie 89 te skrap;

105—A

GOVERNMENT NOTICE**DEPARTMENT OF PRISONS**

No R 350

18 February 1980

AMENDMENT OF THE PRISONS SERVICE REGULATIONS

The State President has, under and by virtue of the powers vested in him by section 94 of the Prisons Act, 1959 (Act 8 of 1959), made the regulations contained in the Annexure hereto

ANNEXURE

1 In these regulations "the regulations" shall mean the Consolidated Prison Regulations promulgated under Government Notice R 2080 of 31 December 1965, as amended by Government Notices R 992 of 30 June 1967, R 441 of 22 March 1968, R 801 of 10 May 1968, R 1865 of 11 October 1968, R 2227 of 6 December 1968, R 2325 of 20 December 1968, R 1530 of 18 September 1970, R 1979 of 13 November 1970, R 557 of 8 April 1971, R 1199 of 9 July 1971, R 53 of 14 January 1972, R 776 of 12 May 1972, R 1476 of 25 August 1972, R. 384 of 16 March 1973, R 922 of 30 May 1973, R 2368 of 14 December 1973, R 1842 of 11 October 1974, R 1311 of 11 July 1975, R 921 of 28 May 1976, R 2261 of 3 December 1976, R 966 of 3 June 1977, R 967 of 3 June 1977, R 968 of 3 June 1977, R 1047 of 17 June 1977, R 1199 of 23 June 1977, R 1584 of 12 August 1977, R 1731 of 2 September 1977, R 2094 of 14 October 1977, R 992 of 19 May 1978, R 1759 of 1 September 1978, R 1993 of 6 October 1978, R 1994 of 6 October 1978 and R 2091 of 21 September 1979

2 Chapter II of the regulations is hereby amended—

2.1 by substituting for the heading "RECEPTIONS, REMOVAL, DEATH AND ESCAPE" above regulation 89 "ADMISSION, DETENTION, TRANSFER, DEATH AND ESCAPE";

2.2 by deleting the subheading "(A)" above regulation 89.

PRISONS PROBE INTO MENTAL MAN'S DEATH

Sun. Feb
24/2/80
253

Tribune Reporter

THE Department of Prisons is to launch an inquiry into the death of a 29-year-old mentally retarded epileptic who died in Durban Central Prison this week while awaiting trial on a charge of housebreaking.

The man, Edris Ismail, had disappeared from the Pietermaritzburg home of his brother, Ebrahim Ismail on February 3.

Ebrahim told the Sunday Tribune he had reported the disappearance to the police and had given his photographs to a daily newspaper in the hope that he would be recognised.

He said his brother, who fell and fractured his skull when he was an infant and who spoke "more or less like a small baby", had never been able to work and had lived with his family.

"He would go out early each morning and would visit relatives or travel around on the buses. He always returned home at about 5 pm, but this time he never came back."

He said he had received a telephone call on Thursday to ask him to identify his brother's body.

"It was the first we'd heard that he was in prison. I was told they hadn't contacted us as he wouldn't say anything so they did not have a name or address for him."

"They said they only got a name and address after his death when they found a bus coupon — issued to disabled people in Pietermaritzburg — in his shoe."

"We were told he'd been arrested on a charge of housebreaking and theft. As far as we're concerned he would never have been capable of doing anything like that."

"Anyone could see he was not normal. And he'd never been in any sort of

trouble."

A spokesman for Prison Services in Pretoria said a full investigation would be launched into the death.

He said Edris had been admitted to the prison on February 8 to await trial on a housebreaking charge. He had been routinely checked by the District Surgeon on admission and at no stage had complained that anything was wrong.

"Sometime later we have no date as yet — a detective of the SAP asked that he be referred for observation. We have not as yet established why."

"He saw the District Surgeon again on February 18 and was referred to a psychiatrist who saw him on February 20."

The psychiatrist had referred him to King Edward VIII Hospital for further observation.

"He was taken back to the prison for the night and would have been admitted the following day — but he died at about 2.30am," the spokesman said.

He said a post mortem had been conducted but he believed no cause of death had been conclusively established yet.

"Apparently there were indications of an old head injury but whether that was the cause of death, we don't know."

Freed farmer faces 3 assault claims

(253) R.D.M. 13/3/80

By STEVEN FRIEDMAN
Labour Reporter

A NORTHERN Transvaal farmer faces three civil court actions from prison "parolees" who worked on his farm while serving their sentences and who claim he assaulted them. The Cullinan Magistrate's Court was told this yesterday when the farmer, Mr L A Becker, appeared in court on a charge of assaulting a fourth prisoner.

Mr Becker was acquitted. His attorney, Mr E F van der Merwe, told the court Mr Becker had been served with three summonses for R4 000 each from ex-prisoners.

The ex-prisoner who laid the complaint which led to yesterday's criminal action, Mr Frans Makonoto, worked on Mr

Becker's farm in the Cullinan district while serving a 30-day sentence at Modderbee Prison for a pass offence.

Mr Becker told the court nearly 4 000 prisoners, who he referred to as "parolees", worked on his farm between 1972 and August last year.

He said he fetched them from the prison personally and took them back to Modderbee when their jail terms were completed.

He said he stopped using "parolees" as labourers last August because Modderbee was 112km from his farm and the ferrying was using too much fuel.

He said he had also been worried by assaults on new "parolees" by older prisoners. Mr Makonoto said in evi-

dence that he was sent to Mr Becker's farm shortly after being sentenced for a pass offence in March last year.

He said he was assaulted by Mr Becker and two of his indunas the day after arriving.

He and other prisoners were told to run while carrying heavy blocks on their shoulders, Mr Makonoto said. He stumbled and was hit by Mr Becker, who used a sjambok, and the two indunas, who used kieres.

After the assault, he spent 20 days in hospital in Johannesburg. He said his kidneys were not functioning at the time and he could not pass water.

He had recovered, but could no longer pick up heavy weights.

His evidence was supported

by a fellow-prisoner who was also working on the farm at the time.

Mr Becker denied he had assaulted prisoners or that he ordered his indunas to do so.

He said there had been recurrent incidents on the farm in which older prisoners had beaten up new arrivals. He believed the older prisoners did this because they wanted money and a "bedmate".

He had discussed the problem with the Department of Prisons and was told prison gangs could be responsible for the assaults.

Mr Becker said the Department of Prisons had told him he had no detention powers and he had therefore reacted to these assaults by warning prisoners.

His evidence was supported by two indunas who told the court Mr Makonoto was involved in a fist fight on the night he arrived at the farm.

Under cross-examination, one of the indunas said Mr Makonoto was hit with a belt.

Mr Van der Merwe told the court that he believed Mr Becker was the victim of people who were hoping to make money by suing a rich farmer. He suggested Mr Becker was the victim of a conspiracy.

EXAMINATION RESULTS IN FACULTY ARTS

YEAR : 2

STUD NO SURNAME FIRST NAMES COURSE DESC

1342047	ADAMS	EADUNESSA	114202	HISTORY
137452E	ALLIX	MARK LORAINÉ	104101	ARCHAEOLOGY
140746K	BORRILLÉ	ANDRÉ MICHAEL	107201	ENGLISH
120414K	CONRADIE	ELSABE-MARIE	003501 117201	SOCIOLOGICAL POLITICAL
1384970	DE VILLIERS	JEANINE KAREN	113104	PHILOSOPHY
136110W	ESAU	FAIKA	105302	SOCIAL
156962Y	ESSMANN	SOMJA BRIGITTE	101103 115103	AFRICAN ITALIAN
114207C	FELLOWS-SHITH	ELIZABETH ANN	115218	DANCING
113763F	FIELD	MAUREEN DAWN	113101 502107	CULTURAL HISTORY
137811V	GARSON	CATHERINE MARY	105202 107201	SOCIAL ENGLISH
113796K	GRAZIANI	MARIO GUIDO	105105	LATIN
113526Y	HARPUR	COLIN ANDREW LINDSAY	004101 115104	PSYCHOLOGY PHILOSOPHY
134419H	HAY-WHITTON	ALEXANDER MARK	105202	LATIN II
098717B	HOKWITZ	ROXANNE ALETHEA	114201	RELIGIOUS
139706E	HUUGH	COLLEEN DESIREE	911201	MATHEMATICS
133266E	KOSCIUCH	KAROL FRANCISZEK	107201	ENGLISH I
114692Q	MAVRUS	SUZANNE DOROTHY	107201 114201 115201	ENGLISH I RELIGIOUS FRENCH II
139615F	MAZEL	ABRAHAM		
132828D	MEYER	LEONARD HEVY		
133615J	MILLER	DAKLENE RUTH		
133140T	OLIVA DAY	OTANA EMMA		
133546J	UMAR	ABDUL RASHIED		

EXAMINATION RESULTS IN FACULTY ARTS

AS AT 29 02 80

PAGE 2

YEAR : 2

BACHELOR OF ARTS

13020

STUD NO	SURNAME	FIRST NAMES	COURSE	DESCRIPTION	SYMBOL
133849N	PEARCE	CAREY SUSAN	114101	RELIGIOUS STUDIES I	(- 51)
140639U	PETERSEN	BERTRAND SYDNEY	102P01 110201	AFRIKAANS FN NEDERLANDS II AFRICAN HISTORY I	1 F
133499H	PLAATJIES	NANCY	101105	AFRICAN LANG INTENSIVE (SOT2-	(66)
137501H	PLAGIS	JOHN ACHILLES	601305	COMPANY LAW	ABS
139271G	RFDMAN	BARRY GEORGE	105104	LATIN J	F (36)
052892R	KOSS	SALLY MARY	103302 104202 110303	SOCIAL ANTHROPOLOGY II (PRE ANGLOLOGY II AFRICAN HISTORY II	(60) (70) (60)
121461Y	SANDGROUND	DAVID LEON	10620P	ECONOMICS II	(53)
133333C	SFAKIANOS	ALEXANDR GEORGE	107P01	ENGLISH II	3
133034C	SHAPIRO	DEENA PERLA			
137998Y	SHAPIRO				
134302F	SOLOMON				
155878U	STIGLING				
111532F	VERHEEK				
121723H	VISAGIE				
102168C	WOLFFE				
* TOTAL NUMBER OF 57					

Prisons bill supported

HOUSE OF ASSEMBLY —
South Africa had one of the world's largest pro rata numbers of daily prisoners in the world and any steps taken to reduce that number should be supported, Mrs Helen Suzman (PFP Houghton) said.

The Opposition would support the second reading of the Prisons Amendment Bill, which introduces measures to streamline and extend the powers of the Minister of Prisons to release prisoners on probation.

The minister, Mr Louis le Grange, introduced the bill's second reading and said prison boards would be known as release boards as this was more indicative of their future functions.

At the same time it had become necessary to introduce institutional committees which would be more directly concerned with matters affecting the treatment of prisoners.

Mrs Suzman warned that in the case of paroled prisoners there were cases where release was subject to conditions of defined occupation or restricted domicile. She was concerned there might not always be proper supervision of the parolee's circumstances and that exploitation could result.

The measure was also supported by Mr G N Oldfield (NRP Umbilo) who wanted to know if the minister was satisfied that adequate administration existed to deal with the greater number of paroles.

Much would have to be done by way of professional surveillance and supervision.

He felt that the chairman of a release board should be a member of the judiciary.

Sapa

REGISTRAR (ACADEMIC)

UCT

DEAV

GENERAL NEWS

Court told what is legal one day can become illegal under another Act

Confusing laws hamper

Press photos of prisoners

The Police Act prevents the public seeing how prisoners and the police conduct themselves at the moment of arrest...

Mr Tyson pleaded guilty to a charge under the Police Act of having published a picture of Eschel Rhoadie last August 24 when Rhoadie was in custody...

Mr Tyson declined to pay an admission of guilt because he wished to appear in court to bring attention to the law

DISCHARGED

After making a statement to the court he was cautioned and discharged by the magistrate, Mr K G Steenkamp.

Mr Tyson said if it was not the intention of the Police Act to prevent the public eye seeing the conduct of the police and their

prisoners, it nevertheless was the practical result

The situation is not in the public interest nor in the long term interests of the police...

MANY ACTS

In passing sentence, the magistrate said he took into account that there was a distinction in the case between The Star and The Transvaler under Section 27 of the Police Act...

had to consider more than one Act of Parliament. The Police Act and the Prisons Act apply different and confusing restrictions and other Acts could apply

A decision whether to publish often has to be made instantly because of pressure of newspaper deadlines

Under the Prisons Act they may publish a prisoner's photograph during his trial for a period of only 30 days after his conviction...

Yet under the Police Act, they cannot use a picture taken before a person's arrest unless his trial has been commenced with these words had to be decided on an appeal

Once the prisoner passes from the Department of Prisons to the Department of Police...

ment of Police to the Department of Prisons, they can take his photograph and publish it under the Police Act but not under the Prisons Act

There is further confusion because the Supreme Court ruled that a trial does not commence when a prisoner appears in court if he appears on a remand...

The Prisons Act no longer regards an escaped convict as a prisoner and this seemingly allows his photograph to be taken and published

SCORING TRY

To further illustrate the confusion, take a hypothetical situation where a sportsman is arrested and due to appear in court a picture of him

scoring a try appears on the sports pages of a newspaper Has an offence been committed?

Presumably one has though in a daily newspaper's production schedule it might be physically impossible to avoid it

How is it possible to establish, in time to meet a daily newspaper's deadline whether he is a prisoner in terms of the Prisons Act or in lawful custody in terms of the Police Act...

In the present case newspapers in the Republic and all over the world were able to publish pictures taken of Eschel Rhoadie while he was a prisoner in France being extradited by the South African Police...

But on the following day it was illegal because he had now set foot in the Republic or was illegally about to do so as the illegal photograph in this case shows

Mr Tyson... declined to pay admission of guilt.

A few days later Rhoadie pleaded to the charge and it was legal to publish his photograph

Hundreds of photographs of him had been published before his extradition There was no question of protection of his privacy...

Public interest was a fever pitch What possible harm was done to anyone by a photograph of Eschel Rhoadie emerging from the aircraft

One it left with the conclusion that the Police Act is there to prevent the public seeing how prisoners and the police

Eschel Rhoadie... when may he be photographed?

conduct themselves at the moment of arrest If this was not the intention, it nevertheless is the practical result

The situation is not in the public interest, nor in the long term interests of the police

It cannot seriously be suggested that Rhoadie's identity still had to be established by witnesses that the interests of the State or Rhoadie had to be protected

The State lodged no objections at the trial about the photographs, nor did the defence The breach of the law, therefore, was technical

CONFUSING

All of them were legally published — except one technically infringing the recently amended Police Act These photographs illustrate the confusing and absurd situation which has arisen

The above reasons explain why I declined to pay an admission of guilt The restrictions imposed on photographs were not found legally necessary in the past Why are they deemed necessary now?

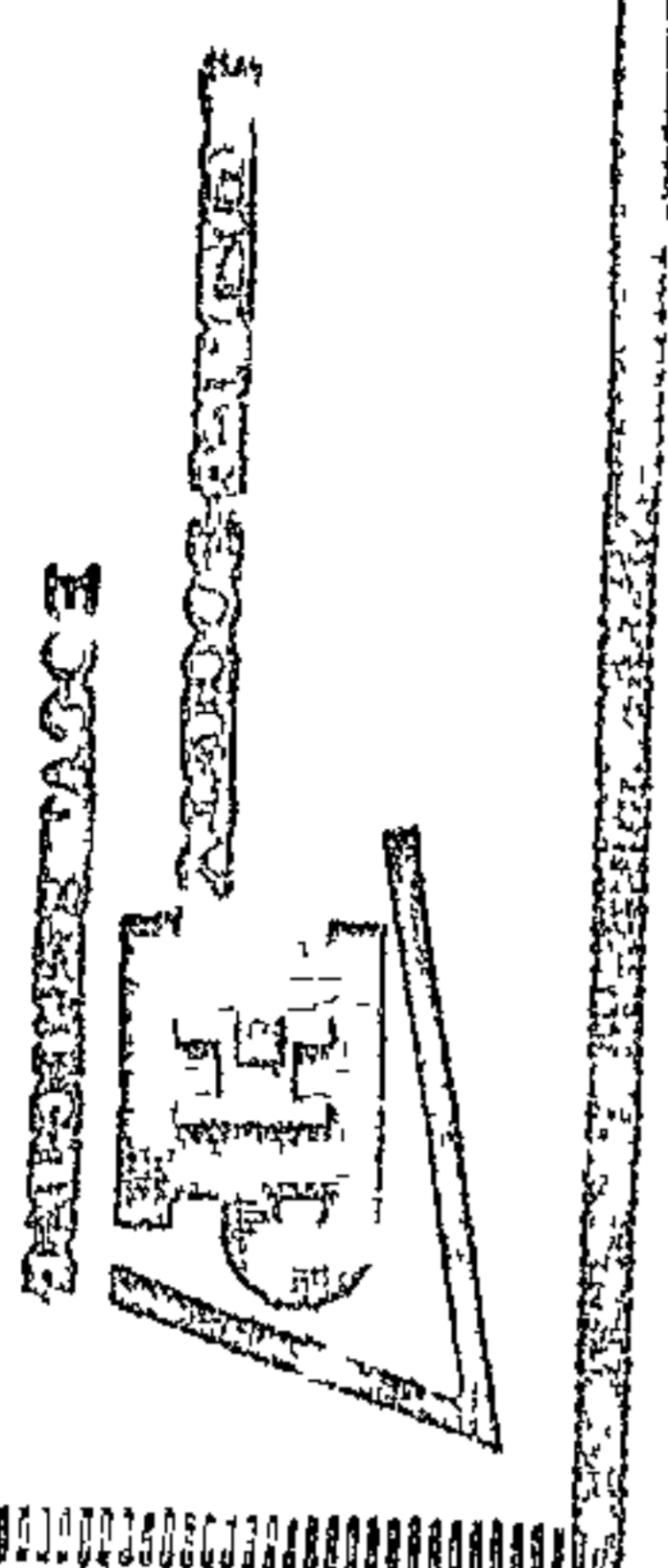
The restrictions raise suspicions and anomalies, and create a situation where people run the risk of becoming unwitting and unwilling parties to criminal offences," Mr Tyson said



DAM WATER KILLS 200 TUCKS

water — caused by decom-

a lack of interest by mem-



Gang members found guilty of murdering prisoner

Court Reporter

FIVE MEMBERS of the "28s" prison gang were convicted in the Supreme Court yesterday of murdering a fellow prisoner at Brandvlei prison near Worcester in August 1977.

Evidence was that a sixth prisoner, who was acquitted and whose evidence implicated the other men, will be at risk from the gang for the rest of his life.

Richard Mongesi, Willem Jonkers, Siphiso Jodwana, Nzule Faxi and Desmond Philander were all found to have participated in the murder of Willem Vassouw. He was stabbed, choked and hanged with a belt.

Mr Justice Vos, sitting with Mr W Stanford and Mr C H van Gend, acquitted Desmond Erasmus although he too had participated in the murder. The judge said that Erasmus had acted under "irresistible coercion" from other gang members.

A researcher, Mr Nicholas Haysom, was called by Mr S Mohamed, appearing pro Deo for Faxi, to give evidence on prison gangs. Mr Haysom, who conducted a four-month research programme into gangs and prison murders, said that the "28s" gang was founded in 1896.

Prison gangs were authoritarian and disciplinarian, he said. They were the dominant force in

cells in which 50 prisoners or more were locked at night. Prisoners' lives were in the hands of the gangs, and murders had been committed when warders were virtually in the cells. Many youngsters joined the gangs as a result of homosexual harassment and rape or because life was made intolerable for non-members.

Mr Haysom said that as gang members attained higher ranks, they were introduced by their immediate superiors to the "complex traditions and make-believe world of the gang".

Members who broke the code of the gangs were often punished by stabbing and could even be sentenced to death. Members would execute people if ordered to do so.

He said the "28s" had a motto whereby one could never escape the gang's revenge. A prisoner who had broken the code — by giving evidence at a gang-murder trial, for example — would be at risk in any prison in South Africa, even if it took 30 years for the message to filter through.

Mr Haysom agreed with the court that Erasmus would be at risk for the rest of his life.

Evidence in mitigation of sentence continues today.

Mr J M Reebeln appeared for the State. Miss J No! Mr J Scher, Mr T Hill, Mrs D Koch and Mr S Mohamed appeared pro Deo for the defence.

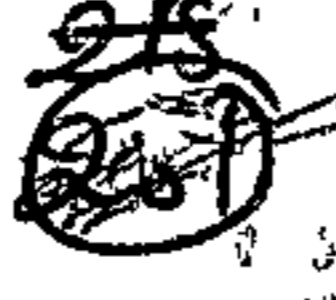
EXAMINATION RESULTS IN FACULTY ARTS	YEAR : 1	FIRST NAMES	COURSE	DESCRIPTION
107101	107101	SALLY-ANN	ECONOMICS IA	ENGLISH I (PRE-1980)
102101	102101	CHERYL	AFRIKANS	CULTURAL HISTORY OF W.E.
105202	105202	PENELOPE JILL	SOCIAL ANTHROPOLOGY I (P)	ARCHAEOLOGY I
104101	104101	DAVID	ARCHAEOLOGY I	HISTORY I
911101	911101	LINDSEY JEANNE	MATHEMATICS I M102	ANIMAL BIOLOGY (HALF COI
116120	116120	BEVERLEY ROXON	Drama I	PSYCHOLOGY I
004101	004101	ROBERT GEORGE RENESON	PSYCHOLOGY I	ENGLISH I (PRE-1980)
107101	107101	COLETTE	ENGLISH I (PRE-1980)	ENGLISH I (PRE-1980)
904101	904101	ANNA TERESA	ENGLISH I (PRE-1980)	GEOGRAPHY I
106102	106102	MICHAEL EDWARD	ECONOMIC HISTORY I	ENGLISH I (PRE-1980)
107101	107101	MARCIA ELIZABETH	ENGLISH I (PRE-1980)	ENGLISH I (PRE-1980)
003101	003101	ANDREW SYMON	SOCIOLOGY I	PSYCHOLOGY I
601101	601101	ARNO JACQUES EKASMUS	COMMERCIAL LAW A	STATISTICS I (HALF CRSE)
101103	101103	GAVIN MARK READ	AFR LANG INTENSIVE (XMC)	ENGLISH I (PRE-1980)
115101	115101	GILLIAN DEURBAN	ENGLISH I	PSYCHOLOGY I
004101	004101	MICHAEL BRUCE	PSYCHOLOGY I	PSYCHOLOGY I
105104	105104	PAMELA JOAN	ENGLISH I	ENGLISH I
115102	115102		FRENCH INTENSIVE	FRENCH INTENSIVE
115103	115103		ITALIAN INTENSIVE	ITALIAN INTENSIVE
214102	214102		PHYSICS IB	PHYSICS IB

AS AT 29 02 80

12537 NDM 9/5/80

Le Grange lists prison deaths and injuries

THE Minister of Prisons, Mr Louis Le Grange, this week released statistics on the number of deaths and serious injuries to warders and prisoners. Replying to questions tabled by Mrs Helen Suzman (PFP Houghton), Mr Le Grange revealed a sharp drop in the number of warders seriously injured by prisoners. In 1977, 10 warders were seriously injured, in 1978 one was killed and 19 seriously injured while last year 12 warders were seriously injured by prisoners. Twenty-eight prisoners were killed by other prisoners during 1979. In 1977 there were 33 deaths and in 1978, 26 deaths. At Cape Town's Pollsmoor Prison over the past three years, nine warders have been seriously injured and nine prisoners were killed by other inmates. At the Victor Verster Prison, near Paarl, one warder has been seriously injured and 10 prisoners have been killed by other prisoners in the past three years. At Johannesburg and Port Elizabeth prisons there were no deaths during the past two years.

argus
Man who
10/05/80
escaped
215
from 
Pollsmoor
253
shot dead

Crime Staff

BASIL VAN WYK, 27, an escaped convict from Pollsmoor Prison, was shot dead while trying to escape from detectives investigating a car theft last night.

Earlier yesterday traffic police stopped a man allegedly driving a stolen car in Athlone and the matter was reported to the police.

The man claimed that he was not the owner of the car, but would take police to the owner in Seventh Avenue, Belgravia. When they arrived at the address the man tried to flee.

One shot was fired, which struck him low in the left shoulder. He was later found dying in Sixth Avenue.

Security prisoners can study again

VPM 13/5/80

50 337 253

HOUSE OF ASSEMBLY — Prisoners convicted of security crimes would have their study privileges restored, the Minister of Prisons, Mr Louis le Grange, said yesterday.

Speaking on his Budget Vote, he said the privileges for degree studies — withdrawn two years ago — would be reinstated.

The Commissioner of Prisons was also studying the possibility of allowing such prisoners a daily English and Afrikaans newspaper, he said.

Mrs Helen Suzman, the Op-

position's main spokesman on prisons, greeted the Minister's announcements with interjections of "That's good news" and "that's more good news".

"Give me a chance," said Mr Le Grange. "The Hon Member is getting too excited."

The question of study privileges for security law prisoners had received continuous attention since he became Minister of Prisons nine months ago and many appeals had been received from responsible quarters.

It had therefore been decided

that post-matric studies could be resumed, provided courses were realistically possible within the facilities available in prison.

Those affected would be informed shortly, the Minister said.

A commission had been appointed to re-investigate the whole question of security law prisoners, but he did not want to raise Opposition expectations at this stage.

A decision would be finalised within days regarding the privilege of newspapers.

"I think if they receive a copy of The Star and Die Burger daily they will be in good hands," Mr Le Grange said.

Mr Le Grange criticised Opposition members who said the Department created the impression that it had something to hide with provisions such as Section 44 of the Prisons Act, whereby the media could only publish material cleared by the Commissioner of Prisons.

"We have nothing to hide and we welcome the fact that the public is informed about our work. All we insist on in this Act is that it be the truth," he said.

Mr Le Grange also announced that an interdepartmental committee would be appointed to give "constant consideration" to the parole system.

The committee would comprise representatives of the Department of Prisons, the South African Police, the Department of Justice and the Department of Co-operation and Development.

The Minister said there was lively debate among Government departments on the parole system. For instance, who should shoulder the blame if a prisoner reverted to crime while out on parole?

The privilege of conditional

release from incarceration in South Africa rested on Western ethical norms of compassion.

Parole did not mean that society was condoning crime, or that all inmates were automatically entitled to parole or that the prison authorities were completely convinced that a prisoner would never commit another crime.

Parole was based on the concept that some prisoners responded to compassion by the authorities.

South Africa's penal rehabilitation programme was proving effective.

The failure rate of prisoners released on parole after serving sentences of more than two years was 11,19%.

In contrast, the failure rate of prisoners conditionally discharged after serving between four months and six months was 18,37%. They were released before the rehabilitation programme had time to take effect.

Mr Le Grange said the committee would investigate the recommendations by the Viljoen Commission of Investigation into the Penal System.

Included in the commission's recommendations is that remarks by presiding officers in passing sentence at criminal trials be submitted to the Department of Prisons and that there be closer liaison between the Department and the police.

Crowded prisons were cause for concern and the Department of Prisons was holding talks on this with the Department of Public Works and the Treasury.

The Prisons Department had no jurisdiction over sentences of first offenders. It was up to the courts to impose suspended sentences, Mr Le Grange said in reply to a suggested method of reducing the prison population — Sapa.

Suzman urges parole probe

Q53
10/5/80

THE ASSEMBLY — A judicial commission should be set up to investigate the position of all long-term political prisoners, Mrs Helen Suzman (PFP Houghton) said yesterday

Speaking during the Prisons Vote, she expressed concern that prisoners sentenced for crimes against the State were seldom, if ever, granted parole or remission

"Neither the Prison Regulations nor the Prisons Act single out this class of prisoner, yet almost without exception each and every one is made to serve his sentence to the last day

"And I might add that even when finally released, such prisoners are not then free in the normal sense of the word. They live the restricted lives of banned men, twice punished — once by the courts and then again by ministerial edict"

The Minister interjected: "That's not true, not all of them"

Mrs Suzman. "A great number of them."

Banning did not fall under Mr Le Grange, but the present policy of no parole and no remission of sentence for political prisoners did, and she asked him to reconsider it

"A little more of the humanitarian approach and a little less retribution would be more in keeping with the so-called new enlightened approach of the Government"

Mrs Suzman said she had received no complaints of ill-treatment of political prisoners on Robben Island, "and there is no doubt that conditions as far as food, clothing and the provision of beds is concerned, have greatly improved

"Also, prisoners' recreational facilities including sport have improved and unlike the early years, they can now listen to censored newscasts and sports broadcasts"

Among the 38 prisoners serving life sentences for crimes against the State were Mandela, Sisulu and Goldberg

"They have already spent 14 years in jail. I believe the Minister should set up a judicial commission to investigate the position of all long-term prisoners in this category with a view to parole or remission."

Speaking on her own behalf, she believed that a commission of inquiry should also be appointed into the question of the death penalty — Sapa

Study privileges

13/05/80 AR4US.

for political

inmates

(327)

(253)

(251)

Parliamentary Staff

THE Minister of Prisons, Mr Louis le Grange, announced in the Assembly yesterday that prisoners serving sentences under South Africa's security laws would have their study privileges restored.

Replying to the budget debate on the Prisons Vote, the Minister announced also that

● A departmental committee had been appointed to investigate matters concerning security law prisoners and to make recommendations

● A decision about to be finalised was on making available newspapers — one in Afrikaans and one in English — to security law prisoners

Mr le Grange's announcements came at the end of a debate during which Mrs Helen Suzman (PFP, Houghton) criticised aspects of the Government's treatment of political prisoners and called for reforms.

COMPLAINTS

Mrs Suzman said political prisoners — or, in the language of officialdom, 'prisoners who have committed crimes against the State' — were physically better off than other prisoners in other jails.

This was possibly because they had acquainted themselves with prison regulations and were articulate in voicing their complaints.

I have no complaints about ill treatment of this kind and there is no doubt that conditions on Robben Island, as far as food, clothing and provision of beds is concerned, have greatly improved, Mrs Suzman said.

Prisoners' recreational facilities had also improved and they could now listen to censored newscasts and sports broadcasts.

There were three respects in which political prisoners were worse off than other prisoners. They were isolated from other

prisoners, they were locked up for long stretches at a time, and they could not take advantage of workshops set up for other prisoners.

In the case of so-called 'single-cell prisoners' on Robben Island, about 30 men had been incarcerated together for as long as 14 years.

They had their own isolated recreation yard and were allowed out of this restricted area surrounded by high walls, about once a fortnight for a walk. They were not permitted to join in football and other games with prisoners of other categories, Mrs Suzman said.

Since last year, the privilege of post-matriculation studies had been denied to political prisoners, although those who had already begun such courses were being allowed to complete them.

Mrs Suzman said she found the reasons given last year by the Minister's predecessor were completely unacceptable. They were 'petty and illogical' and they amounted to 'punishing all for the small sins of a few'.



Parliamentary Staff

MRS HELEN SUZMAN (PFP Houghton) called on the Government in the Assembly yesterday to appoint a commission of inquiry into the question of the death penalty.

Speaking in the budget debate on the Prisons Vote, she said 'We have the unenviable record of hanging more people each year than the entire Western world put together'.

Mrs Suzman said that last year 133 people were hanged in South Africa.

The worst form of discrimination against political prisoners was that they were rarely if ever, granted parole or remission.

Mrs Suzman called on the Minister to set up a judicial commission to investigate the position of all long-term prisoners in this category with a view to parole or remission.

Mr le Grange rejected some of the Opposition criticism and said allegations about the extent to which prisoners were confined were incorrect.

The Minister said the department had nothing to hide and welcomed the fact that the public was informed about its work. All the Government insisted on was that it should be the truth.

On the question of parole or remission for security law prisoners, Mr le Grange said as far as he was concerned there would be no parole at this stage.

Security law prisoners were not isolated all the time and some played tennis every day, the Minister said.

Watchdog body for parole system

253 STAR

13/5/80

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THE ASSEMBLY — The Minister of Prisons, Mr Le Grange, announced yesterday that an interdepartmental committee would be appointed to give constant consideration to the parole system.

The committee would be made up of representatives of the Department of Prisons, the Police, the Department of Justice and the Department and Co-operation and Development.

Mr Le Grange said in discussion of his vote that there was lively debate among Government departments on the parole system. For instance, who

should shoulder the blame if a prisoner reverted to crime while out on parole?

The rehabilitation programme carried out in the Republic's penal institutions was proving effective.

The failure rate of prisoners released on parole after serving sentences of more than two years was 11.19 percent.

In contrast the failure rate of prisoners conditionally discharged after serving between four months and six months was 18.37 percent. They were released before the rehabilitation programme had time to take effect.

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JAIL STUDY WELCOMED

By PHIL MTIMKULU

THE PRISONERS' Education Committee (PEC) has welcomed the announcement that people serving sentences under security laws will again be allowed to study.

The right was withdrawn two years ago. A graduate from Robben Island, Mr Dikgang Moseneke, now an attorney, said, "One has a right to be educated and nobody has the right to deny any person knowledge."

Mr Justice Moloto, a founder member of PEC, said the Minister had refused to grant them an in-

terview, but they sent him a petition in a registered envelope

"The decision to do something came after a judgment against political prisoners from Central Prison in Pretoria

"We looked at the regulations and Act, and realised it was a privilege and not a right to be allowed to study."

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POST

Telephone 27 6081

One way of winning friends

14/2/80
Post
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THE announcement by the Minister of Police, Mr Louis le Grange, that political prisoners would again be allowed to do post-matric study while serving their sentences must be welcomed

Two years ago, when the then Minister of Justice Mr Jimmy Kruger withdrew this facility, it seemed that the Government was determined to deprive them of their right to furthering their studies

The decision was met with widespread protests, even from those who had served sentences at Robben Island and studied during these periods to prepare themselves for the outside life when they are released.

It was therefore a step in the right direction when Mr le Grange decided to withdraw the ruling. It can only do people good.

Having said that, we should like to point out that it would certainly prove even more effective if the whole security legislation system in this country is reviewed.

It is not so much the problem of people inside the jails that we must worry about. Indeed, with security legislation being what it is at the moment, people are simply being whisked away and kept in detention for periods ranging from days to months. It is this, more than anything else, that has to be righted

We hope that the Minister of Justice will take the cue and act on the laws. At least, the Government can set up a commission of inquiry into security legislation, with the view of dropping all legislation that can be used to deprive people of their right to freedom without recourse to a court of law.

That will be one way of winning friends and influencing people.

We assume that the Average Total Costs are ~~outside the~~ ~~producer~~ greater than the producer ~~total revenue equals the rectangle A~~ will have to make maximum use of it wants to produce the good. So the price discrimination in order such extra ~~to~~ revenue as possible the producer can obtain from consumer surplus is greater than ~~to~~ he will be able to produce ~~to~~ the still cannot produce the good.

list

10/5/1300
Prison Robben Island

South African authorities and more concerned about prisoners they should be permitted to be considered for parole or termination of sentence, she said.

She accompanied by a group of 10 of the Department of Prisons and was given the opportunity to speak to any prisoner she wanted to on a contact sit' days.

Except for a visit made in a group of 10, where at the contact was allowed with prisoners, this was the Department's first visit to the prison for several years she had tried several times to visit in recent years, but was refused permission.

She was pleased to see that prisoners who had been sleeping on mats in the past, now had beds. She was also pleased to see the workshop where prisoners could produce various handicrafts.

"I was able to speak to the group of 10, prisoners under 18 some of whom are studying and I visited the library, the hospital and a shop where prisoners in the 'A group' can buy groceries and toiletries."

She said she had met many prisoners and I believe that the other prisoners they should be permitted to be considered for parole or termination of sentence, she said.

She accompanied by a group of 10 of the Department of Prisons and was given the opportunity to speak to any prisoner she wanted to on a contact sit' days.

Except for a visit made in a group of 10, where at the contact was allowed with prisoners, this was the Department's first visit to the prison for several years she had tried several

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Three members of the Prison Band at the passing out parade for 81 coloured probation warders at Pollsmoor yesterday

CAPE TIMES 7/6/80

253

Le Grange promises equal pay

Crime Reporter

SALARY parity for all race groups was something which would be reached within years instead of decades, the Minister of Prisons, Mr Louis le Grange, said at a passing-out parade of 81 coloured probation warders at Pollsmoor yesterday morning

He said there were ways of acknowledgement for services rendered which could not be measured in money. In the case of the military, medals were awarded for a number of reasons. The number of medals available to the Prisons Department in the past had been limited and had consisted mostly of long service medals. As of last month a new series of medals had been made available.

These were the South African Prisons Service Cross of Valour (Diamond), the South African Prisons Service Star of Excellence (for senior officers), the South African Prison Service Star of Valour (Ruby), the South African Prisons Service Star of Excellence (for senior officers), the South African Prisons Service Cross of Merit (for officers), the South African Prisons Service Prisons Service Medal of Merit (for officers), the South African Prisons Service Medal of Merit (non-commissioned officers) and the South African Prisons Service Faithful Service medal for 10, 20 and 30 years, with acknowledgement for service over 40 years.

98 000 in custody a day - Du Preez

STAR 22/6/80

(253)

South African prisons hold 98 000 people in custody on average a day, Commissioner of Prisons Mr W M du Preez reports.

Reviewing the period July 1978 to June last year in a Department of Prisons annual report, Mr du Preez said more than 500 000 people were detained — of which 274 000 were sentenced, and 258 000 not

A total of 1 781 prisoners escaped during the year, of which 1 150 were re-arrested. Most escaped while doing work outside the prison grounds.

But while the daily average number of prisoners in custody was rising steadily, the number of

escapees was decreasing. This was in spite of a shortage of personnel within the department.

There were 1 589 staff resignations in the year under review out of a total of 16 064. In spite of a personnel gain of 2 284 to offset this loss (attributable largely to effective countrywide recruiting), the department still has a shortage of 1 480 people.

But the Department of Prisons could not lower its selection standards. A poor standard would handicap the serious execution of the department's duties, the report said.

Mr du Preez said the existing shortage did not solve the problem of how to keep prisoners productively occupied.

Convicts get 'pay' increase

Spiralling costs have forced the Department of Prisons to increase prisoners "wages" to a maximum of R16 a month.

Prisoners are also allowed to spend more on purchases — a maximum of R17 a month — from their private cash and earned gratuity, the Department of Prisons reported.

A gratuity award is paid to a prisoner for "meritorious service" and "a positive attitude, diligence, conscientiousness, productivity and good behaviour."

Gratuity paid in terms of the Prisons Act, was increased from R10 to R16 a month for white prisoners and from R6 to R15 for black prisoners.

Cape Times 25/6/80 253

Prisoner denies being at meeting

BLOEMFONTEIN — A Goedemoed jail prisoner, Mr Simon Bulani, recalled by magistrate Mr W A du Plessis in a culpable homicide trial in the regional court here yesterday, rejected as "lies" evidence about a "conference" in a jail latrine by two other prisoners after the death of a recaptured prisoner, Mr John Nkumkumba, 27, on July 19, last year.

Testifying at the trial of 17 Goedemoed jail warders who have pleaded not guilty to killing Mr Nkumkumba, Mr Bulani said "I never attended such a meeting."

Mr Stephen Ginya told the court last week that it was agreed at a conference attended by him, Mr Pascoe Dikela, Mr Bulani and Mr Pere Vara that lies would be told at the trial.

Mr Vara is to be questioned about the "conference" when

the hearing resumes today.

Replying to a question of whether he wanted to incriminate warders whom he had not seen during the alleged assault, Mr Bulani said "No, I hate nobody."

He said he did not want to influence anybody to incriminate warders falsely "I'm not such a person."

The investigation officer, Lieutenant D J G Stears, said he was not aware of a conference in the jail latrine.

"At no stage did anybody mention such a meeting," he said.

Lieutenant Stears said he asked Mr Bulani and Mr Vara why their statements differed from Mr Dikela's and Mr Ginya's.

They replied that was their version of what they had seen.

The trial continues today. — Sapa

Court told how jail gangs operate

PRISON "gangs" in South African jails headed by "generals" conducted private courts and could pass the death sentence on members who defied, a Bloemfontein court was told yesterday.

Mr A W du Plessis, a regional magistrate, was told that these gang members could also "torpedo" proper court trials.

Lieutenant J H Williams, in charge of "B" institution at Goedemoed Jail, was giving evidence at a culpable homicide trial in which 17 of the jail's warders have pleaded not guilty to causing the death of a recaptured prisoner, Mr John Nkumkumba (27) on July 19 last year.

Lieutenant Williams revealed that some warders at Goedemoed had been disciplined in 1978 for "joining up" with these gangs. These warders carried the same identification marks as the gang members.

"The prison authorities are trying to minimise the incidence of the gangs. We try to identify the gangs and to keep them apart."

The main gangs at Goedemoed were called "The Big Five", "26" and "28" and "The Desperadoes". They had distinctive identification marks, Lieutenant Williams added.

Gang members had various ranks, from general to private, with different functions; the gang leaders exercised considerable influence on the younger mem-

bers. The leading cleaner at Goedemoed, Mr Simon Bulani, and three other prisoners, Mr Vara, Mr Dikela and Mr Ginya, who allegedly attended a "conference" in the jail latrine on the day Mr Nkumkumba died, were members of the "Big Five", Lieutenant Williams said.

Earlier, Mr Nelson (Pere) Vara, a "Big Five" gang member, recalled by the court, denied under cross-examination he was trying to "twist" evidence.

He had never seen Mr Abraham Ntloeng (27), one of the 11 black accused, kick Mr Nkumkumba in the jail control area on July 19, he said.

The hearing was adjourned to October 16 for argument.

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26/6/80

Post 19/7/80

57 on hunger strike

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FIFTY-SEVEN people being detained in terms of security legislation at Victor Verster Prison in Paarl have refused to eat since Tuesday morning, according to the Department of Prisons in Pretoria.

Replying to specific questions regarding the hunger strike, Major P J Hartman of the Prisons Directorate of Public Relations, said the detainees were refusing to eat "probably in protest at their detention"

CONTACT

The detainees are being held in terms of Section 10 of the Internal Security Act which allows for indefinite detention.

Major Hartman said the detainees' legal advisers had regular contact with them "Attention should be drawn to the relevant provision in the Act in terms of which they are being detained in regard to applications to the Minister of Justice."

The Act makes provision for a review committee and the detainees are entitled to make representations to this review committee.

EFFECT

In terms of the relevant section of the Act, however, the Minister need not give any effect to the committee's recommendations, according to a legal representative.

The identity of the review committee is also not known.

It is appointed by the State President

Prisoners on hunger strike: No comment

THE Department of Prisons refused to comment yesterday on the hunger strike by 57 detainees at the Victor Verster Prison near Paarl, Major P J Hartman of the Department's press liaison section said.

Post 1/1/80
On Wednesday Maj Hartman said 57 people being detained under Security Laws had refused to eat since Tuesday.

The Department could not confirm or deny inquiries, he said, and they were being referred to the office of the Minister of Police and of Prisons, Mr L le Grange. — Sapa.

DEPARTEMENT VAN GEVANGENISSE

No R 1434

11 Julie 1980

WYSIGING VAN GEVANGENISREGULASIES

Die Staatspresident het kragtens artikel 94 van die Wet op Gevangenis, 1959 (Wet 8 van 1959), die regulasies in die Bylae hiervan uitgevaardig

BYLAE

1 In hierdie Bylae, tensy uit die samehang anders blyk, beteken die uitdrukking "die Regulasies", die Gekonsolideerde Gevangenisregulasies, gepubliseer by Goewermentskennisgewing R 2080 van 31 Desember 1965, soos gewysig deur Goewermentskennisgewings R 992 van 30 Junie 1967, R 441 van 22 Maart 1968, R 801 van 10 Mei 1968, R 1865 van 11 Oktober 1968, R 2227 van 6 Desember 1968, R 2325 van 20 Desember 1968, R 1530 van 18 September 1970, R 1979 van 13 November 1970, R 557 van 8 April 1972, R 776 van 12 Mei 1972, R 1476 van 25 Augustus 1972, R 384 van 16 Maart 1973, R 922 van 30 Mei 1973, R 2368 van 14 Desember 1973, R 1842 van 11 Oktober 1974, R 1311 van 11 Julie 1975, R 921 van 28 Mei 1976, R 2261 van 3 Desember 1976, R 966 van 3 Junie 1977, R 967 van 3 Junie 1977, R 968 van 3 Junie 1977, R 1047 van 17 Junie 1977, R 1199 van 23 Junie 1977, R 1584 van 12 Augustus 1977, R 1731 van 2 September 1977, R 2094 van 14 Oktober 1977, R 992 van 19 Mei 1978, R 1759 van 1 September 1978, R 1993 van 6 Oktober 1978, R 1994 van 6 Oktober 1978, R 2091 van 21 September 1979 en R 350 van 18 Februarie 1980

2 Hoofstuk II van die Regulasies word hierby gewysig deur die uitdrukking "gevangenisrade" of "gevangenisraad" oral waar dit in die Regulasies voorkom, deur die uitdrukking "vrylatingsrade" of "vrylatingsraad" te vervang

3 Regulasie 103 van die Regulasies word hierby gewysig—

(1) deur die uitdrukking "of Voorsitter van die Gevangenisraad" waar dit in subregulasie (3) (a) voorkom, te skrap, en

(2) deur subregulasie (3) (b) deur die volgende te vervang

"(b) Die bevelvoerende offisier moet die versoek in paragraaf (a) bedoel, aan die Kommissaris stuur en die Kommissaris of 'n ander offisier deur hom benoem, kan by geleentheid van sy volgende besoek aan die betrokke gevangenis, 'n onderhoud aan die gevangene toestaan in verband met die inhoud van sodanige versoek"

DEPARTMENT OF PRISONS

253

No R 1434

11 July 1980

AMENDMENT OF THE PRISON REGULATIONS

The State President has, under and by virtue of section 94 of the Prisons Act, 1959 (Act 8 of 1959), made the regulations in the Annexure hereto.

ANNEXURE

1 In this Annexure, unless the context otherwise indicates, the term "the Regulations" means the Consolidated Prison Regulations, published under Government Notice R 2080 of 31 December 1965, as amended by Government Notices R 992 of 30 June 1967, R 441 of 22 March 1968, R 801 of 10 May 1968, R 1865 of 11 October 1968, R 2227 of 6 December 1968, R 2325 of 20 December 1968, R 1530 of 18 September 1970, R 1979 of 13 November 1970, R 557 of 8 April 1972, R 776 of 12 May 1972, R 1476 of 25 August 1972, R 384 of 16 March 1973, R 922 of 30 May 1973, R 2368 of 14 December 1973, R 1842 of 11 October 1974, R 1311 of 11 July 1975, R 921 of 28 May 1976, R 2261 of 3 December 1976, R 966 of 3 June 1977, R 967 of 3 June 1977, R 968 of 3 June 1977, R 1047 of 17 June 1977, R 1199 of 23 June 1977, R 1584 of 12 August 1977, R 1731 of 2 September 1977, R 2094 of 14 October 1977, R 992 of 19 May 1978, R 1759 of 1 September 1978, R 1993 of 6 October 1978, R 1994 of 6 October 1978, R 2091 of 21 September 1979 and R 350 of 18 February 1980

2 Chapter II of the Regulations is hereby amended by the substitution for the expressions "prison boards" or "prison board" of the expressions "release boards" or "release board" wherever they occur in the Regulations.

3 Regulation 103 of the Regulations is hereby amended—

(1) by the deletion of the expression "or Chairman of the Prison Board" where it occurs in subregulation (3) (a), and

(2) by the substitution for subregulation (3) (b) of the following

"(b) The commanding officer shall forward the request referred to in paragraph (a) to the Commissioner, and the Commissioner, or any other commissioned officer nominated by him, may, on the occasion of his next visit to the prison concerned, grant an interview to the prisoner in regard to the subject matter of such request"

distinguishes between these two types of relationship several people have established relationships. These

4 Regulasie 125 met sy opskrifte word hierby geskrap

5 Regulasie 126 van die Regulasies word hierby gewysig deur die uitdrukking "amptelike" waar dit in subregulasie (2) voorkom, te skrap

6 Regulasie 127 van die Regulasies word hierby gewysig—

(1) deur die volgende woorde aan die einde van subregulasie (1) by te voeg

"'n Nie-amptelike lid van 'n vrylatingsraad moet verder die werksaamhede uitoefen en die pligte verrig wat by voorskrif van die Kommissaris aan hom toegewys is."; en

(2) deur subregulasie (2) te skrap

7. Regulasie 128 van die Regulasies word hierby gewysig—

(1) deur subregulasie (4) en sy opskrif te skrap,

(2) deur die volgende aan die einde van subregulasie (6) by te voeg

"Die Kommissaris kan sodanige aanbeveling tesame met sy kommentaar aan die Minister voorlê"

8. Regulasie 129 van die Regulasies word hierby gewysig—

(1) deur die subopskrif en subregulasie (1) deur die volgende subopskrif en subregulasie te vervang

"Verslae deur vrylatingsraad

(1) 'n Vrylatingsraad moet so dikwels as wat nodig mag wees in die voorgeskrewe vorm, aan die Kommissaris, oor 'n gevangene soos bedoel in artikel 61 (b) (i) tot en met (vi) van die Wet, 'n verslag en aanbeveling voorlê oor—

(a) sy vrylating wanneer hy daartoe bevoeg is, en die vorm en voorwaardes daarvan, of

(b) sy proeftydperk en -voorwaardes, indien sodanige vorm van vrylating aanbeveel word, of

(c) die tydperk en voorwaardes van sy parool indien daardie vorm van vrylating aanbeveel word", en

(2) deur subregulasie (2) te skrap

9 Regulasie 148 van die Regulasies word hierby gewysig deur subregulasie (1) (d) deur die volgende te vervang

"(d) Voorskrifte en leiding aan inrigtingskomitees en vrylatingsrade by die uitoefening van hul werksaamhede, met die oog op eenvormigheid by die uitvoering van hul pligte ooreenkomstig departementele beleid en die doeltreffende en produktiewe gebruik van die dienste van lede, hetsy amptelik of nie-amptelik, van al die inrigtingskomitees en vrylatingsrade"

4 Regulation 125 and its headings are hereby deleted

5 Regulation 126 of the Regulations is hereby amended by the deletion of the expression "official" where it occurs in subregulation (2)

6 Regulation 127 of the Regulations is hereby amended—

(1) by the addition of the following words at the end of subregulation (1)

"A non-official member of a release board shall further exercise the functions and perform the duties assigned to him at the direction of the Commissioner", and

(2) by the deletion of subregulation (2).

7 Regulation 128 of the Regulations is hereby amended—

(1) by the deletion of subregulation (4) and its heading, and

(2) by the addition of the following at the end of subregulation (6)

"The Commissioner may submit such report together with his comments to the Minister"

8 Regulation 129 of the Regulations is hereby amended—

(1) by the substitution for the subheading and subregulation (1) of the following subheading and subregulation

"Reports by release board

(1) A release board shall, as often as may be necessary, submit a report and recommendation, in the prescribed form, to the Commissioner, on a prisoner referred to in section 61 (b) (i) to (vi), inclusive, of the Act, in regard to—

(a) his release when he qualifies for it, and the form and conditions thereof, or

(b) the period and conditions of probation, if such form of release is recommended, or

(c) the period and conditions of parole, if such form of release is recommended"; and

(2) by the deletion of subregulation (2)

9 Regulation 148 of the Regulations is hereby amended by the substitution for subregulation (1) (d) of the following

"(d) Directives to, and the guidance of, institutional committees and release boards in the exercise of their functions with a view to uniformity of performance of their duties in conformity with departmental policy, and the effective and productive use of the services of members, whether official or non-official, of all institutional committees and release boards"

like to have a certain amount of freedom of choice as to the interactions they maintain with each other in the organization. The study of the relationships structure includes, therefore, among others, a comparison between the formal structure and the

STUDYING THE ATTITUDES OF MEMBERS OF THE ORGANIZATION

The feelings, the atmosphere and the amount of satisfaction of people in the organization are enormously important, not only to every one of

Internal

15/7/80 ARUUS

prison trial

restarts on

Thursday ²⁵³

THE internal trial at Victor Verster Prison near Paarl at which five detainees are appealing will start again on Thursday with a new presiding officer.

According to the wife of one of the detainees on trial the new presiding officer will be someone from outside the prison, probably a member of the inspectorate of the Prisons Department.

The hearing will start from the beginning, she said.

RECUSAL

The presiding officer at the original hearings, Captain C R Liebenberg, recused himself from the trial yesterday. He withdrew after objections from the accused that 'they feared they would be victimised'.

Captain Liebenberg is an official of the prison's maximum security section.

The detainees on trial are Mr Abdurazak Achmat, Mr Richard Stevens, Mr Yusuf Chikte, Mr Zunade Dharsey and Mr Neil Macdonald.

They were facing charges of contravening prison regulations. It is alleged they disobeyed a warder's command to be quiet.

According to a lawyer the sentences they face if found guilty may include one of the following:

Reprimand, deprivation of meals for a number of days, spare diet, solitary confinement and for serious matters, the pre-

siding officer is entitled to impose lashes.

The trial follows the same procedure as a magistrates' court. However there is no appeal to a higher court.

ONLY REDRESS

The only redress the accused would have is to make representations to the Commissioner of Police to review the case and the commissioner's decision is final.

At a previous hearing of the case one of the accused, Mr Achmat, who was on a hunger strike, collapsed and was taken to hospital. Mr Achmat is still in hospital but he is said to be much better and was able to attend the hearing yesterday.

Mystery shrouds prisoner's death

Q53

S-Post

20/1/82

Guests gunned down in row over bride at wedding

DAILY POST

By SAM MABE

THE wedding bells were ringing for Mr Moses Sekatane and his lovely bride, Miss Lucy Mathabathe

Then an exchange of gunfire brought the celebrations to an abrupt end

What was supposed to be a memorable day for the couple turned into a nightmare — all because of a fight over when the bride should leave Mamelodi for her in-laws' home in Thokoza, near Alberton

The bride's family did not see any reason for rushing. The bridegroom's relatives thought otherwise.

One of the victims of the shoot-out which followed, Miss Joyce Mashamaite (19), a Mamelodi High School pupil, told **SUNDAY POST** of the events

"Some members of the groom's family were apparently trying to interrupt the celebrations, demanding that the bride be taken to the groom's home," she said.

There was an altercation and one of the guests — the son of a policeman — was assaulted

Miss Mashamaite said the policeman then drew a firearm. Several shots



Miss Joyce Mashamaite (19) . . . bullet went through her hand and entered her stomach.

were fired and one of the bullets went through Miss Mashamaite's hand and into her stomach.

Another guest produced a weapon and in the subsequent shoot-out Mr Jerry Mpe (39), an uncle of the bride, was hit above the left eye. Mr Daniel Ramathaba (21) of Thokoza was hit in the left shoulder.

Later, **SUNDAY POST** understands, Mr Johannes Sekatane (26), was shot

in Thokoza — apparently during a continuation of the fighting

Mr Mpe, who spoke to **SUNDAY POST** from his hospital ward, said he was supposed to accompany the bride to her in-laws' home at the end of the day's celebrations.

"When this policeman drew his gun and fired a shot into the air, I took it that he was merely trying to scare the people to stop their quarrels. Then

several other shots were fired and I was hit above the eye. Everything went dark.

"I had earlier tried to plead with some of the groom's relatives who were too impatient to wait for the celebrations to finish before we could take the bride to their home in a proper traditional fashion.

"I am thankful nobody was killed," Mr Mpe said. Police are investigating

Man arrested, disappears and is found in mortuary

By SAM MABE

A CLOAK of mystery surrounds the death of a Soweto man who was allegedly held by police in May and died last month. His family was informed of his death for the first time this week.

Ms Noreen Memka said her fiancé, Mr Johannes Bolani (42) of White City, phoned her on May 27 to tell her he had been arrested and was at John Vorster Square police station.

Since then she had made several trips to John Vorster Square, but she was told he was not there. Visits to the Fort also proved fruitless.

The next she heard of him was on Monday this week when a letter was delivered from Baragwanath Hospital informing the family that Mr Bolani had died on June 15.

The dead man's family is now having difficulties in getting the body for burial because police are allegedly refusing to supply documents for the body's release from the Government mortuary.

A relative of Mr Bolani, who asked not to be identified, said her cousin's death was mysterious because he had heard conflicting versions of the cause of death.

She said she heard from Baragwanath Hospital that he had died a natural death. First I was told the cause of death was renal failure and then I heard it was bronchitis.

When we were shown his body at the Government mortuary, he had blood in the mouth and nose. There was also blood on the side of his face.

The admission book at Baragwanath Hospital stated that he was picked up from John Vorster Square police station and that he arrived under police guard.

Brigadier J. J. Hamman, Divisional Commissioner of Police in Soweto, said he would find out tomorrow why the relatives could not be given the body at the mortuary.

20/7/80

FORMER PRISONER needs Witnesses

A FORMER paroled prison labourer, Mr Petrus "Puppy" Mofokeng is suing a Cullinan farmer for R4 000 for alleged assault and bad treatment while working on the farm.

Mr Mofokeng's lawyers at the Legal Resources Centre are looking for witnesses who will be able to describe the life of a paroled prison labourer on Mr Bekker's farm.

Paroled prison labourers who worked with Mr Mofokeng at the farm have been asked to get in touch with his lawyers at Innes Chambers in President Street.

Mr Mofokeng (42), of Meadowlands, says, is suing Mr L. A Bekker and

his son for assault and bad treatment which he says occurred while he was working at the Bekker's farm, Van dykspruit in Cullinan.

The allegations have been denied by Mr Bekker and his son. And the hearing on Mr Mofokeng's claims starts at the Pretoria Supreme Court on August 4.

Mr Mofokeng said he was held at Modderbee prison after he was convicted in November 21, 1978 to late January 1979 and there were other paroled prison labourers working at the farm.

Mr Mofokeng

29/7/80 ARCS

Murder appeal denied

BLOEMFONTEIN. — The Appeal Court refused three men leave to appeal against a finding that there were no extenuating circumstances present when they murdered a fellow prisoner in the Victor Verster Prison.

Ronald Booysen was found with his throat cut when the cell in which he and four other prisoners were confined was opened

on the morning of December 1 1978

In the Cape Supreme Court on May 14 1980, Mr Justice L A Rose-Innes found that John Adams, Isaak Platjies and Dawid Jansen had murdered Booysen and that no extenuating circumstances had been shown for their actions. They were all sentenced to death. — Sapa

29/7/80 ARGUS

Detainees get 5 days' solitary

FIVE detainees at Victor Verster Prison near Paarl were today sentenced to five days' solitary confinement for making unnecessary noise.

Mr Richard Stevens was found guilty on a second charge of insulting a prison warder and sentenced to a further five days' solitary confinement.

The five detainees were found not guilty on the main charge of disobeying a lawful command.

They pleaded not guilty to all the counts.

The detainees — Mr Stevens, Mr Neil MacDonald, Mr Junade Dharsey, Mr Abdurazzack Achmat, Mr Yusuf Chikte — made unnecessary noise on June 21.

Mr Stevens called a warder 'jou verdomde aap' ('you damned ape') on June 26.

RECUSED

The detainees were sentenced by a Colonel Friesen of the prisons inspectorate of the Western Cape.

The original presiding officer in the case, Captain C R Liebenberg, recused himself from the trial after objections from the detainees that they feared they would be victimised.

According to relatives of the detainees, the defence attorney, Mr A M Omar, has been instructed to submit representations to the Commissioner of Prisons to review the case urgently.

Staw 6/8/80 (329/25)
Suzman finds conditions
in prison have 'improved'

Political Reporter

Mrs Helen Suzman, official Opposition spokesman on prisons, has been allowed to visit white "political" prisoners at Pretoria Central Prison and has found them to be in good health and spirits.

Mrs Suzman was allowed a long visit to the seven prisoners yesterday. There was free discussion although two senior prison officials were present.

It has been a number of years since Mrs Suzman was allowed to visit the

prisoners and she found yesterday that their relationship with the authorities seemed to have improved.

She found they were being held in very reasonable conditions although there were some complaints which she will take up with the Minister of Prisons, Mr le Grange.

"The main concern of these prisoners, many of whom are serving long sentences, is remission. This is a matter I will continue to put to the Minister," she said.

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Department bans prison labour from Becker farm

By BARNEY
MTMOMBOTHI

THE PRISONS Department has stopped supplying prison labour to L. A. Becker and Sons, who made an out-of-court settlement after being sued for assault, because they do not conform to "certain conditions".

The department discovered in August last year that the Becker farming partnership did not meet the required conditions, which cover medical facilities, housing, food and working hours.

The department had been investigating conditions at the Becker farm, Vandykspruit, near Cullinan, as far back as 1975.

At that time there were complaints about food for prisoners but they were found to be groundless.

"During various routine visits by officials of the department to the relevant farm, parolees were specifically asked for complaints, and no complaints were received," the spokesman said.

But, he added, it was found in August last year that conditions were not being met at the farm. He would not say what led directly to this finding.

Counsel for Becker and Sons told Mr Justice J van Dijkhorst during the assault hearing in

the Pretoria Supreme Court this week there were two more actions for damages — also by prisoners for alleged assault — pending against the Beckers.

The man who brought this week's action, Mr Petrus Mofokeng, a parolee who worked on the Becker farm while serving his sentence, told the court all prisoners used for labour at the farm were severely beaten on arrival.

Mr Mofokeng, who was sentenced to 100 days, or R50, for failing to pay taxes in November 1978, told the court Mr Becker Jnr assaulted him and caused his employees to assault him. He sued the Beckers for R4 000.

After two days of evidence this week the judge turned down a request by counsel for the Beckers to refuse to hear evidence of assaults by Mr Becker jnr and his employees on any other paroled prisoners.

He ruled such evidence was admissible and the Beckers then made their settlement offer.

In terms of the settlement agreement, no details of it may be made public.

PAROLE PRISONERS
'System of fear'

FM 22/8/80



253

SA's parole system for short-term black prisoners is once more under scrutiny following the recent case against a farming partnership, L A Becker and Son

The Beckers agreed to an out of court settlement following two days of evidence in which prisoners outlined the "system of fear" under which they said they were forced to live while working on the Beckers' farm. Petrus Mofokeng had sued the Beckers for R4 000 for alleged assaults.

The evidence led has brought strong reactions from legal experts and opposition spokesmen.

In evidence, Joseph Tiwani said that on

their first evening at the farm, the parole prisoners were told to stand naked against a wall with their arms raised above their heads and were then beaten with a sjambok.

Says a legal expert "The system smells of slavery and needs to be carefully reconsidered."

The Department of Prisons, however, says that prisoners can choose their place of employment and that "no pressure is brought to bear on a prisoner should he be unwilling to be released on parole."

Helen Suzman, PFP spokesman on justice, disagrees. "White prisoners are allowed to choose their employment while black short-term prisoners — most of whom are arrested on pass offences — are forced to work for low wages and under poor conditions."

The most serious criticism of the system is that there is insufficient control on employers. Says Suzman "It is impossible for the prisons department to keep tags on all its parolees. Under these conditions, maltreatment will obviously result."

Although the parole contract states that "inspections are carried out periodically by members of the department to ensure that parolees receive proper treatment" evidence led in the Becker case and two previous cases in 1972 alleged that this has not always been the practice.

The department also says "It is impossible to conduct inspections daily at places where parolees are working," but adds "Where cases of alleged assaults or ill-treatment do occur the department acts immediately."

Legal experts argue that the system does not serve the function of a true parole system. "It is meant to help the prisoner over the difficult period, but there is no rehabilitation needed where a prisoner is arrested for a pass offence," Suzman says.

Critics also point out that parolees earn as little as 45c a day and that this "cannot possibly help them fit back into society."

The department denies this. It says employers must pay parolees an agreed upon wage and that they are bound by wage determinations, or a minimum of 60c a day where one does not exist.

Even the department concedes that "there are certain disadvantages" to the system. Clearly it needs closer scrutiny and re-assessment if parolees are to be protected.

UN group's 'nonsense' on children in SA prison

By John Murray

Allegations that children as young as eight years are being held on Robben Island have been rejected by Mrs Helen Suzman and the South African Prisons Department

A United Nations Human Rights Commission working group claims that rights are "not respected" and sentencing of minors violated basic principles of penal responsibility

Mrs Suzman Progressive Federal Party MP for Houghton and spokesman for urban black affairs, described the UN allegations as "nonsense"

She said that during a recent visit to the island she saw "only seven or eight under the age of 18 convicted of various charges such as arson and sabotage"

A Prisons Department spokesman in Pietermaritzburg said "At present there are only six prisoners under the age of 18 incarcerated at Robben Island, sentenced to terms

of imprisonment for offences against the security of the State"

He said there were two prisoners of 16 years and four of 17 years "They are kept apart from the adult prisoners and basic facilities but have access to all sport and library facilities"

The UN working group also reported after hearings in London and Luanda that up to 120 SWA/Namibia prisoners captured by the South African army at Cassinga, Angola, in May 1978, were held in inhumane conditions at Hardap Dam, south of Windhoek

In a letter to the Minister of Foreign Affairs, Mr Pik Botha, the chairman of the UN Human Rights Commission, Mr Waleed Sadi said.

"Prisoners captured in Angola have been ill-treated and tortured and some have been mutilated. Many are in a critical physical and moral state"

The allegations have been denied

Pik slams children prisoners report

ALLEGATIONS that children were imprisoned on Robben Island were absurd the Minister of Foreign Affairs and Information, Mr Pik Botha, said in Pretoria yesterday. Mr Botha issued a statement commenting on a telegram from the chairman of the United Nations Human Rights Commission, Mr Waheed Sadi.

Mr Sadi said an ad hoc working group of experts on Southern Africa had reported to him that South Africa was committing serious acts of repression in the Republic and in South West Africa, "sparing neither the aged, women nor children".

Mr Sadi's telegram also charged that children "often of a very young age, eight to 10 years old" were being imprisoned on Robben Island.

It said a number of South West Africans, possibly up to 120 people were being held "in inhumane conditions" at a detention camp at Hardap Dam, south of Windhoek.

Mr Sadi demanded that the South African Government release all children and put an immediate stop to "police brutality and all acts of repression against the people of South Africa and Namibia".

He also demanded the release of the Hardap Dam prisoners and the application, pending their release, of the Geneva Convention "relative to the treatment of prisoners of war of August 12, 1949".

The telegram concluded "Because of the urgency of these matters, I am also bringing them to the attention of the Secretary-General and other appropriate organs of the United Nations".

Mr Botha denied all allegations in the telegram which, he said in a reply message, reached him on August 26 — after you had already released the contents to the media and they had formed the subject of radio broadcasts.

Mr Botha said that "quite apart from the propriety of such action, it leaves the impression with me that you are more interested in deriving propaganda advantage from your communication than in resolving matters in which you purport to be interested".

He rejected the accusations "of [unclear] group of [unclear]

Pik slams UN on 'jailed children'

S1AR 3/1/80
253
BBA

Mr Pik Botha, Minister of Foreign Affairs, has rejected allegations by the UN Human Rights Commission that children were being jailed on Robben Island.

Replying to a telegram from the chairman of the commission, Mr Botha said:

"Civilised legal practices are followed in South Africa and the accusations in regard to the imprisonment of children are absurd

"I totally reject the accusations of the ad hoc working group of experts and yourself on behalf of the Commission on Human Rights.

"The working group has fabricated a series of untruths and you have accepted them without any attempt to verify their accuracy," he said.

"The working group and the commission are clearly biased and are pursuing a vendetta against my country, relying on propaganda material generated by organisations waging a campaign of vilification of South Africa.

"They express concern for the welfare of children in South Africa and SWA/Namibia, yet they remain silent on the regular abduction by Swapo of schoolchildren in Owambo," he said

The telegram from the commission alleged that children were being imprisoned on Robben Island and that South African authorities were carrying out "acts of repression of extreme seriousness" against the people of South Africa and SWA/Namibia

Prison children of Robben Island

There are none, says Pik, but records disagree

253
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SUNDAY POST

Reporter

SOME of the children imprisoned on Robben Island under security legislation began serving their sentences at the age of 14 or 15, it was revealed this week.

At least one of the children was 13 years old when he started serving his sentence.

Figures released by the Prisons Department are a contradiction of a statement made by the Minister of Foreign Affairs and Information, Mr Pik Botha.

Reacting to a telegram from the United Nations Human Rights Commission, Mr Botha denied there were any children imprisoned on Robben Island.

The telegram alleged that children, some of them younger than 10, were serving terms on the island.

A spokesman for the Prisons Department said: "At present there are five prisoners under the age of 18 years incarcerated on Robben Island. They were sentenced to terms of imprisonment for offences against the security of the State."

According to figures released in Parliament, there were six prisoners under 18 years old on the island in 1978. One was 14 years old and three are 17.

In 1979, there were nine under the age of 18, while of the five serving this year two are 16 years old and three are 17.

Eight others are also serving sentences but these were imprisoned for crimes other than against the security of the State, according to the Department spokesman.

"The prisoners under the age of 18 are kept apart from adult prisoners and they have access to all sporting facilities like tennis, volleyball, soccer and indoor recreation."

Mr Botha had described claims that children were imprisoned on Robben Island as "absurd".

Professor John Dugard, a world-renowned legal authority, said the Terrorism Act excluded the normal rules governing the imprisonment of juveniles. This was a serious departure from normal principles of criminal justice. "So long as the Terrorism Act remains in its present form, there will be allegations that juveniles are being imprisoned in circumstances not appropriate for children."



Pik Botha

(255) (272) 8/9/80 ARKUS

Prison inspection 'ineffective'

Argus Correspondent
JOHANNESBURG — The Government inspectorate set up to handle complaints from those held under Section Six of the Terrorism Act was totally ineffective, say detainees recently released.

The ex-detainees interviewed included Dr Joe Veriava, head of the medical staff at the Coro-

nation Hospital, who was released last month. He was the only one willing to give his name.

Other released detainees included social workers, teacher, pupils and university students.

One who was held for a month said he complained to Mr A J Mouton, the inspector dealing with detainees in the Transvaal

and Free State. 'When he returned two weeks later I expected some results, but he said he had nothing for me and merely asked again if I had any complaints,' the former detainee said.

Another, who was held in solitary confinement for almost three months said Mr Mouton had not come for 'about two

weeks' after his arrest by Security Police. 'His visit brought no change or improvement in the conditions of the incarceration,' the former detainee said.

Dr Veriava said 'During my three weeks of detention nobody came to set me at all and we had no redress to anyone apart from prison warders and security people.

'No representative' of the medical or legal authorities come to whom we could put points that definitely did arise.'

Mr Mouton said he interviewed those detained under Section Six within a week of their arrest and then reports to the Minister of Justice, Mr A F Schlabusch — 'and the report is confidential.'

Island^{S POST} children — the truth ⁽²⁵³⁾

A LAWYER who fled South Africa in 1978, Mr John Jackson, said in Salisbury that an allegation by the chairman of the UN Commission on Human Rights that children aged eight to 10 were being held on Robben Island stemmed from a misunderstanding

The lawyer was commenting on a report that the South African Director-General of Foreign Affairs and Information, Dr Brand Fourie, had described the allegation as a "scandalous untruth".

"On April 6 1978 I represented children of 13 and 14 years who were appearing on charges of sabotage," said Mr Jackson

"These children are now aged 16 and 17. Where the misunderstanding arose was when I told the commission that these children had an educational age of between eight and 10," said Mr Jackson — SUN-DAY POST Correspondent.

Mercury Reporter

10ST half South Africa's black pris-
s are jailed because of influx control
s, according to Mr John Pegge,
onal director of the National Institute
Crime Prevention and the Rehabilita-
of Offenders (Nicro).

Mr Pegge was commenting on a claim
Nicro's annual report which says that
th Africa's prison population is more
n twice that of any other country in
e free world.

The statistics quoted in the Nicro re-
are based on June 1979 figures from
e Institute for Criminology at the Uni-
sity of Cape Town. The report claims
at for every 100 000 people living in
th Africa, 440 are in jail.

The United States of America has the
at largest prison population, with 189
or 100 000 people in jail.

According to the report, statistics for
e communist countries are not
available.

Influx control laws are not only re-
ponsible for the high prison population,
it also for causing the greatest amount

of friction between race groups in the
country,' said Mrs Helen Suzman, justice
spokesman for the Progressive Federal
Party.

She said she had often raised the mat-
ter in Parliament and would do so again
during the next session.

She said the 'pass law' prisoners were
not real criminals, but 'statutory
criminals'

The 'technical' offence prisoners were
often subject to the influence of other
hardened criminals while in jail

Mr Pegge said the Government was
aware of the problem regarding the high
prison population and was looking at in-
flux control laws with a view to reform.

He said Nicro hoped to be able to
organise a conference on alternate forms

of punishment. He said a problem was
that it was easier to check if sentences
were carried out if offenders were fined
or imprisoned

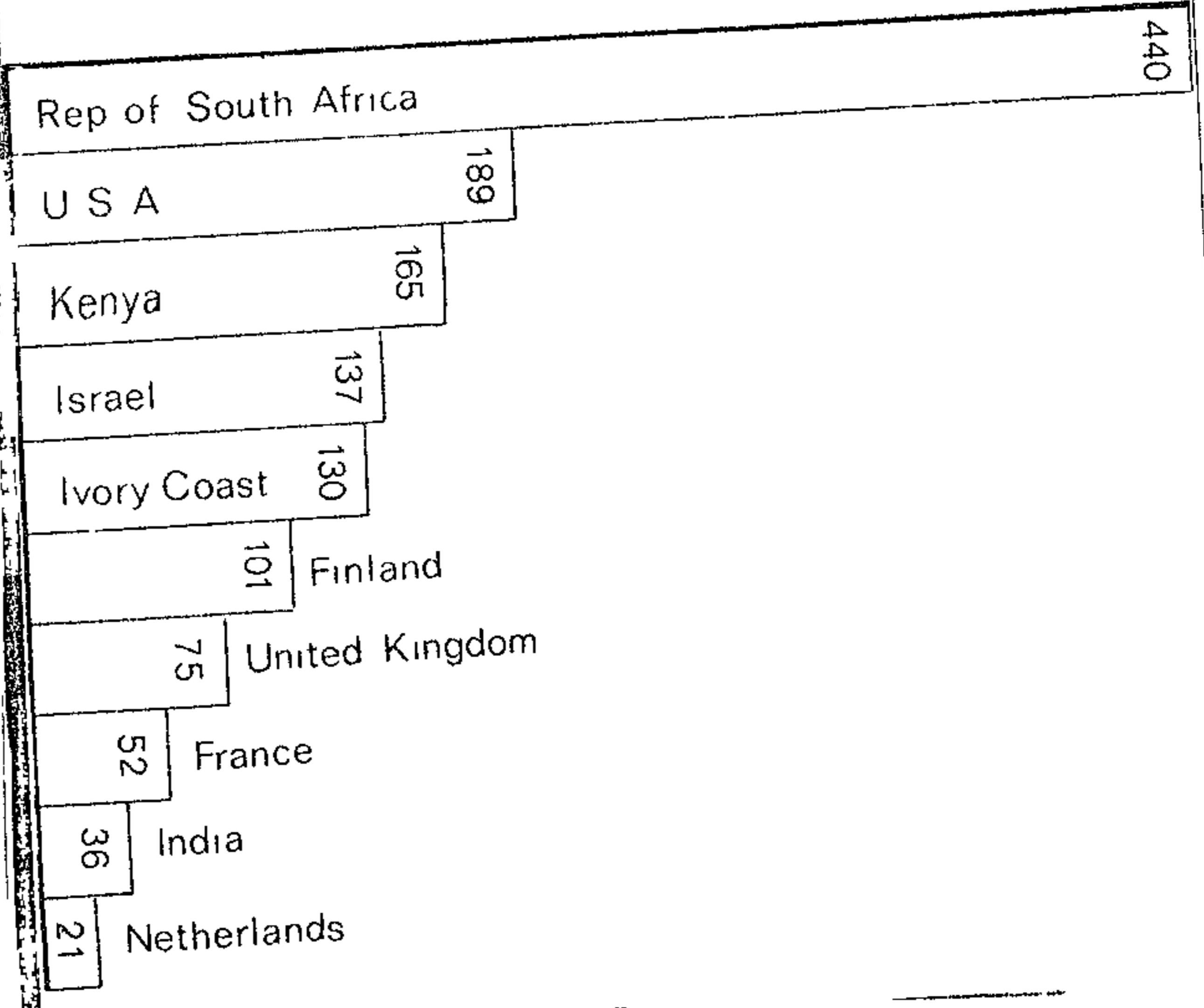
'There is no doubt that reform in sen-
tencing practice and the encouragement
of an innovative sentencing policy can
contribute towards a reduction in the
prison population.'

But he said the infrastructure did not
exist in South Africa to enforce non-cus-
todial sentences

Mr Pegge added there was danger in
looking at only political references for
the high prison population.

'The reasons are broader than politics
The standard and quality of life for the
majority of South Africans has to be im-
proved'

THE graph comparing South Africa's prison population with other
countries in the 'free world' per 100 000 of the population. The graph
was published in the annual report of the National Institute for Crime
Prevention and the Rehabilitation of Offenders



What

a record?

NM 16/10/80

253



Influx laws partly
to blame for SA's
large prison population

253 16/9/80

'No children on Island'

16(a)(b) (253) (B.G.F.) POST
LETTERS TO THE EDITOR

SIR - The editorial in your issue of 8 September criticises the reply of the Minister of Foreign Affairs to the Chairman of the

Commission on Human Rights on the alleged imprisonment of children in South Africa. Your leader condemns the Minister's objection to "claims that there were children held on Robben Island".

Obviously the Minister's reply must be seen against the actual accusation in the letter of the Chairman of the Commission on Human Rights. This letter alleged as a fact "That children, often of a very young age - 8 to 10 years old - are being imprisoned at Robben Island".

In spite of what you say in your editorial, this allegation is a scandalous untruth. You attempt to bolster your criticism by saying that "the Department of Prisons has confirmed that children were, in fact, being held on Robben Island". What did the Prisons authorities say?

They stated that there were six persons under the age of 18 years - two of 16 years and four of 17 years - on Robben Island, who had been sentenced for offences against the security of the

State. Contrary to the claim made in your editorial, these facts had been ascertained prior to the despatch of the Minister's reply on 30 August. Apart from the enquiries made by the Department of Foreign Affairs and Information, the statement by the Prisons' authorities was fully reported in the Press on 28 August.

By no stretch of the imagination can these persons be considered children within the framework of the letter to which the Minister was replying. In short, your editorial is trying to make a point by adopting a misleading interpretation.

While you evade the real issue in your leader by saying that you do not want to go into the arguments over the definition of children, you nevertheless maintain that "legally anybody under 18 is a child", and therefore presumably not criminally responsible. This is not so.

The legal systems of a number of societies hold subjects under the age of 18 accountable for their criminal acts and liable on conviction to terms of imprisonment, and South Africa is by no means alone in this regard. For instance, New York State introduced a new State Law in 1978 which specifies that persons thirteen, fourteen and fifteen years old are criminally responsible for certain serious crimes.

There is therefore no inconsistency between the Minister's letter and the statement of the Prisons' authorities, since none of the six persons mentioned can be regarded as falling within the scope of the allegations of the Commission on Human Rights.

B G FOURIE

Director-General:
Foreign Affairs and
Information
Pretoria.

A prison is not an institution for punishment, but of punishment. The loss of one's freedom is punishment enough.

These, the words of Brigadier C G Mathee, Commanding Officer of Leeuwkop Prison, sum it all up. A visit to his prison confirms it all — and does not reduce the enormous depression of the place, a jail where 5500 long-term criminals languish for their deeds.

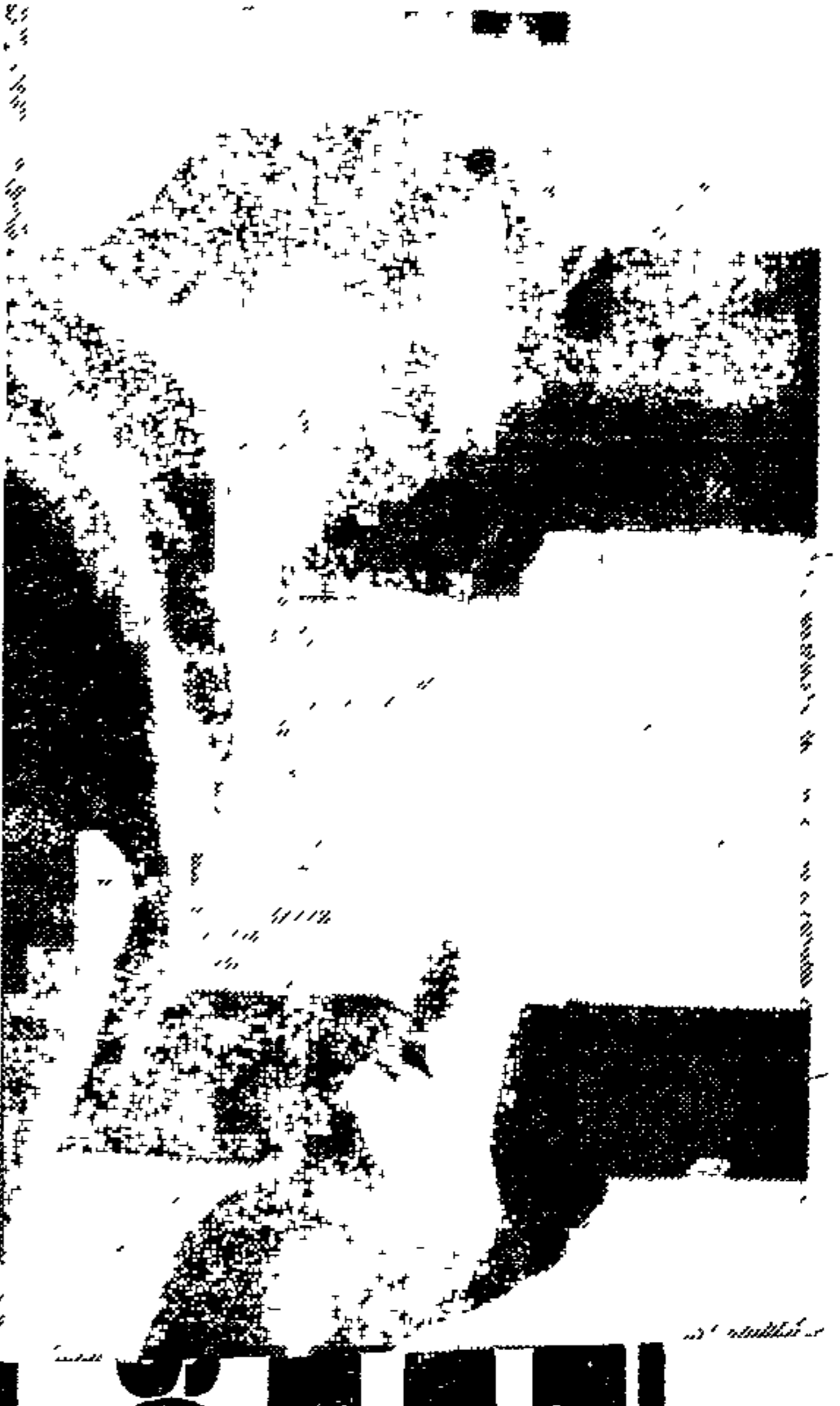
Why did they do it? Do they regret it? Will they do it again when they go "outside"? When one looks upon the faces of the men who live behind bars and sees the hopelessness, the emptiness, the despair, one forgets these are men who have robbed and killed.

"Thou art my reason for living, Thou art my everything" a group of prisoners' voices soar to the heavens, filling to capacity the spare room — and pulling painfully at my heart strings. The men, have formed a choir. Their joy in life to sing. I wanted to cry.

The aim of prison life is to keep prisoners securely in custody — in order at the same time, to protect the public from further crimes, Brigadier Mathee states.

He, a man with 22 years' experience in the Department of Prisons, is bent on doing just that. A good job. His staff of 500, who manage the sprawling 1000 ha prison complex, similarly have security up- permost in mind.

The warders are courteous, smiling and helpful, proud of a great many of the facilities the prison provides. No sex, drugs and rock and roll here. Well, not quite. You can't do most of the things you can do when a free man — but sodomy and dagga offences are committed in



A prisoner is removed from the public eye, his life — different from yours — incarceration means discipline, restrictions, the inevitable bars and grime (above). At Leeuwkop Prison, an "A" graded prisoner is allowed two visits a month of a half-hour each by two people at most a time. He can write and receive three letters a month. The "D" group is allowed one visit of half an hour by one person a month and can write and receive one letter a month.

Where iron bars a prison make

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253

"contraband" like sugar and tea, Brigadier Mathee said.

The commonplace briskness with which prison staff handle each prisoner makes you shudder. You feel, somehow, that each man should be treated with kid gloves and pity.

But prison staff become a little desensitised. Leeuwkop is their village, the high security fences a border to their playing grounds. To the 500-odd

the prison reserve is home. To me, it's lewd.

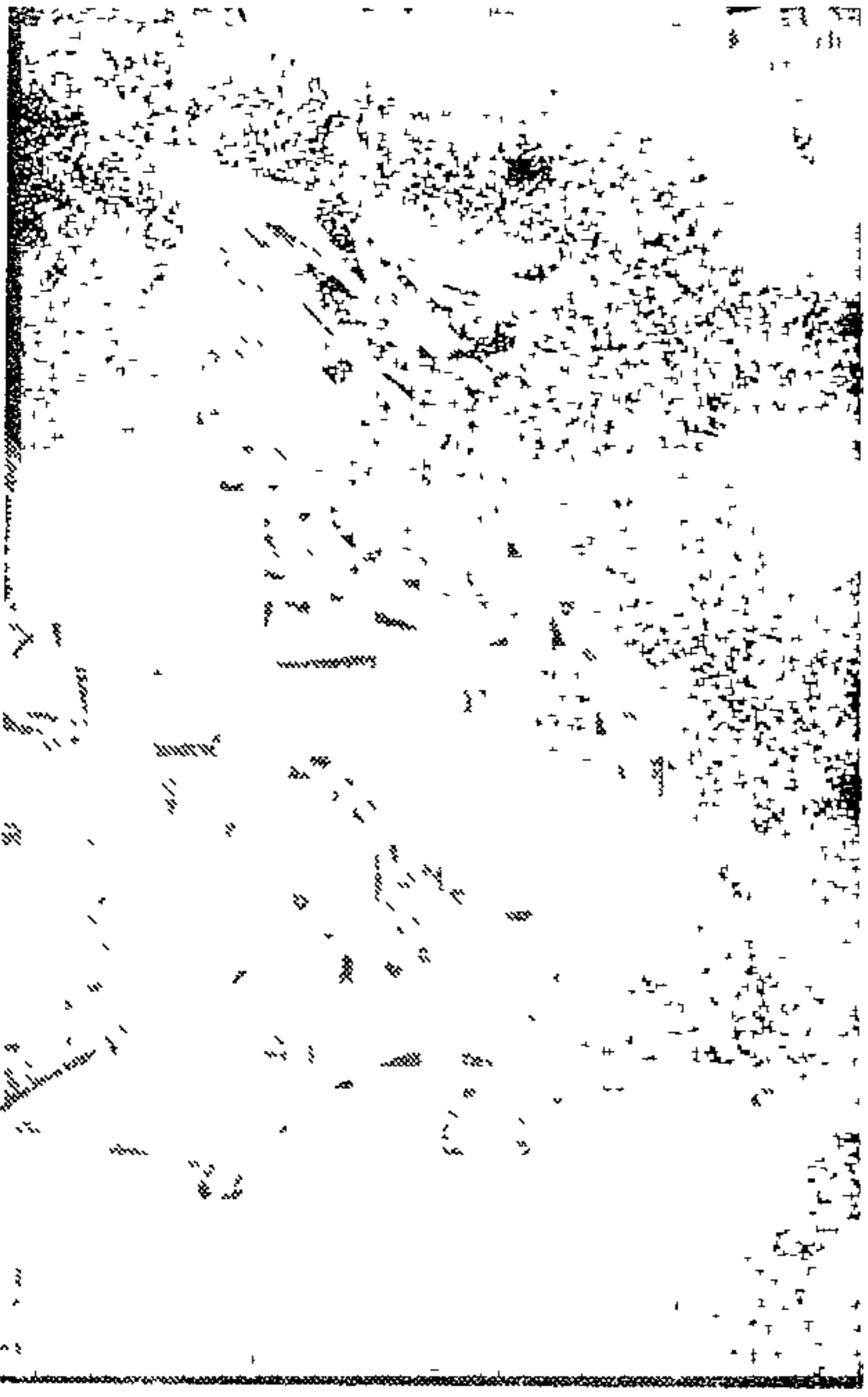
Another prison task is to rehabilitate convicts who are imprisoned for any length of time. According to the department, any person who serves in jail for two years or longer, is defined as a "long-term" prisoner.

"Most who come to us have got to us too late," prison chaplain, the Rev S van Musschenbroek, said. Before a man enters this

tardness, he has through the hands family, peers, colleagues, social workers, police officers, in

Prison is the last point of no return. Perhaps Sometimes Brigadier Mathee counts a true story prisoner in his mid-40s was leaving Zonder Prison (where Brigadier Mathee was stationed some years) His

A group of 36 prisoners voluntarily formed a choir at Leeuwkop and now sing at prison functions and church services. Most live together in the "choir" cell where 30-odd bed mats are folded neatly on the floor. The only ornament in the polished room is a cushion, embroidered with the name they have given themselves: the Sunrise Choir.



The training of long-term convicts is to rehabilitate, to make prisoners capable of maintaining themselves after being discharged. It is divided into two main fields: agricultural training and vocational training. Vocational training is mostly associated with the building and allied industries and includes stone-dressing, welding (above), sheet-metal work and cabinetmaking.

years. He said he had learnt his lesson, was sorry he had done what he had done and was determined to make a new life for himself.

"He shook my hand and said good-bye, looking me straight in the eye, his face uplifted, you could see. A few hours later, he was arrested at Pretoria station on a charge of theft. He had stolen a passenger's radio."

Since the beginning of the century, the SA Prisons administration has operated prison "farms" like Leeuwkop. Originally, these were utilised for the production of meat and vegetables on a small scale only.

However, the authorities soon realised the potential of these farms in rehabilitating prisoners and so, in the early Fifties, began to develop them more intensively.

Before 1950, the department possessed four farms with a total area of 3 725 morgen — Leeuwkop was one of the original four.

Leeuwkop Prison today is almost totally self-sufficient. It has its own piggeries, livestock and abattoir and manages its own dairy farming, dry land cultivation and crops.

It is the policy of the department to have some building operations, including the manufacture of doors, windows, frames etc, carried out by prisoners as part of their training under the supervision of prison staff.

South Africa's Prison Service is responsible for about 100 000 prisoners daily. The ratio of custodial staff to inmates is about 14 to 1.

According to Brigadier Matthee, there are no "political" prisoners in South Africa's jails.

"The so-called political prisoner is a person who has been found guilty of



Brigadier Matthee, Commanding Officer of the Leeuwkop Prison, one of 20 prison "farms" in South Africa: "Ironically, some people still think we are here solely to lock other people up and to ill-treat them."

an offence against the security of the State and his treatment is basically the same as another prisoner," Brigadier Matthee said.

He said warders were usually armed when on guard duty. Should a prisoner try to escape, the guard would shoot. "But his first shot is a warning. If the prisoner continues to make a run for it, then the warder shoots with intent."

Warders are not allowed to assault prisoners and can be brought before a prison court for doing so. Should a prisoner defy a command, the prisoner too appears before a prison court. The usual methods of punish-

ment are solitary confinement and dietary restrictions.

According to Brigadier Matthee, the maximum time Leeuwkop prisoners are in solitary confinement for breaking a prison rule is 30 days.

After a sumptuous lunch at the elegant prison officers' mess Brigadier Matthee ordered that the remaining wine be taken from the table immediately. I was surprised — but then, all was explained.

Our waiter was one of the prison's inmates, serving a sentence for armed robbery. No-one would have guessed it. He did a fine job. But no liquor, ever, for prisoners.

2019/80

Island Kids — The Truth

A LAWYER who fled South Africa in 1978, Mr John Jackson, said in Salisbury that an allegation by the chairman of the UN Commission on Human Rights that children aged eight to 10 were being held on Robben Island stemmed from a misunderstanding.

The lawyer was commenting on a report that the South African Director-General of Foreign Affairs and Information, Dr Brian Bourne, had

decried the allegation as a 'scandalous untruth'.

'On April 6 1978 I represented children of 13 and 14 years who were appearing on charges of sabotage,' said Mr Jackson.

'These children are now aged 16 and 17. Where the misunderstanding arose was when I told the commission that these children had an educational age of between eight and 10,' said Mr Jackson.

(253)

The Prison Diary of Nimrod Mkele

Cruelest

ILLUSTRATIONS BY
DAVID SHAPIRO

PHOTOGRAPHS BY
PAUL WEINBERG

Of

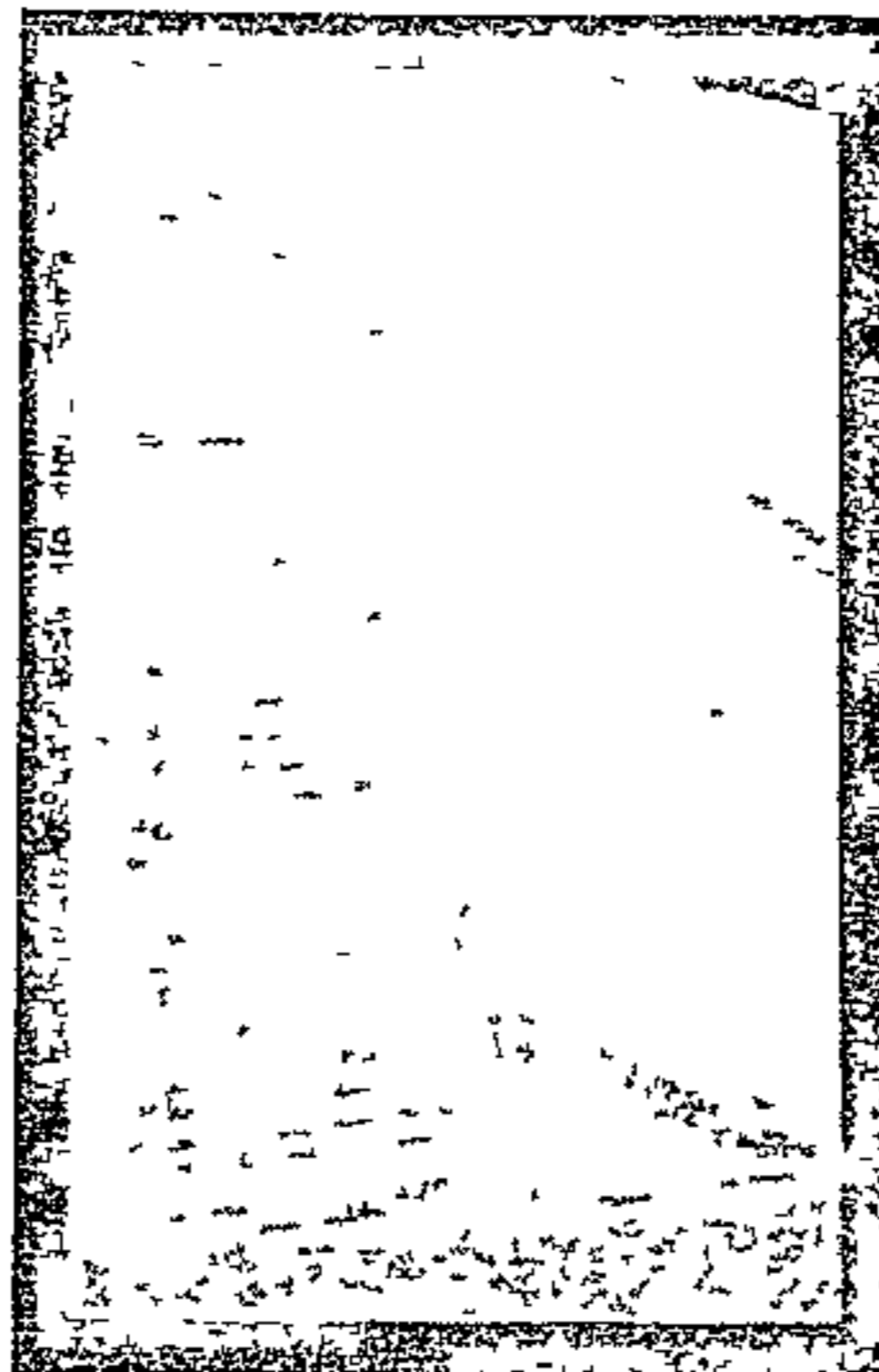
The President

The career of Nimrod Mkele has consisted of a startling series of peaks and valleys

He was described by the late Nat Nakasa as 'over-educated and under-passportable' 'Without all those degrees' Nakasa wrote of Mkele, in one of his most famous stories, he could slip quietly into a pass office job and have himself a ball stamping reference books

After completing an MA in 1953, Mkele held a string of jobs in the business world, and then set up a management consultancy practice in Johannesburg. He also became a director of several community organisations

In November 1976 he was in Umtata to deliver a



paper to a SA Institute of International Affairs conference. While he was there his home in Johannesburg was raided by security police. Mkele judged it would be advisable to stay in Transkei.

He set up a company running bus-shelter advertising and became a regular member of the Transkei cocktail circuit. At one social occasion the Prime Minister jokingly

told him that he would yet make him a political prisoner and then send him back to South Africa.

In November 1979 the Black Community Programmes organisation, of which he was chairman, was banned in Transkei. A few weeks later the Daily Dispatch quoted Mkele criticising the ban. That afternoon he was detained and taken to Umtata's Wellington prison.

While he was in prison, Mkele kept a diary, written on toilet roll with a hidden pen.

16/11

253

Those who conceived this kind of torture are probably enjoying supper with their wives and kids

SAT out in sun all day talking and playing games. No breakfast because we are told there is no water. About 12:30 got porridge. Were told that we would have porridge again for supper. It came with thick gravy tasting as if it had been jomswaed ulusu lwenkomo. Couldn't take porridge again. Our chaps want the OC called to account for this state of affairs but the prisoners seem indifferent.¹

Today everyone is out of cigarettes. Mike managed to cadge some pipe tobacco from the prisoners. So the guys have been sharing thick newspaper zols. I asked why they don't use toilet paper. They say it's too soft and also sticks to the lips when it is wetted by saliva. I am the only one who doesn't smoke but could do with a drink. Saturday we talked about ways we could get drink. When we suggested to the Sergeant that he might bring us some he just laughed although he himself looked nice and mellow. He is a Dlamini - a fact I must use since I am one too.

Kotze is really dispirited especially for want of cigarettes. He is desperate. When the guard came to wake us up I asked him to especially see that the guys got cigarettes, particularly Kotze who is fit to die for want of nicotine. He has ceased to be the life and soul he was. I wonder what he'll say when he gets home one day about the Transkei government his 'time' with us. Anyway he finds us easygoing, friendly and completely unaffected, unawed by his whiteness. Nothing like being KD's guest in one of his hosteleries to level all of us.²

That is not entirely true of course. I still get treated by the others and those on the other side with the respect I am used to. Perhaps we are still too conscious of colour norms to remain unaffected by a white presence among us. And you can be sure the same goes for him too.

We started getting down to knowing one another. Being thrown together like this forces that on us. We want to know why we are here. Kobo was picked up as he came from an interview with Mjcfane.³ Mike after they went to his shop and said

EDITOR'S FOOTNOTES

- 1 With a flavour of tripé passed over it
- 2 KD Kaiser Dalwonga Matanzima President of Transkei
- 3 Mjcfane Chief George Matanzima the Prime Minister
- 4 Botha Sigcau the Security Police head quarters building Ngceba Brigadier Martin Ngceba head of the Security Police
- 5 Paramount Chief Sabata Dalindyebo, tried for treason earlier this year
- 6 Hamilton Pamla former Minister of the Interior
- 7 The Matanzima brothers and T T Letlaka the Minister of Finance

that Ngceba had news of a house for him. When he got to Botha Sigcau, Ngceba would not look at him.⁴ Instead he got a warrant for detention Xola Mletu whom I should know from Soweto. He looks so familiar, was picked up a year ago. Says the last time he was interrogated was January 1979. He has been to at least three prisons - the last time at Mt Frere. He wonders what public opinion is like. I told him what I could but said not to bank on that because people are afraid of KD.

In any event there is a lot of sympathy for him and Gushu who has also been in the same prisons for harbouring Xola - a 'terrorist'. It is alleged he had military training overseas. He wonders why he is not being tried. Some suggested because he had no case to meet in Transkei. After all he came to fight South Africa not Transkei.

Two chaps in Boart overalls are also

no opportunity to do but here he is. He believes he has lost his job now because his employers do not know where he is nor do his parents. One youngster is locked up for printing and disturbing the Sabata leaflets. Mosia is locked up for something to do with cattle dipping at Matiel. So much for security.

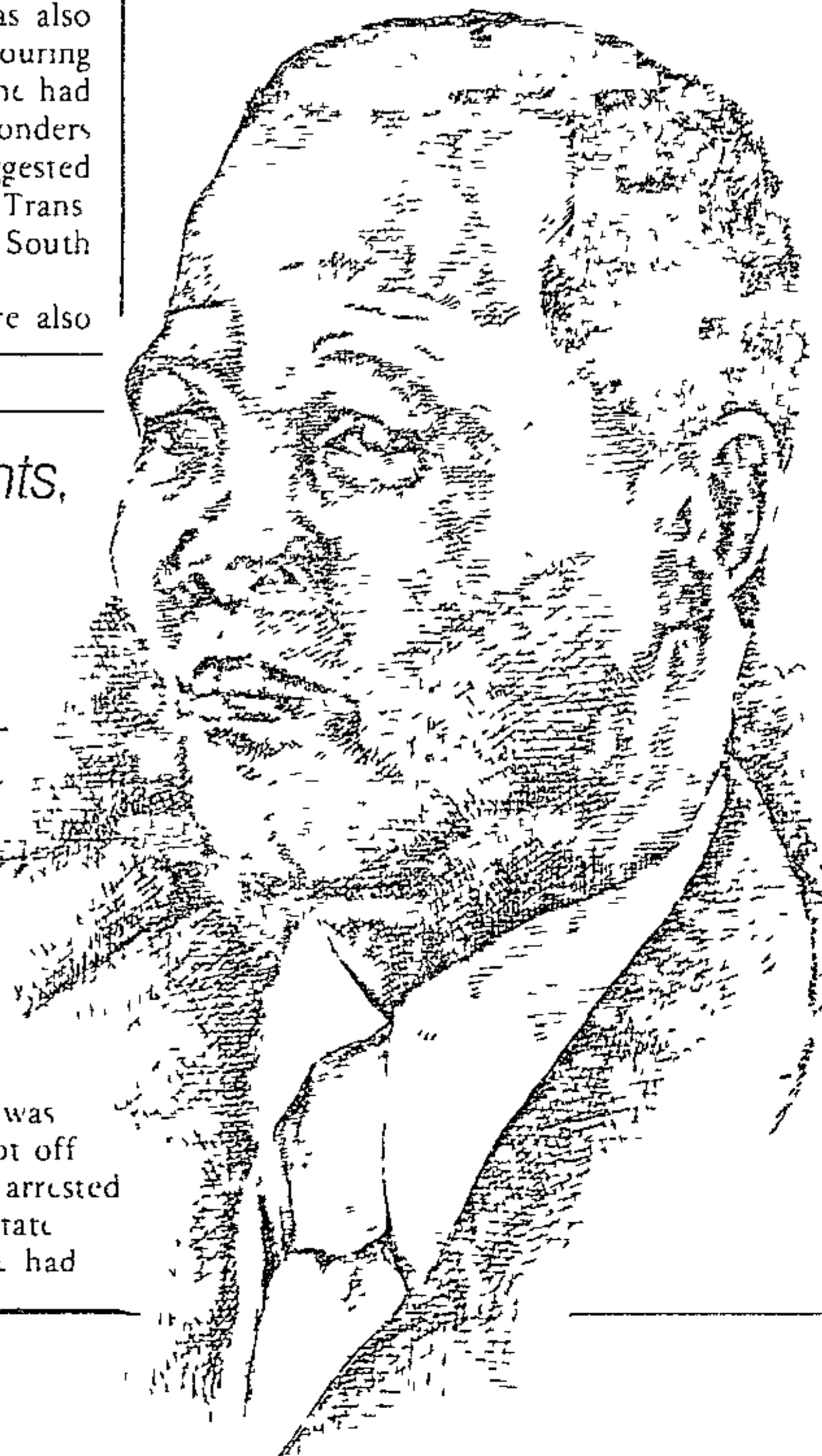
Mike is now brooding the tickiness of his friend George the PM for having him locked up. I pointed out that power has no friends, only allies and once your usefulness is all gone then you are out on your backside. I wonder if he is not here because of his shooting a people but they did not tell him that it seems.

Sleep supervenes in the end from the boredom of aloneness. I baby it's a hard day's night.

Those who conceived this kind of torture are probably enjoying their supper with their kids and wives while we sit

In one of his pleasanter moments, if he ever has such things, he might just nod us out of prison

here. Must get their names. They are from Ncambele where a woman was burnt to death in her house - suspected arson. So the SB arrested them because as they had recently arrived from Jo'burg they were prime suspects. One young man working for LTA was on a bus to Queenstown. As he got off the bus at Umtata station he was arrested and detained for threatening the State President, something he claims he had





here in the lonely splendour of an eight foot by seven foot cell. Today they are all back from Pamla's funeral which I would have liked to attend because Pamla was a nice chap, a loyal KD worshipper but essentially harmless⁶. He did not have the calculated sadism that actuates those responsible for this satanic law.

They know no psychology, of course, but who needs a knowledge of psychology when South Africa with its vast resources in the sciences – Brig Coetzee is a master in sociology – can offer such laws free of charge?

Why the lousy food and no beds? There has been no coffee over the past two days. Understand, it's lousy coffee anyway. There was no bread either, today I kept mine yesterday and ate it this evening when I was hungry. Why no bread today? I'm now hungry again and locked up with no food in sight until tomorrow morning.

While peeing suddenly realised I had not been out of an underpant for many years. I washed mine this morning. And I was feeling real free and loose man. But each time I put my fingers into the fly I was expecting to lift one side of my

What a waste of manpower, locking up people who could be doing something useful

underpants. Instead I collided with Nim in the flesh.

The boys are singing 'Nants'indod' emnyama Vorster' and 'Ndibon' impimpi'. Must teach them 'impimp'. They don't know the tune properly.

Depriving people like me of reading which I do as a matter of course and, of course live by, can be tough. This is what is called piling wanton sadism on wanton sadism. And it's worse when it's done by people who do not read except what they have to by way of work. South Africa offers the verdict. So it must be good for us too. 'Courage!' the boys call out tonight, and continue the freedom songs.

It seems we are in an anomalous position here. We are KD's guests but not a responsibility of the prison.

I raised the question of food with the SB today. While we were talking in the sun I was called. I went in my shirt

sleeves so that if I was being released or taken elsewhere I had an excuse for coming back to the cells to tell the chaps what's what.

After negotiating three locked gates and two long passages and down right at reception I was ushered to the presence of Mucki and the sergeant who visited me last Friday. Looked around for offices and we ended in the library.

Had little time to look at the titles before we got down to a long biographical inventory of myself, pretty exhaustive, including a list of my children.

Then asked about my 'political friends'. Told them I had none unless they did not mind including KD, George and TT⁷. They said I should not joke and I said I was serious.

Then came jobs – last one in Jo'burg and present in Umtata, including addresses. Political organisations I said 'none'. Wanted to know why. Pointed out I could be political without being a member of a political body. Then questions about BCP. Explained we were running down the organisation, winding up

PLIASI TURN OVER

The spirit of freedom lives on and cannot be snuffed out by even the most awesome despot

CONTINUED

its affairs and I needed to have some official status to wind it up and sign cheques on its account

Asked if I was ever a communist, terrorist, or had received training I said, 'Would I tell you?' Wanted reference book and passport number I had left these at home in the hope that I would be taken home. In fact it worked out that way. I was driven home. Found the papers and had them entered in the biography. Saw Gangatha and Notonase. Unfortunately Daki was out although not at work. Notemba was quite excited and gave me some beer. Could not find money in the house because I wanted to buy cigarettes for the chaps. They were very disappointed when I returned because they are really out of cigarettes and tobacco.

Took clothes and toiletries — two trousers, two vests, three socks, four shirts, five underpants, pyjamas and gown to prepare for the long seige ahead. In fact, today while chatting idly in the sun, we came to the conclusion (wise in the

EDITOR'S FOOTNOTES

- 8 Mkele's infant son and his son's nursemaid Daki is his wife
- 9 Dighv Kovana Minister of Justice
- 10 Sotho secessionists involved in the struggle to have the predominantly Sotho section of north-western Transkei declared a Sotho homeland

THIS STORY CONSISTS OF EXTRACTS COMPRISING ONLY A SMALL PORTION OF THE FULL DIARY

Talked to the two chaps from Boart. They have not been questioned. They don't gell with the group but they are beginning to feel part of it as they hear how many of us have been dragged in here without a clue as to what we are here about.

The two Tsolo chaps fit in quite well although they are not 'elite' like the rest of us. Anyway who can be elite in a gaol that treats us worse than prisoners, except we don't work? We are all alike here but it should be interesting to see what happens to this group if by some evil design it gets kept here long enough. And let's be clear that none of them would like to go to other prisons from what they hear from those of us who have been to those prisons. After all there is a lot to be said for your own special cell with your own toilet and sink and hot and cold water laid on, even if horsehair blankets and prison mush are not the kind of things that contribute to one's comfort. In fact, this led to comparisons between South Africa and Transkei.

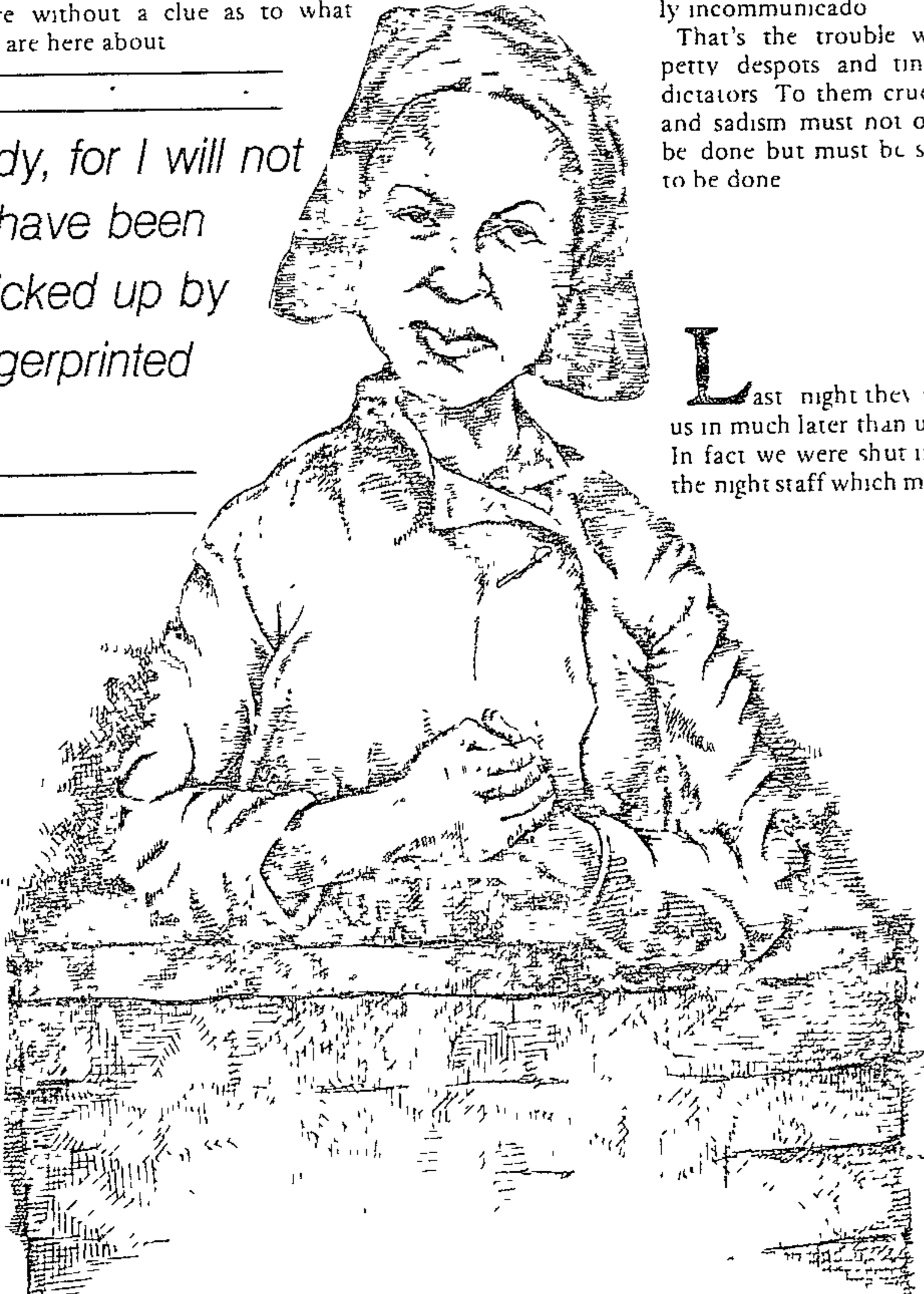
In South Africa detainees seem to be better treated. ZK Matthews was allowed a bed in prison. In Modderbee the Motlanas and the Qoboza's had football teams, the women at the Fort also had similar conditions. Here we are completely incommunicado.

That's the trouble with petty despots and tinpot dictators. To them cruelty and sadism must not only be done but must be seen to be done.

Good luck to the young lady, for I will not re-open the case. It must have been harrowing enough to be picked up by the police, interrogated, fingerprinted and then appear in court

circumstances) that the only form of optimism was to take the pessimistic view that we are here to stay. This does not prevent us hoping but at least we are being realistic. And when KD suddenly remembers us in one of his pleasanter moments, if he ever has such things, then he might just nod us out of his prison.

When I came in my bundle of clothes was checked for contraband. As I said above, the chaps were disappointed that I brought them no cigarettes. Mike asked why I did not borrow from Notemba if I could not find money at home. Africa said that's what happens when one is under pressure. He is right at that because those chaps were breathing down my neck and giving me no chance to think. For instance, I did not even open the fridge or a pot to see if there was some thing nice after the lousy prison fare.



Last night they shut us in much later than usual. In fact we were shut in by the night staff which meant

253 103

5 p m instead of 3 p m Well, who are we to complain about the vagaries of officialdom if they give us a few precious hours in the sun? We hope they keep up the good work.

I have been struck by the fact that the turnkey who opens up in the mornings opens the doors on one side of the passage first and then comes down our side. As a result I am the second last to be opened for and locked up.

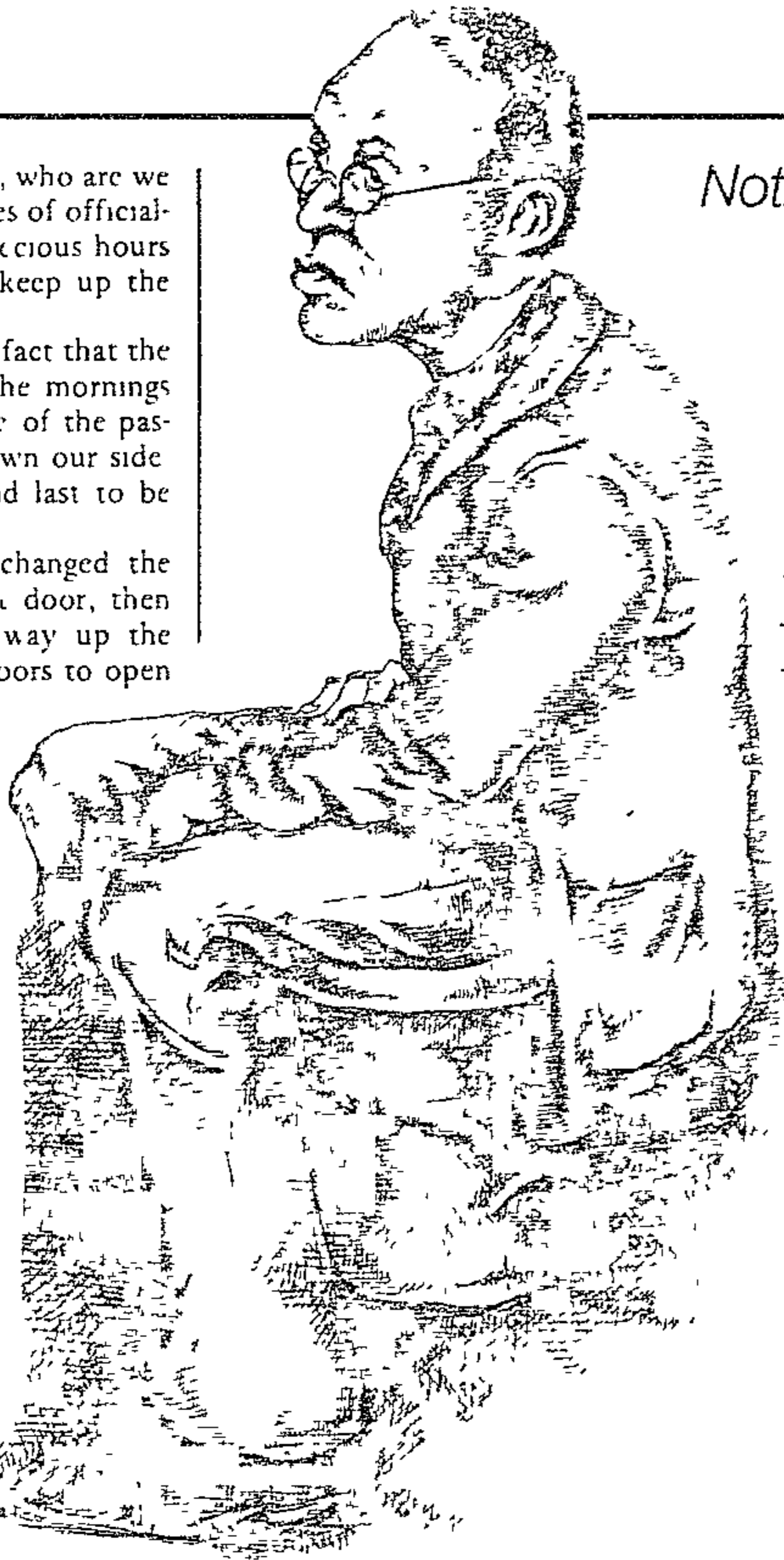
But yesterday the man changed the routine. He opened the first door, then the doors opposite all the way up the passage so that he had no doors to open on the way back. When I looked out I saw all the doors open across the passage. I could see the poor son-of-a-bitch coming back, doing a running zig-zag or what is called the 'circus hop swing' dodging around the open doors. So there is good logic to opening doors on one side of the passage first for on the way back the turnkey has a clear run to my end with no obstructing doors.

Amazing, the sort of thing one notices in the senseless nothingness of being locked up with nothing to do.

What a waste of man power and man power hours locking up people who could be doing something useful. Some of the men here have by now no jobs to go back to. Like the two men from Boart who should have been back at work on November 19. Their employers don't know where they are and they will have lost their jobs by now. And suppose their employers know? They are unlikely to welcome back men who have been smeared as likely communists by virtue of having been locked up under this Act.

The chubby young one from Boart now has another worry. He had according to age-old custom 'kidnapped' (thwala) a schoolgirl to be his wife the evening before his arrest. When they picked him up early that morning he had not yet reported to his father that he had without permission taken unto himself a wife. He is now wondering whether his father did the right thing by the girl's family, i.e. reported the thwala-ing and paid the necessary lobola.

I myself was to appear in court yesterday. I wrote to inform the magistrate that I was held here. Whether he received the note or not from the tardy SB I don't know. If he didn't I stand to lose some money for this was a case of theft. If the court was not informed of my security indisposition, good luck to the young



Nothing strange about finding a guy fully dressed sitting on a toilet seat engaging in earnest conversation or just staring across the cell

Xhosa is also sauce for the Sotho. It can't be otherwise. If you establish ethnic states then each ethnos is entitled to self-determination a la apartheid. To deny them that is to deny the ethic of apartheid. I don't say this in approval but that is the logic.

It is worse with Ntate and the 72 year old Pitso who is perishing through loneliness in Cofimvaba, for it appears that some horse deal is being planned to excise Herschel and the whole of Maluti from Transkei in exchange for Griqualand East. So why imprison these old chaps while this horse trading is going on? Do the horse traders want it to appear that they did it all by themselves without aid from the agitators they have got locked up here? The locking up of course does not detract from the fact that it will have been the concentrated agitation of Ntate and others that resulted in the trade-off. I admire their determination however misguided their direction.

If you see Ntate here you discover that he is not a confused, self-pitying bastard but a man who is quietly certain of the goodness of his cause and the need for him to die for it if need be. This is his third visit to KD's prison. If no one can learn how futile these imprisonments are, then there must be something seriously wrong with those in power. Or have they become so blinded by power that they believe they are achieving something?

The lesson that all dictators never learn is that the spirit of freedom lives on and cannot be snuffed out by the actions of even the most awesome of despots. And KD, ruthless as he is, is far from awesome. Those who would like to follow in the footsteps of Salazar, Franco and other dictators should ask themselves where these gentlemen are today.

One thing we have learnt to listen for is the rattle of the lock on the grill leading to the cells.

As soon as that happens, if I am writ-

PLEASE TURN OVER

lady, for I will not reopen the case. It must have been harrowing enough to be picked up by the police, interrogated, fingerprinted and then appear in court before crowds who would be saying, 'Now what would a little girl like her be doing here?'

I just hope no minister is going to talk a lot of crap about my arrest. At least let them have the decency to be silent if they do not have the sense to get rid of these laws. I should hate to read the kind of rubbish that Koyana has been spouting out about Gushu, Mketi and Makwetu.⁹

Imagine an old man of 72 rotting in the Cofimvaba prison? What about Ntate — he who wants the same ethnic state that KD opted for?¹⁰ Why should it be bad for him and why should he be consigned to the limbo of prison under the Act for wanting the same thing as KD? Why is it good for KD, and not for him?

Come on chaps, what is sauce for the

253 (103)

Their only contact with the people is through the security police

CONTINUED

ing I get busy with other things like getting myself a drink of water or sitting on the toilet seat. That is the only seat here in any case so there is nothing strange about finding a guy fully dressed sitting on a toilet seat engaging in earnest conversation or just staring across the cell.

Parcel from my wife today, groceries and clothes. I had to sign for them. I did

not use my usual signature but the one I use for bouncing cheques. This was just to confuse the SB in case they are on the look-out for my signature to pin something on me.

We were wondering whether the government is aware of the degree of discontent, but came to the conclusion that they have so distanced themselves from the people that their only contact with them is through the security police and that is the worst kind of contact.

The trouble with African governments is that they make no provision for

succession. The leaders perhaps deliberately hope that there will be chaos at their demise, to prove how important they were in their lifetime. It has not worked out that way though.

Man, this sun is a long time a-setting today. But I suppose it also does its thing according to nature's own immutable laws. So I have just to grin and bear it. I'm not sure about the grinning but the bearing is part of it without a doubt. And for how long? And for what purpose? If it is to frighten us it fails of its purpose miserably because we are not frightened men who scare themselves even more by locking people up and then find they have to lock up yet more people in order to assuage their fright.

There is one question: When will it end? Another: how? And a third: How soon?

After a month in prison Mkele was released, driven to the border, and told to leave Transkei. He hitchhiked to Johannesburg where his arrival created quite a stir in the black press as well as a fair amount of hilarity based on the ironies of being 'exiled' to, and then from, all places, the Transkei.

Much of the published interest in his case revolved round the strange constitutional problem it brought up. By South African law he was officially considered a Transkei citizen. Now Transkei had disowned him. Did he become stateless? Finally, he was re-registered in Johannesburg, as a South African, thus becoming possibly the only African in the country who is not theoretically considered to be attached to one or another homeland.

He is now setting up an institute to deal with the position of black managers.

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25/1/80
Escapist fare for Robben Is

Argus Correspondent

JOHANNESBURG
Prisoners on Robben Island have a weekly film show and one shown recently was Midnight Express.

The film is about the ordeal of a young American in Turkey after he had been jailed for a drugs offence.

Information about facilities on the island came in reply to questions submitted to the Department of Prisons.

Another film seen by prisoners recently was The China Syndrome.

Prisoners also play tennis, organising annual championships. The winner this year was Sandi Sigache.

TENNIS

ANC leader Nelson Mandela is known to be a keen tennis player.

A recently released prisoner said he had a mean backhand.

The Prisons Department could not confirm whether Mandela took part in the championships.

The most popular sport was soccer. There were also facilities for athletics, volleyball, table tennis and softball.

The department says it encourages sport and competition because it has therapeutic value and because it helps prisoners to get rid of frustrations which arise as a result of being incarcerated.

253
Gly 7288

DEPARTMENT OF PRISONS

No. 2302 31 October 1980
ADJUSTMENT OF THE PRISONS ACT, 1959 (ACT 8 OF 1959)

It is hereby notified for general information that the State President has, under and by virtue of the powers vested in him by section 1 of the Regulation of Functions of Officers in the Public Service Act, 1980 (Act 19 of 1980), adjusted the provisions of the Prisons Act, 1959 (Act 8 of 1959), as follows:

- (a) The deletion in section 1 of the definition of "the Prison Service";
- (b) the substitution for section 2 (1) of the following subsection:
 "(1) There shall be in the Department of Justice a service known as the Prisons Service, which shall consist of the commissioned officers, warrant-officers, non-commissioned officers and warders appointed in terms of this Act";
- (c) the substitution for section 3 of the following section:
 "Commissioner in charge of the Prisons Service
 3 (1) The Commissioner shall, subject to the provisions of subsection (2), be in charge of the Prisons Service
 (2) In the execution of his powers and the performance of his duties as head of the Prisons Service, the Commissioner shall be subject to the direction and control of the Director-General Justice who may himself at any time exercise such powers or perform such duties
 (3) The Director-General Justice is subject to the direction and control of the Minister in the execution of any power or the performance of any duty intended in subsection (2)", and
- (d) the substitution for the expressions "Prisons Department" and "Department" of the expressions "Prisons Service" and "Service" respectively, wherever they occur

DEPARTEMENT VAN GEVANGENISSE

No 2302 31 Oktober 1980
AANPASSING VAN DIE WET OP GEVANGENISSE, 1959 (WET 8 VAN 1959)

Hierby word vir algemene inligting bekendgemaak dat die Staatspresident kragtens die bevoegdheid hom verleen by artikel 1 van die Wet op die Reguleer van Werkzaamhede van Beamptes in die Staatsdiens 1980 (Wet 19 van 1980), die bepalings van die Wet op Gevangenis, 1959 (Wet 8 van 1959) soos volg aangepas het:

- (a) Skrap die omskrywing van "die Gevangensdiens" in artikel 1.
- (b) vervang artikel 2 (1) deur die volgende subartikel:
 "(1) Daar is in die Departement van Justisie 'n diens, bekend as die Gevangensdiens, wat bestaan uit die offisiere, adjudant-offisiere, onderoffisiere en bewaarders kragtens hierdie Wet tussel"
- (c) vervang artikel 3 deur die volgende artikel:
 "Kommissaris staan aan die hoof van die Gevangensdiens
 3 (1) Die Kommissaris staan behoudens die bepalings van subartikel (2) aan die hoof van die Gevangensdiens
 (2) By die uitoefening van sy bevoegdheid en die verrigting van sy pligte as hoof van die Gevangensdiens is die Kommissaris onderworpe aan die voorskrifte en beheer van die Direkteur-generaal Justisie en enige tyd sodanige bevoegdheid en pligte as hy oefen of verrig
 (3) Die Direkteur-generaal Justisie is by die uitoefening van enige bevoegdheid en die verrigting van enige plig bedoel in subartikel (2) onderworpe aan die voorskrifte en beheer van die Minister", en
- (d) vervang die uitdrukkings "Departement van Gevangenis" en "Departement" oral waar dit voorkom deur onderskeidelik die uitdrukkings "Gevangensdiens" en "Diens"

CONTENTS

INHOUD

No	Page No	Gazette No
Interior, Department of the Government Notices		
2294	2	7288
2295	2	7288
2296	3	7288
2297	1	7288
2298	1	7288
2299	3	7288
2300	3	7288
2301	2	7288
Prisons, Department of Government Notice		
2302	4	7288

No	Bladsy No	Staatskoerant No
Monofondse Sake - Departement van		
2294	1	7288
2295	3	7288
2296	1	7288
2297	3	7288
2298	3	7288
2299	3	7288
2300	2	7288
2301		
Gevangenis, Departement van Goewermentskennisgewing		
2302	4	7288

8 years for hammer killing

Staff Reporter

A PRISONER, who killed a fellow prisoner with a hammer at the Brandvlei Prison in Worcester was found guilty of culpable homicide in the Supreme Court yesterday.

Pieter Jantjes, 24, was sentenced to eight years, three of which are to run concurrently with his present jail term. He still has five years to serve.

He and two others, James Williams, 25, and Michael Jones, 24, pleaded not guilty to murdering Samuel Pietersen, 36, at the prison on January 21.

The court found that there was insufficient evidence to convict Williams and Jones.

Evidence was that the three men and Pietersen were breaking stones with hammers when Pietersen started an argument with Jantjes. Pietersen insulted Jantjes severely in front of the others and hit out at Jantjes with his hammer. Jantjes ducked and the blow passed over his head. He fell and hurt his arm.

The court found he had not needed to hit Pietersen, but had had enough opportunity to run away and call the warders.

Mr Justice Fagan said the court took into account that he had been severely insulted, that he was correctly angered and lost his temper.

It took into account that he was regarded as more responsible than the other prisoners and that he had a long record, including two previous convictions involving serious violence.

Mr H van Huysteen and Mr J W van Greunen sat as assessors. Mr C J van Wyk appeared for the State. Mr P Waterson appeared pro Deo for Williams. Mr S Mohamed appeared pro Deo for Jones. Mr L Pienaar appeared pro Deo for Jantjes.

STAR 26/11/80 (93) (253)

Plea over Prisons Act

Medical Correspondent
A call for the Prisons Act to be changed to enable medical officers to send prisoners for outside treatment if they so decide has been made by legal and medical academics

Speaking on the SABC-TV programme "Spectrum" last night Professor S A Strauss, an expert on medical law, made a strong plea for the

Prisons Act to be changed so that prisoners could be assured of the best medical care

Medical officers should be able to override prison officials' decisions which they considered could inhibit their medical function

His call for clarification in the Act has been supported by medical academics

Professor Strauss said

"What should be clarified above all else is that the doctor's decision should be final and decisive in regard to the removal of the patient outside the prison for treatment in hospital."

Under the Prisons Act a medical officer had access to a detainee even if he were in a police lock-up. However, the Act stated that the Commissioner of Prisons only

could finally decide whether a prisoner should or should not be allowed to receive hospital treatment outside prison

Meanwhile a Baragwanath doctor, Dr Max Price, has reportedly resigned from the Medical Association because it avoided important issues in the Biko affair

He was one of more than 100 doctors at the hospital who signed a petition calling for a full investigation into the role of the doctors who treated Mr Biko

3 to hang for killing cellmate

Staff Reporter

A PRISONER with the words 'Ready to hang' and 'I am not returning on his neck' was one of three prisoners sentenced to death yesterday for murdering a fellow prisoner.

Edwin Adams, 28, Fred Matheys, 20, and Raymond Solomon, 27, were convicted in the Supreme Court of Massachusetts by Judge Lewis, 29, on December 16 last. Lewis is the victim Victor F. Wilson in Paris.

They strangled Lewis with belts. His body was later found hanging from a window in a shower. The men who denied killing Lewis, pleaded not guilty.

Evidence was that the three men, Lewis and a State witness, Frederick Nelson, were locked in their cell on December 10 last year about 5 pm after supper.

Melan, whose evidence was found to be exceptional and that he

went to sleep on Lewis was reading a newspaper on a sleeping mat now to him. He speaks to the sounds of a struggle.

Adams was on top of Lewis. His legs were hanging over a bed and straddled his body with his legs which he used to hold down Lewis's arms. Matheys and Solomon appeared but not around Lewis's head.

Lewis wore boots and was wearing Adams' hat. Adams' hat was on the floor. Adams' pants were on the floor. Adams' pants were on the floor. Adams' pants were on the floor.

Matheys told Adams to hold a belt and told Solomon to shoot if any witnesses were coming. Adams held the belt while Matheys jumped on Lewis' stomach. Lewis lay still.

Melan said he helped wipe blood from the floor. Matheys and Solomon took Lewis's body to the shower. Matheys returned a belt to a window from which the body was later hanging.

No evidence in connection was led on behalf of Adams or Matheys. A second victim's report was read to court on Solomon's behalf.

It said that Solomon was sweating from heat problems appeared to be a suffered for an emotional, environmental and intellectual deprivation from an early age.

Factors on his body, including the words 'Ready to hang' and 'I am not returning on his neck' were reported by Nelson and had also done when he had last been in hope of being released from prison.

The Supreme Court's report said the court had examined the report carefully, but found no extraordinary circumstances in the case.

Mr Justice Greenwood said that the sentence was 50 years and that the State had the right to execute the sentence. The State had the right to execute the sentence. The State had the right to execute the sentence.

Police to probe cell-beating of mentally ill man

Argus
2/12/64
253

Argus Bureau

PORT ELIZABETH. — A mentally ill man who was found beaten up in a police cell he shared with two awaiting-trial prisoners, was 'as strong as an ox' and was threatening to assault staff at the hospital from where he had been transferred to the police cell.

This emerged today from interviews with hospital spokesmen and relatives of Mr Daniel Muller, 63, who is in a serious condition with multiple injuries in Port Elizabeth Provincial Hospital.

Meanwhile, police have launched an investigation into allegations of assault and dereliction of duty.

Major Gerrie van Rooyen, police liaison officer in the Eastern Cape, said today the police took

a serious view of the matter.

A magistrate had issued an order authorising the Uitenhage Provincial Hospital to transfer Mr Muller to police cells for the weekend. He was to have been taken to a mental institution yesterday.

FOUND BEATEN

Major van Rooyen confirmed today that by Friday night the hospital could no longer control Mr Muller and he was placed in a cell at the Uitenhage police station. Two men who have been charged with assault with intent to do grievous bodily harm were placed in the same cell.

The following morning police found Mr Muller beaten up. He was taken back to Uitenhage Hospital and from there transferred to Port Elizabeth, where he was placed in intensive care.

Major van Rooyen confirmed that police in charge, at police stations were required to conduct regular checks of cells every hour.

Dr P Rossouw, medical superintendent of Uitenhage Provincial Hospital, said today that after Mr Muller had been kept in the hospital overnight, the hospital had asked a control magistrate in Uitenhage to have him moved.

AGGRESSIVE

'He is a big man and was aggressive. He wanted to assault staff,' Dr Rossouw said.

A spokesman for the hospital in Port Elizabeth said today Mr Muller's condition had improved, but he would not give details about injuries.

Mr Muller's daughter-in-law in Somerset East, Mrs Maria Muller, said today she had been told that Mr Muller's head was swollen, he had two black eyes and lung injuries from broken ribs.

	Males	Females	% Males	% Females
Metropolitan	1 156 589	664 236	90,3	40,6
Urban	529 725	216 337	73,5	56,8
Rural	979 729	857 237	91,7	23,1
Homelands	960 477	1 341 361	85,2	16,8
TOTAL	3 626 520	3 079 171	86,9	26,6
	15-64	15 - 59	employed	employed
	770 871	78,4	56,4	

1960 and 1970

TABLE 4: (continued) Employment as a proportion of men 16-64 and of women 15-59, (c)

Man beaten up in cell

PORT ELIZABETH — A man who was beaten up in police cells at Uitenhage while awaiting transfer to a mental institution is in a serious condition in the intensive care unit of the Provincial Hospital here.

Mr Daniel Muller, 63, was placed in a cell with two awaiting trial prisoners on Friday night after a magistrate issued an order authorising the Uitenhage Provincial Hospital to transfer him to police cells for the weekend. He was to have been removed to a mental institution yesterday.

Major Gerrie van Rooyen, police liaison officer for the Eastern Cape, said the hospital could reportedly no longer control Mr Muller on Friday night. He was placed in a cell with two men awaiting trial on charges of assault with intent to do grievous bodily harm.

Major Van Rooyen said

10
253
2/12/80

police took Mr Muller back to Uitenhage Hospital on Saturday morning. From there he was transferred to Port Elizabeth where he was placed in intensive care. An inquiry would be held into the incident.

Mr Muller's son, Mr Ben Muller, said he took his father to the Uitenhage Hospital on Thursday after consulting a doctor. His father had undergone a change in personality after the death of his wife in August.

At times he was confused and quoted from the Bible at length but was never violent, he said.

Mr Muller said a doctor who examined his father told him he had a suspected fracture of the cheekbone, fractured jawbone and had been injured in the ribs, kidneys and had developed a lung complication — DDC

TV'S 'SPECTRUM' WASN'T TRUE

Prison Dept tells its side of the story

A SPOKESMAN for the Prisons Department replied to, and denied, the allegations.

• MEDICAL TREATMENT

Comment: During that period, due to a shortage of doctors, a part-time district surgeon visited the prison on Tuesdays. The time he spent at the hospital varied depending on how many prisoners he had to see. If a doctor was needed on any other day, the District Surgeon's office was contacted and they arranged for a medical practitioner to attend to the specific complaint.

However, the workload increased to such an extent that a full time District Surgeon was appointed in January, 1979.

He visits the hospital daily between 7.30 and 9.00 Mondays to Fridays. During the rest of the day he is on standby should any emergency arise. The following panel of specialists visits the hospital on a weekly basis for consultations:

- General surgeon
- ENT surgeon
- Neurosurgeon
- Dermatologist
- Orthopaedic surgeon
- Ophthalmic surgeon
- Specialist physician
- Psychiatrist
- Urologist

The hospital is also visited daily by a physiotherapist, who treats post-operative patients, or patients referred to him for physiotherapy.

• DIET

Comment: Prisoners receive a balanced diet compiled by dieticians from the prison service in co-operation with the Department of Health, Welfare and Pensions and varies in composition from day to day to obviate monotony. It can be mentioned that the diet contains sufficient roughage in the form of brown bread, fruit and vegetables.

As far as quantity is concerned it is based on the intake required by a working man. Men receive 2788 calories per day.

• PILES

Comment: Piles is not one of the common ailments in prison. Out of a total of 1429 prisoners who reported sick during the past three months, only 16 complained of piles. Out of 77 prisoners who were sent for oper-

ations during the past three months, only two were for piles.

Post-operative patients do not go back to their cells but are all admitted to the prison hospital, and they remain there until fully recovered. They do not attend parade for the morning rollcall, but remain in their hospital wards.

Sam Aarons did not develop piles during his prison term, but was admitted with them. He was given the prescribed treatment.

• ARTHRITIS

Comment: Sam Aarons was employed in the carpenter's shop, but on account of his arthritis he was transferred to the electrician's workshop, where he was able to work in a sitting position. His arthritis was not of such a nature that he could not work. He was adequately treated for it and the following medicine was prescribed: Voltaren tablets, Naprosyn tablets and Brufen tablets. He was also treated by Dr Davis, a specialist physician.

• TREATMENT AT NIGHT BY QUALIFIED PERSONNEL

Comment: The personnel attached to the prison hospital are all trained nursing personnel, registered with the South African Nursing Council. They do not prescribe drugs to patients, but only dispense drugs to patients as prescribed by doctors.

Prisoners who want to see the District Surgeon put their names on a list to ensure better control. There is always a hospital member on standby during the night who has a radio, and he can be reached within seconds if a prisoner complains of being ill.

There is no ground in the

allegation that untrained warders decide whether a prisoner needs help or not. The member in charge always calls out the hospital member on duty, who will then examine the prisoner and arrange for the necessary treatment.

• "STORY"

Comment: "This story was told to Sam." As mentioned by Mr Aarons this is a story which was told to him and he could not find any proof that this incident took place.

With regard to empty oxygen tanks — this is impossible as oxygen is needed each morning for physiotherapy and the member in charge checks the tanks each night before going off duty to ensure that there is an ample supply.

• LOW BLOOD PRESSURE

Comment: There is no record of this specific instance, but it can be categorically stated that patients suffering from low blood pressure are definitely not made to stand for roll-calls.

• THE LATE MR HOOK

Comment: Prisoner Hooch did commit suicide whilst serving a 10-year sentence at Pretoria Central Prison for murder. He was 19 years old and not 16 as alleged by Mr Aaron.

After each unnatural death a routine investigation is held. Mr Hooch's investigation didn't bring any harassment by warders to light.

• "TELLING TALES"

Comment: The Institutional Committee (previously the Prison Board) is a professional body. Whether or not a prisoner is paroled depends on his general behaviour, progress in the rehabilitation programme and the nature of his crime — tales definitely do not affect the committee's decision.

EXPRESSSCOPE INTO CLAIMS BY JAILED ADVOCATE THAT Former inmate slams prison health system

253 S. G. G. 7/12/60
PRISONERS receive inadequate medical attention in South African jails, according to Sam Aarons, a Johannesburg advocate who spent 20 months in Pretoria Central.

Aarons is angry at the TV programme "Spectrum" which recently probed the medical facilities in prisons and treatment of prisoners.

"Who are these people? How can they say the things they do? None of them have been prisoners so they couldn't possibly know what goes on there," he said.

"That programme created a false impression."

On the programme, a five-man panel discussed the medical treatment of prisoners in South Africa.

The public heard how the Medical Association of South Africa had asked for clarification of the role of the district surgeon when treating a detainee or prisoner.

This arose out of the furore following the death in detention three years ago of Black consciousness leader Steve Biko, and the role of two district surgeons, Benjamin Tucker and Ivor Lang, who admitted at the inquest into Biko's death that they "bowed" to the Security Police.

Sam Aarons, one of the country's top advocates before he was found guilty of fraud in 1977 and jailed for three years, attacked the prison health system.

"When I was in jail I realised how bad it was, but seeing that programme brought it all came back to me," he said.

• The district surgeon visited prisoners at Pretoria Central on a Tuesday during Aarons' jail term. He spent two hours at the hospital seeing ailing prisoners.

"It isn't his fault, he had to treat 200 men in two hours. He never had time to examine them. How can you examine so many men in two hours? And if you got sick after midday on Tuesday you had to wait for a whole week before you could see the doctor," Aarons said.

• During the time Aarons was an inmate at Pretoria Central his diet seldom varied, he claimed. Breakfast was mealie meal porridge, one slice of bread, and tea with powdered milk and a sugar allowance for

By PETA
THORNY-
CROFT



either the tea or the cereal.

Lunch was minced meat or chicken and a vegetable, and supper was four slices of bread, watery soup, a jam substitute and more sweet tea.

"The trade between prisoners in food items is big because there is never enough. I felt hungry all the time in prison. In jail, food becomes the most important thing each day," Aarons said.

• He said one of the most common ailments in prison was piles — known to be an excruciatingly painful condition, usually requiring up to two weeks convalescence.

"The prison diet is the major cause of piles because it contains so little roughage," Aarons said.

"These men, about 20 a week, are operated on in the morning and are back in their cells by nightfall. And they have to participate in the normal roll calls."

• Prison health is shaky in areas other than the inadequate food supply.

"It's hard to work on an empty tummy," said Aarons, who worked as a carpenter and storeman while in jail.

In the carpenter's shop, he said, he had to stand for long hours. "It was painful because I suffer from arthritis," he said, and added that no allowances were made for his condition nor was he treated adequately for it.

"I complained about the job and asked to go to the hospital

to get medication, but a sadistic warrant officer at the prison hospital asked me why I was suffering from arthritis and then gave me two blue pills."

Aarons said he didn't know what the pills were.

"In other words I had a medical condition and I was being treated by a prison official and not a doctor. And the prison official prescribed the drugs."

• The only time a prisoner can see the doctor is when he puts his name down on a Sunday for the following Tuesday, Aarons said.

"God help him if he fails to show up at the medical parade or attends and his name is not on the list. That is a punishable offence."

"One of the most frightening things about prison medical care," Aarons said, "was the possibility of becoming ill during the night knowing an untrained warder could decide whether you needed help or not. There are no phones between prison sections and if the warder decides you are really sick he might send for help but there were times when it was to late."

• Aarons described a case where a prisoner collapsed at work, started screaming and calling for a doctor. He was told by a warder not to tell him how to do his job. The man was taken to the prison hospital and given pills by a hospital orderly but continued screaming. Fellow patients threw slip-

pers at him as their sleep was being disturbed. He continued calling for a doctor in vain and was found dead in the morning.

"They brought him oxygen to try and revive him, but the tanks were empty," Aarons said.

"It was recorded he had been given the appropriate treatment but had failed to respond."

This story was told to Aarons while he was a patient in the dilapidated prison hospital by a male nurse there who was horrified at what had happened.

• According to Aarons, patients are made to clean the hospital floors. "I was admitted for low blood pressure and had to get out of bed and stand to attention for early morning roll calls, even though I couldn't stand."

• During his 20 months inside, Sam's "friends", mainly elderly men and youngsters, ranged from forgers to murderers.

One of them, a simple-minded sixteen-year-old boy convicted of murder, often talked to Aarons. One morning he was found hanging by his pyjama cord behind the cell door. "I think he committed suicide because one warder harassed him all the time," Aarons said.

• Aarons said prisoners were never rehabilitated inside, despite what he called "earnest" attempts by the authorities.

"The worst enemy you have in prison, apart from some sadistic warders, are your fellow prisoners."

"Many of them will tell tales about other prisoners to ingratiate themselves with the Parole Board."

Aarons said he had stayed silent about the 20 months he served of his three-year sentence until now. "But honestly, I can't stay quiet after seeing that programme. The experts gave the impression that there is nothing wrong with medical care in our prisons. They should have asked an inmate to tell first-hand what goes on."

• Sam Aarons says there's a lot wrong with prison medical system

Programme on TV
brings back
the bad memories

Do Indate (253)
25/12/50
**Cheap
labour critic**

KING WILLIAM'S TOWN
— A former Transvaal and Border rugby player Mr. C. Mkencele, who is also a member of Ginsberg Community Council, has come out strongly against the growing use of prisoners' labour.

Mr. Mkencele said the status quo should be retained for the workseekers to look for jobs at the Labour Bureau.

He said many employers no longer went to the Labour Office and some establishments and homes had resorted to cheap prison labour.

He expressed disgust at some employers who applied convict labour, leaving many people jobless.

He felt the whole issue should be reviewed, "People must be allowed to seek work at the Labour Office," he said.

Public Sector - GOVT. - PRISONS

12 Jan, 1981 — 16 Dec, 1981

SA's 100 000 jailed people cost R110m

RDM 12/1/81

253

327

Own Correspondent

DURBAN. — South Africa spent about R110-million last year to keep behind bars its huge prison population — estimated to be the highest per capita in the world

This has been calculated from figures furnished by the Department of Prisons, which indicate that last year it cost about R3 each a day to care for an estimated 101 000 prisoners

Commenting on the statistics, Mrs Helen Suzman, Progressive Federal Party MP for Houghton and the Opposition spokesman on prisons, called for a change in the laws which send most prisoners to jail

"Most of our prison population are short-term offenders, and they are sentenced for statutory crimes such as the pass laws," she said

She also urged an increase in the number of prisoners released on parole, as recommended by the Viljoen Commission report on South Africa's penal system, which was released four years ago

She pointed out that a former Minister of Justice, Mr Jimmy Kruger, had made it easier for prisoners to be paroled. But supervision was not adequate at present

"The whole question of removing the discretion of the courts should be looked at," she said, and recommended more suspended sentences

Professor Barend van Niekerk, of the law faculty at the University of Natal in Durban, also singled out statutory laws relating to influx control, documentation control, and trespassing as being responsible largely for the high prison population

"Some of these laws constitute crime factories," he said. "And they refer to crimes which are not regarded as such anywhere else in the world"

He estimated that one of every four arrests of adult Africans each year was for a technical offence

Prof Van Niekerk also drew attention to the social stigma

attached to prisons. The public did not want to concern itself with the problem

"Society wishes to push its prison population into the background," he said

The head of the department of criminology at the University of Durban Westville Professor Roland Graser, suggested in Durban recently that acts such as gambling, drug abuse, prostitution and consenting homosexuality were a nuisance rather than a threat to the community, and should not be treated as crimes

He said there was an increasing feeling among social scientists and lawyers that certain categories of behaviour should be decriminalised — where there was really no victim, or the victim was the offender himself

The reason why most countries had a lower prison populations than South Africa was not so much that they had little crime, but that they used other methods of punishment more extensively, he said

4 years before Robben men move

253
S.M.A.
2d/180

By Tom Duff
Political Staff

It will be more than four years before the Robben Island prison is closed down and its prisoners transferred to Leeukop, north of Johannesburg.

"The provisional tender date for the prison at Leeukop, which will be replacing Robben Island is October 6 1982," said a Department of Prisons spokesman replying to a question by The Star

A contract period of 33 months was envisaged

Therefore, the earliest possible date for the transfer of prisoners from Robben Island would be July 1985, the spokesman said

The former Minister of Prisons, Mr Kruger, announced in 1978 that the prison on Robben Island would be replaced by a maximum security prison at Leeukop Prison Farm

He said among the reasons for replacing the Robben Island prison with one on the mainland had been representations that the remoteness of the island made visits difficult

Mother wants probe into cell death

JD 29/1/81 253
~~227~~

PORT ELIZABETH — A third autopsy will be conducted tomorrow on the body of a Port Elizabeth man, Mr Sonwabu Mafu, 30, who died in the Middleburg prison hospital on January 18

specialist pathologist from Johannesburg

Mrs Mafu said she had taken action because she was not satisfied with the report her family received from the authorities on Sunday when they went to fetch the body from Middleburg

She was particularly perturbed when she learnt that the results of a postmortem which had already been conducted by a district surgeon and subsequent investigations would be known only in six months

The information she had was that her son appeared to be in good health when he arrived at the prison on November 18. He was transferred from King William's Town where he was jailed for six months after being convicted of a traffic offence.

A spokesman for Mrs Mafu's attorneys confirmed that an autopsy had been conducted here yesterday — DDC

This was confirmed yesterday by a spokesman for the Prison Service in Pretoria after Mrs Shumikazi Mafu, 49, of New Brighton, had instructed a firm of attorneys to investigate her son's death

The Prison Service spokesman said, "The matter is in the hands of the South African Police for the necessary investigation as part of a judicial inquiry which is standard in cases of this nature"

An earlier statement from the department confirmed that a prisoner, Mr S J Mafu, died in the prison hospital in Middleburg, Cape, and said the cause of death had not yet been established

A source close to the family yesterday said a post-mortem was first conducted on January 20 here

A second was conducted yesterday at the Livingstone Hospital by a

van Rosenfeld.

rd year.

the best work in
in Perry Prize

Pryce Lewis

tr.

the best work in fourth
ourn Prize

Read

the best final year student.
Hertzog Prize

Pryce Lewis

Professional Practice.
veying) in the subject

the best student of
Haddon Prize

s C Tredgold

in third year.

For the best woman student
Molly Gohl Memorial Prize

P A Rappoport

1st, 2nd and 3rd major courses.
satisfactorily completed

For a student who has
Helen Gardner Travel Prize

P F Dunkley

Sixth Year

For the best student in :-
of Architects' Prize

Cape Provincial Institute

ARCHITECTURE

Six escapees caught after dramatic chase

By ANN PALMER
and CHRIS MARAIS

ONE of the six armed and dangerous long-term prisoners who escaped from the Randburg Magistrates Court yesterday, after overpowering their warders, took refuge in nearby medical offices and briefly held a woman hostage

All six were recaptured after two of the fugitives were shot and wounded by their pursuers

Pandemonium broke out in the medical offices as patients and medical staff alike were locked into consulting rooms after one of the men entered the building

The prisoners were armed with knives and a firearm

The drama began at the Randburg Magistrate's Court about mid-morning when the six men were taken back to the court cells after murder charges — involving the death of a fellow prisoner at Leeuwkop last year — had been withdrawn against them

Once they reached the cells downstairs, they grabbed both

warders who were guarding them seized a firearm and stabbed one of the prison officials in the arm

The convicts fled the courthouse chased by policemen, warders various civilians and traffic officials

A pharmacist opposite the courts said "I saw them running across the street with the warders behind them I heard one of the warders shouting at them to stop but they took no notice Three warning shots were fired into the air"

The prisoners then fled in different directions

One of them ran upstairs into medical rooms, taking a black woman employee hostage He told bewildered dental assistants and receptionists that he was a truck driver and that his friend outside was "guarding the truck"

But the receptionist, noticing his leg-irons and handcuffs, realised he was one of the men who had been chased outside

Policemen entering the building warned the women to lie on

the floor and keep out of their line of fire

A junior clerk at the doctors' consulting rooms, Miss Jenny Swart, 23, said she heard gunshots and the police warning

"I lay under the reception desk, trembling with fear," she said

The black woman employee, identified only as Rebecca, said she was downstairs when two of the fugitives confronted her

"I saw the police running after them One of the convicts grabbed me and took me back upstairs"

In the consulting rooms, the man told the receptionist inside to lock the door

He was later arrested by police who had followed him upstairs

Meanwhile, the police and prison officials had cornered the rest of the men downstairs One of the convicts had been wounded in the arm and another was shot after assaulting one of his pursuers "karate-style"

of the central planning organisation.
of Ministry officials, representatives of CICS, members of agricultural bodies and
evaluation. The latter function might best be entrusted to a sub-group composed
the management of the financial assistance programmes and with monitoring and
should be charged with the overall supervision of the settlement programme, with
A body within government, either a special agency or a division of a Ministry,
struction of simple buildings
for instance it could finance on a loan/subsidy basis brickmaking and the cons-
EGS would respond to settler demands for extra work and accommodate local design;
new CSOs in the neighbourhood to service and to link new settlements together. The
and support of the parent body and its respective CSO. Government would promote
CICS could provide many of the more immediate services through group action
services and infrastructure were ready or could be provided quickly. Established
As CICS engaged in expansion, so government would want to ensure that supporting
of existing production.
of goals: equity, employment, high savings rates, efficiency and the maintenance
settlement proposed would allow government to oversee the achievement of a complex

Prisons: Act now, Govt urged

ARGOS 5/3/81 (253)

Political Staff

OPPOSITION MPs called for urgent Government action today to modernise the country's prisons system.

They said the conditions as described by a top official to the Hoexter commission yesterday reflected an alarming situation which could not be allowed to continue.

The Minister of Justice, Mr Kobie Coetsee, and the director-general of the department, Mr J P J Coetzer, were not available for comment.

But a spokesman said the authorities were aware of the problems. It could therefore be expected that steps would be taken to improve the situation.

He could not say what these steps would be.

Mr Dave Dalling, a Progressive Federal Party parliamentary spokesman on justice said the conditions in prisons seemed so bad that the Government

should not wait for the Hoexter commission recommendations but act urgently.

'Even in modern societies it is necessary to have prisons. But it is the Government's duty to ensure that these are adequate and that they do

not constitute a hell on earth for inmates,' he said.

Saying that many people landed in prison because of statutory offences, Mr Dalling said it would be a great help if these were abolished.

In his evidence to the Hoexter commission, the

Chief Deputy Commissioner of Prisons, Lieutenant-General M C P Brink, said it would require a super-human effort to avoid a crisis in prisons.

Prisons were 40 percent overpopulated, he said, and warned that this could leave prisoners idle and unproductive and ferment unrest and gang war.

The opposition's chief spokesman on justice, Mrs Helen Suzman, said pass and curfew laws should be changed.

Last year 15 000 people were jailed for the curfew laws and from 1977 to 1979 more than 700 000 people went to jail for pass offences.

Mrs Suzman said these constituted a big majority of the daily average of the prison population, which was the largest pro rata, in the Western World.

She agreed with General Brink's criticism of statutory sentences where no discretion was left to the court.

General

ARGUS

253

fears SA

4/2/81

jail crisis

Argus Correspondent

PRETORIA — South Africa must make a big effort to avoid a prison crisis. The Chief Deputy Commissioner of Prisons, Lieutenant-General M C P Brink, said today.

He was addressing the Hoexter Commission, which is investigating the structure and functioning of the courts.

General Brink said South Africa's prisons were built to hold 70 000 inmates but had a daily population of 102 000 — 40 percent overpopulated.

He warned these conditions could lead to prisoners lying idle in their cells and fomenting unrest and gang warfare.

EPIDEMICS

He also warned that some prisons built 90 to 100 years ago, were unsafe and insufficient hygiene, ventilation and floor space could lead to sickness and epidemics.

General Brink said that South Africa had so far been spared epidemics and outbreaks of prison unrest as had been experienced overseas.

He said the Government could not be blamed as funds to build more prisons were not unlimited and there were other priorities.

General Brink said that in the case of blacks, Indians and coloured prisoners, jails were 59 percent overpopulated.

He said that by the year 2000, the anticipated prison population would be about 170 000 and

space for at least 100 000 additional prisoners would have to be built.

Current costs would run to about R1-million and building costs would escalate.

General Brink said that at least 10 000 additional warders would be needed — about 5 000 whites and 5 000 other races — compared to the present force of between 15 000 and 16 000.

He said their pay alone would cost the State another R49-million a year.

General Brink asked for an end to the system in which awaiting-trial prisoners could spend as much as seven weeks in jail before their trials and then receive sentences of as little as R4 or 10 days in jail.

ACQUITTED

General Brink caused concern among members of the commission when he said that about one-quarter of awaiting-trial prisoners returned to jail after their trials.

He said he could not account for the remaining three-quarters, although some of these must have been acquitted, some received suspended sentences while other paid their fines and were released.

He said that last year between 14 and 18 percent of the daily prison population were awaiting-trial prisoners.

added — 'alternative' needed

253 RDM ST2/81

Justice Hoexter ruled, however, that it was in the public interest it should be heard in open session.

In his evidence Gen Brink stressed the growing problem of over-population in South African prisons.

He said the accommodation shortage had been apparent for 30 years and was becoming more serious. While the white shortage was 40%, that in black

prisons was 50%.

Many of the prisons were 90 to 100 years old, said Gen Brink. They were suitable for the times when they were built but not for today's prisoners.

Some were unsafe from a security point of view, and had insufficient ventilation and floor space, which could lead to sickness and epidemics.

It was a tribute to the South African prison service that

there was no major prison unrest, as in other countries.

By the year 2000 South Africa would have an estimated population of 40-million and a projected prison population of 170 000.

Gen Brink said that at any given time there were also large numbers of people detained in police cells. Another problem was the large number of unsentenced

prisoners who had to be accommodated.

Because court offices closed early, many accused able to pay bail could not do so. This created administrative and other problems for the department.

A large number of cases, such as influx control regulation contraventions, could be expedited, Gen Brink said. Many offenders were arrested

when court offices were closed and had to be accommodated as unsentenced prisoners. These were "victims of circumstance".

To meet the prison staff shortage 10 000 more employees were needed, costing another R49-million a year in salaries. But even if the money for salaries, housing and training were available, he doubted if there would be enough

JAYNE LAMUN
Mrs Helen Suzman said at the last night. "I think the general should be commended for bringing these facts into the open, but I would point out that similar astonishing facts were brought to the attention of the Viljoen Commission of investigation into penal reform a few years ago."

"However, I cannot see any evidence of a change coming about, judging from the Minister of Co-operation and Development, Dr Piet Koorhof's new draft Bill. The situation will not change unless drastic amendments are made to this Bill."

By GERALD REILLY

Pretoria Bureau

EXTRAORDINARY efforts to reduce the number of prisoners will have to be made to avoid a crisis, says the Chief Deputy Commissioner of Prisons, Lieutenant-General M C P Brink.

He told the Hoexter Commission into the courts in Pretoria yesterday the 30-year accommodation shortage was worsening and "an alternative to prison should be looked into".

It was unreasonable to lock people up for long periods when a fine could be paid at the start.

Gen Brink said the increase in long-term prisoners in the

SA prisons overlo

past 20 years was "a very disturbing situation". It had more than doubled since 1960.

The average daily prison population was now 102 000, against available accommodation for 70 606 — a 40% shortage.

Reacting yesterday to Gen Brink's evidence, Mrs Helen Suzman, the Opposition spokesman on prisons, said: "The crux of the matter is

that to change the situation we must change the laws. Most of the prisoners on statutory offences are pass-law offenders and they make up most of the short-term prison population.

"In the period 1977 to 1979 there were 700 000 pass-law offenders — not all jailed of course, but most spent some time in prison."

Mrs Sheena Duncan, president of the Black Sash, agreed

that the high prison population was accounted for by the vast number of pass-law offenders.

She said: "It seems to be totally ridiculous to start talking about increasing warders to alleviate the crisis. As long as pass laws carry on, the country will face this situation of a very high prison population."

At yesterday's hearing Gen Brink asked that his evidence should be heard in camera. Mr

Plea to avoid crisis in SA's crowded prisons

PRETORIA — South Africa must make a superhuman effort to avoid a crisis in its prisons, the Chief Deputy Commissioner of Prisons, Lieutenant-General M C P Brink, said here yesterday.

Addressing the Hoexter Commission, which is investigating the structure and functioning of the courts, he said that South Africa's prisons were built to hold 70 000 inmates but had a daily population of 102 000, and were about 40 percent overpopulated.

He warned that these conditions could leave prisoners idle and unproductive in their cells and ferment unrest and gang warfare. He added that obsolete prisons, built 90 to 100 years ago, were unsafe and not sufficiently hygienic. This could lead to sickness and epidemics.

The government could not be blamed, as funds to build more prisons were not unlimited and available funds had to be spent

on priorities.

He said that in the case of blacks, Indians and coloured people, prisons were 59 percent overpopulated.

By the year 2000, the anticipated prison population would be about 170 000, and at least 100 000 more prisoners would have to be accommodated.

At least 10 000 additional warders would be needed — about 5 000 whites and 5 000 of other races — compared to the present force of between 15 000 and 16 000.

"It is impossible to find these people — they are just not available," he said. Their pay would cost the state another R49 million yearly.

General Brink pleaded on behalf of the Department of Prisons for new measures to reduce prison populations.

He asked for an end to the system in which awaiting-trial prisoners could spend as much as seven weeks in jail before

their trials, and then receive sentences of as little as R4' or 10 days' jail.

About a quarter of awaiting-trial prisoners returned to jail after their trials. Last year between 14 and 18 percent of the daily prison population were awaiting-trial prisoners.

General Brink called for courts to sit in the evenings to reduce the load of awaiting-trial prisoners.

He called for aid centres, which helped blacks arrested for technical offences, to remain open 24 hours a day to prevent blacks from being sent to prison on minor matters.

General Brink criticized statutory sentences such as indeterminate sentences, which were imposed after a culprit had received several convictions. He said people had lost respect for heavy jail terms.

There were 60 000 long-term prisoners in jail daily and the long-term population had doubled in the last 20 years. His personal explanation for this increase was that hard economic times led to more crime, especially crimes of violence.

General Brink applied for his evidence to be heard *in camera* and for the press to be excluded, on the grounds that his evidence might be reported selectively, and lack perspective.

But Mr Justice Hoexter ruled that the session remain open in view of public interest.

● Most lecturers who train magistrates and public prosecutors are less qualified than the people they are supposed to educate, the commission was told by Dr N J van der Merwe, head of the justice training section at the Department of Justice.

Dr Van der Merwe said lecturers in the section had few promotion prospects, and they resigned as soon as they achieved their LIB degrees.

Even those with lower qualifications than the LIB resigned because of better prospects in the private sector, as well as better promotion prospects in other government departments.

The result was that the lecturers, who had to instruct magistrates in civil law and trainee public prosecutors, were less qualified than the people they taught.

He said that in spite of increasing the number of courses for public prosecutors from three to seven yearly, the number of students entering these courses was dwindling. He attributed this to the poor pay prospects for public prosecutors — Sapa

SA faces prisons crisis — General

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253

By David Breier
Pretoria Bureau

South Africa must make a superhuman effort to avert a crisis in its prisons, the Chief Deputy Commissioner of Prisons, Lieutenant-General M C P Brink, said today

He told the Hoexter Commission, investigating the structure and functioning of the courts that the prisons were built to hold more than 70 000, but had a daily population of 102 000 and were about 40 percent over-populated

These conditions could lead to prisoners being idle and unproductive in their cells, fomenting unrest and gang warfare

He also warned that prisons built 90 to 100 years ago were unsafe. Insufficient hygiene, ventilation and floor space could lead to sickness and epidemics

Blameless

The Government could not be blamed as funds to build more prisons were not unlimited

In the case of blacks, Indians and coloured prisoners, jails were 59 percent over-populated

By the year 2000, the expected prison population would be about 170 000 and facilities for at least 100 000 more must be built. Building costs would escalate

General Brink said at least 10 000 more warders would be needed — about 5 000 whites and 5 000 of other races — compared

tences and others paid their fines

He said that last year 14 to 18 percent of the daily prison population were prisoners awaiting trial

General Brink called for courts to sit in the evenings to reduce the load of trial awaiting prisoners

Aid centres helping blacks arrested for technical offences should remain open round the clock, to prevent blacks being sent to prison on minor matters outside office hours

General Brink criticised five-year sentences for minor drug offences as these swelled prison populations

He also criticised statutory sentences, such as indeterminate sentences imposed after several convictions

People had lost their respect for heavy jail terms as they realised they could be sentenced

to five to eight years as a deterrent for "stealing a chicken" if they had a certain number of convictions

Long sentences no longer "shock people," he said

There were 60 000 long-term prisoners daily, and the number had doubled in 20 years

His explanation was that hard times led to more offences, especially crimes of violence

General Brink applied for his evidence to be heard in camera and for the Press to be excluded, because the evidence might be reported selectively — resulting in lack of right perspective

Mr Justice Hoexter, commission chairman, ruled that in view of the public interest in the submissions, the public would not be excluded

He hoped the Press would report the submissions in a fair and balanced manner

with the present 15 000 to 16 000

"It is impossible to find these people — they are just not available. Their pay alone would cost another R49 million yearly"

He asked for an end to the system in which prisoners could spend up to seven weeks in jail before their trials and then be sentenced to as little as R4 (or 10 days)

He asked for an end to the system in which prisoners could spend up to seven weeks in jail before their trials and then be sentenced to as little as R4 (or 10 days)

He caused concern among commission members when he said that about a quarter of prisoners awaiting trials returned to jail after their trials

He could not account for the remainder, although some must have been acquitted, some received suspended sen-

mark.

G L Cragg

JAIL SHOCK

FM 4/2/51
Mr Justice Hoexter is to be congratulated for his decision to have the evidence of Lt-General M C P Brink, Commissioner of Prisons, heard in open session of the Hoexter Commission of Inquiry into the structure and function of the courts.

The general himself, although he asked to be heard *in camera*, is to be commended for his frank and detailed exposure of the deplorable conditions existing in our prisons.

Further, this evidence damns implicitly the vicious pass law system and other harsh aspects of our legal structure.

Much-needed reforms could well flow from Brink's evidence, and from Judge Hoexter's wisdom in directing that it be made public. This is the sort of conduct of affairs — rather than empty political rhetoric — which can speed the process of peaceful change in SA.

Brink's evidence — which included facts such as 59% overcrowding of black prisoners (40% overcrowding of all prisoners), unhygienic and dangerous conditions in some jails plus inadequate supervision — was not all negative.

He also suggested remedies (such as speeded-up court procedures and lower sentences for some crimes) that deserve serious consideration.

Control offender figures cut — Coetsee

Own Correspondent

CAPE TOWN — Although the prison population continued to increase, the situation regarding so-called control offenders had changed, the Minister of Justice, Mr Coetsee, said yesterday.

Indications were that as a result of the changes, the number of people imprisoned for such offences had decreased. The Minister was commenting on the evidence given by Lieutenant-General M C P Brink before the Hoexter Commission.

"The crux of his evidence is that the prisons are overcrowded."

"The fact that prisons are overcrowded is of course well known, indeed it is a matter which for many years has been raised in the Department of Prisons' annual reports. The question has already often been debated in Parliament and elsewhere.

"The Viljoen Commission in its report published in 1976 also dealt with the question of overcrowded prisons," Mr Coetsee said.

"During May 1980, my predecessor appointed an inter-departmental committee consisting of senior officials of the Prisons Department and other departments involved, to undertake the implementa-

tion of the recommendations of the Viljoen Commission, as well as to investigate other facets of the problem.

"This committee has not yet completed its task.

"This matter was one of the first which the Commissioner of Prisons raised with me on my assumption of office as Minister of Justice.

"In a speech I made on November 28 at Kroonstad, I also referred fully to the matter."

CHANGED

In his evidence General Brink referred to his department's annual report which said 32,5 percent of sentenced prisoners could be regarded as so-called control offenders.

"Although the total prison population still shows an increasing tendency, I wish to point out that the position regarding the so-called control offenders has since changed."

This happened as a result of the practical application of inter alia the recommendations of the Rieker Report. The present position was that the most recent figure for so-called control offenders, had decreased from 32 percent to approximately 24 percent.

3/1/81
253
6/2/81

Jail alternative is still an experiment

EDM 7/2/81 (253)

Reports: MARTIN FEINSTEIN

JOHANNESBURG will have to wait nearly a year before its magistrates can begin sentencing first-offenders to community service rather than jail.

The idea of community service sentences was one of the main recommendations of the 1977 Viljoen Commission into the penal system.

It was aimed at alleviating the disturbing overcrowding of South Africa's prisons, which was outlined this week before the Hoexter Commission into the courts.

The Chief Deputy Commissioner of Prisons, Lieutenant-General M C P Brink, told the commission that prisons were so overcrowded that serious thought would have to be given to "an alternative".

Four years after the Viljoen recommendations, however, only a small start has been made in Cape Town.

Experts say Johannesburg will have to wait at least until

the end of 1981 before magistrates can begin sentencing offenders to community service.

This week the national director of the National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro), Mr J V Pegge, spelled out the problems encountered in Cape Town, and warned against too much optimism that they could be quickly overcome.

Nicro's pilot project there began in mid-1980 and is run by a committee of representatives from the Nicro branch office, service organisations such as Rotary and the three State departments with field probation officers.

White probationers are supervised by the Department of

Health, Welfare and Pensions, coloureds and Indians by the Department of Internal Affairs and blacks by the Department of Co-operation and Development — a disturbing overlap for a project that is finding bureaucratic co-ordination a major stumbling block.

"The project's point of reference is the Nicro branch director. He is the 'data bank' who connects available community work with suitable offenders," said Mr Pegge.

"If a sentencing magistrate feels an offender would be suitable, he consults the probation officer, who then liaises with the Nicro office and tries to come up with a suitable opening in a community institution. Of course the sentence

must match the offence. We wouldn't put, say, a sado-masochist to work in a morgue, because he would probably enjoy it.

"Legally, there is no problem as the Criminal Procedure Act makes provision for community service orders.

"What is lacking, however, is an infrastructure to enable them to be handed down."

Mr Pegge also sees the prevailing attitude to offenders as a big problem.

"The average South African's contact with the rehabilitation of an offender is when he is offended against, for exam-

ple when his car is stolen.

"When that happens, there is no thought as to why the offender did what he did or what will happen to him; all he wants to see is the man in a police van and then behind bars.

"But this sort of person must realise that he, as a member of the public, must also play a role in rehabilitation."

"We must break down the tremendous fear and resistance people have to taking or assisting offenders to rehabilitate."

Has the project had any effect on the local prison population?

"By no means," says Mr Pegge. "In fact it has hardly made a dent."

"But we are treading new ground here, dealing with very small numbers of people, and community service orders are only one alternative to prison."

Even the year-end may be an optimistic forecast for the scheme's Johannesburg debut.

"Everything depends on the Cape Town project," said Mr Pegge. "It would be unwise to extend too rapidly something which is complex, not only for financial and administrative reasons, but because of the danger of mismatching sentence and offender if it deals with an unmanageable number of cases."

A Nicro official in Johannes-

burg attributed the local delay in setting up the scheme to a lack of facilities, willing organisations and supervisors.

"We're planning to begin things here, get our toes into the magistrate's courts at the end of this year — at the earliest," he said.

"Once we have the right sort of organisation set up, we can edge them over into the idea that first-offenders for 'light' crimes should be kept out of jail, where conditions for rehabilitation are not ideal."

And a final warning note from Mr Pegge. "It's not correct to have wildly optimistic expectations of the scheme. It hasn't made more than a slight dent in the prison population."

"We know, and various prison commissioners know, that many people can't be rehabilitated in jail — it is just not the right place. What we must do is cut down on the number going in. That's the real problem."

'Mail' refused permission to visit prisons

RDM 11/2/81

(243)
(253)

By CHRIS MARAIS

THE Rand Daily Mail has been refused permission to visit various Transvaal prisons

The request was made after a statement to the Hoexter Commission by the Chief Deputy Commissioner of Prisons, Lieutenant-General M C P Brink, that the 30-year-old accommodation shortage was worsening, and that an alternative to prisons should be looked into

The Prisons Department replied by telex to the "Mail" request "In view of the various visits by representatives of the media to prisons in the past two years and resulting reports in the Press, a visit to prisons for the purpose of Press coverage on the issue of overcrowdedness cannot be approved at this stage

"It must be added that the Minister of Justice gave his full attention to the matter of overpopulation in South African prisons in a Press statement on 5 February, 1981 and detailed precisely what steps are to be taken to alleviate the problem

"In this regard, the following aspects are emphasised for your benefit

1 - During May 1980, an

interdepartmental committee, consisting of senior officials of the South African Prison Service and other departments involved, was appointed by the Minister of Prisons to undertake the implementation of the recommendation of the Viljoen Commission which also deals with the question of overcrowded prisons This committee has not yet completed its task

2 - Recently, it was decided by the Minister of Justice, the Director-General of Justice, and the Commissioner of Prisons to arrange a departmental seminar to discuss the matter on a broad basis

3 - The Minister of Justice also decided to appoint a working group to give attention more specifically to actions aimed at solutions

"In the last instance, as also stressed by the Minister of Justice in his statement, Lt-Gen Brink's evidence before the Hoexter Commission was aimed at bringing the picture of overcrowded prisons to the attention of the commission so that the commission could take note thereof in its investigation into the functioning of the courts"

Breakwater Prison

154 Mr R J LORIMER asked the Minister of Transport Affairs

Trans 3 Ques At 141

(1) Whether the Breakwater Prison is being used to house contract workers employed by the South African Railways and Harbours Administration, if so, (a) how many are housed there and (b) for how long has it been so used,

13/2/81

(2) (a) (i) how many workers are accommodated in former (aa) dormitories and (bb) cells and (ii) what are the sizes of such dormitories and cells, respectively, (b) how many (i) showers, (ii) baths and (iii) toilets are provided and (c) what facilities are provided for (i) cooking and (ii) recreation,

(3) whether he intends to re-house these workers in alternative accommodation; if so, how long will it take, if not, why not?

The MINISTER OF TRANSPORT AFFAIRS

(1) Yes.

(a) An average of 802 per month were housed during the calendar year of 1980

(b) Since 1927

(2) (a) (i) (aa) 343

(bb) 339

(ii) Dormitories
1 × 495,56 m³.
7 × 513,26 m³. each.

Cells

2 × 112,56 m³ each

18 × 111,45 m³ each.

1 × 229,78 m³

1 × 346,35 m³.

1 × 313,64 m³

1 × 454,68 m³

1 × 112,69 m³.

12 × 22,71 m³ each.

8 × 82,52 m³ each.

4 × 97,91 m³ each.

(2) (b) (i) 50

(ii) Nil

(iii) 76

(c) (i) Inmates are departmentally fed and meals are prepared by properly trained cooks. The fully equipped kitchen inter alia contains five oil-jacketed electric cooking pots with a capacity of 225 litres each and two of 135 litres each, one electric fish frier, one electric potato peeler (12 kilogram capacity) and one fridge of 1,08 m³.

(ii) One recreation hall for film shows etc. (films are shown at least once per week), one fully equipped beer hall and one boxing ring complete with boxing equipment.

(3) Matter under consideration.

Trans 3 Ques At 141
109 Mrs H SUZMAN asked the Minister of Justice

253

13/2/81

Hans. 3 Prisoners
Answers COM 14/2
 169 Mrs H SUZMAN asked the Minister of Justice
 253
 13/2/81

143

FRIDAY, 13 FEBRUARY 1981

(a) What was the total daily average number of sentenced and unsentenced prisoners in the Republic during the period 1 July 1979 to 30 June 1980, (b) how many of them were Whites Blacks, Asians and Coloureds, respectively, and

(c) how many of the sentenced prisoners in each race group were serving sentences of six months and under?

The MINISTER OF JUSTICE.

(a) 100 677

(b)	Whites	Blacks	Asians	Coloureds	Total
	4 225	73 911	551	21 990	100 677

(c)	266	9 151	54	2 573	12 044
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Prisoners/Prisons Service
13/2/81
60 Mr N B WOOD asked the Minister
of Justice

- (1) How many prisoners escaped from
(a) maximum security prisons and
all other prisons during 1980;
(2) whether the Prisons Service is operating at full staff strength, if not, what is being done to improve the situation?

The MINISTER OF JUSTICE:

- (1) (a) None
(b) 1 549 of which 145 escaped from prison buildings and the rest from work teams, public hospitals or during transfers, etc.
(2) No
The Prison Service has a recruiting

FRIDAY, 13 F

system which functions country wide on a continuous basis. In an attempt to depict the Prison Service and its activities, a well organized publicity and promotion programme exists. To minimize personnel losses as far as possible, continuous attention is given to the promotion of sound personnel relations as well as the creation of favourable service conditions.

In order to ensure optimal utilization of existing personnel, intensive training enjoys high priority

CT 14/2/81 (253)
Prison department understaffed

Political Staff
HOUSE OF ASSEMBLY —
Another government department — the prison service — is not operating at full strength

In the last week it has been shown that the Post Office lost quarter of its staff in a year and that the auditor-general's department is unable to do a full audit of government offices

Yesterday the Minister of

Justice, Mr Kobie Coetsee, told Mr Nigel Wood (NRP Berea), in reply to a question that the prison service was short staffed, but did not say by how many

He said that there were 1 549 escapes last year — 145 from prison buildings and the rest from work teams, hospitals and transfers

The service was constantly trying to attract staff

G L Cragg

mark.
obtaining the highest average
For the first year student
A E & C I Prize

CHEMICAL

L Menegaldo
Drawing.
best classwork in Engineering
Awarded to the student with the
Sammy Sacks Memorial Prize

J H Rens
Civil Engineering.
student in Land Surveying or
examinations to the best male
Awarded on results of final
Professor George Menzies Prize

B F McClelland
J H Rens
D P Weeks
T J Cumming
P M Salmon
Fourth Year (Gold Medal)
Miss N C Davidson
Third Year (Silver Medal)
Miss G C Littlewort
Second Year (Bronze Medal)
of the 2nd, 3rd and final years.
For the best student in each
Corporation Medals

FACULTY OF ENGINEERING

RDM 14/2/81 (253) (175)

Now prison department reveals staff shortage

Political Staff

CAPE TOWN — Another Government department — this time the prison service — is not operating at full strength

In the last week it has been revealed that the Post Office lost a quarter of its staff in a year and that the Auditor-General's department is unable to do a full audit of Government offices.

Yesterday the Minister of Justice, Mr Kobie Coetsee, said in reply to a question by Mr Nigel Wood (NRP Berea) that the prison service was short staffed but he did not say by how many

There had been 1 549 escapes last year — 145 from prison buildings and the rest from work teams, hospitals and transfers

The service was constantly trying to attract staff, he said.

In reply to another question, he told Mrs Helen Suzman (PFP Houghton) there were on average more than 100 000 people in prison every day

The actual figures, with those serving six months or less in brackets, were

Whites — 4 225 (266), blacks — 73 911 (9 151), Asians — 551 (54), coloureds — 21 990 (2 573).

100 677 in SA prisons

HOUSE OF ASSEMBLY
During the period July 1979 to the end of June 1980, the total daily number of prisoners in the Republic was 100 677, the Minister of Justice, Mr Kobie Coetsee said yesterday
In a written reply to a question by Mrs Helen Suzman (PFP Houghton), he said, this

number included sentenced and unsentenced prisoners
Of the total number, 4 225 were whites, 73 911 were blacks, 551 were Asians and 21 990 were coloured people
The total number of prisoners serving sentences of six months or less was 12 044
Sapa

G L Cragg

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obtaining the highest average
For the first year student
A E & C I Prize

CHEMICAL

L Menegaldo

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Third Year (Silver Medal)

Miss G C Littlewort

Second Year (Bronze Medal)

For the best student in each
of the 2nd, 3rd and final years.
Corporation Medals

FACULTY OF ENGINEERING

The private sector could help reduce our prison population

CT 16/2/81 (253)

By T M CORRY

Dr Corry, a criminologist of standing and author of a history of prison labour in South Africa, was formerly regional director of the Urban Foundation.

DURING the last week or so understandable concern has been expressed at the overcrowding in our prisons. The Chief Deputy Inspector of Prisons, Lieutenant-General M C P Brink, in his evidence to the Hoexter commission, stated that the prisons were designed to accommodate 70 000 persons but daily housed more than 100 000.

As General Brink has quite correctly said, the answer is not to build more prisons but to seek a greater emphasis on alternatives to imprisonment and shorter sentences. Much has already been done. During 1969/70 a total of 484 661 sentenced prisoners were admitted in comparison with 274 000 for the period 1978/79 — a decrease of 43.5 percent. Although approximately 80 percent of all prisoners admitted during a full year are short-term prisoners at any one time the percentage of short-term prisoners serving sentences of up to six months in fact represents only 13 percent of the total number of persons in custody.

What has been happening is that the numbers of persons serving long-term sentences have been increasing while those serving short-term sentences have been decreasing. Thus on June 30, 1979, 65.4 percent of all sentenced prisoners were serving sentences of two years or longer. As the 1979 Annual Prisoner Report stated: "This trend has far-reaching implications for the Department, in that the longer the period of sentence, the higher the daily average number of prisoners in custody."

An alternative

This article considers one of the roles that the private sector can play in providing an alternative to imprisonment.

No attempt is made to set out the various ways in which the prison population can be reduced, whether by decriminalizing certain offences, reducing the length of sentences, or by providing alternatives to imprisonment. Nor will any attempt be made at considering the wide range of alternatives to imprisonment.

Internationally the idea that a prisoner's labour is partially or totally forfeit to the state is widely accepted, nor is it new in South Africa. In the 1840s South Africa had one of the most "advanced" prison systems in the world and prisoners were employed in labour gangs building the roads and mountain passes around the Cape. Not only were they paid but every evening illiterate prisoners were taught reading and writing and employment was

attitude is natural, particularly in an industry which is of a cyclical nature with periods of high and low employment.

Is this fear entirely justified? The trade unions and employer bodies in co-operation with the Department of Prisons could limit the numbers of prisoners in the "building section" to prevent unemployment. As regards the supply of work, there is a severe shortage of adequate housing which people can afford, and, although experts differ, it seems unlikely that this shortage will be wiped out in 10 or even 20 years unless substantially greater sums are allocated to housing and/or current building standards and techniques are altered.

Secondly, there is a shortage of skilled and semi-skilled people in the industry. One can reasonably predict that there will be steady employment for the foreseeable future for those artisans currently employed in the building industry, although some element of control is essential over the number of "block stackers". The situation could be further stabilized if the government committed itself to a 10- or 15-year housing plan so that there could be certainty of work.

If construction camps as an alternative to imprisonment are to be introduced many issues beyond the scope of this article must be considered.

For instance, how many people could be so employed? In 1979 there were more than 200 000 persons imprisoned for under six months and nearly half of these were released on parole, many returning to their former employers and returning home to their families. By no means all would be suitable for construction work.

Should the camps be custodial? If so, many prisoners will probably prefer to be released on parole, particularly if it means that they can live at home. A possible solution would be for the parolees to live in the camps during the week and to be released from Friday night until Sunday night or Monday morning.

Should the "construction work" be organized by the state or by private enterprise? Possibly the best plan would be for the building work itself to be organized by private enterprise with the accommodation for the prisoners being controlled by the state. The advantages would be that the

them in doing so, or unless it is a condition of the building contract. For instance, in Turkey the law requires that for every 100 workers a company must employ one parolee or ex-prisoner.

Selection

Only those prisoners with the necessary aptitude for building work would be selected. Once employed their progress would be regularly monitored. Those who showed the necessary qualities would be given the opportunity to improve their skills.

Building construction has been singled out as one form of employment readily adaptable as an alternative to imprisonment. However, the building industry can only absorb a certain number of persons and other work should be considered.

Another means of reducing the numbers in prison is to permit earlier parole. Here again the "construction camp" idea

could be adopted as a form of half-way house between full release and imprisonment. Nor need it be restricted to the building industry, for hostels could be erected close to industrial areas, and prisoners live in the hostels and go out each day on a "day release" basis to work in industry. In this way they could pay for their board and lodging and have funds over with which to assist their families and to save for their eventual release.

Projects of this nature are perfectly feasible given co-operation and a willingness to consider new ideas and to recognize that there will be teething problems.

The time has come for the state and the private sector to work together for the good of the community and of prisoners, both by providing "employment" as an alternative to imprisonment and assisting with the better organization of work within the prisons.

As a first step a committee should be formed of trade union leaders, representatives of employer bodies and the Department of Prisons to consider what practical steps can be taken.

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Awarded
Professor

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Construction work

One possibility is the employment of short-term prisoners who present no danger to society in the construction of state-subsidized housing, and in the manufacture of building blocks. In this way prisoners would not live in prison and could be usefully employed to the benefit of the community.

The support of the trade unions for such schemes is essential, for they will fear that their members will become unemployed or that wages generally will be forced down. This

men at a normal working pace and treated just like any other employees. On release the contractor might continue their employment. The disadvantages would be the old bogey of unfair competition, particularly if the prisoner was paid a wage below the market level — while if employed by the state there would be less objection to low wages as any saving in labour costs would result in cheaper houses and not extra profit for the employer. Few employers will accept the potential problems of employing parolees unless there is some advantage to

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Corporat

FACULTY OF ENGINEERING

Amnesty 150 18/2/81
*6 Mrs H SUZMAN asked the Minister
of Justice
(1) Whether amnesty is to be granted to
prisoners on the coming anniversary
of the establishment of the Republic,
if so



151

WEDNESDAY 18

(2) whether such amnesty will be extended to prisoners serving sentences for offences against the security of the State?

The MINISTER OF JUSTICE

- (1) Yes
- (2) No

into the whole South African health scene, which occupied them for two years during a tour of 3½ months, the Commission visited various centres and institutions in South Africa.

More than 1 000 witnesses testified and 505 memoranda were handed over. The Commission was authorised: 'to enquire into, to report and advise upon'

- (1) The provision of an organised National Health Service in conformity with the modern conception of 'health', which will ensure adequate medical, dental, nursing and hospital services for all sections of the people of the Union of South Africa.
- (2) The administrative, legislative and financial measures which would be necessary in order to provide the Union of South Africa with such a National Health Service.

Finally, in 1944, the Commission tabled their Report of more than 200 pages, which contained various proposals. In their summary of basic task super-
 tion. The Commission's suggestions for the improvement of a Part I, chapter III: 'The Modern o have lost nothing of its actuality ery comprehensive account of the various necessary.

Prisons bill
 HOUSE OF ASSEMBLY
 A medical aid scheme is to be introduced for members of the prisons service in terms of a bill published here yesterday. The Prisons Amendment Bill, introduced by the Minister of Justice, Mr Kobie Coetsee, makes provision for the establishment of a new scheme to apply to members of the Prisons Service, retired members and their families - Sapa

In this chapter, a fundamental distinction is made between personal health services, which deal with persons and non-personal health services, which deal with things. Personal health services were divided into promotive, preventive, curative and rehabilitative services.

The great value of promotive and preventive health factors was stressed in maintaining the health of the individual and his community. Under promotive health services, the importance of adequate wages, nutrition, general education, etc., is mentioned. Periodic medical examinations, antenatal care, infant welfare clinics, immunisations, health education, school and workers' health services, are listed under preventive services.

The Commission also realised the tremendous importance of a proper relationship between promotive, preventive, curative and rehabilitative services:

"Today in short, advanced medical thought everywhere has come to realise that there should be no sharp division, even in administration and still less in presentation to the people, between promotive, preventive, curative and rehabilitative health services. All should be integrated in a comprehensive planned health service. Such a service would aim to secure not only the absence of disease, but also the maximum degree of physiological and mental efficiency".

The chapter ends with the following vision:

"The ultimate aim of our recommendations is to bring these services within reach of all sections of the population, according to their need, and without regard to race, colour, means or station in life".

Part II of the Report of the Commission contained a detailed survey of the health needs of the population of South Africa and to what extent these needs were met by the existing health services. The Commission observed that from 1919 onwards, there were three different kinds of public authorities, which dealt with health services: local authorities, Provincial Councils and the Department of Public Health.

Their conclusions at the end of this survey about existing health services were very straight-forward:

"The services are NOT 'organised on a national basis' - they are disjointed and haphazard, provincial and parochial.

The services are NOT 'in conformity with modern conception of Health - for they are mainly directed not to promotion and safeguarding of health, but to the cure of ill health.

The services are NOT 'available to all sections of the people of the Union of South Africa' - they are distributed mainly among the wealthier sections who, on account of their economic potentialities should need them least and are but poorly supplied to the underprivileged sections who require them most.

Moreover, existing 'administrative, legislative and financial measures' are NOT adequate to provide, by any mere process of expansion a national health service of the range and quality demanded by our terms of reference".

Part III of the Commission's Report dealt with the fundamental question of whether a National Health Service would be the best solution for the health needs of the people. The answer of the Commission was affirmative in order to ensure unified direction, a redistribution of health resources and to make the best use of the limited economic resources available.

It was realised that massive all health means decreased economic productivity and an increased expenditure on curative health services. The Commission

253

20/2/81

179

FRIDAY, 20 FEB

The MINISTER OF INDUSTRIES,
COMMERCE AND TOURISM

69

Commission of Inquiry into the Penal System
of the Republic of South Africa

Handwritten: Hans & Anus (179) (253)
*5 Mrs H SUZMAN asked the Minister
of Justice

20/2/81

What progress has been made by the inter-departmental committee appointed in May 1980 by the then Minister of Prisons to undertake the implementation of the recommendations made by the Commission of Inquiry into the Penal System of the Republic of South Africa?

The MINISTER OF JUSTICE

The committee met on various occasions and identified several aspects which are at present receiving attention. I have requested that an interim report be submitted.

'NEW LOOK AT JAIL NEEDED'

Argus 21/2/87 (253)

A MEMBER of the UCT Institute of Criminology, Mrs L Küpper-Wedepohl, has called for an investigation into laws 'which prevent normal family life and the right to seek employment freely'.

Mrs Kupper-Wedepohl said many of these laws had grave practical implications for 'an overburdened judicial and prisons system,' and she questioned the concept of imprisonment as 'a treatment method.'

Her comments were contained in an article written in response to evidence given by Lieutenant M Brink of the Prisons Department to the Hoexter Commission of Inquiry into the structure and functioning of the South African courts

PASS LAWS

She pointed out that during 1980, 81,66 percent of all prisoners were serving sentences of less than six months, and more than 30 percent of the country's total prison population was there as a result of influx control and pass laws.

Behaviour which brought influx control



offenders to court would not be seen as wrong in other countries, she said.

What was particularly thought provoking was General Brink's statement that during 1980, up to 18 percent of the daily prison population had been awaiting-trial prisoners who could spend as much as seven weeks in jail before being tried. Of those many received sentences of as little as R4 or 10 days imprisonment.

'People are beginning to doubt whether imprisonment is really an effective way of dealing with crime or whether it in fact contributes to an escalation of the problem; if a first or milder offender is placed in the company of so many hardened criminals, who treat him viciously and from whom he learns new criminal techniques, it can only make him worse. This is why alternatives are being put into practice, particularly for young and less serious offenders,' she said

The main trend was away from large, geogra-

phically remote institutions and towards small homes and programmes situated in the heart of the community, so that each offender was treated as close to his place of origin as possible and his ties with his own family and community were not severed.

ALTERNATIVE

An alternative which had recently been introduced on a small scale in Cape Town was the joint Nicro-Social Welfare Department project of community order service orders whereby the courts could order an offender to 'pay' for his anti-social behaviour by serving a set number of hours in, for example, hospital casualty wards or ambulance stations. This deprived the offender of his leisure time but enabled him to keep his job, support his family save the State money and pay taxes.

'Most important, he retains his self-respect and

does not come to believe that he is useless'

She said the public could ease the workload of alternative corrections projects.

'A large proportion of persons "in trouble with the law" are ordinary people who simply had a greater share of problems or less opportunities than the rest of us. A public attitude of understanding and support rather than condemnation could go far towards helping such persons, while simultaneously making society a safer, healthier place for all of us to live'

Referring to a pilot study done by the institute on the extent of legal aid in South Africa she said figures collected suggested that legal representation might make a significant difference to the accused.

In a study involving 400 accused persons at one court, it was found that those persons represented by a lawyer, 65 percent were found guilty and 35 percent innocent. Of those who were not represented 90 percent were found guilty and 10 percent innocent.

'Greatly extended legal aid services might then be another way of reducing unnecessary congestion of prisons,' she concluded.

For the best student in each of the 2nd, 3rd and final years.
 Corporation Medals
 Second Year (Bronze Medal)
 Miss G C Littlewort
 Third Year (Silver Medal)
 Miss N C Davidson

Prisoners who died of natural causes

250 Mrs H SUZMAN asked the Minister of Justice

Handwritten: Hans 5 Ques 01 199 (253)

- (1) How many sentenced prisoners died of natural causes during the period 1 July 1979 to 30 June 1980
- (2) how many of these deaths were due to pneumonia?

The MINISTER OF JUSTICE

- (1) 200
- (2) 21

253 23/2/81

199

MONDAY, 23 FEBRUARY 1981

Public prosecutors

212 Mr D J DALLING asked the Minister of Justice

Hours 5 Quis 199

- 23/2/81*
- (1) How many vacancies are there in each province for public prosecutors in the Department of Justice.
 - (2) whether there are any public prosecutors in the employ of the Department who are not in possession of the requisite qualifications, if so, (a) how many and (b) what are their qualifications?

The MINISTER OF JUSTICE

(1) Transvaal	38
Natal	16
Cape	3
Orange Free State	1

(2) No minimum qualification is prescribed by law for a public prosecutor

(a) There are 265 public prosecutors not in possession of the minimum three year legal qualification for appointment as magistrate

- (b)*
- (i) BA-degree 15
 - (ii) B Comm-degree 1
 - (iii) Matric 249

253

Prison Amendment Bill

2nd reading & committee stage,
House of Commons 2266 - 2277

24/2/81

26/2/87
 253

(2) (a) Yes	
Barberton	2
Brandvlei	1
Gen J C Steyn	1
George	1
Helderstroom	1
Klein Drakenstein	1
Krugersdorp	1
Leeuwkop	3
Modderbee	2
Port Elizabeth	1
Pollsmoor	2
Sevontem	1
Victor Verster	5
Zonderwater	1
Total	23

Prison warders/prisoners killed/seriously injured

249 Mrs H SUZMAN asked the Minister of Justice

Ums 5 or 292 side

(1) Whether any prison warders were (a) killed or (b) seriously injured by prisoners in 1980 if so (i) how many and (ii) in which prisons.

(2) whether any prisoners were (a) killed or (b) seriously injured by fellow prisoners in that year, if so, (i) how many and (ii) in which prisons?

The MINISTER OF JUSTICE

(1) (a) Killed	0
(b) Seriously injured	15
Durban	1
Groenpunt	1
Johannesburg	1
King William's Town	1
Kokstad	1
Modderbee	1
Pietermaritzburg	1
Pretoria	2
Sevontem	1
St Albans	1
Standerton	1
Swellendam	1
Uppington	1
Victor Verster	1

(b) The statistics regarding the number of prisoners seriously injured are unfortunately not readily available. The required particulars are only reported after all court cases and medical treatment have been completed. In some cases the process is only completed several months after the injury was sustained.

Two measures of need might be used to assess the degree of racial equality in the distribution of these public health services. The first approach rests on need as shown by the pattern of diseases and the quantity of services available in the private sector. The second approach takes its benchmark simply from the level of services available to the most privileged group (i.e. the white population). In terms of

Mentally ill won't be held in cells

DA 26/2/81 (253)

THE ASSEMBLY.— The Minister of Police, Mr Louis le Grange, has issued instructions that mentally ill patients no longer be detained in police cells.

He disclosed yesterday in reply to Mr Alf Widman (PFP Hillbrow), that 7 122 mentally ill people had been detained in police cells last year.

Two cases of assault on mentally ill people by other detainees had been reported to him during 1980.

One of the victims had died and a murder charge was pending. In the second case no corroborating evidence could be found.

No cases of maltreatment of mentally ill people had been reported.

Asked what steps had been taken to prevent a recurrence of assaults on the mentally ill by other prisoners, Mr Le Grange said "mentally deranged persons are no longer to be detained in police cells, but are removed to the nearest institution or hospital".

Mr. Widman, PFP spokesman on health, said he was delighted at the minister's decision.

It is also sad that somebody had to die before this action was taken," said Mr Widman.

Mr Widman said two cases of assault on mentally ill patients in Eastern Cape police cells had been reported last year.

In one case Mr Daniel Muller, a mentally ill patient who had been admitted to a hospital, was taken to police cells after hospital staff found difficulty in controlling him.

Two other prisoners were placed in a cell with him and the next morning he was found unconscious after an apparent assault.

In another case, Mrs Doris Dorá Madolwana, of Walmer location, was allegedly assaulted in police cells in Port Elizabeth, where she had been taken by police, despite the woman's daughter having asked that she be placed in a mental institution — PS

tween

- cannot immediately be attributed to a lower quality of service. The composition of the hospital case-mix has been shown to influence the level of hospital costs (28), and higher rates of hospital utilization have been shown to result in lower unit costs (29) although this must be associated with a deterioration in the quality of service provided to patients. Additionally Black professional hospital staff have historically been subject to wage discrimination (30) which has lowered the salary and wage bill of Black hospitals relative to white hospitals and this contributes to the lower cost structure of Black hospitals.
- In order to illustrate the effects of these various influences, the operating costs of two large hospitals which render broadly similar services are contrasted in Table 11. In both hospitals, salaries and wages were the largest components of costs per patient day, and were about 65 per cent of total costs. In the Black hospital, salary costs per patient were 43 per cent, the cost of provisions 37 per cent, and the cost of medical supplies 64 per cent, of the costs per patient of the same items in the white hospital. Total operating costs per patient in the Black hospital were 42 per cent lower than for the white
- (28) M. S. Feldstein, "The Effects of Case-Mix on Hospital Costs", in *Health Economics*, op cit, pp 260-275.
- (29) J. K. Mann and D. E. Yett, "Hospital Costs", in *Health Economics* op cit p 277-280. This result is inevitable when large components of cost such as salaries and wages are semi-fixed, and where the marginal cost of other activities such as feeding or medicines is probably constant (possibly falling!)
- (30) For discussion of public sector wage discrimination in South Africa see: J. B. Knight and M. D. McGrath, "An Analysis of Wage Discrimination in South Africa", *Oxford Bulletin of Economics and Statistics* vol. 39, no. 4, November 1977.

- (26) An exception is the Director of Hospital Services Report for the Cape.
- (27) This pattern was repeated in the Transvaal and O.F.S. In the Transvaal costs per patient day in predominantly White hospitals were R12,42; Black hospitals R6,39 and hospitals of mixed occupancy R8,27. In the O.F.S. the costs of the same categories were R19,68 R6,50 and R10,57.
- Source: Report of the Director of Hospital Services, 1969, and Report of the Provincial Auditor, for the year ended 31 March 1970, for Natal, Transvaal and O.F.S.

Petition to send man back to jail

1/3/81
253

By PETER MALHERBE

A PETITION will be circulated throughout South Africa tomorrow protesting against the early release of a platteland farmer who flogged and killed a labourer

Phillipus Petrus du Toit, of the farm "Rustfontein" in the Worcester district, was released from prison last week after serving only half of his three-year prison sentence

Now, as part of a campaign against maltreatment of farm labourers, the Ombudsman office will launch a nationwide petition calling for the re-imprisonment of Du Toit

The petition form notes that the Appeal Court found that "Du Toit had acted sadistically towards his workers" and requests that "Du Toit be taken back into custody to serve a more realistic proportion of his sentence"

He chained a 13-year-old boy by the neck for stealing 80c and gave him sheepshears "to cut the grass"

He then hung two labourers from a rafter by their necks and beat them with a hosepipe, causing one to die

Last Friday he was released from Pollsmoor Prison in Cape Town after serving only 18 months of the three-year sentence

Mr Eugene Roelofse, of the independent Ombudsman office, said this case was "by no means an isolated one," and that he hoped the campaign would safeguard other labourers from assault by employers

He was not only concerned with the beating of farm la-



MR ROELOFSE
Ready to go whole way

bourers, but also with hangings and torture by electricity

Mr Roelofse showed me a thick file of cases involving assaults on labourers

Photographs showed labourers with wounds caused by electrical torture

On his wall is the photograph of a Transvaal farm labourer with red weals and wounds covering his body.

He was beaten with a whip made out of a stick and a wire coat-hanger because he didn't pick tomatoes fast enough

Discussing several other

cases in the Kalahari and Natal, Mr Roelofse said that in very few of them was the accused found guilty

Many labourers had come to accept beatings as part of farm life

He would not rest until justice had been done in the Du Toit case

"I am prepared to go the whole way on this one"

The Du Toit case made history and caused an uproar at the time

The drama began on "Rustfontein" in December.

Chained

Du Toit discovered that a 13-year-old farm labourer had stolen 80c

As punishment, he locked and chained the boy by the neck to a pole in the farmhouse

Then, questioned about sheep and poultry thefts on the farm, the frightened boy named a labourer Popeye as one of the culprits

Later the boy was freed by another labourer, Hendrik Jacobs

As punishment, Popeye and Hendrik were hung from a rafter by their necks and beaten with a length of hosepipe

Hendrik died from the beatings

In April 1978, Du Toit was found guilty in the Worcester Circuit Court and given an effective one-year prison sentence.

He appealed and the Appeal Court in Bloemfontein trebled the sentence, committing him to prison for three years

The increase in the sentence came after an unprecedented step by the Ombudsman who persuaded the Attorney-General to oppose the appeal and ask for the increase in sentence

Parole

Four weeks later it was found that Du Toit was still on his farm "preparing to go to church"

This week a prison spokesman confirmed that he had been released on February 20

He said Du Toit's period of parole lasted from the date of his release to the date when his term of sentence expired, "taking his remission into account"

The spokesman said the length of remission was a "personal matter" and would not comment further

Pokela is wrong, says Prisons Dept

5/1/81
253
3/3/81

By Tom Duff
Political Reporter

Tremendous strides had been made in improving prison conditions, a Department of Prisons spokesman said in reaction to allegations about condi-

tions on Robben Island Pan Africanist Congress (PAC) leader Mr Nyati Pokela, has made several serious accusations about alleged abuses on Robben Island and The Star asked the Department of Prisons for comment

"As far as Mr Pokela's allegation with regard to food is concerned, it should be pointed out that the well-balanced diet of prisoners has always been drawn up by qualified dieticians," the spokesman said

"Prisoners are issued with enough standard clothing suited to the seasons and working conditions.

"The necessary formal channels, including access to attorneys, for issuing complaints do exist

"Prisoners are given

every opportunity to lodge complaints of any kind — including those about clothes, food, assaults and maltreatment

"No record exists that Mr Pokela lodged any complaints with regard to food, clothing or people being buried in the way he indicated"

Mr Pokela alleged that during the first few years he was on the island, warders would sometimes bury people up to their necks in sand and urinate on their heads

"The Prison Services policy with regard to assaults by members on prisoners is well known," the spokesman said.

"It is as follows' Members are strictly prohibited from assaulting prisoners and if such an assault does occur members

are punished in terms of the applicable prison regulations

"As far as the isolation of a prisoner is concerned it must be pointed out that the forfeiture of privileges does not include a prisoner's Bible

"Over the last few decades tremendous strides have been made in South Africa as elsewhere in developed countries in improving prison conditions."

The spokesman said Mr Pokela was wrong in attributing improvements to conditions in the prison to visits by the International Red Cross

● Mr Pokela was released from Robben Island last year after serving more than 10 years He has fled to Dar es Salaam.

Allegations on jail life are denied

4/13/61 SOWETAN 253

TREMENDOUS strides have been made in improving prison conditions, says a Department of Prisons spokesman in reaction to allegations about conditions on Robben Island.

Exiled Pan Africanist Congress (PAC) leader, Mr Nyati Pokela, has made a number of serious accusations about alleged abuses on Robben Island. SOWETAN asked the Department of Prisons to comment on them.

"As far as Mr Pokela's allegation with regard to food is concerned, it should be pointed out that the well-balanced diet of prisoners has always been drawn up by qualified dieticians," a department spokesman said.

"Prisoners are issued with enough standard clothes which are suited to the season and working conditions.

"The necessary formal channels including access to their attorneys for issuing complaints do exist. Prisoners are given every opportunity to lodge complaints of any kind, including those about clothes, food, assaults and maltreatment.

"No record exists that Mr Pokela lodged any complaints with regard to food, clothing or people being buried in the way he indicated."

Mr Pokela alleged that during the first few years he was on the island, warders would sometimes bury people up to their necks in sand and then

urinate on their heads. "The prison service's policy with regard to assaults by warders on prisoners is well known," the spokesman said.

"It is as follows: Members are strictly prohibited from assaulting prisoners and if such an assault does occur, members are punished in terms of the applicable prison regulations.

"As far as the isolation of a prisoner is concerned, it must be pointed out that the forfeiture of privileges does not include a prisoner's bible.

"Over the last couple of decades tremendous strides have been made in South Africa as elsewhere in developed countries of the world in improving prison conditions."

The spokesman said Mr Pokela was wrong in attributing improvements to conditions in the prison to visits by the International Red Cross.

Escape from custody: 3 guilty

EAST LONDON — Three prisoners were found guilty in the magistrate's court here yesterday of escaping from custody, two of them while in Frere Hospital

Mr Bomsile Madobo, 36, of NU3, Mdantsane, escaped from Frere Hospital on January 20 by "merely walking off". He was serving a seven year sentence and had been in prison since 1976

Mr Madobo said this was why he had tried to escape, as he had been ill-treated while in prison. He said he had been placed in solitary confinement for two weeks, and also been sentenced to a spare diet

Mr Bangile Hontoti, 31, of NU11, Mdantsane, escaped from Frere Hospital on April 17 1979. At the time he was serving a two and a half year sentence

Mr Hontoti said he escaped because he got a letter saying articles of his were to be repossessed and he wanted to go and settle the debts.

Mr Johnie Mangobe, 36, of Cathcart, said he escaped from the East London prison because of the long four year sentence he was serving

Sentence and record in all three cases were postponed to April 10

(8) : unknown)

WAGE (R)	SCHOOLING	TOTAL NO. OF WORKERS	3	22
0-2,50		8		
		7		
		6		
		5		
		4		
		3		
		2		
		1		
		0		
		14		
2,51-5,00		1		
5,01-7,51		1		
10,01-12,50		5		
12,50-15,00		7		
>15		91		
		1		
		5		
		4		
		2		
		5		
		7		
		2		
		0		
		2		
		5		
		0		
		122		

Distribution of workers by schooling completed and cash wage.

TABLE 38

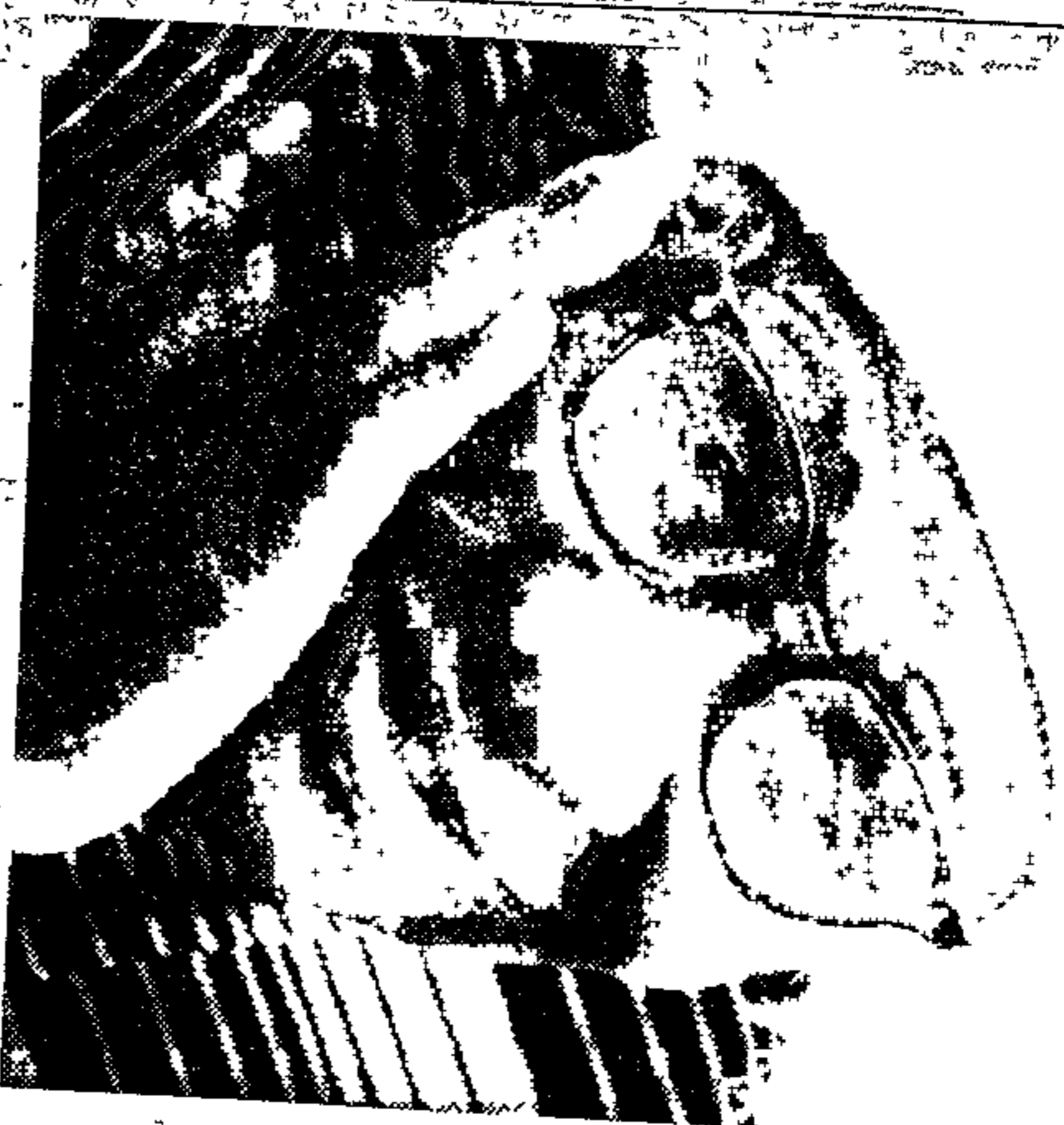
Finally, cash wages were plotted against level of schooling completed.

Ja Toivo's mother: I may not see him again

253

~~844~~

Angus 6/3/81



Mrs. Elizabeth Ja Toivo

THE blind, 73-year-old mother of Herman Ja Toivo, the founder of Swapo who is serving a 20-year sentence on Robben Island, fears each visit to her son might be her last, because of her age.

After visiting her son for 45 minutes this week for the first time since 1977, the sad mother Mrs. Elizabeth Ja Toivo, said she had found him well and in high spirits.

Ja Toivo has served 13 years of his hard labour

term for offences under the Terrorism Act

It is believed in some quarters he may yet play a leading role in South West Africa's independence

At the recent abortive Geneva conference on the territory, Swapo kept a symbolic empty chair at the table for him.

Ja Toivo was born in Ovamboland in 1924 and began his education at a Finnish mission school in Ondangua where Mrs Ja Toivo had worked and met

her husband, a teacher at the school. Ja Toivo later returned to teach at the school himself.

At one time he worked in Cape Town and became the organiser of a group of migrant Ovambo workers in Langa, assisting them with job permits and accommodation.

The group formed the basis of Swapo as a nationalist organisation. In 1958 Ja Toivo was banished to a remote part of Ovamboland. In 1966 he

and other Swapo members were detained after the first clashes between Swapo and South African security forces in the territory

He was found guilty in 1968 of offences under the Terrorism Act, for conspiring to overthrow the South African Government.

Mrs Ja Toivo said that after her son's arrest she was forced to move from Ovamboland to Windhoek with Ja Toivo's four children.

'He cared for me after my husband died,' she said 'I'm clinging to the hope that somehow there will be a settlement in Namibia which will allow my son to be released.'

'If not I am determined to wait for his release in seven years so that he can return with me to Ovamboland,' Mrs Ja Toivo said.

Mrs Ja Toivo was accompanied to Cape Town by a daughter, Esther and a grandchild.

New prisons chief wants Press truth

Pretoria Bureau

All enquiries into the Prisons Department will be dealt with open mindedly and investigated thoroughly, according to the new Commissioner of Prisons, General Johan Otto

In an interview in his office today, the General said he did not mind if anything was written or said in the media about the Department of Prisons, just as long as it was truthful and correct

But he also pointed out that his department had to protect the prisoners and their families because they were not to be put on public display like "show horses"

"Such publicity does not help us with our rehabilitation and training programme," he said

General Otto felt quite strongly about the reason for a prisoner's con-

finement, stating that each had a problem which had to be dealt with individually and scientifically

"We do not want to take a man from society, keep him locked up then send him back the same as he was, or worse, we want him to be a better person," the General said

Rehabilitation of prisoners relied on firm discipline and to get them to become responsible and self-disciplined, he said

There was a Prison Department team consisting of disciplinary wardens, psychologists, prison chaplains and social workers which played an integral part in the rehabilitation and training programme for each prisoner

General Otto also stated that though South African prisons were overcrowded, they should be seen in perspective to conditions in other countries

Prisons Act 'does not stop reports'

RDM 21/3/81
24/3
253

By CHRIS FREIMOND

CLAIMS by journalists that the Prisons Act prevented reporting of conditions in South African prisons were strongly denied by Colonel S. P. Malan, head of the Prisons Service information section, yesterday. Giving evidence in Johannesburg to the Steyn Commission of Inquiry into the mass media he said Section 44(1)(f) of the Prisons Act placed no restriction on factually correct reporting and left sufficient space for the media to initiate reports on prisons.

The section of the Act places the onus on the Press to prove that "reasonable steps" were taken to verify information before publication.

It has been severely criticised before the Commission by both the Editor of the Rand Daily Mail, Mr Allister Sparks, and the Deputy-Editor, Mr Benjamin Pogrund.

Col Malan said the Prisons Service decided to testify "to put the issue in perspective" after reports of Mr Pogrund's evidence last December

The objection of many journalists to Section 44(1)(f) was that it was difficult to judge when action taken to check their facts was "reasonable".

"The solution is that if there is any doubt, the authorities must be approached. If (the journalist) gets no answer — 'no comment' — he may publish; if he gets a negative answer he can publish his side of the issue and in the same report the answer from the authorities. There is therefore no question of Section 44(1)(f) placing unreasonable restrictions on Press freedom."

A formal inquiry to the Prisons Service Press liaison section implied that a journalist had taken reasonable steps to check the factual accuracy of his report, he said.

If a newspaper was sure of its facts it was not even necessary to approach the Prisons Service for verification before publication, he said.

Mr Pogrund's claims that 44(1)(f) could be abused by the authorities to hide malpractices or irregularities were re-

jected. There were "various channels" through which prisoners could air their grievances, including contact with family, friends and legal representatives.

The only restrictive action of 44(1)(f) was on the publication of false information, he said.

Section 44(1)(f) aimed at objective and accurate reporting of the truth irrespective of the consequences.

Section 44(1)(f) was of benefit to prisoners, the authorities and the community and there was no justification to question the "honest and efficient" application of the section by the Prisons Service, he said.

A "high premium" was placed on the watchdog role of the Press and the Prisons Service would co-operate fully with the media to ensure that public interest was served.

For this, the Prisons Service had a 24-hour Press liaison section which dealt with 355 inquiries in 1979-80.

On Monday afternoon, the Commission will hear evidence from the Rapportryers.

Prisons Act curb on media defended

253
S 19K
2/3/81

By Iain MacDonald

The South African Press was not prevented from reporting on prison affairs by Article 41(f) of the Prisons Act, a senior spokesman for the Department of Prisons told the Steyn Commission of Inquiry into the Mass Media yesterday.

Giving evidence before the commission, Colonel S P Malan, chief liaison officer for the department, said it was "not an unreasonable restriction to say that the media can publish anything as long as it is the truth."

"False information about the experiences of a prisoner, which is freely published and against which a member of the prison services is not protected, can reduce his, and the prison service's, credibility and seriously impair effective functioning.

"Negative publicity and falsehoods about a prisoner and his conduct inside the prison can have a negative influence on him.

"The Press must come upon the truth in a responsible manner. The onus for verification of the truth rests with the media," Colonel Malan said.

"The prisons service appreciates the media's role of serving as watchdog over the community's interests and will give full co-operation towards end objectives and correct reporting on prison affairs."

Colonel Malan said that "in summing up, the way in which Article 41(f) of the Prisons Act is administered offers no restriction to factual, correct reporting by the news media in connection with prison affairs and leaves ample space for the initiation of reporting by the media."

Expert rebuts criticism of prisons plea

By MARIKA SBOROS
and JAYNE LA MONT

THE Prisons Department has criticised the call by a prominent legal academic for legislation giving prison medical officers the final say in the treatment of prisoners and detainees to prevent a recurrence of the Biko affair

But yesterday Professor S A Strauss, of the department of law at the University of SA, stood by his plea

At the International Forensic Medicine Symposium in Parktown last week, he said the step would prevent a recurrence of the sort of incident in which Mr Steve Biko died in police detention in 1977

Then Colonel S P Malan, chief liaison officer of the Prison Service, said prison regulations did give a final say to medical officers — and that existing legislation provided amply for efficient medical care of prisoners

"The medical officer is therefore fully in charge of the medical treatment as such, and the Prisons Service is involved insofar as the safe custody and transport of sentenced prisoners (patients) are concerned," Col Malan said

He added that Prof Strauss was incorrect in saying a medical officer working in a prison context could be overruled by



PROF STRAUSS
... explains his stand

the Commissioner of Prisons. However, Prof Strauss said at the weekend that he "respectfully begged to differ", and stood by his call for a review of laws restricting medical officers' clinical independence

He said he had studied the Prisons Act and "if language has any meaning", it stated that the final say rested with the Commissioner of Prisons

Section 77 of the Act said the commissioner had the final say in determining the "manner in which a prisoner is employed, trained and treated" in prison. "Treatment is not restricted

in this section to medical treatment, but certainly includes it

"Section 3 provides in mandatory terms that the commissioner is in charge of the Prisons Department, subject to the direction and control of the Minister," Prof Strauss said

He added that Prison Regulation No 6 specifically stated that the prison medical officer or district surgeon must comply with "the provisions of the Act as well as the instructions issued by the commissioner"

The only person who could overrule a ruling made by the commissioner was the Minister of Justice, he said

Apart from statutory provision, a prisoner may, in common law, approach the Supreme Court in highly exceptional circumstances for an order voiding a ruling by the commissioner

"From a practical point of view this can be extremely difficult, if not impossible, in view of the fact that a detainee under the Terrorism Act is not allowed to consult a lawyer,"

Prof Strauss said Section 73 of the Act provided that a prisoner may "on the authority of the commissioner" be removed to another prison or another place in the case of serious illness

© Editorial Comment —
Page 6

RDY
23/3/81
P/B
253
BUN

253

RDM 27/3/81
Man found dead in cellar

Own Correspondent

PORT ELIZABETH — A 45-year-old farm labourer died in Storms River at the weekend after allegedly being assaulted twice by a farmer and a group of labourers.
The assistant Divisional Investigating Officer, Colonel D C Matthee, said yesterday that Mr David Claasen, 45, was found dead in a cellar of the farm, Henray, belonging to Mr Casper Nell.
In another alleged assault on the farm on Saturday, Mr James Kosana, 20, was seriously

injured. ~~VMSA~~
Mr Claasen was allegedly confronted by a farmer and group of labourers, beaten and thrown into the boot of a car.
The men then confronted Mr Kosana who was also allegedly beaten.
The men returned to the farm and allegedly beat the two men again before placing Mr Claasen in a cellar.
Police arrested six men. Col Matthee said the farmer, who had to undergo a serious operation yesterday, was not arrested.

Staff
crisis
in prisons

Own Correspondent

CAPE TOWN — The full extent of the crisis within the prison service was revealed today by the Director-General of Justice, Advocate J P J Coetzer

Speaking at a medal parade at Pollsmoor Prison, Cape Town, he said that 457 members of the service, almost three percent of the staff, had resigned in the first two months of this year.

The figure was about 38 percent higher than for the same period last year.

As there were already too few staff such resignations meant that the prisoners could not be guarded effectively.

Mr Coetzer said that posts had to be filled as soon as possible, but it took time and money to train staff.

He praised personnel for their loyalty and the way in which they accepted salaries which had not always been able to compete with the private sector.

25/3/67

953
167

CT 27/3/81

Expert disputes Steyn Commission evidence

Own Correspondent

JOHANNESBURG — One of South Africa's leading authorities on press law, Mr Kelsey Stuart, has disputed claims by the Prisons Service that the Prisons Act does not prevent reporting on conditions in South African prisons.

In evidence to the Steyn Commission in Johannesburg last week, the chief information officer of the Prisons Service, Colonel S P Malan, said section 44(1)(f) of the Prisons Act placed no restriction on factually correct reporting and left "sufficient space" for the media to initiate reports on prisons.

The statement by Colonel Malan that as long as the Pris-

ons Service's side of a story was given a report could be published was, in Mr Stuart's opinion, an incorrect view of the law.

"If a newspaper publishes information which turns out to be false, it will be prosecuted whether or not it gave the version of the Prisons Department, and the onus will be on the newspaper to prove that it took reasonable steps to verify the information which it published," he said yesterday.

The submission by Colonel Malan that 44(1)(f) placed no restriction on the publication of information concerning the behaviour or experience in prison of prisoners was naive. The sec-

tion was so wide that no further limitations were necessary, Mr Stuart said.

It was incorrect that the Prisons Service had no objection to objective and balanced reporting about prisons.

"The act prescribes that only what is known to be true, or what is believed to be true after taking reasonable steps to verify, may be published. Objectivity and balance do not find any place in section 44(1)(f) of the Prisons Act," he said.

With little doubt the Prisons Service did not like "negative publicity" and was unlikely to confirm information which showed up its officials in a bad light.



STAATSKOERANT

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REPUBLIC OF SOUTH AFRICA

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[No 7504

KANTOOR VAN DIE EERSTE MINISTER

OFFICE OF THE PRIME MINISTER

No 622

27 Maart 1981

No 622.

27 March 1981

Hierby word bekend gemaak dat die Staatspresident sy goedkeuring gegee het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word.—

It is hereby notified that the State President has assented to the following Act which is hereby published for general information —

No. 43 van 1981: Wysigingswet op Gevangenis, 1981.

No. 43 of 1981: Prisons Amendment Act, 1981.

See Act Box

CT 28 3/81 253

Prisons Act doesn't hinder press — Malan

Own Correspondent

JOHANNESBURG — The Prisons' Service had no objection to objective and balanced reporting on conditions in South African prisons, even if this meant negative publicity, Colonel S P Malan, chief information officer of the Prisons' Service, said yesterday.

Colonel Malan was reacting to a report in which one of South Africa's leading press law authorities, Mr Kelsey Stuart, disputed claims by the Prisons' Service that the Prisons Act does not prevent reporting on prison conditions.

The claims were made in evidence in Johannesburg last week before the Steyn Commission which is inquiring into the media.

Colonel Malan said Mr Stuart was "technically correct" when he said that "if a newspaper publishes information which turns out to be false, it will be prosecuted whether or not it gave the Prisons' Department's version, and the onus will be on the newspaper to prove that it took reasonable steps to verify the information which it published."

However, the crux of the matter was that Section 44 1(f) was not enforced in this way by the Prisons' Service, Colonel Malan said.

He explained that almost all prosecutions under this section would stem from the Prisons'

Department, because they were responsible for the incarceration and treatment of a prisoner.

It was possible that prosecutions could arise from outside for example from the police or a relative of the prisoner, but if the Prisons' Service felt the press had acted responsibly and had taken adequate steps to verify the information, the matter would not be taken further, he said.

"As stated in evidence before the Steyn Commission, the Prisons' Service regards verification by the media with our 24-hour liaison service as having taken reasonable steps as stipulated by the act," Colonel Malan said.

He added that it was pointed out that the Prisons' Service comment should be included in the report and given the same prominence as the rest of the report.

The Prisons' Service was willing to embody this policy in a written agreement with the media and would happily discuss the whole issue with the Newspaper Press Union if the media still felt inhibited in their 'free and factual reporting of the Prisons' Service,' Colonel Malan said.

"The Prisons' Service reiterates that it has no objection whatsoever to objective and balanced reporting, even if this means negative publicity," he said.

Interviews of 170 ...
 All the sample Guardians said they ...
 understandings what was taught at the ...
 of implementation of the teaching included ...
 "exercise foods" such as ironing, milk, eggs and fish, and ...
 difficulties related to gardening, such as fertilizing, irrigation ...
 of the soil, water supplies and obtaining seeds.

Their suggestions of ways in which the hospital could assist were included: the sale of seeds, orange trees and laying hens by the NRU at low cost, and the sale of cheaper milk and Prorutro and of eggs and fish at the clinics.

Reasons for Absconding

Seventeen Guardians were seen who had absconded from the NRU (12 in the sample and 5 in the control group). Reasons for absconding were obtained from 14 of them, the most common reasons

High cost
 Pass laws
 high cost
 of prison
 253

Own Correspondent

The Department of Prisons has denied that it costs the Government nearly R2 million a month to keep pass law offenders in jail

A spokesman for the Prisons Department has reacted to a speech delivered by Professor Janine van Rooyen of the Department of Criminology at the University of South Africa in Pretoria last week

The spokesman said during the period July 1 1978 to June 30 1979 a total of 89 059 convicted and unconvicted prisoners were admitted to prisons for influx control offences. It represented 16.72 percent of all prisoners admitted during that time

It is not clear how the professor calculated his figure of R2 as the daily cost feeding a prisoner, the daily maintenance figure per prisoner is at present R3.07," he said

"It must be pointed out that the figure of 342 prisoners who wrote their examinations mentioned by Professor van Rooyen, is the figure for the statistical year July 1 1976 to June 30 1977. Only prisoners serving sentences two years and longer are in the position to study. Some prisoners also leave the prisons before examinations could be written," he added

It is necessary to prevent ...
 understand the infective nature of gastro-enteritis and only 1 knew of the need to keep the child with diarrhoea well hydrated. All but 1 Guardian volunteered that they had learnt about vegetable gardening at the NRU (the exception having absconded on her second day at the NRU), and 50 Guardians volunteered that they had been taught about hygiene.

Clinic Attendance
 Clinic attendance after leaving the NRU was not related to the clinical condition, deaths or weights of the children.

Financial Income

The mean total family cash income of the sample Guardians was approximately R11,50 per month, with an income per person in the family of approximately R2,50 per month. Comparison of deaths and weights with family income revealed a higher proportion of deaths, a higher proportion of falls in percentage of expected weight and a lower proportion of gains in percentage of expected weight in the lower income group (less than R10 per month). These differences were not, however, statistically

Vegetable gardens ...
 sample Guardians had fields. With an average yield of 11 bags per year, while 6 of 7 control Guardians had fields with an average yield of 9 bags per year.

Diets of the children

Figure 1 shows the foods which had been given to the children the day before each child was seen, and other foods given to the children at other times. (The lower numbers in the control groups must be noted.) The figure shows few differences between the sample and control groups at Holy Cross; a slightly higher proportion of diets in the sample included eggs, milk and fish. The majority of sample Guardians giving eggs and green vegetables to their children were obtaining these from their own fowls and gardens. The milk was bought from ...

36 sample Guardians (22%) claimed to have made children's diets since returning from the NRU, control Guardians (14%) claimed to have made the child returned from the hospital.

Ill Examinations

Guardians referred to understand that Protein is a nutritional disease. Only 1 Guardian the NRU for 4 days) did not know what foods were necessary to prevent Kwashiorkor. No Guardian seemed to understand the infective nature of gastro-enteritis and only 1 knew of the need to keep the child with diarrhoea well hydrated. All but 1 Guardian volunteered that they had learnt about vegetable gardening at the NRU (the exception having absconded on her second day at the NRU), and 50 Guardians volunteered that they had been taught about hygiene.

Of the 7 control Guardians, only 3 knew that Protein Energy Malnutrition is a nutritional disease. No Guardian knew anything about the cause or management of gastro-enteritis.

Dissemination of NRU knowledge

Twenty-five of the 36 sample Guardians (70%) claimed to have told others of what they had learnt at the NRU, and 16 of these (44%) claimed that others had implemented changes as a result.

Five NM
2/4/81
prisoners
253
make break

Pietermaritzburg Bureau

FIVE awaiting-trial prisoners escaped from the Pomeroy police station on Tuesday

The break was made in daylight as Sgt M. A. Mangela transferred 22 prisoners from the local courthouse to police cells

The policeman was pushed to the ground and the men fled, said a senior police spokesman

The five were Simon Ndamane, 29, Phathokwake Dhlamini, 30, Diezakhe M'adonueli, 25, Bonokwaka Dhlamini, 29, and Amson Ngcobo, all of Msinga

The policeman was not injured

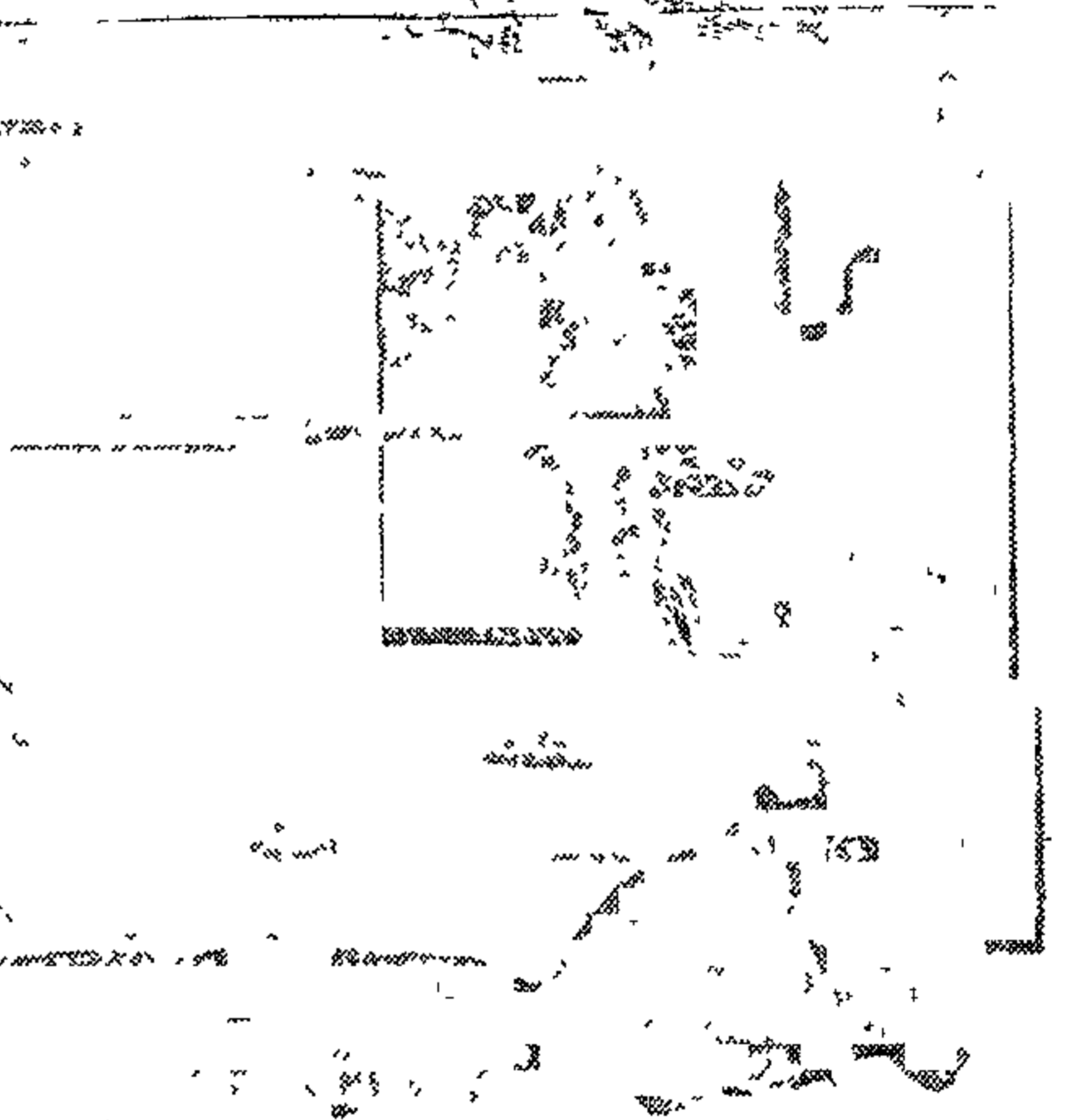
A look behind the grim walls and wire

233 By MARIKA SBOROS 3/4/81



model of the multi-million rand Diepkloof prison — built on a wagon-wheel design — which will be completed and in operation by 1982

REINWILKES
A SAKELI CHIL



Sergeant Jaqueline Joubert, a clerical worker from the Department of Prisons with a full-scale model of a new cell in the Diepkloof Prison

Major Bert Boshoff next to an antique toilet — no longer in use — in the grounds of the Fort

LIFE at the Fort prison for awaiting trial prisoners is a grim existence in a tiny cell if you're white or overcrowded communal cells if you're black

All this will change when the new multi-million rand Diepkloof prison opens in April 1982 almost 90 years after the Fort was built

The Fort has been used as a reception centre mostly for awaiting trial prisoners of all races and sexes

"At present the accommodation facilities at the Fort are inadequate," Major Bert Boshoff, liaison officer of the Prisons Service said yesterday

Whites are housed alone in small partitions of a large communal cell. Each cell measures 1.82m by 2.13m

These partitions are made from strong gauze-wire or steel plating in the front and top and steel plating on the sides

Awaiting trial and sentenced blacks share communal cells holding between 20 and 50 people

White sentenced prisoners live in single, concrete-walled cells. Bedding is spartan consisting of two or three felt mats on the floor and blankets and pillows

No cells have ablution facilities. Prisoners wash in the open in an exercise courtyard in basins lined up against a wall, with cold water taps. Hot water has to be brought in

Toilets are in the open air in the middle of the courtyard. Maj Boshoff said the new prison complex which will be located south of Johannesburg near Uncle Charles, was necessary because of the overcrowded conditions at the Fort

The Fort at present houses 2 222 prisoners, most of them awaiting trial

Diepkloof will accommodate 4 250 prisoners, both awaiting trial and short term. A small number of long term prisoners will be kept there to perform duties such as cooking

Each prisoner will be allotted a floor space of 3.5m² — the size of single cells. Communal cells will house 19 prisoners and will have a floor space of 66.5m². This accords with the international minimum standards, Maj Boshoff said

All cells will have washbasins and partitioned toilets. The new complex will consist of four prisons in a unique wagon-wheel structural design, command headquarters staff housing and recreation facilities

One prison block will house 300 white men prisoners, sentenced and unsentenced. One will house 650 white and black women sentenced and unsentenced. One will house 800 sentenced black men, and another will house 2 500 black men awaiting trial

Each wing will have its own chapel and shower facilities. There are two yards for each wing within the spokes of the wheels" with access from a staircase, and the top floor has two yards on either side of cells on the same level

Food will be conveyed from the kitchens in trolleys by lift to the separate wings and floors

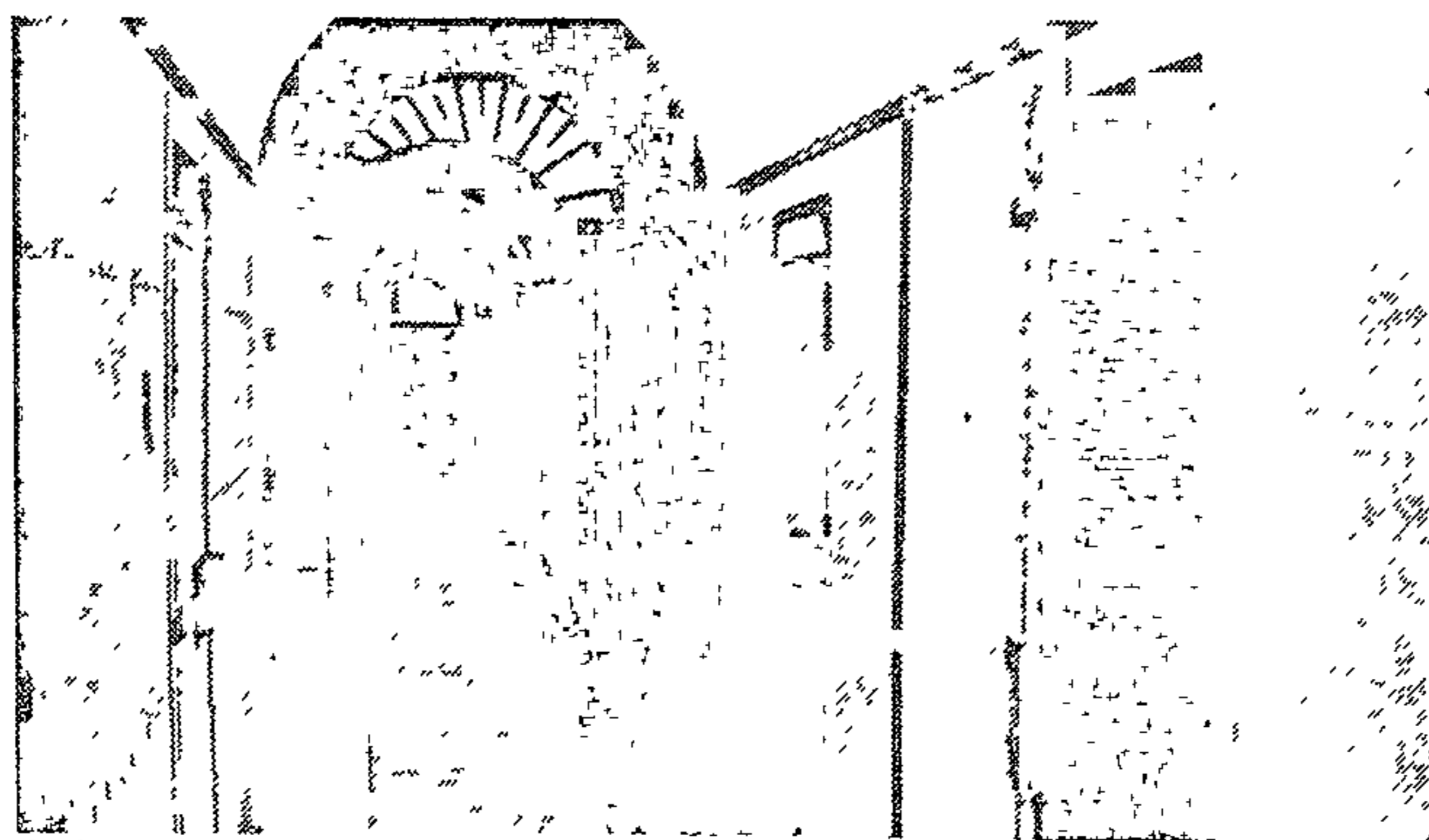
There are no recreation facilities for prisoners at the Fort. Recreation facilities for staff consist of an athletics field bordering a rugby field, four tennis courts, two bowling greens, a swimming pool and club facilities

"

mesh of the Fort



A view of the Fort Prison, Hillbrow, from its forbidding walls. The new Diepkloof Prison will take over from this Johannesburg landmark.



A long look down the passage of cells which housed awaiting trial prisoners at the Fort. The cells' floor space is less than 2m square.

Pictures DANIE COETZER

The Fort that will soon give way...

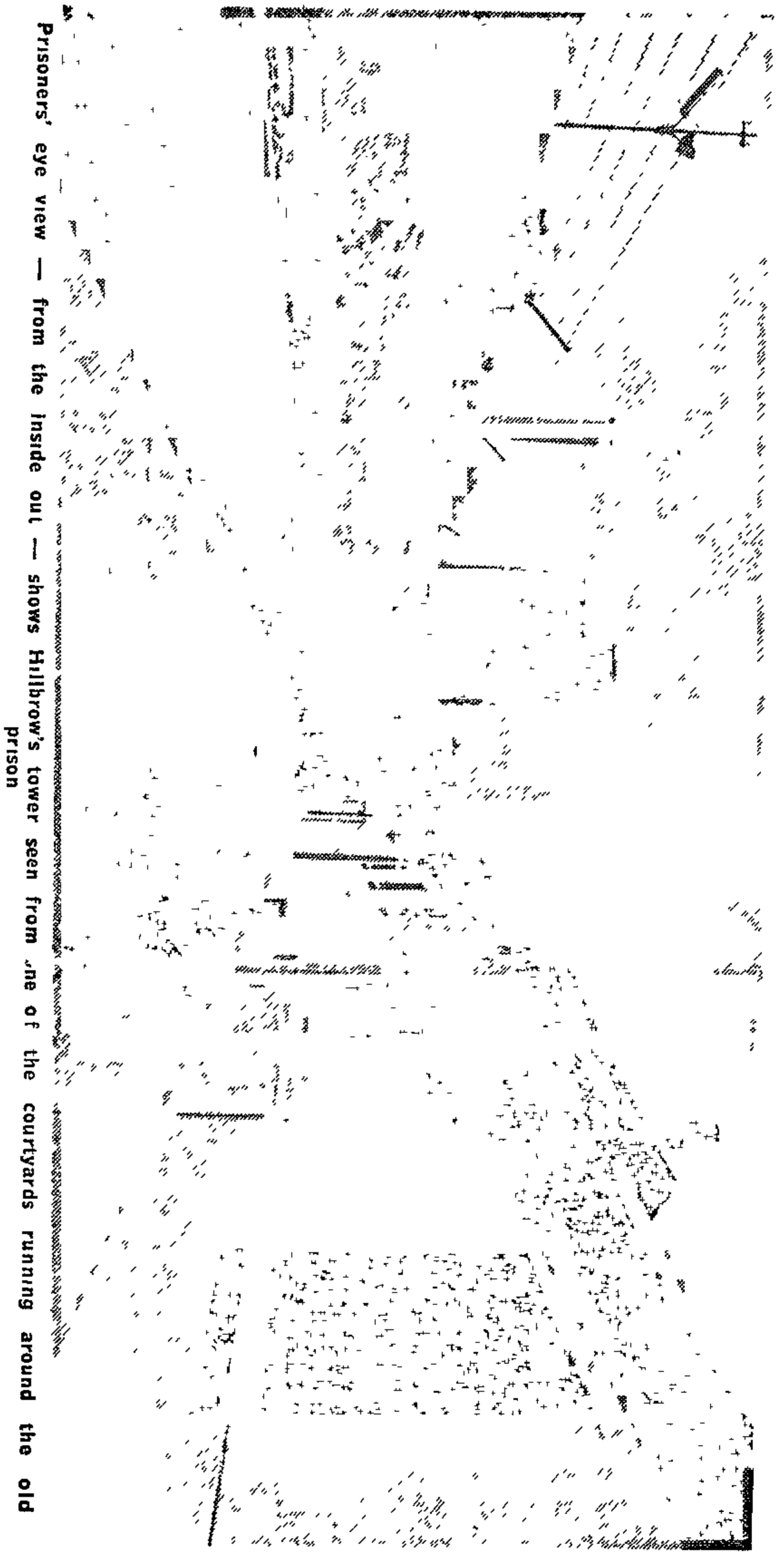
By Kathi Peacock,
Crime Staff
Pictures by Mark Peters

The fate of the renowned Johannesburg Fort — soon to be abandoned by the Prison Service — has still to be decided.

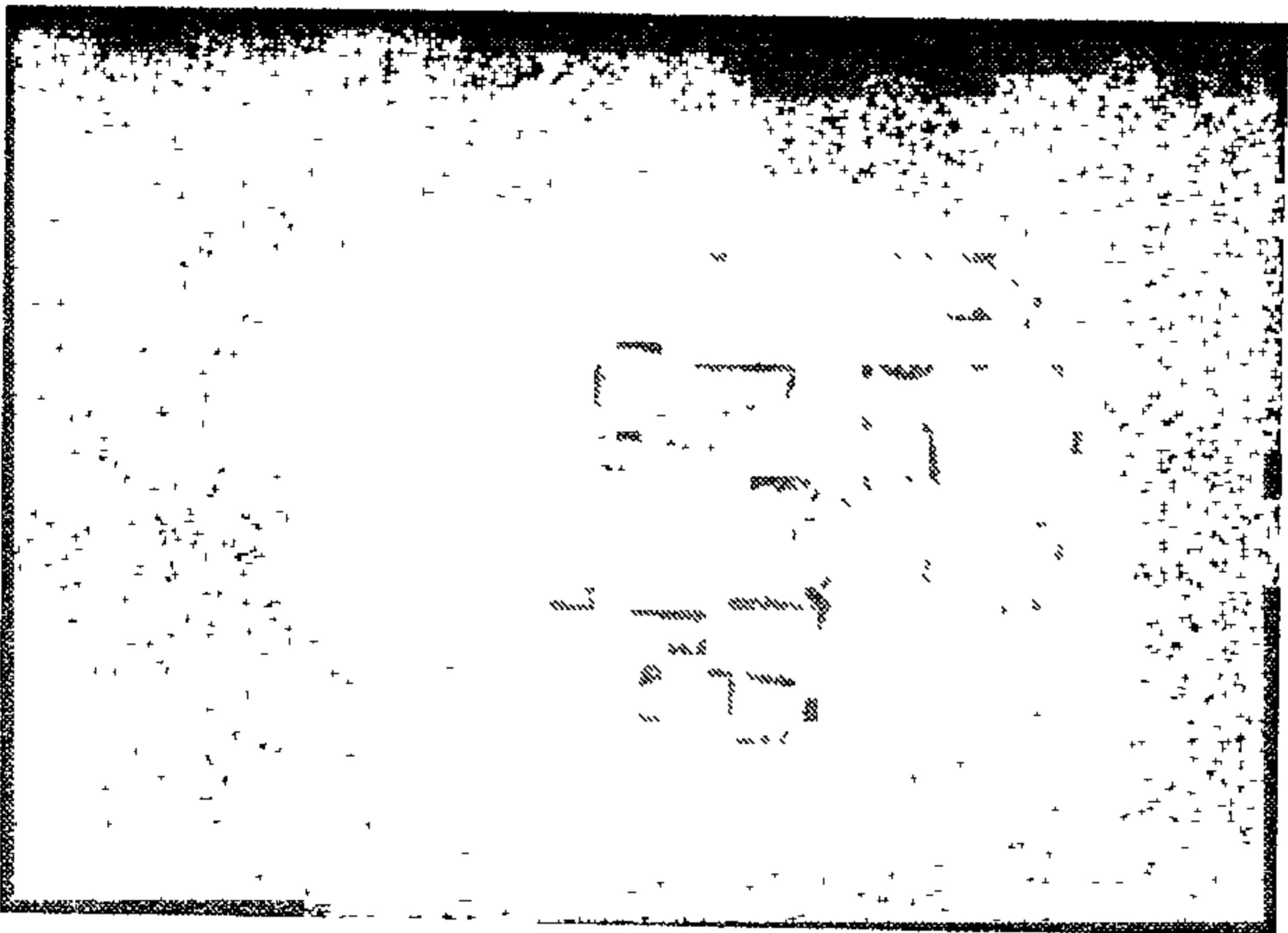
The 40-year-old debate on the future of the Fort is still going on. The Johannesburg City Council was given the land and buildings in 1907 through a Crown Grant and has suggested turning the Fort into an art gallery.

4/14/81

STAR
JCS



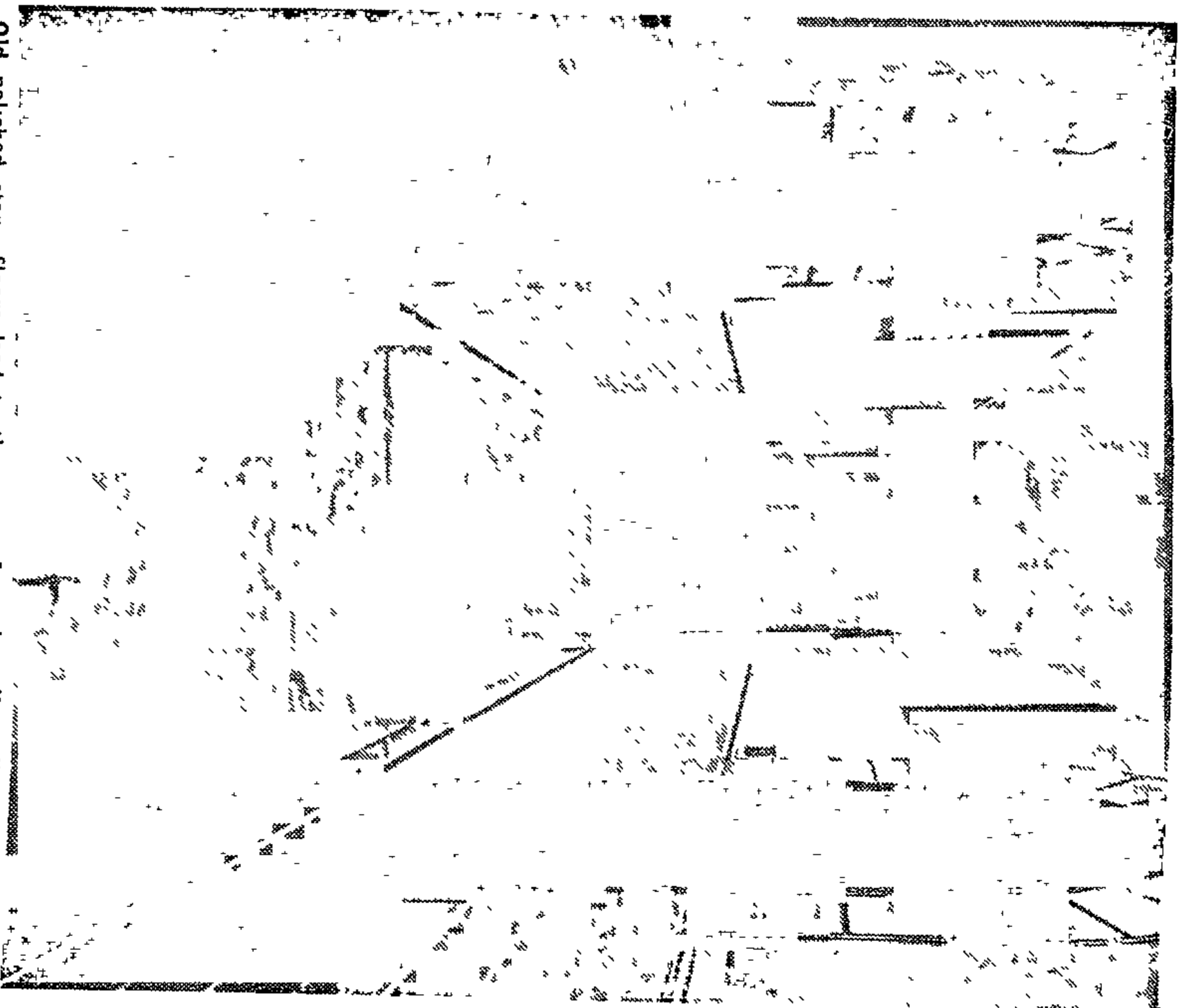
Prisoners' eye view — from the inside out — shows Hillbrow's lower seen from one of the courtyards running around the old prison



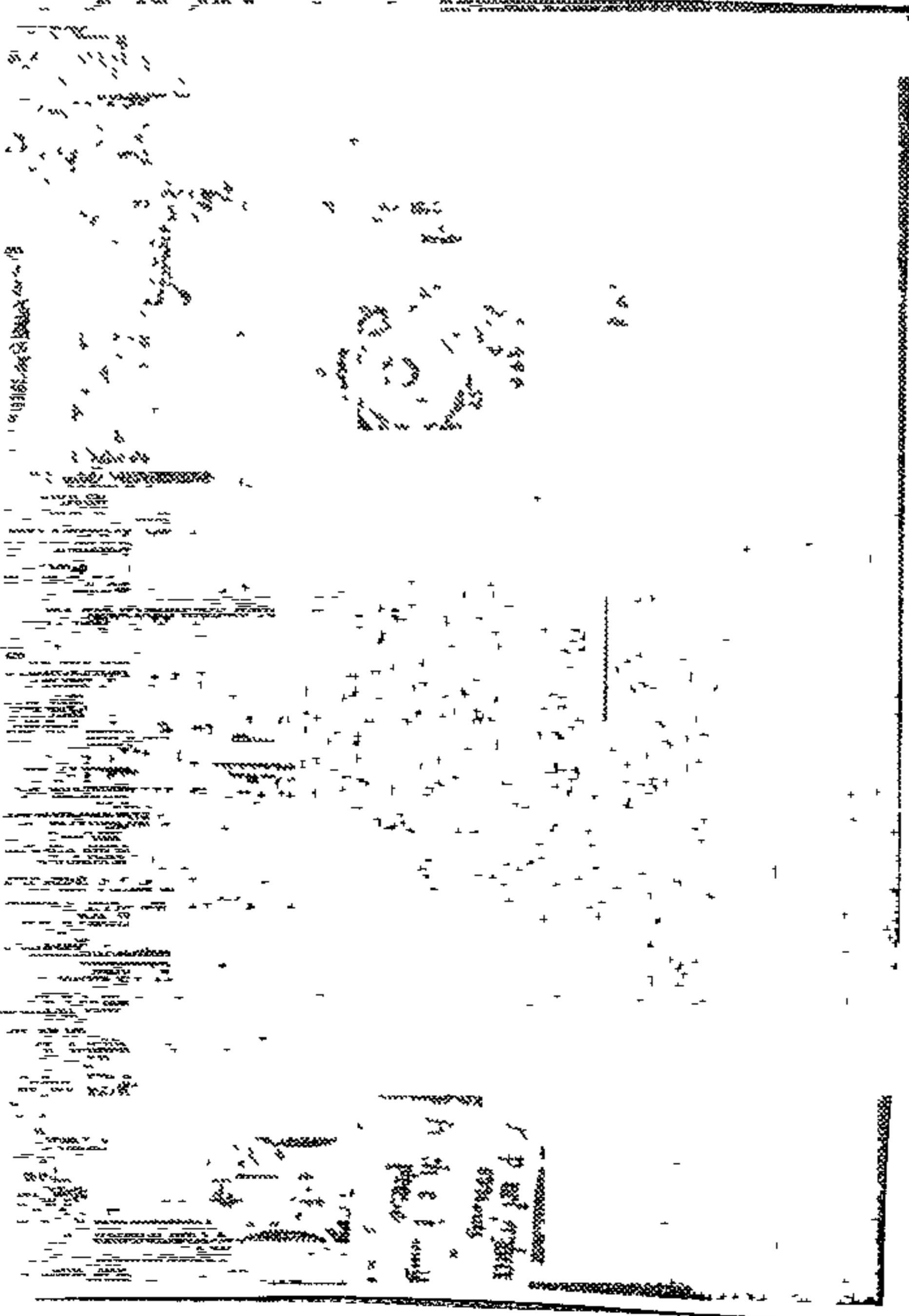
A reminder of the past is this peephole in the door of what is now the Fort's visiting room. Today the peephole is no longer used

of the Fort were used long ago for prisoners, but are now storing books and archives. A sprung trap door gives entry to the tunnels which

FOR BRICK HOUSE AND STUPIDITY STONE WALLS STILL BUILDING MURKIN AND BLOOD DROPS IN GAPS



Old polished stone floors lead to the rows of single cells still in use at the Fort.



The Prison Service which has an indefinite lean of the buildings and land appears to be reluctant to let it go.

to dark solitary cells. Inside the darkness is absolute Hooks — presumably for lanterns — hanging from the stone ceilings. These underground rooms are now homes for giant cockroaches and worms which have fallen through the iron ventilation grids.

Rooms of separate cells seen from the warden's office. These tiny cells have no abatement facilities. They are used for short-term and awaiting trial prisoners.

The imposing doors of solid wood at the entrance to the Johannesburg Fort. The walls of the entrance hall are lined with gun ports, built originally for the defence of the Fort.

The Fort was declared a national monument in 1964 so no changes can be made to the basic structure — one of the reasons the Johannesburg prison is moving to more modern premises south of Johannesburg.

The quarters being used now are partitioned into separate cells about 2.35 m square. Prisoners talk to each other although they are separated by iron panels. They sleep on mats on the floors and share abatement facilities. The prison should be deserted by 1983 when the new one at Diepkloof is expected to be in full operation.

The middle of the wheel is a ramp which slopes gradually connecting all the wings. It also has a lift and staircases. There are two exercise yards for each wing, plus two exercise yards on the top floor of each wing. The only workshop at the prison will be for maintenance where long term prisoners will work. Those long-term prisoners who are sent for observation and who show an aptitude for a trade will be transferred to other prisons with educational facilities.

near the General Hospital — has also become a security risk. Residents in the neighbouring high-rise flats and hotels are able to observe the running and lay out of the prison.

...to a new type of human bondage

By Kathi Peacock, Crime Staff

From a romantic era in Johannesburg's history to an intimidating future describes the difference between the Johannesburg Fort and the new prison being built south of the city.

prison, south of Johannesburg, should be completed at the end of the year and will be able to accommodate 4250 prisoners compared with the 2222 accommodated now at the Fort.

The separate prison blocks are built like wagon-wheels. The five spokes of the wheels are the corridors of cells, both single and communal, kitchens, abatement facilities, hospital and chapels.

The Diepkloof prison has been built particularly to accommodate short-term prisoners, and it is anticipated it will be in full operation by 1983.

The Fort, built at the turn of the century, is no longer adequate for the needs of the Prison Service.

There, the single cells have a toilet and washbasin and prisoners share a shower. Communal cells, for 18 people, have an "en suite", communal abatement room comprising a toilet, urinal, wash basins and showers.

In each prison block food will be prepared in one large kitchen then transferred to the different floors in each wing.

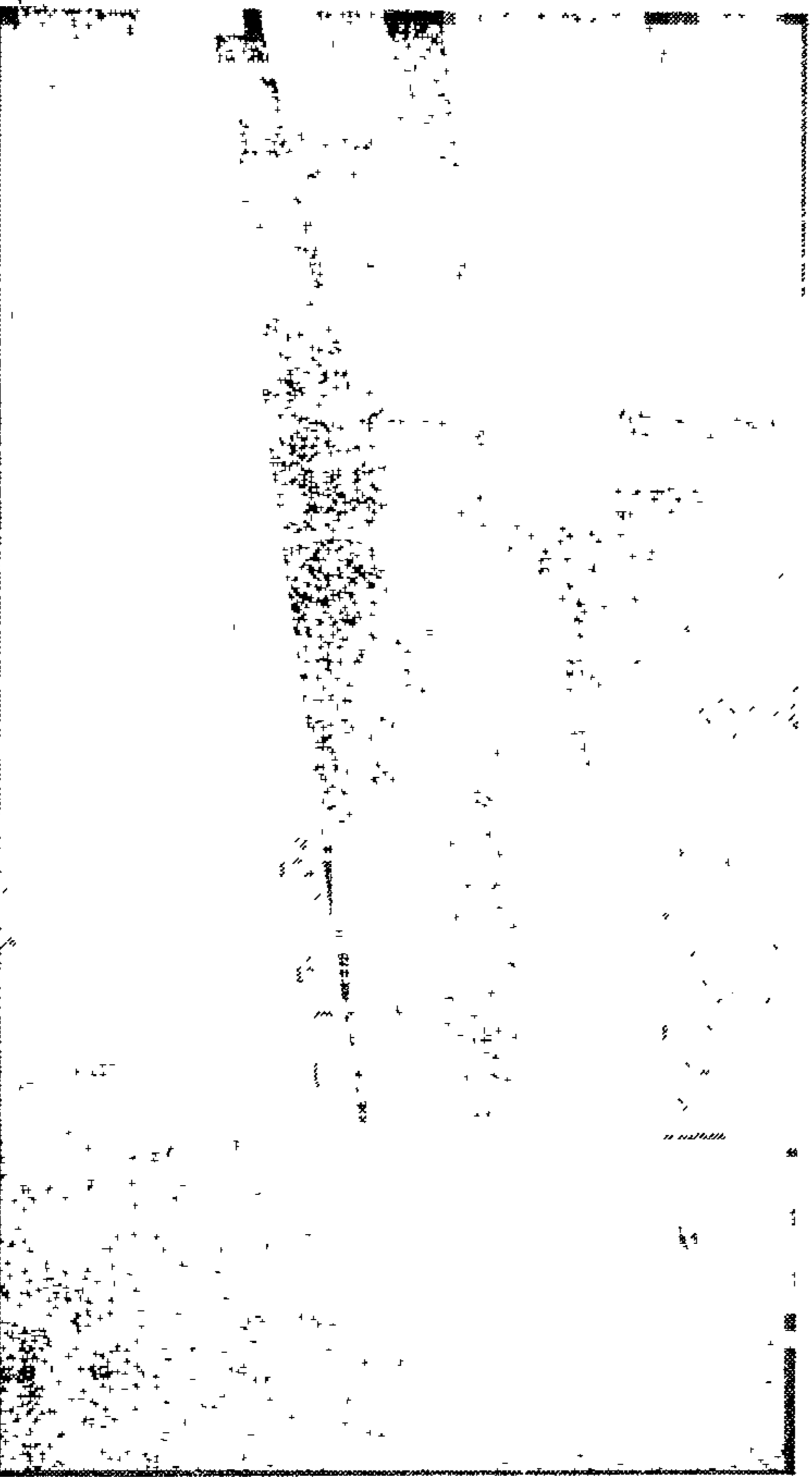
It was necessary to build the prison out of town because there is no area within the city large enough to accommodate present and anticipated needs of the Prison Service.

Diepkloof

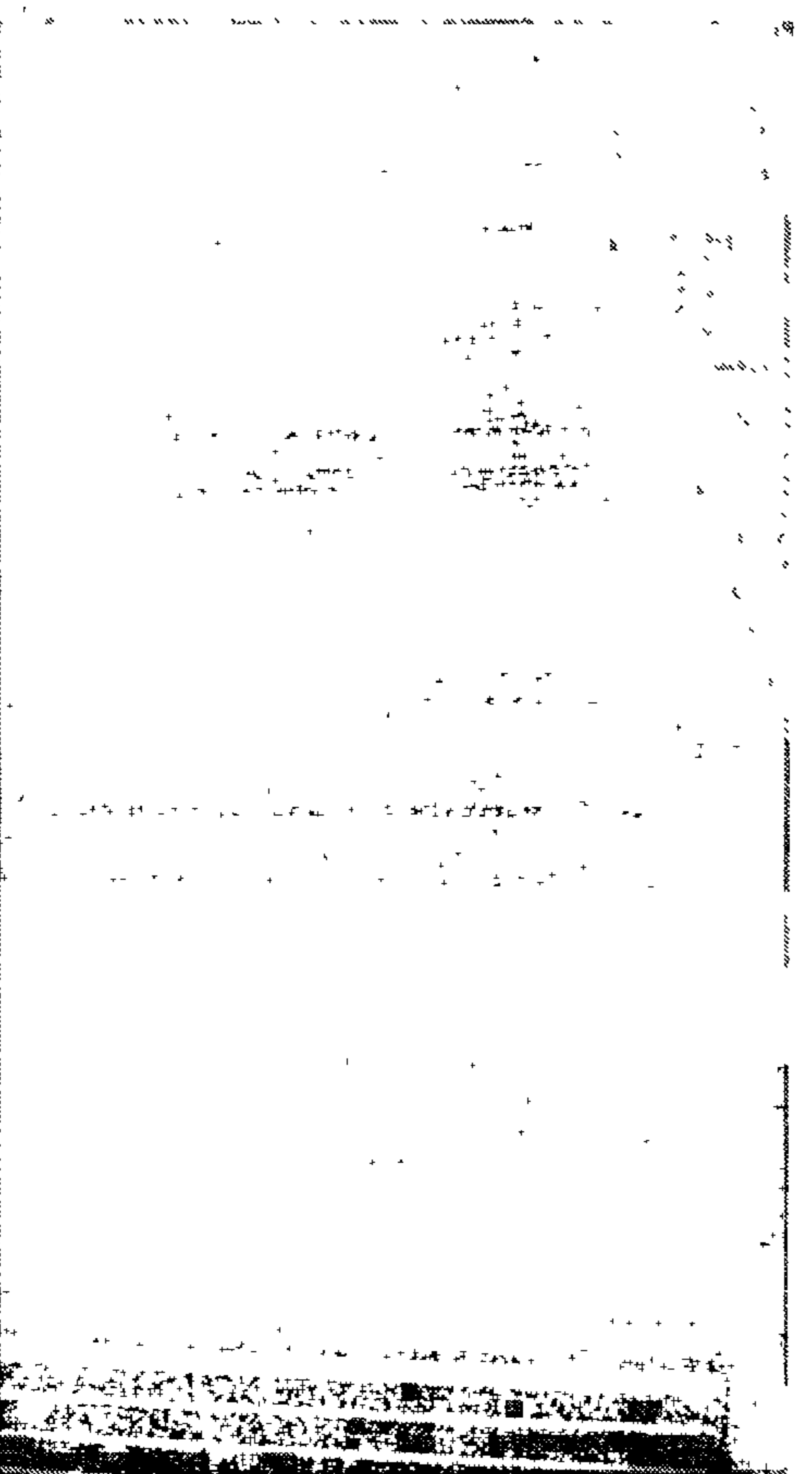
should be

finished by

year's end



The brick walls of the new prison tower over the surrounding koppies.



Rows of new single prison cells at the Diepkloof prison, south of Johannesburg.

LIFE INSIDE JAIL — THREE FORMER PRISONERS TELL WHAT IT'S LIKE

DOMING TIME

ALFRED

Reports
by
KERI
MOLLOY

Argus
11/4/81
253



ALFRED, 40, white, served seven years of a nine to 15-year sentence for forgery and uttering at Zonderwater Prison in the Transvaal. He was released in January and is employed in Cape Town.

There's no way out of it. The warders are tough, he says, but they have their problems. A warder is a sophisticated prisoner who's allowed to go home at night. Many leave because they can't take it — I wouldn't like to do a warder's job.

The most important thing at Zonderwater, he says, is to have money. Prisoners earn between R4 and R16 a month in the prison workshops — smelting, fitting and turning, doing sheet metal work, mechanical work, cabinet making, upholstery, and soap powder. Some of the money must be put into a prison scheme so that the prisoner has some money when he leaves. Unless you've got family and friends who send you money, you're stuck. There are many who would love to study but haven't the money to pay for the course. There are grants of up to R200 but when I asked, I was told "What do you think this is, a five-star hotel?" The food is just enough to keep you miss a meal you feel it — I went in at 78 kg and a year later I was down to 62 kg. I stayed around that weight. Meals are similar to those described by the other former prisoners, with cheese, fruit and eggs considered a treat.

Therefore, individual orders from the 'canteen' are an important part of life. Prisoners, he says, can order items such as tea, coffee, jelly, cigarettes and tobacco; also toilet paper to supplement prison supplies such as blades, toothpaste and soap powder. Accounts are limited according to the prisoner's A, B or C grouping. Prisoners can also order sports equipment such as a T-shirt, tacket, a chess set or darts. 'Smuggling' was a term widely used by the three former prisoners who mean the acquisition of anything by any means that does not comply with prison regulations — including trading between prisoners from within the prison. It's a fine line.

Alfred was elected to the 'sports committee' which means he put in orders and fought for lower prices. They were buying at the wrong places, he says. A common form of punishment was 'three meals', which means a prisoner who has transgressed is taken off work, placed in isolation and given no food for a day. Alfred's main complaints were: ● Slack medical attention: 'They think you report sick to get out of work and they lose interest.' ● Complaints have to go through a variety of people before they reach the commanding officer. They seldom get there. They get bogged down on the way. ● Visiting hours are too short. The most privileged A group get an hour a month which can be split into two half-hours. You may receive three letters and write three (500 words each and they are read by the prison). You may write as many postcards as you like. The B and C groups are allowed even less visiting time. ● You can't keep a marriage together on that.

Alfred has a son but he hasn't seen him for years. There are four films a month and a library for prisoners. They can play sport, and music comes through speakers in the bungalows. Many people resent the broadcasting of church programmes and the wardens have, on occasion, threatened church programmes as a punishment, he says. Before you're let out on parole you have to have a job to go to. ● Do you write and say 'I'm in prison and I see you have a job?' Finding jobs is a terrible problem. ● Things have improved but there's a lot more to do before you can say the Prison Department is doing anything to help the people, he says.

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His prison life started at the age of 19 when he served a two-year sentence for fraud.

The worst thing about prison is for a sensitive person of 18 or 19 to come in. Their families have turned away from them and they have no money no trade. They're alone. It's like a vacuum. Like you're going through a hole low tunnel. It's vile. You've lost your self-respect and all responsibility. Some-one else thinks for you.

You become someone's helpmate for comfort. Prisons are the biggest breeding grounds for homosexual prostitution. There are many who would love to study but haven't the money to pay for the course. There are grants of up to R200 but when I asked, I was told "What do you think this is, a five-star hotel?" The food is just enough to keep you miss a meal you feel it — I went in at 78 kg and a year later I was down to 62 kg. I stayed around that weight. Meals are similar to those described by the other former prisoners, with cheese, fruit and eggs considered a treat.

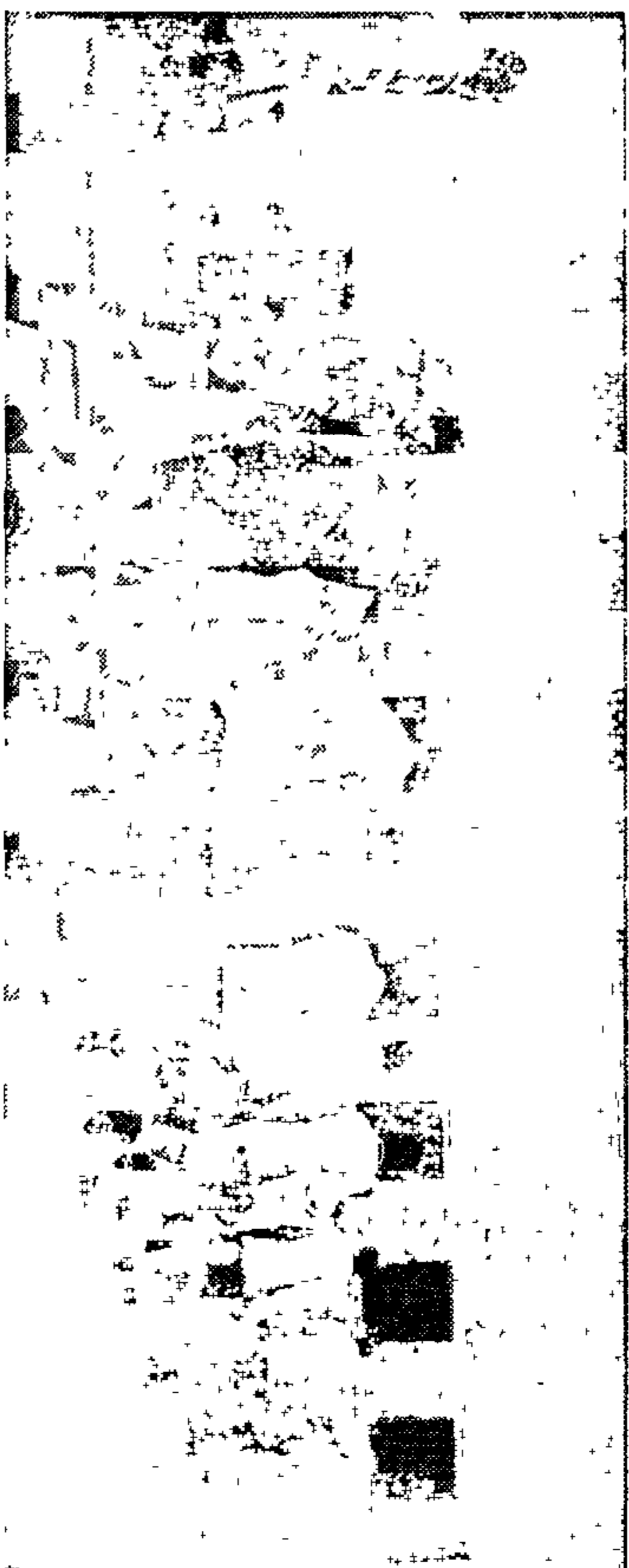
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WHAT is life like for the many thousands of inmates of South African prisons? The subject has been considered out of bounds to the Press for many years because of restricting provisions in the Prisons' Act. Last month Colonel S P Malan, chief information officer of the Prisons' Service, told the Steyn Commission of Inquiry into the mass media that the Press was not prevented from reporting on prison affairs. With his knowledge, Weekend Argus interviewed three former prisoners at length in the presence of social workers. This is their account of prison life. They asked not to be named for fear of possible repercussions from gang members or because they are now attempting to readjust to society and employment. Pictures on this page were taken at Pollsmoor prison in May 1977.



COLOURED prisoners exercise in the prison courtyard.

DAVID

sometimes in a bad mood — when it's a bad mood, they stay that way all day. Most of the time you don't leave that room. You wake at 6 am, tidy up, have breakfast in the room (samp, mealie meal, coffee and sometimes soup from the night before) and you just sit until lunch and then again all afternoon. Lunch is meat and samp. Supper is bread, jam, coffee and on Thursdays, eggs.

You just sit all day. No, there's no privacy but you don't need it because everyone's just bored. You check the worst is that you get blind to look for friends because you don't know who they are. You talk to the people you know. You build your own games, like dice out of soap. Entertainment? Well there's roll call on Saturdays. Mostly the only time you leave the room is when you have a court appearance. There's no regular exercise. You can have visitors once or twice a month but there's a window in between so you can't touch the person. Some awaiting-trial prisoners are there for a year. You wear your own clothes. David is a member of the Born Free Kids — letters BFK are crudely tattooed on his neck. It's one of the three main gangs at Porter (the others being the Scorpions and the King Fighting Souls or the Kafiristagters). He says Porter is the first step to prison.

DAVID is 20 years old. He has faced 24 dagga charges and faces three cases in the next few months. He has spent two years at Porter reformitory for coloured juveniles in Retreat. His prison experiences were as an awaiting-trial prisoner in 1975 when he spent two months in the old Pollsmoor prison at the age of 14, and in 1976 when he spent three months at the new Pollsmoor prison. At new Pollsmoor, David says, he was one of about 40 men in a room. A washroom and toilet were attached to the room. The warders are just like any guys going to work. Sometimes they come in a good mood.

Prisons Department policy

Prisons Service

Comments: The prisoners interviewed because the interviewed who were interviewed, it is not possible to verify specific statements made by them about their experiences in prison. Therefore comment is on allegations made which involve general prison policy. Because of specific circumstances, at different prisons, application of this policy varies.

● A person under 18 accused of committing an offence is not detained in a prison or police cell or lock-up unless the conviction is essential and detention is essential and no suitable place of

detention mentioned in Section 38 of the Children Act is available. His age and his endorsement to the effect that no other suitable place of detention is available should appear on the warrant. As far as possible, this category of prisoner is detained separately from older prisoners.

● Weather conditions permitting, a prisoner who does not perform outdoor work shall take daily exercise for one hour in the open air. It sometimes happens that this policy cannot be strictly adhered to because of staff shortages.

● It is against prison regulations to obtain money in any way other than through legal channels. If prisoners are caught with money or contraband, disciplinary steps are taken.

● Prisoners can be tried for a disciplinary offence and can be put in solitary confinement or in more serious cases, may be sentenced to corporal punishment not exceeding six strokes. Assault on prisoners is strictly prohibited. Disciplinary steps are taken against staff should it occur.

● Whenever dangerous gang members are identified, they are separated from other prisoners. The allegation that war-dens don't take notice is false. The Human Rights Council is conducting a survey into gangs and their activities at our request.

● In the case of needy prisoners, R6 is provided on release. A train ticket as well as money for meals during the journey are also provided. Clothes are issued

to long-term prisoners when necessary and a full kit of tools to tradesmen.

● Sodomy does occur in prison but every effort is made to restrict this to the minimum. Disciplinary steps are taken against offenders.

● There is a central study fund and money is made available to prisoners on merit.

● Prisoners receive a balanced diet compiled by dieticians from the Prisons Service in co-operation with the

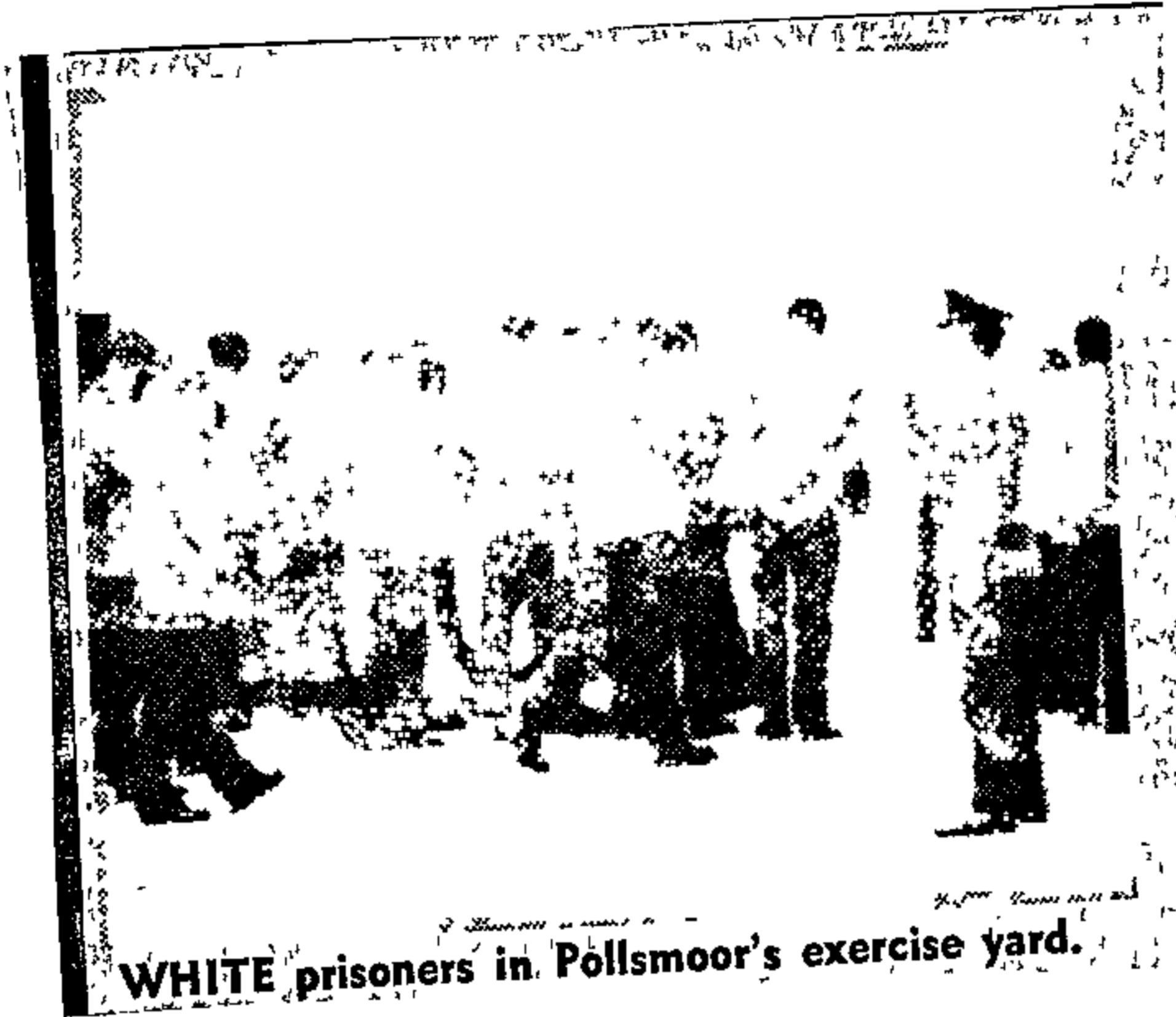
Department of Health, Welfare and Pensions and varies in composition from day to day to obviate monotony.

The diet contains sufficient roughage in the form of brown bread, fruit and vegetables. The quantity is based on the intake required by a working man (2,788 calories a day).

Prisoners are weighed every three months.

● Every morning prisoners have the opportunity to report to the sick bay where trained staff registered by the SA Nursing Council attend to the less serious cases under the guidance of the District





WHITE prisoners in Pollsmoor's exercise yard.

Surgeon. If additional medical treatment is required, prisoners are referred to provincial hospitals by the District Surgeon.

- Deprivation of meals as a form of punishment can be imposed only by the head of the prison in the case of a conviction in a discipline court, or on the admission of guilt by the prisoner involved.

- Complaints and requests are noted daily in a prescribed register by the head of the prison who attends to them. This register is checked regularly by the commanding officer.

- It is not true that prisoners can write as many letters as they like.

A postcard is regarded as a letter.

- The use of church programmes as a means of punishment is definitely not part of Prisons Service disciplinary measures.

- The Prisons Service does everything in its power to help prisoners to obtain jobs before their release. Job interviews are arranged with employers by the employment officer, who accompanies them.

- Tattooing is not only discouraged in educational programmes, but contraventions also lead to disciplinary steps.

- Every effort is made to prevent the smuggling of dagga into prison.

JAN, 48, a coloured, has classic prison tattoos all over his body — a bowtie across his neck, his gang number (26) now blotted out, and a number of other designs and mess-

ages — such as 'I struggle but never succeed'. Among the tattoos is a 15 cm surgical scar — from an ulcer operation. He has been in prisons for 21 years of his life — convicted of several cases

of theft. He knows Brand-vlei, Bellville, Paardeberg, Klein Drakenstein, Allandale, Victor Verster. He spent the past 10 years at Simondium prison in Paarl and was released in July 1980

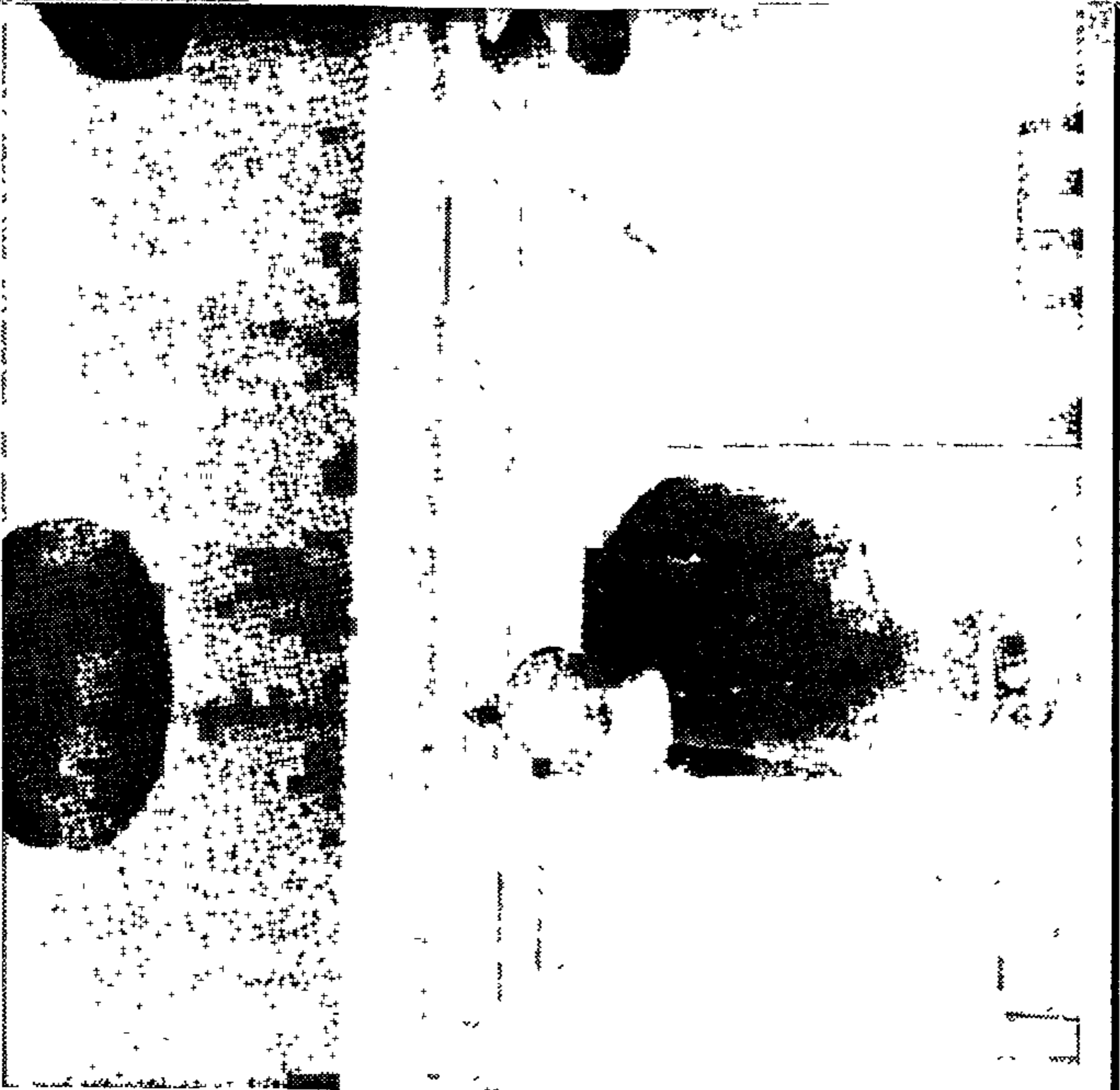
'Things have improved. You get five blankets in winter now and they give you warm clothes so you don't get cold. If you don't eat, it's your own fault.' But prison life is difficult.

'The worst thing for me was that I was in jail and not free... but it was my own fault. The most difficult thing is the gangs.' He talks about day to day living: 'At Simondium there are about 30 in a room. You sleep on mats on the floor next to each other. You wake at 5 am. After breakfast, from 6.45 am until about 5 pm, you work on the farms. Lunch is provided by the prison (mealie meal, two slices of bread, margarine and peanut butter or paste — sometimes the farmers give you food. It's better to work than do nothing.

It's not so bad, they don't press you. When you get back to the prison, supper is meat and vegetables. Sometimes if there have been no knifings or other bad behaviour we get tinned guavas. At Christmas, the farmers give sweets and at the prison we get just a taste of turkey. There's a library and you can take three books every 14 days. There's rugby in the yard at weekends. The boere (war-ders) don't like swearing or gambling, or if you don't want to work or listen. The punishment is solitary confinement or you get hit.

Sometimes a man knows he will be hurt or killed if he's put in with certain desperadoes (dangerous gang members) but the boere don't always listen. People are killed in prison. You must stay with your gang. I can leave now because I'm too old for them to worry. When you leave prison, you get R6 and if you've got nothing and nobody, and no job outside, you go back to jail. To make things easier for him outside, Jan had a tattoo surgically removed from his forehead. A scar remains.

Boredom, gangs and tattoos...



THE VISITORS' AREA. The prisoners and visitors are separated by bullet-proof glass and talk through funnel-shaped voice tubes or microphones and loudspeakers. The barriers were designed to prevent articles being smuggled to prisoners.

MR JOHN ESTERHUIZEN, a Negro social worker, told Weekend Argus that the delay in handling awaiting-trial prisoners was a major problem. Some waited for up to a year for their cases to come before court.

Often records have to be sent from Pretoria, witnesses have to be found and the courts have insufficient manpower, so the cases are often postponed. During this time, the prisoners do no work and have no recreation. Putting juveniles with hardened offenders can turn them into criminals.

Another social worker commented that many youngsters coming out of oppressive township environments are forced into gangs. One of the major problems is a pervading sense of boredom, he said.

Former prisoners and social workers interviewed by Weekend Argus admitted that large quantities of dagga, alcohol and drugs were smuggled into the prisons and that tattooing — with major repercussions — was frequently performed in prison, using needles, burnt rubber bands, battery acid and other materials.

In a paper on the implications of tattooing, Mrs Mana Stabbert of UCT's Institute of Criminology, reported that only half the prisoners interviewed in her study indicated that warders were aware of tattoos being done in prison. She also urged more frequent visits by relatives and friends, leading to better community contact.

(b) if he is absent from more than two consecutive ordinary meetings of the professional board without the professional board's leave, or

(c) if he has been disqualified under the Act from carrying on his profession, or

(d) if as an elected member he notifies his resignation, in writing, to the professional board, or

(e) if as an appointed member he ceases to be eligible for the appointment or gives notice, in writing, to the council of his desire to resign office and his resignation is accepted

(2) Every such vacancy and every vacancy caused by the death of a member shall be filled by appointment or election according as the member vacating office was appointed or elected, and every member so appointed or elected shall hold office only for the unexpired portion of that period for which the member vacating such office was appointed or elected

4 The election of members of the professional board and every election to fill a casual vacancy shall be held *mutatis mutandis* in accordance with the provisions of regulations promulgated in terms of section 61 (1) (q) of the Act

DEPARTMENT OF JUSTICE

No R 832 16 April 1981

SOUTH AFRICAN PRISONS SERVICE

AMENDMENT OF THE PRISON REGULATIONS

The State President has, under and by virtue of section 94 of the Prisons Act, 1959 (Act 8 of 1959), made the regulations in the Annexure hereto

ANNEXURE 253

1 In this Annexure, unless the context otherwise indicates, the term "the Prison Regulations" means the Consolidated Prison Regulations, published under Government Notice R 2080 of 31 December 1965, as amended by Government Notices R. 992 of 30 June 1967, R 441 of 22 March 1968, R 801 of 10 May 1968, R 1865 of 11 October 1968, R 2227 of 6 December 1968 R 2325 of 20 December 1968, R 1530 of 18 September 1970, R 1979 of 13 November 1970 R 557 of 8 April 1971, R 1199 of 9 July 1971, R 53 of 14 January 1972, R 776 of 12 May 1972, R 1476 of 25 August 1972, R 384 of 16 March 1973, R 922 of 30 May 1973, R 2368 of 14 December 1973, R 1842 of 11 October 1974, R 1311 of 11 July 1975, R 921 of 28 May 1976, R 2261 of 3 December 1976, R 173 of 11 February 1977, R 607 of 15 April 1977, R 966 of 3 June 1977, R 967 of 3 June 1977, R. 968 of 3 June 1977, R 1047 of 17 June 1977, R 1199 of 23 June 1977, R 1584 of 12 August 1977, R 1731 of 2 September 1977, R 2094 of 14 October 1977, R 992 of 19 May 1978, R 1759 of 1 September 1978, R 1993 of 6 October 1978, R 1994 of 6 October 1978 R 2091 of 21 September 1979, R 350 of 18 February 1980, R 1091 of 30 May 1980 and R 1434 of 11 July 1980

2 Regulation 15 of the Prison Regulations is hereby amended—

(a) by the substitution for paragraph (a) (i) of sub-regulation (1) of the following paragraph

"(i) who is alleged or suspected to be indisposed, sick, injured or suffering from ill-health, to submit himself to an examination by a medical officer or

(b) as hy van meer as twee agtereenvolgende gewone vergaderings van die beroepsraad sonder die toestemming van die beroepsraad afwesig is, of

(c) as hy ingevolge die Wet onbevoeg geword het om sy beroep te beoefen of

(d) as hy, as 'n verkose lid, sy bedanking skriftelik meddeel aan die beroepsraad, of

(e) as hy, as aangewese lid, ophou om aanwysbaar te wees of skriftelik kennis gee aan die raad van sy wens om te bedank en sy bedanking aangeneem word

(2) Elke sodanige vakature en elke vakature wat deur die dood van 'n lid ontstaan, word aangevul deur aanwysing of verkiesing na gelang die lid wat sodanige amp ontruim, aangewys of verkies is en elke aldus aangewese of verkose lid beklee sy amp slegs gedurende die onverstreke deel van die tydperk waarvoor die lid wat sodanige amp ontruim, aangewys of verkies is

4 Die verkiesing van lede van die beroepsraad en elke verkiesing om 'n toevallige vakature aan te vul, word *mutatis mutandis* gehou ooreenkomstig die bepalings van die regulasies uitgevaardig kragtens die bepalings van artikel 61 (1) (q) van die Wet

DEPARTEMENT VAN JUSTISIE

No R 832 16 April 1981

**SUID-AFRIKAANSE GEVANGENISDIENS
WYSIGING VAN GEVANGENISREGULASIES**

Die Staatspresident het kragtens artikel 94 van die Wet op Gevangenis, 1959 (Wet 8 van 1959), die regulasies in die Bylae hiervan uitgevaardig

BYLAE

1 In hierdie Bylae, tensy uit die samehang anderblyk, beteken die uitdrukking "die Gevangenisregulasies", die Gekonsolideerde Gevangenisregulasies, gepubliseer by Goewermentskennisgewing R 2080 van 31 Desember 1965, soos gewysig deur Goewermentskennisgewings R 992 van 30 Junie 1967, R 441 van 22 Maart 1968, R 801 van 10 Mei 1968, R 1865 van 11 Oktober 1968, R 2227 van 6 Desember 1968, R 2325 van 20 Desember 1968 R 1530 van 18 September 1970, R 1979 van 13 November 1970, R 557 van 8 April 1971, R 1199 van 9 Julie 1971, R 53 van 14 Januarie 1972, R 776 van 12 Mei 1972, R 1476 van 25 Augustus 1972, R 384 van 16 Maart 1973, R 922 van 30 Mei 1973 R 2368 van 14 Desember 1973, R 1842 van 11 Oktober 1974, R 1311 van 11 Julie 1975 R 921 van 28 Mei 1976, R 2261 van 3 Desember 1976 R 173 van 11 Februarie 1977, R 607 van 15 April 1977, R 966 van 3 Junie 1977, R 967 van 3 Junie 1977, R 968 van 3 Junie 1977, R. 1047 van 17 Junie 1977, R 1199 van 23 Junie 1977, R 1584 van 12 Augustus 1977, R 1731 van 2 September 1977, R 2094 van 14 Oktober 1977, R 992 van 19 Mei 1978 R 1759 van 1 September 1978, R 1993 van 6 Oktober 1978 R 1994 van 6 Oktober 1978, R. 2091 van 21 September 1979, R 350 van 18 Februarie 1980, R 1091 van 30 Mei 1980 en R 1434 van 11 Julie 1980

2 Regulasie 15 van die Gevangenisregulasies word hierby gewysig—

(a) deur paragraaf (a) (i) van subregulasie (1) deur die volgende paragraaf te vervang

"(i) wat na beweer word of vermoedelik ongesond, siek of beseer is of aan swak gesondheid blootgestel, hom onderwerp aan 'n ondersoek deur 'n geneeskundige beampte of ander geregistreerde geneesheer

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Argus 24/4/81 (253)

Mandela 'might have cancer'

Argus Correspondent
DURBAN — Banned and imprisoned African National Congress leader Mr Nelson Mandela might be suffering from cancer on Robben Island, where he has been since his conviction in the Rivonia trial in the sixties. This was revealed last night by Progressive Fed-

eral Party Pinetown parliamentary candidate, Mr Harry Pitman, at a public meeting. Mr Pitman said that Pan African Congress leader, Mr Robert Sobukwe, was

released from Robben Island when he was dying of cancer and after his release 'had not given one spot of trouble.' He said he believed that Mr Mandela had cancer

and he also knew that former Minister of Prisons, Mr Jimmy Kruger, had gone to Robben Island to speak to the ANC leader. (News by B. Cameron, 85 Field Street, Durban)

the life of the family (the man) is responsible for the general well-being of the group. The place of honour, in the sense that the cultural link between the dead and the living. The status of the member of the tribe attains, according to Hammond-Tooke (1962) depends on sex and age. Children of a chief have a higher status than those of commoners. A traditional healer has a higher status than his patients. The concept for status as to sex and age finds its expression in the custom of Ukhuhlonipha, which involves the positive element of treating placed persons reverently and the negative of avoiding certain things.

System : The economics of the Xhosa are in line with their social and religious life.

The possession of cattle for example is necessary for participation in the social and religious life of the tribe. Members of a given patrilineage are expected to farm on ancestral lands. Land is not inherited but members use but not for sale. There are various methods of conduct which are designed to protect the social order. To avoid injury to the spiritual

world, rules of conduct are laid down, violation is believed to bring illness or accident to the individual or disaster to the lineage members. Magico-religious beliefs and practices validate the social and economic order. Traditionally there is a dichotomy in Xhosa economics between the male and the female section. Stock-breeding is the responsibility of the male and the Xhosa women are by taboo prohibited to have any contact with cattle fold. The cultivation of "mother earth" is put under the care of the woman.

5.

The Concept of the Individual : The Xhosa view the individual as a compound of both the physical and spiritual entities. The spiritual world comprises his ancestors (amathongo). The ancestors are the individuals link with God (uQamata). They are responsible for birth, guidance, throughout life and his passing away into the world of the spirit. Upon his death the individual becomes an ancestor for his descendants.

Thus we see that the society I have briefly described is based on a "mechanical solidarity", if I may quote Emile Durkheim. The day-to-day social relationship is based on a closely knit kin group. Members of a given extended family unit are expected to relate daily on the personal, affective level. The unit is based on friendship, neighbourliness and blood relationship.

'Mandela

11/16 24/11/71
cancer

denied

THE Department of Prisons has denied the possibility that jailed ANC leader Nelson Mandela is suffering from cancer on Robben Island and should be released in the same way that Robert Sobukwe was.

At a meeting in Durban last night Mr Harry Pitman, PFP candidate for Pinetown said Mandela might be suffering from cancer.

NO TROUBLE

He said that after after Sobukwe, the Pan African Congress leader was released from Robben Island because he was dying from cancer, he had not 'given one spot of trouble'.

He had no doubt that what had happened in the case of Sobukwe could also happen in the case of Mandela.

Asked whether Mandela had cancer, a Prisons spokesman replied with a firm 'no'.

(News by B Cameron, Dept of Prisons, 12 St George's Street, Cape Town)

● 'Mandela may have cancer' — Page 6

AG's office to probe pass-law allegations

RDM 24/4/87

253

By JOUBERT MALHERBE
Pretoria Bureau

THE Transvaal Attorney-General has appointed one of his senior advocates to investigate startling claims about the treatment of pass-law offenders in commissioners' courts.

The claims were made by a former commissioner's court prosecutor, Mr Adam Klein, who last September walked out of a commissioner's court during a trial in which he was prosecuting

Mr Klein, who was soon to be appointed a presiding officer in the commissioner's court, said at the time that the reason for his action was that he was "tired of practising apartheid under the guise of justice"

Mr J J Pelser, SC, a staff member of the Transvaal Attorney-General's Office, confirmed yesterday that he had studied Mr Klein's report — and discussed it with him on Wednesday

Shortly after Mr Klein walked out of the court he was arrested on a charge of the theft of court documents. His flat was raided by police, who seized his passport and other documents

The theft charge was later withdrawn, but his passport and the documents have not been returned

Mr Pelser said yesterday that he was investigating the seizure of the passport

He said Mr Klein had given him the names of the policemen who raided his flat

In his report, Mr Klein alleged

- That there was a standing directive from the Department of Co-operation and Development to commissioners' courts to postpone all pass offence trials for at least three working days to enable the department to bring its records up to date. Almost without exception, accused were held in custody for the three days,

- That only in about 50 of the estimated 8 000-12 000 cases heard in the Pretoria Commissioner's Court in 1980 was bail granted — and then it was so high that the accused could not pay it,

- That several youths under the age of 18 had appeared in court without their parents being unaware of their whereabouts. By law, parents or guardians of youths are obliged to assist them at trials

Mr Klein also dealt at length with alleged irregularities at aid centres, created to assist people arrested on pass-law offences

He claimed that information

gleaned by officials at the aid centre — where, he said, accused were never legally represented, nor their right to remain silent explained to them — was passed on to the commissioner's court to facilitate the prosecution of offenders.

Mr Klein alleged that aid centres had "crept in at the back door of the courts" and were fulfilling the function of the courts

He alleged that the pass laws were no longer used to prosecute people with the view of punishing them in terms of the law — instead, they were now being used to set up a register of offenders which would be used to repatriate them to "homelands".

In a section dealing with aliens, Mr Klein told of a former member of the Portuguese armed forces who had fled to South Africa and applied for political asylum

Mr Klein said he was repatriated to Mozambique — "and I can only imagine what happened to him".

"I believe that a system (such as the pass-law system) will always cause irregularities. How can the principles of law be applied to a system which allows for hundreds of people to be locked up daily?" Mr Klein concluded.

Pitman regrets remark on Mandela 'cancer'

By PETA THORNYCROFT

MR HARRY Pitman, the PFP candidate for Pinetown, said his remarks this week, from a public platform, that the jailed former ANC leader, Nelson Mandela, was suffering from cancer, were "ill-considered". He hoped he had not caused the Mandela family any anguish. "I honestly believed that if I knew he was not well, his family would have been aware of his ill-health."

Miss Zinzi Mandela, younger daughter of the jailed man, reacted angrily when she heard of Mr Pitman's statement. She said she had seen her father last month and that he was in good health.

Mr Pitman said he had learned of the claimed ill-health of Nelson Mandela from a former Robin Island prisoner.

- 16. Schedule of Act
- 15. Concession : K
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- 9. Timetable changes, B Bus Sc course
- 8. Curriculum change, B Bus Sc in Computing
- 7. B Com (Hons) in Economics and Statistics
- 6. Doctor of Economic Sciences
- 5. Jan/Feb 1981 supplementaries : CTA qualifiers
- 4. Ratification of the Jan/Feb 1981 supplementary examination results
- 3. B Com qualifier
- 2. Updating of the 1980 examination results
- 1. Annual Report to Senate

Section A

C O N T E N T S

NOTICE: The Commerce Faculty Board meeting scheduled for Thursday 12 March 1981 has been cancelled, as the matters requiring Faculty attention can conveniently be dealt with via a Dean's Circular.

6 March 1981

No. 189

Confidential to Members of the Board of the Faculty of Commerce

DEAN'S CIRCULAR



FACULTY OF COMMERCE

Mandela: ^{Argus} Medical ^{23/8/85} check for ^{13/8/85} 'cancer' ⁽²⁵⁾

Argus Correspondent

JOHANNESBURG — The prison authorities are to send specialist doctors to examine the jailed African National Congress leader, Nelson Mandela, who was last week said to be suffering from cancer.

According to Miss Zinzi Mandela, daughter of Mandela, the authorities 'seemed to be puzzled' by the cancer allegation made by Mr Harry Pitman, Progressive Federal Party's candidate for Pinetown last week.

She said her family was told by police at the weekend about the 'special examination to be conducted on her father, who is serving a life sentence on Robben Island.

Mr Ishmail Ayob, legal representative of the Mandela family, said today he would telex the Commissioner of Prisons to confirm the claim.

Mr Pitman said at the weekend his remark that Mandela was suffering from cancer was ill-considered.

He hoped he had not caused the Mandela family any anguish. He had learned of the claimed ill-health of Mandela from a former Robben Island prisoner.

More calories in prison food

By **STEPHEN WROTTESELEY**,
Crime Reporter

SOUTH AFRICA'S pensioners on the "R20-a-month-diet" are better off in many ways, that the country's prisoners who are fed on an average of 42c a day.

However, without the bulk buying of the Prisons Department, they end up worse off, judging by a comparison between calories in the 67-cents-a-day diet and a prisoner's.

A spokesman for the Department of Prisons said yesterday that the daily average cost of feeding a prisoner was 42 cents. However, the calories in a prison diet are more than double that of a pensioner's 67-cent diet. They are also double those in a 67-cent diet suggested by Dr Marius Barnard.

A diet released by Dr Munnik last week which summarized a "scientific survey" made by his department has a higher calorie content than the Prisons Department's, but costs more than R20 a month.

A Johannesburg correspondent has reported that at current supermarket prices, the diet for those over 51 years costs about R37,19.

Last year, after a hunger strike by political detainees, the Department of Prisons said the calorie intake a day by a white male prisoner was 2 535 calories and by a female 2 138.

A spokesman said the prison diet was a balanced one compiled by departmental dieticians in co-operation with the Department of Health, and varied to avoid monotony.

He also gave details of a reduced and spare dietary punishment. A reduced diet was half a normal diet and a spare diet was 200 grams of maize meal, twice daily and boiled without salt, and 15 grams of protone soup powder, boiled in 570ml of water once daily.

In 30 days of dietary punishment, a prisoner spent 12 days on spare diet, six days on reduced diet, six days on full diet and then a further six days on spare.

According to a Cape Town publication, The Complete South African Kilojoule, Calorie and Carbohydrate Counter, 200 grams of maize meal contain 246 calories. Total calories from the maize meal in a spare diet would be 492 calories.

The publication said: "Many recommend a kilojoule intake of 4 200kJ (1 000 calories) a day for the average woman and 10 500 kJ (2 500 calories) for the average man in order to lose between 0,5kg and 1kg a week."

The 67-cent diet of one Cape Town pensioner worked out at about 1 000 calories and Dr Barnard's at about 1 100.

percentage of total malnutrition 44% 40% 2% 0% 66% 56% 60% 34%

percentage of non malnutrition 56% 60% 34%

praise that there was a correlation between the status and the occurrence of malnutrition. One of the family in rural areas is that the intimacy/single parenthood has reached staggering heights. It can only be anticipated that the problem on an even wider scale in the future - it is one of the disregard for family life that is contributing to the high rate of illegitimacy in rural areas (another facet of the migrant labour system instils into rural black communities. It can only be anticipated that the problem on an even wider scale in the future - it is one of the disregard for family life that is contributing to the high rate of illegitimacy in rural areas (another facet of the migrant labour system instils into rural black communities. It can only be anticipated that the problem on an even wider scale in the future - it is one of the disregard for family life that is contributing to the high rate of illegitimacy in rural areas (another facet of the migrant labour system instils into rural black communities.

children the opportunity to build sound family relationships based on day to day shared experiences of responsibility, respect, trust and affection.
e) The poverty of the rural people has led to diminishing acceptance of responsibility within the family for those in need of care particularly the aged, the disabled, the widows and the orphans.

(3)

Parental status of the mother (TABLE TWO)	
Response	Percentage of total
Married	58%
Unmarried	42%

Percentage of malnutrition 44% 62% 38%

Percentage of malnutrition 56%

Percentage of malnutrition 38%

Time and time again at Ngutu it was noted that payment of lobola was usually indicative of greater commitment to marriage and family life - so it was interesting to note that 65% of the father's who had paid lobola in full had well nourished children. It probably does reflect a greater sense of responsibility towards the fulfilment of traditional marriage obligations. Equally it could reflect closer bonds with the traditional way of life and less confusion as a result of the factors mentioned earlier. It could also reflect higher income groups who were

(4)

Is lobola paid? (Table Three)		
Response	Percentage of total	Percentage of malnutrition
Yes - in full	40%	35%
Yes - in part	26%	61%
No	12%	100%
Not applicable	22%	45%

Who supports the illegitimate child? (Table Four)		
Response	Percentage of total	Percentage of non malnutrition
Yes - in full	40%	56%
Yes - in part	26%	60%
No	12%	100%
Not applicable	22%	66%

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Ex-Robben Island prisoner goes home

By CHRIS FREIMOND Southern Africa Bureau TLOKWENG BORDER POST - The South African Government repatriated a Botswana national yesterday after his release from Robben Island where he had served a 15-year jail sentence

Mr Kitso Michael Dingake, 52, was jailed in 1966 for being a member of the South African Communist Party, for recruiting people to undergo guerrilla training, and for procuring information for the SACP, the African National Congress and its military wing, Umkonto we Sizwe

In an emotional reunion on the border yesterday, he hugged and kissed his wife, Edna, whom he had not seen

Bonus bonds

ARE you a winner in this month's Bonus Bond draw? Check the Rand Daily Mail today to see whether one of the big cash prizes has your number on it See Pages 10 and 11

since going to jail Earlier, two white South African policemen and a black colleague helped Mr Dingake carry his belongings - two cardboard boxes tied with string, and three plastic carrier bags - across the border

One of the men, who identified himself as Major Raas, from Pretoria, told Botswana immigration officials that he had been sent to "hand over Michael Dingake"

After completing formalities in the office of the senior immigration officer, the three policemen returned to the South African side

Mr Dingake, who had appeared dazed and solemn up to then, emerged smiling from the office and embraced friends and relatives who had come to meet him

Mrs Dingake said her husband looked well "Obviously he is older and his hair is turning grey He is quite thin, but then he never was very fat He will come back with me now to Lobatse, where I live"

Last week the South African



MR MICHAEL DINGAKE ... 15 years in jail

Police refused to give any information on the repatriation A spokesman said it was a matter between the governments of Botswana and South Africa A spokesman for the Prisons Service confirmed that Mr Dingake would be released yesterday

Mr Dingake was the centre of an international storm in 1965 when he was allegedly abducted by Rhodesian police while travelling by train in Rhodesia, and handed over to the South African authorities

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PLEASE CIRCLE ITEMS REQUIRED

Robben Island prisoner released

CT 7/5/81 (253) (4) (12)
Own Correspondent

TLOKWENG BORDER POST
-- The South African Government repatriated a Botswana national yesterday after his release from Robben Island where he served a 15-year jail sentence

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One of the men, who identified himself as Major Raas from Pretoria, told Botswana immigration officials he had been sent to "hand over Michael Dingake"

After completing formalities in the office of the senior immigration officer, the three policemen returned to the South African side of the border

Emergred smiling

Mr Dingake, who had appeared dazed and solemn up to then, emerged smiling from the office and embraced friends and relatives who had come to meet him

Mrs Dingake said her husband looked well

"Obviously he is older and his hair is turning grey He is quite thin, but then he never was very fat He will come back with me now to Lobatse where I live I think he will want some time to settle down and get used to freedom before he decides what to do with the rest of his life," she said

Before his imprisonment, Mr Dingake was a cattle speculator at Lobatse

Last week, the South African Police declined to give any information on the repatriation A spokesman said it was a matter between the governments of Botswana and South Africa A spokesman for the Prisons Service confirmed that Mr Dingake would be released yesterday

Mr Dingake was officially welcomed home on behalf of the Botswana Government by the member of parliament for his home district Mr W G Mosweu

He spoke to newsmen after greeting his family and gave details of his arrest and imprisonment

Listed person

However Mr Dingake is a listed person and in terms of South African law, may not be quoted in the South African press

News of his release was first announced in March by the Botswana Minister of Foreign Affairs, Mr Archie Mogwe, who said Mr Dingake would be repatriated after his release

Mr Dingake was the centre of an international storm in 1965 when he was allegedly abducted by Rhodesian police while travelling by train in Rhodesia and handed over to the South African authorities to stand trial

At the start of his trial he refused to plead because he claimed he was a citizen of what was then still Bechuanaland and that he had been abducted by Rhodesian police while travelling through Rhodesia by train on December 8, 1965 He asked the court to have him repatriated to Bechuanaland

In 1966 a member of the British parliament, Mr David Steele, now leader of the Liberal Party, asked what the South African Government's response had been to a British request that Mr Dingake be released and allowed to go home

The then Minister of State for Foreign Affairs, Mrs Irene White, replied that the South Africans had rejected the request

Help us build, Botswana tells ex-Island man

RDM 9/5/81
253 HA 12

GABORONE — Mr Michael Dingake, the Botswana national who was released from Robben Island this week after 15 years' imprisonment, was called upon yesterday to take up his rightful place and contribute towards building up his country.

Officially welcoming Mr Dingake in Gaborone, the Botswana President, Dr Quett Masire, said he noted with "great regret" the "unfortunate circumstances" surrounding his (Mr Dingake's) abduction and incarceration by the South African police.

He said that when Mr Dingake was abducted from Bulawayo in then Rhodesia on December 9, 1965, Botswana was not yet an independent state.

"After independence my government made representations to the SA Government about your release, but they would not entertain our request.

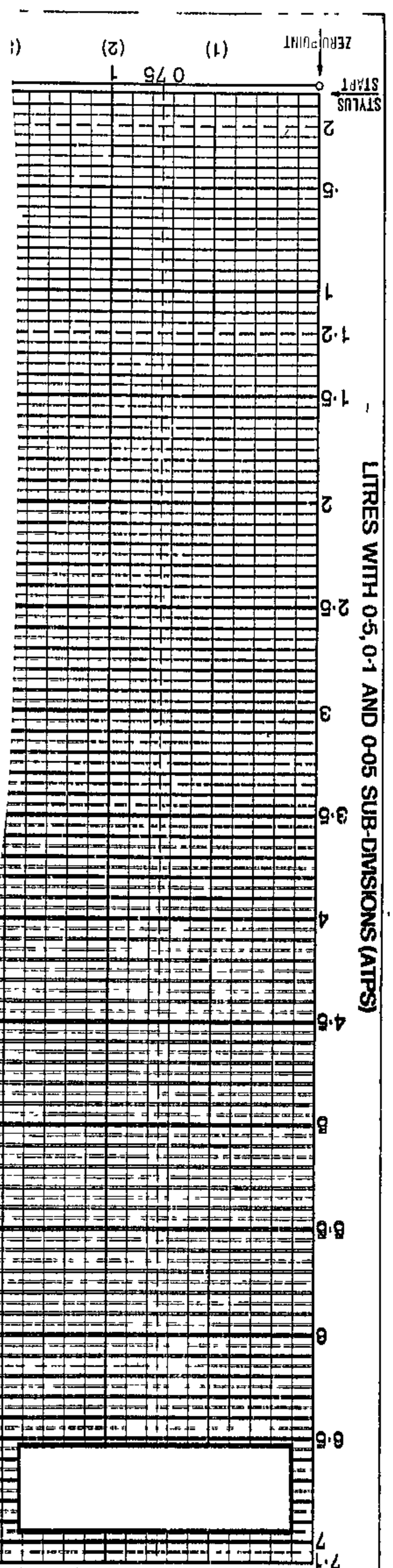
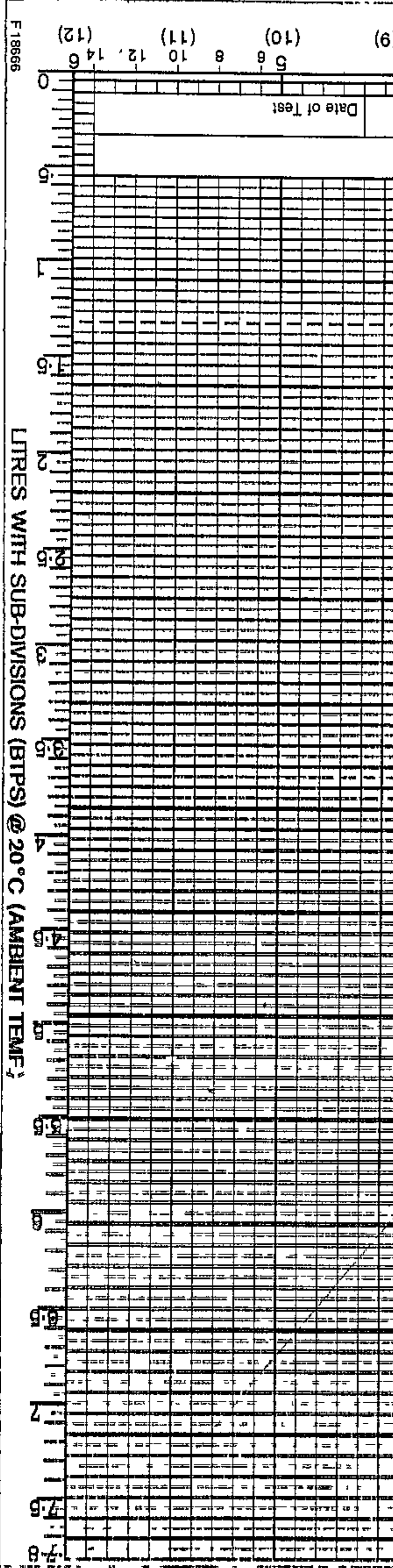
"As a free man in a free country, we call upon you to take your rightful place and

help us build this country. The years spent on Robben Island, I believe, were not in vain. We are aware you are academically armed to help us develop this country," he said.

The leader of the opposition Botswana Independence Party, Mr Motsamai Mpho, who was an executive committee member of the ANC and was charged for high treason in SA in 1956 with Nelson Mandela, Oliver Tambo, Chief Albert Luthuli and other top members, said he thanked Mr Dingake for his "self-sacrifice for humanity".

Mr Dingake was handed over to the Botswana authorities by South African Police on Tuesday at Tlokeng border post.

Mr Dingake, 52, was jailed in 1966 for being a member of the South African Communist Party, for recruiting people to undergo guerrilla training and for procuring information for the SACP, the ANC and its military wing, Umkonto We Sizwe — Sapa.



RDM 14/5/81

Jail term remissions disclosed

Pretoria Bureau

THE Minister of Justice, Mr H J Coetsee, announced details yesterday of the categories of prisoners to be granted remission of their sentences from June 2 as part of the Republic festival.

In a statement issued in Pretoria last night, he listed the following categories and sentence reductions.

- Prisoners serving terms up to and including four months, including those sentenced to periodic imprisonment, will receive a total remission of sentence.
- Prisoners serving more than four months receive — apart from normal remission, in the cases of determinate sentences — one-quarter remission of sentence.
- For violent crimes, a maximum remission of one year is granted, and a maximum of three years in all other cases.

In the categories of corrective, training, prevention of crime and habitual criminals the remission ranges from six to 21 months.

The most important categories of prisoners who do not qualify for remission of sentence are:

- Those sentenced for transgressions against the security of the State (security prisoners).
- Those sentenced for refusal to testify.
- Mentally disturbed prisoners for as long as they receive treatment in psychiatric hospitals.
- Sentenced prisoners who have been certified as psychopaths and are detained in hospital prisons for psychopaths.
- Those sentenced for house-breaking to terms of eight years or longer.
- Those sentenced for robbery in which a weapon was involved and/or if it was proved they were members of gangs and/or acted in a gang context and/or if sentences of more than five years were imposed.
- Those sentenced for rape, if sentences of more than five years were imposed.
- Prisoners sentenced for violence against the persons of others, excluding robbery and rape, if sentences of more than five years were imposed, and
- People in detention as judgment debtors in terms of sections 65(1) and 109 (4) of the Magistrates Courts Act No. 32 of 1944.

Some prison terms to be cut

PRETORIA — Certain categories of prisoners were to be granted remission of sentences with effect from June 2 as part of the present Republic Festival, the Minister of Justice, Mr Kobie Coetsee, has announced

In a statement in Pretoria, he said that among those who would not qualify were those prisoners sentenced for transgressions against the security of the State

The basis of allocation is: Prisoners with sentences of up to and including four months imprisonment, as well as those sentenced to periodic imprisonment, receive total remission of sentence

Prisoners with sentences of more than four months imprisonment receive, apart from the normal remission (in the cases of determinate sentences), one quarter remission of sentence, with regard to violent crimes; however, a maximum of one year of remission is granted while all other cases get a maximum of three years remission

In the following categories of imprisonment: Corrective training, prevention of crime, and habitual criminals, the remission is from six to 21 months

The most important categories of prisoners who do not qualify for remission of sentence are

Security prisoners who were guilty of transgressions against the State, prisoners sentenced for refusal to testify, mentally disturbed prisoners for as long as they receive treatment inside psychiatric hospitals

Sentenced prisoners who have been certified as psychopaths and are detained in hospital prisons for psychopaths, prisoners sentenced for house breaking with sentences of eight years or longer

Prisoners sentenced for robbery where a weapon was involved and/or if it was proved they were members of gangs and/or acted in a gang context and/or if sentences of more than five years were imposed

Prisoners sentenced for rape; if sentences of more than five years were imposed, prisoners sentenced for violence against other people, excluding robbery and rape, if sentences of more than five years were imposed

And persons in detention as judgment debtors, in terms of sections 65 (f) and 109 (4) of the Magistrates' Courts Act, number 32 of 1944 — Sapa

Prof calls for drastic prison law reforms

STAR 20/5/81 253

Own Correspondent

DURBAN — About 200 000 people awaiting trial are imprisoned each year in South Africa before being acquitted by the courts, Professor D J McQuoid-Mason, of the University of Natal, said today.

In an article to be published in the South African Journal of Criminal Law and Criminology this month, Professor McQuoid-Mason has called for drastic changes in the law, including a directive from the Department of Justice that all judicial officers inform unrepresented accused they may apply for bail in suitable cases.

"In 1971 to 1972 only 34 percent of awaiting-trial prisoners were readmitted

as sentenced prisoners. The following year the figure was 28 percent and in 1974 to 1975 it was 25 percent.

"Figures do not seem to have been published since but until then the average was 200 000. Prisoners awaiting trial were exposed to the prison system even though the courts subsequently found it unnecessary to sentence them to imprisonment," he said.

Quoting the Commissioner of Prisons, he said 272 887 blacks were arrested in 1978 for influx control offences and 89 059 were imprisoned.

"During 1976 to 1977, 82 percent of sentenced and unsentenced offenders in custody were blacks

"This can easily be explained by a variety of factors, including the fact that there are many more offences which blacks can commit," he said.

The law reforms, as well as directions to prevent crime and foster rehabilitation, that Professor McQuoid-Mason has called for include

- The decriminalisation of racially based petty offences such as pass offences. In so doing the large number of blacks labelled criminals and exposed to prison culture would be reduced.

- The accused being informed he may apply for bail.

- Greater use of legal aid for accused who may be imprisoned.

- Research into the administration of justice, the workings of the Criminal Procedure Act, and the sentencing process.

- A charter of prisoners' rights.

- Information being provided to make research on rehabilitation in prisons easier.

Professor McQuoid-Mason said improved living standards would result in a reduced crime rate, as poverty causes people to turn to law.

Academic calls for jail reform

Argus

22/5/81

252

253

Argus Correspondent

DURBAN! — About 200 000 people awaiting trial are imprisoned each year in South Africa before being pardoned by the courts, Professor D J. McQuoid-Mason of the University of Natal said this week.

Quoting the Commissioner of Prisons, he said that in 1978 272 887 blacks were arrested, for influx control offences and 89 059 were imprisoned.

During 1976-77, 82 percent of sentenced and unsentenced offenders in custody were blacks, he said.

RACIAL BIAS

This can easily be explained by a variety of factors, including the fact that there are many more factors, including the fact commit, he said.

The directions to prevent crime and foster rehabilitation that Professor

McQuoid Mason has called for include

- The decriminalisation of 'petty crimes' — such as pass offences, which are racially based. In so doing the large number of blacks who are labelled criminals and exposed to prison culture would be cut back.

- The accused must be informed that they may apply for bail.

- Greater use of legal aid for accused who may be imprisoned.

- Research into the administration of justice, the workings of the Criminal Procedure Act, and the sentencing process.

- A charter of prisoners' rights.

- Information should be provided to make research on rehabilitation in prisons easier.

CRIME RATE

Professor McQuoid-Mason said the improvement of the standard of living would result in a reduced crime rate, as poverty caused people to turn to crime.

Prisons, he said, became breeding grounds for crime.

More than 80 percent of the 98 000 daily average of prisoners are short-term (serving sentences of less than six months) who receive no "treatment" or rehabilitation during imprisonment.

About 20 000 long-term prisoners (serving two years or more) admitted annually are eligible for the treatment programme.

TRADE TESTS

Of these, fewer than 350 sit academic and technical examinations, fewer than 450 sit trade tests,

while more than 4 000 received specialised training as artisans.

The 250 prison institutions are served by fewer than 200 social and auxiliary workers and fewer than 30 clinical psychologists.

'Fewer than 127 of the prisons have libraries,' he said.

Professor McQuoid-Mason said that a former Deputy Commissioner of Prisons in South Africa had acknowledged that prison was an unsuitable place for rehabilitation and resocialisation of offenders.

RDM 26/5/81

253

Scrap restrictions on prison reports, says prof

Own Correspondent

PORT ELIZABETH — One of South Africa's top criminologists has called for the scrapping of restrictions which the Prisons Act imposes on the publication of news about prisons

The restrictions do not help South Africa's reputation, and should be done away with in the interests of a healthy public administration, Prof J H van Rooyen writes in the latest issue of De Rebus, the South African attorneys' journal

"The Prime Minister, Mr P W Botha, has pledged himself to a clean administration," writes Prof Van Rooyen, who is professor in criminal law and criminal procedure at the University of South Africa and co-editor of the South African

Journal for Criminal Law and Criminology

"A necessary precondition for completely clean administration is a completely open administration

"It is submitted that article 441 (f) of the Prisons Act is a major obstacle in this regard. It does not help South Africa's good name, either at home or abroad, and should accordingly be scrapped"

Prof Van Rooyen said that article 441 (f) made it an offence for anyone to publish any information about the experiences or conduct of a prisoner or ex-prisoner, or about the management of a prison, if that person either knew the information was false or had not taken reasonable steps to verify the information

This law means that practically any allegation or comment regarding the prison service could become the subject of a legal action, he says

Prof van Rooyen said article 441 (f) had to be seen against the general background of the prisons service a total of 274 001 sentenced prisoners were admitted to SA prisons in 1978, and the daily average total of sentenced and unsentenced prisoners was more than 98 000

This meant South Africa had one of the highest per capita prison populations in the world, 57% higher than the United States, and 90% higher than Nigeria

It had been alleged that many abuses took place

Information about prisons was dispensed through a cen-

tral information department, which could, without giving reasons, also decline to give information, he writes

In the light of the effectively absolute discretion of the Commissioner of Prisons, and the ineffectuality of judicial inspections, the role of the academic and the journalist assumed vital importance in making a contribution to a healthy, clean administration, he writes

A spokesman for the Department of Prisons' Information Division said that when the division declined to comment on a matter to a newspaper, that newspaper was free to publish that information

"According to our interpretation of article 441 (f) the newspaper will, by contacting us, have taken reasonable steps to verify the information"

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Minister settles out of court with Island men

253

Own Correspondent
NINE Robben Island prisoners last week accepted an out of court settlement for "a substantial sum of money" by the Minister of Police and Prisons, Mr Louis le Grange
They had sued him for damages after allegedly being assaulted by warders in a Transvaal jail in 1977
One of the men has completed his sentence
This was confirmed yesterday by a spokesman for Colonel S P Malan, head of the Information Department of the South African Prison Services in Pretoria
The spokesman did not disclose how much money the settlement involved, saying it had

been a private matter between the Minister of Police and the nine men
Confirmation of the settlement also came last week from a church organisation which assisted the men, eight of whom are still serving sentences on Robben Island when it was first decided to sue for damages
The nine claimed three separate assaults had taken place on June 25 and 28 and July 4 1977, in the Leeuwkop Prison near Randburg where they were being detained at the time
The Department of Prisons had denied the allegations made against it throughout legal action since then, but on Thursday, May 21, when the

case was to have come before the Cape Town Supreme Court it was learnt that an out of court settlement had been reached
The spokesman for the church organisation would only say that the Minister had agreed to pay a "substantial sum of money", including costs, without prejudice or admitting liability
The nine are Petrus Motlanthe, 31, Isaac Seko, 31, Stanley Nkosi, 34, Bongizipho Gwamanda, 27 (who has completed his sentence) Hosea Mokane, 31, Ephraim Butshingi 23, who was a juvenile at the time of the alleged assaults Sibusiso Ndebele, 32, Tintswalo Mashambe, 37, and Cleopas Shubane, 26

PLEASE CIRCLE ITEMS REQUIRED

Minister settles prisoners' damages claim out of court

Staff Reporter

NINE Robben Island prisoners last week accepted an out-of-court settlement for "a substantial sum of money" after they sued the Minister of Police and Prisons, Mr. Louis le Grange, for damages for an alleged assault by warders in a Transvaal jail in 1977.

This was confirmed yesterday by a spokesman for Colonel S P Malan, head of the information department of the South African Prison Services in Pretoria.

The spokesman did not dis-

close how much money the settlement had involved, saying it had been a private matter between the Minister of Police and the prisoners.

Confirmation of the settlement also came last week from a local church organization which assisted the prisoners, eight of whom are still serving sentences on Robben Island, when it was first decided to sue for damages.

The prisoners claimed three separate assaults had taken place on June 25 and 28 and July 4, 1977, in the Leuwoekop Prison in Randburg, where they were being detained at the time.

The Department of Prisons denied the allegations made against it but on Thursday, May 21, when the case was to have come before the Cape Town Supreme Court, it was learned that an out-of-court settlement had been reached.

The spokesman for the local church organization would only say that the minister had agreed to pay a "substantial sum of money", including costs, without prejudice or admitting liability.

It could not be established exactly how much money was involved in the settlement, but it is understood that the prisoners' initial claims totalled some R18 500.

The nine prisoners are Petrus Mottlanthe, 31, Isaac Seko, 31, Stanley Nkosi, 34, Bongizipho Gwamanda, 27, (who has completed his sentence), Hosea Mokane, 31, Ephraim Butshingi, 23, who was a juvenile at the time of the alleged assaults, Sibusiso Ndebele, 32, Tintswalo Mashanbe, 37, and Cleopas Shubane, 26.

Mottlanthe, Seko, Nkosi Gwamanda, Mokane, Butshingi, and Shubane, alleged that on June 25, 1977, they were assaulted by Sergeant N P A "Lofty" Coetzee, who used a baton on various parts of their bodies.

Gwamanda and Mokane were not hit because they had managed to evade the blows, but they were threatened.

Shubane claimed that on June 28, 1977, a warder named Niemabar had hit him about 12 times with a baton while he was in the shower block.

The third assault, also with batons, was alleged to have taken place on July 4, 1977, and involved all the prisoners except Shubane.

They named warrant officers P A Geldenhuis and H Bond, sergeants N P A "Lofty", Coetzee and Ben Rothman, Warder L A J Prins, and other unknown members of the Prisons Department, as having been involved in the assault.

These persons were alleged to have been acting on the instructions of or with the approval of captains J J Bothma, J J Delpoit, and L J van Wyk.

Disputing the claims, the minister said in documents prepared for court that the prisoners had been working in a quarry, where it was possible to obtain and conceal potentially dangerous objects.

As a result it had been necessary to for the prisoners to strip, or be stripped and then searched. They had not previously objected to this and if any force had been used by prison officials, it had been reasonably necessary so as to search them.

It had not been practicable to search each prisoner privately, the documents said.

Graph 5 shows the number of patient days in the drip room over 1967-1977. No head count is available except since 1975. Over the period, the average length of stay of all patients at Red Cross has declined. No index for the average length of stay of infants suffering from gastro-enteritis, is available. Consequently the decline in the number of patient days in the drip room may be due to a decline in the average length of stay, implying that the actual head count of patients may not in the average length of stay would mean that the number of deaths and required less.

In conclusion, when it appears that the decline in the number of deaths also place much emphasis on the importance of diet control in the treatment of maternity onset diabetes has been stressed by Goldberg et al. (6)

(5.3.2.) Gastro-enteritis

With the Day Hospitals providing medical treatment nearer to the patients' homes, a visit to the doctor involves less travelling time and cost. The hypothesis is that people would tend to take their children to see a doctor at an earlier stage of their illness, which would result in dehydration if left untreated. If children suffering from diarrhoea are receiving earlier medical treatment, a decrease in the number of children admitted to Red Cross Hospital with severe dehydration would be expected as would a decrease in the number of deaths due to this illness. Statistics from the Red Cross Memorial Children's Hospital were used to examine this hypothesis.

Recognition must be made of the fact that any change in the number of children admitted to the drip room over the period 1967-1977, might not be solely due to earlier consultation

owing to the existence of the job opportunities and wages has declined meaning small and 'Coloureds' and as a result have improved along with better leading to a decline in gastric hand, since 1974, South Africa experiencing a high rate of inflation, and unemployment and increased sharply. This may be responsible for increased malnutrition and an increase in the number of babies suffering from gastro-enteritis.

Furthermore, Red Cross Hospital treats patients from throughout the Peninsula so not all children in the drip room would be from areas where there are Day Hospitals. Any decrease in the number of and the severity of dehydration of patients from the Cape flats may be offset by increases in other areas.

CT 3/6/81 253
 Apology by Prof Barnard

Own Correspondent

JOHANNESBURG — Professor Chris Barnard, in an out of court settlement, has publicly apologized for likening the imprisonment of a black consciousness leader, Mr Strini Moodley, to the jailing of Germany's Baader-Meinhof gang.

Robben Island prisoner Mr Moodley, jailed for five years under the Terrorism Act in 1976 after the marathon SASO/BPC trial, sued Professor Barnard for R10 000 for a remark the heart surgeon had made in a letter to the human rights body Amnesty International.

The case was to have been heard in the Cape Town Supreme Court last week, but in the settlement between the parties, Professor Barnard

undertook to make a public apology for the remark, a spokesman for Mr Moodley's attorneys said yesterday.

In 1978, Professor Barnard responded to an inquiry by Amnesty International about Mr Moodley's health.

The heart surgeon's letter to an Amnesty International member in Vienna said in part: "I have now had the opportunity to investigate the position of Mr Strinivasa Moodley and I am afraid that you have been misinformed about several aspects of this prisoner."

"Firstly he is not in prison for political reasons. He has been tried in the open court of law for terrorist activities and has been found guilty and sentenced to five years."

"This would be equivalent to a member of the Baader-Meinhof gang who were imprisoned in Germany for similar activities."

Professor Barnard's attorneys have now said in a letter to Mr Moodley's attorneys. "Professor Barnard has been informed that this remark has been construed as meaning that Mr Moodley had been convicted of acts similar to those perpetrated by the Baader-Meinhof group."

'No intention'

"Professor Barnard states that he had no such intention and he unhesitatingly expresses his regret that this remark had been so interpreted and unreservedly withdraws it."

Mr Moodley is due to be released from Robben Island at the end of the year.

Eight members of the SA Students' Organization and the Black Peoples' Convention were convicted with him.

Both Saso and BPC were among nearly 20 black consciousness organizations banned by the then Minister of Justice, Mr J T Kruger, in October, 1977.

representative chronic illness that does not require highly specialized treatment once stabilized, and this can be ideally treated at a Day Hospital.

The importance of diet control in the treatment of maternity onset diabetes has been stressed by Goldberg et al. (6)

Groote Schuur Diabetic clinics, and Day Hospital Diabetic clinics are run on the same principles.

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(255) S. Trib - 14/6/61

THE DARK SIDE OF...

ZONDERWATER

By WILLIAM SAUNDERSON-MEYER

LIFE at Zonderwater Prison is in many ways far more depressing for the warders than for the hardened criminals.

The warders at the top security prison lead lives which, on the face of it, seem less rewarding than those of the prisoners.

The prisoners — all long-terms, many psychopaths—lead predictable, rigid and disciplined lives. But they at least have the satisfaction of learning a trade, as well as the other distractions of the Prison Service's massive rehabilitation programme.

For the prison staff the years of training an inmate in a trade, the time and energy spent trying to rehabilitate him so that he is once more socially acceptable, more often than not come to naught.

No sooner are they released clutching their trade qualifications and their full kit of tradesman's tools issued by the prison, than many end back in jail.

Media

Zonderwater is a world within the world, a world which the prison service public relations section, under its newly-proclaimed open policy, is apparently willing to unpeel layer by layer before a curious and even critical media.

The secrecy which enveloped the activities of the Prison Service spelt the end of the harsh conditions made by the Rand Daily Mail in a series of exposes a dozen years ago, has until recently been lifted only to allow bland "good" publicity.

To the Steyn Commission into the media, the prisons service spelt out a new interpretation of the controversial Prisons Act: "There is no restriction on factually correct reporting and the prisons service places a huge premium on the watchdog role of the Press."

Although a prisoner can build up credits, with which he can buy tea, coffee, sugar, magazines and toilet articles, he is never allowed to possess money.

Nevertheless, cash is smuggled into prison where it circulates at a vastly inflated value. The favoured currency substitute is "white gold" — sugar.

The warders say money is often passed to the prisoner during the monthly "contact" visit with his family. The baby, with the notes slipped into its nappy, is for example passed to the father to hold.

Smuggled articles and daags are often hidden in intimate parts of the body and although body searches are made, it is impossible to search every prisoner every day.

Although prisoners are not allowed knives at any time, they are allowed to play darts after lock-up time in their cells. The privilege has never been abused because the prisoners realise that if a dart is ever used as an offensive weapon the game would be banned and everyone would suffer.

The prisons service believes that the loss of freedom is a criminal's greatest hardship. But the department does not believe in making that loss intolerable.

There is probably less mindless regimentation than in the average military camp. Although the prisoners wear uniforms, of bottle green, they do not have to march in step from place to place. If accused of a disciplinary breach they, like their military equivalents, are tried in an officers' court.

Unlike soldiers they are allowed legal defence from a civilian lawyer.

The main meal of the day is lunch. The menu on the day of my visit was generous: helping of baked stock fish, mixed vegetables, beetroot and pumpkin, eaten with a spoon.

reened a documentary which was allowed to show some of the warts. The Tribune was allowed access (but restricted to interviewing only three prisoners selected by a Prison Service officer) in the presence of the staff. The interview with the prisoner should also not become a grievance session, but the warts were nevertheless there to be seen.

Violent

Zonderwater, just 30 minutes from peaceful Pretoria, is probably South Africa's most violent prison. It has the reputation of being the final home for the rebels and troublemakers of convict society.

It is slightly overcrowded with its current complement of about 1 000 white prisoners. It is to Zonderwater that the most violent of the Transvaal and Northern Free State's prisoners come: the murderers, rapists, robbers and psychopaths.

Four years ago the only nutting by white prisoners in South Africa took place here. More than 400 men rampaged through the prison, set fire to their bungalow cells and caused R150 000 damage.

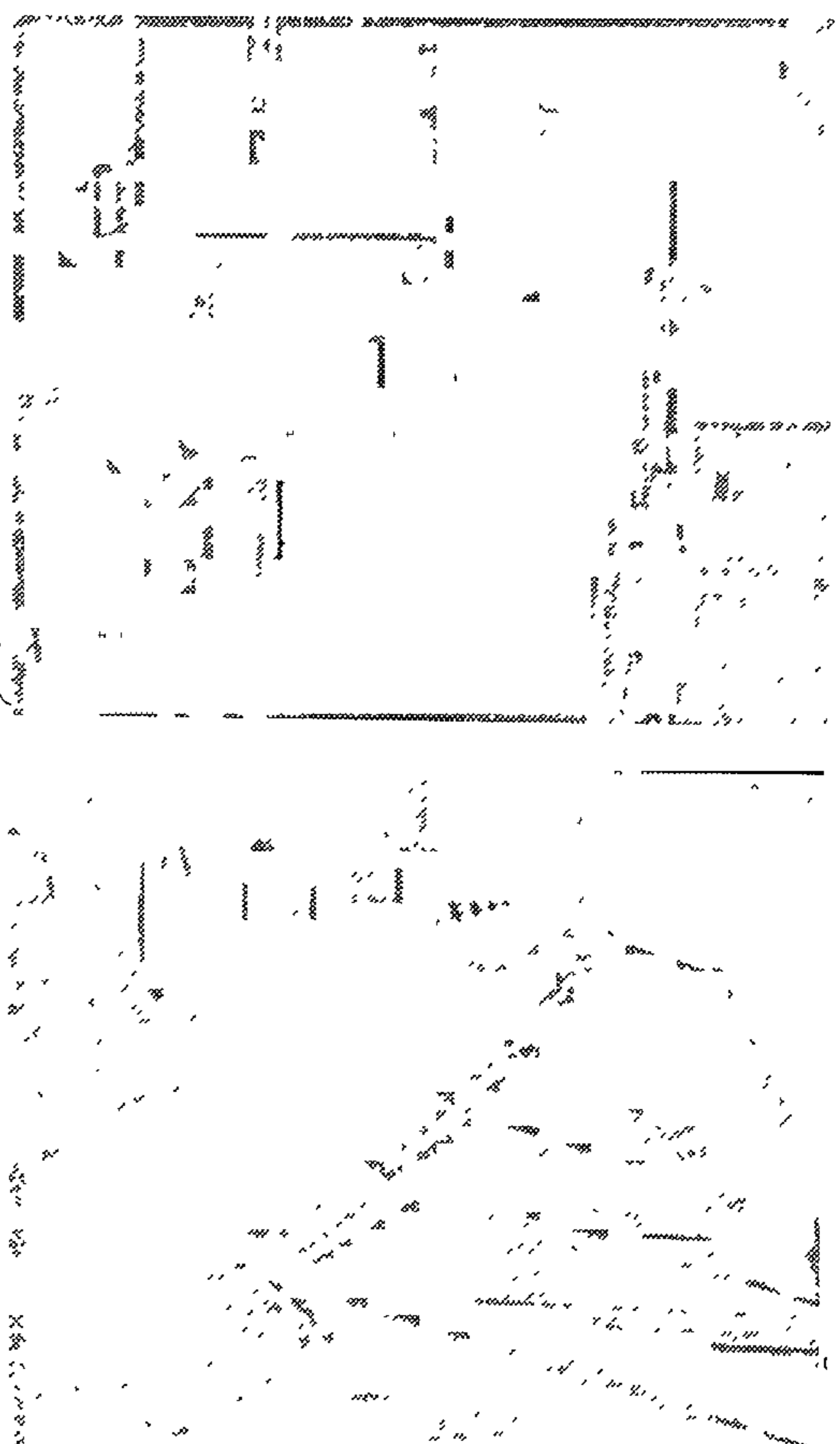
Two of the most vicious prison murders by inmates also occurred here recently. A court was given an insight into that side of prison life which does not make for "good publicity". Sodomy, drug abuse, violence, and sudden death.

The department admits that violence, although limited, is a part of prison life, because of the nature of the people in custody, and because in a prison, individuals are exacerbated by prison life.

It officially denies that homosexuality has higher incidence than in "any situation where men are together in large numbers for a long time". One of the prisoners in-

Postbag sewing, that traditional occupation for prisoners, is a thriving industry at Zonderwater maximum security prison

Sodomy, drugs, violence and murder are all part of prison life . . . but sometimes it's harder on warders than convicts



A typical dormitory cell. The rooms are unheated but each prisoner is given five blankets. In prison parlance, a homosexual bed companion is a "heater".

terviewed said homosexuality was rife, but could be avoided if one did not tangle with a "Mr Big".

He said the Mr Bigs dominated prison society in the same way as did schoolboy bullies in the classroom. The ordinary prisoner had to tread a narrow path between not offending the Mr Bigs and

Prisoners are divided into three categories for the allotment of privileges. The least privileged may only speak to their families through the tube, the others have "contact" visits.

the warders, although he said there was very little victimisation by the warders: "For a lot of the time one is away from both of them when one is working".

One of the criticisms of Zonderwater in the past, made by a Supreme Court judge, was that 18 men were crowded into a

Prisoners are divided into three categories for the allotment of privileges. The least privileged may only speak to their families through the tube, the others have "contact" visits.

ternoon, the department has replaced the corr mattresses laid out on the floor with neat two-tier bunks. Each prisoner has a lock-up bedside table, speakers pipe music into the cells, and games are provided.

Warders search regularly for smuggled articles, knives money, drugs

Before arriving at Zonderwater, the prisoner is subjected to intense analysis by teams of social workers, clinicians, psychologists, educationalists and religious ministers.

According to the results of these tests and his preference, he can train as a metal worker, carpenter, moulder, upholsterer and many other kinds of skilled work.

The massive workshops are superbly equipped, with some of the machinery made by the prisoners themselves. All the furniture, beds, basins and general equipment for Zonderwater and the prison farm it is part of, are made in these workshops.

Zonderwater also manufactures for export, furniture for government departments, prison doors and windows for new institutions, and even safes (the locks are, understandably, supplied and fitted by a commercial firm).

Zonderwater Farm provides all meat, poultry and dairy produce for the inmates. It also supplies other prisons.

There is a hospital morgue, and a lecture theatre where staff and prisoners can aid those studying through a technician, Unisa, or correspondence colleges.

The prisoners have access to newspapers and magazines, and have a library.

The librarian boasts that the men take out more than four thousand books a month, a vast figure considering that they swap with one another in the cells and a mass of the men are poorly-educated. Then, one has a lot of time at Zonderwater — the average prisoner serves 12 years and many of the sentences are doubtless that.

CT 9/6/81

Rand pupils boycott classes

237

Own Correspondent

JOHANNESBURG — Pupils at the Eldorado Park Senior Secondary School Number 1 boycotted classes yesterday morning before staging a walk-out from the school at noon.

Mr M A Jacobs, principal of the school, which has 750 pupils, said the pupils had attended classes until first break and then refused to return.

They had not told him the reason for the boycott although he had "tried to get something out of them". When news teams arrived at the school at 11am, pupils were milling around in the grounds. School buildings were daubed with graffiti saying "We are black and oppressed", "Amandla", "ANC power", 'Liberation struggle' and "Lenin lives".

Human chain

The pupils sang protest songs and shouted "Amandla Ngawethu" (Power is ours) and at one stage formed a human chain and marched around the school buildings singing freedom songs.

Teachers and school staff were present but they appeared to be unable to exercise any influence over the pupils.

At 11 35am a student leader addressed the pupils and just before noon they started leaving the school grounds.

The Department of Internal Affairs' circuit inspector for Eldorado Park confirmed the boycott.

The principal, Mr Jacobs said he was not optimistic that the pupils would return

to their classrooms today.

All was quiet at other high schools in the area as well as in Newclare, Bosmont, Coronationville and Riverlea although not all schools reported full attendance, according to a spokesman for the Department of Internal Affairs.

Lowest attendance

The lowest attendance was recorded at Riverlea Senior Secondary School — scene of unrest last Thursday — where only half of the pupils were reported to be present about 10am. Attendance at Coronationville Senior Secondary School was only 65 percent and some pupils left their books at home. No violence was reported.

All 1 086 pupils at the Willow Crescent Senior Secondary School in Eldorado Park wrote exams until 1pm.

The Eldorado Park Senior Secondary School Number 3 was also reported to be quiet.

• Five hundred University of Durban Westville students yesterday met on the campus and decided to go on an indefinite boycott of lectures from today — a week before the mid-year examinations — until three of their demands are met.

Students decided not to attend lectures till

• Examinations on June 16 anniversary day of the 1976 Soweto disturbances are put off.

• 500 expelled high school pupils are reinstated.

• A lecturer the physiology students claim is incompetent is replaced.

Blacks may soon prosecute ^{Star} 15/6/81 white accused 253

By Charlene Beltramo

Severe shortages of public prosecutors in South African courts have meant that Government regulations are being swept aside to allow blacks to practise in urban courts and, if necessary, at white trials

Present Government regulations restrict magistrates or prosecutors to practise only in those cases not denied to them in terms of the Group Areas Act.

Black, coloured or Indian magistrates can officially preside only over cases involving black accused

This was criticised strongly by Professor F. A. de Villiers, dean of the law faculty at the University of Bophuthatswana, when he gave evidence recently before the Hoexter Commission of Inquiry into the structure and functioning of courts

He was supported by two colleagues, Professor R. Verloren van Themaat and Professor L. Maree, who called for greater involvement of blacks in the judicial process, and urged that the law courts be removed from the public service

But in Johannesburg magistrate's courts — which have experienced serious staff problems in the past — one black and two coloured prosecutors have been employed in recent months

Mr A. P. de Vries, Johannesburg chief prosecutor, said the men, if necessary, would prosecute in cases with white accused. Except for the black prosecutor, who was not yet fully qualified, they had salary parity with their white colleagues

Despite this, the Department of Justice and the Commission for Administration say there are officially no posts for blacks as magistrates or prosecutors in the public service

Mr Jack Marais, director of personnel at the Department of Justice, said there had been no need for black prosecutors or magistrates.

He said blacks who applied for these positions would be referred to the Department of Co-operation and Development to take up any vacancies in "the homelands or independent states"

Influx laws: call to help offenders keep out of court

Star 17/6/81

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Own Correspondent

People arrested under the influx control and identity document laws should be kept out of court and out of jail, the Hoexter Commission was told yesterday.

Scheduled above was

(3) Calculate the average years, and the output

(4) Construct a schedule for each of the output the gross value of the gross value. Plot the curve. (It will be

(5) From the demand curve on the market in order. From these amounts it would have to buy or

(6) Draw up a schedule to buy or sell in each the government have have to buy over the stabilization of the

The area manager for the administration board in Brits, Mr F J Fourie said aid centres could help many people administratively without having them sent to court first

This should be the most important function of aid centres, said Mr Fourie, who was previously manager of Pretoria's aid centre

Judicial action should be taken only in extreme cases and solutions should be found before packing people off to court

Mr Fourie suggested aid centres could play an important role by helping people to get their documents in order

Influx control was important and he had never encountered a black man who objected to this. But there was a lot of bitterness and opposition to the way control was enforced, he said

Blacks should also be allowed to help find an acceptable solution to influx control problems

preferably using

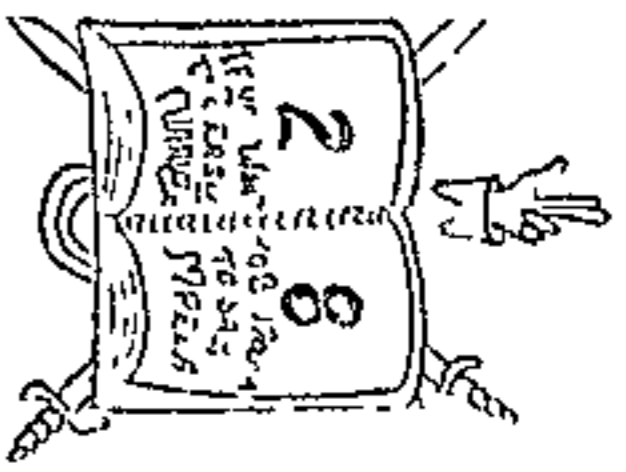
years the annual 80, 60, 50, 40, and tabulate the of the demand curve he ten years.

drop over the ten of this value.

to be received in order to make the average annual as the demand

must be offered ered in part (4). ch the government

I would have to in part (2). Would the amount it would mean that possible?



By GERRI MCELROY

SIGNIFICANT report by UCT's Institute of Criminology on South Africa's major prison gangs—which have been unable to crush — says the cellblock problems 'are serious, and fresh ideas are urgently needed'

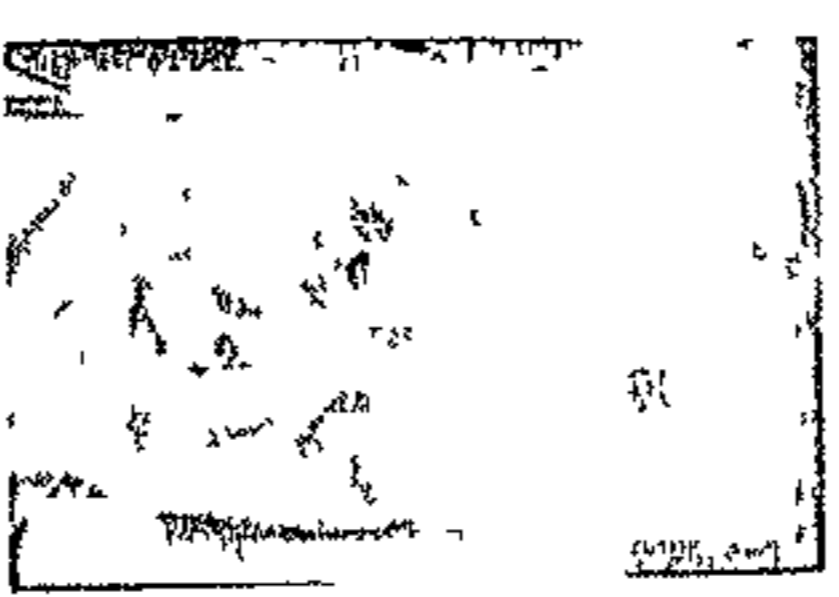
Prison gangs have survived, in the most grim form for almost 100 years. Their activities — rest-military and non-military — have serious effects on the legal systems in prisons and society in general. The question is whether the Department of Prisons could officially recognize

IT'S 'BOOGERS' AND 'BANDITERS' IN SA PRISONS

Argued 29/6/81

It's like

a war zone



Mr. Nicholas Kayson

nise gang membership as legitimate and attempt to control the more violent

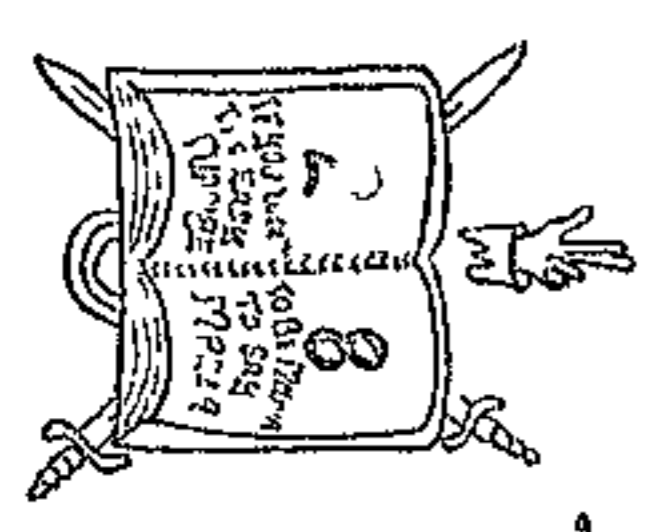
aspects of their culture, the authors say.

The report by attorney and former UCT President Mr. Nicholas Kayson is based on court records, interviews with legal personnel and ex-offenders and academic material.

South African prison gangs are unique. This is because of the roots in the 19th century in a nationwide power and their complex, bizarre form, according to the report.

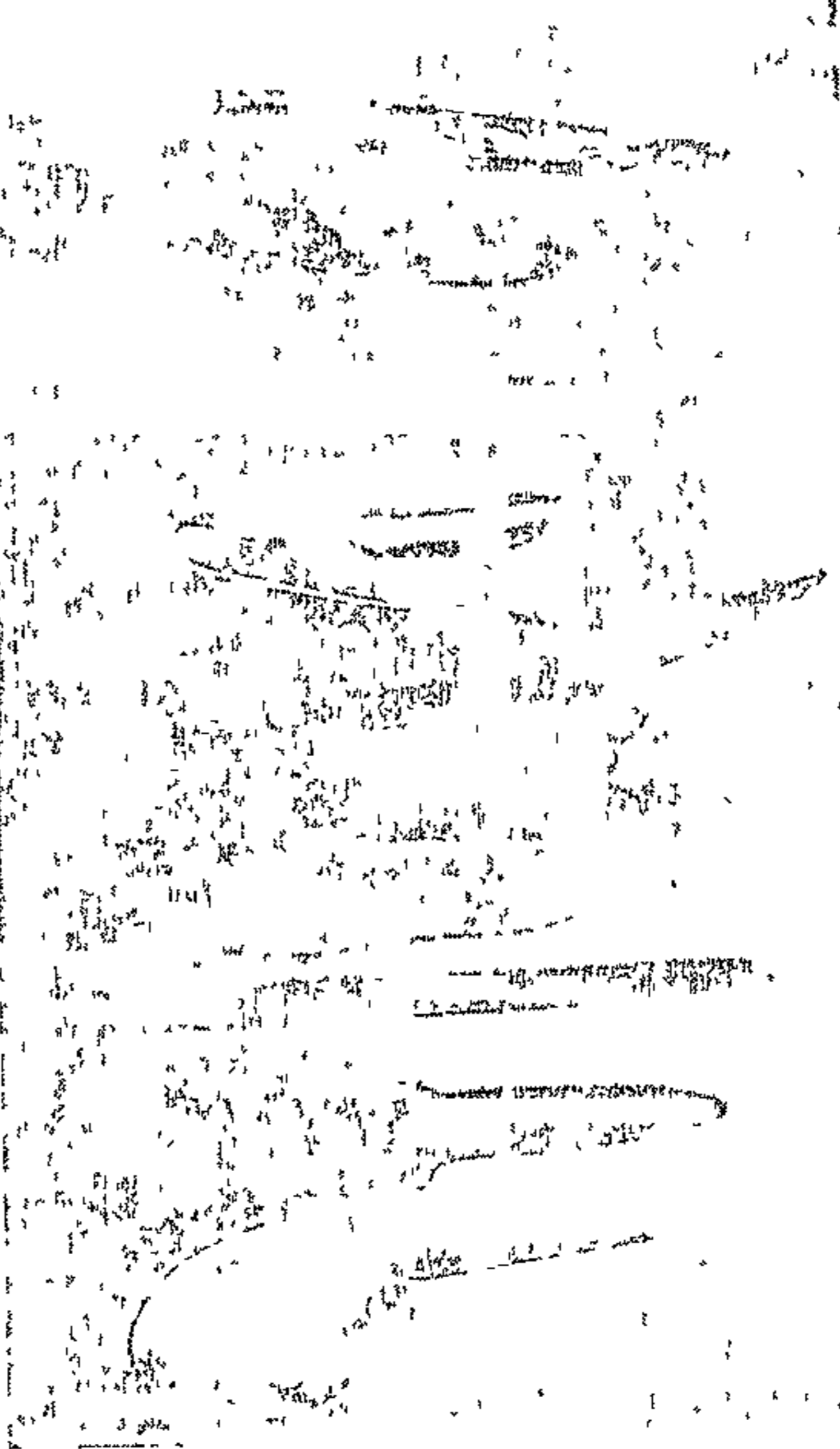
Mr. Hayson believes the South African prison population is likely to grow, not diminish, thereby increasing the burden on the prison staff and society.

The gang's power is such that no prisoner is beyond reach and menbers frequently murder witnesses who testify against them. Between 1974 and 1978 in the Western Cape, which has an abnormally high rate of prison murders, 41 prisoners were killed and 77 sentenced to death by the Supreme Court for murder. The cost of the trials was more than R1 million.



The Supreme Court do not consider gang membership sufficient to alter the charge of murder, nor do they consider it an

THESE WEAPONS, most of them worn internally, were found on prisoners and confiscated



Because private property is not allowed in the smallest inmate becomes a precious treasure.

He acknowledges that the dynamics of criminal gangs are not static. People makes men of these features if available.

Under these conditions, aggression becomes a viable means of affecting and controlling the environment as well as status building.

One prison official claimed sodomy was the major cause of gang violence according to the report.

The central dilemma is whether the Department of Prisons should increase its supervision and control, thus reducing personal expression and privacy or to

WHEN THE KRING SAYS KILL

PRISON GANGS have created elaborate alternative societies. They have a structure, ranking and discipline code maintained by an overall governing body — the kring.

Each gang has its oral history and has its own form, flags, salutes and other military paraphernalia.

In each gang, decisions must be made by the proper procedure. For example a 28 Gang decision to kill a prisoner must be taken by a full kring and the judge must sign the death warrant.

Punishments range from 'blappe' — 10 slaps with an open hand — to the 'beker' (mug) — blows on the head with a cartridge fastened to a sock. A member may be sentenced to kill a non gang member. He may also be sentenced to death. Gang members submit to punishment. When a full kring decides to kill a non gang member this prisoner will not even be aware he is on that gang members who may be questioned by the hierarchy about an alleged offense are not told what their sentences are. A female 28 member is as subject to sexual Chauvinism and domestic violence as any convicted

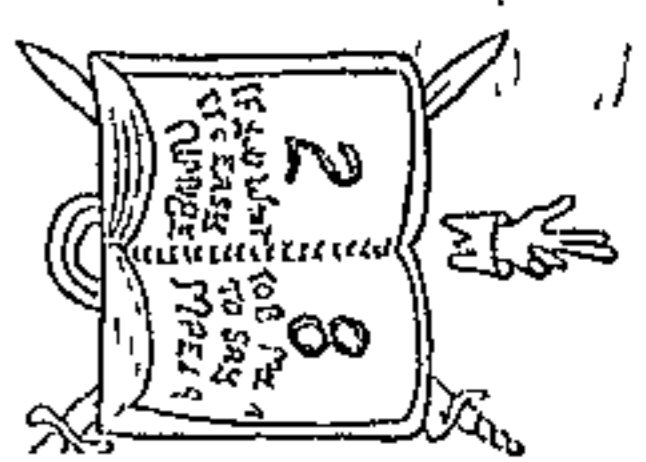
BRIBING ORIGINAL 28 GANG

THE roots of the major gang predate the Prison Department going back to 1887 when Jan Note, an early gang leader, drew the initial gang philosophy from biblical sources.

Jan Note (born Izocopi) led a band of desperadoes who hid in the caves and hills near Johannesburg. He said he read in the book of Nehemiah about the state of Nehemiah which rebelled against the Lord and I selected this name for my gang as rebels against the Government laws.

He changed his name again — to Nongoloz — and to this day the 28 gang is referred to after him as Nongoloz, Amalata or Ntweles.

By 1906 the Ntweles organization was operating in two associations, inside and outside prisons. Both practiced sodomy. The 27 Gang was an offshoot of gang members led by Nongoloz's lieutenant, Kikhwaan, who refused to accept



OPEN BORGANGS

THE roots of these are other less significant major gangs Federal, such as the Forty the Prison's Department, Thieves, Deceptors, ment, gangs back to Fickl Swias and Black 1887 when Jan Note, power an early gang leader. In 192 the gangs re drew the official gang's Patentary at Philosophy, from of the succumbent, it was recommended that in membership of a gang be Jan Note (born in Mozepri) led a band of brigands who had in his caves and hills near Johanneshurg He said he read in the book of Nahum, "I will cut off the top of Nineveh which will be belted against the Lord and I selected this name for my gang as rebels against the Government's laws."

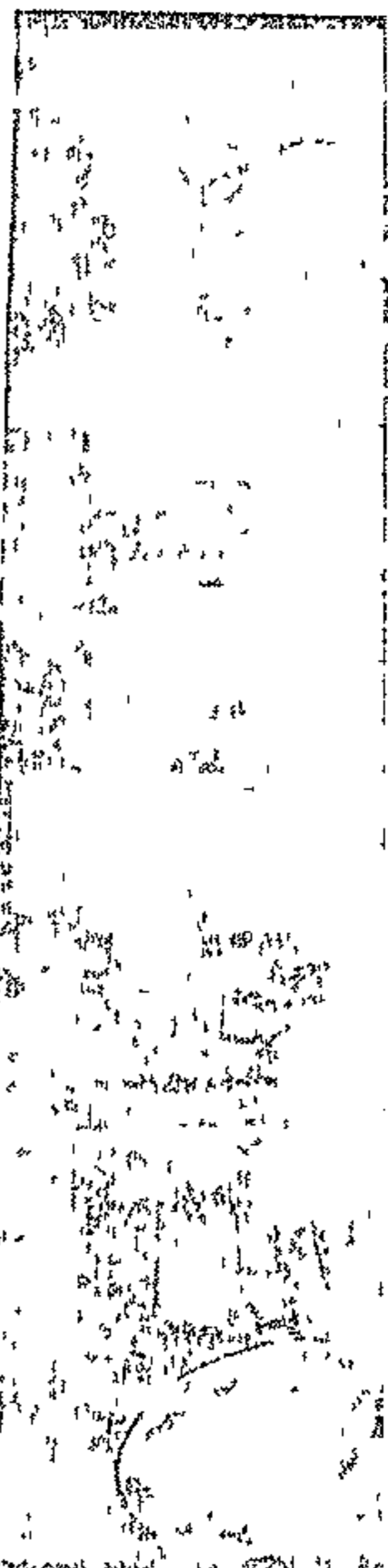
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The 27 gang was an offshoot of gang members led by Norigloza's lieutenant, Kikhiaman, who refused to accept homosexuality. Norigloza and Kikhiaman started company with 28 fighters to 27 — hence the name's in Maritz b'uz there. F'li h'yan was reorganized, a group of six 'voelkies' — not gang members — organized him tobacco and other luxuries. In return he granted them their own gang status — the 26s.

The original form, character and resilience of the gangs still remain intact. The 26s pamper, protect and organize 'wates'.

The 26s steal and rob and the 27s protect and enforce the codes of the 27s and 26s.

The gangs maintain an uneasy alliance. There



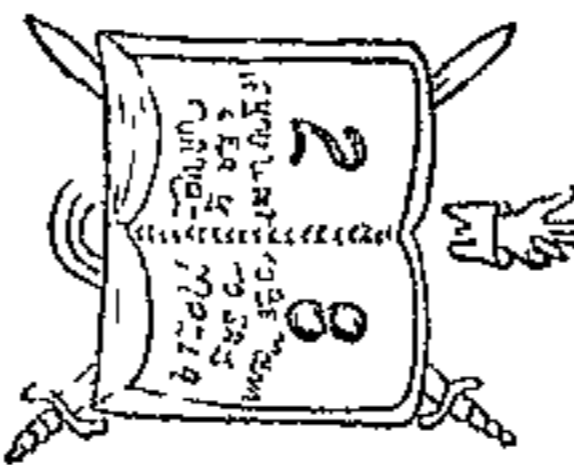
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Keyson

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The gang's power is such that no prisoner is beyond reach and members frequently murder their fellow prisoners, thereby increasing the burden on the prison staff and society.

Mr. Hayson believes the South African prison population is likely to grow not diminish, thereby increasing the burden on the prison staff and society.



The Supreme Court's do not count for completion sufficient to alter the charge of murder. One of the homicide, nor do they consider it an eventfuling circumstance. The Appellate Division had not considered the case by 1973 he says.

Prison officials have acknowledged that they cannot guarantee the safety of an inmate.

Mr. Hayson says gangs are an ideological response to an unequal society and the racial structure of the prison. Salient features are boredom overcrowded and understaffed prisons, lack of response by staff to inmate needs and prisoner cynicism to their own and others' lives.

The gangs provide material benefits, security and loyalty and they enable an inmate to control his life in an environment of deprivation.

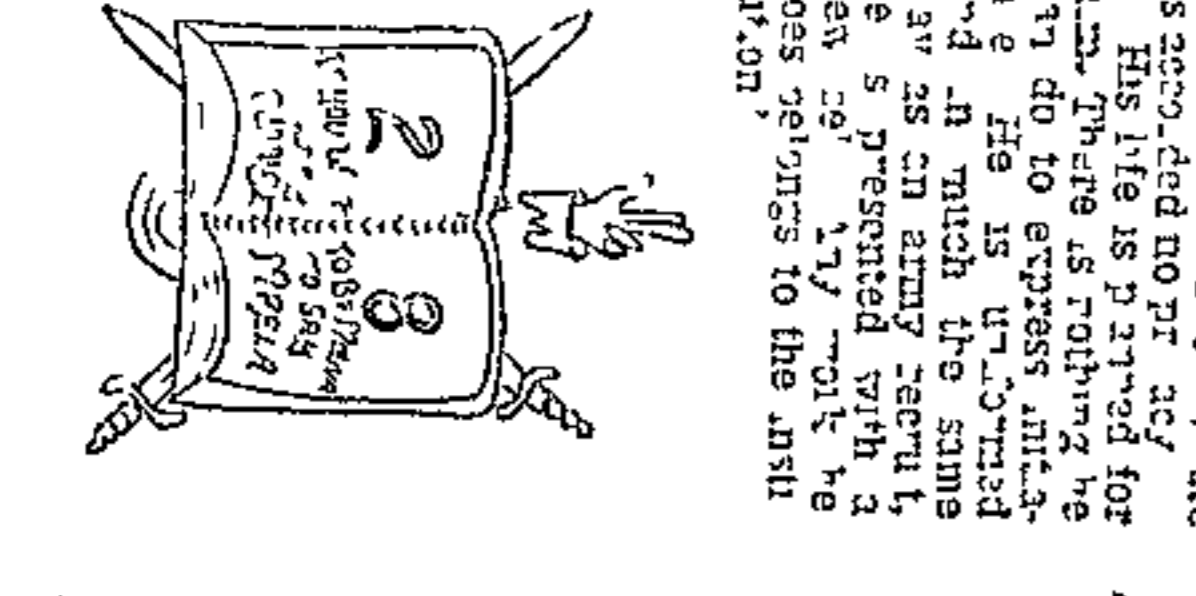
All inmates share a common bond in relation to all guards.



There are two categories of person in a prison, boers and 'paradies'. A major manifestation of this in the prison gangs is their lack of regard for the society's racial and ethnic divisions.

He describes the prison as being a 'tag-out' or a 'war zone'. Mr. Hayson suggests a few approaches by the authorities. He advocates a greater sense of community in prisons to improve discipline as a goal. He suggests a 20-21 program and re-creation activities.

Discipline is a major concern. The 27 gang is a major problem. His life is a struggle for him. He is a 'tag-out' and a 'war zone'. He is a 'tag-out' and a 'war zone'. He is a 'tag-out' and a 'war zone'.



Because private property is not allowed the smallest trinket becomes a precious treasure.

He acknowledges that the dynamics of administering large groups of people makes many of these features inevitable.

Under these conditions, a aggression becomes a means of asserting and control.

One prison official claimed sodomy was the major cause of gang violence according to the report.

The central dilemma is whether the Department of Prisons should increase its supervision and control, thus reducing personal expression and privacy, or to encourage the development of initiative and personal autonomy.

Prison officials say it is nearly impossible to prevent a prisoner from making a decision. A decision has been taken and the authorities that the authorities take steps to protect them.

The report, Towards an Understanding of Prison Gangs, was written by a committee of professionals in the field and as part of the background of a report in-depth via study copies are available at the LCI Institute of Criminology for R3.

WIKENTHE KATERS SAYS

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When a full kring decides to kill a non-gang member this prisoner will not even be aware he is on trial. Gang members who may be questioned by a lawyer about an alleged offence are not told what their sentences are.

A female 28 member is as subject to sexual harassment and domestic drudgery as any competitor. In one case the accused deliberately imprisoned his wife so he would have a man with him on death row. He remarks, "Does not a man have his wife like with him? He has no house."

In theory, gang membership is voluntary. But loyalty and obedience are demanded. Gangs do not tolerate the resignation of members.

The balance of power varies from 7, 10, 10 to 10, 10, 10. During a general election, gangs may wage an all-out war for as long as 10 years to establish the ruling party.

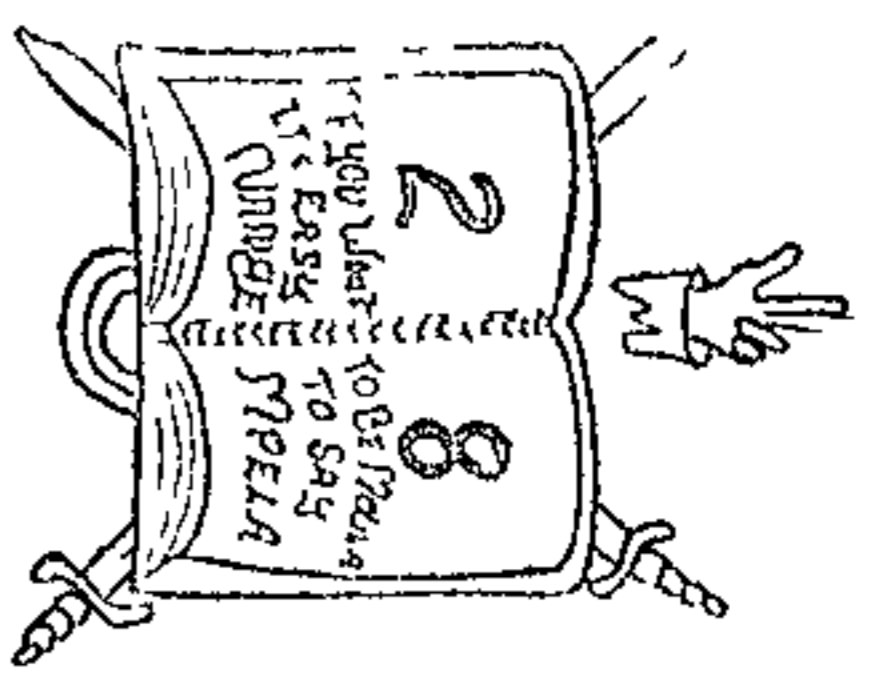
In 'prisons all in this was the case at Bellville Prison and at Mandavel in both cases the 27s won the election.

Prison officials say it is nearly impossible to prevent a prisoner from making a decision. A decision has been taken and the authorities that the authorities take steps to protect them.

A prisoner may attempt suicide rather than be in a cell with his fellow gangsters. A are that he must endure months of restricting tension before he might be hanged.

Prisoners are a semi-oral kring. The cell is a strong and a bet of his his throat cut or is executed and his prisoner's removed and played and be a 'tag-out'.

Each of the 28 gangs is a recognized by the major gangs. There is no connection between gangs outside the prison.



By MERRI MOLLOY

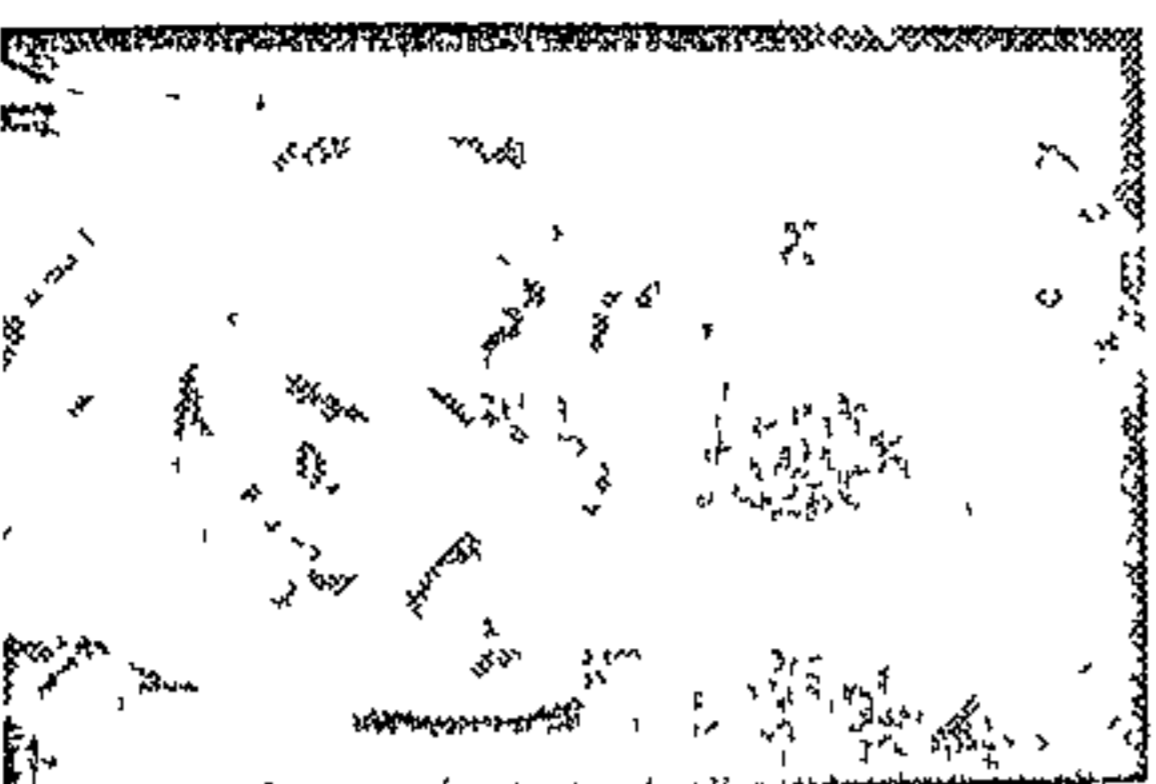
SIGNIFICANT report by UCT's Institute of Criminology on South Africa's major prison gangs—which prison authorities have been unable to crush — says cellblock problems 'are serious, and fresh ideas are gently needed'

Prison gangs have survived, in their original form, for almost 100 years. Their activities — semi-military and non-military — have serious effects on the legal system, prisons and society generally. The question arises whether the Department could officially recog-

IT'S DOGGER V 'DANQUERIA' IN SA JAILS

Argus 29/6/81 253
It's like

War Zone



Mr Nicholas Haysom

South African prisons are unique. This is because of their roots in the 19th century, their nationwide power, and their complex, bizarre form, according to the report.

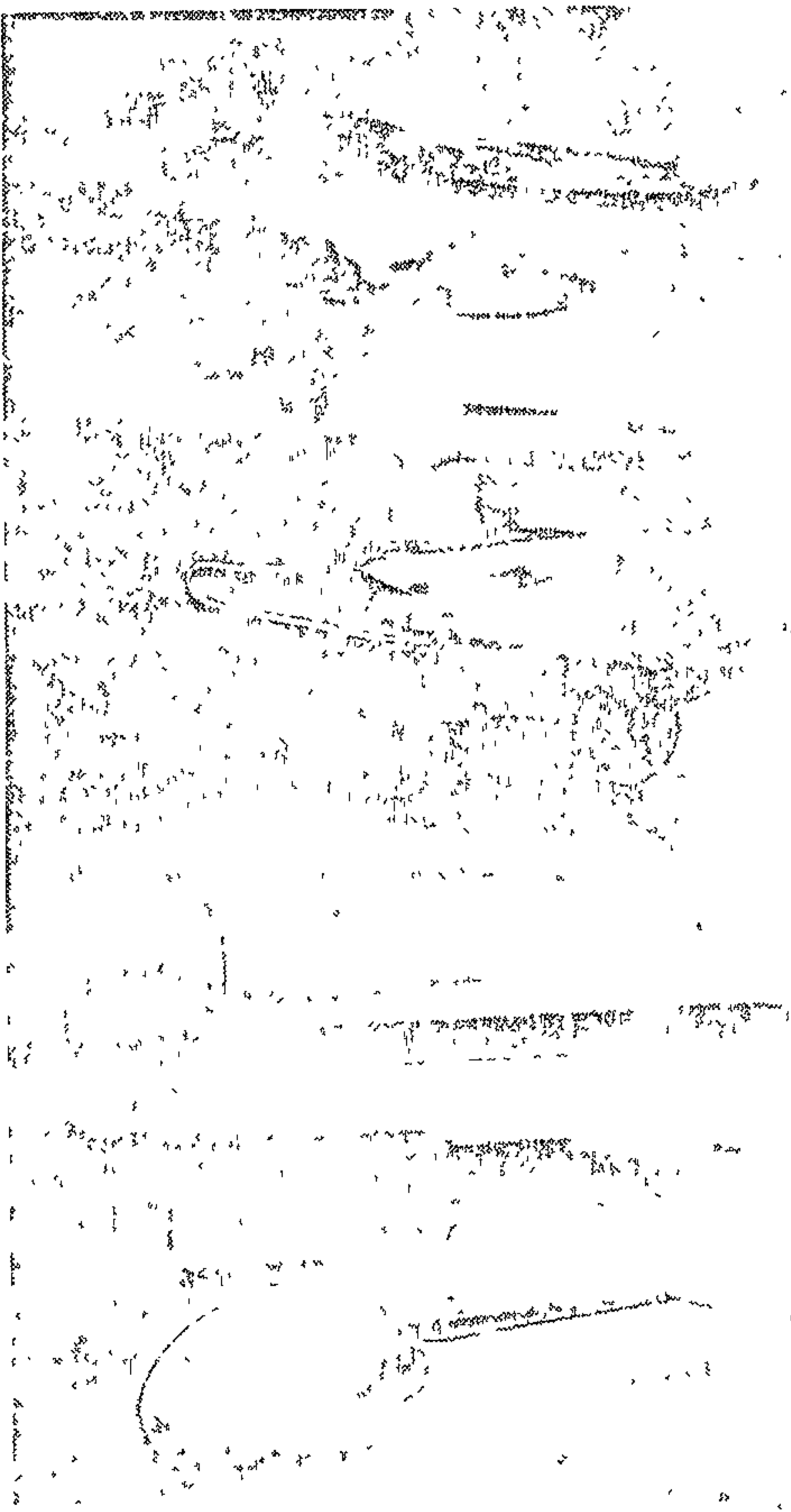
The report, by attorney and former Ntutas President Mr Nicholas Frank Haysom, is based on court records, interviews with legal personnel and ex-offenders, and academic material.

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Between 1974 and 1978, in the Western Cape which has an abnormally

These weapons, most of them worn internally, were found on prisoners and confiscated.



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Under these conditions, a segregation becomes a viable means of affecting and controlling

BIBLICAL BRIGANDS OFFICIALS

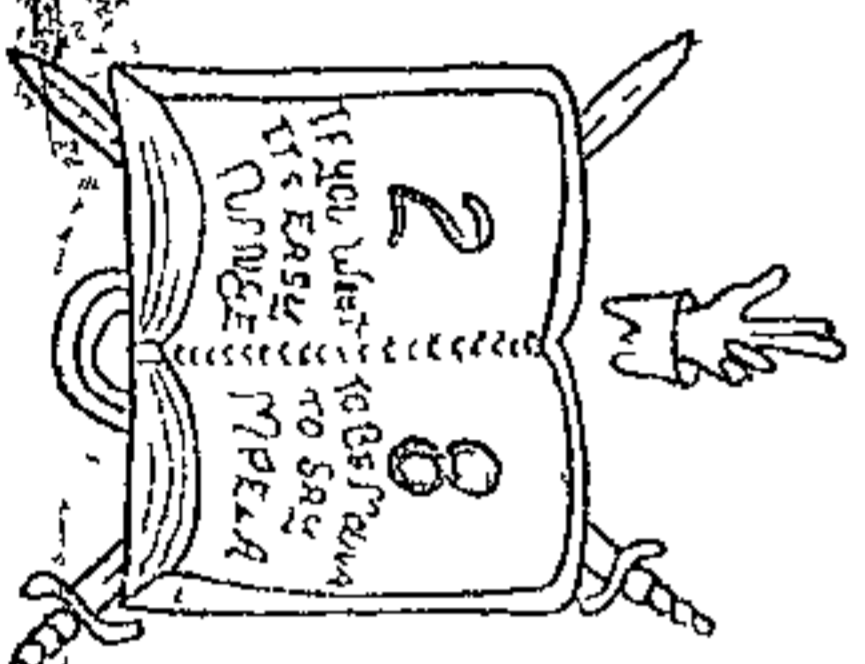
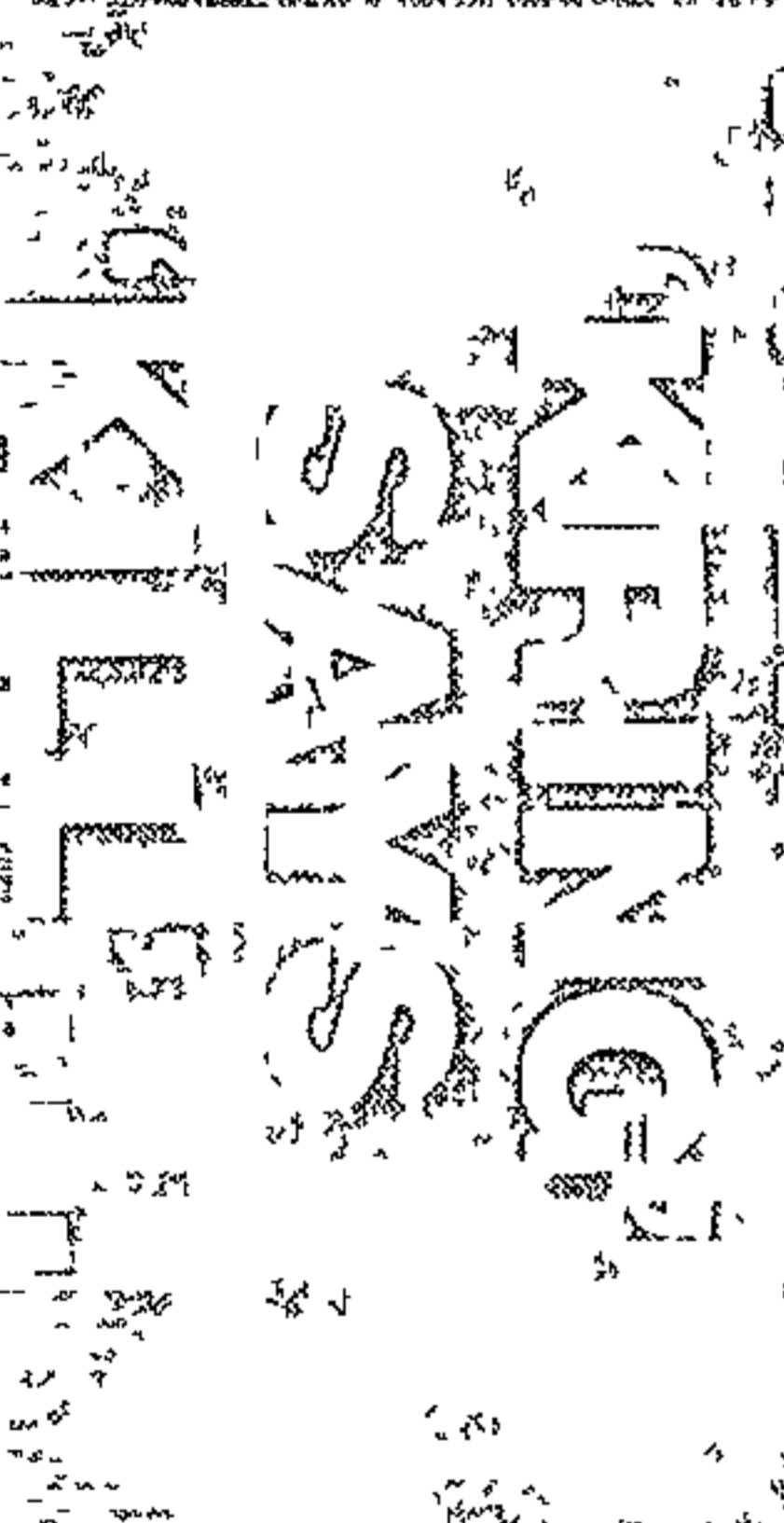
The roots of the major gangs predate the Prisons Department, going back to 1887 when Jan Note, an early gang leader, drew the initial gang philosophy from biblical sources.

In 1912 the gangs received Parliamentary attention. After a meeting of superintendents, it was recommended that membership of a gang be

made punishable. The leaders were to be isolated and sent to Robben Island. By 1914 the Minister of Justice was confident that the State had the upper hand. But by 1920 they had become entrenched in the prisons.

Jan Note (born Mzozepi) led a band of brigands who hid in the caves and hills near Johannesburg. He said he read in the book of Nahum about the state of Nineveh which rebelled against the Lord and I selected this name

WHEN THE SPENT GANGS



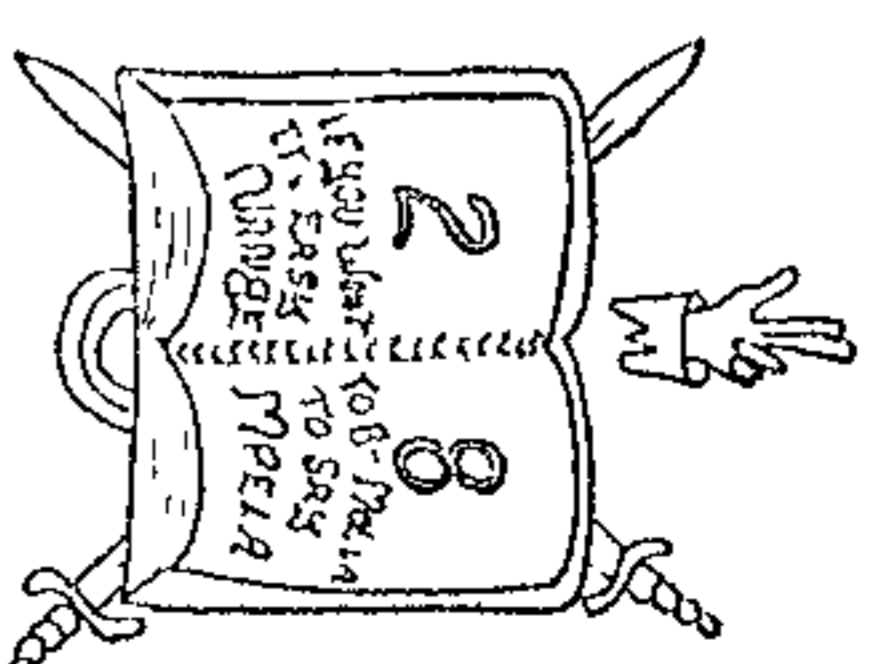
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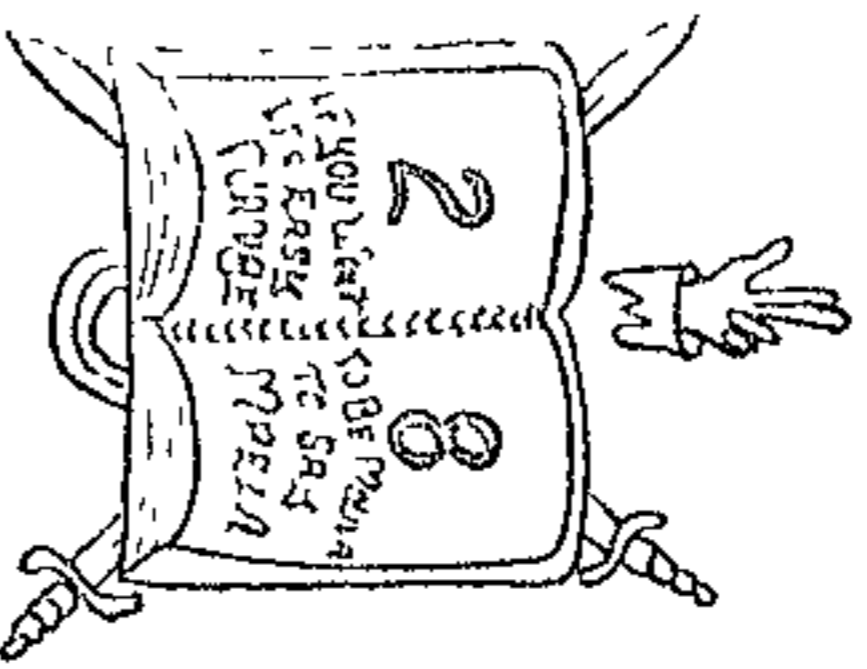
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Prisoners were sentenced and 77 sentenced by the Supreme Court for murder. The number of the trials was more than 11-million.



The Supreme Courts do not consider gang membership sufficient for the charge of murder, nor do they consider it an extenuating circumstance. The Criminal Division had confronted the issue in 1978, he says.

Prison officials have acknowledged that they do not guarantee the safety of an inmate.

Mr Haysom says gangs use an ideological reality and the social structure of the prison. Features are boredom, overcrowded and understaffed prisons, lack of response by staff to inmate needs and prisoner cynicism towards their own and others'.

The gangs provide material benefits, security and loyalty, and they provide an inmate to control his life in an environment of deprivation.

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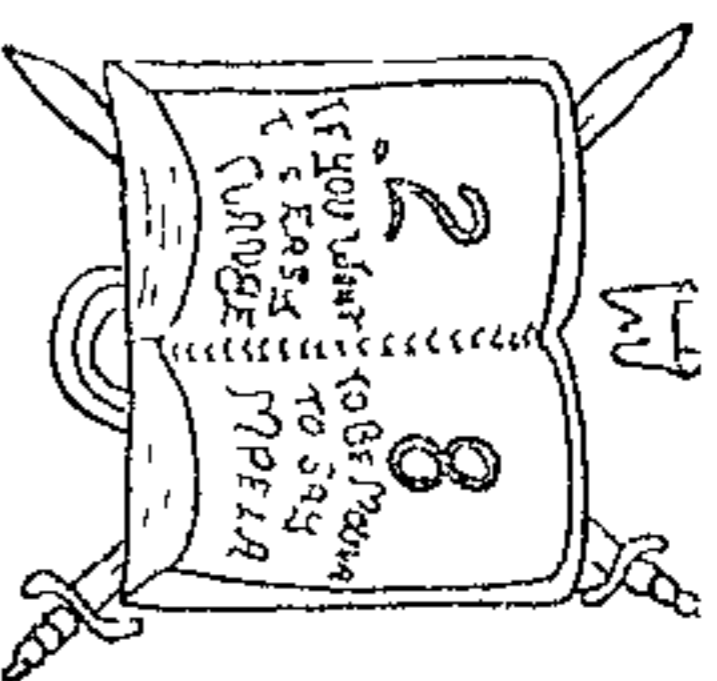
ing categories of persons in a prison "boers" and "handiete". A clear manifestation of this in the prison gangs is their lack of regard for the society's racial and ethnic divisions.

'There is no indication at any point of any ethnic or colour bars in the gangs indeed quite the opposite. This is a notable feature in a society displaying such a level of racial consciousness,' he says.

He describes the prison as being analogous to a war zone.

Mr Haysom suggests a new approach by the authorities. He advocates a greater sense of community in prisons to improve relationships among inmates, and improved education and recreation facilities.

Discussing prison conditions, Mr Haysom refers to the 'towerless-ness-frustration-aggression syndrome'. The inmate is accorded no privacy. 'His life is planned for him. There is nothing he can do to express initiative. He is unformed and in much the same way as an army recruit, he is presented with a new self. Any work he does belongs to the institution.'



ing the environment as well as status-building, he says.

One prison official claimed sodomy was the major cause of gang violence according to the report.

The central dilemma is whether the Department of Prisons should increase its supervision and control, thus reducing personal expression and privacy, or to encourage the development of initiative and personal autonomy.

Immediate problems to be tackled are the lack of privacy and lack of meaningful outlets for activity. Contact with the outside world must be maximised ensuring contact with relatives and access to knowledge of current events.

Mr Haysom concludes that many of these suggestions will seem unrealistic but 'the problems are serious and fresh ideas are urgently needed.'

The report, 'Towards an Understanding of Prison Gangs, was undertaken as a guide to professionals in the field and as part of the background of a more in-depth MA study. Copies are available at the UCT Institute of Criminology for R3.

PRISON GANGS have created elaborate alternative societies. They have a structure, ranking and a discipline code maintained by an overall governing body — the 'kring'.

Each gang has its oral history and has its uniform, tattoos, flags, salutes and other military paraphernalia.

In each gang, decisions must be made by the proper procedure. For example, a 28 Circle decision to kill a prisoner must be taken by a full 'kring' and the judge must sign the death warrant.

Punishments range from 'klappe' — 10 slaps with an open hand — to the 'beke' (mug) — blows on the head with an enamel mug fastened to a sock.

A member may be sentenced to kill a non-gang member.

He may also be sentenced to death.

Gang members submit to punishment. When a full kring decides to kill a non-gang member, the prisoner will not even be aware he is on trial. Gang members who may be questioned by the hierarchy about an alleged offence are not told what their sentences are.

A female 28 member is as subject to sexual chauvinism and domestic duggery as any concubine. In one case, the accused deliberately implicated his wife so he would have him with him on death row. He remarked, 'Does not a man take his furniture with him when he moves house?'

In theory, gang membership is voluntary. But loyalty and obedience are demanded. Gangs do not tolerate the resignation of members.

The balance of power varies from prison to prison and over time. During a 'general election' gangs may wage an all-out war for as long as two years to establish the 'ruling party'.

Informants claim this was the case at Bellville prison and at Brandvlei. In both cases the 26s won the election.

Prison officials say it is nearly impossible to prevent a murder once the decision has been taken. Inmates who have reported to the authorities that the finger has been pointed at them may be killed before the authorities take steps to protect them.

A prisoner may attempt suicide rather than be confined in a cell with hostile gangsters, aware that he might endure months of nerve-racking tension before he might be killed.

Murders are extremely brutal. Usually, the victim is strangled with a belt, or has his throat cut, or is eviscerated and his intestines removed and played with. A victim may receive numerous stab wounds and be left to die.

Escaping from prison is not encouraged by the major gangs. Formally there is no connection between gangs outside and inside prison.

0 my gang also revels against the Government's laws'.

He changed his name again — to Nongoloza — and to this day the 28 gang is referred to alternatively as Nongoloza, Amalata or Ninevites.

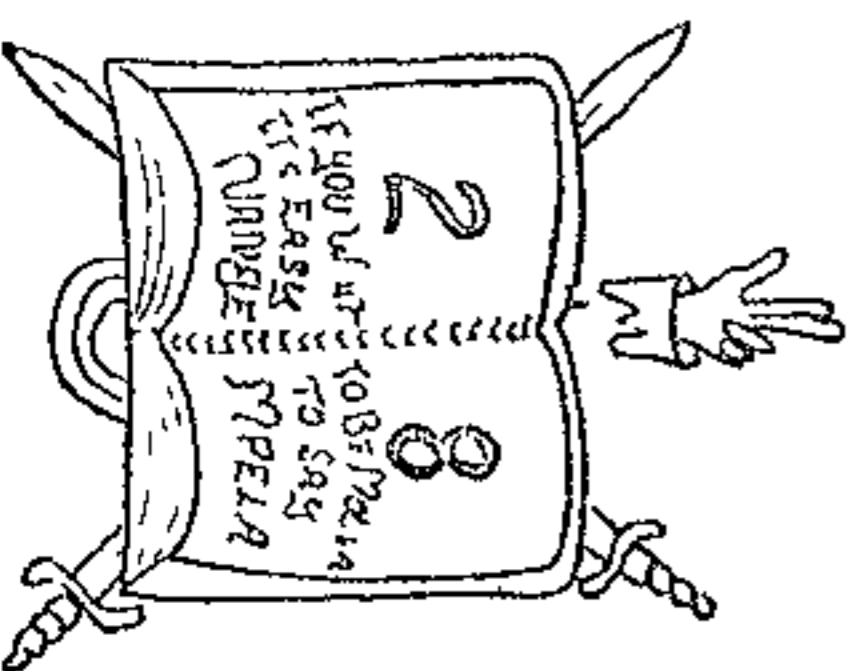
By 1906 the Ninevite organisation was operating in two associations, inside and outside prisons. Both practised sodomy.

The 27 gang was an offshoot of gang members led by Nongoloza's lieutenant, Kikilyaan, who refused to accept homosexuality. Nongoloza and Kikilyaan parted company with 28 fighters to 27 — hence the names in Maritzburg, where Kikilyaan was incarcerated, a group of six 'voeltjies' — non-gang members — smuggled him tobacco and other luxuries. In return he granted them their own gang status — the 26s.

The original form, character and resilience of the gangs still remain intact. The 28s pamper, protect and organise 'wyties'.

The 26s steal and rob and the 27s protect and enforce the codes of the 27s and 26s.

The gangs maintain an uneasy alliance. There



PROBE INTO GANGS IN JAIL

Argus
27/6/81

By Keri Mollov

THE Prisons Service takes prison gangs seriously, and is doing everything in its power to eliminate their activities and to ensure the safety of prisoners.

The Prisons Service was responding to questions after Weekend Argus had published a report by UCT's Institute of Criminology on the gangs.

The author of the report, Mr Nicholas Haysom, said fresh ideas were urgently needed and put forward several recommendations.

Prisons Service spokesman, Colonel P J Hartman said: 'When we suspect that inmates are in danger, they are separated from the others and guarded more closely

'Dangerous elements are removed and transferred to maximum security institutions'

Commenting on Mr Haysom's description of prisons in South Africa as being 'overcrowded and understaffed,' Colonel Hartman said a departmental working group was investigating ways of solving the problem and preliminary results had been encouraging. A seminar had also been held this week. He could not, however, give details

ALTERNATIVES

He could not comment on recommendations by Mr Haysom that

- The Prisons Service should consider recognising officially gang membership and attempt to control the more violent aspects of their culture.
- There should be a greater sense of community in prisons to improve relations among inmates.
- There should be improved educational and recreational facilities.
- There should be increased contact with the outside world.

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Amnesty

2/2/87

253

By Themba Khumalo

Altogether 21 715 prisoners of all races were released as part of the amnesty during the 20th anniversary of the Republic in May

A spokesman for the Prisons Department in Pretoria said yesterday prisoners in most large prisons throughout the country were released

The amnesty excluded political prisoners and those convicted on charges such as rape and housebreaking

The spokesman said the prisoners were released in three categories those who were serving sentences up to six months those who were serving sentences longer than six months but less than two years and those who were serving sentences longer than two years

He said 6 867 prisoners were released in the first category, 5 476 in the second and 9 372 in the third

All the prisoners had been freed between June 2 and June 15

Their release came after the Minister of Justice, Mr Coetsee, said in May that the Government had decided on an amnesty to mark the Republic Day celebrations

But the Minister excluded political prisoners, describing them as "prisoners sentenced for transgressions against the security of the State"

The exclusion of political prisoners in the amnesty was condemned by opposition leaders, including Mrs Helen Suzman

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(Continued)

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Magistrate's Court in
a new staffing crisis

504 3/7/81
153
128

By Rashid Chopdal
A shortage of administrative staff has plunged the Johannesburg Magistrate's Courts into its second crisis in a year. Many have left because of dissatisfaction with salaries.

A source told The Star that the administrative section was 45 percent understaffed, and it was imminent that trainee prosecutors and court orderlies would be used as clerks to relieve the crisis.

Another source said the staff drain increased after the mini-Budget in March indicated that public servants would not be getting much of a pay increase.

Staff interviewed said that they were "fed up" with the Government for not showing consideration for their 'hopeless and in-

adequate' salaries.

They said that in most cases those who had left were not being replaced and the present staff were now doing the work of two or three people each.

Staff said that in the court section they worked under pressure to complete their daily duties.

It was a "miracle" that they had managed without working overtime.

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C S Jones

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Fourth Year

R W Kohn

It was not unusual for a clerk to do the work of two or three courts. One said such difficulties did not cause a delay or backlog of trials.

In another section a woman said she was doing the work of two others under trying conditions.

Mr J A van Dam, the Chief Magistrate confirmed that there was a shortage of administrative

staff. He said the figures given to The Star were too high, but declined to reveal the number of vacant posts because it was "not in the interest of your readers."

Mr van Dam said staff had left because they had been offered better salaries elsewhere. He also said that no skilled staff (trainee

prosecutors or court orderlies) were about to be used as clerks.

The exodus of junior and experienced prosecutors for better pay had slowed, said the senior public prosecutor, Mr A P de Vries.

There had been only one resignation since April 1 — from an unqualified prosecutor unhappy with his pay.

He attributed the drop in resignations to the non-pensionable allowance of up to R400 a month which prosecutors and magistrates in South Africa began receiving in June.

Mr De Vries said there were still 10 legal posts vacant, and some former employees were applying to return. There was no crisis, he said.

Management.

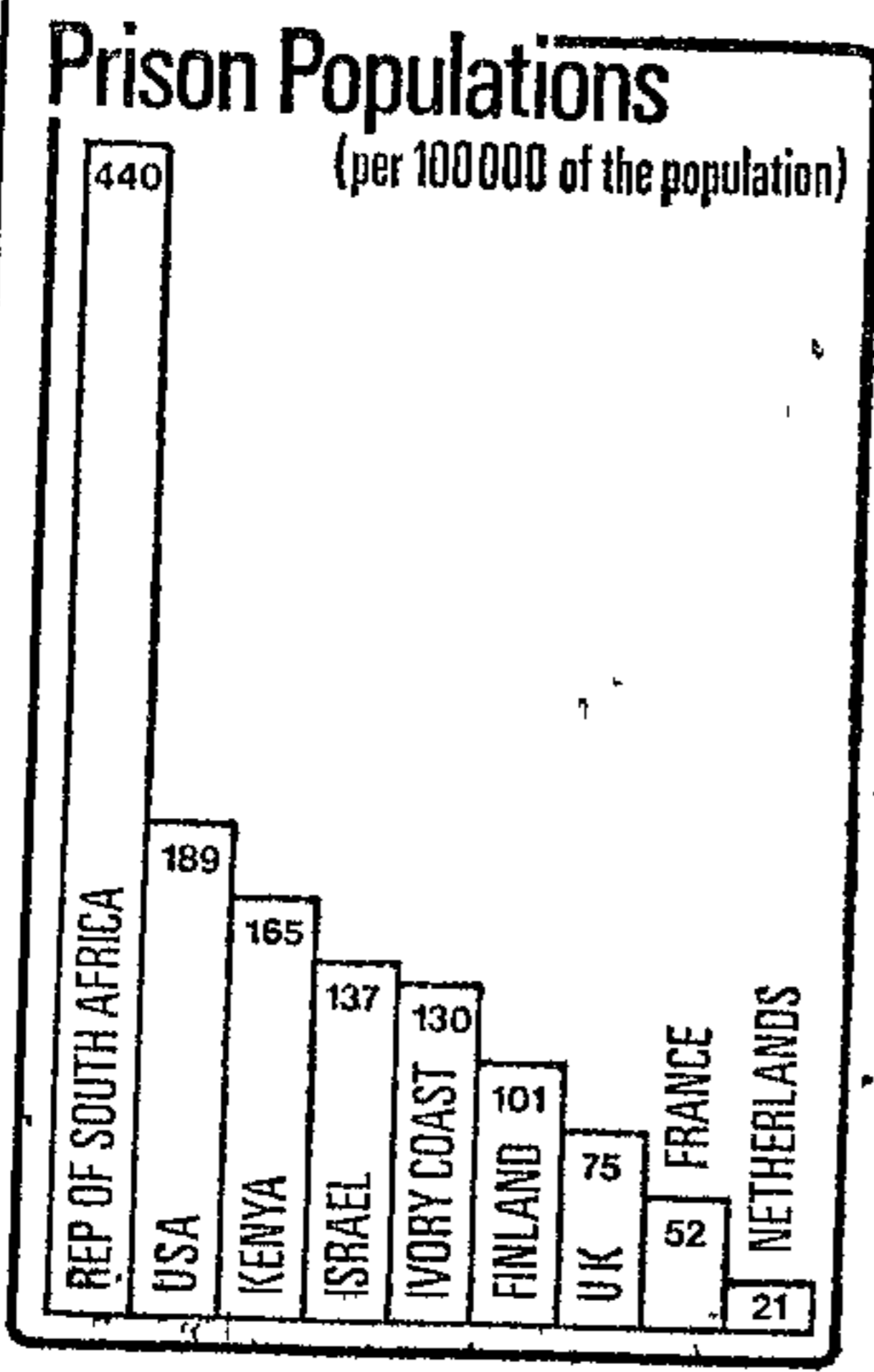
S F Richardson

SA'S PRISON population highest in free world

Star
4/7/81
253
184

URBAN
REGION
PLANNING

By Mike Cohen, Crime Reporter



South Africa's prison population is the highest in the Western world — more than double that of the United States.

Figures for the communist countries are not available.

According to a survey conducted by the National Institute for Crime Prevention and Rehabilitation, South Africa has a prison population of 440 for every 100 000 people.

The figures available give its closest rival as the US, with a prison population of 189 for every 100 000.

South Africa's closest rival in Africa is Kenya with a figure of 165 for every 100 000.

Nicro believes South Africa's excessively high prison population, despite the recommendations of the Viljoen Commission of Inquiry into the penal system, is cause for alarm.

In planning for the '80s, Nicro is strongly in favour of an international conference on sentencing being held in this country.

"There is no doubt that reform in sentencing practice and the encouragement of an innovative sentencing policy could contribute towards a reduction in the prison population figure," the plan states.

Recently, the Chief of the CID of the SA Police, Lieutenant-General Kobus Visser, said one of the biggest problems experienced by the urban police divisions was the system of parole and bail for people arrested in cases of more serious crime.

"It is my opinion that parole is not promoting our drive to combat crime but the Prisons Department has problems caused by over-population of prisons. Having sorted this out with senior Prisons Department members I am satisfied that they are doing everything possible," he said.

Nicro is actively seeking a university which would be prepared to host the proposed conference.

(Continue)
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Gang rule of terror in jails claimed

Ev Post

6/7/81



Post Correspondent

JOHANNESBURG — Nation-wide gangs, complete with quasi-military command structures, rule the inmates of South Africa's prisons

These gangs, with deep historical roots stretching back to the last century, are responsible for vicious and gruesome murders in South African jails

But the victims are killed or injured only after "trials" have been held before a "judge" — and even though the "accused" is not present they have "pro deo defence"

These astonishing claims are made by Mr Michael "Fink" Haysom, a former Nusas president, in a paper published by the University of Cape Town's Institute of Criminology

In the paper, Mr Haysom asks who really controls South Africa's prisons

"If many witnesses are reluctant to appear in the Supreme Court, and if some State witnesses are murdered after they have given evidence, the question arises as to who actually does wield power in the prisons

"If gang members would rather face the gallows than refuse to participate in murders that can only be described as suicide missions, does it not seem that there are two systems of authority operating in the prisons?"

Mr Haysom says the three main prison gangs, which date back to a criminal named Jan Note or Mzoozepe, nearly 100 years ago, are the 28 Gang, the 27 Gang and the 26 Gang

Membership is theoretically voluntary, although this is not really the case in practice

The gangs are completely multiracial. Each is ordered with a quasi-military structure. Thus the 28s have a judge (with eight stars), a general (with six stars), a colonel (with four stars), a "wireless" (with three stars) and a lieutenant

They are called Number Ones, while the "ratings" are called Number Threes

There is also a private line of "females" — male sleeping partners called "wyfies" — also with ranks

The gangs have delineated duties in the prisons. The bloodline in the 28s commit violence, while the private line are the sexual partners of the fighters and do other domestic chores such as washing

In the 26 Gang, however, there is no private line and it is against their code to take a "wyfie"

The 27s have a system embodying some of the features of the other two

When the gangs decide to kill someone, a delineated procedure is followed, with a decision being taken by the full circle (kring) and the order being signed by the "judge"

Punishments vary, but a gang member may be sentenced to kill or stab a non-gang member or be sentenced to death

One gangster directly implicated his "wyfie" in a murder so that he could keep his sexual partner in the death cell with him

In another case, the "kring" sentenced a non-gang member to death, appointed an execution squad, decided who would defend the accused in "court" and who would be witnesses in the case

"While their potency and membership fluctuates from prison to prison, the gangs boast, with justification, that they have brothers in every prison

"In essence this means that no prisoner is beyond their reach. A State witness in a trial will, they claim, never escape their vengeance"

This has resulted in a number of State witnesses refusing to give evidence in trials even though prosecutors have promised to move them to "safe" prisons

In one trial, a State witness was killed during the case, says Mr Haysom

The extent of the power and viciousness of the gangs is underlined by the fact that in the Western Cape alone 41 prisoners were killed between 1974 and 1978, and a total of 77 people sentenced to death for these murders

The head of information of the Directorate of Prisons in Pretoria, Colonel Faan Malan, said today that the matter of gang activities was regarded in a serious light by the authorities

"At the moment the Human Sciences Research Council is conducting a research programme into this matter at our request. It would be premature for us to comment on the report before the research by the HSRC is made known," he said

Prisoners: ROM 7/7/81 SA heads the list (253)

SOUTH Africa has the highest per capita prison population in the Western world

A report released by the National Institute for Crime Prevention and Rehabilitation shows the South Africa prison population at 440 persons per 100 000 while the United States had 189 per 100 000 and Britain only 75 per 100 000

No breakdown by race was given and no communist country statistics were available

South Africa's closest rival on the African continent was Kenya which had a prison population of 165 per 100 000. Fourth after the United States and Kenya was Israel with 137 per 100 000 and fifth the Ivory Coast with 130 per 100 000

The country with the lowest per capita prison population was The Netherlands with 21 per 100 000

An institute spokesman said the statistics came from government bureaus around the world and were considered accurate - UPI

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(Continued)

Work in Transkei

August 7/81

worthwhile, says Judge

By Carol Gev van Pitius
Supreme Court Reporter

THE newly-appointed Judge President of the Cape, Mr Justice G G A Munnik, found in his eight years as Chief Justice of the Transkei Supreme Court that there was never the slightest suggestion of the Transkei Government interfering with the judiciary.

In an interview yesterday Mr Justice Munnik said this was one outstanding feature of the division that had given him immense satisfaction.

'In my years in Umtata, I found the work very worthwhile and interesting,' he said. A judge's job is really a negative one — there is nothing constructive about our work except for the administration of justice. Not at all like a doctor who brings new life into the world.'

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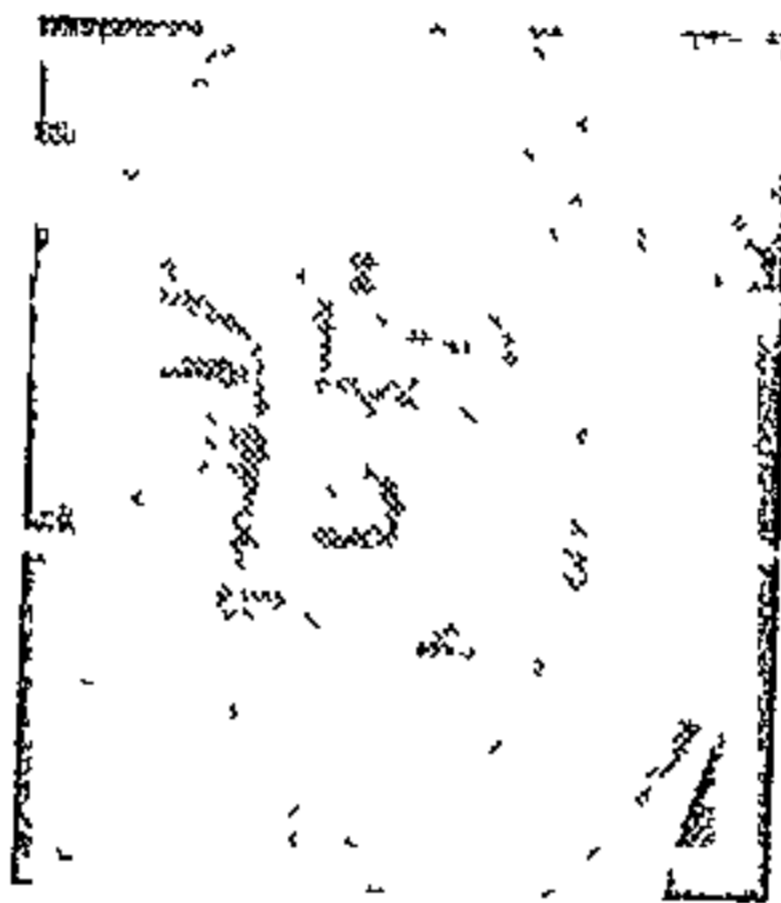
As the man who had established the existing court system in Transkei, he had been greatly honoured by the Prime Minister, Mr George Matanzima, who said of him at his farewell dinner: 'The judge has built this court on such strong pillars not even an earthquake will bring it down.'

Mr Justice Munnik is thrilled to be back in the Cape as successor to Mr Justice H F P Watermeyer, recently retired Judge President after an absence of 38 years.

Born in the village of Dordrecht in 1921, he was educated at the Dordrecht Primary School and then SACS in Cape Town where he matriculated in 1938.

AT UCT

His studies took him to the University of Cape Town where he took his law degrees.



THE new Judge President of the Cape, Mr Justice G G A Munnik

In February 1946 he practised at the Johannesburg Bar and in October 1958 took silk.

Soon after he was appointed acting judge of the Transvaal division. In 1962 he took up appointment as judge of the Eastern Cape Division in Grahamstown and was seconded to Transkei in 1973.

Married to Marie van der Merwe in 1948 they have two married daughters, Marie-Henrietta and Laurette. Their only son, Jan Hendrik, is an attorney. Mr Justice Munnik's brother, Dr L A P A Munnik is Minister of Health.

'Misconception about prisons'

CT 8/7/81 (253)

Staff Reporter

ONE of the most commonly held misconceptions about South African prisons was that all occupants were offenders, Mr Sirk van Wyk, industrial relations adviser for Harmony Gold Mines, told law students at the University of Cape Town last night.

Speaking on reform and the penal system at a law conference organized by UCT's Law Students' Council, Mr Van Wyk said that of the 509 828 people imprisoned between July 1977 and June the following year, more than 48 percent were awaiting-trial prisoners.

As a result of the courts being hard-pressed to deal with all the cases, many people spent months in prison awaiting trial.

While in prison they were exposed to negative influences, homosexual rape and pressure to join prison gangs, and remorse soon changed to hostility.

"What makes the plight of the awaiting-trial prisoner even more tragic is the fact that about 40 percent of them are arrested for pass law offences.

"Even if we leave aside for the moment the conviction held by many that these people shouldn't be in prison in the first place, it is horrifying that they are exposed to, among others, people standing trial for common law offences such as murder, robbery and assault."

Another popular misconception was that all prison-

ers received treatment and training while in prison. However, chances were "excellent" that during nine months, a prisoner would see a doctor only when he had a fever, or a broken limb, see the social worker once or twice and never see the psychologist.

The reason was the high prison population, said Mr Van Wyk.

"No one can expect 27 psychologists and 136 social workers to cope with more than 250 000 clients."

As for training, it was "wishful thinking" to suppose that any prisoners with sentences shorter than two years would receive rehabilitation through training in particular trades because only long-term prisoners were entitled to this.

Mr Van Wyk emphasized that reform of the penal system could not be separated from social reform.

Respect for the law, he said, "must suffer" where people were trapped "in a life cycle of poverty and crime." Mr Van Wyk called on lawyers to "speak out for more freedom for people in our society."

● Lecturer 'Study of crime needed,' page 3

Special 'political trial' court proposed by expert

RDM 9/7/81 (283) 257 (321)

By GERALD REILLY
Pretoria Bureau

THE creation of a special court, comprising three judges, to hear serious "political trials" was suggested to the Hoexter Commission in Pretoria yesterday by Professor John Dugard, rector of the Centre for Applied Legal Studies at the University of the Witwatersrand

Prof Dugard said that since the conclusion of the 1961 Treason Trial no special criminal court had been constituted and numerous "political trials" — some of which resulted in imprisonment for life — had been heard by a judge sitting alone or with assessors

Prof Dugard said there were two major objections to a judge sitting alone in such cases

● A single judge on whom the full focus of publicity fell was more open to charges of bias

than several judges with different backgrounds,

● It was wrong in principle that an accused's guilt should be a matter for a single opinion — reached without discussion — where a substantial period of imprisonment was compulsory, as in the case of sabotage, terrorist activities and certain offences under the Internal Security Act.

"Obviously trial by judge and two assessors is preferable to trial by a single judge, but assessors lack the standing and secure independence of judges," he said

Prof Dugard suggested that fairness in political trials would be best achieved by trial before a special criminal court constituted under the Criminal Procedure Act — that is, before a court composed of three judges, required to reach a majority verdict

Judge Presidents, he submitted,

should be particularly careful in the appointment of judges to preside over political trials

They should ensure such trials were shared evenly among all judges to avoid suspicion of "political picking"

He asked that the problem should be drawn to the attention of the Chief Justice so that he too could ensure that suspicion of this kind did not arise in respect of the Appellate Division.

Prof Dugard submitted that serious political cases such as terrorism and sabotage should be withdrawn from the jurisdiction of regional magistrates.

There was a disturbing innovation in 1977, when regional magistrates were given jurisdiction over sabotage and terrorism trials and the sentencing powers increased from three to 10 years' jail, he said

However competent regional

magistrates might be, they were civil servants seen to be more closely linked with the executive than Supreme Court judges

As sabotage and terrorism were political crimes of the first order, it was particularly important that these crimes should be tried by persons lacking any apparent association with the executive.

Prof Dugard said political trials might be seen as fairly straightforward criminal trials which could be heard by any judge available

He submitted that this was a shortsighted approach "The reputation of our legal system is fast deteriorating among blacks. In part this may be attributed to the handling of political trials"

The main purpose of the political trial was to eliminate or discredit a political opponent, according to established rules, he said

"Where a political opponent is removed from the scene for violation of the law after an open trial conducted in accordance with fair trial procedures, by a judge not identified by the governing power, the public is far more likely to accept the decision"

A judge was seen to be close to the executive in outlook when he was an open and active supporter of the ruling National Party before his appointment to the Bench — for example when he was an MP, MPC, or office-bearer of the party.

A judge would also be seen to be close to the executive if he had revealed his support for the executive as opposed to the individual in previous hearings and judgments

He submitted that judges who presided over political trials should not only be impartial but should be seen to be impartial

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QUANTITY
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(Continued)

WILL FOLLOW!

Ex-court clerk's problem

THIS IS THE THANKS
I get for devoting
my working life
to the State...

By Johann Potgieter

THE retired clerk of the civil court at Cape Town's Magistrate's Court, Mrs Elizabeth Legg, is living in what she describes as 'a hovel in a slum...'

Mrs Legg, 75, says: 'This is the thanks I get for devoting my working life to the State.'

Her landlord is the Department of Community Development. She pays the department R25 rent a month for the small semi-detached house in Woodstock's mixed Greatmore Street.

13 DOGS

The house Mrs Legg shares with her 13 dogs, two rabbits, one cat and two boarders does not have a bathroom or hot water, and as at other semis in Greatmore Street, the roof leaks in several places.

My bedding is soaked — what am I supposed to do?

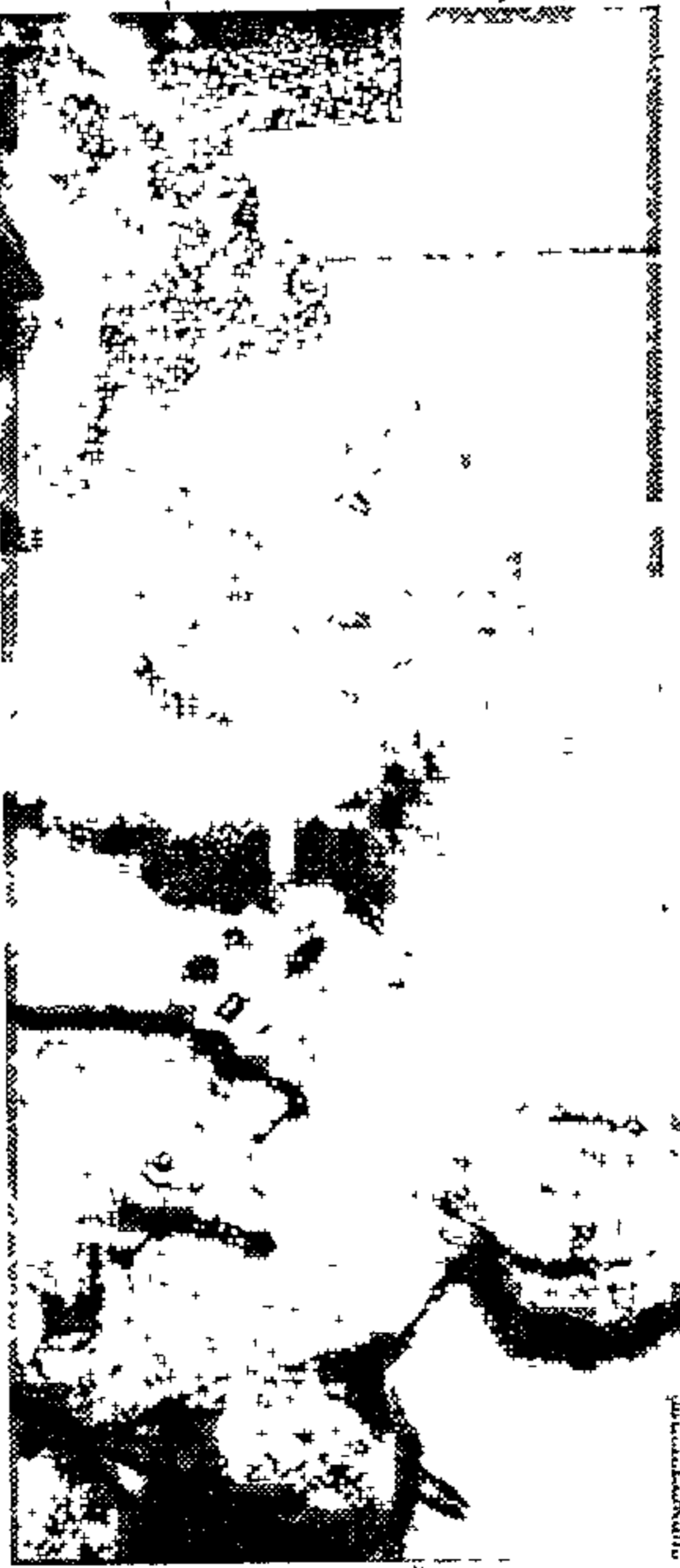
For the past three weeks Mrs Legg has been carting rubble and rubbish from the narrow alley at the back so she can get to the corrugated iron shed in a rain-drenched corner.

'This,' they tell me, 'is supposed to be the bathroom. There is no bath, no tap, and next to the



BELOW: Mrs Legg with some of her 13 dogs. The dogs, two rabbits, and one cat share her bedroom with her.

MRS Elizabeth Legg, 75 — I'm not used to this life...



'I've just been too sad to do anything.'

PRETORIUS

Elizabeth Aida Legg, nee Pretorius, was born in the Groot Marica in 1906. She claims the Great Trek leader, Andries Pretorius, and the firebrand Transvaal politician, Tielman Roos, as relatives, and fondly remembers the boisterous 'Oom Tielman'

She also remembers 'Oupa Smuts', who once gave her a hiding for a minor indiscretion as a child.

'In fact, it was through Oupa Smuts that I got clerical work after the war.

'He said I had done so well as a nurse, and he arranged a grant so I could go to technical college.'

In time Mrs Legg was appointed clerk of the civil court in Cape Town — a position she held for 14 years, she says — and later received a Department of Justice special award for devotion to duty.

Since her retirement two years ago, Mrs Legg has struggled to make ends meet. She receives two pensions, but the old-age pension is not paid to her but to creditors, and she has to make do with the R106 a month civil pension.

Mrs Legg's only child died in the 1940s, and her husband in 1971. His ashes were taken to Britain, where he came from.

A framed photograph of Nelson Eddy looks down on the room with Mrs Legg, 13 dogs, two rabbits, and one cat.

Pretoria warders gassed doomed killers

By MARIKA SBOROS

PRISON warders teargassed four death-row prisoners who refused to leave their cell to go to the hanging chamber in Pretoria Central Prison.

A Prisons Department spokesman said yesterday Nhlanihla Nthembu, Rani Silo, Moses Sonditshi and Jan Farlant — all convicted murderers — prevented two warders from opening the cell door last Friday morning.

"Teargas was thrown in and the execution continued immediately afterwards," the spokesman said. "The warders' arms were slightly injured in the incident," he said.

The spokesman said teargas was used as a general measure of control for prison problems.

A departmental inquiry has been instituted into the incident.

Two other men, John Gilbert Els and Jan Wilken, were also hanged on Friday.

Both were found guilty of murdering a fellow-prisoner, A Jonker, in Zonderwater Prison last year.

● See Page 2

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Teargas used on Death Row men

GAZETTE

253 Saveken 16/2/8

FOUR condemned men tried to resist being hanged, put up a struggle and fought off prison warders who were to escort them to death in a dramatic incident at the Pretoria Central Prison, the **SO WETAN** has established.

But the men were finally hanged after teargas was used to "calm them down". Some of the warders sustained minor injuries in the Death Row

A Prisons Department spokesman said yesterday the drama started when warders went to fetch the four condemned men from the Death Row. The men put up a struggle as they refused to be led to death and chaos reigned in the death cell as warders grappled with them. Teargas had to be used and the men were overpowered and hanged to the gallows and hanged. The men, all convicted of murder, were Nhlamhla Mthembu (23), Ram Silo (26), Moses Sonditshi (40) and Jan Farland (24). Prison authorities could not give

the hometowns of the four men hanged on Friday but these are the records of their convictions.

- Mthembu was convicted for robbery of a white woman aged 35, whom he also hit with sticks at Kyalami Cato Ridge. He was also sentenced to death for stabbing and threatening a black woman aged 25 with a knife. He is said to have committed the crimes on November 20, 1978.
- Silo was sentenced to death together with Sonditshi on November 21, 1980, for murdering a fellow prisoner at the Brandvlei Prison, Worcester, in the Cape.
- Farland a coloured man, got the death sentence for murder without extenuating circumstances in Kimberley.

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Star 16/7/81
Teargas 'a disgusting way to gallows' (253)

By Chris van Gass
 Pretoria Bureau

The use of teargas on four "death row" prisoners by warders at Pretoria Central Prison was the only "meaningful" action under the circumstances.

This was stated today by a spokesman for the Prisons Department who said a departmental investigation had been ordered into the incident.

A legal expert said it was "totally disgusting" to use teargas to lead people to the gallows.

"I can think of no single argument justifying such treatment on people confronted with imminent death," Professor Johan van der Vyver, professor of law at the University of the Witwatersrand, said today.

The four prisoners, who were executed soon after the teargas had been used on them, were all convicted murderers.

They were Nhlanhla Nphembu, Rani Silo, Moses Sonditshi and Jan Farlant. The four men had prevented two war-

To Page 3, Col 10

Star 16/7/81
Death cell gas 'the only way' (253)

▶▶ From page 1

ders from entering the death cell last Friday while they were awaiting execution.

A Prison Department spokesman said the decision of prison staff to use teargas appeared to have been the only meaningful action under the circumstances after attempts to persuade the men to leave the death cell had failed.

"In the process two warders suffered slight injuries on their arms and the use of tear gas was the logical next step.

"I have to stress that such a thing happens only in exceptional cases."

Professor Johan van der Vyver criticised the death penalty saying "The taking of another person's life is always a serious matter even if it is done for retribution," he said.

The possibility of error strengthened the argument against capital punishment.

● Sixty-nine people have so far been hanged in South Africa this year.

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Professional Practice.

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Cape Chapter of Quantity

The Committee of the Western

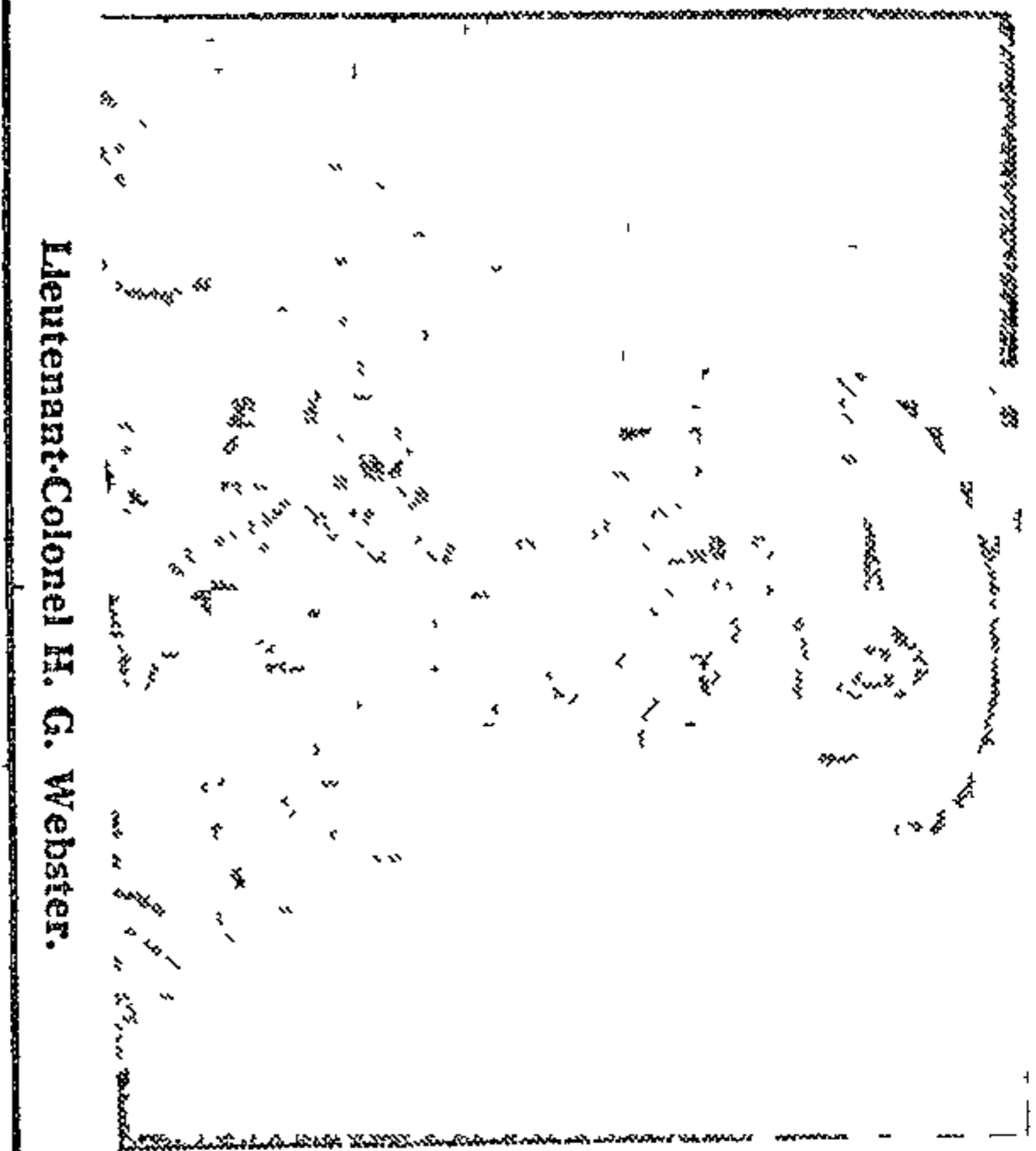
P C Key

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(Continued)

QUANTITY
 SURVEYING



Lieutenant-Colonel H. G. Webster.

50 to become Ciskei's first

Prison Warden

EAST LONDON — A group of 50 Ciskeians left for the Baviaanspoort training centre yesterday to be trained as the first wardens in the Ciskei Prison Service.

The men were selected from a group of applicants after a call by the Chief Minister of the Ciskei, Chief Lennox Sebe, for volunteers to undergo training.

The second in command at Fort Glamorgan Prison here, Lieutenant-Colonel H G Webster, addressed the group yesterday before their departure for

PD 12/2/81

Baviaanspoort

Colonel Webster who is also the local liaison officer between the South African Prison Service and the Ciskei Government, said the men were making history as the first group to undergo training.

The group will receive six months training at Baviaanspoort. Colonel Webster said they would form part of the Ciskei

Ciskei's First

Prison Wardens

to the service and to his nation. Colonel Webster warned the group that their training would be no holiday but that all the suffering would be worth it as the Ciskei nation would be proud of them.

He said anyone who felt he did not want to accept the challenge had been free to do so, and said he was proud that he could report back to the Ciskei Government that not one member of the group had changed his mind about undergoing the training. — DDR

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2017/7/17/PT
Teargas prisoners knew of hanging

FOUR death-row prisoners — hanged after teargas was used to get them out of a cell — were fully aware of what was happening when they were hanged, a Prisons Department spokesman said yesterday.

The men — Nhlanhla Nthembu, Rani Silo, Moses Anditshi and Jan Farlant — were hanged in Pretoria last Friday.

Two other prisoners, John Gilbert Else and Jan Wilken, were hanged at the same time.

The Prisons Department spokesman said teargas was used when the four prisoners prevented two warders from opening their cell door.

"This is the first time teargas has been used on condemned prisoners."

The Prison Service cannot give an expert opinion on whether they were still under the influence of teargas when they were hanged. But according to observations, they were fully aware of what was happening.

The two warders were slightly injured when the prisoners resisted. Further details can unfortunately not be given now because of a departmental inquiry which is going to be held into the incident." — Sapa

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URBAN &

III: No award

II : A R Low Ken

I : N D G Sessions

For the best student in each of the courses of Building Economics I, II and III in the third, fourth & fifth years respectively.

LTA Prizes

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Bell-John Prize

QUANTITY
SURVEYING
 (Continued)

For a variety of reasons, mainly because of the intricate nature of the prisons, little is publicly known or written about South African prisons.

But every now and then a prison murder trial is reported — often with gruesome detail.

Indeed, in the Western Cape alone, which is apparently the worst hit region for these killings, there were 41 such murders between 1974 and 1978 — and a total of 17 people were sentenced to death as a result.

The background to these murders has now been analysed in a remarkable study, Towards an Understanding of Prison Murders, by Mr Fink Haysom, a former Nusas resident.

Published by the University of Cape Town's Institute of Criminology, the study is gleaned from the evidence and judgments of the prison murder trials in the Western Cape.

The alarming feature of the report is that these killings are nationwide, complete with quasi-military command structures. In effect, they rule South African prisons.

These gangs, with deep historical roots stretching back to the last century, are responsible for vicious and gruesome murders in South African jails.

But the unfortunate victims are only killed or injured after "trials" have been held before a "judge" — and even though the "accused" are not present, they have no defence.

In the paper, Mr Haysom asks who really controls South Africa's prisons?

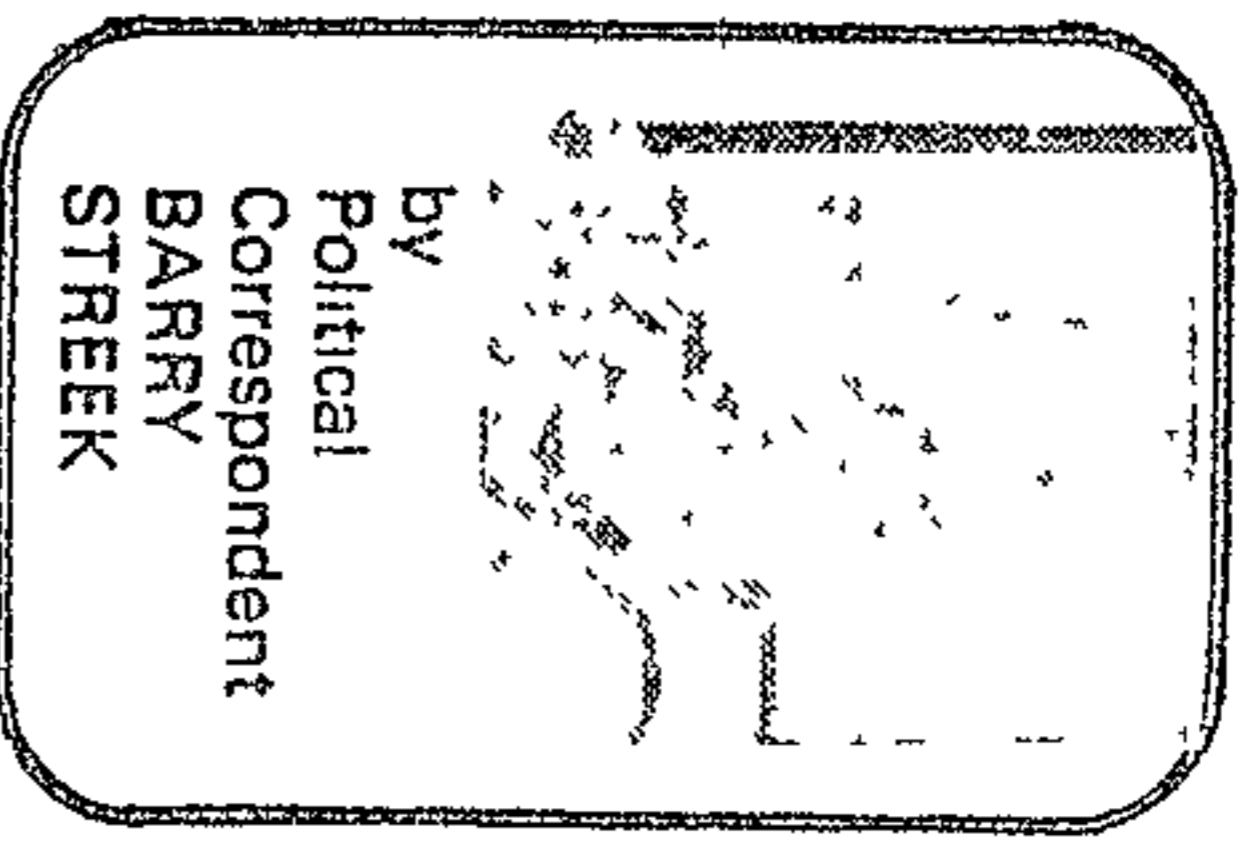
"If forcible (homo-

Murder Gangs in SA's Jails

(sexual) rape, brutal murders and frequent stabbings are common-place, are the prison officials not failing in their duty of care towards inmates?

Many witnesses are reluctant to appear in the Supreme Court and if some state witnesses are murdered after they have given evidence, the question arises as to who actually does wield power over the prisons?

"If gang members would rather face the gallows than refuse to participate in murders that can only be described as suicide missions, does it not seem that there are two authority systems operating in the prisons?" Mr Haysom says that



Political Correspondent BARRY STREEK

although prison gangs are not unique to South Africa they are distinctive in the Republic because of the form of their operation

PRISON SERVICE REPEALS

The Assistant Commissioner, Information, Department of Prisons, confirms that gangs and gang activities are manifested in prisons.

He comments: The prison service sees the matter in a very serious light and everything possible is done to combat the formation and activities of gangs and to place the handling of this on a scientific basis. For this reason in 1980 the prison service requested the Human Sciences Research Council to research this phenomenon.

In view of this research which has not yet been completed, it will be premature and unscientific to comment in detail at this stage.

However, in order to put the matter into perspective, the following aspects are emphasised.

Everything possible is done to eliminate gang activities and to ensure the safety of prisoners. Strict but fair discipline is maintained, disciplinary steps are taken against any persons found guilty of gang activities. In cases where it is known or suspected that inmates are in danger they are separated from other prisoners

and because they have a nationwide organisation

The three main prison gangs, which date back to a criminal named Jan Note or Mzoozepe, are the 26 Gang, the 27 Gang and the 28 Gang.

Membership is theoretically voluntary although this is not really the case in practice and it is completely non-racial.

Each gang is hierarchically ordered with a quasi-military structure.

Thus, the 28's have a judge (with eight stars), a general (with six stars), a colonel (with four stars), a wireless (with three stars) and a lieutenant (with two stars). They are called Number 1's, while the ratings, called Number 3's, have captains, sergeants and

There is also a private line of "females" — male sleeping partners who are also called "wifes" — also with ranks.

The gangs have delineated duties in the prisons: the 28's commit violence, but the private line are the sexual partners of the fighters and do other domestic chores such as washing.

In the 26 gang, however, there is no private line and it is against their code to take a "wifie".

When they decide to kill someone a proper procedure is followed: a decision must be made by the full circle (krings) and the judge must sign a death warrant. Punishment varies, but

and may even be transferred to other prisons. The most dangerous prisoners are detained in maximum security institutions. The allegation that the authorities do not see to the needs of prisoners is thus unfounded.

It can be pointed out also that prisoners are not randomly grouped and detained together. When they are admitted they are thoroughly observed and classified into different groups. The horizontal classification system ensures that the better kind of prisoner is detained separately from the hardened criminal.

The allegation that gangs "rule South African prisons" is thus a far cry from the truth.

To summarise, gangs and gang activities — which are not peculiar to prisons — do sometimes lead to assaults and murders. Not only is the prison service aware of the problem, but sees it in a very serious light and continually attempts to improve on its methods of control and prevention of gang activities — to the extent of requesting the HSRC to research the phenomenon in order to approach the problem as scientifically as possible.

feature of South African prison gangs is that they are nationwide

"While their potency and membership fluctuates from prison to prison, the gangs boast, with justification, that they have brothers in every prison."

"It is this fact that gives the gangs tremendous power. In essence, this means that no prisoner is beyond their reach. A state witness in a trial, they claim, will never escape their vengeance."

This has resulted in a number of potential state witnesses refusing to give evidence in trials even though the prosecutors have promised to move them to "safe" prisons and in most trials, witnesses finish their testimony by pleading for protection.

In one trial, a state witness was killed during the course of the case.

The gangs do not tolerate gang members resigning their membership and this in itself has resulted in stabbings.

One gangster directly implicated his "wifie" in a murder so that he could keep his sexual partner in the death cell with him. In another case, the gangster sentenced a non-gang member to death, appointed an execution squad, decided who would be the accused in court and who would be the witnesses in the case.

These gangs are confined to the prisons and formally there is no link between them and gangs outside jails. "The most notable

Or a prisoner may attempt suicide rather than be confined in a cell with hostile gangsters, aware that he might endure months of nerve-racking tension before he might be brutally killed."

Mr Haysom says that members may join gangs either because they are homosexually raped and reduced to "wives," or because they wish to avoid this fate.

He says that boredom, overcrowded prison cells, the lack of response by staff to inmate needs, the presence of all varieties of criminals in one jail, the cynicism of long term prisoners and inadequate supervision, have all contributed to the current situation.

He concludes that the broad situation in South Africa has made a direct contribution to the growth and power of the prison gangs. "In one sense the gangs are an ideological response to an unequal society."

Whatever the causes, the situation is clearly very unsatisfactory and one can only hope that Mr Haysom's study will provoke a positive reaction both by the prison authorities and by the Treasury, which could make it financially possible for some of the necessary reforms to be implemented.

Certainly, things cannot be allowed to drift without any action being taken. Mr Haysom is to be congratulated on disclosing facts that are now up to the government to act

On the situation in the prisons is very disturbing, which is brought out by the following analysis by Mr Haysom. "Prison officials have acknowledged that they cannot guarantee the safety of an inmate. It has oc-

Cape Provincial Institute
of Architects' Prize
For the best student in :-

Sixth Year

P F Dunkley

Helen Gardner Travel Prize

For a student who has
satisfactorily completed
1st, 2nd and 3rd major courses.

P A Rappoport

Molly Gohl Memorial Prize

For the best woman student
in third year.

Miss C Tredgold

David Haddon Prize

For the best student of

Architecture (or Quantity
Surveying) in the subject
of Professional Practice.

D H Pryce Lewis

General J B M Hertzog Prize

For the best final year student.

S A Read

Osborn Prize

2042/17/81
Prisoner
dies in
cell blaze (253)

"Mail" Reporter

A LONG-term prisoner died in a blaze which razed one-third of the Kuruman prison at the weekend.

A police spokesman said in Pretoria yesterday a warder at the prison saw smoke coming from one of the cells.

The warder said he asked the prisoner in the cell what the matter was.

The prisoner threatened to kill him if he opened the cell, he said.

The warden then called the police and fire brigade and the prison was evacuated.

The prisoner, a coloured man, Mr Isaac du Preez, died in the blaze.

fourth

8 Apr 21 / 7/81 (228) (253)

US asks to visit Mandela

The Star Bureau

WASHINGTON — A 13-man congressional delegation has asked the South African Government for permission to visit Nelson Mandela, the black political leader imprisoned on Robben Island.

The request came from the House of Representatives' Committee on Foreign Affairs' Subcommittee on Africa and has been conveyed to the South African Government through the State Department and the American embassy in Pretoria.

A spokesman for the committee said yesterday that members of the subcommittee wanted to discuss with Mandela the situation he saw evolving in South Africa

This would help them determine whether there remained a possibility for evolutionary instead of violent change in South Africa

The spokesman said that the subcommittee had not yet received a reply but the delegation hoped its request would be granted

It is understood similar requests have been made previously but the South

African Government has refused to allow access to Mandela

The Mandela request is one of the more controversial aspects of the visit to South Africa by the delegation headed by Mr Howard Wolpe (Democrat from Michigan), the new chairman of the House Africa Subcommittee

The delegation will include Mr Wolpe, most of the members of the Subcommittee on Africa, and congressmen who are members of other house committees but interested in African affairs.

They will leave the United States on July 31 to visit Nigeria, Angola, Zimbabwe, South Africa, Kenya, Somalia and Ethiopia, returning to Washington on August 19

The contentious issue of Namibian independence will be one of the key subjects for discussion in most of the African capitals they will visit

The spokesman said members of the delegation would concentrate in South Africa on the scope and pace of political reform, the activities of the President's Council and United States policy towards South Africa.

**It's no go:
Doors to
Mandela
stay closed**

Mall Correspondent

A REQUEST by a United States congressional delegation to meet Nelson Mandela, the former ANC leader jailed on Robben Island, has been turned down

This was confirmed yesterday by the Minister of Justice, Mr Kobie Coetsee. No reasons were given for the refusal

The chairman of the House of Representatives Africa sub-committee, Mr Harold Wolpe, a Democrat, will lead the 13-man delegation, comprising other sub-committee members and Congressmen interested in African affairs, on a tour of the country

The delegation has asked to see the Prime Minister, Mr P W Botha. Cabinet Ministers and other South Africans during its visit next month

In a brief statement yesterday, Mr Coetsee said, "I confirm that the application of certain American Congressmen to visit prisoner Nelson Mandela has been turned down"

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S A Brick Association Prizes

III: No award

II: A R Low Ken

I: N D G Sessions

For the best student in each of the courses of Building Economics I, II and III in the third, fourth & fifth years respectively.

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P R Swift

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Malan Chemical Engineering
Medals
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the following years:-

Second Year (Bronze Medal)
A H Dabrowski

Third Year (Silver Medal)
C L F Swartz

Fourth Year (Gold Medal)
L Flach

Malan Prize for the most
Improved First Year Chemical
Engineering Student
K W Strickland

S A Institution of Chemical
Engineer's Silver Medal

For the best performance in
project, design and practical
courses over the 4-year
curriculum.
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It is understood that the
delegation wished to dis-
cuss aspects of the political
situation evolving in South
Africa with Nelson Man-
dela.

A spokesman at Mr.
Coetsee's office said he
could not elaborate on the
statement — Sapa.

down.
the application of certain
American Congressmen to
visit the prisoner, Nelson
Mandela, has been turned
down.
A short statement is-
sued by the Minister of
Justice, Mr Coetsee, in
Cape Town yesterday
reads "I confirm that
the application of certain
American Congressmen to
visit the prisoner, Nelson
Mandela, has been turned

CAPE TOWN — The Gov-
ernment has officially de-
nied permission for 13
United States Congress-
men to visit former Afri-
can National Congress
leader Nelson Mandela,
who is serving a life sen-
tence on Robben Island
for sabotage
US denied
access to
Mandela
For 25/7/81
25/7/81

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CIVIL

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'No' to Mandela visit

THE Government has officially denied permission for 13 US Congressmen to visit former African National Congress leader Nelson Mandela serving a life sentence on Robben Island for

sabotage. ~~253~~ ~~143~~ 253 143

A short statement, issued by the Minister of Justice, Mr Kobie Coetsee, in Cape Town says "I confirm that the application of certain American Congressmen to visit the prisoner Nelson Mandela, has been turned down"

Transkeian leaders had "crossed the bridge to complete freedom" by clinging to the whites separate development wagon. "As soon as we crossed over, we threw it away," he said.

• **TRANSKEIANS** had pretended to support separate development in order to win their sovereign independence, the Transkei Prime Minister, Chief George Matanzima, has said yesterday. Addressing hundreds of Tembus at a rally of the ruling Transkei National Independence Party at the Engcobo town hall, he said

There are four levels at which people involved in the dairies sell:

- a) From their houses locally in the village.
- b) At local village centres, cafés, bus depots etc.
- c) Idolophu shops.
- d) Contract at a big centre e.g. the Idolophu hospital contract, and the Bloemfontein creamery contract.

a) The problem with selling locally is that because of restrictions concerning hawkers licenses people have to wait until customers arrive at their houses. Thus there is no proper advertising and no centralised sure supply to attract buyers. The most often cited problem is poverty at the village level.

b) Selling at village centres Teddy Mhlauli and Ncomonde Nkalitshani at Amathole manage to sell a fair amount of milk by hawking it outside shops and at bus stops. This is illegal and it also requires that someone should make hawking a pretty full-time job. Where the person is only

NAMIBIA
It will arrive in Johannesburg on August 7 and leave on August 11
The delegation will include most of the members of the sub-committee on Africa and members of other house committees
They will investigate a variety of subjects but the contentious issue of SWA/Namibian independence will be one of the key subjects for discussion in most of the African capitals they will visit

He said he hoped the Government would reconsider its decision "between now and the time we arrive in South Africa"
Mr Wolpe's party is due to leave Washington on July 31 to visit Nigeria, Angola, Zimbabwe, South Africa, Kenya, Somalia and Ethiopia, returning on August 19

"Against this background, it is unfortunate that the South African Government has decided to deny the delegation an opportunity of meeting with an important element of South African public opinion — Mr Mandela"

"We are anxious to make assessments about the prospect for meaningful change in South Africa"

CHANGE

"This is my first fact-finding trip to South Africa and I think it will be the first trip most of my House colleagues will make," he said "One of our principal concerns will be to hear from all elements of the South African public opinion."

Mr Howard Wolpe, chairman of the House of Representatives' sub-committee on Africa, said in an interview he was obviously disappointed by the South African decision

WASHINGTON — The leader of the US congressional delegation to visit Africa yesterday urged the South African Government to reconsider its decision not to allow the group access to Nelson Mandela on Robben Island

The Star Bureau

US team still wants to see Mandela

31/07/81
22
253

selling from their houses. In Amathole some people did try to establish a market in Idolophu but they never succeeded. While Mhlauli and Nkalitshane put a lot of labour into hawking, most members could not afford this time and many have stopped trying to sell at all and are using their milk for home consumption only again.

The other problems I discuss affect people differently according to how poor they are. The following charts give descriptions of members economic status, and their present income from the dairies.

contract would be too high unless they were supplying vast amounts of milk.

d) Both the Amathole people and the people who's milk N.M. will not take, tried to establish a contract with the other hospital in Umhlaba. Neither could guarantee to deliver it. The type of contract with the Bloemfontein co-op requires travelling and high level liaison to be established.

In the situation where production is low people cannot afford the travelling costs to send their milk to big centres In Inkomo after N.M. refused to transport members milk they tried to sell locally to shops and from a centre in the location. This involved hiring a vehicle to bring the milk from the dairy which then cancelled all their profits. Everyone then reverted to

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4.3. @ASG

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4.5. @CHG

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Hangings: MP withdraws questions

Political Staff

MR DAVID DALLING, the Progressive Fed- eral Party MP for Sandton, has withdrawn a se- ries of questions about the methods used in executions in South Africa after being asked to by the Minister of Justice, Mr Kobie Coetsee

In a statement yesterday, Mr Dalling said the minister feared that the questions, which had been tabled in Parliament, "were too grue- some and further that the answering of them would serve no point"

He had decided not to require Mr Coetsee to answer them "after receiving personal repre- sentations from the minister"

Mr Dalling said yesterday: "Certainly, the questions are gruesome, but then so is hanging

"South Africa hangs more convicted persons per year for a wider variety of crimes than any other Western country

"It is a macabre distinction

"It seems strange to me that the government is too squeamish to answer questions in public about putting people to death, but is not too squeamish about proceeding with the execu- tions behind closed prison doors"

Mr Dalling said the real point about tabling the questions "was to bring home to the public of South Africa the horror of capital punishment"

"The mere publication of the questions would bring this home, he said

In the questions, Mr Dalling wanted to know

Whether there was a set time of the day for executions and what this time was,

What the average waiting period was for condemned prisoners from the time of their ar- rival at the gallows to the time of their execution;

Whether condemned prisoners were given any sedation before being hanged and if so, what sedation,

Whether they were accompanied by a min- ister of religion and a doctor on their way to the gallows, and if not, whether they were ac- companied by anyone else;

Whether more than one prisoner could be executed at a time at Pretoria Central Prison and if this was the case, how many could be executed at one time and how many such hang-

ings had been carried out;

Whether there was an executioner for each condemned prisoner,

On how many occasions had it been neces- sary for physical force or teargas to be used in transporting condemned prisoners to the gallows,

Mr Dalling, who is the PFP spokesman on justice, said that at a time when the Western world was moving further and further away from capital punishment it was surely time that the South African authorities looked at this issue again.

"There is enough violence in the world with- out it being institutionalized by the State. It is a matter of shame that South Africa has such a consistently high record of executions"

253

21/8/81

Prisoners: post-matriculation studies

3 Mrs H SUZMAN asked the Minister of Justice

Whether facilities for post-matriculation studies for prisoners serving sentences for crimes against the State have been renewed, if so, how many prisoners are using these facilities at (a) Robben Island Prison and (b) Pretoria Prison?

The MINISTER OF JUSTICE

Yes

(a) 69

(b) 5

152. 'Labour Parties and Labour Fakirs', in Bolshevik, 1, 12, October 1920.
153. The historical experience of Italy was used to demonstrate the 'destructive failures' and consequences of parliamentary action and participation in the 'election machine', Bolshevik, 1, 10, July 1920, p.3.
154. E. Goldman, 'Socialism: Caught in the political trap', unpublished type-script in the New York Public Library's manuscript collection.
155. 'Unity and parliamentary action', in International, 1st June 1921. (Emphasis mine).
156. On the day the article appeared, the Cape Town Communist Party and its Jewish branch met to discuss the amalgamation. They joined the United Communist Party immediately after the meeting. See International, 8, 15th and 22nd April 1921. Also Johns, 'Birth of the CP', p.389.
- Johns' article and thesis cover with sufficient - though not exhaustive - detail the process leading to the establishment of the 'New Communist Party of South Africa'.
157. Justice, 269, 3.1064.18, Letter from Commissioner of SAP to Secretary of Justice, 30th May 1921; and Johns, op cit.
158. Justice, 3.524.17, part 6, Cape Town, 2nd June 1921.
159. Justice, 269, 3.1064.17, Letter from Commissioner of SAP to Secretary of Justice, 5th January 1922. Also Johns, 'Birth of the CP', p.396, note 71.

Commission of Inquiry into the Penal System of the Republic of South Africa
3 21/8/81 01.25-136 053
*3 Mrs H SUZMAN asked the Minister of Justice

(1) Whether he has received an interim report from the inter-departmental committee appointed in May 1980 by the then Minister of Prisons to undertake the implementation of the recommendations made by the Commission of Inquiry into the Penal System of the Republic of South Africa, if so,

(2) whether he will lay the report upon the Table,

(3) whether any recommendations contained in the report have been implemented, if so, what recommendations?

The MINISTER OF JUSTICE

(1) Yes, only informally However, some of the matters which were to be

members were required to assemble of fires, and continue their sitting extinguished by the fire wardens. 40

The fire brigade was relatively large fire engines, each manned by fifty (350 men, while in 1824, there were the fire brigade, 41 almost half the Cape Town at the time.

This service, though imposed without remuneration by the governing authority, had very stringent conditions attached. The Cape Muslims who were engaged with the fire engines could not leave town without a pass. The pass was granted by the President of the Board of Fire Wardens, a white body, and needed the counter-signature of the Fiscal, or his clerk. Until 1828, the firemen had to pay for the passes. An amount of four shillings or 9d sterling was charged. These passes caused a great deal of inconvenience. 42 No date could be ascertained as to when the pass system was introduced. It seems possible though that it predates the Hottentots' pass laws and could possibly be the first pass system in this country.

ter of the eighteenth century. This service in the seventeenth of the burghers and slaves. 38 In the Castle and destroyed five conscripted. The service was origin, by emancipated slaves.

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AUGUST 1981

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investigated by the Committee concerned, and in particular the problem of the over population of prisons have, in the meantime, been taken over by the working group referred to in my Press Statement of 5 February 1981. Subsequent to the amalgamation of the Departments of Justice and Prisons on 1 November 1980, it was possible to constitute a working group which could function in a more meaningful manner. The working group has already undertaken much research, paid visits, held interviews, processed information contained in over 500 questionnaires, and has conducted a most fruitful seminar on 25 and 26 June of this year, in which almost 200 senior officials from all over the country were involved. The original Interdepartmental Committee has terminated its activities temporarily. It is my intention, however, to reactivate that Committee when the working group has made meaningful progress.

(2) No

(3) Falls away

Coetsee quizzed on penal system report

Political Staff

HOUSE OF ASSEMBLY — The Minister of Justice, Mr Kobie Coetsee, has refused to disclose the nature of an interim report he received from an inter-departmental committee appointed to implement recommendations by a commission of inquiry into the penal system

He told Mrs Helen Suzman (PFP Houghton) that he had received the interim report "informally"

He said some of the issues which were to be investigated by the committee had been taken over by a working group, but declined to

disclose whether any recommendations contained in the report of the inter-departmental committee had been implemented

"Subsequent to the amalgamation of the departments of justice and prisons last November it was possible to constitute a working group which could function in a more meaningful manner"

"The working group has already undertaken much research, paid visits, held interviews, processed information contained in more than 500 questionnaires and has conducted a most fruitful seminar," said Mr Coetsee

and the program
Position 1

An input card co
Example.

- (1) The internal field must be explicitly declared as logical type.
- (2) On input, the external field consists of optional blank characters, followed by either a T for true, or F for false, followed by optional characters which are ignored.
- (3) On output, the external field consists of w-1 blank characters followed by a T or an F.

Rules:

On input, the basic field descriptor Lw is used for items to be represented internally as logical type data, on output, for items that are represented internally as logical type data.

6.3.3.3. Logical Type Conversion

Note that the first character of each print line (a blank character) is interpreted as the form control character and is not printed.

The first print line will be
-0.12356E+0355-0.34500E+035555-456
The second print line will be
b789.5655-890.1

C O M P L E X	C P X 2	C P X 4	
C P X 2 1	= (- 1 2 3 . 5 6 - 3 4 5 E - 3)		
C P X 4 1	= (7 8 9 . 5 6 - 8 9 0 . 1)		
A	= - 4 5 6		
W R I T E	(3 5) C P X 2 A C P X 4		
F O R M A T	(E 1 3 . 5 2 X E 1 2 . 5 5 X F 5 . 3 / F 8 . 2 2 X F 6 . 1)	5	
S T O P			
E N D			

After execution of the following program

(2) Output

MAN SEES

SON AFTER

17 YEARS

C. Herald 22/8/81

(253)

ON SUNDAY, a 19-year-old youth saw his father for the first time in 17 years. He would have liked to have seen him before, but the father is a Robben Island prisoner and the son, because he did not have a reference book (a dompas to you and me), could not obtain permission to visit his father.

In 1964 Wilton Zimasile Mkwai was arrested and later imprisoned on Robben Island.

Although the two were separated by a glass partition and had only 30 minutes to talk of personal matters, the meeting was emotionally charged.

'We were simply so glad to see each other after all

this time. It was tremendous,' 19-year-old Owen said shortly after the visit.

His father was in good health and in equally inspiring spirits.

'I did not really know what to expect. I cannot remember anything about my father during the time before his arrest. I recognised him from photographs we have of him. Of course he looked a little older, but still very beautiful.

'We have been writing to each other for some time and I got to know him a bit in this way. Remember he was writing from the island and could say only what was allowed.

'I have been aching to see him and when the time finally came I was almost speechless.

'But my father is such an inspiring person, he helped me along.

'I find it difficult to express my feelings about our meeting.

Owen wrote a matric supplementary examination in May and is still waiting for the results. He hopes to study law.

He says that the only other member of the family who has yet to see her father is his sister, Nomunzo. Her mother was in this year.

'On the contrary, he appeared more committed and stronger than I. Deep in my heart I know that one day we will be together again.

Owen saw his father for half an hour, again on Sunday and his next visit will only be in a few months time.

external noise.
contamination.
temperature, humidity, light.
SES WHEN:
e and preparation areas, involving mixing,
arts of tall-machinery.
tion offices, packaging, auxiliary equipment,
be kept off the production floor - storage,
ng operations and assembly of bulky units

Work 3
Work 2
Work 1
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Treat 4



● OWEN MKWAYI
visited his father on Robben
Island at the weekend.

Over 100 000 are in jail in SA daily

Political Staff

HOUSE OF ASSEMBLY —
The daily prison population in South Africa has gone over 100 000 for the first time

After a 2,42 percent increase, the daily prison population between July 1979 and June 1980 went up to 100 677

This was an increase of 2 385 over the previous year

In the annual report for the Department of Prisons, which was tabled yesterday, the director-general, Mr J P J Coetzer, reported that of all the prisoners admitted, 77,87 percent had sentences up to six months, while 10,73 percent had sentences of longer than six months and less than two years

'Reduction'

"During the year under review 8,26 percent were admitted with sentences of two years and longer

"In comparison with the previous statistical year, there is a reasonable reduction in the total number of short-term prisoners admitted (12,47 percent) whilst the number of long-term prisoners admitted during the year under review remained reasonably constant," he said

In a table attached to the report, it was shown that 69 699 black men and 4 828 black women on average were in prison every day

The table also shows that there were 4 109 white men, 116 white women, 531 Asian

men, and 20 Asian women, 20 997 coloured men and 993 coloured women in prison every day on average

This figures show that 94 720 of the daily prison population — 94,1 percent — were men

The biggest increase was reflected among black men who rose from 67 436

276 deaths

The report also showed that 25 unsentenced prisoners and 251 sentenced prisoners died in jail. Most of these were due to natural causes — 222 of natural causes — but 20 others died because of assault by fellow prisoners, five during escape and eleven by suicide.

Altogether, 495 476 people were admitted to prisons during the year, 241 441 while awaiting trial

Of those 246 051 sentenced prisoners, 173 had been sentenced to death and 16 to life imprisonment

Mr Coetzer also reported that there were 156 escapes from prisons and 1 442 from work terms outside prison

"Expressed as a percentage of the daily average prison population, only 0,0043 percent escaped

"There were 183 fewer escapes during the year under review despite the fact that the daily average prison population increased

"These figures underline the department's pursuit of effectiveness in its function with regard to safe custody," Mr Coetzer said

2-26	2 742	
3-7	3 3	
3-10	3 4	
8-8	8 22	
8-5	8 21	
3-1	3 2	
3-1	3 1	
3-4	3 23	
2-20	2 21	
		statement
		see STOP
5-1	5 1	
2-1	2 21	
1-4	1 4	
		statement
		see PAUSE
2-5	2 22	
7-4	7 4	
8-25	8 63	
1-13	1 6	
8-16	8 52	
2-8	2 42	
6-32	6 83	
		see arguments
2-11	2 4	Table 2-4
6-14	6 33	2 4
2-16	2 63	
2-11, 2-13	2 51, 2 51	3
2-16	2 63	
5-13	5 4	
6-2	6 22	
6-2	6 22	
		Page
		Reference

intro

function

memory requirements	2-11
field descriptor for I/O data	6-14
constant	2-16
Double Precision Type,	2-11, 2-13
Double Precision Exponent	2-16
DO Statement	5-13
specification	6-2
list	6-2
DO-implied,	
Term	

6 33	6-7
6 22	6-3
5 4	5-13
5 1	5-1
see DO	
5 5	5 21
Page	
Reference	

example using	
DIMENSION Statement	
implied type	
Hollerith value	
explicit type	
DIMENSION statement array	
array	
Declaration,	
Decimal Exponent	
Decimal Computer	
of symbolic names	
of function name	
memory requirements for	
in relational expressions	
in arithmetic expressions	
implied declaration of	
explicit declaration of	
declaration of Hollerith	
Conversion of	
Data Types,	
in sample program	
DATA Statement,	
calculation of	
function subprogram for	
Cube Root,	
CPU	
Statement	
Conversion Codes in FORMAT	
in DO-implied list	
in DO statement	
Control Variable,	
Control Statements	
as terminal statement,	
CONTINUE Statement,	
Term	

253

TUESDAY, 25

exhaustive attempts at political n

TUESDAY, 25 AUGUST 1981

The year 1
for a seat
Cape Town
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Coloured politics until the 1920s, when its influence began to decline.¹⁶

It was during the decline of the A.P.O. that the Cape Malay Association made its appearance on the Cape Town scene. It was ostensibly established to relate to the social and religious needs of the Cape Muslim community. Members of the Association were urged to give their vote to Parliamentary candidates who would most appropriately satisfy these needs.¹⁷

The most important event in the history of the Cape Malay

†Indicates translated version.

For written reply

Hang 4 Prison warders/prisoners
207 22 45 25/8/81
11 Mrs H SUZMAN asked the Minister of Justice

(1) Whether any prison warders were killed or (b) seriously injured prisoners during the first six months of 1981, if so, (i) how many and (ii) in which prisons,

(2) whether any prisoners were (a) killed or (b) seriously injured by fellow prisoners during that period, if so, (i) how many and (ii) in which prisons

The MINISTER OF JUSTICE

(1) (a) No

(b) Yes

(i) 4

(ii) Witbank
Pretoria
Brandvlei
Paarl

Total

(2) (a) Yes

(i) 14

(ii) Baviaanspoort
Buffeljagsriver
Durban
Goedemoed
Hennenman
Johannesburg
Klein Drakenstein
Leeuwkop
Paarl

Rawsonville	1
Victor Verster	1
Warmbokveld	1
Witbank	1
Total	14

(b) Yes

(i) 20

(ii) Estcourt	2
Genl J C Steyn	1
Greytown	1
Groenpunt	1
Kandaspunt	1
Kuruman	1
Leeuwkop	4
Robbeneiland	2
St Albans	3
Witbank	1
Zonderwater	3
Total	20

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of the Cape Muslim community organisations were established, in 1903¹² and the Cape in these organisations aspired to religious needs of the Cape Muslims' Association had a short life span, it did not enjoy the same success. Secondly, at the time of its inception, the views of John Tobin were already well established and had given rise to the political (later People's) Organisation that Hadjie Ozier Ally addressed. This was an indication of its influence in the A.P.O., under the presidency of the Cape Muslims, together with the fact that the Cape Muslims, together with the A.P.O., remained a significant body of

Arms 28/8/81 (255)

Prison murder - 3 to die

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mpressions

THREE Victor Verster prisoners, all members of the 28 gang, were sentenced to death in the Supreme Court today for murdering a fellow prisoner by stabbing him several times in the chest with a pocket knife and a wire object.
Anthony Appolus, 23, George Barkley, 28, and James Smit, 23, were convicted of murdering Abraham Williams, 23, on February 18 last year.
The Judge President, Mr Justice Munnik, found

there were no extenuating circumstances.
Evidence was on February 17 the three accused, Mr Williams and other prisoners were imprisoned at Victor Verster Prison at Paarl
The following morning a warden Mr Douw, discovered Mr Williams had been murdered during the night. On questioning the prisoners as to who had murdered Mr Williams, the three accused stepped forward and handed over

the weapons used to kill Mr Williams.
Bloodstains were found on the clothes of the accused. Mr Williams was to give evidence in a murder case against members of the 28 gang a few weeks after his death.
Leave to appeal was refused.
The Judge President Mr Justice Munnik sat with two assessors, Mr J W van Gaan and Mr J P Jacobs.
Mr W C Vilhoen appeared for the State.
Mr J Tackar appeared for Appolus, Mr P van der Merwe for Barkley and Smit. They appeared pro Leo

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The letters of the Zonnebloem students to Sir George Grey were all written for a specific purpose, either to ask a favour or to please him, and are therefore somewhat limited in scope. The essays, on the other hand, were written as class exercises and are a freer expression of the boys' feelings and observations. Most of these early examples of descriptive writings were published in The Net as part of Miss Mackenzie's efforts to raise funds for the College. The missionary publications played a vital role in disseminating information about the institution. It was by establishing a personal involvement in the African students' affairs that the many 'little' people in English parishes were persuaded to free their purse-strings. Miss Mackenzie's particular interest in Zonnebloem stemmed from her stay at the Cape in the early 1860s, while her brother led the ill-fated 'Universities Mission to Central Africa'. The College was linked with this money-spinning vision to good effect for it was a + + + + +

College, Church and Cricket

Another group of three students was sent to St Augustine's five years later. This time they were chosen by Bishop Gray for their academic ability and it was only of secondary importance that one, Nathaniel Cyril Kondile Mhala, was a Xhosa chief's son. The scheme was subsequently discontinued, however, because the English climate was found to be too severe for the Africans and the risk of endangering their lives too great. George and Jeremiah died in England and others were invited home. Only one went into the Church and he was the son of one of Sandile's councillors, not a chief.

The balance sheet of the company as at 31st March 1981 is as follows, in summarised form:

They have been unable to find any long-term finance, and do not wish to enter into a sale and leaseback agreement on the land and buildings. They wish to avoid injecting more than R40 000 into the company, as this represents the limit of their resources.

TRY-AGAIN TEXTILES LIMITED

BALANCE SHEET AT 31st MARCH 1981

Share Capital	
Authorised:	400 000 ordinary shares of R1 each
	250 000 7% preference shares of R1 each
Issued:	250 000 ordinary shares of R1 each
	150 000 7% preference shares of R1 each
Less: Accumulated losses	400 000
Shareholders' Interest	R250 000
Fixed Assets	R80 000
Land and buildings at cost	120 000
Less: Accumulated	65 000
Plant and machinery	55 000
Patents and trademarks	35 000
Listed Investment	20 000
Current Assets	190 000
Stock	50 000
Debtors	5 000
Less: Current Liab	85 000
Shareholders	(35 000)
Trade credit	
Bank overdraft	
Net Current Liabill	
Preliminary and SH	

Prisoners: damages

3 Mrs H SUZMAN asked the Minister of Justice

(1) Whether he paid damages to prisoners presently on Robben Island for claims arising out of assaults by warders in a Transvaal prison in 1977, if so, what was the total amount paid,

(2) whether any steps were taken against the warders concerned?

The MINISTER OF POLICE (for the Minister of Justice)

(1) Yes R6 450

(2) No steps were taken against the warders concerned as the Attorney-General declined to prosecute after the case docket was submitted to him by the S A Police for his decision.

The articles stipulate that the shares are preferent as to capital, but are not to participate in the profits.

RECONSTRUCTIONS

Suggested solution to Example

1. Likely position on liquidation

Accumulated losses
Adjustments to asset values -
Downward adjustments

Plant 15 000
Patents & trademarks 35 000
Preliminary & share issue expenses 5 000
Listed investments 2 000
Stock 10 000
Expenses (say) 3 000

70 000
310 000
30 000
280 000

Upward adjustment of land
Expected deficit on liquidation

Arrear I
and pre
so loss

- (2) (a) Yes
(b) Yes

Hence: as

- (a) I refer the hon member to Government Notice No 1328 dated 30 June 1978 wherein Pollsmoor Prison was appointed as a place within the district of Wynberg for the holding of a court in terms of the Magistrates' Courts Act, 1944 (Act 32 of 1944)

2. Reconstru

To facilit

As regards courts administered by the Department of Justice, the reply is as follows:

- (1) Yes
(2) whether there is any access to such court by the (a) Press and (b) public?

(1) dispos

Pollsmoor Prison, court
*7 Mr D J DALLING asked the Minister of Justice

- (1) Whether there is a court situated within the confines of Pollsmoor Prison, if so, (a) what is its jurisdiction and (b)(i) how often and (ii) when does it sit,

Accumulated losses
Plant (55000 -
Patents and Preliminary & expenses
Listed investments

ings
areholders
eholders
pertinons and
ary share

R30 000
30 000
232 000

R292 000

be long resisted. It certainly helped to weaken some of
Abdurahman's vital political strategies and swayed the conserva-
tive coloured support away from the A.P.O. These bargaining
factors, together with the pledge of the Nasionale Afrikaaner
Bond, secured coloured support for the Nationalists.

Next on Hertzog's strategic plan came the Cape Muslim community
of Cape Town. They had in 1923 established a socio-religious
organisation, the Cape Malay Association. The founders, Mogamat
Arshud Gamiet, Toyer Keran, Dattie Jacobs, Imam Omar Abbas,
Satie Berdien, Moosa Ismail and S. Boolley were disillusioned
with Abdurahman and estranged from the A.P.O., which they felt
was not catering for the need of the Cape Muslims. Politics
was the last concern of the Cape Malay Association. The strong
religious sentiments; promises of concrete efforts to alleviate
their social problems and the support of the local Muslim clergy,
among them the popular Imams, Mogamat Sudley Awaldien and
Sheikh Achmat Behardien

Cape Malay Ass
almost undivided
Cape. 112

(a) No, it is provided by the state
(b) No, it is provided by the state
(c) Yes, inspections were carried out

If the question refers to work teams
from prisons

The MINISTER OF JUSTICE

working conditions of prisoners hired out
as farm labourers, if not, why not?

FRIDAY, 28

233
Cape Town, was for him
therefore concluded with
the Cape Malay Associa-
tion. 113
Gamiet, according to his vice-president, Dattie
Jacobs, could not openly declare his support for Hertzog and
the Nationalists.

Malay Doctor
urged his memb
candidates who
Nevertheless,
a fact candidat

170 Dr A L BORNHINE asked the
Minister of Justice

Whether any inspections were carried
out in 1979 and 1980, respectively into
the (a) housing, (b) feeding and (c)

114
their vote to those
115
Castle.

Even after the p
displayed no over
essentially a socio-religious organisation. Hence the surprise

Prisoners

250 000 wait in

jail needlessly

Headline
29/8/81 (253) (252)

MORE than a quarter of a million people languish needlessly in jail each year awaiting trials. In 75 percent of the cases which eventually went to court in 1975, the awaiting-trial prisoners were released.

The incarceration of over a quarter of a million unsentenced persons is both a heavy financial and social burden for our society to shoulder.

And the crucial question is whether the decision to jail the awaiting prisoner is necessary or in the interests of justice.

Addressing delegates to a symposium on 'Discretion in Criminal Justice' at the University of Natal this week, Mr N. C. Steytler, a lecturer in the university's Law Faculty presented the result of his studies of the bail process in Magistrate's Courts in Durban.

Taking a sample of four courts selected at random from the 10 district courts, he found that, of the 1 750 cases commenced and completed in the months February to May 1981, 468 involved a decision pre-trial liberty, or bail decisions — only one in every four cases.

WAITED

Of the 468 accused, 29 percent did not spend at least one night in jail, while a similar percentage was held for between three and four weeks. One in three spent less than a week behind bars, while three percent waited up to two months for their cases to go to court.

Of the 330 incarcerated accused, only 37 returned to serve prison sentences, said Mr Steytler. He added that in most cases the accused were fined, but the number of those who defaulted and returned to prison is unknown.

of the stock and departments. The independently ver-

Inventory check is

operations should hinder opera- ted as far as

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Some of the points to

variable points such a

arrangement of inventories, and other points that do not change, and 'Permanent Instructions' covering matters of count, takes inventories at frequent intervals, there may be 'Permanent Instructions' covering matters of count, the most important jobs in this regard is the preparation of inventory instructions. If the company advance. Advance planning will greatly aid in producing an orderly and accurate inventory. One of the taking of a physical inventory requires that certain arrangements and instructions be prepared in

PROGRAMME FOR PHYSICAL INVENTORY CONTROL

9.5

One of the difficulties with this type of physical check is both the stores record section and the accounting department must have an accurate cut-off date for each transaction in order to co-ordinate the count with the exact status of receipts of material and issues of material. Thus the *Time of the count* in relation to receipts and issues immediately preceding and following it must be accurately specified.

- 1 The plant does not have to be shut down.
- 2 The count is not made under pressure; hence it may be more accurate.
- 3 Records are kept more nearly up to date when subject to a continuous check.
- 4 Errors and irregularities are discovered and adjusted more quickly.

The advantages of rotating and out-of-stock count methods are as follows:

Island routine hard

Cape Herald 29/8/81 (253)
 to give up

TO adjust to 'normal' everyday life after spending the best part of one's youth in prison — especially if that jail is Robben Island — is no easy task.

Ask Mr May Speelman of Mbekweni township, Paarl he should know

He was imprisoned on Robben Island when 19 and released when 38

Arrested on February 1 1962 after unrest in the Paarl area, Mr Speelman stood trial with 20 other Pan Africanist Congress (PAC) members later that year

On May 22 1962 four of the accused — including Mr Speelman — received 18 years' imprisonment each two were executed 11 received 12 years and one was discharged

RELEASED

The four 18-year teenagers were released on May 21 this year

One was sent to Ciskei two to Transkei and Mr Speelman to Mbekweni

The poverty-stricken, filthy, underdeveloped township was a far cry from the clean and orderly island prison he had become used to

At one stage in an interview with him it led him to remark that life is very strange

Routine is something he has had difficulty with getting out of his system. Life in the township may



© MAY SPEELMAN of Mbekweni, Paarl . . . released recently after spending 18 years on Robben Island

be monotonous at times, but hardly routine. There is simply too much depression — in the surroundings and among the people. Not that it gets Mr Speelman down. On the contrary, he oozes self-confidence, self-assurance and dignity.

'No I had to start from scratch and this is quite a prospect to face up to, especially when one is expected to be so committed,' Mr Speelman said. He goes on to wonder whether it would have been different had he been released when he was younger.

He also remarks how far more matured the youth of today are compared with the youth of the early 60s.

But of greatest concern to Mr Speelman is finding a job.

During the three months he has been home he has been turned down on several occasions. The bosses usually become uneasy when they discover his island connections.

When Cape Herald visited Mr Speelman he was on his way to yet another interview. This one may prove successful he says.

Unqualified in any trade or profession — he reached Standard 6 before imprisonment and completed a number of matric subjects by the time he was released — he will accept any job.

BREADWINNER

Before his incarceration he and his three sisters were supported by their parents. He had no financial responsibilities.

Now, with both parents and one sister dead, he is suddenly thrust into a responsible breadwinning role.

'This is what has worried me the most while I was in prison. In fact, the last two years were the hardest as the reality of my new responsibilities hit me.'

'It was as if I merely wanted to sleep my worries away. I had no idea what life was like outside.'

'They do not allow you out on the odd Sunday or Saturday to walk down Adderley Street to get the feel of things.'

These rumours seem to have been quite widely believed. At the

"The present epidemic has taught us a lesson what should not be forgotten; and, if we wish to profit by it, the sooner the Malays are made to reside in a separate district the better for all concerned. I enclose card, and will be happy to lend a hand in any movement that will bring our coloured friends to their level".

wanted to continue to bury their dead in the traditional manner was seen as tantamount to wishing to infect whites. 'Faugh-a-Ballough' wrote to the Lantern saying that Malays reckoned the infection of whites "a fine lark" and continued:

August 29, 1981

R6 450 for
NM 29/8/81
Robben
Island
253
prisoner

Political Correspondent

CAPE TOWN—The Government paid out R6 450 in damages to a prisoner now on Robben Island for claims over an alleged assault by a warder but no action was taken against the warder concerned

The Minister of Justice, Mr Kobie Coetsee, told Mrs Helen Suzman, the chief Opposition spokesman on human rights yesterday, that the claim arose from an alleged assault in a Transvaal prison in 1977

The prisoner was presently on Robben Island

'No steps were taken against the warder concerned as the Attorney-General declined to prosecute after the case docket was submitted to him by the South African Police for his decision,' said Mr Coetsee

He did not give the name of the prisoner involved

Open court at Pollsmoor Prison **Coetsee**
 CT 29/8/81 2330
 A COURT sat every Thursday at Pollsmoor Prison and was open to public and the press, the Minister of Justice, Mr Kobie Coetsee, said yesterday. Replying to a question from Mr David Dalling (PFP Sandton), he said Pollsmoor Prison had been appointed in June 1978 as a court site within the Wynberg magisterial district.

D.I.M.EIN.SI.Q.N.,M.U.M.B.E.R.(1.0.0.0.)	
D.O. 10, K=1, 1.0.0.0	
I.F.(N.U.M.B.E.R.(K.), G.T. 0, A.N.D., N.U.M.B.E.R.(K.), L.E. 9.9.9.9.9.9), G.O. 1.0, 1.0.	
S.T.O.P	
C.O.N.T.I.N.U.E	
S.T.O.P	
E.N.D.	

The following program has read in a list of telephone numbers into array NUMBER. Each telephone number contains seven decimal digits (no area code). To ensure that all values have been read in correctly, each number is checked to see that it is greater than zero and not greater than 9999999. If any such error is detected, control is passed to an error routine (which may print a message) and execution of the program is terminated. The second STOP statement is assumed to be the STOP statement encountered during normal execution and is included to show that a program may have more than one STOP statement.

Example:

Jail to become archives by 1985

Political Correspondent

HOUSE OF ASSEMBLY. — Transformation of the former Roeland Street Prison into a new archives repository will be in keeping both with the restored facade of the existing building and with the surrounding development.

This assurance was given yesterday by the Deputy Minister of Community Development, Mr. Pierre Cronje, in reply to a question from Mr. Kent Durr (NP Maitland).

He said sketch plans for the new repository had been approved and working plans were currently being prepared by a firm of architects. Construction was expected to start at the beginning of 1983 with completion planned for the middle of 1985.

"The whole of the surrounding natural stone wall, including a small entrance gate at the left of the present main entrance, is to be retained and restored," he said.

"The whole of the present facade of the existing main entrance building is to be restored and retained as a main entrance.

Flower beds

"All natural stone, other retaining walls, steps and flower beds between the abovementioned wall and Roeland Street are to be retained."

Two more recent shelters were to be removed because they were out of feeling with the general appearance and environment.

Mr. Cronje said environmental considerations meant two underground floors would be provided to reduce the height of the new portion of the complex.

Large prominent windows and mouldings would be introduced in the higher facade at the back of the site. This would blend in better with the environment.

Mr. Cronje said consideration had been given to Cape Town City Council recommendations about the restoration and construction.

For written reply

Prisoners who died of natural causes

26 Mrs H SUZMAN asked the Minister of Justice

253

- (1) How many sentenced prisoners died of natural causes during the period 1 July 1980 to 30 June 1981.
- (2) how many of these deaths were due to pneumonia?

The MINISTER OF JUSTICE

- (1) and (2) Statistics as requested had to be obtained from the various prisons and are at present being processed. The data is not available at present, but will be furnished to the hon member as soon as it becomes available.

DEPARTEMENT VAN JUSTISIE

No. 1849

4 September 1981

INSTELLING VAN 'N GEVANGENIS TE MNDANTSANE

Dit het die Minister van Gevangenisbeheer om kragtens artikel 20 (1) (a) van die Wet op Gevangenisbeheer, 1959 (Wet 8 van 1959), soos gewysig, sy goedkeuring daaraan te heg dat die gevangenis te Mndantsane, geleë op Perseel 3712 van Plot 6, groot 17 808 hektaar, met ingang van 1 Junie 1981 as 'n gevangenis en gevangenisperseel ingestel word en dat die inrigting as Mndantsanegevangenis bekend staan.

No 1877

4 September 1981

VERANDERING VAN DIE PLAASLIKE GRENSE VAN DIE DISTRIKTE CATHCART, FORT BEAUFORT, KING WILLIAM'S TOWN, OOS-LONDEN, QUEENSTOWN, STOCKENSTROM EN STUTTERHEIM

Kragtens die bevoegdheid my verleen by artikel 2 (1) (c) en (1) van die Wet op Landdroshoue, 1944 (Wet 32 van 1944) gee ek, Hendrik Jacobus Coetsee, hierby kennis dat ek—

(a) Proklamasie 138 van 1879 en Goewermentskennisgewing 991 van 1977 wysig deur die plaaslike grense van die distrik Cathcart te heromskryf soos in Bylae A uiteengesit,

(b) Proklamasie 47 van 1928 en Bylae B van Goewermentskennisgewing 1481 van 1971 wysig deur die plaaslike grense van die distrik Fort Beaufort uit te brei deur die insluiting van die gebied soos in Bylae B uiteengesit,

(c) (i) Proklamasie 21 van 1937 en Bylae C van Goewermentskennisgewing 1481 van 1971 wysig deur die plaaslike grense van die distrik King William's Town te heromskryf soos in Bylae C uiteengesit, en

(ii) Goewermentskennisgewings 2087 van 1976 en 2551 van 1979 intrek,

(d) Proklamasie 217 van 1933 en Bylae A van Goewermentskennisgewing 1481 van 1971 wysig deur die plaaslike grense van die distrik Oos-Londen uit te brei deur die insluiting van die gebied soos in Bylae D uiteengesit,

(e) Proklamasie 51 van 1930 en Bylae E van Goewermentskennisgewing 1481 van 1971 wysig deur die plaaslike grense van die distrik Queenstown te heromskryf soos in Bylae E uiteengesit,

(f) Proklamasie 47 van 1928 en Bylae F van Goewermentskennisgewing 1481 van 1971 wysig deur die plaaslike grense van die distrik Stockenström in te kort deur die gebied in Bylae F uiteengesit daarvan uit te sluit,

(g) Proklamasie 211 van 1935 wysig deur die plaaslike grense van die distrik Stutterheim in te kort deur die gebied in Bylae G uiteengesit daarvan uit te sluit

H. J. COETSEE, Minister van Justisie

BYLAE A

Begin by die punt waar die verlenging noordooswaarts van die noordwestelike grens van die plaas Riversdale 1, administratiewe distrik Cathcart, die middel van die Swart Keirivier kruis; daarvandaan algemeen suidooswaarts met die middel van genoemde Swart-Keirivier langs tot by die middel van die Wit-Keirivier, daarvandaan algemeen suidooswaarts met die middel van die Groot-Keirivier langs tot by die middel van die Thomasrivier; daarvandaan noordweswaarts met die middel van genoemde Thomasrivier

DEPARTMENT OF JUSTICE

No. 1849

4 September 1981

ESTABLISHMENT OF A PRISON IN MNDANTSANE

The Minister of Prisons has been pleased, in terms of section 20 (1) (a) of the Prisons Act, 1959 (Act 8 of 1959), as amended, to approve the establishment, with effect from 1 June 1981, of the prison at Mndantsane, situated on Site 3712 of Plot 6, Mndantsane, in extent 17 808 hectares, as a prison and prison site, which institution shall be known as Mndantsane Prison.

No 1877

4 September 1981

ALTERATION OF THE LOCAL LIMITS OF THE DISTRICTS OF CATHCART, FORT BEAUFORT, KING WILLIAM'S TOWN, EAST LONDON, QUEENSTOWN, STOCKENSTROM AND STUTTERHEIM

Under and by virtue of the powers vested in me by section 2 (1) (c) and (1) of the Magistrates' Courts Act, 1944 (Act 32 of 1944), I, Hendrik Jacobus Coetsee hereby give notice that I—

(a) amend Proclamation 138 of 1879 and Government Notice 991 of 1977 by redefining the local limits of the District of Cathcart as set out in Schedule A hereto,

(b) amend Proclamation 47 of 1928 and Schedule B of Government Notice 1481 of 1971 by increasing the local limits of the District of Fort Beaufort by the inclusion of the area as set out in Schedule B hereto,

(c) (i) amend Proclamation 21 of 1937 and Schedule C of Government Notice 1481 of 1971 by redefining the local limits of the District of King William's Town as set out in Schedule C hereto, and

(ii) withdraw Government Notices 2087 of 1976 and 2551 of 1979,

(d) amend Proclamation 217 of 1933 and Schedule A of Government Notice 1481 of 1971 by increasing the local limits of the District of East London by the inclusion of the area set out in Schedule D hereto;

(e) amend Proclamation 51 of 1930 and Schedule E of Government Notice 1481 of 1971 by redefining the local limits of the District of Queenstown as set out in Schedule E hereto,

(f) amend Proclamation 47 of 1928 and Schedule F of Government Notice 1481 of 1971 by decreasing the local limits of the District of Stockenström by the exclusion of the area set out in Schedule F hereto,

(g) amend Proclamation 211 of 1935 by decreasing the local limits of the District of Stutterheim by the exclusion of the area set out in Schedule G hereto

H. J. COETSEE, Minister of Justice

SCHEDULE A

Beginning at the point where the prolongation north-eastwards of the north-western boundary of the farm Riversdale 1, Administrative District of Cathcart, intersects the middle of the Zwart Kei River, thence generally south-eastwards along the middle of the said Zwart Kei River to the middle of the White Kei River, thence generally south-eastwards along the middle of the Great Kei River to the middle of the Thomas River, thence north-westwards along the middle of the said Thomas River to the point where it is

Doringkloof prison cells

Handwritten: 12/3/72 243 (113)
*22 Mr E K MOORCROFT asked the
Minister of Police

- Handwritten: 4/1/72*
- (1) (a) How much money was spent on the erection of the new prison cells at Doringkloof in the district of Fort Beaufort and (b) when were the cells completed
 - (2) how many prisoners have been detained in such cells since their completion?

†The MINISTER OF POLICE

- (1) (a) R13 000,00
- (b) 21 February 1972
- (2) 170

Prison Service' salary scales

14 Mrs H SUZMAN asked the Minister
of State Administration

Whether the salary scales payable in respect of all ranks of officials in the Prisons Service are on a par with those payable in respect of the same ranks in the South African Police, if not (a) why not and (b) in what respects do they differ?

†The MINISTER OF STATE ADMINISTRATION

As a result of the implementation of revised and more favourable salary scales for members of the South African Police with effect from 1 July 1981 the salary scales in respect of officials in the Prisons Service differ from that of members of the same rank in the South African Police. The difference in the salary scales is however cancelled out by the payment of a non-pensionable allowance to officials in the Prisons Service, with effect from the same date. A study in respect of the basis of remuneration of the Prisons Service will be undertaken during 1982.

SA's empty
BD 10/9/87
prison

253

CAPE TOWN — A small Eastern Cape prison has had only one prisoner every 28 days since it was completed in 1972.

The Doringkloof Prison in the Fort Beaufort district has had 170 prisoners in its cells since it was completed at a cost of R13 000.

This means a prisoner has been detained once every 20,4 days since then.

Details of South Africa's emptiest Prison cells were disclosed in Parliament yesterday by the Minister of Police, Mr Louis le Grange, when he replied to a question tabled by Mr Errol Moorcroft (PFP, Albany) — DDC.

Robben Island

3 Mr S S VAN DER MERWE asked
the Minister of Defence

- (1) For what purposes does the South African Defence Force intend to use Robben Island after the closing of the prison on the island,

11/9/81

253

TEMBER 1981

358

- (2) whether the public will be allowed access to the island after such closing?

†The MINISTER OF DEFENCE

- (1) No final decision has yet been taken as to how the South African Defence Force will use the island
- (2) Access to the island by members of the public will be regulated in accordance with the general rules regarding admission to military bases

is being experienced in prisons, if so,
(a) in which prisons and (b) what is
the extent of the overcrowding in
each such prison,

(2) whether the departmental group in-
vestigating the overcrowding in pris-
ons has submitted a report, if so,

(3) whether such report contained any
recommendations, if so, what were
the main recommendations?

The MINISTER OF JUSTICE

(1) Yes

(a) and (b) (Position as at 30 June
1981)

(a) Prison	(b) Percentage overcrowded
Allandale	53
Barberton Maximum (Town)	61
Barberton Medium (Town)	4
Barberton Maximum (Farm)	45
Barberton Open (Prison Farm)	43
Barkly East	215
Baviaanspoort Maximum	137
Baviaanspoort Medium	78
Bethal	7
Bloemfontein	140
Cradock	58
Dordrecht	207
Douglas	48
Dundee	70
Durban	110
Dwarsrivier	3
East London	136
Empangeni	66
Ermelo	130
Eshowe	29
Estcourt	57
Fauresmith	114
Fort Beaufort	214
Fort Glamorgan	52
Geluk	7
George	27
Graaff-Reinet	60
Grahamstad	38
Greytown	107
Groenpunt Maximum	68
Grootvlei	58

Jansenville	148
Johannesburg	147
Johannesburg Females	59
Kandaspunt New	56
Kimberley	98
King William's Town	68
Klerksdorp	43
Knysna	215
Kokstad	309
Kroonstad non-White Males	28
Leeuwkop Maximum	91
Leeuwkop Medium and Open	55
Leeuwkop Admission	162
Louis Trichardt	22
Malmesbury	50
Melmoth	68
Middelburg Transvaal	20
Mossel Bay	207
Mtunzini	34
Newcastle	27
Odendaalsrus	46
Odendaalsrus Females	48
Oudtshoorn	188
Oudtshoorn Females	150
Paarl	118
Paarl Females	70
Pietermaritzburg Old	246
Pietermaritzburg New	48
Pietersburg	117
Point, Durban	116
Port Elizabeth	194
Port Elizabeth Females	92
Port Shepstone	160
Potchefstroom	29
Pretoria Prison	31
Pretoria Central Prison	8
Queenstown	138
Robertson	43
Sevontem	2
Somerset East	175
St Albans Maximum	118
Standerton Medium B	22
Standerton Females	87
Stanger	133
Swellendam	58
Trichardt	35
Tzaneen	29
Umzinto	153
Uniondale	208
Uppington	29
Van Rhynsdorp	228
Victor Verster Maximum	81
Victor Verster Medium	76
Verulam	22

Virginia Females	22
Waterval A	74
Wepener	170
Witbank New	17
Woestalleen	42
Worcester	28

(2) and (3). A preliminary report has been
received with tentative recommenda-
tions which are at present being
investigated

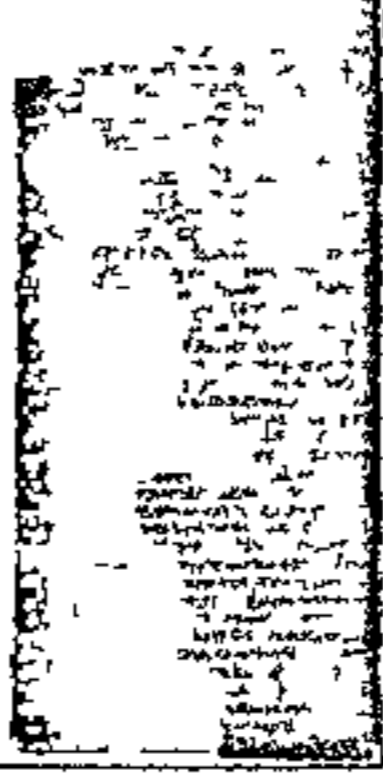
Modernization projects are in pro-
gress at five prisons, which means that
owing to the building activities all
accommodation can not yet be made
available or utilized, e.g. at Barkley
East, Dordrecht, Fort Beaufort and
Wepener, and at 13 centres new
buildings are being erected, e.g.
Pietermaritzburg and Diepkloof—
Johannesburg, etc. Furthermore 61
projects are either in the process of
being planned or have been placed
on a building program.

It should also be borne in mind
that the standards according to which
South African prisons are built, pro-
vide for moderate over population

Prisons overcrowding

60 Mr D J DALLING asked the Minister of Justice

(1) Whether a problem of overcrowding



93 prisons are overcrowded

Political Staff

HOUSE OF ASSEMBLY

The Minister of Justice, Mr. Kobie Coetsee, disclosed yesterday that 93 South African prisons were overcrowded in June this year — nine of them by more than 200 percent.

Mr. Coetsee's disclosure was described as "shocking" and "alarming" by the Progressive Federal Party spokesman on Justice, Mr. David Dalling.

"This information indicates massive neglect by the government over a number of years," Mr. Dalling said.

Mr. Coetsee, who was replying to a question in Parliament which had been tabled by Mr. Dalling, said a preliminary report of a departmental investigation

into the overcrowding had already been received and its tentative recommendations were "at present being investigated."

The minister's reply showed that the most overcrowded prison was at Kokstad in east Griqualand which was 306 percent overcrowded.

The prisons overcrowded by more than 200 percent were Barkly East, Dordrecht, Fort Beaufort, Knysna, the old prison at Maritzburg, Uniondale, and Van Rhynsdorp.

A further 22 prisons were overcrowded by more than 100 percent.

These included the prisons at a number of South African cities: Bloemfontein (140 percent), Durban (110 percent), East London (136

percent), Johannesburg (147 percent), Maritzburg new prison (148 percent), Point prison in Durban (116 percent) and Port Elizabeth (194 percent).

All three sections of the Leeuwkop maximum security prison were overcrowded — 91 percent at the maximum section, 55 percent at the medium and open section and 162 percent at the admission section.

Pretoria prison was overcrowded by 31 percent while the Pretoria Central prison was overcrowded by eight percent. The Victor Verster prison maximum section was overcrowded by 81 percent and the Victor Verster medium prison by 76 percent. The only major prison near an urban centre not included on the list is Pollsmoor in

Cape Town

In his reply, Mr. Coetsee said modernization projects were in progress at five prisons, which because of building operations could not use all the available accommodation, while at 13 centres new buildings were being erected. A further 61 projects were either in the process of being planned or had been placed on a building programme.

Mr. Dalling said the minister's reply was further evidence of "continuing deterioration in government administration."

There was no way, he said, the minister could claim this was merely moderate overcrowding.

"This situation places an intolerable burden on the prison staff who are already

over-extended

"The situation is not aided by the chaos in South African courts where the shortage of personnel has resulted in excessive delays in hearings. As long as South Africa continues to imprison people for technical and racial offences — particularly the pass laws — this situation will continue.

"The minister must be strongly reprimanded for allowing the situation to deteriorate to this level.

"I call on him to make an immediate statement on what he is going to do about the situation," he said.

Mr. Dalling also said he would be raising the matter in Parliament next week when the Justice and Prisons vote is discussed.



Call for access to island

Political Correspondent

HOUSE OF ASSEMBLY —
An Opposition MP called yesterday for continued public access to Robben Island after the maximum security prison there was closed.

Mr Tian van der Merwe (PFP Green Point) issued a statement after being told the Defence Force had not yet decided what use it would make of the island when it took it over.

The minister, General Magnus Malan, also said public access "would be regulated in accordance with the general rules regarding admission to military bases".

Mr Van der Merwe said Robben Island should not be closed to the public as the government was prone to do whenever there was mention of military or security considerations.

"Surely the island is big enough to accommodate military facilities and allow free public access on the rest of its surface so that people can enjoy what it has to offer," he said.

General Malan's reply seemed to indicate that the island as a whole would be considered a military base.

"Concerned people of all political persuasions have repeatedly called for Robben Island's value as a paradise of bird life and natural beauty, and its potential as a tourist resort, to be recognized."

Steps should be taken to realize this potential once the prison was closed.

200% overcrowding in some jails — Minister

Political Staff

THE Minister of Justice, Mr Kobie Coetsee, disclosed yesterday that 93 South African prisons were overcrowded in June this year — nine of them by more than 200%.

Mr Coetsee's disclosure was described as "shocking" and "alarming" by the Progressive Federal Party Party spokesman on justice Mr David Dalling, MP.

"This information indicates massive neglect by the Government over a number of years," Mr Dalling said.

Mr Coetsee who was reply-

ing to a question in Parliament which had been tabled by Mr Dalling said a preliminary report of a departmental investigation into the overcrowding had already been received and its tentative recommendations were 'at present being investigated'.

The Minister's reply showed that the most overcrowded prison was at Kokstad in East Griqualand which was 306% overcrowded.

The prisons overcrowded by more than 200% were Barkly East, Dordrecht, Fort Beaufort, Knysna, the Old Prison in Maritzburg, Uniondale, and Van Rhynsdorp.

A further 22 prisons were overcrowded by more than 100%.

"It should also be borne in mind that the standards according to which South African prisons are built, provide for moderate overpopulation," Mr Coetsee said.

Mr Dalling said the Minister's reply was further evidence of "continuing deterioration in Government administration".

There was no way, he said, the Minister could claim this was merely moderate overcrowding.

"This situation places an intolerable burden on the prison staff who are already overextended."

"This situation is not aided by the chaos in South African courts where the shortage of personnel has resulted in excessive delays in hearings. As long as South Africa continues to imprison people for technical and racial offences — particularly the pass laws — this situation will continue."

Mr Dalling also said he would be raising the matter in Parliament next week when the justice and the prisons vote would be discussed.

Prison Service: commissioned
ranks/warders

11/0/81 7 C C 336
210. Dr A L BORAINÉ asked the
Minister of Justice.

- 14/9/81 (253)
- (1) How many (a) White, (b) Coloured, (c) Asian and (d) Black persons hold commissioned ranks in the Prisons Service,
 - (2) what are the salary scales for (a) White, (b) Coloured, (c) Asian and (d) Black warders in the employ of his Department?

The MINISTER OF JUSTICE.

- (1) The Honourable Member is referred to the exposition of the Prison Service's staff establishment in my Department's annual report for the period 1 July 1979 to 30 June 1980. Commissioned posts in respect of functional personnel have since been expanded by 14 for Whites, 5 for Coloureds, and 2 for Black population groups. Attention is also drawn to the fact that the vast majority of specialized posts are coupled with commissioned ranks. With regard to non-commissioned officers the staff establishment has been expanded by 233 posts for Whites, 60 for Coloureds, and 199 for Black population groups.
- (2) The members of the South African Prison Service prefer that details of their salaries and other conditions of service not be dealt with in public, and I agree that it would not be in their best interest to furnish these details.

I am prepared, however, to furnish it to the hon member on a confidential basis.

Recipe for prison control in SA

(253)
15/9/81

FCSTAI
SEX
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ANISUN ACADEMIC COMPUTING CENTER PROGRAM CROSTAR2
RASIC DEMOGRAPHIC AND ECONOMIC STATISTICS FROM TABLE A

81/01/07

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Mail Correspondent

SOUTH Africa's prisons are "overburdened and coming loose at the seams".

Yet, according to the late Professor Barend van Niekerk, the right of judges and magistrates to monitor them through unannounced visits was "devoid of any importance" because these visits seldom take place.

Between July 1, 1978, and June 30, 1979, only 24 judges and 338 magistrates exercised this right — and some of them were duplicate visits by the same judges.

In an article in the August edition of the SA Law Journal, Prof Van Niekerk — who was professor of law at the University of Natal when he died in Bolivia in June this year — said there was general apathy towards prisons and prison conditions in SA among the media and the public.

The reason, he said, was that "prisons being largely the unseen Gulag Archipelagos they are, simply do not command the sympathy of ordinary citizens — least of all citizens of the "white power-wielding" ruling group.

This group can "hardly identify psychologically with prisoners — from which springs the lack of pressure on the media for more robust reporting".

Prof Van Niekerk said the "litmus test" of an enlightened society was the way it treated its offenders and so open and candid discussion on the subject should take place.

That did not happen in SA.

One of the reasons for the media's lack of interest in prisons stemmed from the conviction of Mr Benjamin Pogrund, of the Rand Daily Mail, under an obscure subparagraph of the Prisons Act.

Precedent

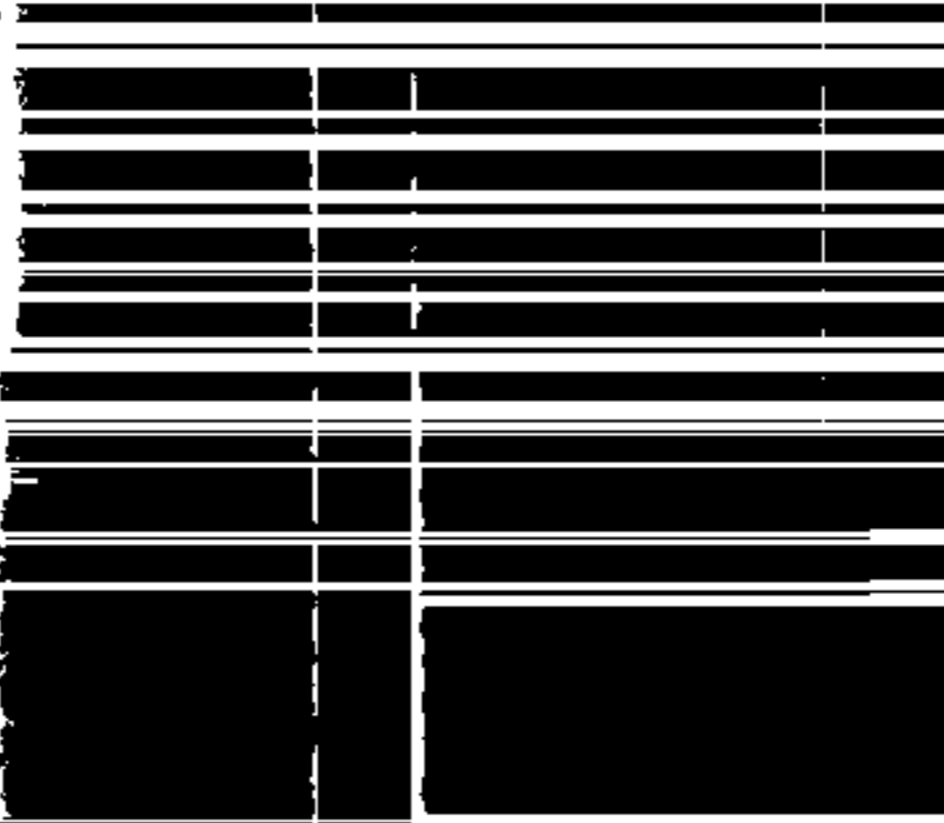
Mr Pogrund was found guilty of publishing false information about prison conditions in a trial which gained widespread publicity and put an effective stop to news reports on prison conditions.

Prof Van Niekerk said the Pogrund case was "in all probability" no longer valid as a precedent, particularly outside the Transvaal. He thus ascribes the media's non-reporting of prison conditions to lack of interest.

The article made a number of recommendations on judicial visits to prisons.

Among these were:

- Judges President or their representatives should assume responsibility as conveners of a system of judicial monitoring of prison conditions.
- The convener must have full details of all places of detention in his/her area.
- Unannounced visits must occur regularly but at unpredictable intervals.
- Rural areas must get special attention.
- In each place of detention there should be a sealed box in which prisoners can lodge anonymous or signed complaints without fear of victimisation.
- The Judge President or his representative should encourage community interest and participation in the treatment and rehabilitation of offenders.



Prisons: Media 'lack interest'

CT 15/9/81 (253) (852)

Staff Reporter

SOUTH AFRICA'S prisons were "overburdened and coming loose at the seams", and yet the right of judges and magistrates to monitor them through unannounced visits was "devoid of any importance" because these visits seldom happened, according to the late Professor Barend van Niekerk.

Only 24 judges and 338 magistrates in the period July 1, 1978, to June 30, 1979, exercised this right — and some of them were duplicate visits by the same judges.

Writing in the August edition of the prestigious "South African Law Journal", Professor Barend van Niekerk — who was Professor of Law at the University of Natal when he died in Bolivia in June this year — said there was general apathy towards prisons and prison conditions in South Africa among the media and the public.

The reason, he said, was that "prisons being largely the unseen Gulag Archipelagos they are, simply do not command the sympathy of ordinary citizens — least of all citizens of the white power-wielding" ruling group.

'Litmus test'

This group could "hardly identify psychologically with prisoners — from which springs the lack of pressure on the media for more robust reporting".

Professor Van Niekerk said the "litmus test" of an enlightened society was the way it treated its offenders. Open and candid discussion on the subject of prisons should take place but this did not happen in South Africa.

One of the reasons for the media's lack of interest in prisons stemmed from the conviction of a then senior Rand Daily Mail reporter and now assistant editor, Mr Benjamin Pogrund, under an obscure sub-paragraph of the Prisons Act, Professor Van Niekerk argued.

Mr Pogrund was found guilty of publishing false information about prison conditions in a trial which gained widespread publicity and put an effective stop to news reports on prison conditions.

Professor Van Niekerk said the Pogrund case was "in all probability" no longer valid as a precedent, particularly outside the Transvaal. He ascribed the media's non-reporting of prison conditions to lack of interest.

Recommendations

Referring to the subject of judicial visits to prisons, Professor Van Niekerk made a number of recommendations to improve the present "false sense of security" and to provide "adequate control against abuse".

These were:

- Judges president or their representatives should assume responsibility as convener of a system of judicial monitoring of prison conditions.

- This convener must have full details of all places of detention in his/her area.

- Unannounced visits must occur regularly but at unpredictable intervals, with responsibility for the visits being held by the convener and a panel of local judges. Magistrates and acting judges should be fully involved in the scheme.

- Rural areas must get special attention and judicial officers should be "aware of the fact that local magistrates may not necessarily be the most effective monitoring agencies".

- Unannounced visits should happen at night as well as by day.

- In each place of detention there should be a sealed box in which prisoners can lodge anonymous or signed complaints without fear of victimization. This box must only be opened by an authorized judicial officer.

- Interpreters should accompany the visitors where necessary.

Red Cross

Sta 16/9/81
VISITS 505

prisoners

Pretoria Bureau

Members of the International Committee of the Red Cross have just completed an annual visit to 505 "security" prisoners throughout South Africa.

The prisons visited included Leeuwkop, Kroonstad, Pretoria Central, Pretoria Maximum, Pollsmoor Prison and Robben Island.

A spokesman for the ICRC said the visit had been conducted in the "usual manner" and prisoners were seen without witnesses and for as long as they had wanted to.

A written report will be made to the ICRC headquarters in Geneva. A copy will be presented to the South African Government.

7.4. EQUIVALENCE STATEMENT

Function.

To permit sharing of the same storage space by two or more entries of the same program unit.

EQUIVALENCE (k_1), (k_2), ...
 where each k , enclosed in parentheses and separated from the next k by a comma, is a list having the form
 a_1, a_2, \dots, a_m
 where each a is either a variable or an array element (not a dummy argument) with only constants as subscript expressions;
 m is equal to or greater than 2.

Operation:

The following series of statements causes sharing of storage units.

D I M E N S I O N	V 2 (1 , 2) , K (3 , 2)
C O M P L E X	V 1 ()
D O U B L E P R E C I S I O N	
L O G I C A L	
E Q U I V A L E N C E	

Col Jordaan said all prisoners were given some training in skills. Long-term prisoners were taught trades such as building, carpentry, tailoring, shoemaking, upholstery and welding and metal work.

Col Jordaan said yesterday the total approved prison budget was R134 305 000 for the upkeep of more than 80 000 prisoners of all races. The Government would not necessarily spend this amount, he said.

According to figures based on an average daily prison population on July 30 this year, there were 81 465 sentenced and unsentenced prisoners. Of those, 3 267 were white, 465 Asians, 59 799 blacks and 17 934 coloureds, he said.

He was commenting on an argument by a Pretoria lawyer who told a Regional Court magistrate recently it would be of no use jailing his "stupid" client as the Government was spending more than R50-million annually to maintain prisoners.

Col Jordaan said yesterday the total approved prison budget was R134 305 000 for the upkeep of more than 80 000 prisoners of all races. The Government would not necessarily spend this amount, he said.

THE Government has budgeted more than R134-million during the 1981-82 fiscal year for the maintenance of prisoners of all race groups, according to the liaison officer of the Prisons Department, Colonel C P Jordaan.

Mail Reporter

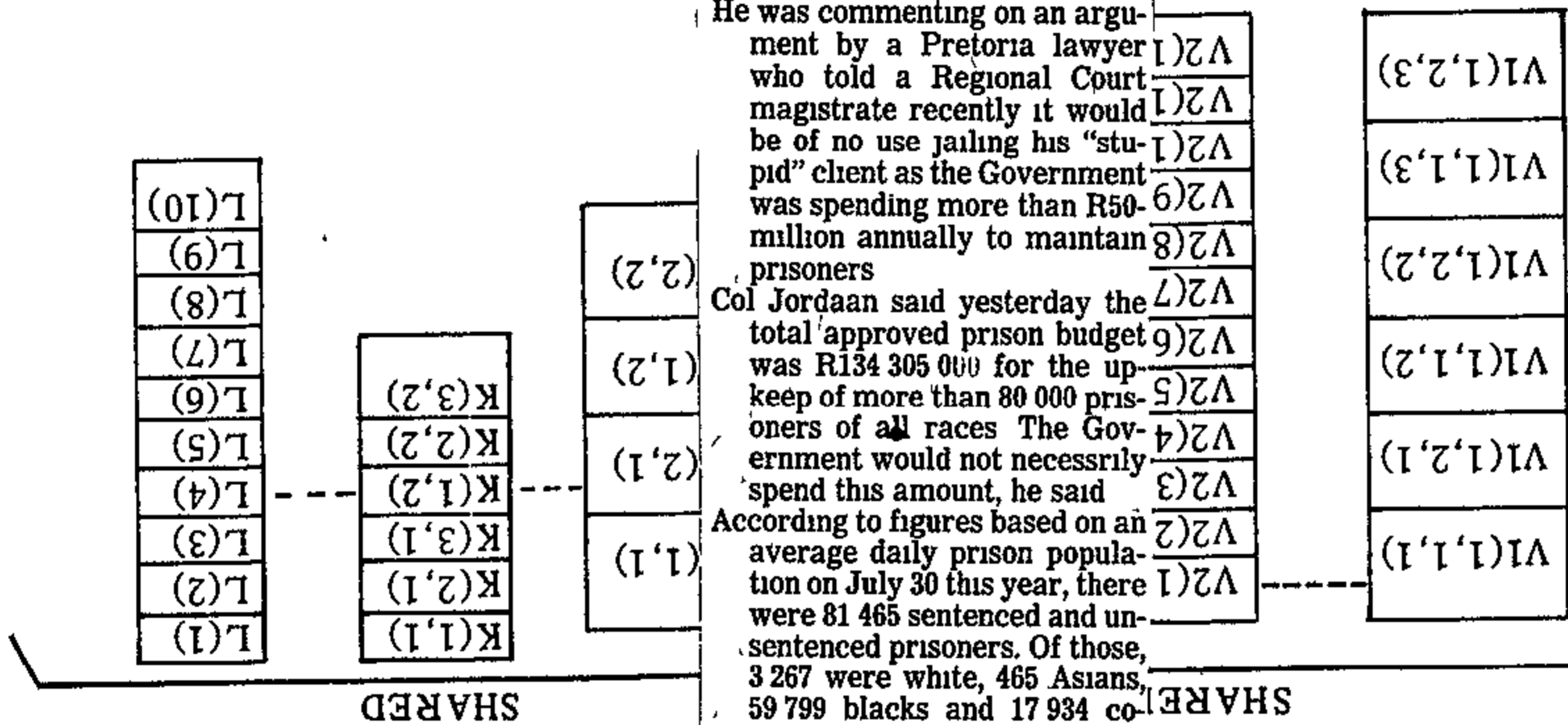
R134m

SA prison budget exceeds

■ An array can be redeclared for storage unit at the same storage space.

■ Sharing is accomplished from Figure 7-1, it can be seen that the same storage space can be shared by two or more entries of the same program unit.

From Figure 7-1, it can be seen that the same storage space can be shared by two or more entries of the same program unit.



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Prison facilities: Leeuwkop

ANS 7 Q 20
*2 Mr S S VAN DER MERWE asked
the Minister of Justice.

(x) 118

What progress is being made with the



421

FRIDAY, 18 SI

provision of prison facilities at Leeuwkop
to accommodate prisoners presently being
held on Robben Island?

The MINISTER OF JUSTICE

Work drawings of the envisaged new
prison at Leeuwkop are at present being
prepared. It is expected that tenders will
be called for early in 1983, subject to the
availability of funds.

Robben Island

1973 7 24 21
*3 Mr S S VAN DER MERWE asked
the Minister of Water Affairs, Forestry and
Environmental Conservation 18/9/8

- (1) Whether his Department has any programme for the protection of the environment on Robben Island, if so, what is the nature of the programme,
- (2) whether the use of the island for military purposes will affect such programme, if so, to what extent?

The MINISTER OF WATER AFFAIRS
FORESTRY AND ENVIRONMENTAL
CONSERVATION

- (1) No
- (2) Falls away

Argum 18/9/81 (253)
Mandela appeals on seizure of papers

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BLOEMFONTEIN — The Appeal Court in Bloemfontein today heard an appeal by Nelson Rohlaha Mandela, serving a life sentence on Robben Island, against the dismissal of an application about some of his documents that the Commissioner of Prisons intended to take into custody. In the Cape Supreme Court on October 23 1980, the then Judge President of the Cape, Mr Justice

Watermeyer, and Mr Justice E M Grosskopf took the view that the Commissioner had the power to take Mandela's documents into his own safekeeping. Mr L R Dison, SC, with Mr L Winkove, for Mandela, said this was a test case brought to establish that a convicted prisoner, during legal interviews with his attorney, was entitled to give written instructions to his attorney. And his attorney was entitled to take away those

written instructions at the close of the interview. In addition, the appeal tested the right of the Commissioner to force Mandela to hand over to him privileged documents. Mr Dison submitted that the right of access to an attorney or counsel was a fundamental right of a prisoner.
(Proceeding)
The appeal was heard by Mr Justice Jansen Mr Justice Muller, Mr Justice Toubert and Acting Judges of Appeal Mr Justice Trollip and Mr Justice Galgut — Sapa

tes
ial
not
D. 12 (5),

but was badly carried over to E.D. 14 (6). The draft statement has thus reverted back to E.D. 12. This treatment is out of line with an option in S.S.A.P.2 in New Zealand (7) and E.D. 25 in the U.K. (8). The writer submits that there should be no option between the separate set of equity statements and adaptation of the investor's profit and loss account as adoption of the latter would be a mixing of the legal and economic entities.

The interviews conducted reveal that the indecisiveness of the accounting profession was a factor contributing to the low adoption rate of the equity method in South Africa. There are also several haphazard attempts at adoption, but this is to be expected in the absence of a statement of G.A.A.P. Group Five and the Plate Glass Group still use the 30% level envisaged in E.D. 12. The reader may infer that such differences contribute little to comparability, however, the basis for equity accounting is significant influence and thus the said companies would surely equity account associates if significant influence existed at less than 30%.

Friday, September 18, 1981

Political Staff

HOUSE OF ASSEMBLY — Mrs Helen Suzman has charged that political prisoners are being kept in isolation in a "flagrant breach" of the spirit of the law

Mrs Suzman, the Opposition's spokesman on prisons, was speaking during the budget debate on that portfolio on Wednesday

She listed several cases to support her statement, including one of a woman who had been held in isolation for almost 30 months

Mrs Suzman said the Prisons Act laid down a maximum of one month for the isolation of a prisoner for

"serious breaches, such as displays or threats of violence" and then only for "as long as it is urgently and absolutely necessary"

The Commissioner of Prisons had to grant permission for extending the one-month period to three months, and for longer periods the permission of the minister had to be obtained

"I am convinced that in some prisons a flagrant breach of the spirit if not

the letter of the law contained in the Prisons Act is being perpetrated

"Convicted prisoners are not supposed to be kept alone, deprived of the company of other human beings, except for the unfortunate victims of the Terrorism Act that was designed to inflict cruel and unnatural punishment," Mrs Suzman said

She listed three cases to support her charges. The "worst of all" was the

case of a 26-year old woman who had been in isolation for almost 30 months. Mrs Suzman said she had visited the woman, serving a sentence of five years under the Terrorism Act. The prisoner was "certainly defiant" and had no respect for prison authorities, Mrs Suzman said

"But she is being drastically punished, constantly, unremittingly and clearly with no positive results whatsoever

"In my opinion she is now mentally disturbed and requires proper psychiatric treatment

"She is one of the tragic results of the Soweto unrest of 1976. She has been in prison for nearly four years, over two years of which she has been locked up alone for 23 hours out of 24 with half-an-hour exercise, alone, in the morning and afternoon," Mrs Suzman said

Mrs Suzman also men-

tioned the case of two women who were each kept in isolation for nine months and a Mr Muthibi Patsa who had been in isolation since his conviction under the Terrorism Act more than seven months ago

In his reply, the Minister of Justice, Mr Kobie Coetsee, confined himself to the case of the two women kept in isolation for nine months. Thus step had been taken because of the behaviour of the women, Mr Coetsee said. Psychiatric treatment had been provided for "at least one" of the women and in another case such treatment had had positive results, Mr Coetsee said

Breach of Prisons Act

Judgment is reserved in Mandela appeal

THE Appeal Court in Bloemfontein yesterday heard an appeal by Nelson Rohlaha Mandela, serving a life sentence on Robben Island, against the dismissal of an application in regard to certain of Mandela's documents the Commissioner of Prisons intended to take into custody.

Judgment was reserved

Last year the Cape Supreme Court took the view that the commissioner had the power to take Mandela's documents into his own safekeeping

The appeal was heard by Mr Justice Jansen, Mr Justice Muller, Mr Justice Joubert and acting judges of appeal, Mr Justice Trollip and Mr Justice Galgut

Mr L R Dison, SC, with Mr L Winkove, for Mandela, said this was a test case brought to establish that a convicted prisoner, during legal interviews with his attorney, was entitled to give written instructions to his attorney. And his attorney was entitled to take away those written instructions at the close of the interview

In addition, the appeal tested the right of the commissioner to force Mandela to hand over to him privileged documents

Basic right

Mr Dison submitted that the fault of the judgment was that it had allowed general regulations to challenge the basic right of access to counsel and had not sought in any way to promote this right so it could be exercised in a meaningful and practical way

There was a clear principle recognised by the courts that a prisoner retained all the rights of an ordinary citizen except those expressly, or by necessary implication, taken away from him by law

The relevant regulation to this inquiry, Regulation 123(f), read "No prisoner may during a visit, hand any writing, document or any other article to his legal representative, interpreter or shorthand writer without the approval of the commissioner"

It was clear from the notice of motion and supporting documents that one of the disputes was that the authorities would not permit Mandela and other prisoners to give any written instructions whatsoever to their legal advisers and it was sought

to test the validity of this refusal, Mr Dison said

It was submitted the regulation did not purport to prevent a prisoner from writing his instructions and exhibiting the writing to his attorney in order to avoid giving oral instructions which he might not wish to give for various reasons, including a lack of confidence in the confidentiality of oral instructions

The authorities had no right to restrict the manner in which the consultation was held (apart from security requirements)

The concept of access to counsel implied, within reasonable limits, freedom and uncontrolled access in the course of an interview

It was unreasonable to suggest that an oral communication was sufficient. A written statement generally was more efficient and comprehensive than an oral statement

The second dispute was whether a prisoner was entitled, without the approval of the commissioner, to hand over to his legal adviser in the course of a legal interview or consultation, documents relating to the consultation, and, more particularly, instructions which he had written out during or for the purpose of the interview for the legal adviser to take with him

Mr Dison said since prisoners were permitted to send instructions to their legal advisers by mail, it was unlikely it was intended they could not do so by personally handing the written instructions to the attorney during an interview

Seized

It was not suggested the authorities were not entitled to maintain a security check to ensure what was removed was what it purported to be and was not contraband

Mandela's further complaint related to statements he prepared for his defence in disciplinary proceedings instituted against him

The charges were withdrawn and the documents seized by a prison official under compulsion. Mandela subsequently sought an order compelling the return of the documents to him and a declaration of rights that the documents remained privileged as the department maintained that the privilege ceased when the charge was withdrawn

The case was settled. The Minister of Prisons agreed to hand back the documents, had done so and had placed on record that it was not disputed that the privilege attached to the documents remained operative

The Minister was now attempting to assert that the documents were not privileged and that the privilege was waived prior to the settlement

It was submitted that the order compelling Mandela to hand his documents to the commissioner for safekeeping was a nullity

Regulation 90(1) merely authorised officials to accept articles for safekeeping

A further reason on which the decision was impugned was that there had been an abuse of discretion. It was submitted the order had been made for an improper purpose — to get hold of Mandela's documents

Rules

The Minister of Prisons submitted that the exercise of a prisoner's basic rights must of necessity be regulated by rules. These were to be found in the Prisons Act, the Regulations, Prison Service Orders and lawful commands

Mr Nel said Regulation 90a prohibited not only the removal of documents from a prison, but also the compilation thereof without the permission of the commissioner.

Security demanded such control because, once compiled, the removal of a document from a prison should not prove to be too difficult

Mandela compiled the documents in question without the permission of the commissioner, who in terms of Regulation 90(1) was entitled to seize them

The professional privilege covered a communication between client and legal adviser. Before that stage was reached there was no privilege

It was submitted Mandela impliedly abandoned any privilege by seeking permission to hand the documents to his wife or daughter and by offering that they be perused by a prison official. Accordingly the documents

JAILLONERS MENTALLY ILL—SUZMAN

By Peter Mann

PRISONERS in South Africa's jails are being locked up alone 23 hours a day for periods of up to 29 months.

This was revealed in Parliament this week by Mrs. Helen Suzman, the veteran PFP MP for Houghton who has been nominated for the Nobel Peace Prize.

Mrs. Suzman revealed that prisoners in segregation were locked alone in their cells for 23 hours a day. They were allowed out only for two half-hour periods which were also taken alone.

She expressed fears that one woman prisoner, Mrs. Caesarina Makhoeiri, detained in segregation and

isolated for nearly two and-a-half years is mentally disturbed. The woman requires proper psychiatric treatment, Mrs. Suzman said.

Parliament heard that lawyers acting for another male prisoner in the Bethal jail, Mr. Mochibi Patso, who has been in segregation or isolation since November 1979—a period of 22 months—have applied for permission for a psychiatrist to see him.

"Permission has been refused" said Mrs. Suzman.

This week Mrs. Suzman told Parliament that "a flagrant breach of the spirit if not the letter of the law contained in the Prisons Act is being per-

petrated." She said Section 80 of the Prisons Act laid down rules for prisoners to be placed in isolation following serious breaches or threats to escape.

"But—and it is an enormously important but—the Act lays down a maximum period of one month during which a prisoner may be kept in isolation. Thereafter only the Commissioner may order a further period of two months and then only the Minister can order further confinement.

"Isolation of a prisoner is obviously considered drastic punishment," Mrs. Suzman said. "I except of course the unfortunate victims of Sec-

tion 6 of the Terrorism Act. That was designed to inflict cruel and unnatural punishment."

Mrs. Suzman said she had affidavits from three women serving sentences under the Terrorism Act at Pretoria jail. Two of the women were kept in segregation for about nine months.

Their segregation ended in August after representations were made (by Mrs. Suzman) to Commissioner General Otto.

The third woman Mrs. Caesarina Makhoeiri, was still in segregation. Mrs. Suzman said she had met her at Pretoria jail where she was serving five years under the Terrorism Act.

"She is certainly defiant and has no respect for the prison authorities. But she is being drastically punished, constantly unremittently and clearly with no positive results whatsoever.

"In my opinion she is now mentally disturbed and requires proper psychiatric treatment."

Asked to comment, a Department of Prisons spokesman said in a statement that the rule for convicted prisoners was as far as possible association at work and segregation at rest.

Prisoners who were in total segregation or solitary confinement received daily visits from the head of the prison and

a hospital orderly while a medical officer visited such a prisoner as often as possible.

Should the medical officer certify that complete segregation would be dangerous to a prisoner's mental or physical health, segregation at work was not enforced.

Prisoners held in solitary confinement under Section 80 could be confined to an isolation cell, and could be placed in irons as long as may be considered "absolutely necessary", but this would not normally exceed one month.

The Prisons Department does not consider segregation or isolation as a punishment, the statement said.

253 S. Tribune 20/9/81

'Endorsed out of birthplace'

By YAZEED FAKHR

MANY former political prisoners who were "endorsed out of their places of birth" after serving periods in jail, were now living in resettlement areas, the Rev Alfred Dhlamini said last night.

Mr Dhlamini, rector of St Peter's Anglican Church in Grahamstown, told about 80 people at the fifth anniversary meeting of the Women's Movement For Peace, held in Claremont, that many political prisoners who, for example, had served jail terms ranging from five to 15 years at the Victor Verster and Pollsmoor prisons, were deported to resettlement areas on their release.

Criticizing the homelands and resettlement policies, he said it was not true that those who resettled did so out of preference, as was so often reported. They were resettled without having any part in that decision.

When the resettlement township of Glenmore was first mooted, Dr Piet Koornhof, the Minister of Co-operation and Development, had said it would be "the most beautiful township in the Eastern Cape".

"Today that township is still as appalling as it first was," Mr Dhlamini said.

In the resettlement areas, where there was no future, the Border Council of Churches had started a gardening project, successfully encouraging people to plant their own crops.

Will Left and Right rub shoulders in Pretoria Central?

REDIT 25/9/87 (253)

Staff Reporter

ARE Wit Kommando saboteurs Massimo Bollo and Fabio Miriello going to live cheek by jowl with their sworn Leftwing enemies in Pretoria Central Prison?

A Prisons Department spokesman yesterday firmly declined to comment on exactly how Bollo and Miriello would be housed

On Monday the Pretoria Supreme Court sentenced Bollo to an effective 10 years for sabotage, participation in terrorist activities and receiving stolen arms and ammunition, while Miriello received an effective five years for sabotage and re-

ceiving stolen property
Three questions were put to the Prisons Department liaison office

- Would Miriello and Bollo be in the same block as prisoners sentenced for their role in ANC and Communist Party activities?
- If so, would they share exercise periods with the Leftwingers?
- If not, would there be any communication between them and the Rightwingers?

The spokesman's full reply was "The two prisoners concerned will initially be subjected to an observation process and after that a decision will be made with regard to their detention and training"

The question of communication between prisoners became a

topical issue last year when ANC members Alex Moumbaris, Stephen Lee and Timothy Jenkins effected a bold escape from the prison's maximum security wing

Other prisoners believed to be housed in the maximum security wing at Pretoria Central are

- Dennis Goldberg, who was sentenced to life imprisonment along with the ANC's top leadership — including Nelson Mandela, Walter Sisulu, Govan Mbeki and Ahmed Kathrada — in the 1964 Rivonia sabotage trial
- University of Natal senior law lecturer Raymond Suttner, who received 7½ years in November 1975 for two contraventions of

the Suppression of Communism Act

• UCT Political Science lecturer Jeremy Cronin and Cape Town journalist David Rabkin, who were sentenced to seven and 10 years respectively for participation in terrorist activities and contravening the Internal Security Act in September 1976

• UCT academic Dr Renfrew Christie, who was jailed for 10 years for five contraventions of the Terrorism Act in May last year His case is on appeal

• Rightwingers David Beelders and Arnold van der Westhuizen imprisoned for participation in terrorist activities after their attack on the house of Mr Colin Eghn

D I M E N S I O N	A R R A Y 2 (5 , 6)
I N T E G E R	A R R A Y 1 (3 , 4 , 5)

can also be written as

D I M E N S I O N	A R R A Y 2 (5 , 6)
I N T E G E R	A R R A Y 1

(1) The statements

Examples:

- (1) If any of the arrays is adjustable, it can be declared only in a procedure subprogram.
- (2) An array may be declared in a DIMENSION statement and explicitly typed in a type-statement, although a type-statement can accomplish both these functions.

Rules:

where each v is an array declarator separated from the next by a comma.

DIMENSION v_1, v_2, \dots

To declare one or more array(s).

Function:

7.3. DIMENSION STATEMENT

By Anthony Duigan

Attorneys acting for 26-year-old Caesarina Makhoere — the Terror Act prisoner who has been in solitary confinement for 30 months — are to apply for a court order to improve her conditions.

Makhoere, who has already served four years of a five-year sentence, has seen only one person apart from prison officials since April 1979 — her mother, who visited her for 10 minutes last year, a spokesman for her Johannesburg attorney said.

"Makhoere's case and that of the other women also kept in solitary was taken up by Mrs Helen Suzman (MP, Houghton) who saw the Commissioner of Prisons, General J Otto, a few months ago," the spokesman said. "There was some improvement in the case of the other two prisoners but then two weeks ago

Court move over Terror Act prisoners

8 Nov 25/9/81
2553

we heard Makhoere was still in solitary."

Mrs Suzman said she took up Makhoere's case with the Commissioner of Prisons in July.

"She is a very defiant, very hostile young lady who has had a running battle with the prison authorities," Mrs Suzman said.

"Attempts have been made to persuade her to co-operate but there seems to be a state of constant warfare between her and prison authorities who also react in a hostile way to her."

Now her attorneys hope to get her out of solitary confinement by court order.

Makhoere's "running battle" with the prison authorities began in April 1979 when she took part in a hunger strike against the quality of food at Kroonstad Prison where she was serving her sentence, the spokesman for her attorneys said.

"She has been kept apart from other prisoners since then and was transferred to Central Prison in Pretoria in October 1979."

"She has written to the Minister of Prisons, the Prime Minister and various senior officials several times to complain about her situation, which we believe is now leading to a rapid deterioration of her mental state."

"She has told us she is feeling bitterly alone and quite desperate and has even been refused toilettries."

"Besides, the visit from her mother in September last year she has also received only one letter from her family and is worried about them."

"Makhoere has also been refused permission to study."

Last week Mrs Suzman said in Parliament the prison authorities were violating the Prison's Act by keeping prisoners in isolation for longer periods than allowed by law.

Quoting the cases of the three women prisoners she said they told "a sorry story of constant conflict over relatively minor incidents between obviously hostile prisoners and equally hostile prison authorities who are unable to deal with the situation."

The Strange case of Prisoner Makhoeri

S. Express 27/9/81 (253)

A SUNDAY EXPRESS INVESTIGATION

CAESARINA MAKHOERI, 26, was convicted in 1977 under the Terrorism Act and sentenced to five years' jail.

Of her four years already spent in jail Makhoeri has spent the last two-and-a-half years in segregation at the Kroonstad and Pretoria Central prisons

According to her attorneys, she has not read a book or spoken to anyone, other than prison officials, during this time — except for a 10-minute visit from her mother in 1980

But the chief information officer of the Prisons Service, Colonel S P Malan, told the Sunday Express that the prison service was satisfied that this approach with regard to her treatment was "in the interests of herself, her fellow prisoners, the safety of prison staff and the maintenance of good order and discipline of the prison"

He said that since her admission to prison Makhoeri had adopted a "totally hostile and... attitude towards

The difference between segregation and isolation seems to hinge on a technicality

Isolation is usually reserved for prisoners who commit serious offences

An aftermath of the Soweto riots, filled with bitterness and hatred and frankly a very difficult person

She was not legally represented at her trial, and after being found guilty, was sent to Kroonstad Prison

ter certain cells on given dates During her 60-day sentence she was put on a spare diet and in accordance with regulations was allowed a break of two weeks

THE Sunday Express can this week disclose details of the strange case of a woman kept alone in a prison cell for the past 30 months

Political prisoner Caesarina Makhoeri is kept apart from her fellow prisoners. She is locked up for 23 hours a day and speaks to nobody but prison personnel

Now a Declaration for Rights application is to be brought before the Supreme Court in a bid to win more humane conditions of imprisonment for the woman who allegedly "sits in her cell and screams all day"

BY CHARLOTTE BAUER



author ty- y- - - - -
ing, threatening violence and
twice assaulting members of the
service"

Makhoeri's case came to light
when Mrs Suzman, Opposition
spokesman on prisons, alleged
that in a "flagrant breach" of the
spirit of the law, political prison-
ers were being segregated

Mrs Suzman told the Sunday
Express she had received affidav-
its from three women prison-
ers, including Makhoeri, and that
after representations to the
Commissioner of Police, two of
the women — Thandi Modise and
Fezwe Bookelene — both of
whom spent nine months in seg-
regation, were sent back to ordi-
nary cells

Prisons Department replies to Makhoeri allegations

REPLYING to these allegations the
Prisons Department issued the follow-
ing statement

"In view of the Declaration for
Rights application to be brought before
the Supreme Court on behalf of Caesar-
ina Makhoeri by her legal advisors, it
would be premature to comment in de-
tail on the content of your article

"As already pointed out to you tele-
phonically, the article contained dis-
torted and incorrect information

"The fact of the matter is, however,
that this prisoner, since admission, has
continually adopted a totally hostile
and unco-operative attitude towards
authority by continually swearing,
threatening with violence, refusing to
carry out orders and, on two occasions,
assaulting members of the service

threats of violence and the maxi-
mum sentence is one month,
after which the Commissioner of
Prisons has to grant permission
for extending the period

● Segregation is the punishment
for minor offences such as impu-
dence or lack of co-operation,
but, according to Mrs Suzman, is
not intended as a long-term
punishment

On April 18, 1979 at the Kroon-
stad prison where she was being
detained, Makhoeri was sen-
tenced to serve 60 days in soli-
tary confinement for refusing to
obey certain instructions

She has been kept alone in seg-
regation ever since. No change
was made to her solitary state
when she was transferred to

ayer because rep...
were first made to the Commis-
sioner of Prisons and other high-
ranking officials

They allege that nothing has
changed and that Makhoeri's
mental state is deteriorating
drastically

"She sits and screams all day,"
a spokeswoman said

Mrs Suzman, who was given
permission to visit Makhoeri in
August, claimed she was "not
normal anymore"

anc unnatural," she said
Apart from Mrs Suzman's vis-
it, attorneys alleged, the only
other "outsider" she has seen in
the past 30 months is her mother
who was granted a 10-minute
visit in September last year

elementary form of social inter-
course and worked at menial
tasks such as ironing and
crocheting

not ma, prison fare after 1er, 1's
30 days
Her attorneys claim that since
her transfer to Pretoria Central
Makhoeri has not been charged
or convicted of any
misdemeanours

"For this conduct she was sentenced
twice to solitary confinement with di-
etary punishment and has had to be
kept in segregation since May 8 1979

"The prison service is satisfied that
this approach with regard to her treat-
ment is in the interests of herself, her
fellow prisoners, the safety of prison
staff and the maintenance of good order
and discipline of the prison"

Explaining prison regulations re-
garding prisoners in isolation and seg-
regation, the department said

orises the Commissioner of Prisons to
order the complete segregation of con-
victed prisoners at work as well as at
rest for any period in pursuance of any
scheme of classification or treatment
or otherwise

templating escape, can be confined in
an isolation cell and in addition or in the
alternative, if necessary, be placed in
prisons or subjected to some other ap-
proved means of mechanical restraint
for such period as may be considered
absolutely necessary. Normally this
does not exceed one month

tion would be or is dangerous to the
prisoner's physical or mental health

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dence or lack of co-operation,
but, according to Mrs Suzman, is
not intended as a long-term
punishment

Holiday on Robben Island

THE Cape Town City Council is to decide on a recommendation that Robben Island be incorporated into its municipal area and be transferred into a holiday resort.

Mr de Villiers, the council's Town Clerk, said yesterday that this idea was one of several recommendations presented to the council by its Ad Hoc committee investigating various sources of additional revenue for Cape Town.

This recommendation comes three years after an announcement in Parliament by former Minister of Prisons, Mr Jimmy Kruger, that the prison island was to be closed and its prisoners transferred to Leeukop prison, north of

Johannesburg, to make way for renovations and to turn the island into a pleasure resort. Prison authorities have said the provisional tender date for the prison at Leeukop which will be replacing Robben Island, was October 1982, meaning that the earliest possible date for the transfer of prisoners from the island would be about July 1985.

Mr de Villiers said the recommendation about the island had been submitted to the executive committee of the council and would later be discussed by the council before a final decision was taken.

253p Sewela 30/9/81

ROW OVER PAROLE SYSTEM IN REPUBLIC

Agus 3/10/81

153

BY CIEL REYNIERSE

SOUTH AFRICAN prison authorities defended the parole system after a habitual criminal was sentenced this week to hang for murdering a woman a month after he was paroled from his second indeterminate sentence.

Sentence of death was passed on 50-year-old Pieter Arendse of Beaufort West — whose criminal convictions stretch back to 1948 — for murdering Mrs Sharon Ashmore, a Tygerberg nursing sister.

Arendse, who had nearly 30 previous convictions, had twice been declared a habitual criminal once in 1966, three months after being paroled from an earlier sentence, and again in 1971. Last July, he was released again.

He killed Mrs Ashmore a month after being freed from prison.

Mr Passin sentence, Mr seven years as he was not found fit to be

The department stresses that to deter a relapse into crime by a parolee, certain conditions are made which if breached, would mean reincarceration.

Prisoners reach a stage in their rehabilitation where further incarceration will be to their detriment and result in a possible relapse. It is therefore of major importance that if possible they are released on parole at

[REDACTED]

Justice Broekman told him 'If you had not been let out on parole, it would not have been necessary to pass the death sentence on you and Mrs Ashmore would still have been alive'

But Department of Prisons' officials, defending the system to Weekend Argus queries, said critics often forget to give equal recognition to the fact that the majority of prisoners are successfully paroled

RELEASED

'Paroled prisoners (as is the case with some other members of society) sometimes do commit crimes but it is the former cases which receive prominence and the system is unfortunately evaluated according to these cases.

'The paroling of prisoners does not take place in a haphazard manner but is based on responsible and professional findings'

Arendse was released on parole 13 years and 10 months after the indeterminate sentence was imposed and not after the prescribed minimum of

that stage to facilitate their successful adaptation to society'

SHORTAGE

The statement also points out that 'prisoners released' unconditionally (after the termination of their full sentences) sometimes resort to 'crime, which, it says, raises the question of whether too short a sentence was imposed.

On the same question, the national director of Nicro, Mr J Pegge, said that although the parole system in South Africa 'was not fully and properly' administered because of the manpower shortage, the system in itself is 'absolutely vital'

Society, however, would pay the consequences of a prisoner released on parole without the necessary preparation

'Prisons are overcrowded and there is a shortage of social workers in them,' he said 'When we supervise a parole we want to be involved from the beginning. We like to think that what we recommend will be taken into account'

No neglect of prisons, say the watchdogs

S Express 4/10/81

253

WHO protects the interests of prisoners in South African jails once the steel door has clanged shut on the outside world?

The traditional watchdogs of the mental and physical welfare of inmates are judges, magistrates and district surgeons, who have the right to see prisoners and monitor prison conditions at all times through unannounced visits

But this right is being questioned by academics

● Shortly before his death in June, Professor Barend van Niekerk of the University of Natal published a report in the SA Law Journal saying this right had been robbed of any meaning as "these visits seldom take place"

● Professor of Law at the University of the Witwatersrand, Prof J D van der Vyver, said he did not doubt the integrity of judges, magistrates and district surgeons. But he said it was possible for the police to withhold "even from them" vital information, and visits by them did not seem to prevent ill-treatment of prisoners

● Opposition spokesman on prisons, Mrs Helen Suzman, said this right should be exercised "more spontaneously and more often"

This week judges and magistrates dismissed as "nonsense" such claims — although they admitted it was usual to give prison authorities prior notice of a visit.

Statistics show that in 1979/80, there were 42 visits to prisons in South Africa by judges and 241 by magistrates.

A district surgeon is appointed to every prison or group of prisons. Visits take place daily in all larger centres and weekly at smaller institutions

In an interview with the Sunday Express, the Judge-President of the Transvaal, Mr Justice W G Boshoff, said prisons were open to judges, who made use of the opportunity to inspect them when they went on circuit

"We always visit the jails, we consider it our duty because I feel prisoners have confidence in our impartiality"

He said he agreed with Prof van Niekerk's suggestion that prisons in rural and outlying districts should get special attention

"I don't think it is as imperative to visit city jails because courts always sit in cities and the prisoner has a channel for his complaint"

Last month the Minister of Justice, Mr Kobie Coetsee, revealed that 93 of the 242 prisons in South Africa were overcrowded — nine of them by more than 200%

By CHARLOTTE BAUER

BUT ... SNAP VISITS RARE

The worst case of overcrowding — by 306% — was at the Kokstad prison

Judge Boshoff said that because of the severe shortage of manpower in the police many prisoners were being kept in custody awaiting trial for much longer than necessary

"I complain if the police take a long time to investigate offences," he said

Although judges did not override prison regulations, often prisoners had complaints within the regulations which were well-founded

"When we inspect jails the prisoners are lined up and we ask them if they have any complaints. If they want to be heard in private I always take them into a separate room

"If the complaint warrants attention I then instruct the head warden to act accordingly or, depending on the complaint, I may take it up in Pretoria"

Judge Boshoff said that when judges left a prison they could make remarks in a special book if they felt any particular aspect needed attention. These remarks were forwarded to the Minister of Justice who "gives us a constant feedback, reports to us on the action he has taken or is going to take, and actively encourages us to visit jails"

But, said Judge Boshoff "Unannounced visits to jails are the exception rather than the rule.

"We don't often go out of the blue, because if we do often the prisoners we want to speak to are out working in the fields and it takes time and a change of schedule to have them recalled"

He said if he got word of a serious complaint, an impromptu visit would be made

Johannesburg's Chief Magistrate, Mr J A van Dam, denied Prof van Niekerk's claim that there was a general apathy towards prisons and prison conditions

"I was never impressed by Prof Van Niekerk. He seemed to go out of his way to run down the Department of Justice"

Mr Van Dam said magistrates had a standing invitation to visit prisons "whenever we like"

"I can ask to see anything and it is shown to me. I do not deal specifically with prisoner's complaints, I mostly check to see that the place is properly maintained and that the toilets are clean and in good working order"

Magistrate's reports on prisons are made out to the Director General of Justice.

Principal District Surgeon, Dr V D Kemp, told the Sunday Express that surgeons visited prisons every day from 7am until noon in the cities and at least once a week in smaller areas

"We see every prisoner on admission to prison and also check prison health conditions with regular inspections of the kitchens and ablution blocks

"If we have reason to suspect anything is wrong, we report directly to the Commandant of Prisons or to the Health Department"

But Prof Van der Vyver suggested that access to detainees by their families would be "much more feasible".

Hons Holding of Modika Mordecai Tatsa in
segregation or isolation

10/10/81 QC 663-4 (253) (229)
*24 Mrs H SUZMAN asked the Minister of Justice

7 OCTOBER 1981

664

- (1) Whether Modika Mordecai Tatsa has been held in segregation or isolation in the Bethal prison; if so, for (a) how long and (b) what reason,
- (2) whether it is the intention to continue to hold him under these conditions; if so, for how long?

†The MINISTER OF JUSTICE:

- (1) Yes, segregation.
 - (a) For one month from 22 May 1981 to 21 June 1981
 - (b) for observation purposes.
- (2) Falls away.

'Solitary' women appeal to judge

Star 10/10/81 (233)

Own Correspondent
Details of how five women political prisoners were periodically kept in solitary confinement — in one case for 30 months, were revealed in the Pretoria Supreme Court yesterday.

In an urgent application before Mr Justice F F Eloff, four of the women asked for an order declaring that their "detention in isolation" be declared illegal.
Caesarine Makhoere, Thandi Modise, Elizabeth Nhlapo, Kate Serokolo and Elizabeth Gumeda have brought the application against the Minister of Prisons, the Commis-

sioner of Prisons and the Officer commanding the Pretoria Central Prison

All the women, save for Makhoere, have asked the respondents to release them or procure their release.

They were convicted under the Terrorism Act. In a sworn affidavit Makhoere, who spent the period from April 12 1979 to October 1 1981 in isolated detention, said "It is a punishment of a peculiarly onerous sort

"It is inflicted without any real regard for the nature of the alleged offence, without our being given any opportunity to defend ourselves and for a duration which is indefinite and in the discretion of prison officials"

The plight of Gumede was described as "particularly desperate" She is over 60 and suffers from hypertension, the court heard

"She screams for long periods of time," said

Makhoere.
An order was also asked requesting the respondents to provide the women with reading material and study facilities.

Alternatively it was asked that the respondents be restrained from detaining them in isolation save where it was absolutely necessary to secure them.

A reply date of October 23 was set for the respondents and an answering date to this of October 30 for the applicants. The case will come before court on November 3.

Five seek order to end prison isolation

253 ~~327~~ RDM 10.10.81

FIVE women serving terms for offences under the Terrorism Act brought an urgent application in the Pretoria Supreme Court yesterday, seeking to have their alleged detention in isolation declared illegal.

The application, heard by Mr Justice Eloff, cited the Minister of Justice, the Commissioner of Prisons and the office commander of Pretoria Central Prison.

The applicants are Caesarine Makhoere, Thandi Odise, Elizabeth Nhlapo, Kate Serokolo and Elizabeth Gumede

All except Makhoere asked that the respondents be ordered to release them or, alternatively, procure their release from isolation

In a sworn affidavit, Makhoere, who said she was in isolation between April 12, 1979 and October 1 this year, told the court "It is inflicted without any real regard for the nature of the alleged offence, without our being given any opportunity to defend ourselves and for a duration which is indefinite and in the discretion of prison officials"

Makhoere said Gumede was over 60 and suffered from hypertension. She described Gumede's plight as "particularly desperate"

Screams

"She screams for long periods of time," Makhoere said

The most recent isolation detention of the other four women started on September 29, Makhoere said, and no reasons were given

The isolation cells were described as 250cm by 250cm with a barred window high on the wall which could be reached by standing on a locker. This was not permitted, however

"The effect of the regime of isolation is to deprive us of stimulus," Makhoere said "After a while, we have the feeling of being entirely alone and become disorientated by the lack of social interaction"

The judge set October 23 as the reply date for the respondents and October 30 as the applicants' answering date to this

The case will come before court again on November 3 — Sapa

Court told of screams in 'solitary'

10/10/81

253

Own Correspondent

JOHANNESBURG — Five female convicts yesterday applied for an interdict restraining the Minister of Prisons, Commissioner of Prisons and Officer-in-Command of the Pretoria Central Prison from keeping them in solitary confinement.

The five applicants, Cesaerine Mokhoere, Thandi Modise, Elizabeth Nhlapo, Kate Serokolo and Elizabeth Gumede, made the application before Mr Justice Eloff in the Pretoria Supreme Court.

In papers before the court the applicants allege that they have been kept in solitary confinement as punishment for committing crimes while in prison, and claim that the isolation is not in accordance with the provisions of section 78 of the Prisons Act.

Terrorism Act

They were all convicted under section 83 of the Terrorism Act.

Their submission is, that complete isolation without work, restricted exercise, denial of any reading matter save the Bible, restrictions on receipt of letters and visitors and refusal of the right to study are "separately and cumulatively a punishment of the severest crime".

According to the papers, Gumede's plight was described as "particularly desperate". She is over 60 years, suffers from hypertension and finds isolation "so claustrophobic that she screams for long periods".

The five claim that they do not complain about being separated from other prisoners, but desire not to be separated from each other without good cause.

They believe that they were punished because they complained about the quality and quantity of food.

In their application they also seek an order declaring

the detention in isolation of Modise, Nhlapo, Serokolo and Gumede, illegal and demand their release.

They also apply for costs of the action and alternative relief.

In a sworn affidavit Makhoere, who spent the period between April 12, 1979 and October 1, 1981 in isolated detention said "It is inflicted without any real regard to the nature of the alleged offence, without our being given any opportunity to defend ourselves and for a duration which is indefinite and at the discretion of prison officials."

Fines

She says she has invariably been sentenced to fines or prison terms for hitting a warder. She was, however, released from isolation on October 1 this year, but the other four were not.

Serokolo says she had received all the other punishments, but she had always been allowed to read books provided by prison authorities.

Modise, Nhlapo and Gumede said they had also been kept in solitary confinement but between October 2 and 5 were permitted reading material.

The isolation cells were described as being 2,5m x 2,5m. There was a barred window high up on the wall which could be reached by standing on a locker. This, however, was not permitted.

The judge postponed the action to November 3 and ordered that the respondents should file answering affidavits on October 23, and that the applicants should reply on October 30.

A brief taste of freedom

C. Herald 10/10/81

229 231 253

A SOWETO man, Mr. Godfrey Mabaso, 19, had a brief taste of freedom on Friday, September 25 when he was released from Robben Island — only to be rearrested immediately afterwards by security police.

Mr Mabaso had been in jail for two years and 5 months.

He was originally detained in April 1979 and sentenced to five years' imprisonment on August 16 the same year. He was found guilty in the Johannesburg Magistrate's Court of contravening Section 21(b) of the Terrorism Act in that he was found to have arranged transport for himself and others to go abroad for military training in order to overthrow the State.

At the trial Mr Mabaso pleaded guilty and no evidence was led. He was not represented.

Once on Robben Island, Mr Mabaso wrote to a Johannesburg attorney, Miss Kathleen Satchwell, complaining of an unfair trial.

AFFIDAVITS

The attorney collected affidavits from Mr Mabaso and his mother and applied for the trial to be reviewed.

The review appeal was heard by three judges in the Pretoria Supreme Court on September 23. They found an irregularity had taken place in that the magistrate had put insufficient questions to Mr Mabaso.

The matter was referred back to the Attorney-General and Mr Mabaso was free to return home.

However, upon his release, two days later, on Friday, September 25, security police were waiting and they immediately re-detained him.

On the same day, meanwhile a Cape Town lawyer was preparing to fetch Mr Mabaso at the harbour (Robben Island prisoners and others are transported by ferry from the prison to the mainland).

But the lawyer was telephoned by security police and told of the re-detention.

COURT

Mr Mabaso was taken to Johannesburg where he appeared in the Magistrate's Court on Monday. He was remanded in custody till Friday when a bail application was to be lodged.

On Friday the Attorney-General produced a notice in terms of the Internal Security Act which prohibited bail.

Mr Mabaso was remanded in custody. His case will be heard on October 26 before which further investigations are to be conducted.

Special committee to review parole?

Political Correspondent

A SPECIAL committee may be appointed to review the release on parole of prisoners convicted of serious crimes such as rape

The Minister of Justice, Mr Kobbie Coetsee, told the Cape National Party congress yesterday that he was considering an advisory committee on the release of prisoners,

possibly under the chairmanship of a judge

"They will review serious cases such as rape before the prisoners are released on parole"

Such a review system would help protect and reassure the public, he said in reply to a resolution calling for strong action to protect law-abiding and loyal citizens

Harsher penalties for serious crimes, including subversion and treason, were a matter for the courts, but statistics indicated that longer terms of imprisonment were being imposed

In the past three years, the number of long-term prisoners had increased, while the number of charges had dropped, and prosecutions and convictions had remained constant

"The deduction is that heavier sentences are being imposed for serious crimes," Mr Coetsee said

Crime in SA not always criminal

By NORMAN NGALE

THE visiting International Prisoners' Aid Association's (IPAA) top men were in Mamelodi over the weekend that many things not regarded as crime throughout the world were regarded as such in South Africa.

These included going about without a reference book, staying in a certain area for more than 72 hours without permission and being an opponent of the Government.

The men are Rear Admiral EN Poland, Vice President of IPAA from Britain, Mr Ray Kidney, IPAA's board member from Australia and Mr Peter Normann, Australian/Pacific's regional secretary.

They were guests of the National Institute for Crime Prevention and Rehabilitation of Criminals.

LAWS

Rear Admiral Poland told the selected audience how the crime rate in Holland had been lessened after the Government had decriminalised most of its laws.

He said this had resulted from Holland's community involvement in and of criminals. The volunteers, he said, through their study of crime in the country had made representations to Government for this move.

It was a proven fact, he said, throughout the world that no government could control crime without the active involvement of the local community.

He said countries like Japan and Australia were recently experiencing a low crime rate because of such involvement. Japan had, he said 46 000 volunteers who visited and aided criminals.

He urged the local community to back up Nicro and create a strong voice to make representations to the Government on behalf of prisoners.

DIGNITY

Mr J V Pegg, National Director of Nicro described a

DIGNITY

Mr J V Pegg, National Director of Nicro described a prisoner as someone who feels worthless to himself, to his family and the community. He appealed to members of the public to make offenders feel they had dignity and could contribute meaningfully to the community's well being.

One speaker said Nicro was placed in a difficult position by the South African laws. "For instance Nicro would be frowned at by the Government if it were to take food and other necessities to a restricted person."

Mrs P Mabusela, a Mamelodi branch of Nicro representative said their latest survey in the township revealed that lack of recreational facilities was contributing to crime.

UK pleads
Star 28/10/81
for release
of unionist

The Star's Bureau

LONDON — The British Government has said it will keep trying to persuade the South African authorities to free jailed trade unionist Dave Kitson

Kitson, (62) has served 17 years of a 20-year sentence for offences under the Terrorism Act

A delegation from the technical and scientific section of the Engineering Workers' Union, to which Kitson belongs, called on Foreign Office minister Mr Richard Luce yesterday to express their concern about Kitson's present conditions.

"His health is deteriorating so we are asking for his release on humanitarian grounds," a spokesman for Kitson's union said.

Island man free again

LIFE started again this week for a young Soweto man who wrongfully spent two-and-a-half years in prison, most of it on Robben Island.

Soweto 28/10/81 (253)
Sibusiso Mabaso was freed by a Johannesburg magistrate on Monday when the State withdrew charges of leaving the country to undergo military training. The case had been sent to the court by the Pretoria Supreme Court after Mr Mabaso had been convicted in 1979 on the same charges and jailed for five years.

Back at his Soweto home, Mr Mabaso was yesterday searching out old friends. "A few of them didn't remember me," he said.

Fitting back into township life will not be too difficult for Mr Mabaso. "Nothing has changed."

Deciding what to do with his future will take some time. "I was at school and I hope I can carry on, perhaps through correspondence as well," he explained.

Mr Mabaso still worries about policemen. When reporters arrived at his home he waited some distance down the road. "I thought you were policemen."

But there is not a great deal of bitterness in him. "I am just so glad to see my family and friends again."

CAPE HERALD 28/11/81

Ex-detainees in fight for rights

A CIVIL case in which two former Victor Verster Prison detainees have applied for their prison rights to be restored, continued last week even though they were released from prison in December 1980.

Arguments for the State and the defence were concluded on Thursday.

Judgment has been reserved.

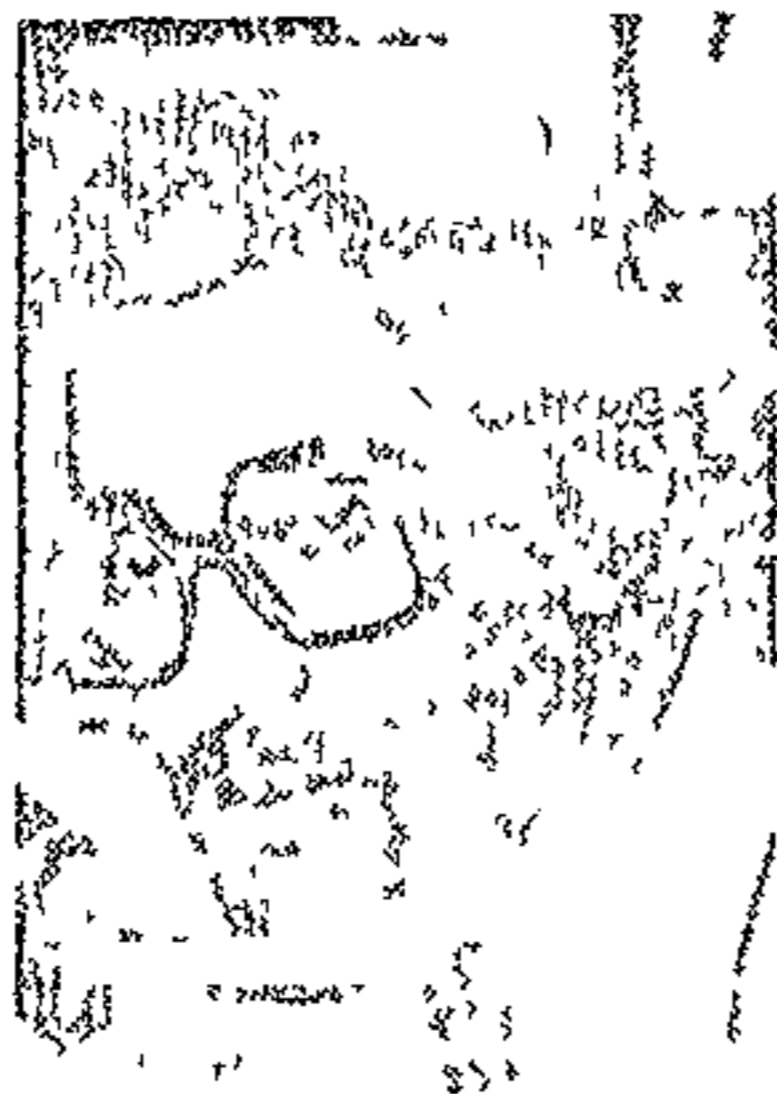
The two plaintiffs are Mr Ahmad Cassiem, who is banned and Mr Abdurazak Achmat.

Mr Cassiem was detained on April 23 and Mr Ahmed on April 28, 1980. They were held at Victor Verster Prison, near Paarl in terms of Section 10 of the Internal Security Act.

On November 20 last year, most of their privileges and rights were taken away from them. They said in an affidavit that they spent 23 hours out of every 24 in solitary confinement. Family visits were also discontinued.

They have contended that this was illegal and have applied for these rights and privileges to be restored. The case was to have been heard on December 3 but on the day before that, their rights and privileges were restored. They were subsequently released on December 9.

There was no need for the matter to proceed and the attorney acting for the two suggested to the State's attorney that each party pay its own costs.

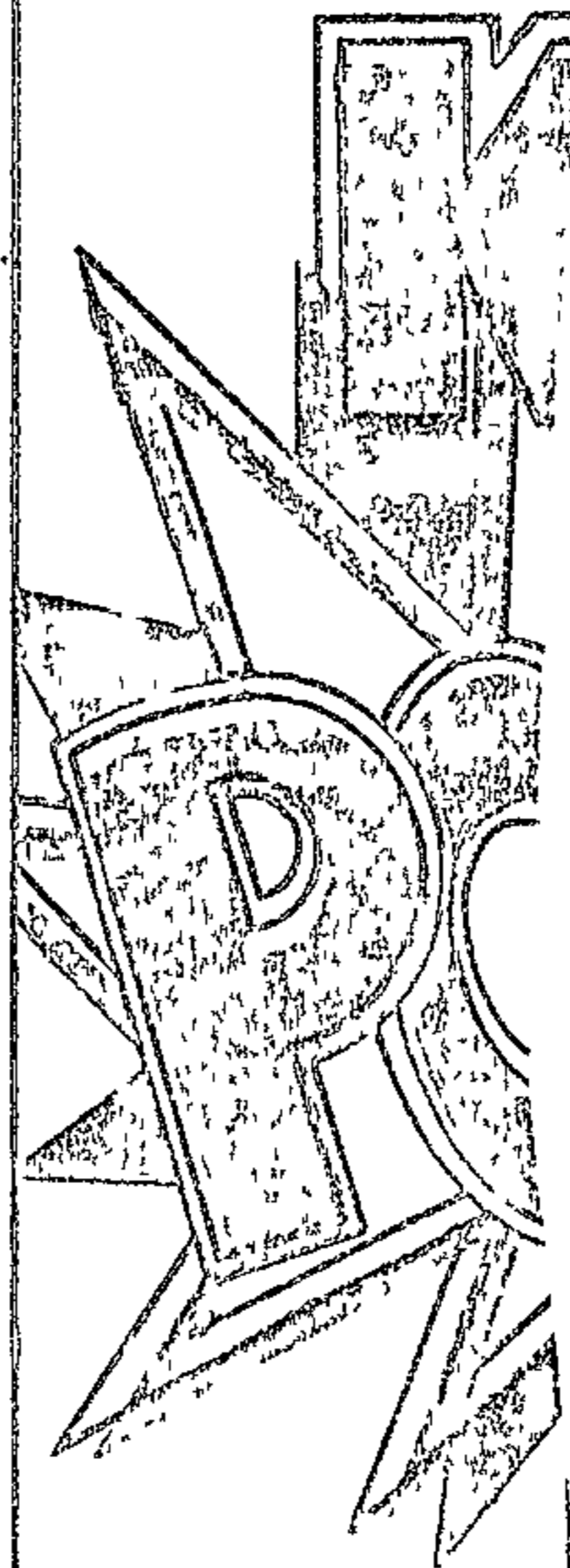


MR ACHMAT CASSIEM, banned former detainee. His case was heard in court last week.

This was not acceptable to the Minister of Prisons, the Officer Commanding Victor Verster Prison and the Commissioner of Prisons against whom the two detainees had brought the action.

The merits of the case now has to be decided upon so as to determine who is liable for costs.

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Jail visits —relatives win costs

ARGUS 16/12/81

(253) (227)

COSTS were awarded in the Supreme Court, Cape Town, yesterday to six relatives of Robben Island prisoners who recently brought an urgent application for an order declaring their visiting permits valid.

The application, made on the understanding that a blanket ban had been imposed on visits to prisoners following a hunger strike, was dropped on December 8.

It proceeded only with an application for costs from the Minister of Prisons.

In judgment handed down yesterday, Mr Acting Justice King said the application had been brought to protect the interests of the prisoners as well as the proposed visitors.

Permission granted to relatives to visit prisoners in terms of Section 22 (2) of the Prisons Act was an administrative discretion exercised by the Commissioner of Prisons.

However, the conditions contained in the permits had nothing to do with the conduct or behaviour of the prisoners to be visited. The Commissioner had used his discretionary powers to ban the visits.

The judge said he was prepared to grant an order for alternative relief consistent with the original application. He awarded the costs of the application to the relatives.

The applicants were the Rev G M Tsosane, Mrs C Mashaba, Mr S A Mashoba, Mrs M Mdoda, Mrs L N Mafuna, and Mrs D Nkata.

Mr L R Dison, SC, assisted by Mr J T Schoombie and instructed by A M Omar, Vassen and Co, appeared for the relatives. Mr G D van Schalkwyk, assisted by Mr S A Jordaan and instructed by the State Attorney's Office, appeared for the respondents.

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3.1 GENERAL INTRODUCTION

FILE UTILITY ROUTINES

SECTION 3

Suspension of Robben Island visits 'cruel'

ARGUS
4/12/81
253

THE chairman of the Civil Rights League, Mr Brian Bishop, today condemned a Prisons Department decision to withdraw visiting privileges at Robben Island.

It was 'particularly cruel,' he said.

He was commenting on a statement issued last night by the Commissioner of Prisons, Lieutenant-General J N Otto, that those privileges had been withdrawn after a hunger strike by several prisoners.

General Otto said the hunger strikers had made certain 'unrealistic' demands and had 'begun to eat again without any demands having been met.'

Mr Bishop said the Government tended to meet any challenge to authority by over-reaction and 'draconian punishment' because the worst offence in its eyes was such a challenge.

'This reflects a sub-conscious awareness that their authority is illegitimate, abused and deteriorating,' he said.

Mr Bishop continued 'The prisons statement that prisoners had "begun to eat again without any demands having been met" is pathetic and petty.'

People were on their way from all parts of South Africa to see their relatives in the Christmas season. To deny the families the right to meet at this time was 'particularly cruel.'

A spokesman for the Prisons Department in Pretoria said the department 'at this stage stands by the information' in General Otto's statement.

The spokesman refused to say how many prisoners were involved in the hunger strike, what reasons they had given, how long the strike had lasted, which prisoners had been involved and whether the relatives had been informed at the time of the strike.

The Argus correspondent in Johannesburg reports that as far as could be ascertained today none of the families of Political prisoners on Robben Island

has been informed about the suspension of visits to the island.

Attorneys representing families of prisoners said as far as they were concerned none of their clients had been consulted about the suspension of visits.

The attorneys said most of the families were preparing for their monthly visits to the island.

'We hope the Prisons Department authorities will inform these families in time about the suspension before they can spend a lot of money on the trip to Cape Town,' said one attorney.

It was not clear whether the suspension of the visits affected all prisoners or only those who participated in the hunger strike.

Women

Visits to island prisoners suspended

CAPE TIMES
4/12/81

253
BWA

Staff Reporters

VISITING privileges at Robben Island have been withdrawn following a hunger strike by several prisoners, the Commissioner of Prisons, Lieutenant-General J N Otto, said in Pretoria last night.

Mrs Albertina Sisulu, wife of one of the imprisoned ANC leaders, Walter Sisulu, said last night that she had not been notified of the withdrawal although her daughter was due to fly to Cape Town this month to see her father.

And the PFP spokesman on justice, Mr David Dalling, said the information released was "insensitive and inadequate".

General Otto said the hunger strikers had set certain "unrealistic" demands and had "begun to eat again without any demands having been met".

The identity of the prisoners, the dates and duration of the hunger strike and the nature of the prisoners' demands were not divulged in the commissioner's statement.

General Otto said the "majority" of the prisoners' demands were "unrealistic or, because of policy, could not be considered".

"This undisciplined action has had the inevitable result that some of their privileges have been prejudiced. Among other things, therefore, visits to the prisoners have been suspended until further notice."

It was not clear from General Otto's brief statement whether visiting privileges had been withdrawn from the hunger strikers only or from all the prisoners.

A spokesman for the Department of Prisons public relations division told Sapa, however, that he believed only the strikers were affected.

The Cape Times put the following questions to a prisons spokesman last night: Which prisoners were involved in the hunger strike, what reasons did the prisoners give for their hunger strike, how long did the hunger strike last and how many prisoners were involved?

The prisons spokesman said he would not regard the questions as "official" and even if the questions were posed officially the prisons reaction at present was "no further comment". The questions would be considered this morning.

Mrs Sisulu — the recently unbanned wife of African National Congress leader Walter Sisulu who was imprisoned on the island in 1964 — said from Soweto last night that the Cape Times call was the first she had heard of the hunger strike.

"This is terrible — my daughter is flying down to Cape Town on December 19 to see her father and now we don't know what to do."

Danger to life

"Up to now the prison authorities have not notified the families who are directly concerned with the well-being of their next-of-kin and we condemn their not telling us because hunger strikes could endanger the lives of prisoners."

She said no demand was impossible and that it was "unfair" to cancel the visits because this affected the prisoners, as well as their families.

Mr Dalling, the PFP spokesman on justice, said that if the government wanted the public to believe the prisoners' demands were unreasonable, then they should be disclosed and brought into the open.

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RELATIVES of Robben Island prisoners did not appear in the Supreme Court last week to oppose the Minister's application to suspend visits to the island.

ARGUS 5/12/81 (253)

LEGAL SNAG HITS

PRISON DISPUTE

Weekend Argus Reporter
 AN all-out attempt by relatives to see prisoners on Robben Island this weekend failed today when a Supreme Court application to lift the suspension of visits to the island was postponed to December 8 because of a legal technicality.

The application was brought by Mr Gilbert McLain Trosine and five others against the Minister of Prisons, Commissioner of Prisons, Head of the Maximum Section and the Officer-in-Command of

Prison Commissioner of the island.
 It followed reports that visiting prisoners to Robben Island had been drawn to a court case to challenge the island's prison.
 Travel agents and concerned parents and relatives sat around the court only today waiting for a decision.
 The people, mostly from Port Elizabeth and Grahamstown had been denied permits in September to visit the prisoners this weekend.
 In papers before the court, Mr Trosine said

that Samuel Chumane had been on the island since 1963 and that he had been denied visits to his family in Port Elizabeth since 1977. He said that the Department of Prisons had been operating in a way that prevented visits to the prisoners of visiting relatives and family members. He said that he had been denied a permit to visit his son, who had been reported to have been on the island since 1977.

but that he did not provide any evidence to support his claim that the visit was without prejudice to the interests of the public. He said that the application should be granted because it was in the interests of justice to allow the relatives to see their prisoners.
 The court was an unreasoned column of collective punishment.
 The other applicants, Mrs Caroline Abanda, Mrs Moopana Mdede, Mr

Mafula and Mr Dorothy Mafu affirmed that they were concerned about the prisoners' health because of the conditions on Robben Island. Mr General Mafu said he was present at the independence celebrations in 1975 and that he had seen the prisoners in a state of poor health.

Visits ban: 'Relatives not told'

C. Times 7/12/81

253

Staff Reporters

RELATIVES of Robben Island prisoners who had permits to visit the island at the weekend were not told by prison authorities that visits had been banned following a recent hunger strike at the prison, it is claimed.

Interviewed outside the Cape Supreme Court on Saturday as they waited for their urgent application to revoke the ban on visits to be heard, they said the first time they had heard of the ban was when they read a report in the Cape Times on Friday.

Elderly Mrs Leittia Mafuna, from New Brighton, Port Elizabeth, said she had been in the City since last week to visit her nephew, Vusumzi Mcongo, 22, who has been imprisoned on the island since 1977.

Mrs Mafuna said she had been allowed to visit him last Sunday and had been due to visit him again on December 5. She said two warders listening in on the first visit had permitted her and Mcongo to discuss only purely personal matters. He appeared to be well.

Mrs Mafuna said it was only when she read press reports that she realized she could not visit again.

She said she had become ill with worry after reading the reports.

"It is hard for me to come here because I have a heart condition. I was sick on the train journey from Port Elizabeth and after the journey I had to spend three days in hospital."

If she were not allowed to see Mcongo she did not know when she will be able to visit him again.

Mrs Caroline Mashaba, from Chiawelo in Soweto, who was unbanned in September this year, said she had come to Cape Town to visit her cousin Phillip Khoza who was sentenced to 15 years' imprisonment in 1977. She had a permit to visit him on December 5.

Mrs Mashaba said she was also not notified about the ban on visits by the prison

authorities.

"It is terrible. I only saw it in the papers. Nobody notified us that they were withdrawing visiting privileges. They should have told us about it. We should still be allowed to see them. It does not mean that if they are starving that we can't see them," she said.

Mrs Mashaba said there had been a three-week hunger strike on Robben Island in 1965. At that time visiting privileges had been extended to the following week. "I don't know whether they (the prison authorities) will do the same thing now."

She said she had to leave Cape Town by last night. "It will be terrible if I had to go back without seeing him again. It is expensive to come to Cape Town."

The Rev Gilbert Tsosane, from Mamelodi East, Pretoria, also came to Cape Town last week to see his 35-year-old son, Samuel Chibane, who has been on Robben Island since the age of 17.

Mr Tsosane said he had been very worried after reading press reports about the ban on visiting and had consulted a lawyer. He last visited his son in September this year with his wife.

During the interview with the Cape Times he wept silently and asked not to be quoted any further.

● A visit to Robben Island lasts about 45 minutes and visitors have to obtain permits from the Department of Prisons. Return boat trips to the island cost 50c.

One of the regulations for visits states: "Please note that the visit has been granted on the condition that you will converse with the prisoner in Afrikaans or English should a Sotho, Zulu, or Xhosa speaking member (of the prison staff) not be available."

Imprisoned ANC leader Walter Sisulu's daughter is due to visit her father on December 19. It is not known whether the suspension on visits will still be in effect then.

Robben Island: Interdict action delayed

Staff Reporters

PROGRESS in an urgent application for a reversal of the ban on visits to prisoners on Robben Island has been held up because lawyers have not yet been able to serve papers on the Commissioner of Prisons, Lieutenant-General J N Otto.

Visiting privileges at Robben Island were withdrawn last week by prison authorities following a hunger strike by several prisoners.

By 6pm yesterday the papers had still not been delivered to General Otto.

The hearing of the urgent application, begun in the Cape Supreme Court on Saturday morning, has now been postponed to tomorrow morning at 10am.

The application was made in the Supreme Court on Saturday morning by Mr L R Dison, instructed by A M Omar, Vassen and Company, on behalf of six relatives of Robben Island prisoners who were due to visit the island at the weekend.

The application was brought against the Minister of Prisons, the Commissioner of Prisons, the head of the maximum security section on Robben Island and the officer commanding the State Attorney's Office.

Telephoned

The relatives, Mr G M Tsosane, Mrs C Mashaba, Mr S A Matshoba, Mrs M Mdoda, Mrs L N Mafuna and Mrs D Nkata asked the court to find that visitors' permits issued to them were still valid.

In an affidavit handed into the court, Mr Omar said the relatives had consulted him on Friday morning. He had telephoned Robben Island to find out if they could make the visit and was referred to the Commissioner of Prisons. Mr Omar said he had sent a telex to the commissioner and received a reply at 3pm saying no visits were permitted.

The relatives then instructed him to make an urgent application. He immediately phoned the office of the State Attorney to ask for after hours service to be arranged and to establish where a copy of the application could be served.

Mr W Wilken had informed him that the State Attorney's office was not prepared to accept service after office hours as rules of court did not provide for this.

Mr Omar said he had telephoned Mr Wilken that arrangements had already been



From page 1

the decision to ban visits, had not had the opportunity to file replying affidavits. It was the view of the court that the Commissioner should have the opportunity of replying. For that reason the hearing was postponed.

Even if prisoners had gone on a hunger strike, he submitted, this did not provide the basis in law for a "blanket" ban on all visitors without proper consideration of the individual cases involved and the individual permits already granted.

Similar affidavits by the other relatives were handed in to the court. Mr Acting Justice E L King, who heard the application, said the Commissioner of Prisons, who had taken

the decision to ban visits, had not had the opportunity to file replying affidavits. It was the view of the court that the Commissioner should have the opportunity of replying. For that reason the hearing was postponed. Appearing for the head of the maximum security section at Robben Island and the officer commanding was Mr S A Jordaan instructed by the State Attorney's Office.

Telephoned

The relatives, Mr G M Tsosane, Mrs C Mashaba, Mr S A Matshoba, Mrs M Mdoda, Mrs L N Mafuna and Mrs D Nkafa asked the court to find that visitors' permits issued to them were still valid.

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Mr Omar said he had told Mr Wilken that arrangements had already been made with the judge and registrar of the Supreme Court for the matter to be heard on Saturday morning. In spite of this, Mr Wilken had refused to make any arrangements for after-hours service and had said the office would be closing at 4.30pm. Subsequently a senior assistant State Attorney, Mr F Els, had confirmed that no arrangements could be made for after-hours service.

Mr Omar said he had also had difficulty serving papers on Major W J Badenhorst, head of the maximum security section of the Robben Island prison, and the Commissioner of Prisons, Lieutenant-General J N Otto.

In Ciskei

Mr Omar said he had tried to contact General Otto by telephone on Friday. The general's son had told him the general was away in Ciskei and was due to return only yesterday.

One of the relatives, Mr Gilbert Mohlaba Tsosane, a Dutch Reformed Church minister from Mamelodi East, Pretoria, accused the prison authorities in an affidavit of having "ulterior motives" for placing the ban on visits to prisoners — "particularly since all prisoners are definitely not on a hunger strike".

He described the ban as "a grossly unfair and unreasonable form of collective punishment — the innocent all suffer with the guilty".

In September this year he had been granted a permit to see his son, Samuel Chibane, on Robben Island.

He had travelled to Cape Town at great expense and could afford to stay in the City only a few days.

The first indication he had

Court action on visits to prisoners dropped

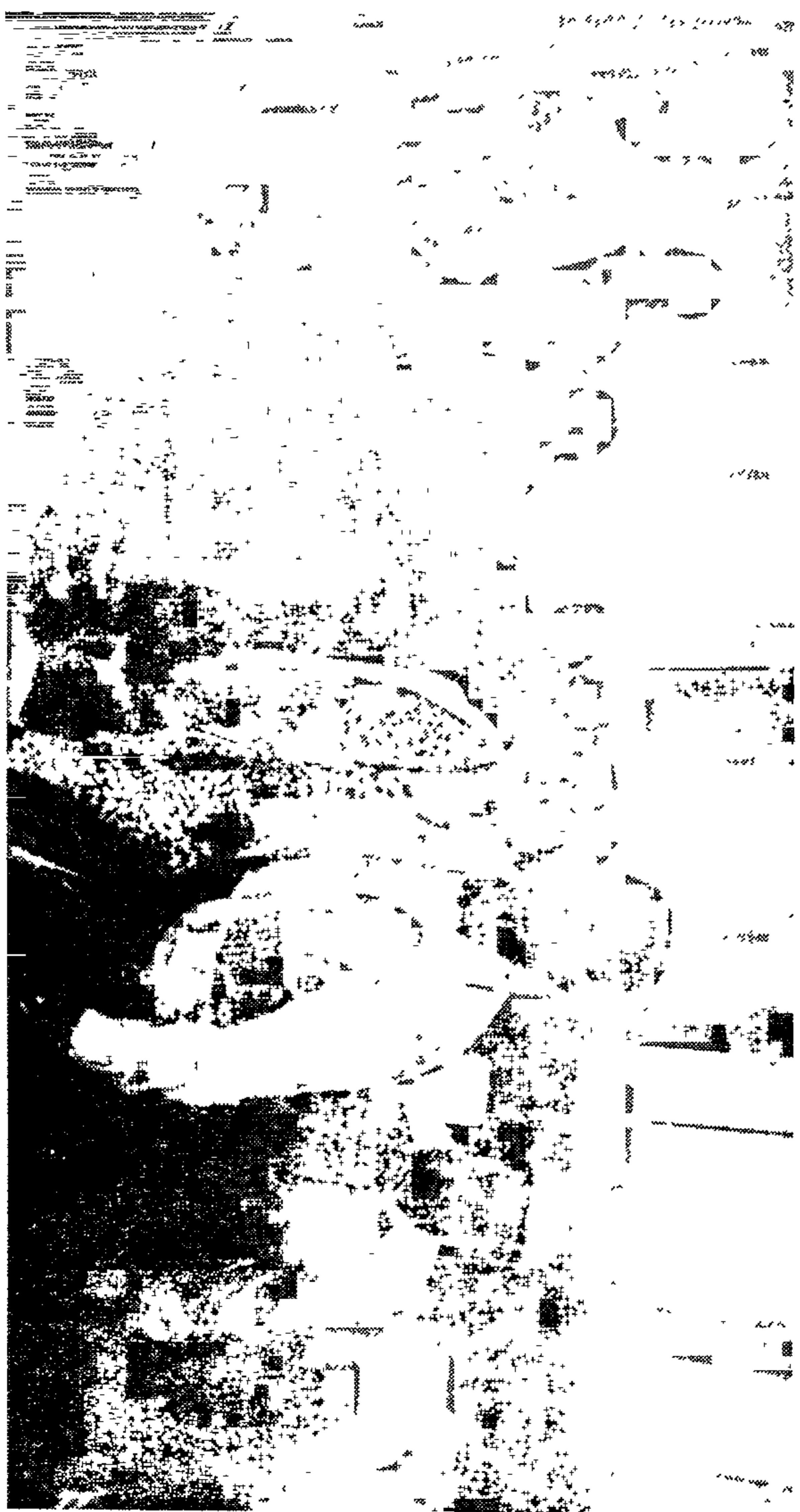
SIX relatives of prisoners on Robben Island yesterday dropped an application to the Supreme Court, Cape Town, for an order declaring permits allowing them to visit prisoners last weekend to be valid.

They proceeded only with an application for an order that the Minister of Prisons pay the costs, including the costs of two counsel.

The legal wrangle was sparked off last week when the relatives — Mr G M Tsosane, Mrs C Mashaba, Mr S A Mashoba, Mrs M Mdoda, Mrs L N Mafuna and Mrs D Nkata — arrived in Cape Town with permits, allegedly issued to them in September, to visit their relatives in prison on Robben Island.

Press report

The six saw a newspaper report stating that all visits to prisoners on the island had



ned, following several prisoners' undertaking a hunger strike.

The relatives then contacted an attorney, Mr. A M Omar, who brought an urgent application to the Supreme Court on Saturday morning, asking for a review of the ban and the honouring of the relatives' permits.

The hearing was delayed because lawyers had been unable to serve papers on the Commissioner of Prisons, Lieutenant-General J N Otto.

Respondents

Lieutenant-General Otto, together with the Minister of Prisons, the head of the maximum security section on Robben Island, and the Officer Commanding Prison Command, were the respondents in the case.

When the hearing opened before Mr Acting Justice King yesterday, Mr L. Dison, appearing for the relatives, said the replying affidavits from the respondents had been made available on Monday evening.

He said the relatives, represented by Mr Omar, originally brought the application on the basis of there having been a blanket ban imposed on visits to prisoners on the island.

Message

Mr Omar had understood this to be so after speaking to the head of maximum security, Major W. J Badenhorst, and re-

SOME of the spectators who packed the public gallery at the Supreme Court yesterday when an urgent application was heard on the withdrawal of visiting privileges to prisoners on Robben Island. The application was later withdrawn and judgment on costs was reserved.

Mr S A Jordan, for the respondents, argued the question of costs.

The judge will decide whether the relatives, labouring under a misapprehension, were justified in bringing the application to court, and whether they should thus bear the costs of the case or not.

Unfair

According to the papers before the court, Mr Tsosane, father of Samuel Chibane, a prisoner on the island since 1963, alleged that the ban on visits last weekend was 'grossly unfair' and an unreasonable form of collective punishment.

Cost

For that reason he was no longer asking for an order on the validity of the relatives' permits, but merely asked for an order for costs to be granted in their favour.

The hearing then proceeded with Mr Dison and

Demand

Lieutenant-General Otto said that on November 30 he was informed that a group of prisoners on the island had refused to eat, and had made certain demands to the commanding officer. He said all the prisoners involved in the case had been among the hunger-strikers.

The demands, they made were of such a nature as to give him the impression that their actions stemmed

from a pre-planned, organised operation to undermine good order and discipline at the prison.

Lieutenant-General Otto said he immediately ordered senior prison officers to investigate the matter, and they reported back to him on December 3, confirming his initial impression.

That day he was also informed that the prisoners involved had given up their hunger strike and resumed taking meals.

Privileges

In the light of the facts, and in the interests of discipline and good order, he decided to withdraw certain privileges from the prisoners involved. Receiving visits was a privilege not a right, of prisoners.

Mr Dison was assisted by Mr J Schomberg and instructed by A M Omar and Co the Deputy State Attorney.

Relatives win costs in prison visits hearing

By ENRICO KEMP

RELATIVES of Robben Island prisoners, whose visiting privileges were withdrawn by the Commissioner of Prisons last week were yesterday awarded costs in the Supreme Court following an urgent application for the ban on visits to be revoked.

The initial application was dropped at a hearing on December 8 after the Commissioner Lieutenant General J. I. Otto said in a replying affidavit that the ban on visits only affected prisoners who had gone on a hunger strike on November 27.

Mr L. R. Dixon SC, for the six relatives, said the prison officials had released "erroneous information" that a total ban had been imposed on visits to all prisoners in the maximum security section of Robben Island prison. He asked the court to award the costs of the hearing to the relatives.

The application was brought by the Rev G. M. Tsosane, Mrs C. Ma-shaba, Mr S. A. Matshoba, Mrs M. Mdoda, Mrs L. N. Mafuna and Mrs D. Nkata. Judgment was reserved on December 8.

In his affidavit, General Otto said he was informed on November 30 that a group of prisoners on Robben Island, including all the prisoners concerned in the application, had refused to accept meals on November 27. They had also made unspecified demands to the officer in command of the prison.

General Otto said demands were of such a nature as to create the impression that they originated from a previously planned and organized course of conduct. He asked senior officers to investigate the incident and they reported back to him on December 3. The prisoners also resumed eating on that date.

'Good order'

The commissioner said he decided to withdraw visiting privileges for all the prisoners concerned. The decision did not affect the privileges of other prisoners on the island. General Otto said the purpose of his decision was not to punish any one, but for the purpose of promoting discipline and good order in the prison.

In a 22-page judgment handed down yesterday morning, Mr Acting Justice Edwin King said the application had been brought to protect the interests of the prisoners as well as the interests of the proposed visitors.

The interests of the prisoners and those of their relatives wishing to visit them are complementary of each other, they are inextricable. Depriving the one category of this facility necessarily deprives the other, the judge said.

He said the permission granted to relatives to visit prisoners in terms of Section 22 (2) of the Prisons Act was an administrative discretion exercised by the commissioner and could be withdrawn or rendered ineffective.

However, the conditions contained in the permits had nothing to do with the conduct or behaviour of the prisoner to be visited. The commissioner had used his discretionary powers in terms of Section 22 (2) (b) of the Prisons Act to ban the visits.

The judge said he had been prepared to grant an order for alternative relief (costs) which was consistent with the original application. He awarded the costs of application, including the costs of two counsel, to the relatives.

Mr L. R. Dixon SC, assisted by Mr J. F. Schoombie, and instructed by A. M. Omar, Vassen and Company, appeared for the relatives. Mr G. D. van Schalkwyk, assisted by Mr S. A. Jordan, and instructed by the State Attorneys Office, appeared for the prison authorities.

@ERS To return the program file to its initial condition and make its space available for re-use.

@REWIND To rewind a tape.

@MARK To write two EOF marks on tape and reposition the tape between the two.

@CLOSE To write two EOF marks and rewind tape.

3.3 @COPY STATEMENT

The @COPY command copies a file or elements to another file.

Format:

@COPY,OPTIONS NAME-1,NAME-2,NO-OF-FILES

NAME-1 Specifies the input file and/or element to be copied.

NAME-2 Specifies the output file into which file or element is to be copied.

NOTE: Both parameters are of the format:

QUALIFIER*FILENAME(F)/READKEY/WRITEKEY.ELTNAME/VERSION(C)

NO-OF-FILES Specifies number of files to copy. If omitted, one is assumed.

Relates to tape to tape copying only.

OPTIONS

(None)

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Privileges reinstated

PRISONERS on Robben Island who took part in a hunger strike have had their privileges, including visits, reinstated

The Commissioner of Prisons, Lieutenant-General J F Otto, said in a statement issued yesterday the privileges of those prisoners who recently participated in a hunger strike at Robben Island, which were revoked by him, were reinstated to-

day

The statement added: He is satisfied that the steps which were taken served the purpose

ARGUS 16/12/81

253

254

Robben Island prison visiting ban explained

Argus 11/12/81 (2-5-3) AWA

ONLY those prisoners who went on a hunger strike at Robben Island have had their visiting privileges revoked, Lieutenant-General J.F. Otto, the Commissioner of Prisons, said in a statement today.

He was commenting on an article in last night's Argus which said disappointed relatives of Robben Island prisoners from many parts of the country had left for their homes after vain attempts to visit them.

General Otto said the visiting privileges of those who had not taken part in this undisciplined behaviour had not been affected at all.

There was no reason why confusion or uncertainty should exist.

REVOKED

On December 8, telegrams were sent withdrawing permission to visitors who had been granted permission to prisoners whose visiting privileges had been revoked.

These visitors had been advised to re-apply.

"As far as medical care in general is concerned, I wish to convey that it was intensified for the duration of the hunger strike.

All the prisoners involved were also warned by the medical officer of the adverse effects and dangers to their health which could result from such a hunger strike.

General Otto said that after the hunger strike ample medical care was still available and he had requested the medical officer to see each prisoner involved whether medical attention was needed or not.

Regarding the health of a prisoner, Mlanli Dlanwa, General Otto confirmed he suffers from asthma, but was receiving conservative treatment as prescribed.

However, he was in good health and had received the last injection in April.

He is not detained in the prison hospital but sleeps with others in a

section and medical services are constantly at his disposal.

Regarding an allegation in the article that he was not available for comment, General Otto said he found this strange for it was generally known that the prison service has a 24-hour liaison service which canalises inquiries to him at all times.

● On Wednesday afternoon The Argus attempted to obtain General Otto's comment but was told by a man in the office that he was not available.

Robben

Island:

'No visit'

ruling

brings

anxiety

for many

DISAPPOINTED relatives of Robben Island prisoners from many parts of the country — among them a mother concerned about the health of her imprisoned son — left for their homes yesterday after vain attempts to visit them.

More people are on their way from Queenstown, Eastern Cape, unaware of the withdrawal of prisoners' visiting privileges following a hunger strike at the island prison. They are expected in Cape Town today.

However, a number of other people who have visitors' permits for the coming weekend have been informed by telegram by the prison authorities or by the police that visits have been suspended, a spokesman for a local church organisation which organises accommodation for relatives said.

WITHDRAWAL

There is still confusion following the withdrawal of a Supreme Court application brought by six relatives to declare valid visitors' permits issued to them for last weekend.

The application was dropped after the prison authorities declared in an affidavit that the suspension of visiting privileges applied only to those prisoners who had been on a hunger strike

But it seems as if the ban is a blanket one because all visiting permits are being invalidated for this weekend and the immediate future, the church spokesman said.

UNCERTAINTY

The uncertainty and lack of information is worrying to relatives and one would expect the authorities to be more explicit and say exactly what's going on.

Particularly concerned is Mrs Francina Mdoda, who had hoped to see her son, Mlamli Dlanjwa, for the first time since he began his five-year term about four years ago.

Mrs Mdoda, from New Brighton near Port Elizabeth, said the news about a hunger strike had upset her because her son was sickly and an asthma sufferer.

'I'M FRANTIC'

'Not being able to see my son has made me frantic with worry. My mind will be at ease only if I'm able to see for myself if he is all right.

'But it cost me a lot of money to come to Cape Town and I can come back only at Easter next year,' she said.

Mrs Mdoda said it was her first visit to the prison and she had last heard from her son in a letter in August.

FIRST TIME

More fortunate but also disappointed was 21-year-old Gongiswe Mtwalo, a student from Port Elizabeth, who had seen his father for the first time the previous weekend.

His father, William Mtwalo, was sentenced in 1963 to a 27-year-term of imprisonment — when Gongiswe was still an infant.

'Meeting my father for the first time was a traumatic experience and when I saw him he was well.

'Another visit was planned for last weekend, and it was upsetting to hear that he had gone on a hunger strike and not to know what the circumstances were and what his condition is,' he said.

The Commissioner of Prisons was not available for comment.

Visits ban notice 'erroneous'

Cape Times
9/12/81

253

By ROBYN RAFEL

COUNSEL for relatives of Robben Island prisoners told the Supreme Court yesterday that prisons officials had released the "erroneous" information that a total ban had been imposed on visits to all prisoners.

In fact, the ban on visits applied only to several prisoners who had gone on a hunger strike on November 27.

Yesterday's hearing was a sequel to an urgent application brought by six relatives on Saturday in which they sought a reversal of the ban on visits to the prisoners. The application was brought against the Minister of Prisons, the Commissioner of Prisons, the head of the maximum-security section on Robben Island and the officer commanding.

No time to reply

Saturday's hearing was postponed by Mr Acting Justice E L King because the Commissioner of Prisons had not been served with the relevant papers and had not had time to reply to them.

Mr L R Dison, SC, for the relatives, told the court he had received the commissioner's replying affidavit after 6pm on Monday. The affidavit stated that the ban on visits affected only prisoners who had gone on the hunger strike.

Mr Dison said given this information he was no longer asking for the ban to be revoked, but asked that the costs of the hearing be awarded to the relatives.

An affidavit by Mr A M Omar, the lawyer consulted by the relatives after they read about the ban in the Cape Times last Friday, was handed to the court. In it, Mr Omar said he would not have brought the urgent application to have the ban revoked if he had known it applied only to the hunger strikers.

Mr Dison said Mr Omar had telephoned the head of Robben Island Prison, Major W J Badenhorst, after consultations with the relatives.

Major Badenhorst said all visits to the maximum-security section had been suspended. Mr Omar then also telephoned the Commissioner of Prisons and received a reply that no visits were allowed.

In an affidavit handed in to the court, Major Badenhorst said that when he talked to Mr Omar on December 4 he was "under the impression" that the commissioner's decision applied to "all" prisoners. He subsequently learnt this was not the case.

"It is most extraordinary that the head of the prison on Robben Island did not know whom the ban referred to," Mr Dison said. It was also remarkable that Major Badenhorst should say he had misunderstood the order.

Mr Dison said a "maldecision" had been communicated to Mr Omar. Because of this, the relatives were entitled to costs.

The Commissioner of Prisons, Mr G D van Schalkwyk, for the prison authorities, said the relatives could not have won the urgent application they had brought on Saturday because the prisoners they wished to visit had all been involved in the hunger strike. They would not have been awarded costs then, and therefore could not ask for costs now.

'Specious'

In his replying argument, Mr Dison said the application had been brought on behalf of the relatives as well as the prisoners. It was a "specious argument" for the prisons authorities to say they had not revoked the right of the relatives to visit the island but of prisoners to receive visitors.

The authorities had said no visits were allowed. The order had affected the relatives and the prisoners and everyone whose rights had been affected had the right to have them reviewed.

Judgment was reserved. Mr Van Schalkwyk and Mr A Jordaan appeared for the prisons authorities instructed by the State Attorney Mr Dison and Mr J T Schoombee appeared for the relatives instructed by A M Omar, Vassen and Company.

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