Public Sector Govt. - Prisons

1994
By JACK BLADES

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

Ahead, about 500 convicts in black T-shirts sat facing four warders. But no guns were evident. The mood of the men was rather like that of a football crowd. Laughter greeted the commander, Brigadier Motho Timothy Khoza, as he sat down among them.

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

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

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

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

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

Khoza, 53, is no stranger to Barberton, where he joined the Correctional Services in 1961 and returned after spells at other prisons. He was commis- sioned in 1979 and was in charge of the maximum security section until he succeeded Brigadier Andre Terblanche as commander in December.

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

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

Brig Khoza said prisoners who can't read or write are taught, those who can are encouraged to develop their skills. Gardeners graduate on the prison farm. Others who want to learn a trade are given the chance.

"In the old days," said Brig Khoza, "a third remis- sion of sentence for good conduct was the rule. That's gone. Now a prisoner must co-operate with us, learning to be a useful citizen, and if he does, he can earn pennies which give him parole."

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

Barberton has about 3,000 prisoners, black and white, who often share cells. About a third of the prisoners are in maximum security. Most of the rest are freed from their cells between 6am to 10pm, and only one staff member supervises the pick-up.

At least 45 men are serving their sentences outside. Some are under a form of "house arrest" - they can live with their families on condition they have a job, fixed accommodation and stay clear of crime.

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

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

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

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

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

FIRM BUT FRIENDLY... Brigadier Motho Khoza, the new commander of Barberton prison, with some of the prisoners. Picture: JAMES SOULLIER
Radio Pretoria calls for aid

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

With only a few days left of the temporary licence government had reluctantly extended in mid-December, Van den Berg called for support of the station's attempts to get its licence extended or amended to a permanent licence. Radio Pretoria's temporary licence is due to run out on January 26.

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

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

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

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

WHO slams SA on jail condoms

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

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

The rate of infection in prisons was far less than the average HIV per capita rate. Out of 146 000 prisoners, 35% had tested HIV positive. While there was no compulsory HIV testing, many had asked to be tested, he said.

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

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

GAVIN DU VENAGE

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

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

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

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

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

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

The station had put its case to government, and it was now up to the Minister, Van den Berg said.
Law and Order man must resign — police

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

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

Staff Reporter

THE South African Police Union (SApu) has demanded the resignation of Law and Order Minister spokesman Craig Kotze and Police and Prisoners Civil Rights Union (Popcru) president Gregory Rockman.

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

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

SApu is "not surprised" by the nomination of Mr Rockman as a candidate for the African National Congress in the coming election. "This just confirms Popcru's political affiliations which, up to now, so strongly denied."

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

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

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

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

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

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

The prisoners had also received visitors wearing AWB uniforms and chanting AWB slogans.

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

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

Unruly

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

As awaiting-trial prisoners the men were entitled to visitors.

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

By MOSES MAMAILA

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

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

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

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

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

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

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

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

Inmates allege abuse, threats

By Glenn McKenzie

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

Mr Thembi Hlela, an inmate claiming to represent the Modderbee Prisoners’ Association, telephoned Sowetan with a list of allegations against prison staff.

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

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

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

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

Gerber rejected allegations of physically abuse by prison staff.

Hunger strike

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

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

Mduduzi ka Harvey

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

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

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

In Johannesburg central prison, inmates and awaiting trialists who have joined the campaign were forced to have their meals and subjected to intimidation and assaults, Bhudu said.

At Modderbee, prisoners were force-fed and told they were not allowed to take part in the campaign.

In Bethlehem and Pretoria local prisons, inmates are refusing to work.

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

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

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

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

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

Next week's meeting at the World Trade Centre in Johannesburg will discuss whether the Electoral Act can be amended to enfranchise prisoners.
Prison drugs racket probed

By AYESHA ISMAIL

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

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

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

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

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

The official's name is known to Cape Metro. The source said the two women were allowed contact visits with their husbands in the official's office, although their husbands did not qualify for these visits. On Christmas Day, 13 prisoners were admitted to hospital after apparently swallowing fake mandrax tablets.

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

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

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

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

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

He denied that boxes of drugs and groceries were delivered to warders' offices.

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

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

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

By ANTHONY JOHNSON
Political Correspondent

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

The poll, conducted by the Om-uchelok division of Research Surveys, found that one in five males believed the island should be turned into a casino.

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

In a similar survey conducted among metropolitan black females, respondents were split between the nature reserve (38%) and national monument (37%) options, while the choice of casino also received the support of one in five.

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

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

### JAIL REVOLT

Inmates plan mass action if not granted right to vote.

**By Glenn McKenzie**

When Dab JeJe goes to the polls in April, he will be thinking about his friends who still won't be allowed to vote.

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

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

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

### Imprisoned brother

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

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

"The prisoners will revolt if they can't vote," South African Prisoners' Organisation for Human Rights confirmed the warning.

Last week, SAPORH members marched to the TEC offices in Pretoria and presented the council with a list of demands. A meeting is said to have taken place on the TEC to amend the Electoral Act.

The TEC's management committee, which includes Cyril Ramaphosa, ReoFe Meyer and Joe Slovo, was to review the demands at a meeting on Monday. No decision has been reached yet.

### SAPORH spokesman

Golden Miles Bhudu, SAPORH's spokesman, said that the organisation put mass action on the table if all prisoners aren't allowed to participate in elections.

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

Bhudu said SAPORH will call for a "tools-down" work stoppage in all prisons if the TEC does not deal with the issue.

### Real criminals

"The purpose of this action is to render the prisons department ungovernable," said Bhudu, a former inmate who served five years in prison. "It is a critical issue for the correction and justice departments. We demand justice for all prisoners."

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

Many prisoners are angry that former "apartheid enforcers" such as Koos Koepe and Hendrik Verwoerd will be allowed to vote, while prisoners will not, Bhudu added.

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

He added that living conditions in many prisons are not improve despite the end of apartheid almost five years ago.

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

Report by Glenn McKenzie

63 Comments, Read:

43 Comments, Read: 63 Comments, Read: 63 Comments, Read: 63 Comments, Read: 63 Comments, Read:
Inmates plan mass action if denied vote

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

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

Sapohr's rationale in calling for the disfranchisement of all prisoners is that they are the victims of the justice and prison systems, which remain largely unchanged from the days when they were the primary instruments of apartheid repression.

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

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

"If the TEC fails to respond to our demands within 15 working days (by March 4), prisoners and social justice-loving people will embark on rolling mass action," said the statement.
Prisoners warn of 'rolling mass action'

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

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

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

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

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

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

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

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

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

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

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

TEC management committee co-chairman Pravin Gordhan said the TEC, its management committee and subcouncils were beginning to get "on top of their responsibilities" and contributing to the holding of free and fair elections in April.

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

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

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

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

A smaller task group will conduct further investigations.

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

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

Women may need wax to vote

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

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

Some had been trying for 10 or 15 years to acquire reference books but had been recalled time and again by Home Affairs officials who could not match new and old fingerprints, Moroke said.

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

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

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

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

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

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

ANC president Nelson Mandela Besidehnhout gnu, shesha Retreat, Cape Town on Sun

Popcru seeks elections role

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

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

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

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

Barberton trial could expose prison abuses

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

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

They hope the trial will answer questions about the deaths of a number of prisoners, including that of medium security prisoner Membe Makhete, who died in 1998 after repeated confrontations with prison authorities over inmates' treatment.

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

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

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

• Bongane Stokwe, who died in 1990.

Inmates were told he had escaped but believe he may have been shot dead after being assaulted by prison officials after an escape attempt.

• Wilson Stompe Hata, who was allegedly found dead in his cell seated, with his legs stretched out before him.

Inmates are not convinced he committed suicide by hanging himself with a shirt and stockings and want to know why his clothing was not torn when his body was found.

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

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

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

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

Political Staff

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

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

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

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

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

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

Prison warders also reported racial discrimination in promotions and housing allocation, the report says.
Call for fresh probe into claims of murders in Barberton Jail

Pilgrims Report Released

(237) AYK 7/17/94

THE New York-based Human Rights Watch (HRW) organisation has called for an independent investigation into the recent deaths in Barberton Jail. The organisation says that the investigation should be conducted by an independent body, such as the South African Human Rights Commission, and that the results should be made public.
Campaign by prisoners for right to vote

Mass Action 10,000 to mount peaceful resistance campaign in prisons:

More than 10,000 prisoners will engage in mass action to demand the right to vote. From March 1 members of the South African Prisoners Organisation for Human Rights and their supporters in prisons throughout the country will mount a peaceful resistance campaign, including hunger strikes and work stoppages.

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

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

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

Bhudu said the Electoral Act restricted the vote in prisons to a small percentage of inmates and was racist, hypocritical and unconstitutional.

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

Memorandum

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

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

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

South Africa

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

Thursday, January 24, 1994

ATTENTION

FATAL ASSAULTS

Prisoners at Waste City Prison Central Detention

Found to be extremely violent places.

By Peter Fulchris

Overcoming

The prison system is vital in the...
Prison row brews over inmates’ voting

Mass violence could erupt in prisons

countrywide if they are not allowed
to vote, reports Mduzu ka Harvey

THE Transitional Executive Council and
the Independent Electoral Commission
could find themselves in court defending
a Bill of Rights action within hours of
April’s election if prisoners are not allowed to vote.

The bodies have been unable to agree on
whether prisoners serving time without the option
of a fine should get the ballot. The row has sparked
a threat of action by more than 20,000 prisoners
countrywide who are demanding inclusion in the
election process.

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

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

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

This, said Lawyers for Human Rights
spokesman Andries Nel, could lead to legal steps
being taken in an attempt to force South Africa to
follow the practice in countries like Denmark, Ger-
many and the Netherlands, where prisoners are
allowed to vote. It was within the rights of prison-
ers to take legal action against the decision, he
said: “They can sue the TEC or the IEC.”

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

LHR favours voting rights for prisoners, said Nel:
“Allowing them to vote would make the constitu-
tion-making body broader.”

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

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

He said SAPOR’s call for mass action “could
lead to mass violence in the prisons on a scale
never seen in the country before.”

Report by Mduzu ka Harvey, 139 Smit St,
Johannesburg.
Warders fight for their rights

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

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

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

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

The prison services continue to promote whites to senior positions, although there were qualified blacks within the system, says Tahabalala. Senior staff at Modderbee consisted of one white brigadier, one white colonel, two white lieutenant-colonels, five white majors and six white captains, while the highest ranking black officers were five lieutenants who were not involved decision-making.

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

Nepotism is also rife at Modderbee, alleges Tahabalala. “An officer’s son doing matric is always guaranteed a job ... entrenching the concept of ‘a familie tronk’ (a family job).”

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

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

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

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

By BARRY STREEK
Political Staff

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

It said section 16(6) of the Electoral Act, which allows only some categories of prisoners to vote, should be repealed immediately.

This provision conflicted with the Bill of Fundamental Rights in the interim constitution, the Black Sash said in a statement.

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

"Unless a court specifically included a prohibition on voting in the sentence imposed, deprivation of this basic civil liberty cannot possibly be viewed as necessary to the administration of justice," the statement said.

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

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

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

Corporal punishment was no longer used.

Chronic overcrowding pressed manpower and affected control and security measures.

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

During 1993, 14 inmates were killed by fellow prisoners - 0.006% of the more than 400 000 prisoners who passed through the system annually.
Forgotten’ kids still languishing in SA prisons

By Mathatha Tseku
Political Editor

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

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

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

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

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

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

Research done

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

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

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

By Ruth Bhengu

S
coers of prisoners yesterday embarked on a strike to protest against being denied the vote.

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

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

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

He could not tell how many prisoners had involved, but confirmed that the strike had spread.

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

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

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

"Although we think actions like hunger strikes are irresponsible, we can only monitor the situation and encourage prisoners not to do it," Gerber said.

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

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

"We have given the magistrates 72 hours in which to respond," said Pama.

"If he does not meet our demands we will refuse to appear in court," he said.
JOHANNESBURG — The Independent Electoral Commission (IEC) says it is in favour of extending voting rights to all prisoners.

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

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

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

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

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

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

Section 16 of the Electoral Act deals with categories of prisoners who are not entitled to vote, including any person "serving a sentence of imprisonment without the option of a fine" for offences involving violence or dishonesty. They include murder, rape, fraud and indecent assault.

The Democratic Party has rejected the call to extend voting rights to all prisoners.

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

(News by R. Demey, 1st Commissioner Street, Johannesburg)
The primary area included in the controversial 1993 coastal population distribution proposal was the Eastern Cape. The proposal, which would have resulted in the redistribution of population, was met with strong opposition from various groups.

The controversy centered around the proposal's potential impact on the region's economy and social fabric. Proponents argued that it would result in a more equitable distribution of resources, while opponents feared it would lead to economic displacement and social disruption.

In the wake of the controversy, the proposal was shelved, and the Eastern Cape's population distribution remained largely unchanged. The incident highlighted the challenges of managing population distribution in a context marked by political and social tensions.
HE WEEK-LONG strike by prisoners protesting against the denial of their right to vote was suspended this week.

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

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

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

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

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

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

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

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

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

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

His organisation which claims to have over 10 000 members in this country's jails, alleged to bring South African jails to a standstill. By the second day there were reports of prisoners being assaulted by warders in Bloemfontein. The strike had spread throughout the country's prisons including Barberton, Pretoria Local, Bulawayo, Johannesburg, Bethlehem and Modderbee. It was not only the convicted prisoners demanding civil rights but also the hundreds of awaiting trial prisoners, giving the prison authorities a headache.

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

"It must be clearly understood that the department has respect for the aspirations of all the people, including inmates" Bhudu argues that in a country like South Africa which has a history of racial discrimination, politicians have no moral right to deny anybody their fundamental right to vote.

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

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

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

"It must be clearly understood that the department has respect for the aspirations of all the people including inmates."
Abuse claim denied

The Department of Correctional Services yesterday denied claims by the Pan Africanist Congress that certain of its members in detention had been tortured, assaulted or harassed.

In a statement earlier yesterday, PAC national organiser Mr Maxwell Nemadzivhanam said seven prisoners had approached the Supreme Court for redrilling orders against prison warders. They are Freddie Mathela, Patrick Machindo, Godfrey Mathubela, Pila Matindolo, Wellington Kena, Vutu Dlamini and Clifford Thobejane.

Ministry of Law and Order spokesman Mr Craig Kotte said it was far too easy for the PAC to use "this kind of vehicle" for political propaganda and that legal channels existed to air problems and seek recourse.

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

The PAC's lawyers could not be reached for comment.

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

Sapa
Decision on
prison votes

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

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

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

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

By AYESHA ISMAIL

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

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

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

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

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

(Times by A Ismail, 122 St George's Mall, Cape Town)
PRISON authorities have accused the Inkatha Freedom Party of trying to appear tough by organising a hunger strike by IFP members when they were close to being released.

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

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

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

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

"The IFP must be quite aware that this process is in its final stages and one can only assume that they now want to create the impression that it is through pressure from their side that the matter was concluded," the ministry said.
No votes for prisoners

Mduzu ka Harvey

The Transitional Executive Council has refused to amend the Electoral Act to allow prisoners to vote in the country's forthcoming election.

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

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

SaphoH has also briefed Lawyers for Human Rights to contest the TEC's decision in court.
PE jail worst hit by riots

Prisoners rampage over TEC decision

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

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

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

At St Alban's maximum security jail, prisoners set alight the contents of 25 cells. Violence flared up at the Medium A prison early today, when prisoners set alight blankets and mattresses.

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

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

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

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

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

The organisation said that, since protests started on March 1, tear gas and rubber bullets had been used and dogs had been set on inmates at Leeukop Pass, north of Johannesburg (252).

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

He said the matter would be brought to the urgent attention of the TEC and the Prison Secretary today.

(Report by D Gay, 141 Commissioner St, JHB and C Bhagwan, 47 Oasis St, Boksburg.)
Rightwingers in jail, fear for safety

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

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

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

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

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

(News by A Thubane, 141 Commissioner Street, Johannesburg)
PRETORIA — Prisoners went on the rampage in several prisons yesterday, including the St Alban's maximum security prison near Port Elizabeth, in protest against the Transitional Executive Council's decision not to allow certain categories of prisoners the right to vote in the April elections.

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

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

He said damage had already run into thousands of rands.

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

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

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

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

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

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

"Short-sighted"

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

The Black Sash called upon the TEC to request the State President to amend the Electoral Act to allow all prisoners to vote.
Protests rage in SA's jails

JACQUE GODLING

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

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

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

Awaiting trial, prisoners may vote.

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

Report by J Golding, 11 April 1994 11 Regional
Prisoners threaten to kill 2 hostages

SIBUSISO MABATO

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

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

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

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

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

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

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

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

By WILLEM STEENKAMP and IVOR CREWS

PRISONERS in the maximum security block at Pollsmoor went on the rampage last night, burning bedding and harrowing themselves in their cells following a day of prison riots in other contexts.

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

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

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

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

Smoke from burning blankets and bedding billowed from the maximum-security block and prisoners threw flaming blankets from their cell windows.

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

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

Firefighters

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

He said firefighters, “about 25” police officers and hundreds of warders were called to deal with the rotting last night.

Warders late last night managed to remove the prisoners from the affected cells, and put them in cells “where they have nothing to learn”.

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

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

Warders had used teargas on the rotting prisoners and the situation was brought under control at about 3pm.

In Boiteburg, prisoners took two warders hostage yesterday and violence flared again at St Alban’s Prison in Port Elizabeth.

According to Sapa, a police task force that last night moved into a “no go” area declared by the Boiteburg prisoners and rescued the warders.

The Independent Electoral Commission and TEC held urgent discussions yesterday about the escalating conflict.
A DELEGATION of prisoners at Pollsmoor Prison's Medium A section were allowed to go from cell to cell on Friday to consult prisoners on the vote issue shortly before a riot broke out.

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

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

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

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

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

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

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

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

By AYESHA ISMAIL

Pollsmoor riots in protest over 'no vote' move

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

Picture BENNY GOO
Sport to Break Chains

Sligo Rovers: Trident to 1919

ONE OF THE ORGANS OF THE FREE STATE, Sligo Rover, lasted from 1909 to 1939. The Sligo Rover was a newspaper that played a vital role in the cultural and political life of Sligo. It was a voice for local issues and a platform for political discussion.

In 1919, Sligo Rovers joined the newly established Irish Free State and welcomed the opportunity to represent their community. The newspaper was a key player in shaping the political landscape of the time, supporting the Irish cause with its strong anti-British stance.

Sligo Rovers was a significant newspaper, not just in Sligo but across Ireland. It was known for its powerful essays and stories that touched on the pressing issues of the day. The newspaper's influence extended beyond local matters, making it a vital voice for national pride and progress.

Today, Sligo Rovers' legacy continues to be a reminder of the power of the press in shaping society. As we look back on its history, we can appreciate the role it played in the development of modern Ireland, and we can draw inspiration from its commitment to addressing the issues of the time.

In conclusion, Sligo Rovers: Trident to 1919, is a story of a newspaper that was not only a voice for the community but also a voice for change. Its existence is a testament to the enduring power of journalism and the importance of having a platform to express our collective voice.
Fixtures

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

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

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

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

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

Exhorted

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

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

Inmates always thanked and supported the Robben Island's Olympics, modelled on the Olympics held over two weekends in the festive season.

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

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

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

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

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

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

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

Steve Tshwete, known for his innovative and unifying role in South African sport, was the constant driving force. Administration was of a very high standard. Everyone meeting, no matter what its nature, was minutely asked from clubs or individuals was done in writing, although there was a constant struggle to obtain pens, files and paper.

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

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

Referee

"I got injured and should have had an operation, but because I was going home and didn't want to be in plaster I avoided it and this day I am still affected." Another well-known Robben Island sports personality was Harry Gwala, the fiery leader of the ANC in Natal. Gwala, a qualified referee before his imprisonment, refused to take

ALL LOGGED... A hand-written fixture list for the Summer Games, Robben Island's "Olympics"
Violence at prison claims two lives

Two prisoners were killed and two others hospitalised on Saturday night in renewed prison violence in the Cape when a mob of prisoners burned cells at Paarl’s Paardeberg Prison, the Department of Correctional Services said yesterday.

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

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

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

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

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

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

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

"The department once again makes an urgent appeal to prisoners, for the sake of their own safety and that of other people, not to heed Saphora's call for mass action in prison, but to remain calm and responsible." — Sapa.
Two prisoners were killed in jail riots at the weekend as protests against last week's Transitional Executive Council's (TEC) decision not to grant all prisoners the franchise gathered momentum countrywide.

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

Department of Correctional Services spokesman Lieutenant Rudi Petguter said the prisoners were killed at Pretoria Central Prison, outside Pretoria, on Saturday night.

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

Petguter said an investigation was under way to determine how the prisoners died.

Another two were admitted to hospital, he said.

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

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

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

Crime Reporter

(47 Sauer Street, Johannesburg)
Two prisoners die in Paarl as riots spread

Staff Reporter

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

Correctional Services spokesman Lieutenant Rudi Poegel confirmed the two deaths yesterday, but did not name the men. Two others who had been overcome by smoke were taken to hospital, and were still there, he said.

An investigation is under way into how the two prisoners died.

About 350 prisoners took part in the Paardeberg rioting on Saturday night.

Virtually all the contents of eight communal cells were set alight, even while the prisoners were locked in the cells.

At Allandale Prison near Paarl, the contents of five communal prison cells were set alight on Saturday night, but nobody was injured. Lt Poegel said yesterday, rioting at the maximum security block of Brandfort Prison, Worcester, led to families and friends of prisoners being sent home without seeing their menfolk, or after seeing them only briefly.

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

Mrs Walshes (Arundel) of Valhalla Park, who went to visit her brother but was prevented from seeing him, said she had actually seen flames from some of the cells, heard what sounded like shots being fired, and smelled teargas.

She had heard the prisoners shouting.

Prisoners in Pretorius Central have sent a signed petition to the Transition Committee demanding that all prisoners be allowed to vote in April elections. Prisoners have vowed to embark on hunger strikes, to destroy state property and to render the prison ungovernable if their demand is not met.

The TEC put out a statement on Friday saying the vote-for-prisoners issue had not been finally decided.

A decision would be made this week, possibly tomorrow.

Page 2
Two killed in prison riots

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

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

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

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

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

Potgieter urged prisoners not to heed the call for protest, but to remain calm. He said it should be remembered that the Correctional Services Department did not decide who could vote.
Right to vote: countrywide protests by convicts escalate

21 die as prisons erupt

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

BY JOVIAL RANTADE

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

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

At Maritzburg Prison, about 3,000 prisoners broke out of their cells and toyed with the courtyards.

The jail's gates were welded shut to prevent prisoners escaping and SAP and SADF reinforcements were ordered to quell the situation.

Correctional Services spokesperson Brigadier Chris Older的应用 first last

BARRED FROM VOTING

The South African Correctional Services (SACS) said a warder noticed smoke billowing from Cell 6 at Queenstown Prison at 11.45 am yesterday and sounded the alarm.

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

SAPA reports that by last night 3,000 prisoners were also on hunger strike countrywide. These included 614 at East London, 29 at Krugersdorp, 59 at Port Shepstone, 16 at Pell忍受 (Cape Town) and 219 at Brandon.

Describing the Queenstown situation, SACS said: "The situation is tiring and we had to remain in the exact cause of the test."

More than a month ago, hundreds of prisoners were killed by police at the Pollsmoor prison in Cape Town.

"The process of the situation is ongoing and we will continue to follow up, "SAPA quoted Older as saying.

21 prisoners die in cell inferno
Fire death swift for inmates in cell No. 6

DENNIS CRUYWAGEN
Staff Reporter

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

The men's bodies were found at 12.10 p.m. yesterday, 25 minutes after prison authorities noticed the cell was on fire.

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

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

Then they set their bedding alight.

Warders tried to enter the cell but could not do so because of the intense heat."
21 die in cell demo

Soweto 22/5/94

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

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

He said one cell was completely burnt out.

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

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

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

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

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

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

The Department extends its sympathy to the families of those killed and calls on all parties involved, including prisoners, to refrain from violence and protests because this could lead to more deaths and injuries.

3 June 1994
All prisoners have right to vote - TEC

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

The Government and Ciskei reserved their positions.

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

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

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

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

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

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

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

(Star 23/1/94)
Prisoners can vote in the elections, says TEC

□ New decision made in face of riots, legal action

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

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

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

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

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

The situation was still tense at prisoners in the region yesterday, with more than 800 prisoners embarking on a hunger strike at East London’s Port Glamorgan prison.

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

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

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

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

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

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

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

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

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

- Unfounded allegations that Transkei leader Bantu Holomusa and senior ANC officials masterminded the elimination of Inkatha Freedom Party officials in 1982 had been the continuation of a “dirty tricks campaign” by the IFP and the government to blacken his name, Mayor-General Holomusa told the Rand Supreme Court.

General Holomusa made the claim in an uncontested court action in which he has claimed R100,000 from the IFP on grounds that he was publicly defamed by IFP officials.

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

- The South African Police Union demanded the immediate payout of pensions and leave money, following similar demands by civil servants in Botswana which eventually led to the downfall of its deposed president, Lucas Mangope.
PRITIA — All convicts will be allowed to cast a vote in the April election. The decision was taken by the TEC's committee of inquiry, which heard evidence from the convicts at the weekend.

About 90 members of the National Union of South African Prisoners Rights (NUAPR) and the National Union of South African Prisoners Rights (NUSAPR) were evicted from the prison. No one was hurt in the incident. No one was injured.

The convicts were told they would be transferred to a separate facility and not allowed to return to the main prison. The convicts have not been allowed to see their relatives or receive medical treatment.
All 23/3/74

Convicts to get to cast a vote

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

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

Forty-two prisoners at Heldersbrough prison near Caledon set their communal cell alight at about 7:40 last night, before bearing about the TEC's decision. No one was hurt in the incident.

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

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

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

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

Sowetan Reporters and Sapa

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

The decision was taken in the light of widespread dissatisfaction with the ban on voting by prisoners and the general disenchantment, country-wide, amongst the black electorate.

The TEC said it had given assurances to the Department of Justice that it would take steps to ensure that the ban was lifted.

Meanwhile, several prisoners around the country were still behind bars. The Department of Justice was considering whether to release some prisoners to vote in the election.

African National Congress spokesman. Mr Tini Dlamini, said that many prisoners were being held under conditions that made it impossible for them to vote.

On Monday, 21 prisoners were killed in a riot at Soweto's Jeppehost Prison.

News reports indicated that there were already more than 500 inmates who had decided not to vote in the election.
Government to act against right-wing radio stations

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

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

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

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

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

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

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

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All prisoners may vote, TEC decides

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

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

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

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

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

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

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

The SA Prisoners' Organisation for Human Rights called yesterday for a multi-party probe into all deaths and human rights abuses in prisons.

It said that such an inquiry would help reform prisons which had become turnstiles by their predominantly white and right-wing officials.

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

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

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

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

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

Correctional Services spokesman Col Barry Eksteen rejected this allegation. However, all "allegations, facts and circumstances surrounding this tragedy will form part of a judicial inquiry", he said.

Report by W Zwane TML, 11 De Aar Street, Johannesburg
125 000 prisoners to vote

BY HELEN GRANGE

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

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

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

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

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

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

About 200 maximum-security prisoners at Helensdorp Prison outside Cape Town were yesterday set fire to six cells and broke windows.

No one was injured — SAPA.

11 George, 47 Sauer St, Joburg and 141 Commissioner St, Jobug.
Pollsmoor prisoners' injuries — plea for visit by Red Cross

DENNIS CRUYWAGEN
Political Staff

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

The Trauma Centre for Victims of Violence and Torture has also called on the Department of Correctional Services to give independent health professionals immediate access to Pollsmoor.

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

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

It has since changed its mind.

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

The revolt spread to the maximum security section.

About 6pm last Friday, prison authorities teargassed and baton-charged a number of prisoners, causing serious rib and head injuries, the centre said.

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

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

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

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

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Prisoners demand to vote at home

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

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

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

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

STEPHANE BOTHMA reports from Pretoria that the situation in other prisons was still tense yesterday with inmates continuing their hunger and work strikes despite the TEC's announcement on Tuesday that all prisoners could vote on April 23.

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

The organisation yesterday called for an end to protests.

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

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

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

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

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

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

Prisoners: Are they outcasts or citizens?

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

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

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

The legitimacy of the prisoners’ demand does not arise from any abstract notion of justice but from the principle of free participation in the electoral process. The right to vote is not an absolute or unlimited right in any country. In common with other countries, we have disqualified persons of unsound mind or those detained as mentally ill or for drug offences. The justification for such exclusions is that these categories of persons would not be able to express their choices freely.

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

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

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

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

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

South Africa has the second largest prison population, per head of population, in the world, after the United States. Successive reports, most recently by Human Rights Watch, have rightly condemned our prison conditions as being barbaric and inhumane.

The most important penalty we can impose on prisoners is deprivation of their liberty and freedom, consigning them to what are often communal hell-holes. It seems that a civilized jurisprudence would then extend to prisoners all the rights of citizens which can be expected to be exercised in prisons. There is no better way of ensuring a fundamental change in prison policy than by giving prisoners a vote.

Other countries’ treatment of this topic is determined by their own history and constitutional assumptions and comparisons are therefore either apt or not relevant. Anglo-Saxon countries usually prohibit prisoners from exercising suffrage rights, many Continental countries allow for a suspension of civil rights following conviction for certain offences.

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

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

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

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

Kader Asmal is professor of human rights law at the University of the Western Cape.
Prisoners counting the cost of getting the vote

Prison riots made the TEC give prisoners the vote. Mbuyazi ka Harvey and Chris Louw report in the Eastern Cape and Natal as to how the new right to vote is being exercised.

Wednesday to hold their campaign long-term prisoners at Caleds Middelburg. Prison on sent on the rampage, insisting they be allowed to vote at the prison. A KwaZulu-Natal inmate said another 40 prisoners at Caleds had also not received their hunger strike.

"We believe that, in the right environment, ordinary people are capable of extraordinary achievement. Our task is to help create that environment."

John W. von Goethe

Satanic' teenagers to appeal sentences

Mondini writes Makhasana

TEENAGERS Angapelo Shono and Lawrence Van Brecht who claimed demonic possession led them to murder in a male and his mother have had their sentences set aside by the High Court. The case was heard in Port Elizabeth. The court said the two men had been under the influence of a pentecostal church.

The court said the two men had been under the influence of a pentecostal church.

Shono and Van Brecht, both 19, were sentenced to 11 and eight years in prison respectively for the murder of their mother, who was bludgeoned to death with a metal cudgel left over from a funeral. The court said the two men had been under the influence of a pentecostal church.

On hearing their sentences, Shono and Van Brecht were said to be in a state of shock and confusion.

"What do you think of this sentence?" asked the judge. "It's a complete waste of time." Shono said.

Van Brecht agreed. "We're not going to do this again," he said. "We're going to change."

The court said the two men had been under the influence of a pentecostal church.

"What do you think of this sentence?" asked the judge. "It's a complete waste of time." Shono said.

Van Brecht agreed. "We're not going to do this again," he said. "We're going to change."

The court said the two men had been under the influence of a pentecostal church.
What price
is the TEC prepared to pay to
uphold its decision that most prisoners will
not be allowed to vote on April 27?
The cost so far has been high. As the FM
went to press the death toll in prison riots
sparked by demands to vote stood at 23.
Another 265 people had been injured, in-
cluding 15 warders, and damage to property
was estimated at R3m. Correctional Services
spokesman Brigadier Chris Ockers said the
situation in prisons across the country was
"extremely volatile.

The unrest followed confirmation by the
TEC last week that certain categories of
prisoners defined in the Electoral Act would
not be allowed to vote. They include most of
the 115 000 now on bail. But voting rights for
all prisoners are being demanded by a num-
ber of groups, including the SA Prisoners’
Organisation for Human Rights (Sapohr),
Lawyers for Human Rights and the
National Institute for Crime Prevention &
Rehabilitation of Offenders (Nicro).

Sapohr
called for mass action in prisons to protest
against the TEC’s decision. The cell was
slammed by Ockers as irresponsible and has
been blamed for most of the violence.

At its regular meeting this week the TEC
was due to debate a possible reversal of its
ruling. The discussion was expected to be
influenced by a meeting between Indepen-
dent Electoral Commission (IEC) member
Helen Suzman and TEC member Mac Ma-
haraj to discuss ways to defuse the situation.

The IEC’s position on the issue is that, while
the question of who should vote is a political
decision for the TEC, it is logistically imprac-
tical to segregate prisoners into voting
and nonvoting categories.

It seems that only full voting rights for all
prisoners will calm the situation. Ockers
says Prisons Commissioner Henk Brun has
written to the TEC giving the department’s
views on the situation and how it could be
resolved, but declines to disclose details.

He adds, however, that the service is com-
pletely apolitical and will carry out whatever
instructions it receives from the TEC Ar-
rangements for all prisoners to vote would not be
a major logistical problem — but it is not
feasible for inmates to leave prisons to vote
as has been demanded by Sapohr.

It is widely accepted in the civilised world
that prisoners convicted of certain categories
of crime have forfeited their right to exercise
the franchise. There is no reason — apart
from the pressure to capitulate expeditiously
before the blackmail of prison violence — for
SA to go against this view.
Fighting to break chains
of old order

(258)

DESPITE the TEC's decision to enfranchise prisoners, the shackles of apartheid still abound, Golden Miles Bhudu told MAUREEN ISAACSON.

IN CONVERSATION with Golden Miles Bhudu, executive officer of the South African Prisoners' Organisation for Human Rights (SAPORH) and policy and project officer Marcus Cox this week, defenses are up in an anger-charged atmosphere.

"Prisoners must vote! Prisoners must vote!" says posters on the walls of their dankless offices in Khosie House. The office rent is paid for by the "almost dry" kitty of R25,000 the organisation received in US aid.

The seven voluntary office workers who survive on a weekly salary of R135 are hard at work. Their concerns, like those of their uncompromising executive officer, are clearly not material. They share Bhudu's vision that the shackles of apartheid will finally be broken, and they do their best to serve the organisation's 15,000 members.

What a week it has been for SAPORH. First came the termination of its rolling mass action after the TEC's decision to enfranchise prisoners, followed by the raising of hopes that the stop, sit down in Johannesburg, once used on prisoners, will become a thing of the past.

But at what a cost. Twenty-one lives lost in the Queensdown Prison fire. Violent outbreaks in Maritzburg, Pretoria, Boksburg, and Paarlberg prisons and a historic visit on Wednesday by SAPORH to Modderbee Prison to defuse a volatile situation.

In the process, however, there have been lots of accusations leveled at the organisation "blood on our hands," said law and order minister Hans Kries.

Budu is said to have a burning desire to see justice done through the organisation that first started in 1967. "I agree with Kries (25) to use force in five days inside for a "petty juvenile offense." Bhudu says he cannot keep his mouth shut, which is why he was fired from both positions he has filled as an analytical chemist. "I'm prepared to lay my life down for this cause," and. "People's vision to those of Martin Luther King and Malcolm X.

Human rights

"I know the difference between right and wrong," says the charismatic man who took to protesting in chains and prison uniforms in the streets of Johannesburg after the death of six prisoners in Barberton in 1991. "I know prisoners from the inside I was badly treated, spent most of my time in solitary.

He is adamant that the rolling mass action was intended to be peaceful and disciplined.

Cox, who spent five years in exile in Australia andis taking a break from his studies in politics and anthropology at the University of Melbourne, believes the "sitting on the fence" in the midst of a movement is not helpful.

"The mass action is not the action of the people," says Cox (25).

Although the two were initially unsure of whether prisoners in other countries were enfranchised, they confessed that they were aware of certain instances of prisoners who were not allowed to vote in Australia, Boksburg, and the Netherlands.

But Cox added that South Africa's history was too long and there was weakness in the country that had not enfranchised the majority of people and people because of apartheid.

"We must have solutions. The majority of people.
VOTING VICTORY: SAPORH kingpins Golden Miles Bifulo and Marcus Cox continue with the struggle to fight for the rights of South Africa's prisoners.

PHOTOGRAPH: DEBBIE YAZBE

S.M. 26/3/94

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Popcru warns of pay strike

JOHANNESBURG — The Police and Prisons Civil Rights Union would enter negotiations with the Police Forum on Monday with a threat to strike if its demands, including a 30% pay increase, were not met, Popcru president Mr Enoch Nolan said yesterday.

Other demands include a call for the reinstatement of 200 police and about 250 prison workers, dating back to 1990, and the lifting of disciplinary charges against Popcru members who marched here last August — Sapa.
Convicts riot at Worcester.

WORCESTER — Prisoners demanding the right to vote set fire to blankets and damaged the contents of three cells in Worcester Prison on Thursday night.

Prisoners hurt in last week's strike action at Pollmaur Prison had received a high standard of medical services, prison spokesman Colonel Barry Eksteen said yesterday.

But Mr Tom Walsow of the Trauma Centre for Victims of Violence asked how one doctor could treat more than 100 injured prisoners.

Sapa, Political Staff
Media denied interviews with inmates

*Weekend Argus*

The department's media liaison section, said voter education programmes in prisons had started on March 14 and were being conducted by the Independent Electoral Commission (IEC).

Saki Maluleke, of the IEC, said various non-government organisations had been accredited by the IEC to conduct voter education programmes in prisons and had been doing so since mid-February.

Prior to this week's IEC announcement that all prisoners who are South African citizens would be allowed to vote, in the election only prisoners who were serving a sentence, but had been offered the alternative of paying a fine were set to vote.

However, Captain J S Gerber, of the department's media liaison section, said no interviews by the media with prisoners regarding this issue will be allowed.
Demand for ‘rights’ costs 23 their lives

DALE KNEEN
Weekend Argus Reporter

GOLDEN Miles Bhudu is the man prison authorities believe is the “trouble-maker” behind the prison riots that have swept the country.

He’s the person who heads the South African Prisoners’ Organisation for Human Rights (SAPOHR), which urged prisoners to fight for their right to vote.

They heeded his call, but instead of embarking on an orderly programme of mass action, they rioted and 23 prisoners were killed.

The Department of Correctional Services would like to place the blame for their deaths at Mr Bhudu’s door.

But, Mr Bhudu thinks otherwise.

He believes the “apartheid criminal justice and prisons system” have to be changed to avoid a recurrence of last week’s prison insurrection.

He has spent time behind bars for “pulling a job” at a store and making off with furniture worth thousands of rands.

Mr Bhudu, 31, was born in the suburb of Soweto outside Newton in the Transvaal.

He began work at Secunda’s Sasol 2 as a laboratory assistant after matriculating in 1979, but his bosses were not impressed with his performance.

“I was discontented because my job was reserved for whites, coloureds and Indians only Blacks were forced to be labourers,” said Mr Bhudu.

He tried to form a union and was fired, and was unemployed for 2½ years. Then he got a job at a company producing chemicals for agriculture.

There he noticed blacks were being exposed to chemical dust and some of the women had become infertile from toxic poisoning.

“I took up their plight with management, but they were only interested in getting rid of me,” he was fired.

“I couldn’t find anywhere else to work and fell on hard times. Then, there was the burglary at the furniture store and I was arrested.”

Mr Bhudu was imprisoned for six years at Nigel Prison, then transferred to Modderbee Medium Prison.

“The prison was run by gangsters and prisoners were left at the mercy of the prison department.”

SAPOHR was formed in the prison in 1988, two years before Mr Bhudu walked free on August 24 1991.

The organisation, which now has an office in Johannesburg, famed Khotso House, has campaigned tirelessly for the rights of prisoners.

When six prisoners died in Barberton prison during riots there in 1991, Mr Bhudu protested for five hours each day for five days.

The official version of their deaths was that they had committed suicide, but Mr Bhudu believed they had been murdered.

He waited for two years, then, last month, 14 prisoners appeared in the Nelspruit Magistrate’s Court charged with arson and murder.
Prisoner vote ruling criticised

JOHANNESBURG — Home Affairs Minister Danie Schutte last night said last week's decision by the Transitional Executive Council (TEC) and the Independent Electoral Commission (IEC) to allow every prisoner to vote did not necessarily mean they would be allowed to.

He said the government was strongly opposed to prisoners serving sentences for murder, rape, fraud, assault and robbery being allowed to vote in the elections.

"It is inappropriate that in a civilised community the improper demands and threats of criminals are yielded to."

It is further inappropriate that the TEC, which is less representative than the Negotiation Council, could overturn that council's well-deliberated decision in this regard.

Mr Schutte criticised the way the issue was being handled, saying it was not proper that such a contentious constitutional issue be dealt with by means of "subordinate legislation."

He said the criminals whose voting rights would now be relevant were common criminals who could not claim their crimes were politically motivated.

Democratic Party head Zach de Beer said his party was also not in favour of voting rights being accorded to common criminals. However, the party supported the TEC and IEC recommendations "out of respect for these bodies."

News by Abdul Motan, 47 Bauer St, Johannesburg
Prison vote doubts

JOHANNESBURG. — All prisoners would not necessarily be allowed to vote, in spite of the TEC and the IEC decision, Home Affairs Minister Mr Dane Schutte said early today.

In a statement, Mr Schutte said the issue of prisoners' voting rights was still under consideration by a joint committee comprising the government, the TEC and IEC.

The government was strongly opposed to voting rights for criminals convicted of rape, murder, robbery, assault and fraud.

The number of rapes increased 10% to 26 994 in 1993, when 17 487 murders and 29 673 robberies with aggravated circumstances were reported.

"Only an irresponsible authority will condone such crimes by bestowing voting rights on such criminals," said Mr Schutte.

Mr Schutte said it was inappropriate that the well-deliberated decision of the multi-party negotiating council, which had been more representative than the TEC, could be overturned.

Sapa
Prisons are 'calm but tense'

By Barbara-Ann Booswall

261-291, 194

THE SITUATION inside Western Cape Prisons is "calm but tense" after riots and burnings at the weekend, a spokesperson for the Department of Correctional Services said on Tuesday.

Twenty-one prisoners were killed in Queenstown in the Eastern Cape and two were killed at Paardeberg prison outside Paarl over the weekend when riots broke out because of prisoners' limited voting rights.

Brigadier Chris Ockers, a spokesperson for the Department of Correctional Services, said autopsies on the two dead prisoners from Paarl had revealed they were killed before the fires broke out. A murder docket has been opened.

No other incidents had occurred.

Ockers said a confidential letter was sent to the Transitional Executive Council (TEC), sketching the scenario in prisons. The department was still awaiting a reply.

He said that at Queenstown in the Eastern Cape, the local ANC branch sent a delegation to the prison to acquaint themselves with the situation inside the prison.
405 prison warders arrested at meeting

BY JOVIAL RANTAO
LABOUR CORRESPONDENT

Police arrested 405 prison warders — all members of the Police and Prisons Civil Rights Union (Popcru) — for holding an illegal gathering outside the South African Correctional Services (SACS) offices in Pretoria yesterday.

The prison warders, from Vereeniging and Johannesburg prisons, were arrested before they could present their grievances to Lieutenant-General Henk Bruyn. They were taken to the Silverton Police Station where they were each issued with a R300 admission-of-guilt fine and released.

Police spokesman Captain Evan Johnson said several guns were confiscated during the arrest. The Popcru members licensed guns were handed back, but police were still in possession of 37 weapons, he added.

Popcru general secretary Nkana Mqwathi accused the SACS of unwillingness to listen to its employees' grievances. He said the warders would not pay the R300 fines imposed on them.

Mqwathi said the warders went to Pretoria because their grievances were not being attended to by local commanding officers. "Members are also frustrated at having to wait three to four months before their grievances are attended to," he said.

The main grievances were the criteria used to pay certain SACS employees a prestige bonus varying between R2,000 and R15,000, and the lack of a rotation system for nightshift workers.

"Because there's no rotation system we find that 95 percent of members working nightshift are non-white. Our members demand that this should be changed," the Popcru leader said.

Mqwathi said he had tried to negotiate with prison authorities to avoid the action and arrest. He was denied access to Groenpunt Prison, near Vereeniging, where warders embarked on a sit-in on Tuesday.

He said Popcru would march on April 9 to highlight its grievances.

SACS liaison officer Lieutenant Rudolph Potgeiter said his department was surprised that the grievances had not been sent through existing communication channels.

The SACS, he said, placed high premium on the well-being of its staff and would do its utmost to ensure a satisfied personnel corps.

Potgeiter said warders were not allowed to strike. Instead, they were entitled to compulsory arbitration.
Surviving in prison often means joining gangs as a form of protection. The Human Rights Watch recently published a book which researched the power of gangs in South Africa’s prisons. QUENTIN WILSON reports:

The authorities attributed Mr Gerald Nkomo’s death in a Vereeniging prison to “natural causes” As a result, there will probably never be an inquest into his death in September 1992. But his family paints a different picture. Days before his death, Nkomo, 19, complained to warders that he had been raped, and had asked for a transfer to another prison.

According to his sister who visited him, Nkomo was in good health, but he had told her of being scared. He thought his cell mates were going to kill him because he was pressing his complaint of rape.

He was found dead shortly afterwards.

According to the Department of Correctional Services, the doctor who had examined Nkomo had found no signs of rape, and that there would be no inquest into his death because Nkomo had died of “natural causes”.

Nkomo’s story is one of many. According to research completed by the Human Rights Watch (HRW), the incidence of violence and gangsterism in South Africa’s prisons is of immense proportions.

According to the HRW’s book, “Prison Conditions in South Africa”, there are three dominant prison gangs.

Known collectively as the “number gangs”, the 26’s, 27’s and 28’s trace their origins to the late 19th century when gangs were formed in the Free State. As a result of apartheid’s pass law system, these migrant workers were frequently subjected to imprisonment — and the gangsterism spread to the cells.

“By the 1920s, gangs had ceased to exist in their original form outside prisons, but had become entrenched inside,” says the study.

“Each of the gangs has an elaborate quasi-military command structure, involving up to 30 different ranks, each rank having specific hierarchical duties, and internal discipline is strictly maintained.

“Promotion, particularly to the higher ranks, may be obtained by committing acts of violence on persons outside the gang.”

The main gangs have distinguishing features.

“The 28’s are regarded as the senior gang, and are distinguished primarily by their organised system of ’wyssies’ or coerced homosexual partners. The 26’s are associated with cunning, obtaining money and other goods by means of fraud and theft, while the 27’s specialise in violence and are “symbolised by blood”.

Other gangs, of more recent origin and regarded as illegitimate by the number gangs are the Big Fives, who collaborate with the authorities as informers and in other ways, and the Air Force, who organise mass escapes, says the report.

“Minor local gangs, sometimes associated with gangs in the outside world, also exist. Gang membership ‘uniforms’.”

Gang membership is theoretically voluntary. But being in confinement for up to 23 hours a day in overcrowded communal cells places enormous power in the hands of the gang hierarchies.

HRW workers say they spoke to be free of the gang system, but could not do so for fear of losing their “privileges”.

According to the report, much of the gang activity inevitably leads to violence.

“In theory, the number gangs are not antagonistic to each other, but in practice they are competing for scarce resources — including the recruitment of other prisoners.

“Accordingly, the potential for violent conflict is great. Each prison will tend to have one dominant gang, which imposes its own discipline beneath that of the prison authorities.

“Attempts to disturb this structure can lead to warfare between the gangs; large influxes of prisoners from other parts of the system may also upset the existing equilibrium.”

HRW questioned the commitment of prison warders to effectively rid their prisons of gangsterism.

Prison warders interviewed by HRW apparently acknowledged gangsterism to be a problem. Although warders said they tried to separate gangs by housing them in different communal cells, HRW claimed that this was not the case on their tours of the prisons.

“It was clear to us from our interviews with prisoners and ex-prisoners that at least some prison warders are in active collaboration with the gang system. The very existence of the Big Five is suggestive of a less than whole-hearted opposition to the gang system.”

HRW proposed that if the living conditions in South Africa’s prisons are improved, gangsterism in prisons could begin to be curbed.

“The causes of the gang system are complex, and difficult to address in the short term.” HRW said. “It is clear that the effects of the system are multiplied by the lack of work or recreational activity, especially in maximum security prisons, the extreme overcrowding and consequent lack of privacy in many prisons and the tolerance of elements within the prison authorities of some gang activities.”

Bad news... Thandi Khuzwayo says after ia. Jailed for assault by warders named her husband Spio as one of the prisoners who need to be "stitched up" after clashes at Diepsloot Prison yesterday.

Picture Gary Berndt.
Prison riot after ‘prank’ by warder

By Glenn McKenzie

At least 24 prisoners were injured in unrest at Sun City prison outside Johannesburg after a warder threw teargas at a co-worker as a “prank”, a Correctional Services official said yesterday.

Brigadier Chris Ockers said inmates at Sun City noted several hours after teargas drifted through cells early yesterday morning. The gas was the result of a “prank” played outside the prison by a warder on a co-worker, Ockers added.

Very upset

“Some prisoners were very upset and understandably so I probably would have been upset myself in the same situation,” said Ockers.

Police and Prisons Civil Rights

Workers Union members who worked at the prison claimed the teargas incident was part of a racial attack against Pocuru members.

Black warders and prisoners were assaulted by whites wearing sheets to disguise their identities, they alleged.

“I saw enough I couldn’t take it anymore,” said Pocuru member Mr Mondli Madondo.

Ockers said Correctional Services would hold a full internal investigation into yesterday’s unrest. The department vehemently denied that warders assaulted prisoners or employees, he added.

Prison doctors treated 24 inmates for burns and abrasions. None of the patients was serious enough to warrant hospitalisation, said Ockers.

Small demonstration

Outside the prison, South African Prisoners Organisation for Human Rights spokesman Mr Golden Miles Bhudu led a small demonstration of prisoners’ relatives.

“We are going to wait here the whole day,” said Mr Tshedzhu Khuzwayo, whose husband Aaron is in Section C of the prison where the incident took place.

By yesterday afternoon peace had returned to the prison and families were able to visit inmates again.

Prank’ sparks jail riot

By John Soderlund

The firing of a teargas canister by a Doekpoof Prison warder early yesterday sparked a riot by prisoners that led to 24 inmates being injured.

The problem began when a warder detonated a teargas canister outside medium B area of Johannesburg Prison at 2 am, said Correctional Services communication services director Brigadier Chris Ockers.

Ockers said the warder had directed the canister at a colleague in a nearby guard hut as a prank.

About 1,000 prisoners in three sections reacted at about 8 am by setting fire to blankets.
Dozens injured in riot sparked by ‘prank’

A "HIGHLY irresponsible" prank by a warder at Johannesburg Prison early yesterday led to a riot by 1,000 prisoners, in which dozens were injured, Correctional Services said.

Prisoners set fire to their cells after a warder fired tear gas at a colleague in a watchtower on the boundary of the prison grounds at 2am. However, the canister exploded in a ditch and the gas blew into the cells of about 400 sleeping prisoners.

Correctional Services spokesman Brig Chris Ockers said the warder had been charged with the illegal possession of tear gas. The canister had not been issued by the department.

Ockers said 24 prisoners had been injured, but none was hospitalised. However, three ambulances were seen leaving the prison and warders released the names of 45 injured prisoners to relatives outside the prison gates.

Ockers said the prison's commanding officer, Brig Wessel van Niekerk, had addressed the prisoners at 9am. He explained that the incident was a joke that went wrong, but this was rejected by the prisoners, who set their bedding alight.

"They were obviously quite upset and believed it had been done deliberately," he said.

Other prisoners joined the protest, which eventually involved 1,000 inmates.

The SAPe internal stability unit had been called in as a back-up, but the riot was quelled by the prison's internal force.

SA Prisoners' Organisation for Human Rights spokesman Golden Mles Bhuu said warders had told his organisation that tear gas had been thrown into the cells.

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Riot during the night, the riot had broken out after prisoners' demands to see their commanding officers were refused.

He said two warders had been held hostage, but were released when the internal stability unit intervened. Most of the injuries were sustained when prisoners were assaulted by warders and police.

He said the warder who had thrown the tear gas had been suspended from duty pending charges of assault against prison staff and the warder could not be released because a court case was pending.

A top-level investigation has been ordered by Transvaal regional commissioner Maj-Gen Piet Zandberg. Meanwhile, Sapa reports that prisoners at Bophuthatswana's Odi Prison at Mabopane set fire to the building yesterday to back their demands to be released. A spokesman said inmates had demanded their release as they had been prosecuted and sentenced by the deposed government of former President Lucas Mangope.

Eight prisoners and six warders were admitted to hospital in Mafikeng on Tuesday after violence at Rosigrund Central Prison. Extensive damage was caused when the prison was set on fire.
Riot

During the night and the riot had broken out after prisoners' demands to see the commanding officer were refused.

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He said the warder who had thrown the teargas had been suspended from duty pending charges of assault against prisoners and warders.

Olckers denied Bshu's allegations. He said the name of the warder could not be released because a court case was pending.

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Eight prisoners and six warders were admitted to hospital in Matikeng on Tuesday after violence at Roosigroad Central Prison. Extensive damage was caused when the prison was set on fire.
Popcru considers national strike ballot

LABOUR CORRESPONDENT

The Police and Prisons Civil Rights Union (Popcru) would hold a national strike ballot if the Transitional Executive Council, the SA Police and the Department of Correctional Services (DCS) did not meet their demands.

Popcru's main demands are for the reinstatement of union members dismissed in 1990, a 30 percent salary increase, the implementation of a promotion review board at all levels, and for women employees to receive all benefits and longer maternity leave.

Popcru general-secretary Nkana Mqwathi said although the union was in principle against strikes, pressure from members was forcing it to conduct a ballot to decide whether to strike on April 22.

He stressed that Popcru was flexible on certain demands, but would not budge on others.

Mqwathi said Popcru members wanted this month's election to go ahead unhindered, but wanted certain guarantees from the TEC, SAP and the DCS. He hoped a Popcru strike would not hold the election to ransom.

Thousands of Popcru unionists, supported by uniformed Umkhonto we Sizwe members, marched in Pretoria over the weekend to present demands.

The TEC's subcouncil on law and order was not available for comment last night.

The South African Police Union has objected to certain reports in the media referring to it as a conservative union.
Call to FW: Let prisoners vote

PRETORIA — A Transitional Executive Council delegation is to ask President FW de Klerk to give all prisoners the vote.

Claims that the government was deriving political benefit from its opposition to giving violent criminals the vote were aired at yesterday's executive council meeting.

Meanwhile, the IEC has given the go-ahead for polling stations to be set up at psychiatric hospitals — but certified patients will not be eligible to vote.

Certified patients are committed to an institution by the courts, while other patients are institutionalised voluntarily.

According to Mr Lauge Vitus, national executive director of the South African Federation for Mental Health, about 50% of the 20,000 certified psychiatric patients in South Africa would like to vote.

Mr Vitus said many mentally ill people had a good sense of judgment and "one could argue why a criminal could vote and not a mentally ill person."

The TEC also called yesterday for a moratorium on all strike action and work stoppages by public servants until after the election to ensure a stable voting environment.

A delegation from the TEC's management committee would discuss the moratorium with trade union federations and individual trade unions from this week. ANC TEC representative Mr Cyril Ramaphosa said, "We will appeal to various trade unions and workers themselves: that all of us need to put national interests first at this critical time," he said.

— Sapa, Own Correspondent
Row over prisoner vote
13/4/94

BY ESTHER WEAUGH
POLITICAL CORRESPONDENT

A joint Transitional Executive Council/Independent Electoral Commission delegation is to see President de Klerk about Government moves to block the extension of the right to vote to all prisoners.

ANC secretary-general Cyril Ramaphosa told yesterday's TEC meeting that Home Affairs Minister Dane Schutte refused to implement a TEC decision granting all prisoners the vote.

Schutte, he said, had made his stand at a meeting with IEC member Helen Suzman, Correctional Services Minister Adri van der Merwe and NP executive secretaries. Mac Maharaj and Fanie van der Merwe.

Vlok and himself Schutte, said the Government did not see its way clear to implementing the TEC decision.

Ramaphosa accused the Government of using the issue for party political purposes. The Government, he said, now had to face the reality that the IEC and TEC had agreed to extend the vote to all prisoners, while the NP was using the issue in advertisements against the Democratic Party (2.5%).

Agreement could not be reached on the size of the delegation to see De Klerk, but this would be finalised by TEC's joint executive secretaries, Mac Maharaj and Fanie van der Merwe.
Prisoners ready to cast votes

By Shannon Neill

PRISONERS throughout the Western Cape will be ready to vote on April 27 following intensive voter education programmes by the Independent Electoral Commission (IEC) in all prisons.

Spokesperson for Correctional Services, Captain Kooi Gerber, said the department was giving the IEC its full assistance to facilitate voter education in prisons because it was believed to be important.

Branch director of Nicro, Cape Town, Ms Isabel Hancock, said Nicro had been chosen by the IEC to run the programmes because of the experience social workers already had working in prisons.

Another Nicro worker, Mr Irvine Kinnes, said the programmes had been well received by prisoners whose main concerns were whether they would vote inside or outside the prison and, if they voted inside, whether they would be intimidated.

He said political parties would not be able to canvass in prisons but political literature would be made available in prison libraries.

S Neill, 76 Darling Street, Cape Town

GOING THROUGH THE PACES: An IEC official explains voting procedures to prisoners at Hovequa Prison in Wellington

Photo: Yunus Mohamed
Prisoners’ vote in NP’s court

By Glenn McKenzie

The prisoners’ vote issue has been put in the lap of the National Party after the Pretoria Supreme Court rejected an application by Lawyers for Human Rights to change the Electoral Act to allow prisoners to vote.

Yesterday the Supreme Court decided it did not have the jurisdiction to deal with the prisoners’ voting issue.

The question should instead be turned to a constitutional court, something which would not exist until after the election.

Both the Transnational Executive Council and the Independent Electoral Commission have recommended that the government allow prisoners to vote in the country’s first all-race election next week.

But the government has steadfastly refused to support the recommendation.

LHR spokesman Mr Jody Collapech said the organisation now has no other recourse but to appeal to President PW de Klerk to change his mind on the issue.

The NP has repeatedly said it would never agree to allow prisoners to vote.

Yesterday, NP spokesman Mr Darius du Plessis said that stance had not changed.

Meanwhile, the South African Prisoners’ Organisation of Human Rights said yesterday the chances...
Prisoners' vote in NP's court

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The National Party has repeatedly said it would never agree to allow prisoners to vote. Yesterday, NP spokesman Mr Danie du Plessis said that stance had not changed.

Meanwhile, the South African Prisoners' Organisation for Human Rights said yesterday the chances of peace in prisons had decreased.

"It's a sad case. There's a possibility that prisoners could take action on their own, but we don't know," said Sapho, spokesman Mr Golden Males Blandu. LHR would continue conducting voter education programmes in prisons for the time being, LHR spokesperson said.

"It doesn't look good. But it's not fair to the prisoners to stop yet," said LHR spokesperson Ms Cecelle van Riet.

(Report G McKenzie, 61 Commando Road, Indoiania West, Johannesburg.)
Prisoners’ voting rights not a Supreme Court issue

PRETORIA — The Supreme Court did not have the authority to decide on the right of prisoners to vote and the matter should be dealt with by a future Constitutional Court, the Pretoria Supreme Court found yesterday.

Transvaal Judge President CF Bloff dismissed an application by two long-term Pretoria prisoners, Sibusiso Masuku and Gopa Nhoni, for a declaratory order that the provisions of the Electoral Act prohibiting them from voting in next week’s elections constituted a violation of their fundamental rights in terms of the Constitution Act, which would come into effect on April 27, and were therefore invalid.

Both prisoners’ death sentences for murder were commuted to 30 years’ jail.

Judge Bloff said the applicants realised that once the Constitution Act came into force the Supreme Court would be expressly excluded from deciding on constitutional matters. The applicants had contended it would take some time before a Constitutional Court was established and, although they might have certain rights in the meantime, they would have no way of enforcing these rights.

He said if he were to accede to the prisoners’ demands he would, in a roundabout way, assume a jurisdiction which would, in time to come, be the exclusive jurisdiction of a Constitutional Court.

The judge said the question of voting rights for prisoners was a moral and philosophical issue which should be determined by a specialised court. — Sapa

Report by F. Oudeh, Sapa '94.© Copyright 1994, Sapa
Prisoners’ plea to vote dismissed

The Supreme Court does not have the authority to decide on the right of prisoners to vote and the matter should be dealt with by a future constitutional court, the Pretoria Supreme Court found yesterday.

Transvaal Judge President Mr Justice C.P. Eloff dismissed an application by two long-term Pretoria prisoners, Sibusiso Masuku and Oupa Mboam, for a declaratory order that the provisions of the Electoral Act prohibiting them from voting in next week’s election constituted a violation of their fundamental rights in terms of the Constitution Act.

Both prisoners’ death sentences for murder were commuted to 30 years’ jail.

Mr Justice Eloff found the court did not have jurisdiction to decide on the constitutionality of an Act of Parliament.

The judge said the question of voting rights for prisoners was a moral and philosophical issue which should be determined by a specialised court.

— Sapa.

BY JOHN PERLMAN

Women learn how to cast ballot in jail

The women gathered in the bare, barred room may not have been able to recognise themselves in the brightly coloured posters on the wall in front of them.

Scenes of smiling people in brightly coloured clothes, walking down grassy lanes towards a polling booth, must seem a world away from the women’s section of Pretoria Central Prison.

But if yesterday’s voter education workshop at Pretoria Central was anything to go by, the prisoners seem to think this is as much their election as anybody else’s.

“They feel that they are entitled to vote,” says Bridgette Mashaba, a University of Pretoria law student from Soshanguve who has taught voter education at both Pretoria Central andLeeuwkop.

The deadlock between the Government and the IEC over prisoners’ voting rights has not yet been resolved — the De Klerk administration believes people convicted of serious crimes should not vote.

But the Pretoria Central audience listen attentively and there’s no shortage of volunteers for a trial-run ballot at the end.

The voter education message, Mashaba says, is getting through. “There hasn’t been a single spoilt ballot so far,” she says.

Upstairs from the large cell-like hall where Mashaba has been working with a group of about 55 women, Zochwa Muli — also a Tuks law student — is explaining the ballot to a similar sized group.

Once again, the mixed group of white and black women listen intently, except when the antics of a couple of the little children there — mothers may keep them with them in jail until they are three — become impossible to ignore.

One of the prisoners asks about intimidation — it’s a common question. Muli says, “Just make your mark, nobody is going to see it,” she answers.

Muli outlines the Electoral Act and its penalties for intimidation “I told them that the IEC will take care of them,” she says.

But the women downstairs are not so sure “They say they have to inform the IEC if the election is free and fair but they are only allowed to use the phone once a week,” says Mashaba. “Yet they have to inform the IEC within 48 hours.”

Mashaba says the prisoners seem to be very well informed “But they say newspapers are not enough. They want the political parties to campaign inside the jails,” she says.
Strikes resume in jails

SOUTH AFRICA, 21/4/94

PRISONERS will resume work stoppages and hunger strikes because of State President FW de Klerk’s refusal to sign a proclamation allowing them to vote, the South African Prisoners’ Organisation for Human Rights said yesterday.

Sapoh spokesman Mr Golden Miles Bhudu told a Press conference in Johannesburg that protests would begin at 2pm today. The Transitional Executive Council decided on March 22 that the Electoral Act be amended by proclamation of the State President to allow all inmates the right to vote.

"Mr de Klerk is refusing to sign, even though we have secured the support of the TEC, all major parties, liberation movements and community-based organisations," said Bhudu.

"Sapoh is stunned that Mr de Klerk is still exercising minority rule. This is unconstitutional, racist and hypocritical."

"In the past white prisoners were allowed to vote. Over 95 percent of prison inmates are black. South African prisons remain racist, apartheid institutions," said Bhudu.

Bhudu said the National Party had said it would not amend the act because it was opposed to murderers and rapists voting, but more than 70 percent of prisoners were not violent offenders and even fewer were rapists or murderers.

---Sapa

(Story by K. Swart, 141 Commissioner Street, Johannesburg)
Mass action threat over prisoners' vote

THE SA Prisoners' Organisation for Human Rights said yesterday its supporters would embark on "rolling mass action" this afternoon unless President FW de Klerk approved last month's Transitional Executive Council resolution extending the franchise to all prisoners.

Spokesman Marcus Cox said De Klerk's refusal to amend the Electoral Act by proclamation would prevent more than 95% of the prison population from voting.

In terms of existing legislation, people convicted — without an option of a fine — of crimes such as murder, kidnapping and rape, are not eligible to vote.

Cox said because circumstances in SA were unique, prison inmates had to be looked at in a socioeconomic context. "Over 95% of inmates are black. You have to be racist not to see that the majority of inmates are there because of apartheid."

Denying prisoners the vote would serve to escalate violence in prisons, he said.

Organisation leader Golden Miles Bhudu said he expected De Klerk to respond "positively" by no later than 2pm. If he did not, his organisation would embark on mass action, which would continue after the elections. The protests would include hunger strikes and work stoppages.

Cox said the organisation also wanted to engage the NP in a public debate over the prisoners' right to vote.

Report by W Zwane, TM, 11 Oaggie St, Jhb
Mass action starts over prison vote

THE SA Prisoners' Organisation for Human Rights yesterday launched its "rolling mass action" yesterday after President FW de Klerk did not immediately endorse last month's TEC resolution extending the franchise to all prisoners.

Organisation spokesman Marcus Cox charged that De Klerk was denying most of the prison population the right to vote because he knew that they would not vote for him.

De Klerk told a news conference yesterday he would probably reach a "final decision" on voting rights of prisoners today, Sapa reports from Pretoria.

No conclusion on the issue had been reached at talks between himself and a combined TEC and Independent Electoral Commission delegation and he intended consulting further on the issue, he said.

Organisation leader Golden Miles-Shudu and several members of the organisation were yesterday staging a sit-in at the NP's Braamfontein offices. Cox said the sit-in would not end until De Klerk endorsed the TEC resolution.

Correctional Services spokesman Col. Barry Eksteen reported several incidents of vandalism and work stoppages at prisons.

Four cells were burnt at Piet Retief Prison when prisoners set mattresses, blankets and clothes alight. Inmates of Heidelberg Prison refused to carry out instructions and prisoners at Nelspruit Prison broke equipment and windows.

Correctional Services Minister Adriaan Vlok yesterday expressed his shock at the SA Prisoners' Organisation for Human Rights' call on prisoners to embark on a defiance campaign.

"In the light of the tragic deaths of 53 prisoners and the destruction of property totalling more than R3m which occurred previously in this regard, I consider their call totally irresponsible," Vlok said.

Meanwhile, more than 400 policemen and prison warders have embarked on a strike in the eastern Transvaal town of Standerton, demanding that uniformed members of the AWB be prevented from coming near the local police station. JOHANNES NGCOBO reports.

"The town has been tense since an incident earlier this year when the AWB prevented township residents from conducting a march. Shooting broke out when police intervened and 58 people were injured.

"Yesterday, police and Prisoners' Civil Rights Union general secretary Nkani Mqawathi said union members had embarked on strike action on Wednesday when regional Correctional Services and the SAP failed to address grievances."

In Thoyoyo andou the Venda Police Action Committee yesterday threatened a police strike in the homeland should its demands not be met by today.

Venda police commissioner Lt. Gen. Muller van Eyk said yesterday an investigation into matters relating to the demands would be carried out.

By Charles Schulz

Kloeks: What's some of them one...

Two good. I'm second because I always alert.
Turning the tables... workers load tables to be used at polling stations on to trucks in Fordsburg, Johannesburg, yesterday. At least 70,000 tables will be needed at the 9,000 polling stations nationwide.

Vote for best ad

A host of consumer product advertisements which exploit the topical “voting” theme have been created. On Monday, The Star will publish a selection of these ads in a special advertising feature. Readers will be invited to tell us which ads they like best and why. There will be prizes for the best entries.

Prisoner poll decision today

President de Klerk said he would make a decision only today on whether he would sign a proclamation that would allow all prisoners to vote.

De Klerk told journalists after a meeting with the TEC and the IEC in Pretoria yesterday that he still had to consult further on the issue.

The meeting was called after the South African Prisoners Organisation for Human Rights (Sapo) had threatened to resume its mass action if De Klerk did not sign the proclamation by 2 pm yesterday.

However, without action beginning before the deadline when Sapo officials marched to the

Star

National Party offices in Milpark, Johannesburg, and chained themselves to poles. They vowed to remain until De Klerk signed.

Prisoners at the Johannesburg Prison also boycotted lunch in what is believed to be the beginning of a mass hunger strike.

— Staff Reporter and Sapa.

(Safc Suiter 3, Johannesburg)
FW takes on TEC over prisoners’ right to vote

By CARMEL RICKARD

THE issue of whether all prisoners may vote has escalated into a constitutional battle between the state president and the Transitional Executive Council. But it has also provoked a legal clash — a case heard by the courts based on the new constitution and Bill of Rights.

The Electoral Act says only certain categories of prisoners may vote. However, it is worded in such a way that it is proving difficult to establish which prisoners are entitled to participate.

For this reason, the Independent Electoral Commission has recommended that the Electoral Act be changed and that prisoners be allowed to vote. The TEC has now also given its support to the IEC recommendation.

Only State President FW de Klerk has the legal power to change the Electoral Act at this stage. He met with ANC president Nelson Mandela late last week for talks on the issue and an announcement is expected tomorrow.

However, the constitutional battle is clear — the TEC says the state president does not have the political power to refuse its recommendation that he change the law. Speaking legally, however, the decision rests with him.

But Sapa reports ANC secretary-general Cyril Ramaphosa said in Cape Town yesterday his party was confident Mr de Klerk would reconsider his position and authorize a change to the Act tomorrow.

While politicians deal with the constitutional problem, the Supreme Court has also been asked to consider the question. On Monday, lawyers for Human Rights brought an application against the state president and the Minister of Home Affairs on behalf of two former death row prisoners serving 30 years for murder.

They said Section 16 of the Electoral Act, which distinguishes between those prisoners who could not vote and those who could not, contradicted several clauses of the new constitution, and asked for this section to be declared unconstitutional.

However, Transvaal Judge President Eloff said he was unable to grant the application. He said that, under the old constitution, the court was not entitled to overturn an Act of Parliament (such as the Electoral Act).

Under the new constitution, which comes into effect on April 27, only the Constitutional Court could consider whether a law was valid, and that court had not yet been set up.

Judge Eloff also stressed that the TEC and IEC were both bound by the law as it stood and that it “did not believe” either body to assume the power to decide whether the contentious section of the Electoral Act was unconstitutional.

Mr A D A Kany SC, with Mr W F N Seates, instructed by Lawyers for Human Rights, appeared for the two prisoners. Mr Jeremy Gauntlett SC, with Mr D A Press, instructed by the state attorney, appeared for the State President.

Sinatra cancels second show

SINGER Frank Sinatra, who collapsed on stage last month, cancelled a performance at New York’s Radio City Music Hall on Friday shortly before the show was due to begin.

The announcement said the 73-year-old crooner was suffering from upper respiratory congestion and had been advised by his physician not to perform. — Sapa-Reuters
Prisoners’ right to vote not finalised

WHETHER all prisoners will be able to vote still hangs in the balance, with the fraught issue not being finalised as expected yesterday.

In spite of discussions between President F W de Klerk and ANC president Mr Nelson Mandela, a government spokesman said the matter had not been resolved, and further discussions would take place.

Party originally agreed during negotiations that prisoners who had committed serious offences would not be allowed to vote, although awaiting trial prisoners and people imprisoned who had been given the option of a fine could vote.

The Transitional Executive Council reversed this decision after protests by prisoner representatives and unrest in prisons. But the government refused to comply with the TEC’s decision, resulting in the impasse.
Defiant prisoners persist with demands

SELLO MOLTIBAKWE

PRISONERS at several jails around the country embarked on hunger strikes and various forms of defiance yesterday to demand the extension of the vote to all prisoners.

An expected statement by President F W de Klerk on prisoner franchise was not forthcoming yesterday, although government sources confirmed the issue was discussed at a Cabinet meeting in Cape Town as well as between De Klerk and ANC president Nelson Mandela.

A government spokesman yesterday said further talks would take place. TIM COHEN reports.

SA Prisoners' Organisation for Human Rights spokesman Marcus Cox said protest action had been initiated by his organisation to persuade government to accede to prisoners' demands for an unlimited extension of the right to vote. Acts of defiance included go-slows, refusal to work and hunger strikes.

Correctional Services Department spokesman Brig Chris Ockers confirmed that a few prisoners had embarked on defiant activities at isolated centres.

Ockers said the situation at Nelspruit prison, where inmates rioted last week, had returned to normal.

Disturbances were also reported at the Pietersburg and 'Ermelo prisons last week. There were no incidents at Johannesburg prisons.

Three members of the prisoners' organisation, among them its leader, Golden Miles Bhuda, yesterday remained chained outside the Union Buildings in Pretoria in support of the demand to vote.

The prisoners' organisation had earlier raised concerns about prisoners' voting rights following disagreement between De Klerk and the TEC over which categories of prisoner should be granted the vote.

Parties originally agreed during negotiations that prisoners who had committed serious offences would not be allowed to vote, although awaiting trial prisoners and people imprisoned who had been given the option of a fine could vote.

But the Transitional Executive Council (TEC) reversed the decision after protests by prisoner representatives and unrest in prisons.

However, government refused to comply with the TEC's decision, resulting in the impasse which still existed yesterday.

Report by S Molthibakwe and T Cohen, TML, 11 Diagonal St, Jhb
No vote for ‘violent’ prisoners

The Government has rejected pleas that all prisoners be allowed to vote in the country’s first democratic election.

Prisoners who have been convicted of murder, rape and robbery, with aggravating circumstances will be excluded from the polls, the Cabinet decided at a meeting in Cape Town yesterday. (253)

Minister of Home Affairs Danie Schutte made the announcement only hours before special voting was due to start at prisons across the country.

The minister said the Government was not willing to depart from the principle contained in the existing Act, which stipulates that certain categories of prisoner who have been found guilty of serious crimes should not be permitted to vote.

He added: “Such a restriction is in accordance with internationally accepted norms.”

The Electoral Act had been amended, he said, to give effect to this decision by defining more precisely the crimes of murder, rape and robbery with aggravating circumstances and limiting non-voting prisoners to those who had committed or attempted to commit these crimes.

Schutte said the Act had been amended by the State President in consultation with the Independent Electoral Commission and the Transitional Executive Council.
Prisoners go to the polls, too

By Sharon Chetty

PRISONS throughout the country were transformed for a few hours into havens of activity, as inmates cast their special votes.

Despite prolonged protests by the SA Prisoners Organisation for Human Rights, murderers, rapists and those convicted of fraud, corruption, bribery and armed robbery with aggravating circumstances were excluded from voting.

In several areas, logistical problems led to the polls opening late.

At Diepkloof prison, voting got under way only around lunch-time as officials had to wait for ink, ballot papers and boxes to arrive.

Brigadier Chris Ockers, spokesman for the Correctional Services department, said presiding officers at the prison polling stations were authorised to stay open until all eligible prisoners got their chance to vote.

He said the worst problem experienced was of polls opening late.

"We are confident that every prisoner who qualifies will get to cast a vote," he said.
Smooth poll
Soweto 27/4/94
in jails

VOTING in prisons proceeded smoothly yesterday as special polling stations were set up for as many as
100 000 prisoners, a Correctional Services spokesman said.

No incidents were reported and the atmosphere in prisons was calm, he said.
Independent Electoral Commission officials set up the stations and guards
took eligible prisoners to cast their votes.

There was no adverse reaction from murderers, rapists and other prisoners
denied the vote by a last-minute cabinet decision yesterday, the spokesman said.
Prisons Commissioner General Henk Bruyn this week barred the media from
prisons to "keep the atmosphere as calm as possible". — Sapa

(Report by J Rees, 141 Commissioner Street,
Johannesburg)
Robben Island prisoners part of historic day.

Cape Town — Prisoners of Robben Island, where Nelson Mandela spent 18 of his 27 years in jail, were among the first black South Africans to vote in the election.

Presiding officer Enos Johannes said voting began at about 7.35 am yesterday after the boat taking electoral officials from Cape Town harbour to the island broke down.

Johannes said voting was initially slow because prison authorities required each voter to be tested with a single metal detector.

He said voter education in the jail had clearly been effective. "Everybody seems to know what to do and what this election is about. It may just be what I want to think, but they seem to me to have a sense of history and occasion," — Sapa-Reuters
No serious trouble as prisoners cast ballots

VOTING inside many of the country's prisons went ahead without much disturbance yesterday as prisoners lined up to cast their votes in the country's first democratic elections.

Independent Electoral Commission (IEC) representative Ben van der Ross said yesterday there had been some "unpleasantness" at Johannesburg's Leeuwkop and Diepkloof prisons after prisoners had grown restless when IEC polling teams arrived late.

But Correctional Services spokesman Brig Curs Ockers said prisoners had simply become "naturally" restless and had "banged mugs against the bars".

Correctional Services Commissioner Gen Henk Bruyn expressed his appreciation to IEC chairman Judge Johann Kriekler for the IEC's professionalism.

He also thanked the thousands of prisoners involved for their responsible and disciplined approach.

Ockers said 2,694 prisoners had voted at Leeuwkop Prison.

Correctional Services official Capt Peter Venter said voting by 721 prisoners on Robben Island had proceeded smoothly.

And Correctional Services spokesman Lt Rudi Potgieter and Capt Bert Slabbert said no negative reaction to the President's proclamation barring certain categories of prisoners from voting had been noted inside the prisons.

Prisoners convicted of murder, rape and robbery with aggravating circumstances cannot vote in these elections.

Lawyers for Human Rights yesterday criticised the decision and said it was irresponsible and cynical.

ANC spokesman Baleka Kgotsi said the decision was regrettable in the light of efforts by the organisation and all transitional structures to press De Klerk to grant the vote to all prisoners.

SA Prisoners' Organisation for Human Rights spokesman Golden Miles B hudu said De Klerk and the present Cabinet had for the last time taken a crucial decision above the heads of the IEC and the liberation movements.

B hudu's claim that the restriction would sideline about 98% of the 115,000 prison population was rejected by Correctional Services, which said the estimate was highly exaggerated.

Report by S Motlhakwe and B Payne. TML, 11 Dorgall St, Jhb.
Prisoners riot over vote

BY CHERYL HUNTER

Warders at Witbank Prison yesterday isolated prisoners and cleared cells of all furniture — including beds — following two days of rioting at the prison.

Correctional Services spokesman Brigadier Chris Ockers said inmates of a minimum security section had stoned warders yesterday and on Tuesday and attempted to douse them with boiling water, demanding that their section be allocated black warders only.

He said problems began when prisoners started a go-slow to protest that not all prisoners had been able to vote.

The department's task force moved into the prison yesterday and removed "all sharp objects and other potential weapons from cells, including beds which have been used as battering rams in the past (253)."

Troubleshooters were identified and removed to another section.

Ockers said there was no need for the disturbance as 94 percent of the 87,000 prisoners entitled to vote had voted.

South African Prisoners Organisation for Human Rights spokesman Marcus Cox said prisoners were "demanding release under a new South African government." He said prisoners believed they were the "victims of apartheid and had been imprisoned for crimes of poverty."

Cox said that "97 percent of the inmates in this section are black and 70 percent of these had not been sentenced for serious offences like murder or rape."

He said it was impractical to release all inmates. Not all prisoners had been sentenced under these circumstances, but if amnesty was considered for criminals currently being tried it was "hypocritical and negligent not to consider those already jailed."

...
Probed ordered in prison

A unspecified number of warders and policemen have been suspended after several prisoners were injured during a search at Witbank Prison on Wednesday.

The SAPS and the Department of Correctional Services said yesterday that more suspensions could follow. Initial investigations showed certain staff members "may have exceeded the bounds of the law by using excessive violence."

The injury of inmates led to the commissioner of Police General Johan van der Merwe and his Correctional Services counterpart General Henk Bruyn ordering a top-level investigation.

SAPA
Warders' conduct to be probed

The conduct of prison warders and police who quelled a riot at Witbank prison on Wednesday would be the subject of an investigation ordered by Police Commissioner Gen Johan van der Merwe and Correctional Services chief Gen Henk Brunn.

Reports received after this week's incident at the prison indicated officers on the ground could have exceeded the bounds of law by using more force than was necessary to subdue prisoners. Correctional Services spokesman Brig Chris Oickers said yesterday.

The incident followed prisoner demands for amnesty following the elections. Oickers refused to say whether any prisoner had been seriously injured.

Another Correctional Services spokesman said earlier that the apparent excessive force used by some officers in putting down the disturbance was regrettable.

Several warders and policemen involved had been suspended until further notice, he said.

A top-level investigation had been launched as a matter of urgency. The investigation would be headed by police Brig Daan Siebert, Eastern Transvaal chief of crime combating and investigation, he said.

SA Prisoners' Organisations for Human Rights spokesman Golden Miles Bhudu said his organisation welcomed the investigation. "The (prison) authorities had in many instances denied these abuses."

The organisation said refusing it and the media access to prisons had hamstrung scrutiny of the volatile situation in prisons.
How a Hunger Strike
turned to Violence

Prisoners and a rock and a hard place between them. That was Robben Island's way.

Prisoners never forget
counts of physical violence.

"On 28 May 1971, a certain head warder, whose sinister personality is so disturbing that he is described in detail in Addendum Three to this document, who at the time was in charge of the single-cells section of the prison, arbitrarily deprived two young political prisoners from Namibia of their meals for the day.

"On the previous day he had done the same thing to two other Namibians.

"As a result of his provocative action all the prisoners in the section went on hunger strike, demanding that their two colleagues should be properly charged.

"In retaliation, a gang of warders, led by Chief Warder, raided the single cells that night from 1am until approximately 6am.

"Each prisoner was forced to stand in his own cell, stark naked and with hands up against the wall, while the warders ransacked his cell for alleged unauthorised items.

"Needless to say, not a single such article was unearthed. But 28 prisoners were assaulted, some of them severely.

"Most of these were Namibians, including Toivo ja Toivo, who was alleged to have been the ringleader and an agitator.

"Japhtha Masemola was beaten unconscious, while Abel Chiloane was so severely injured that for days he urinated blood.

"Attempts to get the assaults reported to lawyers were stymied, and the doctors were simply not available for three whole weeks, by which time visible injuries had healed up.

"Psychologically, this was a turning point for Robben Island prison.

"The authorities came to realise that the prisoners had been so angered that if at any stage this type of thing were to be repeated, there would be a shooting and a killing.

**BEATEN:** The **Dossier** describes how Namibian Toivo ja Toivo was assaulted during a hunger strike in Robben Island prison, for being a 'ringleader and agitator.'

**VIEW FROM ISLAND:** This photograph of Table Mountain from Robben Island across the cold waters of Table Bay is carried on the back cover of *Robben Island Dossier.*
Claim of 'violent' SA jails disputed

MORE than 35 percent of South Africa's 400 000 prisoners have been jailed because of violent crimes, says the Department of Correctional Services.

But it was a generalisation to state that South African prisons were "extremely" violent, the department said in response to a report on conditions in jails by the international human rights body, Human Rights Watch.

The report, released by the organisation's Africa Watch division recently, claimed that South African prisons were among the most violent in the world.

The major objections department spokesman had to the report was the liberal use of testimony given by prisoners as fact without an attempt to substantiate their claims.

Claims of widespread brutality and assaults by warders were viewed with particular scepticism, a department spokesman said.

In its report, Africa Watch also made numerous suggestions how prison conditions could be improved: Free access to library facilities, free study opportunities, access to television and newspapers and properly furnished cells were among the suggestions.

Africa Watch also stipulated minimum space for inmates, encouragement of hobbies and sports and active state participation in tertiary education.

But the department's spokesman said the access which Africa Watch had to the different prisons they visited proved a level of openness existed.

"Other organisations like Lawyers for Human Rights, the International Committee of the Red Cross, Supreme Court judges, magistrates and and many more also have the same access to prisons," he said.

The report acknowledged the Department of Correctional Services' attempts to redress a shortage of basic furniture in cells.
Prison warders mutiny

WILLEM STEENKAMP
Weekend Argus Reporter

Police were put on standby last night as warders who had occupied the offices of Paarl Correctional Services area commander Roelf Janse Van Rensburg at the Allandale Prison allegedly became abusive and started swearing at senior prison officials.

Earlier in the day about 30 warders, all members of the Police and Prisons Civil Rights Union (Popcrun), occupied the office of Jacobus Ellis, head of Paardeberg Prison near Paarl. But when Major Ellis drove to Allandale the warders followed him and then occupied Colonel Janse Van Rensburg's offices.

A spokesman for the warders said they were unhappy with the conduct of Major Ellis and he had not addressed their complaints on various issues. They said they had laid complaints with higher authorities, but nothing had been done.

Warders' demands include the transfer of Major Ellis from Paardeberg and the removal of Colonel van Rensburg and his entire management team.

Bert Slabbert, a spokesman for the Department of Correctional Services said the warders had been informed that their complaints would be investigated. The men had then been asked to leave the offices as they were impeding Colonel Janse Van Rensburg in carrying out his normal duties.

Captain Slabbert said in spite of these requests the warders refused to leave. He said the men had become abusive at times and swore at officials. The police had been called in and were ready to remove the warders, but late last night negotiations were still continuing in an effort to reach an agreement.

Captain Slabbert said: "The Commissioner of Correctional Services, General Henk Bruyns, finds it strange that the men in question had not written or passed on their complaints to him directly. ARG 21/5/94.

"It is well-known that he has an open-door policy but as of yet he has received no complaints whatsoever from these men. An undertaking was given that their complaints would be investigated but the men were not satisfied. But we are still talking and hope to resolve the issue amicably," said Captain Slabbert late last night."
Boland prison warders sit-in prompts probe

The Department of Correctional Services has decided to investigate allegations of apartheid-era warders in Boland prison.

The sit-in followed the appointment of a new prison warder, Major Elliot, who is alleged to have encouraged warders to demand more than the minimum wage. The warders' demand was reportedly due to the appointment of Elliot, who was previously a warder at the prison.

Warders have also been demanding improvements in their working conditions, including better pay and accommodation. The warders have been protesting outside the prison gates for the past two days, calling for the appointment of a new warder who they believe will be more fair and just.

The Department of Correctional Services has promised to investigate the allegations and will consider the warders' demands.

By AYESHA ISMAIL
Popcru wants to meet Kriel

THE Police and Prisons Civil Rights Union (Popcru) is to approach Western Cape Premier Mr Hernus Kriel this week to discuss problems experienced by the province's prison warders. This follows a recent 10-hour sit-in at Aliendale Prison in the Boland by Popcru members demanding the removal of top prison officials.

A Popcru spokesman said yesterday the Department of Correctional Services had agreed to probe Popcru allegations of racism, sexual harassment and assault by senior warders. A departmental spokesman said memoranda from those involved in the disputes were awaited.
Team to probe warders' complaints against prisons

DAVID YUTAR
Staff Reporter

ALLEGATIONS by the Police and Prisons Civil Rights Union of mismanagement at the Allandale and Paardeberg prisons in the Boland are to be investigated by a specially appointed team of senior officers.

The regional commissioner for correctional services in the Western Cape, Gerhard Spangenberg, said that although some of the allegations had been investigated in the past, he had decided to launch the investigation "in the interests of good order".

The two prisons were the scene of unrest last week after warders staged a sit-in and occupied the office of the head of Paardeberg Prison near Paarl.

They demanded the transfer of the Paardeberg head as well as the removal of the area commander and management team at Allandale Prison.

Warders claimed their complaints to "higher authorities" had come to naught.

Major-General Spangenberg said the team, which would include an impartial junior officer, would also address "any other or new complaints that may come to their attention."
Prisoners are entitled to basic human rights

WITH the elections behind us, a legitimate government finally in place and President Nelson Mandela at his desk, SA can turn its attention to unfinished business, such as whether all people in prison should have the franchise.

There was something illogical in the outgoing regime's refusal at the last minute to allow all prisoners to vote, when that same government had not only released criminals from prison but had even agreed to the exclusion of election lists of people convicted of crimes it said disqualified them from voting.

One NP spokesman argued that prisoners could not be allowed to vote because they had infringed the rights of innocent members of the public.

The public might have been better protected if such people had been kept in prison and allowed to vote rather than let loose for political reasons when they had in some cases served only derisory parts of their sentences.

Now that people in prison are no longer voting to get the vote, the question of whether they should can be looked at calmly and as a matter of principle outside party politics.

The main argument put forward against allowing prisoners to vote is that they are unfit to be part of the society they have harmed.

The very act of jailing them removes them from society, however, while it may be argued that imprisonment itself is punishment enough, it involves not only the loss of liberty but exposure to the risk of a whole range of other punishments that are not part of the formal system, including brutalisation by prison guards. Prison sentences may also turn out to be death sentences from AIDS as a result of sexual assault.

People in prison are entitled to basic rights, such as the right not to be put there in the first place except by the process of law and the right from inside jail to bring actions against the state to enforce their rights.

The transitional constitution provides that sentenced prisoners are entitled to be held under conditions "consonant with human dignity", including the provision of adequate nutrition, reading material and medical treatment at state expense. They are further entitled to communicate with their spouses or partners, next of kin, religious counsellors and doctors.

In addition, the new Bill of Rights entitles them to consult lawyers of their choice and "to be informed of the right promptly".

In humane societies, such as the one contemplated in the Bill of Rights and Mandela's speech on Tuesday, people in prison are entitled to retain all these rights no matter how serious their crimes. To guarantee them these rights but remove the franchise is anomalous. It rests, moreover, on the assumption that the franchise is a privilege to be earned and forfeited rather than the starting point of all human rights.

The vote is also a means of self-defence — the ultimate weapon the ordinary citizen has to get rid of corrupt or tyrannical governments by non-violent means. People in prison would almost automatically be subjected to the greatest abuse by such governments and they should have the same rights as anyone else to get rid of them.

The abuse can be terrible indeed. I well remember being physically sickened by Benjamin Pogrand's articles in the Rand Daily Mail describing the treatment of prisoners, usually black of course, in SA prisons. The newspaper, its shareholders, its editor Laurence Gandlar and Pogrand paid a price, but there is no question that they did SA and human rights a public service. They forced a guilty and embarrassed government to make improvements, as Alan Paton, for one, publicly acknowledged.

Whether or not people in prison should have the franchise is irrelevant to the fundamental question of combating the murders, rapes, armed robberies, carjackings and other acts that have made SA such a paradise for violent criminals.

Combating crime means, among other things, keeping people in prison when the courts have sent them there, not sprucing them loose by the thousands. SA has a shortage of prisons and, overcrowding exacerbates gang warfare and rape. But with so many demands on the public purse, every additional rand spent on a new prison is a rand not spent on a new house or a new school.

We need, therefore, to think of other ways of dealing with those criminals who, in the opinion of the courts, would not be a danger to society if they were not locked up.

Perhaps one way would be to extend the practice of community service greatly, giving prisoners the opportunity to pay their debt to society by working to implement the new government's reconstruction and development programmes by repairing and building roads, constructing clinics and houses, or laying sewers and drainpipes.

Community service should not, however, be a "soft option". The work should be punishingly arduous, both to retain the punitive element and to discourage the unemployed from committing crimes simply to get jobs. Ways would have to be found to accommodate these extra-mural prisoners. Presumably some could live at home, while others would have to be accommodated "on site", possibly in tents or prefabricated structures. Strict regulations and adherence to the Bill of Rights would protect these prisoners from being housed, fed or transported in slave labour conditions — or from being otherwise mistreated.

Kane-Berman is SA Institute of Race Relations executive director.
Amnesty dilemma for Omar

By Thamba Molefe
Political Correspondent

Hundreds of prisoners charging political status yesterday threatened hunger
strikers and work stoppages in South
African jails unless they were granted
political amnesty and released.

The statement from the South African Prisoners’ Organization for Human
Rights came ahead of a meeting
later yesterday between
white right-wing leaders and
Justice Minister Mr Dullah
Omar to discuss amnesty for jubilee and
security right-wingers.

Addressing a press confer-
cence in Johannesburg, Deputy
Leader Mr Golden Miles Bhudu
said the organization was
sacrificed by Omar’s meeting with
Conservative Party leader Dr
Ferdie Huttengberg to discuss a
call for amnesty and amnesty for right-wingers.

The right-wingers include 1,000
security officials of the DPP’s
Right-Wing Congress that
decided to withdraw from the South Afri-
can’s April elections.

The government’s request for a meeting
had not been heeded, the organization said.

Omar said last night he would make an
announcement soon on amnesty. The Government
was presently dealing with repatriations for amnesty
in advance of the new government of National
Unity coming into power.

A source close to the Ministry said a meeting
between Omar and Security officials would be held as
early as Monday.

In further statements last
night, Omar said the question of
Mr Clive Han’s ambassadors was
not about amnesty but about
whether they fell within the
definition of “political prisoners.”

Omar was referring to Clive
Davies-Lewis and James
Walker, who were the subject of
the meeting between him and
Dr Ferdie Huttengberg on
amnesty for right-wing prisoners.

The Minister declined to
coment on the outcome of
that meeting.

In a formal press statement,
Omar emphasized that the cut-off date for amnesty
would not be extended beyond December 6, 1993,
and was provided for in the Instmum Constitution.
New rules for jailed youths

THOUSANDS of jailed youths and children are set to have the terms of their imprisonment adapted under new regulations drawn up by a variety of government departments. The departments of Public Safety and Security (responsible for arrests), Justice (responsible for sentencing), Correctional Services (custody) and Welfare (child care) have jointly drawn up regulations following President Nelson Mandela's statement in his opening of Parliament speech.

Mandela said he had issued instructions that guidelines be drawn up which would "empty our prisons of children and ... place them in suitable alternative care".

The four directors-general and responsible Ministers met on Friday to "fine-tune" the guidelines and alternative care arrangements, a Correctional Services source said at the weekend.

"The guidelines are in place and the directives will be sent out to the various prison departments once the Cabinet has given its stamp of approval," he said, adding that it was a "mammoth" undertaking and quite costly.

Justice Minister Dullah Omar said yesterday the guidelines had been completed and the President was to be briefed. Mandela was likely to announce the details of how the new system would work soon.

Currently, 786 children are awaiting trial while 881 are serving sentences, according to the Correctional Services Department.

Community bank plan for housing

THE PWV government was considering setting up a community bank to help finance the building of 150 000 houses, the province's co-ordinator of reconstruction and development, Ben Turuk, said yesterday.

Speaking after an RDP conference in Soweto, Turuk said the financing of the ambitious housing programme proposed by PWV premier Tokyo Sexwale would not depend solely on government funds.

"We are entitled to finance from the national housing budget but the proposal we are looking at is a self-contained scheme. A presentation has been made to the PWV cabinet on using a community bank to finance the housing scheme," Turuk said.

Further detail would be available at a later stage, but the banking move had nothing to do with existing community banking initiatives.

At the weekend conference Sexwale was defiant about the 150 000 target, which had met with resistance from central government and public anxiety from industry. Acknowledging that he had "treaded on some toes", Sexwale told the conference if the target was not reached in the first year, the same target would be set for the second year.

Turuk said the scheme would be for durable houses, rather than site and service. He said rigorous technical assessment would be done, especially on acceptable standards, as the proposal "transgressed the boundaries of narrow professionals".

The conference was also told of an agreement with the Small Business Development Corporation to train people in every PWV township.

Turuk said 50 vocational training centres would be set up in the region, each training 100 people a year in skills needed to set up small businesses. The project would be financed by a R1m SBDC grant, and the corporation would make a further R3m available in loans to people who had completed the course and wanted to set up businesses.

The Johannesburg City Council also supported the project, and discussions were under way with other funders to secure more finance.

A proposal was also discussed at the conference to set up local planning forums on the regional RDP. The main issues discussed related to the importance of the crises in setting up these forums and the possibility of the provinces granting statutory powers.

It was decided that community development officers would have to be trained as a matter of urgency.

Sapa reports that ANC MP Moses Mokaele said the conference that financial institutions and banks should pay a levy or tax to help finance housing.
Prisoners stage sit-down strike

CAPE TOWN — About 120 prisoners at Brandwyl maximum security prison near Worcester staged a sit-down strike yesterday, demanding amnesty for non-political prisoners.

The protest followed a call earlier in the day from SA Prisoners’ Organisation for Human Rights (SAPOHR) urging common law prisoners countrywide to embark on “rolling mass action” to demand amnesty.

The strike ended after intervention by warders from the Police and Prisoners’ Civil Rights Union (Popcru) who were returning to duty after a protest of their own.

About 45 warders broke ranks at a medal parade at dawn yesterday to present their complaints to commanding officer Brig Piet Freysen.

The Correctional Services Department said the warders’ complaints would be referred to the attention of higher authorities.

The warders had demanded to speak to Golden Milet Bhulu of the SAPOHR.

The warders had persuaded them to give the head of the prison, Col WJ Pepler, until tomorrow to discuss the matter with Brig Freysen, and the men then re-entered their cells.

In their memorandum the warders complained about “years of oppression” by prison authorities since the 1990 Popcru strike, and a lack of attention to repeated memorandum drawings attention to problems.

The department said Freysen had accepted the list of demands.

JOHANNESBURG — NGCOBO reports that a high said a news briefing earlier yesterday that common law prisoners had waiting for an announcement on their release from President Nelson Mandela.

“We are calling for an urgent meeting with President Mandela and all the ministers and on all our members to embark on peaceful action,” said Bhulu.

The organisation had requested a discussion on amnesty for offenders convicted of non-violent crimes, Bhulu said.

PWV set to gain the lion’s share of funds

THE PWV is set to gain the lion’s share of funding previously given to the TPA, even though the old Transvaal has been quartered.

The TPA’s budget had been about R26m, but the PWV was likely to claim about R20m of this, TPA communications director Piet Wilken said yesterday.

Although the allocation might appear too heavily weighted in favour of the PWV, Wilken said allocations would be in line with the services provided by the regions.

“The PWV is, after all, the powerhouse of the country,” he said.

The PWV is also set to benefit from a bond moratorium on horse racing of about R15m. The four major racetracks which previously helped fund the whole province fall within the PWV’s boundaries.

The Transvaal used to raise the largest amount of income from car license fees, which in 1992/93 totalled about R43m. How this income will be divided is still to be decided.

Wilken said the new provinces would have to come to an arrangement on income from horse racing and car licenses.

Meanwhile, Sapa reports provincial premiers met in Pretoria last night for “confidential discussions” ahead of their meeting today in the City with Constitutional Development Minister Roelf Meyer and Public Service and Administration Minister Zola Skweyiya to discuss provincial executive powers.

PWV premier Tokyo Sexwale said the premiers would meet occasionally in different regional capitals.

Northwest premier Popo Molefe, who was ill, was represented by Satish Roopa.

Today’s meeting is a follow-up to a meeting in Cape Town last month, and follows the removal of proclamation on Friday of all provincial powers. The powers were temporarily assigned to central government departments in preparation for their being devolved to the provinces.

Most premiers are expected to apply to exercise all the powers determined by the Constitution while some of these powers can be exercised exclusively, others can be exercised only subject to central government’s approval.

Meyer said at a recent briefing he envisaged a process in which the provinces negotiated with central government for powers.

Severe punishment called for

PRETORIA — The 17 men found guilty on 46 murder charges and 18 attempted murder charges in the Boipatong massacre should be severely punished, the prosecution said yesterday.

The state said the Boipatong massacre had shocked the world as an example of man’s inhumanity to man.

The men will be sentenced today in the Pretoria Supreme Court by Justice JMC Smith who, during his earlier judgment, referred to the night of June 17, 1992 as one of the most unfortunate in SA history.

Armed with firearms, knobkerries, spears and assegais, a few hundred men from the KwaMadala hostel near Boipatong indiscriminately attacked and killed men, women and children.

Defence counsel R Strydom said the court should take into account as an aggravating factor the rivalry between the ANC-aligned self-defence units in Boipatong and IFF supporters in the hostel.

The case involved the so-called “gang war” between the ANC-aligned self-defence units in Boipatong and IFF supporters in the hostel.
500 in prison riot, hostages taken

The Argus Correspondent

JOHANNESBURG. — A siege set in at Modderbee Prison, near Springs, today as about 300 prisoners rioted, took warders hostage and set fire to the prison.

At least one prisoner was killed as 'prisoners' and warders fought and, several warders and prisoners were treated by paramedics at the scene.

The siege began soon after 8am and by noon, crack police teams had surrounded the prison preparing to storm the building under a cloud of black smoke.

At noon, police fired stun grenades and 'teargas' into the prison.

Department of correctional services spokesman Rudi Potgieter said some warders had escaped and he was only aware of one warder who was still being held, 'although the prisoners are claiming they have more hostages'.

Some of the warders were injured while escaping and were receiving medical attention outside the prison, but were not believed to be seriously injured, Lieutenant Potgieter said.

Prisoners set the store-room ablaze with prisoners' clothes — alight, but the fire department put it out and switched off the electricity to the prison so as to prevent any further fires.

Lieutenant Potgieter said at least 300 prisoners were involved in the riot, but there "could well be more". He added that officials from surrounding prisons were called in to aid staff.

He could not confirm that one prisoner had been shot dead, although reporters saw the man's body being removed from the scene in a mortuary van. Several prisoners were treated on the perimeter of the prison.

According to South African Prisoners' Organisation for Human Rights spokesman Golden Miles Bheu, the riot is a result of announcements he made yesterday calling for peaceful action throughout the country — work stoppages and hunger strikes — to force the president to consider his appeal for amnesty for common offenders.

Several ambulance and police vehicles battled to reach the sections which were under attack by disgruntled prisoners.

A white minibus which, according to a policeman on the scene was driven out of the prison, was riddled with bullets. Inside there was blood and a shovel.

The policeman said it was not clear if any prisoners had tried to escape.
Dept. monitors Popcrud demo.

A task force from the Department of Correctional Services at Brandview Prison near Worcester is monitoring a protest by about 30 police and Prisoners' Rights members who disrupted a medal parade yesterday (2320).

The protesters demanded a response to their grievances.

The force, equipped with riot shields and batons, watched while a delegation met Commanding Officer Brayfier, Piet Freysen yesterday afternoon.
Bid to extend prisoner amnesty

By Tyrone August
Political Reporter

HUNDREDS of members of the South African Prisoners' Organisation for Human Rights will go on hunger strikes and work stoppages from today to back demands for amnesty.

The organisation has also called for an urgent meeting with President Nelson Mandela.

Sapohr's announcement comes in the wake of the organisation's meeting in Cape Town on Monday with Justice Minister Mr Dullah Omar to discuss indemnity for common-law prisoners.

Really disgusted

"We felt really disgusted with the response," said Sapohr leader Mr Golden "Miles Bhudu, yesterday. "We feel that we have fallen through the cracks."

The organisation was informed that the release of prisoners who fell out of the scope of the existing indemnity legislation was not within Omar's area of responsibility.

Bhudu said Sapohr was told it was the responsibility of the Minister of Correctional Services, Mr Sypho Mzimela. But yesterday Sapohr said it received a fax that Mzimela was "committed" to this moment.

Mzimela's spokesman, Captain Bert Slabbert, confirmed Sapohr's request for a meeting but said this was not possible "in the near future".

"But we took cognisance of the request," he said.

Slabbert said Sapohr's actions could jeopardise the whole process and called on all prisoners to remain calm and patient.

Yesterday Omar told Soweto in a statement: "Those found guilty of ordinary criminal offences — no matter in what socio-economic circumstances — do not qualify for amnesty as political prisoners."

SAPOHR ACTION

Amnesty is sought for common-law criminals:
TOKYO GETS WADEER FREE

The most

Hollow of my life

experience

Tertling

AUTHORITIES

premier goes alone into Modderbee to talk to armed prisoners

2/3

Authoritative

section for their calls to mass

shouts of slogan and

led the plane on the

16/16 141
Tokyo secures release of warder but chaos still reigns at prison

Warders quick to nab escapees to help them through the bitterly cold night.

At intervals, groups of prison wardens knocked off from duty inside, taking their riot gear out with them.

A family, believed to be of a prisoner who was sentenced yesterday, waited outside but refused to speak to reporters.

There was none of the shouts and noise of yesterday.

Ockers reported that the prisoners inside had settled down.

Many were without blankets and had not been fed during the day.

Shortly before 5 am, singing broke out, followed by the news that PWV regional Premier Tokyo Sexwale had succeeded in negotiating Van Heerden’s release.

Many runaway convicts are still at large.
Deal with amnesty
union tells government

Staff Reporters

A NEW hostage drama erupted today when a warder was taken captive by prisoners in T ulbagh as the crisis in prisons deepened.

The South African Prisoners’ Organisation for Human Rights (Sapohr) today called off mass action 24 hours after prisoners, rampaged in jails around the country The violence left, at least one person dead, scores injured, and buildings wrecked.

The protests were called off on condition the government addressed “amnesty for non-violent common offenders”.

“I am calling on all our members to immediately terminate any further action.” Sapohr leader Golden Miles Bheku said outside Modderbee prison on the East Rand.

Police reinforcements and a specialist team of hostage situation negotiators were sent from Cape Town to Obuqwa prison at T ulbagh where 360 inmates had taken the warder hostage.

The prisoners demanded to hold a press conference.

Countrywide rioting in prisons followed a call for mass action by Sapohr.

At Modderbee, where 500 prisoners have been rioting since early today, at least 10 shots were fired.

The Argus Bureau in Port Elizabeth reports that Kirkwood prison was “wrecked” in a night of arson and destruction.

Striking prison warders were reported to have taken over the office of the officer commanding at Pollsmoor Prison in Tokai.

Pollsmoor warders demonstrated today against what they termed the “inhuman treatment of warders” who are members of the Police and Prisons Civil Rights Union.

At Modderbee, stun grenades and rubber bullets were fired into the section of the prison.

Urgent talks to free warder hostage

JOHAN SCHRONEN
Crime Reporter

URGENT negotiations were under way this afternoon in an attempt to obtain the release of a prison warder with a heart complaint who was being held hostage by 359 inmates at
RIOT SCENE: Security forces carrying rifles move into position outside Modderbee prison on the East Rand where prisoners went on a rampage while a fire crew operates in the prison building.
The situation at the prison was tense but calm after the prisoners grabbed the warden after breakfast about 7 am while he was locking cell doors.

Scores of prison warders congregated on the lawns and on the steps outside the prison while their colleagues fire Roux, suffering from a weak heart, was held captive.

Prisoners, who had earlier toyed and shouted, appeared to have calmed down.

A warden said a doctor had been allowed in to see Lieutenant Roux, 50, who was showing signs of distress.

The warden said Lieutenant Roux had not been assaulted and the doctor was treating him for his heart condition.

Regional Commissioner of Correctional Services Major General Koos Spannenberg was in the prison with policemen and was negotiating with some of the prisoners.

Meanwhile a specialist team of Internal Stability Unit members arrived in plain clothes in an unmarked bakkie which contained bullet-proof vests and a large bolt-cutter.

The bakkie was parked near the entrance to the prison and the team of four men was waiting for further instructions.

A police helicopter has also been summoned to the area and an ambulance was on standby near the building.

gone to ground and at least 50 warders were deployed on the prison's south side from where continuous shouting was heard.

Smoke billowed from two windows on the south side of the building.

Earlier a warden held hostage at Modderbee was released after the personal intervention of PWV premier Tokyo Sexwale.

President Nelson Mandela held high-level crisis talks today in a bid to quell unrest at Modderbee.

At the meeting were Correctional Services Minister Sipho Mzimela, Deputy President F W de Klerk, PWV Safety and Security Minister Jesse Duarte and Mr Bhudu.

Mr. Mandela sent Dr Mzimela to Modderbee to deliver a message.

Contents of the message were not disclosed.

Mr. Bhudu said he was not in a position to reveal decisions taken at the Pretoria meeting but did say he was not happy with its outcome.

He said the prisoners wanted police to take over administration of Modderbee.

At Brandvlei prison near Worcester, staff and police restored some control after rioting at the youth section yesterday.

"There's no more drama. The situation is under control," said Correctional Services spokesman Rudie Potgieter today.

Violence has flared at seven prisons since yesterday, with prisoners demanding amnesty.

Rioting was reported at Leeuwkop Prison near Pretoria, JC Steyn Prison in Port Elizabeth and at Ncobe Prison in KwaZulu-Natal.

The violence follows the call on Wednesday by Mr. Bhudu for amnesty for all non-violent offenders.

He also demanded that those serving time for certain violent crimes should have their cases reviewed.

Report picture — page 3
31 prisoners hospitalised

By ANDRE KOOPMAN

THIRTY-ONE prisoners at Brandwiesel Prison, near Worcester, were admitted to hospital after several cells in the youth section were torched yesterday afternoon.

One of the prisoners — all of whom are under 21 — was "very seriously injured"; SA Prisons Services spokesman Brigadier Chris Ockers confirmed last night.

Another prisoner is missing; feared dead.

Meanwhile more than 200 other prisoners in the jail's maximum security section were held in a tense stand-off with warders in a prison courtyard after they refused to enter their cells yesterday afternoon.

Brig Ockers said the situation was "volatile".

The prisoners in the damaged youth section had been moved to other prisons in the compound.

The riot was sparked by prisoners demanding to be freed in terms of amnesty for political prisoners announced by President Nelson Mandela.

Brig Ockers said that the cabinet was giving the question of remission of sentence "urgent consideration" and said that "impatient and irresponsible" elements were fanning discontent.

Convict Warden Page 4
Prison erupts over amnesty demand

Stefaan Brümmer

The government faces a potentially explosive situation in prisons nationwide after Justice Minister Dullah Omar turned down demands for an amnesty for non-violent, non-political crimes.

Manderbee Prison on the East Rand erupted yesterday - with one prisoner allegedly killed and warders attacked and held hostage - as prisoners took up a call for "non-violent action" by the South African Prisoners Organisation for Human Rights (SAPHOR).

SAPHOR chief executive Golden Miles Bhudu said the Manderbee protest came as a "direct result" of the call his organisation made on Wednesday for "all our members in all South African prisons to embark on all forms of peaceful action".

He said SAPHOR had asked on Wednesday to see President Nelson Mandela after Omar had referred them to Correctional Services Minister Sapo Mzemela, who "told us he was too busy to see us".

Bhudu said "We didn't have another avenue but to do what we have done. We called for non-violent action at prisons countrywide."

Presidential spokesman Parks Mankahlahla yesterday confirmed Bhudu had spoken to Omar, but said the demands had been rejected. He said Bhudu had contacted the President's Office asking for a meeting, but was told to send a written request - which had not yet been received.

A meeting between SAPHOR and the Ministry of Safety and Security could be on the cards today, Mankahlahla said.

Correctional Services spokesman Lieutenant Rudi Potgieter said the protest at Manderbee started at mid-morning when prisoners "took over part of the prison", set a clothing store alight, wrecked the library, cells and the prison court room, and took hostage at least one warder, a sergeant. Claims by prison officials that they were holding 10 warders hostage were being investigated.

Bhudu claimed one prisoner was killed, but Potgieter said "There are prisoners in outside hospitals for treatment (as a result of the violence). It may be that one has died, but we do not know yet."

Potgieter said seven warders had been taken to outside hospitals, while others had been treated on the prison grounds. Police and prison reinforcements had been rushed to the scene.

A memorandum to Mandela's office - accompanying a request to see Mandela which Bhudu says was faxed - states "SAPHOR is shocked at the government's disinterest and lack of affirmative commitment in addressing the issue of amnesty for so-called 'common law' offenders serving terms of imprisonment throughout South Africa."

"It is inconceivable to us that the government is far more concerned with granting indemnity and amnesty to scores of persons who, for decades, committed the most horrid crimes against humanity."

SAPHOR's demands include an amnesty for non-violent common law offences and the review of violent crime convictions.
Riot, fire at Reef prison

and 18 injured in prison uprising.

Sowetan Correspondent

A smog set in at the Modderbee Prison near Benoni on the East Rand yesterday as about 500 prisoners rioted, took warders hostage and set fire to the prison.

At least one prisoner was killed and 18 were injured as prisoners and warders battled. Several warders and prisoners were treated by paramedics at the scene.

The siege began shortly after 9am and by noon crack police teams had surrounded the prison to storm the building under a cloud of black smoke.

Stun grenades

At noon, police fired stun grenades and teargas into the prison.

Department of Correctional Services spokesman Lieutenant Rudi Potgieter said some warders had managed to escape and they were aware of one warder who was still being held, “although the prisoners are claiming they have more hostages”.

Some of the warders were injured while escaping and received medical attention outside the prison.

Prisoners had set alight the storeroom of the prison, but the fire department extinguished the fire.

Potgieter said at least 500 prisoners were involved in the riot, but there “could well be more” and that officials from surrounding prisons had been called in to aid Modderbee staff.

Shot dead

He could not confirm that one prisoner had been shot dead, although journalists saw the man’s body being removed from the scene.

At Brandvlei Prison near Worcester, prisoners have threatened to stage further sit-ins if they are not considered for amnesty. About 200 prisoners in the maximum security section are participating in the sit-in and are refusing to return to their cells.

The strike began on Wednesday when 53 warders joined prisoners in a sit-in when the prison’s officer commanding refused to read a list of grievances at a medal parade.
There are 880 children in SA jails

By Bongani Mavuso

Talkback

with Tim Modise

The Department of Justice has confirmed the existence of 880 children in South African jails, a number that has prompted concern among human rights activists and parents of children incarcerated.

Minister of Correctional Services, Ronald Lamola, stated that the Department is working to ensure the welfare of these children, who are often separated from their families, and that efforts are being made to place them in appropriate facilities.

Lamola acknowledged the challenges faced by correctional services in managing children in adult prisons, as well as the importance of ensuring that they receive proper care and support.

The public should note that imprisonment is not a form of punishment and is intended to reform criminals.
Prison rioting spreads

THE rioting which erupted at Modderbee Prison near Boksburg on Thursday morning quickly spread countrywide and the situation was still volatile in places last night.

All was quiet at Modderbee Prison after the Government announced a six-month across-the-board remission for all common-law prisoners.

Violence erupted at several other prisons yesterday. Incidents were reported at JC Steyn Prison near Kirkwood in the Eastern Cape, Obiqua Prison at Tulbagh in the Boland, Medium B Prison at Kroonstad in the Free State, Brandvlei Prison near Worcester in Western Cape, Pollsmoor Prison in the Cape Peninsula and at the old Umtata Prison in Eastern Cape.

Correctional Services spokesman Captain Koos Gerber said 18 cells at JC Steyn Prison had been partly burnt or damaged during the night. There were no clashes between prisoners and warders, and no injuries.

About 600 prisoners gathered in the courtyard yesterday morning, demanding their release. The situation was brought under control.

Gerber said a warder was being held hostage at Obiqua after 300 prisoners went on the rampage yesterday. The hostage had not been assaulted or injured by prisoners, who were also demanding their immediate release.

In Kroonstad's Medium B Prison about 100 prisoners set fire to four cells on Thursday night. No clashes with warders occurred and the fires were extinguished almost immediately. The situation was quickly brought under control, Gerber said.

At Brandvlei Prison, a prisoner was taken to Somerset Hospital in Cape Town after being hurt when cells were set alight on Thursday.

Warders at Pollsmoor demonstrated yesterday morning against what they termed the inhuman treatment of warders belonging to the Police and Prisons Civil Rights Union. They took over the office of the commanding officer.

About 40 prisoners set fire to their blankets and mats at the Old Umtata Prison yesterday morning.

At Modderbee, a prisoner was shot while attempting to escape yesterday, bringing the death toll to two. The other prisoner died in hospital on Thursday.

PWV Premier Tokyo Sexwale, responding to prisoners' demands to speak to him, visited the prison in the early hours of yesterday.

Sexwale, shrugging off warnings by prison authorities that it was dangerous to enter the prison, negotiated alone with armed and desperate inmates, and succeeded in securing the release of a hostage, Sergeant Kobus van Heerden. At least 11 prisoners have been rearrested after the breakout.

Van Heerden (29), who had been held hostage for over 24 hours, was released at 5am yesterday. He walked to an ambulance despite broken ribs and a broken hand, and was admitted to the Limmed Hospital in Benoni.

Earlier, prisoners had put forward eight demands among them a meeting with President Mandela or a regional parliament member, that the Modderbee Prison administration be replaced by a "neutral" body because every prison was "a little volkstaat", and that no further action be taken against those involved in the rioting.

SA Prisoners Organisation for Human Rights spokesman Golden Miles Bhudu claimed warders had provoked the violence.

He said he could not accept responsibility for the unrest that followed his call on Wednesday for national peaceful action in prisons countrywide.

Announcing the remission, Correctional Services Minister Sipho Mzimela said the ministry had advised Mandela that the remission the president had referred to in his inaugural speech should be implemented. Only State debtors and the mentally ill did not qualify.

A judicial commission of inquiry would investigate the riots at Modderbee and other prisons — Sapa.
Modderbee: the trail of prison's men on the run

Wednesday 11/12 1992

JANINE LAZARUS

SODDEN uniforms, 'old' shoes and unopened packages of cigarettes lay scattered around a manhole through which about 30 prisoners tried to escape from violence-ravaged Modderbee Prison early yesterday.

At least 14 men were recaptured by officials from the Department of Correctional Services. One of them was shot dead. Five escapers were discovered in the glare of a searchlight lying flat on their stomachs near a perimeter fence overlooking the main Springs road off the N12 highway.

Those who were recaptured had been judged for crimes ranging from petty crimes to economic offences. But, said Commissioner of Correctional Services General Henk Bruyn: "any man on the run must be considered dangerous."

Acrid smoke

A heavily pregnant blonde woman - the wife of one of the prisoners - in the company of a man, an older woman and two young girls walked towards the main gate. "Please don't take photographs of the children," she pleaded. "They have to go to school."

When the media was allowed into the grounds, Brigadier Chris Ocles of the Department of Correctional Services asked photographers not to take photographs of prisoners' faces if they become at all anxious, come back to this door. They are prisoners in an unnatural situation."

An acrid smell of smoke filled the dour corridors of the prison's administrative building. The buildings had been virtually decimated, their windows shattered, corrugated iron roofs hanging on threads.

Burnt books lay in front of the gutted library. Soiled toilet rolls lay in a dirty heap in the storeroom. Blankets, cell mats, and carpeting still smouldered.

Stormwater drain

The escapers' journey through a stormwater drain that runs from beneath a courtyard at Modderbee Prison to a main road less than 800 m away must have been cold and damp. Those who managed to escape could have made it to Daveyton in four minutes on foot, if they were moving fast.

"This was planned well ahead, that's for sure," said one prison official. "We were warned on Wednesday to be on standby. We expected it to happen from the outside - not the inside."

By late yesterday afternoon, officials were still keeping an eye on the manhole. "Some of the prisoners could still be in the tunnel," said one.

The main entrance to the stormwater drain was blocked off with an iron grid; but it - as well as iron bars placed intermittently throughout the drain - were smashed with bricks and homemade tools.

Neater the highway, more soaked clothes, filthy pillow cases and prison-issue blue towels were found near a hole in the fence overlooking the highway. "They must have ditched their clothes because they were cold," said an official.

By midday yesterday, there was still a heavy presence of armed officials at the prison.
Remission statement ends Tvl prison riot

JOHANNESBURG — Rioting at Modderbee prison near Boksburg ended yesterday afternoon after the government granted all common-law prisoners a six-month "across the board" remission of sentence.

The remission, which should come into effect within 10 days, was announced by Correctional Services Minister Mr Sipho Mzimela. The only prisoners exempt from this remission were state debtors and the mentally ill.

Two dead

Mr Mzimela said a judicial commission of inquiry would investigate the prison riot.

Rioting at Modderbee left at least two dead and 30 injured, and caused extensive damage to prison buildings and property. By lunchtime yesterday relative normality had returned to the prison.

The announcement followed high-level crisis talks between Mr Mzimela, President Nelson Mandela, Deputy President F W de Klerk, PWV Safety and Security MEC Ms Jessie Duarte and SA Prisoners Organisation for Human Rights leader Mr Gold en Miles Bhudu in Pretoria yesterday morning.

'Volkstaat'

Mr Bhudu called a halt to all prisoner mass actions yesterday after the meeting with Mr Mandela, which, he said, had convinced him the prisoners' demands would be met.

He said he had served five years in the Modderbee prison, which he called "a volkstaat of its own."

Violent incidents continued at several other prisons yesterday. Incidents were reported at the J C Steyn prison in the Eastern Cape, the Obiqa prison in Tvl, the Medium B prison in the Free State, Brandvlei prison near Worcester, Pollsmoor Prison and the old Umtata Prison.

Yesterday's announcement of a remission of six months for all common-law prisoners was not the result of pressure from prisoners but flowed from a decision taken "way back", Mr De Klerk said.

Answering questions at a press conference at the World Economic Forum conference in Cape Town, he said it was customary when "things of great momentum" happened in a country, some alleviation be granted to people.

The announcement had been "long overdue", Sapa.
Facing the jail mob

From page 253

My heartbeat was just getting back to normal when the prisoners said it was time to meet the lieutenant and inspect the cells.

But my heart sank when we were pushed tightly against the bars of cell No 9.

Were they going to pull us in? Were we going to be their extra leverage in the game they were playing?

They were clearly upset about supposed amnesty in the new South Africa.

We were eventually led to the exit gate but the senior warders demanded to know where Lieutenant Roux was and an argument followed with us on the wrong side of the locked gate. Finally one of the warders, realising our predicament, unhooked the gate and let us out.

"I will do as much as I can but I don't walk with freedom in my pocket to give to you," said General Spanenberg.

Cracks in unity as FW, Mbeki clash

MICHAEL MORRIS

Political Correspondent

Mounting political tensions in the cabinet over controversial and far-reaching proposals for a truth commission broke through the surface of national unity at a major international conference in Cape Town.

An indication of strains in the cabinet on this critical issue emerged in speeches by President Mandela's two deputies - Thabo Mbeki and F W de Klerk - during the closing session of the World Economic Forum last night.

Mr Mbeki gave an emotional account of the disappearance of a comrade who finally reached the political fringe of national unity in the country.

Processions to deal with political crimes of the past could not be "one-sided", based on the premise that the killing and maiming of children...
Prisoners tunnel flight bid thwarted

By Happy Yesterday, Here -

Prisoner tunnel flight bid thwarted

Prisoner tunnel flight bid thwarted

Getting Ready: Members of the inmate stabilization unit conduct their annual cans so they move closer to the tuberculosis INSRT: Establishment for

Johannesburg - Sunday

Johannesburg - Sunday

Property in place in the countryside.

The prison of Jacob Zuma has been closed.

Prisoners tunnel flight bid thwarted

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Prison head escapes from angry captors

THE acting head of St Albans prison near Port Elizabeth, Major Barries Barnard, slipped to safety after being held hostage for more than 10 hours while negotiators held the attention of hundreds of inmates.

Correctional Services spokesman Major Paul du Plessis said Major Barnard escaped at about 9.50pm. He was not harmed.

"After various strategies, the negotiators succeeded in allowing him to slip through a drainage field and a kitchen, and then into another part of the prison," Major du Plessis said.

Major du Plessis said some prisoners co-operated and conveyed the plan "secretly" to Major Barnard.

He said the acting head was taken to visit his wife, Hester, before going for a medical check-up.

Major du Plessis said negotiations were called off for the night after the hostage was safe even though about 600 prisoners still had access to a courtyard and several cells.

Major Barnard, 50, a father of two, was snatched from under the noses of four prison officer escorts and dragged into a cell by about 20 prisoners while conducting an inspection at about 11.30am yesterday.

The awaiting-trial prisoners were demanding that they be set free and charges against them dropped in return for Major Barnard being released unharmed.

Major Barnard was seized when he answered a call from an inmate who had been given bail. When the man was let out of a locked cell, about 20 others stormed out. Major Barnard was pulled into the cell when the men were filing back in.

After he was taken hostage, guards accompanying him were driven out of an internal courtyard, bordered by cells, by about 120 prisoners.

Using a steel volley-ball post, wrenched free from the concrete floor, the prisoners broke open cells, releasing another 500 inmates.

Meanwhile, at Witbank prison about 350 prisoners are refusing to go back to their cells.

Inmates at the new prison were apparently unhappy about the six-month remission announced on Friday by Correctional Services Minister Sipho Mlamleli.

At Modderbee prison on the East Rand, the restoration of calm has enabled officials to count inmates, revealing that 87 out of 104 who escaped during rioting on Thursday were still at large. Sixteen had been recaptured and one shot dead during the breakout.

Prison authorities have remained tight-lipped over promises made to rioting prisoners at Modderbee which led to the release of a wander held hostage for 20 hours.

But the handing-over of Sergeant Kobus van Heerden by inmates on Friday was the direct result of early morning negotiations by PWV Premier Tokyo Sexwale.

De Mzemela said the Department of Correctional Services memo on the implementation of sentence remission, amnesty and indemnity had been sent to the government two weeks ago.
VISITORS' DEMANDS. Relatives and friends of inmates at Victor Verster prison hurl abuse at warders who refused to allow them access to the complex when violence broke out there yesterday.

Prison head freed: Talks go on

Own Correspondent

PORT ELIZABETH. — St Albans prison was "under control but tense" yesterday as negotiations continued with prisoners who earlier took acting prison head Major Barrie Barnard hostage.

Major Barnard was released late on Saturday night after 600 awaiting-trial prisoners held him hostage for more than 10 hours to back their demands for unconditional release and the withdrawal of all charges against them.

The awaiting-trial prisoners do not qualify for the six-month remission of sentence for all common law prisoners announced by Correctional Services minister Mr Sipho Mzimela on Friday.

Considerable damage was caused by prisoners who broke down cell doors, burnt blankets and smashed toilets, Correctional Services spokesman Major Paul du Plessis said.

Major Barnard, 56, was dragged into a cell as rioting broke out at 11.30am on Saturday, with authorities initially in the dark as to why the rioting began.

The prisoners only later issued their demand. Major Du Plessis said police left the prison after Maj Barnard's release on Saturday night and negotiations with prisoners were continuing late yesterday.

Meanwhile the JC Steyn prison at Kirkwood near Port Elizabeth was "under control" yesterday with prisoners still in the prison courtyard as temporary repairs took place.

Structural damage to the prison was estimated at R900 000 and equipment damage at about R1 million.

Half the prison was wrecked and its hospital and clothing depot destroyed as 570 prisoners armed with scalpels, knives and syringes went on the rampage on Thursday night.

Major Du Plessis said 26 of the prison's 33 cells had been damaged by fire. Some cells were destroyed and prisoners have had to sleep in the open.

Emergency repairs got underway on Saturday so prisoners could begin returning to their cells.
Prisoner slain

11 hurt at Victor Verster

BY PETER DENNEHY, DAN SIMON and WILLEM STEENKAMP

VIOLENCE erupted yesterday at Victor Verster Prison near Paarl where 685 prisoners refused to return to their cells on Friday.

One prisoner died — allegedly killed by his fellow inmates — and 11 others, four of whom were admitted to hospital, were injured.

The prisoners were being held since Friday in an internal courtyard where negotiations had been taking place.

Correctional Services Department spokesman Lieutenant Rudi Pogezzl said after it became apparent yesterday that talking to the inmates was having no effect, department personnel "moved in" and the inmates had been rounded up.

"There will be an inquiry into the death," he said.

Pogezzl said many of the prisoners were "heavily armed" with homemade weapons.

Smoke

Ambulances rushed in and out of the prison complex as the violence took its toll following a search for "homemade weapons". The violence started in the Medium A block. While warders tried to quell the riot, it spread to the Medium B block about 1pm.

The riot was quelled there as well.

Inmates set mattresses and blankets alight, resulting in a thick pall of smoke hanging over the complex for several hours.

With cells for up to 700 prisoners torching in the latest rioting, the number of convicts without accommodation in the Western Cape has risen to over 1,000. SA Correctional Services Department spokesman Lieutenant Mike Green said last night.

Cells were also torched last week at Brandlândia Prison near Worcester.

"We haven't lost one life," he said, adding the Victor Verster prisoners were being held in a very cold cell.

The Western Cape had the most overpopulated prisons in the country, he added.

Dozens of family members and friends who arrived at the Victor Verster Prison earlier yesterday to visit inmates, were barred from entering for hours.

Assistant head of the maximum security prison, Major E van der Westhuizen, said yesterday two warders were injured by prisoners.

He said one warder was "seriously injured" when he was struck in the back by an inmate. Major Van der Westhuizen did not know how the second warder was injured.

Two people who managed to visit an inmate were Vernon Ehlers, 17, and Denyer Nolman, 17. They said they saw a group of warders "carrying a bleeding inmate near the Medium A section.

"Five warders with batons were carrying the man and it looked as if there were bullets holes in his left leg which was covered in blood," Green said.

Green said last night the atmosphere at Western Cape prisons was "very tense" but there had been no further incidents.

Guarding the prisoners at Pollsmoor Prison on Saturday morning, Green said;

The prisoners were almost immediately subdued and the warder was freed without a fight, he said.

Prison head freed — Page 2
Man killed in Paarl prison violence

VIOLENCE erupted at Victor Verster Prison in the Western Cape yesterday after 600 prisoners refused to be locked up again in their cells.

Sapa reports one prisoner died — allegedly killed by his fellow inmates — and 11 had to be treated for injuries.

Correctional Services spokesman Lt Rudi Potgieter said that yesterday afternoon all was quiet at Victor Verster, but earlier more than 600 prisoners at the jail had demanded their immediate release.

Before the violence the prisoners were being held in a prison courtyard where negotiators had been talking to them.

Potgieter said that later in the day it had become apparent that negotiations were getting nowhere, so Correctional Services personnel “moved in” on the prisoners.

“Fighting broke out among the prisoners themselves and unfortunately one inmate died as a result of this,” Potgieter said.

Potgieter said officials feared that many of the prisoners holding out at Victor Verster were “heavily armed” with homemade weapons.

JOHANNES NGOCOBO reports that the 67 men who escaped from Modderbee Prison near Benoni on Friday are still at large.

Potgieter said Correctional Services was appealing to the public to call the nearest police station if any of them were seen.

Correctional Services Minister Sapho Mzimela’s spokesman Bert Slabbert said a judiciary commission of inquiry would be launched this week to investigate the violence.

In an attempt to defuse the situation, President Nelson Mandela on Friday met Mzimela, PWV security and safety minister Jesse Duarte and SA Prisoners’ Organisation for Human Rights (SAPOHR) spokesman Golden Miles Bahu. They resolved that prisoners should be given a six-month remission on their sentences.

Potgieter said violence had left four prisoners dead and 72 prison warders and prisoners injured since Thursday.

Two prisoners died at Boksburg Benoni Hospital, one was found dead in a cell at Modderbee Prison outside Johannesburg and one was killed during an attempted escape.

Potgieter said prisoners were approaching department staff to demand their release “but this is not up to us. This is a question for the politicians to ponder.”

He confirmed earlier reports that “for the time being” all was quiet at other prisons.

Comment: Page 6
Bhudu defends prison actions

BY DUNCAN GUY

Many people believe that Golden Miles Bhudu has blood on his hands after prison riots, sparked off by his call for mass action, led to hostage dramas, prisoners' deaths, several injuries and enormous damage to property.

But the South African Prisoners' Organisation for Human Rights (Sapohr) leader pointed a finger at prison authorities yesterday. This was in spite of the latest hostage dramas having taken place in Port Elizabeth on Saturday night.

"Bhudu, at his Eldorado Park home, pledged to go on with his battle to "liberate" the prison service, which he said was not yet part of the new South Africa. "Every prison is its own volcano," he claimed.

Bhudu said he had not called for the kidnapping of warders, whom he had got to know and despise during his five-year stay at Modderbee Prison for house-breaking, but nevertheless fully condemned the prisoners' actions.

"It's a pity prisoners must do what they have done to get attention," he added.

Efforts in the past, such as smuggling letters to the UN and the OAU, had been in vain.

Bhudu also questioned why his organisation, which had virtually no access to its constituency, was treated like a terrorist movement.

He claimed Sapohr aimed to get the Department of Correctional Services to live up to its new name and help the ANC's Reconstruction and Development Programme regarding prisons.

"South African prisons are breeding grounds for further crimes and violence," he said.

"That's why they (prisoners) are not scared of going back to prison. They know they can belong to gangs and get the benefits of the warders, and be used by them to violate the rights of other prisoners."

"They (the prisoners) lifted me up and welcomed me and said they were planning to capture (PWV Premier Tokyo) Seiwale.

"I told them Don't you dare do that. The organisation, you, and everything we are working on will go down the drain."
Jail unrest under control

From Page 1

escaped, one was shot dead (253)

On Saturday morning, riots broke out at St Albans, where more than 600 prisoners took senior warden Major "Barney" Barnard hostage.

A warden was also taken hostage at Ouhlowa Prison at Tulbagh on Friday.

Today Sapho's Golden Mile Bhudu said Sapho was calling for the re-establishment of the amnesty resolution committee because prisoners were unhappy with the six-month remissions offered by the Government.

Sapho's Marcus Cox said the remission did not distinguish between prisoners who were more deserving of sentence reductions or release.

He said it offered the same reduction to "those sentenced for rape as it does for stealing".

Bhudu defends prison actions
Page 5

Prison unrest under control

STAFF REPORTERS

Prisons around the country were reported tense but calm early today after another inmate was killed yesterday at Victor Vester Prison in the western Cape.

Department of Correctional Services spokesman Lieutenant Ruth Potgeiter said prison officials were in control at the Paarl facility.

He said the demonstrations at St Albans Prison, near Port Elizabeth, had also been quelled after a warden was taken hostage and released on Saturday.

The prison riots were sparked off by a call for peaceful protest action over amnesty by the SA Prisoners Organisation for Human Rights (Sapho).

On the East Rand, 87 prisoners were still reported at large after escaping from Modderbee Prison early Friday morning, when they and 17 others got out through a manhole while riots raged at the complex.

In the riots, two Modderbee prisoners were killed and 19 were injured. Of these, 11 were women.

To Page 3
Manhunt for 87 escaped prisoners from Modderbee

JOHANNESBURG. — A manhunt was under way today for 87 prisoners who escaped from Modderbee Prison, east of here, during a protest for the reduction of sentences.

The prisoners escaped on Friday morning. Prisons spokesman Chris Ockers said "They are searching for them and history has shown that any escaper is, at the end of the day, tracked down."

He added that warders were searching cells at Modderbee for dangerous objects and handheld weapons.

"At the moment anything is still possible. But we have stepped up security measures as part of an ongoing process. The situation countrywide is generally under control," he said.

Rioting in at least 10 prisons had been instigated by common-law prisoners demanding amnesty begin on Thursday in one of the biggest challenges yet to President Mandela's government. At least four prisoners have been killed.

One of the dead was a prisoner at Victor Verster prison near Paarl. He was killed and 11 were hurt in clashes among more than 500 inmates.

Correctional Services spokesman Rudie Potgieter said the prisoners refused to return to their cells after lunch yesterday and demanded their immediate release.

The prisoners were being held in an internal prison courtyard, where negotiators were talking to them.

But by the afternoon it was apparent that talking to the inmates was getting nowhere, so Correctional Services personnel "moved in" on the prisoners, Lieutenant Potgieter said.

"Warders and security staff began an operation to put the prisoners back to their cells. While this operation was in progress, fighting broke out between the inmates."

"It was established afterwards that one prisoner was killed during the insufflating and 11 were wounded. Four of them were taken to hospital."

"The situation was brought under control and investigations to ascertain what caused the insufflating are under way."

— Sapa-Reuters.
Prisoner dies as jails crisis spreads

VIOLENCE erupted at Victor Vector Prison in the Western Cape yesterday after 665 prisoners refused to be locked in their cells again.

One prisoner died — allegedly killed by his fellow inmates — and 11 were injured.

Department of Correctional Services spokesman Lieutenant Rudi Potgieter said late yesterday that all was quiet at the prison, but that earlier more than 600 prisoners had confronted prison authorities demanding their immediate release.

Potgieter said by yesterday afternoon it was apparent that talking to the prisoners was getting nowhere, so prisons personnel "moved in on" the prisoners.

He said it was feared that many of the prisoners holding out at Victor Vector were "heavily armed".

Meanwhile, police are still searching for 87 prisoners who escaped from Modeloeb Prison on the East Rand on Friday.

Potgieter warned the public not to approach or try to apprehend anyone whom they believed to be an escaped convict.

Considerable damage was caused to St Albans Prison outside Port Elizabeth where 600 awaiting-trial prisoners held a water hose for more than 12 hours on Saturday.

Acting chief warden Major Barries Butchart was released unharmed late on Saturday night.

A Correctional Services spokesman said yesterday was calm at Upington Prison in the Northern Cape where damage estimated at R300 000 was caused on Saturday.

At Witsbank Prison, about 350 prisoners were refusing to go back to their cells.

"They say talk is cheap. Well! You should see my phone bills," — Sapa.
Riots highlight overcrowding

Prisoners moved from burnt facilities

THE rioting by prisoners which left two prison blocks, housing 847 prisoners, burnt down highlighted the critical overcrowding in Western Cape prisons.

A task force of heavily armed members of the Department of Correctional Services yesterday kept watch on the tense situation at Brandvlei Prison near Worcester, scene of riots by inmates since last Wednesday.

As an uneasy calm returned to the prisons yesterday, plans were laid to rebuild the torched Medium B prison at the Victor Verster near Paarl and a juvenile prison block at Brandvlei.

The Department of Correctional Services has begun rehousing hundreds of prisoners in other prisons in the region. The Western Cape has the most overpopulated prisons in the country, according to Correctional Services Department spokesman Lieutenant Mike Green.

Lt Green said that according to a prisoner count conducted at the end of May, Brandvlei Prison was housing 2,950 prisoners — while it only had approved accommodation for 1,607.

Victor Verster Prison was holding 2,028 when it was only designed to take 1,159 prisoners.

There was no option but to move 885 prisoners after the Medium B block was burnt down. Otherwise the prisoners would have been packed like sardines, Lt Green said.

Pollsmoor Prison was the worst for overcrowding as a result of the enormous load of awaiting-trial prisoners, he said.

There were 6,268 prisoners there, despite Pollsmoor only having the capacity to accommodate 3,854 prisoners.

Correctional Services spokesman Lieutenant Rudi Poggieter said plans were underway to build a prison in Malmesbury to house 2,000 prisoners.

There were also plans to build a prison in Goodwood to house 1,500 prisoners. Both were only expected to be completed in five years.

Overcrowding had not been an issue with the rioting prisoners, said Victor Verster commander Hugo van Staden.

Violence again broke out at Upington Prison in the Northern Cape yesterday when about 120 inmates plundered three cells.

Prison authorities also reported several incidents of arson but said the situation had returned to normal by noon — Staff Reporter, Own Correspondent, Sapa

Remission deal not acceptable

JOHANNESBURG — The South African Prisoners Organisation for Human Rights (Sapoh) yesterday called for an amnesty resolution committee to review a six-month remission of sentences rejected by its members.

Sapoh leader Mr Golden Miles Bhudu said the remission was "grossly unfair" as some prisoners were more deserving of remission than others.

Saphor would ask President Nelson Mandela to establish a committee to determine more equitable remissions and amnesties.

Sapoh wanted full amnesties for non-violent first offenders.

Sapoh welcomed the commission of inquiry to investigate the cause of riots at the Reeb's Modderbee Prison.

"We don't take any responsibility for the death and injuries, which were provoked by warders. We are dealing with prisoners who are very angry and frustrated," Mr Bhudu said — Sapa
Fiery Prison Revolt
Pollsmoor warders sit in after transfer

JOSEPH ARANES, Staff Reporter
WARDERS at Pollsmoor Prison are staging a sit-in outside the commanding officer's office to protest against the transfer of a colleague.

More than 100 warders, all members of the Police and Prisons Civil Rights Union (Popcru), occupied the courtyard outside Brigadier Johan Roberts's office about 8am today before handing the brigadier a letter addressed to the minister of correctional services, outlining their grievances.

A spokesman for Popcru said the main reason for the protest was the "unfair transfer" of union member Stephen Korabe.

"Major Korabe was transferred to Pollsmoor Prison from the regional commissioner's office without any explanation and without being told what his new job entails."

Correctional Services spokesman Lieutenant Mike Green confirmed the transfer of Major Korabe and said the regional commissioner informed the officer exactly why he was being transferred and what his new job at the prison entailed.
Afrikaner unity body mooted

DEBORAH FINE

THE Freedom Front (FF) has proposed the establishment of a plenary committee with the CP to unite Afrikaners in their attempts to achieve a political solution to their survival of Afrikaners.

Front leader Gen Constant Viljoen was to discuss the proposals with CP leader Ferdi Hartzenberg and Deputy President Thabo Mbeki at a meeting in Pretoria yesterday.

Viljoen said yesterday there were two political parties representing Afrikaners hoping to establish a political party through negotiation and the constitutional process.

The establishment of a plenary committee would enable the Freedom Front and the CP to debate the issue before proposals were put to government.

Viljoen suggested that Afrikaners who did not vote in the elections show support for a Volkstaat by signing petitions at magistrates' courts. Those who supported the front during the election would not need to sign the petition as their votes would be taken as support for a Volkstaat.

Viljoen said the council was set up to investigate the feasibility of a Volkstaat. He invited interest groups to put proposals to the council.

Some prisons 'calm' as violence rocks others

UNREST continued at several prisons around the country yesterday and plans were made to transfer prisoners from Victor Verster Prison near Paarl to other Western Cape prisons after Sunday's torching of cells by inmates.

Violence broke out against Upington Prison in the Northern Cape yesterday when about 120 inmates plundered three cells. Saps reported damage of R30 000 was caused when prisoners rosted on Friday.

Johannes Ngeobo reports about 500 Bethal prisoners yesterday rejected a six-month remission offer by Correctional Services Minister Sipho Mzimela and refused to leave the prison to work, demanding full amnesty instead.

Correctional Services spokesman Lt Rudi Potgieter said prisoners had torched cells at JC Steyn prison in the Eastern Cape. However, the situation was calm but tense in other prisons.

Violence erupted at Victor Verster on Sunday when more than 650 inmates refused to return to their cells. One prisoner died and about 50 were injured. Four were admitted to Tygerberg Hospital.

About 270 prisoners are to be moved to other prisons including Hel- derstroom, according to Victor Verster head Biko Kus van Staden.

Meanwhile, police were yesterday still searching for the 97 prisoners who escaped during last week's uprising at Modderbee Prison, situated on the East Rand.

A spokesman said 104 prisoners escaped. One was shot dead and 10 had been recaptured.

Yesterday the SA Prisoners' Organisation for Human Rights (SAPoHR) called on government to establish an amnesty resolution committee for prisoners to brief President Nelson Mandela.

"We don't want to determine the specifics of the amnesty and remissions unilaterally. It is for an informed committee to determine, but we would be arguing that a commis- sion should begin with the possibility of full amnesties for non-violent, first offenders and deductions of half the sentences," said SAPoHR spokesman Golden Mies Bhudu.

He added that those awaiting trial spent months and years in prison before being tried.
Ministers boycott Ulundi meeting

THE ANC's three KwaZulu/Natal regional ministers yesterday boycotted the first sitting of the provincial cabinet in Ulundi, leaving the province still without effective government or a capital.

A highly placed source in Ulundi confirmed that ministers Jacob Zuma (Economics and Tourism), Sbu Ndebele (Roads and Traffic Control) and Zweli Mkhize (Health), citing concerns over their safety, failed to attend the meeting despite arrangements made for them to be picked up by VIP cars.

The ANC and the ruling Inkatha Freedom Party are at loggerheads over the siting of the provincial capital.

Yesterday's meeting was a last-ditch, high-stakes attempt to resolve the dispute, which was sparked by Inkatha's unilateral decision to hold cabinet meetings in Ulundi.

KwaZulu/Natal education minister Prince Vincent Zulu's announcement that his office would be based at Ulundi was met with fierce resistance from teachers and student organisations.

On Monday the ANC, Cosatu and SACP in the Natal Midlands said their members would boycott all meetings of the legislature and the cabinet if they were held in Ulundi.

ANC/Cosatu's alliance spokesman Blade Nzimande said yesterday the alliance had, at a regional general council at the weekend, deplored the "high-handed, unilateral and premature actions" of Inkatha in announcing that the seat of government would be in Ulundi.

"The meeting resolved that a referendum be immediately called to test the will of the people in the province about the issue of the capital," said Nzimande.

Another ANC region that wants the regional capital to be in Maritzburg is Northern Natal, which called for a boycott of meetings in Ulundi three weeks ago.

Our political staff report from Durban that a meeting between Constitutional Development Minister Roelf Meyer and KwaZulu/Natal regional ministers was postponed yesterday following the crisis.

Warders stage sit-in protest at Pollsmoor

CAPE TOWN — Warders at Pollsmoor Prison near Cape Town staged a sit-in outside the commanding officer's office yesterday over the transfer of a colleague.

More than 100 warders, all members of the Police and Prisons Civil Rights Union (Popcru), occupied the courtyard outside Brig Ichan Roberts's office before handing him a letter addressed to Correctional Services Minister Sipho Matheba outlining their grievances.

A Popcru spokesman said the main reason for the protest was the "unfair transfer" of union member Maj Stephen Korabie.

"Maj Korabie was transferred to Pollsmoor Prison from the regional commissioner's office without any explanation and without being told what his new job entails," he said.

Correctional Services spokesperson Lt Mike Green confirmed the transfer of Korabie and said the regional commissioner had told the officer exactly why he was being transferred and what his new job entailed.

Meanwhile, Correctional Services spokesman Lt Rudi Potgieter said in Pretoria that prisons which were the scenes of violence last week were calmer yesterday.

"There had been no incidents and 'routines were slowly returning to normal'. But prisoners were still unhappy about the issue of amnesty, he said.

Among the prisons damaged during the outbreaks of violence were the Medium B Block at Victor Verster Prison near Paarl and a juvenile prison block at Brandwyl Prison near Worcester.

Two escapes from Modderbee Prison on the East Rand were re-arrested at an SA Prisoners' Organisation for Human Rights news conference in Johannesburg on Monday.

Correctional Services spokesman Lt Rudi Potgieter said that a third escapee had reported to the prison yesterday morning.

An escapee was shot dead and 16 were re-arrested soon after 104 prisoners broke out of the jail during riots on Friday. Eighty-four are still at large. — Sapa
Back to normal in Cape jails

Crime Staff

It is "business as usual" in prisons in the Cape after warders at Pollsmoor called off their sit-in at administration offices.

After the third strike in less than a week at Pollsmoor, where warders occupied offices, Correctional Services officials obtained a court order yesterday to prohibit the action of the warders.

Popcru members occupied offices in protest against "unfair treatment" of Steven Korabie who was transferred to Pollsmoor from the department's regional headquarters.

Minister of Correctional Services Sipho Mzimela invited Major Korabie to discuss his grievances.

Department spokesman Mike Green said today he had no report of work disruption in any of the 20 command areas in the Western Cape region.

"The warders demanded to see the minister and I'm sure they will reach an acceptable decision between them."

Striking warders left peacefully after the court order arrived at Pollsmoor about 5pm yesterday.
Chief Executive of the South African Prisoners Organisation for Human Rights, Golden Miles Bhudu, knows that his outfit is the least popular of all organisations fighting for civil rights.

"The fact that four prisoners died and 19 were injured last week during a riot has made the police even less sympathetic to his cause.

"It is unfortunate that people have to die before the public takes notice of prisoners," says Bhudu.

"But the prisoners are desperate enough to take action that might result in death. It is a chance they are prepared to take so that something is done about their conditions."

The recent demonstrations that spread to most prisons were in protest against the announcement of a blanket six-month sentence reduction for Minister of Correctional Services Dr. Shithpo Mmamela last week. Prisoners took some warders hostage in an effort to draw the attention of prison authorities.

**Few weeks**

This incident comes a few weeks after more than 21 prisoners died when Sapohor called for a mass action campaign to get the vote for all prisoners.

The campaign has been suspended. But that has not stopped Bhudu from fighting. Ever since he was released from prison in 1988, Bhudu has been a thorn in the flesh of the prison authorities.

His mission is to get the authorities to reform prison conditions and make them more humane.

Bhudu, who spent four and a half years in jail before he was sentenced to six years for housebreaking and theft, believes that those who break the law should be brought to justice.

But he also believes that there is a better way than "brutalising" and "degrading" them.

But spokesman for the South African police Brigadier Chris Ockers says it is not true that prisoners are brutalised.

"If we were so inhumane and racist, how come the newspapers receive calls from prisoners?"

"There are more than 40,000 people who go through South African prisons in a year, how come none of them have come out and reported how they were brutalised?" says Ockers.

He says it is difficult to let reporters visit most of the jails because the situation is volatile following the recent prison riots.

"It was like knocking on a brick wall," says Bhudu. "The prison authorities have always covered up the daily assaults and the inhuman way in which prisoners are treated."

"That is why we formed this organisation inside Modder B. We had tried everything else. We had written letters to all the organisations we could think of and nothing happened."

"You must remember that for years prisoners had been trying to form an organisation that would protect them. But they could not succeed because of the reaction of the prison authorities," he says.

**Political prisoners**

Bhudu says common-law prisoners received a great deal of support from political prisoners who helped them draft their constitution and whatever memoranda they wanted to send to the authorities.

"During that time common-law prisoners and political prisoners were under one roof and in one section. We had contact with some of the Delmas trialists who helped us draft our constitution."

Bhudu believes that common-law prisoners, like political prisoners, are victims of apartheid and committed crimes because of poverty.

He argues that the majority of common-law prisoners are blacks who constitute the bulk of the disadvantaged people in the country.

"In South Africa the majority of inmates are there for crimes of poverty. They are there because of apartheid. (97 percent of inmates are black) and over 85,000 of them were tried and sentenced without legal representation."

"Yet those criminals who upheld apartheid, who killed and destroyed in the name of racism and exploitation, will benefit from amnesties that mean they will never go to prison. This is gross hypocrisy," says Bhudu.

"Although Sapohor has terminated its mass action, the organisation has not halted its campaign for prison reform and amnesty."

The latest six-month sentence reduction has raised Sapohor's hackles.

"We believe the sentence reduction is grossly unfair," says Bhudu. "It does not differentiate between those who are more deserving of sentence reductions or release."

It offers the same reduction to those sentenced for violent offences as it does for stealing.

**Committed crimes**

It also tells common-law offenders that they are less a part of the new South Africa than apartheid criminals, who committed crimes against humanity but will benefit from amnesties.

The Government recently announced amnesty for prisoners who committed politically-motivated crimes before December 5, 1993.

"The violence and high tensions in prisons we are seeing is a direct result of understandable frustrations and grievances on the part of inmates," says Bhudu.

"Sapohor has been warning of the rising tensions for the past 18 months."

The Department of Correctional Services has consistently ignored our calls for a meeting to discuss means of keeping peace in prisons because they know the root cause is in their institutions.

Inmates endure widespread violations of their rights at the hands of a racist institution that has not changed with the democratisation of the country.
Probe into punishment for youths

IN an effort to ensure that young offenders are removed from prison cells as "a matter of urgency", a ministerial committee has been established to examine places of safety.

The announcement was made today by Western Cape Health and Welfare minister Ebrahim Rasool.

He has recommended that the broad brief of the ministerial committee would be to create appropriate alternatives for young offenders.

The committee comprises experts from organisations such as Noche, Child Welfare, Lawyers for Human Rights, universities and officials from the State Welfare Department.

The committee will start working immediately and report back regularly.
Charred remains of flaming anger

By Shannon Neil

A FEW scruffy pigeons and a couple of cats watched as wardens at the Victor Verster Prison in Paarl picked through the rubble and rummaged what was once the Medium B prison block on Monday.

Sheets of blackened metal from the corrugated structures lay in twisted heaps on the ground. The destruction was caused by a fire started by angry prisoners who had started after being left out of the government's amnesty deal last week. It resulted in the worst rioting in South African prisons.

Piles of burnt beds lay on the grass in the middle of the block surrounded by clothing, shoes, books and a beautifully carved wooden boat made by one of the prisoners.

Inside the buildings, mattresses and lockers still smouldered. In one shower stall, a pot plant that had miraculously escaped the blaze looked out of place in the sooty mess.

In one cell, a burnt-out tin of hot chocolate and a pamphlet on how to say the rosary were all that remained.

In the cells which were not burnt, water dropped from a burst geyser onto the soggy remains of prisoners' precious photographs, books, and clothing 1316 - 21.11.94

The fire started at about 12 noon on Sunday when prisoners torched cells. The fire quickly spread through the block with prisoners starting more fires as they hurried through the gates to safety.

Within half an hour the entire block was an inferno. Only the quick action of warders evacuating the block prevented the loss of life, said Major Fanie Gouws, the warder in charge of Medium B.

Some prisoners were able to save personal belongings and pets, but others were less lucky.

Pointing at the charred remains of a fish-tank, Gouws said "Foei tog That was prisoner Willem's tank. He really loved his fish but he couldn't save them because the tank was too heavy to carry.

"He doesn't want to come see what he can save salvage because he says it will just break his heart to come back in here.

Others were able to save some of their personal belongings, but as warders searched through the ashes, it was clear many prisoners had lost everything.

Rioting broke out at the prison following similar incidents at other prisons throughout the country because prisoners were dissatisfied with the amnesty given by the government.

The six-month amnesty applies only to political prisoners, and prisoners feel it should be extended to include non-political prisoners.

The rioting left four prisoners dead and warders and prisoners injured. It resulted in more than R50 million damage.

Police and Prisons Civil Rights Union (Popru) accused the government of being responsible for the violence because of "its dragging its feet" on implementing prisoners.

Leader of the South African Prisoners Organisation for Human Rights (Sapho), Mr Golden Miles Bhudu, has called on the government to review the amnesty. Bhudu asked for a committee to be established which could investigate each prisoner's case.

The Department of Correctional Services has launched an internal investigation into the riots.
violence in the country’s jails

off than their charges

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SOUTH AFRICA

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Battle to represent the right

Jan Taljaard

SPRINGKING (tolerance to left opposition) leaders are appealing to the new South Africa off to a smooth start, president Nelson Mandela has pledged to set up the new Front for Black Nationalist Afrikaner Volkfront (CAVF) of General Constand Viljoen. He has also attempted to negotiate with the government for equal footing with the CAVF and to find a way to make the CAVF/ACP group subordinate to the ANC. In a statement read immediately after the talks, Taljaard confirmed that he had “offered completely” an agreement reached with Mandela two weeks earlier. He said that he would go back to the president, the CAVF and the list of other suggestions about suspension and sit-back negotiations before the ANC. “If it seemed,” added one source, “Mandela and his people might have been able to go back to the table.”


Authorities ignored warning signals

Stefan Brummer

WARNING signs of the past week’s violent protests were apparent for some time but ignored by the authorities.

The protests by prisoners demanding a general amnesty lasted last Thursday at Modderbee Prison on the East Rand and quickly spread to about 17 provinces countrywide.

A total of six prisoners died, two warders were seriously injured and at least R500 000 million was caused. In a calm scene today, the protest ended with the release of protesters who had been denied amnesty.

The South African Prisoners Organisation for Human Rights (SAPo), whose call for “peaceful protests” on Wednesday last week was the immediate trigger for the riots. The SAPo, which rejected Mandela’s offer as “gratuitous” as it did not differentiate between prisoners and authorities.

Saporrh called for the establishment of an amnesty resolution committed to determine a “more equitable amnesty and sentence reduction committee”.

The latest protests were to reinforce the:“right of the right of prisoners to vote” said to the prison riots before the elections, to confuse and contradict statements on an amnesty, and to reinforce a legal basis.

There were several approaches to authorities before the protests erupted - but each was understood to have been “on the table”.

Immediately before the protests, Justice Minister Dullah Omar rejected Saporrh’s demands for a general amnesty for non-violent common law prisoners and Saporrh approached

Mamela, who told us he was too busy to see us” said Saporrh then demanded a meeting with President Nelson Mandela, which was granted after the protests started. Mamela also attended the meeting.

Mamela’s spokesman, Captain Ibert Shlabbert, said this week Mamela had “never heard he would see Saporrh, only that he did not have the time to see them then.”

He said Saporrh had not put across the demand for a meeting in urgent, and that a memorandum from the organisation had not returned it was to the mass action.

Another warning was that some of the protesters had not come off the roof by the afternoon of the fateful 17 June when the Modderbee branch of the Police and Prisoners Civil Rights Union had launched a memorandum comprising of human rights abuses against prisoners, unfair labour practices, racism and corruption.

Shlabbert said Mamela had been in the office for only a month, and that Popo had made no contact with

The amnesty issue was the most serious, and that violent protest could gain currency as a method to back demands. She said a representative person

The Correctional Services responds to claims

ALLEGATIONS of racism and neglect of wards and inmates alleged to have caused fleeing were denied by the Department of Correctional Services.

Department spokesman Roon Gerber said: “Personnel of the department perform their duties with professionalism and racism is not tolerated at all.”

Although Gerber said allegations that prison gangs were used to silence inmates with complaints were “abused,” he did confirm thatoddsesticians had held discussions with prison wardens in 1992. This had resulted in an agreement that the gangs “would cause undue behaviour”.

Responding to a claim that a group of Saporrh prisoners had been confined to single cells because they were instigating other prisoners to go on hunger strikes, he said, “The group was put in single cells after an incident in which a warder was assaulted, for the period ensuing the investigation. This was done with the request of other warders.”

Gerber denied warders had been asked to sign a document that forced them not to consider prisoners’ complaints.

He said: “The only undertaking obtained from members was one of treating prisoners in a polyclinically unbiased and non-racial manner.”

On the breakdown of channels of voicing with warders’ grievances, he said: “All complaints are dealt with accordingly and prisoners are given an opportunity to voice these on a daily basis without unnecessary delay.”

The Correctional Services should become more transparent and face with outside bodies like Saporrh. Nelspruit District Director of the Study of Violence and Reconciliation: A probe into the deaths of prisoners and an inquiry into the deaths of prisoners in the protests should be launched.

Professor Chief Cullers, head of the Unisa Penology Department, said the latest protests were part of a general trend in the country. The Nature of Violence had made a “step change” in allowing only certain categories of prisoners to vote, as had led to further.

Professors of amnesty had led to further terms. He said the ANCS and the ANC had not put out details of who would qualify when it made amnesty promises.

He said the government had two main goals and had completely neglected the degree of autonomy envisaged for a Voortrekker and a representative of the people. Although there was a call for seemingly heartfelt on total sovereignty, the ANC party was only looking towards a federal arrangement.

Under this, a representative body would arise from the ANC, which would look into the interests of Afrikaners as much as the(Collection of Deeds of Establishments) safeguards. Attention is expected that there are some statutory powers and responsibilities that will flow from such a body.

It is hoped that a fair and reasonable solution to the conflict will be reached. The ANC party is well aware of the complexity of the situation and will proceed with caution. The ANC has said that the ANC/CFP will not use the so-called “two-pronged action” to which it says it has no objection either in its response or in its response to the ANC/CFP. The ANC has said that the ANC/CFP will proceed with caution and use a mixture of constitutional measures, passive and active resistance.
Durban's house of horrors

A mountain of unclaimed, decomposing corpses was just one of the nightmares that the residents of Durban's Caledon Street complained of in their letters to the editor. The house, situated in the heart of the city, was said to be filled with the odors of decay and the noise of screams and moans from the dead. The house was reportedly the site of a serial killer's operations, and the bodies of numerous victims were found inside.

The residents of the house were forced to endure the constant presence of the dead, which had come to be known as the "Durban's Caledon Street Horror." The smell of the dead was so strong that it could be smelled from miles away, and the noise of the screams and moans from the dead was so loud that it kept the residents awake at night.

The house was also said to be the site of numerous crimes, including murder, rape, and robbery. The police were said to have been unable to stop the crimes, and the residents of the house were forced to take matters into their own hands.

The residents of the house were forced to live in fear, and many of them had to leave their homes. The house was eventually demolished, and the site was turned into a park. Today, the site is a reminder of the horrors that once took place there.
Swazi newspaper owner thrown out

Mudzuki ka Harvey

She continued to surround the Swazi and cursed him until she tore newspaper owner Douglas Lobier's work permit and threw it on the ground, saying that she could not be a puppet to silence the press in the kingdom.

But Lobier, owner of five newspapers in the country — among them the Times of Swaziland, which is the kingdom's leading newspaper and is a frequent target of the government, calling for accountability and transparency.

Two months ago Lobier was told by the ministry of Home Affairs that his work permit would not be renewed and was given an ultimatum to leave Swaziland by the end of June.

Lobier, who has lived in the kingdom for the past 20 years, was then told that the permit was not renewal because of his role in the Times of Swaziland.

But his 120 employees stood up for him and conveyed a letter to Home Affairs Minister Prince Sobhadinis Dlamini's office and presented a petition expressing concern about their and the paper's future.

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Prison riots: Dreadful conditions and promises of amnesty sparked off

Black warders who have sympathy for prisoners are victimised by other warders,

By white colibers, reports

Mudzuki ka Harvey

The plight of black warders who are not allowed to speak in defence of those of prisoners in South Africa's prisons, say two warders at Modderbee Prison interviewed by the Mail & Guardian this week.

"Our prisoners are run like "colie" stonies," - black prisoners and warders are abused, beaten and white authorities rule both with an iron fist and refuse to accept change." said Hlungwana and Tshabalala.

"Warders are used to discipline prisoners complaining about assaults or brutality. Prisoners were also seen among black warders. Tshabalala said "These considered sympathetic to prisoners' problems were attacked by white superiors."

"Warders had been required to sign "letters of affirmation" that they would not attend or promote grievances, searches and unauthorised visits."

Warders had been required to sign "letters of affirmation" that they would not attend prison to promote grievances, searches and unauthorised visits.

Escaped prisoner tells of cell wars

Mudzuki ka Harvey

One of the prisoners who was held in a cell opposite the one where the escaped prisoner was held said that the escaped prisoner had been in the prison for over 10 years and that he had planned his escape for months.

Bafako said that he had been held in the cell for over 10 years and that he had planned his escape for months.

"He talked to me about his escape plans and how he had managed to get a knife and a razor blade," Bafako said.

"He told me that he had escaped to find his family and that he had planned his escape for months."

"I was shocked and I did not believe him at first. But then I saw the marks on his body and I realised that he had been running around the prison," Bafako said.

"I helped him to escape and I was later arrested by the police."

"I was shocked and I did not believe him at first. But then I saw the marks on his body and I realised that he had been running around the prison," Bafako said.

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Holding children in jail opposed

PATRICK FARRELL
Supreme Court Reporter

JAILS were not created for children and if the Department of Correctional Services could have its way, there would be no children in prisons.

This was said by Correctional Services spokesman Mike Green in response to a Supreme Court judge's criticism yesterday of the detention of children in jails.

Sentencing the killers of a 13-year-old Robertson jail detainee, Mr Justice Van Deventer said there was no excuse for keeping children in jail for months before they were put on trial.

Lieutenant Green said: "We have come out strongly against holding children in prison before their trials. However, it is up to the Department of Justice and the police to stop the issuing of detention warrants. If a child is brought to a jail and there is a warrant to hold them, we cannot refuse to take them. We have to make the most of a bad situation."

Lieutenant Green said some of the bigger jails had special wings for youthful offenders, but at smaller jails overcrowding and lack of facilities made it impossible to separate children completely.

"At Pollsmoor, we have put aside part of the women's wing where youths can be held, but still we don't want them in jail."

In smaller jails, youths had separate ablution facilities and warders tried to keep them away from other criminals as much as possible.

"Prisons were not created for children," he said. "It must have a psychological impact on them to be locked up in the same prison as murderers and rapists, even if there are not in the same cell together."

He said some form of detention facility must be created, perhaps on the lines of reform school, but with strict security, to hold youthful offenders.

"You must remember that some of these 15- or 16-year-olds are awaiting trial for serious crimes like murder and rape. You cannot just release them on to the streets."

Lieutenant Green noted that President Mandela had urged in his address to parliament that children be released from jails as soon as possible.

This had presented authorities with a mammoth task that would cost millions, but a start had been made, said Lieutenant Green.

The project would be spearheaded by Welfare and Population Development Minister Abe Williams.

Lieutenant Green said this change would not be a case of "just opening prison doors - it is still early days and a number of issues have not been worked out but we have started on the road."

The conviction and jailing of four youths in the Supreme Court for a Lord Of The Flies-type murder of a young cellmate in Robertson jail has once again highlighted the plight of children in prisons.

Neville Snyman was only 12 years old and in jail awaiting trial on a charge of housebreaking when he was sodomised, forced to drink disinfectant and was held under a boiling hot shower until his skin started to peel off.

He was assaulted so badly that seven of his ribs were broken.

His murderers were youths, too, most awaiting trial for housebreaking and theft.

The reasons for the murder were not adequately explained by the accused, but their evidence suggested Neville was blamed by some of his cellmates for incurring a beating they were given by an older prisoner.

Sentencing the killers yesterday, Mr Justice Van Deventer said they had killed Neville out of "boredom and frustration."

The case reminded him of the Lord Of The Flies novel where "youths became animals."

Neville shared cell 10 with nine other youths, some of them as young as 12, but some also were strapping boys of 17.

Seven of those youths stood trial for his murder, but three minors were acquitted after the State said it would not argue for their conviction.

Mark Reynard, 18, Iain Jacobs, 18, Marius Samuels, 18, and a minor were found guilty.

The State alleged the accused all took part in the fatal beating. Two of them were alleged to have strangled the boy eventually with a sock after the torture.

An autopsy revealed between 60 and 100 bruises on Neville's body and the eventual cause of death was put down to the boy suffocating on food he had vomited up from shock.

There was also evidence of a gang among the youths called the "Four Stars" to which some admitted they belonged. The judge made reference to this gang and said it might have influenced some of the youths "out of loyalty" to take part in the killing.
NEWS  Inquest relives death

Prisoner dies in cell

A STEKSTROOM man was found hanged in a police cell  
within five minutes of being arrested for assault.

The 30-year-old man, Simaphwo Mnobo of Masakhane township in Stekstroom, was arrested by police for assaualting his ex-girlfriend and stabbing her.

Police liaison officer Major Henry Chalmers said Mnobo was placed alone in a cell at 7.30pm on Tuesday and five minutes later, when a policeman returned to the cell, he was found hanging from a belt tied to a hinge behind the door.

Chalmers said Mnobo was taken down and rushed to hospital but was already dead.
Prisons to get 11% cash boost

BY CHERYL HUNTER

Correctional Services was one of the few ministries which "escaped" having a chunk of its spending cut to contribute to the Government's Reconstruction and Development Programme. According to Correctional Services Ministry spokesman Captain Bert Slabbert, (253), Finance Minister Derek Keys announced that the budget for correctional services would be increased this year by 11 percent to reach a total of R1,950 billion.

Slabbert said the budget would allow the accommodation of 115,200 prisoners compared to that of 109,100 last year.

However, he said this would be achieved by extending prison workshops and farming.
Minister visits awaiting-trial children in prison

AWAITING-TRIAL children, held in a special section at Pollsmoor, were visited yesterday by the Minister of Correctional Services, Dr Sipho Mzimela, and his deputy, Mr Abe Williams.

The ministers inspected the facilities and the conditions under which the children were kept.

There are 82 children between the ages of 15 and 17, who have not been sentenced, in the prison.

Dr Mzimela and Mr Williams vowed to do everything possible to clear prisons of awaiting-trial children.
Prison revolt brewing
— among warders

By Quentin Wilson

A MAJOR rebellion is brewing among warders in Western Cape prisons following a clampdown on members of the Police, Prisons and Civil Rights Union (Popcru) at Pollsmoor.

Following protests by warders over the last two weeks, a Supreme Court interdict has effectively banned Popcru at Pollsmoor.

According to the interdict, obtained by the Department of Correctional Services last week, Popcru members are banned from holding meetings and demonstrations on the premises and, if they are not on the grounds to work, they must keep a distance of at least 100m from Tokai prison complex.

While deep-seated tensions between prison workers and management have been simmering for some time, conflict spilled into the open following the removal of Popcru member Major Stephen Konabe from his post as a regional prison inspector earlier this month.

Konabe's problems began in March when he uncovered serious allegations against the head of a Western Cape prison during an inspection. After reporting the matter to his superior, he grew disenchanted with the department's "willingness" to take any disciplinary action.

When Konabe refused to serve on an internal investigating committee, because he believed it was a "token gesture that would not expose the truth", he was axed from his post and transferred to Pollsmoor.

"It was just the catalyst that sparked off real protest against the conservative, racist and old style management we all hoped would end after the election," he said.

Late last month, prison staff at Paarlberg prison demanded a "full and comprehensive commission of inquiry into allegations made against their prison head," while the Mayor Jaap Ellis be put on paid leave until the investigation is completed.

At Pollsmoor, wardens staged a sit-in and demanded that regional commissioner, General Gerhard Spannemberg, apologise for the treatment meted out to Konabe.

Captain Koos Gerber, spokesperson for the Department of Correctional Services, defended the interdict saying the department had "no other alternative" to deal with "unruly personnel members."
Popcru threatens mass protests

JOHANNESBURG — The Police and Prisoners Civil Rights Union (Popcru) has threatened mass protests in the former homelands, where it alleges members are being given a raw deal. “We want to remind these people that Popcru was formed during repressive times and we will not hesitate to do what we did to the apartheid regime,” said Enoch Nelani, the union’s national president.

Popcru was formed by dissident policeman Gregory Rockman who is now an African National Congress Member of Parliament.

Mr. Nelani said yesterday that station commanders and commissioners in the former independent and self-governing states were harassing and treating Popcru activists badly, including denying them stop-order facilities.

He expressed concern about the conflict that had surfaced between black and white officers ahead of amalgamation of the police forces in the Eastern Cape. “They want to maintain white supremacy,” he told a news conference.

Mr. Nelani said union leaders had held talks on Thursday with the province’s MEC for safety and security, who was to begin a series of meetings with authorities in the various areas.

In a separate initiative, Popcru would begin recruiting white officers to help transform itself into a professional union.

“We should appreciate we have this diversity and manage it to the benefit of the union,” said Mr. Nelani.

He also expressed concern at the delay in the passing of the new Police Bill, saying it could contribute to further destabilisation because all units that defended the apartheid government were still intact — Sapa
Secret plot angers MPs

Fight for capital turns city's way

After Pretoria lost its provincial capital status it became even more desperate to grab parliament from Cape Town to compensate for the loss.

DAVID BREIER
Weekend Argus Political Staff

Pretoria has become even more determined to hijack parliament from Cape Town after losing its PWV provincial capital status to Johannesburg.

But the battle for parliament appears to be turning in Cape Town's favour as African National Congress MPs resist the way a secret cabinet cabal has manipulated the issue to favour Pretoria.

Pretoria Capital Initiative spokesman Andre Botha said the effect of moving the provincial capital from Pretoria to Johannesburg would be "devastating".

He said Pretoria's economy would be seriously affected by the loss of large numbers of administrative staff to Johannesburg and this would have a multiplier effect which would hit businesses throughout Pretoria.

"We have nothing against Cape Town — it's a lovely place," said Andre Botha. But he said the decision on where parliament should be must be made in the national interest.

Mr Botha insists that it makes more sense to have parliament in Pretoria where most government departments have their headquarters instead of expecting MPs to keep tabs on their administrations by remote control 1 500km away in Cape Town for much of the year.

Pre-Cape Town lobbyists estimate it would cost up to R$2 billion to build a new parliament in Pretoria with all the accessories, including housing for MPs. But Mr Botha scoffed at this figure, saying it would cost R500 million.

Pretoria's loss of its provincial capital status — it was previously the Transvaal capital — has raised the ante in its battle with Cape Town for parliament.

Parliamentarians who favour the move believe Pretoria now has a stronger moral argument as the city has so far sacrificed the most in the new South Africa by losing its provincial infrastructure. A similar battle over the capital of KwaZulu-Natal is still being waged between Durban and Ulundi.

But there is a growing backlash in the ANC caucus which dominates parliament, against any move to Pretoria. ANC MPs said they "were" buying flats or houses in Cape Town and far preferred the idea of parliament remaining here.

The strong preference for Cape Town among many rank-and-file ANC MPs emerged when the ANC parliamentary caucus resolved that the secret cabinet committee on the sitting of parliament should be disbanded.

The ANC caucus wants a more representative parliamentary committee operating in the open to decide on the issue.

If that initiative succeeds it will strongly tilt the balance in favour of Cape Town as the secret four-man cabinet committee is known to be loaded in favour of Pretoria.

It has no Cape members and includes Minister of Constitutional Development Roelf Meyer, who strongly favours the move to Pretoria. Other members are Minister of Finance Derek Keys, Minister of Transport Mac Maharaj and Minister of Public Works Jeff Radebe.

A special task force headed by Cape Town City Council exec chairman Clive Keegan has launched an intensive investigation into the financial cost to Cape Town if it should lose parliament to Pretoria.

There are fears that such a move could have a devastating long-term effect on the economy of metropolitan Cape Town. While the short-term loss might not be that great, there is concern that the city could lose out on investment and the Olympic Games in 2004 if it loses its present status.

Firemen douse fire in postbox

Weekend Argus Reporter

FIremen were called to put out a fire in a pillar postbox in St George's Mall, outside the Cape Sun Hotel.

Street vendor Andrew Dick, alerted a security guard after seeing smoke filtering from the box yesterday.

The fire brigade put out the fire after a guard was unsuccessful in dousing it.

Post Office spokesman John Sadie asked anyone who had posted mail yesterday to the box, at the corner of Castle Street and St George's Mall, to contact the central post office.

"Urgent inquiries are needed if accounts paid by cheque were mailed in it," he said.

It's believed that somebody had tossed a burning cigarette into the postbox.
9 centres for juveniles planned

Cape Town — The Department of Correctional Services is planning nine provincial juvenile detention centres.

In its annual report, tabled in Parliament yesterday, the department said three such centres were already in operation. Ninety juveniles were being held at the Rustenburg Juvenile Prison and 1 549 at Pollsmoor and Leeukoop juvenile prisons.

Correctional Services Minister Sipho Mzimela hinted last week he might approach the Cabinet today with proposals for the housing of awaiting-trial juveniles.

Following President Mandela's statement that jails should be "emptied" of children, Mzimela said sentenced children would be housed outside prisons.

The department said juveniles were generally kept separately from adult prisoners — Political Correspondent
Board agrees in principle

Privatisation of prisons studied

Cape Town — A prisons advisory board has agreed in principle to the privatisation of jails, Commissioner of Correctional Services General Henk Brunn said in his department’s annual report released yesterday.

The report also noted a dramatic increase in escapes, from 702 in 1992 to 1,711 in 1993.

Brunn said Correctional Services National Advisory Board last year gave the Minister advice on privatising prisons, contracting out certain prison functions and operating community based detention centres.

The board agreed with the principle of privatised or contracted-out detention centres. The matter is being investigated.

Brunn said the increase in escapes was partially due to the fact that more hardened prisoners were being detained, and to an increase in the number of long-term prisoners.

Another reason for escapes was prisoners’ concern for the safety of their families in the strife-torn townships.

Overcrowding

Another reality was poor structural conditions, overcrowding and staff shortages.

He said the HIV infection rate among prisoners was a third of that of the community at large.

He said the restriction of privileges as a disciplinary measure in place of dietary punishment and floggings introduced last year was effective, and good results were being obtained.

The report said more than 114,000 prisoners were occupying cell accommodation for about 80,000 prisoners at the end of 1993.

Prison accommodation capacity had increased by 3.5 percent, while the number of prisoners had gone up by 4.9 percent.

The report said the department was looking at cheaper options than the expensive construction of new prisons.

These included converting other structures, such as unused mining complexes, into prisons.

— Sapa
Illegal aliens are spending upward of three months in a "minute" cell in Kempton Park Police Station, members of the PWV Standing Committee on Public Safety and Security discovered on their visit there last week.

Committee chairman Peter Leon has proposed that Home Affairs Minister Mangosuthu Buthelezi be asked to look into the situation of illegal aliens, especially those in Kempton Park.

During yesterday's meeting of the committee, Leon also questioned whether it was consistent with the "human dignity" provision in the Bill of Rights that prisoners in Tembisa Police Station were compelled to sleep on mats on the floor.

The committee intends visiting another 10 police stations in the region in the next two months.

Committee member Cypa Monareng submitted that station commanders should not get such lengthy warning of visits as to enable them to effect "artificial" improvements to the conditions in which policemen worked and prisoners were held.

Monareng said there were indications at Tembisa that an emergency clean-up and paint job was done while it was certainly not the standing committee's role to act as inspectors of police, it was its job to get a clear picture of the actual policing conditions.

Currently police standing rules require 48 hours' notice of a visit.

The committee also made it clear that the PWV government would be watching the nationally applicable Police Bill with keen eyes and ensuring that interest groups in the province got a chance to make their feelings known.

According to committee deputy chairman Obed Bapela the Bill is to be introduced in the National Assembly late this week. The committee will meet next week to establish mechanisms for public response.

Members of the committee intend to equip themselves to carry out their role in setting policing policy. Wits University is to offer a course for members and alternate members of the committee, placing emphasis on community policing.
More than a quarter of prisoners unsentenced

MORE than a quarter of the people in the country's heavily overcrowded prisons are unsentenced or awaiting-trial prisoners.

This was revealed yesterday when the annual report of the Department of Correctional Services was tabled in Parliament.

It said in 1993 an average of 114,047 people were detained in the country's prisons.

It also said 72,900 of these were long-term and 16,719 short-term prisoners, meaning 24,338 prisoners were unsentenced or awaiting trial.
Prisons board agrees on privatisation plan

A PRISONS advisory board has agreed in principle to privatised jails, Commissioner of Correctional Services Henk Bruyn says in his department's annual report.

He also noted a dramatic increase in escapes, from 702 in 1992 to 1,171 in 1993.

General Bruyn said the correctional services' national advisory board last year advised the minister on privatising prisons, contracting out some prison functions and community-based detention centres.

The board agreed with the "principle of privatised or contracted-out detention centres, but felt the matter should be approached in an "as thoroughly as possible" manner to investigate all possibilities and how they could be implemented." General Bruyn said the increase in escapes was owing partially to the fact that more hardened and dangerous prisoners were being detained, and to an increase in the number of long-term prisoners.

"Another contributory factor is prisoners' concern at the violence in the country, and the safety of their families in the strife-torn townships."
Not all inmates to benefit from sentence remission

BY ESTHER WAUGH

Cape Town — Not all prisoners will benefit from the recently announced six-month remission of sentence.

Correctional Services Minister Sipho Mzimela yesterday also told the National Assembly that those found guilty of having committed crimes during last month's prison riots would be tried and sentenced.

Replying to a question by Democratic Party MP Douglas Gibson, the Minister said those excluded from the six months sentence reduction were those serving sentences as judgment debtors, mentally ill prisoners, and those who had escaped or absconded and were still at large on May 10.

Mzimela said the police and his department were investigating several alleged offences committed during the prison riots.

These alleged offences included hostage-taking, attempted murder, assault, attempted escape and public violence.

He noted that prisoners' behaviour was considered before placing them on parole. "Negative behaviour will therefore result in a prisoner being penalised and not being placed on parole as early as could have been the case if good conduct had prevailed."

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‘Children in jail’ ruling scrapped

The cabinet has accepted Correctional Services Minister Sipho Mazibuko’s recommendation that section 29 of the Correctional Services Act be amended.

The Act allows for awaiting trial juveniles to be detained in prisons. It will now be amended so that unsentenced children will be kept in places of safety provided that such places are available.

In his opening address to parliament last month, President Mandela pledged that prisons would be “emptied” of children.

Mr Mazibuko has subsequently distinguished between sentenced and awaiting trial juveniles.

The Department of Correctional Services has committed itself to establishing nine juvenile prisons in each of the provinces. Three such prisons have already been established — in Rustenburg and at Pollsmoor and Leeuwkop Prisons.

After a visit last week with Welfare Minister Abe Williams to Pollsmoor Prison, Mr Mazibuko said 52 unsentenced children between the ages of 15 and 17 were being kept in the women’s section of the prison.
A confused assassin

BACKGROUND TO THE NEWS

This is how The Argus reported the assassination of Dr Hendrik Verwoerd in a special edition on September 6, 1966.

FLASHBACK: The body of Dr Hendrik Verwoerd is carried on a stretcher down the steps of parliament after he was stabbed.

THE Prime Minister Dr H F Verwoerd died of stab wounds inflicted on him in the House of Parliament this afternoon by a man wearing the uniform of a parliamentary messenger.

The name of his assailant was given as Demetri Tsalendas.

Ministers, other Government members and members of the Opposition rushed to the aid of the Prime Minister after he had been stabbed in his front bench seat.

The Leader of the House of Assembly, Mr B J Schoeman, said that the Prime Minister was certificated dead when he reached the Groote Schuur Hospital.

Mr Schoeman said Parliament would meet at the usual time tomorrow for a motion of condolence in the death of the Prime Minister.

Two members of the South African parliamentary team, who were in the Press Gallery at the time, saw the man walking up to Dr Verwoerd where he had just sat down in his seat.

He suddenly lurched forward, hit him twice, jumped on to Dr Verwoerd's bench and stabbed him with a long dagger.

Dr Verwoerd tried to ward off the blow. The man was seen to strike at Dr Verwoerd's throat and chest more than once.

The Prime Minister was stabbed four times by Mr E L Fischer, MP for Rosettenville, who attended to Dr Verwoerd immediately after the stabbing, said he received four wounds — one through the heart, one in the caudal vertebra in the left neck, one in the region of the right lung and one on the left lung.

Mr Jamie Hall, MP for Rosettenville, said he saw the man walk quickly into the Chamber from the direction of the lobby.

As he walked he thrust his hand under his jacket. Mr Hall said he observed a companion that the man was behaving strangely but, they concluded that he was fidgeting up his trousers.

Mr Cas Greyling, Nationalist MP for Carlswald, was one of the first to reach Dr Verwoerd's assistant and pull him off the Prime Minister, and he became suspicious of the man when he saw him walking into the debating chamber towards Dr Verwoerd.

Mr Greyling dashing from his seat in the gallery, which was some 30 metres away and he saw the man raise his hand and plunge the knife downwards into the breast of the Prime Minister.

It took everybody at the House a few seconds to realise what was going on. Several Ministers and members from both sides of the House then jumped up and pulled the man off Dr Verwoerd.

He put up a violent struggle and it seemed as if he was trying to stab the floor. He was stabbed in both arms and a cloth and a cushion and put it under his head.

Dr C V van der Merwe (Nat Fauvreau), Dr Verwoerd's private secretary, was stabbed in his wrist. He was stabilised by Dr E L Fisher (GP Rosettenville), Dr A Goodwin (GP Durban Central) and Dr G de V Morrison (Nat Cronje).

Dr Verwoerd had an ash-coloured shirt and a bandage around his head. At one stage the Minister of Foreign Affairs Dr H Muller brought a cushion and put it under his head.

Not only members but also other parliamentary officials, Dr Verwoerd's personal bodyguard, the Commissioner of Police (Lt Gen JM Reevy) and other people were at this stage on the floor of the House round the Prime Minister.

The Prime Minister was carried from the Chamber on a stretcher about 2.30pm and taken to hospital by ambulance.

Dr Verwoerd had walked into the Chamber from the direction of the lobby. He was smiling and chatting to MPs on the floor of the House as he turned to sit down in his front bench to the right of the Speaker, but the time was almost exactly 2.15pm by the clock for the chamber clock.

As he walked, an MP from the left side of the chamber was run across the floor and stabbed him high up on the left side of his chest.

Dr Verwoerd was due to celebrate his 60th birthday on Thursday.

He was born in Pretoria in 1901.
Kriegler to probe prison unrest

Political Staff

IEC chairman Mr. Justus Johannes Kriegler is set to head a probe into the recent prison unrest which left 30 prisoners dead, government sources confirmed last night.

The riots, before and after the April 27 election, led to a victory for prisoners gaining a six-month remission of sentence. The prisoners had demanded release in anticipation of the ANC's victory.

Judge Kriegler's appointment still has to be ratified by President Nelson Mandela, the sources said.

Durban-based advocate Mr. Pius Langa, president of the National Association of Democratic Lawyers, and Durban attorney Mr. Bennie Pillay, will also serve on the special commission which will review the entire penal code.

Their brief will be to reduce South Africa's massive prison population of 114,600 — of which nearly 17,000 are children — and restructure the prison system.

The commission will also probe the causes of the prison violence and recommend ways to reduce the number of prisoners in jail for petty offences.
Kriegler to head prisons probe

CAPE TOWN — IEC chairman Judge Johan Kriegler is set to head a probe into the recent prisons unrest which left 39 prisoners dead, government sources confirmed last night.

Kriegler’s appointment had still to be ratified by President Nelson Mandela, the sources said.

The commission’s brief will be to reduce SA’s prison population of 114 000, restructure the prison system, look into the causes of the prison violence, and draw up recommendations on reducing the number of prisoners in jail for petty offences.

The setting up of the commission has received the Justice Department’s nod.

JOHANNESBURG reports that the SA Prisons’ Organisation for Human Rights said yesterday it was due to meet Mandela tomorrow to discuss amnesty for common-law prisoners.

The organisation’s head Golden Miles Bhudu said the meeting preceded plans for public demonstrations to call for amnesty for common-law prisoners.

Bhudu said high on the agenda would be a request to facilitate the establishment of an amnesty resolution committee to advise Mandela on amnesty releases.

Bhudu yesterday alleged that amnesty and indemnity had been given to the very worst criminals in SA.

Over 100 amnesties and indemnities were given to a group Deputy President FW de Klerk had identified as political prisoners.

“Many categories of inmates are more deserving of releases/amnesties or sentence reductions than many of the 100 or so already released political prisoners,” he said.

Meanwhile, Lawyers for Human Rights director and Amnesty Council chairman Brian Currin said 61 political prisoners had been released and not 100.

He added his council had about 300 applications awaiting processing.
Top post for prisons' Gén Bruyn

The commissioner of prisons, General Henk Bruyn, has been appointed commissioner of the re-organised Department of Correctional Services, the Minister of Correctional Services, Mrs Sipho Mzikela, announced yesterday.

General Bruyn, 45, was a warder on Robben Island in 1971, where many current cabinet ministers and MPs served prison sentences.

He joined the prison service in 1969, after matriculating from Paarl Boys High School the previous year, and was promoted to Lieutenant-General in 1982 before being made a full general as well as commissioner earlier this year.

Mr Mzikela said the appointment would be effective from today. He will be the commissioner for five years.
Dispute over prison death

JOHANNES NISCOBO

A Row is looming between the Correctional Services Department and the SA Prisoners Organisation for Human Rights (SAPOHR) over the death last week of a prisoner allegedly assaulted by prison warders at Leeuwkop Prison in Sandton.

Correctional Services' spokesman Capt Koos Gerber confirmed yesterday that Wright Mpetsheni had been assaulted when warders used force to restore order in the prison in March, after prisoners demonstrated for the right to vote.

"In the process Mpetsheni sustained minor injuries to an elbow, a foot and lost a tooth," he said.

Gerber said it was believed Mpetsheni had died of tuberculosis.
Popcru talks on dismissals

PRETORIA — Talks on the dismissal of members of the Police and Prisons, Civil Rights Union, since 1990 were held here yesterday between union officials and Minister of Correctional Services Dr Sipho Mzimela.

The Department of Correctional Services said Dr Mzimela had agreed to look into the matter and had invited Popcru to submit their views.

Talks were also held on restructuring the department, training, prison programmes and the employment of assistant warders.

— Sapa
Report lists SA deaths, torture

JOHANNESBURG — Widespread human rights violations, including the death of at least 39 detainees in police custody in suspicious circumstances and torture and ill-treatment of detainees and prisoners, occurred in South Africa last year, according to Amnesty International.

AI also singled out political organisations, including the African National Congress, for human rights abuses and said more than 1,300 people were killed in political violence in 1993.

The organisation said in its annual report that few of those responsible for human rights violations were brought to justice.

AI claimed security force members continued with extrajudicial executions and other human rights violations, “despite attempts to make police more accountable to local communities”.

AI said police were implicated in assassinations and deaths in custody which appeared deliberate.

Referring to the findings of the Motsamayane Commission into human rights abuses by ANC officials in exile, AI said while the leadership had assumed collective responsibility for the violations, it had declined to discipline the perpetrators. — Sapa.
ABOUT 2000 children, women with minor children and disabled people in prison for minor offences are to be released.

These are in addition to the 13 000 people already given a six-month special remission of sentence last month.

This special remission, announced by Correctional Services Minister Sisipho Mzimela, will apply to people in these categories who were in prison on May 10.

And the Judge President of the Cape, Mr Justice G Friedman, has called for special prisons to be opened for people under 18.

The 2000 now due for release do not include people convicted of committing or attempting to commit murder, culpable homicide, robbery with aggravating circumstances, assault with intent to do grievous bodily harm, child abuse rape, any other crimes of a sexual nature and dealing in drugs.

Dr Mzimela said President Mandela had approved the measure which should be seen “as a further demonstration of the government of national unity's sincerity and commitment towards all the people of our country.”

He said the Department of Correctional Services would urgently identify all prisoners in these special categories.

An interdepartmental committee, including the departments of health and welfare and non-governmental organisations such as Necho, would study each case to make sure that

- Prisoners fell within the ambit of the special remission.
- Children or disabled prisoners would be placed in the care of a parent, relative, guardian or suitable institution.
- Mothers qualifying for remission were the legal parents of children under 12.

In an interview Judge Friedman said special prisons should be built for children under 18.

Last month’s Supreme Court conviction of four youths for murdering a 15-year-old at Robertson jail “out of frustration and boredom” has highlighted conditions in which young offenders are kept.

Trial judge Mr Justice van Deventer said the case reminded him of the William Golding novel *Lord of the Flies*, in which “youths turned into animals.”

Judge Friedman said today that maximum security institutions with specially trained staff should be opened to keep under-age awaiting trial gainfully occupied.

They should have specially trained staff able to accommodate and respond to the needs of the young detainees.

Existing places of safety did not measure up to these requirements. They were not sufficiently secure, nor was the boredom element adequately dealt with.

The problem of how to cope with juveniles convicted of serious crimes was even more acute, he said.

Escapes from reformatories were “legendary” and prisons, where children came into contact with hardened criminals, were not the answer. The solution was to establish juvenile prisons like those in Britain.
SA jails to free 300 children

By CHRIS BATEMAN
Political Staff

ABOUT 300 child convicts “at the most” will be unconditionally freed in terms of yesterday’s remission of sentence for “lesser offenders”, which includes mothers of children under 12 and disabled people, it emerged yesterday.

The government gesture benefits all qualifying prisoners serving sentences as at May 10 — President Nelson Mandela’s inauguration day.

The releases will exclude people convicted of murder, culpable homicide, robbery with aggravating circumstances, assault, child abuse, rape, sexual crimes and dagga dealing or growing.

Some 2,300 women, 881 children under 18 and 60 disabled people are currently serving prison sentences — but only a small number of them will be affected by the announcement.

Those who qualify will be identified by a committee which includes non-governmental bodies such as the National Institute for Crime Prevention and Rehabilitation of Offenders.

Minister of Correctional Services Dr Sipho Mzimela said he expected the first releases to begin within two weeks.

Other qualifying criteria are that children under 18 or disabled people can be placed in the care of a parent, relative, selected family, guardian or suitable institution; and that the mother is the legal parent of a child under 12.

Dr Mzimela reiterated that section 39 of the Correctional Services Act was to be amended to forbid the admission of unsentenced children to prisons.

Well-placed sources within the department said that “at most” 300 children would be released — the largest percentage of the three categories.

● Manual labour should be reinstated in prison and convicts should be told that a prison term was not a holiday. Free State Minister for Safety and Security Mr Papi Kgana said yesterday.

Addressing about 20 farmers at Ladybrand, Mr Kgana said those killing innocent people were nothing but murderers.

— Sapa
Pretoria — Justice Minister Mr Dullah Omar met the AWB and the SA Prisoners' Organisation for Human Rights separately yesterday to discuss amnesty for convicts.

The AWB, who met Mr Omar to discuss amnesty for right-wingers jailed for political crimes after the December 5 cut-off date, should qualify for amnesty.

The SapoHR delegation left their meeting with Mr Omar on a less positive note, saying the talks had been disappointing in that they had failed to address prisoners' grievances.

The one positive aspect, SapoHR spokesman Mr Marcus Cox said, was that the minister had supported the idea of setting up a committee on amnesty. But Mr Omar had insisted that the matter fell within the jurisdiction of the Correctional Services Ministry.
Prison death truss on way out

Use of straitjackets may be banned in South African prisons

ADELLE HORLER
Weekend Argus Reporter

PRESSURE is growing on the Department of Correctional Services to stop using straitjackets following a call for a complete ban by African National Congress MP Carl Niehaus.

And the South African nursing association has added to the debate by slamming the use of straitjackets to restrain prisoners as "outmoded and, as a rule, totally unacceptable."

A Correctional Services spokesman said the department was waiting for a decision on the issue.

"It was discussed with the Commissioner of Correctional Services this month and Mr Niehaus, who was present, can confirm that he is considering options for a suitable replacement," said spokesman Barry Eksteen.

He explained that since prisons did not have residential doctors to prescribe sedatives for unruly prisoners, some form of restraint while waiting for a doctor to arrive was needed—hence the use of straitjackets.

Although they are still in use, Correctional Services has worked on its policy on the jackets since a Pollsmoor prisoner died after being trussed up for about 23 hours in 1999.

As of August 1999 the policy is "if a prisoner goes berserk at a small prison, endangering his own life, that of others or property, the head of the prison must seek the advice of the doctor."

"The doctor may then order that the prisoner be placed in a straitjacket only until he arrives and decide what to do next. If the doctor doesn't prescribe it, the jacket cannot be used," said Eksteen.

Since then a straitjacket has been used only once, for 60 minutes at Groenpoort Prison near Vosloorus in the Transvaal.

"Taking into account that we have more than 100,000 prisoners a day in our 209 prisons, with a turnover of more than 400,000 a year, you can see that the use of straitjackets has nearly reached zero point," he said.

But this change wasn't made in time to save the life of Carol "Debbie" Meyers, who died while serving a two-year sentence at Pollsmoor for criminal injury, robbery and resisting arrest.

Meyers spent about 23 hours strapped into a bag-like jacket which had been padded with blankets as it was too big for her, after prison staff overheard her discussing suicide.

After being released she was vomiting blood and passing black stools. Her temperature was two degrees below the lower limit of a clinical thermometer, her pulse 140, blood pressure unrecordable and blood sugar zero.

According to an inquest in 1999, she died of organ failure and extensive bleeding, from crushing injuries caused by the too-tight jacket, after prison staff had ignored her cries of pain.

The inquest found the district surgeon had been "grossly negligent" for having certified Meyers fit for a straitjacket, and accused prison staff of "irresponsible and inhumane" conduct.

But by then, Correctional Services had already promoted the same staff members—Susanna Muller, head of the women's section at Pollsmoor, and Ingrid Oerst, a prison nurse—"in terms of merit and efficiency principles."

After a disciplinary hearing earlier this month the Nursing Council ruled that Oerst be struck off the nurses register, although the sentence was suspended for five years.

But an internal disciplinary hearing by the Department of Correctional Services found Muller not guilty and she is still at Pollsmoor, lodging prisoners as a qualified medical officer.

The same disciplinary hearing found Susanna Muller guilty—but she has been transferred to Pretoria where she works in an administrative capacity.
Life on ‘The Island’ had other, more positive side, says ‘veteran’ Maharaj

ON the face of it, Mac Maharaj has plenty to be bitter about when it comes to talking about his 13 years on Robben Island. But the many others lived out there, the ultimate meaning of being apart of being subjected to apartheid.

But they had expected that it was the price they were prepared to pay, to be true to their beliefs.

The bitterness stemmed from the gratuitous acts of meanness by petty officials, or the meanness of the system itself.

Speaking at the premiere of "Voices From The Island" — shown as part of the Mayhew Centre’s "celebration of democracy" festival — Mr Maharaj described a particular heart-rending encounter of being told by a prison officer that a request from his wife for a special visit to discuss "a very personal problem" had been rejected.

"It was the one time in prison that I was on the verge of weeping because I almost knelt to beg him.

And, I’m not sure if I was right not to have begged him.

But, his audience was left wondering how it was that he was allowed to know about the plight of his children.

The film, he said, had captured the "unjustified truth" of Robben Island.

"But, for me, the film is filled with sadness, and life on the island was not just one of sadness. It was a great moment, a step on the learning curve, filled with humour — although, maybe, a bit of sarcasm — and not sadness. There is a human story there.

Even the herons with which the island was besieged had been manhandled oftentimes.

Mr Maharaj said, "The truth, however, is that the film is filled with sadness, and life on the island was not just one of sadness. It was a great moment, a step on the learning curve, filled with humour — although, maybe, a bit of sarcasm — and not sadness. There is a human story there.

The people most bitter about Robben Island, it seems, are those who were never imprisoned there. Political Correspondent MICHAEL MORRIS considers the reaction of long-time Robben Island prisoner and cabinet minister Mac Maharaj to the harrowing BBC film on the island’s grim 400-year history, 'Voices From The Island'.

There was punishment among the journalists precisely because the African National Congress leader was a hero, so cheerful about his 27 years of incarceration.

On the other hand, he had appeared to take such care not to allow the moments of injustice and bitterness to slip or inhibit the broader themes of comradeship, hope, tolerance, fortitude and conviviality.

Voice From The Island, he said, would recount South Africa’s history and people throughout the world.

He added, "I hope the story of Robben Island will not be the sad story which comes out of this film, but a story of humanity, laughter, of songs, even songs of joy, of pride in being alive, and pride in knowing that whatever we did had the support of the entire world."

"Voices that will echo long"

□ "SA wouldn’t touch film"

MICHAEL MORRIS

Political Correspondent

SOUTH African television producers and film financiers are still rooted in the apartheid past, bucking ventures that project apartheid themes, claims top documentary film producer Jürgen Schadeberg.

They are not interested in any socially or politically relevant themes, he said.

Mr Schadeberg co-produced the documentary on Robben Island’s 400-year history, Voices From The Island, with the BBC.

The film was shown for the first time last week at the University of the Western Cape’s Mayhew Centre as part of its "celebration of democracy" festival.

Born in South Africa for the first time in the 1920s and worked as a staff photographer for Drum magazine.

After working extensively abroad during the 1980s and 1990s, he returned to South Africa to make documentaries.

He said he had tried unsuccessfully for three years to get South Africans backing to make the film on Robben Island.

"South African television stations and film financiers are not interested in any socially or politically relevant themes.

"When I mooted this project to them three years ago, their response was ‘Why stir up the pot when there are plenty of other problems that we haven’t got to?’"

Eventually, he persuaded the BBC to co-fund the film.

He said the "indifference" encountered in South Africa showed that "the old apartheid attitudes are still in place in the media and film business and television."

"They still block and censor film projects that are deemed to be too sensitive or socially unacceptable and the propagation of film-makers who were a force for apartheid, are still making programmes on a regular basis for SATV.

"The difference is now they appear to have changed, dragging themselves, but, deep down, they are still preserving the old apartheid themes."

Fran May, assistant general manager of Rosebud, which co-sponsors the film — said that through its involvement in the film, the company had sought to improve the message that the past should be forgotten, but never forgotten.

"If we forget, it can happen again," she said.
Popcru threatens to strike over demands

JOHANNESBURG — The Police and Prisons Civil Rights Union said yesterday its members might strike unless its demands received prompt attention.

The union's Wits region said its patience with government inaction was stretched to the limit.

"The 100 days' honeymoon is over and we demand results." Popcru said its members were demanding a strike or protest march on August 15.

The branch said it would seek support for its demands "from all workers' unions in our country.
It said the government had been told of these demands, but all the union had received was promises.

"Nobody is prepared to listen to us. The government of the day is unwilling to address the imbalances created by apartheid."

Grievance procedures provided in the existing Police Act were ineffective and had "failed to bring about a happy and committed policeman." — Sapa
Court defence for Afrikaans

PRETORIA — The Freedom Front would take the SABC to court if that proved to be the only way to protect Afrikaans, the party said yesterday.

Spokesman Pieter Mulder said he had obtained legal advice and it was clear the SABC would be contravening Clause 3 of the Constitution if it went ahead with scrapping Afrikaans on TV.

"Clause 3 explicitly states that language rights may not be curtailed."

Mulder said the SABC was a public institution which meant it had to abide by the stipulation.

In Cape Town, Archbishop Desmond Tutu on Monday spoke out against the proposal to drop Afrikaans but appealed to Afrikaners not to be "tyrannical" about their language.

'Impatient' Popcru threatens August strike

The Police and Prisons Civil Rights Union (Popcru) yesterday said its members might strike unless its demands received prompt government attention.

The union's Witwatersrand region said that its patience with government inaction was stretched to the limit.

"The 100-day honeymoon is over, and we demand results," Popcru said.

Popcru said its members were demanding a strike or protest march to be held on August 15.

The branch said it would seek support for its demands "from all workers' unions in our country."

It said its demands had been brought to the attention of the previous government, the Transitional Executive Council and the ruling political parties.

It had communicated with the new government, but had received only promises.

"Nobody is prepared to listen to us," Popcru said.

"The government of the day is unwilling to address the imbalances created by apartheid."

Grievance procedures provided in the existing Police Act were ineffective and had "failed to bring about a happy and committed policeman."

— Sapa
ANC prisoners ‘impatient’

TENSION between the ANC-led government of national unity and ANC political prisoners who were left behind bars during 1992 was brewing, Lawyers for Human Rights (LHR) said yesterday.

LHR said more than 40 prisoners currently held at Leeuwkop Prison had threatened to embark on a hunger strike if they were not released starting from next week.

This followed an agreement signed between the NP government and the ANC in 1992 over the release of political prisoners.

As a result of the agreement, more than 150 people were released from prisons, including political and common law prisoners.

Cosatu spokesman Neil Coleman said the labour movement was calling on Justice Minister Dullah Omar to release the remaining political prisoners.

Coleman said it was unacceptable to Cosatu that there were still political prisoners behind bars who had committed acts that contributed to the installation of the new government of national unity.

This was echoed by PWV MP Lindi Zulu, who said it was unacceptable that ANC members who were arrested for furthering the aims and objectives of the movement during the apartheid era should continue to languish in jail.

She said the organisation had also called on the Justice Department and other bodies to deal with indemnity to speed up the process so that political prisoners could be out before the year’s end.

There were about 100 prisoners whose indemnity applications had not been accepted.

LHR said it had counted about 80 political prisoners jailed since the agreement. Among them were people who were arrested for possession of illegal weapons, for killing security force members in the 1980s, and those who had been involved in factional fighting.

LHR said the prisoners felt the ANC-led government had neglected them. It said some among the 800 prisoners were members of ANC-aligned self-defence units who were arrested for their role in defending their communities prior to the unbanning of the ANC and other liberation movements in 1990.

LHR said its director, Brian Currim, had been seconded to chair a government advisory committee set up to look at indemnity applications.
Prisoners threaten 'a violent revolt'

Prisoners' attitudes towards resolving problems were gradually changing from peaceful to violent, Butha said. He did not know what other peaceful means prisoners could explore to secure their release - as promised by President Nelson Mandela at his inauguration on May 10, 1994.

Correctional Services spokesman P Potgieter denied prison management had been asked to pass on the memorandum. Potgieter said Van Niekerk had told Butha that the prisoners' petition would have to be checked by prison management before being given to outsiders.

PWV setting up gender commission

A PWV legislation, Women's Coalition gender commission would be set up before government's first 100 days in office were up, PWV Premier Tokyo Sexwale said yesterday.

Speaking at a news conference where the PWV Women's Coalition handed over its charter, Sexwale said women were invited to form a commission with the legislature in an effort to get issues affecting women into the constitution.

This was in line with President Nelson Mandela's opening address in Parliament, where he pledged to give a report-back on reforms within 100 days of taking office, Sexwale said.

References to issues directly affecting women, such as rape and wife battering, were omitted from the interim constitution or were not clear.

Sexwale said that since government came to power, SA had become one of the top 10 countries in the world in terms of female representation in Parliament. It had previously been rated 141st.

He added that government had a duty to ensure that women were satisfied with the constitution.

PWV Women's Coalition representative Dorothy Motubatse said the charter echoed the aspirations of women nationally.

Acting chairman Kay Gounden said the Women's Coalition supported the legalisation of prostitution and abortion.

SAPA reports from Cape Town that a motion proposed by Adelaide Tambo (ANC), declaring August 9 National Women's Day, was approved unanimously by the National Assembly yesterday.
THE Police and Prisons Civil Rights Union (Popcru) has cancelled its planned march on parliament today.

The march had been arranged to highlight the rash of police killings and to call for restructuring of the services.

Popcru organiser Heston Lottering said the decision to cancel was taken at an executive meeting last night but he declined to divulge the reasons.

It is believed Popcru cancelled the march because rival South African Police Union (Sapu) members were planning to join it and call for the resignation of Safety and Security Minister Sydney Mufamadi.

Mr Lottering said today Popcru distanced itself from any calls for Mr Mufamadi's resignation.

"Our problem is with police management, not the minister," he said.
Police chief hits out at soft bail system

JOHAN SCHRONEN
Crime Reporter  MAR 18 84

THE Western Cape's top policeman, Nick Acker, has lashed out at "unacceptable liberal conditions of bail" and called for a rethink by the government whose "first duty" is to maintain law and order.

And senior Cape Town detective Des Segal, head of the murder and robbery unit, has criticised a "lamentable and sympathetic" justice system which, he claims, encourages the killing of policemen.

General Acker, who is regional police commissioner, said: "The balance of the justice system has been tilted too far in favour of the criminal."

"I have personally tried to address the bail situation from all angles in the past."

General Acker suggested that the 48-hour holding period be re-introduced to give detectives time for their initial investigations.

"The present system forces the police to charge a suspect immediately after his arrest. Previously we could complete an initial investigation during the first 48 hours of custody to decide whether to charge the man or free him.

"But now a possibly innocent person must be charged so that he can apply for bail."

"On the other hand records show that suspects often break their bail conditions and commit more offences."

Colonel Segal called for the reintroduction of the death sentence and said taxpayers' money was being wasted as police tracked down hardened criminals who were given "red carpet" treatment the moment they were arrested.

"I strongly believe in human rights and I agree that a person is innocent until proven guilty; but at the moment months of intensive investigation go down the drain when a very effective bail production line easily puts a suspect back on the streets before we can question him properly," Colonel Segal said.

"A hardened killer and rapist gets placed like a king on a throne by some lawyers who spend their time doing lucrative bail applications."

"I recently heard that a gang of armed robbers who are on the run and still pulling off robberies had deposited about R500 000 in the account of a Johannesburg firm of lawyers in case they were arrested."

"Law-abiding people expected protection from dangerous elements who instead enjoy "royal freedom" after shocking crimes," said Colonel Segal.
732 children now held in SA prisons

By BARRY STREEK
Political Staff
NATIONALLY: 732 children under 18 are being held as awaiting-trial prisoners, Correctional Services Minister Dr Sipho Mzimela said yesterday.

Only five were girls, he said in reply to a question tabled by Ms Priscilla Jana (ANC).

After President Nelson Mandela called for an end to the practice earlier this year, Dr Mzimela ordered an urgent investigation.

However, the department has run into trouble, particularly in rural areas, which lack alternative facilities.

It was the responsibility of magistrates not to issue certificates to keep children in prison, Dr Mzimela said.

He said that on July 22 one boy was being held in the Northern Cape, 23 in the Northern Transvaal, 315 in KwaZulu/Natal (including two between seven and 11 years, six aged 12 and 12 aged 13), 30 in North-West, one in Eastern Transvaal, 93 in the Eastern Cape, 17 in the Free State, 180 in PWV, and 67 in the Western Cape.

Three girls were being held in KwaZulu/Natal, one in the Northern Transvaal and one in PWV.

Dr Mzimela said one boy under 11 in KwaZulu/Natal was being held for theft and the other for “other economic crimes”, six 12-year-olds for theft, one 13-year-old for robbery, three for burglary, six for theft and two for other economic crimes.

In the Western Cape three 14-year-old boys were being held — one for theft and two for other economic crimes — as were 11 15-year-olds, 17 16-year-olds and 36 17-year-olds.
Shock at report on cell deaths

The deaths of detainees in police custody between January and December last year were reduced in a police report to mere statistics - 276.

But parliamentarians in Cape Town were shocked to read in the 143-page report by Police Commissioner Johan van der Merwe that that number of detainees had died in police custody, and wondered how many of these were tortured or strangled to death by their captors.

The annual report, tabled in parliament on Wednesday, said only nine detainees died "as a result of alleged assault by members of the SAP" (excluding lawful application of force to effect an arrest or to prevent an escape).

Seven policemen were suspended because of these deaths and 19 were charged, but none so far have been convicted for the deaths.

The report read as follows:
- Number of fellow detainees charged with the death of a detainee: 20
- Number of fellow detainees convicted: one
- Number of fellow detainees acquitted: 0
- Number of cases against fellow detainees still under investigation: nine
- Number of members of the public charged with the death of detainees (awaiting trial): 12
- Number of cases against members of the public still under investigation: 21
- Number of inquests finalised regarding suicide: seven
- Number of inquests still under investigation regarding suicide: 30
- Number of inquests finalised regarding detainees who died as a result of natural causes: 17
- Number of inquests still under investigation regarding detainees who died as a result of natural causes: 14

Deaths of suspects being held in police custody came under the public scrutiny after the late Dr. Jonathan Gluckman, a 78-year-old independent pathologist, revealed that 90 percent of the 200 detainees whose bodies he had examined died of torture or strangulation by the police.

His utterances provoked a public outcry and the government was forced to review the circumstances which surrounded the deaths in police custody.

Following his statement, Gluckman received a string of death threats from anonymous people.
PWV plan to ease teacher shortage

MORE than 1 200 new teachers were needed in the PWV at the start of next year if educational needs were to be met, PWV education minister Mary Metcalfe said yesterday.

Some schools had classes of up to 200 pupils. A government-built school at Orange Farm squatter camp had no teachers at all. Many other schools depended on volunteer teachers who were not paid for their time.

While many township schools were desperately short of teachers, there were also scores of unemployed teachers throughout the PWV and more teaching posts had to be created immediately, Metcalfe said.

The major task facing her department was lobbying central government for additional funding to create extra posts. However, the problem was not confined to the PWV. All areas reported that they did not have enough teachers to carry out the reconstruction and development programme, Metcalfe said.

In an attempt to assist the many people who had managed to reach matric but had not passed — their numbers were estimated at 500 000 in the PWV — the education department had embarked on a "second chance programme".

The plan would give those who had failed matric in recent years another chance to qualify through correspondence courses. People would also be able to upgrade their matric qualifications through the programme.

This would also mean that the considerable state resources used to get pupils as far as matric would not be wasted. Metcalfe appealed to business and churches to take the lead in the campaign to get education back on track, as economic development could not be achieved unless quality education was provided.

She said vast amounts of government education spending had been wasted in the past. Not only had irrelevant, inaccurate and ideologically biased curricula been taught, but a false division in education and training had been created, leaving pupils with limited options when they left school.

Creating a single education system would not be done by simply amalgamating existing structures, she said.

A totally new structure had to be created with a new management style and which was accountable and responsive to the needs of the community.

Meanwhile, national Education Minister Sibusiso Bengu said the Council of Education Ministers had earlier this week appointed a task group to help guide the delegation of powers to provincial education ministers.

Provincial education ministers have complained that they are unable to effect changes because their legal authority is limited.

Bengu said the team would advise him as soon as possible on powers that should be delegated to the provinces in the interim phase leading to the formal assignment of powers.

Formal assignment would be carried out once the necessary legislative and administrative processes had run their course.

Mandela calls for more jails

CAPE TOWN — It was imperative to build more prisons in SA to relieve overcrowding, President Nelson Mandela said after a tour of Pollsmoor Prison yesterday.

At a news conference after his visit, Mandela said Pollsmoor, which had a capacity of 4 000, now accommodated more than 6 000 prisoners. Cells designed to hold a single inmate now held three.

Pollsmoor was the only prison in the region and had to serve 23 courts, he said.

"It looks ironic that a government which is committed to bettering the lives of our people should think of building more prisons," Mandela said. "But we have to take steps to relieve the present situation. Therefore it is imperative that we find more room for the prisoners.

He said government would embark on a "crash programme" to ease prison overcrowding while at the same time plans were afoot to reduce SA's crime rate, which was the second highest in the world.

"It is so high and the criminal is blamed so well, they are no longer afraid of the police. It is reaching a stage where they are running amok, and criminals have taken over the task of regulating how the community should behave," he said. Unless the crime rate was lowered, it would be difficult to accommodate all the prisoners.

Sapa reports that Mandela, who was an inmate at Pollsmoor from 1932 to 1962, was accompanied by Correctional Services Minister Sipho Maselela, Health Minister Nkosazana Zuma and Commissioner of Prisons Henk Bruynin.
Bill aims to get pre-trial children out of jail

LEGISLATION to empty jails of children awaiting trial was tabled in parliament today.

The Correctional Services Amendment Bill forbids the detention in prison of an unconvicted child, unless as an emergency measure limited to 48 hours and ordered by a court.

Current legislation allows an unconvicted child to be held in prison if no suitable place of safety is available.

President Mandela told parliament in May that he had told the department of correctional services to empty prisons of children.

A memorandum on the Bill said it was necessary to provide for the detention in prison of an unconvicted child accused of a schedule one offence, such as murder or rape.
Govt may build more prisons

THE GOVERNMENT would embark on a crash programme to relieve the crush in South African prisons, President Nelson Mandela said yesterday.

This could involve building more prisons, in spite of the recognised need for more schools and clinics, he said. However, providing more prison space would be a "stop-gap measure."

Addressing a media conference after visiting the maximum security section at Pollsmoor Prison near Cape Town, Mandela said prison overcrowding was "beyond words."

"It is absolutely imperative for us to find more room for the prisoners," he said.

And he warned that South Africa's rising crime rate — the second highest in the world — was "so unacceptably high" that it threatened the Government's social upliftment programmes.

Criminals had lost their fear of the police and were running entire areas on the Witwatersrand and the Western Cape. While the Government had a long-term plan to bring down crime, Mandela said he had seen for himself the overcrowding at Pollsmoor which served 23 courts.

"The dire need is to have more prisons. It sounds ironic that at the present moment when we have a government that believes it is a democracy that has come to change the mind set of the community, that we should think in terms of building more prisons," he said. — Sapa
Mandela acts on crowding in prisons

JOE ARANES
Staff Reporter

A CRASH programme to relieve overcrowding in South Africa's prisons is to be discussed by President Nelson Mandela with the cabinet.

President Mandela, who visited Pollsmoor prison yesterday for the first time since he was transferred as an inmate to Paarl in 1988, said the jail, like others across the country, was "overcrowded beyond words."

"I will approach fellow members of the government to evaluate programmes to relieve the problem, even if it means we must build more prisons."

"This prison can accommodate 4,000 prisoners, but more than 6,000 are locked up here and three prisoners share a cell meant for one."

He said Pollsmoor served the 23 courts in the Cape Town area and absorbed 1,500 new prisoners daily.

"It may seem ironic that a government that believes in democracy and is trying to change the mindset of people should think in terms of building more prisons instead of schools and entertainment centres, but we have to do something to alleviate the overcrowding."

"The problem is being made worst by our soaring crime rate."

"We have the second highest crime rate in the world and it is so high that criminals are no longer afraid of the police."

"They (the criminals) have taken over the task of regulating how our communities should behave and unless we bring down the levels of crime it is going to be more difficult to accommodate criminals."
Packed prisons —
government to act

By MELANIE GOSLING

The government is to embark on a
"crash programme" to relieve the
overcrowding of prisons, President
Nelson Mandela said after a tour of
Pollsmoor Prison yesterday.

He also said plans were underway to
reduce the crime rate in the country.

It was imperative to find more room
for prisoners in South Africa where
overcrowding of prisons was "beyond
words", he said.

Pollsmoor, which has a capacity of
4,000, currently accommodated more
than 5,000 prisoners, and single cells
housed three prisoners, he said.

Mr Mandela said Pollsmoor was the
only prison in the region and had to

serve 23 courts. About 1,500 prisoners
came to the prison daily and close to
2,000 daily near Christmas, he said.

"It looks ironic that a government
which is committed to bettering the
lives of our people should think of
building more prisons. But we have to
take steps to relieve the present situa-
tion. Therefore it is imperative that
we find more room for the prisoners," he
said.

He said the level of crime in South
Africa was the second highest in the
world.

"It is reaching a stage where crim-
inals have taken over the task of regu-
lating how the community should be-
have," he said.
Prison for awaiting-trial children to be outlawed

CAPE TOWN — The detention of awaiting-trial children in prison is to be outlawed unless there is no alternative and even then they cannot be held in prison for longer than 48 hours.

The detention of any awaiting-trial youth under 18 will also have to be specifically ordered by the courts.

The new provisions follow a statement on May 24 by President Nelson Mandela when he opened Parliament that the detention of children in prison was unacceptable.

Correctional Services Minister Sapo Mzimela said earlier this year that on May 26 this year about 850 unsentenced children under 18 were in prison. Last week, he said, there were still 732 children under 18 being held as awaiting trial prisoners.

Mzimela said he had ordered an urgent investigation into the situation, emphasizing the need for alternative detention facilities.

The Correctional Services Amendment Bill, tabled in Parliament yesterday, forbids the detention of any unconvicted children in prison.

However, it provides for the detention of an unconvicted child where his or her admission to a place of safety cannot immediately take place.

In this case, this detention would be only an emergency measure for not longer than 48 hours and would be allowed only if a court ordered this.

The amendment to section 29 of the existing law will be proclaimed on different dates in different areas where places of safety become available.

For the detention of children.

This provision could mean that it will take some time before detention of awaiting-trial children is finally scrapped because places of safety will have to be built in rural areas.

JOHANNESBURG: The SA Prisoners' Organization for Human Rights said yesterday building more prisons would exacerbate levels of overcrowding.

The organization was reacting to a call by Mandela for more prisons to be built.

It said it would appeal to Mandela to reconsider his position on new prisons.

"Building more prisons and making harsher laws are the solutions taken by the short-sighted and ill-informed and we would beg the President to consider the implications," said organization spokesman Golden Miles Bhudu.

Increasing the number of prisons was not the answer to crime and unemployment and overcrowded prisons.

Correctional Services spokesman Lt. Rudi Potgieter said prisons were overcrowded by about 14,000 people.

He said the Western Cape had accommodation for 14,748 prisoners, but held 20,645, while the Eastern Cape held 10,613, though the approved number was 10,450.

Potgieter added that Free State prisons were supposed to accommodate 11,273 but held 11,790 and the central Transvaal, while accommodating 19,450, should take 16,580.

This followed a remark made by Mandela at Pollsmoor prison on Tuesday that prisons were overcrowded.

Unisa shuts offices after riot by protesting students

UNISA has closed its university's Johannesburg and Pretoria offices following clashes yesterday between staff members and demonstrating students' representative council members in Pretoria.

Unisa's management committee said the behaviour of students over the past few days "in respect of littering buildings, vandalism, misusing behaviour and disruption of the institution's activities was unacceptable and not fitting the dignity and image of Unisa students in general".

The committee said the closure of the libraries in Pretoria and Johannesburg study centres, remained in force until representatives met the management committee.

Closure of the centres follows a demonstration by SRC members in Pretoria yesterday.

The students were agitating for the recognition of the student body.

SAPA reports that a toy-toying group of students stormed the university's administration building and clashed with security personnel inside.

Four staff members and three students were injured in the fracas. Among staff members injured were Leon Benadenhout, who sustained a suspected fractured skull, and Thams Prinsloo who had a heart attack. A female student was taken to hospital suffering from a broken ankle.

Crowd was driven out by police who arrested and later released a student.

Unisa residents Marthinus Wierse addressed the demonstrators after requesting police to leave the campus. He demurred having summoned police and said he was saddened by the way the students had disfigured the university.

Wierse also demurred having been under the influence of alcohol when he addressed a group of students at an earlier meeting.

He had only had a glass of wine at a business lunch earlier that day.

SRC chairman William Mphulo called for student representation on the university's council and senate.

The SA Parastatal and Tertiary Institutions Union said it "deeply regretted the barbaric conduct of students on the Unisa campus".

The union criticized the management committee for the lack of adequate security, saying it had ignored a security plan of action submitted to it by the union last year.

The union demanded disciplinary action against all students involved and steps taken to protect staff members and property against vandalism and harassment.

It also called for the provision of a student centre on the Sunnyside campus in Pretoria.

Legal Aid Board report

CAPE TOWN — Only 10% of the 70,450 people accused in district courts were represented by lawyers, the Legal Aid Board said yesterday.

And 61,000 accused in the regional courts were unrepresented, it said.

The board said in its 1992/93 report, tabled in Parliament, the majority of South Africans could not afford lawyers.

"It is self-evident that such a situation is not compatible with a democratic society," it said.

The board was faced with the greatest challenge in its history as a result of the new dispensation, it planned to expand its services in the criminal law field to provide legal representation annually to a maximum of about 150,000 adults accused and to all juvenile offenders.

During the 1992/93 financial year the board spent R32.1m, a 62% increase on the previous year, it said.
Bill outlaws kids’ detention

By BARRY STREEK
Political Staff

THE detention of awaiting-trial children in prison is to be outlawed, unless there is no alternative — and even then they cannot be held for longer than 48 hours.

The detention of any awaiting-trial child under the age of 18 will also have to be specifically ordered by the courts.

These provisions follow a statement by President Nelson Mandela when he opened Parliament on May 24, that the detention of children in prison was unacceptable.

The Minister of Correctional Services, Mr Sipho Mzimela, said earlier that on May 26 this year about 800 unsentenced children under the age of 18 were in prison.

Last week he said there were still 732 children under the age of 18, five of whom were girls, being held as awaiting-trial prisoners.

He added that 315 of these children, two of whom were under the age of 11, were being held in kwazulu/Natal.

Mr Mzimela said then he had ordered an urgent investigation into the situation.

The Correctional Services Amendment Bill, tabled in Parliament yesterday, forbids the detention in prison of any unconvicted child, except where he or she cannot immediately be admitted to a place of safety.

In this case, this detention will only be an emergency measure, for not longer than 48 hours, and will only be allowed by court order.

The amendment to section 29 of the existing law will be proclaimed on different dates in different areas, when places of safety become available for the detention of children.

This could mean that it will take some time before the detention of awaiting-trial children is finally scrapped, because it will be a while before there are places of safety in all rural areas.
Experts say child jail bill not enough

D1 CAELERS
Weekend Argus Reporter

TWO days in prison is 48 hours too long for children who "can be raped in 10 minutes".

Reacting to the Correctional Services Amendment Bill tabled in parliament on Wednesday, juvenile-justice specialists said a new system that dealt comprehensively with child offenders from the moment of arrest to the end of the sentence, was necessary.

"The Bill forbids the detention in prison of any convicted child, except where he or she cannot immediately be admitted to a place of safety, but does not outlaw the imprisonment of children."

In this case, the detention would be an emergency measure for a period not exceeding 48 hours and ordered by the court. "The new Bill is a buck-passing exercise," said Ann Skelton, director of the Lawyers for Human Rights' applied criminal justice programme in Maritzburg.

"Unilateral restructuring by one government department doesn't work," she said.

Ms Skelton explained that four government departments — safety and security, welfare, correctional services and justice — had a hand in the issue of imprisoned children.

The new Bill might stop children being held in prisons, but would not stop children being held in police cells.

"This simply means 'shifting the problem' from correctional services to safety and security," she said.

Ms Skelton also criticised the intention of phasing in the new law to accommodate areas which had no appropriate places of safety.

"She said the process could take years."

"Even with the new Bill, children who are accused of shoplifting can be held for 48 hours."

"That's no good. They can be raped in the first 10 minutes," she said.

Cape Town Child Welfare Society director Alan Jackson said the prevailing system of imprisonment and other forms of institutionalisation were likely to further criminalise the child.

"The result would be a society with one of the highest crime rates in the world."

While the new Bill went some way to meeting a fundamental human rights principle regarding children — that no child should be imprisoned — the fact that the legislation did not outlaw the imprisonment of sentenced children was a problem.

Mr Jackson said: "What is required is something entirely new."

"We must begin to vigorously establish programmes, which are in themselves appropriate consequences to the behaviour of each child concerned and which are designed to keep children out of institutions and set them on a more positive course.

"National Institute for Crime Prevention and the Rehabilitation of Offenders' (Nicro) consultant on restorative justice Rosemary Shapiro said that, within weeks, important consultative material would be available to guide role players towards a new strategic plan.

"The only answer is a comprehensive juvenile justice system."

"There's no doubt the human rights issue of young people in conflict with the law is being addressed, but the community is also calling for accountability."

"A new system needs to take the parallel needs into account."

The movement in the government of national unity was strongly guided by a long, difficult campaign fought particularly by non-governmental agencies and private welfare bodies.

"They have tried to ensure young people are not held in prisons and police cells, but the reality is that most of the present solutions are ad hoc ones," said Ms Shapiro.
Six or eight new local authorities planned

The imminent decision on the boundaries of the Western Cape métropole and the local authorities within it "may not please everybody," says provincial committee chairman Hilda Ndube.

JEAN LE MAY
Weekend Argus Reporter

LOCAL elections in greater Cape Town are likely to be based on six or eight new primary local authority areas which will replace more than 60 municipalities in the métropole.

If Local Government Minister Peter Marais and the provincial committee reach consensus on accepting the recommendations of the majority report of the Demarcation Board on the metropolitan boundary, there will probably be six new primary local authorities.

If they agree on an arrangement closer to the recommendation of the minority report, there are likely to be eight primary local authorities, including Strandfontein and Paarl/Wellington.

This recommendation is known to be acceptable to the African National Congress, the Metropolitans Negotiating Forum and the Cape Town City Council.

Weekend Argus has been informed that the proposed new primary local authorities will be something like this:

1. The Southern Peninsula, with a boundary running from Llandudno to Muizenberg, then southwards to Strandfontein.

2. The expanded central area, a broad band across the peninsula, including the Atlantic seaboard, the city, the southern suburbs, the Philippolis farms and Mitchell's Plam on False Bay.

3. Bellville, including Khayelitsha, Blue Downs and De Waal.

4. The expanded central area, a broad band across the peninsula, including the Atlantic seaboard, the city, the southern suburbs, the Philippolis farms and Mitchell's Plam on False Bay.

5. Durbanville, Kraaifontein, Brackenfell and Kuils River.

6. The Helderberg basin, including Somerset West, Strand, Gordon's Bay and Masmans.

7. The Stellenbosch area.

8. The Paarl/Wellington area.

The new primary local authority areas will replace the more than 60 local authorities which exist within the region at present.

They are designed to cut across racial boundaries by including the present municipalities and the "non-status" areas where there are informal settlements or where there has never been a municipality, such as Hot Bay, Brown's Farm and Rodhill.

Planners consulted by Weekend Argus said one of the problems was that it was not clear from the Local Government Transition Act whether agricultural land should fall within the sub-structures of the métropole.

"Land at present not included in municipalities falls under the BSC, but there appears to be no firm guidelines as to what will happen to this land if the metropolitan authority takes over the functions of the BSC," said Mr. Ndube, chairwoman of the provincial committee and ANC member of the provincial legislature, in an interview that "the most important function of any new metropolitan structure for the Western Cape was that it should stop the present fragmentation of power and fiscal base and start governing.

The provincial committee, together with provincial Minister of Local Government Peter Marais, will take a decision — possibly next week — on the boundaries of the new métropole since the Demarcation Board, appointed by the minister, failed to reach consensus.

"Everyone concerned has been given ten days to comment on the board's report," said Mrs. Ndube.

"We shall carefully consider all the comments and, in making our decision, we will give equal weight to the majority and minority reports of the board.

"We intend to reach consensus, but the outcome may not please everyone," she warned.

There was also some doubt as to whether the majority report was taking the powers and duties of the Transitional Metropolitan Council into account in defining the boundaries of the primary local authorities.

Mrs. Ndube said there was concern that the majority recommendation would cause unnecessary duplication of services and would substantially erode the fiscal base of the métropole.

The minority report emphasised that the reasons for creating metropolitan government were to coordinate the management of growth and services and to pool a portion of local resources for re-allocation on the basis of need.

"The forum feels that the majority report of the board has failed to look at the long-term implications of governing the métropole. They seem to see their recommendations as medium-term," she said.
Exposed: The hell of filthy court cells

THE Western Cape Minister of Police Services has called for Cape Town Magistrates Court's holding cells to be "demolished or turned into a museum" because "they were not even fit for animals."

Mr Patrick McKenzie demanded an in-depth investigation into "the horrifying crimes that police and prisoners have had to accept for so many years. He asked why policemen and not correctional services staff were manning the cells, used for prisoners awaiting trial.

"This is not a prison, it is a dungeon much like those Charles Dickens wrote about in England last century," was his angry response after he paid a surprise visit to the cells this week at the request of the South African Police Union.

"The prison services should be ashamed of themselves for allowing this establishment to continue operating it goes against all human rights," Mr McKenzie said.

"The staff accommodation is not acceptable for human beings and the prisoners' conditions are much worse.

"When Mr McKenzie visited the court cells on Friday, there were 185 prisoners in the cells. On an average day, there were about 50 prisoners with only one policeman to every 12 to 22 prisoners, he was told. The minister, who had no idea what to expect, was clearly horrified when the first cell door was opened for him.

"At least 40 people were jam-packed inside the dank, dimly lit four by three-metre flea-infested cells, which is used as a holding cell for prisoners before they appear in court.

"The windows were closed and blocked out and there was an overpowering stench of stale smoke and urine and faeces from the single out-of-order toilet."

"This is the most inhuman thing I have ever seen — this building should be condemned," he said.

Mr McKenzie was escorted around the prison by SAPU national president Lawrence Coetsee, Andy Muller and duty officer Sergeant J P Grobbelaar.

"In another cell, there were at least five youngsters under the age of 12 waiting to appear in court.

"One angelic-faced boy, who appeared to be no older than eight, sat silently in the corner of the filthy cell. On his face was an open sore that clearly needed medical attention."

"We are turning them into criminals just by letting them spend time here. This is like declaring war on children and taking away any hope they have of a decent future," the minister said.

"So much for the president's call to stop children being imprisoned."

The minister was then taken down a narrow, badly lit staircase to the underground cells.

"The windowless underground cells are connected by a dark passage, in which the stench of urine and human faeces is unbearable. Sgt Grobbelaar, who has been working there for 12 years, said a ventilation shaft which was supposed to circulate fresh air had been out-of-order for as long as he could remember.

"The minister also saw how a lawyer was forced to consult with a client through the bars of the cell. While 18 other inmates listened in as there were no consulting rooms."

Mr McKenzie was shown asbestos-covered pipes and Constable Morné van Tonder, who has worked in that area for four years, said he had to regularly visit a doctor to be treated for chest complaints.

Photos. NIC BOTHMA

THROUGH THE BARS. Mr McKenzie has a close look at an overcrowded underground cell

JAILED CHILDREN. Frightened and with one needing medical attention, these children huddle together in the corner of a dingy cell.

By PETA KROST
Jail hunger strikes guidelines approved

Cape Town — Guidelines on the treatment of prisoners on hunger strike have been approved by government departments, including those of Health and Correctional Services.

The draft protocol, which will be submitted to the National Health Forum, says that when a patient is no longer capable of making a rational decision and faces death, the ultimate decision on whether to intervene should be left to his or her doctor.

Quoting the World Medical Association’s 1992 Malta declaration on hunger strikers, it says the doctor should, however, have clearly told the patient beforehand whether he is able to accept the patient’s decision to refuse treatment or artificial feeding.

If the doctor cannot accept the patient’s decision to refuse aid, the patient will be entitled to turn to a different doctor.

However, this “does not apply to State medical officers” since they are “by the nature of their duty responsible for the hunger striker’s health” — Saga.
'Impatient' Popcru threatens August strike

The Police and Prisons Civil Rights Union (Popcru) yesterday said its members might strike unless its demands received prompt government attention.

The union's Witwatersrand region said that its patience with government inaction was stretched to the limit.

"The 100-day honeymoon is over and we demand results," Popcru said.

Popcru said its members were demanding a strike or protest march to be held on August 15.

The branch said it would seek support for its demands "from all workers' unions in our country".

It said its demands had been brought to the attention of the previous government, the Transitional Executive Council and the ruling political parties.

It had communicated with the new government, but had received only promises.

"Nobody is prepared to listen to us," Popcru said.

"The government of the day is unwilling to address the imbalances created by apartheid."

Grievance procedures provided in the existing Police Act were ineffective and had "failed to bring about a happy and committed policeman." — Sapa
Bill flawed, says child rights body

A children's rights group has taken issue with an "emergency" clause in the Correctional Services Amendment Bill which allows children accused of "serious" crimes to be held in prison for up to 48 hours.

The National Children's Rights Committee said that while the Bill was a positive step to give effect to President Nelson Mandela's call to empty prisons of children, it was flawed in several important ways.

Its chief objection is to an emergency clause which allows the 48-hour detention of children in prison if they are accused of offences listed in Schedule 1 of the Criminal Procedure Act.

The group said the emergency clause was an improvement on the past - in that it separated children from young adults in custody and stopped their indefinite detention - but it would continue to cause problems for children in trouble with the law.

Schedule 1 crimes were not only violent acts and included theft, receiving stolen property and fraud.

It did not disagree with children accused of particularly violent and dangerous crimes being placed in secure custody, but the continued reliance on prison for secure care - even for a short period - was a failure to implement fundamental rights in the interim constitution.

Also, because there was a lack of legal representation for children in trouble with the law, it would be difficult to enforce the maximum detention period of 48 hours.

The group called for a full study in the number and availability of places of safety as a matter of urgency.

Other problems included the fact that there was no legislation forbidding the detention of unconvicted children in police cells, no time limit had been set for the implementation of the Bill, and the focus was on the unconvicted child and not all children.

The committee said the interim constitution and the United Nations Convention on the Rights of the Child, to which South Africa was signatory, placed a moral obligation to implement children's rights as early as possible.
Prisons facing new wave of mass action

THE South African Prisoners' Organisation for Human Rights yesterday gave the Department of Correctional Services seven days to set up a committee to consider amnesty for common-law offenders or face another wave of prison unrest.

SAPOH leader Golden Bhudu told a Johannesburg news conference that failure to set up the committee would result in a “peaceful and disciplined mass action” at jails countrywide. This would include refusing food, refusing to work, and go-slow.

“Given that in the past this call for mass action has resulted in death and destruction in prisons, we are calling on observers and peace monitors to ensure the authorities do not respond with their usual, frequent use of skids, smoke and tear gas,” he said.

Their arrogant and violent response is the basis for peaceful action becoming unrest,” he said. SAPOH, together with youth wings of the ANC, the Pan African Congress, the Azanian People's Organisation, and Inkatha Freedom Party, had on July 9 submitted a memorandum to President Nelson Mandela and the ministers of justice and correctional services calling for an amnesty committee.

The call was made because the granting of amnesty and indemnity had been “grossly unfair.”

“It has been shifted and changed to fit right-wing offenders while the victims of apartheid have been left behind,” Bhudu said.

Since July 9 SAPOH had met Minister of Safety and Security Sydney Mufamadi, Minister of Housing Joe Slovo, FWV MEC for Local Government Dan Mofokeng and Eastern Transvaal Premier Mathews Phosa.

“All received us with warmth and expressed support for our memorandum but found the matter out of their jurisdiction. They referred us to the Minister of Correctional Services and the president.”

Despite the passage of three months and at least 10 letters, there had been no response.

“Hence we have no alternative but to tell the Government it has seven days to respond before peaceful mass action begins in prisons throughout the country.”

SAPOH proposed an amnesty committee of criminologists, lawyers, prisoners' organisations, civic bodies, political party representatives and clergymen.

“This committee must be transparent and accountable and be vested with the responsibility of arriving at a fair and logical system of amnesties and sentence reductions for common-law offenders.”

“It is this committee that must give substance to the amnesty promises made before and after the elections.”

SAPOH spokesman Marcus Cox said the call was not for the release of rightists, murderers or violent repeat offenders.

“We are calling for amnesty or sentence reduction for common-law offenders, victims of apartheid society who committed their crimes because of poverty and hunger and who were often sentenced without legal representation.”

— Sapa
Apla men end their prison hunger strike

FOUR Apla men held at Polismoor Prison in connection with the St James Church and Heidelberg Tavern massacres ended a three-day hunger strike yesterday after a visit by Fan African Congress leader Mr Clarence Makwetu (253).

Mr Makwetu said the men ended the hunger strike after authorities promised they would look into easing restrictions against them.

The men were protesting at not being allowed contact visits or to mix with other detainees and at being placed with hardened criminals.

Mr Makwetu was accompanied to the prison by PAC Western Cape MP Mrs Patricia de Lillo — Sapa
Jail ‘action’ threat

JOHANNESBURG — The South African Prisoners’ Organisation for Human Rights yesterday gave the Department of Correctional Services seven days to set up a committee to consider amnesty for common-law offenders or face another wave of prison unrest.

Sapho’s leader Mr. Golden Blaauw told a news conference failure to set up the committee would result in “peaceful and disciplined mass action” at jails countrywide, including refusing food, refusing to work and go-slows.

He called for authorities not to react with “their usual kragdagisie skop, skiet and donder” which could turn peaceful protest action into unrest.

Sapho’s spokesman Mr. Marcus Cox said the call was not for the release of rapists, murderers or repetitive violent offenders — Sapa.
Bail system for review, says Omar

By BARRY STREEK
Political Staff

JUSTICE Minister Mr Dullah Omar last night disclosed that the government was reviewing South Africa's bail system.

He said this was part of a broader re-examination of the country's legal system "which could make an impact on the curbing of violence at every level."

Mr Omar was responding to criticism from Western Cape Minister of Police Services, Mr Patrick McKenzie, who said the minister was "strangely silent" on the question of easy bail for gangsters.

Mr McKenzie said: "The perception is that the government is more sympathetic towards the criminal than victims."

Mr Omar said that if Mr McKenzie had any serious proposals, he should submit them to the Department of Justice.

Mr McKenzie said: "The fact that arrested persons are granted bail so easily is hampering police effectiveness."

It was not acceptable to state that the Constitutional Court would have to address the problem.
Prisoners fed at R2.95 a day

SOUTH African prisoners get three nutritious meals a day — at a cost of just R2.95 each.

Lunch consists of sandwiches (margarine, syrup or jam) and soup, fruit juice or a non-alcoholic maize drink.

For supper, prisoners get fish or eggs, textured vegetable protein, chicken, pork or beef, with vegetables or salad and mealie meal or samp or rice, and coffee or tea.

Menus rotate on a 12-day basis. A typical day's fare starts with a choice of porridge and milk (mealie meal, oats or Malabar), two slices of bread with margarine and jam, and coffee or tea.

Department spokesman Colonel Barry Eksteen said the meals were cheap because the department supplied nearly all its own agricultural products.

Buying in bulk also reduced costs.

The meals were compiled by dieticians.

In Parliament yesterday, a Correctional Services spokesman said that 80% of the R44.27 a day it cost to keep a prisoner was spent on staff. — Staff Reporter, Sapa
Assault on crime

Ex-cons band together for rehabilitation

By SIPHO ZUNGU

HE IS one of those who think they can make South Africa crime free. And the first impression he makes at first is of a hardened one - clean shaven with an "oe bloq bandid" haircut.

He could prompt you to ask: Can ex-prisoners be of any good to society?

Ready to give the answer should be Phillip Thlapane, a former long-term prisoner and secretary of a committee of ex-prisoners, called Common Prisoners' Rehabilitation Agency (Copro).

Thlapane and four other ex-cons are on the committee of this group and they believe that their aims and objectives can help the Department of Correctional Services in the task of social rehabilitation of prisoners.

Gideon Mkhize Bhudu, of the South African Prisoners Organisation for Human Rights (SAPOROH), also a former convict, says the idea the five have is a very good one.

"But it would need millions of rands to make it a success. Anyone who wants to try and stop crime is welcome to do it. Nicoo claims to be assisting in the rehabilitation of prisoners."

"We see Nicoo as an organisation of liberals that say one thing and do the opposite. Prisoners seen by Nicoo get nothing that can stop them from going back to crime again.

"Compas might as well try. I wish we could get together and talk, maybe we could share some ideas and do something worthwhile. It is difficult to get an organisation off the ground. I struggled for three years to get SAPOROH off the ground," Bhudu said.

"Funding is a difficult one coming out of prison to be accepted fully by the society. It is difficult even to get back into a job, even if one has the qualifications and skills," he said.

The Department of Correctional Services agrees with Bhudu on that score. It says it does its utmost to rehabilitate prisoners but society rejects ex-cons, and that cannot be blamed on the department.

Correctional Services spokesman Captain Koos Gerber said he did not know of Compas.

"The Department of Correctional Services however welcomes all positive contributions which have the well-being of prisoners at heart," he said.

Presently Compas comprises five executive members, Thlapane, Chairman Victor Makhanye, PRO Collis Ncumelana, and Executive members Sigpo Mbonu and David Kherembe.

Their aim, Thlapane says, is to unite all common law prisoners of all races and both sexes in SA for the purpose of assisting the department of Correctional Services in the task of social rehabilitation.

"It is also to establish in the community the will to lead law-abiding and self-supporting lives and encourage their self-respect as well as to develop their sense of respons-
Funds cut may free prisoners

CAPE TOWN — Up to 30 000 prisoners would have to be released if the Correctional Services Department was forced to implement a suggested 4% cut in its 1995/96 budget, the department’s financial services’ deputy commissioner, Maj-Gen Hardy Fourie said on Friday.

Addressing the parliamentary select committee on correctional services, Fourie said the cut, proposed by the State Expenditure Department, would also lead to the retrenchment of 1 196 officers.

SA already had one of the highest prisoner-to-population ratios in the world, and prisons were on average 33% overcrowded. It was estimated the prison population in 1995/96 would be about 118 000, held in prisons designed for 88 441 people.

The already low current standards could be maintained only if the criminal justice system — namely, the police, Justice Department and Correctional Services — received a 5.2% overall budget increase. A 4% cut would be disastrous.

The situation had been exacerbated by an increase in prisoners jailed for serious offences and in the attendant lengthening of sentences. If 30 000 prisoners were released, some would be serious offenders.

Committee chairman Carl Niehaus called for a reassessment of the department’s priorities and for greater emphasis on petty, non-violent criminals being allowed to serve their sentences under correctional supervision. A greater focus on education and training was also needed to reduce recidivism into crime. A rationalisation of the department’s administrative procedures could cut costs.

Niehaus said the release of 30 000 prisoners should be prevented as it would cause a breakdown in the judicial system.
29 000 would have to be released

Police, prisons face 'disastrous' cash cut

Cape Town — The police and the departments of Correctional Services and Justice have been told that their total budget might be slashed by 4 percent next year, the National Assembly's committee on Correctional Services heard on Friday.

This could mean that Correctional Services would simply have to release 29 000 prisoners, said the department's chief deputy commissioner for operational support services, General Faan Malan.

"After 10 months we will have 68 000 back. That's our experience up to now," he said.

The releases would have to be effected either through a general amnesty or by applying the department's bursting policy. The cut would be "disastrous." Deputy commissioner for financial services, General Harde Foure, told the committee that the cuts, which had been proposed by the Department of State Expenditure, would mean retrenching 1 600 staff members.

Unhappy

The figures for retrenchments and releases were based on an assumption that the Correctional Services budget remained unchanged and that police and Justice took massive cuts to make up the 4 percent reduction.

However, they would obviously be unhappy at this situation. Correctional Services would meet the other departments on September 27 to discuss exactly how the cut should be shared.

A recommendation from the meeting would go to the Cabinet session in late October at which the provisional 1995/96 Budget would be approved.

Foure said Correctional Services needed one staff member for every seven prisoners in order to do its job.

At present it had one to 12. Figures for Britain were one to 1.2, Botswana 3.1, Australia 0.99 and Swaziland 1.7.

There was a personnel backlog of 6 626, he added.

Committee chairman Carl Niehaus said it appeared that Correctional Services was being treated like a stepchild by the Government. He asked the generals to draw up a list of the department's priorities so that the committee could work with it to achieve for prisoners the human rights goals set out in the constitution. — Sapa.
Budget cut could free 30,000 prisoners

Johannesburg — Up to 30,000 prisoners would have to be released if the Correctional Services Department was forced to make a suggested four percent cut in its 1995/96 budget.

The department's deputy commissioner for financial services, Maj-Gen Hardy Fourie, also told Parliament's select committee on correctional services that the cut, proposed by the State Expenditure Department, would lead to re-trenching 1,195 officers.

Prisons were on average 135 percent overcrowded, and it was estimated the average prison population would be around 118,000 for 1995/96, with the present prison capacity set at 88,441.

Within 30 months many of them would be back inside, he said.

Committee chairman Mr Carl Niehaus, called for a reassessment of the department's priorities and for petty non-violent criminals to be allowed to serve their sentences under correctional supervision.

More of a focus on education and training was also needed to reduce the rate of recidivism and a rationalisation of the department's administrative procedures could cut costs.

The release of 30,000 prisoners, which might include hardened criminals, should be prevented, as it would cause a breakdown in the judicial system, Mr Niehaus said.
1 171 made escapes last year

LAST year, 1 171 of a total of 116 000 prisoners escaped from police custody in South Africa, the Minister of Correctional Services, Dr Sipho Mzimela, said yesterday.

He added in reply to a question tabled in Parliament by Senator James Selfe (DF), that South Africa had an unfavourable staff-to-prisoner ratio.

Dr Mzimela said 284 prisoners escaped from prisons, 845 from work teams and 62 while under escort to and from courts and during transfers from public hospitals. By the end of last year 496 of these prisoners had been recaptured.

Every escape or attempted escape was thoroughly investigated to identify shortcomings, and preventive measures had been introduced where necessary.

"It increasingly happens that prisoners receive aid to escape from, inter alia, big crime syndicates or other persons from outside prison."

Dr Mzimela said the department had an unfavourable staff complement in comparison with the number of inmates it had to deal with, and this inevitably affected the security situation.

In Australia, he said, the ratio of prison staff to prisoners was 1:0.99. Other ratios given were: Britain 1:1.2; Belgium 1:1.61; Switzerland 1:1.7; Botswana 1:3.1 and Spain 1:3.8.

In South Africa, Dr Mzimela said, the ratio was a low 1:5.8.
Minister reports 1,171 prison escapes

CAPE TOWN — Last year 1,171 prisoners escaped from prisons in SA, Correctional Services Minister Sipho Mzimela said in the National Assembly yesterday.

He said that by the year-end 456 of these prisoners had been recaptured.

The number of escapees represented 0.0027% as a percentage of an average of 116,000 prisoners over a 365-day period. But SA had an unfavourable staff to prison ratio in comparison with other countries.

Mzimela said 264 of the 1,171 prisoners escaped from prisons, 846 from work teams outside the walls of prisons and 62 while under escort to and from courts and during transfers from public hospitals.

Every incidence of escape or attempt to escape was thoroughly investigated to identify shortcomings, and preventive measures were introduced where necessary. "It increasingly happens that prisoners receive aid to escape from inter alia big crime syndicates or other persons from outside prison."

Mzimela said the department had an unfavourable staff complement in comparison with the number of inmates it had to deal with and this inevitably effected the security measures at prison.

"This problem will have to be addressed by the expansion of the establishment, bearing in mind the subsequent financial implications."

In Australia the ratio of prison staff to prisoners was 1:9.29, while in Britain it was 1:1.3, in Botswana 1:3.1, Swaziland 1:7.1, Belgium 1:1.61 and Spain 1:8.89, but in SA it was 1:5.98, Mzimela said.

Sapa reports police said yesterday 18 awaiting trial prisoners, including two members of the Balalchava Gang, escaped from a police lorry on Friday.

A spokesman said the lorry with 32 awaiting trial prisoners was travelling from Wynberg to Pollsmoor Prison when 10 men escaped at the Tokai turnoff by "forcing the door open".

Most of the men were due to appear on robbery and theft charges and two were allegedly members of the Balalchava Gang which terrorised shop and shebeen owners in Cape Town townships last year.

They were dangerous and the public should call the nearest police station if they saw the men, who should not be approached.

It was reported from Ficksburg yesterday that the Free State police had re-arrested five of a group of 13 prisoners who escaped from the police cells at the town on Sunday. The men sawed through bars in the sleeping and exercise area, and escaped through the roof.

Meanwhile, James Gosten, 42, regarded as dangerous, escaped from the Kimberley prison.

He was serving a 20-year sentence for several convictions, including robbery.
10 years to get children out of jail

Political Staff

President Mandela may have to wait for 10 years before the end of the nightmare of awaiting trial children in South Africa's police cells and jails.

This has emerged in evidence before the national assembly's portfolio committee on correctional services which is dealing with draft legislation to remove awaiting trial children from prison.

At present, awaiting trial children are held in prison, police cells or in nine centres around the country. Mr Mandela has told cabinet ministers responsible to get awaiting trial children out of jail.

Brigadier C F Cronje of the SAPS' Visible Police Division said it would take 10 years for adequate, secure alternative centres to be built to accommodate awaiting trial children. Brigadier Cronje told the committee that 1.8 million people were arrested by police a year. This included 48 000 children.
Kids in police cells: Rethink

By BARRY STREEK.

DRAFT legislation to limit the detention of awaiting-trial children in prisons is likely to be tightened up to include restrictions on their detention in police cells. (253)

But the absence of adequate places of safety in most of the country as alternatives to prisons and police cells has presented a major problem to implement President Nelson Mandela's call to keep children out of jail.

This emerged yesterday in evidence given to the standing committee on correctional services by government departments and civil liberties bodies. (253)

Police Brigadier F Cronje said 12,000 juveniles were detained in police cells during November and December last year, but 11,300 were released after only four days.

The Department of Justice's director of legislation, Mr Gerhard Nel, said the proposed legislation was defective and should be scrapped.

In the whole of the Johannesburg magisterial district there were no places of safety to which children could be sent as an alternative to imprisonment. If the bill was implemented there, the magistrate would "not be able to do anything with juveniles, except let them free", Brig Cronje said.

President Mandela said on Tuesday an interim report by the commission of inquiry into unrest in prisons had been submitted to him.
A new warders' union

By Lulama Luti
Political Staff

A new union representing prison warders will be launched tomorrow because of an apparent split within the Police and Prison Civil Rights Union.

Former Popcru general secretary Mr Peter Nkuna is said to be behind the move to establish the Correctional Officers Union of South Africa, to be launched at Vista in Soweto.

Sowetan was reliably informed that Nkuna, a former prison warder at the Johannesburg prison, was behind moves to establish the splinter union.

A source within Popcru said Nkuna had approached the police union to establish working relations with them.

"He told us there was a need to have separate unions for policemen and prison warders. We rejected this idea because we as Popcru serve all parties in the force," said the source.

He told Sowetan Popcru suspended Nkuna about a year ago after allegations that he misappropriated funds.

Thus, was confirmed by a Popcru official at the union's head office.

"I don't think at union level we can entertain this by responding to it formally. People have a democratic right to form splinter groups and they are entitled to it," said the official.

The source said Nkuna confessed to an investigating committee that he had misappropriated about R7 500.

"We found out about this (the new union) when a delegation headed by Nkuna came to our office and asked us to co-operate with them. We rejected this because they talked about sharing our resources," he said.

He alleged that Cross was busy organising among prison warders, claiming to have an agreement with Popcru.

"We want to warn our members that if they join this group it would be out of their own free will and not because there's an agreement with us on this..."
Drugs breaking into prisons

Regional Correctional Services liaison officer, Lieutenant Mike Green said "We have a problem with drugs in prison. "The only way to ensure that drugs do not enter the prison is to restrict contact with the outside world and to stop search visitors. "Some prisoners work outside the prison where they have access to drugs. Visitors have been known to smuggle mandrax and small quantities of dagga into prison. "We are usually successful in tracking down the drugs and the offenders are punished."

In an attempt to address this problem, Pollsmoor held a Drug Awareness Day last Saturday. Prisoners participated in a poster competition with the theme, "Drug abuse leads to imprisonment."

Martin Croucamp, 19, is serving a four-year sentence for burglary. "I started breaking into houses to support my drug habit," he said. "Drugs are no good, look what happened to my life. I have been here since I was 17 and will only be released when I am 21."

Abraham Cupido, 20, an ex-gang member and former mandrax addict is serving a three-year sentence for car theft. "I stole cars and sold them to obtain money to buy drugs. "I regret it every day."

A mother of one of the inmates, said she did not realise her son was using drugs, until she discovered he was discarding his uniforms. "He was stupid. Only after they disqualified him did I realise he was on drugs."

A prisoner who won third prize in the poster competition was disqualified when he was discovered bringing in drugs. "They are not only endangering their lives but also the lives of other prisoners but also the lives of other prisoners," he said.

"I blame myself. I was devoted with two children and I worked nights. There was no-one to look after my children. My son provided money to help in survive."

"People not to smuggle drugs to our midst," Lieutenant Green appealed to inmates. "People not to smuggle drugs to our midst."

THE ART OF SAYING 'NO': Prisoner Katie Botha with her poster message against drugs. Photo: Roger Sedres.
ANC proposal will protect child suspects

Political Staff

Suspects of 13 and younger will not be held in prison or police cells before being sentenced if African National Congress proposals become law.

The National Assembly's portfolio committee on Correctional Services continued its debate on the Correctional Services Amendment Bill today. This changes the law for people of 17 and under awaiting trial.

At present about 46,000 people in this age bracket go through the police cells every year, and there are about 700 in jails awaiting trial now.

State law advisers are to re-draft parts of the Bill to reflect ANC MP Deve Dalling's contention that suspects of 13 and under never be held in a prison, police cell or lock-up.

Instead, Mr Dalling said later, these children would be held in a reformatory or hospital, or placed in the custody of their parents, guardian or foster parents.

There were at present nine centres around the country where such children could be held, and the effect of the Bill would be to put pressure on other towns and cities to provide such facilities.
SA jail rate is third highest

WASHINGTON — SA ranked behind Russia and the US in the proportion of its people held behind bars last year. It also jailed non-whites at a quarter of the rate America incarcerated African-Americans.

Even so, SA’s imprisonment rate, at 368 per 100 000 population was far ahead of the next country, Singapore, with 229, on the latest annual rankings prepared by The Sentencing Project, a Washington-based reform lobby.

Russia topped the chart at 558, followed by the US, at 519 China, which is believed that have the world’s largest prison population, was omitted for lack of data.

The group found it striking that even before SA’s government changed, the ratio of black male South Africans in jail was a quarter that of African-Americans — 851 per 100 000 compared with 3,822.

Hong Kong came in fifth of 52 countries with 779 followed by Poland (1,600). New Zealand (135), and Canada (116), Mexico (97), the UK (93) and Australia (91.) Among industrialised nations, Japan had the lowest rate (23)

Zaire posted an 89, but the group observed that “nearly 7,5% of the inmates in the prison system die each year due to malnutrition and poor health care.”

The US taxpayer paid $26,000 to hold the country’s 1,34-million prisoners last year. The number of male African-Americans in jail — 585 000 — exceeded the number enrolled in higher education by 49 000.

Figures cited by the group suggested little correlation between incarceration and crime rates in the US Between 1990 and 1991 the prison population swelled nearly 120%, while the victimisation rate for violent crimes remained largely unchanged at around 33 per 100 000.
PAC threatens action over prisoners

The Pan Africanist Congress appears headed for a showdown with the government over demands for amnesty for its political prisoners.

The organisation this week threatened "the mother of all mass actions" inside and outside prisons if the government does not release the 90-odd PAC members convicted of politically motivated offences or awaiting trial for such crimes.

A hunger strike by PAC prisoners at Pollsmoor prison near Cape Town was halted last week to allow for further consultation with the government.

The PAC is coming under mounting pressure from its rank-and-file members who want to see tangible benefits of the organisation's decision to participate in the April elections. "People are saying that if we can't even secure the release of our comrades, then what was the point of going to parliament?" said a PAC leader.

The South African Prisons' Organisation for Human Rights has been roped in by the PAC to help organise protests, should this be necessary.

The PAC also wants halted the trials of PAC members currently under way. These include those accused of murdering American Fulbright scholar, Amy Biehl, and those accused of carrying out attacks on the St James Church and the Heidelberg Tavern in Cape Town and the Baha'i mission in Mdantsane.

Minister of Justice Dullah Omor has already made it clear to the PAC that he will not move the December 6 1993 cut-off date for political offences to April 27, as the movement is demanding. Were he to do so, dozens of rightwingers accused of a pre-election bombing spree would also qualify for indemnity.

The PAC also claims that Azanian Peoples' Liberation Army operatives who are surfacing from underground are being arrested by police for questioning, including an Apla cadre at De Brug army base. This has led to some Apla members being reluctant to sign up with the integrated defence force.
19,000 prisoners freed this year

Political Staff
ABOUT 19,000 prisoners have been released early from jail so far this year through special remission of sentence and amnesty provisions. Minister of Safety and Security Sydney Mufamadi has said.

James Selfe of the Democratic Party asked Mr Mufamadi about the release of prisoners since January 1.

President Mandela’s inauguration on May 10 was marked by a six month remission of sentences for all prisoners. Most sentenced children under 18 on that day who were in jail were released, plus most disabled prisoners and women who were the mothers of children under 12.
Prisoners on go-slow strike

JOHANNESBURG — Boksburg Prison inmates were refusing on Thursday to work in prison workshops in a bid to get more exercise. SA Prisoners Organisation for Human Rights leader Mr Golden Miles Bhudu said 260 prisoners had been on strike since daily after-work exercises were suspended a week ago.

Department of Correctional Services spokesman Brig Chris Oockers said a handful of prisoners were on a go-slow. Smaller groups were being taken for exercise "to ensure their safety." This meant everybody could not exercise every day. — Sapa

ct 30/9/74
AT LEAST 19,000 prisoners have been released under amnesty or special remissions since January 1 according to statistics from the Department of Corrections Service.

Some of these have been re-arrested. However, Safety and Security Minister Sydney Mufamadi has said 15,259 of the 19,000 have been re-arrested.

Mufamadi also disclosed that 22,241 firearms, primarily illegal ones, had been confiscated by police during January last year.

He said by last week the 15,259 had been re-arrested.

A South African Police Services (SAPS) official said the move was a standard practice for recruitment into the SAPS.
Hunger strike at prison

JOHANNESBURG. — The South African Prisoners Organization for Human Rights yesterday said about 200 prisoners at Leeuwkop maximum-security prison north of Johannes burg were due to begin an indefinite hunger strike at midnight last night.

SAPoHR said the strike was to support demands for the establishment of an amnesty resolution committee.

Correctional Services spokesman Brigadier Chris Oickers warned that the strike could lead to loss of lives. He called on SAPoHR to rethink its position.

A spokesman for the Minister of Correctional Services said the minister was giving the matter his attention.

SAPoHR's Golden Mile Bhudu yesterday said the strike was called by the prisoners themselves. — Sapa.
Hunger strike at Leeuwkop

Johannesburg. — About eight prisoners at the Leeuwkop maximum security prison north of here have embarked on a hunger strike in support of demands for the establishment of an amnesty resolution committee.

Correctional services spokesman Colonel Barry Eksteen said on Saturday that eight men had refused breakfast.

The eight, who had been transferred to Leeuwkop after being involved in the riots at Modderbee prison earlier this year, had indicated they were going on a hunger strike.

Col Eksteen said all meals would be served to the men and the situation would be monitored.

The South African Prisoners' Organisation for Human Rights (SAPOHR) warned on Friday that about 200 Leeuwkop inmates would begin an indefinite hunger strike at midnight on Friday.

SAPOHR spokesman Mr Golden Mles Bheuda said his organisation had not called for the strike, but merely supported it — Sapa
By KHANGALE MAKHADO

MARGARET Mokoena of Soweto kept praying and hoping that her 19-year-old son Antonio would join her after serving his six-year prison term for rape.

But yesterday she buried the boy after he had died in detention.

As his remains were lowered into a grave at the Avalon Cemetery, a grieving Mokoena vowed she would not rest until she found out how her son had died.

She said his death came barely a month after he had complained that he was being sodomised by an elderly cellmate at "Sun City" prison near Diepkloof.

Antonio died at the Garden City Clinic on October 5 after being taken there by prison authorities.

"When I visited him there early in September he complained bitterly about being consistently abused by a cellmate."

Her son told her he had reported the matter to the authorities, but they had taken no action, she said.

The cellmate then threatened to poison him. Mokoena said she complained to a social worker and a colonel at the prison on September 23 and was promised that her son would be transferred Thursday.

She said prisoners told her her son had fallen ill over the weekend and had vomited blood for three days but was not given any medical attention.

Correctional Services Brigadier Chris Ockers said they were awaiting the autopsy results, but it appeared Antonio had died of double pneumonia.

Ockers said Antonio had not reported being sodomised.

Ockers said on the Monday that Antonio was to be moved to a juvenile cell it was discovered that he had chicken pox and he was quarantined in a single cell.
The MINISTER OF HOUSING

(1) Yes, under two dispensations

— Housing projects within the framework of the new housing subsidy scheme

— In terms of the policy applicable during the previous dispensation

(a) and (b) The Regional Housing Boards have, as first allocation, approved a total of 56 projects which provide for 68 146 housing units. The following allocations were approved in terms of the various subsidy categories:

<table>
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<td>North West</td>
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<td>Eastern Transvaal</td>
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(a) 45 256 units @ R 12 500
(b) 11 124 units @ R 5 900
(b) 11 766 units @ R 5 000

(2) No

Questions standing over from Wednesday, 21 September 1994

Places for safekeeping of awaiting-trial children

*Mr H A Smit asked the Minister for Welfare and Population Development:* (253)

(1) Whether a shortage is being experienced in respect of places for the safekeeping of awaiting-trial children, if not, what is the position in this regard, if so, where is such shortage being experienced,

(2) Whether he or his Department has investigated the possibility of using other existing facilities to accommodate such children, if not, why not, if so, what are the relevant details,

(3) Whether any personnel at existing places for the safekeeping of awaiting-trial children are undergoing staff and management training on an ongoing basis, if not, why not, if so, what are the relevant details?

The MINISTER OF WELFARE AND POPULATION DEVELOPMENT

(1) Yes, all places of safety are due to low security measures not suitable for high risk awaiting-trial children. Over and above shortages in certain metropolitan areas, there is a need for decentralisation places of safety in rural areas country-wide. As a result of the vastness of the country, the transport of children between courts and places of safety creates a problem. The Department also experiences major financial shortages in its budget for the erection and maintenance of such places of safety. The provinces are experiencing a serious shortage of social workers and probation officers.

(2) yes, by the former Minister Unusual or under-utilised buildings were investigated by the various provinces. The Provincial Administration of the PWV is at present investigating a mine hostel in Randfontein to serve as a place of safety. Other possible facilities were not suitable for the accommodation of awaiting-trial children,

(3) yes, personnel undertake management orientation courses and junior management courses, and care officers are motivated to attend courses which are offered by the National Association for Child Care Workers.

Courses in self-defence and security are offered by the Department of Correctional Services, NICRO and other training institutions on request. Continuous in-service training also takes place.

Mr H A Smit Madam Speaker

The SPEAKER Order! Is the hon member interrupting the hon the Minister?

Mr H A Smit* Yes

Mr H A Smit Arguing out of the hon the Minister’s reply to the question, I should like to know from him whether the Department’s primary task is to establish such facilities when they are in short supply?

The MINISTER FOR WELFARE AND POPULATION DEVELOPMENT Madam Speaker, when a case is being investigated by the police, the child awaiting trial is in the care of the Department of Correctional Services. After the child has been sentenced, he or she stays the responsibility of the Department of Correctional Services.

We are, however, changing the process. We want to see if we can take those children out of prison as soon as possible and put them in a

place of safety. When a child is arrested and has not been sentenced, it is difficult to make him or her the responsibility of one Department.

Road accidents: deaths

*Mr D H M Gibson asked the Minister of Transport*

(1) How many persons died in road accidents in the Republic in (a) 1992 and (b) from 1 January 1994 up to the latest specified date for which statistics are available,

(2) whether the Government is giving consideration to (a) reducing the speed limit on national roads and/or (b) taking any other action aimed at reducing the number of road accidents, if not, why not, if so, what are the relevant details?

The MINISTER OF TRANSPORT

(1) During 1993, 9 443 persons died in road accidents in the Republic and from 1 January 1994 up to 30 June 1994, 4 736 persons died in road accidents.

(2) No, but a National Speed Management System Task Group was appointed to obtain the co-operation of all interested parties in developing and implementing a scientific and managed system. This system makes provision for the setting of an appropriate speed limit based on circumstances on any type of road.

My Department is in the process of implementing a total integrated Traffic Management System in order to give education, enforcement and engineering the priority they deserve. I am endeavouring to establish a traffic safety culture in South Africa, we need to make provision for the involvement of the organised road users as well as the community at large in promoting orderly traffic and traffic safety.

Traffic safety is the responsibility of all levels of government and therefore meetings with the provinces regarding certain aspects of traffic safety such as law enforcement have already taken place.

As far as law enforcement is concerned,
Prison population threat to RDP

By BARRY STREEK
Political Staff

The government was bluntly warned yesterday that it would have to cut down the prison population or face massive increased spending — R2.5 billion in capital costs and R419 million a year for personnel costs, more than the entire budget for the RDP this year.

"Judging from available statistics, South Africa most probably has one of the worst (prison) personnel-to-inmate ratios worldwide," the Commissioner of Correctional Services, General Henk Bruin, said in the introduction to a White Paper on his department's policies.

"There is an existing accommodation shortage of almost 20,000 and a manpower shortage of nearly 7,000."

"To address this backlog will amount to about R2.5bn in capital funds and about R419m annually for personnel costs."

General Bruin said South Africa either needed a smaller correctional system or to be funded adequately or a re-appraisal of the priority of the system in the national economy in relation to other services and backlogs in the country.

NO SEX PLEASE — YOU'RE PRISONERS

Correctional systems all over the world faced overpopulation. At the same time, they faced soaring crime rates and a general public outcry of "get tough on criminals."

However, the effect of longer and more prison sentences on already overcrowded and understaffed prisons was not appreciated.

They also faced "unrealistic expectations of the public of what the correctional function should or could achieve under conditions often counter-productive to the ideal and the vision of rehabilitation and security", General Bruin said.

In the White Paper, the department said that recent events indicated that its functioning in respect of safe custody was "being stretched to its limits."

"The department is experiencing an abnormal increase in incidents of escapes, unrest, arson and hostage-taking," it added.

One factor which contributed to this was the type of prisoners being detained, who were "more aggressive, better organised, cunning, ingenious, etc".

Other factors were inadequate prison structures and security equipment, insufficient prison accommodation and shortcomings in the numbers and training of personnel.

However, the department acknowledged the fundamental rights of offenders which were embodied in the constitution.

"Therefore, it is necessary to incarcerate and treat prisoners in a humane manner and to create a climate which is conducive to rehabilitation," the White Paper said.

CT 22/10/94
Sex, condoms not a priority for prisoners, says minister

VUYO BAVUMA
Political Staff

SEX is not a priority for prisoners and they are not concerned about the distribution of condoms in prisons, Minister of Correctional Services Sphi Mzimela said.

Replying to debate on his budget vote in the national assembly yesterday, Dr Mzimela said prisoners were more worried about serious problems like overcrowding.

He had visited prisons in Johannesburg and Cape Town and "not a single prisoner" complained about the lack of condoms.

MPs should not dehumanise and trivialise the prisoners' plight, he said.

Earlier, A C Nel (ANC) said the ministry should provide condoms to the prisoners to curb the spread of AIDS. It was futile to ignore sexual activities among the prisoners, he said.

Dr Mzimela said Correctional Services staff knew what should be done, but lacked funding.

If funding was available, the ministry would organise workshops to teach prisoners manual skills so that they could make marketable goods.

But the proposed four-percent budget cut would defeat such objectives.

Earlier, Dr Mzimela said prisoners convicted of non-violent crimes, women with children, children under 18 and people over 60 should be released to alleviate the pressure of overcrowding in prisons.

He said first-time offenders should be kept separate from hard-core criminals, and those who had committed crimes while in prison should be placed in maximum security prisons.

Several MPs called for the eradication of apartheid in the prison services and the complete re-training of staff.

Carl Niehaus (ANC) said South Africans could not be proud of the changes in the country while prisons were still places of "deprivation and the denial of people's most basic human rights".

Maureen Malumse (ANC), who broke down after recalling that she never saw her children alive after she was detained in 1986, was led away from the podium by colleagues.

Earlier she said the conditions in women's prisons were also important.

Pieter Mulder ... Afrikaners losing ground.

Kader Asmal ... highly emotional issue.

Die geografiese gebied bekend as Kaap provinsie sal die funksionerings gebied wees.

Die gebied kan van tyd tot tyd verander word soos deur die grondwet voorsien.

Die gebied sal in 'n aantal funksionale streke opgedeel word na die oordeel van van die bestuurskomitee.

LIDMAATSKAP

Lidmaatskap is oop vir enige nie-regerings organisasie / liggaam / groep / gemeenskapsprojek wat binne die gebied optree en daar gevestig is waarvan die aktiwiteite ooreenstem met die doelstelling van die Vereniging.

Volle lidmaatskap word by 'n algemene vergadering van die Vereniging verkry. Voorlopige lidmaatskap en waarnemers status kan by streeks vergaderings toegeken word.

Om volle lidmaatskap te bekom moet 'n toekomstige lid voorgestel en
Hunger strike over indemnity.

JOHANNESBURG — ANC officials are to meet President Nelson Mandela on Saturday to discuss a hunger strike by inmates at the Leeuwkop maximum security prison protesting against not being indemnified for political acts.

A statement by the ANC political prisoner support committee yesterday said ANC deputy president Mr Walter Sisulu and PWV legislature member Mr Robert McBride met the strikers to discuss their protest.

"The prisoners expressed their anger and disappointment at the delays in their release six months after the defeat of the apartheid system, against which they fought and for which they are now imprisoned."

Saturday's meeting would discuss ways of expediting their release.

— Sapa
No room to move in Pollsmoor

By Shannon Neill

THE maximum-security prison at Pollsmoor is more than 155 percent overpopulated with the overall overpopulation figure standing close to 1,000 percent.

Director of Prisons Communications Services, Brigadier Chris Ockers, says Pollsmoor Prison is overpopulated by 93 percent, meaning that staff are stretched to the absolute limits to keep the prison going.

Pollsmoor Maximum was built to hold 1,703 inmates. The current population is 3,219.

Staff are supposed to work 12 days on, two days off. All overtime has to be taken within 14 days or it is cancelled. Because they are short-staffed, warders have already lost 1,000 double shifts this year, according to Ockers.

Ockers says "Staff members develop a negative attitude toward their jobs and the prisoners. We need more recreational and development facilities, but if the community and the government have to decide between a primary school or a workshop for prisoners - you know what they'll choose."

SOUTH was allowed into the prison to look at conditions there. The acrid smell of disinfectant greets you as you enter the maximum-security prison, but there are none of the Hollywood-type scenes of prisoners screaming or banging enamel mugs on the bars of their cells.

There is no visible violence but the atmosphere is tense and arguments constantly break out among the prisoners or between the prisoners and warders.

The fights are quickly subdued by the dog handlers who patrol the corridors.

A prisoner attacks another one for allegedly stealing "een van die broeke se goue rug." The warden separates the two with his German Shepherd and the attacker is dragged away shouting.

The uneasy quiet returns.

Single cells are used to hold three prisoners and communal cells designed for 16 usually accommodate between 45 and 50 inmates.

The double bunks are pushed together and prisoners hang blankets over them to provide some semblance of privacy.

The danger with this, says Ockers, is that warders cannot see prisoners targeted by the gangs for committing or death are unsafe.

There is one toilet and one shower in the communal cell. In the evenings prisoners often have to wait for two hours to use either.

"At night the air in the cell is bad from the people breathing. There is no privacy and there are fights because people can't wait to use the toilet," one prisoner said.

"There is too little work and we just sit here all day feeling frustrated with each other," Ockers says.

"Prisoners get an hour for exercise each day and an hour at the most for bathing. That means that for at least 22 hours a day they are stuck together in this confined space.

"South Africa subscribes to international conventions with regard to prison conditions and in terms of these the conditions in our prisons are completely unacceptable."

Because of the overcrowding, few prisoners have access to the rehabilitation programmes, the workshops or the library.

The prison runs a literacy programme but because of limited resources very few prisoners can take advantage of it.

"In terms of the RDP the department is investigating all possibilities for educating people. About 35 percent of the prison population - or 400,000 people - is illiterate."

"We're involved with about 40 NGOs promoting literacy and we've implemented a programme where it takes two years, rather than the previous five, to learn to read."

"It takes money though and at this point we just don't have it."

• Next week in SOUTH - Gangs in prison, Children in prison, Women in prison.

CROWDED CONDITIONS: Up to 50 inmates have to share a cell designed to hold 16 people

Photo: Yunus Mohamed
8 in prison hunger strike

By EUNICE RIDER

EIGHT inmates are now on hunger strike at Pollsmoor Prison.
Correctional Services spokesman Brigadier Chris Ockers said last night it was unclear how many of the Heidelberg trialists had joined the hunger strike, which started on Monday morning.

Amy Biehl murderer Mzikhona "Easy" Ngcemela, 19, who was recently sentenced to 18 years' imprisonment, had been joined in the strike by St James Church trialist, 18-year-old Mr Gcinkhaya Makoma.

It was not clear which of the three Heidelberg Tavern trialists, Mr Brian Madasi, Mr Luyanda Gumfas and Mr Khustar Mabandla, was on strike.

All the strikers have claimed membership of the Pan-Africanist Congress (PAC), said Brig Ockers.
"Children not above the law"

NATIONAL ASSEMBLY. — New legislation to keep awaiting-trial youngsters out of prisons did not place children above the law, chairman of the National Assembly's Correctional Service committee Mr Carl Niehaus said yesterday. Some magistrates appeared to have criticised the legislation passed last month, he said.
Packed prisons: Convicts may be turned away

By Carmel Rickard

Overcrowding of jails has become so bad that heads of prisons could refuse to admit any more prisoners on human and constitutional grounds.

This warning was issued by Major-General Eric van Zyl of the Department of Correctional Services at a legal forum in Cape Town this weekend.

The forum — called by the Department of Justice — aims to initiate a programme to restructure the country's legal system.

General van Zyl said prisons were overcrowded by 120 percent, which did not allow proper treatment and care of prisoners and "diverted rehabilitation programmes.

Officials warned that the Constitutional Court might well rule that imprisoning someone in such overcrowded conditions was unconstitutional.

They said that sometimes "draconian" measures had to be done about overcrowding. It was no bad that heads of prisons, aware of the guarantees in the Bill of Rights, could refuse to implement court warrants to hold people in overcrowded jail because of "human rights conditions of".

Officials said the trend of longer prison terms for more and more offenders with less and less space to accommodate them "cannot continue any longer".

Building more prisons was not the solution, because "the economy could not afford it".

Opening the conference, the Ministe of Justice, Mr. Dullah, Omar told the public was outraged by the level of "violence" crime, which was so bad it could hamper the formation of a human-rights culture.
Amnesty demand by PAC hunger strikers

BY AYESHA ISMAIL

EIGHT PAC members held at Pollsmoor Prison have vowed to continue their hunger strike until their demand to be classified as political prisoners has been met.

They believe that once declared political prisoners, they will be eligible for amnesty.

Mzwabantu Alphon Gxokwe, Walter Tanda and Andile Tsheteke started their strike at breakfast on Monday, Tanda and Tsheteke sentenced to 25 years for their part in the Crazy Beat disco attack in Newcastle on February 14 last year, are awaiting trial on a further charge.

Mandla Maduna and Mzuklona Nofemela started their strike on Tuesday.

Nofemela is serving 18 years for the murder of American student Amy Biehl.

Vuyisile Brian Madasi, Khutsa Zola Mabandla and Luyanda Gxumfa will stand trial in the Supreme Court tomorrow in connection with the attack on the Heidelberg Tavern on December 30 last year.

A spokesman for the Department of Correctional Services, Lieutenant Mike Green, said their demands had been handed to the Department of Justice in accordance with prison policy, the men see a doctor every day while on hunger strike.
Popcru leads protest against ‘victimisation’

MIDDELBURG — Members of the Police and Prisoners Civil Rights Union protesting outside police regional headquarters here yesterday were unhappy with senior police management, the union said, in Johannesburg.

Union spokesman Mr Nene Mqwathi said members complained of victimisation by senior police officers “intent on sowing division between Popcru members and communities”.

Popcru members — numbering about 200 — were to present a list of grievances yesterday. — Sapa
McBride in bid to defuse hunger strike

ANC PVV legislator, Robert McBride, visited a group of ANC political prisoners at Leeuwkop Prison, north of Johannesburg, yesterday in a bid to persuade them to end their 10-day-old hunger strike. McBride, a former Détôt, row prisoner freed under amnesty, said he had visited the prison to brief the 18 men on efforts by the PVV government to get them released. But they are now determined to continue their hunger strike. They say this is necessary to prevent the release of political prisoners again slipping off the agenda.

McBride said he had been told that more political prisoners at Leeuwkop would join the hunger strike on Monday. The prisoners said that commitments by the PVV government that prisoners would be released before 1 October had not been met. They demanded immediate release and that their freedom must be guaranteed. If there were any hunger strikers at the prison, McBride said he would do his best to help them.

Following McBride's visit, Optional Services spokesman Lieutenant Colonel Potgieter confirmed that there were no hunger strikers at the prison.
Police were called in to calm angry Wildebeesfontein residents who had staged a sit-in at the Evaton Town Council offices since last week. The residents have threatened to continue their sit-in if the administrators do not meet with them about their grievances involving stands in the area.

PIC• LEN KUMALO

Remission for over 60s

CERTAIN prisoners aged 60 years and older have been granted special remission of sentence, Correctional Services Minister Dr Sipho Mzimela announced yesterday.

Mzimela indicated that about 250 prisoners would benefit.

He said President Nelson Mandela had, in terms of the Constitution, granted special remission of sentence to all those aged 60 years and older and sentenced on or before May 10 this year.

Those convicted of serious crimes such as murder, culpable homicide, robbery with aggravating circumstances, assault with intent to do grievous bodily harm, child abuse, rape or any other crime of a sexual nature and trading in or cultivating dependence-producing substances would, however, not qualify for remission.

Prisoners sentenced as judgment debtors and those detained in terms of the Mental Health Act would also not qualify.

Mzimela said the special remission had been extended to those sentenced to correctional supervision before May 10 1994.

Remission would also be granted to those sentenced before May 10 but who were placed on parole or correctional supervision before, on or after this date, as well as prisoners who were released on bail pending appeal and who, at a later stage, started serving their sentences.

The remission would become effective once an interdepartmental committee under the auspices of the Correctional Services department was satisfied that a person fulfilled the requirements and would be cared for or would be self-supportive after release — Sapa
Pollsmoor sit-in prisoners tear-gassed

BY EUNICE RIDER

POLLSMOOR prisoners were tear-gassed yesterday after they burned blankets and mattresses in a sit-in protest in which they demanded that President Nelson Mandela release them immediately "as promised".

Correctional Services spokesman Lieutenant Mike Green confirmed last night that 120 prisoners had gone "on strike" in an exercise yard, burning bedding and refusing to return to their cells. After a call from Mr Golden Miles Bhudu, leader of the SA Prisoners' Organisation for Human Rights, Lt Green said the Medium A Section prisoners claimed they had been promised their freedom and release by Mr Mandela before the April election.

He said that when the prisoners refused to return to their cells, by about 3pm yesterday afternoon, they were surrounded by warders and teargas was fired at them. "They were then forced back to their cells by warders. He confirmed that warders manhandled some prisoners and damage had been caused to cell gates in the struggle.

"He said he received a call later from former prisoner Mr Bhudu, who called off the strike, saying he had secured a government appointment for November 28 to discuss prisoners' demands."

Lt Green said no warders were injured in the fracas but "a handful of prisoners were very lightly injured with bruises."

Mr Budu, could not be reached for comment.
Pollsmoor protest turns ugly

Batons and teargas used to subdue 100 defiant prisoners

MORE than 100 defiant Pollsmoor prisoners were beaten with batons and were teargassed to force them to return to their cells, a prisons spokesman said.

The medium security prisoners refused to take part in a physical training exercise yesterday and held a sit-in protest in the courtyard, said Correctional Services spokesman Mike Green.

When the prisoners, who had burnt blankets and a mattress in the courtyard, demanded to be released before moving warders "had to use the necessary violence to move them back to their cells", said Lieutenant Green.

No one was seriously injured during the confrontation at 4.30pm, but some prisoners were bruised and scratched, he said.

Medical representatives were refused access to Pollsmoor prison.

The prisoners' protest was part of a nationwide strike action meant to begin yesterday and organised by the South African Prisoners' Organisation for Human Rights.

The protest was held to call for an Amnesty Resolution Committee to "arrive at a fair, logical and informed system of amnesties and sentence reductions."

Prisoners were told only late yesterday afternoon that strike action by the prisoners' organisation had been suspended pending a meeting with members of parliament and Justice Minister Dullah Omar, said Lieutenant Green.

"They tried to make the prison ungovernable. But they're a small minority among 6 000 prisoners."

Lieutenant Green said prison authorities could not allow protesters to stay in the courtyard at night because it would have created an opportunity for them to escape.

"Our first responsibility is to protect the public," he said.

In a separate action, 14 HIV-positive prisoners have embarked on a hunger strike, saying promises had been made that they would be released. Lieutenant Green said a memorandum containing their demands had been forwarded to the ministry of justice.
Prisoners hungry for indemnity

Marc H. Harvey

The hunger strike of prisoners at Leeskop Prison demanding indemnity as political prisoners entered its 11th day yesterday with two in critical condition and seven more inmates threatening to join.

The 18 striking prisoners, who vowed not to turn back "until we spend Christmas at home", are among 200 inmates countrywide demanding their release in terms of the Indemnity Act and various agreements signed between the ANC and the government.

The prisoners at Leeskop are being held in the maximum security wing. They claim no doctor has attended to them. Two are in a critical condition and can't walk without being helped.

As a result of their actions the prisoners claim they have been downgraded — no visits from family and friends, no telephone calls and in some cases solitary confinement.

"For inmates their treatment is a contravention of the Tokyo Declaration which guarantees that a prisoner will be sent to hospital after 10 days on hunger strike or as soon as they lose 10kg."

Department of Correctional Services spokesman Rudi Potgieter denied the allegations: "We treat our inmates according to international standards. Medical supervision is always there. The doctor decides who has to be hospitalised," he said.

This week the prisoners told the Mail & Guardian their strike was intended to send a message to the ANC that they were feeling neglected because of the government's foot-dragging.

"We were instructed to do what we did by people who are now sitting in parliament. Why should we be sitting inside?" one inmate said.

Mostly ANC-aligned, the prisoners sent out a statement saying: "There is no moral excuse for continued imprisonment now that the ANC is a majority party in the government."

Among those on hunger strike are six members of the National Union of Metalworkers of South Africa, who were among 250 people sacked in 1991 from the Jupiter factory in Germiston.

The company called in United Workers Union of South Africa members to replace them. Some of the replacements were killed, and the Number Six received prison terms ranging from 12 to 24 years for their deaths.

According to the six, their case is being treated as an industrial case, but they argue that their actions were politically motivated.

"All our actions were during the time when union leaders were being assassinated: there was the siege of Cosatu House, Neil Aggett was killed. Do they want to say this was industrial?" asked one hunger striker.

The six want their case to be treated in the same way as that of several members of the South Africa Railway and Harbour Workers Union (Sarwhu), convicted of the necklace murder of four strikebreakers in 1986. The Sarwhu members have been released on political grounds.

Also striking are Soweto self defence unit members Bheka Dolo and Stanley Wanyane, jailed after a shootout with police on their return from Bophuthatswana where they had gone to fetch guns with two colleagues at the height of political turmoil in the townships. One of their colleagues escaped and the other was killed, while they were arrested and both sentenced to 15 years.

They say the formation of SDUs was in response to a call by people like former MK chief of staff Chris Hani, and therefore they see no reason to be incarcerated. They claim theirs was a call to stop violence and not to cause it. And as SDUs in the East Rand are getting full recognition, they feel as SDU members they must be recognised as political prisoners who qualify for release.

For now, prisoners believe their only ray of hope to be the Indemnities Office, which was established in Pretoria in June this year. So far prisoners claim about 30 inmates have been released out of 200 and their patience is running out.
Pollsmoor inmates set beds alight

By EUNICE RIDER

FOURTEEN HIV-positive Pollsmoor prisoners yesterday barricaded their shared cell's gates with their beds and set alight their bedding and mattresses, after insisting on immediate amnesty or an appointment with the Minister of Correctional Services.

Lt Mike Green of the Department of Correctional Services said the 14, who went on a hunger strike on Thursday morning, yesterday insisted on seeing Mr Sipho Mzimela, the Minister of Correctional Services last night. Mr Mzimela is overseas.

He said the prisoners carried out their threat but warders put out the fires one through cell windows.

Lt Green said the HIV-positive prisoners claimed that shortly before the election they had seen on television that they would be granted amnesty, and they wanted to be freed “at once”.

Set alight

The 129 Medium B prisoners who went on strike by lighting bedding in an exercise yard and refusing to return to their cells on Thursday, were calm yesterday following a call from SA Prisoners' Organisation for Human Rights leader, Mr Golden Miles Bhudu, on Thursday night, to stop their action.

But Mr Bhudu’s message had not filtered through to the Buffelsdrift Prison near Swellendam, where at noon yesterday about 80 prisoners set alight their bedding in a demand for their immediate freedom “as promised before the elections”.

Lt Green said the windows and toilet bowls were smashed by the prisoners. One prisoner was injured.

On Thursday the 129 striking Pollsmoor prisoners were teargassed and forced back into their cells by warders. Lt Green said “a handful of prisoners were lightly injured” in the incident.
Hunger strike ends at prison

Crime Reporter

FOURTEEN HIV-positive Polismoor prisoners yesterday broke their three-day hunger strike, calling for immediate amnesty or an appointment with the Minister of Correctional Services. The prisoners started their strike on Thursday morning and set their bedding and mattresses alight on Friday. They claimed that, shortly before the election, they had been on television that they would be granted amnesty and they wanted to be freed at once.

The minister, Mr Sipho Mzimela, is overseas.
Prisons short of 7154 staff

The South African Prisons Service had a staff shortage of 7154 members in October. Correctional Services Minister Mr Sipho Mzimela disclosed yesterday. Responding to a question he said the prison with the most inmates was Durban with a prison population of 6465 and a staff/prisoner ratio of 16 (253).

This was followed by Johannesburg with 6272 (17) and Pollsmoor with 6076 (18).

Buffels River has the highest staff/prisoner ratio (13).
Warders strike in Natal

DURBAN — More than 200 warders are on strike at Ngcome Prison outside Vryheid in northern KwaZulu-Natal. Police could not say what their grievances were. 

CT 24/11/94
24 'ANC prisoners' on hunger strike

PRETORIA. — The number of prisoners on hunger strike at Leeuwkop Prison has risen to 24, a Correctional Services spokesman said yesterday.

He was reacting to claims by the Political Prisoners' Support Committee that "all 30 ANC political prisoners" at Leeuwkop were refusing to eat.

Colonel Barry Eksteen said 16 prisoners began striking on November 8 and another eight joined them on Tuesday.

In a statement, the committee said the prisoners were demanding a "definite commitment" to their release before Christmas.

The hunger strike had reached a critical stage for those entering their third week, the statement added: "They are extremely weak and many are unable to walk." — Sapa
More prisoners join hunger strike

The hunger strike by inmates of Loeufkop Prison demanding political immunity intensified this week as eight more strikers joined the 18 who have been refusing meals for the past two weeks.

According to inmates who called the Weekly Mail & Guardian, more are preparing to join the protest. The prisoners want to spend Christmas at home and are blaming Deputy President FW de Klerk for dragging his feet in signing their releases.

Some are angered by the fact that six months after the new government came into being, they are still languishing behind bars without any word from the government. Others blame the ANC for its failure as the majority party to pressure other political players into releasing them.

The solution may lay in next week's meeting between Minister of Justice Dullah Omar and the South African Prisoners' Organisation for Human Rights. At issue will be demands for the release of 250 political prisoners, the formation of an amnesty resolution committee which must urgently convene to arrive at a fair and informed system of amnesty and sentence reductions for

[Further text is not legible]
DI CAELERS
Weekend Argus Reporter

A NEW juvenile justice system, which turns South Africa’s way of dealing with youth offenders on its head, could be a reality within just one year.

Officially released in the form of proposals for draft legislation, the new system says criminal charges should be a last resort, with “diversion-processes” the pivotal method for dealing with youth in conflict with the law.

Children being jailed, or held in similar secure facilities, would be “an unusual occurrence”, but there’s no easy way out for youngsters who have committed serious offences — they would be held accountable, but subject to a court governed by appropriate rules.

Court overcrowding as a result of hundreds of petty offences would be a thing of the past.

The proposals are the result of years of work and consultation throughout the country and the main role players include the National Institute for Crime Prevention and the Rehabilitation of Offenders (Nicro), the University of the Western Cape’s Community Law Centre, Cape Town Child Welfare, Lawyers for Human Rights, the University of Cape Town’s Institute of Criminology, Community Peace Foundation and the Provincial Administration of the Western Cape.

Major departures from the country’s present system, which administers justice for juveniles by applying the Criminal Procedures Act, the Children’s Act and the Correctional Services Act, include the following:

■ The young person may be cautioned rather than arrested,
■ They are not charged unless the case is going to proceed to court (such as for serious offences or when conflict resolution with the Family Group Conference breaks down),
■ The most common way of handling the offending behaviour of a young person is with a Family Group Conference, and
■ It will be unusual to hold a young person in custody either at the pre-trial stage or at sentencing.

The new system would effectively raise the age of criminal capacity to 14 years and state that only young people of 14 or older could be tried by criminal courts.

“However, young people between the ages of seven and 13 are able to be held accountable for their behaviour by means of a caution or a family group conference.”

The draft document claims the “present system merely continues to reproduce more of the same, using systems and procedures that neither correctly nor assist the young person to take responsibility for their actions.”

The new system would instead:
■ Emphasise accountability, encouraging the young person to acknowledge and take responsibility for his or her offending behaviour;
■ Encourage restorative justice and the resolution of conflict;
■ Bring young people, their family groups and communities to the centre of the decision-making process;
■ Protect the rights of the young person and the victim, with direct restitution to the victim being a particular feature;
■ Provide alternatives at every stage of the process — at arrest, pre-trial and at sentencing so that “diversion procedures” becomes a central part of the system rather than peripheral to it;
■ Encourage plans to prevent re-offending;
■ Provide methods to minimise the need for institutionalisation at any stage of the process, and;
■ Be sufficiently flexible to ensure cultural appropriateness.

The document lists “caution of a young person by a police officer” and “written notice to attend a referral meeting” as alternatives to arrest, and says the type of offences in such cases includes trespass, disturbance, or any minor victimless offence.

A nine-month phase of consultation is to follow the release of the proposals for draft legislation on juvenile justice. The adoption of the legislation is expected within a year.
Natal prison strike over

ULUNDI - Striking staff at Ncome prison in northern KwaZulu Natal all returned to work yesterday, the Department of Correctional Services said.
Non-government bodies and state departments have joined forces to back proposals for a new juvenile justice system for South Africa to be presented to parliament in nine months.

DI CAELERS
Weekend Argus Reporter

REVOLUTIONARY plans for a new juvenile justice system for South Africa have received the thumbs-up from non-government bodies and state departments.

They have committed themselves to piloting the proposals until final acceptance by parliament in nine months.

The new ideas are to be tested and researched at all levels of the justice system during this period of consultation.

And the National Committee on Children in Detention has been renamed the National Committee on Juvenile Justice and will act to centralise planning and consultation around the proposals.

Last weekend, Weekend Argus detailed the proposals for new draft legislation around children in trouble with the law, revealing that in the new system criminal charges should be a last resort.

Children being jailed, or held in similar secure facilities, would be “an unusual occurrence”, but, there’s no easy way out for youngsters who have committed serious offences — they would be held accountable, but subject to a court governed by appropriate rules.

The proposals were accepted at a workshop, before which they were handed to President Mandela and his deputy, Thabo Mbeki.

The workshop was attended by NGOs including Necro, Lawyers for Human Rights, UCT’s Institute of Criminology, the Community Law Centre at the University of the Western Cape and Cape Town Child Welfare, and by representatives of the departments of justice, welfare, safety and security and correctional services.

Don Pinnock, of UCT’s Institute of Criminology and one of the drafters of the proposals, described the new developments as “extremely exciting”.

“Our way of dealing with kids in conflict with the law has been really alien to young people and has been so punitive that offenders become its victims the moment they come into contact with it.”

Principal legal drafter of the proposals, Lawyers for Human Rights’ Ann Skelton, said the high level of accord was a very positive step towards the development of a comprehensive juvenile justice system.

Necro’s Rosemary Shapiro, who organised the workshop, was elated at the understanding and goodwill of all the principal role-players. “All the important organisations and people are on board the process. This is good news for the young people of South Africa.”
‘Stop easy bail’

MICHAEL MORRIS
Political Correspondent

NATIONAL Party and African National Congress ministers in the Western Cape have joined forces to demand that the courts stop granting bail to people charged with violent crime. They say easy bail is defeating the police, and they are to take up the matter with Minister of Justice Dali lesbian Omar.

Their comments add to a steadily growing controversy over suspects in violent cases being released on bail and committing more crimes.

Regional Minister of Environment Affairs, Nature Conservation and Tourism Lerumo Kalako and Minister of Police Patrick McKenna said the ease with which bail could be obtained in cases involving serious crimes was unacceptable.

They were speaking in a fiery debate on a private member’s motion by Democratic Party leader Henne Bester on the “demoralised and unmanaged” police services, which was marked by sharp exchanges between NP and ANC legislators.

Mr. Bester warned that the ease with which offenders were granted bail meant “justice is no longer seen to be done in the community.”

Mr. Kalako said, “Time and again people have been arrested on serious crimes such as murder, rape and armed robbery, but within minutes or days they are free.”

Supporting Mr. Kalako, Mr. McKenna said he would gladly accompany his cabinet colleague in visiting Mr. Omar to raise these concerns.

“It is wrong and cannot continue.”

Mr. Omar himself recently urged that courts “refuse bail in appropriate cases.”

His comment and much of the controversy arose from the case of an alleged taxi warlord, who was arrested on a murder charge while out on bail on an earlier murder charge.

Mr. Omar also ordered the South African Law Commission earlier this year to consider wide-ranging proposals to deal with mounting public concern over bail.

Legal experts have pointed out that while the public perception is that the problem is the fault of the new constitution, in fact the problem lies in its administration rather than the constitution itself.

In yesterday’s debate, Mr. Kalako also repeated his appeal for army assistance being given to the police.

Mr. Bester called for a “radical look” at government spending priorities, warning that the police budget could not be cut or merely kept at this year’s level.
Vlok charged for bomb claim

‘The tables have turned,’
says Umkhonto member

CLIVE SAWYER
Political Correspondent

UMKHONTO we Sizwe member Shirley Gunn today charged former law and order minister Adriaan Vlok with crimen injuria and obstructing justice for his 1988 claim that she had bombed Cosatu headquarters at Khotso House in Johannesburg.

“It’s a great day, the tables have turned completely,” she said on her way to the office of Western Cape deputy police commissioner Quinton Visser.

Affidavits by former police and “askaris” — guerrillas who became police — published in the past month claimed Mr Vlok knew the bombing was the work of the police.

The policeman who made the allegation is in a witness protection programme arranged by the Goldstone Commission.

The policeman said Mr Vlok congratulated askaris at a braai after the bombings.

Brigadier Visser barred journalists from his office when Ms Gunn and her lawyer, Essa Moosa, entered to hand over her affidavit and lay charges.

He said his office was private and “the public” could not enter.

At an impromptu Press conference afterwards, Ms Gunn said “I feel good, I really do.”

She dismissed Mr Vlok’s naming of her as a suspect in regard to the bombing as “a sheer case of fabrication.”

Ms Gunn, a Western Cape unionist who trained as a guerrilla in Angola and Cuba in 1986 and 1987, returned to the country at the end of 1987.

She was detained for prolonged spells but no charges were ever laid against her.

She said Mr Vlok’s allegation had made her “a sitting duck” while she was out of detention.

“He was signing my death warrant, because in the eyes of the public, had the police stumbled across me they would have had a licence to kill me.”

The lingering doubt about her innocence because of Mr Vlok’s statement had meant she had not felt truly free, even after her release from detention with other political prisoners in 1990.

Mr Moosa said Brigadier Visser had told them the police were apolitical and would start investigating the allegations in the docket opened today.
Striking warders fire on sheriff

(253) Own Correspondent

MARITZBURG — The sheriff of Dundee said three deputies came under fire from striking warders at Ncome Prison yesterday when they attempted to serve a Supreme Court interdict on Popcru committee members.

Sheriff J G Celliers said "at least 20 shots were fired into the air" by 12 warders armed with revolvers, pistols and automatic rifles.

One shot not fired into the air struck the chassis of Mr Celliers' car, which was driven by two deputy sheriffs.

"We fled. It was very frightening indeed," said Mr Celliers. "We are not used to this sort of thing and we are not armed. All we were trying to do was to serve some papers, but no one wanted to accept service."

The warders began striking on Monday over the issue of promotions.

The Department of Correctional Services said in a statement yesterday that activities at the prison were at a standstill. The department was uncertain whether prisoners were receiving food or medical services.
'Third force' boss' R10 000 cell phone bill

Own Correspondent

PRETORIA. - Suspected "Third Force" police Colonel Eugene de Kock ran up a R10 000 cellular telephone call bill from his Verwoerdburg police cell – including one to transfer almost R1m from his Swiss bank account.

This was revealed in the Supreme Court here yesterday in a successful application to have Col De Kock moved to Pretoria Central Prison.

The court was told that since July, Col De Kock had made 204 000 phone calls worth more than R10 000 from his cell - including one to transfer almost R1m from his Swiss bank account to an institution in Portugal, where his wife and his two children are believed to be living.

"We have asked for him to be moved for security reasons," said Advocate Germaine van Rooyen.

The court heard that Col De Kock - who faces 106 criminal charges, including murder and kidnapping, relating to Third Force activities - also had a colour television set, a video recorder, an HI-VI decoder and a steak knife when a special investigation team inspected his cell on December 8. He had been having drinks with visitors in his unlocked cell.

Col De Kock, who had an alarm installed in his cell after someone tried to enter it one night, had also been taken on outings, once to the Verwoerdburg Rugby Club.

The former policeman was arrested on May 4. The courts twice refused him bail pending his trial on February 20 on the grounds that he was unlikely to stand trial and would interfere with state witnesses. He was held in Verwoerdburg to give him easier access to legal representatives.

According to an affidavit submitted to court by Gauteng Publicity attorney-general Ms Antonette de Jager yesterday, Col De Kock used his cellular telephone to make 204 000 calls at the daily average of 30 calls, for 25 times, trying to have information published that would discredit members of the team appointed to investigate his alleged crimes. He also contacted a state witness and made regular calls to SA Police Service members.

Documents before the court showed that between July and October, Col De Kock had paid R7 094.59 for cellular calls. Another R2 455.59 has yet to be paid.

Col De Kock, in his answering affidavit, said the cellular telephone service was used to maintain contact throughout that period, so he was not responsible for the full amount.

Abusing'

Ms De Jager said the conditions under which Col De Kock had been detained could easily give the former policeman the opportunity to escape.

"Attempts had been made to limit the possibility of escape and interference with state witnesses by keeping him in detention. This objective was, however, being defeated by the fact that the accused was receiving unprecedented privileges under police protection," she said.

Ms De Jager said Col De Kock's legal team did not oppose the application to move him to Pretoria Central Prison.
Charges possible for De Kock cell guards

PRETORIA. — Criminal charges and disciplinary steps, including possible dismissal, are being investigated against policemen allegedly involved in irregularities relating to the treatment of former Vlakplaas commander Colonel Eugene de Kock, a Ministry of safety and security statement said on Friday.

The statement said Minister of Safety and Security Mr Sydney Mufamadi had been told of irregularities in the way in which Col de Kock had been treated while held at Verwoerdburg's Afrikaner Vlok police station.

The minister had agreed that the "royal" treatment afforded to Col de Kock was unacceptable and that he should be transferred to a prison. — Sapa
Popcru threat of major action against prisons

OWN CORRESPONDENT

Cape Town — The Police and Prisons Civil Rights Union says the Department of Correctional Services is "out of touch with the rest of South Africa" and the union is planning "major" industrial action at all prisons in the new year.

Regional Popcru chairman Hendrik Davids said yesterday apartheid and discrimination against black members and prisoners was "still alive and "well" in the prison service.

He challenged Correctional Services Minister Sphi Mzimela to deny the fact that his department is still a bastion of apartheid.

The latest list of promotions "proved that affirmative action was virtually non-existent".

Nationally, 85 percent of officers and senior management promoted this year were white.

In the Western Cape, white officers and managers made up more than 90 percent of promotions, he said.

Davids accused the department of using the integration of former homeland prison services as a smokescreen for affirmative action.

Popcru wanted to see its members in non-homeland regions promoted, he said.

Instead of practising true non-racism, "we believe that they will try to promote blacks who share their point of view and hold no threat to their own little world."

Davids said Popcru members were sick and tired of discrimination. "Action will be taken — that is a reality," he said.

It would be a busy festive season for Popcru, canvassing members and organizing for "some form of industrial action" towards the end of January.
Prison warders establish new union, Cousa

A NEW prison warders' union, the Correctional Officers' Union of South Africa (Cousa), has been formed after prison warders broke away from Gregory Rockman's Popcru this week.

A Cousa spokesman said the break 'emanates out of frustration and anger with the leadership of Popcru.'

The prison warders, claiming that the leadership of Popcru has proved itself as incompetent and prejudiced, said the leadership of Popcru has 'disgracefully failed to serve the interests of prison warders.'

The breakaway had been brewing since May under the leadership of Cousa president Enoch Nelam, who said the breakaway was to establish a better union to protect the interests of prison warders.

One bone of contention was an invitation from the Danish Prison Union this year, which Popcru members were invited to visit Denmark to study the Danish system. Popcru leaders had undertaken to draw up a draft document on the Danish system.
WARDERS ON GO-SLOW

DURBAN. — Warders have begun a go-slow at Durban's Westville Prison. A Police and Prisons Civil Rights Union spokesman said warders had abandoned all duties except feeding and providing medicine to prisoners.
19 juveniles in escape

KWAZULU-NATAL police were yesterday still searching for 19 juveniles who escaped from Durban's Westville Prison and 14 prisoners who escaped from Vryheid's Nqomo Prison at the weekend.

Both escapes came during a go-slow by members of the Police and Prisons Civil Rights Union (Popcrus). Popcrus KwaZulu/Natal organiser Mr Babah Nyandu said the go-slow was to press demands for the immediate removal of Minister of Correctional Services Dr Sipho Mzimela and the provincial commissioner-general of prisons.

Popcrus is also demanding promotions, transparency in recruiting, a stop to alleged bribery and nepotism, and the reinstatement of Popcrus members dismissed in 1990, allegedly for union activities.

Department of Correctional Services spokesman Major Koos Gerber on Friday said the go-slow was irresponsible and if lives were put at risk, action would have to be taken.

— Sapa.
40 prisoners escape
Popcru warders strike

Durban — More than 40 prisoners were on the run in KwaZulu/ Natal yesterday after escaping from three prisons during a strike by warders, a department of correctional services spokesman said.

Major Koos Gerber said a total of 54 inmates had escaped over the Christmas weekend but 12 had been recaptured by early yesterday morning.

He said prison services in the province had been severely affected by a go-slow strike by members of the Police and Prisoners' Civil Rights Union (Popcru), which started on Friday.

"Popcru members do come to work but refuse to do any duties other than make sure the prisoners are fed," Gerber said.

He said police and warders from Gauteng had been called in to maintain order at Ncome prison in Vryheid after 16 inmates had escaped on Saturday.

"This prison is the worst affected because most of the warders are Popcru members," Gerber said. At the time of the escape there was only one warder on duty at each of the two prisons at Ncome," Gerber added.

He said seven inmates had escaped from Maritzburg prison.

"Warders caught a prisoner escaping (on Sunday) who then informed them that seven other prisoners had escaped the night before."

He said 21 inmates from Durban's Westville prison were still being sought by police after 31 prisoners escaped on Saturday.

Gerber said Popcru was demanding the resignations of Correctional Services Minister Sipho Mzimela and that of KwaZulu-Natal's regional prisons commissioner, General Johan Hills.

"They wanted an answer by December 23 which we gave them, but they were not happy with this and decided on a go-slow strike," Gerber said.

A 17-year-old boy died in his Heidelberg police holding cell early yesterday after he was arrested in Zonkizisele on Christmas Day for crimes involving and hindering the police in the execution of their duties.

SAPS spokesman Warrant-Officer Andy Pieke said that the boy had been taken to the AG Visser Hospital at about 2 pm on Sunday after complaining of stomach cramps.

The boy, whose name has not been released, was prescribed medication and the first dose was administered at 6 pm.

Pieke said paramedics were called at about 1 am when the boy was found in obvious pain by a policeman during routine cell inspection. He died later.

A post-mortem will be held and police have opened an inquest docket — Crime Staff
Prison warders to end go-slow

DURBAN — Agreement was reached between the Department of Correctional Services and the Police and Prisons Civil Rights Union (Popcru) yesterday, ending a go-slow in kwazulu Natal prisons that led to the escape of 54 prisoners.

Popcru regional secretary Mr Nhlanhla Ndumo appealed to prison warders to return to work today.

The parties agreed to form a committee to examine the union’s demands.

Acting Minister of Correctional Services Dr Ben Ngubane, who chaired the meeting, agreed to make representations to President Nelson Mandela on a union demand for Minister of Correctional Services Mr Sipho Mnemela to be removed.

Union’s demands for review

Dr Ngubane said the meeting was a success. The parties had set “an inclusive transparent process in motion to handle grievances”.

He said the committee would include ministerial, departmental and union representatives.

To be known as the kwazulu Natal Correctional Services Task Group, it would also deal with possible disciplinary steps against warders.

The committee will consider union demands for promotions and merit awards, allegations of nepotism and bribery, and a demand for the reinstatement of Popcru members fired in 1990 for union activities.

Popcru regional chairman Mr Bhekani Ngabha said the union was happy with the outcome of the meeting.

Regional Commissioner of Correctional Services Major-General Johan Hills, whose removal is one of Popcru’s demands, said the confrontation in the province’s prisons could have been “averted had the union put its demands “to the correct authority on a national level”.

Twelve of the 54 escaped prisoners have been re-arrested. They escaped from Durban’s Westville Prison, Vryheid’s Ncome Prison and prisons in Mafadda and Empangeni.

— Sapa
control of camp ● R3.3m stolen property recovered

**Prisons go-slow ends**

Agreement was reached yesterday between the Police and Prisons Civil Rights Union and the Department of Correctional Services, ending a go-slow in KwaZulu-Natal prisons that led to the escape of 54 prisoners.

All the escapes were on Christmas Eve during a go-slow by Popcru members who refused certain tasks, including nightshift.

A total of 12 prisoners have been recaptured so far. Twenty-one of the 31 juveniles who escaped from Westville Prison near Durban were still at large yesterday morning. Correctional Services spokesman Major Koos Gerber said the last of the 10 to be captured called for help from the prison roof on Monday morning, when he was unable to get down. At Vryheid's Ncome Prison, 14 of 16 prisoners who escaped were still at large yesterday morning, as were seven who escaped from Pietermaritzburg.

A group of 62 policemen from Gauteng was sent to Ncome at the weekend to restore order.

Three awaiting-trial prisoners escaped from Empangeni Prison yesterday morning.

KwaZulu-Natal police spokesman Colonel Casper Steyn said the three men escaped after scaling a roof in the prison grounds. A search is under way.

Regional Popcru secretary Nhlanhla Ndumo called on prison warders to return to work today.

Acting Minister of Correctional Services Mr Ben Ngubane agreed to make representations to President Nelson Mandela on a union demand for the removal of Minister of Correctional Services Dr Spho Mzimela.

Ngubane, who chaired the meeting, said it was a success. The parties had set "an inclusive, transparent process in motion to handle grievances." He said the committee would include representatives of the Minister of Correctional Services, departmental officials and Popcru members. — Sapa
Chaos as inmates steal key to Empangeni Prison

Popcru agrees to end strike

Durban — The Police and Prisoners Civil Rights Union agreed yesterday to end a go-slow strike at prisons in KwaZulu/Natal, a Popcru official said.

"Popcru is happy because most of the things we have asked for have been obtained. We call on each and every member of Popcru to come back to work and perform duties from tomorrow," regional chairman Bhekani Ngubo told a news conference.

The agreement was reached after a meeting between a Popcru delegation and prison authorities led by acting Minister Ben Ngubane.

In terms of the agreement, a committee will be established to look into Popcru's grievances relating to promotions, bonuses, recruitment and nepotism, Ngubo said.

Ntobane told reporters that yesterday's meeting had been a success and that a process had been put in place to address Popcru's demands.

**Breakdown**

The meeting followed a breakdown in prison services in the province after Popcru called a go-slow on Friday when its demands submitted to the Department of Correctional Services were not met.

Meanwhile, 43 prisoners were still at large yesterday after breakdowns by prisoners at four prisons since Saturday.

An inmate at the Empangeni Prison in KwaZulu/Natal was wounded and another escaped when about 30 prisoners avoiding trial tried to escape yesterday, a prisons spokesman said.

Major Koos Gerber said the wounded prisoner was one of three inmates who climbed a wall after inmates had overpowered three warders and took a key for one of the prison gates.

"Realising that their attempt to escape had failed, they took to the courtyard and went to a separate section in the prison," he said.

"There they managed to force open a wire mesh, which covered the passageway, and three of them managed to climb over the wall," he said.

"The police were alerted and tried to stop the prisoners from getting away.

"In the process, one prisoner was wounded and another returned to the prison. It is believed that one prisoner managed to escape," Gerber said in a statement.

Gerber said the escapes were linked to the Popcru strikes, which had crippled the prisons services.

He said the escape drama began earlier in the day after about 50 of the 65 warders went on a go-slow. The attempted breakout took place at 9 am.

**Proper count**

He said. "The Popcru members were apparently only prepared to assist with the unlocking and lock-up of prisoners, giving of food, and medical parades."

As order returned to the prison, Gerber told the press: "At present, attempts are being made to find the missing key and to do a proper count of the prisoners to make sure only one prisoner managed to get away."

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**Energy Usage**

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**Time taken to fetch Wood and/or Water (Minutes Daily):**

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**Education**

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<tr>
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**Note:** Per Capita Water Consumption only recorded amongst those who fetched water and recorded amount collected viz 29, 259 1857 and 861 for groups 2-5 respectively.

Sample Sizes for adult illiteracy rate includes all members of household over 18 years and who have completed Standard 4 and above.

Demand for Services in Non-Urban South Africa Draft Report
Forum acts to prevent deaths of detained kids

Own Correspondent

EAST LONDON — The death last week of a child beaten and tortured by other prisoners in the Humewood police cells is being taken up urgently by the Children in Detention Forum — to prevent a recurrence.

The forum, set up two years ago, is made up of members of the police, provincial social services, Correctional Services, the Justice Department and other concerned bodies.

A member of the forum and provincial social services co-ordinator Mr Ashley Theron said immediate action had been taken on the death of the child, believed to have been 10 years old.

The child, detained on charges of serious assault, died in hospital four days after being assaulted by other youths in the cell.

There were also burn marks on his chest and between his toes, indicating he had been tortured.

Mr Theron said determining the age of child prisoners and tracing their parents were usually major problems.

“There are also long periods of detention because of the slow movement of juveniles to other facilities like reform schools and places of safety.”

Mr Theron said, however, that in two years a 50% reduction in the number of juvenile suspects detained in police cells had been achieved.

Social workers assessed every child detained to decide on the most suitable place of detention.

A centralised place of custody for juveniles whose detention was essential had been established at the Humewood police cells, where there was a full-time social worker.

“The Justice Department has committed itself to setting up a legal procedure to speed up the court procedure and a senior state prosecutor has been appointed to monitor each juvenile detainee.”

Mr Theron said the forum had cited the lack of places of safety as a major problem.
Popcru says prisons could face strikes

THE Police and Prisons Civil Rights Union (Popcru) yesterday warned that local prisons could face worker strikes if their grievances were not addressed.

A spokesman for the Pollsmoor branch of Popcru said members were drafting a letter to the Minister of Correctional Services, Mr Sipho Mzimela, to draw to his attention to their complaints, which included the 80% dominance of whites in positions of authority, Mr Mzimela's apparent lack of commitment towards creating sound labour relations and no affirmative action plan being visible.
42 prisoners still at large

Durban — The Department of Correctional Services said yesterday that 42 prisoners — many of them dangerous criminals — were still at large after escaping during the go-slow by warders in KwaZulu-Natal.

"Some of them are dangerous criminals who are now in the community," Correctional Services spokesman Colonel Barry Eksteen said.

Among the prisoners were murderers, rapists and robbers, he said, adding that he was compiling a list of names.

The prisoners escaped during the go-slow strike by members of the Police and Prisons Civil Rights Union (Popero), which began last Friday.

The strike ended after acting Correctional Services Minister Ben Ngubane agreed on Tuesday to set up a task group to look into complaints about lack of promotions, nepotism, unfair recruitment and unequal merit bonuses.

"It's all back to normal. People are back at work," Eksteen said.

"I blame Popero. You cannot condone actions where dangerous people are allowed back into the community," he said.

KwaZulu-Natal police spokesman Lieutenant-Colonel Dala Naddo said a robbery suspect was shot and wounded by a policeman and another was on the loose after breaking out of a holding cell at a Durban police station on Wednesday.

He said three robbery suspects were being held at a temporary holding cell at the Point Parkade satellite police station. A policeman had opened the door to check on them and the suspects pushed him and fled.

"One suspect was arrested in the police station and two others fled into the street. A policeman fired shots and one suspect was wounded and arrested. The third managed to escape," Naddo said. — Reuter
Public Sector - Govt. - Prisons

1995

January - May
Correctional Services rejig discussed

President Mandela met Police and Prisons Civil Rights Union (Popercu) members and Correctional Services commissioner-general Henk Bruyn in Pretoria yesterday to discuss the restructuring of the Correctional Services Department.

The president's office said in a statement that Mandela had emphasised the importance of discipline, the resolution of problems through consultation and consensus, and the need for an inclusive approach in dealing with the restructuring of all departments.

The talks included issues such as salaries, training, promotions and the reinstatement of Popercu members dismissed for union activities.

The restructuring of the jail system would be discussed at a forum between the department and its employees, the statement said, adding that the dismissal of Popercu members would be discussed on Friday — Reuter

Patrick Wadula reports that the Department of Correctional Services has established a total of 22 correctional boards on which community leaders could serve to encourage community participation.

People interested in serving on a correctional board are invited to contact Major Alma de Jager at (012) 324-3660 before January 27.
Correctional Services rejig discussed

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P

Row over pay promise

Some gardeners earn a ‘pittance’ of R800 a month.

President Nelson Mandela yesterday promised public service gardeners higher wages after the passing of this year’s budget.

Presidential spokesman Mr Joel Netshitenzhe said in Pretoria that Mandela had addressed more than 100 gardeners at his official residence, Mabola’mtholo, earlier in the day, assuring them that he knew some were earning a “pittance” of R800 a month.

Netshitenzhe was commenting on claims by leaders of the South African Health and Public Service Workers Union yesterday afternoon that Mandela had promised the gardeners a minimum monthly wage of R1 500 by March 31.

Sahpewu general secretary Mr Silas Baloyi objected to Mandela “running behind our backs to talk to a section of our members instead of responding to the union”.

He added: “Mr Mandela is trying to neutralise and to divide us.”

Minimum wage

Sahpewu members last week went on strike for four days to press for a minimum wage of R1 500 a month and a 15 percent pay rise for public service workers.

Union leaders claimed that gardeners working at Mandela’s residence had also gone on strike. This was denied by his office.

Sahpewu on Friday suspended the strike for two weeks to “give the government the opportunity” to respond to the union’s demands.

According to Netshitenzhe, Mandela explained to the group that the current budget had been inherited from the previous government.

Salary adjustments

The new budget in March, he said, would bring about salary adjustments for public servants, resulting in pay rises particularly for the lowest paid workers.

Netshitenzhe said there was “no way” in which Mandela would have mentioned specific figures to the workers as he was fully briefed on the talks on public servant salaries.

---Sapa
Popcru to take action

THE Police and Prisons Civil Rights Union yesterday said it would launch a programme of action on January 23 that would continue until the South African Police Services and Correctional Services departments were transformed.

The launch will be marked by regional marches culminating in the presentation of a memorandum to Parliament. Popcru president Mr Enoch Nelaan said.

He said President Nelson Mandela promised to attend to the union's grievances during a meeting with union leaders on Tuesday.
 Popcru threatens mass action over restructuring

THE Police and Prisoners Civil Rights Union (Popcru) warned yesterday that correctional and police service command structures would be hit by mass action if they were not restructured to reflect SA's population.

Popcru president Enoch Nelani said the campaign, aimed at forcing President Nelson Mandela to speed up the restructuring process, would be launched on January 23.

He said his organisation would organise marches in the nine provinces and this would culminate in a march to Parliament in Cape Town.

Referring to Popcru's meeting with Mandela on Wednesday, Nelani said the union had proposed the formation of an interim restructuring and advisory committee, inclusive of labour representatives, to review the promotion policy.

Meanwhile, Sapa reports that 17 of the 18 Popcru members arrested on Wednesday at Poyntons building in Pretoria for trespassing and later released were rearrested yesterday for the same offence.

A police spokesman said after their arrest on Wednesday the Popcru members had been released with the option of paying a R100 fine before February 22 or appearing in court on March 7.

Students allege violent destabilisation plan

THREE Congress of SA Students members claimed in Tembisa yesterday they had been recruited by a disenchanted SA National Civic Organisation (Sanco) executive member to destabilise communities and organisations through violence and assassinations.

Gift Mokoena said they had been given guns last year to target high-level Sanco members and people in the local negotiating forum.

He said they had also been provided with money for food.

When they did not carry out the attacks, the former Sanco member demanded his guns back, Mokoena said. He alleged all three were present when plans to attack the Zimsele and Langaville areas in Tembisa were discussed.

Subsequently, Langaville squatter camp had shacks burned to the ground, Mokoena said.

"We don't know anything about the death of civic leaders in the area as we were no longer involved," he said.

ANC Youth League spokesman George Mothibedi said they would like to see the former Sanco executive member arrested and charged for the alleged offences.

However, the league's Tembisa branch had not taken the matter up with the police, Mothibedi said.

SAPS spokesman Lt Deon Peens said the police could not comment on these allegations until affidavits had been lodged.

Riker's Fund

Civilization is a limitless multiplication of unnecessary necessities. — Mark Twain
Report on De Kock ready soon

Mar. 17/1995 (253)

BY JOVIAL RANTAO

A top-level departmental investigation into irregularities which led to former Viakplas commander Colonel Eugene de Kock's "royal" lifestyle when he was an awaiting-trial prisoner at the Verwoerdburg police station is expected to be completed soon.

Bribery Petzer said he had already questioned more than seven people and he expected to interview many more before he completes his investigation.

Besides having freedom of movement, De Kock had a colour TV set, a video recorder, an M-Net decoder and cellular phone in his cell.

His trial starts on February 20 in the Pretoria Supreme Court.

> Indemnities
row - Page 6
Scores of convicts on the run

BY ADAM COOKE

Nearly 100 prisoners have escaped from prisons and police cells around the country since the Christmas weekend, yet few have been recaptured.

The escapes were highlighted by a weekend breakout of five prisoners from Middelburg Prison in the Eastern Transvaal.

Two of the escapees were recaptured on Tuesday and one was shot dead by police trying to arrest him on Monday. The other two, described as dangerous, are still on the run. Police said yesterday that they had questioned a prison warden in connection with the escape.

The biggest breakout during this period came over the Christmas weekend when 54 inmates escaped from three prisons in KwaZulu/Natal. Only 12 have been recaptured.

Prison services throughout the province were, according to Correctional Services, under "severe strain".

Prisons had been affected by a go-slow strike by members of the Police and Prisons Civil Rights Union.

While 12 escaped prisoners had been recaptured, neither KwaZulu/Natal police nor prison services had any more information yesterday.

Another escape, this time from police cells in Daveyton on the East Rand, emphasised the problem of poorly equipped and maintained prisons. Three convicts climbed through a hole in the roof shortly after Christmas.

On New Year's Eve, eight men escaped from cells in Benoni. They had been arrested on charges of culpable homicide, rape, housebreaking and theft. The eight were regarded as extremely dangerous.

In the Eastern Cape, four convicts escaped while awaiting trial at Fort Glamorgan Prison. They were held on charges of murder, armed robbery and rape.

Also over the Christmas weekend, two awaiting-trial prisoners escaped from police cells in Kareedouw. One has since been recaptured.

In another breakout, a Polish citizen wanted in Germany by Interpol in connection with drug trafficking, escaped. Police said he had escaped after a visit from his "extremely glamorous" girlfriend.

Five prisoners awaiting trial escaped from the Vljoenskroon Prison in the Free State at the weekend.
Popcru gearing itself for major confrontation

ROGER FRIEDMAN
Labour Reporter

The Police and Prisons Civil Rights Union is gearing itself for a major confrontation with police and prisons management, starting with the proposed occupation of Wynberg police station during lunch-hour today.

The union has called on all its members to march to Parliament on Monday to demand the "total restructuring" of the two departments.

Police management has called on on-duty Popcru members not to take part in the march as policing was an essential service.

Police liaison chief Raymond Dawid said the police were not opposed to any member "exercising his or her democratic right to protest" but "loyal" Popcru members "should realise their commitment was to serve the public first."

Popcru regional organiser Heston Lottering said the march by all members would proceed, irrespective of permission being granted.

He warned that "strong action" would be taken if either department took disciplinary steps against any Popcru member for attending the march.

He appealed to members not to be "intimidated" by management.

He said "The more we reach out to the departments, the more they turn their backs on us."
Popcru drops plan to occupy police station

SHELLEY CARMICHAEL
Weekend Argus Reporter

PLANS by the Police and Prisoners Civil Rights Union (Popcru) to occupy the Wynberg police station yesterday fell through after fears that their matter, planned for next week, may be jeopardised.

The protest was to have been in reaction to the police district commander's refusal to allow union members to march on Parliament on Monday.

But fear of further action against the union convinced Popcru leaders to cancel the planned occupation, said Cameron Mcako, the union's Western Cape vice-chairman.

However, Popcru intended taking to the streets on Monday, he said.

Mr Mcako said apartheid in the correctional services and police force was the reason for the march.

The predominantly-white top structure and slow process of change were the union's main concerns.

They would demand the immediate reinstatement of Popcru members who had been dismissed or demoted.

An interim promotions board would be called for to review the existing promotions policy.

Mr Mcako said Popcru was also seeking the dismissal of civil servants who were involved in previous atrocities.

Popcru hoped the march would help to begin the process of affirmative action within the correctional services and police force.
Popcru marches to demand end to white ‘sunset clause’

Staff Reporter

ABOUT 1 000 Police and Prisons Civil Rights Union (Popcru) members took to the streets of Cape Town today to present a series of demands to the government.

The demands were contained in memoranda addressed to Safety and Security Minister Sydney Ntlamand and Correctional Services Minister Sipho Mzumela.

The march from Zonnebloem to outside parliament, led by national Popcru president Enoch Ndlala, was monitored and videoed by non-Popcru members of the police.

A chain was thrown across the entrance to parliament and about 50 policemen in riot gear and bearing plastic shields stood by.

Luxury vehicles bringing parliamentarians to work were shown to a back entrance.

Mr Ndlala used a megaphone mounted in a traffic police vehicle to address union members before the march began.

“We cannot allow the situation where white supremacy is preserved,” he said to thunderous applause.

“We want to see a restructured police and prisons, representative of our communities, at all levels of management.”

If Mr Mzumela did not want to restructure his department, he would be compelled to leave.

“Down with Mzumela,” Mr Ndlala chanted.

ON THE MARCH: Police and Prisons Civil Rights Union members gather outside parliament today to demand the restructuring of the police and prisons services.

Some of the banners on display read “We are not willing to suffer another 40 years”, and “Our waves are leaving us.”

Outside parliament, the unionists milled about as leaders demanded to hand the memoranda to ministers personally.

After about 90 minutes, the memoranda were eventually accepted by the chairmen of the parliamentary standing committees on correctional services and safety and security.

Linda Mt and Carl Niehaus, Mr Niehaus said, “We are aware of the concerns being raised by Popcru and the need for just conditions. These are serious problems that must be addressed.”

Mr Mt said a major announcement concerning police commissioners could be expected within a week.

Included in the memoranda addressed to the two ministers was a demand that the “sunset clause” guaranteeing the jobs of white civil servants in the new South Africa be revoked.

Claiming that little had changed in the police and prisons since the advent of the new South Africa last April, the union said it wanted to be consulted on all aspects pertaining to the restructuring of the two services.

It also demanded a wage freeze for senior ranks to narrow the gap between top-level and junior ranks.
Popcru and officials set for confrontation

A CONFRONTATION is looming between the Police and Prisons Civil Rights Union (Popcru) and senior police and prisons officials over the carrying of arms and wearing of uniforms during protest action by policemen.

Popcru is to hold protest marches to provincial safety and security headquarters throughout the country today, demanding, among other things, that the new national police commissioner be a civilian.

Popcru president Enoch Nelmold said at the weekend his organisation was going ahead with proposed marches today, amid threats from the Correctional Services Department and SA Police Services that protesting police officers who wore uniforms and carried service pistols would be disciplined.

A Correctional Services spokesman said the Popcru protest posed a serious risk to the public and would contribute to a shortage of staff in prisons.

The department said recent staff indiscipline at jails in KwaZulu-Natal had led to "mass escapes which put the community at risk".

Sapa reports department spokesman Brig Chris Ocker said the march would be monitored and police called in if necessary. Marchers would face disciplinary steps as they had not applied for leave, he said.

An SAPS spokesman said if a crisis developed during the marches, police would ask for help — possibly from the SA National Defence Force.

Popcru spokesman Lando Sam said the march had been called because the department had not addressed Popcru members' grievances.

"I'm more than surprised to hear them talking about their concern for the community," he said. "If they had addressed our grievances by now."
Change: Ultimatum by

Popcru on mass action

ROGER FRIEDMAN
Labour Reporter and
The Argus Correspondent

THE Police and Prisons Civil Rights Union has given the government until February 3 to "respond positively" to its demand for accelerated change in the police and correctional services or face mass action.

Popcru deputy-president Oupa Manyoba said in Johannesburg yesterday that the union would have no option but to embark on go-slow, sit-ins and then "full-scale mass action" if the SA Police Service and the Department of Correctional Services did not accede to its demand for visible change.

Thousands of Popcru members in eight provinces — except KwaZulu-Natal — marched on various provincial legislatures and parliament yesterday in the first part of a campaign aimed at bringing change to the police and correctional services.

Calls were made for the resignation of Correctional Services Minister Sipho Mzimela and a review of the promotions policy of both the police and correctional services.

Mr Manyoba said "I hope mass action will be our last resort because the country cannot afford unrest in the prisons and police services now."

Popcru president Enoch told a Press conference in Cape Town yesterday that unilateral restructuring of the security forces would undermine the country's security system in the future.

"More than any other state institutions, the security forces carry the burden of the past.

"They were used deliberately as a political instrument of the ruling National Party to enforce harsh apartheid laws.

"While most of these laws have now been rescinded, the public image of the forces has not improved.

"We as Popcru believe that this transformation of the old to the new can only take place if the change process allows for internal democratisation."

Correctional Services Department spokesman Bert Slabbert said yesterday that go-slow and other forms of protest action were "unfortunate". He said the department would study Popcru's demands and would respond later.

See page 15
Popcru marchers demand Minister resigns

THOUSANDS of members of the Police and Prisons Civil Rights Union yesterday converged on the seats of seven provincial governments to demand the resignation of Correctional Services Minister Sipho Mzimela.

Targeted provinces were Gauteng, Western Cape, Eastern Transvaal, Northern Transvaal, Northwest, Free State and Northern Cape.

Police and Correctional Services officials have said action would be taken against Popcru members who took part in the march without permission from their superiors. But Popcru deputy president Oupa Monyobo said if steps were taken against union members the union would embark on rolling mass action.

Handing a memorandum detailing the union's demands to Gauteng safety and security minister Jesse Duarte, Monyobo said his organisation was aware that white police generals were against the changes planned by national Safety and Security Minister Sydney Mufunadi.

Protesters in Gauteng, carrying placards calling for better wages and the immediate resignation of Police Commissioner Gen Johan van der Merwe, called on government to review the "sunset clause" which guaranteed the jobs of white civil servants.

They alleged that Lt-Gen Koos Calitz and Lt-Gen Johan Swart, who according to media reports were resigning from the police force on medical grounds, had been involved in "apartheid atrocities".

"They should remain in the force until they answer for the wrongs they committed in the apartheid era," Monyobo said.

Correctional Services spokesman Lt Rudi Potgieter said about 800 Popcru members had marched on Parliament and handed a memorandum to ANC MP Carl Niehaus.

Other demands included the immediate reinstatement of Popcru members who had been dismissed for union activities, the implementation of new disciplinary and grievance procedures and equal medical and housing benefits for both sexes.
Police warders in racism protest

HUNDREDS of policemen and prison warders marched to Parliament yesterday to express dissatisfaction over "entrenched racism" in the departments of Safety and Security and Correctional Services.

The march by Police and Prisons Civil Rights Union members was part of a nationwide campaign to highlight grievances over the slow pace of political transformation in the two departments.

Popcru national president Mr Enoch Nolani said his organisation was dissatisfied with the inaccessibility and ineffectiveness of Correctional Services Minister Mr Sipho Mzimela.

The protesters chanted and sang under banners which read, "It's still the old government's prison service" and refused to leave until the chairmen of the select committees on Safety and Security and Correctional Services, Mr Linda Mit and Mr Carl Niehaus, accepted their memorandum.

The memorandum noted that "apart from the national minister and some advisers, the majority of the management and command structure of the SAPS remains unchanged, old methods are still employed".

ON THE MARCH... Hundreds of uniformed policemen and women and prison warders marched to Parliament yesterday as part of a Popcru campaign to express dissatisfaction with the slow pace of reform in the police and prison services.

Picture: BENNY GOOL
'Now it's time for others to compromise'

BACKGROUND TO THE NEWS
ROGER FRIEDMAN, Labour Reporter

The Police and Prisons Civil Rights Union says the sunset clause negotiated at Kempton Park which guarantees the jobs of white civil servants for five years is getting in the way of restructuring the police and prison services.

Realistically, the security services cannot be restructured as long as all the top positions are held by whites and their jobs are guaranteed, says Police and Prisons Civil Rights Union national president Enoch Nelani.

The quietly-spoken Hillbrow constable was explaining the demand contained in memoranda handed to the Ministers of Safety and Security and Correctional Services this week that the constitutional committee revoke the so-called sunset clause.

Mr Nelani said in an interview in Popcra's Athlone offices this week that the axe had to fall and the Truth Commission should perhaps determine where this should be done.

"Negotiating is obviously all about giving and taking. Very serious compromises were made and we respect our comrades who made the compromises."

"But compromise was largely a one-way process ... the comrades had to compromise to accommodate the new South Africa and now it's time for the others to compromise."

"We should be trying to win over our white colleagues so they are prepared to pay the price willingly," he said.

"We are not suggesting demotions, but people should be able to wake up one morning and think for themselves. We have always had the advantages, now let us also give our colleagues a chance."

"But obviously, in order to restructure the top structures, you will have to retire people whether it is on early pension or something else, some people will have to go," Mr Nelani said.

"Restoring the credibility of the two services would go hand-in-hand with restructuring."

"You will not have a credible service if some of your top people are exposed by the Truth Commission as having been involved in clandestine activities."

"We are obviously not looking for angels but the people at the bottom should have a good record," he said.

"If people at the top found to have been involved in dirty tricks could be retired, it would create some sorely-needed space."

Moving people sideways or retiring them early would be costly — as was guaranteeing jobs.

And who would fill the top positions given the dearth of suitably qualified policemen and warders of colour, Mr Nelani asked.

Popcra proposed an immediate start to affirmative action through a new set of criteria governing promotions.

Given the history of South Africa, and the fact that the majority of South Africans had been deprived decent education, qualifications should not be the only factor taken into account in dealing with promotions.

"We propose a set of criteria that takes experience and human potential and capability into account."

"We would like the process to move with speed, and it should be an inclusive process so that those people who have to pay the price do so with some enthusiasm." Mr Nelani said, politically, Popcra supported the government on national unity, but as a labour movement it had a responsibility to address the working conditions of its members.

The 36,000-strong union has observer status at Cosatu and is considering formally affiliating later this year.

Popcra is also re-considering its relationship with the more conservative South African Police Union (Saps).

"We agree with the Cosatu slogan 'One Industry, One Union', but believe it is still premature to talk as Saps is still seen as a tool of management."

"Ideally, the workers should not allow themselves to be divided."

But, Mr Nelani said, Popcra had begun to attract white members — "even in the old Transvaal and Orange Free State they are so nervous but they are joining".
Popcru storms out of meeting

By ROGER FRIEDMAN, Labour Reporter

A UNION negotiating team stormed out of a meeting with regional correctional services commissioner Gerhard Spangenberg today after the general allegedly described the 'reconstruction and development' programme as "... and just a piece of paper."

Police and Prisons Civil Rights Union (Popcru) regional chairman Hendrik Davids said Popcru "rejected with contempt the sarcastic and arrogant way in which General Spangenberg conducted today's meeting" and called for his resignation.

The meeting was to have discussed the reconstruction of the prisons service.

General Spangenberg was unavailable for comment after the meeting, and his spokesman Mike Green was apparently in a meeting.

Captain Davids said the Popcru delegation had walked out of the meeting "in disgust" as the general had been "shouting and swearing".

He added: "After numerous attempts at negotiating with him, it has become clear that General Spangenberg must go as he is out to undermine any change in the Department of Correctional Services."

Captain Davids said Popcru planned to mobilise "our communities and friends" to embark on "mass action" to demand his removal.

The action would continue until the department's provincial office, 97 percent of whose officers were white, was "rectified" to reflect the composition of the population of the Western Cape.
Stormy meeting

A UNION negotiating team stormed out of a meeting with regional Correctional Services commissioner Gerhard Spangenberg in Cape Town yesterday after the general allegedly termed the Reconstruction and Development Programme "just a piece of paper". The meeting was to have discussed the reconstruction of the prisons services.

General Spangenberg and a spokesman were unavailable for comment. Captain Hendrik Davids, the union's regional chairman, said the Police and Prisons Civil Rights Union would mobilise "friends and the community" and embark on mass action until the department's provincial office, which comprised 97 percent white officers, was "rectified" to properly reflect the composition of the Western Cape's population — Own Correspondent.
Warders' sit-in goes on

REPRESENTATIVES of the Police and Prisons Civil Rights Union and the commanding officer of Leeuwkop Prison, north of Johannesburg, were in talks yesterday to try to end a sit-in by prison warders which had entered its third day. Correctional Services spokesman Lieutenant Rudi Polglaeber said the dispute was about promotions. He could not elaborate. He added that 98 warders were involved.—Sapa
Prisons general denies RDP slur

ROGER FRIEDMAN
Weekend Argus Labour Reporter

REGIONAL Correctional Services commissioner Gerhard Spangenberg has denied describing the Reconstruction and Development Programme as "a . . . t" and "just a piece of paper."

He threatened to take legal steps against Popcrn for making the allegations.

Police and Prison Civil Rights Union regional chairman Hendrik Davids said yesterday a Popcrn negotiating team stormed out of a meeting with General Spangenberg after his "attack on the police and prison officials."

Popcrn "rejected with contempt the sarcastic and arrogant way" in which General Spangenberg conducted yesterday's meeting. They called for his resignation.

The meeting was to have discussed the reconstruction of the prison service.

Captain Davids said the Popcrn delegation had walked out of the meeting "in disgust" because the general "shouted and swore."

"After numerous attempts at negotiating with him, it has become clear that General Spangenberg must go as he is out to undermine any change in the Department of Correctional Services."

Captain Davids said Popcrn planned to mobilise "our communities and friends" to embark on "mass action" to demand his removal.

The action would continue until the racial imbalance in the department's provincial office was rectified.
A clash is looming between the Parliamentary Select Committee on Correctional Services and the Minister, Mr Sipho Mzimela, over the latter’s alleged refusal to meet with the committee.

Committee members said at least four letters had been sent to Mzimela requesting meetings to discuss burning issues. The minister has responded in one sentence answers, simply stating that he does not have time. Sources said the committee had agreed to send a last letter to which no response has been received.

“If he still refuses, we are going to have to ask President Nelson Mandela to intervene, as we are now convinced that the minister does not want to meet with us,” Mzimela, a member of the Inkatha Freedom Party, was not available for comment as he is overseas.

Committee chairman Mr Carl Niehaus said it was true that four letters had been sent to the minister.

“All I can say right now is that so far no meeting has taken place, but we are hoping to meet with him soon,” Niehaus said.

He said the committee wanted to discuss issues relating to political prisoners and conditions in prisons, which the minister may be able to deal with administratively. Sources said the committee had visited several prisons and had found shocking conditions and unbridled racism.

“The treatment of Aids-suffering prisoners is shabby and borders on a contravention of international conventions to which this country subscribes. This is a violation of the human rights of prisoners as enshrined in our constitution. That people are prisoners does not mean their rights are suspended.”

“As a committee, we cannot move into the department and say do this. We can only advise the minister and all our efforts to do so are being spurned by him,” he said.

“The problem is that when the prisons explode and there is loss of life, people then spring up but by then it is too late,” the source said.
SENATE Deputy President Mr Gevan Mbeki and Correctional Minister Dr Sipho Mzemela yesterday visited Robben Island with a delegation of German labour leaders and businessmen.

The German delegation was led by Federal Minister for Labour and Social Affairs Dr Nordt Blum.

Mr Mbeki, who spent more than 23 years at the prison, recounted some of the difficult times political prisoners had endured on the island.

He showed the delegation some of the manual labour sites and took them to Section B, where he and President Nelson Mandela were held.

Dr Mzemela told the delegation that discussions were being held on the future of the island.

He said the two main ideas were that the island should be reserved as a monument to the human rights struggle, or be converted into a tourist attraction.

Dr Blum said he had met his counterpart, Labour Minister Mr Tito Mboweni on Saturday to prepare a memorandum of understanding, providing for German assistance to South Africa.

The memorandum seeks ways to help South Africa build an effective labour administration and to advise South Africans in drafting social legislation.

Dr Blum said the visit had demonstrated the constructive relationship which existed between the two countries — Sapa.
Jail officials call us AIDS kaffirs

BY HOPEWELL RADEBE

Senior Johannesburg jail officials discriminated against HIV-positive prisoners by locking them in separate cells and calling them “AIDS kaffirs”, the Johannesburg Magistrate’s Court heard yesterday.

An HIV-positive prisoner, who may not be named to protect his identity, testified in mitigation of sentence in a trial of a Soweto man convicted on three counts of housebreaking and theft.

The 30-year-old Soweto man is also HIV positive and is currently serving a nine-year sentence on various charges of housebreaking and theft.

The man had escaped from jail last year and was arrested a few days later.

The prisoner and Johannesburg prison warders and three senior officials — whom he identified as Captain Swane- poel, Major de Jager and Colonel Koen — called prisoners suffering from AIDS “AIDS kaffirs”.

He said some of the warders openly stated that they were AWB members and did not care about him or President Mandela.

He said that on one occasion he saw a warder refusing to address the accused’s complaints of ill-health and said there was nothing he could do about it.

“We have been stripped naked, assaulted and denied our regular meals,” the prisoner said.

He also said jail authorities openly told other prisoners who was HIV positive, and locked them in separate cells.

The prisoner was asked by State prosecutor C Coetzee whether the act of being separated from other prisoners was not done in order to combat the disease.

The prisoner said psychological effects of such treatment were damaging to HIV-positive prisoners. They were shunned by their fellow inmates and scorned by warders.

Johannesburg Prison medical official Captain Martinus Botha, testifying for the State, said jail officials were doing their best to give sick prisoners the medical attention they deserved, including special diets prescribed by doctors.

Botha denied that prisoners who did not comply with jail rules were denied food and clothing and chained naked in their cells as punishment. He also denied that HIV-positive prisoners were ill-treated and discriminated against.

The trial was postponed to April 26.
Resignations welcomed
(268) CT 2 1985

The Correctional Officers' Union of South Africa has welcomed the resignation of five generals from the Correctional Services department.

COUSA said in a statement it hoped others, "in senior management positions" would follow suit and make room for younger people who were not threatened by democratic change.

The union said about 99% of commanding officers in the Correctional Services were white.

Sapa
By Mathatha Tsedu
Political Editor

A DELEGATION led by a member of the parliamentary select committee for correctional services has found shocking conditions in various Northern Transvaal prisons, where racial discrimination has persisted despite the change of government.

Former Lutheran priest Dean Tshenuwana farisani, an ANC MP, said when he visited Louis Trichardt prison he found:

- Up to five black warders sharing one rondavel that had no toilet or shower.
- All whites had either houses on the prison grounds or in the greater Louis Trichardt area, with subsidies from the Government. Blacks who had applied had not received any response, and the commanding officer later admitted to forgetting to process the applications.
- Prisoners reported widespread assaults, including on women. One warden, who was accused of assault, admitted to it but said he had been angered by the prisoner.
- The highest rank held by a black warden was that of sergeant.
- White staff members spent their time doing other things, while blacks were made to do all the work.
- Out of a prison population of 361, only five were white, but the white staff component was 44 percent.
- Racial attitudes led to blocking of parole for black prisoners who stood up for their rights. One prisoner, who was due for parole, was sent to another prison after arguing with a white warden. When he came back later, the warden allegedly said: "That dog is back. I will make sure he does not get parole again."
- The commanding officer of the prison exhibited a negative attitude towards the delegation, which included representatives from provincial government, church leaders and other civilians.

"The attitude of the prison authorities is geared to humiliating prisoners rather than rehabilitating them. Black warders were repeatedly told that while Mandela may be in charge of the Government, the white warders were in charge of the prison," Correctional Services spokesman Lieutenant Rudi Potgieter confirmed that black staff lived in a rondavel, but said none of them had complained about this until Farsani visited the prison. He said while there were no ablution facilities in the rondavel, "there are toilets near the prison buildings.'

The department, Farsani said, viewed assaults on prisoners' as a serious threat and those involved would be investigated and dealt with.

"One is not saying that prisoners are angels but their rights as human beings must be respected. Prisoners were the cutting edge of the apartheid system and many of us who spent many months in jail know what it is like.

"It is very depressing to find that very little, if anything at all, has changed in these prisons. While some changes may seek legislation, other things can be done now to improve the lives of our people.

"For example, the present constitution outlaws discrimination and what we found in Louis Trichardt and other prisons was blatant racism that our people still suffer," Farsani said.
Strike at prison over ‘racist’ officers

PIETER MALAN
Staff Reporter

POLICE and Prisons Civil Rights Union (Popcru) members at the Voorberg Prison near Porterville are striking in protest at the allegedly racist behaviour of senior officers.

Union members have been on strike since Wednesday to back demands that the prison head and his deputy be put on immediate leave and their allegedly racist behaviour be investigated.

The strike is in the face of a decision by the union’s national structure on Tuesday to call off all protest actions.

A Correctional Services Department spokesman said the district commissioner was considering the Porterville demands, but that it was “unreasonable” to put certain officers on immediate leave because there were well-established channels for investigating problems.

Popcru’s Voorberg chairman, Isaac Williams, said 80 members had begun striking after the union’s demand for action against the prison head and deputy head had been ignored since October last year.

The two officers had been guilty of “racist behaviour” on several occasions, Sergeant Williams alleged.

Their general control of the prison was so slack that two warders had recently been attacked by prisoners, he said.

Popcru Western Cape chairman Hendrik Davids said the Voorberg strike had not been called off after Popcru’s suspension of strike action because of the seriousness of the situation there, but it could still be resolved before the weekend.

Correctional Services spokesman Mike Green said the regional commissioner had received the union’s requests and “was working on them.”

He added “Like elsewhere in the country, Popcru is undermining the discipline with unreasonable actions aimed at officers in key positions.”
Indemnity:  
Prisoner  
Audit on cards

ESTHER WAUGH  
Weekend Argus Political Staff

An audit is to be done of prisoners across the political spectrum who believe that they should be released for politically motivated crimes.

This follows two sets of meetings this week between Justice Minister Dullah Omar and the ANC, and a joint PAC/Inkatha Freedom Party delegation.

PAC MP Richard Szani and IFP MP Temba Khosa told a joint press conference that they had raised the release of political prisoners of their own parties as well as the cases of 22 prisoners, held in Transkei following a coup attempt.

Both parties said they were still compiling final lists of their political prisoners. Mr Szani added that the PAC estimated to have between 100 and 200 prisoners.

In a statement, the parties said the 22 Transkeian prisoners were convicted of treason against the former homeland, "a non-existing entity which was never recognised by the outside world."

Furthermore, South Africa's indemnity laws never applied in Transkei and Bophuthatswana prisoners convicted of plotting a coup had been released before last year's election.

Mr Khosa said the December 5, 1993, cut-off date for amnesty for politically-motivated crimes was invalid because political violence continued.

ANC MP Carl Niehaus, who was part of the party's study group on correctional services which met Mr Omar, said they had raised particular problems concerning prisoners who applied to be classified as political prisoners.

"Any person who can actually make a claim that he or she had acted in terms of political considerations, should have a fair chance to apply for indemnity," Mr Niehaus said.
Death, destruction as rioting prisoners run amok

STAFF REPORTER

Two people died as warders and prisoners clashed at Leeuwkop Prison outside Johannesburg yesterday, while 300 rioting prisoners caused substantial damage to an Empangeni prison on the KwaZulu/Natal north coast.

Unrest broke out at Leeuwkop when warders intervened in a fight between prisoners. A prisoner and a warden were killed.

The riot at the KwaZulu/Natal prison followed a go-slow by warders who refused to serve food to prisoners.

Police said the Leeuwkop incident began after prisoners grouped together when a prisoner was threatened by another prisoner wielding a knife.

Four warders ran to the scene to break up the fight. A "large group" was involved in the fight, in which Sergeant M Nkongama was fatally stabbed.

Andrew Christopher, the prisoner initially disarmed by warders, was also killed. Two other warders were injured in the attack, and Sergeant C T Ngqobo is still in a serious condition.

Police and Prisoners Civil Rights Union (Popuru) president Enoch Nkosi was angered by the outbreak, and said yesterday that warders had earlier this month expressed dissatisfaction with working conditions at the prison. He said he was disappointed with the conflict, as disputes between warders and "the community of prisoners" were rare.

Popuru said the industrial action was over unfair distribution of a merit wage increase.

by yesterday it had spread to at least another six of the province's prisons. Warders at the Empangeni prison had refused to serve the prisoners breakfast yesterday, and convicts started rioting and breaking bars when food had not arrived by 9 am.

"About 300 prisoners broke out of their cells into the courtyard, causing much damage to the prison building," police said.

Popuru said the industrial action was over unfair distribution of a merit wage increase.
KwaZulu prisons hit by go-slow

DURBAN — Warders at Empangeni Prison in KwaZulu-Natal did not arrive for work today, severely disrupting services, prison authorities said.

Nine other KwaZulu-Natal prisons were affected by go-slow today, correctional services spokesman Mike Deyzel said.

“We have nine prisons affected by go-slow, and at Empangeni Police and Prisons Civil Rights Union (Popcru) members have left the prison completely,” he said.

Three striking warders at Empangeni Prison were arrested yesterday on intimidation charges, Captain Deyzel said.

Popcru members are demanding that a merit award system be scrapped or adjusted to ensure equal annual bonuses for all prison staff.

Labour Relations division (ISR) police surrounded the prison, where inmates rioted and escaped into a courtyard.

Captain Deyzel said non-striking warders were trying to render essential services at Empangeni and had been able to feed the prisoners, but were unable to accompany them to court or to supervise exercise periods. — Reuter

Minister names top trio for labour revamp

The Argus Correspondent

JOHANNESBURG — Labour Minister Tito Mboweni has announced the appointment of the top three civil servants who will be charged with the implementation and success of the new Labour Relations Act.

The post of director-general in the new Department of Labour goes to current University of Fort Hare registrar Sipho Pityana.

Veteran trade unionist Les Kettle has been appointed deputy in charge of human resources, policy and labour relations.

Acting director-general Joachim Kastner has been appointed deputy director-general in charge of labour market programmes and administration.

Mr Mboweni also announced that the Labour Ministry's five-year plan, which will outline all the programmes the ministry hopes to embark on in the next five years, will be released “soon, probably in the next two weeks”.

He said the three men will have the task of building the new Labour Department, implementing changes within the labour department and bringing its workings in line with government policy.

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Crisis at eight KwaZulu prisons

GO-SLOW Protest apparently sparked by merit award system

CRISIS WAS BREWING AT EIGHT KwaZulu-Natal prisons yesterday when Police and Prisons Civil Rights Union (Popcru) members embarked on a go-slow, and members of the predominantly white Public Servants Association (PSA) threatened to revolt because they had to work extra shifts.

Popcru members began the protest at four prisons on Friday and according to a spokesman for the Department of Correctional Services, the members yesterday embarked on strike action at other prisons. Prisons affected are Newcastle, Mthatha, Waterval, Glencoe, Empangeni, KZN and Eshowe.

The go-slow was apparently sparked by unhappiness at the department's merit award system.

A prison spokesman said the issue was fully discussed with approved employee organisations, including Popcru, on February 6. He said the planned merit awards process was approved by all organisations except Popcru.

Spokesman Captain M DEYSOL and high-ranking officers were on the way to the prison which was being surrounded by police.

About 45 members of the police Internal Stability Unit had been placed on standby.

DEYSOL said most warders yesterday refused to serve the prisoners breakfast.

Convicts started rioting and breaking bars when breakfast had not arrived by 9am.

"About 300 prisoners broke out of their cells into the courtyard, causing much damage to the prison building," he said.

Meanwhile, the remaining warders, the majority of them whites belonging to the PSA, warned that they would not "carry the can" indefinitely for their Popcru colleagues.

Meanwhile, the Correctional Services Department said rioting prisoners at Empangeni, on the KwaZulu-Natal north coast, caused substantial damage to the prison on Monday afternoon.
R138-m in aid for prisoners ‘missing’

By Sibusiso Mabaso

A high-powered committee consisting of two premiers and seven prominent political activists has been appointed to investigate claims that millions of rands belonging to the Association of Ex-political Prisoners were unaccounted for.

The committee was formed after angry ex-political prisoners — attending the Robben Island consultative conference in Cape Town at the weekend — demanded to know what had happened to the AEPP and how the trust had spent funds donated by foreign donors.

About R138 million was apparently donated by French, Australian and German donors. The funds were to be used towards alleviating the social and economic plight of ex-political prisoners.

Shock disclosure

The shock disclosure of the alleged misappropriation of AEPP trust funds was made by a disgruntled former employee of the organisation at the Robben Island conference, which brought together former political prisoners.

The former AEPP employee later told the Sowetan in an interview that there were allegations that some funds had been used to purchase homes and cars for certain officials and employees of the organisation.

He claimed that some cars belonging to the AEPP had been registered under the name of a senior AEPP official.

Documents substantiating the former AEPP employee’s claims were produced during one of the plenary sessions of the conference. The session was told that none of the R138 million donated by foreign donors found its way to social upliftment projects.

In addition, the session was also told that about R5 million originally earmarked for Eastern Cape AEPP projects had apparently not been used for those schemes.

The former employee said loans had been given to staff members and that he himself had borrowed large amounts of money without repaying them.

He claimed some AEPP officials had used the money to finance their own private businesses.

Angered by the allegations, the ex-political prisoners demanded a full explanation and immediate probe into the AEPP trust funds and urged that charges of theft should be laid against the culprits.

AEPP officials Mr Naledi Tshu, who was chairing the conference, was asked by delegates to respond to the allegations.

"Comrades, it is important to take note of the fact that there are no other officials of the AEPP present at this conference to answer your questions," he told the conference.

His utterances caused an uproar among the delegates, who immediately shouted Tshu down.

A potentially explosive situation was averted when the ANC’s Ahmed Kathrada appealed for calm and told delegates to appoint a committee to investigate the financial affairs and activities of the AEPP.

Those appointed to serve on the committee were Gauteng premier Tokyo Sexwale, Free State premier Mr Teror Lekota, Mr Ahmed Kathrada, Dr Adbey Mokgopelo, Ms Dikgang Mosekane, Mr Kweke Mkhuliphe, Ms Thandi Modise, Ms Barbara Hogan and Mr Jeff Radebe.
More prison warders (253) join protests

DURBAN — A go-slow by prison warders at KwaZulu/Natal’s Empangeni prison, which sparked a riot yesterday morning, had spread to at least six other prisons by the evening.

Correctional Services spokesman Capt Mike Deyssel said members of the Police and Prisons’ Civil Rights Union (Popcru) embarked on a go-slow at prisons in Maritzburg, Vryheid, Estcourt, Newcastle, and Kokstad.

He said Popcru members at New Hanover said they would protest today.

Deyssel said three Popcru warders had been arrested for intimidation.

Popcru said its protest was aimed at “unfair” distribution of merit wage increases.

INGRID SALGADO reports that a prison warder at Leeukop prison near Johannesburg died last Friday after a prisoner stabbed him in the neck with a sharpened spoon.

A prisoner, Andrew Christopher, also died in the ensuing scuffle, police spokesman Col Dave Bruce said yesterday.

About 150 prisoners were “getting noisy” in the prison’s courtyard and a search of prisoners found one armed with a sharpened part of a pair of scissors, he said. Another prisoner then attacked Sgt M Nkonjama. He later died in hospital.

Two other warders sustained stab wounds. Sgt TC Ngoboe’s condition was “serious” and he was in intensive care. — Sapa.
Probe into funds claim

(From page 1)

been used to buy homes and cars for certain officials and employees of the organisation.

He claimed that seven cars belonging to the AEPP had been registered under the name of a senior AEPP official.

Documents allegedly substantiating the former AEPP employee's claims were produced at the conference.

The former employee alleged that none of the R138 million donated by foreign donors found its way to social upliftment projects.

In addition, it was claimed about R5 million originally earmarked for Eastern Cape AEPP projects was apparently not used for these schemes.

The former employee said loans had been given to staff members and that he himself had borrowed large amounts of money without repaying them.

He claimed some AEPP officials had used the money to finance their own private businesses.

Angered by the allegations, the ex-political prisoners demanded a full explanation and immediate probe into the AEPP trust funds.

AEPP official Naledi Ntsiki, who was chairing the conference, was asked to respond to the allegations.

"Comrades, it is important to take note of the fact that there are no other officials of the AEPP present at this conference to answer your questions," he said.

His response caused an uproar among the delegates.

The ANC's Ahmed Kathrada proposed that a committee be formed to investigate the claims.

Those appointed to the committee were Gauteng Premier Tokyo Sexwale, Free State Premier Terror Lekota, Mr Kathrada, Aubrey Mokoape, Dikgang Mosekane, Kweni Mkathliph, Thabang Modise, Barbara Hogan and Jeff Radebe.
Top-level probe into ‘missing’ funds for ex-prisoners

The Argus Correspondent
Johannesburg — A high-powered committee of two premiers and seven prominent political activists has been appointed to investigate claims that millions of rands belonging to the Association of Ex-political Prisoners are unaccounted for.

The committee was formed after angry ex-political prisoners — attending the Robben Island consultative conference at the weekend — demanded to know what had happened to the AEPF and how the trust had spent funds given by foreign donors.

About R138 million was apparently donated by French, Australian and German donors. The funds were to be used to ease the social and economic plight of ex-political prisoners.

The shock disclosure of the alleged misappropriation of AEPF trust funds was made by a disgruntled former employee of the organisation at the Robben Island conference, which brought together former political prisoners.

The former AEPF employee later told the Sowetan in an interview that there were allegations that some funds had

(To page 5, col. 8)
Mystery of all the missing millions

By Sibusiso Mabaso

ANC MP Mr Ahmed Kathrada, who is the coordinator of the newly appointed committee formed to investigate the financial activities of the organisation accountable for the disappearance of R138 million, said no one was certain what happened to the money.

The Association of Ex-Political Prisoners was supposed to look after the social and economic plight of former prisoners with the money.

Kathrada said he never followed the activities of the AEPP and was not a member.

Gauteng premier Mr Tokyo Sexwale, who was also appointed to serve on the newly formed committee, was not available for comment.

His secretary said he was sick and asleep.

Kathrada said the AEPP and an organisation of former MK combatants were disbanded about three years ago and had their assets absorbed by an organisation that failed to get off the ground, the Centre for Community Development.

According to Sowetan's source, the CCD leased two farms in Untata and Butterworth in the former Transkei homeland to establish development projects.

Refused to speak

The former general secretary of the AEPP, Mr Naledi Tsietsi, refused to speak to Sowetan yesterday because "you wrote a story which is very damaging to me as a person and to the AEPP as an organisation.

"Your report does not reflect what took place at the conference (in the Cape) and I have no confidence that you will be able to effectively provide a correct reflection now on the phone."

In reaction, Pan Africanist Congress leader Mr Clarence Makwetu said he was hopeful the money would be found.

Makwetu said it was the first time that he had heard of the AEPP fund and the committee appointed to investigate the missing funds should "leave no stone unturned."

Azapo spokesman Mr Strike Thokoana said "We are aware of people who are filthy rich yet they have never worked. Where do they get the money from? "We think there are many other people involved in embezzling funds intended for specific projects."
Prisoners' association denies fraud

NALEDI Tsiki, secretary-general of the Ex-Political Prisoners' Association has denied claims that organisation members misappropriated R138m contributed by foreign donors to help former inmates get jobs and generate income.

He said: "The report is malicious and inaccurate. We have never received donations exceeding R100." He said he would call a news conference today where, he said, it would emerge that no money was misused: "We want to bring audited reports of our finances for all to see."

During a consultative conference at the weekend members demanded an investigation of claims that millions of rands were not accounted for. A committee including Gauteng premier Tokyo Sexwale, Free State premier Patrick Lekota, Ahmed Kathrada, Aubrey Mokoape, Dikgang Moeneke, Thandi Modise, Barbara Hogan, Dikgang Moseneke, Kwedi Mkhali and Jeff Radebe was appointed to look into the association's finances.

Allegations were that funds were used to buy houses and cars, to grant loans without repayment, and that officials had used money for personal business.

Claims that money had come from German, French and Australian donors were denied by representatives of all three governments.

The Centre for Community Development took over the association's assets last year when donors decided that with the end of apartheid, they were no longer in a position to give money to the Ex-Political Prisoners' Association.

Centre director Stanley Mgadi said: "We worked to transform the association and we got the finances for this from the Development Bank of South Africa. I have no information at my disposal that shows money was misused."
Warders walk out of Empangeni jail

Sowetan Correspondent

NINE PRISONS Popcru calls members out on strike:

The spokesman said all Popcru members there walked out without official leave after refusing to go on parade yesterday morning.

Staff shortage

He, however, said warders from Pretoria had been sent to the prison to alleviate the staff shortage.

A total of nine KwaZulu-Natal prisons have now been affected by Popcru go-slow action.

“Our main concerns are for the well-being of prisoners and the community, who have a right to demand that we fulfill our duty. We are doing everything to resolve the matter as soon as possible and see to it that prisoners do not escape,” said the spokesman.

Popcru spokesman Mr Baba Nyandu said he expected political intervention to resolve the protest because management was “conservative and not prepared to listen to us.”

National spokesman for the department Mr Mike Deyzel said senior management was travelling to the province to assess the problems firsthand.

“But that doesn’t make the go-slow any less illegal and the demands by Popcru cannot be met,” he said.

At the centre of the protest is Popcru’s demand that a merit wage increase be shared by all staff.

Nyandu said the union’s stance was not in defiance of President Nelson Mandela’s call on civil servants to temper their protests.

Conservative

“We are committed to the Government but we are being forced by conservative management,” he said.

Deyzel said: “In my opinion it’s a completely irresponsible action by Popcru. There are legitimate alternative mechanisms for grievances.”
35 prisoners hurt during KwaZulu/Natal jail chaos

Durban — Chaos erupted at Glencoe Prison yesterday when prisoners stormed the main gate and warders opened fire with rubber bullets, injuring 35, as the crisis at KwaZulu/Natal prisons deepened.

Police and Prisons Civil Rights Union (Popuru) members at 11 prisons are taking part in an illegal go-slow.

It seems the unrest was sparked by unhappiness over the Department of Correctional Services' planned merit awards system.

A Glencoe warder was slightly injured during a confrontation between striking and non-striking employees.

The prison warders who have plunged at least nine of the 33 prisons in the region into chaos after staging walkouts, go slows and strikes over the past two days had not consulted their leaders before this campaign.

Popuru president Enoch Nelani said the department's spokesman Brigadier Chris Ockers said about 1 000 warders were involved.

Nelani said the union had sent its deputy president Oupa Morcoaba to the region to investigate.

He said there had been progress in negotiations with the police.

Also yesterday, warders at Empangeni Prison failed to report for duty.

Three warders were arrested at the prison on Monday on intimidation charges after 300 rioting prisoners caused substantial damage to the prison.

The strikes follow an outbreak of violence at Leekwapa Prison outside Johannesburg in which a prisoner and a warder were killed on Friday. — Labour Reporter, Own Correspondent.
Prison aid group denies R138-m fraud

BY BONGIWE MLANGENI

The Association of Ex-Political Prisoners yesterday denied that the organisation had received R138 million from donors and used the funds for personal benefit.

AEPP general secretary Naledi Tsiku said the organisation had raised just more than R5 million since it was formed in 1990. "We have no idea where the figure of R138 million comes from," he said.

According to a newspaper report earlier this week, R138 million was donated by international donors to uplift ex-political prisoners, but some funds were used to buy homes and cars for certain AEPP members.

The newspaper also said a committee had been formed at the conference of ex-political prisoners in Cape Town last week to investigate misappropriation of funds at the AEPP.

Tsiku admitted that it had given loans of about R3000 to staff members. He said that of the approximately R5 million donated, about R4 390 427 had been fully audited and could be accounted for. The remaining R1 069 467 was still being audited and the report would be out by the end of March.
2 000 children
in SA jails

Cape Town — South Africa has up to 2 000 children between the ages of 15 and 17 in jail for offences ranging from theft to murder, Minister of Correctional Services Sipho Mzimela told a briefing at Parliament yesterday.

Mzimela said there were also up to 18 000 "juveniles" in jail. These young people were over 17 years of age but were too young to be classified as adults.

While every attempt was made to keep child prisoners separate from the adults, this was not always possible.

A former prison for women in Maritzburg was being converted and another facility in the Cape would open shortly to house child prisoners.

The minister said that among urgent steps which needed to be taken were the building of rehabilitation centres and the retraining of custodial staff — Political Correspondent
Minister calls for rehabilitation centres

CAPE TOWN — Prisons should be reserved for hardcore criminals only, while other prisoners should be housed in rehabilitation centres, Correctional Services Minister Sapho Mazimela said yesterday.

A great deal had to be done to bring correctional services in line with the interim constitution and the Bill of Rights, he said, announcing that the Krieger commission’s report on the causes of unrest in SA’s prisons would be submitted to President Nelson Mandela this week.

The probe followed the wave of unrest, violence and strikes at prisons countrywide last year.

A new emphasis had to be on rehabilitation rather than punishment. Instead of prisons, rehabilitation centres should be built.

These centres would have to be staffed with specialised personnel such as psychologists, social workers and councillors.

Custodial staff would have to be retrained.

Inmates would have to receive skills training to become productive members of society.

While it would be difficult to foresee when government would have sufficient funds to introduce these changes, a partnership with the private sector might be viable.

Other measures to raise funds could include selling prisoners on prime land and using the revenue to build others.

Meanwhile, government was looking to set up youth development centres instead of prisons for children. About 1 400 children aged 17 and younger were awaiting trial or serving sentences in jail.

The Correctional Services department did not have separate facilities for children, although they were kept apart from adult inmates. — Sapa
New ideas on jails

Political Reporter (253)

An investigation report into the causes of unrest in South African prisons and plans to prevent further disputes will be submitted to President Nelson Mandela in the next few days, Correctional Service Minister Dr Sphi Mzimela said yesterday.

Addressing a parliamentary briefing, Mzimela said a great deal of work needed to be done to bring the Correctional Services in line with the Interim Constitution and Bill of Rights.

Some time 21/2/95

In the past prisons were used to punish criminals but now the emphasis was on rehabilitation, he said. The entire criminal justice system needed to be overhauled and more rehabilitation centres instead of prisons be built.

Mzimela said there was a need to retrain the custodial staff. Sentenced persons must go through diagnostic procedures before being placed in a rehabilitation centre, which should be run by psychologists, social workers and counsellors.

The Government was unable to introduce these changes because it was hamstrung by financial constraints, he said.

At this stage, it was investigating means of joining forces with the private sector to provide these services.

Mzimela said the Government also planned to sell prisons on prime land and use the revenue to build rehabilitation centres on less expensive land. It was also planning to make the rehabilitation centres self-sufficient by introducing profit-making industries.

Mzimela said the ministry was building two youth development centres for sentenced children in KwaZulu-Natal and the Western Cape.
Child offenders’ new deal in prison reform

Political Staff
CORRECTIONAL Services

Minister Sipho Mzimela has plans to convert the Siyakathala place of safety near Stellenbosch into one of a range of youth development centres to keep child offenders out of mainstream jails.

Mr Mzimela said yesterday that Siyakathala, other places of safety and disused prisons for women were under consideration as part of a national prisons reform programme.

He was to visit Siyakathala today but had to cancel his plans because of other commitments. A ministry official said today Mr Mzimela would visit the place of safety soon.

Problems at Siyakathala, run by the Department of Social Welfare in the provincial administration, recently include:

- A fire on October 9, when five children were seriously burnt, and there were allegations of random beatings before and afterwards;
- Resignation of middle management troubled by the conduct of care officers; and
- Continuing complaints by children about alleged assaults and sexual abuse.

Regional Health and Welfare Minister Ebrahim Rasool gave an undertaking the children would be transferred to other centres.

At a briefing yesterday Mr Mzimela said his department had made a “lot of progress” in nine months.

All children who had not committed violent crimes had been released but there were still nearly 2 000 children and 16 000 to 18 000 people aged between 18 and 21 in prisons.
Popcru attacked by minister

Political Staff

CORRECTIONAL Services Minister Sipho Mzimela has accused the Police, Prisons and Correctional Services Union (Popcru) of ignoring agreements on maintenance of prison discipline.

Mr Mzimela said yesterday that Popcru did not want to understand that the department could not simply replace all management positions through affirmative action. "That would be unconstitutional and would go against agreements that were signed."
Wide-ranging plans to overhaul SA prisons

Tyrone Seale
Political Staff

Prisons should be reserved for hardcore criminals who must be spared the "mental torture" of idleness, says Correctional Services Minister Sipho Mzimela.

At a briefing yesterday to spell out his department's plans for a wide-ranging overhaul of correctional services, Mr Mzimela said rehabilitation centres should be built instead of prisons, and prisons should be reserved for hardcore convicts only.

"Prisoners must be given an opportunity to change their behaviour so that they can return as productive members of society," he said.

In an interview after the briefing, Mr Mzimela said he was particularly concerned about overcrowding in "mega-prisons" such as Pollsmoor and its counterparts in Durban, Maritzburg and Johannesburg.

Ministerial spokesman Chris Ockers said the Department of Correctional Services' main problem existed in the Western Cape where jails were overcrowded by "up to 190 percent."

At the briefing, Mr Mzimela said a report on a commission of inquiry, led by Mr Justice Kriegler, into the causes of unrest in prisons would be submitted to President Nelson Mandela within days.

But, he said "even before one studies the commission's report, it is clear that a great deal has to be done in order to bring correctional services in line with the interim constitution and the Bill of Rights."

The new emphasis is on rehabilitation rather than punishment. Bluntly put, rehabilitation cannot take place in our prisons.

He said the majority of sentenced persons could begin to rehabilitate themselves only if the following steps were taken:

- An overhaul of the entire justice system.
- The building of rehabilitation centres instead of prisons.
- The retraining of custodial staff.
- Screening of convicts before placement in rehabilitation centres.
- The staffing of rehabilitation centres by psychologists, social workers and counsellors.
- He acknowledged it was difficult to foresee a time when the government would have sufficient funds to promote these changes, but there were workable options such as:
  - Allowing the private sector to become a partner of the government in providing some of the services.
  - Selling prisons located on prime land and using the revenue to build rehabilitation centres on cheaper land.
PRISONERS across South Africa are literally tasting the fruits of their labour.

Convicts who were previously farmed out, as it were, as an ultra-cheap labour force to farmers, now work exclusively on correctional services farms, producing fruit, vegetables, milk, eggs and other produce for consumption behind bars.

Correctional Services Minister Sigo Maumela said yesterday the use of prison labour on farms had during the apartheid years attracted an international campaign against South African produce.

"That (labour) system was stopped because South Africa had to export her products."
Warder shot as E Cape inmates riot

Port Elizabeth — A prison warder was shot and another taken hostage when prisoners armed with guns and grenades opened fire in St Albans Prison near Port Elizabeth last night.

The warder was shot in the stomach and his condition had worsened overnight.

Correctional Services spokesman Major Paul dit Plessis said it appeared that the prisoners had three firearms, arms and a number of grenades.

He said when warders entered a cell to break up a fight, a prisoner drew a firearm and opened fire.

Dit Plessis described the situation as "severe" and the internal security division was at the scene.

This morning SABC radio informed Sapa that Correctional Services had asked SABC not to broadcast details of the condition of the warder or the prisoners as they were not ready to do so.

They are expressing great grief at every mention of the prison and are becoming increasingly militant, according to SABC. — Sapa.
Jail siege: Warder taken hostage by armed inmates

PORT ELIZABETH—About 100 prisoners armed with firearms and grenades are still holding a warder hostage at St Albans prison.

The drama began about 9.15 last night when prisoners began fighting in a cell, and warders were called.

Shots were fired and Warrant-Officer Haines Dederichs was wounded.

He was released later, but another warder, Jonathan Phillips, was held hostage.

The prisoners are demanding their immediate release and buses to take them to the townships.—The Argus Bureau.

WYNBERG: Residents are up in arms about the development of a block of flats on property behind a local primary school — property which the Muhammedayah Primary School had hoped to acquire. The high-density development, in Sussex Road, will comprise 40 units and is scheduled for completion in June.

FOR the second time in a month, a giant removal truck has been beached on Kloof-Nek's roller-coaster roads, causing traffic chaos.
**Tension mounts over prison hostage drama**

PORT ELIZABETH — St Alban’s Prison was the scene of a tense deadlock last night as more than 100 prisoners armed with at least three handguns and three handgrenades continued to hold a warder hostage after critically wounding another officer.

The prisoners, who staged a mock fight on Wednesday night and opened fire on warders who intervened, are demanding they be released before they hand over Warrant Officer Jonathan Phillips.

Correctional Services Minister Mr Sipho Mzimela has called on the prisoners to release their hostage before there is bloodshed at the prison.

Negotiations over two-way radio between prisoners — holed up in two separate cells — police, prisons officials and a South African National Civic Organisation delegation, continued through the day yesterday.

The hostage drama began at 9.10pm on Wednesday when inmates shot and critically wounded WO Hannes Diedericks, 37, and took WO Phillips hostage.

A Correctional Services spokesman said warders had spotted three firearms and three handgrenades. He did not know how the prisoners had obtained the weapons.

The condition of WO Diedericks — who was taken to hospital in a police helicopter — was described last night as “very serious.”

Mr Mzimela took a firm stance last night. “The government cannot and will not tolerate such undisciplined and criminal activities among prisoners,” he said.

The 102 awaiting-trial prisoners involved in the drama are charged with crimes varying from housebreaking to murder.
Prison tense as armed prisoners hold hostage

PORT ELIZABETH — St Alban’s prison in Port Elizabeth was the scene of a tense riot last night as more than 100 prisoners armed with at least three handguns and three hand grenades continued to hold a warder hostage after critically wounding another officer.

The prisoners, who staged a mock fight on Wednesday night and opened fire on warders who intervened, are demanding they be taken to a township and released before they hand over W/O Jonathan Phillips.

Correctional Services Minister Sipho Mzimela has called on prisoners to release their hostage before there is bloodshed at the prison.

On Wednesday night inmates shot W/O Hannes Diedericks in the stomach and took Phillips hostage after they intervened in the mock fight.

Diedericks — who was taken to Greenacres Hospital by police helicopter — was described last night as being in a “very serious” condition.

Correctional Services spokesman Ma Pau du Plessis said it was not known how the prisoners had obtained the weapons. The department would investigate.

The 102 awaiting-trial prisoners are charged with crimes varying from housebreaking to murder.

Sapa reports from Cape Town the NP said the hostage drama challenged President Nelson Mandela to prove he was not merely paying lip service when speaking out strongly against such actions.

NP Correctional Services spokesman Hennie Smit said “it is unheard of that prisoners get hold of firearms. This situation cannot be tolerated.”

Job guarantee clause set to go

CAPE TOWN — Public Service Minister Zola Skweyiya said yesterday the controversial job guarantee clause for public servants in the interim Constitution would be scrapped in the new Constitution.

Skweyiya told a parliamentary media briefing the clause, included in the interim Constitution as “great sacrifice” to the ANC, would have outlived its usefulness by the time the new Constitution was implemented.

The interim Constitution states that the Constitutional Assembly “shall pass the new constitutional text within two years of the first sitting of the National Assembly in May last year.

Skweyiya dismissed possible opposition to the scrapping of the clause from opposition parties in the Constitutional Assembly.

The Minister’s labour adviser John Ernstzen said underperformance by public servants guaranteed of their jobs would not be tolerated.

Ernstzen said a “performance appraisal mechanism” would be implemented to ensure delivery of service by public servants.

Skweyiya said he had requested the Swedish government to assist his ministry to determine an “ideal size” for SA’s public service.

He said he was “beginning to doubt” assertions that SA’s 1.2-million strong public service was too big, particularly in light of its task in implementing the reconstruction and development programme.

Another factor which mitigated against a drastic cut in the size of the public service were chronic staff shortages in the health and education sectors.

Sapa reports Skweyiya said he was “annoyed” that 11,000 public service posts advertised last year should be filled as soon as possible.

Between 1.3 and 1.5-million applications had been received, and the State “was not prepared” for such a large number.

The filling of the posts had now been referred to individual Ministers with guidelines drafted by the Public Service Commission.

Skweyiya said the government was “sympathetic” to the wage demands of public servants but faced severe budgetary constraints in trying to meet such demands.

He strongly condemned “racist threats” against white public servants by some striking public sector workers and said the Ministers of Safety and Security and Justice had been approached to ensure the safety of public servants.

Skweyiya admitted that there had been problems in ensuring fully functional administrations in some provinces, such as the Eastern Cape. However, claims that the administration was collapsing in such areas were exaggerated.

Skweyiya, speaking in Parliament later, said his Ministry had almost completed the organisational rationalisation of the public service with the unification of the 11 former public services of SA, the TBVC states and self-governing territories.

Commenting on the new-found “spirit of cooperation and participation” between the State as employer and public service unions, Skweyiya was confident that the need for industrial action had been averted.

Representatives of government and the 18 unions started work last week on “a joint task team effort” into all issues of conditions of service, including the improvement of salaries and wages, within a three year plan.

Skweyiya said the exercise was not limited only to salaries and other conditions of service. It also extended to affirmative action and labour relations.

Skweyiya said the need for affirmative action was constitutionally entrenched and both the Cabinet and public sector unions had agreed on measures to implement affirmative action in the public service.

He said it was regrettable that Deputy President FW de Klerk had tried to inflame tensions within unions with his criticism of affirmative action.
Deadlock continues in prison drama

Negotiations to secure the release of a warder, being held hostage by prisoners armed with guns and grenades at the St Alban's prison near Port Elizabeth, remained deadlocked this morning.

Another warder, Warrant Officer Hannes Dierackers (30), who was shot in the stomach when the hostage crisis began on Wednesday night, is in a serious condition.

A Department of Correctional Services spokesman said the prisoners were demanding their immediate release and a bus to take them to nearby townships.

The waging-trial prisoners overpowered warders during a mock fight on Wednesday night and took Warrant Officer Jonathan Phulps (30) hostage.

Correctional Services spokesman Colonel Barry Ekesteen said the estimated 100 renegade prisoners had not let anyone near the cells in which they were heled-up. The prisoners are armed with three handguns and three grenades.

Members of the SAPS's Internal Security Division and other police are at the scene.

The man who appeared to be the prisoners' ringleader was a notorious gang leader in the Port Elizabeth area.
Jail warder held hostage

By Sowetan Correspondent.

The situation at Port Elizabeth's St Albans Prison, where about 50 awaiting-trial prisoners were holding a warder hostage, was "tense but under control" last night, a Correctional Services spokesman said.

The Eastern Cape Correctional Services liaison officer, Lieutenant Leon Deere, told Sowetan yesterday afternoon that there had been no significant shift in the demands of the prisoners.

"Negotiations are still continuing between the Correctional Services delegation, the prisoners' "team" and Sanco," Lieutenant Deere said.

Prisoners were still holding Warrant Officer Jonathan Phillips (38) hostage until their demands for an early release are met. The officer has 18 years experience in correctional services and is married with three children.

The trouble started about 9.15pm on Wednesday when a warder went to the Medium A section of the prison after fighting broke out among a group of prisoners.

During scuffles the warder was shot in the stomach and another non-commissioned officer was taken hostage.
Popcru wants progressive regional commissioners

ROGER FRIEDMAN
Weekend Argus Reporter

As the regional commissioner’s selection board winds up proceedings in Pretoria, the Police and Prisons Civil Rights Union (Popcru) in the Western Cape says only a “progressive” appointment committed to the new South African order can address simmering racism in the troubled police service.

The selection board — headed by national commissioner George Fivaz and comprising all regional police ministers, representatives of the national safety and security ministry and foreign police experts — narrowed the list of 300 applicants down to a short-list of 44 this week.

The board is due to complete deliberations this weekend while announcements are anticipated early next month.

The board has refused to release details on the make-up of the short-list, but it is understood at least one civilian is on the list.

Two weeks ago, the Western Cape Anti-Crime Forum announced it could not support the nominations of two Western Cape generals Nick Snyman and Deon du Toit who were perceived to be front-runners for the region’s hot seat.

Yesterday, Popcru regional chairman Hendrik Davids said they were not insistent that one of its members be appointed as the majority of their members came from junior ranks.

Mr Davids said Generals Snyman and Du Toit — as present members of police management in the region — “still used the old management style”.

“I cannot see them adapting successfully to the new dispensation.”

To implement community policing successfully, whoever was appointed should start off by enjoying the support of the community, he added.

Incumbent Western Cape commissioner Nick Acker recently announced his early retirement.
Prisoners hurt as hostage drama ends

PORT ELIZABETH — Two prisoners were wounded — one seriously — when a police special task group stormed a St Albans Prison cell yesterday to free a warder who had been held by armed prisoners for 79 hours.

Charges of attempted murder and kidnaping were being investigated against the 103 prisoners who held W/O Jonathan Phillips, Eastern Cape police, since Monday.

Maj Dane Marais said. This would be in addition to charges they faced when they took Phillips hostage.

Marais said the 103 awaiting trial prisoners would not be given any preference in respect of speeded up bail applications — an offer they rejected during negotiations to end the siege.

The Correctional Services Department said a special task group was called in after negotiations between Eastern Cape premier Raymond Mhlaba and prisoners failed to secure the warder's release.

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Prisoners

Phillips had been barricaded in a communal cell with the prisoners — who were demanding they be set free immediately — since 8pm on Wednesday.

The drama began when warders were called to break up a fight between awaiting trial prisoners in a communal cell. As the cell door was opened, prisoners opened fire, shooting a warder in the abdomen.

Among weapons seized from prisoners were two pistols, four grenades, a teargas canister and knives.

Phillips has been taken with his family to a Correctional Services Department holiday home to recuperate from his ordeal — Sapa.
Prisoners hurt as hostage drama ends

PORT ELIZABETH — Two prisoners were wounded — one seriously — when a police special task group stormed a St Alban's Prison cell yesterday to free a warder who had been held by armed prisoners for 76 hours.

Charges of attempted murder and kidnapping were being investigated against the 103 prisoners who held WO Jonathan Phillips, Eastern Cape police spokesman Maj Daine Marais said. This would be in addition to charges they faced when they took Phillips hostage.

Marais said the 103 awaiting trial prisoners would not be given any preference in respect of speeded up bail applications — an offer they rejected during negotiations to end the siege.

The Correctional Services Department said a special task group was called in after negotiations between Eastern Cape Premier Raymond Mhlaba and the prisoners failed to secure the warder's release.

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Phillips has been taken with his family to a Correctional Services Department holiday home to recuperate from his ordeal — Sapa
Prisoner dies after shootout

Warder freed after 76 hours in cells

PAT CANDIDO
The Argus Bureau

PORT ELIZABETH — A prisoner has died after being wounded in the hostage drama at St Albans's prison here.

After 76 hours as a hostage of angry awaiting-trial prisoners at St Albans, warder Jonathan Philips was released unharmed.

A colleague, Hannes Fredericks, who was shot in the stomach when Warrant Officer Philips was taken hostage, is in a critical but stable condition.

After his release, Warrant Officer Philips was examined by a doctor and found to be fit but tired, with a slight bruising around one eye. He has been reunited with his family.

The end of the drama came about 2am yesterday when a special police task group penetrated the cell and freed the warder in an operation that took about 30 seconds.

The task force of 21 men, under the command of Mike Fryer, entered the cell at 1:50am yesterday. Two prisoners were wounded and were taken to hospital. One died early today from a wound in the stomach.

In an extensive search of the cells after the prisoners were removed, police found a 9mm pistol, a 7,65mm pistol, an M26 grenade, three inactive grenades (two smoke, one stun), one full aerosol teargas canister and an assortment of sharpened objects and knives.

The decision to send in the task force was taken after the mood of the prisoners, all of whom are awaiting trial for other offences, became aggressive when it became clear their demand for bail would not be met.

The drama began on Wednesday evening when about 100 prisoners, with guns and grenades, staged a mock fight and took Warrant Officer Philips hostage when warders went to break it up. Warrant Officer Fredericks was shot.

Negotiations continued for 75 hours. Members of the SA National Civic Organisation and the ANC spoke to the prisoners, who demanded to see Eastern Cape premier Raymond Mhlabo.

On Saturday after lengthy negotiations, Mr Mhlabo gave prisoners a written undertaking that if they freed their hostage and handed over their weapons he would do everything possible to have a special court convened so they could apply for bail.

A court appearance was arranged, on condition they handed over Warrant Officer Philips and surrendered their arms.

Mr Mhlabo gave prisoners until yesterday morning to discuss his offer.

Correctional Services spokesman Paul du Plessis said the prisoners became "agitated and aggressive" when it became clear they would not be granted bail unconditionally.

They said they were not interested in a court appearance under the conditions stipulated during negotiations, and were not prepared to release Warrant Officer Philips.

Discussions with police commissioner George Fivaz in consultation with Mr Mhlabo and "higher authorities" followed and it was decided to deploy the special task group.

Major Du Plessis emphasised that the decision to storm the cells was taken only after all negotiations had failed.

He said that at no stage during negotiations was any promise made that bail would be granted.

It is still not known how the arms were smuggled into the prison.

WEAPONS HAUL: Warrant Officer Francois Slabbert with some of the weapons confiscated from St Albans prisoners after a 76-hour hostage drama.
PORT ELIZABETH — Charges of attempted murder and kidnaping are being investigated against the 103 prisoners who held a prison warden hostage for 76 hours at St Albans Prison until he was freed in a dramatic raid by the police special task group early yesterday.

Warrant Officer Jonathan Phillipps, 38, was taken hostage on Wednesday night. Warrant Officer Hannes Diedericks was shot in the abdomen during the incident and is in hospital in a serious but stable condition. He was dragged to safety by colleagues.

Yesterday's storming of the cell where WO Phillipps was being held was over within 25 seconds, a Correctional Services statement said.

Two prisoners were wounded, one seriously, in the raid. WO Phillipps was brought out with no visible injuries except a bruised eye.

He and his wife Helen and their three children were taken to a Correctional Services holiday home yesterday for him to recuperate, a family member said.

The special task force contingent, commanded by Lieutenant Colonel Mike Fryer, was called in after negotiations between Eastern Cape Premier Mr Raymon Mhlaba and the prisoners failed to secure the release of WO Phillipps.

Mr Mhlaba was at the prison on Saturday morning and he and a large contingent of police and prison staff waited tensely as the 11am deadline set for the release of WO Phillipps approached and expired.

After the expiry Mr Mhlaba entered into further negotiations with the prisoners but no agreement was reached.

Discussions with national Police Commissioner George Fyvas followed this breakdown and it was decided to bring the the special task group into action.

East Cape police spokesman Major Dine Marais said the 103 men, who were awaiting-trial prisoners, would not be given any preference in having their bail applications speeded up.

Among weapons seized from the prisoners by the special task group were a 9mm pistol, a .38mm pistol, an M98 hand-grenade, three inactive grenades, a teargas canister, knives and various sharpened objects.
Detainees: Goyt, ICRC sign accord

The Government and the International Committee of the Red Cross yesterday signed an agreement on access to detainees in South African police cells, a joint statement by Safety and Security Minister Sydney Mufamadi and the Red Cross said.

The agreement took into account legislative changes, including the repeal of certain sections of the Internal Security Act, the Criminal Law Amendment Act and the Public Safety Act.

It also provided for the organisation to be notified and to have access to people held under a state of emergency in terms of section 34 of the constitution. It was signed by Mufamadi and Vincent Nicol.

Although the Red Cross had had authorisation for unannounced visits to police stations since October 1992, this was the first agreement signed between the two parties. — Sapa
PARLIAMENT

Mandela asked to intervene in prisons row

TYRONE SEALE
Political Staff

PRESIDENT Nelson Mandela has been asked to intervene in a row between Correctional Services Minister Sipo Mzimela and the parliamentary committee on correctional services over the cancellation of a meeting scheduled for Monday.

The Inkatha Freedom Party's withdrawal from parliament has locked IFP member Dr Mzimela and senior ANC official Carl Niehaus, who chairs the correctional services portfolio committee, in an acrimonious verbal battle.

Mr Niehaus said yesterday that the committee had tried since October to discuss critical issues with Dr Mzimela, including prison overcrowding and rising levels of violence.

Dr Mzimela is one of three IFP cabinet ministers who have withdrawn from parliament pending this weekend's Ulundi conference at which the party membership will decide whether IFP MPs should return to their benches.

At a briefing yesterday, Mr Niehaus said Dr Mzimela had finally agreed to meet the committee on Monday.

He said the committee was concerned about the imprisonment of about 15,000 children and youths under 21, the under-utilisation of places of safety and industrial schools and the promotion mainly of white officers.

The committee was also worried about abuses of the parole system, which at times returned serious offenders to society while people who had committed relatively petty crimes remained behind bars.

Mr Niehaus said the committee wanted to hear Dr Mzimela's views on the privatisation of prisons and the mooted sale of prime property to build and improve prisons elsewhere.

The committee would also question Dr Mzimela on promotions.

Since November, 75 percent of officers promoted were white, while in the Western Cape where labour relations were particularly problematic, 78 percent of promotions involved whites, Mr Niehaus said.

Later yesterday Mr Niehaus announced that Dr Mzimela had written to him yesterday, saying he would not meet the committee on Monday due to unforeseen circumstances.

Mr Niehaus released a copy of his reply, in which he expressed the committee's "utter astonishment" at the "disdain and contempt" with which it was being treated by Dr Mzimela.

"Your cancellation of our scheduled meeting, after months of delay, together with your absence from the national assembly on Tuesday and Wednesday when important matters regarding the functioning of the Ministry of Correctional Services were scheduled for discussion, leaves me with no other option but to bring the issue of your dereliction of duty to the attention of President Mandela."

Mr Niehaus said he had been asked by Mr Mandela to submit a memorandum on Dr Mzimela's conduct.

Interviewed later, Dr Mzimela said he could 'lay bets' on what the portfolio committee wanted to tell him at the meeting, the appointment for which had been made by him.

"The committee is going to tell me what I know. It's not going to provide me with what I need to solve the problems."

Having visited nearly 60 prisons countrywide, he knew exactly what the problems were.
Niehaus cautious on prison privatisation

CAPE TOWN — Correctional Services parliamentary committee chairman Carl Niehaus reacted cautiously yesterday to proposals of prison privatisation.

Niehaus said a comprehensive investigation was needed.

He was reacting to suggestions made recently by Correctional Services Minister Sipho Mzimela that the department was considering the privatisation of prisons.

Niehaus said the committee was concerned that differences in the quality of prisons would start to develop.

It would probably be necessary to maintain a national control mechanism to ensure the maintenance of standards.

Niehaus said he supported Mzimela’s proposal that land surrounding Pollsmoor prison be privatised as long as a decline in standards did not occur.

In addition, the funds gained should be used to improve conditions at the prison.

Committee members would attend a briefing on privatisation at Pollsmoor prison next week, he said.

ADRIAN HADLAND reports Niehaus accused Mzimela yesterday of dereliction of duty.

Niehaus said Mzimela had refused any contact with the committee for almost a year and had repeatedly turned down appointments and meetings.

Niehaus said he had asked President Nelson Mandela to intervene.

The committee was currently trying to convert a Correctional Services White Paper into draft legislation which would have wide implications for the organisation of prisons in SA.

Other critical matters requiring discussion included overcrowding problems in most prisons and rising levels of violence, Niehaus said in a letter to Mzimela.

Niehaus said earlier the committee had been unable to set up a meeting with Mzimela despite four attempts since October. Each had been rebuffed.

Following the latest request, despatched two weeks ago, a letter arrived at the committee yesterday saying Mzimela was unable to meet on Monday “due to unforeseen circumstances”.

While the Inkatha Freedom Party, of which Mzimela is a member, walked out of Parliament last week, party leader Mangosuthu Buthelezi said its ministers and deputy ministers would keep their posts and continue to fulfill their obligations.

3 000 deaths for truth commission

PRETORIA — About 3,000 deaths are likely to fall within the ambit of the truth commission’s activities, retiring police commissioner Gen Johan van der Merwe said yesterday.

If all these incidents were fully investigated in a balanced manner, there was “no way” in which the commission would be able to complete its work within five years, he told a Pretoria Press Club luncheon.

Van der Merwe said 187 civilians and security force members were killed by liberation movements between 1976 and 1990. In the same period 68 people arrested for political crimes died in detention.

According to the Inkatha Freedom Party, 1,400 of its members were killed in this period and the ANC said it lost 1,140 members.

“These figures do not include the hundreds of people killed during faction fights, through the ‘necklace’ method and in hostel and train violence.”

The Ball on the commission stipulated it would direct its attention to all incidents between 1960 and December 1993. — Sapa.
BY ESTHER WAUGH
POLITICAL CORRESPONDENT

Cape Town — ANC MP Carl Niehaus has reported Correctional Services Minister Sipho Mzimela’s "dereliction of duty" to President Mandela.

The latest development followed the Adjustment Appropriation Bill debate on Tuesday and Wednesday's interpellation debate in the National Assembly — both occasions on which Mzimela was absent.

After Wednesday's debate, DP MP Dene Smuts moved a motion calling for the appointment of a parliamentary commission to investigate the possible suspension of the IPP ministers' pay for dereliction of their ministerial duties.

In a letter dated yesterday, Mzimela told Niehaus, who is the chairman of the parliamentary committee on correctional services, that he could not meet the committee on Monday "due to unforeseen circumstances".

"There are critical matters that we need to discuss, including problems of overcrowding and rising levels of violence. One would have expected that you would treat a meeting with the select committee as a priority," the ANC MP said.

In his response, Niehaus said he had received the letter "with utter astonishment about the disdain and contempt that you treat" the committee.
Afrikaners are still in charge

By Ismail Lagardien
Political Correspondent

Management of South Africa's prisons remains in the hands of white Afrikaner men—even after restructuring and affirmative action policies have been applied.

By November last year the Minister for Correctional Services, Dr Sipo Mzimela reported that his department had made sufficient progress with restructuring and the integration of the prisons service of the former homelands.

Yet of the nine provincial commissioners that have been appointed, seven are white generals, four of whom were promoted—and only two are black (Major-General MT Khoza in the Eastern Transvaal and Brigadier EZ Mphatswa in the Northern Transvaal).

Out of 16 promotions from colonel to brigadier, 11 were white and five black. The overall composition of officers that have been promoted nationally were 75 percent white (468 promotions) and 25 percent black (151 promotions).

These figures were compiled by the ANC's Mr Carl Niehaus, the Chairman of Parliament's select committee on correctional services, and were to be presented in the National Assembly during an interpellation on Wednesday.

However, because of the absence of the minister, who is a member of the Inkatha Freedom Party that is currently boycotting Parliament and the Constitutional Assembly, the debate could not proceed.

Niehaus said while he did not expect change overnight, it is, however, reasonable to expect that a clear transformation programme for reconstruction should be in place by now.
Prisons: ‘I have the answers’ – Mzimela

CORRECTIONAL Services Minis-
ter Dr Sipho Mzimela yesterday
said he knew exactly what needed
to be done to solve problems in
South Africa’s prisons.

‘I’ve visited more than 45 pris-
on, and I’ve seen for myself
what’s going on, I knew exactly
what needs to be done, and what
our limitations are,’ he said.

The Krieger Commission’s re-
port on the causes of violence and
uprisings in prisons had been re-
ceived a fortnight ago, as well as
the Red Cross’s annual report.

He was busy summarising the
Krieger report for President Nel-
son Mandela, he said.

Dr Mzimela was reacting to
earlier claims of dereliction of
duty by National Assembly Select
Committee chairman Mr Carl
Niehaus.

At a briefing in Cape Town yes-
terday Mr Niehaus had said it was
‘regrettable’ that his committee
had not yet been able to establish
a working relationship with Dr
Mzimela.

After repeated attempts to
meet him since October 1994, a
meeting with the Minister had
eventually been arranged for
Monday.

However, Mr Niehaus said he
had received a letter from the
Minister yesterday afternoon can-
celling the meeting ‘due to un-
foreseen circumstances’.

Dr Mzimela confirmed he had
cancelled the meeting, but said
another would be rescheduled
once Parliament reconvened on
March 15.

It would not have served any
purpose to meet the committee on
Monday as IIP members would
not be present and another meet-
ing would have had to be sched-
uled with the full committee.

Reacting to the claim that he
had been derelict in his duties, Dr
Mamela said Mr Niehaus was ‘in-
toxicated with the wine we call
delusions of self-importance’.

As chairman of the portfolio
committee on Correctional Ser-
vices, Mr Niehaus, said the selling
of prisons could be considered if
there was some point to it and as
long as it did not increase over-
crowding.

There was, however, consider-
able concern in the committee
about suggestions of privatising
the prison service.

He said the privatisation of
prisons services in countries like
Britain and the United States had
led to a lowering of the standard of
services.

‘We believe an extensive study
should be made on this privatisa-
tion’

Mr Niehaus said at a press
briefing that his committee had
not discussed the matter, but
would be briefed on the issue on
Wednesday at Pollsmoor Prison,
by the deputy commissioner of
Correctional Services — Sapa
Niehaus slammed by minister

NATIONAL Assembly Correctional Services select committee chairman Carl Niehaus has come under fire from Correctional Service Minister Sipho Mzimela and his Commissioner General Henk Bruyn for alleged false accusations and interference in departmental affairs.

The minister and the commissioner were reacting in separate statements to allegations levelled against them by Mr Niehaus at a Press briefing on Thursday (253).

Mr Niehaus accused Dr Mzimela of "dereliction of duty" and said his committee had not yet established a working relationship with the minister. ARG 41/395

This was rejected by Dr Mzimela who said Mr Niehaus's "self-importance" was creating big problems in the department.

"He does not seem to realise that he is neither the minister nor the commissioner of correctional services. If Mr Niehaus wishes to make a positive contribution towards correctional affairs, he will have to change his attitude and approach," he said.

Responding to the cancellation of a meeting with the committee on Monday — which prompted Mr Niehaus to report him to President Nelson Mandela — Dr Mzimela said he had informed other committee members of the postponement.

"They agreed to this and it is only Mr Niehaus who is now causing unnecessary trouble," he said.

The Speaker, Frere Ginwala, and ANC Chief Whip Arnold Stofile had also been told that he would be unable to respond to Wednesday's National Assembly interpellation by Mr Niehaus, Dr Mzimela said.

He had spoken to Mr Mandela and had confirmed that he would meet the committee after March 15.

General Bruyn said he rejected Mr Niehaus's interference in departmental affairs, such as the appointment of provincial commissioners.

Such appointments were legally within the commissioner's competence and had been done in consultation with the cabinet.

"If Mr Niehaus suggests that there are irregularities with the recent promotions, he must present the facts." Initiative to re draft the Correctional Services Act had already been taken some time ago and it was unacceptable for Mr Niehaus to claim credit for this, he said. Sapa
NEWS IN BRIEF

Strike 'about' bonuses

The recent go-slow and strikes by Correctional Services members at several prisons in KwaZulu-Natal had resulted from dissatisfaction with the way the annual merit awards bonuses were presented to a select few.

The Correctional Officers' Union of SA Western Cape president John Joseph said members were unhappy about the "déplorable, racialistic and biased criteria applied in awarding these merit awards bonuses."

Joseph claimed in 80% of cases it was the same people every year who were awarded the bonuses.
PORT ELIZABETH THE father of three who stared death in the face for 76 hours while being held captive by inmates at St Alban's prison, warder Jonathan Phillips, has told of his ordeal and his quiet acceptance that "whatever must be, must be."

The slightly-built, war-rant officer said he was confronted with death during the, three-day hostage drama, but his religious faith did not fail him.

He described how prisoners took him hostage after warders intervened in a fight in one of the communal cells. He said he had stopped to help another warder in the scuffle. When two shots were fired at him and he was hit over the head with a gun.

Dazed

When the prisoners dragged him to the control gate, they ordered him to tell the warders on the opposite side that he wanted it opened.

However, when he shouted that the prisoners did not want the gate opened, he was hit on the head with a grenade, which left him dazed.

The warder said that during his ordeal he was constantly under threat from some of the prisoners who wanted to attack him, stab him or kill him. These prisoners were restrained by other inmates.

WO Phillips said the quick storming of the cell early on Sunday took his captors completely by surprise. The crack police squad had freed him in 25 seconds.
Warder held hostage by armed prisoners

Sowetan Correspondent

A WARDER, held hostage by armed prisoners at St Albans prison, in Port Elizabeth said yesterday he had no doubt that they intended to kill him.

Warrant-Officer Jonathan Phillips, who has been a warder for 18 years, spoke of his ordeal at a Press conference yesterday, saying it was quite simply his faith and belief as a committed Christian that kept him going through 76 hours with very little sleep and tremendous antagonism from a small group of prisoners, the ringleaders who had organised the plan to escape.

Phillips was released at 2am on Sunday a week ago when a special police task group penetrated the cell where he was being held hostage in the dark and released him, killing the ringleader and injuring another prisoner.

Phillips, who has not yet returned to work, said he was assaulted at least three times. Once he was hit on the back of the head when he entered a cell with other warders to break up a mock fight among prisoners. He was still dizzy when he was taken hostage. He was also hit on the side of the head with a hand grenade and later with a gun butt. He said from the start it was quite clear that the mood was dangerous and tense. Not all the prisoners were involved.

In fact, some were so scared and worried about what was going on that they would not look at him. Others were deeply concerned about their own safety.

At the start of the drama two shots were fired at him. Both missed.

He said he only heard after his release that Warrant-Officer Hannes Fredericks had been wounded. He is in a serious, but stable condition.
Sitole cuts across barriers for post

By Chris Nkwe

Brigadier Khulekani Sitole is not just your ordinary prison warden. He is a success story. At the age of 33 he has “almost reached the ceiling”, to use his own words.

He has just been appointed the first black director of education and training in the Department of Correctional Services.

And don’t mistake him for an affirmative action appointee. He is not.

“I’m qualified for this position. I underwent the toughest interviews of my life. I was grilled during the three interviews before this appointment. It was real tough,” he admits with a smile.

There are still many adjustments to make.

Tlus Retz-born former Free Stater made it to the top of some 153 applicants short-listed for the position.

Sitole would like to change the current face of the Correctional Services Education and Training department.

“I support the RDP and feel every prisoner’s have to be afforded the chance to be literate. All juveniles should be forced to get into some sort of education, be it academic, technical or basic hand skills so that they acquire some life skills before they leave prison.”

“We have to support our prisoners in every possible way. We should help them register for the courses of their choice, issue with their families for textbooks, handle their mail and help them with their assignments,” he says.

Considering his own educational record, the burden of helping prisoners go through their education should be an easy task for this young brigadier. The last time he was in a classroom was when he was doing his Primary Education Teachers Certificate.

After this he did four degrees part-time and is in the second year of his PhD in Educational Technology with the University of South Africa. He holds a VUT University BA in Education and Psychology (1984-87). He also has a BEd (1988-89) and BA Hons, in which he obtained a distinction in psychometric assessment and psychology (1990-91), and an MEd in Psychology from Unisa.

In 1992 he did a six-month course in technical education in the United States. His unimpressive Junior Certificate marks robbed him of going straight to matrix. Instead he pursued a teaching career. He did his Primary Education Teacher’s Certificate at Tshwane College in QwaQwa.

After completing his teacher’s course in 1982 he went to work as an apprentice fitter.

He went back to teaching in 1983 and taught at various schools in Soweto and the Free State, rising through the ranks to become principal and education administrator.

His last appointment was that of area organiser in charge of the administration work of the Free State Department of Education in Harrismith, Conoria, Warden, Memel and Vrede.

His source of inspiration, he says, has always been his mother.

“My father, who was a teacher, died when I was only in Standard 3 and mother had to educate all three of us single-handedly,” says Sitole.

His mother is a school principal in QwaQwa and his wife Lungile and his sister and all her aunts are teachers.
W Cape to get three new jails

**Overcrowding still a problem**

BY TYRONE SEAL
Political Staff

THE building of three new prisons in the Western Cape and the upgrading of others will create room for another 4704 prisoners by 1998, but will not eliminate overcrowding.

One of the new jails is at Wingfield, where 1 501 prisoners should move by January 1997.

Frans Booyse, Correctional Services deputy commissioner industries, told the parliamentary portfolio committee on correctional services yesterday that seven new prisons costing R500,7 million would be built in the Western Cape in the next five years. These would accommodate another 5 149 prisoners.

Also during this period, upgrading and renovation of 36 jails countrywide would cost R65,3 million and would provide space for 1 128 prisoners.

Listed among the seven new jails are redesigns of part of Brandvlei at Worcester and Victor Verster at Paarl, following damage last year by rioting prisoners.

In the Western Cape, the new prisons, apart from Wingfield, are Voorberg at Porterville, which will be completed by August 1996 to house 1 215 prisoners, and Malmesbury where 1 197 inmates will move by August 1996.

Brandvlei is expected to be redesigned by May to house 316 inmates.

The department also expects to complete renovations at Victor Verster by May, providing accommodation for 417 prisoners.

Briefing parliamentarians at Polesmoor yesterday, Major-General Booyse said: “On completion of the five new prisons in the Western Cape, the over-population in this province will still be the highest in South Africa.”

He said to eliminate the current backlog — there are 26 000 too many prisoners in jails across the country — and to keep abreast of the prison population growth to date, 90 000 accommodation units would have to be created within 28 years.

This would, by 2014, create a manageable over-population of 20 percent.

General Booyse said in an interview later that the new prisons and the redesigns at Brandvlei and Victor Verster would feature smaller cells which would allow authorities to work with smaller groups of prisoners, thus improving rehabilitation.

“We can’t just look at creating more (prisons) There must be a contribution from the community,” said General Booyse.

He said society at large had to create the social conditions that would keep people from committing crime.
‘Free political prisoners’

CAPE TOWN: Lawyers for Human Rights says more than 300 political prisoners are still being detained in South African jails.

LHR spokeswoman Ms Paula McBride said yesterday the process of granting amnesty to political prisoners should be speeded up to secure the release of the detainees.

Those who were convicted of crimes should not have to appear before the proposed Truth Commission because their trials had already uncovered the truth about their crimes, said Mrs McBride. — Sapa
Mandela clamps down on prison rights group

BY ESTHER WAUGH
POLITICAL CORRESPONDENT

Cape Town — President Mandela has barred the South African Prisoners’ Organisation for Human Rights (Sapohr) from activities which "could promote unlawful activities or lead to loss of lives and damage to property" in prisons.

Correctional Services Minister Dr Sipho Mzimela said last night that such activities had been restricted with immediate effect.

The move followed an ultimatum by Sapohr to the Government to establish an amnesty resolution committee before April 10 to arrange the release of common-law prisoners, or prisoners would embark on mass action.

Mzimela said the Government would not be held to ransom.

"It is the prerogative of the president to decide when, and how he will grant special remissions of sentences to prisoners, and he is adamant that he will not be compelled to make any decision in this regard by threats from whatever quarter. "The president will grant special remission of sentences whenever, in his opinion, it is proper to do so," Mzimela said.
Mandela orders crackdown on prisoners' organisation

**Political Staff**

**President** Mandela has ordered a crackdown on activities by the South African Prisoners Organisation for Human Rights that could promote lawlessness and violence.

Correctional Services Minister Sipho Mzimela said yesterday he had been instructed by the president to restrict immediately organisation activities that could lead to loss of life and damage to property.

Dr Mzimela disclosed the crackdown in a statement responding to the organisation's ultimatum to the government to set up an amnesty resolution committee before April 10 to determine the release of common-law prisoners.

The ultimatum warned the government that failure to meet this demand would lead to prisoners countrywide embarking on mass action, go-slows and demonstrations.

Dr Mzimela said that because demands of this nature had in the past led to riots, loss of life and damage to property, Mr Mandela had ordered restrictions on the organisation.

"The government of national unity will not allow itself to be held to ransom by threats of violence," Dr Mzimela said.

"It is the prerogative of the president to decide when and how he will grant special remission of sentence to prisoners and he is adamant that he will not be compelled to make any decision in this regard by threats from whatever quarter."

"The president will not grant special remission of sentence whenever, in his opinion, it is proper to do so."

Dr Mzimela said, the organisation had had a chance to discuss and motivate its proposal of an amnesty resolution committee with the Knysna Commission of inquiry into unrest in prisons and the National Advisory Council on Correctional Services.

"In both cases it had been unequivocally recommended that the establishment of a resolution committee could not be supported and that the result had therefore been turned down."

Dr Mzimela said the organisation had been told yesterday about the decision against a resolution committee and restrictions on the organisation.

"A call is made on all prisoners not to allow themselves to be incited to unlawful action," he said.
Govt clamps fetters on prisoners’ union

CAPE TOWN – Government has barred the SA Prisoners’ Organisation for Human Rights (Sapohr) from operating in prisons on the instruction of President Nelson Mandela. Mandela said he had been instructed “to restrict with immediate effect, all... Sapohr activities at prisons which could promote unlawful activities or lead to loss of lives and damage.” Sapohr leader Golden Miles Banda has told government to set up an amnesty resolution committee before April 10 with a view to determining the release of common law prisoners, or prisoners countrywide would start mass action, Mandela said. Such demands had in the past led to riots, deaths and extensive damage. Government would “not allow itself to be held to ransom by threats of violence.” It was Mandela’s prerogative to decide when and how he would grant special remission of sentences.

Government, following recommendations by the Krieger commission probe of unrest in prisons and a study by the national advisory council on correctional services, had decided “not to accede to the request for the establishment of an amnesty resolution committee.” Sapohr, which had been given the opportunity to motivate its proposals to both bodies, had been informed of the restrictions placed on it.

A senior Correctional Services Department source said “the organisation has been all but banned.” If it wanted access to any prisoner it would have to apply to the commissioner of prisons.
NEWS ‘Now they must beg me’ — th

Business skills training for cons

*Sowetan Correspondent*

PRISONERS will in future be offered entrepreneurial training in addition to occupational training, to give them greater personal and financial freedom on leaving jail.

Correctional Services deputy commissioner in charge of industries, Major-General Frans Booysen, told members of Parliament yesterday that while the department and organisations such as Nco were fairly successful in placing ex-prisoners in jobs, stumbling blocks remained.

These included unemployment and the social stigma attached to people who had criminal records. Booysen said with entrepreneurship programmes, groups of prisoners could possibly, upon their release, start their own small or medium enterprises. They could then work within these businesses until they could find jobs or run their own businesses elsewhere.

‘Occupational training — also known as prisoner development — matched courses offered by other institutions, thus increasing ex-prisoners’ chances of finding private-sector jobs.

He said food production and other agricultural activities were part of the department’s growing programme to provide prisoners with skills to ease their re-entry into society. During the 1993-4 financial year Correctional Services had saved R20.3 million by letting prisoners — who “earned” a maximum R96 a month — produce their own food.

Agricultural activities, mainly on 16 Correctional Services farms totalling about 40 000ha countrywide, had resulted in prisoners producing 92 percent of vegetables, 99 percent of pork, 67 percent of eggs and 65 percent of fruit they ate.

The training of prisoners in building trades was extremely important, as prisoners could be used to build prisons or other buildings needed by the State. Booysen said planned projects would significantly increase the training rate. At present only four percent of the more than 100 000 prisoners countrywide were in training programmes.
LHR calls for changes in prisons

By Ismail Lagardien
Political Correspondent

LENTRIVE FOR HUMAN Rights has recommended vast changes to South Africa's penal system, emphasising the need for a serious look at the causes of crime and violence with a further emphasis on rehabilitation.

The LHR yesterday told Parliament's portfolio committee on correctional services that "prison reform and the diversion of offenders from custodial sentences" ought not to be seen as being soft on criminals.

"Reform in the correctional system is rather an essential element in the effort of the new Government to address crime and the social and economic crisis that fuels it," the LHR submission stated.

"The policy of the Department of Correctional Services in the new South Africa must be refocused to keep people out of prison, or if they are incarcerated, to treat them as individuals with all the rights of any citizen of South Africa.

"The deprivation of liberty imposed by prison is the punishment to which offenders are sentenced. Once they are in prison they must be given the opportunity to live productive lives upon release."

Giving the input for the LHR, Ms Bronwyn Manby focussed at length on the rights of prisoners within the system, their safety, accommodation and health, education and training, leisure activities, religious care and contacts with the outside world.

Violence in prisons had to be eradicated as much as possible — and this would include attacks by warders on prisoners, Manby said.

Thus, she said, could be addressed by way of looking at the gang system within prisons. She said prison authorities could overtly use gangs as informants and "as informal enforcers" of prison authority.

Manby recommended that violent prisoners and non-violent prisoners be separated as a means of reducing violence in prisons. However, it may be necessary to look at some of the causes of violence, she said.

She also recommended that, as a precautionary measure against possible HIV infections, condoms be distributed in prisons.

Simply stating that sexual relations between men is not tolerated does not mean that it does not exist. She said a distinction had to be drawn between homosexuality and sex between men.

Among her recommendations was the removal of uniformed chaplains in prisons and making these more representative.

Manby pointed out that of the 28 chaplains in the department, 14 were from the Dutch Reformed Church.
Right of info test case

By Mihlele Ngudle 03/13

THE extent of right of access to state-held information will be examined today when six long-term Barberton prisoners ask the Constitutional Court to declare their right to access police dossiers.

Mr Joseph Gumede, Mr Siphiwe Mpijeka, Mr Christopher Nzimande, Mr Simon Magola, Mr Vusi Thandekwayo and Mr Michael Shabalala, who were charged with the murder of a fellow prisoner on February 26 1993, have invoked Section 23 of the Constitution in their plea for a fair trial.

Section 23 provides that "every person shall have a right of access to all information held by the state or any of its organs at any level of government, in so far as such information is required for the exercise or protection of any of his or her rights."

Opposing this in their heads of arguments, Attorney-General of Transvaal Advocate Klaus von Lieres und Wilkau and police Commissioner General George Fivaz, who are both respondents, contend that the right does not extend to criminal proceedings. The question facing the court is whether Section 23 can be used by the accused to obtain further information in criminal proceedings and, if so, whether they should be given access to police dockets. Lawyers for the accused argue that their clients can invoke Section 23 to get access to information.
Prison group is restricted

CORRECTIONAL Services Minister Mr Sipho Mzimelo yesterday restricted with immediate effect all activities by the South African Prisons Organisation for Human Rights (SAPOHR) at prisons.

This follows an ultimatum to the government by SAPOHR leader Mr Golden Miles Bhudu demanding an amnesty resolution committee be established before April 10 with a view to determining the release of common law prisoners.

Mr Bhudu threatened that prisoners around the country would embark on mass action if the government failed to comply with this demand.

Mr Mzimelo said the government would not be held to ransom by threats of violence.

"It is the prerogative of the President to decide when and how he will grant special remission of sentence to prisoners," Sapa quoted Mzimelo as saying.

"SAPOHR had discussed their proposal with the Kriegler Commission of Inquiry into prisons unrest and the National Advisory Council on Correctional Services. In both instances it was recommended that the establishment of an amnesty resolution committee cannot be supported," Sapa mentioned.
Prisoners go for trading futures

TYRONE SEALE
Weekend Argus Political Staff

PRISONERS will in future be offered courses in entrepreneurship, in addition to occupational training, to give them greater personal and financial freedom on leaving jail.

Frans Booyse, the Correctional Services deputy commissioner in charge of industries, told MPs this week that while the department and organisations such as Ncero were fairly successful in placing ex-prisoners in jobs, stumbling blocks remained.

These included unemployment and the social stigma attached to 'people' who had criminal records.

Mayor-General Booyse said with entrepreneurship programmes, groups of prisoners could, upon their release, form their own small or medium-sized enterprises and work within these businesses until they could find jobs elsewhere.

He said food production and other agricultural activities were part of the department's growing programme to provide prisoners with skills to ease their re-entry into society.

Occupational training — also known as prisoner development — matched courses offered by other institutions, thus increasing ex-prisoners' chances of finding private-sector jobs.

During the 1983/4 financial year Correctional Services had saved R20.3 million by letting prisoners produce their own food.

Agricultural activities, mainly on 16 Correctional Services farms totalling about 40 000 ha countrywide, had resulted in prisoners producing 92 percent of the vegetables they ate, 99 percent of their pork, 87 percent of their eggs and 85 percent of their fruit.

Some of the new projects to provide training opportunities are:

■ The production of cornflakes for prisoner rations,

■ Timber plantations to be used in the making of furniture and other equipment required by Correctional Services or other government departments,

■ An ostrich meat and hide project,

■ Nut orchards.

The training of prisoners in building trades was extremely important, as they could be used to build prisons or other buildings needed by the state.

Mayor-General Booyse said planned projects would significantly increase the training rate. At present only four percent of the more than 100 000 prisoners countrywide were in training programmes.

■ Prisoners did their bit for democracy by producing 21 000 ballot boxes and 6 950 voting booths for last year's general election, said Mayor-General Booyse.
MPs urge prison group to negotiate

TYRONE SEAL
Political Staff

The South African Prisoners' Organisation for Human Rights should use all negotiation forums at its disposal to highlight grievances instead of making "emotional and dangerous" calls that could lead to violence.

The African National Congress' parliamentary study group on correctional services has urged the organisation to reconsider its call on prisoners to prepare for protests based on demands for amnesty for common-law prisoners.

The study group is part of the multiparty portfolio committee on correctional services.

On Monday the prisoners' organisation reiterated its ultimatum to the government to set up a committee by April 10 to consider amnesty for common-law prisoners or face protests countrywide.

Last week, in response to the organisation's original call for prisoner action, President Mandela authorised Correctional Services Minister Sipho Mzimela to restrict organisation activities that could lead to violence, a loss of life and physical damage.

Yesterday the study group said in a statement that amnesty was one of many important issues.

"This matter is to be addressed with great circumspection, taking into consideration the need for the humane and fair treatment of prisoners on the one hand, and the interests of society at large on the other.

"Our study group has been seized by this question for some time, but we feel that the situation is being made unnecessarily volatile by the way the issue is being approached by Sapo."
Prisons are simmering

POLITICAL STAFF
Overcrowding, gang and other violence, enforced idleness and human rights abuses are among the problems documented by the ANC parliamentary study group on correctional services during its visit to prisons.

During visits to common-law and political prisoners, the group also detected increased expectations from prisoners that they would receive amnesty, after the ANC-led Government of National Unity took office in May.

The situation in prisons, the group said, was made unnecessarily volatile by the South African Prisoners' Organisation for Human Rights.

The prisoners' organisation, which has effectively been banned from prisons by President Mandela, vowed to embark on mass action if no steps were taken to grant amnesty to common-law prisoners.

(253) 361-1234 15/3/95
6 819 escaped from custody in '94

Shock figures on leaky jails

BY CHERYL HUNTER
CRIME REPORTER

A staggering 6 819 prisoners and suspected criminals, many of them charged with or convicted of violent crimes, escaped from custody in South Africa during 1994.

Department of Correctional Services spokesman Major Koos Gerber said 1 233 of these escapists were convicts or arrested suspects.

Police spokesman Colonel Ray Harrald said the suspects did not escape only from police cells, but also from arresting officers in the field and during transportation to court.

While this figure reflects only 62 more escapes than during 1993, Gerber said the nature of more recent escapes had been increasingly daring.

He said one of the largest problems ailing escapists was overcrowding in cells: "South African prisons are overpopulated by about 19%.

South African jails housed 113 856 convicts in December, when international standards allowed for only 95 000 prisoners in these quarters.

Gerber described the state of jails in the country as "rotten". Many of the jails are crumbling from "sheer age", making escape an easy task.

He said that in one incident, prisoners in Bethal, Eastern Transvaal, had used the lid of the toilet in their cell to break a hole in the wall and walk to freedom last year.

A policeman, who asked not to be identified, said: "The cells are so old that you can practically scratch the cement from between the bricks with your fingernails."

Daveton police station on the East Rand bore testimony to this fact when reporters visited the station last year.

Rusted metal bars were twisted and torn, allowing bodies to slip through cell doors hung on broken hinges.

Gerber said they manage to escape themselves because they are "too smart".

"But at the same time, the minister undertook to condemn all forms of protest when people are under arrest," he said today.

He could not guarantee that the Sasco undertaken to bring an end to the routine violence as not all were controlled by Sasco breakaway groups involved.

Vigilant disruptions continue at universities around the country.

ESCAPES IN 1994

- 412 from work teams under guard of warders
- 246 from work teams under guard of temporary members
- 46 while in public hospitals
- 22 while attending court

STAFF REPORTERS and SAPA

Education Minister S. Bengu met the SA Students' Congress (Sasco) in Johannesburg last night for what its leader, Charly Nkadime, described as "very constructive" talks.

Nkadime said that while Sasco undertook to condemn all forms of protest when people are under arrest, he said today.

He could not guarantee that the Sasco undertaken to bring an end to the routine violence as not all were controlled by Sasco breakaway groups involved.

Vigilant disruptions continue at universities around the country.
Correctional Services forum under fire
(253) 27.22 | 3/15

A forum on restructuring the Department of Correctional Services has come under fire before its first meeting in Johannesburg today.

A Police and Prisons Civil Rights Union (Popcru) spokesman said yesterday that although his organisation was sending representatives to the meeting, it was disturbed that the forum had been set up and a chapperson appointed by Prisons Commissioner Henk Bruyn without any consultation.

One of the items on today's agenda is an affirmative action plan for the department.

Although both the South African National Defence Force and the SA Police Service have undergone major reorganisation in line with the changes in South Africa, the Department of Correctional Services has survived virtually untouched. Among those attending the meeting will be representatives of Popcru, the Public Servants Association, the South African Nursing Association which includes prison medical staff, among its members, Correctional Services management and the Public Service Commission.

Chairman of the National Assembly's standing committee on Correctional Services, Mr Carl Niehaus, has also been invited.

Stellenbosch academic Professor Linda Human, an expert on management issues and affirmative action, will chair the meeting.
**QUESTIONS**

†Indicates translated version

For written reply Hansard 28 March 1995

**Prisoners in SA prisons: number accommodated/overpopulation**

19 Col N G RAMAREMISA asked the Minister of Correctional Services

(1) (a) How many prisoners can be accommodated in South African prisons at present,
(b) what was the daily average prison population as at the latest specified date
for which information is available and (c) how many unsentenced prisoners were in
prison in the Republic on that date,

(2) whether any prisons were over-populated in 1994, if so, (a) which prisons and (b)
what was the average rate of over-population in each case?

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**The MINISTER OF CORRECTIONAL SERVICES**

(1) (a) 95 695 on 31 December 1994

(b) The daily average prison population for December 1994 was 112 716. On
31 December 1994 there were 113 856 prisoners in South African

(c) On 31 December 1994 there were

22 997 unsentenced prisoners in

South African prisons

(2) Yes

(a) and (b) On 31 December 1994 the

position was as follows

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**The Province of Northern Cape**

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<th>Prison</th>
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**The Province of Northern Transvaal**

<table>
<thead>
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<tbody>
<tr>
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**The Province of North-West**

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<tr>
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<td>Rustenburg</td>
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<td>Wolmarssend</td>
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**The Province of KwaZulu-Natal**

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<td>Parys</td>
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<td>Virginia</td>
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<tr>
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The Province of Pretoria—Witwatersrand—Vereeniging (Gauteng)

### Prison

<table>
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<td>Boksas</td>
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<tr>
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<td>Lydenburg</td>
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<tr>
<td>Nelspruit</td>
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<tr>
<td>Witbank</td>
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### The Province of the Western Cape

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<tbody>
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<td>Beaufort West</td>
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<td>Dwarfsriver</td>
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<tr>
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<tr>
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<tr>
<td>Obuza</td>
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<tr>
<td>Oudshoorn</td>
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<tr>
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### The Province of the Orange Free State

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<tbody>
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<tr>
<td>Goedemoed Medium B</td>
<td>25.2</td>
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<td>Groenpunt Maximum</td>
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<td>Grootvlei Maximum</td>
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<tr>
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<tr>
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<td>Heilbron</td>
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### The MINISTER OF CORRECTIONAL SERVICES

<table>
<thead>
<tr>
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</tr>
</thead>
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<td>Pollsmoor Medium A</td>
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<td>Pollsmoor Medium B</td>
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<tr>
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<tr>
<td>Prince Albert</td>
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<td>Reebek West</td>
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<td>Robertson</td>
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<td>Sweldenham</td>
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<td>Unсадale</td>
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Van Rynsdorp

<table>
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<tr>
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<th>% Over-populated</th>
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</thead>
<tbody>
<tr>
<td>Vector Verster Maximum</td>
<td>74.9</td>
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<tr>
<td>Vector Verster Medium A</td>
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<tr>
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<tr>
<td>Worcester Male</td>
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<tr>
<td>Worcester Female</td>
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The Department of Correctional Services annually provides a priority list of identified building projects to the Department of Public Works with a view to incorporating them into the five-year building programme of the Department of Public Works. This programme is reviewed annually according to the availability of funds. The fact that a specific project appears on the building programme does not imply that it will be executed within five years.

It can be mentioned that the following projects are listed on the five-year building programme:

- building of new prisons in Pietersburg, Utrecht, Bloemfontein, Malmesbury, Pietermaritzburg, and Pretoria;
- the upgrading of the Calvina, Christena, East London Medium B and George prisons;
- extensions, alterations and improvements to the Louv Trochard and Leeuwkop Medium A prisons;
- the building of new sections for sentenced prisoners at the Buffelsdorp, Caledon, and Worcester prisons, and
- the building of 10 single cells at the Caledon Prison.

The finalisation of the above-mentioned projects will increase the accommodation capacity of South African prisons by approximately 6 000.

The average rate of over-population in South African prisons on 31 December 1994 was 19.98%, which represents a decrease of 10.92% in comparison with the 29.9% on 31 December 1993.
The MINISTER FOR WELFARE AND POPULATION DEVELOPMENT

1. Yes, according to a Cabinet decision on 7 December 1994 a ministers core-group have been appointed for this purpose under the chairmanship of the Minister of Health.

2. (a) the Department is an active member of the Steering Committee National Plan of Action for Children and will contribute from its line function responsibility to fulfill the implementation of said Programme and

(b) (i) (aa) to (ff) and (b) (ii) the process for the development of a National Plan of Action for Welfare will culminate from the process of a White Paper for Welfare which had been initiated. A co-ordinating body will be appointed for the NPA process for Welfare in which provision will be made to address the social needs of the relevant categories of children

Alexkor: vessels sank/precautions
61 Mrs A VAN WYK asked the Minister for Public Enterprises:

(1) Whether any vessels belonging to Alexkor sank from 1 January 1995 up to the latest specified date for which information is available, if so, (a) who was responsible for it, (b) what was the estimated (i) damage and (ii) loss in production and (c) how many (i) breadwinners and (ii) dependents were affected by it,

(2) whether precautions have been taken or are being taken to (a) protect the interests of the employees and (b) secure the property of Alexkor, if not, why not, if so, what steps?

The MINISTER FOR CORRECTIONAL SERVICES

(1) Yes. A scientifically based investigation into the establishment revealed that the Department of Correctional Services has at present a proven establishment backlog of 6 656 posts. According to this investigation the Department of Correctional Services' establishment should have 36 095 posts. However, due to financial realities and a restrictive budget, only 29 439 posts can be financed.

The personnel shortage is further intensified by the participation of members of some employee organizations in strikes, go-slow and other undisciplined behaviour.
20 Col N Q Ramaremisa asked the Minister of Correctional Services (a) How many persons under the age of 18 years were serving prison sentences on (i) 30 June 1994 and (ii) 1 January 1995 and (b) in which prisons were these persons serving sentences?

37E

The MINISTER OF CORRECTIONAL SERVICES

Before replying to this question, I wish to furnish the hon member with the following perspective. The Child Care Act, 1983 (Act No 74 of 1983) as well as section 30(3) of the Constitution of the Republic of South Africa, 1993 (Act No 200 of 1993) defines a “child” as a person under the age of eighteen (18) years.

Furthermore, the President approved special remission of sentences to inter alia all persons under the age of eighteen (18) years who were or would have been incarcerated on 10 May 1994 (except those who had escaped before and were still at large on this date)—prisoners under the age of eighteen (18) years who had committed offences of a particular nature, were also excluded.

(a) (i) 745

(ii) 567

(b) Barberton
Beaupaaspoort
Beaufort West
Bethal
Bethulie
Blenheim
Boksburg
Burgersdorp
Caledon
Calvina
Christiana
Cradock
Dordrecht
Durban
Dwarman
East London
Empangeni
Ermelo
Esikhaweni
Glencoe
Grahamstown
Greytown
Green Point
Grootvlei
Harrismith
Heidelberg (Tvl)
Helderfontein
Hodenveld
Inkwenkwezi
Johannesburg
Kimberley
King William’s Town
K Motseta
Kokstad
Kriel
Kroonstad
Krugersdorp
KwaMashu
Ladysmith (CP)
Ladybrand
Leerkrans
Malmesbury
Middelburg (CP)
Middelburg (Tvl)
Modderbosc
Mossel Bay
Mthatha
Ncema
Ndlela
Oudtshoorn
Parow
Patensie
Petermaritzburg
Plettenberg
Polokwane
Port Shepstone
Pringle Bay
Port Elizabeth
Port Alfred
Port Elizabeth
Queenstown
Riversdale
Rudigersdorp
Sebenza
Standerfontein
Sedgefield
Stellenbosch
St Albans
Tzaneen

Sentenced prisoners transferred to mental institutions

76 Mr H A Smit asked the Minister of Correctional Services How many sentenced prisoners were transferred to mental institutions in 1994?

The MINISTER OF CORRECTIONAL SERVICES

Seventy-two (72)

Housing subsidy of certain individuals to be reduced

85 Mr J A Rabie asked the Minister of Housing (1) Whether she announced recently that the housing subsidy for individuals earning R800 per month or less, is to be reduced to R15 000, if not, what is the position in this regard, if so, (a) what amount has been budgeted in this regard and (b) from what date will this system come into operation.

(2) Whether in this regard any subsidies for individuals (a) have already been approved and/or (b) were in the process of finalisation, if not, why not, if so, how many in each of the provinces in each case.

(3) Whether she will make a statement on the matter.

The MINISTER OF HOUSING

(1) Yes

(a) Separate amounts for the various subsidy levels are not budgeted for. It is, however, estimated that an additional amount of R79 million will have to be allocated to supplement project-linked subsidies already approved. It is further expected that the R15 000 subsidy level will result in an additional expenditure of R173 million in the 1995/96 financial year. The necessary budgetary provision has been made to accommodate the additional expenditure.

(b) 15 March 1994 (The date of implementation of the housing subsidy scheme which presently provides for project-linked subsidies.)

(2) (a) and (b) No, due to the short lapse of time since the announcement on 16 February 1995. However, in terms of the announcement, projects which have already been approved in accordance with the existing three subsidy levels, can be revised on application by the developers to the relevant provincial housing boards provided that the additional resources will be used to improve the housing of the applicants within the context of the project. All future project applications will be based on the four subsidy levels.

(3) No

Prisoners having AIDS or being HIV positive: policy on treatment

101 Mr A C Nel asked the Minister of Correctional Services

(1) Whether his Department has a policy in respect of the treatment of prisoners who have been identified as having AIDS or being HIV positive, if not, why not, if so, what is the policy.

(2) Whether such prisoners are being kept separate from other prisoners, if so, (a) why and (b) under what circumstances are they being kept.

(3) Whether his Department carries out compulsory testing procedures in this regard, if not, why not, if so, (a) why and (b) under what conditions are prisoners tested for this disease.

(4) Whether he or his Department has established whether such testing procedures are in keeping with the Constitution, if not, why not, if so, what are the relevant details.
An interim interdict was initially obtained for Ncome Prison on 13 December 1994. On 28 February 1995 this interdict was extended to 23 March 1995 (case no 4021/94) prohibiting members from striking.

I must point out that no member of the Department of Correctional Services is above the law. The provisions of the Public Service Labour Relations Act, 1994 (PSLRA), are applicable to the Department and its personnel. In terms of Section 20(1)(j) of this Act, the services of members of the Department are classified as essential services. In terms of Section 19(1) of this Act, personnel rendering essential services may not strike. Furthermore, the PSLRA, provides for dispute resolution mechanisms such as conciliation, conciliation boards, the event of individual disputes of rights and arbitration (as substitute for the right to strike) in the event of collective disputes regarding rights and interests.

It is recognised that members may have grievances from time to time. Any grievance can be dealt with in terms of the Departmental grievance procedure and the dispute resolution mechanisms provided by the PSLRA.

The Department has now reached the point where undisciplined, illegal and unconventional behaviour will no longer be tolerated. It is not acceptable that the right to act strictly within the ambit of the legal remedies at its disposal and will deal with labour unrest in terms of the PSLRA. These include:

- the deduction of leave without pay in respect of personnel who are absent from duty without authorisation (Section 19(7) of the PSLRA).

As already mentioned, the PSLRA prohibits the exercising of discretion by the Commander or Commissioner. It is thus not negotiable.

- obtaining Supreme Court interdicts to prohibit personnel from taking part in strikes.

- considering dismissal of members in terms of the stipulations of Section 19(11), who are participating in a strike in contravention of Section 19(1) of the PSLRA.

- the institution of criminal charges against members who
  - illegally enter Department premises (Trespass Act, 1959),
  - render Management and/ or other personnel in the performance of their duties (Section 42A of the Correctional Services Act, Act 8 of 1998),
  - intimidate Management and/ or other personnel to participate in illegal (Intimidation Act, 1982),

- the suspension of personnel pending the outcome of criminal and/ or Departmental investigations,

- disciplinary charges in terms of Correctional Services Regulation 71(1), and

- investigations into the suitability of personnel for further employment in terms of Correctional Services Regulation 77(1), etc.

(2) Yes, approximately 1000 members were involved. Due to the unique circumstances, accurate totals are difficult to obtain, for example, in respect of go-slow strikes. Totals may also fluctuate from day to day.

The total number of members involved per prison on 13 February 1995, are as follows:

Ncome 406
Petermaritzburg 262
Wardville 63
Glencoe 34
Empangeni 60
Kokstad 22
Estcourt 25
Eshowe 30
Greystown 16
Vryheid 15
Mtnzani 5
Dundee 7

Total 1045

(3) With regard to the disruption of services in February 1995 possible actions will depend on the quality and quantity of evidence available against individual members. Members will be Departmentally prosecuted should prima facie cases exist for, inter alia, absence from duty and/or disregard of lawful commands. Unfortunately intimidation often leads to unwiliness of witnesses to testify. Criminal charges of intimidation have been laid against 5 members at 2 prisons.

(4) Yes

(a) POPCRU's Regional Office in Kwazulu-Natal issued members, by way of facsimile messages to several prisons, to cause disruption of services by, for example, taking part in a go-slow strike action.

(b) The primary cause of the strike action was the payment of merit awards. POPCRU has decided that merit awards should be divided equally among all members and not paid only in the members that are perceived by public service directives.

Following the obtaining of the interim court interdicts [sub-paragraph (1) above], POPCRU challenged the Department in the Industrial Court. After studying the Department’s answering affidavits, and before filing its replying affidavit, POPCRU withdrew its application and the Department then commenced with the payment of merit awards. It is unfortunate that a large number of personnel were affected by the irresponsible actions of a small minority.

(5) Incidents were reported where POPCRU members allegedly attempted to prevent other members from performing their normal duties. As already mentioned, criminal charges of intimidation have been laid against five members. POPCRU members refused to perform their normal duties and thereby prevented prison labour teams from working.
Prisons: Role players practice peace

Political Staff
CORRECTIONAL Services Minister Siswe Mavume and the national assembly committee on correctional services have buried a well-honed hatchet.

ARG 29/3/95

The relationship between the African National Congress-dominated committee and Dr Mavume, an Inkatha Freedom Party member, has long been tense and awkward, based largely on ideological polarity.

Yesterday Dr Mavume and the committee finally kept a long-standing and often postponed appointment, and mutually committed themselves to better communications, and a working relationship based on serving the more than one million people behind bars at the moment — and protecting society from them.
Women prisoners to be offered skills training

TYRONE SEALE, Political Staff

FINANCIAL management and entrepreneurship are among the skills that will soon be offered to women prisoners, whose education and training behind bars have so far been limited to domestic skills and crafts.

Khalekele Sithole, director of education and training in the department of correctional services, said yesterday that free education up to Standard 5 was equally available to male and female prisoners. Correspondence courses were also available to both groups of prisoners.

Vocational training and other programmes offered by prison authorities had, however, been limited for a number of reasons, including security considerations, as all prison workplaces were used by male prisoners, some of whom had convictions for crimes against women.

Brigadier Sithole told the national assembly portfolio committee on correctional services that in the past there had been "no tangible planning" for the training of jailed women.

Asked by Mmusi Mahumise (ANC) what commercial courses were available to jailed women, Brigadier Sithole said he was planning to introduce financial management and entrepreneurship courses in addition to the existing training in domestic skills and crafts.

He noted there was a relatively small number of women in prison and it would be very expensive to establish centres where they could be on their own.
Correctional services’ spat with Niehaus resolved

The committee, chaired by ANC MP Carl Niehaus, had fallen out with the minister — who is one of three IFP ministers in the Cabinet — over his non-attendance of a previous meeting. Niehaus had complained to President Mandela when Mzimela had given notice that he would not be able to attend a hearing of the committee about two weeks ago.

Yesterday, however, the minister told the committee he had decided in principle to attend the committee on a monthly basis wherever possible. "There is a concern that we need to have better contact," Niehaus said. Mzimela said it was important to communicate more effectively. (Sow 29/3/98)

Mzimela said he felt it was important to continue meeting once a month. "The suggestion to meet once a month is well taken and, in principle, I agree," he said.
TYRONE SEALE
Political Staff

MORE than 700 unconvicted children were in jails at the end of January because of insufficient community-based alternatives and a shortage of places of safety.

By January 31, 27 children aged between seven and 13 were in prisons, along with 44 children aged 14, 127 aged 15, 237 aged 16 and 287 aged 17.

Of these, 146 were in Pollsmoor, 316 in Durban-Westville prison, 78 in Johannesburg and 48 in East London.

On January 31 there were also 8,619 sentenced juveniles in jail.

"The reality is that at this stage there are insufficient community-based alternative services. Therefore unconvicted children are detained in correctional institutions all over the country in order of the court," said Buki Jordaan, deputy commissioner of the Department of Correctional Services' chief directorate for development programmes and religious care.

Major-General Jordaan told the portfolio committee on correctional services yesterday that the department wanted to see an end to the incarceration of children.

Meanwhile, measures were being taken to isolate children from other prisoners and, as far as possible, to place them in the care of compassionate female staff.

In terms of an amendment last year to the Correctional Services Act of 1959, an unconvicted child under the age of 14 may be detained in a prison for up to 24 hours.

An unconvicted child who is between 14 and 18 may be detained for up to 48 hours only if the court has ordered that the child be put in a place of safety and if admission to such places of safety cannot immediately take place.

General Jordaan said that while the courts were trying to adhere to the principle of having no children in prison at all, there had been cases where there was no alternative accommodation for children whose parents were not contactable.

General Jordaan said his department was in constant contact with non-governmental organisations, the courts and government departments, and Correctional Services social workers were constantly helping to trace detained children's parents, but still the department had been left with 722 children at the end of January.

While the responsibility for social work services to children awaiting trial rested with the Department of Welfare, social workers of the Department of Correctional Services would as far as possible provide a basic supportive system.
Need for places of safety, alternatives to jail

Children put strain on prison system

OWN CORRESPONDENT

Cape Town — More than 700 children were awaiting trial in jail at the end of January due to insufficient community-based alternatives and places of safety.

On January 31, 27 children aged seven to 13 were in jail, along with 44 children aged 14, 127 aged 15, 237 aged 16, and 237 aged 17.

Of these, 146 were in Pollsmoor, 315 in Durban-Westville Prison, 78 in Johannesburg, and 48 in East London.

On January 31 there were also 8 619 sentenced juveniles in jail.

"The reality is that at this stage there are insufficient community-based alternative services... therefore, unsentenced children are detained in correctional institutions all over the country by order of the court," said Buke Jordaan, deputy commissioner of the Department of Correctional Services' directorate for development programmes and religious care.

Major-General Jordaan told the portfolio committee on correctional services on Tuesday that the department wanted to see an end to the incarceration of children. In the meantime, measures were being taken to isolate children from other prisoners and, as far as possible, to place them in the care of compassionate female staff.

Detained

In terms of an amendment last year to the Correctional Services Act, no child under the age of 14, who has not been convicted of a crime, may be detained in a prison for longer than 24 hours.

A child between 14 and 18, who has not been convicted, may be detained for up to 48 hours only if the court has ordered that the child be put in a place of safety, but admission cannot take place immediately.

General Jordaan said while the courts were trying to adhere to the principle of having no children in prison at all, there had been cases in which there was no alternative accommodation for youngsters whose parents could not be contacted.

His department was in constant contact with non-governmental organisations, the courts and other governmental departments, while Correctional Services social workers were constantly helping to trace detained children's parents.

But the department had still been saddled with 722 children at the end of January.

The department regarded all persons under the age of 21 as extremely vulnerable.

While sentenced children of 17 and younger were dealt with in the same institutions as juveniles aged 18, 19 and 20 — and shared classrooms, the workplace and recreation facilities — they had separate sleeping quarters.

Separate establishments for sentenced juveniles existed at Leeuwkop, Rustenburg, Pollsmoor and Haisequa (in the Western Cape).
POLITICAL BRIEFS

667 children in SA prisons

THERE were still 667 children under the age of 18 serving sentences in prison at the beginning of this year, the Minister of Correctional Services Dr Sphiwe Mzimela has told Parliament.
Govt interference responsible for 'ridiculous' early release of

BY HELEN GRANGE

They were responding to comments on Monday by Mr Justice Brian Southwood during his sentencing of diamond dealer and Sandton millionaire Paul Miller.

Scrap

Mr Justice Southwood sent Miller to jail for 10 years for illegally moving more than R26 million out of the country by spraypainting gold with silver and exporting it as scrap metal.

The judge said he was "horrified to learn" that brothers Keith and Wayne Stephens, who were convicted for their part in the scam in March last year, were released on parole after having served only five months of their effective two-year sentences.

Their serving less than a quarter of their sentences made a mockery of the criminal-legal system, he said.

Jody Collapen of Lawyers for Human Rights said yesterday that most prisoners released early had benefited from the president's blanket amnesties or sentence reductions.

"And then there is the correctional services department's internal policy of parole for good behaviour," he said.

"The situation is a cause for serious concern, and Mr Justice Southwood's comments need to be taken into account.

Options

"Obviously, if the perception in society is that criminals are not being adequately punished, there is more chance of victims going the self-help route."

"Other sentencing options should be developed for other types of criminals."

Mr Justice Southwood rejected the possibility of correctional supervision for Miller.

National Institute for Crime Prevention and Rehabilitation of Offenders (Nicro) national director Dr Esther Leitgean said Nicro believed prison was a place only for criminals who posed a danger to society."
DURBAN. An average of more than 40 prisoners a month have escaped from jails in KwaZulu-Natal since December last year, a prisons official said yesterday.

"A total of 171 prisoners had escaped, 131 from inside prisons," Captain Mike Deyzel said. "In the latest escape, nine awaiting trial prisoners broke out of Empangeni jail on Monday. Five are still on the run." Capt Deyzel warned the public not to approach them but to report sightings to the police. — Reuters"
Jails 'may free thousands' due to cash crisis

CAPE TOWN. - Correctional Services would have to release prisoners in their tens of thousands unless more money was found for the department, the parliamentary select committee on correctional services heard yesterday.

The department's R2,419bn budget meant it could afford to keep no more than 96,000 inmates, Correctional Services financial manager Maj-Gen Hardie Poure said. It cost the department about R5,52 a day to maintain a prisoner, excluding personnel costs.

The prison population was projected to grow from the current 113,000 to about 126,400 inmates.

The State Expenditure Department had said that should the total rise above 96,000 inmates, Correctional Services could motivate for extra funds. If the Cabinet did not approve, the only other option would be to release prisoners.

Last year about 29,500 prisoners had been released early. There were no immediate plans to do so this year.

Correctional Services Minister Sipho Makwema said 51,505 prisoners were granted parole last year. — Sapa.
Protest over amnesty demands

Prisoners in strike action at 10 jails

BY CHERYL HUNTER
CRIME REPORTER

Prisoners at 10 prisons around the country embarked on strike action yesterday following a call by the GA-Prisoners' Organisation for Human Rights.

Sapohr announced at the weekend that prisoners around the country would proceed with non-violent forms of protest to demand the establishment of an amnesty resolution committee to review the sentences of political prisoners.

The organisation had earlier set yesterday as the deadline for the Government to respond to its demands regarding political prisoners or face mass action.

Department of Correctional Services spokesman Lieutenant Rudi Potgieter said only 10 prisons had been affected by the strike so far.

"Some prisoners have gone on hunger strikes and others are refusing to join work teams, but there has been no violence in the prisons," Potgieter said.

Earlier, the department said extra security measures had been put in place in preparation for possible strikes.

Response

Sapohr spokesman Toby Borgest said the organisation had met government representatives, but had not yet received a concrete response to its demands and the protests would therefore go ahead.

He said convicts had been asked to engage in passive protests including go-slows and hunger strikes, but had been urged not to become violent.

Borgest said President Mandela had raised prisoners' hopes when he said at his inauguration last year that certain categories of prisoners may be released.

Sapohr demanded that it get clarification on what classification prisoners, if any, would be eligible for early release.

Potgieter said the call for peaceful protest in prisons was "very irresponsible as experience has shown that convicts do not hold peaceful protests and the situation may easily become volatile and end in violence".

He said Mandela had prohibited Sapohr from entering all prisons except with the permission of national Police Commissioner George Fyaz, following previous violent incidents and deaths sparked by the organisation's activities.

"They are to have no more free access to prisons and may only visit prisoners after applying for permission at the commissioner's office," a spokesman for the department said.

"It is Sapohr which is raising the expectations of the prisoners. Mandela has already said there will be no amnesty committee," Potgieter said.

Adam Cooke reports that the strike action that began yesterday follows a national campaign of mass action in April last year organised by Sapohr which revolved around the issue of which prisoners could vote in the general election, but spread to a broader demand for a general amnesty after the election.

The mass action resulted in the death of a number of prisoners, several hostage dramas, and a large number of breakouts at prisons throughout the country.

Even after the campaign was called off when Mandela and other senior political figures held talks with the organisation, the rioting continued.

The violence came to an end after the Government decided to allow a six-month across-the-board remission for all common-law prisoners in June last year.
Prisoners start strike action

SPECIAL CORRESPONDENT

Johannesburg: Prisoners at 10 of the 234 prisons around the country began strike action yesterday following a call by the SA Prisoners' Organisation for Human Rights (Sapohr).

Sapohr announced at the weekend that prisoners country-wide would begin non-violent forms of protest, such as hunger strikes, to demand an amnesty resolution committee to review the sentences of political prisoners.

The organisation had earlier set April 10 as the deadline for the government to respond.
Prisoners start hunger strikes

PRISONERS at 13 of SA's 234 prisons embarked on partial hunger strikes and slowdowns after government failed to set up an amnesty resolution committee by yesterday - the deadline set by the SA Prisoners' Organisation for Human Rights (Sapohr).

The organisation renewed its call for prisoners countrywide to demonstrate peacefully to disrupt the daily routine of prisons, a Sapohr spokesman said. It had issued clear instructions that there should be no violence or damage to property.

However, Sapohr was still negotiating with government for an amnesty resolution committee.

Government had, by yesterday, failed to accept Sapohr's proposal that an independent and transparent mechanism be set up to address prison overcrowding and amnesty for certain common law prisoners.

Correctional Services Department spokesman Brig Chris Olickers said the department had made contingency plans in case mass action led to violence and destruction of prison property. If necessary, it would ask the SA Police Service for support, he said.

However, "at this stage, it would appear that the majority of prisoners aren't heeding the call for mass action," he refused to name the prisons where protests had begun.

Olickers said the department would consider taking legal action against Sapohr if the demonstrations led to violence. Sapohr said that if government responded to the protests with violence, any injuries or loss of life would be "on their shoulders".

Correctional Services was budgeting on releasing close to 30,000 prisoners because of a lack of prison resources. "Our proposal (for an amnesty resolution committee) is better than the department just opening prison gates," Sapohr said.

President Nelson Mandela had intimated in his inaugural speech last May that government would proceed with amnesties. This had raised prisoners' expectations, Sapohr said, but "different people in government are saying different things".

Government decided last month not to accede to Sapohr's demands on the advice of the national advisory council on correctional services.

Correctional Services Minister Sipho Mzimela restricted the organisation's access to prisons in terms of the Correctional Services Act of 1959 last month.
Bid for nationwide prisons strike fails

BY CHERYL HUNTER

Attempts by the South African Prisoners' Organisation for Human Rights to instigate a nationwide strike by prisoners this week appeared to dwindle to a halt yesterday.

Sapho announced at the weekend that prisoners would proceed with non-violent forms of protest to demand the establishment of an amnesty resolution committee to review the sentences of political prisoners. By last night, however, only 13 of the 234 prisons in the country had responded to the call.

Department of Correctional Services spokesman Lieutenant Rudi Potgieter said a probe to determine the extent of the prisoners' response had been ordered following Sapho's call for mass action. However, the probe was called off last night because the 'insignificant response' by prisoners was not worth the cost and effort.

Potgieter claimed yesterday that prisoners involved in the passive protest had been intimidated and threatened at Barberton and Krugersdorp prisons.

Potgieter said these claims were being investigated.

(259) star 12/4/95
Juvenile rights contravened

By Claire Keeton

HUNDREDS of unconvicted children are still being held in detention in South Africa, despite the law that they be released from prison within 48 hours.

National Party Federal Youth organiser Mr Max van der Wath said they plan to protest these detentions at prisons and police cells countrywide on June 16.

He said the Ministry of Correctional Services has failed to respond to demands made by NP Youth Action concerning juvenile justice two weeks ago.

They criticised the detention of 722 unconvicted juveniles, according to January 31 records.

The NP youth demanded to know exactly how many unconvicted juveniles were currently in detention.

Van der Wath said yesterday “We were told most juveniles are held in police cells, so they cannot get numbers.”

Other demands from the NP youth were:

- All juveniles be released into custody or transferred to suitable correctional institutions,
- An independent juvenile justice commission be set up immediately,
- A formal interdepartmental juvenile justice commission be established; and
- The RDP White Paper be rewritten to address the problems facing youths.

Gerber said a 1994 amendment to the Department of Correctional Service Act provided for unconvicted children under 14 to be released from prison after 24 hours and for youths between 14 and 18 years to be released after 48 hours, except for specific circumstances.
Overcrowding taxes Pollsmoor

BARRY STREEK
POLITICAL STAFF

SHOCK figures disclosed yesterday by the Minister of Correctional Services, Dr Sipho Mzimela, show that facilities at Pollsmoor Maximum Security Prison are being stretched to more than double their intended capacity.

The overpopulation of the prison, particularly among unconvicted juveniles, is so disturbing that the ANC's Western Cape leader, Mr Chris Nissen, and the chairman of the National Assembly's Portfolio Committee on Correctional Services, Mr Carl Niehaus, are to visit the prison this morning.

Mr Nissen and Niehaus have called a press conference for this afternoon to disclose their findings.

Dr Mzimela said Pollsmoor could accommodate 1,703 prisoners, yet on March 29 this year, there were a further 1,901 prisoners who had yet to be convicted and sentenced.

In reply to a question, tabled in Parliament by Mr Willem Botha (Freedom Front), he said 210 awaiting-trial prisoners had been held in Pollsmoor for three to six months, 86 for six months to one year, and 33 for one year to two years.

The problem of the serious over-occupation at Pollsmoor should be addressed urgently.

"It is evident that the number of unconvicted prisoners as well as the long periods for which they are being detained, are major contributory factors to this highly unsatisfactory situation."

"The population of this prison is reaching such proportions that the safety, human dignity and physical care of prisoners are being prejudiced," Dr Mzimela said.
MPs shocked by overcrowding in ‘pressure cooker’ prisons

CHILD PRISONER: His face hidden from the glare of a harsh world, this child is one of 149 in custody in Pollsmoor Prison. In spite of President Mandela’s call last year to empty the jails of children, the number of under-17s in jail is more than 1,000.

In jail — for selling baskets without a licence

Correctional supervision is also not as costly, at R11 a day.

The story of the basket-seller exasperates Carl Niehaus, chairman of the national assembly’s portfolio committee on correctional services.

It was an “outrageous” case where “correctional supervision was more appropriate,” he said.

Political Correspondent

The government may have to release some categories of prisoners from jail as overcrowding turns prisons into overloaded pressure cookers.

The crisis is causing violence and assaults on prisoners by warders, they have been alleged.

Carl Niehaus, chairman of the national assembly committee on correctional services, said overcrowding in prisons averaged 200 percent.

Mr Niehaus and Correctional Service Minister Sipho Mzimela, both former prisoners, visited jails in the Northern Cape during the past week.

Yesterday, Mr Niehaus and Western Cape African National Congress leader Chris Nissen toured Pollsmoor Prison, one of the most overcrowded.

Some prisoners there are unable to get their daily half-hour of exercise.

Many children are being held in prison, in spite of legislation last year designed to prevent this.

Mr Niehaus said that while amnesty had been rejected by the national advisory committee on correctional services, the problem of overcrowding meant it should remain as an option.

A overall reform of the remission system was needed.

The “credit system” aimed at ensuring that prisoners were given a chance to be considered for parole had led to a lot of confusion and resentment.

Prisoners felt the system was arbitrary, and Mr Niehaus agreed it could be used in an arbitrary way.

He said all the problems encountered in prisons reinforced the need for an independent prisons inspectorate.

A system which allowed the community to monitor prisons and report to the minister and parliament should be considered.

He said amnesty would have to be considered as a short-term solution but not for prisoners jailed for rape or other crimes of violence.

He rejected the argument that releasing people from jail was a soft option.

“There must not be the perception that prisons are just bottomless pits where you can send more and more people indiscriminately.”

The ministers of justice and correctional services should cooperate to widen the options for sentencing, Mr Niehaus said.

Mark Wiley, National Party senator, spoke on correctional services, said overcrowding in Pollsmoor was shocking.

“In any prison that is 201 percent full, the conditions must be inhuman and have no rehabilitation qualities.”

The intolerable workload on staff increased risk of riots was “asking for trouble that could have reverberations countrywide.”

Mr Wiley said Mr Mzimela should move some Pollsmoor prisoners to less populated jails as a short-term measure.

The building of temporary emergency and temporary prison camps for minimum security inmates should be investigated.

“Corrugated iron structures already exist at some prisons and there is no reason why more buildings surrounded by barbed wire and watchtowers could not be erected in months if not weeks.”

Democratic Party senator James Selfe said the overcrowding of Pollsmoor showed the need for a radical overhaul of the entire correctional services system.

Overcrowding made prisoners virtually ungovernable and hindered any semblance of effective rehabilitation.

Mr Selfe said steps should include the grading of prisons, more use of correctional supervision and community service for less serious offenders and first-timers, and greater efforts for rehabilitation.
Cape’s symbols of failure

UNWANTED: There are more children in Pollsmoor than ever before, reports BARRY STREK

A 11-year-old boy called Derek was yesterday a sad and somewhat pathetic symbol of the failure of one of Nelson Mandela’s first presidential orders — to empty South African prisons of children.

Derek, an alleged first offender, comes from Nyanga, but he does not know where his parents are and they don’t know he is in jail.

He told National Assembly Portfolio Committee chairman Mr Carl Niehaus that he had been refused bail and was facing a charge of housebreaking.

Yesterday there were 149 boys of 17 and under in the children’s section of Pollsmoor Prison awaiting trial in a building that should accommodate only 80.

And, despite Mr Mandela’s urgent instruction nearly a year ago, the number of children in Pollsmoor has tragically increased to the highest level ever.

No one knows where they should be in prison, but the collective will of various government departments — particularly Justice, Police, Correctional Services, Welfare and the provincial welfare department — doesn’t seem to be able to do anything about it.

“We don’t want these children here,” the prison’s commander, Brigadier Johan Robberts, said yesterday.

“They should not be here. But if a magistrate orders that a child be detained in prison, we have to carry out that instruction.”

Children can’t be traced, although the head of the children’s section, Warrant-Officer Christopher Malgas, had contacted the parents’ nearest police station when the children arrived at the prison.

JAILED CHILDREN: Mr Carl Niehaus, chairman of the National Assembly’s Portfolio Committee on Correctional Services, talked yesterday to Derek, 11, the youngest awaiting-trial prisoner at Pollsmoor Prison Admissions Centre.

Mr Niehaus said children were also detained in police cells, and he had been told an eight-year-old was recently held in Sea Point.

The Western Cape had more children in prison than any other province.

Closed

If the bureaucracy had got its act together the children could have been detained in places of safety. But the Nyashatala home in Stellenbosch is closed owing to labour problems, which have also reduced the Bonnytown home in Ottery to half capacity.

Fleur Home in Elsies River is also closed.

Qualified social workers are paid R1 200 a month and childcare workers get less.

Last May Mr Mandela said “from now on the system of criminal justice must be the very last resort in the case of juvenile offenders.”

“I have therefore issued instructions to the departments concerned, as a matter of urgency, to work out the necessary guidelines which will enable us to empty our prisons of children and to place them in suitable care.”

But from the evidence Mr Niehaus said and ANC Western Cape leader Mr Chris Nissen found at Pollsmoor yesterday it was clear that those instructions have had little effect in the Western Cape.

Dream

Mr Niehaus said a huge challenge faced the government and the community to get all children out of prison.

Unless concerted and co-ordinated action is taken children like Derek will be a reminder that the system has failed and that Mr Mandela’s “urgent” instructions remain a dream.

TENSION

The effect of the overcrowding is that three people share “single cells” and up to 38 men share cells built to hold 16 people.

Warders said the overcrowding made rehabilitation more difficult and increased tension among prisoners and staff.

In one section, six warders were responsible for 278 prisoners and this had made it impossible to guarantee half-hour exercise periods in the morning and afternoon.

About 50 of those detained in the centre are being held as illegal immigrants, mainly from African countries such as Namibia, Angola, Botswana, Malawi, Nigeria, Liberia and Rwanda.

Some of them said they had been held in Pollsmoor for longer than six months.

Warders said countries often took a long time to confirm the identity of illegal immigrants.

Overcrowding at Pollsmoor eases slightly

POLITICAL STAFF

The chronic overcrowding at Pollsmoor Prison Admissions Centre — formerly known as the Pollsmoor Maximum Security Prison — has eased slightly over the past three weeks, its commander, Brigadier Johan Robberts, said yesterday.

But there were still more unsentenced awaiting-trial prisoners held at the prison yesterday than it should accommodate.

Brig Robberts said the centre, including the children’s section, should hold 1 703 prisoners, but yesterday there were 1 916 awaiting-trial prisoners there.

“There were also 162 sentenced prisoners at the centre, most of whom were facing further charges.”

Correctional Services Minister Dr Nkosinathi Mabuza said this week there had been 234 sentenced prisoners at the centre on March 29.
Prison conditions elicit shock

CAPE TOWN — Politicians from three political parties expressed shock yesterday at the overcrowding in SA prisons, with ANC MP and Correctional Services committee chairman Carl Niehaus saying the situation was unconstitutional.

After a visit to Pollsmoor Prison yesterday, Niehaus said the overcrowding was so extreme that prisoners could take the government to the constitutional court for human rights abuses and would probably win.

Niehaus described conditions in the prisons as "entirely unsatisfactory", with cells occupied by double the number of prisoners they were built for.

At Pollsmoor, prisoners often had to make do with exercise periods of less than half an hour and many slept on the floor, he said.

Although the safety of society had to be consid-

ered, the best solution was to grant amnesty to certain categories of criminals whose sentences would be converted to correctional supervision.

NP MP Mark Wiley said the overpopulation at Pollsmoor was unacceptable and required immediate and urgent attention.

Any prison that was 201% full must be "inhuman" and had no rehabilitation qualities whatsoever, he said.

He proposed the erection of emergency and temporary prison camps for minimum security inmates.

"Corrugated iron structures already exist at some prison grounds and there is no reason why more such buildings surrounded by barbed wire and watch towers cannot be erected in months, if not weeks."

Under no circumstances should dangerous prisoners be released into society simply because government could not handle the crisis as this would perpetuate an already disastrous situation, he said.

DP MP James Selfe said conditions of overcrowding such as at Pollsmoor made prisons virtually unmanageable. He suggested greater use of correctional supervision and community service for less serious offences and construction of new prisons.

According to a parliamentary question, the daily prison population for December 1995 was 117,710, of which 22,097 were unsentenced prisoners. SA prisons could accommodate 93,685 prisoners, Correctional Services said.

STEPHANE BOTHMA reports that a Correctional Services spokesman said in Pretoria only about 3% of the more than 50,000 prisoners granted parole by the department last year committed crimes during their parole period.

"The existing parole system in the country is very effective," Correctional Services community correction director Brig Gert Jonker said.

During 1994, an average of 4,296 prisoners were granted parole per month, of which 356 on average for the year violated their parole conditions. Only 3% committed new crimes, while the rest absconded.

SA had 117,000 prisoners in its 234 prisons, with the prison system having an annual "turnover" of 400,000 prisoners each year.

Jonker said Correctional Services was experiencing a shortage of about 6,500 personnel countrywide. However, a plan had been put into place by which all vacancies would be filled by 2000.
MINISTER'S PLAN TO EMPTY PRISONS

24-hour assessment centres for jailed kids

WELFARE MINISTER Mr Ebrahim Rasool yesterday unveiled plans for children in prison, CHRIS BATEMAN reports.

CHILD assessment centres staffed round the clock are to be set up across the Western Cape to help empty the province’s prisons and police cells of children and place them with parents or custodians.

The after-hours service, a national first, was announced by Health and Welfare Minister Mr Ebrahim Rasool last night in response to reports about the overcrowding of awaiting-trial children in Pollsmoor Prison.

With many places of safety closed and others operating at greatly reduced capacity, 149 boys of 17 and under are awaiting trial in the cramped children’s section at Pollsmoor.

Saying “monumental problems” at Syakhatala Home in Stellenbosch had led to him to declare occupants were better off at Pollsmoor, Mr Rasool said plans had been made to increase the capacity of Bonnyton Home in Ottery to 125.

These had been delayed by a combination of official heel dragging and union indifference.

Syakhatala Home would immediately be re-opened as an assessment centre and, together with Bonnyton, it would accommodate boys aged 13-18 who are awaiting trial.

Girls awaiting trial would be placed at Rosendal House and boys aged 12 and under could be housed at other places of safety.

The Syakhatala Home would help compile a register of children held by police and monitor recidivism.

Volunteers

Bonnyton, which is undergoing alterations, admitted 20 children from Pollsmoor yesterday.

Mr Rasool said assessment centres had been set up in the magisterial districts of Wynberg, Cape Town, Parow, Atlantis, Paarl, Kuils River, Stellenbosch and Mitchells Plain, with 80 probation officers helped by trained volunteers at night and over weekends.

Mr Rasool said that between October 1994 and February this year, 266 children had been assessed at Wynberg Magistrate’s Court, 230 placed in parental care, eight in places of safety and 26 at Pollsmoor.

This had been undertaken in response to President Nelson Mandela’s call earlier this year to release children from prison and to use the Criminal Justice System as a “last resort.”

- The erection of emergency and temporary prison camps for minimum security prisoners should be considered, National Party Senator Mark Wiley said yesterday.

Mr Wiley, the NP’s spokesman on correctional services in the Senate, said the shocking overpopulation that now existed in Pollsmoor prison was unacceptable and required immediate and urgent attention.

The NP urged the Minister of Correctional Services Dr Sipho Mzimela to move some of the prisoners from Pollsmoor to less populated prisons.

The Democratic Party’s spokesman on correctional services Senator James Sebele said: “The most urgent necessity is the construction of new prisons which will alleviate the current prison overcrowding.”
Children still in crowded prisons

Rehana Rossouw

THERE'S an 11-year-old child serving a sentence for housebreaking at Pollsmoor Prison. He's a first offender. There's a place of safety for children like him at Kayamandi near Cape Town. It's empty.

This shocking situation was revealed by Carl Niehaus, chairperson of the National Assembly's portfolio committee on Correctional Services, after he visited Pollsmoor Prison on Tuesday in response to reports that overcrowding there had topped 200 percent.

He found 149 children younger than 17 years old, held in a section that can only accommodate 84. The youngest was the 11-year-old housebreaker. Prison officials told him that the numbers of children held at Pollsmoor were increasing every year.

Of the 1,700 children presently being held nationally, most are behind bars in the Western Cape.

"In principle it is unacceptable to have children in prison. When the children are kept in overcrowded prisons, where there is a shortage of staff, no family contact, little recreational facilities, no training opportunities and no chance of rehabilitation, then we have a serious problem on our hands," Niehaus said.

"These children become criminalised and start a cycle of imprisonment. It has been found that most habitual criminals enter prisons for the first time at a very young age. I am going to make sure we take action now to get these children out of prison."

Niehaus said places of safety in the Western Cape were not properly utilised. Siyakathala and Fleur in Elsies River were not being used at all and Bonnytown, in Wynberg, was only half full.

This was despite a call by President Nelson Mandela in May last year for prisons to be emptied of children and for them to be placed in suitable care.

But the places of safety might not provide suitable care for the children. A spokesperson for the provincial department of health and welfare said Siyakathala, which can accommodate 126 children, was closed because of allegations of abuse and neglect of children there.
Mass remissions policy scrapped

'Nearly 10% of paroled prisoners re-arrested'

About 429 of more than 50,000 South African prisoners granted parole last year committed new crimes before the expiry of their sentences, the Department of Correctional Services said in Pretoria yesterday.

Community correction director Gert Jonker told a press briefing 429 prisoners a month were paroled in 1994.

"Re-arrest warrants had to be issued in less than 10% of these cases."

Jonker said new crimes committed by paroled prisoners were largely of a minor nature.

"I am aware of only one murder case," he said.

Jonker emphasised that parole did not constitute the early release of a prisoner.

"It is rather the placement of a prisoner under strict conditions. All prisoners have to serve their full sentences either on parole or in prison."

He said the department had come under fire in recent months for its policy of "early releases."

Jonker denied parole was used to alleviate overpopulation in South African prisons. The safety of the community was the main factor in the consideration of parole.

Department spokesman Brigadier Chris Ockers said the country's 234 prisons, with a total of 117,000 inmates, were overpopulated by about 25%.

"The number of paroles we grant hardly makes a dent in this figure."

Brigadier Ockers said "bursting" or a general remission of sentences was not being considered at this stage to alleviate overpopulation of prisons.

The previous bursting was in early 1993 when about 30,000 prisoners were set free before the expiry of their sentences.

The department had since reviewed its release policy and the system of sentence remissions had been scrapped in March last year. Jonker said. — Sapa.
'Overcrowding is unconstitutional'

By Ismail Lagardien
Political Correspondent

SOUTH AFRICAN PRISONS ARE bursting at the seams.

Overcrowding and lack of funds are two immediate problems that are compounded by what seems like a basic failure of South Africa's criminal justice system to deal swiftly and cleanly with the prosecution and conviction of people awaiting trial.

Of the estimated 117 000 prisoners in South African jails, at least 35 000 are awaiting trial.

This has led to prison populations exceeding their limits by more than 100 percent in places like Pollsmoor, where prison population is estimated at 201.8 percent.

In towns like Richmond in the Northern Cape, the prisons are overcrowded by at least 23 percent, while in tiny Sebenzane the overpopulation is around 1.5 percent.

The figures for around the country range from 139 percent over-population at Cacadu and 73 percent at Laingsburg, both in the Eastern Cape, while in Transvaal the overflow is at least 88 percent.

Correctional Services Minister Dr Sipho Mzimela and chairman of Parliament's Portfolio Committee on Correctional Services Mr Carl Niehaus have raised the unconstitutionality of overcrowding.

Earlier this week Mzimela said the urgency of the matter ought not to be underestimated.

He and Niehaus said the situation, bred violence among prisoners and between prisoners and warders.
LAST year 468 prisoners escaped from South African prisons, the Minister of Correctional Services, Dr. Sipho Mzimela, said yesterday. Dr. Mzimela, who was replying to a question tabled in the Senate by Senator James Selfe (DP), said 102 of these prisoners had been re-arrested.

"The ratio of staff to inmates in prisons was unfavourable. "Structural deficiencies" at some prisons also contributed to the number of escapes," Dr. Mzimela said.
Mandela amnesty: 15 000 to go free

Political Staff
JOHANNESBURG — Prison authorities will today begin releasing an estimated 15 000 prisoners from jam-packed jails.

In terms of the special Freedom Day amnesty announced by President Mandela yesterday, only sentenced child abusers will not benefit from the six-month "special remission" of sentence.

It is expected the move will reduce the prison population from an all-time high of about 117 000 prisoners to just above 100 000.

President Mandela made his announcement in a nationally televised address in front of about 25 000 people at Gauteng's Freedom Day celebrations at the Union Buildings in Pretoria.

A Correctional Services department spokesman, Major Koos Gerber, said the goodwill measure would go a long way to relieving chronically congested prisons, especially in major urban areas.

Prisoners sentenced to terms of less than two years would have a quarter of their sentences remitted.

President Mandela also announced an unspecified remission for people charged with illegal possession of arms and explosives before December 6, 1993.

A government source said the measure was aimed mostly at rightwing "political offenders.

Major Gerber said all prisoners would be affected by the remission, but those with six or less months to serve would be freed immediately.

"About 15 000 will be released as from today. The releases will be carried on until the process has been finalised," said Major Gerber.

In an indication of how serious prison overcrowding had become, Correctional Services Minister Sipho Mzimela told parliament recently he was considering invoking the "bursting clause" in the Correctional Services Act that allowed him to discharge prisoners if overcrowding produced inhumane conditions.

Major Gerber said Pollsmoor prison was "201 percent full.

GET AHEAD: Freedom Day went to the head of Daluxolo Hohoho who came to celebrate with a unique head dress.
Mandela cuts prisoners' sentences in act of Freedom Day goodwill

PRESIDENT Nelson Mandela yesterday announced a reduction in sentences for certain categories of prisoners as an act of goodwill for the first anniversary of SA's first democratic elections.

Speaking at Freedom Day celebrations in Pretoria yesterday, Mandela announced a reduction of one-quarter of all prisoners' sentences, with a maximum of six months, and was greeted with applause when he said this would not include prisoners sentenced for child abuse.

He also announced a remission of sentences for prisoners convicted before December 1993 solely for possession of arms, ammunition and explosives associated with political conflict.

Correctional Services spokesman Majo Koos Gerber said the remission would apply to all prisoners sentenced on or before April 27 this year, and would be granted to prisoners on the remainder of their sentences after previous remissions and remittances had been deducted.

Gerber said his department still had to determine which prisoners qualified for remissions related to weapons possession.

Mandela told the large crowd at the Union Buildings a message was being sent to prisoners that they should "mind their ways and make a fresh start".

SA had come through a long and painful process, and the ultimate goal of a better life for all had not yet been realised. There was no "short cut" and hard work was required from all sectors of society.

Democracy and freedom would be meaningless if crime and violence were not dealt with firmly, and Mandela. More resources would be allocated for training of police officers, improving facilities previously ignored under apartheid and setting up police community forums.

Deputy President FW de Klerk said in Cape Town yesterday that the new constitution had entrenched sovereignty of the law and had freed all South Africans from many burdens of history.

Sapa reports about 10 000 Inkatha members gathered at Currie's Fountain in Durban yesterday prior to marching through the city to protest against Freedom Day celebrations being "condoned" when the party's demands for international mediation had not been addressed.

Earlier, protesters blocked the N2 and R102 routes into Durban from the South Coast prompting fears that ANC supporters might be trying to prevent Inkatha members from joining the march. However, after police had cleared the roads, it became clear that the protest was to do with a local land rights issue.

* See Page 4
Pretoria Central offers the best in hospital care

By Marlene Burger

When a notorious rightwinger developed heart problems early last year, his doctor ordered immediate bypass surgery. A few months later, when the problems recurred, the man underwent the costly procedure a second time.

The only thing that distinguishes him from thousands of other people with a similar medical condition is that he is a convicted murderer, one of 300 inmates on death row at Pretoria Central Prison at the time.

Later reprieved and now serving a life sentence, he is one of 6,000 prisoners to have been treated at the prison's hospital, whose patients have included ANC members Carl Niehaus and Robert McBride, former Cabinet Minister Pietie du Plessis, and Dimitri Tsafendas, Prime Minister Hendrik Verwoerd's assassin.

The most recent "celebrity patient" in the 126-bed facility is Col. Eugene de Kock, the former VIP platoon commander, who collapsed with a lung clot on April 9 and was transferred to the hospital last Friday after 10 days in the E F Verwoerd hospital.

Colonel de Kock occupies one of the hospital's 21 single wards, the equivalent of a private ward, except for the bars on the

FIT TO STAND
Eugene de Kock, left, who is recovering in a single-cell prison ward, similar to that enjoyed by the asthma sufferer, right.

Pictures: JON HUSA
Prisoners who get the full treatment

window and the steel gate firmly locked at night.

Though cramped, his present accommodation is almost twice the size of the single cell he has occupied since last December in Pretoria Central's maximum security section.

Colonel de Kock is still extremely weak, though recuperating satisfactorily, and will remain in the hospital for several weeks, though his trial on 121 criminal charges, including eight of murder, is due to resume on May 8.

He has lost a great deal of weight and has confined to a wheelchair for the first few days after returning to prison. However, he is now walking unaided, albeit slowly, and is about to start an exercise programme under the personal supervision of district surgeon Dr Okkie Ferreira.

Among Colonel de Kock's neighbours in the hospital is former Mineral and Energy Affairs Minster Pietie du Plessis, who has a chronic heart condition and is a permanent resident there.

Du Plessis, jailed for fraud and due to apply for parole in November, was at the centre of a storm last weekend when his lawyer, Corne Wilkins, claimed his client was living in "precarious conditions" in the hospital and not receiving proper medical care. Du Plessis told Correctional Services commissioner General Henk Bruyn he was "surprised" by the allegation and said he was "doing fine."

With a full-time staff of 32 registered nurses and a large complement of aides and assistants, the practitioner-to-patient ratio in the hospital is higher than in outside medical centres.

On any given day, between 60 and 80 beds are occupied, 13 of them permanently by prisoners who have AIDS. One of the general wards has been set aside to house these patients, who are responding "remarkably well" to what Dr Ferreira says are innovative exercise and nutritional programmes, as well as to the individual medical attention they receive.

"We have had enormous success in treating AIDS-related illnesses. One of our patients was close to death when he was admitted. We gave him blood transfusions and various other treatments, and he's put on 30kg, fully recovered from pneumonia and we have his tuberculosis under control."

Though the AIDS patients are isolated from other inmates at night, those well enough to do so mix freely with other prisoners by day. The number of prisoners known to be HIV positive at Pretoria Central is surprisingly low — 23, including those in the hospital.

Tests, which may be carried out only with the prisoner's consent, take up most of Dr Ferreira's time each Friday.

"We get between 12 and 15 requests a week. The primary tests are done in house, but should a positive result be obtained, a second, confirmatory test is done by the state pathology lab before the patient is informed and counselled," says the man who spent 25 years in private practice before becoming a prison doctor.

He enjoys his work, not least because "there is no limit to the quality of treatment my patients can get."

A panel of 17 private specialists, including dermatologists, ophthalmologists, urologists, psychiatrists and neurologists, are available and Dr Ferreira does not hesitate to refer patients to them.

Because the hospital has an operating theatre in which only minor surgery can be performed and no intensive care facilities, all serious cases are treated outside.

In the case of the heart bypass man, for example, the surgery was done at 1 Military Hospital. Patients may also be sent to one of several state hospitals in Pretoria for treatment.

No matter how sophisticated the treatment required, the prisoner gets it free. With a medical budget of little more than R1-million for the current year, the quality of treatment is remarkable.

The hospital's barred windows and locked gates leave little doubt that this is a prison, but the atmosphere is one of care rather than punishment.

(253) 439 3014 95
JOHANNESBURG. Staff at the Department of Correctional Services worked throughout the long weekend to release about 3,800 prisoners under President Nelson Mandela's limited amnesty.

Spokesman Major Koos Geber said yesterday the department would not have a clear idea of the number released over the weekend until lunchtime today.

"It's very difficult to know how the process, which started on Friday, is going, as we have 234 prisons nationwide where prisoners may be eligible for release."

The 3,800 prisoners were eligible because their sentences had expired under the remission.

It would take longer to process the other 11,200 prisoners who could now be considered eligible for parole or placement under corrective supervision, he said.
The MINISTER OF LAND AFFAIRS

(1) In terms of section 22(3) of the Restitution of Land Rights Act, 1994 (Act No 22 of 1994), the President of the Republic of South Africa shall appoint the President of the Land Claims Court, on the evidence of the Judicial Service Commission. In terms of section 22(4) of the Act, the President of the Republic may also, after consultation with the President of the Court and the Judicial Service Commission, appoint additional judges. Advertisements for nominations for these positions were placed by the Judicial Service Commission on 12 March 1995 with a closing date of 7 April 1995. No appointments have been made, but fit and proper persons who meet with the following requirements, will be considered for the positions.

(a) South African citizens.

(b) Judges of the Supreme Court or persons who are qualified to be admitted as an advocate or attorney and have, for a cumulative period of at least 10 years, practised as an advocate or an attorney or lectured in law at a university, or

(c) persons who, by reason of their training and experience, have expertise in the fields of law and land matters relevant to the application of this Act and the law of the Republic.

The Act further determines that the Minister of Land Affairs shall appoint assessors. Advertisements for nominations for these positions will soon be placed and persons who have skills and knowledge relevant to the work of the Land Claims Court, will be considered for appointment.

(2) In terms of section 28(1) of the Act the seat or seats of the Court shall be determined by the Minister of Justice in consultation with the President of the Court. It will thus only be possible to determine the seat or seats of the Courts once the President of the Court has been appointed.

(3) A statement on the matters seems to be unnecessary at this stage. Appropriate statements shall be issued in due course as progress is made with the process.

WEDNESDAY, 3 M A Y 1995

Commission on Reparation of Land Rights: members appointed

(1) Whether all the members of the Commission on the Reparation of Land Rights had been appointed, if so, (a) what (i) is the name and (a) are the qualifications of each such member and (b) where will they be stationed,

(2) whether the Commission has started functioning, if not, why not, if so, from what date,

(3) whether he will make a statement on the matter.

Prisoners escaped from prisons

(1) How many prisoners who had already been tried and sentenced, escaped from prison in the 1994-95 financial year.

(2) Whether any steps have been taken with the view to preventing escapes, if not, why not, if so, what steps?

Dr E A SCHÖNEIM—Agriculture

(1) [Question standing over]

(2) Yes. These include the upgrading of security measures, the effective utilisation of security equipment and regular inspections at prisons to check the day to day security operations.

Further, personnel are trained to be more efficient in the execution of their duties and disciplinary steps are instituted against members where negligence has played a role.
Stirring broadcasts

Prison radio is a concept which could place Pollsmoor in the forefront of national prison reform and may prove to be a valuable rehabilitation tool.

ADELE BAILETA
Weekend Argus Reporter

It will be jailhouse rap at Pollsmoor soon when the prison starts broadcasting music, talk and advice shows on its own internal communication system.

"Radio Pollsmoor, which initially will be an internal intercom system, could eventually be developed into a national broadcaster," says a project director of internal broadcasting service at Pollsmoor.

A project to start an internal broadcasting service is underway at the prison and the Correctional Services department of education and training says it is merely waiting management's rubber stamp on the proposals.

Radio Pollsmoor would initially be aimed at inmates between the ages of 18 and 21 and its main purpose would be to improve inmates' communication and decision-making skills.

The prison radio project could help bring Correctional Services closer to the forefront of international prison reform.

After an assessment period the pilot radio project will be an internal service would link up to all sections of the prison - and it is hoped it would be introduced to prisons nationally. A similar internal radio system is already being investigated for Loevenkop Prison in Gauteng.

Correctional Services director of education and training, Dr Magidelele Khubeka, said the radio project was aimed at "measuring rehabilitation of juvenile inmates".

"Once the project is underway, management, which have been accepted in principal, are passed, we would look into sending a team to Bethlen Youth Prison in the United Kingdom to study the prison radio system there," he said.

Radio Pollsmoor, first mooted by Mr Don Panock, the former Director of Criminology at the University of Cape Town as a joint venture with the Department of Correctional Services, Nico and Bush Radio, a community radio service.

Mr Panock said it was "a means to the end to be sent to prison, but denying juvenile inmates constitutional rights is double punishment. Prisons should be about meaningful rehabilitation, transformation, training and re-education system - a dynamic medium and an effective way to entertain and educate people who had few or no offerings at school".

Inmates would have the chance to become programme contributors, producers and broadcasters equipped with the necessary skills for employment in broadcast journalism once released.

Mr Panock said a long-term goal would be to acquire a shortwave transmitter and broadcast to the broader community from behind the prison walls.

Money had been received from the Dutch government to set up a studio inside the prison, and Mr Panock.

A radio committee including inmates would be formed to build the station and decide on program content.

The idea is that the inmates own the radio station.

Bush radio programme manager Mr Shaminel Adams, who will be involved in training, said music was a way of the lives of young people.

"If music is censored by the majority of inmates, we will use music as a launch pad to search for "The idea is that the internal radio would give inmates a platform from which they can express themselves, their emotions and ideas."

"Inmates move in chucks and gangs inside prisons and at the end of the day there is no neutral ground or a body that looks into their concerns.

IBA blasted for beating abo

Weekend Argus Reporter

CAPE TOWN'S Bush Radio lashed out at the Independent Broadcasting Authority for the delay in granting them a temporary broadcast licence.

In a strongly worded letter to the IBA, the community radio station's manager, Mafubu Moosa said funders had become fed-up with waiting for the station to become legal and wanted proof that it was in line for a licence.

Mafubu Moosa said reasons given by the IBA for delaying in allowing the majority of radio stations to go on the air in the Cape Metropolitan areas were "unacceptable". One of the reasons given was that Table Mountain caused technical problems.

"The IBA's concern about technical problems in the area as a result of Table Mountain's lack of foresight. The mountain has been around for a long time and ways to solve the problem should have been looked into a long time ago."

She said Bush Radio would not be affected by the mountain because of the use of directional antennas.

Furthermore, she said, "strange" that Bush Radio, which operated in the shadow of the mountain, had been granted a temporary licence recently.

"It appears the IBA cannot understand the idea of having a small to medium community radio able to compete with a commercial broadcaster."

Judging by licences issued so far, the IBA is sticking to an

Iron? involves NGOs in education – Carolus

Weekend Argus Education Reporter

THE government should start to consider the role which non-governmental organisations can play in South African education, says ANC deputy secretary-General Cheryl Carolus.

Speaking at an event at the National Union of Students yesterday, Ms Carolus said the government was not in a position to deliver immediately on all education needs and demands.

But, it would be foolish of them to ignore the opportunities presented by NGOs.

Ms Carolus said South Africans' high expectations were acceptable.

Steel giant awaits resolution

WILLEM STEENKAMP
Weekend Argus Reporter

Steel giant Ibroc hopes to receive goodwill at the end of this month for its controversial multi-billion-rand steel project near Saldanha Bay, in spite of strong resistance from many residents and environmentalists.

Ibroc has applied for the removal of the land from agricultural to industrial and a final decision is expected from the Western Cape Regional Government by the end of this month.

Environmentalists have expressed serious concerns about possible pollution of the plant to the coastal sensitive Langebaan Lagoon.

Alex Holmes, spokesmen for the community, said it was a "very good sign". But, he said, people had said the project to go ahead with the huge economic job creation expected development and other amenities.

"The project is the long-awaited work that the people want to do it further away from the site and there is no bad news. Some people are concerned about pollution.
Amnesty hopes before election fueled upsurge — report

New light on jail riots

FRUSTRATED expectations over amnesty, an ill-timed new release policy and strained relationships between white warders and black prisoners were among the main causes of last year's prison unrest, according to a report by Mr Justice Krieger released yesterday.

President Mandela appointed a four-man commission of inquiry headed by Krieger into the causes of the unrest, after 37 prisoners were killed in riots and clashes with warders between February 28 and June 27 last year.

Injuries were sustained by 760 prisoners and 145 members of the Department of Correctional Services. The unrest affected 56 prisons countrywide, housing 77% of the total prison population. Damage amounted to R11 million.

The Krieger report states that the unrest did not occur in a vacuum. It was part of heightened stress as the country underwent rapid socio-political change before the election.

The system was affected by chronic overcrowding — on May 31 last year, 114 000 prisoners were housed in accommodation designed for 87 000.

However, frustrated expectations on amnesty made the most important contribution to the unrest. Each of the individual unrest reports identified this as the immediate cause.

Prisoners felt they were victims of a repressive regime and an unjust criminal justice system. One major cause for the unrest was the timimg of the implementation of the then Government's "new release policy". Many prisoners who already had the release dates endorsed on their cards "lost out" when the policy was introduced.

Some saw it as a "deliberate strategy of the National Party and the Department of Correctional Services to neutralise the expected amnesty of the new government".

While bad prison conditions in themselves do not cause riots, there were numerous complaints of assaults on prisoners by warders, as well as reports of abusive language and racist remarks.

The commission also recommended a general remission of one-quarter of all sentences. But Correctional Services Minister Sipo Mzimela said Mandela had decided to limit amnesty.
Prison unrest 'likely to continue over amnesties'

CAPE TOWN — Further prison unrest could be expected unless government's policy on amnesty was explained clearly to prisoners, a commission investigating prison violence said at the weekend.

About 750 prisoners and 145 prison staff were injured while 37 inmates were killed in outbreaks of violence between February and June last year, commission chairman Johan Kreegler said. "A great deal of tension existed among prisoners on the amnesty issue."

More than 75% of the 6,200 written representations received by the commission cited the amnesty question as a major factor in the violence last year.

"There was wild speculation regarding the extent of the relief prisoners would receive on so momentous an occasion as the assumption of office by the country's first majority government," the report said.

There was also a general awareness that indemnity or amnesty had been granted to people accused or convicted of having committed serious crimes for political reasons. President Nelson Mandela's mention in his inauguration speech of an amnesty had encouraged "high hopes" among prisoners.

"A partial six-month indemnity granted in June caused great dissatisfaction."

The commission said the partial indemnity warranted reconsideration. A general remission of a quarter of all sentences, subject to a maximum of three years, should be implemented and an independent avenue established for prisoners to file complaints, it said.

Adrian Hadland
Children back in Pollsmoor prison cells after being freed

ESANN de KOCK
Staff Reporter
MORE than 40 children have been returned to Pollsmoor prison cells after no accommodation was found for them at places of safety in the Peninsula.

This is in spite of a government decision yesterday that no children under 13 would be kept in prison or police cells.

The government announcement seemed to have caught places of safety unaware and the 'short-term' solution of releasing the children has been strongly criticised by Child Welfare and the National Institute for Crime Prevention and Rehabilitation (Nicro).

Mike Green, Western Cape Correctional Services spokesman, said 112 children were released from Pollsmoor yesterday and 'a few more' from other prisons in the Peninsula. Of the 112 released from Pollsmoor, 42 were returned last night 'probably because no accommodation could be found for them'.

He said the children now had to appear in court again within 48 hours. 'If they are not sentenced, they will have to go to places of safety.'

Captain Green acknowledged there would be a problem if the children could not be placed.

Rozette Jephta, Nicro Tygerberg programme co-ordinator, said the organisation had always been opposed to children being held in prisons and police cells.

"We have been in favour of their release from such places provided alternative accommodation could be found for them.'

Ms Jephta said Nicro last year served on a ministerial committee which made recommendations to the government about children being held in prison and police cells.

"One often finds that the places of safety are filled with children who could really be placed in the custody of their parents. But, as a result of family problems, they are allowed to stay on at places of safety - taking up space which should really go to serious offenders.'

A spokesman for Child Welfare said the government's announcement yesterday was 'not unproblematic'.

The Argus Correspondent reports from Johannesburg that 47 youths, awaiting trial on charges such as robbery, theft and housebreaking, were released from the Johannesburg magistrate's court in what was described by a court official as a rushed and disorganised process.

The youngsters were transported to the court from the Johannesburg Prison and released by magistrates in terms of a change in the Correctional Service Act which came into effect yesterday.
No place for released children

STAFF REPORTER

MORE than 130 unsentenced children were taken from prison and police cells across the Peninsula yesterday morning, leaving the courts with the headache of finding them alternate accommodation before midnight.

About 700 juveniles nationwide stood to benefit from the announcement by Correctional Services Minister Dr Sipho Mzimela yesterday that unsentenced children younger than 18 would no longer be kept in prisons or police cells, after President Nelson Mandela amended the Correctional Services Act effective from midnight last night.

In future, children who are arrested will be released into the custody of their parents, guardian or any other suitable person, or kept in a place of safety in terms of the Child Care Act.

'Short-term'

However, Ms Tammy van der Sandt, spokeswoman for the National Institute for Crime Prevention and Rehabilitation of Offenders, said that although Nicro welcomed the move, there were not enough places to accommodate the released juveniles.

"This is a short-term solution. We need a holistic solution," she said.

According to a spokesman for Correctional Services, 42 children had to be returned to Pollsmoor late yesterday as no accommodation could be found for them.

Wynberg Magistrate's Court senior prosecutor Mrs Esther Steyn said the Bonnyton place of safety in Wynberg had only been able to accommodate six juveniles out of 25 from her court yesterday.

She said some juveniles might be returned to prison, although they could not legally be detained longer than 48 hours.

Many awaiting-trial juveniles were "violent criminals" who could not just be returned to their parents, she said. "One is 17 and has his fourth murder charge against him."

Just under 700 sentenced children will remain in jail until youth development centres are built, Dr Mzimela said yesterday.
Bengu hints at pay rises

 Own Correspondent

 KING WILLIAM'S TOWN — The sum of R1bn could be made available to improve teachers' salaries, with a decision expected by the end of this month. Education Minister Sibusiso Bengu said yesterday.

 He said the Ministry had proposed that half of the R2,5bn allocated by government to improve salaries of public servants should go towards teacher allowances and parity.

 Bengu told teachers at the Kafferarian Girls' High School that the proposal was being negotiated with the negotiating council on education and an outcome was expected this month.

 Also included in the proposal was a housing allowance for married women teachers.

 He said the negotiating body had rejected a Ministry proposal that salaries of teachers in the lower ranks be improved first.

 "The Education Ministry is committed to improving teachers' salaries and their conditions and all these can be covered in three years," he said.

 700 children freed from prisons and police cells

 ABOUT 700 children were released from prisons and police cells yesterday when an amendment to Section 29 of the Correctional Services Act came into effect.

 All unsentenced minors under 18 years of age would be released into the custody of a parent, guardian, other suitable person or a place of safety as defined in the Child Care Act, Correctional Services Minister Supho Mzimela said.

 Unsentenced minors were children who had been arrested for allegedly committing an offence or who were waiting to appear before a court.

 The day would be remembered as one which "dramatically changed the fate of many unfortunate children". The problem of child detainees had finally been resolved and Mzimela said he was "proud that we could rectify the wrong of the past in this way. President Mandela in particular is a very happy man."

 The amendments were approved by Parliament last year, following Mandela's signing of the "unacceptable practice" of keeping "young and vulnerable" children in prisons in his state of the nation address last May.

 The department's next step would be to build more youth development centres where children who had been found guilty by a court of law could receive proper education and training, he said.

 Such centres were already in place at Leeswop, Rustenburg and Polokwane, and another was planned for Maritzburg.

 Lawyers for Human Rights yesterday criticized Mzimela's department for not consulting other government departments which were "dramatically affected" by the releases, in particular the Safety and Security, Welfare and Justice Departments.

 A heavy burden would be placed on the police, social workers and court personnel and there was a risk some children would be released on to the streets.

 Some areas of SA did not have sufficient places of safety, the organization said.

 Although the Minister's move had broken through the lethargy surrounding the issue of children in custody, a more holistic and consultative approach by the department would have removed stumbling blocks and been less risky to the children involved.

 Police no closer to solving Heyns murder

 SIX months after former NG Church moderator Johan Heyns was assassinated at his Pretoria home, police are no closer to solving the murder.

 "We are also not any closer to finding a suspect," said police crime prevention commander for Pretoria, Maj-Gen Ingrid Salgado.

 Heyns, 50, was killed in the driveway of his ranch-style house in Pretoria West. His body was found by his wife morning after he was supposed to have been on a trip to Kimberley.

 Police believe Heyns' murder was motivated by his involvement in the church's pro-women's rights initiatives in the Transvaal.

 His former wife, Elke Heyns, who faced charges of defamatory libel against Heyns for her work with an organization called Christians Against Violence, was found dead in a Pretoria hotel room on October 19, 1994, two months after Heyns was killed.

 Police said the deaths were not related. A day before her death, Elke Heyns had been granted full legal custody of the couple's two children.

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 A man,
47 Youths are released from jail

Forty-seven youths, awaiting trial on various charges were released from the Johannesburg Magistrate's Court late yesterday in what was described by a court official as "a rushed and disorganised process".

The youngsters were the first wave to be released in terms of a change in the Correctional Services Act which came into effect at midnight.

Senior public prosecutor Brink Ferreira said their parents or guardians could not be traced, and that the only place of safety in the region was full.

There were more than 800 youngsters released nationwide yesterday, only hours after the amendment to the Act was announced by Correctional Services Minister Sipho Mzimela.

The proclamation was signed by President Mandela and gazetted on Friday.

It prohibits the detention of children in jails or police cells, and means arrested children must either be released into the custody of their parents or kept in a place of safety as defined by the Child Care Act.

"We were notified by the prison that they were bringing the 47, and had to rush around trying to get police officers and charge sheets.

"Some of them might have had parents in rural areas, but there was no time to contact them, so they were released," Ferreira said.

He added that the Johannesburg courts had been running a "diversion programme" since August last year, in terms of which only juveniles charged with serious offences were kept in custody; those charged with lesser crimes were referred to the new programme.

"Those released yesterday were juveniles who had failed to make the programme and were in for serious offences."

Two juveniles who were being detained in connection with the rape of an 82-year-old man were not released yesterday when a magistrate upheld a previous ruling refusing them bail and remanded them to the Brixton police cells.

But, explained Ferreira, the magisterial order was not valid in terms of the new amendment, and the case had to be heard again today.

Should there not be beds in the place of safety for them, they would have to be released.

Johannesburg Child Welfare social work consultant Jackie Loffell said they supported the decision, but pointed out that the welfare budget cuts had left beds in places of safety and family support services - the very services which needed to be strengthened to support the move to release awaiting-trial juveniles from cells.

A spokesman for the Salvation Army said at least one of the youngsters had turned to them for help last night.

Staff Reporters
MORE THAN 700 CHILDREN IN South Africa's prisons are to be released into the custody of their parents or referred to places of safety, Minister of Correctional Services Dr Sipho Mzimela announced yesterday.

The move came into effect yesterday.

"I am very pleased to announce that as from today (Monday) all children under 18 and awaiting sentence will no longer be kept in prisons or police cells. This is made possible after the President signed a proclamation which makes all this possible," Mzimela said.

He said the Act, which prohibits the detention of children, had already been approved by Parliament and was gazetted last year.

"The unacceptable presence of children in prisons and police cells has now finally been resolved and I am proud that we can rectify the wrongs of the past this way," President Mandela, in particular, is today a very happy man," said Mzimela. He said the next step would be to build youth development centres where the children who have been found guilty could receive proper education and training.

By 10.45am yesterday, 74 children had been released from prison in Pretoria to appear before magistrates who would decide where they were to be placed, Correctional Services spokesman Colonel Barry Eksteen told Sapa.

Executive director of the National Children's Rights Committee Ms Shirley Mabuza said the releases were "exciting." She said it was important to ensure that children were not rearrested.

Many areas countrywide did not have rehabilitation facilities and the chances of children being rearrested there were high. Existing rehabilitation centres were also inadequate.

She said the Correctional Services Ministry should consult and work with non-government organisations, many of whom were already involved in youth rehabilitation programmes.

The Johannesburg Parent and Child Counselling Centre late last night cautioned that unless the released children are given treatment and proper counselling they could end up in limbo.

JPCCC director Ms Jacqui Michael said while her organisation was happy at the releases, their concern was over whether the Government had created adequate support systems within the community.
Freeing children was a 'quick fix'

Staff Reporter

The release of 620 awaiting-trial children from South African prisons was a quick fix to a political dilemma, but had done nothing to resolve the problems of those working with children in trouble with the law.

This was said by Allan Jackson, director of Child Welfare in Cape Town, in response to this week's government decision to release children under 18 from prison and police cells into places of safety.

Mr Jackson, who last year headed a ministerial committee to investigate the problem of children in custody, said President Mandela's announcement that all children should be released from jail had now been heeded.

This should have been the case much sooner, he said.

But the way in which it had been done was unfortunate, and failed to address some very real problems.

These included the outdated system of sending convicted children to prison, the need for secure containment in child-friendly facilities of children awaiting trial for serious crimes such as murder and rape, and the need for family support programmes for families into whose custody awaiting-trial children were released.

These programmes, he said, should include training in relationship-building, conflict resolution and problem-solving, the provision of skills-training and educational support, the lobbying of local and provincial government for basic resources and providing material assistance.

Child Welfare believed the unilateral promulgation of a new act by the Correctional Services Department would not solve the problem.

Much work needed to be done on an inter-departmental basis toward the building of a truly positive programme to address the problems.

Mr Jackson said it was no solution to return children to the same environment from which many of their problems arose.

The unwillingness of many children's homes to accept children who had been in trouble with the law was also a problem.
AT MIDNIGHT tonight the only juveniles in SA prisons will be those already convicted. All those awaiting trial — 620 countrywide — will be released into appropriate custody, writes Crime Reporter JACKIE CAMERON.

HUNDREDS of unconvicted children are to be freed from South African prisons from midnight tonight.

In a long-awaited move to empty South African prisons of children, all awaiting-trial juvenile prisoners have to be out of jail by midnight, when the Correctional Services Amendment Act comes into effect.

This will affect about 620 children around the country, of whom about 130 are in Western Cape jails, Correctional Services spokesman Colonel Barry Eksteen said last night.

President Nelson Mandela's proclamation of the act, signed on May 4, means awaiting-trial children may no longer be held in detention by the Correctional Services department.

The change in the law does not affect convicted juvenile prisoners.

The police, who are ultimately responsible for the children before they are convicted, were making plans yesterday for all of them to appear in court today to be released into appropriate custody, said police spokesman Colonel Raymond Dowd.

"Duty officers in all the areas have been instructed to take charge of getting the children from prison to court," he said.

"We are trying to work out where we can detain them, and have been in touch with the Department of Correctional Services and places of safety to make arrangements." 

Police were trying to contact the children's families and where possible try to help them attend the court appearances, as the courts might decide to release many of the children into the care of their parents.

"Juveniles cannot be detained in police cells except in exceptional circumstances where it is in the interests of justice, or where the parents are incapable of looking after them," Col Dowd said.

Police were informed of the change in policy at the weekend and were expected to hold a top-level meeting today to work out a new strategy.

Correctional Services Minister Dr Sipho Mzimela is expected to spell out the details at a press conference in Durban today, Col Eksteen said.

Proclamation

Meanwhile, the proclamation has also taken the Western Cape's Health and Welfare department by surprise.

Regional Health and Welfare Minister Mr Israhil Rasool introduced 24-hour child assessment centres late last month to help empty the prisons of children.

A spokeswoman for Mr Rasool, Ms Veronica Petersen, said last night that an additional 30 children could be accommodated at places of safety.

She said it was probable that a meeting between several government departments would be held today to discuss the matter.

"If all the departments affected by this come together to decide on a strategy, we can definitely handle the problem," Ms Petersen said.

Dr Mzimela, said at the weekend that he had ordered the closure of Bloemfontein prison because of its "sub human" conditions.

The commission said the Department of Correctional Services knew where the sources of friction lay, but it was largely unable to remove them because it did not have the money.

At the commission's hearings the non-government organisations had forcefully and persuasively made the point that a range of grievances had "created an environment of alienation, resentment, dissatisfaction, hostility, boredom and frustration."

"The submission by the Department of Correctional Services had largely supported this view."

The NGOs, however, saw a much bleaker picture than the department, which viewed some of the shortcomings in the system as transitory relics of the old South Africa which could be eliminated departmentally, given time and money.

Many of the NGOs regarded the defects as congenital and irreversible without fairly radical surgery.

The NGOs decry the paternalistic character of the service and contend that it promotes a culture of control by force. The department's response is a guarded intimation that it is prepared to look into the matter.

"The extent of the unhappiness about the new release policy was another area of disagreement."
'All out by midnight' order leaves many among 700 without shelter

Row over freed jail

There is a growing row over the political release across the country...
Magistrate critical of juveniles' release

BY HOPEWELL RADERE

A Johannesburg magistrate yesterday slammed the amendment which led to the release of thousands of awaiting-trial juveniles.

Magistrate Andrew Johnson was giving a ruling in an application by the State to continue the detention of two youths suspected of killing an 82-year-old priest.

The State argued that the youths had no fixed addresses and their parents had not been located.

Johnson said parliamentarians found it "easy to legislate" without having to assess the availability of infrastructure to accommodate juveniles who had committed serious crimes.

He said it was not appropriate simply to legislate without providing alternative measures for the courts to serve justice.

The amendment would have far-reaching negative effects for the victims' families, who desired to see justice done.

Johnson ordered that the youths be kept in detention in the Pretoria police cells until their parents, or appropriate places of safety, were found within the next two days.

2132 arrested while on bail!

Cape Town — Police arrested 2132 people out on bail between March 1st and February 28th last year.

Safety and Security Cluster Minister, Rob van den Berg, told Parliament yesterday that they told Parliament yesterday that they would work to ensure that the suspects attend trial proceedings.

Star, 10/15/95

"Courts have a responsibility to ensure that not only the interest of justice is served but also to safeguard society."

He added that courts would have to rely on the willingness of parents or guardians to ensure that the suspects attend trial proceedings.

Prosecutor Corlia Moggee said various places of safety in the province contacted on Monday were found to be either full or not equipped to deal with child serious offenders.

A sister of one of the accused had said she did not want anything to do with him.

The hearing was postponed to tomorrow.
Released juveniles could escape justice

BY NIKKI WHITFIELD
The hurried release of juvenile prisoners has led to fears that dozens will escape justice and fail to turn up for their court appearances.

On Monday night, a police van full of youths was turned away from the Twilight Children’s shelter in Hillbrow, Johannesburg, by the shelter’s authorities who claimed they “do not have the infrastructure” to cope with “children like that”

Salvation Army public relations officer Denise Basley said the organisation’s Simmonds Street men’s home received a call from a Vereeniging police station asking for transport to collect a group of youngsters.

“But the home was full already”

It is not known what happened to either of the groups.

Police spokesman Wikus Weber said 11 juveniles had been kept in cells at Kempton Park. Of those, 19 had been released, one was waiting to be placed in a reform school and four were to be sentenced for their crimes today.

The 19 freed prisoners were “delivered to a police station in Tembisa on Monday night and after that they had to go their own way,” he said.

Janet du Preez, director of the Witwatersrand Mental Health Society, said she received a call at midnight from the Meyerton police station where 20 released youths were being held.

“The kids had nowhere to go and the police didn’t want to just let them go at that time of night,” she said. “They decided to keep them in the police station overnight and try to find accommodation for them in the morning.”

In the Cape Peninsula, about 130 unsentenced children were taken from prison and police cells, leaving the courts with the headache of finding them accommodation. Forty-two had to be returned to Pollsmoor Prison.

In Soweto, five minors were released from custody. Attempts to trace their parents failed.

Storm over freed jail children as many end on streets

From Page 1

provision in the amendment which allows for continued detention over 48 hours of a young person aged between 14 and 18 if a magistrate was satisfied they could not be properly cared for.

In Pretoria, for example, where 125 juveniles were released yesterday, police vehicles were sent out only late on Monday to locate parents. None were kept for the additional 48 hours.

despite knowledge that some were facing charges including murder and possession of an AK-47.

But in the Cape, some juveniles were returned to Pollsmoor Prison rather than dumped on the streets.

Neville Channe, lawyer with the Community Law Centre and member of the legal subcommittee of the National Children’s Rights Committee, said the amendment was welcomed, but it had been irresponsibly and hastily executed.

Johannesburg chief magistrate Chris Eksteen said his department had started preparations months ago when he first learnt of the amendment.

“I appointed a senior magistrate, Danie Davel, to sit in Juvenile Court and scrutinise every case and investigate each and every one individually.

“I understand that the shelterers are ‘in it, but as a practical solution, an investigation can be made for police cells to be converted into places of safety.”

He also pointed out that the children were released unconditionally, with no guarantees that they would appear on allocated court dates for trial.

“The magistrate will have no power to set out conditions of release if the children are out on their own recognisance. This appears to be a loophole.”
Children: Mandela 'ill-advised'

Political Staff

PRESIDENT Mandela's proclamation this week freeing children from prisons is another case of ill advice to the president, says the National Party.

NP spokesman on correctional services Gert Oosthuizen said that while his party welcomed the action to release children in custody and move them to places of safety, the NP regretted the clumsy way in which it had been handled.

"Something which was made possible by legislation in 1994 and has been legally available as an option for the past eight months, has been tied to President Mandela's first year in office for political reasons and is becoming a security fiasco," Mr Oosthuizen said.

The Democratic Party has warned that many of those released are no longer children in the true sense of the word but young adults charged with serious and terrible crimes, and the party has charged that little or no discretion was used by Correctional Services Minister Sipho Mzimela in the process of the release.

Dr Mzimela yesterday shifted blame for problems arising from the mass release on to political parties and organisations which, he said, had all been role players in amending Section 29 of the Correctional Services Act which prohibited the detention of unconvicted children in prisons.
Children freed from jail hold up matrons

The Argus Correspondent

DURBAN — Fourteen youths, some with knives, held up two matrons at the Excelsior Place of Safety in Pinetown within 72 hours of being released from prison.

They freed 13 of the inmates after forcing the matrons to give them keys.

Police have since arrested seven youths at Tollgate in Durban — none of them runaways.

Police said that 14 released youths were taken to the institution last night in terms of the government's decision to keep juveniles out of prisons and police custody.

On arrival at Excelsior they held up two matrons at knifepoint, tied them up with telephone cord, forced them under beds and took their keys, jewellery and clothing, then released 13 children living at the institution.

The matrons were rescued by other children at Excelsior.

Pinetown Child and Family Welfare Director Priscilla McKay said she was "not surprised" at the breakout as Excelsior was designed as a place of safety and did not have the security of a juvenile detention centre.

She said the only secure areas were the dormitories. There were no guards and only ordinary fencing.

A resident who lives near Excelsior expressed concern about security in the area:

"What about the safety of the people working in the area and our children's safety? What is going to happen to our properties?" she asked.

Today the Department of Welfare held an emergency meeting to discuss the incident but remained tight-lipped about the affair. Sources said Excelsior was discussing whether to take in any more ex-prisoners.

"We cannot say anything now, but we are investigating this," said Welfare spokeswoman Urmilla Riga.
Parties lashed for freed children bungle

Political Staff

CORRECTIONAL Services
Minister Supo Mzemela says po-
litical parties and non-governmental organisations should accept responsibility for the plight of unconvicted children who have been released from prisons. ARG 115/95

A number of political parties and other organisations have criticised President Nelson Mandela's proclamation this week which paved the way for the release of awaiting-trial children around the country. Critics say the proclamation is being implemented while many of these children do not have families they can return to, or while there are not enough places of safety to accommodate them.

In a statement yesterday, Dr Mzemela said the Correctional Services Act had been amended late last year after he had notified all relevant role-players that unconvicted children would in the near future no longer be kept in prisons.

Before the amendment, gazetted last November, Mr Mandelade had, on many occasions referred to the problem of children in jail and had stated very clearly that this should be rectified.

The matter had been brought before the cabinet and the various ministers and their departments and political parties, NGOs and relevant government departments had again been given the opportunity to give evidence before the portfolio committee on correctional services.

The amendment had flowed from this process, which had been followed by a five-month grace period leading up to Mr Mandela's proclamation.

The question now arises as to what has been done in the meantime by the responsible parties who knew all along that unconvicted children would be released from prison soon.

"What concrete steps have they taken to prepare themselves for the accommodation or relocation of these children? The answer to this question may be very interesting," Dr Mzemela said.
Freed kids left out in the cold

By Gloria Mqase
and Mienie Ndou

A joy of having prison turned into a nightmare for two 16-year-old boys from Tshwane when they spent their first night of freedom on the streets.

The two were part of a group of four who had been released from prison this week without being provided with food, transport or accommodation.

Correctional Services Minister Dr Sipho Mzimela said in a TV interview on Tuesday: "No children were released onto the streets."

The two boys from Tshwane were spotted at Johannesburg Station by a Soweto resident.

Mzimela said in a TV interview on Tuesday: "No children were released onto the streets."

The two boys were released from prison on Friday.

The boys, who are still in their parents' care, were making frantic efforts to contact them.

Mzimela said the boys were released from prison on Friday.

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Mzimela said the boys were released from prison on Friday.
No idea where many freed juveniles are

BY PRISCILLA SINGH and SUSAN MILLER

Social and welfare organisations were yesterday still desperately searching for places of safety or refuge for the more than 700 juveniles released from police and prison cells this week.

In Johannesburg two juveniles who claimed they were among those released on Monday were asking for funds to get them to France.

"Only about 10 children were accompanied by their parents in court and released into their custody. The rest of them I have no idea," said Prince Maluleke of Lawyers for Human Rights.

In Pretoria, 125 children were released and only 51 have found a place of safety at the Jabulani Home in the city.

"Nobody knows where the other 74 children went to after they were released," Community Law Centre lawyer Neville Chiaice said.

Mockery.

In Malmesbury, Juvenile Justice Project director Ann Skelton reported that 44 children had been released. "Many of them had to be transported 200km away to Zuma, where there is a place of safety. Twenty-four children have not yet been placed."

National Welfare, Social Service and Development Forum spokesman Rash Phuyega said agencies were already overloaded and "they really don't need problems like this, which could easily have been avoided."

"While we applaud the president's decision to release children from prison, it is unforgivable to turn them out into the streets. It is a mockery of the president's intentions and it calls into question the competence of those directing the process," she said.

Jovial Rantao reports that Correctional Services Minister Sipho Mamelah yesterday strongly defended the Government's decision to release the children, and dismissed as "racist" criticism of the move by the NP and other political parties.

He conceded that the proclamation of the Correctional Service Amendment Bill, in terms of which 700 youths under 18 years were released, would pose short-term problems, but said he was convinced that these would be sorted out soon.

Mamela charged that cabinet ministers and all role-players who had been informed about the amendment and the impending release of the children had done nothing to prepare for them.

He said all the role-players had had the opportunity to give evidence before the parliamentary select committee on correctional services, before the amendment of section 29 of the Correctional Services Act was discussed in both Parliament and the Senate.

"The question now arises as to what has been done in the meantime by the responsible parties who knew all along that unconvicted children would be released from prison soon. What concrete steps have they taken to prepare themselves for the accommodation or relocation of these children?"

Mzumela asked.
Dangerous child released, escapes place of safety

Crime Reporter 12/5/95

A TEENAGE boy facing charges of murder, rape and armed robbery is on the run in the Peninsula after escaping from a place of safety for the second time.

The case highlights the pleas of police for tighter control after President Mandela's proclamation last week releasing children from prisons to places of safety.

One of the investigating officers seeking the boy, 15, said he was "a real danger to the community".

The boy was sent to the Porter School, a reformatory in Tokai, in December after allegedly killing a man, and police said he allegedly committed more violent crimes after escaping in January.

He is accused of raping a 26-year-old woman in Athlone and robbing a man at gunpoint three days later. He was arrested after this robbery and held at Pollsmoor Prison.

On Wednesday, a day after he was released and transferred back to Porter School, he escaped again and is still at large.

Desperate investigating officers appealed for individual evaluations and scrutiny of each minor before transfers to places of safety.

A fact-finding tour of reform schools and places of safety in the Peninsula by a ministerial delegation yesterday disclosed inadequate facilities, although in some cases only minor changes were needed.
Popcru in apartheid protest

Members of the Police and Prisons Civil Rights Union have launched protest action throughout the Western Cape to demand "fundamental changes in the apartheid management" of the Department of Correctional Services.

A group of warders at Pollsmoor Prison, who went on a go-slow yesterday, locked three gates to the prison today.

Correctional Services spokesman Mike Green said authorities planned to cut the changes to allow about 200 prisoners to be taken in and from court.

He said warders had refused to unlock cells to allow prisoners to eat or exercise.

Working warders who stood in for those on a go-slow were unsafe because there was a higher risk that prisoners could try to escape, he said.

A Popcru statement said their members who worked for the Department of Correctional Services were "frustrated and dissatisfied with the state of affairs in the province."

"This is the direct result of the lack of visible and fundamental changes in the department," said Popcru.

Lieutenant Green said prison authorities were negotiating with a Popcru delegation about grievances.
Child suspects escape

DURBAN: There has been a second break-out by juveniles at places of safety in KwaZulu-Natal.

Twenty-seven juveniles escaped from the Excelsior Place of Safety in Pinetown on Wednesday, after 29 child suspects escaped from the Mayhead Place of Safety in Durban only hours after they had arrived at the facility on Tuesday.

The group that escaped on Wednesday included 14 youths who had just been released from the Westville Prison.

None of the escaped suspects has yet been re-arrested.

Police spokesman Major Henry Budhram said the 14 released juveniles held up two matrons at knuckle, tied them up with telephone chord, forced them under beds and took their keys, jewellery and clothing, then released 15 of the children who live in the institution before fleeing.

The matrons were eventually rescued by children in Excelsior.

Pinetown Child and Family Welfare director Mrs Priscilla McKay said she was “not surprised” at the break-out, as Excelsior was designed as a place of safety and did not have appropriate security measures.

The Department of Welfare held an emergency meeting to discuss the incident yesterday, but remained tight-lipped about the whole affair. “We cannot say anything now, but we are investigating it,” said a spokeswoman.

Mrs McKay blamed the mass escape on bad planning and a lack of consultation and preparation. She said welfare staff had been caught totally unaware by the release of the youngsters. — Special Correspondent
JOINT action by all ministers was necessary to address the release of children from jail, Minister of Welfare Mr Abe Williams said in the Senate yesterday.

He said he was aware of the problems surrounding the release of children from detention, but felt strongly children should not be kept in custody.

"We will try our utmost to address the needs of all the children and to protect the communities where necessary.

The government will have to consider making funds available for extra personnel and expenditure to ensure that more places of safety become available."
PROVINCEs 'furious' over juvenile decree

CHRIS RATEMAN
POLITICAL STAFF

PROVINCIAL welfare ministers were "furious" about Correctional Services Minister Dr. Sipho Mabola's sudden instruction to relocate all awaiting-trial-child prisoners by midnight on Monday, as this disrupted existing relocation programmes.

This was said yesterday by Western Cape Minister of Health and Welfare Mr. Ebrahim Rasool, who revealed that there were still 45 awaiting-trial-child prisoners in Pollsmoor Prison — despite firm instructions by Pretoria.

"They are still in jail "only because of the severity of the charges and previous convictions such as murder, as well as serious questions about some of their stated ages," he said.

Mr. Rasool said that since Monday 30 children had been reunited with parents and another 55 relocated to places of safety.

"The lesson has been about how central government must operate — we (welfare ministers) first heard about the deadline from the media — it will be the death-knell of the government if ministers act without consultation," he said.

But Correctional Services sources replied that President Nelson Mandela made a clear statement of intention at the opening of Parliament in May last year.
Rampage in place of safety

Freed juveniles attack women

**CONCERN grows as number of escapers from care centres in Durban region increases to 65**

Durban — Two elderly women, both care officers at the Excelsior Place of Safety in Pinetown, were bound and trussed and held at knifepoint yesterday by a mob of youths who were released from prison under the Government's controversial move to free unconvicted children.

Margaret Gillot and Ruth Norris narrowly escaped serious injury when two teenage residents at the centre came to their rescue.

Local residents and welfare officers expressed their concern after the attack, with the Pinetown Children and Family Welfare Society saying that the sudden release of awaiting-trial child prisoners was deplored.

Priscilla McKay, the society's director, said their release was ill-considered and unconstitutional.

It did not protect the best interests of the youths as no plans had been made to prepare them psychologically and emotionally, she said.

Gillot yesterday visited her doctor for treatment following the attack by a mob of about 20 youths.

Gillot's worried son, Craig, yesterday said Excelsior was equipped to take in only 18 residents, but on Wednesday night had 34 — five usual residents and 29 awaiting-trial youths.

He said the youths were in a restless mood and the women tried to calm them down with beverages and biscuits.

But just after 8.30am yesterday, Gillot was attacked, tied up with a telephone cord and then strangled. The attackers released her when a resident intervened.

Meanwhile, Norris' arms and legs were bound and she was allegedly about to be thrown down a flight of stairs when a resident came to her rescue.

The mob then stole the women's jewellery and keys. Ten of the youths decided to stay at the centre and the other 19 fled. Seven were later picked up by police.

Meanwhile, another 19 awaiting-trial prisoners have escaped from Bayhead Place of Safety in Durban, adding to the 25 who escaped on Wednesday and bringing the total number of escapers in the area to 65.

A place of safety has been found for two awaiting-trial juveniles, accused of murdering an 82-year-old priest, who had been kept in prison since Tuesday on the orders of Johannesburg magistrate Andrew Johnson.

The two accused were remanded until a proper care centre could be found for them.
Beds used as battering rams in go-slow Pollsmoor Prison

SECURITY at Pollsmoor Prison and the safety of the community is in jeopardy because warders are striking, says a prisons official.

Pollsmoor spokesman Captain Mike Green said yesterday that, since members of the Police and Prisoners Civil Rights Union (Popcrun) had gone on strike, inmates had broken out of four cells, using their steel beds to ram open the doors.

He said the situation was now under control, but security was still “at risk.”

Captain Green said all jail administration staff had been closed and desk staff were doing warders’ jobs.

Meanwhile, Popcrun spokesman Eddie Johnson said warders at Pollsmoor were on a go-slow, but were still on duty. They were protesting against racism in the Correctional Services Department.
The prisons 'quietly'"}

GLYNNIS UNDERHILL
Weekend Argus Reporter

WELFARE organisations have hit out at the release of awaiting-trial children without adequate provision for alternative accommodation. The bungled operation has been dubbed a "fiasco" and a "quick-fix to a political dilemma".

Awaiting-trial children were returned at night to cells at Pollsmoor Prison in spite of President Nelson Mandela's proclamation that all unconvicted children younger than 18 be released from prison.

Alan Jackson, director of the Child Welfare Society in Cape Town, accused the Department of Correctional Services of "simply washing its hands of the whole affair" by releasing the children without ensuring there was adequate accommodation for them.

There were only two local places of safety with minimum security to deal with children charged with serious crimes like murder and rape and most of the staff at these institutions were not properly trained to deal with the children, he said.

Mr. Jackson said unilateral decisions had been taken by the Department of Correctional Services.

The Minister of Correctional Services, Sipho Mzimela, responded to criticism by pointing out all parties had had five months before the amendment of Section 20 of the Correctional Services Act was affected by Mr Mandela.

"The fact is that unconvicted children were never supposed to be the responsibility of the Department of Correctional Services. If other role players who are supposed to cater for unconvicted children took their responsibilities seriously, it would never have been necessary to amend Section 20 of the Act.

"However, it became more and more that to send these unfortunate youngsters was the easiest way out and therefore to be amended to solve this problem, they all," he said.

More than 150 unconvicted children from prison and police cells across the country were released after the proclamation was issued. It compiles the headache of finding the live accommodation before midnight.

Children were returned to Pollsmoor the evening after no accommodation was found for them at places of safety in the Cape Town area.

The children who were returned appeared in court again within 48 hour.

Siyakhala Home in Stellenbosch, the Home in Ottery are two places equipped to deal with these children. It said these institutions had been beset with problems.

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Lots of safe places for the jail kids

Weekend Argus Crime Reporter

A FACT-FINDING tour of Peninsula reform schools and places of safety by a ministerial delegation revealed that ample facilities existed to accommodate imprisoned children.

A proclamation by President Nelson Mandela to release all children from prison and to transfer them to places of safety spurred a visit to four institutions.

The delegation included Deputy Minister of Welfare and Population Development Geraldine Frazer-Molokete, Virginia Petersen, a special adviser to the provincial Minister and Ebrahim Rasool and Rower Daniels, special adviser to Minister of Justice Dallah Omar.

The tour, through the Constantia School for Boys, the Constantia School for Girls, the Porter School in Yzerfontein and the Bonnytoun Place of Safety, revealed that ample facilities existed to accommodate awaiting-trial and sentenced children.

Mrs. Petersen said after the tour that only minor structural changes to some buildings and more staff would be needed to transfer the children "within weeks, if not days".

"An inter-sectoral approach is needed to prepare properly for the mass transfer of children from Pollsmoor to places of safety," Mrs. Petersen said.

"Our investigation is two-pronged, to find short and long-term solutions.

"A short-term solution to get the children out of jail as soon as possible would be sustainable if it could be carried over into a long-term answer," Mrs. Petersen said.

An inter-sectoral meeting between the Department of Justice, Social Services, Police and the Department of Education was scheduled for Monday to discuss the findings of the delegation and process inputs.

"A decision is expected early next week and "hopes cannot be dragged with children suffering in jail," Mrs. Petersen said.

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SINGLE ROOM: Members of the delegation, from left, Virginia Petersen, special Ebrahim Rasool, Geraldine Frazer-Molokete, National Deputy Minister of Welfare and P Development, and Ebrahim Rasool, special adviser to the Minister of Justice inspect decorated single room in Constantia School for Girls.

PLACE OF SAFETY: Bonnytoun in Wynberg offers ample accommodation for children held in Pollsmoor.
Staff had downed tools last year due to labour problems, he said.

Bonnetyoum, formerly known as Bonnet Point, is undergoing renovations, which has limited its intake of children.

"Structural changes are being made to our building to ensure the safety of workers — and the safety of children," said Marcelle Muller, chief social worker at Bonnetyoum.

Bonnetyoum can take a maximum of 84 children from the courts, she said.

Some of the children accused of murder or rape behaved like "little lambs", while others had extreme behavioural problems, said Ms Muller.

Mr Jackson, appointed by Western Cape Minister of Health and Social Services Ebrahim Rasool to chair an investigation into the measures necessary to release children from prison, said the release of the children did nothing to resolve the problems faced by the people working with children in trouble with the law.

The welfare department responded to recommendations by setting up assessment centres in courts and at police stations in the Western Cape in an attempt to place awaiting-trial children appropriately.

"Many awaiting-trial children have, since the inception of this programme, been placed in the care of their parents. However, allegations of abuse and industrial action at places of safety have prevented the fullest possible number of children being placed in these institutions," said Mr Jackson.

Rosette Jephta, National Institute for Crime Prevention and Rehabilitation programme co-ordinator in Tygerberg, said the problem had arisen because there was limited accommodation at the places of safety.

Mr Jackson, appointed by Western Cape Minister of Health and Social Services Ebrahim Rasool to chair an investigation into the measures necessary to release children from prison, said the release of the children did nothing to resolve the problems faced by the people working with children in trouble with the law.

The welfare department responded to recommendations by setting up assessment centres in courts and at police stations in the Western Cape in an attempt to place awaiting-trial children appropriately.

Petersen, special adviser to Minister of Welfare and Population Affairs of Justice, inspects a neatly for Girls.

MATES: Awaiting-trial minors watch a cartoon on television at the Bonnetyoum Place of Safety in Wynberg.

PORTER SCHOOL: Members of the delegation take a look at an unused building at Porter School in Tokai.
Warders' go-slow action puts jail security ‘at risk’

By YVETTE VAN BREDA

The most serious incident so far was at Pollsmoor on Friday morning when prisoners, angry because they had not been fed by 11.30am, attempted to break out of the cells by ramming steel beds against doors.

More than 1,000 medium security prisoners were involved, Capt Mike Green said.

"The inmates got agitated and started ramming their beds against cell doors in an attempt to get out. We had to repair four cell doors after locks and various bars were broken," he said.

Prisoners were aware of the slacker security and could attempt to take advantage of the situation, he said. It could also lead to an increase in gang and smuggling activities inside the affected prisons, Capt Green said.

"It’s always dangerous when staff are not performing their duties. There’s not enough security and the prisoners know this and take advantage of the situation," he said.

Although daily activities like exercise, feeding and unlocking were taking place, the action was "under control," Capt Green said.

Negotiations with the Pollsmoor prisoners on Friday had eventually quelled their angry mood, Capt Green said.

Court hearings on Friday had to be postponed after warders refused to bring prisoners to court.

Meetings with Popcru members were scheduled for early this coming week in an attempt to resolve the situation.

Earlier this week about 30 Popcru members blockaded the entrance to the Western Cape offices of the Correctional Services Department in Goodwood, near Cape Town, in support of demands for a forum to be set up to oversee the reform of the department and implementation of affirmative action.

Correctional Services commissioner General Gerhard Spangenberg said Popcru’s demand was “surprising.” It was incomprehensible that the union was prepared to break the law when various forums already existed at national and regional level to discuss their grievances.

Union spokesman Eddie Johnson said warders at Pollsmoor were on a go-slow, but were still doing their duties, according to a news report on Friday.

“It’s all blatant lies I spoke to a colleague who said there had been no violence Nobody broke out of any cells,” Mr Johnson said.

Mr Johnson said the protests were against racism in the Correctional Services Department.

“The whole department is still racist. Promotions, merit awards, job allocations are all still done as in the apartheid era. The only thing that has changed is the flag,” he said.
By JEFFERSON LENGANE

THE POLICE and Prisoners Civil Rights Union (Popcru) maintain that racism is still evident in the working and living conditions of warders at the Leeukop prison south of Johannesburg — in spite of President Mandela's call a year ago to end racism and nepotism in the country's prisons.

"Undisguised racism and nepotism are still rampant here at Leeukop. The warders' quarters are still divided on a racial basis," said David Masenya, a senior Popcru shopsteward and warden at the prison this week.

City Press visited the prison on Wednesday and found that the white and black quarters reflected the traditional contrast between white suburbs and black townships.

The white quarters were teeming with prisoners doing cleaning and maintenance work. The streets are tarmacked and street names are displayed on proper sign posts. The black quarters form a glum contrast. The roads are untarmacked and dusty and there are no road signs. Faint street names on makeshift boards have been pinned to street light poles.

"The black married quarters are referred to as married quarters number two, while the white married quarters are referred to as married quarters number one," said Masenya.

"Similarly, the single quarters for black and white warders are referred to as number two and one, respectively. "In the black single quarters six people share one room — while in the white single quarters there are two to a room, and four at the most," Masenya revealed.

Big houses

"The white married quarters have big houses and detached garages with servants' rooms. Most of the houses in the black quarters are standard four-roomed houses with attached garages, but no servant's quarters," he said.

Sports facilities are also divided along racial lines. The rugby stadium in the white quarters has a grandstand and good lighting. The soccer stadium in the black quarters has no grandstand or adequate lights.

"The white side has a golf course, but not the black side," Masenya pointed out.

Yet all warders contribute an equal amount of R1368 a month towards the improvement of sports facilities for all. Responding to the allegations and City Press' observations, Correctional Services media officer Colonel Barry Eksteen said "Racism is definitely not our policy at Correctional Services. Every staff member who qualifies can apply for housing — which will then be dealt by the prison management."

Eksteen blamed the discrepancy in sports facilities on "history, not on my watch.

Money

"Facilities must be made available to the people working here," he said. "What we are saying is give us the money and as money becomes available facilities will be upgraded. It is not our policy to put up inferior structures."

Masenya complained that promotions were also considered on racial lines.

He said, "Blacks seeking promotion are required to have matric and necessary qualifications, such as computer literacy. Blacks are not given any opportunity to learn using computers at work — this privilege is reserved for whites only."

"Blacks who are supposed to be promoted to the rank of warrant officer are not being promoted because they have no matric or computer literacy."

Eksteen said: "The Department of Correctional Services places a high premium on the qualification of personnel but in terms of the Correctional Services Act, the commissioner can in exceptional cases promote a member to the rank of officer as dictated by needs of the department — despite the fact they do not have matric qualifications. Such promotion will be based purely on the principle of merit and efficiency after long service experience and knowledge."

Masenya said black warders, who were in the majority at the prison, were in the minority when it came to ranks. Most black warders worked in the agricultural lands, where one warden guarded at least 10 prisoners, while most whites did administrative work, he claimed.
Crime soars after youth releases

By WALLY MBHELE

A WIDESPREAD uproar has followed the controversial release of awaiting trial juveniles this week – as crimes involving children and youth escalated at an alarming rate barely 24 hours after their release.

More than 700 juveniles were released after an amendment to the Correctional Services Act providing for such freedom came into effect on Monday.

Because of alleged poor prior arrangements, many youngsters were left on the streets as their parents or next of kin could not be traced.

Others were left stranded because most rehabilitation and safety centres were full or could not accommodate children who had committed crimes such as murder.

Meanwhile, the crime rate soared countrywide – with children implicated in most of the shootings and car hijackings.

Some of the latest incidents of terror allegedly committed by youngsters include:

- The shooting of a top Soweto traffic cop, Jeff Segale. Segale was shot three times in the abdomen by three youngsters who took his service pistol and fled the scene outside the Khazaruma shops in Mofolo South.
- In Durban, two elderly women welfare officers were held at knifepoint by juveniles who had just been freed and placed in the Excelsior Place of Safety.
- A 44-year-old Stuart Murray of Melrose was shot dead in Yeoville on Wednesday after youths tried to hijack his car.
- Last week former journalist Lawrence Mayekiso was shot dead and his car hijacked after he was accosted by youngsters in Soweto.
- Another former journalist and now top official of the Western (Soweto) Metropolitan Substructure, Vusi Gumene, was shot and admitted to a Johannesburg hospital after five youths fired several shots at him before driving away with his car in Soweto.
- An 18-year-old Kattleburg student is fighting for his life at Matsapha hospital after another student shot him in the classroom on Thursday.
- Two police constables were seriously wounded in Mabopela, Soweto, on Thursday when an unknown group of youths fired shots at them.
- Two policemen and a woman were shot dead in KwaThema on the East Rand yesterday when a police vehicle went to investigate a hijacking.

In a snap survey conducted by City Press this week, most people said while it was uncivilised for any country to keep juveniles in prison, the government should have considered each case according to its merits before embarking on the releases.

Most criticised the government for “being more concerned with protecting the rights of criminals than the safety of their innocent peers.”

Most residents argued that an impression had been created that the government was lenient on the young generation, and that there was a lack of deterrents against law-breaking.

“Many youths have been released from prison because the government is not doing enough to keep them behind bars,” said a senior police officer.

He said: “They chase away from their homes and stay with their friends and girlfriends until the last moment, and after an attack they come back home because they know they will be caught.”

The government should have considered each case according to its merits before embarking on the releases. It is not fair to say that all juvenile offenders are the same,” said a senior police officer.
Support for child jail ban

STAFF REPORTER

WESTERN Cape attorney-general Mr Frank Kahn has commended the government for its ban on the jailing of juveniles.

Speaking at a community crime prevention conference in Bellville at the weekend, Mr Kahn said the ban had existed and "the Departments of Education and Social Welfare must co-ordinate and access it."

Mr Kahn said it was a misconception that the new constitution encouraged the granting of bail more readily. Ineffective police investigation, however, "can seriously hamper the state in bail applications."
More warders in prison go-slow

Staff Reporter

POLICE and Prisons Civil Rights Union (Popcrui) warders at all Western Cape prisons have joined their colleagues at Pollsmoor Prison on a go-slow.

A bid to resolve the dispute will be made at a meeting today between the union and officials.

Correctional Services spokesman Mike Green said the protests had spread to all the prisons during the past two days in spite of negotiations between the union and senior department officials.

"But we are coping and hopefully today's meeting will resolve the dispute."
Labour Briefs

Popcru go-slow to continue

A GO-SLOW by the Police and Prisons Civil Rights Union in the Western Cape will continue notwithstanding the withdrawal of charges against 24 members, a Popcru spokesman said yesterday.

The members were charged after blocking Department of Correctional Services offices in Goodwood last week. A meeting today to discuss union demands will determine whether the go-slow continued.
Rival prison unions clash over Popcru go-slow

Staff Reporter

A ROW has broken out between rival prison services unions and non-unionised members on how to resolve their dispute with the management of the Correctional Services Department.

The warders all agree on the need for an independent local forum to oversee the transformation of the prison services, and on the need for a commission of inquiry to investigate how affirmative action is implemented.

Last week, all the parties united, had talks with management about their grievances and decided to work on a joint strategy to resolve the issues.

But earlier this week, members of the Police and Prisoners Civil Rights Union (Popcru) embarked on a go-slow.

Lawrence Venter, a spokesman for Correctional Officers' Union of South Africa (Cousa) and non-union members, said Popcru's actions had divided staff and weakened their case.

"We agree with Popcru that prison officials are still running the service as they did under apartheid, and that no fundamental changes have taken place, but it was premature of them to embark on the protest action without getting the consent of all the warders."

"They ran amok by occupying offices, interfered with members who wanted to work, held officers hostage and instigated prisoners against working members. This kind of action is condemned by all personnel."

Warrant Officer Venter said they were also perturbed by reports that the commissioner of the service, Henk Brum, had decided to withdraw charges against Popcru members.

"He must remember that we expect the same treatment from him when we embark on our action."

Popcru spokesman Eddie Johnson said their union decided to proceed with the protest action under the banner of the union because it offered members some protection.

"It's unfortunate that Cousa have adopted such a hostile attitude towards us as ultimately, they will also benefit from our actions as our demands include their participation in the forum."

Correctional Services spokesman Mike Green said the protests had spread to all prisons in spite of negotiations between the union and senior department officials.
Popcru called off their go-slow protest action

Staff Reporter

PRISONS in the Western Cape are functioning normally again after Popcru members called off their go-slow protest action.

Eddie Johnson, spokesman for the Police and Prisons Civil Rights Union, said the union and senior management of the correctional services department reached an agreement at a meeting yesterday.

Sergeant Johnson said the agreement would have far-reaching implications for prisons and had satisfied the union to such an extent that it was decided to call off the protest.

"We are very relieved that a process has started to address our grievances and we would like to thank our members for the disciplined manner in which they conducted the go-slow," he said. Full details of the agreement would be explained at a joint union and management press conference.
Prisons back to normal?
'Free' youths back in prison

THE 45 youths who were not released from Pollsmoor Prison on Monday might have to appear in court again within 48 hours.

They were returned to their cells after a special hearing, despite President Nelson Mandela's proclamation that all unsentenced children younger than 18 be released from prison by midnight on Monday.

More than 130 unsentenced children were taken from prison and police cells across the Cape Peninsula on Monday, leaving the courts with the headache of finding them alternate accommodation before midnight.

A Correctional Services spokesman said the 45 youths were accused of serious crimes such as murder and rape.

On their next appearance the court will decide into whose custody they will be released.

They could be released into the custody of their parents, foster parents or places of safety.

Popcru demanded yesterday that the commander of Pollsmoor, Brigadier Johan Robberts, resign from his post immediately and vacate his house at the prison.

A spokesman for the union's Western Cape branch said Popcru told Brig Robberts in a letter last month that he was an obstacle in the way of meaningful change at the prison, and that he was "no longer welcome" there as commander.

The letter, signed by regional secretary Mr Pieter Loggenberg, accused him of negotiating in bad faith on issues including merit rewards.

It said Popcru was suspending all negotiations with him with immediate effect.

The spokesman said a delegation delivered a second letter to Brig Robberts yesterday, asking if he had understood the first one, and demanding that he leave immediately.

The spokesman for Correctional Services in the Western Cape, Captain Mike Green, confirmed that Brig Robberts had received the letter.

He said Correctional Services headquarters in Pretoria would comment later on the demands. — Sapa
Niehaus admits to foul-up

Adrian Hadland

CAPE TOWN — A number of children who were moved earlier this month from SA prisons to places of safety had escaped, ANC MP Carl Niehaus said yesterday.

The children were among 700 under the age of 18 who were released from jail following an amendment to the Correctional Services Act. Most were awaiting trial and faced minor charges "more often than not unrelated to violence," Niehaus said.

Speaking on behalf of the ANC, rather than as chairman of the National Assembly’s correctional services committee, Niehaus said he was disappointed at the negative reaction of parties and the public to the release.

The change in the Act received unanimous support in Parliament’s correctional services committees and brought SA in line with international norms and the UN’s charter on the rights of children.

Inadequate communication and co-ordination between the justice, correctional services, welfare and safety and security departments together with a shortage of places of safety resulted in the foul-up, he said.
ANC plea on children

Keep them out of jail, says Niehaus

TYRONE SEALE
Political Staff

DIFFICULTIES surrounding the release of children from prison should not be used to undermine the principle of keeping them out of jail, says the African National Congress.

Carl Niehaus, chairman of the ANC parliamentary study group on correctional services, said yesterday that the Democratic and National parties' criticism of the releases amounted to political opportunism.

At a media briefing Mr Niehaus repeatedly conceded that managerial and technical problems, largely stemming from a lack of co-ordination among government departments, had marred the implementation of amendments to section 29 of the Correctional Services Act.

This had disclosed a serious lack of places of safety, many of which had to be secured after escapes by some of the released youths, and it had raised the urgent need for a system in which children could be classified in terms of their alleged offences and security risks.

But he said: "It's absolutely critical that we release these awaiting-trial children if we at all want to be in line with international standards where children under 18 are simply not kept in prisons."

He said an unspecified number of children had escaped from places of safety after their release, but everything possible was being done to trace them and return them to institutions where security had been stepped up.

Where new cases involving children came before the courts, there were efforts in areas such as the Western Cape to process children through the legal system as rapidly as possible to reduce the lapse between arrest and trial.

In certain cases courts were sitting for longer.

"We have to accept, in this legislation, is putting more stress on the limited number of places of safety that exist in our country, and I can only re-emphasise the need for urgent co-ordination between the different departments."

Mr Niehaus said it was utterly irresponsible of the DP to create the impression in the public mind that the new legislation had resulted in the general release of murderers and rapists.

"(The DP) knows very well that the children who have been released are awaiting trial and have therefore not yet been found guilty in court.

"The majority of children have been kept for a considerable period as awaiting-trial prisoners for minor offences, more often than not unrelated to violence."

It was not intended to let children off the hook if they committed crimes.

The new legislation simply meant children had to be treated differently and had to be given a chance in life instead of stigmatising them by putting them in prisons.

Mr Niehaus called for a comprehensive juvenile justice system that would distinguish between serious offenders and those facing lesser charges and which would place petty offenders back in the community.

He pointed out that the new legislation also said children under 14 could spend no more than 24 hours in prison.
NEWS DP and NP criticism of jailed children’s release was ‘politically opportunistic’

‘No jail for awaiting-trial kids’

Sowetan Correspondent

Difficulties surrounding the release of children from prison should not be used to undermine the principle of keeping them out of jail, according to chairman of the ANC parliamentary study group on correctional services Mr Carl Niehaus.

Niehaus said this week that the Democratic Party and the National Party’s criticism of the releases amounted to political opportunism. At a media briefing this week, Niehaus conceded that managerial and technical problems, largely stemming from a lack of coordination among government departments, had marred the implementation of amendments to Section 29 of the Correctional Services Act.

This had revealed a serious lack of places of safety and had raised the issue of the urgent need for a system in which children could be classified in terms of their alleged offences and security risks.

But, he said: “It’s absolutely critical that we release these awaiting-trial children, if we want to be in line with international standards according to which children under 18 are simply not kept in prisons.”

An unspecified number of children awaiting trial had escaped from places of safety after their release, but everything possible was being done to trace them and return them to institutions where security had been stepped up.

It was utterly irresponsible of the DP, to create the impression in the public mind that the new legislation had resulted in the release of murderers and rapists.
Awaiting-trial inmates on 'strike'

DAVID YUTAR
Staff Reporter

Awaiting-trial prisoners at Pollsmoor Prison say they will refuse to attend trials until their demands are met.

The prisoners are refusing to attend court as a protest against their conditions, which they say have reached a crisis point.

The Argus was asked to collect a petition from a committee of awaiting-trial prisoners by prison major, Pieter Fouche.

"We have reached an agreement with the prisoners," said Major Fouche.

"They will be allowed to present their petition to the Press on condition that they are not interviewed."

When The Argus met the group of prisoners, they suspected they were dealing with a "phony reporter", and demanded a Press card as proof of identity.

The small group consisted of about six prisoners of all races.

In a handwritten declaration, which was finally handed over, the prisoners said some of them had been awaiting trial from as long ago as 1992 and 1995.

Other grievances were over what they termed outdated "apartheid practises and attitudes" among the prison authorities and court officials.

In bail applications, magistrates "only believe policemen and investigating officers" when they testify that an awaiting-trial prisoner should be refused bail because he is a danger to the public, or has no fixed address.

The statements of police officials in this regard were insufficiently tested and scrutinised, they claimed.

When bail was granted, it was fixed at a prohibitively high amount so as to effectively be a denial of bail.

Other grievances related to confessions made "under duress" and what they called "racist and apartheid attitudes" among policemen, detectives, prosecutors and magistrates.

The prisoners said 97 percent of awaiting-trial prisoners were "under-privileged" and as such were vulnerable to victimisation and discrimination.

This bias on the part of officials in favour of the state was clearly in conflict with the spirit and letter of the new constitution.

The prisoners have refused to attend trials since May 15.

They said they would continue to do so "until our grievances are heard and our demands met."
Over 14,000 prisoners freed

ALTOGETHER 14,426 prisoners have been released since President Nelson Mandela announced a six-month cut in jail terms on April 27, Correctional Services Minister Dr Siphiwe Mzimela said yesterday.

CT 24/5/96

[Signature]
Penal reform — there’s a long way to go

The Kregler Commission report on last year’s prison unrest went largely unnoticed, but it made some important recommendations on penal reform, writes Bronwen Manby

The long-awaited publication on May 5 of the final report of the Kregler Commission, appointed by the President to look into the causes of the unrest in prisons following the election last year, passed with hardly a mention in the press. By comparison, the sudden release of 700 awaiting trial children in some cases straight on to the streets, received headline attention for several days.

Yet the recommendations of the commission chaired by Judge Kregler are of direct relevance to the controversy surrounding the release of juveniles. They emphasise the need for increased community involvement in decisions relating to release of prisoners and increased consultation by the Department of Correctional Services about policy generally. It was precisely a lack of a properly devised joint strategy that caused the outcry at the recent release.

The Kregler Commission report contains few surprises — though it leaves a number of unanswered questions — for those who had any involvement in the crisis in prisons last year. The Commission was asked to consider the unrest between April 26 and June 13, 1994, in which seven prisoners died and some R11-million worth of damage was done. Its mandate inexplicably excluded the pre-election disturbances, in which 37 died, including 21 in a single incident at Queenstown. It concludes that the major causes of the post-election riots were confusion over the grant of amnesty, the introduction of a new release policy in March that took away from prisoners a fixed release date and in some cases lengthened their sentences, and general conditions in prisons.

The commission recommended that the question of amnesty be addressed by the grant of a general remission of one-quarter of all sentences, up to a maximum of three years, in accordance with the spirit of reconciliation symbolised by the government of national unity. The release of the report, submitted in February, was delayed until after the president’s announcement on Freedom Day of a maximum six-month amnesty. And Minister of Correctional Services Sipho Mzamela has stated that this is the final word on the matter.

Of greater long-term importance are the recommendations relating to outside involvement in the correctional system. The report proposes the recruitment of community representatives to the institutional committees that make decisions relating to the award of “credits” that may, under the new policy, reduce a prisoner’s time in prison, and places a new emphasis on giving the prisoner a proper hearing before such bodies. To overcome the sense of isolation within a closed system in which “prisoners are — or feel they are — at the mercy of their keepers”, the report recommends that prisoners be given uninterrupted access to “organisations or persons manifestly independent of the government”, and that mechanisms be created for departmental consultation both with prisoners themselves and with the community at large.

Reforms of this nature are long overdue in South Africa’s prisons.

The report disappoints, however, in the very general nature of its findings and recommendations, and in its reluctance to take sides where there is a conflict of opinion between the submissions made by NGOs and those made by the department. Above all, the commission does not draw any conclusions or make any recommendations relating to the management of prison disturbances in future.

Perhaps the most serious assertion made by the NGOs was that prisons are places of everyday routine violence and racism, and that any assessment of prison disturbances must take this context into account. The report supports this contention by noting that the three problems regarding prison conditions most frequently mentioned by prisoners, in the 6 228 written representations it received, were in categories it calls “assaults” (901 mentions), “staff/prisoner relations” (775) and “race relations staff/prisoners” (673).

It also notes that only one official report of the violence recorded that staff were responsible for the use of excessive force — even though it would be “remarkable, if not miraculous” if there were not more instances where excessive force was used.

But finally, the report merely states that there is an irreconcilable distance between the contumelious of the NGOs and prisoners’ letters and the department’s denial that there are any but isolated instances of abuse. Leaving unanswered, therefore, the whole question of the use of force in the suppression of the riots and allegations of violence against prisoners generally, the report concludes only that, even if the department’s submissions are true, the future investigation of complaints still needs to be reformed so that prisoners can have faith in the system as such.

Prison reform is urgently needed in South Africa. Among the most urgently needed changes are those suggested by the commission, which should be implemented as a matter of priority. A process of increasing outside participation in the reform process is just beginning to get under way, with the department’s agreement to participate in a “Transformation Task Group”, suggested by several of the major NGOs in the field, organisations representing prisoners and ex-prisoners and the various unions of prison staff.

If the department makes such decisions without vigorous opposition, problems may be simply relocated rather than solved. The Kregler Commission’s recommendations, even if they do not go far enough, are an important spur to the development of a new culture of co-operation.

Bronwen Manby is a researcher in the Law Reform Department of Lawyers for Human Rights.
The children who were freed — but were they?

They've been out of the cells for three weeks — but some would prefer to go back to prison.

NEWTON KANEHMA

gets different opinions from juveniles who were among those transferred from prisons to places of safety.

Sixteen-year-old Mofamotsele (not his real name) praises his former mates. "The place is fine and it is up to us to make it a happy one," he tells them.

But his friends, from Soweto, a murder and attempted murder suspect, says he will not co-operate with the authorities because "this place is a creche. I want to go back to prison in Johannesberg."

"I don't want to live with kids. This place is a creche. I want to go to Sun City. At least there are men there."

"The place is the Magaliesberg Drug and Alcohol Rehabilitation Centre, 35 km north of Pretoria and the new home for 60 youths recently released from prison in terms of an amendment to the Correctional Services Act outlawing the detention of juveniles in prisons.

It contains drug and alcohol rehabilitation and now also serves as a place of safety and detention. Seventy of the centre's patients were moved to the neighbouring Magaliesberg Rehabilitation Centre to accommodate the juveniles escaping trial.

The new arrivals have started making demands and handing over ultimatums to their new keepers, claiming there is a major problem of transport to and from the centre.

"This place is not what we are in the middle of nowhere and there is no public transport coming to this place and our parents cannot visit us. Most of us have missed our court appearances because there was no transport to the courts," says a 15-year-old. Other children agree.

"Yes, we had a problem with transport, but this has been resolved. We have already talked to the court in question and the problem has been settled," says the deputy superintendent of the centre, Marius Venster. She also says the children have not been a problem in the three weeks since they were moved there.

However, on Thursday they went on "strike", refusing to eat until their demands were met: Police were called when things turned ugly. "We were told that we were not supposed to eat the breakfast."

Fast Three of our inmates defied the call and when they came out of the dining room they were attacked. "One had to be taken to hospital after he was beaten with a cup attached to a belt. The sto..."