

**Annual Report for the period 1 April 2003 to 31 March 2004**

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**Submitted to Mr Thabo Mbeki,  
President of the Republic of South Africa,**

**Mr Ngconde Balfour, Minister of Correctional Services**

**and**

**Ms Cheryl Gillwald, Deputy Minister of Correctional Services**

**by**

**The Inspecting Judge of Prisons  
Judge Johannes Fagan**

**in compliance with section 90 (4) of the  
Correctional Services Act 111 of 1998.**

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## **CONTENTS**

<b>1. INTRODUCTION</b>	<b>4</b>
<b>2. STATUTORY MANDATE</b>	<b>6</b>
<b>3. VISION</b>	<b>6</b>
<b>4. ORGANIZATIONAL OBJECTIVES FOR THE YEAR</b>	<b>6</b>
<b>5. STRUCTURE OF THE INSPECTORATE (AS AT 31 MARCH 2004)</b>	<b>7</b>
<b>6. STAFF COMPOSITION</b>	<b>8</b>
<b>7. STAFF TRAINING</b>	<b>8</b>
<b>8. APPOINTMENT OF INDEPENDENT PRISON VISITORS (IPVs)</b>	<b>9</b>
<b>9. REMUNERATION</b>	<b>9</b>
<b>10. EXPENDITURE</b>	<b>10</b>
<b>11. WORK OF INDEPENDENT PRISON VISITORS</b>	<b>10</b>
<b>11.1 Gathering information on prison conditions.</b>	<b>11</b>
<b>11.2 Trends in prisoner complaints</b>	<b>12</b>
<b>11.3 Complaints handled by IPVs during 2003</b>	<b>13</b>
<b>11.4 Visitors' Committees</b>	<b>14</b>
<b>11.5 Special Assistants and Research Partnerships.</b>	<b>14</b>
<b>12. HEALTH CARE</b>	<b>15</b>
<b>12.1 Deaths in prison</b>	<b>16</b>
<b>13. TURNOVER RATE OF PRISONERS</b>	<b>18</b>
<b>14. INSPECTIONS OF PRISONS</b>	<b>19</b>
<b>14.1 Current prisons infrastructure.</b>	<b>19</b>
<b>15. OVERCROWDING</b>	<b>21</b>
<b>16. SUGGESTIONS TO REDUCE OVERCROWDING</b>	<b>24</b>
<b>16.1 Awaiting-trial prisoners</b>	<b>24</b>

<b>16.2</b>	<b>Sentenced prisoners</b>	<b>26</b>
<b>17.</b>	<b>AWARENESS</b>	<b>26</b>
<b>17.1</b>	<b>The Department of Correctional Services (DCS)</b>	<b>28</b>
<b>17.2</b>	<b>The National Council for Correctional Services</b>	<b>28</b>
<b>17.3.</b>	<b>The Portfolio Committee on Correctional Services</b>	<b>29</b>
<b>17.4</b>	<b>The Jali Commission</b>	<b>29</b>
<b>17.5</b>	<b>The Law Society of South Africa and the Cape Law Society</b>	<b>29</b>
<b>17.6</b>	<b>NICRO</b>	<b>29</b>
<b>17.7</b>	<b>CSPRI</b>	<b>30</b>
<b>17.8</b>	<b>Other Organizations</b>	<b>30</b>
<b>18.</b>	<b>LITIGATION</b>	<b>31</b>
<b>19.</b>	<b>THE YEAR AHEAD</b>	<b>31</b>
<b>20.</b>	<b>APPRECIATION</b>	<b>32</b>
<b>21.</b>	<b>Name list of IPVs</b>	<b>33</b>
<b>22.</b>	<b>Overview of prison population.</b>	<b>38</b>

## 1. INTRODUCTION

Our Government has committed itself to work during the next five years for social upliftment. That would include job creation, housing, water, electricity, education, health services and recreational facilities.

That is excellent news. It should significantly contribute to reducing crime. According to data released by Statistics SA in March 2004, four out of every ten South Africans who want to work cannot find employment. A correlation is found in our prison population. 60% of the prisoners are young men under the age of 30. The crimes that they committed are 30% economic crimes and 50% aggressive crimes largely engendered by poverty and joblessness and the frustrations that they cause.

Our prisons are bursting at the seams. With space for 114 787 prisoners, 187 640 are crammed in. The result is at best problems with food, health, exercise, stress levels and rehabilitation. At worst prisoners are dehumanised, develop a grudge against authority and turn prisons into universities of crime.

On their inevitable release, the prisoners find it even more difficult to obtain employment as they carry the stigma of having been in prison. So they revert to crime to subsist and often end up back in prison.

We have to get away from the notion that imprisonment is the only answer to crime. Slogans such as “tough on crime” and “zero tolerance” may be popular, but are not only not reducing the crime rate, but could be increasing it.

Far too many people are in prison. 4 out of every 1000 South Africans are prisoners. We are one of the worst countries in the world in our use of imprisonment. Two thirds of the world's countries have imprisonment rates

of less than 1½ per 1000. The cost of keeping so many prisoners is enormous with a total cost to the State of about R20m per day.

We have to drastically reduce the number of prisoners so that meaningful rehabilitation programmes can be implemented. For a start there is the appalling number of awaiting-trial prisoners - 53 876 out of our total of 187 640 prisoners. These prisoners remain in prison waiting to be tried for an average of about 3 months, some for years. About 60% of them will not be convicted. Until their court appearance they just lie or sit all day in overcrowded cells without any instruction that could improve them. Unnecessary arrests by the police, unaffordable bail and delays in completing cases are the main causes. As regards the sentenced prisoners, use of alternatives to incarceration such as correctional supervision should be encouraged.

Social upliftment of communities with housing, jobs, health care, education, sporting facilities etc. is the way to go, starting in areas with the highest crime rates. Prevention of crime is the better option with incarceration for the serious offenders only.

A handwritten signature in black ink, appearing to read 'J J Fagan', with a stylized, cursive script.

**J J FAGAN**  
**INSPECTING JUDGE OF PRISONS**  
**31March 2004**

## **2. STATUTORY MANDATE**

The Judicial Inspectorate of Prisons (the Inspectorate) was established as an independent statutory body in terms of section 85 of the Correctional Services Act 111 of 1998 (the Act) to monitor the conditions in prisons and the treatment of prisoners and to report to the President and the Minister of Correctional Services. It was further mandated to appoint Independent Prison Visitors to visit prisoners and, should there be complaints, to try to have them resolved.

## **3. VISION**

To ensure that all prisoners are detained under humane conditions, treated with human dignity and prepared for reintegration into the community.

## **4. ORGANIZATIONAL OBJECTIVES FOR THE YEAR**

- 4.1 The Inspectorate started the year (1 April 2003) with Independent Prison Visitors (IPVs) in all 9 provinces. As IPVs were appointed for 2 years only (to maintain fresh links with the community and prevent institutionalization) those in the North West, Western Cape and Northern Cape had to be replaced and thereafter those in Kwazulu-Natal, Free State and Eastern Cape. That meant selection of and interviews with candidates.
- 4.2 The monitoring of IPV performance could be improved.
- 4.3 Ways of expediting the resolution of complaints were to be explored.
- 4.4 More effective use of the Inspection Unit of the Inspectorate was planned including an ongoing analysis of complaints received to identify trends and problem areas.
- 4.5 The Inspectorate had to continue with the development and implementation of the electronic reporting system preparatory to the

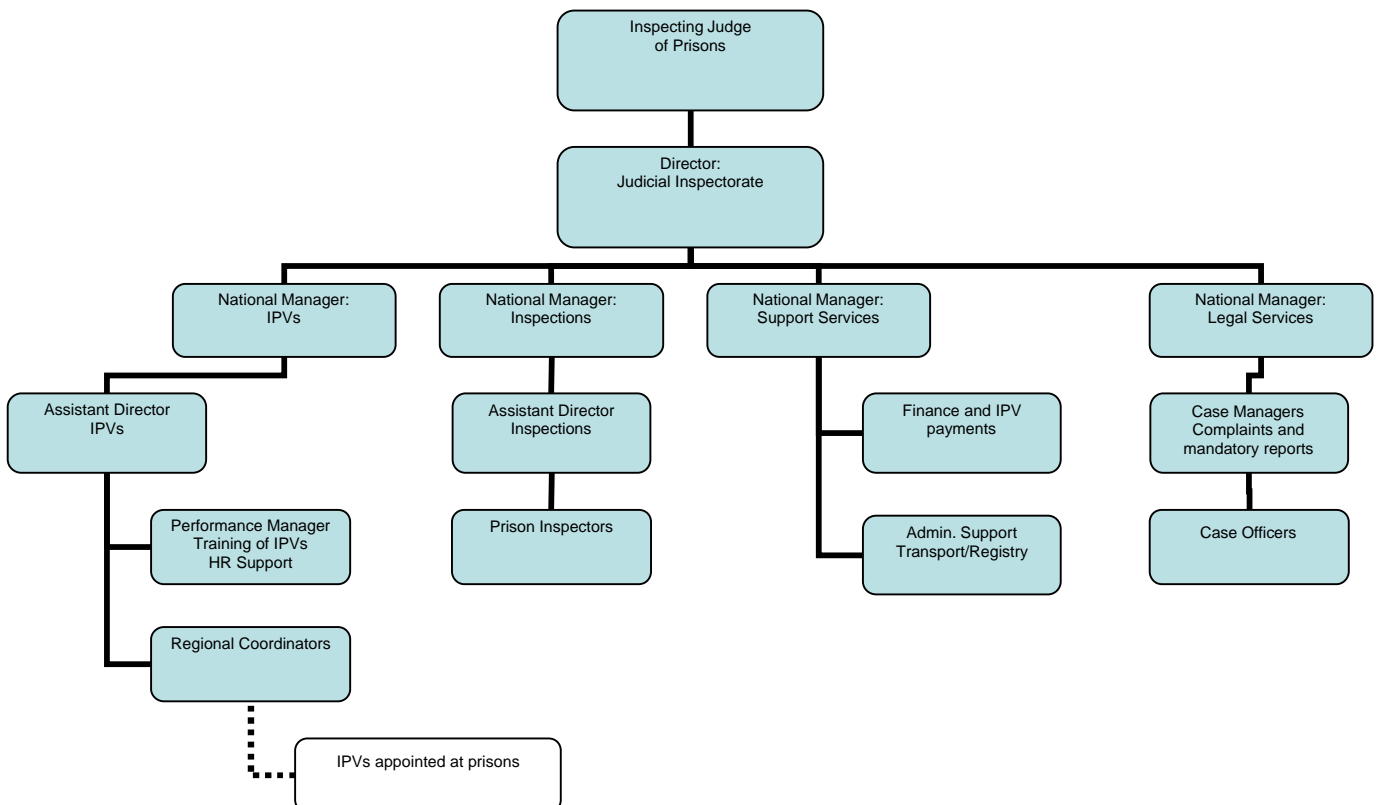
proclamation of further sections of the Act. Those sections require heads of prison to report to the Inspecting Judge deaths in prison, solitary confinement and segregation of prisoners and the use of mechanical restraints.

4.6 Combating overcrowding remained a priority.

## 5. STRUCTURE OF THE INSPECTORATE (AS AT 31 MARCH 2004)

The Inspectorate is organised into four Units namely the IPV Unit, the Legal Services Unit, the Inspectors and the Administrative Support Unit. These Units are individually and collectively responsible to achieve the strategic objectives of the Inspectorate, which are:

- To ensure that prisoners are treated humanely;
- To contribute to the improvement of conditions in prisons;
- To deal with complaints received from prisoners;
- To provide quality and accurate information about the conditions in prisons and the treatment of prisoners in prisons;
- To promote community involvement in correctional matters.



## 6. STAFF COMPOSITION

On 31 March 2004 the approved post establishment provided for the following staff to be appointed:

Post level	Posts	Salary level
Director	1	13
Deputy directors	3	11
Assistant directors	5	9
Inspectors/Case officers	10	8
Admin. support staff	28	7 and lower

The number of staff employed on 31 March 2004 was 42 with 233 IPVs. A balance in regard to gender and race is sought. In the office, there are 22 males, 20 females; 38 are from previously disadvantaged groups, 4 whites. Of the 233 IPVs, 126 are males, 107 females; 226 are from previously disadvantaged groups, 7 whites. This means that 47% of the members of staff are females and 91% are from previously disadvantaged groups. Of the IPVs 46% are females and 97% are from previously disadvantaged groups.

## 7. STAFF TRAINING

To advance the skills of staff members and improve efficiency, members of staff attended training courses, internal and external workshops and in-service training sessions.

This year a full skills audit will be conducted of members of staff to determine the training needs and priorities that exist in regard to improving their skills.

With the assistance of the South African Excellence Foundation, the Inspectorate embarked on the process of applying the South African Excellence model in order to measure its performance. All members of staff participated in the first phase namely the revision of the strategic plan of the Inspectorate.

The next phase is to reconsider the organizational priorities. Measures will be developed to obtain regular feedback about levels of service delivery and the results of the Inspectorate will be measured.

## **8. APPOINTMENT OF INDEPENDENT PRISON VISITORS (IPVs)**

IPVs are appointed on a fixed term contract of two years as independent contractors. During the year the Inspectorate called for nominations of people who were interested to be appointed as IPVs in the North West, Western Cape, Northern Cape, Kwazulu-Natal, Free State and Eastern Cape. This was necessary because in those provinces the terms of office of the IPVs had ended.

11 391 nominations were received. 606 interviews were conducted and 179 new IPVs appointed. These IPVs all received 3 days' induction training at a total cost of R 181 734. In addition to this training, the IPVs were also supported and provided with continuous in-service training by Regional Coordinators. This in-service training was provided especially during the conducting of performance audits of the work of individual IPVs.

## **9. REMUNERATION**

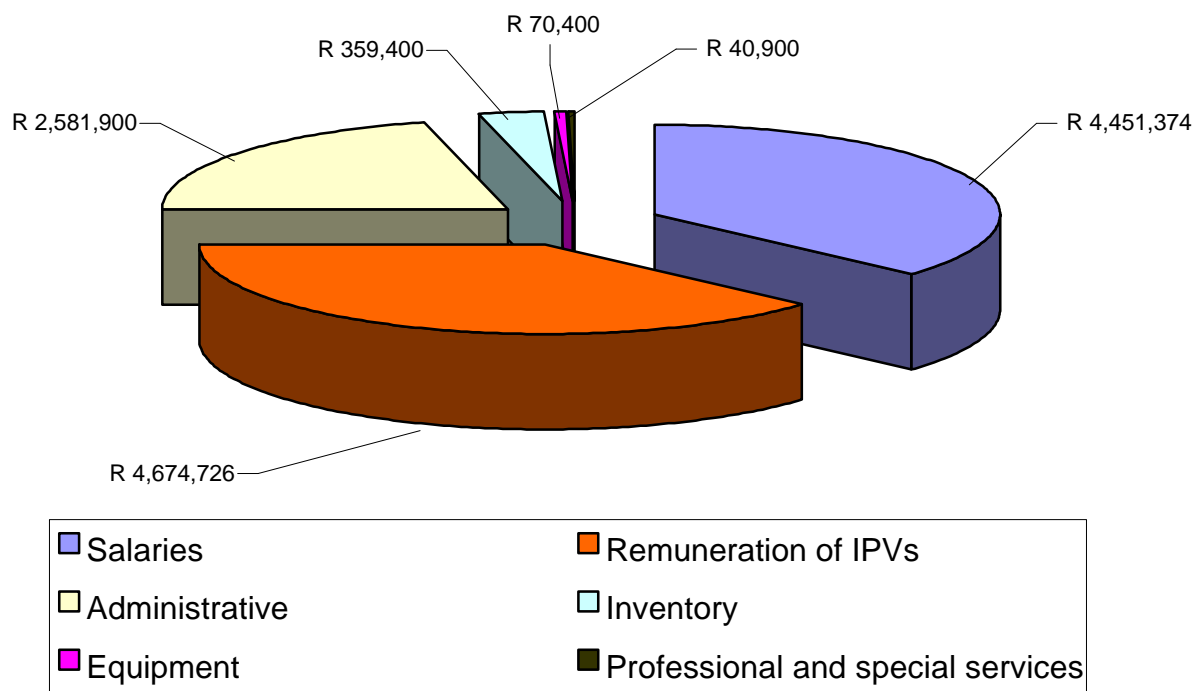
The rate of remuneration of IPVs was increased from R38.65 per hour to R50.41 per hour on 1 May 2003. The hours allocated to IPVs are calculated according to the size of the prison to which they are appointed varying between a maximum of 67 hours and a minimum of 14 hours. The average expenditure per IPV amounted to R1 672 per month.

The Public Service Act 103 of 1994 regulates the salaries and allowances of members of staff. The expenditure for salaries of staff and remuneration of IPVs amounted to R9 126 100. The cost of senior management came to 4.7% of this amount.

## 10. EXPENDITURE

The Department of Correctional Services (DCS) is, in terms of section 91 of the Act, responsible for the expenses of the Inspectorate. Adequate funds were made available by DCS to finance the needs of the Inspectorate. The total expenditure of the Inspectorate amounted to R 12.179 million.

**Total expenditure for 2003/2004**



In addition to the above-mentioned amount R 34 567.78 was received from the Foundation for Human Rights in South Africa in terms of a co-operation agreement, which is aimed at making funds available mainly for computer training of IPVs.

## 11. WORK OF INDEPENDENT PRISON VISITORS

The Inspectorate has been mandated by the Legislature to appoint Independent Prison Visitors (IPVs). The functions of IPVs include regular

**visits** to prisons, **interviewing** prisoners and **recording** the complaints received from prisoners.

During the appointment of an IPV, the number of visits to the prison and the number of interviews that have to be conducted on a monthly basis, are negotiated with that IPV. The purpose of this is firstly, to ensure that prisoners will have access to the IPV and secondly, to establish proper records of visits to prisons, interviews conducted and the number and nature of complaints received from prisoners.

All visits to prisons, every interview with a prisoner and the number and nature of complaints received are recorded in registers that are maintained by the IPVs and are also reported to the Inspectorate on a monthly basis as part of the electronic payment system. The integrity of the data supplied by IPVs is monitored and verified during the performance audits that are conducted at least quarterly. Last year a total of 402 audits were conducted of the work performance of IPVs.

### ***11.1 Gathering information on prison conditions.***

During the year 233 IPVs worked at the 241 prisons in South Africa. They collectively visited the prisons 8 595 times during which they spent 14 645 hours in prisons.

The 233 IPVs recorded 491 599 interviews with prisoners (*an average of 175 interviews per IPV per month*) and they received 155 721 complaints from prisoners.

In addition to dealing with individual complaints, mostly by means of discussion with the Head of Prison, the interviews conducted with prisoners also provide the Inspectorate with information about the prevailing conditions at a particular prison and on the treatment of prisoners at that prison. The information about interviews is reported monthly to the Inspectorate by the IPVs via the electronic reporting system.

After having interviewed this large number of prisoners (491 599) and having those interviews recorded by a person who is independent of the prison authorities (the IPV), the Inspectorate is in a good position to identify problems and trends in our prisons.

## **11.2 Trends in prisoner complaints**

In order to identify trends, IPV's have to categorize complaints into groups. Because of the individual nature of complaints and their diverse nature, it is not possible to categorize all complaints received from prisoners. Therefore the categories of complaints were determined based on the urgency or the priority of complaints or because of their frequency.

Urgent complaints are those in need of immediate attention, to be dealt with by the IPV without delay.

Priority complaints are those linked to the current strategic priorities such as corruption, assaults, bail, etc.

Frequent complaints are those most often received by the IPV's.

The number and nature of complaints received from prisoners provide an indication of the problems that exist generally and at particular prisons.

The following table provides information on the complaints received by IPV's in 2003. This information forms part of the Management Information System (MIS) developed by the Inspectorate. The MIS provides a record of the available information and ensures access to the data gathered by IPV's on an

### Examples of categories

#### Urgent complaints:

- Health Care
- Food
- Hunger strikes
- Medical release

#### Priority complaints:

- Assaults
- Corruption
- Inhumane treatment
- Bail

#### Frequent complaints:

- Transfers
- Communication with families
- Conversion of sentences

ongoing basis. This information can also be broken down further to reflect the position at any particular prison.

### 11.3 Complaints handled by IPV's during 2003

COMPLAINTS	RSA										Total:
	EC	FS	GP	KZN	LP	MP	NW	NC	WC	PP	
Appeal**	1,080	810	3,540	1,360	1,466	238	381	105	662	41	9,683
Assault (Inmate on Inmate)**	182	263	353	251	13	30	122	22	229	40	1,505
Assault (Member on Inmate)**	330	211	320	309	102	76	92	83	268	14	1,805
Assaults*	482	376	580	925	147	247	420	70	557	1	3,805
Bail**	813	942	1,121	1,142	351	376	281	200	582	66	5,874
Bail/Appeal *	1,086	1,158	3,112	1,358	574	1,076	395	479	646	2	9,886
Communication with Families**	1,975	568	2,990	1,160	913	753	495	229	1,232	23	10,338
Conditions	1,478	1,249	3,138	1,406	275	300	710	577	2,564	48	11,745
Confiscation of Possessions**	79	92	398	83	31	28	119	28	158	7	1,023
Conversion of Sentences**	147	113	612	167	51	90	117	18	129	21	1,465
Corruption**	19	133	290	48	11	32	72	21	79	0	705
Food	1,113	1,326	2,641	1,668	302	191	711	128	1,504	40	9,624
Health Care	3,048	2,227	5,024	1,928	1,031	597	2,076	532	2,820	46	19,329
Hunger Strike	25	58	162	24	7	4	13	7	28	0	328
Inhumane Treatment**	805	853	2,452	1,495	459	390	725	501	1,746	13	9,439
Legal Representation**	1,002	297	1,199	937	741	115	229	122	786	7	5,435
Mechanical Restraints	8	86	10	0	0	0	31	0	1	0	136
Medical Release**	51	71	176	66	33	5	30	11	51	1	495
Parole	2,697	854	3,866	1,379	895	375	510	202	1,542	16	12,336
Rehabilitation Programmes**	472	33	629	1,102	75	24	170	75	401	7	2,988
Remission**	73	55	259	81	14	23	67	16	83	0	671
Transfers	5,824	4,557	8,098	6,097	2,922	1,742	1,913	706	5,235	12	37,106
Other	4,268	5,705	28,780	14,841	6,815	5,840	5,060	2,769	11,295	153	85,526
<b>Total:</b>	<b>22,789</b>	<b>16,332</b>	<b>40,970</b>	<b>22,986</b>	<b>10,413</b>	<b>6,712</b>	<b>9,679</b>	<b>4,132</b>	<b>21,303</b>	<b>405</b>	<b>155,721</b>

*\*The categories of complaints were amended with effect from 1 June 2003 and these figures indicate the number of complaints received prior to that date. Those received after 1 June 2003 are indicated with a double asterisk.*

The most common complaint from prisoners during 2003 was about transfers, followed by health care, appeals, parole and bail.

The information makes it possible to identify the prison with the highest assault or death rate or the prison with the most complaints about corruption, etc. It provides the opportunity to deploy available resources where most needed. It also provides information necessary to proactively improve policy and procedures aimed at reducing complaints of a specific nature (for

example that all prisoners should be interviewed before being transferred in order to address the high volume of complaints about transfers).

#### **11.4 Visitors' Committees**

36 Visitors' Committees have been set up in compliance with section 94 of the Act. The IPVs appointed to a specific area attend such Visitors' Committee meetings once per month. The Regional Coordinators also attend these meetings to support IPVs in the execution of their duties and to advise them on best practices when dealing with prisoner complaints. The Visitors' Committee meetings have proven to be an effective forum to involve other State Departments (Justice, SAPS, etc.), NGOs and other organizations involved in correctional matters.

During the year 342 Visitors' Committee meetings took place with a 93% attendance by IPVs.

#### **11.5 Special Assistants and Research Partnerships.**

To effect change in problem areas, the Inspectorate needs more detailed information to what is provided by the MIS. Such information can be obtained via the services of Inspectors, Special Assistants or by means of Research Partnerships with Universities, NGO's, etc.

The Inspectors are currently engaged in analysing the information received from IPVs. This will assist them to determine priority areas for inspections.

Section 87 of the Act allows for the appointment of Assistants to the Inspecting Judge "to assist in the performance of his or her duties". The appointment of special assistants with the appropriate qualifications will enhance the ability of the Inspectorate to deal with complaints about e.g. health care.

Research Partnerships with organisations such as Universities, NGOs or even other organs of the State such as the SAHRC, the ICD etc., will ensure

access to the necessary expertise and contribute to the establishment of partnerships that will promote a joint acceptance of the responsibility to have some of the problems addressed.

Reports could be made available to the Minister and Deputy Minister of Correctional Services, the Portfolio Committee on Correctional Services, the National Commissioner of Correctional Services, the National Council on Correctional Services or any body or person interested.

## **12. HEALTH CARE**

Medical treatment to prisoners is guaranteed by the Bill of Rights with details spelt out in the Act. It is primary health care services that are to be provided in line with the requirements of the National Department of Health. The care is given by doctors appointed by the Provincial Departments of Health. Nurses are in the employ of DCS.

IPVs received many prisoner complaints (19 329) about health care in 2003. It was the second highest cause of complaints after requests for transfers to other prisons. These complaints ranged from access to medical treatment, treatment not effective or not received as prescribed, negative attitude of medical staff, requests to see a specialist or for dental treatment required. In addition to these, 495 complaints were received from ill prisoners who applied to be released on medical grounds.

HIV/AIDS in prisons, as in the community outside, is a major problem. About 58% of prisoners are young men below the age of 30, a segment of society who is sexually active and prone to take more risks than older men. As will be noted from the graph below indicating natural deaths in prison, they are still rising and the increase can fairly be attributed to HIV/AIDS and the opportunistic diseases that follow in its wake.

DCS has produced a detailed policy document on the management of HIV/AIDS.

It does not provide for compulsory testing and segregation of those infected which reflect the views of the Inspectorate also.

As the prisons are dependent on the National Department of Health for health care, the availability of anti-retroviral drugs is awaiting the national roll-out.

Overcrowding is the scourge that also affects health care. The circumstances in which prisoners are held are conducive to the spread of disease. Shortages of doctors, nurses and medicines are experienced in dealing with the huge number of prisoners.

### **12.1 DEATHS IN PRISON**

The Inspectorate reported in 2000 that the number of so-called natural deaths has escalated at a rate much higher than the escalation in prisoner numbers. The figures indicated an escalation of 584% during the period 1995 to 2000, bringing the number of natural deaths in 2000 to 1087. This trend continued and in 2003 a total of 1683 natural deaths was recorded.

During 1995 the natural death rate was 1.65 deaths per 1000 prisoners. This rate now stands at 9.1 deaths per 1000 prisoners.

Deaths per 1000 prisoners	Natural Deaths
National Stats.	9.1
Private Prisons	11.6
EASTERN CAPE	6.1
FREE STATE	12.7
GAUTENG	11.1
KWAZULU-NATAL	13.7
LIMPOPO	4.7
MPUMALANGA	8.7
NORTH WEST	9.3
NORTHERN CAPE	5.0
WESTERN CAPE	2.7

In addition to the natural deaths, 56 unnatural deaths were recorded for 2003. That includes 4 deaths as a result of assaults and 16 suicides.

It is not only sentenced prisoners who are dying. Of the 1 683 natural deaths recorded, 389 were of awaiting-trial prisoners. An awaiting-trial prisoner in the final phase of a terminal disease may be released by the judge

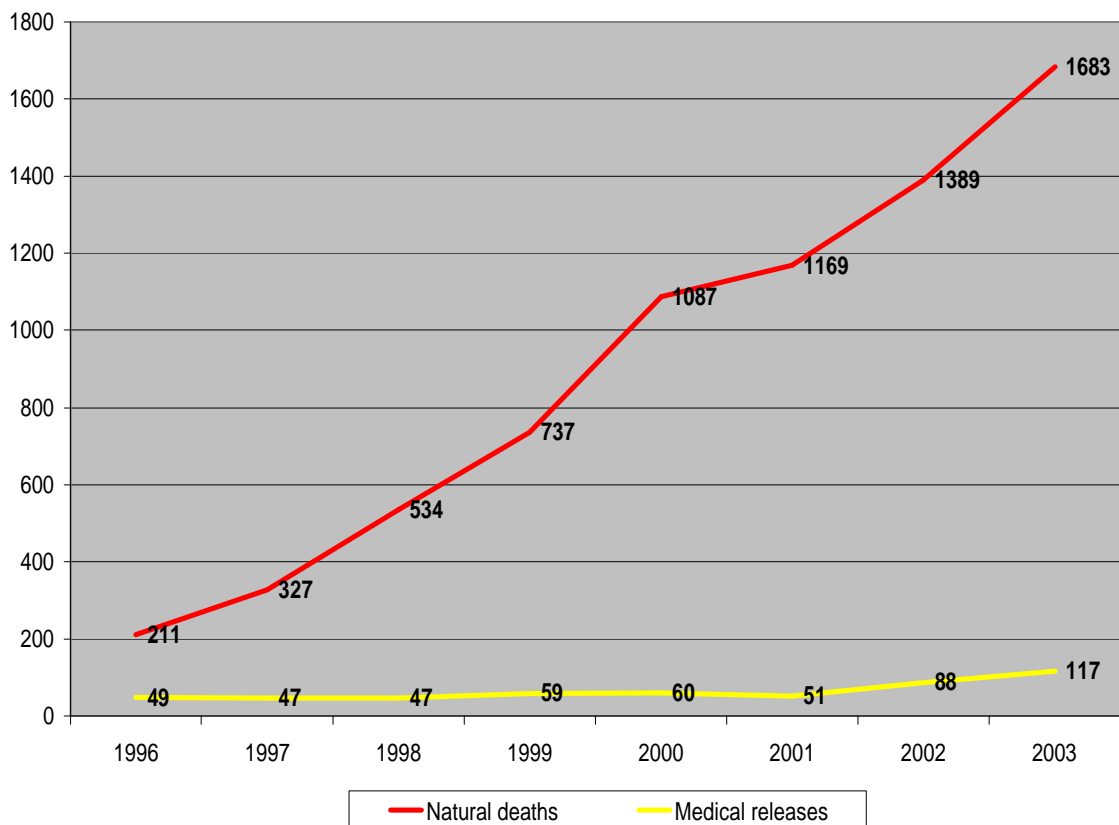
or magistrate who committed him to prison on such conditions as deemed necessary for example supervision by a correctional official. Sentenced

prisoners may be placed on parole on medical grounds at any time by the Commissioner of Correctional Services on recommendation of a medical officer.

More use of these provisions for the release of terminally ill prisoners is called for. As such prisoners are released on parole, they can be brought back to prison should they happen to recover from their illness. Court applications should not be necessary. On 4 August 2003 the Cape High Court (Judge Van Zyl) ordered a prisoner to be released from Helderstroom Prison on medical evidence that he had but 3 to 9 months to live due to inoperable lung cancer. On 15 March 2004 the Transvaal High Court (Judge Patel) ordered the release of another terminally ill prisoner.

During 2003 only 117 (7%) of the terminally ill prisoners were placed on medical parole and although it is up from 88 prisoners in 2002 it is still proportionally much lower than the 23% in 1996.

### Natural deaths and medical releases



### 13. TURNOVER RATE OF PRISONERS

There is a high turnover rate of prisoners, i.e prisoners admitted to and released from our prisons. As will be seen from the table “RELEASES DURING 2003” below, more than 25 000 prisoners were released from prison every month and the same number received from the courts.

Some spent a short time in prison, like the “Fine paid” and “Awaiting-trial bail paid” categories (about 1 000 and 3 500 per month respectively); some spent on average 3 months in prison, such as the “Awaiting-trial to court, not returned from court” category (about 16 500 per month). Others might have spent years in prison, such as the “Sentenced prisoners on sentence expiry date” (about 1 500 per month) and the “Parole board prisoners” i.e prisoners who were sentenced to more than 2 years (about a 1000 per month). “Parole non-board prisoners” refer to prisoners with a sentence of less than 2 years (about 1000 per month).

<b>RELEASES DURING 2003</b>	
<b>Type of Release</b>	<b>Total</b>
MEDICAL	117
BAIL PENDING APPEAL	345
DEPORTATION/REPATRIATION	1 827
DETAINEES	2 873
WARRANT OF LIBERATION	4 617
AWAITING-TRIAL TRANSFERRED TO SAPS	5 917
PAROLE BOARD PRISONERS	11 304
FINE PAID	12 423
PAROLE NON-BOARD PRISONERS	13 148
SENTENCED PRISONERS ON SENTENCE EXPIRY DATE	18 980
AWAITING-TRIAL BAIL PAID	44 174
AWAITING-TRIAL TO COURT NOT RETURNED FROM COURT	199 058
<b>TOTAL:</b>	<b>314 783</b>

*Prisoner only counted once per release.*

*Release date between 01Jan and 31 Dec 2003.*

A disturbing figure is the “Awaiting-trial to court, not returned from court” category which came to about 16 500 per month. This refers to persons who were arrested, appeared in court and were sent to prison to await their trials. On average they wait in prison for 3 months. Then on their appearance in

court, the charge is withdrawn or the matter disposed of in some other way, and the prisoner released. Why these people were arrested and held, at a cost of more than R1.5 million per day, is puzzling. Would not a warning to appear have been sufficient? It does seem that very many unnecessary arrests are made.

## **14 INSPECTIONS OF PRISONS**

During the year, 15 prisons were visited by Judges, 27 by groups of Attorneys, 51 by Inspectors and 26 by the Inspecting Judge. That is besides the 8 595 recorded visits to prisons by IPV's and Regional Coordinators. There were also visits by Magistrates and Prosecutors and by Religious Leaders representing the various religions practised in South Africa.

66 Attorneys on International Human Rights Day, 16 December 2003, carried out inspections in 27 prisons situated throughout the country. They produced a report. They did this without charge on a pro bono basis and deserve our appreciation. In their report they dealt separately with each prison. Virtually every prison had to cope with overcrowding which led to a litany of problems including gangsterism, contagious diseases, emotional stress of prisoners and staff causing low morale, inadequate ablution facilities, rehabilitation and educational courses hampered by the overcrowding, prisoners being kept in cells for many hours due to lack of staff to guard them when out of the cells.

In April 2003 cells that were designed for 38 prisoners in Johannesburg Medium A Prison were crammed with 101 awaiting-trial juveniles, with a single toilet that at 10am was not flushing because the watertank had run dry. There was also no water to drink at that hour.

### ***14.1 Current prisons infrastructure.***

Our 241 prisons differ from one another. There are small ones, such as Uniondale with a capacity for 24 prisoners, there are large ones, such as Modderbee with a capacity for 2 993 prisoners.

There are 8 prisons for females only, 72 prisons accommodate males and females and 137 prisons accommodate males only. There are 13 youth facilities where sentenced children (under 18 years) and juveniles (18-21 years) are kept. Most children and juveniles, both awaiting-trial and sentenced, are kept in ordinary prisons but apart from adults.

There are two private prisons, Kutama-Sinthumule at Makhado (Louis Trichardt) with 3 024 prisoners, and Mangaung at Bloemfontein with 2 928 prisoners.

There are 20 farm prisons providing for a variety of agricultural products for the consumption of mainly prisoners.

Most prisons provide accommodation in the form of communal cells accommodating between 2 to 90 prisoners per cell. Single cells are also provided for and at many prisons 2 and in some cases 3 prisoners are kept in a single cell because of severely overcrowded conditions.

Awaiting-trial prisoners (53 876) are kept apart from sentenced prisoners (133 764). The sentenced prisoners are graded as non-board, minimum, medium and maximum and each category held separately. There are about 33 000 Correctional Officials running our prisons.

The two private prisons are model prisons. They are owned and operated by two different companies, one with British links, one with North American links. The State pays on the basis of the number of prisoners held.

In both these prisons, the prisoners are kept busy constructively. There are literacy and other educational courses. Trades are taught. There is provision for exercise. There is no smuggling of drugs and gangs do not operate there. One of the main reasons for the success of these two prisons is that there is no overcrowding. The prisons are designed to operate on a certain number of prisoners and that is the number they receive.

The 238 State prisons have to cope with overcrowding (4 prisons are temporarily closed for repairs and renovations). A few prisons (28) hold the numbers they were designed for, but the large majority have many more prisoners than their capacity. The worst is Thohoyandou Female with a capacity for 134 but holding 517 prisoners i.e. 386% occupation. With such overcrowding, it is exceedingly difficult to control what is happening in the cells during the lock up hours (often from 3pm to 6am). Meaningful rehabilitation is almost impossible under such conditions.

## 15. OVERCROWDING

Our Bill of Rights guarantees to prisoners the right “to conditions of detention that are consistent with human dignity, including at least exercise and the provision, at state expense, of adequate accommodation, nutrition, reading material and medical treatment”. (Act 108 of 1996 s35 (2)(e)). Such right is continuously being infringed in our prisons. Blame does not attach to the Correctional Officials. It is due to the awful conditions created by overcrowding and the Correctional Officials have no say in how many prisoners are sent to their prisons by the courts.

### 10 most overcrowded prisons 31 March 2004

Prison	Built to accommodate:	Actual number of prisoners	% Overcrowded
Lusikisiki	148	422	285%
Modimolle	341	988	290%
Mount Ayliff	85	250	294%
Middledrift	411	1 325	322%
Johannesburg Med. B	1 300	4 256	327%
Mount Frere	42	142	338%
Uniondale	24	82	342%
Umtata Med.	580	2 108	363%
Durban Med. C	671	2 480	370%
Thohoyandou Female	134	517	386%

The solutions are either to build more prisons or to reduce the number of prisoners. Four new prisons housing 3 000 prisoners each, are planned. But that will not solve the overcrowding crisis. We have to reduce the number of incarcerations. We are one of the worst countries in the world in our use of

imprisonment. 187 640 prisoners in a population of 46 million (mid 2003 estimate) amount to over 4 out of every 1000 South Africans being in prison. 65% of all countries have incarceration rates of 1½ or less per 1000. The cost of incarceration is enormous. During 2002/2003 the cost amounted to R7 115 101 000, that is R19½ million per day. As pointed out earlier, because of the conditions in our prisons, we are not effectively curbing crime by locking up so many people. On the contrary, we are creating criminals because of the conditions they are subjected to.

There is one answer only. We must reduce our prison population drastically. At least from the present 187 640 to say 120 000 (which would be equivalent to 2.6 per 1000 which is still high). Our prison population of 187 640 consists of 53 876 awaiting trial prisoners and 133 764 sentenced prisoners. That there are so many awaiting-trial prisoners is appalling. 20 000, which was about the number held in 1995, should be our immediate aim.

Awaiting-trial prisoners are persons arrested by the police, taken before court and then sent to prison to await their trials. In age they range from 7 to over 50 years of age. They are kept in prison on average 3 months, some for years. On 31 March 2004 there were 3 883 awaiting trial prisoners who had waited for between 1 and 2 years and 1 324 who had waited for more than 2 years.

When they come to court, many cases are withdrawn. Only about 40% of those awaiting-trial will eventually be convicted.

Why are there so many prisoners awaiting trial? One of the reasons is unnecessary arrests by the police. More than 16 500 cases would appear to be withdrawn each month after the accused had waited on average 3 months in prison. Arrest should be used only if a notice to attend court would not be effective.

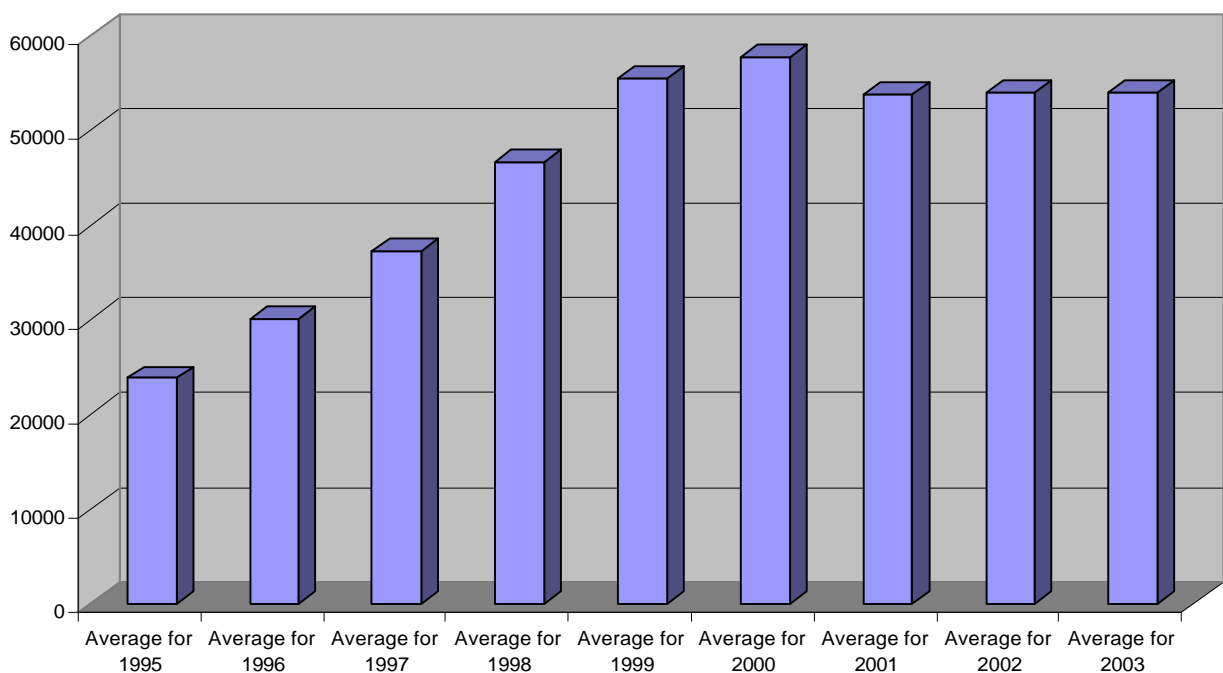
Another reason is the fixing of bail at an unaffordable amount. Once a court has decided that an accused can await his trial outside prison, it should not

thwart its own intention by fixing bail at a sum the accused cannot afford. The Attorneys' Report mentions a case where a person accused of stealing 3 mangoes, was jailed because his bail was fixed at R500 which he could not pay. Also where a person accused of crossing railway lines, was required to pay R1000 as bail, which he could not do. There are about 13 000 prisoners who cannot afford the bail set and are being held in prison only because of their poverty.

Unnecessary remands of cases is another reason for the delays in concluding cases. In 1995 about 4 300 awaiting-trial prisoners were held for more than 3 months, now there are 21 883 such prisoners.

There is however some good news in that the awaiting-trial prisoner numbers have come down since the year 2000 and are no longer growing. See graph below. Every endeavour should be made to reduce the number to 20 000.

### Unsentenced Prisoners

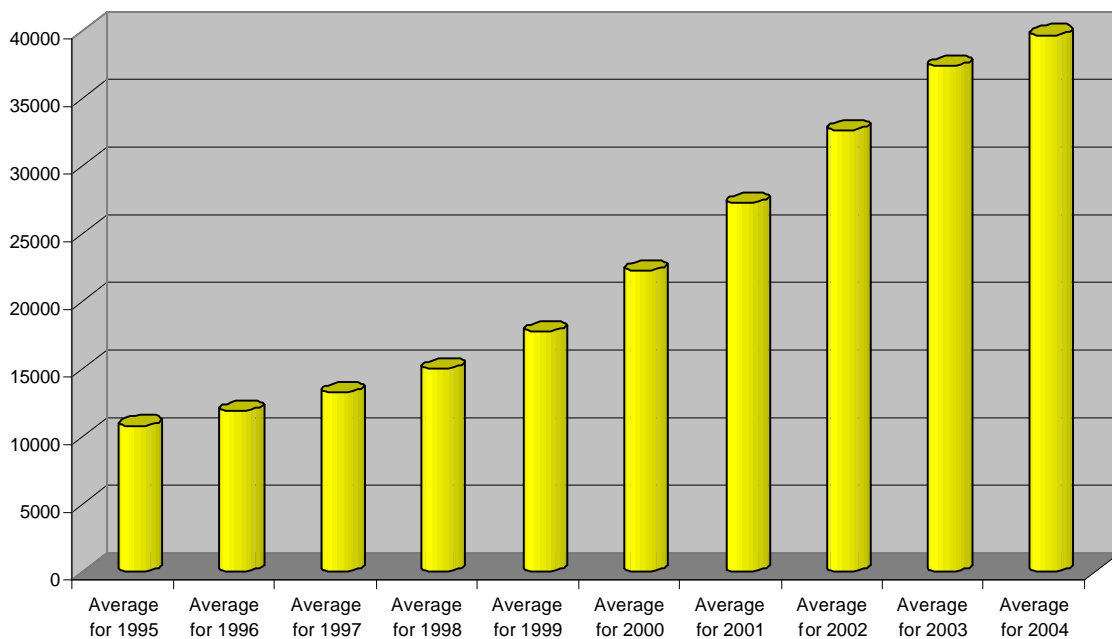


The other cause of the overcrowding is the growth in the number of sentenced prisoners. It has steadily increased from 92 581 in January 1995 to 133 764 on 31 March 2004. Solutions are the greater use of diversion and of the many alternatives to incarceration.

The minimum sentence legislation which was introduced in 1997 as an emergency measure, should now be repealed. It also contributes to the overcrowding. See graph below demonstrating the increase in the number of prisoners who are serving a prison sentence of 10 years and longer (excluding the 4 860 prisoners serving a life sentence)

Our aim should be a maximum of 100 000 sentenced prisoners.

**Longer than 10 Years**



## **16 SUGGESTIONS TO REDUCE OVERCROWDING**

### **16.1 AWAITING-TRIAL PRISONERS**

1. More pre-trial diversion, not only for juveniles;
2. Encourage police not to arrest suspects if not necessary;
3. Increased use by police of written notices to accused to secure attendance at trials (s56 of the Criminal Procedure Act 51 of 1977 (CPA));
4. Increased use by prosecutors of summonses to secure attendance at trials (s54 of CPA);
5. Increased use by police of their powers to release arrested persons on warning or on bail;

6. Increased use by police, prosecutors and clerks of the court of the procedure of admission of guilt and payment of a fine without a court appearance;
7. Increased use of plea bargaining in all types of cases;
8. More assistance by investigating officers to prosecutors to enable them to place adequate information before courts for determining whether it is necessary for an accused to be detained pending trial;
9. Should it not be necessary for an accused to be detained, and should release on warning not be acceptable, more assistance from the police and prosecutor to determine affordable bail;
10. Encourage magistrates to play an active role in bail applications (Limitations placed on magistrates' discretion to grant bail, should be repealed);
11. Should an accused not be in a position to pay or guarantee to pay bail, and release on warning be inappropriate, increased use of placement under supervision of a correctional official (s62(f) of CPA) and children to be placed in the care of parents or guardians or held in places of safety;
12. Encourage use of police cells instead of detention in overcrowded prisons;
13. Promote liaison between prosecutor and head of prison so that the prosecutor will know what to suggest to the court;
14. Weekly audits of prisoners who have not paid bail with the view to reviewing the amount or assisting them to contact family;
15. Implement specialised bail courts to fast track bail applications,
16. Consideration, when an accused appears on a remand date, of alternatives to further imprisonment;
17. Less leniency to requests from the defence for postponements;
18. Less leniency to requests from prosecutors for postponements. A struck-off case can always be re-instated;
19. Encourage prosecutors to withdraw trivial cases, weak cases and cases where accused had been awaiting trial for an excessive period. A withdrawn case can always be reopened;

20. Encourage prosecutors to decide as early as possible whether to withdraw cases so as to avoid unnecessary incarceration;
21. Have cases prioritized where accused are in custody;
22. Encourage magistrates and prosecutors to visit prisons in their areas to stay abreast of conditions;
23. Encourage use of the monthly Integrated Justice Forum meetings to discuss solutions to overcrowding.

## **16.2 SENTENCED PRISONERS**

1. Encourage use of diversion, not only for juveniles;
2. Encourage use of non-custodial sentences viz.
  - (a) Postponed sentences with or without the conditions set out in s297 (1)(a)(i) of CPA e.g. compensation to the victim in money or service, community service and submission to instruction or treatment;
  - (b) Suspended sentences with or without conditions;
  - (c) Discharge with a reprimand (the conviction is recorded as a previous conviction);
  - (d) Affordable fines and the use of the provisions of the CPA for the recovery of fines;
  - (e) Community based sentences under correctional supervision,
  - (f) Periodical imprisonment for a certain number of hours to be served over weekends (s285 of CPA);
3. Encourage use of shorter periods of imprisonment (Minimum sentence legislation should be repealed and judges' and magistrates' discretion restored);
4. Encourage applications by the Commissioner for conversion of imprisonment into correctional supervision (s276A of CPA);
5. Use of victim compensation (s300 of CPA) as an alternative to fines or imprisonment,

## **17. AWARENESS**

The year under review, 1 April 2003 to 31 March 2004, was the fifth year since the establishment of the Judicial Inspectorate of Prisons on 1 June

1998. Parliament created it to watch over our prisons and to keep the Government and the public aware of the conditions under which prisoners are held. It was also mandated to help solve prisoners' problems by means of Independent Prison Visitors.

On both the creation of greater awareness of what occurs behind prison walls and the solution of prisoner complaints, the year was a remarkable one. DCS allowed considerable access to prisons to interested persons and the media. The then Minister and the Commissioner paved the way at Imbizo gatherings in prisons attended by the public, starting in Johannesburg on 7 April 2003.

Conferences and workshops on prison matters were organised by NGOs and Government agencies. There were TV programmes, radio interviews and discussions, newspaper and magazine articles, talks to interested groups and the presentation of the Prison Visits Report by the Law Society of South Africa on 26 March 2004.

Knowledge that numerous of our prisons are severely overcrowded leading to awful conditions for prisoners, and that the solution does not lie in building more prisons but in reducing the number of prisoners, was generally gained. It led to a determined effort by prosecutors, magistrates, judges and correctional officials to reduce the inflow of prisoners and the numbers of those held, especially those awaiting trial. The Minister also sanctioned early release on parole of certain prisoners.

That collective effort is paying off. For the first time since 1995 our prison population has not only not increased, but come down. On 31 March 2003 there were 189 748 prisoners consisting of 58 144 awaiting trial and 131 604 sentenced prisoners. On 31 March 2004 there were 187 640 prisoners consisting of 53 876 awaiting trial and 133 764 sentenced prisoners. It is still a long way to go to an acceptable total of about 120 000 prisoners, but a start has been made.

Thanks are due to the many concerned people who are helping to achieve that goal and thereby to make our prisons habitable. Likewise thanks to the Independent Prison Visitors and all those concerned people who are striving to make prison conditions more conducive to rehabilitation.

### ***17.1 The Department of Correctional Services (DCS)***

The Judicial Inspectorate has received full cooperation from DCS during the year. Our 233 IPVs, our 8 Regional Coordinators and our Inspectors were at all times welcomed to visit any part of any prison and to freely conduct interviews with prisoners.

DCS deserves special commendation for this policy of openness and assistance towards the Inspectorate.

There was considerable restructuring in the management of DCS during the year. Instead of 9 separate management areas, there are now 7 after amalgamation. The nomenclature has also changed. Prisons are referred to as Correctional Centres to emphasise the philosophy of rehabilitation as the goal of incarceration.

A white paper has been produced and workshopped by DCS. It sets out the aims of DCS in some detail. It is planned to bring all the provisions of the Act into operation by August 2004.

### ***17.2 The National Council for Correctional Services***

This body with its knowledgeable membership advises the Minister in developing policy in regard to the correctional system. The Inspecting Judge attends meetings on invitation of the Council.

Of special interest is its endorsement of the introduction of electronic monitoring for prisoners, both awaiting-trial and sentenced. It co-hosted with the Judicial Inspectorate a workshop for Regional Court Presidents and Chief Magistrates to discuss overcrowding and the impact of long sentences.

### **17.3. *The Portfolio Committee on Correctional Services***

The Judicial Inspectorate during 2003 attended two constructive meetings with the Portfolio Committee on Correctional Services. Its interest and support are appreciated.

### **17.4 *The Jali Commission***

The Commission which was appointed in 2001 to investigate allegations of corruption in our prisons, continued its work at various prisons during the year. It hopes to conclude its investigations and report by November 2004. Thereafter, subject to the recommendations of the Jali Commission, it would be the task of the Anti-Corruption Unit of DCS to ensure clean administration.

### **17.5 *Law Society of South Africa and Cape Law Society***

For three consecutive years attorneys have, under the auspices of the Law Society of South Africa, carried out prison visits to mark International Human Rights Day on 10 December. This year 66 attorneys visited 27 prisons. Their report was handed over to the Ministry of Correctional Services and to the Inspectorate on 26 March 2004.

The first pro bono joint venture agreement was signed between the Cape Law Society and the Inspectorate subsequent to the release of the Attorneys' Prison Report. In terms of this agreement, the Cape Law Society has undertaken to provide at least 3 days pro bono service per registered attorney for the Western Cape, the Eastern Cape and the Northern Cape.

### **17.6 *NICRO***

The National Institute for Crime Prevention and the Reintegration of Offenders has this last year again made a big contribution to keeping especially juveniles out of prison. Various diversion programmes are in operation in all nine provinces. There are also the Offender Reintegration Programme, Victim Support Centres, the Creative Arts Competition (in prisons) and numerous other initiatives. On 1 and 2 October 2003 NICRO hosted a National

Symposium entitled “Offender Reintegration is a Crime Prevention Strategy”. It was NICRO with the Legal Resources Centre that brought the successful application in the Constitutional Court to affirm the right of sentenced prisoners to vote.

### **17.7 CSPRI**

The Civil Society Prison Reform Initiative is a collaborative partnership between NICRO and the Community Law Centre of the University of the Western Cape. It was launched on the 4 June 2003. It focuses on prison reform and promotes civil society participation in the reform process aimed at improving the state of our prisons.

Publications during 2003 included “Prisoners’ Rights Litigation in South Africa since 1994 - A Critical Evaluation”, “Overview of Policy Developments in South African Correctional Services, 1994 to 2002” and “A Review of Civilian Oversight over Correctional Services in the Last Decade”.

### **17.8 Other Organizations**

Significant contributions to improving the lot of our prisoners were made by various other bodies in different ways, inter alia

- The Alliance for Crime Prevention
- Business Against Crime
- The Bureau for Justice Assistance (plea bargaining)
- The Centre for Conflict Resolution
- The Centre for the Study of Violence and Reconciliation
- The Child Justice Forum
- CRED (Creative Education with Children and Youth at Risk),
- The Institute for Security Studies
- The Legal Aid Board (adopt a prison project)
- The Legal Resources Centre
- The Lower Court Management Committee
- The National Prosecuting Authority

- The Open Society Foundation for South Africa
- The President's Award Programme
- The South African Human Rights Commission

## **18. LITIGATION**

Besides the vote case and the orders to release terminally ill prisoners mentioned above, Judge Bertelsmann in Pretorius vs Minister of Correctional Services on 21 January 2004 reaffirmed the rights of awaiting-trial prisoners. They retain all the basic rights and liberties of ordinary citizens except those taken away by law, expressly or by implication, or those necessarily inconsistent with the circumstances in which the prisoners had been placed.

In S vs Zuba at the instance of a magistrate who was upset at juveniles sentenced to a reform school being held in prison, Judge Plasket in February 2004 ordered The Department of Education in the Eastern Cape to provide such school.

## **19. THE YEAR AHEAD**

The Judicial Inspectorate is looking forward to interacting with the new Minister and Deputy Minister of Correctional Services, as well as with the new Portfolio Committee on Correctional Services. There are many ways in which the lives of prisoners can be improved to be explored.

The Inspectorate, because of the demand, intends opening a regional office in Centurion. That should ensure more rapid attention to prisoners' complaints.

When sections 15, 25, 30 and 31 of the Act are put into operation (as planned for August 2004), the Inspectorate will also have to handle the thousands of reports on deaths, solitary confinement, segregation and mechanical restraints. The Inspectorate must position itself to be able to do so well and expeditiously.

The electronic reporting system used by IPVs and heads of prison to communicate with the Inspectorate, will be reviewed with the aim of making it more effective.

A proper analysis of the information received from IPVs, inspectors and others is planned so as to detect trends in the treatment and conditions of prisoners, which can then be dealt with.

Combating overcrowding remains a priority. New ways of doing so are to be explored.

## **20. APPRECIATION**

The Director and Staff of the Inspectorate and the IPVs are thanked for sterling work done. Their devotion to duty and their constant efforts to improve the lives of our prisoners, deserve recognition.

Special thanks are also due to the outgoing minister, Mr Ben Skosana, for his vision and cooperation. The Commissioner and DCS personnel are thanked for their support in facilitating the work of the Inspectorate.

A handwritten signature in black ink, appearing to read 'JJ Fagan', with a large, sweeping flourish above the name.

JJ FAGAN  
INSPECTING JUDGE OF PRISONS  
31 MARCH 2004

## 21. Name list of IPVs

<b>EASTERN CAPE REGION</b>	
CRADOCK	LEKONYANA, TSELISO ERNEST
DORDRECHT	ELEFU, SPITI MBULELO
GRAAFF-REINET	LANGVELDT, LAUREN-LYNN RUNIQUE
MIDDELBURG (EC)	FEKENISI, LULAMILE GLADMAN
SOMERSET EAST	MBUNGE, VUSUMZI GORDON
EAST LONDON MED. A	KWEKWANI, TANDEKA LEONORA
EAST LONDON MED. B	MAGENGELELE, AYANDA
EAST LONDON MED. C	NYANGANE, ZINGISA
MDANTSANE	NTSASA, NOMFUNDISO
KIRKWOOD	MBAMBO, LENNOX LUZUKO
BIZANA	ZWAYI, TOKOZILE PRUDENCE
FLAGSTAFF	HLAMANDANA, ALTON MZIKAYISE
MOUNT FLETCHER	NTANJANA, NIGHTINGALE NOSICELO
MOUNT FRERE	LUDIDI, KHUSELWA NAMHLA
FORT BEAUFORT	NGQOBONGWANA, BONISILE LIVINGSTONE
GRAHAMSTOWN	CLAASSEN, DAVID BOYCE
KING WILLIAMS TOWN	DIKE, MONGAMELI
MIDDLEDRIFT	HELA, NOXOLO
BARKLY EAST	PHALA, KWEDINANA THAMSANQA
BUTTERWORTH	MKIVA, BONGANI
ELLIOTDALE	GWAMA, HOPEWELL NCEDO
IDUTYWA	NGANTWENI, NOSISA
QUEENSTOWN	TWALA, PRIMROSE BADIKAZI
SADA	WALAZA, VIRGINIA NOKUZOLA
STERKSPRUIT	DYASI, PHUMLA
WILLOWVALE	MHAGA, MZIKABAWO AMON
PATENSIE	SCREECH, NZALISEKO MATTHEW MCBRIDE
PORT ELIZABETH	KULATI, MICHAEL THEMBEKILE
ST. ALBANS MAX.	STEVENS, CEDRIC BRIAN
ST. ALBANS MED. A	DAWETI, NOMTHANAZO THELMA
ST. ALBANS MED. B	MANCAYI, NOXOLO
ST. ALBANS MED. B	JONGISA, MENZI
UMTATA MAX.	NDAMASE, VUKILE VICTOR
UMTATA MED.	MATSHAYA, NOMONDE
UMTATA MED.	NGXISHE, SOBATHATHU LUCAS
<b>GAUTENG REGION</b>	
BAVIAANSPOORT EMTHONJENI JUVEN	MOEKETSI, RAMOSEBE SYDNEY
BAVIAANSPOORT MAX.	THOLO, DIKELEDI MIRRIAM
BAVIAANSPOORT MED.	THOLO, DIKELEDI MIRRIAM
BAVIAANSPOORT MED.	MOEKETSI, RAMOSEBE SYDNEY
BOKSBURG	MABEBA, HARRY
BOKSBURG	SEKHONYANE, MADIKELA
HEIDELBERG	RADEBE, THABISO PETRUS
JOHANNESBURG FEMALE	NHLAPO, ELIZABETH MANTJANA
JOHANNESBURG MED. A	MAKHURA, GODFREY SELELO
JOHANNESBURG MED. A	NKAMBULE, FANA HYPENSIA

JOHANNESBURG MED. A	MANANA, MALEKGOWA JANE
JOHANNESBURG MED. A	KEKANA, PUYA MARTHA
JOHANNESBURG MED. A	SHILENGE, MAGEZI MOSES
JOHANNESBURG MED. B	THAHANE, WINNIE LINDA
JOHANNESBURG MED. B	PETSHANE, DUMISANE STANFORD
JOHANNESBURG MED. B	TSHAMANO, HUMBULANI
JOHANNESBURG MED. C	OLYN, GEORGE KOKWANA
KRUGERSDORP	MNDAWE, IC
KRUGERSDORP	MOLOI, NTSOAKI LYDIA
KRUGERSDORP	MAMPHWE, ELELWANI
LEEUEWKOP JUVENILE	MOREKURE, FAITH ZANELE
LEEUEWKOP MAX.	MOSIMANE, SOPHIE TOPSY
LEEUEWKOP MED. A	MOKELE, MAMOSSETSANA ELLEN
LEEUEWKOP MED. C	RAKHALE, SANDLER TSEPO
DEVON	BASHELE, TELFORD THULO
MODDERBEE	SKAKA, HENRY MANGALISO
MODDERBEE	KIVIET, DESIREE GLORIA MPHO
MODDERBEE	VILAKAZI, PINKIE SINDILE
NIGEL MALE	LESIMOLA, VUSIMUZI MARTINS
ATTERIDGEVILLE	MAMIALA, MORELEBA REUBEN
ODI	MKHIZE, PHILLIP
ODI	MIAMANE, PULENG BALDINA
PRETORIA CENTRAL	KGATLE, ELIZABETH KUDULE DORIS
PRETORIA CENTRAL	PALMER, ELSIE MARIA
PRETORIA FEMALE	SEABI, MANKIDI MARYJANE
PRETORIA FEMALE	LANDMAN, CHRISTINA
PRETORIA LOCAL	MAMBA, BAFANA MDABA DAVID
PRETORIA LOCAL	MOKOKA, CAROLINE MMONKI
PRETORIA LOCAL	SINGO, AVHASHAVHI GOODWIN
PRETORIA LOCAL	SEABI, MANKIDI MARYJANE
PRETORIA MAX.	NTSOANE, PHADINE SIMON
ZONDERWATER MED. A	MOTJUOADI, MPHOSAMUEL
ZONDERWATER MED. B	MOLOI, SIMON MAHLAKU
<b>KWAZULU/NATAL REGION</b>	
DURBAN FEMALE	NGWENYA, EUGINIA XOLILE
DURBAN JUVENILE	NGWENYA, THANDAZILE GLADNESS
DURBAN MED. A	NGOBESE, KHONZOKWAKHE PHATHISIZWE
DURBAN MED. A	MFEKA, LINDELIHLE VINCENT
DURBAN MED. B	LUSAWANA, NONZAME MARYLIN
DURBAN MED. B	MYEZA, SINIKEZIWE IRIS
DURBAN MED. B	GOVENDER, KESI
DURBAN MED. C	KHANYILE, HLENGIWE ANGELINE
DURBAN MED. C	GASA, NONJABULO MILDRED
UMZINTO	CELE, SNOWY SYBIL
EMPANGENI	KHUMALO, SLINDILE
EMPANGENI QALAKABUSHA	JEWLAL, BETHEL
EMPANGENI QALAKABUSHA	HLONGWANE, VIOLET
ESHOWE	MKHWANAZI, SICELO SIYABONGA HAMILTON
MAPUMULO	NDIMANDE, NTOMBIZODWA PRINCESS
MELMOTH	ZULU, SAMUKELISIWE ALLETTA SHONGANI

MTUNZINI	SIBIYA, SIFISESIHLE SIYABONGA
STANGER	GOVENDER, ANNET ELIZABETH
BERGVILLE	GABUZA, NKOSINITHI EMMANUEL
ESTCOURT	ZUMA, FEZILE MAUREEN
GLENCOE	MBATHA, THABANI DAVID THAMSANQA
GREYTOWN	SHAIKH, HAFIZAH EBRAHIM
LADYSMITH	GABUZA, NKOSINITHI EMMANUEL
EBONGWENI MAX. (KOKSTAD)	MABUSELA, NTANDOKAZI JULIET
KOKSTAD MEDIUM	MPOMANE, AMELIA LIEKETSENG
INGWAVUMA	MNGOMEZULU, TINDLA ORELIUS
NCOME MED. A	DLAMINI, JESTA MAKHOSAZANA
NCOME MED. B	MAGWAZA, LINDIWE
VRYHEID	MKANZI, PHILISWA DOREEN
NEW HANOVER	NZUZA, BHEKISISA ROYAL
PIETERMARITZBURG	NDABA, JOSEPH VUSI
PIETERMARITZBURG	SHEZI, BAWINILE
SEVONTEIN	MAGWAZA, SCHOLASTILA SENZENI
EKUSENI YOUTH DEV. CENTRE	NKABINDE, BONGANI
NEWCASTLE	MKHULISE, NOLWAZI HLONIPHILE JOY
UTRECHT	MNDAWENI, ZANELE
WATERVAL MED. A	MNDAWENI, ZANELE
WATERVAL MED. B	MAKHUBU, PHUMZILE
<b>LIMPOPO, MPUMALANGA &amp; NORTH WEST REGION</b>	
BARBERTON FARM MAX.	GININDZA, DS
BARBERTON FARM MED. A	MOKOENA, NI
BARBERTON FARM MED. B	MASINGA, DENNIS SIPHO
BARBERTON TOWN	MOKOENA, NI
LYDENBURG	THOKA, THABISO GLADWIN
NELSPRUIT	HADEBE, DUMISANI CHRISTOPHER
BETHAL	MAGAGULA, SIPHO EDWARD
CAROLINA	MAREDI, YM
ERMELO	THELA, BC
GELUK	ZAMISA, SIMON KHEHLA
PIET RETIEF	NKOSI, MDUDUZI GODFREY
STANDERTON MED. A	MKHWANAZI, DELPHIN NOSPIWE LOUISA
VOLKSRUST	MKHWANAZI, DELPHIN NOSPIWE LOUISA
CHRISTIANA	CHWEU, KELEBOGILE GLADYS
KLERKSDORP	MOSOEU, MASHILO JOSEPH
KLERKSDORP	JASS, EDWIN BONAKELE
POTCHEFSTROOM	CLOUGH, MICHELLE
POTCHEFSTROOM	SITHOLE, TSHEGOATSO MARTHA
POLOKWANE	TEMA, NA
LICHTENBURG	LEBOA, GOITSEMANG REGINAH
MAFIKENG	SEGWAI, LEBOWA EMMANUEL
ROOIGROND MED. A	MOKOENE, MIDDHAH KGOMOTSO SHIRLEY
ROOIGROND MED. A	TLHOLOE, POONYANE DANIEL
ROOIGROND MED. B	MOKOENE, MIDDHAH KGOMOTSO SHIRLEY
BRITS	NYAMATHANE, SELINAH TEFO
LOSPERFONTEIN	MMOPE, CRESCENTIA DAPHNE
MOGWASE	MOLOPE, MMULE GUILTY

RUSTENBURG	DE SOUZA, LENNARD LESLIE
RUSTENBURG JUVENILE	LEGALAMITWA, MONWAPULA MESHACK
RUSTENBURG JUVENILE	DE SOUZA, LENNARD LESLIE
KUTAMA-SINTHUMULE APOPS	MATHONSI, HANGALAKANI SALMON
KUTAMA-SINTHUMULE APOPS	MMBARA, TSHIFHIWA GLADYS
KUTAMA-SINTHUMULE APOPS	GADISI, TSHISOLO DAVID
LOUIS TRICHARDT	MATHONSI, HANGALAKANI SALMON
THOHOYANDOU FEMALE	RAMUSANDIWA, MUHANGWI DAVID
THOHOYANDOU MED. A	RAMUSANDIWA, MUHANGWI DAVID
THOHOYANDOU MED. A	MATHEBULA, CM
THOHOYANDOU MED. B	RAMUSANDIWA, MUHANGWI DAVID
THOHOYANDOU MED. B	MATHEBULA, CM
BELFAST	MAREDI, YM
MIDDELBURG (MP)	THEBYANE, DD
WITBANK	KEKANA, SJ
<b>NORTHERN CAPE &amp; FREE STATE REGION</b>	
COLESBERG	SANDI, NTSIZI JEFFREY
HOPETOWN	MGQUBA, MNCEDISI MESHACK
RICHMOND	JOE, DANNY LUNQILE
VICTORIA WEST	MATLHOAHELA, BAITSENG LILLIAN
EDENBURG	KRAAI, KEITUMETSE LENA
GOEDEMOED MED. A	JIMLONGO, LUYANDA PATRICK
GOEDEMOED MED. B	MTAMZELI, LWAZIKAZI
GROENPUNT JUVENILE CENTRE	KUBHEKA, MODIEHI THELMA
GROENPUNT MAX.	ZIBI, PHINDIWE SHARON
GROENPUNT MAX.	MOTLOUNG, LITHAKONG PETER
GROENPUNT MAX.	KUBHEKA, MODIEHI THELMA
GROENPUNT MED.	PLAATJIE, CHARLES STEPHEN
PARYS	MOTAUNG, BEAUTY BERVELY
SASOLBURG	KABELO, YVONNE TEBELLO
VEREENIGING	PHOHLELA, MOTSOARI ZAKIA
BOSHOF	MORENA, BOITUMELO PATRICK
BRANDFORT	MATSHABA, THABISO DONALD
GROOTVLEI MAX.	MALEFANE, MOHLALEFI JOHANNES
GROOTVLEI MAX.	MAJOANG, MPHONG DANIEL
GROOTVLEI MAX.	MOLEHI, BEVERLEY MAADIMO REBECCA
GROOTVLEI MED.	MOLEHI, BEVERLEY MAADIMO REBECCA
GROOTVLEI MED.	MALEFANE, MOHLALEFI JOHANNES
GROOTVLEI MED.	MAJOANG, MPHONG DANIEL
MANGAUNG APOPS	SOLOMONS, JOSEF
MANGAUNG APOPS	MOCHEKOANE, LERATO PETUNIA
MANGAUNG APOPS	NTAJE, MPHONYANE LAWRENCE
WEPENER	MOOKO, LERATO SARAH
WINBURG	MATSHABA, THABISO DONALD
BARKLY WEST	CROTZ, SARIE
KIMBERLEY	MOCWANA, PONTSHO MOSES
KIMBERLEY	ABBOTT, AYESHA SHARONE DANIELLE
BETHLEHEM	MASITENG, MOHLAHLI PAZIES
FICKSBURG	PHALI, THABO SHADRACK
HARRISMITH	MOFOKENG, KHIWA JACOB

HENNENMAN	MATLAKALA, JOSHUA SAMUEL
HOOPSTAD	MABILO, DIAGOMANG ELIZABETH
KROONSTAD MED. A	TSOLO, MOSIA CYNTHIA
KROONSTAD MED. A	THEBE, MOKOENA SOLOMON
KROONSTAD MED. B	MAFOKOSI, TEBOHO VICTOR
KROONSTAD MED. C	MOTLATLA (MANGADI), NISI MERRIAM
KROONSTAD YOUTH	MOTLATLA (MANGADI), NISI MERRIAM
ODENDAALSRUS	RUBU, VIOLET
SENEKAL	FINGER, TSEKELO ERIC
VIRGINIA	SETAI, TSHELE GODFREY
SPRINGBOK	FISHER, STEPHANIE JOLYN
UPINGTON	CANDA, SARA
UPINGTON	LOLWANE, CECILIA SUSANNA
WESTERN CAPE REGION	
HAWEQUA	BLAAUW, EDWARD RIAAN
BRANDVLEI JUVENILE CENTRE	DAMANE, NONOPI CONSTANCE
BRANDVLEI MAX.	KAMMINGA, RINZE ANNE
BRANDVLEI MED.	HENDRICKS, GLENVILLE
DRAKENSTEIN MAX.	GODFREY, DONNA
DRAKENSTEIN MED. A	NDINISA, NTOMBIZANELE EDITH
DRAKENSTEIN MED. B	SIMONS, FREDERICK
BEAUFORT WEST	BANTJIES, WILLEM
GEORGE	BOOI, LINDA PATRICK
MOSELBAAI	GOUW, PHUMLA CYNTHIA
OUDTSHOORN MED. A	BEZUIDENHOUT, ABRAHAM
OUDTSHOORN MED. B	WAARTS, CHRISTINA ELIZABETH
GOODWOOD	JEPHTA, ROZETTE DAWN
GOODWOOD	VAN DER BERG, STANLEY
BUFFELJAGSRIVIER	JENEKE, ISRAEL JOHANNES
CALEDON	APRIL, FREDERICK DANIEL
HELDERSTROOM MAX.	APRIL, FREDERICK DANIEL
HELDERSTROOM MED.	MEVANA, LONWABO LENNOX
SWELLENDAM	JENEKE, ISRAEL JOHANNES
MALMESBURY MED. A	VAN NIEKERK, WILLIAM DOUGLAS
MALMESBURY MED. B	SMOUSE, ANDRE LUTHER
RIEBEECK WEST	SMOUSE, ANDRE LUTHER
POLLSMOOR FEMALE	MTATI, THULANI
POLLSMOOR MAX.	WHITING, SEAN ALLEN
POLLSMOOR MAX.	SWARTZ, YASMINA
POLLSMOOR MAX.	MNYATELI, LABOUR MZUBANZI
POLLSMOOR MED. A	TITUS, TROY
POLLSMOOR MED. A	LINGVELDT, DESMOND JONATHAN
POLLSMOOR MED. B	FEBRUARY, DELICIA CATHERINE
POLLSMOOR MED. C	KULATI, NOMALIZO ENID
VANRHYNSDORP	PRINCE, BRANDAN FRANK
VOORBERG MED. A	LIEBENBERG, JACOBUS ANDREAS
VOORBERG MED. B	DAVIDS, WILLEM DESMENT
VOORBERG MED. B	LIEBENBERG, JACOBUS ANDREAS
DWARSRIVIER	DE BRUYN, FLORINA
ROBERTSON	JENEKE, ISRAEL JOHANNES

WARMBOKVELD	NDYENGA, NTOMBOXOLO
WORCESTER FEMALE	KERSPUY, RUSHAAN
WORCESTER FEMALE	STEVENS, PIETER
WORCESTER MALE	KERSPUY, RUSHAAN
WORCESTER MALE	STEVENS, PIETER

**22. Overview of prison population.**

