

THE JUDICIAL INSPECTORATE FOR
CORRECTIONAL SERVICES

FOURTH QUARTERLY REPORT

1 January – 31 March 2019

INSPECTING JUDGE:
JUSTICE JOHANN VAN DER WESTHUIZEN



JICS

Judicial Inspectorate for
Correctional Services





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1 JANUARY – 31 MARCH 2019



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PART A: PERFORMANCE INFORMATION AND OVERSIGHT REPORT



1. Performance Information

1. Inspections

Twenty-eight inspections were scheduled for the quarter. One (Umzimkulu Correctional Centre) inspection could not be conducted because the centre was under renovations. Two additional inspections were carried over from the third quarter and are included in the report to make 29 inspections conducted in total. Although JICS conducted 29 inspections, a total of 20 (including the two inspections rolled over from Q3) inspection reports have been evaluated and nine inspection reports were not evaluated. The table below illustrates statistical information for inspections.

No.	Facility	JICS Region	Inspection Report Evaluated	Inspection Report Not Evaluated	Inspection Postponed
1	Senekal	CMR	-	-	-
2	Ventersburg	CMR	-	-	-
3	Leeuwkop Medium B	NMR	-	-	-
4	Leeuwkop Maximum	NMR	-	-	-
5	New Hanover	KZN	-	-	-
6	Greytown	KZN	-	-	-
7	Malmesbury Medium B	WC	-	-	-
8	Obiqua	WC	-	-	-
9	Burgersdorp	EC	-	-	-
10	Sterkspruit	EC	-	-	-
11	Middleburg (EC)	ECMR	-	-	-
12	St Albans Maximum	ECMR	-	-	-
13	Kuruman	CMR	-	-	-
14	Potchefstroom	CMR	-	-	-
15	Waterval Medium A	KZNMNR	-	-	-
16	Kgosi Mampuru Local	NMR	-	-	-
17	Baviaanspoort	NMR	-	-	-
18	Patensie	WCMR	-	-	-
19	Uniondale	WCMR	-	-	-
20	Groenpunt Juvenile	CMR	-	-	-
21	Vereeniging	CMR	-	-	-
22	Mogwase	NMR	-	-	-
23	Odi	NMR	-	-	-
24	Ebongweni Max	KZNMNR	-	-	-
25	Stellenbosch	WCMR	-	-	-
26	Buffeljagsrivier	WCMR	-	-	-
27	East-London Medium A	ECMR	-	-	-
28	Umzimkulu	ECMR	-	-	-
Sub-total			18	9	1
TOTAL					28

Table 1: Inspections conducted (1 Jan - 31 Mar 2019)



Additional inspections forwarded from the third quarter:

#	Facility	JICS Region
1.	Qalakabusha	KZN
2.	Empangeni	KZN

Table 2: Additional inspections conducted (1 Jan - 31 Mar 2019)

JICS rated the centres/facilities according to the findings on the inspection reports and below is a summary of the ratings:

Facility Inspections

Good: 4

Satisfactory: 22

Unsatisfactory: 4

Unrated facilities: 9

The four centres that were rated unsatisfactory are below:

- St Albans Maximum
- Potchefstroom
- Parys
- Groenpunt Medium B

1.1.1 Inspections: Overview, Findings/Recommendations/Critical Interventions

N/A

1.1.2 Reporting of Inspections to IJ/Judges/Magistrates

N/A

1.1.3 Inspections by IJ/Judges/Magistrates/Oversight Visits by the IJ

Facility	JICS Region	Date of Inspection	Rating of Centres Inspected
Mosselbay	WCMR	10/01/2019	Satisfactory
Voorberg	WC	7/02/2019	Unsatisfactory
Goodwood	WC	8/02/2019	Satisfactory
Parys	CMR	15/02/2019	Unsatisfactory
Groenpunt Med B	CMR	16/02/2019	Unsatisfactory
Thoyoyandou	NMR	28/02/2019	Unsatisfactory
Kutama	NMR	1/03/2019	Satisfactory

Table 3: Oversight visits conducted by the IJ (1 Jan - 31 Mar 2019)

2. Investigations

JICS received 12 investigation requests and six were conducted. A total of 34 investigations have been conducted at the start of this performance year. The table below illustrates all the inspections for this quarter.

#	Centre	Date of Investigation	Investigation Topic	Status
1	Ebongweni Supermax	18/1/2019	Suicide	Conducted
2	Pollsmoor	21-22/1/2019	Suicide	Conducted
3	Thohoyandou	Unknown	Death of inmates - arson	Not conducted
4	Ekuseni Youth Development Centre	February 2019	Mass assault – Officials on inmates	Not conducted
5	Johannesburg female	11/02/2019	Suicide	Conducted
6	Worcester Male	18/02/2019	Suicide	Conducted
7	Ebongweni Supermax	22/02/2019	Suicide	Conducted
8	Durban Medium A	28/02/2019	Suicide	Conducted
9	Drakenstein	Mandate sent on 12/03/2019	Apparent suicide – inmate perished in a fire.	Not conducted
10	Barberton	Mandate sent on 14/03/2019	Homicide – Inmate on inmate	Not conducted
11	Umtata	Mandate sent on 27/03/2019	Suicide	Not conducted
12	St. Albans Medium A	Mandate sent on 4/04/2019	Suicide	Not conducted

Table 4: Investigation requests (1 Jan - 31 Mar 2019)

1.2.1 Reporting on Investigations to IJ/DCS/Minister:

N/A

3. Complaints

JICS received a total of 195 complaints; these complaints were received through both internal and external sources. Of the total received, 52 were assaults further categorised: six from external sources, and 46 from internal sources (mainly ICCVs). The table below illustrates all complaints per category:

Categories	Number received
Appeal	7
Assault (Inmate on Inmate)	24
Assault (Official on Inmate)	45
Assault (Sexual)	7
Bail	0
Communication with Family	0
Conditions	0
Confiscation of Possession	1
Conversion of Sentence	0
Corruption	4
Food	0
Healthcare	12
Hunger Strike	11
Inhuman Treatment	1
Legal Representative	0
Medical Release	1
Parole	16
Re-classification	6
Rehabilitation Programmes	4
Remission	2
Torture	0
Transfers	42
Other	12
Total	195

Table 5: Complaints received for the quarter (1 Jan - 31 Mar 2019)

Complaints referred to Management Regions

A total of 88 complaints received by the Complaints Unit were referred to the Directorate: Management Regions. These complaints fall outside of the focus area of the Complaints Unit and can be more effectively and efficiently dealt with, through regional complaints mechanisms. They fall under the regions as follows:

CMR	ECMR	WCMR	KZNMR	NMR
16	8	23	12	29

Table 6: Complaints referred to JICS Management Regions (1 Jan - 31 Mar 2019)

Other focus areas (excluding assault)

Hunger strike: Two (see annexure 5 for details)

Attempted Suicide: Three (see annexure 6 for details)

Health Care (urgent): Two (see annexure 7 for details)

Referred for investigation: Zero

Corruption/dishonest practices: Zero

Torture: Zero

4. Mandatory reporting

4.1. Unnatural deaths

27 unnatural deaths were reported for the quarter. Six were referred to the Internal Investigations Unit.

27 Unnatural Deaths	Gauteng and LMN	KZN	NC/FS	WC	EC
Suicide	3	1	1	1	-
Assaults	1 + 3 (LMN)	-	-	-	-
Unnatural Causes Other	7 + 5 (LMN)	1	-	4	-

Table 7: Unnatural deaths (1 Jan - 31 Mar 2019)

4.2. Vulnerable deaths

JICS also monitors vulnerable deaths. Vulnerable deaths are defined as the deaths of females, juveniles, children and babies.

JICS received three reports of vulnerable deaths of female inmates, one from Bizzah Makhate Female and two from Pollsmoor Female.

4.3. Natural deaths

97 deaths arising from natural causes were reported by DCS. The highest numbers of deaths (54) recorded were Natural Causes other .

- Gauteng had the highest number of deaths with thirty-one (31).
- KZN recorded the lowest with ten (10) natural deaths.

ICCVs are required to conduct an enquiry in each natural death and provide the Management Region with information in the prescribed format, who has 60 days to collate the information and source documents (death certificate, BI1663, etc.) from the ICCV and furnish the completed documents to the Mandatory Unit.

Due to the breakdown of the DCS electronic system, it is unsure if all deaths came to the attention of JICS.

4.4. Segregations

576 reports of segregations were received for the quarter. Segregations in terms of section 30(1) (d) were the highest with 193 and the lowest in terms of section 30(1) (f) with one. JICS received one appeal for the period in terms of section 30(7) of the Correctional Services Act 111 of 1998.

4.5. Mechanical restraints

There were nine uses of mechanical restraints by officials on inmates reported for the quarter. Gauteng had the highest incidents (five) of use of mechanical restraint. No instances of mechanical restraints used on vulnerable groups including juveniles were reported.

4.6. Use of force

147 reports of the use of force were reported. The bulk of reports were received from NMR (63) and CMR (55).

No further details are available due to the DCS dysfunctional electronic reporting system.



PART B: DIRECTORATE MANAGEMENT REGIONS

2. Independent Correctional Centre Visitors (ICCVs)

2.1. Minimum Standard of Service Delivery (MSSD)

During site visits, the ICCV is expected to visit all communal cells, special care units, hospitals, kitchens and any other area within the correctional centre where inmates work or sleep. Site visit reports reflect the conditions under which the inmates are incarcerated, and includes rehabilitation and other services that are available at any particular correctional centre. These reports are sent to the DLS Complaints Unit, which follow up on matters that may warrant further inspection or investigation. The graph below illustrates the MSSDs for the ICCVs per Management Region.

	Site visits conducted	Interviews (25%) inmate population	G365 Complaint Register monitored	Private consultations with inmates (5% of inmate population)	Complaints referred to ICCVs by DLS	Total Output of Regions
CMR	330	9 001	7 392	1 726	16	18 465
ECMR	181	1 045	3 503	2 097	8	16 240
KZNMR	190	11 438	10 312	2 672	12	24 624
NMR	396	24 642	6 205	4 950	29	362 222
WCMR	372	8 791	3 788	1 451	23	14 425

Table 8: ICCV MSSD (1 Jan - 31 Mar 2019)

The regions handled a number of complaints recorded by ICCVs. These complaints were resolved and finalised, however a few are still being handled by the regions. The table below reflects the number of complaints that were received by the regions at the end of this period.

Region	Number of complaints received
CMR	2465
ECMR	3180
KZNMR	5458
NMR	3241
WCMR	1568
TOTAL	15 912

Table 9: Complaints handled by regions (1 Jan - 31 Mar 2019)

2.2. Stakeholder/Visitor Committee Meetings (VC) Involvement

There were a number of VC meetings held in JICS management regions. Stakeholders were required to deal with unresolved complaints with a view to their resolution, the graph below illustrates the number of VC meetings held during this quarter.

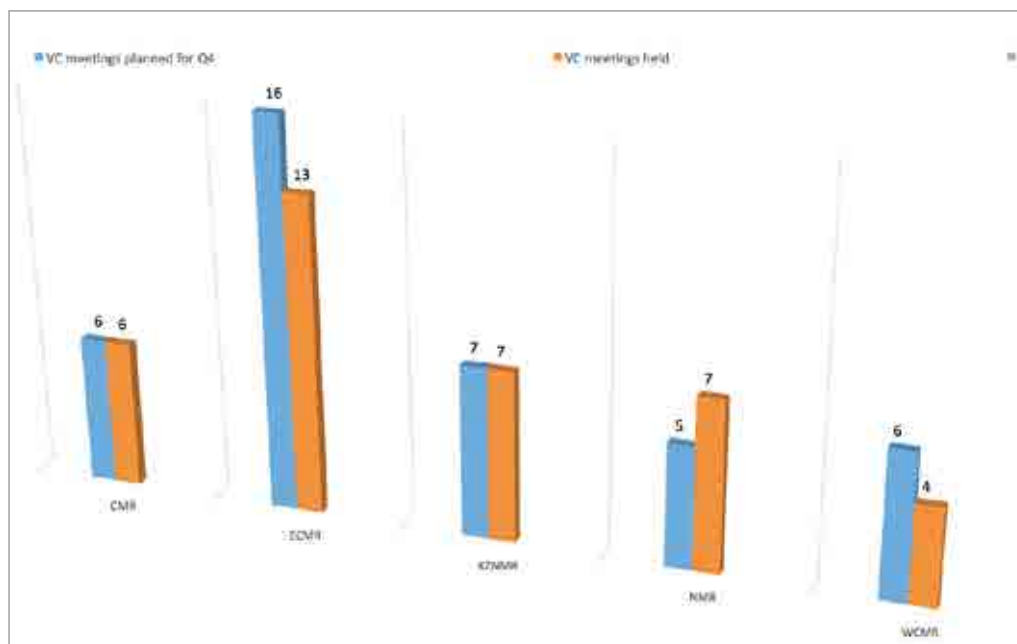


Figure 1: VC and stakeholder meetings (1 Jan - 31 Mar 2019)



PART C: HUMAN RESOURCES

3. Organisational Structure

3.1. Approved Structure as at 31 March 2019:

- There are 86 approved and funded posts on the fixed establishment.
- Six vacant positions, two positions filled on fixed term contract employees.
- There is one additional fixed term contract position on the post establishment.
- JICS vacancy rate as at 31 March 2019 is 5.8%

ICCV Filled and Vacant Post Percentage

Filled posts	218 (74%)
Vacant posts	72 (24%)
CC under construction	6 (2%)

Table 10: Filled and vacant posts (1 Jan - 31 Mar 2019)

3.2. Performance Agreements

2018-2019

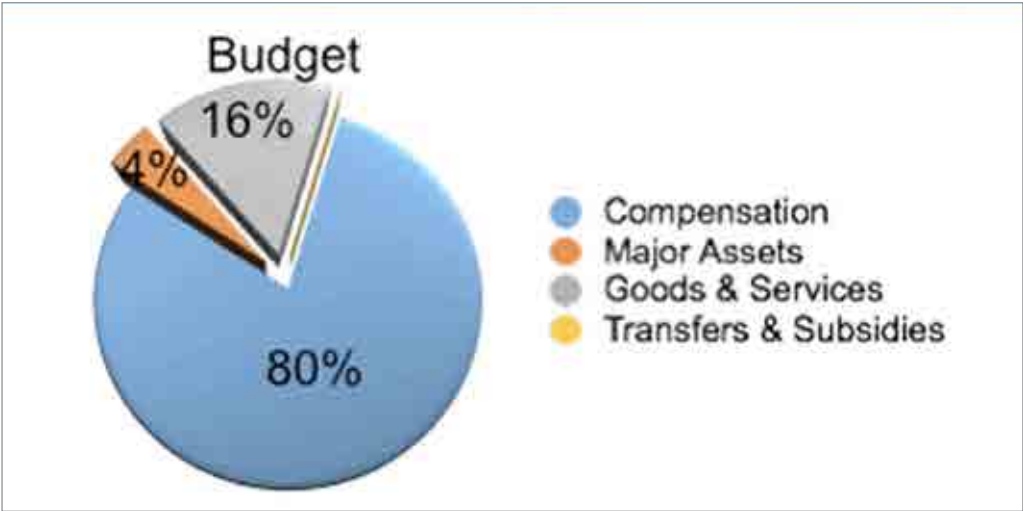
- Level 1-14, mid-term reviews completed and captured on PERSAL.



PART D: FINANCE

4. Budget

Budget for 2018/2019 Financial Year as at 31 March 2019.



Compensation	Major Assets	Goods & Services	Transfers & Subsidies	Total
R57 611 000	R3 158 000	R11 559 000	R13 000	R72 341 000

Figure 2: 2018/2019 Budget

5. Expenditure

The Expenditure for the period 1 April 2018 to 31 March 2019 amounts to R 66 996 214.11 (93%).

Available Budget as at 31 March 2019

R 4 862 595.27

Commitments

R 482 190.62

Reasons for underspending by 6.72% on SCOA items:

Compensation of Employees: 91.54% Ideal: 100% Deviation: 8.46%

Underspending due to recruitment and selection process of vacant and funded posts not concluded. Surplus funding was registered with the office of the Chief Financial Officer in order to align the spending.

Goods and Services: 86.10% Ideal: 100% Deviation: 13.90%

Underspending due to minor assets funding, which was prioritised to fund the procurement of the Inspecting Judge's vehicle. Funding will be shifted against the correct standard items as per approval by the National Commissioner.

Transfers and Subsidies: 194.52% Ideal: 100% Deviation:-94.52%

Overspending due to additional vehicles purchased during this financial year that required licensing and registration.

Capital Assets: 150.79% Ideal: 100% Deviation:-50.79%

Overspending due to procurement of the Inspecting Judge's vehicle. The spending was posted against standard item goods and services and should be shifted during budget balancing.

6. Fleet /Transport Management

Fleet of Vehicles

Status of JICS Current Vehicle-Fleet as at 31 March 2019.

- Vehicle Fleet Summary: 27 Vehicles

Fleet Operating Cost for Period under Review:

January 2019: R54 974.45

February 2019: R46 043.96

March 2019: R34 198.84

The total fleet operating cost for the fourth quarter is R 135 217.25

7. Property and Facilities Management

New/Envisaged Property

- Northern Management Region, Eastern Cape Management Region and JICS Pretoria Head Office earmarked for relocation.
- Pretoria Office relocated to temporary accommodation in the SALU Building. Awaiting the procurement of new permanent office accommodation.



PART E: INFORMATION TECHNOLOGY

Procurement of Computers:

- 45 desktops and 17 laptops were procured and distributed throughout all regions

Distribution and Installation of Computers:

- WCMR - 21 desktops and 6 laptops
- ECMR - 6 desktops and 2 laptops
- KZNMR - 8 desktops and 2 laptops
- CMR - 4 desktops and 2 laptops
- NMR - 8 desktops and 2 laptops
- Pretoria Office - 3 laptops

Challenges

The Management Information System (MIS) of DCS has not been functional since January 2018.

Solutions

Department of Correctional Services – GITO is in the process of re-developing the MIS.



PART F: MEDIA AND COMMUNICATIONS

These are all the media activities, media releases, requests, alerts and internal communication that took place during the quarter January - March 2019.

January 2019 | the media concentrated on:

- Assaults
- Unnatural deaths
- JICS also responded to various media enquiries concerning an NPA enquiry and impact of assaults.
- A television documentary featuring IJ was arranged with Checkpoint.

February 2019 | the media concentrated on:

- Inspecting Judge's prison visits.
- Media alerts were sent out prior to the visits.
- Media was allowed to go on a walk about with the IJ, during his visit at Goodwood Correctional Centre.
- A request was made by Carte Blanche to interview mentally ill patients. The request was formally sent to DCS Communications, with follow up requests, with no response to date.

March 2019 | the media concentrated on:

- Juvenile Detention Centres.
- Hostage situation at Goedemoed Correctional Centre, Aliwal North.
- An external enquiry was received from the State Capture Commission in connection with Bosasa. At the time of this report the documents were being compiled and verified to be sent to them.
- A request was made by Carte Blanche in February 2019 to interview mentally ill patients. The request was formally sent to DCS Communications, with follow up requests, with no response to date. The request was then referred to the Regional Manager EC and awaiting feedback.

The JICS Public Participation Dialogue took place on 8 March 2019 at the Salu Building, Pretoria. This enabled the finalisation of the JICS Business Case.

This is the final month of the 2018/2019 cycle and quarterly report deadlines are in April as well as the start of the Annual Report process.

Judicial Inspectorate for Correctional Services (JICS) Media Clippings January - March 2019

NO	DATE	PUBLICATION	TITLE	LINK
JANUARY				
1	7	ENCA	Fort Glamorgan Prison Beatings	Media Enquiry
2	8	ENCA	Alleged Assault: Groenpunt Max	Media Enquiry
3	8	ENCA	Assault at Groenpunt: Follow-up	JICS Media Response
4	8	ENCA	Assault at Groenpunt	JICS Media Response
5	9	ENCA	NPA Enquiry	JICS Media Response
6	9	ENCA	Impact of assaults on rehabilitation	JICS Media Response
7				
8	15	ENCA	Brutal Prison Punishment 1	https://imsva91-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=https%3a%2f%2fwww.youtube.com%2fwatch%3fv%3dSxQzttbZ11M&umid=C3E34FB7-7FF4-F105-AEEF-DFDC64369A56&auth=223f124b9888cf0f5ffdf3685bb9dec53a7cc7de-94eca35a386b8ebbf186ffdd52d-b01b99b4c5d6c
9		ENCA	Brutal Prison Punishment 2 A mother's Pain	https://www.youtube.com/watch?v=Rlk8HoPoJpg
10		ENCA	Brutal Prison Punishment 3: Vicious Cycle	https://imsva91-ctp.trendmicro.com:443/wis/clicktime/v1/query?url=https%3a%2f%2fwww.youtube.com%2fwatch%3fv%3dpywUWRZ4zDQ&umid=C3E34FB7-7FF4-F105-AEEF-DFDC64369A56&auth=223f124b9888cf0f5ffdf3685bb9dec53a7cc7de-eaee8dc2480b1b82d720a1c115a16f0d-2e418d36
11	24	JICS Media Release	Two unnatural deaths reported at Thohoyandou Juvenile Correctional Centre	Media Release: All Media
12	24	Jacaranda FM	Two unnatural deaths reported at Thohoyandou Juvenile Correctional Centre	Radio Soundbite

NO	DATE	PUBLICATION	TITLE	LINK
13		Jacaranda FM	Two unnatural deaths reported at Thohoyandou Juvenile Correctional Centre	https://www.jacarandafm.com/news/news/probe-unnatural-deaths-thohoyandou-juvenile-correctional-centre/
INTERNAL COMMUNICATIONS				
1	16	IC	Cir 1 of 2019 Annual Renewal of Declarations	Email
2	16	IC	Cir 2 of 2019 Signing of PMDS	Email
3	16	IC	Cir Submission of 2019 Leave Plans	Email
4	25	IC	Cir 4 & 5: SOP Mandatory Reporting and Complaints	Email
FEBRUARY				
1	1	TimesLive	Police Holding Cells	Media Enquiry
2	6	All Media	IJ Visits to Western Cape Prisons	Media Alert
3	8	All Media	Judicial Inspectorate Inspections finds commonalities in CCs in WC	Media Release
4	10	Cape Times	Prison staff fighting a losing battle with overcrowding, gangsterism	https://www.iol.co.za/capetimes/news/prison-staff-fighting-a-losing-battle-with-overcrowding-gangsterism-19229369
5	11	Independent Online	Goodwood and Voorberg prisons in Western Cape are in a dire state	https://www.iol.co.za/capeargus/news/goodwood-and-voorberg-prisons-in-western-cape-are-in-a-dire-state-19240776
6	11	Cape Argus	Photo Essay: A look at life inside Goodwood Correctional Centre	https://www.iol.co.za/capeargus/news/photo-essay-a-look-at-life-inside-goodwood-correctional-centre-19241779
INTERNAL COMMUNICATIONS				
1	5	IC	Invite to staff: Public Participation: Business Case	Email
2	13	IC	Reminder Public Participation	Email
3		IC	Condolence Letter	Email
4		IC	Petty Cash Policy	Email

NO	DATE	PUBLICATION	TITLE	LINK
5	15	IC	Faulty Lines NMR	Email
6	25	IC	JICS QR Report	Email
7	26	IC	DPSA Circulars 2019	Email
MARCH				
1	4	JICS Media Release	A private and public Correctional Centre: Contrast in service delivery	Media Release
2	7	JICS Media Alert	JICS Public Participation Dialogue	Media Alert
3	12	State Capture Commission	Quarterly and Annual Reports	External Enquiry
4	26	Sunday Times	Juvenile Detention Centres	Media Enquiry/Response
5	29	JIC Media Release	Hostage Situation turned tragic	Media Release
6	30	Enca	One woman killed prison hostage tragedy	https://www.enca.com/news/one-woman-killed-prison-hostage-tragedy
7		Citizen	Goedemoed prison inmate takes staff hostage	citizen.co.za/news/south-africa/crime/2108781/goedemoed-prison-inmate-takes-staff-hostage
8		allafrica.com	South Africa: Prisoner in solitary confinement after female guard killed...	https://allafrica.com/stories/201903300113
9	31	Timeslive	Masutha orders probe into murder and hostage situation	timeslive.co.za/news/south-africa/2019-03-31-masutha-order-sprobe
Internal Communication				
1	6	IC	Faulty Communication Lines HO	Email
2	12	IC	Sexual Harassment Policy	Email
3	15	IC	Faulty Communication Lines NMR	Email
4	25	IC	National Inspection Plan	Email
5	27	IC	Petty Cash Policy Circular 5	Email
6	28	IC	Code of Conduct Circular 6	Email

Table 11: JICS Media Clipping (1 Jan - 31 Mar 2019)

