

JUDICIAL INSPECTORATE FOR  
CORRECTIONAL SERVICES

# SECOND QUARTERLY PERFORMANCE REPORT

1 July – 30 September 2022



# JICS

Judicial Inspectorate for  
Correctional Services





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INSPECTING JUDGE:  
JUSTICE EDWIN CAMERON

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## LIST OF ABBREVIATIONS

<b>AC</b>	Area Commissioner
<b>CC</b>	Correctional Centre
<b>CEO</b>	Chief Executive Officer
<b>CF</b>	Correctional Facility (Correctional Centre and Remand Detention Facility)
<b>CFO</b>	Chief Financial Officer
<b>CoE</b>	Cost of Employees
<b>CMCs</b>	Case Management Committees
<b>CMR</b>	Central Management Region
<b>CPA</b>	Criminal Procedure Act 51 of 1977
<b>CPF</b>	Community Policing Forum
<b>CSA</b>	Correctional Services Act 111 of 1998
<b>COVID-19</b>	Coronavirus infection or disease
<b>CU</b>	Complaints Unit
<b>DCS</b>	Department of Correctional Services
<b>DLS</b>	Directorate Legal Services
<b>DMR</b>	Directorate Management Regions
<b>DoH</b>	Department of Health
<b>DPP</b>	Director of Public Prosecutions
<b>DPWI</b>	Department of Public Works and Infrastructure
<b>DSS</b>	Directorate Support Services
<b>EC</b>	Eastern Cape
<b>ECMR</b>	Eastern Cape Management Region
<b>EXCO</b>	Executive Committee
<b>FS/NC</b>	Free State/Northern Cape Management Region
<b>GITO</b>	Government Information Technology Officer
<b>GCIS</b>	Government Communication Information System
<b>GP</b>	Gauteng Province
<b>HCC</b>	Head of Correctional Centre
<b>ICCVs</b>	Independent Correctional Centre Visitors
<b>IJ</b>	Inspecting Judge
<b>ISS</b>	Integrated Security System
<b>IT</b>	Information Technology
<b>IU</b>	Investigations Unit
<b>JCPS</b>	Justice, Crime Prevention and Security Cluster
<b>JICS</b>	Judicial Inspectorate for Correctional Services
<b>KZNMR</b>	KwaZulu-Natal Management Region
<b>LGBTIQ+</b>	Lesbian, Gay, Bisexual, Transgender, Intersex and Queer

<b>MIS</b>	Management Information System
<b>MRU</b>	Mandatory Reporting Unit
<b>MSSD</b>	Minimum Standard of Service Delivery
<b>NC</b>	National Commissioner
<b>NCCS</b>	National Council for Correctional Services
<b>NMR</b>	Northern Management Region
<b>PCN</b>	Public Calling for Nominations
<b>PEEC</b>	Provincial Efficiency and Enhancement Committee
<b>PMDS</b>	Performance Management Development System
<b>PPE</b>	Personal Protective Equipment
<b>RDs</b>	Remand Detainees
<b>ROC</b>	Record of Consultation
<b>SA</b>	South Africa
<b>SAHRC</b>	South African Human Rights Commission
<b>SAPOHR</b>	South African Prisoners Organisation for Human Rights
<b>SCOA</b>	Standard Chart of Accounts
<b>SITA</b>	State Information Technology Agency
<b>SMR</b>	Strategic Midterm Review
<b>VC</b>	Visitors' Committee
<b>VCCOs</b>	Visitors' Committee Coordinators
<b>WCMR</b>	Western Cape Management Region





# EXECUTIVE SUMMARY BY THE CHIEF EXECUTIVE OFFICER

This report highlights the performance outputs for the second quarter of the 2022/23 financial year (1 July 2022 to 30 September 2022). I am most grateful to the Inspecting Judge (IJ), executive management and all JICS officials for their unwavering commitment to ensuring JICS fulfils its statutory oversight function. Despite the limited resources, JICS managed to execute all planned inspections. The following are the highlights:

- A total of 37 announced inspections. Of the 37 inspections conducted, 30 correctional centres were rated as satisfactory, two were rated as good and five were rated unsatisfactory.
- In addition, 20 unannounced inspections (The Abahloli project) were conducted.
- One special inspection was conducted by the IJ in the extradition matter of a fugitive currently in the United Kingdom.
- Seven correctional centres in the Eastern Cape (EC) were visited to conduct a thematic inspection, most of these identified centres were rated unsatisfactory by JICS inspectors on previously announced inspections.

JICS has been experiencing practical difficulties involving investigations, i.e., delays in receiving medico-legal documents, dealing with uncooperative DCS officials, visiting witnesses who were transferred after the incident to other centres etc. As a result, five investigations were conducted this quarter.

The JICS Complaints Unit (CU) received 70 complaints. Many of these complaints dealt with assaults (inmate-on-inmate as well as official-on-inmate), healthcare, and sexual assaults.

DCS' compliance with mandatory reporting remains a challenge as the electronic system of reporting is currently being rolled out. The accuracy and number of reports by DCS cannot be verified. Although a manual reporting system was introduced as a stopgap measure. The following are the highlights:

- Unnatural deaths: 19 (17 were classified as unknown causes and two were assaults)
- Natural deaths: 112
- Segregations: 1045 (no appeals)
- Mechanical restraints: seven (no appeals)
- Use of force: 107

The total inmate population of 144 719 (56 infants) significantly increased to 150 099 (including 65 infants) in this quarter.

There were 16 518 non-national inmates (an increase of 1175 from the previous quarter) and 113 declared state patients (a decrease of 13) detained and incarcerated in South African correctional facilities.

JICS continues to engage with DCS, the Minister of Justice and Correctional Services (Minister), the Deputy Minister of Correctional Services together with the Minister of National Treasury on the finalisation of its recommended organisational form as a National Government Component, specifically on the finalisation of the JICS funding model.



## PART A: PERFORMANCE INFORMATION AND OVERSIGHT REPORT

### Performance information

#### Inspections

As per the approved National Inspection Plan, JICS aims to conduct inspections at least once in a two-year cycle at all correctional centres and remand detention facilities (correctional facilities).

For this quarter, a total of 37 announced inspections were planned and executed.

JICS implemented a project of unannounced inspections (Abahloli project) during the 2021/2022 performance cycle and continued with this project in the second quarter of the 2022/2023 performance cycle. The purpose of the Abahloli (inspections) project is threefold:

As reported previously, JICS can only employ eight permanent inspectors. The inspectors are also responsible for conducting investigations and doing all their administrative tasks.

JICS is thus unable to effectively increase the number of inspections from its current performance indicator of 136. The Abahloli project enables JICS to increase its footprint regarding inspections as the inspections are conducted by JICS managers as an ad hoc task.

Secondly, the project exposes JICS managers to the practical activity of conducting inspections at the coalface.

Lastly, the fact that the inspections are unannounced gives JICS an insight into the day-to-day situation at correctional facilities. JICS managers also mostly target facilities where the previous inspection showed severe deficiencies or the facility was rated as "unsatisfactory". The unannounced inspection ascertains whether there have been any improvements in the conditions of the facility and treatment of inmates after the previously scheduled inspection.

#### Announced inspections conducted and reports received

During this reporting period, 37 announced inspection reports were received and evaluated.

All facilities inspected are rated as either good, satisfactory, or unsatisfactory.

JICS utilizes a set of fixed criteria when inspecting any facility - whether the inspection is announced or unannounced.

These criteria include overcrowding, professional staff, infrastructure, nutrition, medical services, the safety of inmates and DCS officials, and contact with the community.

Facilities rated as "**Good**" need little or no improvement and are generally professionally managed by the Head of the Correctional Centre (HCC).

Facilities rated as "**Satisfactory**" have some areas for improvement noted by the inspection report but are in general managed by the HCC.

Facilities rated as "**Unsatisfactory**" need major improvements in all or most of the aspects evaluated during the inspection. Management of the facilities is usually not up to standard.

	<b>Facility</b>	<b>Region</b>	<b>Inspections conducted (Y/N)</b>	<b>Rating</b>
1.	Empangeni	KZN	Y	<b>Satisfactory</b>
2.	Qalakabusha	KZN	Y	<b>Satisfactory</b>
3.	Stanger	KZN	Y	<b>Unsatisfactory</b>
4.	Dwarsrivier	WCMR	Y	<b>Satisfactory</b>
5.	Warmbokveld	WCMR	Y	<b>Satisfactory</b>
6.	Mangaung	CMR	Y	<b>Good</b>
7.	Vereeniging	CMR	Y	<b>Satisfactory</b>
8.	Groenpunt Maximum	CMR	Y	<b>Satisfactory</b>
9.	Barberton Town	NMR	Y	<b>Satisfactory</b>
10.	Nelspruit	NMR	Y	<b>Satisfactory</b>
11.	Lydenburg	NMR	Y	<b>Satisfactory</b>
12.	Middleburg (MP)	NMR	Y	<b>Satisfactory</b>
13.	Lusikisiki	ECMR	Y	<b>Unsatisfactory</b>
14.	Bizana	ECMR	Y	<b>Unsatisfactory</b>
15.	Goedemoed Med B	CMR	Y	<b>Satisfactory</b>
16.	Goedemoed Med A	CMR	Y	<b>Satisfactory</b>
17.	Standerton Med A	NMR	Y	<b>Satisfactory</b>
18.	Piet Retief	KZNMR	Y	<b>Satisfactory</b>
19.	Volksrust	KZNMR	Y	<b>Satisfactory</b>
20.	Utrecht	KZNMR	Y	<b>Satisfactory</b>
21.	Helderstroom Maximum	WCMR	Y	<b>Satisfactory</b>
22.	Helderstroom Medium	WCMR	Y	<b>Satisfactory</b>
23.	King Williamstown	ECMR	Y	<b>Satisfactory</b>
24.	Mdantsane	ECMR	Y	<b>Satisfactory</b>
25.	Odi	NMR	Y	<b>Satisfactory</b>
26.	Bezzah Makhate Medium A	CMR	Y	<b>Satisfactory</b>
27.	Bezzah Makhate Medium B	CMR	Y	<b>Satisfactory</b>
28.	Bezzah Makhate Medium C	CMR	Y	<b>Satisfactory</b>
29.	Boksburg Medium A	NMR	Y	<b>Satisfactory</b>
30.	Boksburg Juvenile	NMR	Y	<b>Satisfactory</b>
31.	Heidelberg	NMR	Y	<b>Satisfactory</b>
32.	New Hanover	KZNMR	Y	<b>Satisfactory</b>
33.	Pietermaritzburg Medium A	KZNMR	Y	<b>Unsatisfactory</b>
34.	Goodwood	WCMR	Y	<b>Good</b>
35.	Pollsmaar Medium C	WCMR	Y	<b>Satisfactory</b>
36.	Mthatha Medium	ECMR	Y	<b>Satisfactory</b>
37.	Mthatha Maximum	ECMR	Y	<b>Unsatisfactory</b>

Table 1:Inspections

## **Summary of ratings of correctional facilities**

The table below summarises the ratings of facilities during announced inspections.

Good	Satisfactory	Unsatisfactory	Total
2	30	5	37

*Table 2: Inspected correctional facilities' rating*

### **Facilities rated unsatisfactory - main findings**

#### **A. Stanger Correctional Centre - KZN**

- The infrastructure was found to be dilapidated.
- There are no beds at the correctional centre and inmates sleep on mattresses on the floor.
- Inmates indicated their complaints and requests are not properly attended to and they do not receive feedback on their complaints and requests.
- The centre did not have an appropriate contact visit area.

#### **B. Bizana Correctional Centre - ECMR**

- The infrastructure is very old and it appears that no suitable maintenance was done at the centre for quite some time.
- The cells were found untidy and unhygienic.
- The centre is extremely overcrowded.
- Linen, blankets and mattresses were old.
- There was a shortage of beds and inmates complained that they are forced to sleep on the cement floor in cold weather conditions.
- Faulty geysers since 2020.

#### **C. Lusikisiki Correctional Centre - ECMR**

- The correctional centre was rated as unsatisfactory mainly due to an overcrowding percentage of more than 200%.
- The overcrowding negatively impacted services that should be provided to inmates and exposed them to communicable diseases.

#### **D. Pietermaritzburg Medium A - KZN**

- The centre was overcrowded by 102%.
- The physical condition of the centre was unsatisfactory.
- There was a lack of hot water and pipes were found leaking. Leaking pipes caused flooding in some cells and inmates had to be moved to other cells.
- Communal cells were found unhygienic due to overcrowding.
- There was a shortage of beds and mattresses.
- Inmates were sharing a bed. Beds were pushed together to make communal sleeping arrangements.
- The condition of the kitchen was found to be unsatisfactory.

#### **E. Mthatha Medium - ECMR**

- The centre is overcrowded by 109%.
- The cells were dirty and had an unpleasant smell.
- The paint was peeling from the walls and ceiling.
- Mattresses and bedding were worn out.
- The condition of the kitchen was found unsatisfactory.
- The drainage system was blocked and officials indicated that the repairs are in progress.
- Shortage of beef, chicken, and vegetables at times.
- The door of the cold room did not close properly resulting in food deterioration.
- Inmates complained that incomplete CMC profiles were submitted to the Parole Board causing unnecessary further profiles for inmates who are legible for parole.
- Shortage of uniforms, cleaning materials and lack of proper blankets.

- The centre did not have a contact visit area due to limited space.
- Inmates who were entitled to contact visits all received non-contact visits.

### **Recommendation**

Facilities rated as unsatisfactory must be revisited by JICS Management as part of the Abahloli project.

### **Unannounced inspections - Abahloli (inspections) project**

A total of 20 unannounced inspections were conducted during the quarter as an ad hoc task by JICS managers. Of those unannounced inspections conducted, 15 reports were received and evaluated.

A further 12 reports were carried over from the previous quarter.

#	JICS management team	Facility	Province	Inspection dates	Report received (Y/N)	Rating (Good / Satisfactory / Unsatisfactory)
1.	Team 1	Stutterheim	Eastern Cape	18/8/2022	Y	Satisfactory
2.		Middledrift	Eastern Cape	17/8/2022	Y	Satisfactory
3.	Team 2	Mthunzini	Kwa Zulu Natal	26/8/2022	Y	Satisfactory
4.		Melmoth	Kwa Zulu Natal	25/8/2022	Y	Satisfactory
5.	Team 3	Lichtenburg	North-West	23/8/2022	Y	Satisfactory
6.		Zeerust	North-West	24/8/2022	Y	Satisfactory
7.	Team 4	Rooigrond Medium B	North-West	31/8/2022	Y	Evaluation in process
8.		Mafikeng	North-West	30/8/2022	Y	Good
9.	Team 5	Dordrecht	Eastern Cape	24/8/2022	Y	Satisfactory
10.		Barkley East	Eastern Cape	23/8/2022	Y	Unsatisfactory
11.	Team 6	Allandale	Western Cape	13/9/2022	Y	Evaluation in process
12.		Pollsmaar Medium C	Western Cape	14/9/2022	Y	Evaluation in process
13.	Team 7	Grootvlei Medium B	Free State	14/9/2022	Y	Evaluation in process
14.		Brandfort	Free State	13/9/2022	Y	Evaluation in process
15.	Team 8	Devon	Mpumalanga	23/8/2022	Y	Satisfactory
16.		Bethal	Mpumalanga	24/8/2022	Y	Satisfactory
17.	Team 9	Riebeeck West	Western Cape	16/8/2022	Y	Satisfactory
18.		Hawequa	Western Cape	18/8/2022	Y	Satisfactory
19.	Team 10	Kranskop	Kwa Zulu Natal	25/8/2022	Y	Satisfactory
20.		Pomeroy	Kwa Zulu Natal	24/8/2022	Y	Satisfactory

Table 3: Unannounced inspections

The table below shows the unannounced inspection reports received that were carried over from the previous quarter.

#	JICS management team	Facility	Province	Inspection dates	Report received (Y/N)	Rating (Good / Satisfactory / Unsatisfactory)
1.	Team 1	Groenpunt Juvenile	Free State	29/6/2022	Y	Satisfactory
2.		Groenpunt Medium	Free State	30/6/2022	Y	Satisfactory
3.	Team 3	Witbank	Mpumalanga	14/6/2022	Y	Satisfactory
4.		Middleburg (MP)	Mpumalanga	15/6/2022	Y	Satisfactory
5.	Team 5	De Aar	Northern Cape	1/6/2022	Y	Satisfactory
6.		Colesburg	Northern Cape	31/5/2022	Y	Satisfactory
7.	Team 8	Zonderwater Medium A	Gauteng	7/6/2022	Y	Satisfactory
8.		Zonderwater Medium B	Gauteng	8/6/2022	Y	Satisfactory
9.	Team 9	Barberton Farm	Mpumalanga	31/5/2022	Y	Satisfactory
10.		Nelspruit	Mpumalanga	1/6/2022	Y	Good
11.		Barberton Maximum	Mpumalanga	2/6/2022	Y	Satisfactory
12.		Barberton Medium B	Mpumalanga	3/6/2022	Y	Satisfactory

Table 4: Unannounced inspection reports carried over from the previous quarter

### **Ratings of all unannounced inspection reports received**

Five unannounced inspection reports were still in the process of evaluation on the date of submission of the quarterly report.<sup>1</sup> Below is a summary of the facility ratings during unannounced inspections.

Good	Satisfactory	Unsatisfactory	In process of evaluating	Total
2	24	1	5	32

Table 5: Unannounced inspection ratings

### **Facilities rated as unsatisfactory**

#### **Barkley East- Eastern Cape - (ECMR)**

- The facility is old with water leaking in the cells, corridors and other areas.
- The paint was peeling from the walls and ceiling in housing units.
- There is no running water and the toilets were not functioning.
- The clinic was very dirty and unhygienic.
- The kitchen was found unsatisfactory.
- The facility did not have an appropriate contact and non-contact visit area.

### **Inspections: Overview/Findings/Recommendations/Critical interventions**

No critical interventions were identified.

### **Inspections by IJ and JICS management**

One inspection was conducted in the extradition matter of a fugitive currently in the United Kingdom. A further six thematic inspections were conducted in the Eastern Cape at centres mostly rated as unsatisfactory by JICS inspectors. One thematic inspection was conducted at Matatiele (KZN).

The table beneath shows all the thematic inspections conducted by the Inspecting Judge and JICS management for the quarter.

#	Centre	Province	Current Status
1.	Johannesburg Medium C	GP	The report in the form of an affidavit was completed and furnished to the NPA.
2.	Matatiele	KZN	Report received on 29/9/2022. The facility was rated as good.
3.	Mount Ayliff	EC	The compilation of reports is in process.
4.	Mount Fletcher	EC	The compilation of reports is in process.
5.	Mount Frere	EC	The compilation of reports is in process.
6.	Flagstaff	EC	The compilation of reports is in process.
7.	Bizana	EC	The compilation of reports is in process.
8.	Lusikisiki	EC	The compilation of reports is in process.

Table 6: Thematic inspections by the IJ

### **Inspections by other Judges**

None

### **Investigations**

A total of five investigations were mandated and conducted during this quarter. As with inspections, investigations require physical visits to correctional facilities.

<sup>1</sup>. Rooigrond Medium B (NMR), Allandale and Polsmoor Medium C (WCMR). Grootvlei Medium B and Brandfort (CMR)

Due to the practical difficulties involved in investigations (delays in receiving medico-legal documents, dealing with uncooperative DCS officials, visiting witnesses who were transferred after the incident to other centres etc.) investigations take approximately three months to be completed. In extreme and complex cases, investigations may take much longer to complete.

#	Date of mandate	Facility	JICS region	
1	12/8/2022	Bizzah Makhate	CMR	Unnatural death of an inmate – use of force by DCS officials.
2	12/8/2022	Pollsmaar RDF	WCMR	Unnatural death of an inmate – cause of death is unknown (found lying on the floor not responding to any verbal command).
3	31/8/2022	Durban Medium B	KZNMR	Unnatural death of inmate – use of force.
4	15/9/2022	Pollsmaar RDF	WCMR	Unnatural death of inmate – homicide: inmate on inmate.
5	20/9/2022	St Albans	ECMR	Unnatural death of inmates - suspected poisoning.

Table 7: Investigations

#### **Outstanding investigation reports – previous cycles**

Investigations were carried over from the previous reporting cycles where no final reports were received in this quarter. All outstanding requirements that prevent the reports from being finalised are periodically followed up. In some cases, preliminary reports were received.

#	Date of mandate	Facility	Region	Incident	Comments
1.	25/09/2019	Pollsmaor Admision/Max	WCMR	Assault – officials on inmates.	Final report and annexures outstanding.
2.	22/04/2021	Pollsmaor RDF	WCMR	Stabbing of an official and assault of four inmates.	Preliminary investigation report received.
3.	18/01/2022	Middleburg	ECMR	Unnatural death of an inmate.	Preliminary investigation report received.
4.	19/1/2022	Durban Med A	KZNMR	Unnatural death of an inmate.	Report received, annexures to follow.

Table 8: Previous cycle's outstanding investigations

#### **Finalised investigations – office notes**

After the completion of each investigation, an office note is compiled summarising the entire investigation. The office notes are generated to officially inform JICS's management and the IJ of the outcome of the investigation, including findings and recommendations.

The administration and finalisation of the investigations (for example, engagements with DCS, the South African Police Services (SAPS) and the NPA) is a separate process.

In one instance an inmate passed on after being assaulted by a fellow inmate during an argument. In another incident, an inmate set his cell alight apparently out of spite because fellow inmates did not want to give him cigarettes.

A total of 11 investigations were finalised for this quarter.

#	Office note dated	Facility	Region	Comments
1.	4/7/2022	Richmond	CMR	Name of the report: "Unanticipated" Suicide of an inmate.
2.	9/7/2022	Mangaung	CMR	Name of the report: "42 seconds of violence or, You would not like me when I am angry" Homicide: inmate on inmate.
3.	12/7/2022	Odi	NMR	Name of the report: "Someone is phoning my girlfriend" Suicide of an inmate.
4.	15/7/2022	Kgosi Mampuru II	NMR	Name of the report: "Ke tlo le tlatsa" ("I will show you") Suicide (arson) of an inmate.
5.	21/7/2022	Melmoth correctional centre	KZN	Name of the report: "Bullied?" Suicide of an inmate.
6.	11/8/2022	Mangaung	CMR	Name of the report: "More than meets the eye" Inmate burned to death in a single cell.
7.	15/8/2022	Durban Medium A	KZN	Name of the report: "Long arm of the law" The inmate committed suicide the evening before his extradition hearing.
8.	16/8/2022	Tswelopele	CMR	Name of the report: "Lack of rudimentary skills in the use of force" Death of two inmates after an assault by DCS officials
9.	29/8/2022	Johannesburg Med A	NMR	Name of the report: "Birthday" Suicide of an inmate.
10.	31/8/2022	Ermelo	NMR	Name of the report: "Watch him closely" Suicide of an inmate.
11.	27/9/2022	Kgosi Mampuru II Local Correctional Centre	NMR	Name of the report: "Whodunit?" The inmate was discovered in a communal cell with his throat cut. The lights were not functioning in the cell.

Table 9: Investigations completed

## Complaints

### Complaints received per category

The CU received **70** complaints within various categories. Assault complaints remain predominant. In this quarter, **16** complaints of inmate-on-inmate assaults and **13** of official-on-inmate assaults were received. JICS also received **six** sexual assault complaints. No complaints of torture or inhumane treatment were received.

The table below categorises all the complaints received.

Categories	Internal	External	Total
Appeal	4	0	4
Assault (Inmate on inmate)	16	0	16
Assault (Official on inmate)	12	1	13
Assault (sexual)	5	1	6
Attempted suicide	2	0	2
Bail	0	0	0
Communication with family	0	0	0
Conditions	2	0	2
Confiscation of possession	0	0	0
Conversion of sentence	0	0	0
Corruption	0	0	0
Food	0	0	0
Healthcare	5	2	7
Hunger strike	4	0	4
Inhumane treatment	0	0	0
Legal representation	1	0	1
Medical release	0	0	0
Parole	4	1	5
Re-classification	0	0	0
Rehabilitation programmes	1	0	1
Remission	0	0	0
Torture	0	0	0
Transfers	6	0	6
Other	3	0	3
<b>Total</b>	<b>65</b>	<b>5</b>	<b>70</b>

Table 10: Complaints per category

#### Total number of complaints referred to DMR

The Complaints sub-directorate refers certain complaints to DMR. Complaints relating to transfers, parole and healthcare were referred to DMR in the quarter as it is deemed that ICCVs will be able to deal with them more effectively at the coalface.

DMR deals with the complaints and gives feedback to the complaints unit on the progress made in dealing with each complaint. The table below shows non-urgent complaints referred to DMR.

CMR	ECMR	WCMR	KZNMR	NMR	Total
4	4	4	4	13	29

Table 11: Non-urgent complaints referred to DMR

#### Finalised matters

The complaints unit received eight investigation reports from DCS and finalised 21 matters.

The unit now has three matters left to adjudicate. The total number of complaints finalised and those outstanding are tabled below.

Calendar year	2019	2020	2021	2022	Unre-solved	Total
I/R received	1	40	36	10	4	91
Finalised	1	38	36	9	4	83
Outstanding matters	0	2	0	1	0	3

Table 12: Finalised matters

In addition, 108 pending matters were closed due to the following reasons: DCS investigation reports were outstanding, inmates were released from custody, or the complainant submitted insufficient detail to proceed with the complaint.

### **Mandatory reporting**

#### **Unnatural deaths reported**

A total of 19 “unnatural deaths” were reported. The majority of these (17), were classified as unnatural other and two were classified as assaults. All cases categorised as “unnatural other”<sup>2</sup> were enquired into and scrutinised by ICCVs. In addition, copies of the post-mortem and other medico-legal documents were also requested from DCS. JICS will, upon receipt of the documents, officially investigate these matters if necessary.

All unnatural deaths are officially investigated by JICS investigators except for some “unnatural other” where there seems to be no violence or foul play present.

The table below shows the specific categories of unnatural deaths reported:

<b>Category</b>	<b>DCS regions</b>						<b>Total</b>
	<b>EC</b>	<b>FS/NC</b>	<b>GP</b>	<b>KZN</b>	<b>LMN</b>	<b>WC</b>	
Assault	0	1	0	0	0	0	1
Assault: official on inmate/use of force	0	0	0	1	0	0	1
Unnatural causes other	3	0	8	2	0	4	17
<b>Total</b>	<b>3</b>	<b>1</b>	<b>8</b>	<b>3</b>	<b>0</b>	<b>4</b>	<b>19</b>

Table 13: Unnatural deaths reported

#### **Natural deaths reported per DCS region and the official cause of death**

DCS reported 112 deaths from “natural causes”. The highest number of deaths recorded were “natural causes other” (32). Gauteng had the highest number (41); the FS/NC region recorded the lowest (six) deaths. In only one instance it indicated that the death was COVID-19-related.

Deaths reported by DCS are also verified by JICS’ ICCVs via a Record of Confirmation (ROC). These documents are usually submitted by JICS’ regions and are afforded 60 days within which to submit them. In addition, copies of death certificates, post-mortem reports and other documents are obtained and perused. If necessary, JICS’ investigation unit is mandated to conduct an official investigation. The table below shows the natural causes (per medico-legal documents) that inmates died from.

<b>Categories</b>	<b>DCS regions</b>						<b>Total</b>
	<b>EC</b>	<b>FS/NC</b>	<b>GP</b>	<b>KZN</b>	<b>LMN</b>	<b>WC</b>	
Acute abdomen	0	0	0	1	0	0	1
Acute kidney injury	0	0	0	0	1	0	1
Acute myocardial infarction	0	0	0	0	1	0	1
Adhesive bowel obstruction	0	0	1	0	0	0	1
Anaemia/respiratory failure	0	0	0	0	1	0	1
Brain cyst/epilepsy/vascular dementia	0	0	0	1	0	0	1
Brain tumour	0	0	0	0	1	0	1
Cancer	0	0	1	0	0	0	1
Cancer of the oesophagus	1	0	0	1	0	0	2
Cardiac arrest	0	0	1	0	1	0	2
CHF exacerbation, secondary hypertension	0	1	0	0	0	0	1
Chickenpox and liver dysfunction	0	0	1	0	0	0	1
Chronic gastrointestinal disease and dehydration	0	0	0	1	0	0	1

<sup>2</sup>. “Unnatural Other” is where an apparently healthy inmate suddenly passes on, and the cause of death is unknown.

Chronic renal failure and epilepsy-postictal confusion.	0	0	0	0	1	0	1
Colon cancer	0	0	0	0	0	1	1
Community-acquired pneumonia	0	0	0	0	1	0	1
Crystal meth withdrawal symptoms	0	0	1	0	0	0	1
Dehydration and diarrhoea	0	0	1	0	0	0	1
Diagnosis-catalia	0	0	0	1	0	0	1
Dili jaundice	0	0	1	0	0	0	1
Disseminated Kaposi's sarcoma	0	0	1	0	0	0	1
Disseminated T.B and advanced HIV	0	0	1	0	0	0	1
Emphysema bronchiole and bilateral pneumonia	1	0	0	0	0	0	1
Epilepsy	0	1	0	0	0	1	2
Epilepsy, RVD and HPT	1	0	0	0	0	0	1
Gastro-enteritis and dehydration	0	0	0	1	0	0	1
Generalised weakness, hypertension	0	0	0	1	0	0	1
Heart and TB	0	0	1	0	0	0	1
Heart failure	1	0	0	0	1	1	3
Hepatic encephalopathy & kidney failure	0	0	1	0	0	0	1
HIV and CCF	0	0	1	0	0	0	1
HIV and TB defaulted RX	0	0	1	0	0	0	1
Hypoglycaemia	0	0	1	0	0	0	1
Hypoglycaemia, hypoxia and lower respiratory tract infection	0	0	1	0	0	0	1
Hypoxic arrest	0	0	1	0	0	0	1
Hypoxic lower respiratory tract infection (LRTI) and dimension	0	0	1	0	0	0	1
Large bowel obstruction	0	0	0	0	1	0	1
Liver disease	0	0	0	0	1	0	1
Liver failure	0	1	0	0	0	0	1
LRTI	0	0	4	1	0	0	5
Lung cancer and lung collapse	0	0	1	0	0	0	1
Lung carcinoma	0	0	0	1	0	0	1
MDR TB-related	0	0	1	0	0	0	1
Myocardial infarction	0	0	0	0	1	0	1
Natural causes	6	2	8	2	5	9	32
Peptic ulcer	0	0	1	0	0	0	1
Pneumonia	1	0	1	0	2	0	4
Pneumonia and Covid-19	0	0	1	0	0	0	1
Possible HIV-related illnesses, TB	0	0	0	0	0	1	1
PTB	1	0	0	0	0	0	1
Pulmonary related	0	0	0	0	1	0	1
Pulmonary TB	0	0	0	0	0	1	1
Pulmonary tuberculosis & retroviral diseases	0	0	0	1	0	0	1
Ruptured appendix	0	0	1	0		0	1
RDS	0	0	0	1	0	0	1
Renal failure	0	0	1	1	0	0	2
Respiratory distress	1	0	0	3	0	0	4
Respiratory failure, sepsis, acquired immunosuppression syndrome	0	0	1	0	0	0	1
RVD-related	0	0	2	0	0	0	2
Sepsis	0	1	1	0	0	0	2
Shortness of breath - suspected COPD	0	0	0	0	0	1	1
Suspect that the offender passed on as a result of a heart attack	0	0	0	0	0	1	1
Uro sepsis	0	0	1	0	0	0	1
<b>Total</b>	<b>13</b>	<b>6</b>	<b>41</b>	<b>17</b>	<b>19</b>	<b>16</b>	<b>112</b>

Table 14: Natural deaths reported

### **Segregation reports received**

A total of 1045 segregations were reported. Segregations in terms of section 30(1) (b) (restriction of amenities after a disciplinary hearing) were the highest (432). The lowest (four) in terms of section 30(1) (e) (recaptured after escape). The FS/NC region had the highest number of reports (338) and the EC region recorded the lowest (14).

DCS' compliance with mandatory reporting remains a challenge as the electronic system of reporting is currently being rolled out. The accuracy and number of reports by DCS cannot be verified. Although a manual reporting system was introduced as a stopgap measure, the number of reports by DCS has drastically declined in recent years and fluctuated quarterly.

Categories	DCS regions							DLS internal	
	EC	FS/NC	GP	KZN	LMN	WC	Total	Appeal	Finalised
S30(1)(a) Request of inmate	2	120	23	6	15	56	222	0	0
S30(1)(b) Restriction of amenities	4	135	150	63	43	37	432	0	0
S30(1)(c) Prescribed by the medical officer	6	34	45	1	7	56	149	0	0
S30(1)(d) Violence or being threatened with violence	2	43	41	9	41	26	162	0	0
S30(1)(e) Recaptured after escape	0	0	2	0	1	1	4	0	0
S30(1)(f) Request of the police	0	6	11	0	51	8	76	0	0
<b>Total</b>	<b>14</b>	<b>338</b>	<b>272</b>	<b>79</b>	<b>158</b>	<b>184</b>	<b>1045</b>	<b>0</b>	<b>0</b>

Table 15: Segregation reports

### **Segregation appeals**

JICS did not receive any segregation reviews during the quarter.

### **Reports received on mechanical restraints**

A total of **seven** cases involving the use of mechanical restraints incidents were reported by DCS. No request to review a mechanical restraint was received.

The accuracy and number of reports by DCS cannot be verified.

The table below shows all the reports of mechanical restraints received.

Categories	DCS region						
	EC	FS/NC	GP	KZN	LMN	WC	Total
Prevention of damage to property	0	0	1	0	0	0	1
Requested by court	0	0	0	0	0	0	0
Safety of another person	0	0	1	1	1	0	3
Safety of inmate	0	0	0	2	0	1	3
The suspicion exists of escape	0	0	0	0	0	0	0
<b>Total</b>	<b>0</b>	<b>0</b>	<b>2</b>	<b>3</b>	<b>1</b>	<b>1</b>	<b>7</b>

Table 16: Mechanical restraints reports

### **Reports received on the use of force**

For this quarter, **107** cases involving the use of force were reported to JICS. The accuracy and number of reports by DCS cannot be verified.

Most of the use of force reports received (84) were as a result of the force used in the defence of another person (an official or another inmate) in terms of section 32(1)(c)(ii) of the CSA.

Categories	DCS region						Total
	EC	FS/NC	GP	KZN	LMN	WC	
S32(1)(c)(i) – self defence	0	11	2	1	0	4	18
S32(1)(c)(ii) – defence of any other person	0	44	19	11	4	6	84
S32(1)(c)(iii) – preventing an inmate from escaping	0	0	0	0	0	0	0
S32(1)(c)(iv) – protection of property	0	4	1	0	0	0	5
<b>Total</b>	<b>0</b>	<b>59</b>	<b>22</b>	<b>12</b>	<b>4</b>	<b>10</b>	<b>107</b>

Table 17: Use of force reports

### Matters in Court/NPA

JICS is following up on matters that were reported, which include the deaths of inmates at the hands of DCS officials. JICS is also engaging the NPA in the prosecution of criminal matters. Below is a table illustrating two matters that are currently with the NPA and awaiting prosecution. These cases are for illustrative purposes as the unit follows up on all instances where inmates die an unnatural death.

#	Name	NPA status
	UB – Brandvlei (2015)	The DPP instructed the senior public prosecutor at Worcester to prosecute four persons in the regional court for murder, it was further instructed that two be prosecuted for defeating the ends of justice. Matters to be prosecuted separately.  The NPA indicated that the investigation into the matter was not finalised yet. There were medical documents from Tygerberg Hospital that remain outstanding. The prosecutor tasked with the matter indicated that he was in collaboration with the investigating officer and is in the process of obtaining the outstanding documents. Once the investigation is finalised the matter will be enrolled for trial in the regional court. The matter is still being followed up.
	JS – Boksburg (2018)	In September 2022 the VCCO visited Boksburg SAPS to check the progress of the matter, he was informed that the station commander was unavailable for the day because he was attending a district meeting. He was able to meet with the investigating officer and his senior captain. According to SAPS, the investigation has been concluded even though it had been processed through four different investigators hence the delay. Nevertheless, it has been concluded and the investigator was on his way to hand it to the senior prosecutor for further handling and will give the directive on whether the matter will be prosecuted or not.

Table 18: Matters in court/NPA

### Other inquests and criminal matters

The Mandatory Reporting Unit (MRU) is in the process of following up on all inquests and criminal matters regarding the unnatural death of inmates. Details of all the cases can be found in the JICS monthly reports.

### Progress on criminal matters and inquests

Region	Criminal matters	Inquests
Eastern Cape	Three matters are outstanding.	One inquest was finalised with no prosecution instituted, and eight others are still awaiting feedback.
Free State	Three matters have not been finalised. One other was finalised and the accused was found guilty and sentenced.	Two inquests were finalised, and no prosecutions were instituted. Two cases remain outstanding.
Gauteng	One matter is outstanding.	A total of 32 inquests are still awaiting feedback.

<b>Region</b>	<b>Criminal matters</b>	<b>Inquests</b>
KZN	Nine matters are outstanding.	A total of 17 inquests are still awaiting feedback.
Limpopo	One matter is outstanding.	Seven inquests are still awaiting feedback.
Mpumalanga	One case was finalised and the prosecutor declined to prosecute.	Two inquests were finalised, and the prosecution declined to prosecute. Two others are still awaiting feedback.
Western Cape	Seven matters are outstanding.	Three inquests were finalised, and no prosecution has been instituted. Five remain outstanding.
Northern Cape and North West	No pending criminal matters.	In the Northern Cape: feedback is still outstanding on three inquests. In the North West: eight still await feedback.

*Table 19: Criminal matters pending and inquest feedback*

### **Litigation**

#### **S vs JICS**

The registrar has advised that the judgment in this matter is still pending and will advise the parties accordingly as soon as the judgment is ready.

#### **M v JICS**

The state attorney and counsel are working on resolving errors picked up on the records of proceedings.

#### **N vs JICS**

There are no further steps taken by the applicant in pursuit of this matter.

#### **T vs JICS**

The state attorney was instructed to file a notice to abide and keep a watching brief. The plaintiff's attorneys were informed of JICS' stance on the matter. We are following up on the proof of filing.

#### **N vs Minister of Justice**

The appellant was due to file a record on 22 August 2022 and the heads of argument six weeks thereafter. We have diarised our file for November 2022 to follow up on the progress with our attorney of record.

#### **Sonke Gender vs The President of the Republic of South Africa**

The Constitutional Court handed down judgment on 4 December 2020 declaring certain provisions of the CSA invalid. The invalidity has not been cured. The minister intends to bring an application for an extension to afford the department to table the amendment of the CSA before Parliament.

#### **JICS vs M**

JICS is challenging a default arbitration award. The matter was referred to the state attorney PE and counsel has been appointed.



## PART B: DIRECTORATE MANAGEMENT REGIONS (DMR)

### Complaints

#### Independent Correctional Centre Visitors (ICCVs)

In terms of Section 92(1) of the Correctional Services Act 111 of 1998 as amended, JICS is mandated to appoint ICCVs for each correctional centre. Their duties are described in Section 93 (1) (a) - (d), which seeks to provide daily oversight over the humane treatment of inmates and monitoring of the conditions at these centres.

The services rendered by ICCVs are crucial for JICS to successfully execute its mandate; by ensuring that JICS is visible, accessible and a responsive oversight body to our clients, communities, and stakeholders.

A total of **189** ICCVs were deployed throughout correctional facilities across the country, as ICCV deployments decreased by 24 in this quarter, due to contracts ending at the end of August 2022. Collectively, they attended to **14 702 ROCs**, with a breakdown of 12 739 general and urgent complaints and 1 963 mandatory complaints (this should be considered with the target of 11 740). It can be reported that JICS is back to full-time operations, and it is reflected in the quarterly statistics below.

The table below shows the performance of ICCVs on general and urgent complaints as well as mandatory reporting.

Region	Notch level of ICCVs	Number of ICCVs on the notch	ROC: general and urgent complaints	Mandatory ROCs					Total number of ROCs	Minimum number of ROCs expected in total	Was the target met?	If not, mitigating factor(s) /Intervention
				Natural Deaths	Unnatural Deaths	Segregation	Use of Force	Mechanical Restraints				
CMR	3/8	38	2 802	5	3	364	14	0	3 188	2 280	Yes	None
ECMR	3/8	26	1 840	17	2	137	4	0	2 000	1 960	Yes	None
KZNMR	3/8	37	2 295	18	3	562	12	2	2 892	2 220	Yes	None
NMR	3/8	60	3 734	37	3	572	7	0	4 353	3 600	Yes	None
WCMR	3/8	28	2 068	14	2	179	5	1	2 269	1 680	Yes	None
<b>Total</b>	<b>3/8</b>	<b>189</b>	<b>12 739</b>	<b>91</b>	<b>13</b>	<b>1 814</b>	<b>42</b>	<b>3</b>	<b>14 702</b>	<b>11 740</b>	<b>Yes</b>	<b>None</b>

Table 20: Record of consultation by ICCVs

### Complaints handled in regions

Dealing with inmate complaints forms an integral part of the daily duties of ICCVs. All complaints and requests that are recorded by DCS, are monitored by ICCVs in terms of Section 93 of the CSA, which allows them to facilitate the resolution of the complaint/request either at the centre level or to escalate the matter to the Visitors Committee meeting or IJ depending on the complexity thereof.

Regular reporting on these matters is necessary to enhance the inmates' right to complain and be provided with feedback on its resolution. This promotes a healthy inmate-official relationship in the centre as well as a safe and caring environment.

During this quarter, a total of 12 337 general complaints/requests were filed and dealt with by ICCVs (compared to 13 003 from the previous quarter). This shows a decrease in the complaints/requests that were dealt with by ICCVs, due to the decrease in ICCVs deployed this quarter.

Most complaints/requests received were resolved through substantive intervention from DCS. The table below shows the nature of complaints/requests that were dealt with in the regions.

Nature of complaint handled by regions	CMR	ECMR	KZNMR	NMR	WCMR	Total
Appeal	135	35	273	108	57	608
Assault (inmate- on-inmate)	23	42	15	122	11	213
Assault (official-on-inmate)	43	34	7	78	11	173
Assault (sexual)	5	1	5	4	1	16
Attempted suicide	4	0	2	11	0	17
Bail	58	2	32	41	75	208
Communication with family	380	232	222	411	107	1 352
Conditions	18	60	18	124	113	333
Confiscation of possession	3	2	3	10	0	18
Conversion of sentence	2	0	0	22	0	24
Corruption	0	0	0	1	0	1
Food	39	43	25	224	51	382
Healthcare	348	197	230	213	402	1 390
Hunger strike	0	1	0	3	1	5
Inhuman treatment	0	2	0	1	0	3
Legal representation	116	78	102	198	52	546
Medical release	2	5	1	6	0	14

Nature of complaint handled by regions	CMR	ECMR	KZNMR	NMR	WCMR	Total
Parole	14	17	25	96	25	177
Re-classification	4	10	28	38	9	89
Rehabilitation programmes	19	26	165	93	56	359
Remission	1	1	4	23	0	29
Request social worker	319	13	87	285	42	746
Torture	0	0	1	0	0	1
Transfer	314	192	325	326	135	1 292
Other	875	853	409	1304	900	4 341
<b>Total</b>	<b>2 722</b>	<b>1 846</b>	<b>1 979</b>	<b>3 742</b>	<b>2 048</b>	<b>12 337</b>

Table 21: General complaints managed in regions

### Narrative on prevalent complaints per region

#### CMR

**Other (875):** These complaints and requests were handled by ICCVs for inmates who wanted to meet with the HCCs; requested assistance on family-related challenges; enquired about the confirmation of addresses and wanted new clothing and bedding.

**Communication with family (380):** Complaints under this category were received from inmates requesting assistance to communicate with their families and were dealt with by ICCVs. Some of the inmates who are incarcerated are not visited by their families and need support. In some correctional centres, telephones are not working. These inmates want to keep in contact and be updated on what is happening outside with their families.

**Healthcare (348):** Complaints from inmates mostly on primary healthcare. These complaints are handled by professional nurses within correctional centres. In some instances, inmates are not satisfied with their services and request to be assisted by doctors and outside healthcare facilities. Healthcare is a thorny issue and a source of discontent amongst the inmates.

#### ECMR

**Other (853):** Some consist of complaints about lack of safety boots, mattresses, clothing etc. The complaints have been attended to at a centre level received and some of the complaints are currently under discussion at VC and Complaints Committee Meetings.

**Communication with family (232):** Complaints submitted to the region in this category are mainly caused by telephone lines that are not working at the centres.

**Healthcare (197):** Most of these matters have been attended to at the centre level.

#### KZNMR

**Other (409):** The category entails, inter alia, the following aspects such as following up with SAPS on matters that occurred before being incarcerated, shortage of uniforms, deliberate delay in confirming addresses, loss of kitbags with the inmates' items, requesting assistance to open a bank account, to applying for a passport, Identity Documents at the Department of Home Affairs, request for bedding, uniform, etc. The complaints were tabled at the VC meetings and HCCs investigated and resolved the complaints.

**Transfer (325):** Complaints/requests for transfer were registered as the second highest prevalent nature of complaints that were dealt with during the reporting period. Section 43 (1) of the Act stipulates that "a sentenced prisoner must be housed at the prison closest to the place where he or she is to reside after release, with due regard to the availability of accommodation and facilities to meet his or her security requirements and with reference to the availability of programmes". This type of complaint/request

came from rural correctional centres, as their geographical location impacts negatively on inmates' family visits because of the challenge with public transport. Moreover, inmates who were transferred from Durban to Ebongweni CC after DCS officials were stabbed, wanted to be transferred back to Durban Med B.

**Appeal (273):** The inmates complained about the lack of feedback from Legal Aid SA on their appeal applications, requesting to consult with a representative from Legal Aid SA. The complaints were discussed at the VC meetings, in Waterval VC held on 13/09/2022, a representative advised the meeting that Legal Aid SA was planning to have a legal clinic/information session with the inmates. Durban Legal Aid SA envisaged having information sessions with inmates.

**Healthcare (230):** A total number of 230 healthcare-related complaints/requests of inmates were dealt with by ICCVs. Healthcare is a right that all inmates must enjoy whilst they are under the care of the State without any form of arbitrary interference. The inmates, amongst others, requested to consult with the optometrist, and dentist to have new false teeth, inmates complained of headaches, and stomach cramps and wanted to be taken to an internal hospital for medical examinations etc. The inmates were attended to by the medical personnel at the hospital sections and those who needed intensive or further medical procedures at the behest of the medical practitioners were taken to an external hospital.

#### **NMR**

**Other (1304):** In this category, inmates often want to follow up on SAP69, follow up on SAPS cases, requests for toiletries, requests to see the HCC or psychologists' etc. ICCVs constantly engage with HCCs, and other officials designated to attend to these complaints.

**Communication with family (411):** Most of the centres have challenges with faulty telephone lines and inmates want to be in contact with their family members. Recent complaints were also emanating from the visit booking system that was implemented to manage visits.

**Transfer (326):** Inmates often request to be transferred to other centres to be closer to family and for rehabilitation programs. In some instances, the applications for transfers are not approved due to a lack of space/overcrowding at the centres where they have applied. Transfers to other regions are often a challenge as they are approved at the regional level and there are delays in the processing of those applications.

#### **WCMR**

**Other (900):** Inmates registered complaints relating to the lack of shoes and uniforms, the entire region experiences shortages in this regard. The complaints also reflect the shortages of mattresses and blankets.

**Legal representation (52):** The inmates registered concerns that Legal Aid officials don't consult sufficiently before pleading and hearings. Inmates are not aware of who represents them in court and only meet the attorney when they arrive at court.

### **Urgent complaints handled by ICCVs**

<b>Nature of complaint</b>	<b>CMR</b>	<b>ECMR</b>	<b>KZNMR</b>	<b>NMR</b>	<b>WCMR</b>
<b>Assault inmate-on-inmate (213)</b>	23	42	15	122	11
<b>Remarks</b>	<p><b>CMR</b> There were 23 incidents reported from the following correctional centres: Bethlehem, Bizzah Makhate, Edenburg, Henneman, Groenpunt, Grootvlei, Upington, Ventersburg, Vereeniging and Victoria West. Inmates used padlocks, broomsticks, knives, sharpened self-made objects and very often fists during these acts of violence. The reasons for these assaults vary from disagreements, stealing of each other's possessions and gang-related issues. Sometimes it has been reported that they are fighting over bed space, tobacco and drugs. In some instances, inmates will fight for what someone else may regard as a petty issue for example an inmate was allegedly assaulted at Victoria West because he allegedly walked in whilst the floor was wet as another inmate was cleaning.</p> <p><b>ECMR</b> There are 42 instances of assault which took place in centres such as East London Med A (Max), East London Med B, East London Med C, and King Williams Town. Most of the assaults were infighting due to personal items, gang-related issues and bullying. Inmates were sent to the hospital for medical attention, and they were allowed to open cases, in some instances investigations were conducted. Some of the incidents were discussed in VC Meetings.</p> <p><b>KZNMR</b> A total of 15 incidents of assault were received at Durban Med A, Durban Med C, Pietermaritzburg Med A, Waterval Med A &amp; B, Vryheid, Escourt, Glencoe and Newcastle correctional centres. Most of the incidents were gang-related, with inmates attacking, stabbing with sharp objects, and biting the other inmates without any valid reasons. Those who sustained injuries were either taken to the centre hospital or external for further medical treatment and management. Perpetrators were segregated to effect disciplinary measures as stipulated in section 30 (1) (d) of the Correctional Services Act 111 of 1998 (as amended). The victims were allowed to press criminal cases against their attackers. These matters are continuously discussed at the VC meetings and JICS provides oversight until the finalization of the investigations.</p> <p><b>NMR:</b> A total of 122 incidents were reported from the following centres: Odi, Baviaanspoort, Kgosi Mampuru II Local, Atteridgeville, Emthonjeni, Losperfontein, Leeuwkop Med A, Thohoyandou Med B, Lichtenberg, Johannesburg Med A, Johannesburg B, Boksburg, Potchefstroom, Rooigrond, Witbank, Leeuwkop Max, Leeuwkop Med B, Leeuwkop Med A, Mogwase, Atteridgeville, Kgosi Mampuru Central, Ermelo and Rooigrond Med.</p> <p>Inmates often fight for different reasons e.g. for food, cigarettes, money and theft of items in the cells. Inmates who got injured were treated at the centre hospitals. It has been noted that in most cases inmates reconcile but those who wanted to open cases with SAPS are being assisted.</p> <p><b>WCMR:</b> There were 11 incidents reported at Pollsmoor RDF, Voorberg, Brandvlei and Malmesbury. Inmates received the necessary treatment for their injuries and were provided with an opportunity to lay criminal charges. These incidents are regarded as finalised as inmates opted not to pursue criminal charges against perpetrators.</p>				

Nature of complaint	CMR	ECMR	KZNMR	NMR	WCMR
<b>Assault official-on-inmate (173)</b>	43	34	7	78	11
<b>Remarks</b>	<p><b>CMR:</b> Allegations of assaults were received from Groenpunt (37), Tswelopele (2), Grootvlei (1), Kimberley (1), Kuruman (1) and Senekal (1). In Groenpunt it is alleged that the inmates were refusing to enter their communal cells because they were dissatisfied with their forceful transfer from the KZN region. Officials used tonfas and forced the inmates to enter the communal cells. In the other centres, the following reasons allegedly led to the assault of an inmate that was looking at the official in a certain manner and it is alleged that the official beat an inmate because he was not wearing a mask.</p> <p><b>ECMR:</b> There were 34 instances of assault reported at East London Max and Med B. Some of the inmates alleged that they were misidentified as a perpetrator for a fight that happened between inmates, officials suspecting inmates of being involved in a plot to stab the Unit Manager, failing to do squats, for not greeting an official, an inmate found with dagga and a cell phone battery etc. Continuous assaults at East London Max and Med B have been discussed in the VC Meeting and the Area Commissioner of East London is addressing the matter.</p> <p><b>KZNMR:</b> Seven incidents of assault were reported by ICCVs at Ladysmith, Glen-coe, Escort and Waterval Med A correctional centres. It is alleged that inmates were assaulted for refusing to take instructions and refusing to cut their hair, others were found in possession of a cell phone and in some instances, officials exercised minimum force to disarm the inmates who were stabbing officials with knives and sharp objects. The inmates were given medical treatment and others were taken to an outside hospital for further medical attention. The investigations were launched by the centres. The inmates were allowed to lay charges. The assault cases were discussed at the last VC meetings and the HCCs were requested to provide the outcome of their investigations.</p> <p><b>NMR:</b> A total of 78 incidents were reported at the following centres: Baviaanspoort, Witbank, Thohoyandou, Kutama-Sinthumule, Rooigrond, Johannesburg Med C, Johannesburg Female, Barberton Med B, Makhado, Boksburg, Johannesburg Med A, Leeuwkop Med B, Leeuwkop Med C, Losperfontein, Mogwase, Baviaanspoort, Piet Retief, Kgosi Mampuru II local and Emthonjeni, Polokwane, Klerksdorp, Atteridgeville and Losperfontein. Most incidents occur during searches by EST officials or when some inmates refuse to be locked up. Injured inmates received medical attention and were afforded to lay charges with SAPS.</p> <p><b>WCMR:</b> A total of 11 incidents at Helderstrom, George and Brandvlei Juvenile were reported respectively. These incidents were reported to JICS as use of force however the ICCV reported the incidents as assaults. The DCS internal investigation is still pending.</p>				
<b>Nature of complaint</b>	<b>CMR</b>	<b>ECMR</b>	<b>KZNMR</b>	<b>NMR</b>	<b>WCMR</b>
<b>Assault sexual (16)</b>	5	1	5	4	1
<b>Remarks</b>	<p><b>CMR:</b> ICCVs received and dealt with five incidents reported from Mangaung (1), Sasolburg (1), Tswelopele (2) and Vereeniging (1). As reported by the alleged victims, these assaults occurred because of the following reasons: an inmate alleged that he was sexually assaulted by a fellow 28 gang member, an inmate smoked marijuana with other inmates and later woke up with his track pants pulled down, other two victims reported forcefully being raped and in another incident the reasons are unknown. The victims were assessed by a nurse at the internal hospital and provided with an opportunity to open a SAPS case.</p> <p><b>ECMR:</b> One inmate was sexually assaulted at East London Maximum. He received the necessary treatment and was removed from the cell to the hospital section, where he is currently accommodated.</p>				

Nature of complaint	CMR	ECMR	KZNMR	NMR	WCMR
<b>Assault sexual (16)</b>	5	1	5	4	1
<b>Remarks</b>	<p><b>KZNMR:</b> Five incidents were reported from Durban Med A, Kokstad Med, Waterval Med A, Waterval Med B and Durban Youth Centre. In all instances, the inmates were assaulted by their fellow inmates. The inmates were taken to the internal and external hospitals for PEP tests and further medical examination and treatment. The victims were separated from the alleged perpetrators and the perpetrators were segregated in terms of sections 30(1)(b) &amp; 30(1)(d) of the Act. The victims were allowed to open a criminal case against the perpetrators. Bookings were made for the inmates to receive therapy to deal with their traumatic experiences.</p> <p><b>NMR:</b> Four incidents were reported from Mogwase, Johannesburg Med A and Boksburg. Inmates are alleging that they were sexually assaulted by fellow inmates in the cells. They were all referred to Crisis Centres and cases were opened with SAPS.</p> <p><b>WCMR:</b> One incident was recorded at Pollsmoor RDS, the inmate was raped by four fellow inmates, The victim received the necessary treatment, but he refused to lay criminal charges against the perpetrators for fear of his attackers.</p>				
<b>Nature of complaint</b>	<b>CMR</b>	<b>ECMR</b>	<b>KZNMR</b>	<b>NMR</b>	<b>WCMR</b>
<b>Assault inmate-on-official (5)</b>	1	0	3	0	1
<b>Remarks</b>	<p><b>CMR:</b> An incident of assault was reported at Mangaung Correctional Centre. It is alleged that the inmate assaulted the official with his fists. The official sustained a cut on the lips and received medical care. A DCS investigation is in progress. The reasons for the assault are unknown.</p> <p><b>ECMR:</b> None</p> <p><b>KZNMR:</b> Three incidents of inmate-on-official assaults were reported at Serventein, Durban Med A and Ncome CCs. The incidents related to a stabbing using a pair of scissors, biting and attacking with a compass. In all the above-mentioned occurrences, the minimum force was used by DCS officials to disarm the inmates. Depending on the severity of the injury suffered by the inmates and the officials, they were all taken to an internal and external hospital for further management. Disciplinary measures were taken against those inmates who instigated the violence.</p> <p><b>NMR:</b> None</p> <p><b>WCMR:</b> One incident was recorded at Helderstrom, the ICCV initially recorded the incident as an assault due to the excessive force that was used by the officials. The HCC reported the same incident as the use of force, however, after enquiries were made with the ICCV, the initial incident was sparked by an assault of an inmate on an official.</p>				
<b>Nature of complaint</b>	<b>CMR</b>	<b>ECMR</b>	<b>KZNMR</b>	<b>NMR</b>	<b>WCMR</b>
<b>Attempted suicide (17)</b>	4	0	2	11	0
<b>Remarks</b>	<p><b>CMR:</b> Four incidents occurred and were reported from the following correctional centres: Mangaung (2), Ventersburg (1) and Boshof (1). These inmates attempted to commit suicide using different materials e.g. drinking lightbulb powder with water, chewing glass and overdosing on their pills etc. The main reason stated is that they want to be reclassified and transferred to correctional centres located nearer to their families.</p> <p><b>ECMR:</b> None</p>				

Nature of complaint	CMR	ECMR	KZNMR	NMR	WCMR
<b>Attempted suicide (17)</b>	4	0	2	11	0
<b>Remarks</b>	<p><b>KZNMR:</b> The two incidents took place at Durban Med B and Pietermaritzburg Med A correctional centres and the ICCVs consulted with the inmates to investigate the circumstances surrounding the incidents. It was reported that an inmate at Durban Med A swallowed his ARVs because he was not happy about the court proceedings on the day of his appearance. The inmate was taken to an internal hospital for medical attention and the social worker was availed to him for counselling. At Pietermaritzburg Med A CC, it was reported that the inmate overdosed on his medication. The ambulance was called, and the inmate was taken to Edendale Hospital for medical attention. Arrangements were made with the social worker and the psychologist to provide counselling to the inmate.</p> <p><b>NMR:</b> A total of 11 attempted suicide incidents were reported at the following correctional centres: Mogwase, Belfast, Leeuwkop Med A, Zonderwater, Atteridgeville, Carolina and Johannesburg Med A. Some inmates attempted suicide because they wanted to be transferred to other centres or sections. They all received medical attention and were seen by social workers.</p> <p><b>WCMR:</b> None</p>				
<b>Nature of complaint</b>	<b>CMR</b>	<b>ECMR</b>	<b>KZNMR</b>	<b>NMR</b>	<b>WCMR</b>
<b>Corruption (1)</b>	0	0	0	1	0
<b>Remarks</b>	<p><b>CMR:</b> None</p> <p><b>ECMR:</b> None</p> <p><b>KZNMR:</b> None</p> <p><b>NMR:</b> At Boksburg CC an inmate alleges that his family deposited an amount of R1500.00 into the centre's account on 2 September 2021 since his family could not visit him. He further states that on 13 September 2021 when he went to the shop to buy some items, he was told that he only had R430 in his name and according to him he had never used the money. He complained, and he was told that the matter is being investigated but since then there's been no outcome and he requested JICS's intervention. This complaint was discussed during the VC meeting convened in August and the ICCV was requested to follow up on the DCS investigation.</p> <p><b>WCMR:</b> None</p>				
<b>Nature of complaint</b>	<b>CMR</b>	<b>ECMR</b>	<b>KZNMR</b>	<b>NMR</b>	<b>WCMR</b>
<b>Hunger strike (5)</b>	0	1	0	3	1
<b>Remarks</b>	<p><b>CMR:</b> None</p> <p><b>ECMR:</b> The instance of a hunger strike occurred at Lusikisiki, the inmate's underlying complaint was a transfer delay (Lusikisiki to Mdantsane). All the necessary steps were followed by the HCC in terms of the hunger strike, but he is awaiting feedback from the HCC of Mdantsane. Another inmate embarked on a hunger strike because he was transferred to a juvenile centre while he claims that he is an adult.</p> <p><b>KZNMR:</b> None</p> <p><b>NMR:</b> Incidents of hunger strikes were reported at the following centres: Barberton, Thohoyandou Med A, Tzaneen, and Carolina. One inmate went on a hunger strike after he was re-admitted at the centre on 12/06/2022 upon rearrest on 21/07/2022. He was denied bail by the court and embarked on a hunger strike. It was reported that he was not eating normally and when interviewed by the ICCV, he responded that he does not have any problem with DCS but the court denied him bail. He was requested to write down his problems for further handling, however, he refused. The social worker interviewed him, but he is not eating or talking to anyone. The reasons from other inmates were: delayed feedback on profiles submitted to the NCCS, transfers and being accused of having a cell phone.</p>				

Nature of complaint	CMR	ECMR	KZNMR	NMR	WCMR
<b>Hunger strike (5)</b>	0	1	0	3	1
<b>Remarks</b>	<b>WCMR:</b> One incident was reported, the inmate was transferred from Grootvlei to Oudtshoorn CC due to an alleged assault on an official. The inmate wants to be transferred back to Bloemfontein and informed the HCC that he is on a hunger strike.				
Nature of complaint	CMR	ECMR	KZNMR	NMR	WCMR
<b>Inhumane treatment (3)</b>	0	2		1	0
Remarks	<p><b>CMR:</b> None</p> <p><b>ECMR:</b> An East London Maximum inmate mentioned that he feels discriminated against and that the disciplinary measures against him were not fair.</p> <p><b>KZNMR:</b> None</p> <p><b>NMR:</b> An inmate from Leeuwkop Med B complained about the treatment he received from one of the hospital staff members. It is alleged that the inmate said something inappropriate to the hospital staff member who in turn retaliated and also shouted and insulted him. DCS management was involved in the matter and a meeting was called between DCS hospital staff, the inmate and centre management. The matter was resolved during the meeting and both the inmate and hospital staff apologised to each other. It was also reported that the inmate is a bipolar patient.</p> <p><b>WCMR:</b> None</p>				
Nature of complaint	CMR	ECMR	KZNMR	NMR	WCMR
<b>Torture (1)</b>	0	0	1	0	0
<b>Remarks</b>	<p><b>CMR:</b> None</p> <p><b>ECMR:</b> None</p> <p><b>KZNMR:</b> Allegations of torture were reported to JICS on behalf of an inmate who is currently incarcerated at the Durban Medium B Correctional Centre. It is alleged that an inmate was repeatedly assaulted by EST members whilst being escorted to King Edward Hospital on 25/08/2022. Reportedly, the inmate sustained bruises on his back and shoulder. The inmate has requested to lay a criminal charge of torture against the officials. The inmate's request has been attended to by DCS. JICS has requested the HCC to further investigate the allegations and provide JICS with a copy of the internal investigation with its findings and recommendations.</p> <p><b>NMR:</b> None</p> <p><b>WCMR:</b> None</p>				

Table 22: Urgent complaints managed in regions

#### Complaints referrals to ICCVs and regions

JICS needs to manage the complaints of inmates effectively to uphold their human rights, but also to maintain the legal obligation laid upon the organisation in terms of the CSA. Various mechanisms are in place to record, facilitate and monitor the processing of complaints from inmates. ICCVs record the complaints on registers and in official diaries and escalates them to Visitors Committees if they cannot be resolved at the centre level. Regional Complaints Committees monitor and make recommendations and may refer complaints to the Directorate Legal Services and the Office of the Inspecting Judge to facilitate a resolution. Feedback to the inmate may occur at any level as the complaint is resolved.

A total of 29 complaints were referred to the regions for ICCVs to consult with the inmates and referred for further investigation by HCCs to internally resolve them. Twenty complaints from the previous quarter are still yet to be finalised.

The table below shows the complaints referred to the regions by DLS.

<b>Management regions</b>	<b>Number of complaints</b>	<b>Nature of complaint</b>	<b>Complaints pending</b>	<b>Remarks</b>
CMR	4	Appeal x 2 Other x 2	5	These complaints are pending and within the agreed time frames.
ECMR	4	Other x 1 Transfer x 1	2	Both matters have been attended to accordingly, awaiting final feedback.
KZNMR	4	Conditions x 1 Transfer x 2 Health care & Other x 1	3	The inmates were consulted, and two complaints were adequately dealt with and considered resolved. The remaining two complaints/requests are still pending.
NMR	13	Parole x 4 Healthcare x 3 Transfer x 2 Conditions x 1 Legal representation x 1 Rehabilitation x1 Other x 1	10	Some complaints are still pending and others still awaiting feedback from the ICCVs.
WCMR	4	Parole x 2 Rehabilitation x1 programmes x 1	0	The complaints have been dealt with during VC meetings and VC-COs and ICCVs are also handling them.
<b>Total</b>	<b>29</b>	-	<b>20</b>	-

Table 23: Complaints referred to DMR by DLS

## Meetings

### Stakeholders' engagements/Visitors' Committee (VC) meetings

Section 94 of the CSA makes provision for the establishment of Visitors Committees with the primary goal to discuss unresolved complaints and requests of inmates. This provision allows the committee to extend community involvement in correctional matters and creates a platform for external stakeholders to effectively and efficiently deal with inmate complaints.

This report shows the high level of participation from external stakeholders such as DCS, SAPS, Legal Aid South Africa, and Senior Magistrates, amongst others. These engagements are a clear demonstration and commitment to assist DCS in handling some of the challenges related to the complaints of the inmates as shown here below:

<b>Region</b>	<b>Planned VC meetings</b>	<b>Date and correctional facility/area</b>	<b>Matters discussed</b>	<b>Reasons for deviations</b>	<b>Corrective steps</b>
<b>CMR</b>	8	<b>19/07/2022 Kimberley</b>	Discussed the culture of reading and handed over the books to female inmates as part of the Mandela Day celebration.	None	None
		<b>21/07/2022 Goede-moed</b>	Challenges of transfers of inmates between DCS regions. Importance of stakeholders' involvement in the rehabilitation and reintegration of inmates back into society.	None	None
		<b>20/07/2022 Colesburg</b>	Bail of less than R1000 was the main point of discussion. DCS and NPA strategized on how to deal with this matter more effectively. Information and contact numbers were shared amongst the stakeholders for the different districts.	None	None

<b>Region</b>	<b>Planned VC meetings</b>	<b>Date and correctional facility/area</b>	<b>Matters discussed</b>	<b>Reasons for deviations</b>	<b>Corrective steps</b>
		23/08/2022 <b>Bethlehem</b>	Legal Aid complaints about lawyers not consulting with inmates or they do not appear in court, which leads to their cases being postponed for longer.	None	None
		24/08/2022 <b>Groenpunt</b>	SAPS challenges in providing case numbers to inmates. The strategy was developed in a manner that HCC and ICCV must call the station commander after that case was opened to request the case number and provide it to the inmates.	None	None
		25/08/2022 <b>Bizzah Makhate</b>	Lifers' profiles submitted to NCCS that are not received back and they take a long time to receive feedback or profiles get lost. The corruption cases that the ICCV has dealt with are still awaiting finalisation as the Area Commissioner has referred the matter to DIU.	None	None
		21/09/22 <b>Upington</b>	Underutilisation of the Audio-Visual Remand system (AVR) located in the Upington Correctional Centre. This system enables connectivity between the correctional centre and the courts where the remand detainee's case has to be postponed and there is no need for the inmate to be taken to court. Effective utilization of the system lessens the pressures and workload, especially for SAPS, prosecutors and DCS. Further engagements were made with the senior magistrate who was prepared to increase awareness amongst other magistrates and prosecutors in the DEEC.	None	None
		22/09/2022 <b>Grootvlei</b>	A total of 84 complaints were referred to Legal Aid on 4 September 2022. Due to the absence of Legal Aid SA, the secretary will follow up with Legal Aid SA. JICS referred defects and breakages as reported by the ICCVs to DPWI on 31 August 2022. Due to the absence of DPWI, the secretary will follow up with DPWI. JICS provided the following report on SAPS cases from 1 April 2022 till 31 August 2022: SAPS received 168 requests to open cases at Mangaung CC. SAPS dealt with 40 applications and 128 applications are still outstanding. Furthermore, the secretary will communicate pending inquest and criminal matters to SAPS for further handling. DLS finalized and submitted a ruling on a complaint of an inmate from Windburg CC regarding reimbursement of lost private items. As requested by DLS, this matter was discussed in the VC meeting.	None	None
<b>ECMR</b>	5	07/07/2022 <b>Amathole VC at East London CC</b>	Rising number of assaults at Max and Med B. Challenges: sentence remarks - SAPS and DOJ to come up with a solution to assist the parole consideration process. Renovations at Fort Beaufort –centre to report in terms of phases. One unresolved complaint (other) was discussed, inmates were complaining about not having access to the PA System.	None	None

<b>Region</b>	<b>Planned VC meetings</b>	<b>Date and correctional facility/area</b>	<b>Matters discussed</b>	<b>Reasons for deviations</b>	<b>Corrective steps</b>
		18/07/2022 <b>Sada VC at Queens-town DPWI</b>	Rehabilitation programs for inmates. Transfer of inmates to other regions. Visits by Judicial Officers at CC. Senior Magistrate at Komani Magistrate Court visited Queenstown Correctional Centre on 1/7/2022. Attendance of DEEC Meetings by HCCs. Water at Middleburg EC is not fit for human consumption.		
		18/07/2022 <b>at Kirk-wood CC</b>	The Somerset East CC is busy with a project that assists the community by cleaning old age homes and disabled children's homes. Victim support. Progress report on Lifers.		
		19/07/2022 <b>at Mthatha CC</b>	Transfer of inmates – Memorandums that are taking too long without feedback. Centres to forward the list of outstanding transfer requests where feedback was not received. Visits by Judicial Officers at Correctional Centres at Mthatha Remand Detention Facility. DEEC or Case Flow Meeting Attendance. HCCs have been encouraged to attend and support the DEEC meetings in local areas.		
		19/07/2022 <b>St Albans CC</b>	Presentation from Club Office – regarding pricing at the shops and policy guiding the Club Office. Transportation of community members during visits from the main gate to the centre. Kabega Park SAPS is not coming to St Albans centres to open cases for inmates. Community Corrections' role in sponsoring community organisations at Gqeberha. About 10 organisations are benefiting. Mentally ill. Food for offenders at court. SAPS not visiting St Albans centres to open cases for inmates.		
<b>KZN-MR</b>	7	26/07/2022 <b>Pietermaritzburg</b>	The inmates at Ixopo CC complained of being deprived to enjoy the privilege of contact visits as attached to their A-group security classification. The centre confirmed that there is available space, however, it was still under renovation. The delegate indicated that immediately after the completion of the renovation of the contact visit area the inmates will be allowed to have contact visits. Education – complaint about the outstanding academic results from the Department of Education. The matter is being attended to by DCS. Shortage of uniforms for female inmates incarcerated at New Hanover CC - it is reported that a requisition has been made and the centre is still waiting for delivery.	None	None

<b>Region</b>	<b>Planned VC meetings</b>	<b>Date and correctional facility/area</b>	<b>Matters discussed</b>	<b>Reasons for deviations</b>	<b>Corrective steps</b>
		11/08/2022 <b>Qalakabu-sha CC</b>	<p>Transfers – inmates requested to be transferred to other correctional centres that are near their homes.</p> <p>Other: At Qalakabusha CC some inmates gave their IDs to ABSA bank to open bank accounts for them. The IDs got lost during the civil unrest in July 2021 in KZN. ABSA did not escape looting and in the process, inmates' IDs were lost. DCS is arranging with the Department of Home Affairs to visit the centre to help the inmates with applications for new IDs.</p> <p>Communication: Empangeni Management has successfully managed to sign a levy agreement with the Network Call-Safe company, telephone boxes have already been delivered to almost all correctional centres that are under Empangeni Management Area. The inmates would be able to communicate with their loved ones and legal practitioners.</p>	None	None
		17/08/2022 <b>Kokstad CC</b>	<p>The transfer of inmates from Ebongweni correctional centres to their centres of origin with the report tabled that there is a backlog.</p> <p>Transfer of inmates who were transferred from Durban to Ebongweni after the stabbing of DCS officials by inmates. Some inmates were transferred to Ebongweni CC without sufficient documents as evidence of the disciplinary offences.</p>	None	None
		30/08/2022 <b>Durban CC</b>	<p>Transfers – 197 inmates were transferred from Durban to Ebongweni.</p> <p>CC after the attack and stabbing of DCS officials by inmates. The concern raised was that some of the inmates were transferred to Ebongweni CC with their files and outstanding documentation, and this fell short of Ebongweni CC's admission criterion. The plan to meet and discuss this matter with the Area Commissioner of the two Management Areas is still afoot.</p> <p>Food – inmates complained about the small quantity of food they are being served.</p> <p>Non-reporting of mandatory reports by other correctional centres within Durban Area Management was vigorously discussed. HCCs were urged to report all instances of death, segregation, use of force, and mechanical restraints to JICS as stipulated in the CSA 111 of 1998 (as amended).</p> <p>The non-national inmates complained about being given further profiles even if they are suitably qualified for parole. DCS indicated that the parole of non-national inmates is deferred until they reached their SED. Durban Med C undertook to invite a representative from the Department of Home Affairs to clarify this matter to inmates.</p>	None	None

Region	Planned VC meetings	Date and correctional facility/area	Matters discussed	Reasons for deviations	Corrective steps
		13/09/2022 <b>Waterval CC</b>	<p>Other: loss of a kitbag when an inmate was transferred from Waterval Med B to Utrecht CC, and all follow-up efforts to trace the kitbag of the inmate were unsuccessful. It was recommended that the HCC conduct an internal investigation into this particular matter and that the findings and recommendations emanating from the investigation be reported to JICS. The ICCV was requested to monitor and provide updates to JICS as well.</p> <p>Health care: The complaint of shortage of medication for inmates at Newcastle CC was discussed. The HCC confirmed that the pharmacy is fully operational and medication is timely delivered at the centre. The medication shortage was resolved.</p> <p>Parole: lifers and the lack of feedback from the NCCS is still a concern at Waterval Med B CC, and feedback for applications dating back to 2017 is still outstanding with no communication for the update. JICS has indicated that the IJ is engaging relevant stakeholders to sufficiently address this particular matter.</p>	None	None
		14/09/2022 <b>Glencoe CC</b>	<p>Rehabilitation: non-nationals sentenced in 2018 for 15 years requested assistance to apply for a passport to pursue academic studies whilst incarcerated. The matter was referred to HCC's available avenues and sought the intervention of the social worker as well as the DHA which has inherent jurisdiction to deal with this request. Feedback from the HCC is still outstanding and the ICCV was requested to monitor a resolution of this matter.</p> <p>Other: Loss of kitbags of inmates with personal items such as clothes; cellphones etc. Procedure to be followed to address that complaint. The AC recommended that the matter be investigated, and findings and recommendations are made available to JICS.</p> <p>Communication: Call Safe network company: The inmates at Dundee &amp; Pomeroy CC now have access to telephones after the service agreement was signed by DCS and the network company.</p> <p>Other: Inmates requesting to be taken to the bank to open bank accounts or to Home Affairs offices to apply for new IDs. It was reported that the Department has no Standard Operating Procedure (SOP) in place that regulates the movement of inmates, especially those who want to be taken to the bank or DHA to apply for IDs. JICS will engage the Department to obtain clarity on the policy in this regard.</p>	None	None

<b>Region</b>	<b>Planned VC meetings</b>	<b>Date and correctional facility/area</b>	<b>Matters discussed</b>	<b>Reasons for deviations</b>	<b>Corrective steps</b>
		15/09/2022 <b>Ncome CC</b>	<p>DHAs moratorium on the deportation of non-national inmates who have served half of their sentences and qualify for placement on parole. The HCC undertook to engage with the DHA to get clarity on the matter and the reason for this decision.</p> <p>Rehabilitation: The inmate who wrote a book and the procedure to be followed for the book to be published.</p> <p>All mandatory matters as per sections 15; 30 31 &amp; 32 of the Correctional Services Act 111 of 1998 (as amended).</p>	None	None
<b>NMR</b>	9	16/08/2022 <b>Kgosi Mam-puru II CC</b>	<p>There were discussions on challenges with cross transfers as the delegated approval rests at the chief director level and regional transfers are approved at the regional level and the delays in the approval process.</p> <p>Legal Aid-related challenges were raised such as backlog on appeals, minimal time to consult inmates and transfer of inmates after convictions. It was also mentioned that Legal Aid is planning to have outreach programmes at various correctional centres.</p> <p>Challenges with the DPWI taking too long to respond to calls logged on maintenance and infrastructural issues.</p>	None	None
		19/08/2022 <b>Leeuwkop CC</b>	<p>Bank accounts opened during the lockdown due to restricted movements and no visits to the correctional centres were closed. This meant that inmates are not able to receive money from their families. Some of the reasons for the closure of the accounts are corruption and the families depositing the amount exceeding the limit per inmate.</p> <p>Compassionate leave SOP was explained for which inmates are eligible to apply in case of a death, the birth of a child or visiting a sick person in the hospital. There are cost implications for the inmate and the application is subject to approval by the delegated authority and security risk assessment.</p> <p>Other issues that were discussed: were parole considerations, social worker's reports, challenges with transcripts and legal aid visiting the centre in Krugersdorp.</p>	None	None

<b>Region</b>	<b>Planned VC meetings</b>	<b>Date and correctional facility/area</b>	<b>Matters discussed</b>	<b>Reasons for deviations</b>	<b>Corrective steps</b>
		22/08/2022 <b>Johannesburg CC</b>	Unresolved complaints were tabled that included the delayed feedback in lifer's profiles, confiscation of unauthorised laptops, transfer, and inmates suffering from anxiety for which the centre did not have medication.  Transfer challenges at the female centre were discussed. Some inmates cannot be transferred to other female centres in other regions due to their classification categories as maximums.  The Johannesburg Management area now has an additional phone line to book visits.	None	None
		23/08/2022 <b>Modderbee CC</b>	Items that families are allowed to bring to inmates at the centre were discussed. It was explained that centres provide toiletries and that inmates are allowed to bring limited items. It was further mentioned that there are security risks with some of the items brought in and that there are procedures to be followed.  Correctional centres within the Boksburg and Modderbee management area still have the bank accounts that were opened during the lockdown. The accounts are still active despite the challenges such as incorrect prison numbers captured or not captured at all.  Other issues that were discussed: Legal Aid not coming to the centres, shortage of uniforms, the challenge with the Mozambican Embassy was raised with two inmates from Heidelberg, bail reviews, and delayed feedback on lifer's profiles.	None	None
		16/08/2022 <b>Kutama-Sinthumule Private Prison</b>	The non-nationals are overcrowding the centres as the police are just arresting them.	None	None
		18/08/2022 <b>Nelspruit</b>	The attendance of SAPS at the VC meetings was discussed.	None	None
		19/08/2022 <b>Bethal CC</b>	The attendance of SAPS at the VC meetings and public phones that are not working were discussed.	None	None
		22/08/2022 <b>Rustenburg CC</b>	The IT system was down which affected the telephone system. The centre does not have an ICCV, and it was agreed that the VCCO will visit the centre. The delays in feedback for the lifer's profiles and transfers were discussed.	None	None
		23/08/2022 <b>Klerksdorp CC</b>	Delays in opening inmates' cases by SAPS. The shortage of water was discussed. The one issue that featured in most of the VC meetings was the challenge of how DHA is dealing with the non-nationals when they are released from the correctional centres as they are no longer deported back to their countries of origin but released back to the communities.	None	None

<b>Region</b>	<b>Planned VC meetings</b>	<b>Date and correctional facility/area</b>	<b>Matters discussed</b>	<b>Reasons for deviations</b>	<b>Corrective steps</b>
WCMR	6	19/07/2022 <b>Overberg</b>	The region embarked on the identification of community organisations providing aftercare services to inmates after their release from incarceration. Complaints of illegal immigrants incarcerated at Caledon CC while they were held at police cells in previous years. A meeting is to be arranged with SAPS and DHA to discuss the initial arrest and preliminary investigations of immigrants.		
		20/07/2022 <b>Southern Cape</b>	Female RDs complain they don't receive exercise and are not allowed to make phone calls. HCC informed that necessary arrangements must be made to ensure the situation is addressed.		
		26/07/2022 <b>Pollsmaar</b>	New stakeholders attended the meeting which was invited by the ICCV at Pollsmoor. The Hope Revolution and the U-Turn presented their objectives of supporting inmates released on parole. Healthcare of inmates at Pollsmoor remains a challenge, Legal Aid requested JICS to assist an inmate with medical complaints. The inmate was referred to Groote Schuur hospital for medical treatment. The Human Rights Commission was in attendance and raised concerns about the completion of assault cases against officials. Investigations. Officials that refused to provide statements to SAPS were part of the VC meeting.		
		27/07/2022 <b>Drakenstein</b>	SAPS fails to assist inmates at Drakenstein CC and provide the outcome of criminal investigations. Delay of breakages to be repaired by DPWI, DCS awaiting the appointment of contractors for repairs.		
		29/08/2022 <b>Breede River</b>	One recently diagnosed with cancer is currently under treatment. Outstanding feedback for lifers from NCCS. DHA delays verifying the status of refugees. Complaints of matriculants and study directions are to be referred to Regional Office.		
		30/08/2022 <b>Voorberg</b>	Voorberg Medium B started with repairs and maintenance of breakages. Officials started with VOD processes. Malmesbury CC's status changed to an RDF, and all sentenced inmates were to be transferred. Inmates at Van Rhynsdorp must pay for dental services, and ICCV follows up on inmates that can't afford to appoint a private dentist.		
<b>DMR Total</b>	<b>35</b>	<b>35</b>	-	<b>None</b>	<b>None</b>

Table 24: VC meetings

The table above shows that inmates have complaints regarding transfers and a backlog of lifer's profile bottlenecking between NCCS and the Minister's office. Rehabilitation programmes and access to stakeholders like Legal Aid South Africa and SAPS were the challenges that were discussed. Access to public telephones has been a common challenge and JICS has liaised with Telkom/Open serve and DCS National Office in an endeavour to resolve this matter. Telkom has committed to installing 800 public telephone units in all correctional centres across RSA and this project is still ongoing.

**The Justice Crime and Prevention Security (JCPS) Cluster interventions, Case Flow Management Forum, Performance Enhancement and Efficiency Committees (PEEC) and Director of Public Prosecutions (DPP)**

JICS has entered into various memorandums of understanding with stakeholders within the JCPS. Our engagements assist in combining our information, skills and resources in monitoring and reporting on the conditions of correctional centres. In addition, we can share and refer to the complaints and issues of inmates with the main objective of resolving these complaints.

The table below shows engagements with the JCPS cluster per region.

Region	Date	Meeting/s	Matters discussed	Resolutions
CMR	13/07/2022	REEC	Enhancement effectiveness of courts, JICS also raised the challenge of state patients. Grootvlei CC is not able to cope with the number of state patients.	A committee was established to address the issue of state patients which is chaired by the DCS deputy regional commissioner.
	05/08/2022	Public Protector	JICS provided feedback on all complaints referred by the Public Protector for the previous financial year.	Further, follow-ups will be made and an extended invitation was given to them to attend the meeting between JICS and Legal Aid.
	30/08/2022	Legal Aid South Africa	Legal Aid SA provided feedback on 12 complaints referred to them from the total of 83 complaints received.	They committed that they would provide feedback on all outstanding within the next two weeks.
	21/09/2022	Stakeholder meeting	As part of the book donation project, CMR donated books to the Bizzah Makhate Medium C (female section). It was a formal programme attended by inmates, ICCVs, DCS, the Office of the Premier and the Africa College of Education. The Office of the Premier donated two orchards worth of trees and fertilizer to the correctional centres. JICS and other stakeholders provided words of encouragement to the inmates.	It was agreed that there must be ongoing engagement between the stakeholders.  Africa College of Education will further engage with DCS on the provision of educational skills and materials to the officials and inmates.
ECMR	15/07/2022	PEEC	Upgrades at courts – Gqeberha and Mthatha.  New court projects – Bhisho, Whittlesea, Ezibeleni.  NPA in East London is moving from the current building to the Old SARS building.  Public or community members are complaining about the state of East London Magistrate Court and ablution facilities.  Demarcation of courts and alignment is in progress. There is a commission that will look at the demarcation of all courts in line with the District Model.  Visits by judicial officers at correctional centres are encouraged.	

<b>Region</b>	<b>Date</b>	<b>Meeting/s</b>	<b>Matters discussed</b>	<b>Resolutions</b>
	12/08/2022	Mthatha DEEC	<p>Immigration: The meeting pointed out that illegal immigration is a serious offence, therefore SAPS and DHA must deal with this matter very seriously. There was an allegation that some of the illegal immigrants get released at the police stations even before appearing in court.</p> <p>Security in court: Lack of security was registered as a concern where in one instance there were only 10 police officers on a certain day.</p>	
	16/08/2022	Gqeberha DEEC	<p>Planned visit to St Albans: DEEC agreed that there must be a visit of the judiciary, NPA and other stakeholders. The purpose of this visit is for all stakeholders to be made aware of the conditions of the centre and its challenges. It was agreed that JICS in consultation with DCS will facilitate the visit and proposed dates will be forwarded to all concerned.</p> <p>It was reported that inmates held at Gelvandale SAPS for court attendance are not provided with food during lunchtime. Unfortunately, SAPS was not available to provide answers.</p>	
	25/08/2022	East London DEEC	<p>Visit - East London RDF: The meeting agreed that 90% of RDs have their cases assigned to the regional court, therefore, the visit must be arranged with the regional court, however, the chief magistrate will check her diary and join the visit. JICS proposed the date of 20th September 2022 for visit to the prison, which seemed feasible.</p> <p>NPA: Reported recording machines that are not working at Courts 2 &amp; 3.</p> <p>SAPS: A representative from SAPS raised a concern about the conduct of SAPS members in court. There are allegations that they are involved in corrupt activities and smuggling with inmates. Therefore, he requested that a written complaint must be made and submitted to them for any SAPS member involved in such activities.</p> <p>It was also reported that items are thrown from the gallery to inmates but police are not doing anything since they are attending to their cell phones.</p> <p>Judiciary: DOJ raised security concerns. They complained about security officials who are not performing their duties, exposing them to danger and also reported cameras that are not working in the building.</p> <p>DOJ also complained about the noise that is made by the public especially when high-profile cases are sitting. It is disturbing court recordings.</p>	

<b>Region</b>	<b>Date</b>	<b>Meeting/s</b>	<b>Matters discussed</b>	<b>Resolutions</b>
	25/08/2022	Komani DEEC	<p>Reflecting on a visit to Queenstown CC on 1 July 2022:</p> <p>The senior magistrate reflected on the visit to the centre and noted the following:</p> <p>Inhumane conditions, dilapidated structure, delay in bail applications, and RDs who cannot afford bail.</p> <p>It was noted in the discussions that some of the remand detainees are held at the centre for more than nine months without any progress on their cases.</p> <p>A slight improvement in court performances was noted.</p>	
	26/08/2022	Meeting with the Department of Social Development (King Williams Town)	<p>The long-awaited meeting was attended by the ARM, DCS, DSD (regional office and AC office), DoJ &amp; CD and two CSPB chairpersons. The purpose of the meeting was to obtain the buy-in/assistance of DSD with services to victims of crime. Challenge was identified by CSPB that victims are not attended to and are resistant when VOD proceedings have to begin. Presentations were made by the CSPB chairpersons as well as DCS, where after DSD put forward the services available and provided a situational analysis.</p>	
	30/08/2022	Stakeholder engagement and oversight visit at Mthatha RDF.	<p>JICS facilitated a stakeholder engagement and oversight visit to Mthatha RDF (One Judge One Jail Project) with the deputy judge president of Mthatha High Court, senior magistrates, senior prosecutor and the DCS officials from Mthatha Management Area.</p> <p>Discussions included: Level of overcrowding, expanding the AVR system to other courts at Mthatha to minimise security risks, strengthening programs such as 49G, and 63A, challenges on bail applications and delays, violation of human rights due to overcrowding conditions, postponement of cases for a longer period.</p>	
	02/09/2022: GBVF Imbizo at Emalahleni Municipality (Indwe)	The Minister of Justice and Correctional Services conducted an Outreach Program from 2 - 3 September 2022 in the Sada Management Area	<p>The Minister of Justice and Correctional Services visited Indwe (Emalahleni Municipality) to conduct an awareness due to the high number of GBV and femicide-related instances at Emalahleni Municipality.</p> <p>Concerns of the community were: a shortage of resources (police vans, suspects who are released within a short space of time, shortage of rehabilitation centres in the area of eMalahleni Municipality, bad gravel road leading to most of the villages in the area, assisting local traditional courts).</p>	

<b>Region</b>	<b>Date</b>	<b>Meeting/s</b>	<b>Matters discussed</b>	<b>Resolutions</b>
		3 September 2022: Letsema Cleaning Campaign at Enoch Mgijima Municipality (Enkululekweni Ward 15 &16)	The cleaning campaign took place at the Mlungisi location at Komani to remove dirt in areas that were used as dumping sites.	
	16/09/2022	SAHRC virtual stakeholder engagement on a Provincial Preventative Mechanism.	Information sharing on the mandate of the commission. An overview was given on the NPM in the Eastern Cape. Each stakeholder presented its mandate and contribution to a responsive Provincial Preventative Mechanism. Those present included DoH, DSD, IPID and SAPS.	
	20/09/2022: Middleburg CC	The national commissioner conducted an outreach programme for Public Service Monitoring Week in the Sada Management Area from 20 – 21 September 2022.	Incidents of GBV and the delays in DNA testing in dealing with GBV cases. The background of the Cleaning and Greening program as a partnership between the municipality and DCS and after the formal program, the Zonneblom Farm was visited where DCS officials and the municipality were planting seeds. It is a big farm in the municipal area worked by community members, the municipality and DCS Parolees.	
		21/09/2022: Cradock CC	The Cleaning and Greening program is the project of the Minister, who could not be present due to the Presidential summons with regard to the electricity crisis. The Minister, therefore, accepted the memorandum from POPCRU at the Union Buildings, hence the Acting National Commissioner came to represent the Minister. He explained that this project is a partnership of DCS, Inxuba Yethemba Local Municipality and Iliso le Themba. DCS is engaging parolees to work on this community project. The Acting National Commissioner highlighted the role played by DCS in the project and emphasized the fact that DCS will provide all the necessary support to drive this project. DCS is assisting the community e.g. with renovations done by inmates at Maxembe Primary School in Cradock and Baroka Farm School. He also pleaded with the community to accept parolees when they return home from prison.	

<b>Region</b>	<b>Date</b>	<b>Meeting/s</b>	<b>Matters discussed</b>	<b>Resolutions</b>
	The planned PEEC meeting of 30 September 2022 was postponed until further notice.	N/A	N/A	
<b>KZN-MR</b>	16/08/2022	Virtual meeting with the DoH: Forensic Mental Health unit and DCS regional representatives	<p>The purpose of the meeting was to foster a good working relationship with DoH and DCS regarding forensic mental health matters. The items discussed were mental health and wellness challenges for inmates and officials; healthcare, conditions and treatment of state patients at KZN correctional facilities; observation procedures and protocols of criminally insane persons; and training for DCS and JICS staff.</p> <p>A patient who was a certified state patient on 1/04/2022 was detained at PMB Med A CC and he was to be transferred to Fort Napier Psychiatric hospital due to age restrictions on their admission criteria and unavailability of beds at the hospital for juveniles/adolescents.</p>	<p>Various documents were shared, and a follow-up meeting will be held to plan for the intended training for staff.</p> <p>The MHCA was re-issued for the patient and subsequently was transferred from Pietemaritzburg Med A to Fort Napier for mental observation, housed in the female section.</p>
	17/08/2022	Bilateral meeting between JICS and IPID	<p>The meeting was arranged as an introduction for both offices to gain an in-depth understanding of their constitutional oversight roles, such as IPID as stipulated in terms of the SA Police Service Act 68 of 1995 and also the type of complaints that they dealt with as well as JICS mandate as stipulated in the CSA 111 of 1998.</p> <p>Agreed on a referral system, wherein nodal point persons were identified that all matters must be addressed in case there's a need for intervention.</p> <p>IPID raised concerns that they received from inmates during their visit to CCs, who complained about the SAPS officials who are given access by DCS late at night.</p>	<p>IPID to attend the scheduled VC meeting to give a presentation on its statutory function. Both offices will have nodal persons that should exchange communication in case there is a matter that requires the intervention of another office.</p> <p>Both offices will regularly meet to strengthen the collaborative relationship.</p>
	18/08/2022	DCS: Regional Pharmaceutical and Therapeutic Committee (RPTC) meeting	Matters for discussion included: Forensic mental health: challenges, successes and recommendations in the provision of forensic mental health services and programs, management of inmates' assaults and injuries, natural and unnatural death regional reports, medical-related challenges and recommendations and equipping of the centre clinic, multi-disciplinary intervention strategies for the treatment of inmates (medical doctors, social workers; psychiatrists etc., to work together to give a patient quality healthcare, and challenges with Covid-19 vaccination, successes and challenges experienced by the KZN region.	Resolved that the medical personnel must treat inmates as patients. Training for HCCs will be arranged to capacitate Forensic Mental health care, and DCS officials will be given training on the treatment of mentally ill inmates.

<b>Region</b>	<b>Date</b>	<b>Meeting/s</b>	<b>Matters discussed</b>	<b>Resolutions</b>
	08/09/2022	A virtual meeting between JICS and PPSA	The meeting discussed the draft MoU between JICS and PPSA.	The MoU between JICS and PPSA was signed on 28/09/2022. The MoU will strengthen and deepen cooperation and pave the way for defining concrete collaboration opportunities that will benefit both JICS and the PPSA.
	30/09/2022	SAHRC Roundtable discussion on Freedom of Expression and social media	The KZN provincial office of the South African Human Rights Commission hosted a roundtable discussion on Freedom of Expression and Social Media. The discussion provided a collaborative space for activists, public interest organizations defending the freedom of expression, and Chapter 9 institutions to define challenges in the enjoyment of the right to freedom of expression. The envisioned outcome of this engagement was to foster mechanisms for the protection and promotion of this right.	Consideration is given to the freedom of expression as envisaged by the Constitution and the role of social media in the correctional setting.
<b>NMR</b>	07/07/2022	Meeting between JICS, DCS & Telkom	The challenge of defective public telephones at correctional centres.	Telkom indicated that they are ready to procure 1000 units of public phones. However, the number was reduced to 800 units after the meeting.
	10/08/2022	Meeting with Director Court Operations: DOJ&CD Gauteng Regional Office	The purpose of the meeting was to establish a working relationship to channel court-related complaints.  Local case flow management structures were also discussed.	It was agreed that the contact details list of court managers and area court managers will be provided.  It was also agreed that the meeting schedule for case flow management meetings will be provided.

<b>Region</b>	<b>Date</b>	<b>Meeting/s</b>	<b>Matters discussed</b>	<b>Resolutions</b>
	18/08/2022	Gauteng PEEC	<p>A court performance report was discussed that included aspects such as court hours, reasons for postponements, struck-off roll/ collapsed reports, reserved judgments and AVR system usage.</p> <p>RAF litigation – RAF matters constitute 80% of the civil court roll and the cancellation of the attorney's contracts has caused havoc. RAF was invited to the meeting but did not honour the invitation. A separate meeting was arranged with the CEO, judges and other stakeholders within the legal fraternity but the CEO declined, citing that he wanted to meet with judges only.</p> <p>Overcrowding at Johannesburg Med A was discussed. The awaiting trial detainees (ATDs) who have been in custody for more than four years for regional court cases and two years for district court cases were also discussed. The list of the top 50 remand detainees who have been in custody the longest was circulated and the longest period is nine years. Those cases are prioritised and tracked.</p> <p>A status report on fraudulent activities in courts was presented.</p> <p>Striking and suspension of legal practitioners were discussed.</p>	<p>The matter will be escalated to the Chief Justice.</p> <p>There will be continuous engagements between the judiciary, the deputy minister and the minister regarding the increased capacity to reduce backlogs.</p> <p>Currently, two judges sit in these cases and the possibility of reducing the number will be looked into.</p>
	09/09/2022	Meeting with Weskoppies Management	<p>Admission of state patients: it was noted that state patients from Gauteng are being admitted. The challenge is with state patients in Mpumalanga.</p> <p>Attendance of Weskoppies at the VC meetings.</p>	<p>A meeting is to be scheduled with psychiatric doctors in Nelspruit.</p> <p>Weskoppies to attend VC meetings.</p>
	22/09/2022	Meeting with Nelspruit psychiatric doctors	Referral of Mpumalanga state patients to Weskoppies.	The mental health manager will give feedback to JICS on 15th October 2022.
<b>WCMR</b>	21/07/2022	Pollsmaar Juvenile Youth month event	Engagement with Victory Outreach and Message Trust at Pollsmoor Juvenile CC. Stakeholders present facilities for drug rehabilitation and job preparation after being released from incarceration.	Stakeholders to apply as service providers and DCS quality assurance.
	19/08/2022	Virtual discussion NPA	Meeting with NPA on the incarceration of state patients in correctional facilities nationally. NPA in discussions on state patient protocol.	JICS were not invited to attend engagement on state patient protocols. The challenge identified for the admission of state patients in other regions is the challenge of the capacity of accredited mental institutions.
	13/09/2022	Pollsmaar AC Corrections	Discussion with AC Corrections on the release of female inmates without a positive support system. An NGO providing support, and care accommodation to female offenders was identified and agreed to provide a support system while inmates are on parole.	Inmates from Pollsmoor and Worcester Females who qualified for parole were identified and released into the care of the organisation, Beautiful Ashes.

Table 25: Stakeholder engagement meetings

## **DMR community involvement**

DMR inclusive of its five regions uses opportunities of engagement to expand the role and mandate of JICS to actively engage with communities and stakeholders (who have an important role to play) within the carceral system. This not only increases awareness amongst stakeholders and the community but facilitates partnerships beyond incarceration.

Some of these engagements include:

- Oversight visit by Judiciary at Mthatha Remand Facility on 30 August 2022.
- Just Detention International (JDI) has provided training to ICCVs across the country for ICCVs to have a better understanding and assist with sexual and gender-related complaints within correctional centres.
- In the Western Cape, female inmates without a positive support system were adopted by a community-based organisation, name Beautiful Ashes.

## **DMR internal meetings**

### **VCCO virtual meetings**

The monthly VCCO meetings will now be hosted quarterly. VCCOs can provide feedback on their work for the reporting period. In the last meeting, updated information was provided in terms of the following: revised Monitoring and Evaluation Template and Site Visit Template for ICCVs, an update on the training of VCCOs, which will take place from 28 November 2022 to 2 December 2022, the amended SOP for VCCOs, the IJ Complaints Matrix and JICS National Conference, which is currently on hold due to the organisation's financial constraints.

### **ICCV virtual meetings**

Regional ICCV meetings are scheduled and held virtually. Updates are given on progress made with the organisational form, JICS Draft Bill progress and new JICS accommodation. Directorates are invited to provide current information within the organisation e.g., Human Resources, Finance and Supply Chain, IT Services, Communications and Complaints Management.

### **Supervisory meetings held**

The Visitors' Committee Coordinators (VCCOs) are responsible for the supervision of ICCVs; and as part of supervision, they are expected to convene supervisory meetings regularly. During the said meetings, unresolved complaints, operational issues, and the latest policies and circulars are discussed. This is done to improve efficiency and enhance ICCVs performance.

In total 47 meetings were scheduled and 46 convened. Annual performance assessments for the 2021/2022 performance cycle were finalised in line with the timeframes on the Performance Management and Development System.

The table below shows the meetings that took place:

Region	Planned meetings	Number of meetings conducted	VCs where meetings were held	Supervisory minutes submitted	Corrective steps taken
<b>CMR: 2 VCCOs</b>	8	8	<b>Bethlehem</b> 19/07/2022 <b>Groenpunt</b> 20/07/2022 <b>Bizzah Makhate</b> 21/07/2022 <b>Kimberley</b> 16/08/2022 <b>Colesburg</b> 17/08/2022 <b>Goedemoed</b> 18/08/2022 <b>Grootvlei</b> 18/08/2022 <b>Upington</b> 21/09/2022	Yes	None

<b>Region</b>	<b>Planned meetings</b>	<b>Number of meetings conducted</b>	<b>VCs where meetings were held</b>	<b>Supervisory minutes submitted</b>	<b>Corrective steps taken</b>
<b>ECMR: 3 VCCOs</b>	16	15	<b>Amathole</b> 05/07/2022 14/07/2022 19/08/2022 12/09/2022 <b>Kirkwood</b> 17/08/2022 13/09/2022 <b>Mthatha</b> 26/07/2022 28/07/2022 29/07/2022 <b>Sada</b> 12/09/2022 13/09/2022 19/09/2022 29/07/2022 <b>St Albans</b> 18/08/2022 14/09/2022	Yes	The one that could not be held due to unforeseen circumstances will be rescheduled for October 2022.
<b>KZNMR: 3 VCCOs</b>	7	7	<b>Waterval</b> 19/07/2022 <b>Glencoe</b> 20/07/2022 <b>Ncome</b> 21/07/2022 <b>Pietermaritzburg</b> 25/07/2022 <b>Empangeni</b> 10/08/2022 <b>Kokstad</b> 16/08/2022 <b>Durban</b> 28/09/2022	Yes	None
<b>NMR: 4 VCCOs</b>	10	10	<b>Kgosi Mampuru</b> 20/07/2022 <b>Rustenburg</b> 26/07/2022 <b>Witbank/Belfast</b> 27-29/07/2022 <b>Leeuwkop</b> 29/07/2022 <b>Klerksdorp</b> 26/07/2022 <b>Makhado</b> 28/07/2022 <b>Boksburg</b> 27/07/2022 <b>Barberton</b> 28/07/2022 <b>Bethal</b> 20/07/2022 <b>Johannesburg</b> 02/08/2022	Yes	None

Region	Planned meetings	Number of meetings conducted	VCs where meetings were held	Supervisory minutes submitted	Corrective steps taken
<b>WCMR: 3 VCCOs</b>	6	6	<b>Worcester/Brandvlei</b> 15/8/2022 <b>Voorberg/Malmesbury</b> 16/8/2022 <b>Drakenstein/Allandale</b> 16/8/2022 <b>Goodwood/Polsmoor</b> 17/8/2022 <b>Helderstroom</b> 29/8/2022 <b>Southern Cape</b> 30/8/2022	Yes	None
<b>DMR Total</b>	<b>47</b>	<b>46</b>	-	<b>Yes</b>	<b>None</b>

Table 26: Supervisory meetings held

The VCCOs were also expected to finalise the annual performance assessments for the 2021/2022 performance cycle. During this quarter 207 assessments were signed between the supervisee and the supervisor as seen in the table below:

Region	ICCVs per region	No. of performance agreements (Part A-C) for 2022/2023 concluded	No. of annual performance assessment (Part E-F) for 2021/2022 concluded	Corrective steps taken if not submitted
CMR: 2 VCCOs	July (48) Aug (48) Sept (38)	37	62	One ICCV who is recently appointed, Part A-C to be completed at the next supervisory meeting.
ECMR: 3 VCCOs	July (36) Aug (36) Sept (26)	35	35	One ICCV is under investigation for non-compliance.
KZNMR: 2 VCCOs	July (38) Aug (38) Sept (38)	38	37	One ICCV is on suspension for misconduct and her performance assessment specifically Part E-F for 2021/2022 could not be finalized.
NMR: 4 VCCOs	July (64) Aug (63) Sept (55)	63	47	One ICCV was not attending supervisory meetings and the VCCO could not get hold of him. He resigned on 14/07/2022.
WCMR: 3 VCCOs	July (27) Aug (27) Sept (27)	27	27	None
<b>DMR Total</b>	-	<b>200</b>	<b>207</b>	-

Table 27: ICCV performance assessment

## Population

### Inmate population

A total number of 150 099 inmates including 65 infants were detained and incarcerated. NMR has the highest number of sentenced inmates (38 806), followed by KZNMR (17 032) and WCMR (15 767). CMR and ECMR have the least numbers (14 137 and 14 727) respectively.

The table below shows the total inmate population per JICS region.

Region	Remand detainees		Sentenced inmates		State patients		Infants	Total
	Males	Females	Males	Females	Males	Females		
CMR	5585	127	13 874	263	55	3	5	19 907
ECMR	6 036	101	14 472	255	15	0	2	20 879
KZNMR	5 830	182	16 610	422	7	0	10	23 051
NMR	19 350	686	37 690	1 116	29	4	38	58 875
WCMR	11 165	455	15 202	565	0	0	10	27 387
<b>Total</b>	<b>47 966</b>	<b>1 551</b>	<b>97 848</b>	<b>2 621</b>	<b>106</b>	<b>7</b>	<b>65</b>	<b>150 099</b>

Table 28: Inmate population

### Remand detainees with bail less than R1000

Heads of correctional centres submit section 49 G, 63(a) and 62(f) applications to the courts for reconsideration of placement of remand detainees. The prosecutors are reluctant to utilise these sections of the Criminal Procedure and Correctional Services Acts. The impact of drug dependency is one of the main reasons why relatives of offenders don't pay the inmate's bail. The involvement of Community-based organisations that specialise in drug rehabilitation programmes should be considered to play a more meaningful role in the rehabilitation process of remand detainees. The implementation of programmes for remand detainees by DCS is a positive move however the capacity could be a major challenge.

The table below shows the remand detainees with bail less than R1000.

Region	No. of RDs with bail less than R1000	No. of RDs awaiting trial for more than two years	Comments
CMR	155	0	None
ECMR	396	3	None
KZNMR	250	0	None
NMR	1 389	6	The centres are submitting the 49G and 63 (a) applications and the courts are delaying in responding.
WCMR	416	2	Family members refuse to pay bail or cannot afford to pay bail.
<b>DMR Total</b>	<b>2 606</b>	<b>11</b>	-

Table 29: Remand detainees with bail less than R1000

### Declared state patients detained

As at 30 September 2022, there were 106 male and seven female declared state patients within correctional centres. Although the Health Care Act 17 of 2002 stipulates that they must be transferred to health care or psychiatric facilities, there is an internal arrangement that the judiciary may refer the state patients to DCS until bed space is available at the health care or psychiatric facilities of DOH.

In many of the correctional centres, these state patients are incarcerated in overcrowded centres and DCS does not have the necessary competencies to deal with state patients. ICCVs have handled or dealt with incidents of violence amongst state patients. It is difficult to resolve or deal with these matters due to the mental capacity of the state patients. JICS NMR had a meeting with the Weskoppies Psychiatric Hospital management team and the DOH Nelspruit to discuss the challenges of the state patients in the NMR.

Correctional centres are not suitable for the incarceration of state patients. Psychiatric institutions must modify their business models to increase the admission of state patients. State patients form part of a vulnerable group of inmates and the fact that these inmates are "non-compos mentis" places unfair responsibility on the Department, as specialized care must be provided by DCS considering that the Department does not have the pre-requisite skills and resources.

The table below shows the number of declared state patients incarcerated.

<b>Region</b>	<b>Number of male state patients</b>	<b>Number of female state patients</b>	<b>Total</b>	<b>Remarks</b>
CMR	55	3	58	State patients are incarcerated at Grootvlei and Kimberley CCs. The number of state patients at Grootvlei CC (27) has relatively reduced whereas at Kimberley CC (31) there has been an increase in the number of patients.
ECMR	15	0	15	There are two psychiatric hospitals in the Eastern Cape (Fort England and Komani). DOH confirmed that there is a shortage of space and only one specialist is responsible for both institutions.
KZNMR	7	0	7	The state patients are detained at Durban Med A (5) and Pietermaritzburg Med A (2). This area is well managed by DCS's regional office, and applications for MHCA23 for the patients are approved without unreasonable delay. Currently, all the patients have already been allocated the dates of transfer and designated hospitals.
NMR	29	4	33	The inmates are awaiting bed spaces at the psychiatric hospitals. It has been noted that there is a challenge in Mpumalanga with the referral of state patients to Weskoppies. Meetings were convened in September to address this challenge.
WCMR	None	N/A	N/A	N/A
<b>Total</b>	<b>106</b>	<b>7</b>	<b>113</b>	<b>Interventions with various stakeholders took place and positive resolutions were taken and will be implemented to address the challenges of the state patients.</b>

Table 30: Declared state patients incarcerated

#### **Non-nationals (sentenced and remand detainees) in correctional facilities**

Non-nationals ("foreigners") are persons who are neither citizens nor residents of South Africa. An "illegal foreigner" (the term the statute uses) is in the country in contravention of immigration laws. JICS refers to all inmates who are foreigners and illegal foreigners as non-national inmates. JICS's oversight mandate extends to all inmates, including non-national inmates.

The highest number of non-national incarcerated citizens are from Mozambique, Lesotho, and Tanzania. The table below shows the non-nationals incarcerated, the nature of the crimes committed and their countries of origin.

Regions	Number of non-nationals incarcerated								
	Sentenced		Remand detainees		Total	Nature of crimes committed	Length of sentence	Countries of Origin	
	Male	Female	Male	Female					
CMR	473	80	947	33	1533	Financial crimes, theft, rape, murder, robbery, drugs, housebreaking, immigration law, tampering with state infrastructure, fraud and forgery.	Three months to life imprisonment.	Most of the non-nationals incarcerated originate from the following countries: Zimbabwe, Lesotho and Mozambique. Other non-nationals are from Bangladesh, Bulgaria, Burundi, Cameroon, China, Congo, Denmark, Ethiopia, Malawi, Namibia, Niger, Nigeria, Pakistan, Senegal, Somalia, Swaziland, Tanzania, Uganda, and Venezuela.	
ECMR	197	5	0	0	202	Trading in dangerous habit-forming medication, marijuana trade, fraud and immigration law, housebreaking and theft, attempted murder, attempted rape, rape, indecent assault, murder, robbery aggravating, kidnapping and forgery, trafficking in persons for sex purposes, malicious damage to property, fraud, possession of stolen property, stock theft, illegal immigration, dealing in drugs, attempted escape, culpable homicide, economical transgressions, assault GBH.	Three months to life imprisonment.	Most of the non-nationals hail from Lesotho, Malawi, Mozambique, Nigeria, Tanzania and Zimbabwe. Other non-nationals from countries with smaller numbers are: Bangladesh, Brazil, Burundi, China, Congo, Ethiopia, India, Kenya, Namibia, Russia, Somalia, Uganda and the United States of America.	

Regions	Number of non-nationals incarcerated								
	Sentenced		Remand detainees		Total	Nature of crimes committed	Length of sentence	Countries of Origin	
	Male	Female	Male	Female					
NMR	6725	299	6237	200	13 461	Murder, rape, robbery, theft, drug dealing, illegal immigration, kidnapping, and assaults to cause grievous bodily harm etc.	Three months to a life sentence.	Botswana, Burundi, Egypt, Ghana, DRC, Dominican Republic, France, India, Jordan, Kenya, Kingdom of Saudi Arabia, Lesotho, Malawi, Myanmar, Malaysia, Marshal Islands, Mozambique, Mauritius, Mexico, Morocco, Namibia, New Zealand, Nigeria, Niger, Pakistan, Paraguay, Portugal, Poland, Peru, Russia, Somalia, Senegal, Slovakia, St Lucia, Swaziland, Tanzania, Thailand, Uganda, Zambia, Zimbabwe, Zaire and the Czech Republic.	
WCMR	283	9	555	12	859	Murder, robbery, attempted murder, theft, housebreaking, possession of drugs, fraud, and kidnapping.	Inmates incarcerated from short-term sentences to life imprisonment.	Lesotho, Zimbabwe, Nigeria, Malaysia, Somalia, Zambia, Pakistan, Tanzania, Uganda, Namibia, Portugal, Italy, United States of America, China, Malawi, Mauritius, Kenya, Russia, and Brazil.	
<b>Total</b>	<b>8 083</b>	<b>404</b>	<b>7 786</b>	<b>246</b>	<b>16 518</b>		-	-	

Table 31: Non-nationals in correctional centres

#### Total number of non-national lifers

Region	Total non-national lifers	Nationalities
CMR	16	Lesotho (11), Bangladesh (2), Mozambique (2) and Zimbabwe (1).
ECMR	28	Bangladesh (3), Congo (1), Ethiopia (1), Germany (1), Lesotho (6), Malawi (1), Mozambique (2), Nigeria (5), Pakistan (1), Tanzania (1), and Zimbabwe (6).
KZNMR	15	Malawi (6), Swaziland (3), Mozambique (2), Lesotho (2), Tanzania, Congo (1) and Zimbabwe (1).
NMR	385	Mozambique (129), Lesotho (33), Zimbabwe (185), Malawi (9), Nigeria (13), Swaziland (6), Congo (2), Somalia (1), Argentina (1), Angola (3), Ethiopia (1), Ghana (1), and Namibia (1).
WCMR	20	Burundi (4), Zimbabwe (8), Namibia (1), Mozambique (6), and Somalia (1).
<b>DMR Total</b>	<b>464</b>	-

Table 32: Non-national lifers in correctional centres

### Lifer profiles

JICS receives complaints from inmates who are colloquially referred to as "lifers" and from external stakeholders who have a particular interest in matters that affect inmates who are in this category. Their complaints emanated from a long outstanding backlog of profiles of those inmates who have served their minimum detention period and are due for parole consideration. Frustration and discontentment amongst these inmates are ascribed to, a sense of neglect that they experience from the National Council for Correctional Services (NCCS) and/or Minister: Department of Justice and Correctional Services, the unreasonable delay that characterized how their profiles are handled, and not being updated timely with the outcome of their submissions that have long been submitted for consideration. Notwithstanding that, "parole is not a right, but a privilege subject to specific conditions ..." but inmates who have been considered, must be given feedback or updates on the progress of their submissions. In case they are not favourably considered for placement on parole, they must be furnished with feedback and reasons thereof. Other complainants indicated that their profiles were sent to the NCCS five years ago, but to date, they have not received feedback.

In its quest to address this matter, JICS has held several meetings with the NCCS to engage and ascertain the innovative measures that have been put in place to reduce the backlog of profiles that have laden the NCCS and the Minister's office. JICS will continue to exercise its independent oversight in correctional settings and unfailingly engage with the NCCS and Minister to find a sustainable solution to reduce the backlog of profiles.

The table below shows the backlog of profiles that still needs to be dealt with by the NCCS and the Minister, which are as follows:

Region	Profiles with NCCS				Profiles awaiting a decision from the Minister
	Van Wyk judgement	Phaalha judgement	Phaalha van Vuuren judgement	Total	
CMR	222	104	0	326	12
ECMR	216	64	0	280	98
KZNMR	420	409	0	829	142
NMR	767	555	0	1 322	317
WCMR	212	134	0	346	837
<b>Totals</b>	<b>1 837</b>	<b>1 266</b>	<b>0</b>	<b>3 103</b>	<b>1 406</b>

Table 33: Lifer profiles

### Reports

#### Parole violation report

Socio-economic challenges such as joblessness, hunger, poverty, broken families and lack of support structure lead to a high number of parole violations. Stigmatization of inmates on their release and the fact that they have criminal records also add as a contributing factor to unemployment which fuels the violation of parole. DCS is hindered by the shortage of staff responsible for rendering corrective programmes, this includes a shortage of social workers, psychologists and case officers who are mostly used for security-related duties.

<b>Region</b>	<b>No. of repeat offenders from April – September 2022</b>	<b>No. of re-arrests</b>	<b>Nature of the crime committed for the re-arrest</b>	<b>Total</b>
CMR	62	98	Absconding and violation of conditions, robbery with aggravating circumstances, rape, housebreaking, theft, murder, stock theft and malicious property damage, loss of support and deserting their addresses.	160
ECMR	7	Information not available.	Murder, robbery, parole violation, theft, and assault.	7
KZNMR	68	53	Assault GBH, possession of a firearm, robbery, housebreaking and rape, loss of support system, violation of parole conditions.	121
NMR	236	252	Parole violation, loss of support system, assault/family violence, theft etc.	488
WCMR	198	52	Parole violation, theft, rape, assault, and robbery.	250
<b>DMR Total</b>	<b>571</b>	<b>455</b>	-	<b>1 026</b>

Table 34: Parole violation

#### Analysis of site visits conducted

Each ICCV is required to conduct a minimum of two site inspections per month, in line with their duties at the centre. Areas of concern, the treatment of inmates and the conditions at the centre are reported in the site visit report. A total of 1492 site visits were conducted as per the table above and 540 site visit reports were submitted.

The areas of concern in most centres relate to poor and dilapidated infrastructure challenges, maintenance challenges, broken kitchen equipment, lack of hot water, shortage of bedding, shortage of inmate uniforms, dysfunctional telephones, transfers, and overcrowding.

DCS should deal with day-to-day maintenance and structural challenges in correctional facilities. It has been noted that the challenges have been reported and a lack of immediate response from DPWI remains an issue for DCS.

#### Site visits conducted at correctional centres

<b>Region</b>	<b>Site visits conducted</b>	<b>Reports submitted</b>
CMR	290	126
ECMR	190	96
KZN	266	108
NMR	413	118
WCMR	333	92
<b>Total</b>	<b>1 492</b>	<b>540</b>

Table 35: Site visits conducted by ICCVs

#### Focus on women in incarceration

##### Complaints relating to feminine hygiene and conditions

A total of 498 complaints were received from female inmates in correctional centres with eight complaints about feminine hygiene products. The prevalent complaints and requests per region are related to issues of bail, buying of toiletries, requests to see the social worker, kitchen uniforms, leaking toilets, non-functioning toilets (that cause vaginal infection), showers, bathtubs, quality and quantity of food.

The table below highlights complaints received from female inmates in correctional facilities.

Region	Complaints received	Complaints related to feminine hygiene	Sentenced female inmates	Unsentenced female inmates
CMR	6	1	263	127
ECMR	119	2	255	101
KZN	36	1	422	182
NMR	279	4	1 116	686
WCMR	58	0	565	455
<b>Total</b>	<b>498</b>	<b>8</b>	<b>2 621</b>	<b>1 551</b>

Table 36: Complaints from female inmates

#### COVID-19 reporting

The table below shows the current cumulative status since the onset of COVID-19, including JICS officials, DCS officials and inmates who tested positive as well as the total COVID-19-related deaths that occurred under each category.

Regions	JICS officials and recoveries	JICS Official deaths	DCS officials	Inmates	Recoveries (DCS officials and inmates)	DCS official deaths	Inmate deaths
Eastern Cape	2	1	1 528	1 565	3035	35	15
Free-State and Northern Cape	18	0	1953	1023	2 929	33	14
Gauteng	10	0	2 509	3 092	5 492	47	54
KwaZulu-Natal	3	0	1 764	1 120	2 826	45	13
Limpopo, Mpumalanga, and North West	0	0	1 858	1 377	3 185	36	13
Western Cape Region	20	0	2 444	1727	4 110	45	14
DCS Head Office	0	0	296	0	293	1	0
JICS Head Office staff and Cape Town	3	0	0	0	0	0	
<b>Total</b>	<b>54</b>	<b>1</b>	<b>12 352</b>	<b>9 904</b>	<b>21 870</b>	<b>242</b>	<b>123</b>

Table 37: Report on COVID-19 from March 2020 until 30 September 2022

The table shows the COVID-19 pandemic breakdown. A cumulative total of 12 346 DCS officials, 9 886 inmates and 54 JICS officials tested positive for COVID-19. A cumulative total of 242 DCS officials, 121 inmates and one JICS official have succumbed to the virus as at 30 September 2022.

#### COVID-19 vaccination status as at 30 September 2022

Since the countrywide availability of vaccines, the infection rate has reduced. JICS consistently encouraged staff members to vaccinate to protect themselves as well as their families, colleagues, and inmates against the virus. This also assisted JICS to monitor the rate against which we were able to reach herd immunity. It needs to be acknowledged that despite consistent encouragement, some employees are unwilling to be vaccinated. Officials have been encouraged to get a booster dose of the coronavirus (COVID-19) vaccine.

The table below shows the vaccination status per region/JICS office:

<b>Region</b>	<b>Total no. of officials</b>	<b>Total vaccinated</b>	<b>Total vaccine-hesitant</b>	<b>Percentage vaccinated</b>	<b>Total outstanding</b>	<b>Comments</b>
CMR	47	42	5	89%	5	Five ICCVs are hesitant and therefore not vaccinated.
ECMR	35	25	10	71%	10	All officials are encouraged to vaccinate.
KZNMR	47	40	7	85%	7	Seven officials are still unwilling to vaccinate.
NMR	63	58	5	92%	5	Five ICCVs have not been vaccinated.
WCMR	34	19	15	56%	15	Staff is continuously encouraged to vaccinate.
JICS H/O	23	20	3	87%	3	Three officials are hesitant. The awareness campaign is ongoing.
Cape Town office	27	10	17	37%	17	17 officials are hesitant. The awareness campaign is ongoing.
<b>Total</b>	<b>276</b>	<b>214</b>	<b>62</b>	<b>78%</b>	<b>62</b>	<b>Ongoing encouragement for those who are not vaccinated is taking place.</b>

Table 38: Report on vaccination status within JICS

### Highlighted Incidents

#### CMR

A report was relayed of DCS officials picketing at Groenpunt in August 2022. The officials had a disagreement with management regarding the current shift pattern and they decided to go on a go-slow. The POPCRU members were not working, and all escorts were taken out by PSA members and other management drove a minibus to fetch officials to bring them to work. Rehabilitation programs were affected because it was impossible for the inmates to attend social work programmes and for inmates to be provided with allocated one hour of exercise as stipulated by the policy.

The strike negatively impacted the ICCV's work, as they were not able to conduct site visits, private consultations and interviews.

The mitigating factor from management was to lock the gates for officials who reported for duty at 07:00 am and the gates were opened at 08:00.

The incident of an inmate-on-inmate assault took place at Bizzah Makhate correctional centre in July 2022. Through the intervention of DCS officials, the use of force resulted in one of the inmates being rushed to the external hospital and after two days of admission, the inmate was reported to have passed on.

#### ECMR

The ICCV at Cradock CC reported an incident of violence where a 19-year-old remand detainee awaiting trial for GBH was assaulted by another inmate for disturbing their dominoes game while passing by. The inmate did not report the incident to the night duty official and the injured inmate was noticed during unlock.

#### KZNMR

On 25th July 2022, a security-related incident occurred at Durban Med B correctional centre. It was alleged that two DCS officials whilst performing their official duties, were stabbed several times by three

inmates with real knives. Consequently, the local EST and Dog Unit was activated and minimum force was used to calm the situation and restore good order. Officials and inmates were taken to St Augustine hospital and King Edward hospital for medical treatment. Subsequently, it was reported that more than 200 inmates were transferred to Ebongweni CC after the stabbing.

#### **NMR**

There was an incident that occurred at Johannesburg Female on 25 July 2022 when an ICCV was locked in while she was consulting inmates. She reported that she was conducting a site visit on the said day and inmates indicated that they are experiencing food shortages as they are only dished half a cup for lunch. They further indicated that there is excessive overcrowding where inmates are sharing beds and sleeping in twos and others sleep on the floor with sponges only. The ICCV arranged with officials to return during lunch so that she can observe the food shortage complaint raised by inmates as well as the overcrowding. Whilst she was busy consulting inmates after lunch in one of the communal cells she was locked in until around 17:30. The centre was requested to conduct an internal investigation.

On the 26th of August 2022, a female DCS official was caught with a stash of dagga weighing 0.186 grams and a cell phone in her handbag in one of the centres in Mbombela. The street value of the dagga was estimated at R1 500. The incident was reported in the newspapers and it was mentioned that she is expected to appear at Bethal Magistrate Court soon.

It was reported that the bread was not delivered by the supplier on 25 September 2022 at Leeuwkop Med C. As a result, the inmates were refusing to be counted the next morning. The issue was addressed by the centre management.

#### **WCMR**

On 13 April 2022, the ICCV at Malmesbury CC alerted the acting RM of an escape and a riot that broke out. The regional inspector was requested to visit the centre the next morning. The escape of three inmates was confirmed and the inspector visited one inmate to check on his condition, as was re-arrested in the police cells. The riot at the centre was regarded as false information and forwarded to the ICCV, the regional inspector visited the unit where the riots were supposed to take place, and however, no incidents were reported in the centre.

JICS attended the opening of a drug rehabilitation centre at Buffelsjagrivier. The centre will be managed by a community-based drug rehabilitation organisation. Inmates serving two years or less will be attending the rehabilitation centre.

A mentally ill inmate was assaulted in a communal cell in the hospital unit. This is the second incident where a mentally ill inmate was killed by a fellow inmate in the same cell at RDF.



## PART C: DIRECTORATE SUPPORT SERVICES

### Human Resources

#### Organisational establishment structure

##### Approved establishment structure

As at 30 September 2022, there were 86 permanent approved and funded positions on the fixed establishment. A total of 78 posts were filled and eight vacant posts with a 9.30% vacancy rate.

The table below shows the current vacancies.

No.	Level	Description	Status
1.	Level 5	Auxiliary Clerk (NMR)	Selection and recruitment process is finalised.
2.	Level 5	Administration Clerk (NMR)	Selection and recruitment process is finalised.
3.	Level 5	HR Admin Clerk – CPT Head Office	Selection and recruitment process is finalised.
4.	Level 5	Secretary to the Directors	Selection and recruitment process is finalised.
5.	Level 5	HR Admin Clerk – CPT Head Office	Selection and recruitment process is finalised.
6.	Level 5	VCCO - CMR	Selection and recruitment process is finalised.
7.	Level 7	VCCO – KZNMR	Selection and recruitment process to commence.
8.	Level 8	Assistant R: WCMR	Selection and recruitment process to commence.

Table 39: Vacant posts

## ICCVs

There are currently 37 vacant ICCV positions out of 225 funded positions, with a vacancy rate of 16.44%. Vacancies are a result of contracts that have expired.

An additional 50 unfunded vacancies are not filled due to the CoE budget shortfall. The table below shows the current vacancy rate of the ICCV positions.

Filled posts	188/83,56%
Vacant posts	37/16,44%
<b>Total number of ICCV posts</b>	<b>225</b>

Table 40: ICCV post-establishment

## Employment equity

The table below shows the number of employees in each occupational category.

Level	Males				Females				Total
	Black	Coloured	Indian	White	Black	Coloured	Indian	White	
Senior management (Level 13 – 14)	-	-	1	1	2	-	-	-	4
Professionally qualified and mid-management (Level 11 – 12)	3	1	-	1	2	1	-	-	8
Skilled technical and aca- demically qualified work- ers, junior management supervisors (Level 7 – 10)	15	7	-	-	18	3	1	1	45
Semi-skilled and dis- cretionary decision-making (Level 3 – 6)	4	1	-	-	10	5	-	-	20
Unskilled and defined decision-making (Level 1 – 2)	1	-	-	-	-	-	-	-	1
Permanent	23	9	1	2	32	9	1	1	78
Non-permanent	-	-	-	1	9	2	1	-	13
ICCVs	71	12	1	1	85	15	3	-	188
<b>Total</b>	<b>94</b>	<b>21</b>	<b>2</b>	<b>4</b>	<b>126</b>	<b>26</b>	<b>5</b>	<b>1</b>	<b>279</b>

Table 41: Employment equity statistics

The table below shows the employment equity percentages (including employees with disabilities) within JICS:

Black		Coloured		Indian		White		People with disabilities	
Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
93/33.33%	126/45.16%	21/7.52%	26/9.3%	2/0.71%	5/1.79%	4/1.29%	1/0.36%	1/0.36%	-

Table 42: Employment equity percentages

## Performance agreements

Performance agreements for the financial year 2022/23 were due by 30 June 2022. All 78 submissions were received.

## Labour relations

### Outstanding misconduct cases

One

## **Grievances**

One grievance was received and it remained unresolved. It was referred to the Public Service Commission.

## **Labour disputes and litigation**

The grievance lodged on 25 January 2019 (Ms S) remains unresolved. The matter was heard in the Cape Town Labour Court on 5 and 6 August 2021. Written closing arguments were submitted on 2 September 2021 and oral arguments took place (virtually) on 9 September 2021. The matter was finally heard (closing arguments) on 16 March 2022 and judgment was reserved. The status quo remains.

The dispute was referred to GPSSBC by NEHAWU obo Ms M after an alleged unfair dismissal. The date of arbitration was set down for 5 September 2022. The arbitrator found that the dismissal was both procedurally and substantively unfair and awarded Ms M 12-month salary compensation. JICS is taking the award on review and the documentation has been submitted to the state attorney, PE for appointment of counsel.

## **Financial disclosures**

Information regarding declared financial interests by SMS, MMS, Finance and SCM officials are tabled below.

<b>Designation</b>	<b>Total number of officials</b>	<b>Total number of financial disclosures</b>	<b>Financial percentage disclosure</b>
SMS	4	4	100%
MMS	9	9	100%
Financial and SCM officials	13	12	92.37%
Assistant Directors	9	9	100%
<b>Total</b>	<b>35</b>	<b>34</b>	<b>97.14%</b>

Table 43: SMS/MMS/Financial and SCM officials: Financial disclosures





## PART D: FINANCE AND SCM

### Budget for the 2022/2023 financial year

JICS receives its operational budget through DCS annually, stemming from JICS's MTEF submission to DCS.

The table below shows the budget allocation for the 2022/2023 financial year.

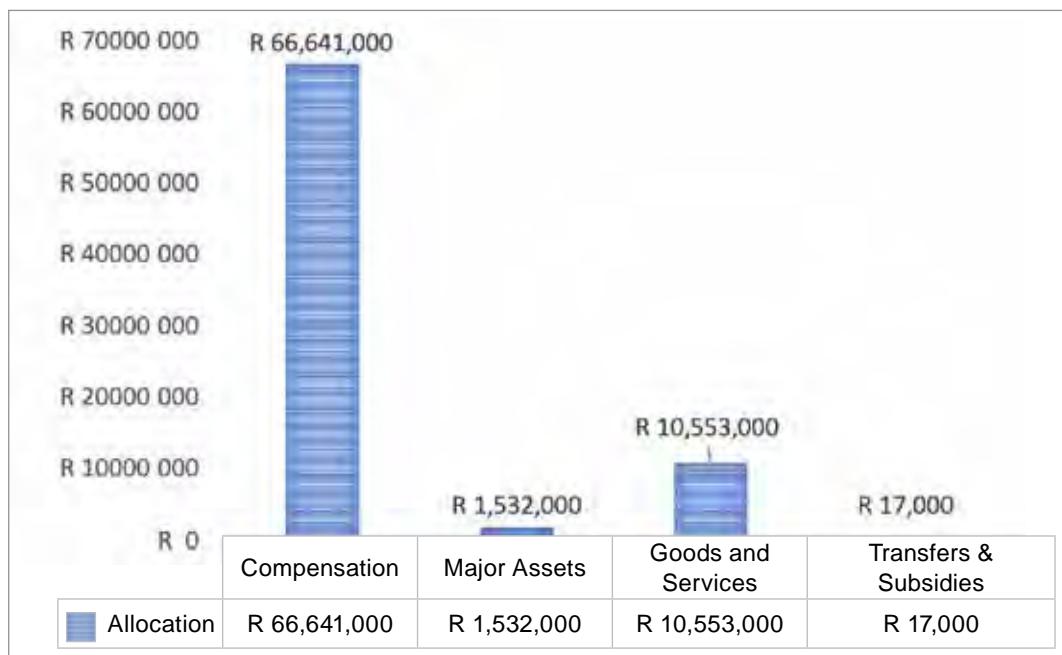


Figure 1: Budget allocation for the 2022/2023 financial year

## **Expenditure**

The quarterly expenditure is at 48.42% against an ideal of 50% with a deviation of 1.53%.

The quarterly expenditure is shown below:

Expenditure excluding commitments	Expenditure including commitments	Commitments
R38 130 934.29	R39 928 276.58	R1 797 342.13

Table 44: Quarterly expenditure

## **Compensation of Employees**

The underspending is due to several vacancies, recruitment processes are being followed to ensure the filling of the posts.

Compensation of employees	Ideal	Deviation
47.47%	50%	2.53%

Table 45: Compensation of employees

## **Goods and services**

The overspending is due to the previous financial year's invoices for Nexus that were delayed by the supplier and overlapped in the current year. They are being processed in this financial year. Included are several commitments which were finalized, but could not be closed within the office hence the matter has been referred to LOGIK for assistance.

Goods and services	Ideal	Deviation
52.89%	50%	-2.89%

Table 46: Goods and services

## **Transfers and subsidies**

Overspending is due to the payment of leave gratuity that was paid out to ex-employees who exited the organization during the current reporting cycle.

Transfers and subsidies	Ideal	Deviation
110.35%	50%	-60.35%

Table 47: Transfers and subsidies

## **Capital Assets**

Overspending due to leased photocopy machines and the procurement of IT equipment. This was done after the reprioritization of the current allocation, and with the approval of the National Commissioner.

Capital assets	Ideal	Deviation
58.18%	50%	-8.18%

Table 48: Capital assets

## **Asset verification**

Asset verification (spot checks) is conducted monthly at all offices.

Asset description	Reporting date	Asset register balances
Major Closing	30.09.2022	R 15 002 309.02
Minor Closing	30.09.2022	R 2 578 440.27

Table 49: Asset register

## **Fleet/transport management**

JICS has 32 vehicles in its fleet. This fleet is maintained regularly through the fleet officers based at the respective regional offices.

The table below shows the allocation of JICS state vehicles to the offices and regions.

<b>Management region/location</b>	<b>Total vehicles</b>
Pretoria Head Office	3
Northern Management Region	5
Central Management Region	6
KZN Management Region	7
Eastern Cape Management Region	6
Western Cape Management Region	5
<b>Total fleet</b>	<b>32</b>

Table 50: JICS fleet allocation per region

JICS finalizes its disposals through a disposal committee but is dependent on DCS for administrative processes. The table below shows the total number of vehicles to be disposed of due to high mileage and/or damaged beyond economical repair.

<b>Registration</b>	<b>Model/make</b>	<b>Kilometres</b>	<b>Status</b>	<b>Location</b>
CA 566-933	2014 Toyota Quest	123 409	BER	CMR
CA 543-090	2008 Ford Fiesta	100 981	BER	KZNMR

Table 51: JICS fleet to be disposed

### Property and facilities management

#### Current leases on property

The table below shows the accommodation of JICS offices, with four leases administered by DCS facilities with two of the four at no cost to JICS.

The Department of Public Works and Infrastructure (DPWI) is procuring alternative accommodation for Pretoria Head Office, NMR and ECMR.

DCS, through DPWI, will be renewing the expired lease agreement for KZNMR for five years.

<b>Physical address</b>	<b>Type of agreement</b>	<b>Status</b>	<b>Monthly rental</b>
Western Cape Management Region: 9th Floor, Standard Bank Building, 1 Thibault Square, Cnr Long and Hans Strijdom Avenue, Cape Town	Lease	The lease agreement was approved on 1/08/2020 for three years, expiring on 31/07/2023.	R 188 542.50
Central Management Region: 3rd floor, 62 Andrew Street, Bloemfontein	Lease	The lease agreement was approved, expiring on 31/05/2024.	R 31 262.41
Northern Management Area: 265 West Ave, Tuinhof, Karee (West Block) Centurion	Month to month	The lease agreement expired on 30/06/2007.	R 35 645.27
KZN Management Region: 8th floor, 275 Anton Lembede Street, Durban	Month to month	The lease agreement was approved for three years and expired on 31/12/2021.	R 46 117.63

Table 52: JICS property lease agreements



## PART E: INFORMATION TECHNOLOGY

### **Distribution of computers for ICCVs in correctional facilities**

ICCVs do not have access to computers at all correctional facilities. JICS's desktop roll-out project commenced in October 2021 to equip all ICCVs with the tools of the trade. This will enable ICCVs to submit real-time (online) reports to the respective regional offices for action. Thus far, a total of 63 desktops have been installed at various correctional facilities across the country.

Currently, 50 computers still need to be installed, however, confirmation is awaited from the respective correctional centres for office space and network points. In total 113 computers will be allocated by the end of this project.

### **Development and Integration of JICS MIS into DCS E-Corrections**

The new DCS E-Corrections reporting system is being rolled out. The reporting system is enhancing DCS's reporting competence, especially on mandatory reporting of deaths, mechanical restraints, segregation, and the use of force. A total of 47 JICS officials have been connected through the JICS domain to utilise the E-corrections platform.

### **Development of JICS mail server and website**

The domain jics.gov.za was registered for JICS's email exchange and website by SITA. A new server has been installed and configured for the hosting of a separate JICS domain, email exchange, and website, independent of DCS.

A total of 302 user profiles and mailboxes on Active Directory under the jics.gov.za domain have been created and set up. User profiles and email addresses have been activated and are operational for JICS users.

There are challenges pertaining to the allocated server which is causing delays in the transmission of emails. Another contributing factor is congestion in the data lines, causing additional delays, especially with document attachments.

The website had been offline for several weeks and this has been an intermittent problem over the past year. JICS does not have administrator rights to the website, which has created delays in the configuration of the website as well as in adding and maintaining content due to cloud space. Due to these problems, JICS has had ongoing discussions with SITA to migrate the JICS infrastructure to the cloud.



## PART F: MEDIA AND COMMUNICATIONS

### **Media**

JICS engaged in several media activities namely: media releases/alerts, requests, and responses in this reporting period.

#### **The media concentrated on:**

- Overcrowding in prisons
- Healthcare in Prison
- Parolees
- Stabbing of a correctional official
- Remand Detainees
- Is there justice for prison abuses?
- Serious crimes committed by parolees
- Inmates educating themselves
- Station Strangler

### **Internal Communication**

JICS internal communication is maintained through its various communication portals, which include emails and the WhatsApp group system to ensure that JICS staff are updated on all internal processes to ensure transparency and build a culture of inclusivity and responsiveness.

The communication mix includes various communication products (for example, social media graphic messages, emails, videos, and e-deskdrops). A variety of tools will continue to keep the target audience engaged and make communication effective.

The Communications Unit has a designated email address, where all internal communication is disseminated, including WhatsApp groupings for all staff across the country to ensure live and instantaneous communication.

## Media analysis and internal communication



Figure 2: JICS media analysis and internal communications

### Matters reported

#### Reports and publications

- The Annual Report (AR) and the AR Summary were finalised and submitted to parliament on the 23rd of September. JICS met the parliamentary deadline, and the AR was tabled. The Parliamentary Committee (PC) presentation is scheduled to take place on the 13th of October 2022.
- The quarterly reports (four and one) presentation to PC scheduled to take place on 9th September, were postponed, and we await further communication.
- JICS is still awaiting engagement from the National Commissioner's Office and the Ministry on the Phoenix matter to finalise the report.

#### The office of the IJ's complaints register

Due to network challenges, the IT department has not been able to create an automated acknowledgement receipt email. Several measures have been put in place to ensure that complaints are acknowledged.

Links have been created in the matrix with feedback from DLS and DMR monthly.

#### Branding

Designs for the calendars and diaries were finalised in September and approval for sign-off was given. The printing process, which includes the AR, Summary, diaries, and calendars will be initiated in October. Delivery dates are to be communicated.

#### Twitter

JICS's Twitter account was launched on 1 March 2022. The Social and Digital Media Policy and the Social Media Standard Operating Procedure were adopted and released before the launch of the Twitter account.

#### Twitter Analytics

Directorates encourage staff to send JICS Twitter content regularly for JICS to grow its social media presence. It is heartening to note the growth of the Twitter account, especially as the account is focused on providing information rather than engagement.

Description	July 2022	August 2022	September 2022
Tweets	17	20	18
Tweet impressions	8 128	7 971	6 133
Profile visits	5 115	6 037	9 883
Mentions	6	26	19
New followers	67	51	36
<b>Total</b>	<b>282</b>	<b>333</b>	<b>369</b>

Table 53: Twitter analytics

### Campaigns

COVID messaging: the national departments are no longer providing covid statistics daily.

Book Campaign – JICS Pretoria Office dispatched books to the regions to allocate within. This is an ongoing project. A letter was sent to the NC with a list of centres that have already received books.

