



THE JUDICIAL INSPECTORATE FOR
CORRECTIONAL SERVICES

THIRD QUARTERLY REPORT

1 October - 31 December 2020

INSPECTING JUDGE:
JUSTICE EDWIN CAMERON



JICS

Judicial Inspectorate for
Correctional Services





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LIST OF ABBREVIATIONS

AC	Area Commissioner
CC	Correctional Centre
CEO	Chief Executive Officer
CFO	Chief Financial Officer
CMCs	Case Management Committees
CMR	Central Management Region
CPA	Criminal Procedure Act 51 of 1977
CSA	Correctional Services Act 111 of 1998
COVID-19	Coronavirus infection or disease
DCS	Department of Correctional Services
DHA	Department of Home Affairs
DOH	Department of Health
DPP	Director of Public Prosecutions
DPSA	Department of Public Service and Administration
ECMR	Eastern Cape Management Region
EST	Emergency Security Team
GITO	Government Information Technology Officer
GP	Gauteng Province
HCC	Head of Correctional Centre
ICCVs	Independent Correctional Centre Visitors
IJ	Inspecting Judge
ISS	Integrated Security System
IT	Information Technology
JCPS	Justice, Crime Prevention and Security Cluster
JICS	Judicial Inspectorate for Correctional Services
KZNMR	KwaZulu-Natal Management Region
LGBTIQ	Lesbian, Gay, Bisexual, Transgender, Intersex and Queer
MIS	Management Information System
MSSD	Minimum Standard of Service Delivery
NMR	Northern Management Region
NTT	National Task Team
PCN	Public Calling for Nominations
PEEC	Provincial Efficiency and Enhancement Committee
PMDS	Performance Management Development System
RDs	Remand Detainees
ROC	Record of Consultation
SCOA	Standard Chart of Accounts
SMR	Strategic Midterm Review
VC	Visitors Committee
VCCO	Visitors Centre Coordinators
WCMR	Western Cape Management Region

EXECUTIVE SUMMARY BY THE CHIEF EXECUTIVE OFFICER

As the COVID-19 pandemic ravages the lives and livelihoods of many people in South Africa and across the world, the promise of safe, effective and equitably distributed vaccines is a beacon of hope. The majority of the third quarter occurred at a time when the President eased the national lockdown to alert level 1, and emphasis was placed on stimulating and boosting the economy. However, as the number of cases and deaths related to COVID-19 began to climb (the “second wave”), the President implemented “an adjusted level 3” lockdown from 29 December 2020. While we wait for vaccines and fear the new circulating variant, strict measures have been put in place in a bid to save lives and ease pressure on the healthcare system.

JICS commenced a gradual return to work from 1 June 2020. From 1 October 2020, there was a 100% presence to ensure that JICS’s statutorily mandated oversight function within correctional and remand detention facilities was fulfilled. As a result, JICS was able to ensure it was up to date with its inspections as per the JICS National Inspection Plan. As of 31 December 2020, 99 inspections were conducted.

In this quarter, the Department of Correctional Services (DCS): Government Information Technology Officer (GITO) and the JICS IT team made some progress. However, challenges related to the JICS website and email domain persist.

Independent Correctional Centre Visitors (ICCVs) contracts on the old system expired during this quarter. The current contracts are aligned to DPSA policy directives. The organisation’s ICCV vacancy rate was decreased to 9% in the third quarter. Adapting to the new normal, most Visitors Committee (VC) meetings were held via virtual platforms. A concerted effort was made by all managers to ensure that VCs were held per the JICS governance calendar.

To circumvent inconsistent reporting patterns or the lack of reporting, DCS is in the process of finalising a new Management Information System known as E-Corrections. The JICS MIS for Complaints and Mandatory Reporting has been integrated into the DCS’s E-Corrections system, which aims to eliminate report duplication and provides online live information on all mandatory reporting issues. Nevertheless, mandatory reporting remains an acute challenge.

In terms of COVID-19 reporting for the third quarter, during 16 December 2020, there were 8 024 positive cases, 5 082 officials and 2 942 inmates at correctional centres. However, during 31 December 2020, the total number of positive cases were 8 667, 5 565 officials and 3 102 inmates. The recovery rate decreased from 94% in mid-December to 90% in late December. These numbers reveal that the second wave is impacting correctional centres. Since the special parole dispensation was announced on 8 May 2020, JICS requested and was granted the opportunity to form part of the DCS task team mandated to monitor the COVID-19 pandemic.

In the third quarter, JICS received a total of 116 complaints. The increase in complaints can be mainly attributed to the fact that the ICCVs were more active during this quarter, as the alert levels decreased. The prevalent complaints were assault (official-on-inmate and inmate-on-inmate), parole, attempted suicides and transfers. Regarding limited mandatory reporting (owing to DCS’s dysfunctional system), the numbers reveal the following:

- Unnatural deaths: 33
- Natural deaths: 110
- Segregations: 1 234
- Mechanical restraints: 12
- Use of force: 162

During the third quarter, 10 567 non-nationals were incarcerated within our correctional facilities (a decrease of 807 from the last quarter), of which 5 037 were sentenced offenders and 5 530 remand detainees.

This report sets out JICS’s performance outputs during the third quarter. With gratitude, I thank the Inspecting Judge (IJ), executive management and staff for their firm commitment to our statutory oversight function and to ensuring commendable service delivery, despite all barriers, during this unprecedented time.



PART A: PERFORMANCE INFORMATION AND OVERSIGHT REPORT

1. Performance information

1.1. Inspections

Inspections scheduled per National Inspection Plan

The JICS approved National Inspection Plan (NIP) scheduled 27 inspections for the third quarter. All of these were conducted during this period. Table 1 below enumerates the 27 inspections conducted.

1.1.1 Inspections scheduled from 1 October - 31 December 2020

No.	Centre	Region	Inspections conducted (Y/N)
1.	Mafikeng	CMR	Y
2.	Potchefstroom	CMR	Y
3.	Rooigrond Med B	CMR	Y
4.	Boksburg Med A	NMR	Y
5.	Johannesburg Female	NMR	Y
6.	Johannesburg Med A	NMR	Y
7.	Buffeljagsrivier	WCMR	Y
8.	Drakenstein Med B	WCMR	Y
9.	King Williamstown	ECMR	Y
10.	Mdantsane	ECMR	Y
11.	Eshowe	KZNMR	Y
12.	Greytown	KZNMR	Y
13.	Stanger	KZNMR	Y
14.	Wolmaransstad	CMR	Y
15.	Hopetown	CMR	Y
16.	Kuruman	CMR	Y
17.	Uppington	CMR	Y
18.	Krugersdorp	NMR	Y
19.	Kgosi Mampuru ii Local	NMR	Y
20.	Waterval Med A	KZNMR	Y
21.	Waterval Med B	KZNMR	Y
22.	Helderstroom Maximum	WCMR	Y
23.	Helderstroom Medium	WCMR	Y
24.	Malmesbury	WCMR	Y
25.	Mount Frere	ECMR	Y
26.	Mount Fletcher	ECMR	Y
27.	Butterworth	ECMR	Y

Table 1: Inspections scheduled for 1 October - 31 December 2020

1.1.2 COVID-19: Inspections catch-up plan

Table 2 below illustrates the inspections planned in terms of the COVID-19 Inspection Catch-up Plan. A total of ten inspections were conducted in response to the inspections that were outstanding in the first and second quarters of the financial year.

No.	Centre	Region	Inspections conducted (Y/N)	Report available (Y/N)
1.	Pollsmoor Med A	WCMR	Y	Y
2.	Pollsmoor Med B	WCMR	Y	Y
3.	Drakenstein Max	WCMR	Y	Y
4.	Drakenstein Med	WCMR	Y	Y
5.	Uniondale	WCMR	Y	Y
6.	Knysna	WCMR	Y	Y
7.	Pollsmoor Female	WCMR	Y	Y
8.	Pollsmoor Max	WCMR	Y	Y
9.	Brandvlei Juvenile	WCMR	Y	Y
10.	Brandvlei Max	WCMR	Y	Y

Table 2: JICS COVID -19 inspection catch-up plan

1.1.3 Inspection reports

All reports from the 27 inspections conducted in this quarter were finalised and submitted to these correctional centres. The reports from 26 inspections were reviewed and rated with one (Upington) still in the process of finalisation as at 31 December 2020.

The 26 centres rated were classified as “Good”, “Satisfactory” or “Unsatisfactory”.

Rating of centres inspected

Good	Satisfactory	Unsatisfactory	Total
5	18	3	26

Table 3: Inspected centres rating

Ratings of the centres as per facility inspections

No.	Centre	Region	Inspections conducted	Rating
1.	Mafikeng	CMR	7/10/2020	Satisfactory
2.	Potchefstroom	CMR	9/10/2020	Unsatisfactory
3.	Rooigrond Med B	CMR	6/10/2020	Satisfactory
4.	Boksburg Med A	NMR	21/10/2020	Satisfactory
5.	Johannesburg Female	NMR	19/10/2020	Satisfactory
6.	Johannesburg Med A	NMR	20/10/2020	Satisfactory
7.	Buffeljagsrivier	WCMR	9/10/2020	Good
8.	Drakenstein Med B	WCMR	8/10/2020	Satisfactory
9.	King Williamstown	ECMR	25/9/2020	Satisfactory
10.	Mdantsane	ECMR	23/9/2020	Unsatisfactory
11.	Eshowe	KZNMR	20/10/2020	Satisfactory
12.	Greytown	KZNMR	2/9/2020	Good
13.	Stanger	KZNMR	21/10/2020	Unsatisfactory
14.	Wolmaransstad	CMR	23/11/2020	Good
15.	Hopetown	CMR	26/11/2020	Satisfactory
16.	Kuruman	CMR	25/11/2020	Satisfactory
17.	Krugersdorp	NMR	12-13/11/2020	Satisfactory
18.	Kgosi Mampuru II Local	NMR	10/11/2020	Satisfactory
19.	Waterval Med A	KZNMR	11/11/2020	Satisfactory
20.	Waterval Med B	KZNMR	13/11/2020	Good
21.	Helderstroom Maximum	WCMR	20/11/2020	Satisfactory

No.	Centre	Region	Inspections conducted	Rating
22.	Helderstroom Medium	WCMR	17/11/2020	Satisfactory
23.	Malmesbury	WCMR	8/11/2020	Good
24.	Mount Frere	ECMR	17/11/2020	Satisfactory
25.	Mount Fletcher	ECMR	18/11/2020	Satisfactory
26.	Butterworth	ECMR	16/11/2020	Satisfactory

Table 4: Inspection reports received from 1 October – 31 December 2020 – ratings per centre.

The following correctional centres were rated as "Good"

Buffeljagsrivier

Condition of detention – Good

- The centre accommodated remand detainees and sentenced inmates serving less than two years.
- The physical condition of the centre was rated as good.
- Approved accommodation was 245 and the unlock total was 286.
- As a result, the centre was overcrowded by 17%.

Health – Good

- The centre had one sessional doctor, two nurses, one social worker and one psychologist.
- A minimum of ten inmates were referred to the dentist quarterly.
- The clinic has been rated as good.
- The clinic appeared neat and well managed.
- Inmates in need of special healthcare were referred to a public hospital.
- There were no declared state patients housed at the centre.

Rehabilitation and other programmes – Good

- A total of 34 inmates participated in work teams and 26 were part of rehabilitation programmes (social work programmes). In addition, 34 inmates participated in organised sport.
- Inmates were provided with adequate diets including special diets.
- Meal intervals complied with section 8(5) of the Correctional Services Act 111 of 1998 (CSA).
- Complaints and requests were dealt with in terms of section 21 of the CSA.
- Inmates had access to phones to contact their families should the need arise.

Greytown

Conditions of detention – Good

- The centre was not overcrowded on the date of the inspection.
- The centre was in good condition and well-maintained.
- The approved accommodation was 105.
- Only 21 inmates were accommodated in the centre on the date of the inspection.
- One unit was closed and there was enough space for all inmates to sleep on beds.
- The state of bedding was satisfactory.

Healthcare – Good

- All newly admitted inmates were screened for COVID-19 upon admission and were placed in isolation for ten days.
- The facility was clean and neat.
- Inmates who were ill were referred to nearby public hospitals owing to the small size of the medical facility.

Nutrition – Good

- Three meals were served to inmates daily.
- The centre provided religious and medical diets to deserving inmates.
- On the date of inspection, three medical diets and five religious diets were provided to inmates.

Contact with family – Good

- Inmates had access to phones to contact their families should the need arise.
- The unit manager and social workers assisted inmates who had no money to phone their families.

Wolmaransstad

Conditions of detention – Good

- The condition of the centre was rated good.
- One juvenile inmate was separated from adult inmates.
- Communal cells were neat and clean.
- Ablution facility was found in good condition.
- There were no inmates in single cells.
- Inmates confirmed that they are receiving more than one hour of exercise.

Healthcare – Good

- There were two nurses on duty on the date of inspection.
- The centre has a day clinic and all inmates in need of special care were referred to a public hospital.
- Clinic facilities were clean, hygienic and well-maintained.

Nutrition – Good

- The centre provides three meals daily.
- Religious and medical diets were served to inmates according to DCS policies.
- The kitchen is maintained and cleaned by inmates regularly.
- The ration of food provided to inmates is in line with DCS policies.

Waterfall Medium B

Healthcare – Good

- The hospital was found in good condition. The hospital appeared neat and well managed.
- A total of 11 nurses were on duty on the date of inspection.
- The toilets and bedding were considered neat.
- Inmates had access to the roving psychologist in the management area.

Rehabilitation – Satisfactory

- The centre accommodated sentenced inmates serving less than two years.
- There were 34 inmates on work teams.
- A total of 26 inmates were participating in rehabilitation programmes (social work programmes).
- One inmate was part of the rehabilitation correctional programme.
- A total of 34 inmates were participating in organised sport.

Nutrition – Good

- The kitchen was generally found in good condition.
- The kitchen equipment was in good working condition.
- Inmates were served three meals daily.
- Inmates were provided with religious and therapeutic diets.
- Meal intervals were complied with in terms of section 8(5) of the CSA.
- The kitchen had a compliance certificate form issued by the Department of Health.

Malmesbury Med A

Conditions of detention – Good

- Approved accommodation was 1392.
- The unlock total was 1376 on the date of the inspection.
- There were 871 sentenced inmates and 505 remand detainees.
- The centre was not overcrowded.

Healthcare – Good

- The clinic was found in good condition.
- There was one sessional doctor, seven nurses, six social workers, two educators and two artisans.
- There were five nurses on duty on the date of inspection.
- There were no state patients housed at the centre.

Facilities – Good

- The condition of the centre was found to be good.
- The facility had single cells as normal accommodation.
- The facility is user-friendly to inmates with disabilities.
- The centre has handrails for wheelchair-bound inmates.

Nutrition – Good

- The kitchen was found neat and clean.
- The kitchen equipment was in good condition.
- Medical, cultural and religious diets were provided to inmates.
- Three meals were offered to inmates daily.
- The kitchen had a compliance certificate issued in January 2020.

The following centres were rated as “Unsatisfactory”

Potchefstroom

Conditions of detention – Unsatisfactory

- Approved accommodation was 839 and unlock total was 861.
- There were 114 adults sentenced, 675 adult remands and 72 juvenile remands.
- The centre was overcrowded by 2%.
- Some of the remand detainees did not have beds to sleep on.
- The kitchen was under renovation on the date of inspection.
- The centre needed urgent repairs and maintenance on plumbing and painting inside the cells.

Healthcare – Satisfactory

- Sessional doctor visits took place once a week.
- The centre had five nurses and two social workers.
- The centre obtains the services of a psychologist from Klerksdorp management area.
- Inmates were referred to public hospitals for psychiatric treatment.

Safe custody – Unsatisfactory

- Searches were not properly conducted because of late admissions from the court.
- Gangsterism and assault (inmates on inmates) were a challenge.
- The centre did not provide rehabilitation and vocational programmes for sentenced inmates.

Nutrition – Unsatisfactory

- The condition of the kitchen was unsatisfactory.
- Since officials complete their duty at 15h30, inmates are served only two meals daily (the latter includes dinner).
- Food supplements for some inmates with HIV had been discontinued.
- Kitchen equipment was found to be old and dysfunctional.
- Dry storage was found untidy and infested with pests.
- Water leakage was observed in the dry storage during the inspection.

Mdantsane

Conditions of detention – Unsatisfactory

- The centre is the only maximum juvenile facility in the Eastern Cape region.

- Approved accommodation is 585 inmates and the unlock total was 1156 inmates on the date of the inspection.
- The centre was overcrowded by 97%.
- Visitation was noted as a serious challenge.
- Families who are located a considerable distance from the centre have to find accommodation to visit and sometimes this results in the withdrawal of their visit.
- Inmates join gangs for survival in the centre.
- There were several leaking taps and showers identified during the inspection.

Healthcare – Unsatisfactory

- Sufficient space for medical examinations was a challenge.
- Privacy of inmates was compromised.
- The centre released 61 inmates who qualified for a release dispensation to reduce the spread of COVID-19.
- A total of 16 inmates were suffering from pulmonary tuberculosis.
- One inmate was suffering from multi-drug-resistant tuberculosis (MDR TB) and another one was suffering from extreme pulmonary drug-resistant tuberculosis (XDR TB). Both inmates were segregated on medical grounds.

Nutrition – Unsatisfactory

- On the date of inspection, an electric cable was found improperly insulated or secured in the kitchen.
- The unsecured electric cable in the kitchen poses a danger to both officials and inmates.
- The kitchen did not have an accredited compliance certificate issued by the Department of Health.

Complaints – Unsatisfactory

- The complaints register (G365) was not utilised effectively, especially over weekends.
- There were no signatures in the complaints register next to inmates' complaints to verify if they have been assisted.
- The register was not properly monitored by the Head of the Correctional Centre (HCC) or delegate official regularly.

Stanger

Conditions of detention – Unsatisfactory

- The conditions at the centre were found unsatisfactory.
- The structure was old and dilapidated.
- The centre was roofed with asbestos and proper ventilation was a challenge.
- The roof is considerably low and inmates were sleeping on the floor.
- The ablution facility was not in a good condition.
- The contact and non-contact visitation area needed renovations.

Healthcare – Unsatisfactory

- The centre has a small clinic.
- The centre did not have a sessional doctor.
- The centre had one nurse, but she was not available on the date of the inspection. The nurse was also not available during the previous inspection.
- One bottle of expired medication was found during the inspection.

Visitation area – Unsatisfactory

- The centre does not have a suitable contact and non-contact visitation area.
- The contact visiting area is close to the library.
- It does not have sufficient space for visitors.
- It creates a high risk for smuggling of unlawful contraband.
- There is no designated area for non-contact visits.

- Management has allocated means to allow non-contact visits through the window.
- Officials open a window and the visitor stands behind the window whilst communicating to the inmate during a visit.

1.1.4 Inspections: Overview, Findings/Recommendations/Critical interventions

No critical interventions identified.

1.1.5 Inspections by IJ / Judges / Magistrates

Inspections by Inspecting Judge:

None.

Inspections by other judges:

None.

1.2. Investigations

A total of 17 investigations were mandated for the third quarter. As with inspections, investigations require physical visits to correctional centres. A total of five investigations were conducted in the JICS Western Cape region. Of particular concern were allegations of the homicide of inmates (allegedly committed by officials and other inmates). All investigations conducted had elements of serious violence.

No.	Investigation mandate	Centre	JICS region	Incident	Status
1.	5/10/2020	Mangaung PPP	CMR	Alleged torture of inmate N by EST Mangaung PPP	Investigation in process.
2.	13/10/2020	East London Med b	ECMR	Suspicious death of inmate P (soap ingestion)	Investigation in process.
3.	26/10/2020	Goodwood	WCMR	Mass assault: Officials on inmates.	Investigation in process.
4.	2/11/2020	Pietermaritzburg Medium A (Waterval)	KZN	Death of inmate S	Investigation in process.
5.	4/11/2020	Glencoe	KZNMR	Death of (use of force) inmate M	Investigation in process.
6.	4/11/2020	Klerksdorp	CMR	Death of inmate S	Investigation in process.
7.	6/11/2020	Sevenfontein	KZNMR	Suicide inmate H	Investigation in process.
8.	17/11/2020	Allandale	WCMR	Homicide inmates L and K by other inmates	Investigation in process.
9.	17/11/2020	St Albans Maximum	ECMR	Suicide: Inmate F	Investigation in process.
10.	17/11/2020	St Albans Medium A	ECMR	Alleged homicide: Inmate B	Investigation in process.
11.	19/11/2020	Drakenstein Medium A	WCMR	Arson: Death of inmate S	Investigation in process.
12.	24/11/2020	Pollsmoor Medium B	WCMR	Homicide Official on inmate M	Investigation in process.
13.	25/11/2020	Kokstad Med B	KZNMR	Death: Overdose inmate N	Investigation in process.
14.	25/11/2020	Kgosi Mampuru II Local	NMR	Suspected homicide of inmate M	Investigation in process.
15.	27/11/2020	Attridgeville	NMR	Suicide hanging of inmate M	Investigation in process.
16.	11/12/2020	Kuruman	CMR	Death (arson) of inmate M	Investigation in process.
17.	15/12/2020	George	WCMR	Death of inmate DW (overdose)	Investigation in process.

Table 5: Investigations conducted from 1 October - 31 December 2020

1.3. Complaints

1.3.1. Complaints received per category

In the third quarter, JICS processed a total of 116 complaints. These were from either external or internal sources. The increase in complaints was attributed mainly to the fact that the ICCVs became more active during the third quarter (owing to COVID-19 alert levels being adjusted).

The categories "Assault: Inmate-on-Inmate" and "Official-on-Inmate" are still a concern and remained predominant during this quarter. Table 5 below illustrates complaints received by the Directorate: Legal Services (DLS):

Categories	Internal	External	Total
Appeal	3	0	3
Assault (Inmate-on-Inmate)	18	1	19
Assault (Official-on-Inmate)	24	0	24
Assault (Sexual)	6	1	7
Attempted Suicide	7	2	9
Bail	1	0	1
Communication with Family	2	0	2
Conditions	1	1	2
Confiscation of Possession	1	0	1
Conversion of Sentence	1	0	1
Corruption	2	0	2
Food	0	0	0
Healthcare	3	0	3
Hunger Strike	2	3	5
Inhumane Treatment	0	0	0
Legal Representation	0	0	0
Medical Release	0	0	0
Parole	17	0	17
Re-Classification	1	0	1
Rehabilitation Programmes	3	0	3
Remission	0	0	0
Torture	0	0	0
Transfers	9	0	9
Other	5	2	7
Total	106	10	116

Table 6: Complaints received per category from 1 October - 31 December 2020

1.3.2. Total number of complaints referred to the DMR (47):

The Complaints Sub-Directorate refers certain complaints to the Directorate: Management Regions (DMR). The DMR deals with a particular complaint and provides feedback on the progress made. Complaints relating to transfers, parole and healthcare were referred to the DMR during this quarter (it was deemed that ICCVs would be able to deal with these more effectively).

CMR	ECMR	WCMR	KZNMR	NMR	Total
8	3	19	2	15	47

Table 7: Complaints referred to DMR from 1 October - 31 December 2020

1.3.3. Matters finalised and backlogs (Investigations on complaints)

The total backlog of cases increased every time JICS received the completed investigation reports from DCS or JICS internal investigation report. There are 267 matters to be finalised. The current plan is to finalise 60 matters per quarter.

We have finalised 80 matters for this quarter.

Calendar year	2015	2016	2017	2018	2019	2020	Unresolved	Total
I/R received	42	76	243	164	103	13	10	651
Finalised	42	76	109	93	46	12	6	384
Outstanding matters	0	0	134	71	57	1	4	267

Table 8: Matters finalised and backlogs (Investigations on complaints)

1.4. Mandatory reporting

1.4.1. Unnatural deaths reported

All unnatural deaths are officially investigated by JICS investigators except for some "Unnatural Other". This category involves the sudden death of a healthy inmate wherein the cause of death is unknown and there is no violence involved.

During the third quarter, a total of 33 unnatural deaths were reported. The majority of these (18) were due to unknown causes. These may be reclassified as "Natural", depending on the completion and outcome of an autopsy. All deaths except for those classified as "Unnatural Other" were investigated by JICS. Therefore, a total of 15 incidents were referred for official investigations.

The ICCVs enquired about all cases of unnatural deaths of inmates. During this process, copies of the post mortem and other medico-legal documents are requested from DCS. JICS evaluates each case and, if necessary, officially investigates the matter. For the third quarter, JICS was concerned with the high number of suicides, in particular inmates hanging themselves or using other means including the burning of cells. There were also several assaults on inmates, which led to the deaths of both officials and inmates.

The table below represents a breakdown of the unnatural deaths reported during this quarter per category:

Category	Number
Aspiration asphyxia secondary indigestion of soap and vomitus	1
Assault (Blunt Force Trauma)	1
Assault (Inmate-on-Inmate)	2
Assault (Official-on-Inmate)	2
Burn wounds	1
Medication overdose	2
Smoke inhalation	1
Suicide (Inmate set his cell alight)	1
Suicide by hanging	4
Unknown causes ¹	18
Total	33

Table 9: Unnatural deaths reported from 1 October - 31 December 2020

1.4.2. Natural deaths reported per DCS region and the official cause of death

During this quarter, DCS reported a total of 110 deaths from natural causes – a decrease from the 145 deaths reported in the second quarter. The highest category recorded (20) was natural causes categorised as "Other". Gauteng Province (GP) had the highest number with 33 natural deaths. Free State/Northern Cape (FS/NC) recorded the lowest with eight natural deaths. However, as reflected above, documents are outstanding. Generally, documents ought to be submitted by JICS Regions after 60 days.

Only two instances of COVID-19 related deaths were reported.

Each natural death of an inmate is enquired into by JICS's ICCVs. Copies of death certificates, post mortem reports and other relevant documents are obtained and reviewed. If necessary, the JICS investigation unit is mandated to conduct an official investigation.

¹ "Unnatural Other" is where an apparently healthy inmate suddenly passes on and the cause of death is unknown.

Categories	DCS regions						Total
	EC	FS/NC	GP	KZN	LMN	WC	
Acute gastro-enteritis	-	1	-	-	-	-	1
Acute Lymphoblastic Leukaemia	-	-	-	1	-	-	1
Acute Respiratory Distress	1	-	-	-	-	-	1
Bilateral Bronchopneumonia	-	1	-	-	-	-	1
Biventricular Failure	-	1	-	-	-	-	1
Bladder Cancer + HIV	-	-	1	-	-	-	1
Bladder mass, renal dysfunction, bilateral hydronephrosis	-	-	1	-	-	-	1
Cardiac Arrest	-	-	-	1	1	-	2
Cardiac Arrest, Neck Mass, Nyaope Addiction	-	-	1	-	-	-	1
CCF, Asthmatic, HIV	-	-	1	-	-	-	1
Cerebrovascular accident	1	1	-	-	-	-	2
Chickenpox, possible Kaposi's Sarcoma (KS), Covid-19 and Saliva for MC & S.	-	1	-	-	-	-	1
Chronic Diarrhoea, HIV Positive Stage IV, Aids	-	-	1	-	-	-	1
Chronic Kidney Failure, DCMO 2 Heart Failure	-	-	-	1	-	-	1
Chronic Obstructive Pulmonary Disease	-	-	1	-	-	-	1
COVID-19 (Pneumonia)	-	-	-	-	-	1	1
CVA Cerebra Vascular Accident	1	-	-	-	-	-	1
Diabetes Mellitus Hypertension	-	-	-	1	-	-	1
Diabetes Mellitus	-	-	-	-	1	-	1
Disorder of central nervous system	-	-	-	1	-	-	1
Disseminated TB	-	-	-	-	-	1	1
Epilepsy	-	-	1	-	1	-	2
Gastritis	1	-	-	-	-	-	1
Heart Attack	1	-	-	-	-	-	1
Hepatocellular carcinoma	-	-	1	-	-	-	1
HIV Related	1	-	1	-	-	-	2
Hydrocephalus	-	-	-	-	-	2	2
Hypertension agency/Brain haemorrhage	-	-	-	-	1	-	1
Hypoglycaemic following cerebra vascular accident	-	-	-	-	1	-	1
Hypoxia (HIV positive)	-	1	-	-	-	-	1
Immune compromised status	-	-	1	-	-	-	1
Immune distress	-	-	-	-	1	-	1
Immunosuppression	2	-	-	-	-	-	2
Incontinence urine and diarrhoea	1	-	-	-	-	-	1
Infective Endocarditis	1	-	1	-	-	-	2
Kidney Failure	-	-	2	-	-	-	2
Liver Failure	-	-	-	-	-	1	1
Lower Respiratory Tract Infection	-	-	-	1	1	-	2
Lung Cancer	-	-	-	1	-	-	1
Lung Disease	-	-	-	-	1	-	1
Medical	-	-	1	-	-	-	1
Meningitis	-	-	-	-	1	-	1
Metastatic disease (Cancer)	-	-	1	-	-	-	1
Natural Causes other	2	1	6	5	2	4	20
Nephrotic Syndrome/Post TB Bronchitis	1	-	3	-	2	1	7
Obstructive Jaundice and Ascites	1	-	-	-	-	-	1
Organ failure	-	1	-	-	-	-	1
Pancytopenia 2 degree disseminated TB RVD defaulted treatment	-	-	1	-	-	-	1
Perforated Gastric Ulcer	1	-	-	1	-	-	-
Pneumonia	1	-	-	-	-	-	1

Categories	DCS regions						Total
	EC	FS/NC	GP	KZN	LMN	WC	
PTB	-	-	-	-	-	1	1
PTB, RVD and Disseminated TB	-	-	1	-	-	-	1
PTB/Anaemia, Defaulted ARV'S	-	-	1	-	-	-	1
Pulmonary Embolism	-	-	-	2	-	-	2
Pulmonary TB + HIV	-	-	1	-	-	-	1
Rectal Cancer	-	-	1	-	1	-	2
Renal Failure, Dehydration, Chronic Diarrhoea	-	-	-	-	-	1	1
Respiratory Distress	-	-	-	1	-	-	1
Respiratory Failure	2	-	-	-	1	-	3
Retroviral disease	2	-	1	-	-	-	3
RVD Related, PTB: Sepsis, Disseminated Kaposi.	-	-	1	-	-	-	1
Sepsis	-	-	1	-	1	-	2
Severe Sepsis, RVD/PTB	-	-	1	-	-	-	1
Shortness of breath/chest Problems/HPT Hypertension	-	-	-	1	-	-	1
Steven Johnson Syndrome	1	-	-	-	-	-	1
Stroke	-	-	-	-	1	-	1
TB Meningitis	1	-	-	-	1	-	2
TOTAL	22	8	33	17	18	12	110

Table 10: Natural deaths reported from 1 October - 31 December 2020

1.4.3. Reports received on segregations (1234)

A total of 1 234 segregations were reported and recorded for the third quarter – an increase of 128 from the previous quarter. Segregations prescribed by medical officials, under section 30(1) (c) of the CSA, were the highest (395). Of these, a total of 293 were COVID-19 related. The lowest number (ten) were at the request of the SAPS.

During this quarter, the FS/NC region had the highest number of segregations (550) and the EC region the lowest (14).

It is critical to note that the electronic system of reporting is currently dysfunctional. As a result, the accuracy of the segregations figures reported by DCS cannot be properly verified. Although a manual reporting system was introduced as a stopgap measure, the number of reports by DCS has drastically declined in recent years. Reported segregations are gradually rising every quarter as the E-Corrections system is being rolled out.

JICS received two segregation appeals for the quarter.

Categories	DCS regions							DLS Internal	
	EC	FS/NC	GP	KZN	LMN	WC	Total	Appeal	Finalised
Request of inmate	1	121	36	6	34	15	213	0	0
Restriction of amenities	0	134	122	41	8	31	336	0	0
Prescribed by the medical officer	3	177	101	11	36	67	395	0	0
Violence or is threatened with violence	10	107	74	3	33	42	269	2	2
Recaptured after escape	0	11	0	0	0	0	11	0	0
Request of the police	0	0	7	0	2	1	10	0	0
TOTAL	14	550	340	61	113	156	1234	2	2

Table 11: Reports on segregation received from 1 October - 31 December 2020

1.4.3.1. Segregation appeals

The following segregation appeals were dealt with during this quarter.

No	Correctional Centre	Description of complaint/request	Findings
1.	Groenpunt Medium (JICS Region – CMR)	The segregation was reported to JICS on 19 November 2020. It is alleged that the inmate was placed in segregation after he was involved in a gang-related activity which caused security instability at the centre. In addition, he tried to burn a cell. The inmate was placed in segregation in terms of section 30(1) (d) of the CSA. He lodged an appeal with JICS. The inmate wanted to see the Area Commissioner as complaints were not attended to by the centre's management. As a result, the inmate requested that the Inspecting Judge review the segregation in terms of section 30(7) of the CSA.	The inquiry undertaken by JICS revealed that the inmate was indeed placed in segregation. The centre indicated that they placed the inmate in segregation in terms of section 30(1)(d) of the CSA, after the inmate and his fellow inmates were involved in a gang-related activity which caused security instability at the centre and also tried to burn a cell. Also, it was found that the centre followed the procedures for lawful segregation in terms of section 30 of the CSA and the segregation was not used as a form of punishment. On this basis, JICS found that the centre did not violate section 30(1) (d) of the CSA by placing the inmate in segregation. The CSA permits an inmate to be placed in segregation when displaying violence.
	Groenpunt Medium (JICS Region – CMR)	The inmate lodged an appeal with JICS. He wanted to appeal his placement in segregation because some of the inmates who had opened assault cases against officials had been kept at the juvenile communal cells. Therefore, the inmate requested that the Inspecting Judge review the segregations in terms of section 30(7) of the CSA.	The JICS inquiry revealed that indeed the inmate was placed in segregation. The centre indicated that they placed the inmate in segregation in terms of section 30(1) (d) of the CSA, after the inmate and his fellow inmates were involved in a gang-related activity which caused security instability. The inmate also tried to burn a cell. It was found that the centre followed the procedures in section 30 and the segregation was not used as a form of punishment. On this basis, JICS found that the centre did not violate section 30(1)(d) of the CSA by placing the inmate in segregation as the CSA allows DCS to place an inmate in segregation when displaying violence.

Table 12: Segregation appeals received from 1 October - 31 December 2020

1.4.4. Reports received on mechanical restraints (12)

The mandatory unit usually provides a brief description of the mechanical restraints of juveniles. For the third quarter, JICS received no incidents on the use of mechanical restraints against juveniles.

Given the problems with accurate reporting by the DCS mentioned above, the number of mechanical restraints reported cannot be properly verified. A total of 12 reports were received for the quarter (compared to nine the previous quarter).

Although a manual reporting system was introduced as a stopgap measure, the number of mechanical restraints reported by DCS has drastically declined.

Categories	DCS Regions						Total
	EC	FS/NC	GP	KZN	LMN	WC	
Prevention of damage to property	0	0	1	0	0	3	4
Requested by court	0	0	0	0	0	0	0
Safety of another person	0	0	3	0	0	1	4
Safety of inmate	0	1	1	1	1	0	4
Suspicion exists of escape	0	0	0	0	0	0	0
TOTAL	0	1	5	1	1	4	12

Table 13: Reports received on mechanical restraints from 1 October - 31 December 2020

1.4.5. Reports received on the use of force (162)

Given the problems with accurate reporting by DCS mentioned above, the number of cases on the use of force reported by DCS cannot be properly verified.

Although a manual reporting system was introduced as a stopgap measure, the number of use of force cases reported has drastically declined. The 162 incidents reported this quarter evinces an increase of 16 from the previous quarter.

The majority of these reports involved the use of force to defend against another person (an official or other inmate).

The FS/NC region reported the highest number of uses of force (88) and the EC region reported the lowest number of reported cases (2).

Categories	DCS Regions						Total
	EC	FS/NC	GP	KZN	LMN	WC	
S32(1)(c)(i) – self defence	1	14	10	1	5	4	35
S32(1)(c)(ii) – defence of any other person	1	70	27	6	12	7	123
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	0	0	0	0	4
TOTAL	2	88	37	7	17	11	162

Table 14: Reports received on the use of force from 1 October - 31 December 2020

1.5. Litigation

1.5.1. M v JICS

This employment-related matter did not proceed on the date it was previously set down for. The matter has now been set down for arbitration on 8 February 2020.

1.5.2. S v JICS

Since the pre-arbitration minutes are yet to be finalised, the matter is still not ready for adjudication.

1.5.3. P v JICS

After careful consideration, a decision was taken to not pursue the matter further. The matter has been accordingly laid to rest.



PART B: DIRECTORATE MANAGEMENT REGIONS (DMR)

2. Independent Correctional Centre Visitors (ICCVs)

ICCVs are appointed in terms of section 92 of the CSA to ensure representation of JICS at every correctional centre in South Africa. During this quarter, the emphasis was placed on filling all vacancies to achieve this goal.

2.1. Minimum Standard of Service Delivery (MSSD)

2.1.1. OLD CONTRACTS:

During this quarter, all the ICCVs' contracts on the old system expired. The current contracts are aligned with the DPSA policy directives.

2.1.2. NEW ICCV SYSTEM:

The DMR advertised 83 vacancies in July 2020. The largest part of the quarter was dedicated to recruitment and selection. The process was conducted online and in accordance with the COVID-19 regulations, directives and guidelines.

The regional breakdown on the ICCVs' selection and recruitment was as follows:

Region	Total vacancies	Total appointed	Current filled posts
Central Management Region (CMR)	22	21	50
Eastern Cape Management Region (ECMR)	10	10	45
KwaZulu-Natal Management Region (KZNMR)	18	5	38
Northern Management Region (NMR)	18	10	47
Western Cape Management Region (WCMR)	15	9	25
Total	83	55	205

Table 15: ICCV selection and recruitment from 1 October - 31 December 2020

The majority of the newly appointed ICCVs were trained and inducted in the regions and correctional centres. Only one region had to reschedule the training for the next quarter (this was owing to high COVID-19 prevalence in the region).

2.2. Complaints handled in regions

The regions are primarily responsible for handling complaints received from ICCVs (emanating from interviews and private consultations with inmates at various correctional centres). Most of the complaints are resolved and finalised at the correctional centre level, but some are referred to the regional offices for intervention or further escalation to the Inspecting Judge for resolution.

Complaints are divided into two main categories, namely general complaints and urgent complaints. In sum, 7 463 general complaints and 420 urgent complaints were registered. The following tables reflect the number of complaints (general complaints and urgent complaints) that were dealt with during this quarter.

2.2.1. General complaints

Nature of complaint and totals	CMR		ECMR		KZNMR		NMR		WCMR		Grand Total
	In	Ext	In	Ext	In	Ext	In	Ext	In	Ext	
Appeal	101	16	13	0	171	0	48	28	30	0	407
Assault (Inmate on inmate)	83	0	56	0	30	0	20	0	14	0	203
Assault (Official on inmate)	32	3	55	0	18	2	17	0	3	0	130
Assault (Sexual)	4	0	7	0	3	0	0	0	1	0	15
Attempted Suicide	5	0	1	0	1	0	2	0	2	0	11
Bail	10	0	40	0	108	0	42	8	1	0	209
Communication with Family	49	0	154	0	67	0	148	0	36	0	454
Conditions	50	1	105	0	140	0	37	0	26	0	359
Confiscation of Possession	13	1	11	0	15	2	4	0	4	0	50
Conversion of Sentence	0	0	3	0	1	0	2	0	1	0	7
Corruption	3	0	0	0	0	0	1	0	0	0	4
Food	7	0	34	0	157	0	15	0	22	0	235
Health	117	0	522	0	43	4	95	0	56	0	837
Hunger Strike	12	0	3	0	2	0	2	0	2	0	21
Inhumane Treatment	6	0	4	0	14	0	0	0	8	0	32
Legal Representation	49	0	89	0	147	0	95	0	38	0	418
Medical Release	0	0	1	0	4	0	4	0	2	0	11
Parole	29	0	288	0	53	0	84	0	54	0	508
Re-classification	11	3	10	0	8	0	63	0	11	0	106
Rehabilitation Programmes	15	1	63	0	33	0	67	0	33	0	212
Remission	2	0	5	0	7	0	3	0	20	0	37
Request Social Worker	17	0	1	0	2	0	13	0	4	0	37
Torture	0	0	0	0	0	0	5	0	1	0	6
Transfer	182	1	251	0	195	0	156	0	40	0	825
Other	836	16	727	0	115	0	454	0	181	0	2329
Grand Total:	1633	42	2443	0	1334	8	1377	36	590	0	7463

Table 16: General complaints handled in regions from 1 October - 31 December 2020

2.2.2. Urgent complaints

Nature of complaint	CMR		ECMR		KZNMR		NMR		WCMR	
	In	Ext	In	Ex	In	Ex	In	Ex	In	Ex
Assault (Inmate on inmate):198	83	0	56	0	20	0	27	0	12	0
Remarks	<p>CMR: ICCVs attended to all complaints. Medical treatment was provided to inmates. Some inmates wanted to open SAPS criminal cases, but others did not. All inmates who wished to open criminal cases were allowed to do so.</p> <p>There have been several incidents of assault (inmate-on-inmate). The most prevalent incidents took place at Mangaung APOPS (8), Virginia CC (6) and Grootvlei Medium A CC (4). ICCVs were instructed to consult with all these inmates and the information will be forwarded to DLS in Cape Town.</p> <p>ECMR: Most of these cases are caused by petty fights amongst inmates, bullying amongst inmates for money and others are being assaulted while trying to stop fights between other inmates. Two mentally ill inmates assaulted each other in KWT.</p> <p>KZNMR: The incidents of assault (inmate-on-inmate) were reported by ICCVs based at Durban Med A & B; Pietermaritzburg Med A; Waterval Med B. The incidents amongst inmates (mostly stabbing) is attributed to gangsterism.</p> <p>NMR: Leeuwkop Med B</p> <ul style="list-style-type: none"> • Inmate IM was hit in the face by inmate HBS, who used his fist, outside the cell (the injured was treated at the local hospital and opened a case with SAPS) • Inmate NN was assaulted by inmate QS with a sharp object to the back of his right shoulder. <p>Thohoyandou Med A</p> <ul style="list-style-type: none"> • Inmate SM was assaulted by fellow inmates while they were in a police van on their way to court. He sustained minor injuries and was taken to the local hospital. <p>Johannesburg Med B</p> <ul style="list-style-type: none"> • Inmate MM was burned by another inmate with boiling water. The inmate was allowed to open a case with SAPS. The inmate was sent to Baragwanath Hospital and is currently housed in the local hospital. • Inmate IM was assaulted by four inmates alleging that he stole a cellular phone. No steps were taken by the HCC and SAPS is still to be called. <p>Barberton Med B</p> <ul style="list-style-type: none"> • Two inmates were assaulted by other inmates on the 09/12/2020. • Inmate WM was assaulted on the 14/12/2020 by another inmate. <p>Leeuwkop Med B</p> <ul style="list-style-type: none"> • Inmate M was assaulted by another inmate with a padlock to the head. Inmate M received medical attention and opened a case. • Inmate N was stabbed by another inmate. Inmate N received medical attention and opened a case. • Inmate KK was stabbed by another inmate. Inmate KK was treated at a local hospital and opened a case. • Inmate SM sustained soft tissue injuries. Inmate SM was treated at a local hospital and opened a case. • Inmate RN was stabbed in the head with a piece of glass. The case was reported to SAPS and the inmate was treated at a local hospital. • Inmate BS was assaulted by a fellow inmate. A case was opened with SAPS and the inmate was treated at a local hospital. • Inmate MD was assaulted on his head with a padlock. Inmate MD was treated at a local hospital and a SAPS case was opened. • Inmate DB was assaulted on his head by a fellow inmate with a padlock. Inmate DB was treated at a local hospital and did not want to open a case. • Inmate MK was assaulted by a fellow inmate and sustained injuries on his head. Inmate MK was treated at a local hospital and a SAPS case was opened. 									

Nature of complaint	CMR	ECMR	KZNMNR	NMR	WCMR					
Remarks	<ul style="list-style-type: none"> Inmate TD was assaulted by another inmate with a padlock. Inmate TD was treated at a local hospital and did not want to open a criminal case. Inmate SH was assaulted with a padlock on his head. Inmate SH opened a SAPS case and was treated at a local hospital. Inmate PN was assaulted with a broom. Inmate PN was treated at the local hospital and opened a case. <p>Leeuwkop Med C</p> <ul style="list-style-type: none"> Inmate DS was stabbed and treated at a local hospital and opened a case. <p>Modderbee</p> <ul style="list-style-type: none"> An inmate alleged that he was assaulted by a fellow inmate fighting over socks. He opened a SAPS case against the offender. <p>Leeuwkop Maximum</p> <ul style="list-style-type: none"> Inmate ES was assaulted by a fellow inmate while fighting over a shower. The inmate indicated that he did not want to open a case. Inmate S was assaulted by a fellow inmate while fighting over a shower. The inmate indicated that he did not want to open a case. Inmate MM was assaulted by a fellow inmate while fighting over TV channels. The inmate did not want to open a case. <p>Barberton</p> <ul style="list-style-type: none"> Inmate NLD claims he was assaulted by a fellow inmate. <p>WCMR: The assaults were gang-related (Pollsmoor Female 4); one gang-related incident at Brandvlei juveniles; One gang-related assault at Drakenstein Med B and Stellenbosch.</p>									
Assault (Official on inmate):160	In	Ext	In	Ex	In	Ex	In	Ex	In	Ex
	33	3	55	0	13	1	27	0	28	0
Remarks	<p>ECMR: Inmates were assaulted by officials mostly when the Emergency Security Team (EST)/ National Task Team (NTT) are conducting searches in the cells. Most of these assaults occurred in East London Remand, Patensie and Idutywa. Inmates alleged that officials used tonfas and fists to assault them. At Idutywa, inmates were assaulted because they did not want to dish up food. Some of the officials are known to the inmates and others are unknown, mostly the EST Members. Follow up in terms of the DCS internal investigation report is in progress. Another remand detainee was assaulted for making a noise and another was assaulted for arguing with the official.</p> <p>CMR: ICCVs reported incidents of assault (officials-on-inmates). Some inmates opened SAPS criminal cases. However, some cases were withdrawn because of insufficient evidence. Other inmates did not want to pursue SAPS criminal cases.</p> <p>ICCVs reported incidents of official-on-inmate assaults at the following CCs: Goedemoed, Losperfontein, Klerksdorp and Potchefstroom. An inmate from Losperfontein alleged that they were assaulted by officials whilst collecting cosmetics from the office. In Klerksdorp CC, an inmate alleged he was interrogated by EST members wanting information as to which inmates have cellular phones.</p> <p>KZNMNR: Reports received from Escourt; Qalakabusha; Waterval Med A; Ncome Med B; Durban Med A; B & C; Ebongweni, Pomeroy and Pietermaritzburg Med A CC. The inmates alleged that they were assaulted by DCS officials and requested to be assisted to report the matter to SAPS. The DCS is facilitating the process and the ICCV is monitoring the resolution of these matters. It must be noted that one matter at Waterval CC was resolved after it was discovered that the inmate was not assaulted but he fell from the roof when he was trying to escape.</p>									

Nature of complaint	CMR	ECMR	KZNMR	NMR	WCMR					
Remarks	<p>NMR: Barberton Max</p> <ul style="list-style-type: none"> Inmate GN alleged that he was assaulted by an official on 8 November 2020 at B Section in the office because a certain inmate was found with dagga and reported that the dagga was given by him. He sustained soft tissue injuries. <p>Barberton Med B</p> <ul style="list-style-type: none"> There were 12 inmates assaulted by the EST during a search at Barberton Med B on the 17 November 2020. <p>Zonderwater Med B, Middleburg and Baviaanspoort</p> <ul style="list-style-type: none"> Three assaults at Zonderwater Med B and five at Middelburg. One assault at Baviaanspoort Med. <p>Krugersdorp</p> <ul style="list-style-type: none"> Inmate NN was assaulted with a tonfa by a DCS official on the 14 December 2020 and was bleeding from his left leg. The inmate received medical attention at the Leratong Hospital and a SAPS case was opened. <p>Boksburg</p> <ul style="list-style-type: none"> Inmate MS alleged that he was assaulted by officials after he was refusing to enter his cell. The inmate wanted to open a criminal case. <p>Modderbee</p> <ul style="list-style-type: none"> One inmate alleged that he was assaulted by officials and was transferred to Kgosi Mampuru. <p>Leeuwkop Med C</p> <ul style="list-style-type: none"> Inmate MM was pushed by a DCS official during lock-up time as he did not want to enter his cell. The inmate was treated at a local hospital and did not want to open a criminal case. <p>WCMR: Assault at Brandvlei Max, awaiting incident report; four assaults on inmates at Malmesbury Med A; Twenty inmates assaulted at Goodwood CC.</p>									
Assault (Sexual): 17	In 4	Ext 0	In 7	Ex 0	In 3	Ex 0	In 1	Ex 0	In 2	Ex 0
Remarks	<p>CMR: Grootvlei Med A</p> <ul style="list-style-type: none"> ICCVs privately consulted the inmate in Grootvlei Med A and ensured that the inmate was examined by the medical practitioner. The inmate was allowed to open a criminal case with SAPS. DCS is in the process of conducting an internal investigation and the matter was reported to DLS for further monitoring. <p>Kimberley CC and Potchefstroom CC</p> <ul style="list-style-type: none"> Alleged sexual assaults occurred at Kimberley CC and Potchefstroom CC. The ICCV privately consulted with the inmate in Kimberley CC and ensured that the inmate was examined by the medical practitioner. The inmate was allowed to open a criminal case with SAPS. ICCV questioned why inmate as a juvenile was locked up and sent to an adult unit instead of the juvenile unit. Allegations of sexual assault were also reported from Colesberg CC and Tswelopele CC. VCCO/ ICCV to follow up on the matter. <p>ECMR: King Williams Town and St Albans</p> <ul style="list-style-type: none"> An Inmate was sexually abused by a fellow inmate at the communal cells in King Williams Town. At St Albans, one inmate was sexually abused by another inmate. <p>KZNMR: Durban Med A</p> <ul style="list-style-type: none"> The two inmates received medical treatment and were moved to another section for their safety. The matter of inmate X was reported to SAPS Westville. Inmate X did not want to open a SAPS case. Inmate XX's complaint has been referred to the ICCV and HCC to deal with the matter. The matter is still pending. 									

Nature of complaint	CMR		ECMR		KZNMNR		NMR		WCMR		
	<p>NMR: Leeuwkop Med A</p> <ul style="list-style-type: none"> An inmate alleges that he was sexually assaulted as he woke up and found that his anus was bleeding. He reported the matter after five days. The inmate received medical attention and a case was opened with SAPS, the inmate was later segregated. <p>WCMR: Drakenstein Med B</p> <ul style="list-style-type: none"> Sexual assault (inmate-on-inmate) matter reported to the SAPS. 										
Attempted Suicide: 8	In	Ext	In	Ex	In	Ex	In	Ex	In	Ex	
	5	0	1	0	1	0	1	0	0	0	
Remarks	<p>CMR: Inmates, who wanted to be transferred closer to their homes, used various methods to attempt suicide: eating broken pieces of electric light bulbs, overdosed on ARVs and other medication, cut themselves. Another inmate hit his head against a glass window. There were also drug withdrawal-related issues.</p> <p>KZNMNR: Waterval Med</p> <ul style="list-style-type: none"> Inmate X was incarcerated/detained in a single cell and attempted to commit suicide by using a sponge and blanket to burn himself. The incident took place during September 2020. It is alleged that this was a form of protest by the inmate against his segregation. As a result, the inmate sustained serious injuries and was taken to Greys Hospital in Pietermaritzburg and the inmate died on 27 October 2020. JICS launched an investigation on 23 November 2020. JICS awaits the final investigation report. <p>NMR: JHB Med B</p> <ul style="list-style-type: none"> Inmate ZN was accused of having a cellular phone and he was segregated as a result. 										
Corruption: 4	In	Ext	In	Ex	In	Ex	In	Ex	In	Ex	
	3	0	0	0	0	0	1	0	0	0	
Remarks	<p>CMR: ICCVs reported corruption cases to SAPS. DCS is conducting internal investigations. The inmate informed the ICCV that he gave the official an M number to go and collect money at Shoprite in exchange for BB, dagga and a cellular phone. The official collected the money but did not give him his items, which was when they started arguing daily. It reached the point where the official started threatening the inmate. The inmate then decided to report the matter to the HCC. According to the inmate, this practice relationship started in 2017 and the official never disappointed the inmate before, until this current incident.</p> <p>NMR: Johannesburg Med C</p> <ul style="list-style-type: none"> Inmate VN alleged that the chairperson of the parole board and the Head of the CMC are corrupt in their dealings regarding his parole placement as a result they waived his release and gave him a further profile. 										
Hunger Strike: 17	In	Ext	In	Ex	In	Ex	In	Ex	In	Ex	
	12	0	3	0	0	0	2	0	0	0	
Remarks	<p>CMR: The hunger strikes occurred at different correctional centres. Inmates are no longer on a hunger strike. The inmates refused to eat (hunger strike) demanding to be transferred closer to home. At one centre an inmate refused to eat for approximately seven days demanding to be transferred closer to his home. He is no longer on a hunger strike.</p> <p>ECMR: Two inmates wanted to be transferred to Mdantsane CC and they went on a hunger strike. Their applications were approved by the HCC and they are awaiting a response from Mdantsane. An inmate at Lady Frere CC requested to be transferred to Sada and also went on a hunger strike.</p> <p>NMR: Barberton Med B</p> <ul style="list-style-type: none"> Inmate WPM embarked on a hunger strike protesting that there has been a delay since 2018 in submitting his profile to NCCS. Two Inmates embarked on a hunger strike because of the delay (since 2017) of their profile submission to NCCS. 										

Nature of complaint	CMR		ECMR		KZNMR		NMR		WCMR	
	In	Ext	In	Ex	In	Ex	In	Ex	In	Ex
Inhumane Treatment: 21	6	0	4	0	11	0	0	0	0	0
Remarks	<p>CMR: The inmate alleged that an EST member inserted or put his hand in his anus during searching. VCCO is establishing the facts surrounding this matter.</p> <p>Tswelopele and Sasolburg</p> <ul style="list-style-type: none"> Inmates allege that they have been inhumanely treated by other inmates. <p>ECMR: This is a result of inmates experiencing ill-treatment from other inmates, being repeatedly bullied by EST/NTT members and being isolated by other inmates when one inmate is accommodated in a new unit. The inmate was placed in single cells without explanation and was handcuffed (as if he was in Maximum) because of his behaviour in the unit.</p> <p>KZNMR: Durban Med B, Pietermaritzburg Med A, Escourt and Nkandla The inmate complaints in this category relate to insults hurled at/foul language used by DCS officials against them, alleged discrimination against them based on their national origin, more especially those from Malawi; Zimbabwe and Congo. Furthermore, inmates complained of having been humiliated, indecently bodily searched and uncomfortably touched by the DCS officials. These complaints were registered by the ICCV on behalf of inmates who are detained at Durban Med B; Pietermaritzburg Med A; Escourt and Nkandla CCs. HCCs were requested to investigate the alleged incidents and JICS is closely monitoring the resolution of these matters.</p>									
Torture: 4	In	Ext	In	Ex	In	Ex	In	Ex	In	Ex
	0	0	0	0	0	0	4	0	0	0
Remarks	<p>NMR: Leeuwkop Max</p> <ul style="list-style-type: none"> Inmate JM said he was fastened to the bed and beaten by EST members and he was taken to an outside hospital for treatment. A case was opened with SAPS. Inmate MK said he was severely beaten and locked up by EST members, he was also sent to an outside hospital for treatment. Inmate MK said that he was tortured and suffocated, he was treated at the local hospital, and the matter was reported to SAPS but does not have a case number yet. Inmate SM said he was handcuffed and beaten by EST member and was treated at the local hospital. <p>All the incidents are currently being investigated by DCS. The ICCV has followed up with all complaints of torture and submitted the ROCs to the Regional Office. The RM appointed an investigator to conduct a full investigation. An appointment was set for the consultations to proceed.</p> <p>The RM contacted the National Manager, Mr Pascal Jordaan, who confirmed that the search happened, but was unaware of any assaults or torture. He welcomed any investigation from JICS. The RM called the DCS investigator, Mr Kekane, who confirmed that SAPS refused to register any assault cases where there are no J88's available. It is unknown whether these matters have been registered with SAPS.</p>									

Table 17: Urgent complaints managed in regions from 1 October - 31 December 2020

NARRATIVE ON PREVALENT COMPLAINTS PER REGION:

CMR:

OTHER

ICCVs dealt with 836 cases relating to the "Other" category. This category entails complaints and/or requests related to confirmation of physical addresses of inmates, SAPS cases, those that request to see the HCCs, unfair removals from work span and health-related issues.

TRANSFER

ICCVs dealt with 182 complaints and/or requests. In particular, there were requests for inmates to be transferred to correctional centres closer to where their families are located. DCS started to consider their

application as from 1 October 2020. The inmates who were transferred from the WC region to Tswelopele constantly requested to be transferred back to be closer to their families.

ASSAULT

Most prevalent of these were inmate-on-inmate assaults. Some assaults were related to gangsterism and frustration, especially during the nationwide lockdown.

KZNMR:

Legal Representation, Appeal and Bail

During the quarter, the ICCVs interacted with inmates and dealt with the following requests/complaints: Legal representation (147); appeals (171) and issues related to bail (108). The complaints/requests came from inmates incarcerated at Qalabusha; Durban Med A and B; Pietermaritzburg Med A; Greytown and Ebongweni CCs.

At the VC meetings during the week of 23-26 November 2020, Legal Aid SA was represented. It became apparent that legal practitioners from Legal Aid SA are experiencing barriers to enter the various correctional centres. As a result, they are not able to consult with their clients and, if they are allowed to consult, it is for a limited number of inmates during each visit. This issue was discussed at length with the HCCs present. The HCCs were requested to reconsider their decisions and increase the number of inmates who can be consulted. DCS was tasked to reconsider this and ensure that inmates have access to legal services from Legal Aid SA. Finally, it was resolved that Legal Aid SA will regularly provide inmates with feedback on their requests; JICS will also be informed of progress on each case referred to Legal Aid SA.

Conditions

The complaints under this category were received from Stanger; Maphumulo; Durban Juvenile, Umzinto and Ncome Med A & B CCs.

Stanger: The correctional centre is dilapidated and is in terrible condition. Notwithstanding the findings of the inspections conducted and an oversight visit of the former Inspecting Judge, the centre remains the same with no improvement at all. The inmates are without beds and they sleep on the floor using mattresses. We were informed that this was a means to prevent inmates from escaping from the centre. It is alleged that they might use the beds to climb on the wrecked roof to escape. Stanger CC has wrecked asbestos roofing, which constitutes a very serious health hazard. These concerns were discussed with DCS: Empanjeni Area Management, who has made an undertaking to engage the DCS Facility Directorate to verify the status of the centre in the renovation plan.

Maphumulo & Durban Juvenile CCs: The ablutions facilities were broken and maintenance was not being rendered. At Umzinto CC, the lights had not been working for months.

Ncome: There is a dire water crisis at the Ncome CCs (i.e. Med A; Med B & DCS officials). Access to water is limited and the pipe systems were standing dry with no water supply for domestic use by inmates and other DCS officials. Ncome Management has put several measures in place to manage the situation, which is not the first for Ncome. Following JICS enquiry, DCS: Ncome provided a detailed copy of the contingency plan for the management of hygiene, food preparation as well as cleanliness in the cells, kitchens and clinics. Reportedly, all cells have water containers/drums and inmates have water stored in the cells. To mitigate the crisis, the following measures have been adopted by DCS:

1. DCS Region appointed a contractor for the delivery of 40000ℓ of water daily and Zululand District Municipality is assisting with the delivery of at least 18000ℓ of water daily.
2. Repairing borehole number one, use of borehole number two and the borehole at the animal projects. Borehole one was repaired and is in use providing about 4000ℓ of water per hour. A water test was done and the water was certified for human consumption. Water is also collected from all water points to supplement the current availability issue at borehole one.
3. Hygiene in hospitals, kitchens and cells is well managed with current water availability.

4. Management of inmate population: Transfer plan was approved to remove 360 inmates from Ncome and the following transfers were actioned:

- 50 to Durban
- one to Nkandla
- 44 to Glencoe
- 100 to Sevenfontein
- seven to Glencoe (4 December 2020)
- 50 to Qalakabusha (4 December 2020)

Outstanding transfers should have been finalised by 9 December 2020.

Food

During October 2020, the region registered a high number of complaints related to food. The inmates complained about an insufficient quantity served; food being sold by cooks and food being poorly prepared and unpalatable for consumption. The complaints in this category were recorded by ICCVs at Durban Med A (three), Durban Juvenile (one) and Umzinto CCs (135). The complaint from Umzinto CC was adequately addressed with the HCC. This matter was investigated by the HCC and it was amicably resolved. In addition, the kitchen officials were also informed to ensure that when fish is on the menu it is cooked to the requisite standard. The ICCV is pleased with the interventions implemented by DCS and is monitoring the situation.

NMR:

Transfers

Inmates often submit requests for transfers to other centres to be closer to family or to access certain programmes. However, not all of their requests are approved because of the unavailability of space in correctional centres where they have applied. Inmates are encouraged to re-apply after some time.

Communication

Inmates want to keep in touch with their families to inform them about their sentences and have access to their lawyers.

Legal representation

There are a high number of legal representation requests from inmates reported from the correctional centres.

WCMR:

Other

Inmates at Brandvlei Max registered their concerns relating to DCS not allowing them access to the internet for study purposes. Meetings were held with the Area Commissioner and the HCC to amicably resolve the complaint. The complaints were addressed by DCS. The ICCV reported that all the inmates' complaints were resolved to their satisfaction. All inmates were allowed to write their examinations.

The ICCV at Brandvlei Juvenile reports that she was threatened by an inmate. The matter was reported to the HCC and disciplinary steps were taken against the inmate. The inmate was segregated and was also mechanically restrained.

The Acting Director and Acting Regional Manager requested a meeting with the DCS Regional Manager. However, the meeting was cancelled as the RC had other commitments.

Three newly appointed ICCVs submitted their resignations as they found permanent appointments at various other government departments.

2.3. Stakeholder engagement/Visitors Committee (VC) meetings

Regular meetings were held between JICS, DCS and all relevant stakeholders. This presented an important platform for the proper resolution of inmate complaints. Section 94 of the CSA makes provision for these

meetings, prescribing that there must be at least one meeting per quarter. The regions play an integral part in this process. During the third quarter, the following VC meetings were held:

Region	Planned VC meetings	Number of VC meetings held	Number of complaints referred to VC	Number of complaints resolved	Number of complaints referred to IJ	Reasons for deviation from the planned meetings	Corrective steps if planned meetings not achieved
CMR	9	9	29	3	8	None	None
ECMR	7	6	12	4	0	The rapid increase in COVID-19 cases at St Albans hampered the VC meetings from being held.	To be rescheduled.
KZNMR	7	7	34	34	0	N/A	N/A
NMR	4	6	19	0	0	Due to the ICCV recruitment process, the three VC meetings that were scheduled for October were convened in November. The joint VC meetings for JHB and Leeuwkop scheduled for November and December could not take place due to the unavailability of a meeting venue at Leeuwkop.	N/A
WCMR	8	6	4	0	0	N/A	N/A
DMR Total	35	34	98	41	8	-	-

Table 18: VC meetings held from 1 October - 31 December 2020

2.4. JCPS cluster interventions (Case Flow Management Forum, PEEC and DPP)

Most of the regions reported that Intersectoral engagements and meetings were postponed because of the COVID-19 pandemic.

Only the ECMR had three engagements, namely one with NICRO and the other two upon invitation of the Deputy Minister of Correctional Services (for his official working visit to Sada Management Region and the reopening of Ngqamakwe CC). It is reported on as follows:

Region	Type of meeting/s	Date of the meeting/s	Matters discussed at the meeting/s	Resolutions
CMR	0	0	0	0.
ECMR	Sada Management Area Working Visit	19/10/ 2020	Official working visit of the Deputy Minister, Nkosi Holomisa, to Sada Management Area to ascertain the state of the management of the region and the impact of the COVID-19 pandemic. Full presentations were made by the DCS Regional Management on all directorates. JICS was also requested to prepare a presentation to highlight our oversight and report on the findings of our inspections and investigations.	The Deputy Minister was apprised of the challenges and successes of the management area. Challenges that were highlighted were: the delays in service delivery from DPW, HR processes with regards to officials assaulting inmates and other internal matters. One of the successes highlighted was the ability of the region to manage the COVID-19 pandemic.

Region	Type of meeting/s	Date of the meeting/s	Matters discussed at the meeting/s	Resolutions
ECMR	Meeting with Nicro	10/11/2020	Presentation on the progress made by NICRO represented by Dr Emmison Muleya, outlining that crime is a societal problem and causes are social elements. They noted that 15% of the cases detected by SAPS are drug-related.	All stakeholders together with the community should come together and do crime prevention and public awareness. Schools based programmes would also assist the process as the majority of offenders are between the ages of 18 and 35.
	Opening of Ngqamakhwe	16/11/2020	The centre was officially opened by the Deputy Minister and the MEC Weziwe Tikana Gxothiwe, Department of Safety and Liaison in the EC as well as MEC N Pieters representing the Premier of the Eastern Cape. The DM outlined that the project cost R38 million and the capacity of the centre increased from 39 to 51 beds. The three projects according to the DM were completed within the prescribed period. The centre will be accommodating inmates sentenced between 10 -15 years as well. One of the concerns was from the Traditional Leaders, represented by Nkosi S Sobhekwa, that they are not properly informed as community leaders when inmates are going to be on parole in their areas. The MECs and other speakers focussed mostly on broken family ties when inmates are accommodated far from their family homes.	There should be a programme outside correctional centres to deal with crime awareness and outline the various challenges of being in correctional centres. Programmes that are offered in correctional centres should be reviewed to have more of an impact. Land should be made available for inmates to farm and plough. Inmates will be able to farm vegetables to support the centres.
KZNMR	0	0	Not applicable	N/A
NMR	0	0	N/A	N/A
WCMR	0	0	N/A	N/A
DMR Total	3	-	-	-

Table 19: Stakeholder engagement meetings from 1 October - 31 December 2020

2.5. State patients incarcerated

JICS does not regard correctional centres as the most suitable place for the detention and incarceration of state patients. JICS is of the view that these individuals require specialised services to attend to their specific needs. The problem is two-fold. First, these specialised services are not always readily available in correctional centres, which may be harmful to the state patient and other inmates. Second, the transfers to suitable psychiatric facilities take months if not years to effect.

During the third quarter, a total of 149 state patients were housed at correctional centres. This contrasts with DCS statistics that reflect a total of 133 as at 31 December 2020. The discrepancy is because JICS reports are one month in arrears (the statistics only become available after the monthly due date for submission of DMR reports).

Region	Number of sentenced male state patients	Number of sentenced female state patients	Number of remand detainee male state patients	Number of remand detainee female state patients	Remarks
CMR	0	0	44	0	The state patients are incarcerated at the following centres: Grootvlei (34) and Kimberley (one). As reported by ICCVs, incarceration and observation is satisfactory.
ECMR	42	0	23	0	There is a decrease in the number of state patients in the EC.
KZNMNR	0	0	17	0	The state patients are incarcerated at the following centres: Pietermaritzburg Med A (eight), Ladysmith (seven), Durban Med A (two). Pietermaritzburg Med A CC was designated to accommodate state patients to be closer to Fort Napier Psychiatric hospital for closer monitoring and necessary treatment.
NMR	5	0	18	0	The state patients are incarcerated at the following centres: Witbank (nine), Thohoyandou (two), Barberton (three), Kgosi Mampuru Local (six), Modderbee (two), Krugersdorp (one)
WCMR	0	0	0	0	N/A
Total: 149	47	0	102	0	

Table 20: State patients incarcerated from 1 October - 31 December 2020

2.6. Non-nationals (sentenced & remand detainees) in correctional centres

The incarceration of non-nationals in South African correctional centres presents challenges which include language barriers, lack of contact with families (because of distances and costs), as well as the threat of deportation. Some regions reported higher numbers of non-nationals because of proximity to the country's borders.

To address these challenges and promote the rights of non-nationals, JICS initiated a discussion with DCS and other stakeholders.

During the previous quarter, a total of 11 374 non-nationals were reported in South African correctional centres. This figure has decreased by 807 to 10 567 for the current quarter. It is plausible that the decrease is a result of the special parole dispensation.

Regions	Number of non-nationals incarcerated			
	Sentenced		Remand detainees	
	Male	Female	Male	Female
CMR	702	0	559	0
ECMR	107	6	Not available	Not available
KZNMNR	206	2	460	1
NMR	3413	147	4392	112
WCMR	447	7	546	19
Total	4875	162	5398	132

Table 21: Non-nationals in correctional centres from 1 October - 31 December 2020

2.7. COVID-19 reporting

The COVID-19 pandemic had a major impact on the operations of JICS. To ensure the regulations and precautions were properly complied with, JICS monitored the prevalence of infections in correctional centres amongst both inmates and officials as well as JICS staff.

The impact of the second wave of the COVID-19 pandemic is evident during this quarter.

The following table depicts the regional breakdown:

Regional Breakdown (as at 16 December 2020)

Regions	JICS officials	DCS officials	DCS official deaths	Inmates	Inmate deaths	Total
Eastern Cape	0	1047	17	1207	10	2281
Western Cape	2	972	16	678	9	1677
Gauteng	0	975	17	431	24	1447
KwaZulu-Natal	0	745	12	311	6	1074
Limpopo, Mpumalanga and North West	0	471	9	162	4	646
Free State and Northern Cape	0	789	15	153	6	963
Total	2	4999	86	2942	59	8088

Table 22: Report on COVID-19 from 1 October - December 2020

Cumulative statistics at 16 December 2020 stood at 8 088 with 4 999 officials and 2 942 inmates having tested positive for COVID-19. The recovery rate of 94%, versus the cumulative statistics at 31 December 2020 that reflected 8 667 in total, of which 5 565 officials and 3 102 inmates tested positive for COVID-19. The recovery rate of 90%.

2.8. Special parole dispensation

On 8 May 2020, the Minister of Justice and Correctional Services announced special parole releases for approximately 19 000 inmates convicted of non-violent offences who qualified, to combat overcrowding and manage the COVID-19 pandemic. Pursuant to this, JICS requested to form part of the DCS task team monitoring the pandemic. JICS was granted an opportunity to be part of the task team.

Weekly meetings were scheduled to monitor, discuss and report on the progress made. However, since the last meeting held on 6 November 2020 the current statistics were not easily available. The meeting focussed mainly on the deportation of non-nationals and the cooperation of SAPS and DHA.

The following table reflects statistics per region as obtained from DCS:

COVID-19 Special Parole Dispensation - DMR.				
Region	Number identified inmates to benefit from early release	Number of inmates already released	Number still to be released	Scheduled dates
CMR	2413	1907	506	Monthly
ECMR	1709	1363	346	
KZNMNR	2427	1972	455	The project is ongoing and CSBP sittings continue to consider the placement of inmates who qualified for placement on parole.
NMR: Gauteng	3275+	3343+	663	Some inmates were given further profiles.
LMN	3352 = 6627	2621 = 5964		
WCMR	3689	2331	1358	
Total	16 865	13 537	3328	

Table 23: COVID-19 special parole dispensation from 1 October - December 2020

It has been reported to JICS (via the regional offices of DCS) that the project is ongoing. However, inconsistent statistics are being provided. It is, therefore, not possible to effectively and efficiently monitor the releases monthly in all the regions.



PART C: HUMAN RESOURCES

3. Organisational establishment structure

3.1. Approved establishment structure as at 30 September 2020

As at 31 December 2020, there were 86 approved and funded positions on the fixed establishment. A total of 83 posts were filled, with three (3.49%) vacant posts. It is noted that three candidates were sent for competency tests for the Director Management Regions during December 2020.

The table below depicts the current vacancies for the second quarter:

#	Level	Description	Status
1	Level 7	Chief Auxiliary HR	Advertised
2	Level 11	Deputy Director: Complaints & Mandatory	Advertised
3	Level 13	Director: Management Regions	Interviews conducted 14 October 2020

Table 24: Three vacancies as at 31 December 2020

3.2. ICCVs

A total of 43 new ICCVs assumed duty during November and December 2020. In addition, 20 new ICCVs will assume duty with effect from 1 January 2021. As at 1 January 2021, the number of vacant ICCV positions will be 23 which equates to a vacancy rate of 9%.

Filled posts	202/81,78%
Vacant posts	43/17.4%
Correctional Centres under construction	2/0.8%
Total number of ICCV posts	247

Table 25: ICCV filled and vacant posts percentage as at 31 December 2020

3.3. Employment equity

The table below depicts the number of employees in each occupational category as at 31 December 2020:

Level	Males				Females				Total
	Black	Coloured	Indian	White	Black	Coloured	Indian	White	
Senior Management (Level 13 – 14)			1	1	1				3
Professionally qualified and mid-management (Level 11-12)	3	1		1	1	1			7
Skilled technical and academically qualified workers, junior management supervisors, (Level 7-10)	16	7			19	3	1	1	47
Semi-Skilled and discretionary decision making (Level 3-6)	6	1			13	5			25
Unskilled and defined decision making (Level 1-2)	1								1
Total	26	9	1	2	34	9	1	1	83
Non-permanent	7	0	-	1	6	1		1	16
ICCVs	78	8	2	-	104	9	1	-	202
Total	111	17	3	3	144	19	2	2	301

Table 26: Employment equity statistics as at 31 December 2020.

The table below depicts the employment equity percentage (including employees with disabilities) within JICS:

Black		Coloured		Indian		White		People with disabilities	
Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
110/36.54%	144/47.84%	17/5.65%	19/6.31%	3/1%	2/0.66%	3/1%	2/0.66%	1/0.33%	-

Table 27: Employment equity percentages as at 31 December 2020

3.4. Performance agreements

The 2019-2020 performance assessments

The annual performance assessments for 2019-2020 were put on hold during this quarter. This is because the selection and recruitment of ICCVs took preference. In addition, the prescribed timeframes for finalising performance appraisals, as determined by the DPSA, were extended because of the COVID-19 pandemic.

3.5. Labour relations

Outstanding misconduct cases:

During the second quarter of 2019-2020, one disciplinary hearing was concluded. The allegations involved the following:

- **Allegation 1:** Failed to carry out a lawful order or routine instructions without just or reasonable cause, in contravention of the departmental transport procedure manual.
- **Allegation 2:** Prejudiced the administration, discipline or efficiency of JICS in contravention of the departmental transport procedure manual.

The official pleaded guilty on both charges. A sanction of a final written warning was recommended by the Presiding Officer and was confirmed by the delegated authority.

General Public Service Sector Bargaining Council (GPSSBC) – referrals

JICS received a notice for arbitration on the 4 November 2020. A hearing was scheduled for 10 November 2020 {*unfair suspension or disciplinary action – Section 186(2) (b)*}. The arbitration hearing was rescheduled for 4 and 5 February 2021.

Grievances for the period 1 October to 31 December 2020.

None.

Unresolved grievances from the 2018/2019 & 2019/2020 performance cycle.

1. Grievance lodged on 25 January 2019

The official has applied to the Labour Court, Western Cape: Cape Town, for an intervention. Discussions about the finalisation of the pre-trial meeting minutes between the State Attorney and the applicant's lawyer are still ongoing.

2. Grievance lodged 28 February 2019 – PSCBC 270 -9/20

The matter was concluded on the 12 October 2020. The Commissioner ruled in favour of the applicant, in that the decision of the respondent (JICS) to decline the temporary incapacity leave (TIL) is reviewed and set aside.

3.6. Nationwide lockdown and COVID-19 pandemic

The following interventions were actioned during the nationwide lockdown in compliance with COVID-19 pandemic alert levels during the third quarter:

- JICS COVID-19: Alert Level 3, Adjusted Regulations-Workplace Plans and Safety Measures





PART D: FINANCE AND SCM

4. Budget

Budget for 2020/2021 Financial Year as at 31 December 2020



Figure 1: Budget for 2020/2021 Financial Year

The Compensation of Employees (COE) has been unilaterally cut by DCS by an amount of **R 14 481 000.00**, notwithstanding that the funds of JICS are ring-fenced. Previously, an in-principle decision was taken that no budget cuts will be effected without the necessary consultation with JICS. Despite this agreement, the DCS effected budget cuts to JICS's COE budget without consultation. This matter was addressed by the National Commissioner and the Inspecting Judge. There has been ongoing negotiations and representations, however to date, no response has been received from the National Commissioner or Chief Financial Officer. Therefore, it is assumed that the budget cut is final.

5. Expenditure

Overall expenditure for the period 1 April 2020 to 31 December 2020 is depicted as follows:

Expenditure excluding Commitments

R 49 000 515.04

Expenditure Including Commitments

R 51 937 444.42

Commitments

R 2 936 929.38

Reasons for underspending by 5.23% on SCOA items:

Compensation of Employees	Ideal	Deviation
68.45%	74.99%	6.54%

Table 28: Compensation of Employees as at 31 December 2020

Underspending is due to vacant positions. The following funded permanent posts are in the process of being filled:

- Director Management Regions
- Deputy Director: Complaints & Mandatory
- Chief Auxiliary Officer
- Independent Correctional Centre Visitors and other contract admin positions.

Goods and Services	Ideal	Deviation
66.86%	74.99%	8.13%

Table 29: Goods and Services as at 31 December 2020

Underspending is due to the impact of the national lockdown in terms of the Disaster Management Act. The national lockdown resulted in some activities being suspended which had a knock-on effect on the organisational spending of JICS.

Transfers and Subsidies	Ideal	Deviation
80.71%	74.99%	-5.72%

Table 30: Transfers and Subsidies as at 31 December 2020

The overspending is due to the renewal of the bulk of JICS vehicle licenses.

Capital Assets	Ideal	Deviation
108.44%	74.99%	-33.45%

Table 31: Capital assets as at 31 December 2020

The overspending is due to capital expenditure commitments generated for the entire financial year (these are contract obligations). As a result, funding has been set aside.

Procurement of Personal Protective Equipment (PPE) for COVID-19 Epidemic.

The following is a list of PPE and/or COVID-19 essentials. These were procured from 1 April 2020 – 31 December 2020 for all JICS regions and offices:

- 1000 x cloth face masks
- 30 x 5ℓ hand sanitisers
- 250 x 200 ml plastic spray bottles
- 250 x plastic face covers
- 1500 x surgical gloves
- 290 x boxes 100's surgical gloves.
- 1200 x three-layer cloth masks
- 30 x 5ℓ, 70% alcohol-based sanitiser

6. Fleet/transport management

The table below reflects the allocations of JICS state vehicles to the offices and regions.

Office/Management Region	Total of vehicles
Pretoria head office	3
NMR	5
CMR	4
KZNMR	4
ECMR	5
WCMR	6
Total	27

Table 32: JICS fleet and allocation per region as at 31 December 2020

Fleet Operating Costs	
Month	Cost
October 2020	R 31 923.84
November 2020	R 62 005.93
December 2020	R 45 230.53
Total	R 139 160, 30

Table 33: Fleet operating costs as at 31 December 2020

JICS procured and accepted delivery of seven new Volkswagen Polo 1600 vehicles. These new vehicles are to replace vehicles that were involved in collisions or exceeded their roadworthiness.

Office/Management Region	Total of vehicles
Pretoria head office	1
NMR	2
CMR	1
KZNMR	1
ECMR	2
Total	7

Table 34: Newly procured fleet and allocation per region as at 31 December 2020

7. Property and facilities management

Current leases on property:

PHYSICAL ADDRESS	TYPE OF AGREEMENT	STATUS ON 30 JUNE 2020	MONTHLY RENTAL
Western Cape Management Region: 9 th Floor, Standard Bank Building, 1 Thibault Square, Cnr Long & Hans Strijdom Avenue, Cape Town	Lease	Lease agreement approved for three years	R 149 632.29
Central Management Region: 3rd floor, 62 Andrew Street, Bloemfontein	Lease	Lease agreement approved for three years	R37 510.00
Northern Management Area: 265 West Ave, Tuinhof, Karee (West Block) Centurion	Month to month	The tender process is being facilitated by DPW	R 29 536.80
KZN Management Region: 8th floor, 275 Anton Lembede Street, Durban	Lease	Lease agreement approved for three years	R59 665.32

Table 35: JICS property leases as at 31 December 2020

- Pretoria Head Office is accommodated at SALU Building, Pretoria as a temporary measure.
- Eastern Cape Management Region (ECMR) is temporarily accommodated at the East London Magistrates' Court. The procurement of permanent accommodation for ECMR is currently being considered.
- The tender for the procurement of the Northern Management Region and Pretoria Head Office (alternative lease accommodation) was advertised during November 2019. Following the viewing of five prospective buildings (Steyns Towers, 271 Pretorius Street and Eco Fusion 5 Block F, 1004 Teak Close, Witch Hazel Avenue), Centurion was recommended to DPW. The outcome and finalisation of the new accommodation from either DPW and/or DCS is awaited.



PART E: INFORMATION TECHNOLOGY

PROJECTS

1. Distribution of computers for ICCVs in Correctional Centres.

Currently, ICCVs do not have access to computers at correctional centres. JICS's desktop roll-out project to equip ICCVs with the necessary tools to discharge their work duties includes, amongst others, the distribution and allocation of computers to correctional centres. This project was temporarily suspended because of the COVID-19 pandemic and in compliance with the nationwide lockdown regulations. The project will recommence during March 2021.

2. Development and Integration of JICS MIS into DCS E-Corrections.

During 2016, the DCS electronic reporting system crashed. DCS commenced developing a new E-Corrections system. In consultation with DCS GITO, JICS submitted their oversight statutory reporting requirements, which were integrated into the new E-Corrections system.

The E-Corrections system, which is fundamental and operational, is currently being rolled out on a national scale. This E-Corrections reporting system will enhance JICS's reporting competence, especially when it comes to mandatory reporting (deaths, mechanical restraints, segregation and the use of force).

3. Development of a New JICS Website

JICS IT is working closely with DCS GITO to assist JICS with the following IT solutions:

- The migration of JICS website and email exchange from DCS server to new JICS servers was submitted to SITA for consideration. It includes financial implications, managed by DCS GITO.
- The further rollout of E-Corrections systems with all modules to JICS coupled with E-Corrections user training on troubleshooting.

Challenges

The migration of the JICS website and all JICS DCS mailboxes to the "@jics.gov.za" domain remains a challenge.

Achievements

The JICS MIS for Complaints and Mandatory Reporting has been integrated into the DCS's E-Corrections. This eliminates report duplication and provides online live information on all Mandatory Reporting issues.



PART F: MEDIA AND COMMUNICATIONS

Media

JICS engaged in several media activities: media releases, requests and responses in the third quarter (October – December) of the 2020 financial year.

Because of the COVID-19 pandemic, restrictions were placed on the submission of annual reports to Parliament. The JICS 2019/2020 annual report was submitted timeously.

The media enquired about several matters that included COVID-19 in correctional centres, as well as asking for responses on the JICS fourth-quarter and first-quarter reports (emanating from a presentation to the Portfolio Committee in October 2020).

For this quarter the media concentrated on:

- JICS Quarterly Reports
- Hlophe Report
- Rajbansi matter

- No dignity for South African Prisoners
- An inmate at Pollsmoor CC dies
- Constitutional Court Judgment (Sonke Gender Justice NPC v President of the Republic of South Africa (CCT307/19) [2020] ZACC 26) (4 December 2020)

Internal Communication

JICS internal communication were maintained through its various communication portals, which include emails and the WhatsApp group system to ensure that JICS staff were updated on all matters relating to the COVID-19 pandemic. These included various communication products e.g., desk-drops, social media videos and gifs. A variety of tools will continue to keep the target audience engaged and make communication effective.

The following internal communication was sent out this quarter

- COVID-19 SA Stats
- Strike Action Notice: COSATU Section 77 Protest Action
- Corruption Hotline
- Acting Appointments 1 October 2020 – 31 January 2021
- Report Corruption
- Face masks
- National Anti-Corruption Hotline (NACH)
- Fighting Corruption is everyone's business
- New Circular 055 of 2020 (05 Oct 2020) Measures for Risk Alert Level 1
- Circular 21/2020 – Processing of ICCV Remuneration
- COVID-19 on the increase
- SA possible resurgence video
- Constitutional Court Sonke Judgment
- JICS New Appointments
- JICS Advert: DD Complaints and Mandatory Reporting and DD Communications
- JICS Annual Report 2019/2020
- JICS Vacancies - Post advert 13 November 2020
- President to address the Nation
- Restrictions remain Level 1
- Crime Safety Tips
- ASD: HRM Introduction
- COVID-19 Precautions Reminder
- 16 Days of Activism 2020 | JICS "Against Domestic Abuse" Campaign
- Acting appointment CEO: MR E Brewis | 26 November 2020 to 6 December 2020
- Scam Alert: DOJCD
- JICS 2020 Second Quarterly Report
- Domestic Abuse Campaign: How much more?
- Stop Abuse Now
- COVID-19 Level 3 Amendments
- IJ Final 2020 Video Message to Staff
- JICS Go Virtual Poster
- JICS Go Spacious Poster
- Play your part and save lives
- Festive Restrictions to save lives
- Office of The CEO Deskdrop | December 2020
- Fumigation and deep cleaning of Pretoria Office | Salu Building
- JICS Go Outdoors Poster
- JICS Season's Greetings
- JICS Go Smaller Poster



Figure 2: JICS Media Analysis and Internal Communications (October – December 2020)

The figure above shows the media engagement and internal communications during this quarter.

Other Matters Reported

- JICS Annual Report (AR) was sent electronically to ensure compliance with the lockdown regulations and the hard copies (delivered to the Pretoria office), were packaged, distributed and submitted.
- JICS second quarterly report was released to all staff and stakeholders.
- The laptop skins artwork was approved and forwarded to IT for procurement.
- Health messaging continued.
- The Sixteen Days of Activism campaign was initiated on 25 November and completed 10 December 2020.
- The office of the Inspecting Judge received various complaints from family members of inmates. These complaints were forwarded to the Complaints Unit and are being dealt with.
- Radio programme initiative: radio stations were contacted and feedback was received. Several radio stations are enthusiastic to work with JICS. The Acting Director: Regions will be having a meeting with the regions in the third week of January to finalise content for the radio programmes. Once this has been received, the packaging, arranging and further logistics will be communicated.

Branding

- Artwork for the calendars and diaries were completed and forwarded to procurement. There has been a delay because several of the suppliers backed out of the process. A third supplier has been requested and awaiting feedback.
- The ICCV pamphlets were printed and distribution to regions will commence in the third week of January 2021.

