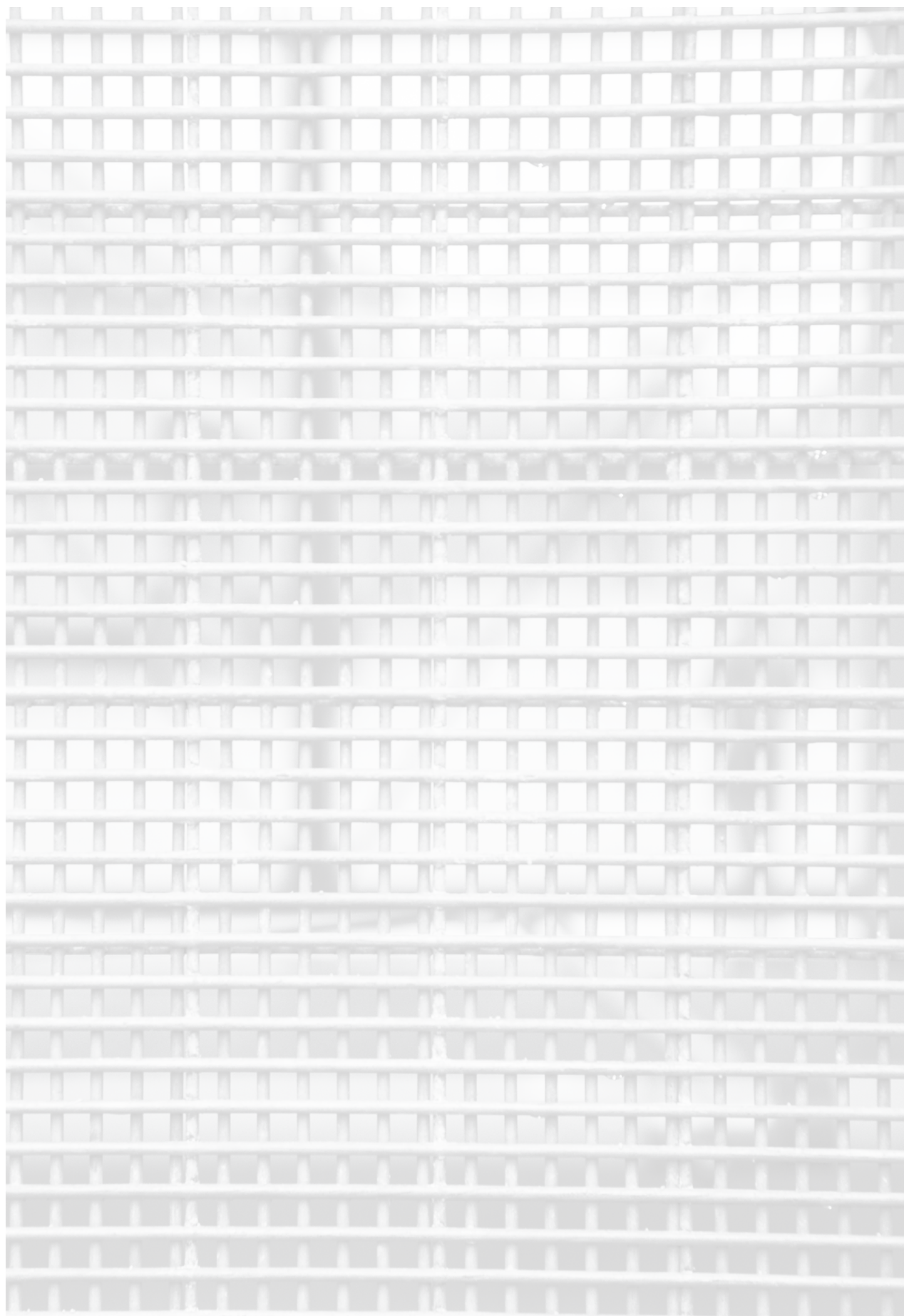


JUDICIAL INSPECTORATE FOR
CORRECTIONAL SERVICES

THIRD QUARTERLY PERFORMANCE REPORT

1 October – 31 December 2023





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INSPECTING JUDGE:
JUSTICE EDWIN CAMERON

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List of abbreviations

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

MSSD	Minimum Standard of Service Delivery
NMR	Northern Management Region
PCN	Public Calling for Nominations
PEEC	Provincial Efficiency and Enhancement Committee
PMDS	Performance Management Development System
PPE	Personal Protective Equipment
RDs	Remand Detainees
ROC	Record of Consultation
SA	South Africa
SAHRC	South African Human Rights Commission
SAPOHR	South African Prisoners Organisation for Human Rights
SCOA	Standard Chart of Accounts
SITA	State Information Technology Agency
SMR	Strategic Midterm Review
VC	Visitors' Committee
VCCOs	Visitors' Committee Coordinators
VOD	Victim Offender Dialogue
WCMR	Western Cape Management Region



EXECUTIVE SUMMARY BY THE CHIEF EXECUTIVE OFFICER

This report provides a thorough summary of JICS's performance results for the third quarter of the 2023/2024 performance year, which runs from 1 October – 31 December 2023. This report brings us to 2024, 30 years since South Africa's first democratic elections. JICS represents the highest aspirations of our constitutional democracy – dignity and equality for all, even those detained in correctional centres. JICS's work is difficult, but a vital contribution to the state's efforts to respect, protect, promote and fulfil the rights in the Bill of Rights.

I want to express my sincere appreciation to the Inspecting Judge (IJ) for his dedication to JICS's statutory mandate. I also want to thank JICS's senior management and all hardworking staff members for their support and unwavering efforts.

Notwithstanding resource limitations, JICS executed all planned inspections with excellence and efficiency, producing impressive outcomes. The following are the standout achievements for this quarter:

- Following a total of 27 inspections, 22 correctional facilities were rated as satisfactory, one as good, and four as bad.
- Eleven investigations were successfully completed by JICS in spite of practical obstacles in the form of obstructive DCS personnel, delays obtaining Medico-Legal records, and trouble finding inmates who had been transferred to other centres.

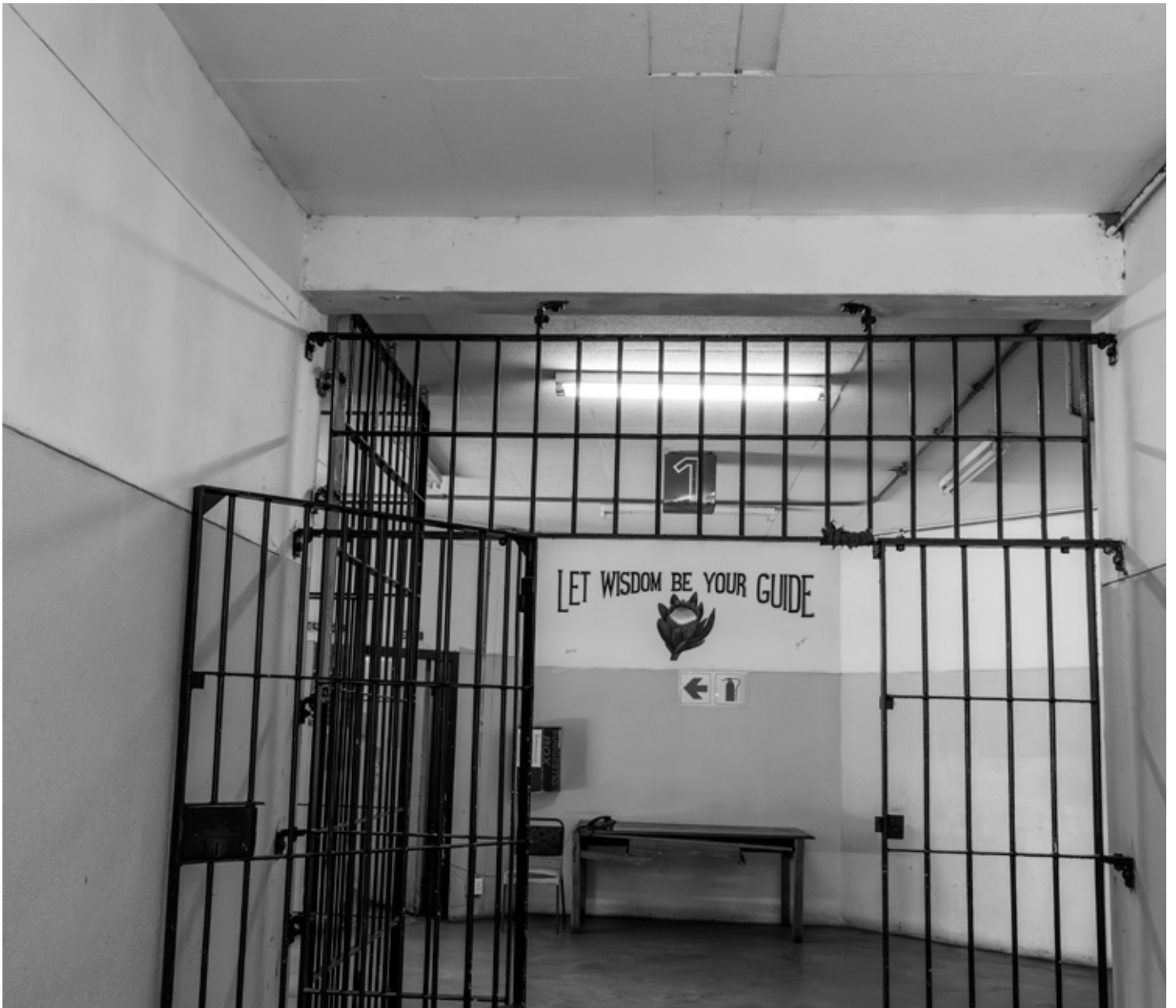
The JICS Complaints Unit (CU) received a total of 166 complaints during this period, covering various issues, most notably incidents of inmate-on-inmate (54) and official-on-inmate assaults (22), as well as transfers (15). While the implementation of the electronic reporting system is in progress, DCS's compliance with mandatory reporting remains a significant challenge. The absence of a means to verify the accuracy and completeness of DCS reports, despite the temporary introduction of a manual reporting system, remains an ongoing concern.

DCS reported 27 deaths attributed to unnatural causes, with 24 cases labelled as unknown reasons and two identified as suicides by hanging. Additionally, 112 deaths were categorised as natural. There were 1,156 documented cases of segregation recorded during the quarter, with three successful appeal resolutions. Thirteen cases involving mechanical restraints were reported, and none of them were subject to a review request. Furthermore, 129 incidents of the use of force were documented.

The inmate population in has risen by 5,361 individuals, marking a 3.49% increase from the previous quarter, now totalling 153,805 individuals. This figure encompasses 59,295 remand detainees, 94,506 sentenced individuals, and 54 infants, indicating a notable 14.8% decrease in infant inmates from the previous quarter. Notably, NMR¹ detains the largest proportion of inmates, constituting 39% of the total population, with Gauteng and LMN contributing 59,988 inmates. WCMR follows closely with 26,852 inmates (17.4%), while KZNMR ranks third with 23,982 inmates (15.6%). ECOMR and CMR house the smallest inmate populations. Included within the total inmate count are 96 children (0.06%) and 5,265 juveniles (3.4%), with the vast majority of total inmates 148,444 (96.5%) classified as youth and adults.

JICS maintains ongoing communication with key stakeholders, including the National Commissioner, the Minister of Justice and Correctional Services, the Deputy Minister of Correctional Services, and the Minister of Finance. These discussions concern the finalisation of JICS's funding model and organisational form, per the recommendation that JICS be recognised as a National Government Component.

¹ JICS's Northern Management Region consists of Gauteng, North-West, Limpopo and Mpumalanga provinces.



PART A: PERFORMANCE INFORMATION AND OVERSIGHT REPORT

Performance information

Inspections

JICS aims to conduct inspections at least once in a two-year cycle at all correctional centres and remand detention facilities (correctional facilities).

A National Inspection Plan is crafted before the start of each performance cycle to ensure that all correctional facilities are systematically inspected.

JICS implemented the project (*Abahloli project*) of unannounced inspections during the 2021/2022 performance cycle. Due to monetary constraints, the project was put on hold during the third quarter. It will be revived should funds be available in the 2024/2025 performance cycle.

Announced inspections scheduled for the third quarter of 2023/2024

The table below illustrates a list of inspections conducted in the third quarter and the rating of each centre.

No	Correctional facility	Region	Date inspection conducted	Rating (Good/ Satisfactory/ Unsatisfactory)
1.	Henneman	CMR	10/10/2023	Satisfactory
2.	Bizzah Makhate Med A	CMR	11/10/2023	Satisfactory
3.	Makhado (Replaced Kutama Sinthumule)	NMR	10/10/2023	Satisfactory
4.	Thohoyandou Female	NMR	11/10/2023	Satisfactory
5.	Thohoyandou Medium B	NMR	12/10/2023	Satisfactory
6.	Dundee	KZNMR	10/10/2023	Satisfactory
7.	Ekuseni	KZNMR	11/10/2023	Satisfactory
8.	New Castle	KZNMR	12/10/2023	Satisfactory
9.	Allandale	WCMR	10/10/2023	Satisfactory
10.	Hawequa	WCMR	11/10/2023	Satisfactory
11.	Drakenstein Medium A	WCMR	12/10/2023	Satisfactory
12.	Graaff-Reinet	ECMR	11/10/2023	Satisfactory
13.	Middleburg (EC)	ECMR	12/10/2023	Satisfactory
14.	Jansenville	ECMR	10/10/2023	Satisfactory
15.	Richmond	CMR	7/11/2023	Good
16.	Victoria West	CMR	8/11/2023	Satisfactory
17.	Klerksdorp	NMR	7/11/2023	Satisfactory
18.	Lichtenburg	NMR	8/11/2023	Unsatisfactory
19.	Rooigrond Medium A	NMR	9/11/2023	Satisfactory
20.	Maphumulo	KZNMR	7/11/2023	Satisfactory
21.	Stanger	KZNMR	8/11/2023	Unsatisfactory
22.	Kranskop	KZNMR	9/11/2023	Satisfactory
23.	Robertson	WCMR	7/11/2023	Satisfactory
24.	Caledon	WCMR	8/11/2023	Satisfactory
25.	Nqamakhwe	ECMR	9/11/2023	Satisfactory
26.	Lady Frere	ECMR	7/11/2023	Unsatisfactory
27.	Cofimvaba	ECMR	8/11/2023	Unsatisfactory

Table 1: Announced inspections

Inspection reports and ratings

Reports were received for all 27 announced inspections conducted during the third quarter of 2023/2024. All facilities inspected are rated as good, satisfactory or unsatisfactory.

JICS utilises 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.

Ratings of correctional facilities inspected

Out of 27 correctional facilities inspected, 22 centres were found to be satisfactory, one was rated as good and four unsatisfactory.



Figure 1: Ratings of correctional facilities

Facilities rated "good"

The Richmond Correctional Centre was inspected on 16 November 2023 and found to be in a generally good condition despite challenges with its visiting facilities.

Richmond (CMR): Healthcare facility was rated as satisfactory. The facilities were in a good condition, the cells were clean and neat, and the ablution system functioned well. The kitchen was clean, neat, and well maintained. The kitchen had a valid compliance certificate. Rehabilitation and other programmes were offered to inmates. There were no official facilities for visits. Visitors interacted with inmates in an outdoor space allocated for visits. Approved accommodation is 41 and 47 inmates were accommodated at the centre on the day of the inspection.

Facilities rated "unsatisfactory"

JICS inspectors rated four centres as unsatisfactory. Although there seems to be some improvement at Stanger Correctional Centre, the severely dilapidated infrastructure and inherent dangers due to the asbestos roof caused the rating to remain unsatisfactory.

The rating of Lichtenburg Correctional Centre declined from a satisfactory rating during the previous JICS inspection to unsatisfactory. This rating was confirmed by the recent visit to the centre by the National Preventative Mechanism.

Details and reasons for the rating are provided below.

Stranger (KZNMR): The centre's medical facility was clean and neat. The death and injury registers were not available. One nurse rendered services. No sessional doctor was appointed. The infrastructure was in a very bad state. The roof was asbestos and leaked when it rained. All inmates slept on the floor. No beds are allowed in the centre due to the height of the walls because centre management claims that beds can be used to scale the walls of the centre. Rehabilitation programmes were offered to inmates. The kitchen was neat but small and some equipment was dysfunctional. The compliance certificate was last updated in 2018, meaning that the kitchen did not have a compliance certificate on the date of the inspection. The non-contact visit area could only accommodate one visitor at a time.

Lichtenburg (NMR): The medical facility was closed during the inspection as the nurse went to a meeting. Therefore, no medical services were available due to the nurse attending a meeting. Part of the centre is constructed from corrugated iron. The ceiling in some cells was collapsing. Electrical plugs and light fittings were vandalised, and some cells were unoccupied due to dilapidation. Windowpanes were broken and the ablution system was dysfunctional. Although the kitchen was hygienic, equipment such as the tilting pan

and two electric pots were out of order. The kitchen did not have a compliance certificate issued by the Department of Health (DoH). There were no records of rehabilitation programmes found on the date of inspection. The JICS inspector could not find any records of rehabilitation programmes offered to inmates. It is therefore unknown if any inmate received rehabilitation interventions.

Lady Frere (ECMR): The centre was 52% overcrowded. The health facility was hygienic. A nurse was deployed but no sessional doctor rendered services at the centre. The centre needed urgent renovations. Windowpanes were broken, toilets could not flush, and one cell was unoccupied due to dilapidation, exacerbating the overcrowding further. The ablution facility had a foul smell and blankets and mattresses were worn and in need of replacement. There has been no hot water available for 12 months. There was a large hole in the kitchen’s ceiling. The electric plugs in the kitchen were damaged and uninsulated. Blocked drains caused a foul smell in the kitchen. The kitchen was infested with cockroaches. There were no records of any programmes offered at the centre.

Cofimvaba (ECMR): The health facility was rated as satisfactory. The infrastructure was decrepit, and some cells were closed to dilapidation. The whole population of the centre (50) were all accommodated in one cell. The wall of the centre is cracked, and the ablution system is not functioning. The kitchen was clean and hygienic but in need of structural repairs. For example, the tiles needed replacement. There is a water shortage in the community and the centre used Jojo tanks to provide drinking water to inmates.

Unannounced inspections – Abahloli projects and inspections projects by IJ

Regrettably, due to budgetary constraints there were no unannounced inspections scheduled.

Thematic inspections

There were no thematic inspections conducted.

Inspections: Overview, Findings/Recommendations/Critical interventions

No critical interventions were identified.

Inspections by IJ / Judges / Magistrates

None were scheduled.

Inspections/visits by Inspecting Judge

Mangaung was visited on 16 October 2023. The purpose of the visit was to engage with inmates and attend to complaints expressed via petition.

Inspections by other Judges

None were scheduled.

Investigations

A total of eight investigations were mandated and conducted. As with inspections, investigations require physical visits to correctional facilities. Most investigations (four) were conducted in JICS’s Northern Management Region (NMR). No investigations were mandated for the KwaZulu-Natal Management Region.

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.

Investigations for the quarter were for the following:

Unnatural death of an inmate (drowning, suicide and homicide)	5
Assault: Officials on inmates	2
Inhumane treatment of members of the public	1

The table below shows the total number of investigations mandated.

No.	Date of mandate	Correctional facility	JICS Region	Investigation topic
1.	10/10/2023	Krugersdorp	NMR	Homicide: Inmate on inmate
2.	19/10/2023	Johannesburg Female	NMR	Assault: DCS officials on inmate
3.	17/11/2023	Kgosi Mampuru II Local	NMR	Suicide: Hanging
4.	24/11/2023	St Albans Correctional Centre	ECMR	Inhumane treatment of inmates' family members during visits to inmates.
5.	11/12/2023	Middleburg CC	NMR	Death due to drowning
6.	19/12/2023	Mosselbay Youth	WCMR	Allegations of assault: Officials on inmates
7.	22/12/2023	Tswelopele	CMR	Suicide Hanging
8.	22/12/2023	Pollsmoor RDF	WCMR	Death due to self-harm

Table 2: Investigations mandated

Outstanding investigation reports from previous cycles

The schedule below shows the investigations carried over from the **previous** reporting cycles where no final reports were received to date. All outstanding requirements that prevent the reports from being finalised are periodically being followed up on. In some cases, preliminary reports were received.

No	Mandate	Facility	Region	Incident/comments
1.	18/5/2022	St Albans	ECMR	Preliminary investigation report received.
2.	08/12/2022	St Albans Maximum	ECMR	Preliminary investigation report received. The investigation concerns assault of DCS officials by inmates during December 2022. The DCS officials involved refused point-blank to give any information or to cooperation with JICS investigator. The JICS investigation will be closed as soon as the DCS investigation report is received. The St Albans Area Commissioner informed JICS investigator during November 2023 that the report is still with the DCS National Office and that it will be made available to JICS as soon as it is returned to St Albans.

Table 3: Outstanding Investigations reports

Finalised investigations

After completion of each investigation, a report is generated complete with findings and recommendations. Office notes summarising the entire investigation are issued in due time.

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

The table below shows the nine investigations.

No.	Date of mandate	Correctional facility	JICS Region	Investigation topic
1.	10/10/2023	East London Maximum	ECMR	Unnatural death: Suicide hanging
2.	28/08/2023	Boksburg	NMR	Unnatural death: Suicide hanging
3.	01/03/2023	Middleburg (MP)	NMR	Unnatural death: Medication Overdosed
4.	25/07/2023	Mangaung PPP	CMR	Complaints related to lack of service delivery and corruption
5.	11/09/2023	Durban Medium A	KZNMNR	Unnatural death: Suicide (hanging)
6.	12/6/2023	Qalakabusha	KZNMNR	Unnatural death: Suicide (hanging)
7.	30/5/2023	Odi CC	NMR	Unnatural death: Alleged Overdose
8.	09/01/2023	Boksburg	NMR	Assault and Riots during a search
9.	15/5/2023	Modderbee	NMR	Unnatural Death: Suicide Hanging

Table 4: Investigations finalised

Complaints

There were 166 complaints received. Complaints regarding inmate-on-inmate assaults remain predominant with 54 complaints, official-on-inmate assaults numbered 22 and complaints categorised as “Other” numbered 18.

JICS also received 15 transfer complaints/requests and 11 complaints relating to parole.

Categories	Internal	External	Total
Appeal	2	1	3
Assault (inmate-on-inmate)	53	1	54
Assault (official-on -inmate)	18	4	22
Assault (sexual)	4	0	4
Assault (inmate –on-official)	2	0	2
Attempted suicide	8	0	8
Bail	0	0	0
Communication with family	2	0	2
Conditions	4	0	4
Confiscation of possession	3	0	3
Conversion of sentence	0	0	0
Corruption	3	0	3
Food	1	0	1
Health care	8	1	9
Hunger strike	1	1	2
Inhumane treatment	0	0	0
Legal representation	0	0	0
Medical release	0	0	0
Parole	9	2	11
Re-classification	1	0	1
Rehabilitation programmes	4	0	4
Remission	0	0	0
Self-harm	0	0	0
Torture	0	0	0
Transfers	13	2	15
Other	15	3	18
Total	151	15	166

Table 5: Complaints received per category

Total number of complaints referred to DMR

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

A total of 55 complaints were referred to DMR.

DMR deals with the complaints and gives feedback to the Complaints Unit on the progress made in dealing with each complaint.

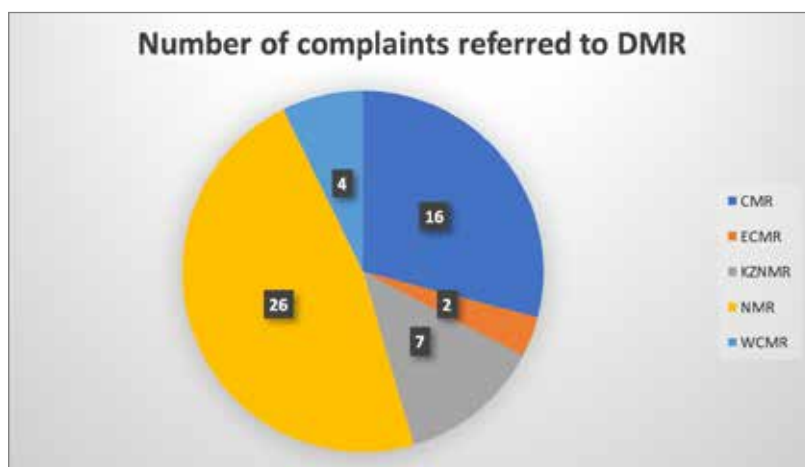


Figure 2: Complaints referred to DMR

LGBTQIA+ persons in places of deprivation of liberty and other vulnerable groups

To monitor the treatment and conditions of LGBTQIA+ person in correctional centres, JICS reports on complaints received from vulnerable groups. There were no complaints reported.

Finalised matters

The Complaints Unit received four investigation reports and finalised eight matters. The unit closed four pending matters that had DCS investigation reports outstanding, or inmates were released from custody, or the complainant submitted insufficient detail to proceed with the complaint.

Mandatory reporting

Unnatural deaths reported

27 “unnatural deaths” were reported by DCS in terms of section 15 of the CSA. The majority of these (24), were classified as unnatural others and two were classified as suicide by hanging.

All cases categorised as “unnatural other”, 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 may, upon receipt of these documents officially investigate these matters.

JICS investigates all unnatural deaths except for some “unnatural other” in instances where there seems to be no violence or foul play suspected.

The table below shows the categories of the “unnatural deaths” reported:

Category	DCS regions						Total
	EC	FS/NC	GP	KZN	LMN	WC	
Assault: inmate-on- inmate	0	0	0	0	0	1	1
Suicide by hanging	0	1	1	0	0	0	2
² Unknown causes	0	0	19	2	2	1	24
Total	0	1	20	2	2	2	27

Table 6: Unnatural deaths

Natural deaths reported

DCS reported a total of 112 deaths from “natural causes”. The highest numbers of deaths recorded were “natural causes other” with 38. Gauteng had the highest number of deaths with 37; the LMN region recorded the lowest with eight natural deaths.

Deaths reported by DCS are also verified by JICS's ICCVs via a Record of Confirmation (RoC). These documents are usually submitted by JICS's regions who 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's investigation unit is mandated to conduct an official investigation.

The table below shows all natural deaths reported by DCS, including the cause of death as per the medico-legal documents received from DCS in each case.

Categories	DCS regions						
	EC	FS/NC	GP	KZN	LMN	WC	Total
Acute decompensated heart failure	0	0	1	0	0	0	1
Acute renal failure	0	0	0	1	0	0	1
ART defaulter	0	0	1	0	0	0	1
Back pain	0	0	1	0	0	0	1
Bacterial meningitis	0	0	0	0	0	1	1
Brain tumour	0	1	0	0	0	0	1
Cancer of liver	1	0	0	0	0	0	1
Cancer of the lung	0	0	0	0	0	1	1
Cancer of the lung with extreme vertebral metastasis	0	1	0	0	0	0	1
Cardiac arrest	0	0	2	0	0	0	2
Cardiac arrest due to hyperkalaemia	0	1	0	0	0	0	1
Cardiac arrest, organ failure and diabetes mellitus	0	0	1	0	0	0	1
Cardio pulmonary arrest	0	1	1	0	0	0	2
Cerebra Vascular Accident (CVA)	2	0	0	0	0	0	2
Chronic kidney disease (cancer stage 5)	0	0	0	1	0	0	1
Community Acquired Pneumonia (CAP)	0	0	1	0	0	0	1
Convulsions	0	0	1	0	0	0	1
Cor- Pulmonale	0	1	0	0	0	0	1
Dehydration	0	0	1	0	0	0	1
Disorder involving the immune mechanism, unspecified	0	0	0	0	0	1	1
Disseminated TB	0	1	2	0	0	0	3
Epilepsy, asthma, hypertension	0	0	0	0	1	0	1
Features of chronic disease related to HIV and multi drug complication.	0	0	1	0	0	0	1
Gangrenous penile ulcer	1	0	0	0	0	0	1
Gastro Intestinal Bleeding	1	0	0	0	0	0	1
Meningitis and Hepatitis c positive	0	0	1	0	0	0	1
Heart attack (query)	0	0	1	0	0	0	1
Heart failure	0	0	1	0	0	0	1
Heavy upper gastro-intestinal bleed	0	0	0	0	1	0	1
HIV related illnesses	0	0	0	0	0	1	1
Hypertension	1	0	0	0	0	0	1
Hypoxia	1	0	0	0	0	0	1
Hypoxic pneumonia	0	0	0	1	0	0	1
HIV positive (Defaulted)	0	0	1	0	0	0	1
MDR	0	0	0	0	1	0	1
Meningitis	0	0	1	0	0	0	1
Meningitis sepsis	0	0	0	1	0	0	1

Categories	DCS regions						
	EC	FS/NC	GP	KZN	LMN	WC	Total
Multi organ failure	0	0	1	0	0	1	2
Natural causes	8	10	10	1	3	6	38
Nephrotic syndrome	0	0	0	0	0	1	1
Pneumonia	0	0	0	0	1	0	1
Pulmonary TB	2	1	1	1	0	0	5
Raptured appendix	1	0	0	0	0	0	1
Renal Failure (seizures and vomiting)	1	0	0	0	0	0	1
Respiratory failure	0	0	0	2	1	0	3
RVD	0	0	1	0	0	0	1
RVD defaulter	0	0	1	0	0	0	1
RVD, HPT, DM and TB	0	0	1	0	0	0	1
Seizures	0	0	1	0	0	0	1
Sepsis	0	0	2	0	0	0	2
Septic shock	0	0	1	0	0	0	1
Severe anaemia	1	0	0	0	0	0	1
Shortness of breath	1	1	0	1	0	0	3
Soft tissue injury / cellulitis right arm. Whoonga withdrawals	0	0	0	1	0	0	1
Suspected TB and draining of water from lungs	1	0	0	0	0	0	1
Syphilitic optic neuritis	0	0	0	0	0	1	1
TB abdomen	0	0	0	1	0	0	1
Tuberculosis	1	1	0	0	0	1	3
Total	23	19	37	11	8	14	112

Table 7: Natural deaths

Reports received on segregations

A total of 1 156 segregations were reported for the quarter under review. Segregations in terms of section 30(1) (b) (restriction of amenities) were the highest with 390 reports. Segregations in terms of section 30(1) (e) (recaptures after escape) were lowest, with four reports. The FS/NC region had the highest number of reports with 405 and the KZN region recorded the lowest reports for the quarter with 48.

DCS electronic system of reporting is still being rolled out and compliance with mandatory reporting to JICS remains a challenge. The accuracy of reports received by JICS from DCS cannot be verified. JICS received and dealt with three instances of appeal against segregation in terms of section 30 (7) of the CSA.

The table beneath shows all segregation reports received from DCS.

Categories	DCS regions							JICS internal	
	EC	FS/NC	GP	KZN	LMN	WC	Total	Appeal	Finalised
Request of inmate	36	86	21	11	3	78	235	0	0
Restriction of amenities	14	160	131	10	8	67	390	3	3
Prescribed by the medical officer	30	53	2	10	27	119	241	0	0
Violence or being threatened with violence	14	96	32	14	12	86	254	2	2
Recaptured after escape	2	1	0	0	0	1	4	0	0
Request of the police	0	9	3	3	14	3	32	0	0
Total	96	405	189	48	64	354	1156	5	5

Table 8: Reports on segregation

Segregation appeals

Section 30 of the CSA regulates the permissibility of and challenges to segregations. Sub-section (7) provides that: "An inmate who is subjected to segregation may refer the matter to the Inspecting Judge who must decide thereon within 72 hours after receipt thereof". JICS finalised seven segregation referrals (appeal). Details of the appeals are shown in the table below.

No.	Correctional facility	Description of complaint /request	Findings and recommendations
1.	Estcourt	<p>On 10 November 2023, JICS received a segregation appeal from ICCV W on behalf of an inmate.</p> <p>The inmate alleged that on or about 2 November 2023 he was placed in segregation for his own safety after he indicated that an assault on him was imminent. However, the inmate suffers from asthma and suffered severe asthmatic attacks after being segregated. As a result, the inmate appealed his segregation.</p>	<p>JICS made the following findings and recommendations:</p> <p>Since the HCC did not indicate that the continued segregation, once the inmate withdrew his request for segregation, was based on practical considerations arising from inmate's own safety, his continued segregation was strictly regarded not lawful. We hereby regard the matter as finalised.</p> <p>The inmate must be provided with a copy of this recommendation, to sign and return to JICS KZN Management Regional Office and the ICCV at the Centre.</p>
2.	Kgosi Mampuru Central	<p>On 14 November 2023, the Judicial Inspectorate for Correctional Services (JICS) received a segregation appeal from the inmate's, brother.</p> <p>It was alleged that on or about 8 November 2023 he was placed in segregation for allegedly complaining about illegal searches being conducted by officials.</p> <p>This is an appeal against the inmate's segregation, on the grounds that it may be unlawful and a direct violation of his constitutional right to education as he may not be able to sit for or adequately prepare for upcoming exams</p>	<p>JICS made the following findings and recommendations:</p> <p>JICS need not consider this segregation appeal.</p> <p>The matter is regarded as finalised.</p> <p>Inmate must be provided with a copy of this recommendation, to sign and return to JICS Northern Management Regional Office and the ICCV at the Centre.</p>
3.	Voorberg	<p>On 7 November 2023, the JICS received a segregation appeal from the ICCV on behalf of 5 inmates.</p> <p>DCS alleges that the inmates were involved in the assault of another inmate. The inmates were charged, subjected to a disciplinary hearing and were found guilty. Punishment was restriction of amenities and re-classification to C-Group</p>	<p>JICS made the following findings and recommendations:</p> <p>The placement of two inmates in segregation for 42 days was not a violation of section 24(4) or section 30(1) (b) of the CSA.</p> <p>The segregation appeals to the Inspecting Judge of two other inmates in terms of section 30(7) therefore fail.</p> <p>The appeals of three inmates were not considered as the inmates were transferred before DCS responded to JICS.</p> <p>The inmates' placement in segregation is confirmed.</p> <p>As has frequently been asked of DCS, including in repeated correspondence to the National Commissioner, DCS is requested to respond to queries from the office of the Inspecting Judge timeously to enable the IJ to comply with section 30 of the CSA.</p> <p>Inmates must be provided with a copy of this recommendation, to sign and return to JICS Western Cape Management Regional Office and the ICCV at the centre.</p>

Table 9: Segregation appeals

Reports received on mechanical restraints

For the quarter under review, 13 cases involving the use of mechanical restraints were reported by DCS. No request to review a mechanical restraint was received.

The table below shows the reports on the use of mechanical restraints received.

Categories	DCS region						Total
	EC	FS/NC	GP	KZN	LMN	WC	
Prevention of damage to property	0	0	0	0	0	0	0
Requested by court	0	0	0	0	0	0	0
Safety of another person	0	0	3	0	1	3	7
Safety of inmate	0	1	0	0	0	1	2
The suspicion exists of escape	0	4	0	0	0	0	4
Total	0	5	3	0	1	4	13

Table 10: Mechanical restraints reported

Reports received on the use of force

A total of 129 cases involving the use of force were reported to JICS.

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

The table below shows the reports on the use of force received.

Categories	DCS region						Total
	EC	FS/NC	GP	KZN	LMN	WC	
S32(1)(c)(i) – self defence	1	1	6	0	5	6	19
S32(1)(c)(ii) – defence of any other person	3	59	20	9	5	10	106
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	4	64	26	9	10	16	129

Table 11: Use of force reports

Criminal and inquest matters

JICS has 34 criminal matters that have not been finalised. JICS is following up with SAPS and NPA on these matters. JICS selected ten of these criminal matters as priority matters and furnished its investigation reports to both the NPA and SAPS for urgent follow up.

Top 10 criminal matters referred to NPA and SAPS

No.	Correctional facility	NPA Status
1.	Brandvlei	JICS ICCV at the Worcester centre attended court on behalf of JICS, the matter was remanded to 8 March 2024.
2.	Boksburg	In December 2023, the JICS followed up on the matter and the feedback was that the matter is still under investigation.
3.	Glencoe	In December 2023 JICS made a follow up and the feedback received indicated that the case is still outstanding.
4.	Qalakabusha	In December 2023 JICS followed up with SAPS and was advised that the case was received back from the Prosecutor with outstanding queries that SAPS is attending to.
5.	Leeuwkop	In December 2023 JICS made a follow-up with SAPS and the feedback received indicated that the docket has been assigned to Sandton Station and the J56 is outstanding.

6.	Umzinto	In December 2023 JICS made a follow-up with SAPS and was advised that the statements of the two inmates who were in the same cell as the deceased were still outstanding.
7.	Tswelopele	The latest update is that the docket was discussed with the Senior Public Prosecutor (SPP), and their instruction was to reconstruct the crime scene. Furthermore, the letter from SP to the area commissioner is still outstanding to grant police access for photographing of the crime scene.
8.	Groenpunt	The matter was referred to the inquest court for decision. Enquiry was done, awaiting feedback.
9.	Bethlehem	The feedback received indicated that the case was changed to murder. The case was sent to SPP on 2023-11-01.
10.	George	The feedback was last received on 23 October 2023 and it stipulated that the toxicology report was still outstanding. Moreover, it was indicated that enquiries were done regularly at the Woodstock Laboratory. JICS continues to follow up on the matter.

Table 12: Criminal matters in Court/NPA

Top 10 inquest matters

There are about 133 inquest matters that have not been finalised. Dummy dockets of the ten matters below were sent to the NPA and the SAPS in March 2023.

No.	Correctional facility	NPA Status
1.	St Albans Maximum	The feedback last received indicated that: the matter was sent to inquest court for decision.
2.	Ventersburg	The feedback received indicated that: the matter is still under investigation. One statement outstanding. Once the statement obtained, and the matter will be referred to court for decision.
3.	Kgosi Mampuru II Central	JICS followed up on the matter and the feedback was that a post mortem report was outstanding and toxicology report was pending.
4.	Kgosi Mampuru II Central	The matter went to inquest court on 24 October 2023 no further developments have been reported. JICS is following up with NPA.
5.	Kgosi Mampuru Local	The feedback received indicated that the reports were outstanding, hence the case is still under investigation.
6.	Pietermaritzburg Medium A	The feedback received indicated that the investigation is still outstanding.
7.	Kutama Sinthumule	The feedback received indicated that: the matter is still under investigation.
8.	Witbank	In December 2023 the JICS followed up on the matter by sending emails and contacting Captain M regarding the matter and feedback was as follows: No further progress was reported since the matter was booked to Inquest Court On 9 February 2022. JICS is still awaiting for the feedback from Inquest Court.
9.	Losperfontein	JICS made a follow up and the feedback received indicated that the case is still under investigation.
10.	FS-Drakenstein Medium A	JICS followed up with SAPS on the matter, and the feedback was that the case has been withdrawn.

Table 13: Inquest matters in Court/NPA

Progress on criminal matters per province

Eastern Cape

JICS followed up with the SAPS/NPA. However, feedback is still outstanding on four matters.

Free State

Five matters have not yet been finalised. Only one matter was finalised wherein the accused was found guilty and sentenced. It was reported that on Saturday 23 January 2021 at approximately 08:30 in Buckley Hall Street 1, inmates (assailants) allegedly assaulted inmate (victim) with a sharpened self-made weapon. The

victim was taken to external hospital and passed away at approximately 16:10 due to his injuries. The NPA responded on the 24 January 2022 with the following: The accused was found guilty and sentenced to 15 years imprisonment.

Gauteng

JICS followed up with the SAPS/NPA and was informed that four matters have not been finalised.

KZN

JICS followed up and was informed that feedback is outstanding on ten matters, two matters have been finalised.

Limpopo

JICS was informed that one case has not been finalised.

Mpumalanga

JICS was informed that one case was finalised wherein the prosecutor declined to prosecute.

Western Cape

JICS followed up and was informed that feedback is still outstanding on seven cases.

Northern Cape

Feedback is still outstanding on six matters.

North West

JICS followed up and was informed that feedback is still outstanding on one matter.

Progress on inquest matters per province

Eastern Cape

One inquest matter was finalised wherein there was no prosecution instituted, and ten matters are still awaiting feedback.

Free State

Two inquest matters were finalised, and no prosecutions were instituted. Two cases remain outstanding.

Northern Cape

Feedback is still outstanding on six matters.

Gauteng

37 matters are still awaiting feedback.

KZN

28 matters are still awaiting feedback.

Limpopo

JICS awaits feedback on eight matters.

Mpumalanga

Two matters were finalised, and the prosecution declined to prosecute. Two matters are still awaiting feedback.

North West

JICS followed up and was informed that nine matters still await feedback.

Western Cape

JICS followed up and was informed that three matters were finalised, and no prosecution has been instituted. Five matters remain outstanding.

Litigation

S v JICS: The former employee has filed a plea.

JICS v M: The state attorney is attending on lodging an application to reinstate the matter. The respondent is opposing the application.

N v JICS: There have been no further steps taken by the applicant in pursuit of this matter.

T v JICS: The state attorney was instructed to file a notice to abide and keep a watching brief. No progress has ever been reported.

Ntuli v Minister of Justice: The Supreme Court of Appeal (SCA) ruled in favour of the applicant, ordering DCS to amend its laptop policy. DCS is appealing the SCA order. The Constitutional Court has not yet issued directives on this matter.

JICS v M: JICS is challenging the bargaining council award granted by default. The matter was set down for hearing on 7 September 2023 but was postponed to February 2024.

Sonke Gender Justice v the President: the Constitutional Court's deadline for Parliament to amend the Correctional Services Act expired in December 2023. The President is yet to assent to the amendment Bill.

M vs DCS and JICS: The matter was heard and orders granted in favour of the applicant.

YS v DCS and JICS: The matter was heard on 20 November 2023 and was dismissed due to lack of urgency. Part B of the application is still pending

PART B: DIRECTORATE MANAGEMENT REGIONS (DMR)

ICCVs Performance

Independent Correctional Visitors (ICCVs)

A total of **162** ICCVs conducted **12 550** consultations with inmates who raised various complaints and requests regarding their treatment and the conditions of the correctional centres. ICCVs were expected to submit at least **9 720** records of consultations and over-achieved by **2 830** additional records of consultations. There were **10 771** general and urgent complaints and **1 779** mandatory complaints.

The information available from these records of consultations allows JICS to analyse the nature and treatment of inmates on a general level and identify trends and possible courses of action. Part of the ICCV performance requirements includes providing feedback to the complainants as guided by just administration action requirements and the Correctional Services Act.

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

Region	Number of ICCV 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	39	2450	11	3	337	29	5	2835	2340	Yes	N/A
ECMR	30	1866	10	1	255	3	0	2135	1800	Yes	N/A
KZNMR	27	1676	15	3	676	32	2	2404	1620	Yes	N/A
GP	22	1618	25	9	138	11	0	1801	1320	Yes	N/A
LMN	23	1574	3	3	32	0	0	1612	1380	Yes	N/A
WCMR	21	1587	3	1	170	1	1	1763	1260	Yes	N/A
TOTALS	162	10 771	67	20	1 608	76	8	12 550	9 720		

Table 14: Records of consultation by ICCVs

Analysis of site visits conducted

Total site visits and reports: Various regions conducted site visits which resulted in the submission of comprehensive reports which were analysed and assisted in engaging various stakeholders to address the findings. **1 056** site visits were conducted, leading to **579** site visit reports being submitted.

Infrastructure challenges: This has been a prevalent finding in most correctional centres which encompasses the dilapidated state of several correctional centres, including water shortages, malfunctioning facilities, broken windows, and insufficient inmate resources like bedding and uniforms.

Overcrowding concerns: Overcrowding emerged as a significant concern in numerous correctional centres, resulting in a shortage of beds and mattresses, and forcing some inmates to sleep on the floor. Additionally, inadequate infrastructure exacerbated the problem, creating hostile living conditions.

Maintenance and repair efforts: The dilapidated infrastructure in correctional centres and the shortage of artisans at maintenance sections have been identified as one of the challenges that contribute to the non-functioning of lights in the cells, leaking taps, broken tiles etc. Constant engagement with the Department of Public Works and Infrastructure (DPWI) for substantive interventions, as well as the initiation of a monitoring system to track maintenance and repair work has taken place although the results were not positive.

Supply chain challenges: Various challenges were noted in the supply chain, particularly regarding the procurement of essential resources such as uniforms and cleaning materials. Despite these challenges, efforts are being made to source materials from alternative centres.

Hygiene and health concerns: Health-related issues and hygiene were reported as well as dysfunctional ablution system. These are caused by overcrowding in correctional centres. Efforts are being made to correct the issues reported. Hot water shortages are still a concern in some correctional centres. There is a shortage of dishing trays and mattresses in some correctional centres. There was no dentist appointed at one correctional centre which resulted in many health-related complaints where inmates were complaining of toothaches. There were improvements in conditions and hygiene at Pollsmoor Female. There are ongoing renovations which began in early 2023. Most centres are also in consultation with the DPWI regarding the old infrastructure.

Communication and connectivity: Communication is vital even to those who are incarcerated. The non-functioning of Telkom phones in most correctional centres has been a prevalent finding which hinders inmates' ability to connect with their families and legal representatives. Efforts are being made to address these issues by involving the appropriate authorities.

Regulatory compliance: VCCOs had to do a physical verification at centres regarding documents submitted by the ICCVs which had outstanding dates. Several centres were found to have infractions concerning compliance certificates, highlighting the need for stringent adherence to regulatory standards. Efforts are underway to ensure that correctional centres meet the requirements and certifications.

Complaints

Complaints handled in regions

The presence of ICCVs in correctional centres provides an external oversight mechanism for complaints and requests to be impartially investigated and fairly resolved. The ICCV system has a deterrent effect, safeguards inmates against human rights violations and upholds their human dignity.

During the reporting period, a total of **10 807** complaints and requests of inmates were attended to and adequately resolved. Some complaints were procedurally and fairly addressed in favour of inmates and others were resolved, though not in favour of inmates. Most of the complaints were resolved at the level of engaging with HCCs and those that were not resolved satisfactorily, the decisions taken were justifiable and with reason.

The report highlights a noticeable decrease in the number of complaints and requests handled during the current quarter from **13 047** in the previous quarter, reflecting a net decrease of **2 240**. The vacant positions of the ICCVs have contributed to the decrease in performance during this quarter. ICCV vacancies have a grave impact on inmates' access to effective complaint mechanisms.

DCS must ensure that set standards derived from the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) complemented by section 21 of the CSA are adhered to. The Nelson Mandela Rules emphasise the importance of dealing with complaints and requests of inmates and the legal obligation of the department to protect the inmates' rights. In the event that inmates are dissatisfied with how their complaints were handled, they have reasonable access to lodge their complaints with ICCVs for independent monitoring and justified resolution. The established procedure mandates DCS to record inmates' complaints in the G365 register daily, and the statutory function of ICCVs is to facilitate the resolution of the inmates' complaints and this is stipulated in section 93 of the CSA.

An additional layer of oversight mechanism that JICS has is the Visitors Committee, which is constituted by the ICCVs from particular DCS Management Areas, HCCs/ delegates, and internal and external stakeholders. All unresolved complaints and systemic issues that are inimical to the human rights of inmates are impartial reviewed and resolved. Those matters that remain unresolvable are referred to stakeholders with a competent mandate for substantive intervention.

Efficient complaint management and ensuring timely feedback to inmates fosters a conducive environment for maintaining good order, promoting healthy relationships between inmates and officials, and nurturing a safe and compassionate correctional environment.

The table below provides an overview of the types of complaints and requests that were addressed by the ICCVs:

Nature of complaint handled by regions	CMR	ECMR	KZNMR	GP	LMN	WCMR	Total
Appeal	23	34	202	18	74	8	359
Assault (inmate- on-inmate)	57	31	46	99	17	42	292
Assault (official-on-inmate)	12	14	9	21	7	19	82
Assault (Inmate-on- official)	2	0	1	0	0	0	3
Assault (sexual)	2	0	1	4	0	2	9
Attempted suicide	6	0	3	4	3	1	17
Bail	3	8	30	33	3	66	143
Communication with family	353	204	170	58	86	102	973
Conditions	23	59	11	103	6	87	289
Confiscation of possession	0	5	10	0	0	6	21
Conversion of sentence	1	4	0	0	7	2	14
Corruption	0	0	0	0	0	2	2
Food	25	33	35	11	21	53	178
Healthcare	576	309	225	52	105	417	1 684
Hunger strike	2	0	2	0	1	3	8
Inhuman treatment	0	4	0	0	0	1	5
Legal representation	105	133	97	277	130	21	763
Medical parole	0	1	0	0	4	1	6
Parole	5	13	12	28	7	31	96
Re-classification	8	8	4	4	14	4	42
Rehabilitation programmes	8	20	65	23	30	11	157
Remission	2	4	29	14	6	7	62
Request social worker	222	283	56	83	329	89	1 062
Torture	0	0	0	1	0	0	1
Transfer	255	113	213	97	97	70	845
Other	760	587	476	684	645	542	3 694
Total	2 450	1 867	1 697	1 614	1 592	1 587	10 807

Table 15: General and urgent complaints managed in regions

Prevalent complaints per region

Determining the highest number of complaints and requests dealt with by ICCVs gives JICS a glimpse into the challenges and experiences faced by the inmates as well as DCS. This also guides JICS on focus areas which must be reported to the Visitors Committee meetings and DCS Regional Offices for their interventions. During the quarter, several categories of complaints were particularly prominent:

Other complaints (3 694): This category encompasses miscellaneous complaints and requests that are handled and resolved at a correctional level by the HCCs and ICCVs. As reported previously, these are miscellaneous complaints on, for example, requests to make a telephone call, requests to see the HCC, requests for toiletries, etc.

Healthcare (1 684): Inmates are often not satisfied with the provision of primary health care within the correctional centres. The absence or lack of health professionals in some correctional centres has been a challenge. These complaints are widespread in correctional centres within all the provinces.

Social worker (1 062): The availability of social workers is crucial for the provision of rehabilitation programmes for the inmates. Inmates are fully aware that their attendance in rehabilitation programmes is a requirement to be considered for parole. DCS must ensure that the vacant positions of social workers are filled.

DMR's commitment to addressing these concerns reflects a dedication to upholding inmates' rights and improving their overall well-being within the correctional system.

Urgent complaints handled by ICCVs

Nature of complaint	CMR	ECMR	KZNMR	GP	LMN	WCMR
Assault inmate-on-inmate (292)	57	31	46	99	17	42

Table 16: Assaults (inmate-on-inmate) complaints in regions

Across various correctional centres, incidents of inmate-on-inmate assaults were reported. The assaults were prompted by a range of factors, including disputes over commodities such as cigarettes, food, and personal belongings, and issues related to gangs. Inmates resorted to the use of various weapons, including fists, self-made knives, broken glass, and other objects, leading to injuries and, in some cases, requiring external medical intervention.

CMR: Many of the incidents were about gang-related issues and sometimes the conflict about viewing the TV, access to tobacco and money that was alleged to be stolen in the cells. Inmates fought using various weapons such as spoons, unknown objects, broken windows, broomsticks, fist fights, self-made knives, and other self-made sharp objects. Those inmates who sustained injuries were provided with medical assessment and the opportunity to open SAPS cases.

ECMR: Incidents were reported from Patensie, East London Max, Kirkwood, Mdantsane, East London Med B, East London Med C, Bizana, Mthatha Remand and Butterworth. These incidents include gang-related fights, minor quarrels, sharing of space, tobacco selling, money laundering, stolen sim cards, fights over personal belongings, petty arguments among inmates, theft, name calling between inmates which led to fights, arguments about who was to shower etc.

KZNMR: An alarmingly high number of violent incidents were recorded by the ICCVs from Durban RD Facility, Durban Med C, Pietermaritzburg Med A, and Ladysmith, Escourt, Waterval and Glencoe Correctional centres. In total, there were 46 acts of violence perpetrated by inmates which resulted in injury of their fellow inmates. Factors that contributed to this kind of prevalent violence, include – gang-related activities, breaking of the 'prison code' by an inmate such as when an inmate is suspected of acting as a snitch,

diversity of inmates in terms of their varied criminal backgrounds, and others with propensity for violence at a slight or trivial argument. They were involved in fist fights amongst themselves, stabbed their fellow inmates with self-made knives, and broken bottles, attacked them with broomsticks, etc.

Minimum force was exercised by DCS in some instances, to disarm the attackers. Those inmates who suffered injuries in the process were given medical treatment, and perpetrators were segregated for to protect the victims and restore order in the correctional environment. Though violence is unfortunately an inherent and regular occurrence in correctional centres, this drastic increase from 7 on the second quarter to 46 in assaults is worrisome, especially when compared to the same period of the previous year. DCS must look into the circumstances that lead to these occurrences and find strategies to curb and address the situation. JICS will work closely with DCS to find a feasible solution.

LMN: Incidents were reported at Mogwase, Losperfontein, Barberton, Ermelo, Thohoyandou and Klerksdorp. Inmates fought for different reasons such as arguments, items and money. Inmates who were injured received medical attention.

WCMR: assaults were recorded in various centres, leading to injuries that warranted medical treatment and the segregation of inmates to maintain order. Incidents of assault involving the use of broomsticks, cups, and hot water were reported, highlighting the severity of the assaults and the resulting injuries. Some victims wanted to open cases with SAPS. At Voorberg Medium B inmates fought over TV programmes using broomsticks and some of them sustained injuries. They were taken to the centre hospital for medical attention. At Pollsmoor Medium A, a remand detainee food handler was stabbed by another inmate in the chest and behind the shoulder. The inmate was taken to the hospital and his wounds were cleaned, but the inmate was not given any medication. At Oudtshoorn Medium B a pregnant inmate argued with a mentally ill inmate, and the mentally ill inmate kicked the pregnant one. However, the pregnant inmate did not want to open a case and the perpetrator was moved to another cell.

Nature of complaints	CMR	ECMR	KZNMR	GP	LMN	WCMR
Assault official-on-inmate (82)	12	14	9	21	7	19

Table 17: Assaults (official-on-inmate) complaints managed in regions

CMR: A disturbing incident occurred when Inmates were allegedly assaulted for refusing to take fingerprints, for allegedly instigating other inmates to open SAPS cases against other officials and for refusing to answer questions from the officials. Inmates sustained minor injuries and were provided with medical treatments.

ECMR: Incidents were reported at East London Max where four inmates were assaulted by EST officials during a search. An inmate was assaulted by officials while he was trying to stop the officials from assaulting another inmate. At Mt Fletcher an inmate was assaulted for requesting to see the HCC and the official assumed that he was being forceful with this request and assaulted the inmate.

At Mdantsane, inmates attempted to stab an official and another inmate intervened and stopped the inmate, but they were both assaulted by the official who thought they colluded on the assault. At East London Med C, two inmates were assaulted for fighting and a third one was accused of having a relationship with another inmate. At East London Med B, six cases were reported which included inmates fighting amongst each other, pickpocketing other inmates who were in quarantine, and having contraband items, while one inmate did not want to give details of the assaults. Incidents were also reported at East London Max as well as two at Idutywa Correctional Centre. These included an inmate who was not cooperative during a search which led to an altercation between inmate and official. As well as an inmate who claims he was assaulted by officials because of his offence and another inmate who claims he was assaulted by four officials during a search when he claimed to have done nothing wrong.

KZNMR: Allegations of assault perpetrated by officials were reported by ICCVs on behalf of inmates who are incarcerated at Durban Med A, Waterval Max, New Hanover, Pietermaritzburg Med A, Escourt, Qalabusha, and Umzinto Correctional centres. Other incidents occurred during search and seizure operations launched by the EST or DCS officials, when minimum force was exercised by DCS officials to disarm inmates who were stabbing their fellow inmates. The incident of Waterval Med CC was reported by an inmate who was assaulted by SAPS official while he was attending court before the inmate was even sentenced. SAPS official are also perpetrators of official-on-inmates assaults. Some incidents have been investigated by DCS and reports were submitted to JICS Directorate Legal Services for further handling. Other matters are still under investigation.

GP and LMN: Reported instances of assaults by officials which were triggered by various reasons such as confiscation of unauthorised items, unacceptable behaviour and non-compliance during searches. Thorough investigations were conducted by DCS and appropriate disciplinary measures were taken where possible.

WCMR: Assaults were reported, leading to injuries that required medical treatment and investigations. These incidents underscore the challenges faced by correctional authorities in maintaining a secure and respectful environment within correctional facilities. At George Correctional Centre inmates were assaulted during a search and were interrogated, they were made to drink water forcefully so that they could relieve themselves in the bathroom. They were also beaten with tonfas. The inmates were taken to the hospital and wanted to lay criminal charges. At Drakenstein Medium A an inmate was choked by an EST member during a search in front of the Head of Centre. The inmate was taken to hospital and received pain tablets. At Pollsmoor Medium A seven inmates were assaulted by two officials. The inmates were taken to DCS internal hospital and inmates would like to open cases with SAPS.

Nature of complaints	CMR	ECMR	KZNMR	GP	LMN	WCMR
Assault sexual (9)	2	0	1	4	0	2

Table 18: Assault (sexual) complaints managed in regions

Incidents of sexual assault within correctional facilities have posed serious human rights concerns and challenges for maintaining the safety and well-being of inmates.

CMR: An alleged incident occurred in Bizzah Makhate. The perpetrator threatened to kill the victim if he spoke about what took place. In Groenpunt Maximum, an inmate JG informed the ICCV that he had consensual sexual intercourse with inmate SH at the ablution facility. Inmate JG complained that as soon as they finished, another inmate VC allegedly took advantage of the situation and forcefully penetrated inmate JG in the anus.

KZNMR: The evidence presented by the ICCV indicated that at Dundee Correctional Centre an inmate was sexually assaulted by his fellow inmate with the assistance of other inmates who held him down whilst the perpetrator was raping him. The victim was moved to a single cell for his safety. He was referred to the internal hospital for further observation. The inmate was also booked to see the social worker for counselling. The matter was reported to the HCC and the SAPS was called for the inmate to open a criminal case.

GP and LMN: Assault incidents were reported at Johannesburg Med A and Odi. The affected inmates were attended to at the crisis centres. Two incidents were reported at Odi and they are still pending. In one incident the inmate alleged that he was sexually assaulted on three consecutive days. At Johannesburg Med A it was reported that a remand detainee was allegedly raped by an unknown remand detainee. The remand detainee indicated that the reason he did not report the incident was that he was nervous. The matter was reported to the Office of Internal Security and the remand detainee received the necessary medical attention.

WCMR: Two sexual assault incidents were reported from Pollsmoor RDF. One inmate alleged that he was raped by his fellow inmate when he came back from court. The other inmate was raped by another inmate. Both inmates wanted to open criminal charges and received medical assistance at Victoria Hospital.

Nature of complaints	CMR	ECMR	KZNMR	GP	LMN	WCMR
Assault inmate-on-official (3)	2	0	1	0	0	0

Table 19: Assault (inmate-on-official) complaints in the regions

CMR: Two incidents were from Mangaung Correctional Centre. It is alleged that an inmate threw hot water at an official. Another inmate slapped the official on his face for unknown reasons. Officials were assisted with medical attention.

KZNMR: It was reported that inmate SL and three other inmates who are incarcerated at Pietermaritzburg Med A stabbed an official with a sharpened object during the exercise period. As a result, minimum force was used to disarm the inmates. All those who sustained injuries were taken for medical treatment. The investigation is still in progress.

Nature of complaints	CMR	ECMR	KZNMR	GP	LMN	WCMR
Attempted suicide (17)	6	0	3	4	3	1

Table 20: Attempted suicide complaints managed in the regions

The incidents of attempted suicide were reported in various correctional centres highlighting the complex challenges faced by inmates.

CMR: Inmate overdosed on his psychiatric medication because he was denied by a DCS official to visit another inmate in another cell. It is also alleged that the inmate is a known psychiatric patient. The other incident was of an inmate who was found in the cell toilet lying on the floor in a pool of blood. It is alleged that the inmate used a razor blade to cut his throat to kill himself. He was denied exercise by the official, as a result he broke the window and stabbed himself. Another inmate allegedly drank a disinfectant liquid because he told the officials that he was tired of complaining that his wife and children do not visit him. He also complained that his Legal Aid attorney does not consult with him adequately.

KZNMR: Three reports were received. At Pietermaritzburg Med A, inmate SM and inmate BK overdosed on their medication. At Waterval Med, inmate SMB allegedly swallowed the crushed pieces of a CD. The inmates were given medical treatment, and they were all in stable condition. The department facilitated counselling for the inmates.

GP: Two inmates were reported in Johannesburg Med B in November 2023. One inmate overdosed on medication after he was informed that he would be charged for the unauthorised items he was found with. The other inmate hanged himself with a cloth around his neck. Both inmates received medical attention.

LMN: In Witbank, an inmate attempted suicide by cutting himself with a razor. His reason was lack of support. An appointment was booked for him to see a psychologist. The second incident was reported in Klerksdorp, an inmate reported that he had consumed broken glasses but when he was taken to the centre hospital, he said he was joking.

WCMR: An inmate from Pollsmoor Med A attempted to hang himself because he wasn't allowed to go outside during lunch. The inmate was given medical treatment and referred to a psychologist.

Efforts to provide therapeutic services and professional psychological support to inmates grappling with mental health challenges must be intensified to ensure their well-being and safety within correctional settings.

Nature of complaints	CMR	ECMR	KZNMR	GP	LMN	WCMR
Corruption (2)	0	0	0	0	0	2

Table 21: Corruption complaints managed in the regions

WCMR: Two cases of corruption were reported from Pollsmoor RDF where officials were smuggling drugs for inmates in exchange for e-wallets and officials engaged in extortion in exchange for money. The matters are currently being investigated.

Efficient oversight, strict monitoring, and robust anti-corruption measures are crucial to maintain the integrity of the correctional system and ensure the safety and security of both staff and inmates. The prompt and thorough investigation of such allegations is imperative for upholding the principles of justice and integrity within correctional facilities.

Nature of complaints	CMR	ECMR	KZNMR	GP	LMN	WCMR
Hunger strike (8)	2	0	2	0	1	3

Table 22: Hunger strike complaints managed in the regions

Hunger strikes in various correctional facilities bring to light the multifaceted issues faced by inmates within the system, including challenges regarding transfers, dietary concerns, and unresolved applications. These hunger strikes often serve as a form of protest, drawing attention to the inmates' grievances and demands that they feel have been overlooked or neglected by the institutional authorities.

CMR: an inmate embarked on a hunger strike because he claimed his human rights were violated, and he further complained about victimisation by DCS officials. Another inmate embarked on a hunger strike because he wanted to be transferred to the Western Cape or Eastern Cape regions.

KZNMR: hunger strikes were reported from both Kokstad and Waterval Correctional centres. An inmate at Kokstad Correctional Centre embarked on a hunger strike refusing to take his meal until his demands were met. The inmate complained that he had been applying for a transfer to Mount Fletcher, but he was not receiving feedback. After consultation with the HCC, the inmate disembarked the hunger strike. An inmate who was incarcerated at Waterval Max complained that he had been admitted to the centre incorrectly and that he was not receiving his special diet from the kitchen, despite having a letter from the doctor. He requested to be transferred back to Ncome Max Correctional where he was receiving the correct food and was closer to his family. The matter was attended to and his transfer was facilitated by DCS.

LMN: At Modimolle an inmate started a hunger strike because he had been waiting to be assisted by the psychologist, was never attended to and was given a further profile for parole. He asked to be transferred to a centre where his complaint would be attended to. His transfer application was submitted.

WCMR: three hunger strikes were reported from Caledon, Goodwood and Oudtshoorn Med A Correctional Centre. At Caledon Correctional Centre, an inmate was transferred from Pollsmoor. The inmate embarked on a hunger strike as he wanted to go back to Pollsmoor so that he could be closer to his family. In Goodwood Correctional Centre an inmate embarked on a hunger strike because he wanted to be transferred to George or Mossel Bay Correctional Centres. In Oudtshoorn Med A an inmate embarked on a hunger strike because of the poor quality of the food the inmates were being served.

Nature of complaints	CMR	ECMR	KZNMR	GP	LMN	WCMR
Inhumane treatment (5)	0	4	0	0	0	1

Table 23: Inhumane treatment complaints managed in regions

These incidents underscore the importance of maintaining standards of humane treatment, including access to necessary medical care for inmates and the fair implementation of facility policies. Correctional facilities must prioritise the well-being and rights of inmates, ensuring that proper protocols are followed, and grievances are addressed effectively and transparently.

ECMR: The incidents reported highlights allegations of inhumane treatment of inmates within correctional facilities. All incidents occurred in Kirkwood CC, three of the inmates were being kept in single cells, one alleged that he was not allowed to bath, one alleged that he was not allowed to exercise and the last one alleged that his belongings were taken. The final inmate alleges that he went to the clinic for his monthly treatment and argued with the nurse who was refusing to give him the medication accusing him of smoking his medication. The nurse reportedly requested another inmate who is not even a peer educator to look for the inmate’s medical file, which angered the inmate as he felt that he was ill-treated. He was also concerned that confidentiality was disregarded as the other inmate had access to his medical records.

WCMR: one allegation of inhumane treatment was reported at Worcester Female where an inmate’s food that was brought by her family was thrown in the dustbin by an official, claiming that fish and chips were not allowed in the centre.

Nature of complaints	CMR	ECMR	KZNMR	GP	LMN	WCMR
Torture (1)	0	0	0	1	0	0

Table 24: Torture complaints managed in regions

GP: An inmate at Kgosi Mampuru II C-Max complained that solitary confinement or isolation or segregation or involuntary separation was equivalent to torture. The matter was handled by the legal representative of the inmate together with JICS legal services. JICS’s position is that conditions at C-Max do amount to solitary confinement and are unlawful.

Incarcerated women

Complaints relating to feminine hygiene and conditions

Notwithstanding the high rate of crime in the country, female inmates remain a minority group in the overall inmate population in correctional centres. As of 31 December 2023, the female population stood at **4 323** as compared to the previous quarter when the female population was **3 979**.

In observance of the Bangkok Rules, JICS has exerted concerted efforts to strengthen its oversight in female correctional centres by examining the treatment of inmates, conditions of detention and ensuring that complaints are timeously attended to. This special oversight is due to the fact that female inmates, despite making up a small proportion of the total inmate population, have unique needs and vulnerabilities. A total of **386** complaints were recorded and dealt with by ICCVs during their visits to correctional centres and **24** of the complaints/requests were related to feminine hygiene and conditions, shortage of resources such as toiletry supplies to inmates, supply and disposal of sanitary towels, shortage of chronic medication and defaulting of ARV medication, etcetera. There were **276** complaints that are general, relating to access to Legal Aid SA, communication with families, and healthcare. ICCVs attended to these complaints.

NMR and WCMR received the highest number of complaints, followed by ECMR and KZNMR.

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

Region	Sentenced female inmates	Unsentenced female inmates	Complaints received	Complaints related to feminine hygiene and conditions	Remarks
CMR	253	217	7	0	These complaints are on general matters and not related to feminine and hygiene conditions.
ECMR	253	180	37	3	Most of the complaints were related to the infrastructure. All complaints are handled by the ICCV daily.
KZNMR	396	236	20	0	The complaints received from inmates related to legal representation, bail, and communication with families were attended to by DCS and Legal Aid SA.
GP	742	698	122	21	At Kgosi female inmates complained about blocked showers and at Johannesburg female, several complaints were reported on remand detainees who defaulted on their ARV treatment.
LMN	334	115	110	0	None
WCMR	402	497	90	0	None
Total	2 380	1 943	386	24	-

Table 25: Complaints from female inmates

Complaints referred to ICCVs and regions

JICS's Complaint Management System does not preclude inmates from complaining directly to the office of JICS and some of their complaints are referred to ICCVs and regional offices by families, internal (e.g. DLS and IJ offices) or external stakeholders, and government entities on behalf of inmates.

All referrals to the regions are processed and referred to ICCVs for further investigation and to find final resolutions. The ICCVs procedure in dealing with the inmates' complaints is stipulated in section 93 of the CSA. This section explicitly states the ICCVs' responsibilities, which include conducting regular visits, private interviews with the inmate, recording complaints in an official ROC, monitoring the progress of resolution of complaints, and discussing the complaints/requests with the HCC who will in turn conduct an impartial investigation into alleged human rights violation and ensure that those who are responsible account for their unlawful acts/decisions.

A total of **55** complaints were received, of which **35** have been resolved, leaving **20** complaints still pending.

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

Region	Number of complaints	Nature of complaint	Complaints pending	Remarks
CMR	18	Confiscation of possession x 1 Conditions x 1 Food x 1 Health x 2 Parole x 4 Rehab programmes x 3 Transfers x 3 Other x 3	10	All pending matters are handled by ICCVs and inmates were not satisfied with the initial response. Follow-ups are being done.
ECMR	2	Other, request for records x 1 Transfer x 1	1	Only one interprovincial transfer request remains pending. The others have been resolved.
KZNMNR	7	Communication (visits) x 1 Transfer/Conditions x 1 Healthcare x 3 Other x 1 Parole x 1	1	All complaints received were adequately dealt with by DCS and HCCs. Only one complaint is still being investigated.
GP	14	Other x 3 Parole x 3 Transfer x 2 Healthcare x 2 Appeal x 1 Reclassification x 1 Confiscation of possessions x 1 Communication with family x 1	3	Complaints are still pending.
LMN	10	Transfer x 6 Other x 3 Parole x 1	1	Complaints is still pending.
WCMR	4	Other x 2 Conditions x 1 Transfer x 1	4	The two pending November complaints are from Brandvlei Maximum and there is no ICCV at the centre, the contract has come to an end. The ICCV who is working at the Brandvlei Youth will visit the inmates.
Total	55	-	20	-

Table 26: Complaints referred to DMR by DLS

DMR Meetings

Stakeholders' engagements/Visitors' Committee (VC) meetings

The Inspecting Judge is mandated by section 94 of the CSA to establish a Visitor's Committee (VC) for a particular area consisting of the ICCVs appointed to correctional centres in that area. VC meetings must occur quarterly. Section 94(3) of the CSA stipulates the powers, functions, and duties of the VCs. The functions are amongst others to consider unresolved complaints with the view to facilitate the resolution thereof, submit to the Inspecting Judge those complaints which the VC cannot resolve, organise a schedule of visits and extend and promote the community's interest and involvement in correctional matters.

Stakeholders such as representatives from DCS, HCCs or their delegates, DSD, Nicro, Legal Aid SA, Judiciary, NPA, DPWI, SAPS, DHA, DoH: Forensic Unit, SAHRC, universities, civil society, and a host of NGOs with a vested interest in correctional matters form part of the constituted VCs across the country. These

stakeholders make valuable contributions to the mandate of the VC and assist in the process of finding solutions for tabled matters.

The information below details the **37** VC meetings held across different correctional facilities and regions, each discussing a range of important issues and initiatives. The VCs play a significant role in addressing inmate concerns, improving conditions, and fostering cooperation between stakeholders.

Below is a summary analysis of the key discussions and outcomes from these meetings:

CMR: All eight VC meetings were conducted in alignment with the annual governance calendar.

The following visitors' committee meetings: Upington VC was held on the 02 November 2023. Groenpunt VC, Bizzah Makhate VC, Grootvlei VC and Goedemoed VC was held on 03 November 2023. These meetings were held on the same day and venue of the JICS Annual Presentation as a cost containment measure.

Bizzah Makhate VC

Bizzah Makhate hosted the JICS annual report presentation. The presentation emphasized issues regarding state patients, non-nationals inside correctional centres, remand detainees with bail less than R1000, inmates above 60 years of age and other prevalent challenges within the correctional centres.

Groenpunt VC: The challenges that were facing the VC for the quarter were the issues around the transfer of inmates from Kutama prison to Groenpunt CC, and violence within the centre.

Grootvlei VC: The VC dealt mostly with the challenge of state patients for the quarter.

Goedemoed VC: The issues of transfer requests and violence in correctional centres were the major concerns for the VC.

Upington VC: The challenges that were facing Upington VC for the quarter were overcrowding and the malfunctioning of the AVR system.

Bethlehem VC: The meeting discussed the transfer of certain maintenance responsibilities from DPW to DCS and the introduction of the new system of providing medication to inmates.

Kimberley VC: The introduction of the new system of providing medication to the inmates daily was discussed in the meeting.

Colesburg VC: Positive feedback was received from Legal Aid South Africa that they have embarked on legal clinics for De Aar correctional centre.

ECMR: All five VC meetings were conducted in alignment with the Annual Governance Calendar.

Amathole VC: Matters under discussion were complaints of four inmates who were transferred from Middleburg to East London Maximum, the work relations between GF 7 Community Forum (a new stakeholder) and SAPS, as well as the work procedures of Legal Aid South Africa when dealing with their clients and issues reported by people on behalf of inmates. Information on services that are offered by Trauma and Rehabilitation was also shared with the participants.

Kirkwood VC: The meeting discussed the release of inmates through the special remission announcement that was due before 2 November 2023. The long vacancy for a nurse at Graaff Reinet Correctional Centre was also under discussion. Kirkwood Area Management proposed to employ a sessional nurse. The VC plans to invite Home Affairs to the centre to assist those inmates who don't have IDs.

St Albans VC: NICRO has an MOU with DCS, whereby female inmates are being trained in hairdressing and nail technology. These inmates will receive a stipend. Due to a national decision aligned with cost containment, DCS will be responsible for the maintenance that was previously provided by DPWI. DPWI will

only assist with technical jobs. St Albans management is attending to the water shortage in collaboration with Nelson Mandela Bay Municipality. There has been a great improvement. Centres have managed to assist inmates who needed IDs and Home Affairs has assisted over 50.

Sada VC: The late arrival of inmates at court particularly in the Cala and Lady Frere Areas was discussed. DCS Queenstown officials complained about the treatment they receive when they bring offenders for treatment at Frontier Hospital. A doctor from Queenstown Psychiatric Hospital provided a presentation on the handling of State Patients at admission and the challenges they have as a hospital. Social Development gave a presentation on dealing with victims and how they work with other departments including DCS. The Area Commissioner of Sada also provided a comprehensive presentation of Sada Management Area.

Mthatha VC: Discussions centred around the shortage of inmate uniforms, ICCVs safety when conducting private consultation with inmates, LGBTQIA+ safety and awareness at the correctional facilities, "Who cares for the victim", and the challenge of state patients in correctional centres.

KZNMR: The region convened seven VC meetings for the quarter.

Durban VC: Discussions revolved around complaints from lifers alleging that the responses that they received from the Minister's office were always negative, and they were given further profiles to unreasonably delay their placement on parole. Reportedly, there are always additional programs that are recommended for them to complete. It was resolved that inmates must proactively attend all prescribed programs so their files can be ready for submission before the due date. A shortage of DCS officials at Umzinto Correctional Centre has impacted negatively on the inmates' well-being, since they are not allowed to exercise as provided by the CSA. This matter was attended to by the HCC and the matter is resolved. Complaint at Durban Female Correctional Centre was that babies were given formula that was not age-appropriate, this was due to a delay of suppliers to deliver the ordered items. The Acting Area Commissioner had attended to the matter, age-appropriate formula was purchased using petty cash and subsequently, the order was delivered by the suppliers.

Kokstad VC: Matters discussed related to unlawful transfers and overstays of inmates at Ebongweni Correctional Centre, monies of inmates deposited by their family members to the Post Office, and difficulties DCS experiences withdrawing the monies of inmates. There were also complaints from inmates about their right to practice freedom of religion and cultural belief systems. Some inmates wanted to keep their cultural/religious strings (*ntambo*), but the centre did not allow them for safety reasons.

Ncome VC: Discussions were around the Victim Offender Dialogue (VOD), which was a contributing factor in delays in consideration and placement of inmates on parole. Shortage of DCS personnel, Government vehicles (GG), and lack of sitting of VOD sessions, appeared to have played a critical role in this regard. Matters were also raised related to legal representation or appeal and lack of feedback from the Legal Aid SA on their appeal and/or condonation applications. Findings of the inspection conducted by the Inspecting Judge were also discussed. The region has engaged with DCS to provide the office with its maintenance plan.

Waterval VC: Matters discussed included the complaint of a remand detainee at Waterval Max who was segregated in a section that accommodates sentenced inmates. The segregation was based on intelligence that was provided by the SAPS. There was also a complaint that Legal Aid SA practitioners do not visit the correctional centre. A common complaint was about food, inmates complained about the quantity of food that is served in the correctional centres. There was discussion on E-Corrections dysfunctionality. Centres experience challenges with network connectivity and are not able to report to JICS. The distinction between the use of force and assault was also raised.

Glencoe VC: The VC discussed the shortage of professional nurses at Escourt and Ladysmith Correctional Centres. Inmates did not have enough access to medical treatment in case the one nurse who is in employment

is off. DCS reports that the situation will be rectified and the interviews to fill in the vacancies have already been conducted. DCS made an undertaking to engage with Community Corrections of Empangeni to confirm the inmate's address concerning an inmate who violated parole conditions and whose family refused to sign for him. Complaints/requests were made for transfers at Kranskop, Greytown, Escourt and Dundee Correctional Centre. The most prevalent complaints are transfers, Legal Aid and social worker requests.

Empangeni VC: Progress on roofing repair of Qalakabusha CC after suffering damage due to a tornado earlier this year. Contractors have visited the site, part of the centre repaired, and other areas are yet to be attended to. Predominant complaints/requests recorded related to health: a name list of inmates' totals of 120 who wanted to see the dentist service was tabled and discussed. Qalakabusha CC did not have a dentist to render the service, meaning that all of those inmates must be transferred and referred to an outside hospital. The latest report is that all inmates were seen by the dentist after his visit in December 2023. A shortage of chronic medication at Eshowe CC was raised by the ICCV. The centre is not able to send inmates to outside hospitals due to a shortage of personnel.

Pietermaritzburg VC: The matters under discussion were an inmate who threatened to embark on a hunger strike, another inmate at New Hanover CC who wanted to sue the state for negligence after DCS allegedly failed to give him his chronic medication timeously, and the loss of kitbags that were left at Pietermaritzburg Med A. Upon their transfer to Sevontein CC, it is alleged that the Centre failed to assist the inmates in getting back their kitbags. A progress report on lifers provided positive reports. It was heartwarming to note that the inmates are receiving feedback, any of them receiving favourable feedback.

Gauteng: The region was successful in conducting five VCs during this period.

Boksburg VC: The challenge of SAPS refusing to come to the centre when called was raised. Fire extinguishers at some centres are not serviced since DPW has withdrawn their services. Devon CC reported that since they have been struggling with Telkom phones for the longest time the club bought phones and inmates are using them at a fee, which benefits both the inmates and the club. An influx of foreign national inmates was reported by Modderbee.

Baviaanspoort VC: Prevalent complaints included transfers, reclassification and requests for Legal Aid. Emthonjeni Youth reported a challenge of a high number of foreign nationals who are over the age of 21. It was also reported that there are inconsistencies by magistrates when it comes to sentencing illegal immigrants. A concern was raised from Zonderwater about regional transfers as some management areas refuse to accept inmates who are approved for transfers.

Kgosi Mampuru II VC: The Annual Report for 2022/2023 was presented by the CEO and the three directors.

Johannesburg VC: The challenge of DHA's delays in processing deportation documents for illegal immigrants was raised. It was reported that remand detainees at Johannesburg Female are defaulting on ARVs. This challenge is receiving attention and an official has been tasked with visiting the local clinics to obtain confirmation letters for chronic medication.

Leeuwkop VC: The complaint of an inmate who is disabled and wheelchair-bound was discussed. The inmate was transferred from Zonderwater because the centre did not have a sessional doctor. The challenge is that he is not properly accommodated at Leeuwkop and is not provided with the recommended wheelchair. The challenge of overcrowding in Krugersdorp was raised and the shortage of mattresses at the remand detainee's section. The backlog of the social worker's report at Leeuwkop Med B was raised as a prevalent complaint. It was reported that Operation Vala will start on 1 December and that movement will be limited.

LMN: The region conducted six VC meetings for the Limpopo, Mpumalanga and North-West regions.

Rustenburg VC: The fact that Legal Aid struggles to locate inmates when they visit the centre was raised. Shortage of water in other centres was reported.

Rooigrond VC: The project of installing municipality water pipeline to Rooigrond max CC The building structure of Lichtenburg needs to be renovated.

Klerksdorp VC: The long overdue issue of lifers awaiting feedback from the NCCS was raised.

Kutama-Sinthumule VC: Discussions concerned UNISA students who want to write examinations.

Nelspruit VC: Non-national inmates who are serving long terms are still complaining about deportation orders that are no longer issued by the Department of Home Affairs. These inmates have served half of their sentences but are still incarcerated.

Bethal VC: A complaint was raised regarding an inmate who was querying the calculations for his minimum detention period as the calculations done at Witbank differ from the ones done in Barberton. The VC concurred with the calculations done in Barberton which gives an earlier parole placement date.

WCMR: The region was successful in conducting six VCs during this period.

Goodwood VC: The major issue that was discussed at the meeting was public phones not working at Pollsmoor CC. There was an ongoing discussion about parole-related matters, where the community Policing Forum submitted a challenge of not being consulted by DCS during parole consideration. A medical parole complaint was discussed, and the centre submitted a new application to the Medical Parole Board for consideration.

Drakenstein VC: The discussion of 49G, 62F and 63A applications took place and the meeting agreed that the matters will be discussed at the DEEC meeting in Paarl. Oversight visits by the Senior Magistrate will be arranged and JICS will facilitate, to address overcrowding conditions at Allendale Correctional Centre.

Voorberg VC: There was a discussion of a project that was taking place in Voorberg Med B, where they were going to replace windows in the CC. The project was 95% towards completion. A male inmate allegedly impregnated a female inmate during the incarceration period at Van Rhynsdorp CC. The investigation of this incident is in the final stage and a copy of the investigation report will be made available to JICS.

Brandvlei VC: The regional backlog court in Worcester started on 1 September 2023 to deal with outstanding cases. There is a task team that has been established at the DCS Regional Office to deal with inmate transfers to other regions.

Overberg VC: The discussions were related to Legal Aid, where all outstanding matters are to be addressed to the office manager so she can deal with them appropriately.

Southern Cape VC: The discussions that took place during this VC meeting were about mentally ill inmates who are transferred to the centre even though they are diagnosed with ailments such as Down syndrome. There were lice at Oudtshoorn Male and Female CC. The cells were fumigated, and everything went back to normal.

These VC meetings reflect ongoing efforts to improve the correctional system, address inmate concerns, and ensure better conditions and access to services in correctional facilities. The involvement of various stakeholders and organisations underscores the commitment to rehabilitation, justice, and accountability in the correctional systems.

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)

As part of establishing and strengthening a good working JICS forms part of various forums within the

JCPS cluster and attends meetings that are coordinated by other stakeholders. In the said meetings JICS continues to raise challenges related to the treatment and conditions of inmates.

A total number of **six** meetings were attended by the respective regions and below is the information and some of the engagements with the JCPS cluster per region.

CMR: A meeting was held with SAPS on 28 November 2023 to monitor progress in addressing the SAPS pending complaints. SAPS introduced a new system which will assist them in tracking the case numbers of cases opened. The system will assist SAPS to attend to and reduce the number of pending cases.

ECMR: The region was invited by the Deputy Minister to be part of the interdepartmental jobs, training and skills development oversight visits conducted by himself as the champion of District Development Model (DDM) at Amathole District together with the Minister of Employment and Labour. The event was held on 28 November 2023 at Moko stadium in Debenek Ezihlahleni location. The event was held jointly by the Departments of Correctional Services and Employment and Labour. On the day of the event, there was a handover of a house built and furniture for an old widow in that community and a community garden. Training of unemployed youth in the community and parolees was conducted by Meals on Wheels on how to bake cakes and pizzas. They were well prepared for employment.

On 30 November 2023 the CEO, Director of Support Services and the regional management had a successful engagement with the REMS representatives of DPWI concerning the interim and permanent accommodation needs of the ECMR. Identified actions to undertake were also agreed upon.

KZNM: The region attended an Overcrowding Sub-Committee meeting on 13 October 2023 which was established by KZN PEEC, to investigate practical measures that can be implemented to address the phenomenon of overcrowding in correctional centres. At the meeting, the following matters were discussed: remand detainees detained over two years tracking report on bail consideration, DCS Presentation on sections 49G and 63A, strategies for expeditious finalisation of appeals, reviews, leave to appeal, and petitions, Westville CC should allow a reasonable number of consultations by legal practitioners with detainees, and 74 bail matters sent by DCS to various courts for consideration from DCS with mostly pending and awaiting outcomes and the Judiciary confirmed that 159 matters of appeals received for September 2023 were mostly pending. A collaborative meeting with JICS, SAHRC, and TB/HIV care was convened virtually on 20 October 2023. All stakeholders presented their mandates and roles. The common work identified was to work on the DREAMS project to educate girls and young women on TB / HIV Care and collaborate on identified challenges with HIV and TB at the Durban Management Area correctional centres. The region also attended the PEEC meeting on 24 November 2023 and the discussions were amongst others around an article in the *GroundUp* which related to a delay of appeal matters. The case in point was extracted from JICS 2021/2022 that pertained to 'appeals', and efforts made by an inmate to procure the records from courts. Clarity on appeal matters that are dealt with by JICS and how are they resolved was provided. The important role that is played by the Legal Aid SA in resolving these matters was highlighted. Transportation of inmates to courts was raised. The concern was expressed that the inmates are brought to court late and there is a problem with inmates who return late not receiving a meal.

Overcrowding of correctional centres was also discussed, with child detainees being a concern as well as cases older than two years for adult remand detainees. Master of the High Court highlighted that problems with staffing/capacity will mean that backlogs will increase, and there will be more orders against the Master for costs – litigants are not lodging complaints with the Master – they are litigating. Incapacity at the State Attorney / SAPS unlawful arrest matters were raised. It was reported that there are too many unlawful arrests for the State Attorneys' staff to deal with. Some vacancies have not yet been filled, and SAPS legal services attorneys are unable to assist.

GP: The region attended the Gauteng PEEC on 17 November 2023 and backlog cases were discussed, and a progress report was provided for some of the cases. Language proficiency was discussed as language

services are one of the reasons why cases are postponed and delayed. The status of AVR utilisation was presented and the challenges were presented such as identification of cases, load shedding and faulty equipment. Virtual court sittings were proposed for unrepresented inmates. A report was presented by DCS on the overcrowding in Johannesburg Management Area. The main source of the excessive overcrowding was reported to be the influx of foreign nationals. Section 49G and 63A applications are being submitted to various courts but some courts are not responding. Legal Aid gave feedback on the meeting they convened with DCS on tracing inmates to provide them with feedback on their cases.

LMN: On 30 November 2023, a meeting between JICS and the DCS Regional Commissioner (RC) for LMN concerning state patients was held and attended by JICS managers. The purpose of the meeting was to foster a cooperative relationship between DCS and JICS towards a common goal of transferring state patients to mental health institutions. The RC LMN proposed that he and his DCS management arrange meetings with the CEOs of the Mpumalanga and Northwest Departments of Health Psychiatry, and the invitation was extended to JICS to attend these meetings.

WCMR: On 22 November 2023, a PEEC meeting took place, and the following matters were discussed. The Acting Judge President, DJP, reflected on the JICS AR 2022/2023 presentation at the Goodwood CC. RAF court will be introduced from 1 January 2023, to deal with all RAF-related matters. Overcrowding in centres was noted and the judicial officers have been requesting to visit the centres so they can find out the causes of overcrowding and to find solutions including alternative sentencing, and the release of those with petty crimes. A submission was made by JICS for judicial officers to visit centres and provide reports to improve the correctional system.

The meetings primarily focused on issues related to various aspects of correctional services, such as pending complaints, overcrowding, state patient migration, and the impact of legal proceedings. Additionally, they emphasised the need for collaboration and support from various departments to address these challenges effectively.

DMR community involvement

JICS continues to engage in community outreach programs to intensify the awareness of the JICS mandate and to discuss crime, correctional and rehabilitation-related matters. These engagements are either initiated by JICS or by other stakeholders and below is the information on the engagements:

LMN: On 27 November 2023, a Legal Aid stakeholder engagement meeting took place and two admin staff members from the region attended this stakeholder's engagement at Klerksdorp Local Office. Legal Aid raised concerns regarding the following challenges:

- Klerksdorp Correctional undergoing renovations.
- Challenges in tracking the clients who are transferred to other correctional centres.
- DCS systems are always offline.
- Struggles to locate the inmates about their appeals.

WCMR: On 7 October 2023, Elsie's River CPF Summit took place and the Assistant Regional Manager attended. This was an initiative of SAPS and CPF. The role of JICS was outlined as an oversight body of DCS. The areas discussed included the following:

- The link between SAPS, CPF and communities in reporting the acts of crime.
- The development of a community safety plan.
- Crime prevention campaigns at high schools.

On 3 November 2023, a meeting was organized by JICS with SAPS, Elsie's River CPF and DCS. The meeting was to address the issue of inmates who are placed on parole without the knowledge of community members. The following items were discussed.

- The community requested a list of all inmates who will be released on parole to be shared with the station commanders.

- The parole board chairperson explained the processes followed before the inmate can be considered for parole and confirmed that the parole board does not have control after the inmate has been released on parole.
- It was established that SAPS must inform the community when and how the inmates will be released on parole.
- It was agreed that these meetings should be held continuously.
- The meeting agreed that the VC will be will also be the best platform to monitor progress.

On 5 December 2023, a meeting was held with CPF structures of Nyanga, Gugulethu, Philippi and Manenberg and the discussion included the following:

- Reintegration process, communication and preparation.
- Problems parolees are giving in the community.
- Understanding parole conditions of profiling of parolees.
- CSPB Legislative mandate.

DMR Internal meetings

Supervisory meetings held

The primary objective of these meetings is to improve service delivery and ensure adherence to relevant policies and procedures. The frequency of these meetings is planned annually and recorded in the JICS governance calendar.

During the reporting period, a total of seven meetings were scheduled and successfully conducted in the following VCs under CMR: Bizzah Makhate, Groenpunt, Goedemoed, Grootvlei, Colesburg, Kimberley and Upington. Due to cost containment, CMR conducted the supervisory meetings telephonically. ICCVs were called individually during October and November 2023.

In KZNMR, the meetings were held in Durban VC and Kokstad VC.

The discussions primarily revolved around operational matters, including protocols for reporting to duty, submission of monthly reports and site visits, adherence to performance management reporting deadlines, and compliance with workplace policies. These discussions were aimed at fostering an environment of effective oversight and ensuring the smooth execution of duties within the specified guidelines.

Reporting on inmates

Inmate population

The inmate population has increased by 5 361 (3,49%) from the previous quarter. This increase is from the previous quarter's total of 148 444 to 153 805 currently. The reported total includes 59 117 remand detainees, 94 506 sentenced inmates and 54 infants. A 14.8% decrease in infants was noted, the total decreased from 62 infants in the previous quarter to 54 this quarter. Notably, NMR houses the largest number of inmates, comprising 39% of the total population, with a total of 59 988 inmates. WCMR holds the second-highest number at 26 852 (17.4%), and KZNMR ranks third with 23 982 (15.6%). ECMR and CMR have the smallest inmate populations.

Within the reported inmate population of 153 805, 96 (0.06%) are children, 5 265 (3.4%) are juveniles, and 148 444 (96.5%) are classified as youth and adults. JICS's assessment indicates that a significant portion of incarcerated individuals fall within the youth and adult categories.

Region	Remand Detainees		Sentenced Inmates		State Patients		Totals	Infants
	Males	Females	Males	Females	Males	Females		
CMR	6 867	217	14 006	253	45	1	21 389	6
ECMR	7 391	180	13 688	253	82	0	21 594	3
KZNMR	7 543	236	15 800	396	7	0	23 982	11
GP	15 648	698	20 145	742	10	1	37 244	19
LMN	6 938	115	15 321	334	34	2	22 744	4
WCMR	12 787	497	13 166	402	0	0	26 852	11
DMR total	57 174	1943	92 126	2 380	178	4	153 805	54

Table 27: Inmate population excluding infants

Remand detainees with bail less than R1000

In the analysis of various regions, significant issues related to bail and trial duration have been observed. Specifically, in CMR, 426 individuals have bail amounts less than R1000, and 127 individuals have been awaiting trial for more than two years, primarily due to financial instability and lack of support in the form of financial resources and family assistance.

Within ECMR, 319 individuals have bail amounts less than R1000, while 548 individuals have been awaiting trial for an extended period. Some of the inmates with bail less than R1000 cannot afford to pay the amount and some families who can afford to pay do not want the offenders back at home.

Similarly, in KZNMR, 330 individuals have bail amounts less than R1000, and 261 individuals have been awaiting trial for an extended duration, as they cannot afford to pay. This matter is receiving necessary attention at KZN PEEC, particularly, by the Overcrowding: Sub-Committee.

In Gauteng, a considerable number of 490 individuals have bail amounts less than R1000, and an alarming 2 558 individuals have been awaiting trial for more than two years. In LMN, a considerable number of 145 individuals have bail amounts less than R1000, and 187 individuals have been awaiting trial for more than two years.

Similarly, in the WCMR, 274 individuals have bail amounts less than R1000, and 124 individuals have been awaiting trial for more than two years, primarily due to a lack of family support and issues with the proper application of section 49(g) by DCS.

In summary, the total number of individuals with bail less than R1000 across these regions is 1 984, and 3 805 individuals have been awaiting trial for over two years. The challenges vary by region, including financial instability, lack of family support, and procedural issues within the legal processes of DCS. These findings underscore the urgency for greater support and attention to address these issues and ensure a fair and timely legal process for all individuals involved.

The challenge here is attributed to DCS facing difficulties in receiving timely feedback on applications submitted to courts. To address this, discussions have been initiated to appoint a DCS member at major courts to verify addresses for the accused to qualify immediately for section 62(f). These discussions will be further addressed in the upcoming PEEC meetings.

Region	No. of RDs with bail less than R1000	No. of RDs awaiting trial for more than 2 years	Comments
CMR	426	127	DCS engage with courts and makes applications regarding inmates with bail of less than 1000. There are improvements in the Groenpunt VC from courts in attending to those applications.

Region	No. of RDs with bail less than R1000	No. of RDs awaiting trial for more than 2 years	Comments
ECMR	319	548	Some of the inmates with bail less than R1000 cannot afford to pay the amount and some families who can afford to pay do not want the offenders back at home.
KZNMR	330	261	DCS engaged with courts regarding inmates with a bail of less than R1000 and below. The lists are submitted to courts for consideration. Feedback is not given back to DCS by courts on their applications. This matter was also canvassed at the PEEC meeting and will be further discussed at the Overcrowding Sub-Committee meeting that is scheduled to take place in February 2024.
GP	490	2558	Applications are being sent to courts but there is a lack of feedback at some centres.
LMN	145	187	Applications are being sent to courts but there is a lack of feedback at some centres.
WCMR	274	124	There are instances where inmates could not afford bail and a submission was made by DCS to court. It has further been agreed that investigators and prosecutors should assess whether a person can afford bail or not. The matter of 49G applications will be discussed in February 2024 at the PEEC Meeting.
DMR Total	1984	3805	Regions are engaging various stakeholders to assist in addressing the challenges of RDs.

Table 28: Remand detainees with bail less than R1000

Inmates above the age of 60

A total of 1 793 elderly inmates are incarcerated in various correctional centres for different crimes, facing various challenges and conditions that require specific attention and care. This emphasises the importance of addressing the unique needs of the ageing inmate population.

In CMR, there are 199 elderly inmates, including 172 sentenced and 27 unsentenced individuals. The region is actively addressing these issues through managerial participation in meetings aimed at discussing challenges and implementing effective strategies to reduce overcrowding.

Within ECMR, a total of 408 elderly inmates are reported, consisting of 371 sentenced and 37 unsentenced individuals. Many of these inmates encounter health-related concerns and express dissatisfaction with the available hospital services.

In KZNMR, 303 elderly inmates are present, with 259 sentenced and 44 unsentenced individuals. A significant portion of these inmates is detained for serious offences, and those currently on trial often face challenges in having their bail applications approved.

Gauteng houses a total of 507 elderly inmates, including 312 sentenced and 195 unsentenced individuals. In LMN, a total of 260 elderly inmates, including 253 sentenced and 7 sentenced and unsentenced individuals. Many of these inmates are accommodated in special care units within the correctional system to address their specific needs.

In WCMR, 116 elderly inmates are recorded, with 53 sentenced and 63 unsentenced. These inmates frequently voice complaints regarding limited opportunities for exercise and lack of visitation from their families. These challenges highlight the importance of implementing programs that address the physical and emotional well-being of the elderly inmate population in the region.

Declared state patients detained in correctional facilities

State patients are enduring prolonged stays within correctional facilities due to insufficient bed capacity in psychiatric hospitals. This extended confinement of state patients within correctional facilities violates section 41 of the Mental Health Care Act, which stipulates that state patients must receive proper medical care at designated mental health facilities. The latest report from JICS's ICCVs indicates that the total population of state patients stands at 182, comprising 178 males and four females. JICS persistently emphasises that correctional facilities are unsuitable for housing state patients, actively engaging in various advocacy forums to urge the transfer of these individuals to psychiatric institutions.

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

Regions	October	November	December	Remarks
CMR	40	43	46	There are further engagements with the CEO of Kimberley Mental Institution to accept another 18 state patients which will be transferred from Kimberley CC.
ECMR	75	76	82	The totals have been increasing steadily, because of the lack of bed space at the Department of Health. Engagement with the Department of Health and DCS is planned for February 2024.
KZNMR	11	9	7	Efforts are made by the Department of Health in KZN to get these patients to psychiatric hospitals. This matter is also closely monitored by KZN PEEC, particularly the Overcrowding Sub-Committee.
GP	6	9	11	The state patients are still awaiting the allocation of beds at Psychiatric hospitals.
LMN	34	36	36	The state patients are still awaiting the allocation of beds at Psychiatric hospitals.
WCMR	0	0	0	N/A
Total	166	173	182	-

Table 29: Declared state patients incarcerated

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

Non-nationals are detained for various offences committed within South African borders, including immigration offences, and are referred to as non-national inmates. There are a significant number of non-national inmates in correctional facilities, due to DHA and SAPS's approach to illegal immigration. A joint operation between the bodies resulted in the apprehension and conviction of a considerable number of undocumented immigrants, which in turn exacerbated the problem of overcrowding in different correctional facilities. Non-nationals made up more than 13.2% of all inmates at the end of the quarter, with a total of 20 390 non-national inmates housed in South African correctional facilities. Notably, Gauteng has the highest number, with a total of 11,567 non-nationals.

NMR comprised of four provinces: Northwest, Mpumalanga, Gauteng, and Limpopo, from which three provinces border inland areas. Nevertheless, a definitive decision regarding the acceleration of court proceedings involving interpreters for non-national trials was not reached at the most recent PEEC meeting in Limpopo. The persistent difficulty in locating interpreters for some foreign languages causes court proceedings to be repeatedly postponed.

It is essential to recognise that non-nationals are not eligible for bail and must remain in detention until their court cases are resolved. Dysfunction at DHA also means that many non-nationals are not released when they reach their parole dates or even the expiration of their sentence, since DHA claims not to have capacity to deport these inmates upon release. Furthermore, a notable hurdle arises from some deported non-nationals promptly returning to South Africa on the same day due to inadequately secured border crossings which means the same non-nationals will return to the system again if they enter the country illegally, without proper documentation.

Regions	Number of non-national incarcerated				Total
	Sentenced		Remand detainees		
	Male	Female	Male	Female	
CMR	946	46	945	42	1979
ECMR	188	6	110	0	304
KZNMR	585	30	355	5	975
GP	5 152	182	5 978	255	11 567
LMN	2 633	59	1 565	118	4 375
WCMR	270	13	890	17	1190
DMR total	9 774	336	9 843	437	20 390

Table 30: Non-nationals in correctional centres

Total number of non-national lifers

Non-national inmates make up a small portion of the total number of lifers in correctional facilities. The highest number in sequential order of incarcerated non-national lifers consists of inmates from Zimbabwe (243), Mozambique (177), Lesotho (73), Malawi (30), Swaziland (19), Nigeria (13), and (43) from other countries. It is worth noting that out of a total of 599 non-national lifers, 368 are from Gauteng. Of the non-national lifers, Zimbabweans constitute the majority in Gauteng.

Region	Total non-national lifers	Nationalities
CMR	24	Bangladesh (2), Ethiopia (1), Lesotho (13), Mozambique (2), Nigeria (1), Pakistan (4) and Zimbabwe (1). (The total is for the month, of November 2023).
ECMR	30	Mozambique (3), Bangladesh (3), Lesotho (9), Tanzania (1), Nigeria (4), Pakistan (2), Zimbabwe (5), Germany (1), Malawi (1), Kenya (1).
KZNMR	40	Burundi (2), India (1), Swaziland (3), Congo (2), Tanzania (1), Lesotho (9), Botswana (1), Malawi (11), Zimbabwe (5) & Mozambique (5). (The total is for November 2023)
GP	368	Zimbabwe (186), Mozambique (111), Malawi (13), Lesotho (35), Nigeria (6), Congo (6), Swaziland (3), Egypt (2), Somalia (1), Botswana (3), Zaire (1), Argentina (1)
LMN	118	Zimbabwe (37), Mozambique (53), Malawi (4), Lesotho (6), Russia (1), Sudan (1), Congo (1), Swaziland (12), Angola (1), Nigeria (2)
WCMR	19	Angola (1), Burundi (1), Lesotho (1), Malawi (1), Mozambique (3), Somali (2), Swaziland (1), Zimbabwe (9).
DMR Total	599	-

Table 31: Non-national lifers in correctional centres

Lifer profiles

There are currently 2 544 profiles awaiting National Council for Correctional Services (NCCS) decisions and 975 profiles pending decisions from the Minister, resulting in a combined total of 3 519 inmate profiles awaiting resolution across all regions. Between October and December 2023, a total of 181 profiles were considered for resolution.

The table below shows the backlog of profiles that still need 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 Judgment	Phaahla Judgment	Phaahla Van Vuuren Judgment	Total	
CMR	233	5	4	242	92 (November 2023 DCS stat)
ECMR	389	160	7	556	219
KZNMNR	362	468	0	830	(November 2023 DCS stat)
GP	156	175	2	333	329
LMN	270	194	10	474	308
WCMR	41	40	28	109	27
Totals	1 451	1 042	51	2 544	975

Table 32: Lifers profiles

In October 2023, the NCCS reviewed a total of 91 profiles. GP had the most profiles considered at 28, followed by LMN with 21 profiles and KZN with 17 profiles.

In November 2023, the NCCS assessed a total of 45 profiles. KZN had the most profiles considered at 11, followed by FS&NC with 10.

In December 2023, the NCCS deliberated on 45 profiles. GP had the most profiles considered at 12, followed by KZN with 11 profiles and LMN with 10 profiles.

The table below shows the number of matters considered by NCCS in different regions.

NCCS Meeting	Number of matters considered by the NCCS						Total
	EC	FSNC	GP	LMN	KZN	WC	
October 2023	9	9	28	21	17	7	91
November 2023	5	10	7	8	11	4	45
December 2023	4	5	12	10	11	3	45

Table 33: Number of matters considered by the NCCS

Highlighted incidents

Below is a consolidated summary of highlighted incidents across various regions:

ECMR: There have been electricity outages in various centres that have affected kitchen operations in some centres. Some centres have water shortages and Mthatha had a chicken pox outbreak which is under control. The region hosted a successful 2022/2023 JICS annual report presentation at Westbank. Different stakeholders were present physically and some joined the presentation virtually. There were no questions related to the presentation, however, some stakeholders had positive comments.

Two unannounced inspections were conducted at Burgersdorp and Sterkspruit Correctional Centre on 4 and 5 December 2023.

An investigation was conducted at St Albans Correctional Centre concerning the inappropriate searching of female visitors.

KZNMNR: At Kokstad Med CC, an inmate wrote a love letter to an official and was harassing her. When he was confronted, he threatened the HCC with violence, consequently, he was transferred to Ebongweni Supermax CC. All transfer procedures were followed accordingly.

Durban Correctional Centre had a water shortage on 22 November 2023. Fortunately, the water cut happened after the lunch had been prepared and ready to be served. For flushing toilets and drinking, inmates used water that was kept in the containers. The problem persists because of the lukewarm approach demonstrated by eThekweni Municipality in resolving this challenge.

GP: Two inmates were injured accidentally at Johannesburg Med A. Both inmates were injured on the same day, on 14 October 2023, but at different times, and they received medical attention. On 22 October 2023 at Ermelo, an inmate in a single cell set alight a sponge to burn the cell.

At Baviaanspoort Max there was no water on 12 October 2023 and food was cooked at Zonderwater.

LMN: On 5 October 2023 at Potchefstroom CC at A unit, inmates were complaining about water and electricity, and they threatened to go on hunger strike. The inmates were not aware that the cables were stolen. After the unit Manager, Acting HCC and ICCV addressed the inmates, the situation was back to normal and on that very same day, Public Works came to repair electricity and some plugs.

On 14 November 2023, diarrhoea was reported from multiple inmates at Wolmaransstad, and the nurse suspected that the cause might be the water. A sample was sent to the lab to get tested, and the results came back negative.

WCMR: At Worcester Female Correctional Centre inmates complained about the shortage of hot water and the lights not working. An outbreak of diphtheria at Pollsmoor Med A was detected in November 2023. All movements and court attendance were suspended, and one inmate succumbed to death due to complications related to diphtheria. There was vaccination awareness and rollout to inmates and officials. The situation returned to normal as of 27 November 2023. On 2 December 2023, an inmate was hospitalised due to an overdose at George Correctional Centre and he was referred to the public hospital. This matter will be investigated in January 2024. At Goodwood Correctional Centre a dog unit was introduced and the success rate in finding contraband has been a great achievement.

On 16 November 2023, WCMR hosted a successful 2022/2023 Annual Report presentation. The meeting was attended by various stakeholders such as Legal Aid, SAPS, CPF and many others. There were positive comments regarding the presentation.



PART C: DIRECTORATE SUPPORT SERVICES

Human Resources

Organisational establishment structure

Approved establishment structure

As at 31 December 2023, the fixed establishment had a total of 86 permanent positions that were approved and funded. Out of these, 79 positions were filled, leaving 7 (8.14%) positions vacant.

The table below shows the current vacancies:

No	Level	Description	Status
1.	9	ARM: KZNMNR	Vacancy to be advertised
2.	7	VCCO	Vacancy advertised
3.	5	Provisional Admin Clerk	Vacancy advertised
4.	5	Provisional Admin Clerk	Vacancy advertised
5.	5	Admin Clerks: Inspections	Vacancy advertised
6.	5	Transport Clerk	Vacancy to be advertised
7.	5	Secretary	Vacancy to be advertised

Table 34: Vacant posts

ICCVs

Currently, there are 33 vacant ICCV positions out of the 225 funded positions, resulting in a vacancy rate of 14.22%. Furthermore, there are an additional 50 unfunded vacancies that remain unfilled due to budget constraints within the CoE budget.

The table below shows the current vacancy rate of the ICCV positions.

Filled posts	193/85,78%
Vacant posts	33/14,67%
Total number of ICCV posts	225

Table 35: ICCV post-establishments

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 academically qualified workers, junior management supervisors (Level 7 – 10)	16	7	-	-	19	3	-	1	47
Semi-skilled and discretionary decision-making (Level 3 – 6)	2	1	-	1	11	4	1	-	20
Unskilled and defined decision-making (Level 1 – 2)	1	-	-	-	-	-	-	-	1
Permanent	22	9	1	3	34	8	1	1	79
Non-permanent	1	-	-	1	11	2	1	-	16
ICCVs	54	7	-	-	91	13	1	-	166
Total	77	116	1	4	136	23	3	1	261

Table 36: Employment equity statistics

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

Black		Coloured		Indian		White		PWD	
Male	Female	Male	Female	Male	Female	Male	Female	Male	Female
76	135	16	23	1	3	4	1	1	1
29.12%	51.72%	6.03%	8.8%	0.38%	1.14%	1.53%	0.38%	0.38%	0.38%

Table 37: Employment equity percentages

Performance agreements

The Human Resources division has received the completed annual assessments for the period from 1 April 2022 to 31 March 2023 and concluded all the moderations and payments were processed. The moderation panel has finalised the SMS performance within JICS of which the outcome was approved by the Minister on 20 December 2023.

Labour relations

Labour disputes and litigation

Dispute Referral to GPSSBC by NEHAWU

The dispute, referred to the GPSSBC by NEHAWU on behalf of Ms M (ICCV) following an alleged unfair dismissal, resulted in an arbitration award of 12 months’ salary for Ms M. JICS is currently taking the award on review, and consultations with counsel have been initiated. The application was filed in the Labour Court on 26 October 2022, with Ms M having filed her answering papers. Counsel for JICS is in the process of preparing the replying papers following a consultation held on 26 April 2023. On 7 September 2023, the applicant did not have representation, leading to a postponement of the matter. A cost order was made in favour of JICS, and the case has been set down for February 2024.

Increase in misconduct cases

There has been an increase in misconduct transgressions by ICCVs due to the fraudulent submission of monthly G366 register. Alterations made to the submitted documents do not correspond to the G366 register verified at correctional centres. These matters are currently being investigated and disciplinary proceedings initiated against transgressors.

Financial disclosures

All members of the SMS, MMS, Assistant Directors, and Finance and Supply Chain Management (SCM) officials are required to declare their financial interests within specific timeframes. Notably, there were no outstanding financial disclosures to report. The following financial disclosures were recorded for the 2023/2024 financial year.

Designation	Date of disclosure	Total number of financials received/submitted
SMS	1 – 30 April 2023	4
MMS	1 June – 31 July 2023	10
Financial and SCM officials	1 June – 31 July 2023	9
Assistant Directors 9 &10	1 June – 31 July 2023	12

Table 38: SMS/MMS/finance and SCM officials: financial disclosures



PART D: FINANCE AND SCM

Budget for the 2023/2024 financial year

JICS receives an operational budget annually from DCS based on JICS's Medium-Term Expenditure Framework (MTEF) submission to DCS. The graph below illustrates the adjusted budget allocation for the 2023/2024 financial year.

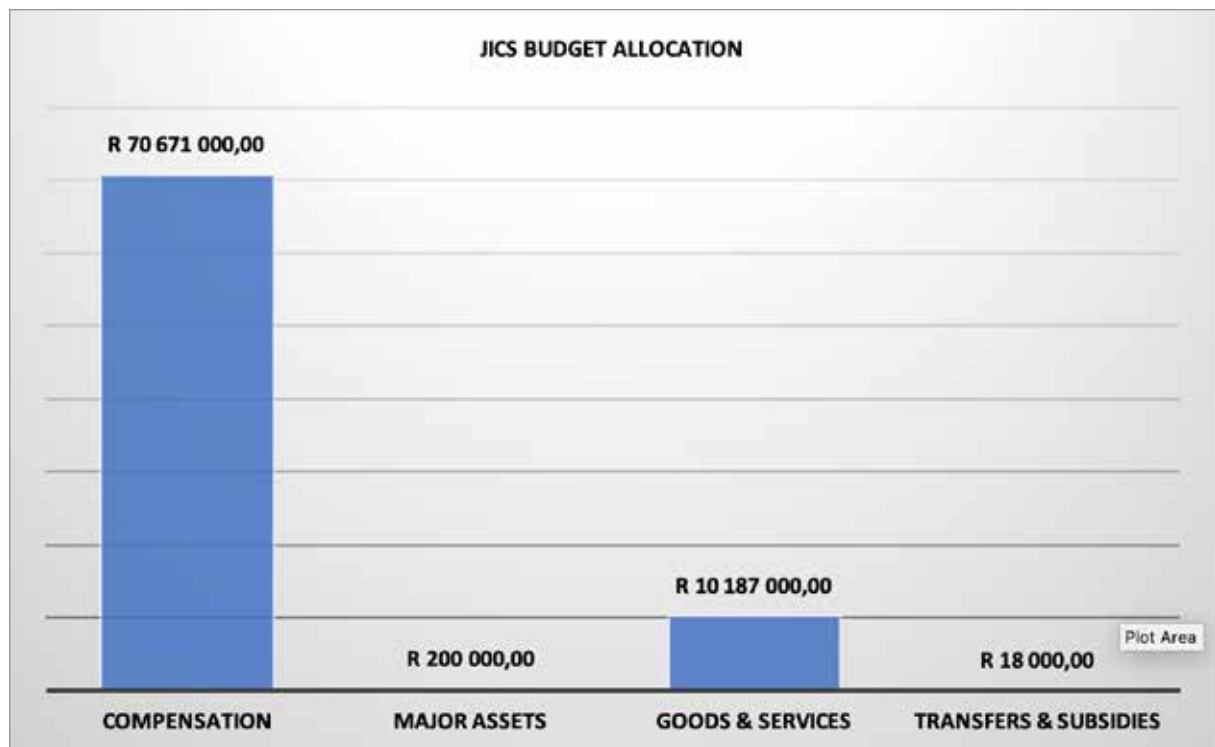


Figure 3: Budget allocation for the 2023/2024 financial year

Expenditure

The overall expenditure from 1 April to 31 December 2023 equates to an expenditure of 81.55%, which exceeds the ideal expenditure target of 75% by 6.55%.

Compensation of employees

The CoE allocated budget of R 70 671 000.00 is currently been exceeded by 0.28%, .The standard item is underspending due to vacant position which are yet to be advertised because of stringent measures implemented by the Department of Public Service Administration with regards to filling of vacant positions within the state.

Compensation of Employees	Ideal	Deviation
75.28%	75%	-0.28%

Table 39: Compensation of employees

Goods and services

The overspending on the standard item is due procurement of critical items ensuring continuous service delivery by the institution.

Goods and Services	Ideal	Deviation
103.30%	75%	-28.30%

Table 40: Goods services

Transfers and subsidies

The overspending on the standard item is due to leave gratuity paid to officials who exited the organisation between 1 April and 31 December 2023.

The overspending on the transfers and subsidies standard item is due to payments for leave gratuities that were paid to officials who exited the organisation through resignations between 1 April and 31 December 2023 and ICCVs whose contracts expired.

Transfers and Subsidies	Ideal	Deviation
908.82	75%	-833,82%

Table 41: Transfers and subsidies

Capital assets

The overspending on the standard item is due procurement of critical and emergency services with funding sourced from DCS to cover expenses.

Capital Assets	Ideal	Deviation
1114.30%	75%	-1039.30%

Table 44: Capital assets

Asset balances

Major assets are classified as those exceeding R5000.00, whereas minor assets are those below R5000.00.

The following table shows JICS's asset register as of 31 December 2023.

Asset Description	Reporting Date	Asset Register Balances
Major closing	31 December 2023	R 16 574 045.16
Minor closing	31 December 2023	R 2 733 801.63

Table 42: Assets register

Fleet/transport management

JICS state vehicles are controlled and monitored by regional offices. The table below shows the allocations of JICS state vehicles to the offices and regions as at 31 December 2023.

Management region/location	Total vehicles
Pretoria Head Office	3
Northern Management Region	5
Central Management Region	5
KZN Management Region	6
Eastern Cape Management Region	6
Western Cape Management Region	5
Total fleet	30

Table 43: JICS fleet allocation per region

Property and facilities management

Current leases on property

The table below shows the properties leased for JICS office accommodation which is administered by DCS facilities.

Physical address	Type of agreement	Status	Monthly rental
Western Cape Management Region: 9th Floor, Standard Bank Building, 1 Thibault Square, Cnr Long and Hans Strijdom Avenue, Cape Town	Month to month	The lease agreement was approved for three years and expired on 31/07/2023 .	R 188 542.50
Central Management Region: 3rd floor, 62 Andrew Street, Bloemfontein	Lease	The lease agreement was approved for three years and expires on 31/05/2024 .	R 31 262.41
PTA – Head Office & NMR ECO Origins 349 Witch-hazel Avenue, Highveld Ext.70 Centurion	Lease	The lease agreement was approved for three years and expires on 30/04/2026	R 246 241.16
KZN Management Region: 8th floor, 275 Anton Lembede Street, Durban	Lease	The lease agreement was approved for three years and expires on 31/12/2024 .	R 46 117.63

Table 44: JICS property lease agreements

DPWI (Eastern Cape) is in the process of procuring alternative accommodation for the ECMR in East London. The region is temporally accommodated at the East London Magistrate Court at no cost to JICS/DCS.



PART E: INFORMATION TECHNOLOGY

Distribution of computers for ICCVs in correctional facilities

ICCVs currently do not have access to computers at all correctional facilities. To address this, JICS initiated a desktop roll-out project in October 2021 aimed at equipping all ICCVs with the necessary tools of trade. This project will facilitate real-time (online) reporting to regional offices for immediate action. As at December 2023, 102 desktops have been installed across various correctional facilities. Additionally, there are eight computers available for installation, with only seven ECMR centres confirming the availability of office space. A total of 109 computers will be allocated upon completion of the project.

Development and integration of JICS MIS into DCS E-Corrections

The implementation of the new DCS E-Corrections reporting system is underway. This system is expected to enhance DCS's reporting capabilities, especially concerning mandatory reporting on deaths, mechanical restraints, segregation, and the use of force. Currently, 47 JICS officials have been connected through the JICS domain to utilize the E-Corrections platform. It's worth noting that this project is yet to be rolled out at all correctional centres, which may contribute to underreporting by DCS.

Development of the JICS website

JICS's IT has appointed a service provider for the development of the JICS website. Five companies originally submitted mock-up websites and were subsequently invited to make presentations in September 2023. Following the presentations, the IT committee finalised the specifications and appointed a service provider for the design of the website. The development of the website is progressing.

In this section, you will also find information on reports and publications, letters from the office of the Inspecting Judge (IJ), and an analysis of JICS’s Twitter analytics, all of which contribute to a comprehensive understanding of JICS’s media and communications landscape during the second quarter of the 2023/2024 performance year.

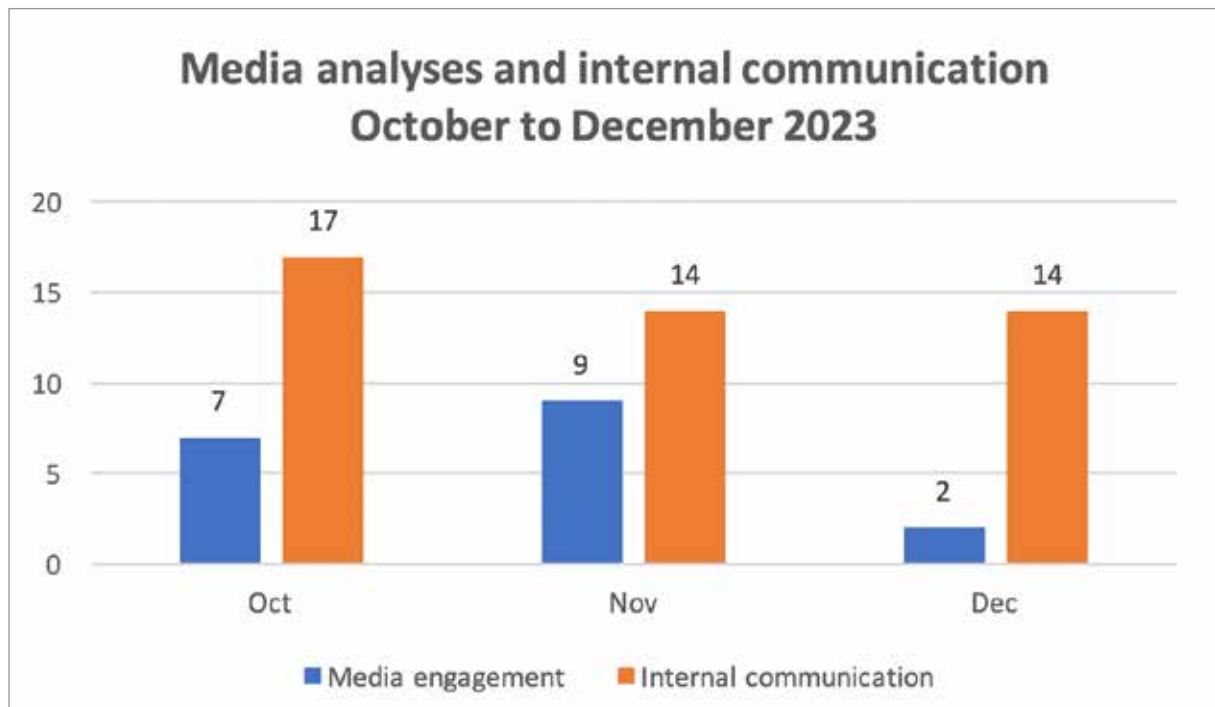


Figure 4: JICS media analysis and internal communications

The figure above illustrates media engagement and internal communication.

Matters reported

Reports and publications

- The Annual Report presentation to PC took place on 12 October and was well received.
- The sign-off to print was initiated for the Annual Reports, calendars, and diaries.
- A new PAIA tab was created on the JICS website in compliance with the Information Regulator.
- Sessions were held to consolidate the QR2, editing was completed, and the document was sent to the designer for finalisation.
- JICS AR presentation to Parliament was finalised
- Quarter 2 report distributed on 23 November 2023.

Letters/memos from the office of the IJ

- Memo on the distinction between accounting officer and accounting authority for CEO.
- Letter to NCCS chair re joint memo on lifer parole.
- Letter to NCCS chair re joint memo on parole board processes.
- Letter to G4S re Mangaung memo of complaints.
- Letter to CEO re Mangaung memo of complaints re ICCV.
- Letter to National Commissioner and Regional Commissioner regarding transfers and security classification at Mangaung.
- Letter to JICS staff regarding cooperation with Public Service Commission investigation.
- Letter to National Commissioner re obstruction of access to Barberton Medium B.
- Letter to Minister re obstruction of access to Barberton Medium B.
- Letter to NICRO re-book donation to Barberton CC.

- Letter to JICS staff regarding regions' participation in Public Service Commission investigation.
- Follow up to Area Commissioner of Grootvlei Correctional Centre re chicken pox outbreak.
- Follow up with NC's office regarding the undertakings of the JICS-DCS meeting held on 12 September 2023.
- Letter to Judge President Poyo-Dlwati re GroundUp article re delays.
- Letter to the HOD of Mpumalanga Health Department regarding the transfer of state patients from the province to the North West.
- Follow up with the Ministry regarding the memo on the outcome of JICS SMS staff performance moderation.
- Letters to Minister, NC and PC Chair re St Albans investigation.
- Memo for JICS staff on inmate use of personal computers in cells and status of Ntuli judgment.
- NPM report on Barberton Max.

The Office of the IJ's complaints register

An analysis of the matrix feedback was presented at MANCO and EXCO and a decision was taken that the Complaints Unit would create a project plan to consolidate and update the backlog of feedback in the matrix.

Complaint handling process: The Office of the IJ has a structured process for handling complaints. When complaints are received, they are captured on the live matrix and redirected to the respective unit for appropriate handling. This assists with coordination and enables collaboration between different units/regions to resolve complaints effectively.

Collaboration for improvement: The Complaints Unit and the Office of the IJ work together to enhance the complaint-handling process. They collaborate to improve the process and ensure that complaints and feedback are properly addressed. This signifies a proactive approach to addressing issues and ensuring better outcomes for complainants.

Feedback and assessment: DMR provides a monthly feedback report, which is used to assess the performance of the complaint-handling process. This feedback is a key element in assessing the effectiveness of the complaint resolution efforts.

Complaint trends: Looking at the annual data, we can observe that the number of complaints received has varied over the years. The numbers have been 46 in 2020, 142 in 2021, 143 in 2022, and 92 in 2023. This fluctuation could be due to various factors, such as changes in organisational practices, external circumstances, or shifts in public perception.

Resolution rates: The data provides information about the number of complaints that have been resolved and the feedback that has been provided. In each year, a portion of the received complaints has been resolved. This indicates that the organisation is actively working towards addressing the issues raised by complainants. Currently, this assessment is only based on the regions, directorates, and the Complaints Unit actively submitting feedback into the matrix. It can be estimated that this may not be a true reflection of all complaints resolved, as there is a backlog with the collation of feedback.

Pending cases: The number of pending cases at the end of each year is also shown. It's noteworthy that a significant number of cases remain pending, especially in 2021 and 2022. This could indicate challenges in the efficiency of the complaint resolution process or an influx of new complaints that outpaces the resolution efforts.

Regional distribution: The data is further categorized based on various regions or units, such as Info, CMR, WCMR, ECMR, NMR, KZN, Blanks, and Complaints Unit. These represent different regions, information that is outstanding when receiving complaints, units that handle the complaints, or areas of focus within the organisation. Different regions/units have varying levels of complaint activity.

Overall performance: The “Total” provides a cumulative view of the complaint-related statistics for all the years combined. This gives a snapshot of the overall performance and workload of the units handling the Office of the IJs complaints.

In a comprehensive analysis, it would be beneficial to explore the reasons behind the fluctuating complaint numbers, the variations in resolution rates between units, and the factors contributing to pending cases. This analysis could provide insights into areas of improvement and help enhance the organisation’s complaint resolution process.

Branding

- Due to serious fiscal constraints, the regional branding requests have been placed on hold.
- The branding of the Centurion Eco-Origin building was approved and the final specifications were given to the supplier. JICS awaits installation by the supplier.
- Electronic invitations were created for the regional stakeholder JICS AR presentations.
- Content for social media to create awareness and approval of designs for invitations etc. was provided to assist with the Ebongweni Mental Health Seminar.

Twitter

The Twitter account is not interactive, it provides information without engagement. This decision was taken due to the nature of the sector JICS services as well as the lack of capacity within the organisation.

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	Quarter 3, 2023
Tweets	31
Tweet impressions	7 147
Profile visits	Info outstanding due to Twitter maintenance upgrade
Mentions	Info outstanding due to Twitter maintenance upgrade
New followers	49
Total	800

Table 45: Twitter analytics

Campaigns

Book Campaign

- JICS and NICRO have entered into an agreement, in terms of which NICRO will handle the logistics of the book donation campaign. Due to austerity measures, a decision was taken to cancel the formal launch of this collaboration. JICS and NICRO have opted to hold a virtual launch of the signing of the MOU between JICS and NICRO, which will include creating a photo opportunity and posting about the event on social media.
- Women in Incarceration Campaign – Distribution of toiletries has been finalised as at the end of November 2023.