Minister Ronald Lamola on irregular and unacceptable incidents

3 Jul 2019

Media statement by Minister of Justice and Correctional Services, Ronald Lamola announcing interventions in the Department of Correctional Services

**Accountability and consequence management are not negotiable**

There has been a number of irregular and unacceptable episodes where security breaches have attracted not just negative publicity for the Department, but have questioned operations and security systems at centre level.

It is a fact that some of these disturbances could have been avoided if managed correctly.  Accountability and consequence management has to be effected within the Department of Correctional Services,  so we deal with the perception of  impunity and errant behavior, be it by inmates, officials or contractors and members of the public who frequent our facilities.

**Durban Westville Correctional Facility**

On the 22 June 2019, I instructed the National Commissioner in the Department of Correctional Services to investigate a video which surfaced on social media. In the video we see two very disturbing incidents:

In the first incident, DCS officials can be seen agitating inmates to fight amongst themselves. The officials even go as far as giving their security equipment to the inmates.

In the second incident, we see inmates openly taking a white substance (sniffing what looks like drugs) whilst held in our facility.

The investigation on the two cases have revealed that both occurred at Durban Management Area, formerly known as Durban Westville.  The first incident took place on 29 July 2018 and there was action taken by the then Acting Head of Centre, Ms Ndlovu NJ who issued contemplation letters to the officials involved.

It was on 3 August 2018 that these officials were eventually suspended, pending finalisation of the investigation. However, this suspension was uplifted on 23 October 2018 and the implicated officials were alternatively placed so they could not work directly with inmates.

From the evidence gathered, it has been found that the investigation was conducted and submitted to the delegated authority for approval and sadly, nothing was done beyond that.

**Incident of a viral video circulated in the social media on 14 June**

Upon viewing the video, the investigation identified three offenders appearing as, Sanele Nyalane serving 15 years sentence for robbery with aggravating circumstances, Ruwain Meer serving life imprisonment for murder as well as, Langa Gumede serving 15 years for robbery with aggravating circumstances. It was then confirmed that all these inmates were incarcerated in Durban Medium B at Unit C2.

A search operation was conducted in the identified cell where contraband was found.  Some of the confiscated items include 41 tablets of mandrax, 334 slopes of dagga, 7 packages of dagga, 6 cellphones, 4 cellphone charges, 8 earpieces, 4 sim cards, R23.00 cash, 1 smoking pipe and 1 memory stick.

The three identified inmates were then transferred to the only ultramax correctional facility in South Africa , which called eBongweni in Kokstad. This is a referral centre not just for hardened criminals, it caters for inmates with extreme behavioural challenges.

Both of these investigations have reveal that there was a complete dereliction of duty and or maladministration at  the Durban Management Area.  As a result, the National Commissioner has recommended that the senior manager responsible for Corporate Affairs, Mr Mohan be placed under  suspension. Mr DJ Makhaye has been appointed as the acting Area Commissioner and is expected to bring about stability and must ensure that operations run optimally.

**St Albans Correctional Facility:**

This facility has been placed under Ministerial scrutiny following several incidents which have not be suitably dealt with. The behavior of inmates at this particular centre is worrying and this is clearly illustrated by the number assault cases that gets reported continuously.

The National Commissioner has recommended that we appoint an interim heads of the maximum centre and the remand centre, and I have accepted these recommendations. The new appointees are from the Correctional Facilities in the Rustenburg and Mthatha. This is part of our plan to ensure that this centre functions more optimally.

**Goedemoed Correctional Facility:**

In March this year one of our officials was killed by an inmate at the Goedemoed Correctional Facility. We have a preliminary investigation, which has led to opening a separate case with the South African Police Services. An official has been suspended in relation to this matter. More information will be revealed as and when SAPS finalise their investigations.

Our investigation has also revealed that in some instances that there has been a severe lapse in classification of inmates at this facility. As a result all the officials at an advisory level have been given notices of suspension.

**Immediate Intervention:**

We will be engaging organised labour in our sector and the National Prosecuting Authority on a zero tolerance policy when it comes to smuggling of contraband in our facilities. Errant officials involved in the smuggling craft, and other offenses, will not spared any mercy. These officials will be summarily dismissed, and if a member of the public is found with contraband they must be subjected to a very harsh sentence.

In addition to this, by the end of this month the following facilities will have full body scanners to combat smuggling:

* Durban Correctional Facility
* St Albans Correctional Facility
* Johannesburg Correctional Facility
* Kgosi Mampuru II Correctional Facility
* Pollsmoor Correctional Facility
* Barbeton Correctional Facility
* Groenepunt Correctional Facility

This is the phase of using technology to make our correctional facilities more secure.

It must be re-iterated that safety, and security in correctional facilities is of paramount importance, and it must be clearly understood that security controls are non-negotiable. Procedural security measures, such as regular patrols, frequent searches of cells, control over objects entering correctional centres, as well as searches of visitors, will be monitored closely by management.

Department Correctional Services has made significant strides in redefining the purpose of corrections in South Africa. Security for us remains the cornerstone in the delivery of our constitutional mandate. We will not compromise on this.

Department Correctional Services remains a key player in the criminal justice system hence it has employed a multi-disciplinary strategy in its operations which has resulted in an overwhelming numbers of offenders participating in various rehabilitation programmes.

A need for officials to maintain professional conduct at all times has to be emphasized so that some of these unfortunate episodes can be avoided in future.  This will ensure that the provision of a safe and secure environment, as well as the creation of an enabling environment for correction and rehabilitation is realised.

Such will propel a coordination of systematic interventions aimed at preventing, minimising and eventually eliminating all corrupt and negligent practices that may jeopardize the personal safety of inmates, staff and service providers.