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**JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 1881**

**DATE OF QUESTION: 19 MAY 2023**

**DATE OF SUBMISSION: 02 JUNE 2023**

**Prof C.T Msimang (IFP) to ask the Minister of Justice and Correctional Services
:**

What new and actionable solutions has the Government undertaken to ensure that prisoners who bring to light abuses suffered at the hands of wardens and prison management are protected whilst still incarcerated in such prisons, especially where the transfer to another facility is not an option, as seen in the Thabo Bester case where prison whistle-blowers are now being targeted and their lives threatened? **NW2133E**

**REPLY**

It should be noted that inmates who came forward with information about Thabo Bester were not whistle blowers with regard to the escape. The offenders referred to only claimed to know about the Thabo Bester escape after it was published in the media. The inmates were transferred out of Mangaung Correctional Centre (MCC) in consideration of their safety.

As a matter of course, routine complaints and requests are taken daily from offenders in Units and registered in the G365 register. For protection of other inmates against officials and management the Judicial Inspectorate of Correctional Services (JICS) is available daily in Correctional facilities to take complaints by and some requests of inmates, these inmates are attended to independently without monitoring and supervision of Correctional officials. Inmates are also assisted to open cases with the police where necessary.

The following whistle blower procedures are applied in DCS:

* Offenders who provide reliable information concerning any wrong doings by other offenders and officials are interviewed by the Unit Manager/ Head of Correctional Centre (HCC) and such inmates are given an option to be transferred out of those facilities or placed in isolation cells for own safety in terms of section 7 of Act 111 of 1998 as amended.
* Stipulations of the whistle-blowers policy of the Department implemented as the protected Disclosures Act 26 of 2000 which was effective in February 2001, state that their name/s should remain anonymous, identity should never be revealed and information should be limited to the Unit Manager/HCC and the investigators.
* Registered whistle blowers are assigned code names and an inmate registration. A whistle blower only interacts with a dedicated official in the holding correctional facility who is assigned to handle the whistle blower.
* Deployment of other experienced officials/Emergency Support Teams (ESTs) from other Centres in the Units where whistle blowers are incarcerated is also considered. Daily visits must be conducted by the Head of Correctional Centre and other Centre Managers.
* Clear and secure communication between the concerned officials and whistle blowers should be maintained at all times.
* Food for whistle blowers should be handled with care in cases where there might be information and suspicions that the offender might be in danger.
* Visits of whistle blowers should be monitored for safety reasons.
* Complaints and requests are taken daily from offenders in the Units and registered on G365 register. Offenders also have access to the Head of Centre and feedback is provided within seven days of the complaint.
* There are also Independent Correctional Centre Visitors (ICCVs) officials from the Judicial Inspectorate of Correctional Services (JICS) that are available at Correctional Centres.
* Offenders have direct access to JICS via these officials. Offenders are free to register any complaint, concern or grievance to these ICCV officials for further handling with JICS.
* Offenders have access to telephones (landlines) and they are able to report their concerns directly to Departmental Investigation Unit (DIU), SAPS, the Presidential Hotline or Public Protector.
* Any official or HCC found to be abusing or threatening offenders that provide any information regarding corruption, abuse, fraud (any complaint) may be charged departmentally and criminally (SAPS).
* Immediate and prompt intervention and consequence management is prioritised and implemented at all levels.
* The placement of a locked suggestion / grievance box in all units that can only be accessed by HCC also assists in getting confidential information to keep inmates safe when they are whistle blowers.
* The office of the Regional Commissioner and the Management team continuously sensitise officials and offenders to refrain from activities that are embarrassing to the DCS and that are illegal in nature.

**END.**