



**SONKE
GENDER
JUSTICE**

HIV/AIDS • GENDER EQUALITY • HUMAN RIGHTS

WHY IS PRISON OVERSIGHT IMPORTANT?

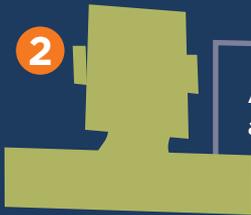
Prison transformation activists have been calling for improved prison oversight mechanisms (supervision/inspection) that are independent and have clear powers to investigate complaints and corruption. *Why is this necessary?*

IT ENSURES ACCOUNTABILITY

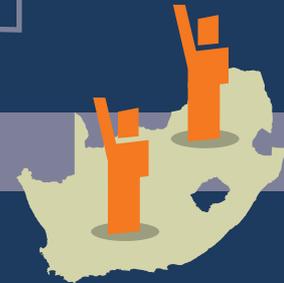
- 1 Prison oversight prevents human rights abuses of inmates by holding the Department of Correctional Services (DCS) accountable.



- 2 **Accountability** requires that people justify their actions and decisions, and make amends for errors or faults.



- 3 Accountability is a foundation of South Africa's constitution.



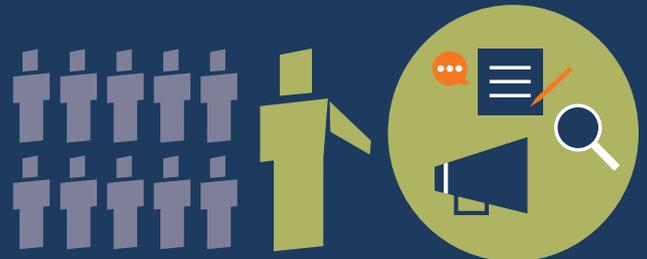
IT ENABLES ACTION

- 4 Prison oversight bodies monitor prison conditions, investigate complaints and report to the public on their findings. This is important for accountability.



BUT IT REQUIRES INDEPENDENCE TO BE EFFECTIVE

- 5 To be effective, prison oversight bodies must have clearly defined functions and powers, and must be independent.



- 6 The following make an institution independent:



**Financial
independence**



**Legal
independence**



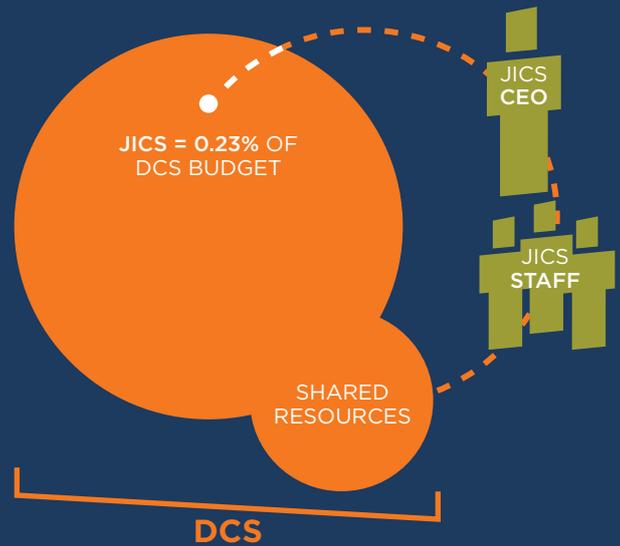
**Operational
independence**



**Employment
security**

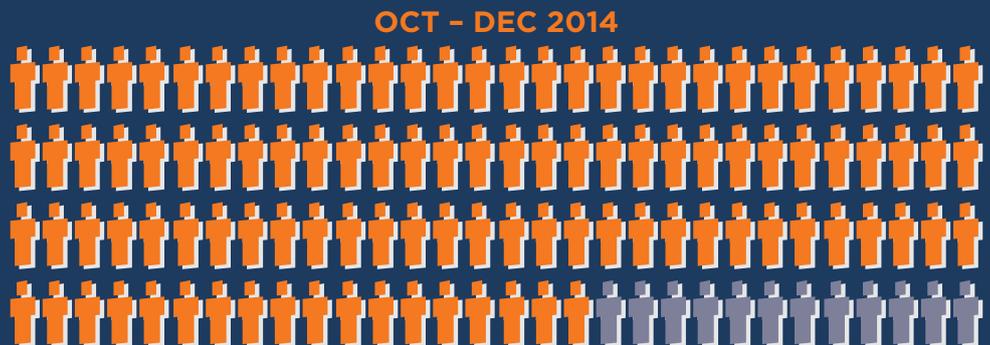
BUT IT REQUIRES INDEPENDENCE TO BE EFFECTIVE (CONT.)

- 7** South Africa's prison oversight body, the Judicial Inspectorate for Correctional Services (JICS), receives its budget from the DCS. JICS' budget is only 0.23% of DCS' entire budget. Its CEO is appointed by the DCS National Commissioner, and its staff are paid by the DCS. JICS has the same website and email domains as DCS, and it relies upon DCS for resources, such as offices, telephones and computers.



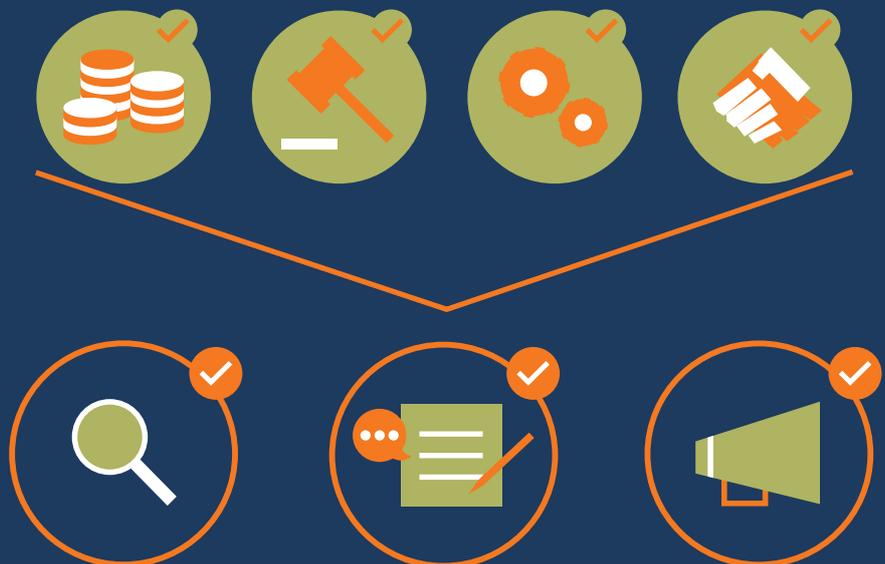
- 8** JICS also does not have clearly defined powers to investigate complaints, or to refer them to the police for investigation. In comparison to the Independent Police Investigative Directorate (IPID), which has a whole set of regulations setting out the extent of its investigative powers, JICS' power to investigate is mentioned once or twice in passing.

- 9** These flaws leave JICS unable to hold the DCS accountable. For example, in the last quarter of 2014, **DCS failed to respond adequately to 90% of complaints of assault, and were not required to account for this.**



What needs to happen now?

We need a new and improved prison oversight body that can hold DCS accountable and ensure the protection of prisoners' rights. It must be **fully independent (financially, legally and operationally)** and must have clear powers to **inspect prisons, investigate complaints and refer them** to the police and National Prosecuting Authority for prosecution.



WE NEED AN INDEPENDENT AND FULLY RESOURCED PRISON OVERSIGHT BODY!