

**Response from Judicial Inspectorate for Correctional Service's Inspecting Judge,
Justice Edwin Cameron**

9th of April

1. What channels are available for inmates to contact the Inspectorate during this period?

Response: Inmates may continue to make telephone calls to JICS officials through the protocol channels. And complaints have indeed been received during the lockdown, and are being attended to. Currently, JICS through its regional structures is in daily communication with every Head of Centre (HOC). The Department may refer unresolved complaints to JICS in terms of sections 21 and 90 of the statute.

As I mentioned yesterday, DCS also remains obliged to report to JICS all cases of death of an inmate, segregation for whatever reason (including medical), use of mechanical restraints and use of force. During a recent video conference with the National Commissioner, as Inspecting Judge I again emphasised the continuing nature of this statutory obligation on the Department.

2. What actions can JICS take during this time if it does come to light that an inmate's human rights have been violated? Or if it is revealed that the DCS is not fulfilling its reporting obligations?

Response: JICS can and regularly does request DCS to furnish it with documentation (such as medical and other records as well as internal investigation reports). Any matter for mandatory reporting that may arise at a centre will be given appropriately urgent attention, to ensure that JICS's oversight duties are fulfilled, despite the limitations we're functioning under during the lockdown.

JICS managers, like Mrs Gericke, who is based in East London are also mandated to travel to correctional centres to conduct investigations should there be a crisis at a particular centre. Obviously, this power and mandate will not be over-readily initiated during lockdown.

3. Why is it vital for JICS to keep fulfilling its oversight role during this unusual time?

Response: Inmates, though an understandably unpopular segment of our society, are among the most vulnerable. This is especially so during lockdown and during time of public anxiety and uncertainty. And we all -- including inmates -- continue to have the same constitutional rights. South Africa has also ratified several international instruments that require oversight at all places of detention. As the oversight body for correctional services, the JICS staff and I as inspecting judge consider it vital that the service remains viably available during this time.

4. Are you satisfied with the DSC's operational plan?

Response: It's like many government plans. It's mostly good, and mostly very promising. The plan addresses the basic measures to be taken to prevent the spread of COVID-19 in correctional facilities -- and it certainly seems adequate. JICS notes that DCS has tried to address some of the psychological needs of inmates. This includes the need, particularly acute right now, to communicate with their families. For this reason, the Department has extended inmates' telephone hours during the lockdown to enable them to maintain contact with their families.