



PEOPLE'S COALITION

REDUCE PRISON OVERCROWDING TO MITIGATE THE SPREAD OF COVID-19 WITHIN DETENTION CENTRES 26 APRIL 2020

The C19 People's Coalition was born a month ago, and includes 250 organisations from across civil society in all provinces, including community-based organisations, social movements, non-governmental organisations, research institutions, faith-based organisations and others. It is the broadest grouping of civil society that has come together to address the current crisis. Read our [Programme of Action \(POA\)](#).

Calling on Minister of Justice and Correctional Services to reduce prison overcrowding

The Health Working group of the C19 People's Coalition notes with extreme concern that the number of known COVID-19 cases in correctional facilities has grown to [118 \(58 inmates and 60 officials\) as of 26 April 2020](#).

Places of detention are high-risk areas for the spread of COVID-19 to inmates as well as officials due to overcrowding, lack of ventilation, lack of sanitation and limited access to health care services.

The impact of COVID-19 on inmates in South Africa is of particular concern as many detainees have compromised immune systems due to tuberculosis, HIV/AIDS or other chronic and non-communicable illnesses. According to the latest data available, correctional centres on average are operating at [137%](#) and we fear that under these conditions COVID-19 will spread rapidly. This will likely lead to high rates of mortality and morbidity, and unnecessary suffering.

Prison riots and violence have broken out in several countries where inmates fear the spread of the virus, including [Italy](#), [Indonesia](#), [the United States](#), [Colombia](#) and others. In the last couple of days, reports of violence within correctional centres in South Africa due to COVID-19 fears have surfaced, including at [Baviaanspoort Medium Prison](#) in Tshwane where several inmates appeared to have been injured by officials - two critically so. Our network also notes anecdotal reports of violence at Krugersdorp prison as well as Leeuwkop Medium A. The work of oversight bodies such as the Judicial Inspectorate of Correctional Services to monitor prison conditions and human rights violations has been severely hampered by the suspension of all prison visits following the Declaration of a National State of Disaster and the proclamation of a lock down in South Africa.

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PEOPLE'S COALITION

International bodies such as the [UN Sub-Committee on the Prevention of Torture](#), [United Nations High Commissioner for Human Rights](#), [Amnesty International](#), and Penal Reform International recommend urgently lowering the number of people in detention, and several countries have done so including [Turkey](#), [Iran](#), [some states in the US](#), and [Cameroon](#).

We call on the Minister of Justice and Correctional Services to urgently reduce the number of people in detention to mitigate the spread of COVID-19 to inmates and officials. This should be done by:

- 1.) Releasing detainees held for minor and non-violent offences, or are left with a year or less of their sentences; and
- 2.) Extending bail to all but the most serious criminal cases and reviewing all cases of pre-trial detention; and
- 3.) Placing a moratorium on any immigration related charges for the purposes of deportation; and
- 4.) Releasing any foreign national:
 - a. currently detained on immigration related charges pending deportation, whose detention has exceeded the maximum period provided for in the Immigration Act; or
 - b. whose detention period will exceed the maximum allowed period (in terms of the Immigration Act) during the Lockdown; or
 - c. who is able to show that they have an asylum or refugee claim, including those who may be a dependent of an asylum seeker or refugee currently in South Africa and documented.¹

The WHO [urges](#) the following recommendation which we support: “Enhanced consideration should be given to resorting to non-custodial measures at all stages of the administration of criminal justice, including at the pre-trial, trial and sentencing as well as post-sentencing stages. Priority should be given to non-custodial measures for alleged offenders and prisoners with low-risk profiles and caring responsibilities, with preference given to pregnant women and women with dependent children.”

All inmates should be screened, and where appropriate, tested for COVID-19 before release, and assured of a continuum of care including medication and chronic care.

¹ We draw on the recommendations of the Detention Justice Forum as set out in their appeal to the President and various Ministers on 6 April 2020. Available: <http://detentionjusticeforum.org.za/wp-content/uploads/2020/04/Letter-of-Recommendations-for-Addressing-COVID-19-in-Detention.pdf>



PEOPLE'S COALITION

The Department of Correctional Services should ensure that all correctional centres are equipped with Personal Protective Equipment and the necessary tools for screening, and testing where appropriate and that all public health measures for containing and treating COVID-19 are implemented in all 243 correctional centres in South Africa. We note [concerns raised](#) by the Public Servants Association of South Africa about the lack of PPE and other protective measures and urge DCS to address these urgently.

In their recent guidance on COVID-19, the World Health Organization [pointed out](#) that “Prison health is widely considered as public health”. We believe that these measures will contribute to the mitigation of COVID-19 within places of detention, and thus not only help safeguard the health of inmates and officials, but that of South Africa as a whole.

Endorsed by

The following members of the Health Working Group of the C19 People's Coalition endorse this statement:

Treatment Action Campaign (TAC)

1. SECTION27
2. People's Health Movement South Africa (PHM SA)
3. Rural Health Advocacy Project (RHAP)
4. PSI South Africa
5. Public Service Accountability Monitor (PSAM)
6. Triangle Project
7. Cancer Alliance
8. Sexual and Reproductive Justice Coalition
9. Health Enabled
10. Medico International
11. SA Community Health Care Workers networking project
12. Doctors Without Borders (MSF)
13. RuDASA
14. CAN Muizenberg
15. Mothers for Future
16. Sex Worker Education & Advocacy Taskforce (SWEAT)
17. Tshisimani
18. Sinani



PEOPLE'S COALITION

19. Aboriginal XARRA Restorative Justice Forum
20. Asijiki Coalition for the Decriminalisation of Sex Work in South Africa
21. SCORA

[END]

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