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Fires, drugs and zombies: Kutama-Sinthumule prison officials 'were warned, but they ignored us'

Ruth Hopkins

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other facilities. The prison is managed by the American security company GEO Group, with its partners Kensani Corrections and South African Custodial Services, employing around 560 staff. Daily operations, overseeing 3 024 beds, are subcontracted to South African Custodial Management.

Despite positive reviews from the Department of Correctional Services and the Judicial Inspectorate of Correctional Services, dissatisfied prisoners have set the prison on fire four times in the past 15 years.

This investigation examines the underlying causes, and whether the issues are rooted in South Africa's troubled prison system or the for-profit, multinational management of the facility.

"The prison officials were warned but they ignored us."

This is what a prisoner, who has requested anonymity, claimed about the fire that broke out on 7 August of this year, at Kutama-Sinthumule prison in Makhado, Limpopo. Three main buildings in the prison complex - called Green, Yellow and Blue prison - were incinerated. Each building consists of units with three "pods". These pods, housing 80 inmates each, contain cells and a communal space.

Kutama-Sinthumule is run by GEO Group, an American private security multinational that operates prisons, jails and immigration detention centres in the US, Australia, the UK and South Africa. The South African government pays the multinational R44 million a month for the upkeep of the prison. These payments stopped when all the prisoners were transferred following the fire.

One inmate succumbed to smoke inhalation, whereas two others were shot. The police are currently investigating these deaths. All remaining 3 021 prisoners have been transferred to other prisons in the country.

The inmate, who spoke to News24 from a DCS prison in Gauteng, said he started the fire with others by setting alight mattresses in his cell in K Bock in Green Prison. He told News24 that the day before the fire broke out, approximately 200 prisoners met with prison officials at a central meeting space in Green Prison. The inmates announced they would burn down the prison if their demands continued to be ignored. The prison officials ushered the prisoners back into their cells, but they did not address their concerns.



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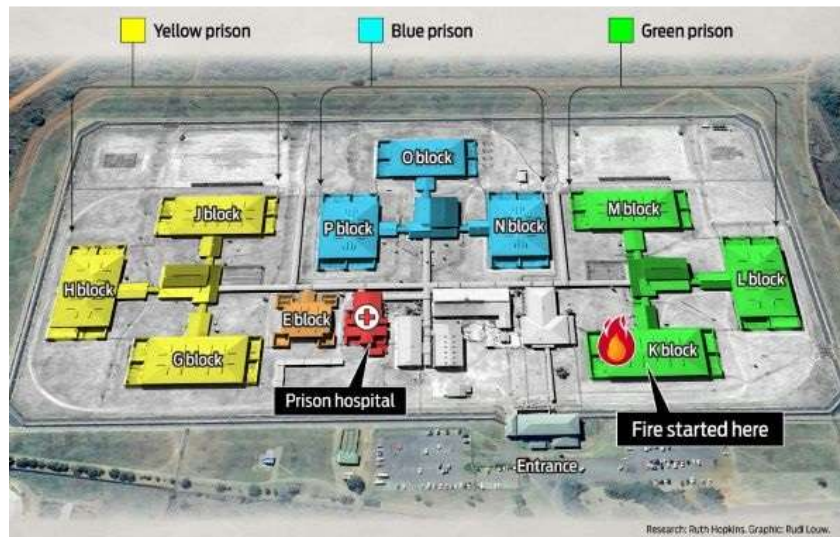
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It was the fourth time dissatisfied inmates had started a fire at the private prison because they felt their grievances were being ignored. In 2006, 2010 and 2017, inmates also destroyed sections of the prison. The 2023 fire, however, was most serious, because it destroyed the entire prison, except for E-block. This is a prison unit where prisoners are sent for induction after arrival, and it is also the isolation unit.

Kutama-Sinthumule prison received a "good" rating from the Judicial Inspectorate of Correctional Services (JICS) for two consecutive years. JICS generally reviewed the correctional facility in positive terms, despite it being the only prison in the country that was burnt down four times by dissatisfied inmates.

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Emmerantia Cupido, the spokesperson for JICS, explained: "JICS noted incidents of inmate dissatisfaction leading to fires at Kutama-Sinthumule. JICS nevertheless rated the facility as 'good' during both announced and unannounced inspections because of the patently high level of cleanliness and organization, and the fact that educational, rehabilitation, and vocational programs were available to all inmates, with those participating expressing approval of them."

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Memorandum

The prisoners' complaints have been listed in an explosive memorandum that has been shared with News24. On 28 July, more than a week before the fire broke out, inmate Sifiso Khumalo handed over this memorandum of grievances, signed by 50 inmates, to Kutama-Sinthumule prison director Dumisani Nzimande. Justice and Correctional Services Minister Ronald Lamola was also emailed the memorandum, as well as the Department of Correctional Services (DCS) area, regional, and national commissioner, and the DCS controller stationed at the prison.

On 7 August, before the fire broke out, Khumalo was moved from his cell in Green Prison to E-block where he was placed in an isolation cell. This move triggered the riot. "When Sifiso was moved, chaos erupted," said the mother of another inmate who was also involved in drafting the memorandum. "He told me inmates started screaming and shouting: 'We're going to burn this place down. If Sifiso is in isolation, we will all go. We are all together!'"

In the memorandum, the prisoners demand better conditions. The prisoners' first complaint is about food. They claim the prison food is "inedible and not nutritious or consumable", and that they are frequently served rotting food or chicken feet instead of more nutritious chicken parts. The government pays the company R412.19 per offender per day, and this amount includes food.

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JICS: "Inmate complaints about food were not reported to JICS representatives at the centre."

The prisoners also complain about violence and torture. Khumalo claimed he witnessed many assaults and wrote that "torture is the order of the day in this institution". Various prisoners, as well as former SACM employees, have spoken to News24 about the existence of a "Dry Room", a single cell in E-block where inmates are taken for punishment.

"I was beaten up there for hours and electroshocked," a prisoner said about his experience in the Dry Room. He sent pictures to News24 of the serious facial injuries he sustained. He claims that prisoners have water poured over them in the Dry Room and are electroshocked with tazers. Nxumalo responded on behalf of DCS: "The Dry Room is not being used. DCS denies allegations of inmates being electroshocked and tortured."

Sodomy and rape are mentioned in the 2023 memorandum. The prisoners allege that SACM prison officials look the other way when inmates are raped by others. Various sources have claimed many prisoners arrive HIV-negative, yet leave the prison positive. "The prison management promotes and condones sodomy," the memorandum states.

JICS monitors HIV rates in South African prisons. Cupido said: "Medical personnel at Kutama informed JICS in 2022 that 633 out of 3 025 inmates were eligible for and received ARVs – a prevalence of almost 21%. The overall HIV prevalence in South Africa is currently about 13%."

Prisoners also complained about ignored requests for transfers and the bad state of the prison hospital. "SACM is incapable of looking after us and our interests," the memorandum concludes. "We urge our government to review the contract between themselves and the private sector."

Warnings

The fire at Kutama Sinthumule prison was not an isolated incident. There were clear warning signs in the weeks before the prison was destroyed.

A month before the fire broke out, an inmate at Kutama sent News24 a list of 13 inmates who wanted their issues addressed. Two prisoners complained about injections that made them ill and discoloured their skin, two other inmates alleged they were assaulted brutally. One inmate claimed he was denied access to a doctor because it was deemed "too expensive". Five prisoners claim they were raped.

Exclusive Mediators, a prisoners' rights organisation, gave News24 a list of a further 16 prisoners who were incarcerated at Kutama-Sinthumule and who claim to have been assaulted during the past year. Just one prisoner has a SAPS case number. News24 also has a list with the names of six prison officials who inmates claim carried out the assaults.

Glynnis Marrayday, who runs Exclusive Mediators, was told by inmates that some of them were so seriously injured that they needed crutches and urine bags. News24 presented both lists to

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Two inmates in Kutama-Sinthumule prison, whose names and prison numbers are known, contacted News24 10 days before the fire broke out. They had set fire to their cell and mattresses because they were so fed up with the prevalent torture and beatings. This landed them in hospital with burn wounds. JICS is currently investigating this incident.

C-Max

Prisoner Sifiso Khumalo authored the memorandum, yet claims he did not light the fire. On 17 August, Khumalo and two other inmates were moved from Makhado to the C-Max division in DCS prison Kgosi Mampuru in Pretoria. C-max is specifically designed for violent and disruptive prisoners who have been classified as dangerous. Prisoners are kept in an isolation cell for 23 hours of each day. Visits and movement are severely restricted.

No one told Khumalo why he was moved there, and he has not been formally charged with anything. Recently, 13 inmates who were in Kutama-Sinthumule have been transferred to C-max. News24 asked DCS if it was transferring all the 50 inmates, who had signed the memorandum with their names and prison numbers, to C-Max. Nxumalo responded: "Some inmates were sent to C-Max because they admitted having played a part in the burning of the correctional facility."

Khumalo never admitted that. "Hours before the fire broke out, security staff came to my cell. They told me they were taking me to a segregation cell in E-block. I asked them why. They told me that I am a troublemaker and a security threat. While I was in the single cell, the fire broke out." Khumalo was in E-block in an isolation cell when the fire broke out in Green Prison, so he never could have physically started the fire. However, he says prison officials came to his isolation cell after the fire, accompanied by police officers and they pointed at him and said: "This is the instigator."



A fire at Kutama Sinthumule prison killed one inmate.

Forced medication with anti-psychotic drugs is not included in the memorandum, yet this is an issue that prisoners as well as former employees say occurred frequently in the prison, as a form of crowd control. One prisoner, who is currently in a DCS prison, was injected with an unknown substance, every month since 2017, following an altercation with prison guards. He does not know what exactly was used, but felt terrible afterwards. "I felt so weak, lost, confused and uncomfortable, like a zombie or robot." Since he arrived in the DCS prison, the injections have stopped.

"Prisoners would be taken from their unit to E-block. From the isolation cell, they would be taken to the prison hospital, where a nurse would inject them, while security officers would hold him down in case he refused. None of these inmates were mentally ill. They were considered either violent or otherwise troublesome," six former GEO-Group guards told News24. They asked to remain anonymous.

Cupido responded on behalf of JICS: "Psychiatrist personnel prescribe anti-psychotic drugs to certain inmates diagnosed with mental wellness issues. Where inmates and personnel have complaints about improper use of these medications, JICS's complaints procedure is accessible to them."

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In *Misery Merchants*, a 2020 book about the other private jail in the country, the G4S-run Mangaung prison in Bloemfontein, the use of anti-psychotic drugs on inmates to control them is documented. A nurse working at the prison hospital shared the names of the "zombie medication" that was used on inmates: Modecate, Risperdal, Etomine and Clopixol Depot. These anti-psychotic drugs can cause memory loss, muscle rigidity, strokes and other serious, potentially life-threatening side effects.

Forced medication is allowed under South African law under very specific conditions. The Mental Health Act stipulates that the head of the healthcare institution needs to approve the intervention, the patient needs to be incapable of making informed decisions, and pose a danger to him or herself and/or others. Two independent physicians need to authorise the involuntary medication.

The 2006 fire

To Dan Mahlalela, the recent news developments are a painful déjà vu. Mahlalela, who was sentenced to life for murder, was one of the first inmates accommodated at the private prison in 2002, and he remained there until his release in 2015. "I was a pod representative," he tells News24 at a bustling Nando's in Makhado.

"In 2006, we drafted a memorandum listing our grievances, from complaints about food, to rape, prison torture, and widespread violence. We held a meeting with prison guards and realised we shared common goals. SACM workers are also victimised by the company. We decided to take joint action."

mattresses," Mahlalela says. The disgruntled employees knew the fire was going to happen and many did not show up for work that day, because they went on strike. The fire wrecked the Green Prison unit, one prisoner was shot and killed, and many inmates and employees were injured. 800 offenders had to be relocated to DCS prisons.

This fire caused damage worth millions of rands that GEO Group had to pay. The multinational asked its insurance company, the American International Group (AIG), to cover the bill. AIG refused, arguing that the insurance policy does not cover damage resulting from riots.

Donald Keens, the GEO Group American President of International Services, visited Makhado in the days following the fire. "He begged me to sign an affidavit and testify before the Commission for Conciliation, Mediation and Arbitration (CCMA). He promised to recommend me for early release," Mahlalela, who studied law in prison, says.

Keens explained that Mahlalela would be testifying before the CCMA that there was no riot, but that it was rather "cautionary action" by the prisoners. "A few days later, the then-prison director, Johan Wagenaar, gave me a written affidavit that I had not compiled. The unit manager then approached me and said that if I signed the affidavit and testified, the company would pay me millions of rands. When that money did not materialise, I refused to testify."

The CCMA does not have a publicly available database and was unable to confirm or deny if there was a 2006 CCMA case involving Kutama-Sinthumule prison, so it is unclear what happened after Mahlalela refused to cooperate.

Mahlalela's time at the American prison did not improve after the 2006 fire and riot. In 2010, Mahlalela had an altercation with the unit manager. He was sent to solitary confinement in E-block. "There, I was electroshocked and beaten up," Mahlalela remembers. "I also saw many inmates in E-block who had been injected with zombie or robot drugs. The nurses would inject the inmate. The prisoner would then become a ghost, walking around dazed and confused."

SACM referred all questions to DCS as the company is contractually not permitted to engage with the media.

Singabakho Nxumalo, the spokesperson for DCS, said: "It is important that we await the outcome of the investigation. We prefer not to engage on an exchange of views with implicated parties."

According to DCS, there's a total number of 07 Penalties/Observation Notices relating to the fire that ensued at Kutama Sinthumule. One of these relates specifically to non-attendance of inmate grievances by the Kutama Sinthumule Management. Kutama Sinthumule has only been paid for 06 days for the month of August 2023 due to non availability of bed spaces caused by fire on 07 August 2023. As a result, they will not be paid until the facility is restored to house inmates.

** Ruth Hopkins is the founding editor of the Private Security Network, a transnational network of investigative journalists focused on the global private security sector.*

** This story has been corrected to reflect that Glynnis Marrayday did not see injured prisoners, but were told by inmates about the extent of their injuries over the telephone.*



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