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'They duck and dive': Private prison officials accused of tampering with medical files of deceased

Ruth Hopkins

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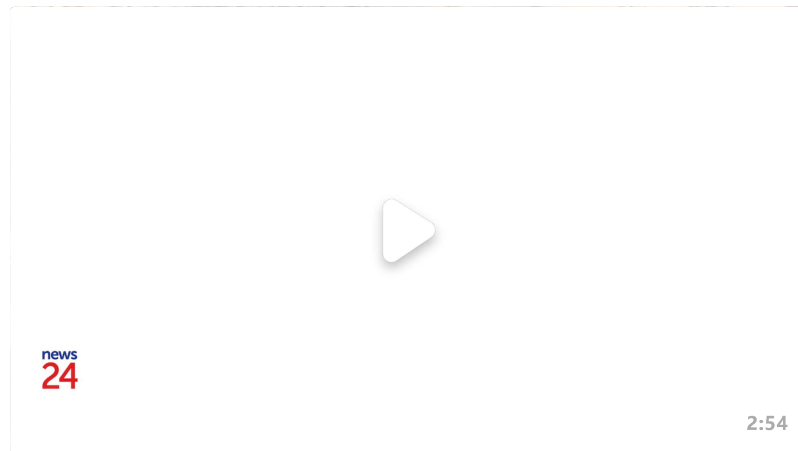
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other facilities. The prison is managed by the American security company GEO Group, with its partners Kensani Corrections and South African Custodial Services, employing around 560 staff. Daily operations, overseeing 3 024 beds, are subcontracted to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

A mortuary official at Elim Hospital in Makhado has refused to hand over medical files of deceased inmate Jackson Radebe to prison officials. Radebe was an inmate who was shot dead at the private prison, Kutama-Sinthumule, on 7 August.

This is when **a fire broke out** that destroyed the three sections of the correctional facility – Green, Blue and Yellow prisons – where inmates were housed. All prisoners have been moved to other prisons in the country.

One prisoner, Bhekizenzo Buthelezi, succumbed to smoke inhalation four days after the fire, whereas two other prisoners, Jackson Radebe and Siyabonga Nkuleleko, were shot dead on the day of the blaze.

Family members of Nkuleleko told prisoners' rights organisation Exclusive Mediators that the SAPS informed them that Nkuleleko had been shot. The Department of Correctional Services (DCS) further claimed that 18 inmates had been admitted to hospital. Two prison officials were also injured during the riot.

Kutama-Sinthumule is a private maximum security prison run by American private security contractor GEO Group, with 3 024 beds. The prison opened its doors in 2002, after DCS, Kensani Corrections Management (KCM) and South African Custodial Services (SACS) – the South African joint-venture partners of GEO Group – signed a 25-year contract with the SA government.

The daily operation of the prison is delegated to South African Custodial Management (SACM). Singabakho Nxumalo, the spokesperson for DCS, told the Sunday Independent that the government pays GEO Group R44 million per month for the operation of the prison. The contract expires in 2027.

SACM officials did not tell family members how Radebe died. A mortuary official told the family that he does not trust SACM officials to handle the medical files of deceased inmates. An SAPS officer claimed: "They duck and dive."



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behind the prison fence, a male voice announces that the "situation is tense".

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Then he says he is going to approach the two prisoners who were shot, and the camera moves closer to the fence. Two men are lying on the ground, about 50 metres on the other side of the fence, one clad in an orange prison uniform, the other in a green prison overall. Prisoners in Kutama have orange, green and blue uniforms, depending on the location of their cell in the prison.

An inmate, whose identity is known to News24, and who was involved in starting the fire and therefore wants to remain anonymous, witnessed the shooting.

He said:

I could not see who pulled the trigger, but the bullet came from outside the fence, not from inside the prison complex.

The leaked video footage shows SAPS and private vehicles parked outside the fence, as well as the SACM perimeter car driving past the two dead men.

Limpopo police spokesperson Colonel Malesela Ledwaba could not share any details about the investigation into the two deaths, but confirmed that SAPS was investigating: "A team of investigators has been appointed to probe the incident."

Independent Police Investigative Directorate (IPID) spokesperson Robbie Raburabu ruled out a police bullet: "The deceased was shot with ammunition that the police do not use. It is therefore ruled out that SAPS members were involved in the death."

A former guard who used to work at the prison and who has requested anonymity, stated: "SACM has a so-called perimeter car, a patrol vehicle that drives around the outer fence of the complex 24 hours a day. I used to work in that car for four years and there are two guns in the cubby hole."

The former guard further claimed that "we were taught during training that prison guards are prohibited to shoot if an inmate escapes". In the video footage, it does not look like Radebe was attempting to escape, as he was lying on the ground in a supine position, far from the fence.

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South Africa has two private prisons, both operated by American multinationals. Mangaung prison is the "other" private prison. It is situated in Bloemfontein and run by the biggest private security multinational in the world, Allied Universal (formerly G4S). This prison has been all over

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Pillar to post

The family members of prisoner Radebe – his parents have passed on, so his sister Lindiwe Radebe and her husband travelled to Makhado – were sent from pillar to post. They arrived on 17 August at the mortuary at regional Elim Hospital in Makhado so Radebe could identify the body of her deceased brother. An SACM official working as an investigations officer at Kutama-Sinthumule prison, Mr Stanley Mabuza, was present, alongside two SAPS investigating officers.

They accompanied Radebe to the mortuary chamber where corpses are stored in refrigerated compartments. An employee pulled out the drawer with Radebe's corpse lying on his back. His face and torso looked grey and waxen. A fresh surgery scar ran across his chest, which was evidence of a post-mortem investigation.

However, Mabuza was not even supposed to be at the mortuary, because Radebe had died in hospital, not prison. And the family, not the prison, was collecting the body. The pathologist told Radebe that Mabuza had requested the medical files, but he said he never gives SACM prison officials any medical documentation. Only family members have a right to the post-mortem files, he assured Radebe. The pathologist asked to be quoted anonymously because he fears losing his job.



A fire at Kutama Sinthumule prison killed one inmate.

Maxar Technologies/Airbus©/Google Maps/taken 2023

Medical files are only released when an undertaker comes to collect the body. Mabuza was trying to convince Radebe to agree to the prison arranging an undertaker. But because of the pathologist's warning, Radebe decided to arrange an undertaker herself, so that prison officials would not have access to any documentation pertaining to Radebe's death.

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touching the papers. His distrust of SACM officials made Radebe refuse to sign for the prison undertaker to pick up her brother's body, even though Mabuza had arranged a funeral parlour, Charisma Funerals, who was parked outside the mortuary. The pathologist again refused to hand over the documents to Mabuza when he requested them.

Following the mortuary visit, Mabuza gave Radebe a lift in his car. Radebe said Mabuza was complaining about the pathologist in the car.

"He wanted those files, and he said the pathologist should have handed them over. He was angry that we did not decide to use the prison's undertaker. He said to us: 'I am done with this case, I am done helping people!'"

On 18 August, Radebe visited the SAPS office in Makhado, in the centre of town, where the investigating officer told her that her brother had been shot during the fire. This officer told Radebe he was present at the post-mortem and had seen bullet wounds on the deceased inmate's body. It was the first time Radebe's cause of death was admitted to his sister.

Radebe said to News24 after she left the police office:

I want justice, I want to hear the truth from everyone involved. We need closure and my brother deserves a dignified burial.

Later that day, the prison director, Dumisani Nzimande, invited Radebe to the prison to discuss the death of her brother. Mabuza was present in the director's office, as well as another prison official.

It was Radebe's first time in Makhado since her brother was transferred to Kutama-Sinthumule nine years ago. She could not afford to travel to Makhado while he was still alive, and currently her finances are still challenging. The couple had to scrape together travel expenses from Randfontein, where they live.

Nzimande opened the meeting by stating that everyone who had died at Kutama-Sinthumule "deserves to be buried with dignity".

Nzimande told the couple:

The prison can provide an undertaker who will transport the body to Randfontein. But the prison can't pay for an undertaker the family has chosen, or for the funeral.

"I am angry," Radebe said outside the prison, where SACM employees hung around eating, smoking and chatting. They did not have much to do, as all inmates had been transferred to other prisons throughout the country.

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they will tamper with the medical files."

In town, Radebe and her husband met again with another SAPS officer. This time, they wanted to discuss how they could finance the transport and burial of her brother, without using the prison's undertaker.

The police officer made a phone call and then told the couple that there was a court date on 16 October. The officer claimed the GEO Group management had refused to hand over CCTV footage of the shooting and other evidence to the police. This is why the SAPS subpoenaed SACM officials to court. "They are hiding something, they duck and dive, that is the reason we are forced to go to court. They will try to protect themselves," the officer said, who refused to go on the record, because this is an ongoing police investigation.

Jackson's funeral

Before he died, Radebe contacted Exclusive Mediators, a prisoners' rights NGO run by Glynnis Marriday and Johannes Majoe.

"He phoned us to complain about prison conditions, specifically health care," Marriday said. The fire was started by a group of dissatisfied inmates who felt their grievances were being ignored.

"He would phone me every week," Radebe said. "He was a caring older brother, always trying to help me." She remembers her brother, who was serving a sentence for murder, as a quick-tempered yet loving person. Radebe was in and out of prison his entire adult life.

Radebe travelled back to Randfontein on 22 August without her brother, but she was back in Makhado a few days later, this time with an undertaker. She had consulted with family members following her experience with the SAPS and SACM officials. The family had managed to cover the fee for an undertaker.



A general view of one of the cells at the Kutama-Sinthumule Correctional Centre on October 21, 2014 in Makhado, South Africa.

Gallo Images Theana Breugem/Gallo Images / Foto24

"We are keeping a low profile," she told News24 over the phone. She said she was still worried that the SACM officials would try to interfere. The family finally laid their son to rest in Randfontein two weeks ago.

Contractually, SACM is not allowed to speak to the media. It refers all media inquiries to DCS. News24 sent questions about Kutama-Sinthumule prison to the American headquarters of GEO Group, but received no answer.

Both DCS and the Judicial Inspectorate of Correctional Services (JICS) were approached for comment regarding the allegation that SACM officials try to access medical files of deceased inmates, while they are not authorised to do so.

DCS spokesperson Singabakho Nxumalo commented: "The investigation into the fire covers the circumstances leading to the fire, those involved, injured, fatalities and all other parties involved and the role they played."

Emerantia Cupido, the spokesperson for JICS, said: "If substantial evidence is available, kindly provide it to JICS for investigation."

Cupido affirmed that, based on the Correctional Services Act, GEO Group was responsible for Radebe's well-being.

- Ruth Hopkins is the founding editor of the [Private Security Network](#), a transnational network of investigative journalists focused on the global private security sector.



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