1. Introduction

The South African prison system developed mainly from the British system.¹ Today it could well be the single prison system that underwent the most transformation in the shortest space of time in the entire history of imprisonment. Transformations include: becoming an independent department of Government (1990), releasing political prisoners (since 1990), implementing community corrections (1991), ending separation of inmates on racial grounds (1993), incorporation of five separate prison systems (apartheid South Africa, Transkei, Ciskei, Venda and Kwazulu) into one (since 1993), allowing legitimate inmates to vote (1994, 1999), adapting to a system ruled by constitutional requirements (since 1994, but more so since 1996), transforming managerial level representativity nationally (since 1995), demilitarization (1996), implementing new legislation (since 1998), instituting a judicial inspectorate (1998), implementing super maximum prisons (1999), and unit management (since 2000), and closing contracts for private correctional facilities (2001).²

Van Zyl Smit\textsuperscript{3} argued that it was historical common cause that elementary human rights of prisoners were not being respected in practice during apartheid. He nevertheless stated that “the sad reality is that, in late 2002, there is no evidence of overall prison conditions having improved significantly for the bulk of prisoners in the eight years since the first democratic elections.”\textsuperscript{4} Since then the prison population increased to the largest ever (from 121\% of design capacity in 1995 to 161\% of design capacity in 2002, regardless of five new prisons being opened to increase design capacity by at least 10 000 beds).

In 2005, a new white paper outlined the new strategic direction for corrections with “rehabilitation at the centre of all its activities.”\textsuperscript{5} By the end of 2007, one could still not experience a significant shift towards intensive inmate rehabilitation. Instead, during April 2007, three male inmates were killed through staff hostility when they protested against bad prison conditions. Six officials went on trial for this incident. In January 2008 Versluis\textsuperscript{6} (2008:1) reported that computers of five inmates were removed irrespective of an interim court order not to do so. As the computers were utilized for tertiary studies, one could interpret the action of authorities as a lack in earnest to bring about rehabilitation.

The inability to implement and execute new policies successfully is in part through a lack of continued management with prison experience. Since 1994, the Department of Correctional Services has had five different commissioners. In this period only one commissioner had vast prison experience, but was only appointed in an acting capacity for nine months. By April 2007, the department was still awaiting the appointment of the sixth commissioner after the previous one resigned in November 2006.

The female inmate population in South Africa is very small. Being a minority in a system that counts under the ten largest prison systems in the world (controlling more than 200 000 offenders\textsuperscript{7} may ultimately end in extreme marginalization. For

\textsuperscript{4} D. van Zyl Smit, op. cit., p. 228.