



MINISTRY OF JUSTICE AND CORRECTIONAL SERVICES
REPUBLIC OF SOUTH AFRICA

**Address by Minister of Justice and Correctional Services, Adv. TM Masutha, MP
on the occasion of the Departmental Budget Vote, May 17, 2018, National
Assembly, Cape Town.**

Chairperson,
Deputy Ministers Thabang Makwetla and John Jeffrey,
Honourable Members,
Fellow South Africans,

I would like to acknowledge the Yobe Production team in our presence.

I am honoured to present Budget Vote 18 of the Department of Correctional Services for the 2018/19 financial year.

The Department discharges its mandate in terms of the Constitution of the Republic. Among other things, the Constitution enjoins the Department to treat inmates with human dignity and respect and to accord them the right to health care and education.

Since 1994, the government has sought to implement the governing party's directive contained in the Reconstruction and Development Programme to transform prisons into correctional facilities which do "not simply ... restrain convicted persons" but also contribute to their "rehabilit[ation] and training."

As part of the Justice Crime Prevention and Security (JCPS) Cluster, the National Development Plan requires of us to contribute to ensuring that South Africans are and feel safe.

Nelson Mandela, our country's first democratically elected President, whose centenary birthday we celebrate this year together with that of one of our country's most illustrious daughter, Albertina Sisulu, championed the process of changing the corrections system.

Addressing the launch of the Emthonjeni Youth Centre at the Baviaanspoort correctional facility in Pretoria on August 25, 1998, President Mandela called upon us "to create a culture that will motivate offenders to become law-abiding and productive citizens. They need to be re-integrated back into the community because we want them to contribute to the good of all."

In this regard, I am happy to announce that as part of the Mandela centenary birthday celebrations, our country will launch the Nelson Mandela Rules for the Treatment of Prisoners in July this year. The Nelson Mandela Rules, which Cabinet approved in March this year, are a set of universally acknowledged minimum standards for the treatment of prisoners to which member states of the United Nations (UN) committed themselves in December 2015.

The UN decision to name the rules after President Mandela is testimony to the eminent place in which our people's struggle for freedom came to reside in the consciousness of humanity. This means that as a country, we must appreciate the challenges at our feet – we cannot but rise to the occasion to continue to shine the light on the humanist values which our struggle represented to the rest of the world!

To meet its commitments and obligations, the Department has evolved and implements five interrelated and complimentary programmes. These are:

1. incarceration which entails the accommodation of inmates in correctional centres that are safe, secure and under humane conditions. The bulk of the spending for this programme is personnel expenditure, capital infrastructure projects, facilities management and maintenance of buildings;

2. social reintegration which provides for services for offender preparation for release, the effective supervision of offenders placed under community corrections and the facilitation of their social reintegration into communities;

3. rehabilitation which involves the provision of needs-based correctional and skills programmes to offenders;

4. health care which supports the personal wellbeing of inmates in the department's custody; and

5. administration which entails the leadership, management, and judicial inspection services to the system of correctional services.

Deputy Minister Makwetla will address aspects of the incarceration programme and the challenge of overcrowding in our facilities. Suffice to say that, a Task Team has been appointed to develop a comprehensive infrastructure plan to respond to the phenomenon of aging infrastructure. A total of 939 additional bed spaces will be added through the construction or expansion of facilities in Tzaneen, Standerton, Escourt and C-Max.

The total budget allocation of the Department for the 2018/19 financial year is R23, 848 billion. It will rise to R25, 487 billion in the 2019/20 and R27, 251 billion in the 2020/21 financial years. While this represents an average growth of 6.1% over the medium term, the budget allocation has been reduced by R1, 982 billion over the same period due to government austerity measures necessitated by the current economic conditions.

The specific allocations to each of the programmes are as follows:

1. R14, 529 billion is allocated to incarceration and will increase on average by 6.1% from R14,529 billion to R16,702 billion in 2020/21;
2. R898 million is allocated to social reintegration. It is expected to increase on average by 5.9% to over one billion rand in 2020/21;
3. R1, 861 billion is allocated to rehabilitation; rising by an average of 6.4% to R2,196 billion in the 2020/21 financial year;
4. R2, 275 billion is allocated to health care; increasing to R2,504 billion in the 2020/21 financial year, and;
5. R4, 284 billion to the administration programme which is expected to increase to R4,836 billion in the 2020/21 financial year.

The major tasks undertaken by the Department in line with the **Rehabilitation Programme** include literacy, vocational training, basic occupational skills training, entrepreneurial skills training, business studies, engineering studies, Grade 12 and tertiary education qualifications.

These Programmes are recognised by qualifications authorities such as the South African Qualification Authority (SAQA), Quality Council for Trades and Occupations (QCTO), UMALUSI and others.

The Department runs 21 farms and 115 agriculture small sites where an average of 3000 offenders work everyday, 10 steel and 19 textile workshops, one shoe factory, and 8 bakeries in which 1 500 offenders work. It also runs fourteen full time schools. Of these, one full time school in the Eastern Cape offers agricultural science up to Grade 12 in addition to agricultural work and training by our artisans. These centres of learning contribute to the elimination of illiteracy and equip especially young offenders with the necessary skills to be self-sufficient upon release.

We also continue to support inmates to enroll for degrees and other qualifications with institutions of higher learning. The Department of Higher Education and Training (DHET) is currently supporting DCS with career development services and a programme to capture assessment data of learners registered at DCS TVET Colleges. During this financial year, we will sign a Memorandum of Understanding with DHET to facilitate the provision of Adult Education and Training (AET) and TVET College programmes in the menu of our educational offerings.

Offenders' enrolment and participation in DCS-run skills development programmes increased from 4 872 in 2013/2014 to 23 313 in 2017/2018 financial years. This represents an 89% achievement against the target of 80%.

With regard to the **Social Reintegration Programme** the Correctional Supervision and Parole Boards (CSPBs) which consider the possible placement on parole or correctional supervision of offenders performed better than was expected.

The review of the Parole Administration process, which includes the Medical Parole Advisory Board, has been completed and a position paper and draft Bill prepared. I would like to inform the House that on the 28th and 29th of May 2018, the National Council for Correctional Services will host a roundtable discussion on the Revised Paper on Parole at Century City Convention Centre here in Cape Town. We will engage with stakeholders and experts from various institutions to finalise the paper which will usher in a new paradigm in the administration of parole in this country.

As most of you are aware, in 2007, former President Thabo Mbeki established a Special Dispensation Process (SDP) to consider the granting of pardons to offenders who claim to have been sentenced for political offences and who, for whatever reason, may not have approached the erstwhile Truth and Reconciliation Commission.

A Reference Group was established to assist the then President to make determinations on persons eligible for pardons. The Reference Group dealt with 2109 applications and recommended 149 cases for pardons.

I have appointed a Ministerial Task Team to consider the remaining Political Offenders, to consider the status of the 149 cases that were considered positively by the Reference Group and the others who remain in our correctional facilities. I am happy to state that the Team has finalised the first phase of its work which entailed the processing of the 149 inmates as was approved by the Reference Group. At the start of this process, only 51 inmates were identified to still be at our facilities. The Team has assisted with the release of 41 offenders who are currently on parole, in accordance with the departments' policies and prescripts governing the release of offenders on parole. Currently only 10 remain in correctional facilities as they do not qualify for release on parole. The Task Team is currently busy with the second phase which entails the tracing of the remaining 1960 applicants as well as the co-accused, the 149 list. I can report that this stage is now complete. We currently left with 271, and the work of the Task Team is ongoing.

During this financial year, we will, as part of the continuous process of improving our rehabilitation policy framework, release a policy discussion document aimed at reviewing the policy on Offender Labour and Gratuity. The skills and training that we provide through offender labour has the potential to provide the means for the offenders to start a productive life upon reintegration into society, and thereby minimise the stigma that is often attached to ex-offenders.

Health care services are provided and include amongst others, health awareness campaigns, provision of treatment for acute and minor ailments and injuries, communicable and non-communicable diseases, sexually transmitted diseases, palliative care services in collaboration with public health institutions and hospices.

The detection of serious communicable diseases, such as HIV infection and tuberculosis, accompanied by adequate treatment and the introduction of harm reduction measures is vital. It contributes significantly to the health status of communities from which offenders come, and to which they return.

According to a 2015 study by Dr. Fiona Kouyoumdjian, “improving [the] health of [offenders] can also improve the health of the general population, improve the safety of our communities and decrease health care costs”. Not only is the health of inmates important, but releasing them untreated back into communities could lead to an increase in communicable diseases such as HIV, hepatitis C, Tuberculosis (TB) and other sexually transmitted infections.

The percentage of inmates on antiretroviral treatment is 96% (26 644/27 578 inmates), whereas the TB (new pulmonary cure) rate of offenders currently stands at 80.65% (325/378 inmates). With the assistance of the National Department of Health (NDOH), DCS has managed to implement the universal test and treat (UTT) policy to ensure that all inmates are provided with the required Antiretroviral Treatment.

Since 2014 to date, we have paid continuous attention to the improvement of the Department’s **administration** capacity. We have sought to comply with the constitution and relevant legislation and to deliver on our services with greater efficiency. The filling of vacancies at senior management level and critical posts at the core function of the Department are receiving continuous attention.

The Department has reinforced the training of Heads of Correctional Centres with the relevant skills to enable them optimally to manage and execute their responsibilities. We are also in the process of determining minimum staffing levels in order to deliver on this mandate.

We have extended the Integrated Inmate Management System (IIMS) beyond Kgosi Mampuru II and the Johannesburg Remand Detention centres to Witbank, Middleburg and Carolina.

Upon its full implementation in all our correctional facilities and community corrections offices, the system will provide a single capture and single view of all inmate and offender information to enable us effectively to incarcerate, rehabilitate and reintegrate inmates.

The austerity measures to which I referred earlier have a negative impact on all our programmes and also affect other spheres of government such as municipalities to whom we are obliged to pay municipal services such as electricity, sewerage, water, waste water and solid waste disposal.

In this regard, stringent cost containment and operations efficiency measures continue to be implemented in the department. Since 2016, the department has saved over R100 million through various cost containment and operations efficiency measures. In the past financial year, operational expenditure such as travel, accommodation and subsistence was deliberately brought down. This resulted in 39% reduction in expenditure amounting to R66 million. Since implementation of stringent Supply Chain Management practices in 2016, savings amounting to R42 million have been realised.

The Department is reprioritising funding across its programmes, from incarceration and administration to the rehabilitation programme. The reprioritisation imposed by budgetary cuts will compromise provision of quality of correctional and skills programmes to offenders and the social reintegration of offenders into communities.

In any event, the policy shift we have taken to place more emphasis than was previously the case on the rehabilitation and reintegration of offenders into communities obliges appropriate budget allocations to these programmes and their deliverables.

Nevertheless, this House must surely reflect on the objective implications of the austerity measures on the Department, bearing in mind as we all must, the multiplicity of the competing demands on the fiscus more generally and the current economic climate in particular. Whatever the difficulties of the moment, I would like to assure honourable members that with your support and society as a whole, the DCS will succeed. In particular, we will succeed to be the global best practice reference point for the implementation of the Nelson Mandela Rules.

I would like to thank my two colleagues, Deputy Ministers Thabang Makwetla and John Jeffrey and the Inspecting Judge, Mr. Justice Johann van der Westhuizen, for their valued contribution and loyal support, National Commissioner Arthur Fraser who has taken on his new deployment with enthusiasm, my colleagues in the JCPS Cluster and the staff and management of the Department.

I must also thank the Portfolio Committee for its continued support and guidance as well as all the honourable Members for continuously keeping us on our toes.

I thank you.