



**MINISTRY OF CORRECTIONAL SERVICES
REPUBLIC OF SOUTH AFRICA**

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**ADDRESS DELIVERED BY THE DEPUTY MINISTER OF JUSTICE AND
CORRECTIONAL SERVICES, HONOURABLE THABANG MAKWETLA (MP), ON
THE OCCASION OF THE DEPARTMENT OF CORRECTIONAL SERVICES BUDGET
VOTE (VOTE 18)**

NATIONAL ASSEMBLY, CAPE TOWN, 17 MAY 2018

- Honourable House Chairperson
- Minister of Justice and Correctional Services, Honourable Adv. Michael Masutha
- Honourable Members of the Portfolio Committee on Justice and Correctional Services
- Distinguished Guests
- Ladies and Gentlemen

This year marks exactly a hundred years since the birth of Nelson Rolihlahla Mandela. As South Africans and peace-loving people around the world celebrate the centenary of Madiba, allow me, House Chairperson, to commence my remarks in this budget debate by quoting the first President of our Democratic Republic, President Mandela's dream words at the threshold of our democratic order in 1994, when he said, "We enter into a covenant that we shall build the society in which all South Africans, both Black and White, will be able to walk tall, without any fear in their hearts, assured of their inalienable right to human dignity in a rainbow nation at peace with itself and the world".

Today's debate, in this hallowed chamber of the people's Parliament, is a reminder that it takes a lifetime to change society, and, in this business, success is not always guaranteed.

An overview of our advances in the Department of Correctional Services, in part, signals the reality that the dregs of our society are stubbornly intent on choking our noble dream, which Dalibunga articulated so well, with commitment and passion. We all will agree that the covenant which Madiba spoke about cannot be advanced by building more jails, notwithstanding the reality that for as long as there are those among us who do not hesitate to do inhuman things to others, the State must have the capacity to remove them from our midst in order to protect society.

With the fresh memory of the departure from the world of the living of struggle icon, Nomzamo Winifred Madikizela-Mandela, allow me to deploy the superior orality of the internationally acclaimed poet and patriot, Prof. Keorapetse Kgositsile, and say, "to the memory of ALL the legends of our struggle, may your eye condemn us till the end of time, if we ever betray our mission".

Honourable Members, colleagues and comrades, maybe what I am shying from is to say, instead of bemoaning the ever increasing levels of overcrowding in our correctional centres, is it not useful for us to confront the uncomfortable reality that crime and criminality are increasingly becoming today's "National Question" in South Africa, which we are in denial of? Can we, for a moment, shift our focus away from the statistics of the population behind bars and focus our enquiry on what is happening in our communities and society in general? This, I believe, is an imperative which Madiba's disciples, in particular, will gladly ponder over as we celebrate the centenary of his legacy by renewing our vows to the covenant he spoke about in 1994.

"Which way is the way to the way?" the people's wordsmith, Bra-Willie, Prof. Kgositsile would have asked.

Chairperson, in March 1954, the legendary urban Black magazine, Drum, published a sensational article, titled "Mr. Drum Goes to Jail," by Henry Nxumalo. This article was a sequel to the five days Mr. Nxumalo served in penitentiary, after he orchestrated his own arrest to gain first-hand experience of the horror stories about life in South Africa's prisons at the time.

After he encountered the guaranteed abuses which were common practice, including being hit every day without fail; kicked; made to eat without washing his hands after cleaning the toilet bucket; performing the notorious 'tausa' and subjected to verbal abuse, Mr. Drum opined as follows: "My account makes it clear that prisoners are in fact treated like beasts, that they are degraded, humiliated and leave jail in a worse moral state than when they went in. This prison does not cure criminals: it makes them".

From the above observations, Mr. Nxumalo came to the important conclusion that "the reason why prisons became breeding places of barbarity, crime and vice is simply because prisoners have no effective means of redress. They dare not complain; They know that if they do so, they will very likely be beaten, punished or refused remission".

In 1947, the Penal Reform Commission, presided over by a well-known Judge, Mr. Justice Lansdown, expressed dissatisfaction with the conditions and treatment in prisons. In particular, the Commission stressed the importance of allowing prisoners full opportunity for complaint. "Much care and discretion," said the Commission, "on the part of the inspectors, superintendents, gaolers and visiting magistrates is necessary to ensure not only that every inmate of the institution inspected shall know and be given the opportunity to make complaints, but that he should have the assurance that this is a matter of right which can be exercised without hindrance or fear of consequences". The Commission recommended that, "Inspectors of prisons should be appointed whose sole attention is directed to the duties of the position..." This proposal was made 70 years ago.

Chairperson, Honourable Members, from this literature, I could find no better cogent, rational and firm contextualization of the need for the independence and vibrancy of JICS. Anything to the contrary can only be regressive. It is, therefore, pleasing that, in the last Annual Report of the Judicial Inspectorate for Correctional Services (JICS), the Inspecting Judge, Judge Johann van der Westhuizen, expressed satisfaction with the considerable successes JICS has attained. These include consolidation of the administration and organization of JICS, which encompasses the augmented numerical strength of their workforce, infrastructure and JICS branding.

JICS was able to attend to incidences of violence on inmates by officers in centres such as Brandvlei, Tswelopele, Helderstroom, St. Albans and

Thohoyandou. The above successes notwithstanding, JICS still has a number of crucial challenges to overcome which include:

- The ongoing inadequate resources, pertaining to both personnel and infrastructure. The present capacity of JICS allows, on average, inspections to be done once in three years at each of the 243 correctional centres. This is woefully below par.
- The underdeveloped conceptualization of JICS' institutional and operational independence. This impedes and constrains the proper fulfilment of the JICS mandate.

The budget of JICS in this financial year is [R71.2m](#), a nominal increase of R2.5m from last year's budget of R69.4m. What this means is that, to register progress, our managers must value every cent in their budgets, be diligent and display thrift in their application.

Lastly, the frustration presently encountered by JICS in receiving Section 15 reports on natural deaths and unnatural deaths; segregation confirmations; mechanical restraints confirmations and the use of force confirmations from the Department of Correctional Services, due to IT glitches, is a matter of serious concern. We trust that our Regional Commissioners will, in the interim, ensure that the proposed alternative method of conveying this information is employed in order to guarantee compliance with the provisions of the Act.

Overcrowding

Honourable Members, many efforts in the mission to realize safe and secure custody of citizens, hinges around the levels of overcrowding in our correctional centres. As at April 2018, DCS had 163, 114 inmates in its 243 correctional facilities, comprising of 45,294 remand detainees and 117,820 sentenced offenders.

DCS continues with the implementation of strategies for the down management of our inmate population. With respect to remand detention, this includes referral of remand detainees to court for bail review and consideration of their length of detention. The month to month analysis of the remand detainee population reflects a downward trend from March to December 2017. However, the population increased by 8.09% between January and February 2018. During the past 12 months, remand detainees

remained at less than 30% of the inmate population. The Department will pursue the implementation of these reduction strategies.

However, it has to be noted that the drivers of the population of remand detainees is beyond the sole control of the department as it is impacted upon by police work and court processes. This is further aggravated by the increasing trend of serious crimes.

DCS continues to participate in the criminal justice system subcommittees where the issues of remand detainees are discussed, including the JCPS cluster approach to the management of overcrowding. These strategies include:

- measures taken prior to first court appearance;
- methods at first appearance; and
- methods to fast-track certain RD cases.

With respect to bail, one of the major challenges is that only 10% of the overall remand population in our facilities is eligible for bail. The majority of detainees, because of the seriousness of the crimes committed, do not qualify for bail. Furthermore, those who qualify for bail are mostly unemployed and/or do not enjoy family support. This matter is receiving attention in various engagements within the National Efficiency Enhancement Committee and its provincial structures, including other structures of the criminal justice system.

In our evaluation of overcrowding, we should bare in mind that the drivers of the overpopulation in our correctional centres are predominantly located in the activities of the upstream components of the value chain of the criminal justice system. The Department of Correctional Services is only a prize taker because it is located downstream in our business value chain.

However, the present conjuncture has been aggravated in part by our own subjective weaknesses. These include, among others, the weaknesses around the management and accountability for resources dedicated to infrastructure delivery and maintenance. The Facilities component is still to acquire the requisite levels of management discipline to achieve the desired headway. There are other programmes in our strategic plans, which were intended to impact positively on the overcrowding problem, that have since been discontinued. These challenges are further

exacerbated by the objective constraints placed on the Department by the increasingly acute low levels of financial resources.

Second Chance and Re-Skilling Offenders

Chairperson, City Press of the 6th May 2018 published an article, entitled "Pollsmoor Pipeline", questioning why government was not focusing more on keeping people out of prison, which is "a more cost-effective and humane solution?"

The article was passionately written, extensive and covered a broad spectrum of issues in and around Corrections in the Western Cape. The writer is an informed journalist with a reputable stakeholder, the Wits Justice Project. The expose is indeed valuable as it helps to educate the public about the challenges of our country. What is regrettable, though, is the 'doom and gloom' picture it paints, and the one-sided account presented in the narrative.

Because of the blind-eyed approach the writer treated efforts of the DCS with, the submission as a whole borders on being nihilistic. It fails to acknowledge the determined efforts the department is making, to give credit where credit is duly deserved. As the Ministry of Correctional Services, we will be last to invite petty quarrels over matters of deep public concern. However, it would also be wrong not to appreciate the extraordinary measures the Department of Correctional Services took to comply with the order of the Cape High Court, by converting Pollsmoor Medium A and Goodwood Correctional Facility into full Remand Detention Facilities. Maintenance work at Pollsmoor is still not attended to, however we will not overlook the relief to inmates brought about by the drastically reduced overcrowding. The work is commendable.

Honourable members, the Department of Correctional Services has formal partnerships with different stakeholders including non-governmental organizations and faith-based organisations for the successful reintegration of offenders back into their communities. These partnerships include initiatives, such as parolees and probationers who attended a training course at Kgosi Mampuru II Correctional Centre during October 2017 with UNISA (Chance 2 Advance programmes), for the purposes of equipping them with various skills including how to start their own businesses. The focus of this programme was on how to identify employment opportunities, as well as training on financial management of small businesses.

Going forward, the UNISA Chance 2 Advance programme will be rolled out in three regions, Gauteng, LMN and FS/NC, from the 1st-30th September 2018. One hundred and sixty-five (165) parolees will be trained. Other parolees and ex-offenders are currently participating in a learnership programme in agricultural skills at Zonderwater Management Area. They are receiving a stipend of R2400 during this learnership. It started in November 2017 and will run for a period of 12 months. This month, a further 140 parolees are being trained by Sanrose Autobody in welding and panel beating until July. These are just some of the efforts to promote the employability of parolees, probationers and ex-offenders.

Taking Correctional Services to the People

Honourable members, His Excellency President Matamela Cyril Ramaphosa in his state of the nation address urged all of us to embrace the spirit of Thuma Mina in our different pursuits and stations in our lives as citizens. In this regard, I am proud to be associated with the Department of Correctional Services because, contrary to the public perception out there, I am still to be in a Department whose employees have made the Thuma Mina spirit their second nature.

At Correctional Services, we will continue to urge our employees to remain exemplary. Through the participation of parolees and probationers in various community projects, DCS is taking correctional services to the people. Parolees and probationers are giving back to communities through numerous projects, including refurbishing schools and old age homes, gardening, landscaping, cleaning parks and grave sites. Currently, more than 1 995 parolees are participating in such projects compared to 1 238 in the previous year.

In Gauteng and the LMN region, the department collaborates with local business persons to renovate and build houses of indigent families including child-headed households. DCS officials collectively raise funds to purchase furniture and bedding for these families, a practice that is common and on-going. More than ten such interventions were executed in this year under review.

Parolees and ex-offenders are contributing to the economy, by effectively utilizing the skills acquired during their incarceration. They are also

participating by establishing cooperatives, so that they can be self-employed and employ other fellow ex-offenders. This has resulted in them opening workshops for motor mechanics, furniture manufacturing, writing books and so on.

In addition, The Department also continued with its wheel chair project in collaboration with Hillsong Foundation over the past year. Six hundred and twenty (620) wheel chairs were distributed to various deep rural communities, in the West Coast, the Southern Cape, Mpumalanga, the Eastern Cape and Gauteng, bringing relief and changing the lives of destitute handicapped citizens in our poor communities. This brings the number of wheelchairs distributed to 3,000 since the inception of this project in 2014.

The Department will continue to expand this project during 2018/19. Furthermore, DCS officials continue to play a critical role in various community development projects. For instance, correctional officials in the Southern Cape contributed R180 000 towards the purchasing of school uniform for learners who lost their belongings during the Knysna devastating veld-fires.

Social Reintegration and Ex-Offender Support

The White Paper on Corrections in South Africa 2005, says, "Our new strategic direction towards making a fundamental contribution to corrections in SA incorporates a profound understanding of where the DCS fits into the corrections framework. Our new strategic framework also incorporates the important notion that the DCS is but one crucial role-player in creating and maintaining a correcting environment for South Africa's children and the youth".

Over the past year, we have observed improvements in creating awareness about the importance of the reintegration of parolees and ex-offenders into communities. A key pillar in this regard has been the hosting of community outreach programmes, which were attended by, among others, parolees, ex-offenders, representatives of the private sector and civil society formations. More than 328 such community outreach activities were hosted across the country. Through various ambassador programmes, ex-offenders and parolees are participating in activities to build a crime-free society. In this regard, more of these ambassadors are interacting with

youth at schools to dissuade young people from engaging in crime. More than 516 ambassador sessions were held throughout South Africa.

To this end, the partnership between DCS and the Department of Basic Education is growing from strength to strength and is yielding positive results in stemming the tide of crime.

Further, we have resuscitated the Community Corrections Forums for better engagement with community stakeholders, in order to ease reintegration of ex-offenders. Thus far, 44 Community Corrections Forums are fully operational. Through this initiative, the department aims to ensure that stakeholders understand the responsibility of corrections and we also want to further explore ways that partnerships may be strengthened for the normalization of relations between ex-offenders and victims of crime.

The Halfway House policy was reviewed to accommodate female offenders, the elderly, awaiting-trial persons (ATPs) and offenders with disabilities. Currently, DCS has signed Service Level Agreements (SLAs) with seven non-profit organizations on Halfway Houses. Whilst much more still needs to be done in this area, we currently have Halfway Houses in the LMN, Gauteng, Western Cape and the FS/NC regions.

In conclusion, chairperson allow me to join the minister on behalf of our parliament in thanking all employees of our department and its leadership, for the selfless service to our people and their communities under trying and life threatening circumstances at times. Not forgetting all the distinguished members of institutions and bodies which constitute South Africa's Correction's Regime. As President Mandela said, the programmes, and efforts of the Department of Correctional Services must "help give us prisons worth of our democracy, prisons that help secure our freedom".

I THANK YOU.