

## **Budget Vote Speech – Vote 18**

### **Minister of Justice and Correctional Services**

**Michael Masutha ,MP, Adv**

**National Assembly, Parliament, Cape Town,**

**20 May 2015**

Honourable Speaker

Honourable Members of Parliament

Deputy Minister of Correctional Services Mr. Thabang Makwetla

Deputy Minister of Justice and Constitutional Development Mr. John Jeffrey

Chairperson of the Portfolio Committee on Justice and Correctional Services Dr. Mathole Motshekga

Acting National Commissioner of Correctional Services Mr. Zach Modise

The Judicial Inspectorate of Correctional Services' Judge Thembile Skweyiya

Chairperson of the National Council of Correctional Services Judge Siraj Desai

Chairperson of the Medical Parole Advisory Board Dr. Ramathesele

Distinguished Guests

Ex- offenders and parolees present here

Ladies and gentlemen

It is a great honour for me to have this opportunity to account to this august house on work done with the budget allocated in 2014/15 financial year, as well as to outline our plans going forward.

Allow me Madam Speaker to spare a moment to remember the passing on of Isithwalandwe, Mme Ruth Mompoti, who departed this month. Her leadership and character will continue to inspire us to work harder to realize the ideals outlined in the Freedom Charter. We must also bow our heads in honour of eight officials that tragically lost their lives in an accident in Swellendam on 5 May 2015. They embodied the character of an ideal correctional official enunciated in the White Paper on Corrections, and we wish the injured official a speedy recovery. These are true Africans, whose lives must be celebrated together with the marking of the Africa Month, during which we reaffirm that we are African.

The coordination within the criminal justice cluster has improved and continues to impact positively on the work of Correctional Services, affirming the wisdom of integrating under one Ministry of Justice and Correctional Services. Collaboration between criminal justice partners has resulted in continued down management of remand detainees, which contributes towards a more humane incarceration of inmates with 47,192 in March 2012 to 42, 901 in March 2015. The number of sentenced and remand children has decreased drastically. In 2009/10 financial year, 497 children were awaiting trial while 538 children were sentenced as compared to 129 awaiting trial and 243 sentenced in 2013/14 financial year.

The National Development Plan implores us to invest appropriately and build comprehensive partnerships to close the proverbial revolving door by limiting the chances of offenders' relapse into a life of crime. We will introduce measures for tracking rates of recidivism.

The delivery of correctional services is a labour intensive enterprise that survives and thrives through its staff. Our focus is to ensure sufficient capacity to handle complex offender rehabilitation and development issues. Our staff is the catalyst in correcting offending behavior to help build a safer society.

During my walkabout in Correctional Centers I observed ineffective recruitment methods. We will therefore launch a four-month recruitment campaign aptly named: Operation Hira/Qasha/Thapa/Thola, which will contain the following deliverables:

1. Building partnerships with academic institutions, SETAs, other state organs and professional bodies for heightened collaboration in accessing databases of qualified people with scarce skills ;
2. Each Regional Commissioner and Branch Head will be expected to sign a performance agreement to reduce their vacancy rate by at least 80%
3. Recruiting 3096 unemployed youth for our learnership training programme at our Colleges to contribute in fighting youth unemployment and building hope and trust in a better South Africa.
4. Organising a series of Job Fairs across the country, to expose the unemployed youth to career opportunities within Correctional Services.

The Department exceeded its target of training officials by 48% from 16500 to 24 548. We will train a further 18 000 officials this financial year.

We have made progress in administrative leadership stability in Correctional Services. A Chief Financial Officer assumed duty on 1 April 2015. Interviews for the positions of a National Commissioner and Chief Deputy Commissioner for Strategic Management have been conducted and the recruitment results will be announced in due course. The filling of other management positions is at an advanced stage.

Utilising state of the art technology, to improve the efficacies of our correctional system, is seen as a critical game changer. In this regard there are a number of projects which will help us ride the waves of technological advancements.

We have secured services for phase one of the installation of body cavity scanners in fourteen correctional facilities this financial year. This will help minimise the smuggling of unauthorized items into our facilities.

In November 2014 we unveiled a new audio-visual system installed in 53 Correctional Supervision and Parole Boards nationally. This innovation brings services closer to the people and helps in bridging the digital, distance and poverty barriers to victim and community participation in parole hearings. We will continue to improve its utilisation.

The introduction of the ground-breaking Electronic Monitoring System (EMS), which was launched in July 2014, marked another milestone in the modernization of correctional services. Since its rollout, cumulatively 1009 people were tagged and currently 604 persons are monitored by this system. EMS has enabled the department to effectively track an offender, or an awaiting trial person effectively on a 24-7-365 basis. During the 2015/16 financial year, at least 1000 people are tagged at any given time.

The current parole dispensation has been in operation for almost a decade. I have deemed it necessary to review the parole system to, among others, strengthen:

- A. The recruitment and retention of highly skilled professionals to boost the capacity of the Correctional Supervision and Parole Boards (CSPBs) like criminologists and psychologists.
- B. Victim and community participation and empowerment with a more proactive stance to ensure their involvement in parole hearings.
- C. Partnerships with institutions of higher learning to assist in developing a scientifically proven risk assessment tool, which is offence specific, to support the decision making processes of parole boards, and Capacity building programmes for CSPBs. These include Unisa and University of Johannesburg.
- D. Capacity building programmes for CSPBs, and introducing mandatory programmes that cover, among others, interviewing techniques, motivational interviewing skills, restorative justice and victim support services.

During the 2014/15 financial year, progress was made in advancing victim participation in the parole system in line with the Criminal Procedure and Correctional Services Acts which provide a framework for the consultation of victims of crime in parole considerations. Our commitment is to ensure effective social reintegration with more involvement by victims, families and communities.

We highlight the increased parolee and probationer compliance levels in South Africa. Of the 71 623 daily average community corrections caseload, 51 634 are parolees and 18 545 are probationers whose compliance levels are at 98% and 95.92% respectively. This was done through the establishment of community corrections satellite offices, as well as service points managed in collaboration with stakeholders. These interventions help build credibility and public trust in the system increasing more non-custodial sentencing by the judiciary.

We know that restorative justice was the hallmark of the African traditional justice system, which sought to repair harm caused by crime in human and social relations. For over a decade now, government has championed the implementation of the restorative justice model as an integral part of broadening access to justice and enhancing active citizenship across the criminal justice continuum. In order to improve victim and community participation at various stages of corrections the Department introduced the victim offender mediation and dialogue, and thus far 1541 victims and 3738 offenders have participated in these restorative justice initiatives in the last financial year alone. We plan to increase these levels to 6000 victims in the 2015/16 financial year, through a comprehensive and electronic database of victims, driving a national awareness programme, and empowerment of victims of crime.

Corrections is key to building a healthy nation hence we ensure humane conditions in our centres. I have worked together with the Minister of Health to align our efforts of addressing the country's disease burden, which is as much a responsibility of Correctional Services as other key role players. The President declared a three-year intensive campaign to eliminate TB, which is rated as the leading cause of deaths from natural causes in South Africa.

We have pledged to work in tandem with every role player to ensure that a "90-90-90" target is achieved in respect of testing, placing of inmates on treatment and improving the TB cure rate building on our current TB cure rate of 83%. The strategy includes a continued rollout of the Gene-Expert and digital x-ray machines as well as sms-printers that deliver fast and reliable results to enable speedy interventions.

On the HIV and AIDS front, there are demonstrable positive results as 79% of the inmates in our care have undergone counseling and testing sessions.

Honourable Members,

In November 2014 I established a task team to revitalise and conclude on political prisoners. The task team has taken stock of the scope of work, starting with the restorative justice elements of the programme, including victim and family consultations, as well as engaging NGOs and political parties. The known applicants are those who have completed their sentences, those placed on parole and those still incarcerated. The work of the task team will be completed in due course after which the Ministry in consultation with the Presidency, will give an update to the people of South Africa.

Public confidence and trust in the country's correctional system is critical for the creation of enduring partnerships between state and civil society. We cannot allow the continued negative audit findings to place doubts on our commitment to clean governance.

A turn-around strategy is being consulted with various key players to turn the tide, covering the restructuring of the finance branch, tightening asset management, and improving internal control measures in order to resolve audit qualification on assets in 2015/16 and achieve a clean audit within this term. Expenditure on consultants has been reduced by 55%, from R170.5 million in 2009/10 to R76.8 million in 2013/14 which translates to a R93.8 million reduction.

The Department's stance of 'zero tolerance of corruption' is well known. Over the past few years Correctional Services has been rated as the third best institution of government with appropriate working capacity to deal with the corruption. The Department continues to build on its achievements of the first two decades of freedom, by reaching a 95.91% conviction rates last year at its 49 disciplinary hearings against officials fingered for fraud and corruption. The department dismissed 19 officials after these hearings most of which were concluded within three and six months, despite delays caused by officials who try every means to avoid facing disciplinary processes. Three of the 47 officials found guilty resigned, while 13 received sanctions including suspension without salary as alternative to dismissal and 11 received final written warnings.

The acid test for the country's correctional system is the successful social reintegration of offenders as law abiding citizens. To this end the department has successfully partnered with state agencies and departments, Non Profit Organisations, academic institutions, non-governmental organisations, and other relevant external stakeholders to broaden the scope and reach of interventions to correct offending behaviour.

These partnerships have in the 2014/5 year led to 76 parolees being employed permanently by the Working-on-Fire programme. To smoothen offender reintegration, 212 parolees and probationers were provided with start-up tools to enable them to open their own businesses and thereby contribute to employment creation. These partnerships are expected to add more employment opportunities for parolees in the current financial year and further partnerships will be built.

The employability of ex-offenders is a key indicator of successful reintegration. In numerous interactions former offenders who have remained law-abiding citizens for years, have raised the matter of criminal records and their detrimental effect on successful social reintegration. Given that the 2008 amendment to the Criminal Procedure Act, which came into effect in May 2009, has effectively seen its sixth year this month, it is perhaps time to open the dialogue on a possible further amendment that will give more offenders a second chance in life. The idea is not to compromise public safety, but to enhance it as an overriding drive. In this regard I will be convening a national consultative conference on criminal records this year.

One big challenge in South Africa is food insecurity. This challenge tends to reflect the historical spatial development patterns and racial dimensions. The overwhelming majority of inmates belong to the lower rungs of the socio-economic make up of our society, meaning the supplier communities have similar deficiencies. Our facilities are making good progress towards self-sufficiency, and sometimes constitute an island of affluence in a sea of poverty relative to the surrounding communities.

Correctional centres will adopt a particular community and share their expertise in food production developed over the years. They will teach communities modern and advanced models for food production, and expose unemployed youths to technical skills such as furniture making, motor vehicle repairs, and construction. Each management area must ensure that its centres are an integral part of the Integrated Development Plans of municipalities and provincial administrations.

Thousands of offenders are extensively involved in community infrastructure and food production projects that seek to plough back, provide some form of reparation for their crime, and strengthen the interface with victims, families, communities and various stakeholders. These include:

- (a) Community food gardens for old age homes and poverty stricken communities;
- (b) Cleaning and maintenance work of public and community infrastructure such as community halls, schools (with over 300 adopted by correctional centres for ongoing support), graveyards, churches, state hospitals, old age homes, day care centres and institutions for abused women and children; and

- (c) Contributing in building houses and providing furniture for victims of crime and destitute families in partnership with other stakeholders.

Over the medium term expenditure framework, the Department of Correctional Services is expected to receive R65.6 billion with a R20, 618 billion increase from the previous year, reflecting a 4.5% nominal increase in 2015/16, R21, 858 billion in 2016/17, which reflects a 6% nominal increase, and R23, 135 billion in 2017/18, reflecting a 5.8% nominal increase.

The allocations are a nett budget after effecting Cabinet approved budget reductions to the department's baseline of R177.7 million in 2015/16, R222.6 million in 2016/17 and R245.2 million in 2017/18. To implement cabinet prescribed baselines over the MTEF, these cuts will be managed so as to limit their negative on our ability to implement the White Paper on Corrections in South Africa.

In conclusion, I take pride in the role played by our portfolio committee in providing true leadership to this new portfolio of Justice and Correctional Services.

I am also delighted to be working with Deputy Minister Thabang Makwetla, who is making the daunting mission of leading Correctional Services more achievable. I am so grateful too to the Acting National Commissioner, Ntate Zach Modise, his executive management team and all correctional officials for their outstanding work. All the achievements are a product of their untiring work and dedication.

I would also like thank the team in the Ministry for their unwavering support as well as my family who have been my pillar throughout this journey.

I thank you.