



DEPARTMENT OF CORRECTIONAL SERVICES: REPUBLIC OF SOUTH AFRICA

OFFICE OF THE MINISTER

Address by the Minister of Justice and Correctional Services, Advocate Michael Masutha, MP Launch of Corrections Week 2014 at Bloemfontein, Free State on 21 September 2014

- *Programme Director*
- *Deputy Minister Thabang Makwetla*
- *Chairperson of the Moral Regeneration Movement Father Smangaliso Mkhathshwa*
- *Acting National Commissioner: Mr. Zach Modise*
- *Free State and Northern Cape Regional Commissioner: Ms. Subashini Moodley*
- *Chief Deputy Commissioners, Regional Commissioners and Deputy Commissioners*
- *Correctional Services Officials*
- *Justice, Crime Prevention & Security Cluster Representatives*
- *Religious and other Community Leaders*
- *Choirs, Artists and Musicians*
- *The Community of Bloemfontein and surrounding areas*
- *Congregants and Worshippers*
- *Our Media Partners*
- *Distinguished Guests*

September is Heritage Month - a time for South Africans to embrace their diversity, and celebrate the cultural wealth of our nation. The 20 Years of Freedom milestone provides an ideal platform for South Africans, from all walks of life, to share their experiences through this year's theme: "*Celebrating 20 Years of Democracy: Tell Your Story that Moves South Africa Forward*".

The Department of Correctional Services (DCS) has a good story to tell about the progress made since 1994 in the delivery of correctional services. This includes:

- Reduction of inmate population by 30,000, from 187,000 to 157,000 over the past ten years and saving the fiscus R1.4bn.

- Reduction of remand detainees by 31% since 2000, from 63,954 to 41,690 by June 2014, 'bucking the international trend' over the past 15 years.
- Improvement of security with escapes reduced by 99.97% since 1995, from 1,244 to 53 escapes per annum.
- Access to full-time accredited schools increased from one in 2009 to 14 in 2014.
- Being rated as the 3rd best government institution in fighting fraud and corruption with 93% conviction rates in disciplinary hearings.
- Victim participation in rehabilitation, and parole, considerations increased significantly.

Earlier today, as DCS, we were privileged to join two services at the Christian Revival Centre, here in Bloemfontein, as part of the official launch of Corrections Week 2014 from 21st to 27th September. This year, our theme for Corrections Week is: ***“From Prisons to Corrections - A 20 year journey towards a humane correctional system for a safer South Africa”***.

The Corrections Week concept, launched in 2006 as an annual flagship communications programme, is aimed at promoting public understanding, and appreciation, of correctional services as a key player in ensuring public safety. Indeed, Corrections is a Societal Responsibility.

It was Pope John Paul II who said: “We are still a long way from the time when our conscience can be certain of having done everything possible to prevent crime and to control it effectively so that it no longer does harm and, at the same time, to offer to those who commit crimes a way of redeeming themselves and making a positive return to society. If all those in some way involved in the problem tried to..... develop this line of thought, perhaps humanity as a whole could take a great step forward in creating a more serene and peaceful society.”

Crime, and the fear of crime, still affect many lives and polarize many communities. Sadly, putting more people into prison has not given the world the security we seek. In South Africa, it is time for a new national dialogue on crime and corrections, justice and retribution, responsibility and rehabilitation.

As the religious sector, we need to ask certain critical questions: How can we restore our respect for law and life? How can we protect and rebuild communities, confront crime without vengeance and defend life without taking life? As Religious Leaders, these questions must challenge us in our task to restore a sense of civility and responsibility to everyday life, and promote crime prevention and genuine rehabilitation. The common good is undermined by criminal behaviour that threatens the lives and dignity of others, and by policies that seem to give up on those who have broken the law (offering too little rehabilitation, and too few alternatives to

incarceration).

New approaches must move beyond the slogans of *Corrections is a Societal Responsibility*, and the excuses of the past (such as "criminals are simply trapped by their background"). Crime, corrections, and the search for real community require far more than mere policy clichés. The recognition that the dignity of human-beings applies to both victims and offenders is critical. As DCS, we believe that the current trend of more prisons does not truly reflect religious values and will not really leave our communities safer.

We are convinced that our traditions, and our various faiths, offer better alternatives that can hold offenders accountable and challenge them to change their lives; reach out to victims and reject vengeance; restore a sense of community and resist the violence that has engulfed so much of our culture.

Many of our religious institutions reflect the human, and other, costs of so much crime. The doors of mosques, temples and churches are locked; the microphones hidden. Religious institutions spend more on bars for their windows, than on flowers for their altars. More tragically, they bury young people caught in gang violence, the drug trade, or the hopelessness that leads children to take their own lives. It is these religious leaders who reach out to offenders and their families, offering help and hope to those caught up in crime and the criminal justice system.

Religious leaders also struggle to respond to the needs of crime victims: the parents who lose a child, the elderly woman who is mugged, the shopkeeper who is robbed or the child whose parent is incarcerated.

As the religious sector, we must offer a perspective to the national discussion on crime. Crime is not only government's responsibility. Crime, and the destruction it brings, raises fundamental questions about the nature of personal responsibility, community, sin and redemption. A distinctively religious approach to these questions can offer society another way to understand and respond to crime, its victims and its perpetrators. However, this issue must be approached with caution and modesty. The causes of crime are complex. The ways to deal with crime are not simple. The chances of being misunderstood are many.

In finding solutions, we must have buy-in from all those involved in every aspect of the criminal justice system: chaplains, police officers, prosecutors, defense attorneys, judges, probation and parole officers, correctional officials, crime victims, offenders, families of both victims and offenders and social workers. In our places of worship, schools, and social institutions, we see firsthand the crushing poverty, and the breakdown of family life, that often lead to crime and at the same time care for offenders, victims and their families.

As government, we want to convey our thanks, and appreciation, to those who devote their lives, and talents, to the tasks of protection and restoration: chaplains and prison ministry volunteers, police and correctional officials, prosecutors and defense attorneys and counselors.

We call on others to join us in our commitment to prevent crime, and to rebuild lives and communities. We must also stand in solidarity with crime victims in their pain and loss, insisting that all our institutions reach out to them with understanding, compassion and healing.

The impact of rehabilitation efforts by DCS Spiritual Care Services (Chaplains) in the 241 correctional centres across South Africa has been on the increase. For instance, in 2009/10, 178,766 spiritual care sessions were held comprising of 50,123 church services, 48,066 group sessions and 80,585 individual pastor sessions. Further, the percentage of the offender population participating in spiritual care sessions increased from 55.16% in 2010/11 to 77.77% in 2013/14.

Many religious leaders are doing their part to prevent and control crime, especially among our youth. No one can take the place of parents, but grandparents, religious leaders, coaches, teachers, mentors, as well as neighbours, parishioners and community leaders all help to guide, confront, and care for young people at risk. At the same time, we cannot ignore the fact that some of our parishioners have been convicted of theft and drug dealing, spousal and child abuse, even rape and murder as well as various other crimes.

All those we consult seem to agree on one thing: the status quo is not really working—victims are often ignored, offenders are often not rehabilitated, and many communities have lost their sense of security. All of these committed people speak with a sense of passion and urgency that the system is broken in many ways. We share their concern and believe that it does not live up to the best of our nation's values and falls short of our religious principles.

Our religious sector, therefore, must play a bigger role in the fight against crime and re-offending. The protection of society, and its members, from violence and crime is an essential moral value. Crime, especially violent crime, not only endangers individuals, but robs communities of a sense of well-being and security, and of the ability to protect their members. All people should be able to live in safety. Families must be able to raise their children without fear. Removing dangerous people from society is essential to ensure public safety. And the threat of incarceration does, in fact, deter some crime. However, punishment for its own sake is not a religious response to crime. Punishment must have a purpose. It must be coupled with rehabilitation and, when possible, restitution.

The causes of crime are complex, and efforts to fight crime are complicated. One-size-fits-all solutions are often inadequate. Studies, and experience, show that the combination of accountability and flexibility works best with those who are trying to change their lives. To the extent possible, we should support community-based solutions, especially for non-violent offenders, because a greater emphasis is placed on rehabilitation and restoration for the criminal, and restitution and healing for the victim. We must renew our efforts to ensure that the punishment fits the crime.

Further, the actions of most violent youth leave us shocked and frightened and, therefore, they should be removed from society until they are no longer dangerous. But society must never respond to children who have committed crimes as though they are somehow equal to adults—fully formed in conscience and fully aware of their actions. In many instances, such terrible behaviour points to our own negligence in raising children with a respect for life, providing a nurturing and loving environment, or addressing serious mental or emotional illnesses.

Socio-economic factors such as extreme poverty, discrimination and racism are serious contributors to crime. Sadly, racism often shapes attitudes and policies toward crime and criminal justice. We see it in who is jobless and who is poor, who is a victim of crime and who is in prison and who lacks adequate counsel. We cannot ignore the fact that significant numbers of our children are growing up in poverty, and far too many go to bed hungry. Any comprehensive approach to criminal justice must address these factors, but it should also consider the positive impact of strong, intact families.

Parents have a critical and irreplaceable role as primary guardians and guides of their children. One only has to observe how gangs often provide young people with a sense of belonging and hope when grinding poverty and family disintegration have been their only experience. And while it is true that many poor children who are products of dysfunctional families never commit crimes, poverty and family disintegration are significant risk factors for criminal activity. Finally, quality education must be available for all children to prepare them for gainful employment, further education, and responsible citizenship. The failure of supporting our education system in many communities contributes to crime. Fighting poverty, educating children, and supporting families are essential anti-crime strategies.

All of us must do more to end violence in the home, and to find ways to help victims break out of the pattern of abuse. Likewise, we cannot ignore the underlying cultural values that help to create a violent environment: a denial of right and wrong, education that ignores fundamental values, an abandonment of personal responsibility, an excessive and selfish focus on our individual desires, a diminishing sense of obligation to our children and neighbours, and a misplaced emphasis on acquiring wealth and possessions.

And, in particular, the media must be challenged to stop glorifying violence and exploiting sexuality. Media images and information can communicate fear and a

distorted perception of crime. We encourage the media to present a more balanced picture, which does not minimize the human dignity of the victim or that of the offender. In short, we often fail to value life and cherish human beings above our desires for possessions, power, and pleasure.

Victims and their families must have a more central place in a reformed criminal justice system. Besides the physical wounds some victims suffer, all victims experience emotional scars that may never fully heal. And since some offenders are not apprehended for their crimes, these victims do not even have the satisfaction of knowing that the offender has been held accountable.

This lack of closure can increase victims' fears and make healing more difficult. Victims of crime have the right to be kept informed throughout the criminal justice process. They should be able to share their pain and the impact of the crime on their lives after conviction has taken place and in appropriate ways during the sentencing process. If they wish, they should be able to confront the offender.

An increasingly widespread and positive development in many communities is often referred to as restorative justice. Restorative justice focuses first on the victim and the community harmed by the crime, rather than on the dominant state-against-the-perpetrator model. This shift in focus affirms the hurt and loss of the victim, as well as the harm and fear of the community, and insists that offenders come to grips with the consequences of their actions.

These approaches are not "soft on crime" because they specifically call the offender to face victims and the communities. This experience offers victims a much greater sense of peace and accountability. Offenders who are willing to face the human consequences of their actions are more ready to accept responsibility, and rebuild their lives. Restorative justice also reflects our values and tradition. Our faith calls us to hold people accountable, to forgive, and to heal. Focusing primarily on the legal infraction without recognition of the human damage does not advance our values. One possible component of a restorative justice approach is victim-offender mediation.

With the help of a skilled facilitator, these programmes offer victims or their families the opportunity to share the harm done to their lives and property, and provide a place for the offender to face the victim, admit responsibility and acknowledge harm. However, we recognize that victim-offender mediation programmes should be a voluntary element of the criminal justice system. Victims should never be forced to take part in mediation programmes. Sometimes their pain and anger are too deep to attempt such a process.

Our criminal justice system should punish offenders and, when necessary, imprison them to protect society. Their incarceration, however, should be about more than punishment.

Since nearly all inmates will return to society, prisons must be places where offenders are challenged, encouraged, and rewarded for efforts to change their behaviors and attitudes, and where they learn the skills needed for employment and life in community. To this end, government is spending more money toward better and more effective programmes aimed at crime prevention, rehabilitation, education and programmes of probation, parole and reintegration. Renewed emphasis should be placed on parole and probation systems as alternatives to incarceration, especially for non-violent offenders.

Far too many people are in prison primarily because of addiction. Locking up addicts without proper treatment and then returning them to the streets perpetuates a cycle of behaviour that benefits neither the offender nor society. We need to address the underlying problems that in turn attract drug users into an illegal economy—lack of employment, poverty, inadequate education, family disintegration, lack of purpose and meaning and powerlessness and greed. The sale and use of drugs--whether to make money or to seek an escape--are unacceptable.

"Community" is not only a place to live; the word also describes the web of relationships and resources that bring us together and help us cope with our everyday challenges. Fear of crime and violence tears at this web. Some residents of troubled neighborhoods are faced with another kind of community, that of street gangs. These residents feel powerless to take on tough kids in gangs and have little hope that the situation will ever improve.

But there are communities where committed individuals are willing to take risks and bring people together to confront gangs and violence. Often organized by religious organisations, these community groups partner with local police to identify drug markets, develop specific strategies to deal with current and potential crime problems, and target at-risk youth for early intervention. Bringing together many elements of the community, they can devise strategies to clean up streets and take back their neighborhoods. This strategy requires a close relationship among religious leaders and law enforcement and court officials, as well as a pervasive presence of people of faith on the streets offering outreach, opportunities for education, and supervised recreation to at-risk youth. The strategy also sends a clear signal that criminal activity in the community will not be tolerated. Community policing, and neighborhood-watch, groups have proven to be effective models of crime control and community building, empowering local leaders to solve their own problems. These efforts reflect religious social teaching principles of solidarity, subsidiarity and the search for the common good.

In conclusion, let us all work together in the fight against crime.

THANK YOU.