



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

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**ADDRESS BY DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: NKOSI PHATHEKILE HOLOMISA (AH! DILIZINTABA), MP:**

**ADDRESS GIVEN ON 25 NOVEMBER 2020 ON THE OCCASION OF THE STRATEGIC PLANNING SESSION OF THE DEPARTMENT OF CORRECTIONAL SERVICES, AT LEEUWKOP CORRECTIONAL CENTRE: JOHANNESBURG**

Programme Director,

Minister of Justice and Correctional Services: Mr Ronald Lamola

National Commissioner: Mr Arthur Fraser,

Senior Management of the Department,

Officials from Sister Departments,

Ladies and Gentlemen,

Good morning

We meet at a very challenging moment in the history of the world and of course in the history of our democratic country, as we witness the ravaging scourge of Coronavirus pandemic. This pandemic has taken a heavy toll on the health of our people, our families and our society at large. It has tested the resilience of our public health system and shaken the pillars of the economy of our country.

The Department of Correctional Services (DCS) like all the sectors of the state and society was not spared by this deadly disease. We are however, encouraged by the efforts of the Department, working with other state entities, to mitigate the spread of COVID-19 within our correctional facilities and to save lives of both the officials and inmates, during these trying times. We remain aware that managing COVID-19 requires a comprehensive governmental and societal approach. Until effective and accessible vaccine is discovered, the spread of COVID-19 remains a high risk.

Despite the declaration that the country has moved to Alert Level 1, the Department of Correctional Service must continue to ensure that the risk of infection to officials, inmates, parolees, probationers and stakeholders is minimised. We need to work closely with the Department of Health and other relevant institutions with a view to utilise up-to-date and accurate advice to fight Coronavirus pandemic.

We owe this to the frontline DCS officials who selflessly and courageously lost their lives guarding the inmates around the clock, to those who continue to screen and test people in our facilities, and those who ensure that our facilities are routinely decontaminated.

Today our country marks Five Days of National Mourning, which begins on the 25 November until the 29 November 2020, as declared by President Ramaphosa, to remember those who lost their lives to COVID-19, as well as, Gender-Based Violence and Femicide (GBVF). As this mourning commences we shall bow our heads to remember 76 DCS officials and 57 inmates who died due to COVID-19. We also dip our official banner to honour those DCS women who perished as a result of Gender-Based Violence and Femicide. We should leave no stone unturned to ensure that violence against women is eradicated.

Today we renew our commitment to the implementation of the Emergency Response Action Plan on Gender-Based Violence and Femicide, which was announced by President Ramaphosa, in September 2019.

This we do, as we are moving forward towards commemorating the 16 Days of Activism for No Violence Against Women and Children, an international campaign that also commences, today on 25 November 2020. The purpose is to change cultures and practices that perpetuate abuse of women and children at personal and societal level. **Real men should stand up to be counted and declare “Not in our name! We denounce all forms of violence against our mothers, sisters, wives and daughters!**

Programme Director, we are also meeting during the time where our economy is not doing well. This is forcing us to develop creative ways to improve service delivery and do more with little or no resources.

We are also alive to the reality that levels of crime in our country remains abnormally high. Accordingly, this beacons us to develop creative working relationship with our communities and their structure to fight crime

Programme Director

The priorities of the South African government's Medium Term Strategic Framework (MTSF) of the 6<sup>th</sup> Administration, the President's State of the Nations Address of 2019 - 2020 and the Correctional Services Act (Act 111 of 1998) uphold that the Department of Correctional Services has a critical and strategic role to play in building a safe South Africa where its citizens remain secure.

Furthermore, the National Development Plan (NDP) envisions a situation where the people of South Africa would love to see, realise and experience that, indeed, all people are and feel safe. The NDP as a blueprint of a developmental and capable state in our country, enjoins us to build the Department that is not only capable but also professional and ethical.

Against this backdrop the Department's strategic priorities for the period of 2020 - 2025; are premised on the broad theme, that is: *"Effective Correctional Service System"* whose overarching goal is to archive **Effective Correctional / Rehabilitation Service, for Safer Communities; Reduction in re-offending; Reduction in recidivism; Curtailing crime which is conducted through the incarceration of offenders in Correctional Centres; Strengthening Information Communication Technology System as an Enabler to Service Delivery; Improvement in Efficiency of Security and Protocols at Correctional Centres; as well as, the Building of effective partnerships with all stakeholders, with a view to fulfil our conviction that *Correction is a Societal Responsibility*.**

The Department, working within the broader contours of the Criminal Justice System remains committed to building a human, efficient and effective correctional system. Implementation of rehabilitation-focused correctional services requires this Department to provide needs-based interventions that are specific to each offender, through Correctional Sentence Plans and various correctional oriented programmes.

We need to step up our efforts to train custodial officials whose work is to facilitate programmes and to participate in actual correctional programmes of rehabilitation of the offenders. Education, skills development, sport and recreation are vital cogs of rehabilitation, as well as, moral and spiritual care remain fundamental pillars of the reconstruction and development programmes of the soul.

In so doing, we should make sure all inmates are assisted to exercise their democratic right, that is, to participate compulsory in all programmes that are offered in our correctional centres and that are paid for by tax payers' money.

Working together with the members of the community, traditional leaders, religious fraternity, youth formations and Moral Regeneration Movement (MRM), our social workers, psychologists and spiritual caregivers should continuously identify the sources of criminal activities; unpack their manifestations in our society and help to find alternative lasting solutions.

The Moral Regeneration Movement has identified the lack of adherence to our fundamental family and community values as one of the key problems that have brought our children and youth to the current conundrum of moral degeneration.

As we remain convinced that *Corrections is a Societal Responsibility*, it is therefore incumbent upon us, as the Department that is tasked to correct the behaviour of our people, to forge effective partnerships and work closer with our communities and

other stakeholders for the realisation of rehabilitation and social reintegration programmes for the offenders.

These should be aimed at ploughing back to communities in which the offenders have wronged and also to avoid recidivism.

To this end, I must commend the Department that a great deal of work has been achieved in this regard, but we need to do more. Our production workshops on various work intensive programmes continue to provide skills and create conducive grounds of work opportunities for ex-offenders. In this respect, many offenders have emerged from correctional centres with a necessary knowhow of self-sustenance, self-reliance and jobs-creation.

It is interesting to learn from history that the road from Sea Point to Camps Bay in Cape Town was built by offender labour, in 1888. Furthermore, it is common knowledge that Robben Island, Wellington in Mthatha, as well as, many other correctional centres around the country were also built by offender labour.

Programme Director

While there are many positive things that I have observed since joining this family of Correctional Service, there are a number of challenges I would like to address which I hope this session will discuss and find solutions.

During my oversight visits to various correctional centres, I found it shocking to observe that security fences have collapsed, to the extent that the DCS cattle stock had to be moved to other areas for the fear of theft and diseases that pose insecurity to animals.

I noticed that in some other centres there was a general lack of maintenance of the offices, facilities and houses where our officials reside. The landscape is not well maintained and some office furniture cries out for repair, yet we have men and women that are kept and fed nutritious food on daily bases, who must perform these duties.

Thus as a result, we are told a number of criminal and gang related activities in our society are planned inside our facilities and executed in our communities. This is so, because a majority of these men and women that we feed three times a day have ample time at their disposal. This must come to an end.

National Commissioner, as a matter of urgency you should commission a report for the Executive Authority with clear proposals on how we can get a portion of the maintenance budget of the Department of Public Works and Infrastructure (DPWI), for the DCS to be able to maintain its own facilities, at a minimum scale. In the spirit of cooperative governance, that proposal document should also include the much needed skills transfer, from Public Works to the DCS officials.

Honourable Minister

Many observers and commentators have criticised our programmes by charging that we pay too much focus and spend more resources on offenders, to the detriment of the victims of crime. We should work to strengthen the Restorative Justice Programme by ensuring that more victims of crime are well prepared to participate in these programmes, with the view to find closure and continue with their normal lives. We should also ensure that when Restorative Justice Programmes are implemented the views of traditional leaders ought to be taken on board, and the elements of our African cultures should be accommodated.

Moreover, our Department must work closer with the Department of Social Welfare and other relevant stakeholders to identify social-economic needs of the victims, such as access to social grants, physiological counselling, access to education and the possibility of employment. I believe such forms of assistance will help to change the current societal perception that the victims of crime are not taken care of.

The provision and effectiveness of rehabilitation programmes, educational and vocation training, as well as, recreational activities are compromised by overcrowding in our correctional facilities.

The causes of overcrowding are not only dependent on the scope of criminal justice system, but penetrate to other socio-economic policies such as the lack of education, inadequate social welfare, abject poverty and joblessness. We therefore need a holistic and coordinated response to overcome the challenge of overcrowding.

The Special Remission of sentences announced by President Ramaphosa in December 2019 has led to the release of 14 647 low risk inmates into community corrections and as a result the number of accommodation (bed space) at the end of special remission remained at 120 567. To this end, overcrowding was reduced to 28%. Furthermore, the COVID-19 Parole Dispensation also helped to reduce overcrowding to 15.09%.

The implementation of Special Remission and COVID-19 Parole Dispensation has contributed to the reduction of overcrowding within our facilities, which ultimately led to a reduction in escapes, injuries and unnatural deaths.

On Monday the 23<sup>rd</sup> November 2020, Deputy Minister of Justice and Constitutional Development and I led a meeting of the Department of Correctional Service and the Department of Justice where amongst other things we discussed the issue of the Audio Visual Remand (AVR) and measures to curb overcrowding.

We have agreed that, working together with the Department of Justice and Constitutional Development we have to ensure that the system of Audio Visual Remand for detainees is used optimally, in order to expedite the process postponing cases and realising remand detainees on bail for individuals detained for minor

offences, such as food theft and petty crimes, especially during this era of Coronavirus pandemic. This will surely minimise the burden of overcrowding.

Similarly, there is a perception out there that when a black child abuses drugs or commits minor crimes, he or she is a problem. However, when a white child does the same, he or she has a problem. This results in a black child being sent to a correctional facility thus increasing overcrowding, while the white child is sent to a rehabilitation facility or other diversions programmes. Accordingly, DCS needs to continue to engage the Criminal Justice Cluster departments, the Judicial officers and society at large.

In this month of November, Minister Lamola and I have officially opened Tzaneen and Ngqamakhwe correctional facilities. This, too, exemplify our efforts towards a reduction of overcrowding and the creation of conducive conditions for human correctional activities.

The improvement in efficiency of security and protocols at our correctional centres remains a cause for concern.

The smuggling of contrabands, cell phones and dangerous weapons by our officials and those who are visiting their incarcerated relatives remains a challenge.

The perennial culture of gangsterism in our centres continues to persist, manifesting itself as a major source of insecurity in our facilities.

This is compounded by the lack of well-thought and just DCS Policy on Information Gathering and Analysis. Consequently, this policy deficiency continues to thwart our security, incarceration and rehabilitation activities. The recent stabbing of the officials by inmates at Pollsmoor and Johannesburg, as well as, the death of the offender are but few examples of dangerous situation.

Having this information gathering policy in place and approved by Cabinet, could assist us in our early warning system, so as to receive a deeper understanding of the underlying under-world activities, extrapolate illegal trends and their consequences, as well as, be better informed about the methods and remedial alternatives that we need to adopt, in order to create a peaceful and secure environment in our centres.

National Commissioner, as you may recall, on the occasion to mark the DCS day against Gender-Based Violence and Femicide, at Goedemoed, in Free State, last year, Minister Lamola and I requested you to establish a team that will formulate a DCS Policy on Information Gathering and Analysis, in respect of illegal activities in our correctional centres. We are yet to receive an update on this request. Your team should be ready to present before us a draft policy document, in this regard, by the end of March 2021.

In our effort to fight the scourge of COVID -19, we should work with the Department of Health at provincial and national levels to mitigate the rise of this disease, in our

centres. I vividly recall that last year Dr Zweli Mkhize the Minister of Health and Mr Lubabalo Oscar Mabuyane the Premier of the Eastern Cape donated a big COVID-19 mass temperature screening machine to the Department of Correctional Service for the DCS Eastern Cape Region. The time to use that testing machine has now arrived. It must be used in the hotspot area of Port Elizabeth as a matter of urgency. In the third week of December 2020, that machine must be fully operational.

National Commissioner, please see to it that there are no bureaucratic tendencies and processes that should stand on the way of the implementation of this important operational directive. I would like to receive on-going progress reports on this matter.

Programme Director

Back in 1965, Amilcar Cabral, the African revolutionary and organic intellectual from Guinea-Bissau expressed the following words:

*“Hide nothing from the masses of our people. Tell no lies. Expose lies whenever they are told. Mask no difficulties, mistakes, [and] failures. Claim no easy victories...”*

*He further said: “an important number of things we should have done we have not done at the right times, or not done at all.”*

It therefore no lie that the Department of Correctional Services has improved its performance of the Medium Term Expenditure Framework, period recording 86%. This marks a great improvement as compared to 62% in 2015/2016 performance period.

We have unmasked the difficulties and mistakes of working relations between the DCS and Judicial Inspectorate on Correctional Services (JICS).

The founding leaders of our constitutional democracy were not mistaken when they established the Judicial Inspectorate on Correctional Services.

Accordingly, it puzzles me that the relationship between the Department and JICS are not as good as they should be. I would therefore insist that there must be one Bi-monthly Meeting between the Regional Commissioners and JICS. The minutes and reports of those meetings must be shared with the Ministry. We ought to understand that the mandate of JICS amongst others is to monitor operational activities at correctional facilities.

There should be also another meeting forum with JICS and the National Commissioner including the Chief Deputy Commissioners to focus on policy related matters and matters that could not be resolved at the meetings Regional Commissioners and JICS. These meetings should take place quarterly. It is in the meetings of this nature where the issues such as the correction of the Parole Boards contracts and service dispensation should take place.

However, you will be strangers to the truth if you claim that you have done all the important number of things you should have done and you should have done at the right times.

It is in this Strategic Planning Session, where you should unmask your difficulties and mistakes that led you to fail in a number of things that you should have done, as a manner of implementing the grand plans that you set forth for the Department.

Without delving into the details here, I would like to highlight some of important directives that the Minister and I, as Executive Authority have expected you to carry out, in terms of service delivery and meeting the needs and expectations of our people, the tax payers.

We said, we should move away from the culture of consecutive qualified audits by putting proper governance systems in place; which must be properly implemented and monitored by those officials in charge.

We have no victory to claim from our audit outcome. In a nutshell the current preliminary report from the Auditor General has already declared that

- “The audit outcome of the Department of Correctional Services DCS remains unchanged” and this is so because “all the irregular expenditure is not disclosed in the financial statements” and the irregular expenditure was also not disclosed.
- There is a general lack of internal controls, specifically financial controls. There is also a gross supply chain management deficiency, which resulted in high number of audit quires and incomplete financial reports.
- Furthermore, the department has also received audit queries with regards to performance reports, which are supposed to be evidenced-based and contain reliable information.
- The high vacancy rate; lack of consequence management and ineffective design and implementation of IT service management and user management remains some of the challenges confronting this Department.
- The Auditor General pointed out that the Accounting Officer did not implement adequate processes to address prior year audit findings relating to performance information; this resulted in reported qualified audit findings.
- The report concludes with on serious note that the Leadership of the Department of Correctional Services did not exercise sufficient oversight with regards to compliance with laws and regulations, as well as, related controls.



The Auditor General findings on lack of financial performance are an indictment to our Department.

Now, the question arises, is the senior management of the DCS setting us up for failure?

Programme Director

I would like to echo the Minister's directive that we must develop an Action Plan or Audit Turn Around Strategy that will prioritise all measures curb irregular expenditure. Therefore the Accounting Officer must provide Monthly Reports to the Ministry.

This Audit Action Plan should include capacity development on Supply Chain Management both at Head Office and Regional levels.

All Chief Deputy Commissioners, Regional Commissioners Internal Audit Unit members and Internal Audit Committee should form part of the high level Rapid Response Team, to expedite remedial measures for this sorry audit situation.

Notably, I am still waiting for a plausible explanation as to why up to date the DCS has failed to submit Monthly Reports on how the Department will address the concerns raised by Parliament's Standing Committee on Public Account (SCOPA), with regarding fruitless, wasteful and unauthorised expenditure.

The current Auditor General's report has further observed that there is a dramatic increase in irregular expenditure, while the issue of fruitless expenditure over the years has not been resolved.

The automated system for swift submission of responses to Parliamentary Questions remains outstanding and this must be addressed urgently.

The proposed DCS Trading Entity for self-sufficiency and revenue generation has not been done. As the Minister observed, we are still awaiting a mere concept document to guide engagements on this concept.

The Inventory of the DCS Immovable Assets, such as farms, land mass, workshops and equipment is not fully known by the Department. This ought to be corrected and this Inventory it must be automated.

The Memorandum of Understanding between the DCS and the Department of Environment, Fisheries and Forestry remains outstanding.

National Commissioner, we must as matter agency conclude a Memorandum of Understanding between the DCS and Department of Trade with a view to acquire the necessary modern machinery for production and for teaching and training both our officials and inmates.

I am of firm a believe that as long as DCS Macro and Micro Structure remain at an embryonic stage we will not able finalise a proper Service Delivery Model that conforms to our strategic objectives.

One other important aspect that I would like to highlight here is the need for the review of the Departmental delegations in order to empower Area Commissioners and Regional Commissioners to perform their duties effectively. It has come to my attention during oversight visits to regions that over-centralisation of power at Head Office has become a stumbling block to speedy service delivery. For sure this occurrence contradicts the much spoken about correctional centre-centric focus.

Similarly, during my oversight visits I have received various complaints and concerns raised by officials at operational level about the current state of our Information and Technology (IT) infrastructure and systems. Furthermore, as you will all know the Auditor General and the Standing Committee on Public Accounts have raised similar concerns about the lack of progress on IT infrastructure and questionable procurement processes.

To this end, IT is an enabler of effective service delivery, in this instance, where we are unable to resolve IT challenges we are doomed for failure. As the world is now labouring in the 4<sup>th</sup> Industrial Revolution DCS would remaining entrapped in backward state where employees are compelled to do manual work, while there are technological solutions that could applied.

Let me end by saying that I align myself with the strong sentiment of Minister Lamola, when he recently declared d during in a parliamentary portfolio committee that “the times of the lack of consequence management are over”.

This Strategic Planning Session should not become one of those occasions that are made to tick the boxes and sign the register. It should unleash a leap forward in the manner is needed to implement our strategic obligations and to speed up service delivery for peaceful, stable and safer South Africa.

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