

REPORT BY DEPARTMENT OF CORRECTIONAL SERVICES TO THE SELECT COMMITTEE ON JUSTICE AND SECURITY, JUNE 2018

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INTRODUCTION

The aim of this report is to respond to issues raised by the Select Committee on Justice and Security as areas of interest as part of the departments presentation on the 2018/19 Annual Performance Plan. The following information will demonstrate to the Committee as the oversight body how the DCS is performing in the areas concerned.

MEASURES TO PREVENT OUTBREAK OF RODENT INFESTATIONS WHERE INMATES MUST KEEP FOOD CELLS

For compliance with the stipulations of the B-Order, Regions were requested to implement pests and rodents control programmes in place in all Correctional Centres, by ensuring that Management Areas sign contracts or service level agreements with accredited pest and rodent control companies.

The following are measures to be implemented to prevent rodent infestations in housing cells:

- Rat baiting/trapping for controlling/eliminating rodent infestations in Correctional Centres should be conducted by appointed pest control companies.
- Refuse bins with tight fitting lids should be provided in all housing cells and courtyards for disposal of waste including food waste. Refuse bins must be emptied daily.
- Inmates are to be encouraged to utilize the available refuse bins for disposal of waste and must not throw waste out through the windows, as it will attract pests and rodents.
- Good housekeeping must be maintained in the housing cells by removing unwanted or unused items, since they can serve as hiding and breeding places for rodents.
- Housing cells including sanitary facilities must be cleaned daily.

The following measures are to be implemented to prevent rodent infestations in storage facilities

- Items in the storage areas should be placed at least 30cm above the ground to minimize hiding /nesting / thoroughfare for rodents.
- Storage areas must be cleaned regularly and good housekeeping maintained by disposing of unwanted items.

To prevent rodent infestations in external environment the following measures are to be put in place:

- External environment should be free from the debris/ obsolete/ unserviceable items/ equipment laying around, since they serve as hiding and breeding places for rodents.
- Grass should be kept short and the area kept tidy at all times.

Rodent infestations in food service units will be prevented as follows:

- High standard of hygiene must be maintained in the food service units (Kitchens).
- Wet waste and dry waste must be kept in separate containers and must be covered.
- Wet waste containers must be collected daily or every second day to prevent offensive odours which may attract rodents and pests.

THE 3-MEALS-A-DAY SYSTEM

1. Compliance with the three meal system as contained in the Sec 8.5 of the Correctional, Services Act 111 of 1998 as amended is a prerequisite. The Act stipulates that intervals between meals must be four and half (4½) hours between meals and no more than fourteen (14) hours between supper and breakfast.
2. Department complies with the prescribed Departmental Ration Scales and inmates are provided with three meals a day consisting of breakfast, light meal and a cooked meal that can be served either during lunch or supper.
3. Not all Correctional Centres comply with the time intervals due to lack of staff and or shift patterns.

STATUS OF COMPLIANCE WITH SECTION 8(5)

Regions	No. of Management Areas	No. of Correctional Centres' food service units	Compliant with Sec 8(5)	Non-compliant with Sec 8(5)	Reasons for non-compliance
EC	6	44	39	5	Shortage of staff and insufficient official to supervise the serving of lunch.
FS/NC	7	47	39	8	Shift system and shortage of staff.
GP	8	21	12	9	Staff shortage and shift pattern
KZN	7	42	32	10	Shift system and shortage of staff.
LMN	8	37	30	7	Shortage of staff. High volume of offender movements to courts and hospitals.
WC	10	36	5	31	Shortage of staff especially week-ends.
Total	46	227	157	70	

MANAGEMENT OF OVERCROWDING IN CORRECTIONAL FACILITIES

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1. MANDATES

Section 35(2)(e) of the Bill of Rights encapsulated in the Constitution of the Republic of South Africa, states that offenders have the right to conditions of detention that are consistent with human dignity, including at least exercise and the provision, at state expense, of adequate accommodation, nutrition, reading material and medical treatment.

Section 2 of the Correctional Services Act, 1998 (Act No 111 of 1998) determines that the purpose of the correctional system is to contribute to maintaining and protecting a just, peaceful and safe society by, among others:

- (b) Detaining all inmates in safe custody whilst ensuring their human dignity;
- (c) Promoting the social responsibility and human development of all sentenced offenders.

2. BACKGROUND

Overcrowding is a global phenomenon that undermine all the efforts by any correctional system to change the lives of offenders.

The problem of overcrowding within the South African correctional system has been identified as a key challenge, which negatively affects the ability of DCS to guarantee the rights of inmates and to create an environment that is conducive for rehabilitation.

The down- management of the inmate population (overcrowding) must be managed against external factors such as the following that have a direct influence on the inmate population levels:

- crime tendencies in society;
- increasingly effective measures to combat and prosecute crime;
- unemployment rate;
- the economy; and
- impeding legislation such as mandatory minimum sentences.

During 2017/18 correctional facilities were on average 35% overcrowded (160583 inmates against 118723 beds).

3. DCS STRATEGIC DIRECTION ON OVERCROWDING

The dramatic increase in the inmate population, from 95 070 during 1991/92 to 185 501 during 2004/05 (95% increase) compelled the Department to revisit its strategy to alleviate overcrowding.

Consequently, a multi-pronged strategy was developed and implemented from 2006.

This strategy consists of the following dimensions:

- Managing levels of Remand Detainees through the Integrated Justice System (IJS) Case Management Task Team, Inter-sectoral Committee on Child Justice, Provincial Efficiency Enhancement Committees (PEECs), National Efficiency Enhancement Committee and the National Operation Committee (NOC);
- Managing levels of sentenced inmates through improving effective & appropriate use of conversion of sentence to community correctional supervision, release on parole, & transfers between correctional centres to attempt to establish some degree of evenness of overcrowding;
- Ensuring progress with DCS capital works programme to upgrade correctional facilities & to build new correctional centres that are both cost effective & rehabilitation oriented;
- Encouraging debate in South Africa about reason for incarceration as a sentence & encouraging an approach to appropriate sentencing that is focused on facilitating rehabilitation;
- Enhancing community correctional supervision so that it can be better utilized as an appropriate sentence for less serious crimes;
- Improving correction & development programmes within DCS to ensure enhanced facilitation of rehabilitation that targets offending behaviour;
- Encouraging improvement of first & second levels of correction in family & social institutions & social & economic sector government departments respectively to decrease rate of entry into criminal justice system; and
- Encouraging community involvement in social reintegration of offenders back into their community in order to assist in reducing levels of repeat offending.

4. GOVERNANCE STRUCTURES FOR MANAGING OVERCROWDING

In order to prevent the fragmented management of the various dimensions within the multi-pronged strategy, it was decided to establish a National Overcrowding Task Team (NOTT), Regional Overcrowding Task Teams (ROTTs) and Management Area Overcrowding Task Teams (MOTTs) to facilitate and monitor progress in this regard.

In view of the inability of DCS to control the inflow of inmates into correctional facilities, these governance structures focus mainly on the managing of overcrowding on operational level by monitoring e.g. the transfer of offenders to achieve some level of evenness.

5. FACTORS DETERMINING INMATE POPULATIONS: RESEARCH ON INTERNATIONAL TRENDS

Population numbers are affected by the following:

- total number of persons referred for detention,
- the duration of the court cases,
- the duration of the sentences imposed, and

- the non-custodial measures applied including the parole system or the early release system (conditional release, probation periods and alternatives to prison sentences implemented).

Criminal justice legislation and policy that may play a role in inmate population are:

- Bail provisions
- Case flow management (speedy finalisation)
- Mandatory minimum sentencing laws
- Increase in number of long sentences and life sentences
- Changes in eligibility for early release

Underlying contributor: socio-economic factors

- The majority of prisoners worldwide come from economically and socially disadvantaged backgrounds,
- Many come from poverty stricken environment,
- Some are illiterate or have limited education and
- will have experienced unemployment and lack of housing.
- The above contribute to the breaking up of their families including drug and alcohol abuse,
- Such circumstances and dependencies can contribute to individuals' confrontation with the criminal justice system, unless sufficient support systems are in place.
- Support: may include social welfare assistance, support for housing, employment and treatment for substance dependencies and mental healthcare needs, among others, to help people to overcome such challenges and live positive, self-supporting lives.
- *The limited alternatives to remand detention: Warning, bail, supervision by probation officer/correctional official, tagging (pilot)*
- *Limited capacity for supervision by community corrections*
- *Delays in the criminal justice process (case flow management)*

Factors that play a role in the length of detention:

- Presence of the co-accused;
- A number of bail applications after the initial application has been unsuccessful;
- Withdrawal and changing of legal representatives leading to administrative delays associated with sharing of case related documents between legal representatives;
- Lack of funds to pay private legal representatives;

- Different plea positions taken by the remand detainees and co-accused leading to separation of trials;
 - Failure of witnesses and accused to appear in court; and
 - Non-availability of parties due to illness, other work, etc.
- *The limited bed space (DCS facility capacity)*
 - *Limited Non-custodial sentences for serious offences*
 - Lack of suitable non-custodial measures for very serious offences
 - Inadequate capacity to monitor and enforce non-custodial sentences
 - Alternatives may not be used due to:
 - Lack of confidence in the effectiveness of non custodial measures,
 - Lack of the necessary infrastructure and organizational mechanisms for cooperation between criminal justice system agencies (Community corrections officials have meetings and attend local fora meetings),
 - Requirement for supervision of the offender by a special administrative body, such as a probation system, the lack of funding, staff and training
 - The lack of public support, and
 - Judiciary and politicians' fear of being perceived as soft on crime.

6. OVERVIEW OF THE CURRENT INMATE POPULATION: 31 MARCH 2018

REGIONS	UNSENTENCED INMATES	SENTENCED OFFENDERS	TOTAL
EASTERN CAPE	5 290	15 546	20 836
FS/NC	5 048	18 127	23 175
GAUTENG	11 117	26 003	37 120
KWAZULU/ NATAL	6 224	21 695	27 919
LMN	6 581	18 342	24 923
WESTERN CAPE	11 999	18 157	30 156
NATIONAL	46 259	117 870	164 129

7. HISTORICAL POPULATION TRENDS

7.1 POPULATION LEVELS DURING THE PAST 50 YEARS:

Financial year	Accommodation	Daily average number of inmates	Population level
1965/66	53 074	74 435	140%
1975/76	63 069	94 135	149%
1985/86	81 625	113 312	139%
1995/96	94 262	110 046	117%
2005/06	114 374	162 659	142%
2017/18	118 723	160 583	135%
Increase/decrease from 1965/66 to 2017/18	+124%	+116%	- 5%

7.2 OVERCROWDING LEVEL PER REGION:

Region	Level of Overcrowding during May 2010	Level of Overcrowding during March 2018	Population level at 100% capacity: 31 March 2018	Actual number of inmates: 31 March 2018	Excess number of inmates: 31 March 2018
EC	44%	59%	13 141	20 836	7 695
FS/NC	7%	13%	20 542	23 175	2 633
GP	76%	49%	24 900	37 120	12 220
KZN	29%	35%	20 748	27 919	7 171
LMN	5%	33%	18 731	24 923	6 192
WC	40%	46%	20 661	30 156	9 495
National	37%	38%	118 723	164 129	45 406

7.3 SHORT TERM TRENDS

Inmate Population: 2017/18

Monthly Averages: April 2017 to March 2018												
Region	Apr 2017	May 2017	June 2017	July 2017	Aug 2017	Sep 2017	Oct 2017	Nov 2017	Dec 2017	Jan 2018	Feb 2018	Mar 2018
All RDs	44511	41964	40878	40442	40400	40618	40838	41348	42197	46938	46591	45929
Other Unsented	151	134	131	128	127	124	109	109	117	119	121	115
All unsentenced	44662	42098	41009	40570	40527	40741	40947	41457	42314	47058	46711	46044
Sentenced	11691	11663	11712	11762	11801	11841	11858	11911	11869	117123	117830	118067
	9	2	3	6	4	8	5	9	2			
All inmates	16158	15873	15813	15819	15854	15915	15953	16057	16100	164181	164541	164111
	1	0	2	6	1	9	2	6	6			
% of RDs to all inmates	28	26	26	26	25	26	26	26	26	29	28	28
% of Unsented to all inmates	28	27	26	26	26	26	26	26	26	29	28	28
% of sentenced to all inmates	72	73	74	74	74	74	74	74	74	71	72	72

8. MONITORING OF THE MULTIPRONGED STRATEGY

8.1 COMPARISON: 2009/10 AGAINST 2017/18

Dimension within the Multipronged Strategy	2009/10	2017/18	Contribution towards a <u>decrease</u> in the number of inmates to be accommodated in correctional facilities
Managing levels of Remand Detainees through the Integrated Justice System (IJS) Case Management Task Team, Inter-sectoral Committee on Child Justice, Provincial Efficiency Enhancement Committees (PEECs), National Efficiency	Unsented inmates: 48 887	Unsented inmates: 42 705	Unsented inmates decreased by 6 182 (12.65%)

Dimension within the Multipronged Strategy	2009/10	2017/18	Contribution towards a <u>decrease</u> in the number of inmates to be accommodated in correctional facilities
Enhancement Committee and the National Operation Committee (NOC);			
Managing levels of sentenced inmates through improving effective & appropriate use of conversion of sentence to community correctional supervision, release on parole, & transfers between correctional centres to attempt to establish some degree of evenness of overcrowding;	<p>Caseload in Community corrections: 58 423</p> <p>Transfers: 32 321</p>	<p>Caseload in Community corrections: 71 016</p> <p>Transfers: 61 132</p>	<p>Extremely limited, as the number of inmates continuously increase, despite higher caseload.</p> <p>None</p>
Ensuring progress with DCS capital works programme to upgrade correctional facilities & to build new correctional centres that are both cost effective & rehabilitation oriented;	<p>Approved accommodation: 115 827</p>	<p>Approved accommodation: 118 723</p>	<p>None. However it contributed positively towards the levels of overcrowding.</p>
Encouraging debate in South Africa about reason for incarceration as a sentence & encouraging an approach to appropriate sentencing that is focused on facilitating rehabilitation;	Not measured	Not measured	None
Enhancing community correctional supervision so that it can be better utilized as an appropriate sentence for less serious crimes;	<p>Caseload regarding persons sentenced directly to correctional supervision: 9 431</p>	<p>Caseload regarding persons sentenced directly to correctional supervision: 6 978</p>	<p>Extremely limited. The caseload is also decreasing.</p>

Dimension within the Multipronged Strategy	2009/10	2017/18	Contribution towards a <u>decrease</u> in the number of inmates to be accommodated in correctional facilities
Improving correction & development programmes within DCS to ensure enhanced facilitation of rehabilitation that targets offending behaviour	Correctional programmes: 129 123 Social Work Services: 28 187 Psychological Services: 9 494	Correctional programmes: 86 518 Social Work Services: 108 960 Psychological Services: 39 434	None
Encouraging improvement of first & second levels of correction in family & social institutions & social & economic sector government departments respectively to decrease rate of entry into criminal justice system	Impact on overcrowding not measured	Impact on overcrowding not measured	None
Encouraging community involvement in social reintegration of offenders back into their community in order to assist in reducing levels of repeat offending.	Impact on overcrowding not measured	Impact on overcrowding not measured	None

8.2 SUMMARY NOTES: IMPACT OF THE MULTIPRONGED STRATEGY

- The dimension relating to remand detainees had a limited impact towards the down management of overcrowding as the number of unsentenced inmates decreased from 48 887 in 2009/10 to 41 876 in 2015/16. However, since then there is an upward trend (from 41 876 in 2015/16 to 42 705 during 2017/18).
- Although it can be confirmed that the multipronged strategy assists DCS to manage overcrowding, there is no clear demonstration that any of the other dimensions actually contributed towards a decrease in the number of inmates that has to be accommodated and therefore also no positive impact on the **down management** of overcrowding.

9. SALDANHA JUDGEMENT

On 22 December 2016 the Western Cape High Court directed the **Government** to reduce the number of persons detained at Pollsmoor Remand Detention Facility to 150% of the approved accommodation within 6 months.

9.1 ACTIONS TAKEN TO EFFECT THE SALDANHA JUDGMENT AT ALL CORRECTIONAL FACILITIES

- As the Judgment may be used by applicants as a precedent, the Order should in fact be the guide for all correctional facilities to prevent further court applications.
- In view of the aforementioned, Deputy Regional Commissioners and other National Overcrowding Task Team members were requested on 10 January 2017 to include the guideline by the court in the mandate to manage overcrowding to the extent that no facility is more than 50% overcrowded.
- This aspect was also pertinently included in the National Action Plan that was approved by the National Commissioner on 6 July 2017 for immediate implementation.

9.2 ANALYSIS FOLLOWING SALDANHA JUDGMENT

9.2.1 Pollsmoor

The population level at Pollsmoor Remand Detention Facility decreased from 251% to 144.72% during the period December 2016 to June 2017. However, despite focussed attention by all relevant role players, the level already increased steadily to 174.74% on 15 May 2018.

9.2.2 National

On 20 September 2016 a total of 84 centres were populated above 150%. This figure increased to 85 (+1) centres on 31 March 2018 as indicated in the following table.

COMPARISON: MOST OVERCROWDED CORRECTIONAL CENTRES: NATIONAL		
POPULATION LEVEL	NUMBER OF CORRECTIONAL CENTRES	NUMBER OF CORRECTIONAL CENTRES
	AS ON <u>20 SEPTEMBER 2016</u>	AS ON <u>31 MARCH 2018</u>
151% - 160%	20	25
161% - 170%	18	15

COMPARISON: MOST OVERCROWDED CORRECTIONAL CENTRES: NATIONAL		
POPULATION LEVEL	NUMBER OF CORRECTIONAL CENTRES AS ON <u>20 SEPTEMBER 2016</u>	NUMBER OF CORRECTIONAL CENTRES AS ON <u>31 MARCH 2018</u>
171% - 180%	15	13
181% - 190%	5	12
191% - 200%	7	6
201% - 210%	3	5
211% - ABOVE	16	9
TOTAL	84	85

REGION	NUMBER OF FACILITIES POPULATED HIGHER THAN 150% AS ON 31 MARCH 2018
EC	22/44 active facilities (50%)
GP	11/25 active facilities (44%)
KZN	15/40 active facilities (38%)
LMN	11/37 active facilities (30%)
FS/NC	3/48 active facilities (6%)
WC	23/41 active facilities (56%)
TOTAL	85/235 active facilities (36%)

10. CHALLENGES

- The majority of RDs (85%) do not have the option to pay bail which excludes any possibility of interventions focusing on diversion from Correctional Centres.
- In the next table short term trends regarding bail categories are depicted.

Short term trends: Bail categories

Apr-15			Sep-15		Apr-16		Sep-16		Apr-17		Sep-17	
Bail	RDs	%	RDs	%	RDs	%	RDs	%	RDs	%	RDs	%
No bail	35481	82.8	34954	83.7	34188	81.2	34651	83.6	36030	84.99	34068	85.43
Less than R500	990	2.3	949	2.3	1098	2.6	903	2.2	717	1.69	769	1.93
R500 to R1000	4632	10.8	4181	10.0	4986	11.8	4210	10.2	4112	9.70	3714	9.31
>R1000 to R2000	1096	2.6	981	2.3	1053	2.5	994	2.4	905	2.13	735	1.84
>R2000 to R5000	572	1.3	576	1.4	634	1.5	560	1.4	495	1.17	476	1.19
>R5000 to R50 000	97	0.2	113	0.3	124	0.3	145	0.3	125	0.29	113	0.28
>R50 000	4	0.0	3	0.0	3	0.0	6	0.0	9	0.02	2	0.01
Total	42872	100	41757	100	42086	100	41469	100	42393	100	39877	100.00

- Continuous increase in the number of sentenced offenders.
- Challenge to effectively accommodate offenders according to their security classification and to separate different categories of inmates to enhance safety and security.
- Challenge to meet standards internationally agreed upon: e.g. air, light, privacy and access to other services.
- Challenge to provide additional bed space to ease overcrowding levels. Whilst an additional 45 406 beds were needed on 31 March 2018 to eradicate overcrowding, it is anticipated that only 939 additional beds will be created up to 2020/21.
- Planning processes within the JCPS Cluster is not integrated that results in different and conflicting targets.

11. STRATEGIES TO ADDRESS CHALLENGES

- Continued active participation in criminal justice system structures (all levels) such as:
 - National and Provincial Efficiency Enhancement Committees;
 - Intersectoral Committee for Child Justice; and
 - Criminal Justice Review.
- Continued focus on the implementation of the multi-pronged strategy by the NOTT/ROTT/MOTT Governance structures to manage overcrowding.
- Embark on a formal process to debate, among others, the need to identify, review and influence reform of relevant impeding legislation such compulsory minimum sentences and provisioning for the diversion of short term offenders from correctional centres.

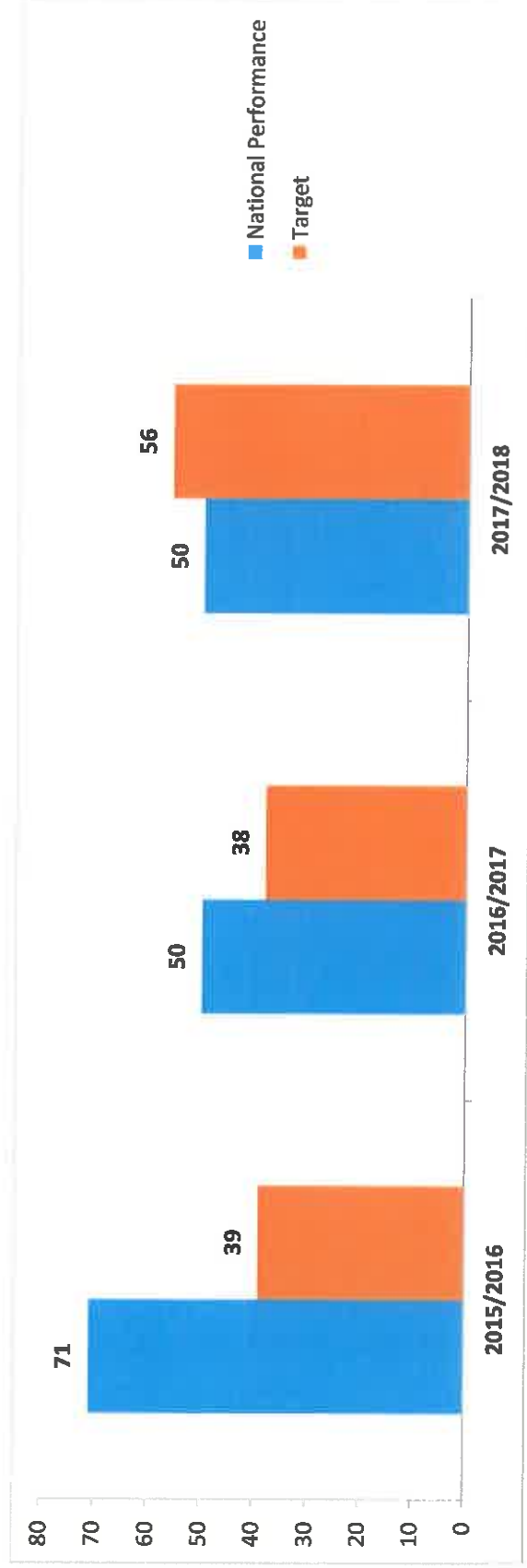
12. CONCLUSION

- The multi-pronged strategy to manage overcrowding is not assisting DCS to reduce the number of inmates.
- Although certain interventions such as special remission of sentence will have a positive impact, the relief will be temporary.
- It is important to continue with the creation of additional inmate accommodation (for especially maximum classified offenders and remand detainees) in the medium term. However, DCS will never be able to and cannot be expected to build itself out of overcrowding, even in the absence of the current and anticipated future budgetary constraints.

MEASURES TO CURB ESCAPES IN CORRECTIONAL CENTRES

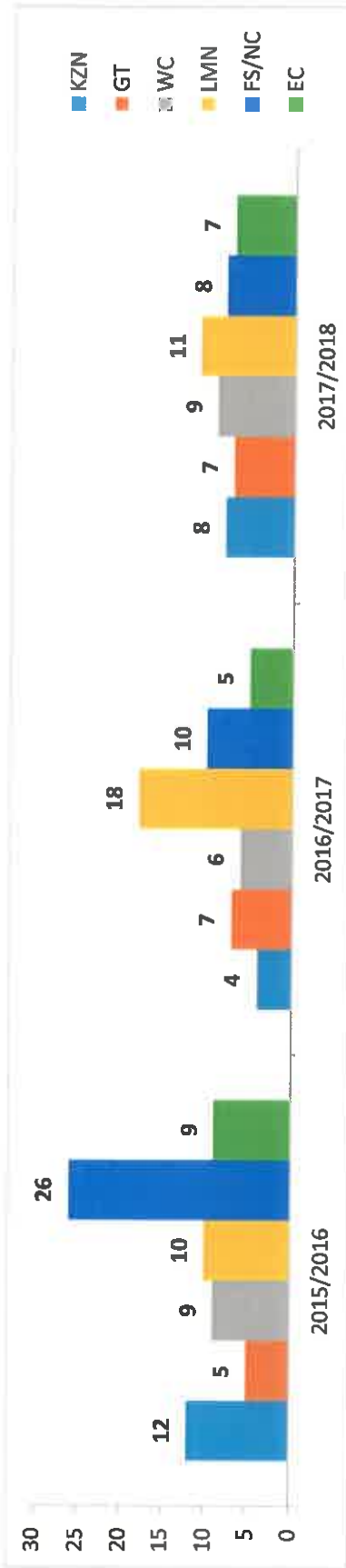
CENTRE / MANAGEMENT AREA	ACTIVITY	SECURITY MEASURES TO CURB ESCAPES IN CORRECTIONAL CENTRES
All Correctional Centres	Measures to curb escapes	<ul style="list-style-type: none"> • Emphasis on the compliance with security policies and procedures regarding the prevention of escapes • Daily inspections of cells and cell windows to check for tempering. • Briefing up of officials especially during the night. • Rotation of officials for day and night duty / rotation of officials on posts. • Report all breakages and damages of the infrastructure. • Institute more night visits to Correctional Centres. • Utilization of the First Respond Team (FRT) in Centres. • Special searching operations at all Access Gates on personnel and visitors entering the facilities. • Enforcing bag less society in Centres. • Activating of Emergency Support Team (EST) to execute special searching operations in the Units. • Identification of possible members that can be linked with smuggling in of contrabands into correctional centres • Investigating of all identified cases where smuggling has been identified and reporting of such matters to the South African Police Service (SAPS). • Sensitizing of all officials during morning parades / personnel meetings to refrain from involvement in acts of corruption. • Transferring of the high risk offenders to the relevant correctional centres • Updating of the Institutional Orders regarding escapes.

ESCAPES: 2015/2016 – 2017/2018



- **2015/2016 - 71 escapes** over an inmate population of 161 984 (0.044%) against a target of 39 over an inmate population of 155 620 (0.025%).
- **2016/2017 - 50 escapes** over an inmate population of 161 054 (0.031%) against a target of 38 over an inmate population of 158 853 (0.024%).
- **2017/2018 - 50 escapes** over an inmate population of 164 129 (0.030%) against a target of 56 over an inmate population of 163 261 (0.034%).

BREAKDOWN PER REGION: 2015/2016 TO 2017/2018



MEASURES TO CURB THE SMUGGLING OF CONTRABANDS IN CORRECTIONAL CENTRES

CENTRE / MANAGEMENT AREA	ACTIVITY	SECURITY MEASURES TO CURB THE SMUGGLING OF CONTRABANDS IN CORRECTIONAL CENTRES
All Correctional Centres	Measures to curb increase of the gang activities	<ul style="list-style-type: none"> Emphasis on the compliance with security policies and procedures including the DCS approved Gang Management Strategy regarding the increase of gang activities Heads of Correctional Centres to ensure that idleness of inmates is reduced, by providing programmes to inmates according to the Structured Day Programmes. Revise the current gang strategy with the National Gang Strategy of National Intelligence Coordinating Committee (NICOC). Regional Offices to conduct an audit to ensure that the following is in place: <ul style="list-style-type: none"> Management Areas to appoint an appropriate or suitable official at each Centre that will deal with the profiling / intelligence gathering of gangs. Each centre to have a copy of the Anti-Gang Strategy pertaining to their Centre. Since the <i>modus operandi</i> with regards to gangs often based on the circumstances on that point, the orientation of inmates during admissions must be aligned accordingly Establishment of Gang Management Units at Management Area level / Centre in order to implement the Gang Management Strategy to deal with gang incidents. Head of Correctional Centres to ensure the following: <ul style="list-style-type: none"> Identification of prompt gang members. Compile a list of prominent gang leaders.

CENTRE / MANAGEMENT AREA	ACTIVITY	SECURITY MEASURES TO CURB THE SMUGGLING OF CONTRABANDS IN CORRECTIONAL CENTRES
		<ul style="list-style-type: none"> o Gang profiling / photos / tattoos. o Recording of all movement information. o Comprehensive record keeping of visitors to gang affiliated offenders. o Separate gang leaders if need arises. <ul style="list-style-type: none"> • Head of Correctional Centres to put measures in place to ensure proper daily searching of inmates and cells. • Head of Correctional Centres to put measures in place to ensure proper supervision in courtyards, dining areas and visiting rooms. • Head of Correctional Centres to address all inmates regarding the consequences of misconduct and gang affiliations. • Head of Correctional Centres to take and resolve complaints and request of inmates in all Units. • Emergency plans for the Management Area and all Correctional Centres are in place with specific reference to possible gang incidents, hostage situations, riots, fire and any other incident that may occur. • In service training of officials in Units regarding Gang Management.

CASES OF SMUGGLING AND ESCAPE RECEIVED BY DEPARTMENTAL INVESTIGATION UNIT DURING 2015/16, 2016/17 AND 2017/18 FINANCIAL YEAR PERIODS

Period	2015/16FY				2016/17FY				2017/18FY			
Category/ Status	Total received	Referred to Code Enforcement	Closed as unfounded/ lack of evidence	Outstanding cases	Total received	Referred to Code Enforcement	Closed as unfounded/ lack of evidence	Outstanding cases	Total received	Referred to Code Enforcement	Closed as unfounded/ lack of evidence	Outstanding cases
Smuggling	22	1	11	10	24	2	1	21	24	1	0	23
Escapes	3	0	2	1	3	0	0	3	1	0	0	1

CASES FINALISED BY DIRECTORATE CODE ENFORCEMENT IN TERMS OF SECTION 95B FROM INVESTIGATIONS CONDUCTED BY THE DEPARTMENTAL INVESTIGATION UNIT (DIU) IN TERMS OF SECTION 95A

Once the DIU has concluded an investigation and officials are implicated the Code enforcement unit advises the National Commissioner on relevant disciplinary steps to be taken.

		Smuggling (corruption)			Aiding escape			Negligence that led to escape				Total	
FY	Sanction	Dismissal	Suspension without salary as alternative to dismissal	Dis-missal	Suspension without salary as alternative to dismissal	Dis-missal	Suspension without salary as alternative to dismissal	Dis-missal	Suspension without salary as alternative to dismissal	Final Written Warning	Dis-missal	Suspension without salary as alternative to dismissal	Grand Total
2015-16	0	2	0	0	0	0	4	0	4	0	2	4	6
2016-17	0	0	0	0	0	0	0	0	0	0	0	0	0
2017-18	0	4	0	3	0	0	0	0	0	0	7	0	7
2018-19 (April)	0	1	0	0	0	0	0	0	0	0	1	0	1
Total	0	7	0	3	0	0	4	0	4	0	10	4	14

MEASURES TO CURB GANGS IN CORRECTIONAL CENTRES

CENTRE / MANAGEMENT AREA	ACTIVITY	SECURITY MEASURES TO CURB THE SMUGGLING OF CONTRABANDS IN CORRECTIONAL CENTRES
All Correctional Centres	Measures to curb increase of smuggling of contrabands into Correctional Centres	<ul style="list-style-type: none"> Emphasis on the compliance with security policies and procedures regarding the curbing of smuggling in of contrabands into the correctional centres Daily monitoring of inmates / movements between Units in Correctional Centres. Daily searching of Units by First Respond Team (FRT) in Centres.

CENTRE / MANAGEMENT AREA	ACTIVITY	SECURITY MEASURES TO CURB THE SMUGGLING OF CONTRABANDS IN CORRECTIONAL CENTRES
		<ul style="list-style-type: none"> • Special searching operations at all Access Gates on personnel and visitors entering the facilities. • Enforcing bag less society in Centres. • Prohibiting of entering of foodstuff and un-authorised articles by personnel and visitors. • Activating of Emergency Support Team (EST) to execute special searching operations in Units. • Investigating of all identified cases where smuggling has been identified and reporting of such matters to the South African Police Service (SAPS). • Sensitizing of all officials during morning parades / personnel meetings to refrain from involvement in acts of corruption. • Installation of Cellphone detection systems. • Operationalization / installation of the body scanners. • Surprise searches on officials according to the Act. • Identification of officials that are smuggling contrabands into Correctional Centres. • Identification of inmates that can assist with information of smuggling of contrabands into Correctional Centres (whistle blowers).

PROGRESS REPORT ON INCIDENTS OF VIOLENCE AND ESCAPES

WESTERN CAPE REGION

CENTRE / MANAGEMENT AREA	INCIDENT DETAILS	BRIEF DESCRIPTION	SECURITY MEASURES INSTITUTED TO CURB / MINIMIZE RE-OCCURRENCE	PROGRESS ON SECURITY MEASURES IMPLEMENTED	SAPS CAS NRS OF THE INCIDENT	THE STATUS OF THE INVESTIGATION	ENABLING / RISK FACTORS THAT CONTINUES AND WOULD NEED INTERVENTION	IMMEDIATE MEASURES PUT IN PLACE
Goodwood Correctional Centre / Goodwood Management Area	<u>Date:</u> 2018/04/08 (Sunday) <u>Time:</u> 08h45 <u>Place:</u> Cell 2 - G10 B Gang related : Yes	<ul style="list-style-type: none"> Two (2) members were unlocking Cell 2 - G 10 B Section for counting. Whilst offenders were moving back into their cell member turned away and the offender stabbed the member at the back of his head with a sharp object. An additional member came to the assistance of and used the necessary force (tonfa) on offender but the offender retaliated and proceeded to stab the other member as well Perpetrator is member of 28 gang and claims to have been instructed by another 28-gang 	<ul style="list-style-type: none"> Offenders come to the facility already as gangsters Most of the time they belong to street gangs. On admission, we profile them to which gang they belong to and the rank within the gang. We then separate them to ensure that we do not mix rivals gang together and we do not mix non-gang members with gang members. We also create awareness amongst staff about gangsterism. In as much as we try to implement gang management strategy, shortage of staff 	<ul style="list-style-type: none"> Members opened a case against the perpetrators to SAPS (see case no) Perpetrators were transferred to other Centre's within the Region. Continuous searching is conducted. Offenders are continuously sensitized against gangsterism. 	91/4/2018	Still pending	<p>Shortage of members.</p> <p>Current shift system have a negative impact starting from Friday to Monday, because of 10/4 shift where a member work 10 days and get 4 days off. i.e. Friday to Monday</p>	<p>Members open a case against the perpetrators to SAPS (see case no).</p> <p>Perpetrator s were transferred to other Centre's within the Region.</p> <p>Continuous searching is conducted.</p> <p>Offenders are continuously sensitized against</p>

CENTRE / MANAGEMENT AREA	Polismoor Medium A / Polismoor Management Area
INCIDENT DETAILS	<p><u>Date:</u> 2018/01/16 (Tuesday) <u>Time:</u> 07h40 <u>Place:</u> Cell 2 – E Unit Gang Related: Yes Officials burned with water.</p>
BRIEF DESCRIPTION	<p>member to assault an official.</p> <ul style="list-style-type: none"> • Since June 2017, over and above the 2 mentioned members, a total of nine (9) members were stabbed over the weekend where skeleton staff is utilized. • About 35 members went to the cell to search the cell for unauthorized items specifically a cellphone believed to have been used to commit crime whilst incarcerated • Offenders refused to co-operate and pushed members out of the cell then proceeded to barricade the cell • Whilst officials were standing in passage in front of cell offenders threw hot water at them injuring some officials
SECURITY MEASURES INSTITUTED TO CURB / MINIMIZE RE-OCCURRENCE	<p>compromises the security of both staff and offenders</p> <ul style="list-style-type: none"> • Prominent gang leaders were identified transferred to other Centres and other Management Areas to minimize their influence in gang activities. Inmates are being transferred even though they are remand detainees. • Strict control over movement of remand detainees has been intensified. • Communication links have been established
PROGRESS ON SECURITY MEASURES IMPLEMENTED	<ul style="list-style-type: none"> • Unit Managers / supervisors should continue identifying and profiling gang leaders and acting quickly on the validity of intelligence information received from other offenders. • Offenders (food handlers) working at the Food Services Unit (FSU) are taking
SAPS CAS NRS OF THE INCIDENT	<p>Members did not open criminal cases. Prevention of Organised Crime Act (POCA) case reference still pending at</p>
THE STATUS OF THE INVESTIGATION	01/04/2018
ENABLING / RISK FACTORS THAT CONTINUES AND WOULD NEED INTERVENTION	<p>Shortage of staff.</p> <p>Current shift system has a negative impact starting from Friday to Monday, because of 10/4 shift where a member works 10 days and gets 4 days off. i.e. Friday to Monday</p>
IMMEDIATE MEASURES PUT IN PLACE	<p>gangster is m.</p> <p>Perpetrators were transferred to other Centre's within the Region.</p> <p>Continuous searching is conducted. Estimated regional operations is continuous</p>

CENTRE / MANAGEMENT AREA	
INCIDENT DETAILS	
BRIEF DESCRIPTION	<ul style="list-style-type: none"> EST officials were activated and managed to dislodge the barricade and extract the offenders by using the necessary force (Tonfa; Shock Shields)
SECURITY MEASURES INSTITUTED TO CURB / MINIMIZE RE-OCCURRENCE	<p>with the Criminal Justice System to assist with surprise searches at the Centre.</p> <ul style="list-style-type: none"> Regular surprise searches are conducted. No new applications for kettles are approved with a view to minimize the number of kettles in the Centre. Officials are signing for security equipment at all times. Unit Managers are fully functional in their respective Units. Three Unit Managers have been appointed. Head of Centre, Centre Co-ordinators and Manager Security regularly visit the Units.
PROGRESS ON SECURITY MEASURES IMPLEMENTED	<p>the food to the units on a daily basis.</p> <ul style="list-style-type: none"> Surprise searching has been intensified with the assistance of the SAPS, Metro Police and Intelligence Services. Centre to continue with its own surprise searching operations. The need for the replacement of the 3 chlorifier tanks at C, and H units have been registered as Job No: CPT 143103. Plumbing and electrical
SAPS CAS NRS OF THE INCIDENT	Kirstenhof SAPS
THE STATUS OF THE INVESTIGATION	
ENABLING / RISK FACTORS THAT CONTINUES AND WOULD NEED INTERVENTION	The absence of a dedicated gang management team within DCS structure
IMMEDIATE MEASURES PUT IN PLACE	<p>y conducted</p> <p>Offenders are continuously sensitized against gangsterism.</p>

IMMEDIATE MEASURES PUT IN PLACE	
ENABLING / RISK FACTORS THAT CONTINUES AND WOULD NEED INTERVENTION	
THE STATUS OF THE INVESTIGATION	
SAPS CAS NRS OF THE INCIDENT	
PROGRESS ON SECURITY MEASURES IMPLEMENTED	<p>problems with chlorifier at A, B, C, D, E.F, G and H units have been registered.</p> <ul style="list-style-type: none"> ➤ Job No:89514 (CPT No:132418) ➤ Job No:91928 ➤ Job No:91239(CPT No:141451) • New two way radios have been procured as part of the security equipment for quick communication.
SECURITY MEASURES INSTITUTED TO CURB / MINIMIZE RE-OCCURRENCE	<ul style="list-style-type: none"> • One non-gang room has been established per Unit. However, the numbers of gangsters are overwhelmingly high as compared to non-gang members making the separation of remand detainees very difficult due to overcrowding.
BRIEF DESCRIPTION	
INCIDENT DETAILS	
CENTRE / MANAGEMENT AREA	

CENTRE / MANAGEMENT AREA	Johannes- burg Medium A
INCIDENT DETAILS	Date: 2018/04/09 (Monday) Time: 03h00 Place: Correctional Centre: Cell A1 Unit Gang related : No
BRIEF DESCRIPTION	<ul style="list-style-type: none"> Sixteen (16) remand detainees escaped through out a cell window. Methodology of escaping was cutting of the window. Steel door in the pipe shaft was not locked. The padlock was broken. A hole in the wall was made with a piece of window bar. Lockers were stacked on top each other and it appears that inmates climbed on it. Total forty two (42) of detainees were housed in the Cell and twenty six (26) remained after the escape.
SECURITY MEASURES INSTITUTED TO CURB / MINIMIZE RE-OCCURRENCE	<ul style="list-style-type: none"> Locked pipe shaft Daily inspection on pipe shaft Cell registers re-activated
PROGRESS ON SECURITY MEASURES IMPLEMENTED	<ul style="list-style-type: none"> Action plan will be compiled based on recommendations of investigations
SAPS CAS NRS OF THE INCIDENT	SAPS Mondeor 142/04/2018 143/04/2018 144/04/2018 145/04/2018 146/04/2018 147/04/2018 148/04/2018 149/04/2018 150/04/2018 151/04/2018 152/04/2018 153/04/2018 154/04/2018 155/04/2018 156/04/2018 157/04/2018 165/04/2018
THE STATUS OF THE INVESTIGATION	Investi- gation on route
ENABLING / RISK FACTORS THAT CONTINUES AND WOULD NEED INTERVENTION	Non availability of fence and its cameras Shortage of staff The shift pattern Non installation of body scanners
IMMEDIATE MEASURES PUT IN PLACE	Est and Dog Unit to patrol during night duty

CONCLUSION

The Select Committee to note:

- The fact that DCS is not in a position to down manage overcrowding;
- Efforts by the DCS to enhance the management of overcrowding and the subsequent impact on security and infrastructure;
- Challenges of DCS including budgetary constraints to create additional bed space as part of the multipronged strategy in the short to medium term; and
- Intention by DCS to embark on a formal process to debate, among others, the need to identify, review and influence reform of relevant impeding legislation such compulsory minimum sentences and provisioning for the diversion of short term offenders from correctional centres.