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***PROCEEDINGS OF THE MINI-PLENARY SESSION OF THE NATIONAL***

***ASSEMBLY***

\_\_\_\_

Members of the mini-plenary session met on the virtual

platform at 16:30.

The Acting Chairperson Mr M G Mahlaule took the Chair and

requested members to observe a moment of silence for prayer or

meditation.

The Chairperson announced that the virtual mini-plenary

sitting constituted a meeting of the National Assembly.

**VIRTUAL MINI-PLENARY SITTING CONSTITUTES MEETING OF THE**

**NATIONAL ASSEMBLY**

(Announcement)



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The ACTING CHAIRPERSON (Mr M G Mahlaule): Thank you. Hon

members, before we proceed, I would like to remind you that

the virtual mini-plenary is deemed to be in the precinct of

Parliament and constitutes a meeting of the National Assembly

for debating purposes only. In addition to the Rules of the

virtual sittings, the Rules of the National Assembly including

the rules of debate apply. Members enjoy the same powers and

privileges that apply in the sitting of the National Assembly.

Members should equally note that anything said in the virtual

platform is deemed to have been said to the House and may be

ruled upon.

All members who have logged in shall be considered to be

present and are requested to mute their microphones and only

unmute it when recognised to speak. This is because the

microphones are very sensitive and will pick up any noise

which might disturb the attention of other members. When you

are recognised to speak, please unmute your microphone

and connect your video. Members may also make use of the icons

on the bars at the bottom of their screens which has an option

that allows a member to put up his or her own hand to raise

points of order.



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The secretariat will assist in alerting the Chairperson when

members are requesting to speak. When using the virtual

system, members are urged to refrain or desist from

unnecessary points of order or interjections. We shall now

proceed to the Order, which is a debate on Vote No 22 -

Correctional Services, Appropriation Bill. I now recognise the

hon Minister of Justice and Correctional Services. Hon

Minister!

**APPROPRIATION BILL**

Debate on Vote 22 - Correctional Services:

The MINISTER OF JUSTICE AND CORRECTIONAL SERVICES: Thank you

very much, hon Acting House Chairperson. The Deputy Minister

of Correctional Services, Nkosi Phathekile Holomisa, Deputy

Minister of Justice and Constitutional Development, John

Jeffery, Ministers and Deputy Ministers from sister

departments, hon members of the Portfolio Committee on Justice

and Correctional Services, hon members, Acting National

Commissioner of the Department of Correctional Services, M S

Thobakgale, the Inspecting Judge, Justice Edwin Cameron,

members of the National Council for Correctional Services, and



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members of the parole boards across the country, we want to

start by quoting our esteemed stalwart, Mme Charlotte Maxeke

when she said, and I quote:

This work is not for yourselves. Kill that spirit of self and

do not live above your people but live with them and if you

can rise, bring someone with you.

As hon members would know, Mme Charlotte Maxeke was also the

first woman in South Africa to be appointed as a probation

officer at the Department of Correctional Services. History

records that she was frequently seen in the courts in Benoni

and Boksburg where she appeared on behalf of youth who

committed various crimes seeking alternative sentences to

incarceration. As we present the Budget Vote for the

Department of Correctional Services, I can think of no better

call to action to our officials across the board and the work

of Mme Charlotte Maxeke, from the administrative capital in

Pretoria to our most remote centres in Malmesbury.

In the work you do, seek no personal glory as this work is not

for yourselves, but rather for all South Africans so that

together, we can create a safer South Africa. We want to bring



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together reformed parolees, victims of crime, rehabilitated

ex-offenders, civil society, and South Africans from all walks

of life and make South Africa rise in line with a vision by

progressive leaders like Mme Maxeke. We present before this

august House a budget amounting to R26,1 billion for the 2022-

23 financial year allocated as follows: R15,2 billion for

incarceration; R4,6 billion for administration; R2,6 billion

rands for care; R2,3 billion for rehabilitation; and lastly,

R1,2 billion for social reintegration. Government resources

are constrained; the Department of Correctional Services has

adopted an innovative way to save costs and efficiently use

the allocated resources.

One of the programmes we are using to cut costs in the

department is the Self-Sufficiency Strategic Framework with a

restorative justice element. So far, self-sufficiency has set

the department on the right course to save taxpayers money and

position the Department of Correctional Services to have a

restorative justice impact in communities. Together with the

Deputy Minister Holomisa, we took a policy decision affirming

that Correctional Services has to find means to self-sustain

itself in line with the Correctional Services Act. The

department has farms, land, dairies, bakeries, workshops and



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many other amenities which position us to survive without

having to rely on government funding.

I am happy to inform this august House that vegetables costs

have also been significantly reduced in the department. Eight

management areas out of 48 are no longer buying cabbages,

spinach, beetroot and onions, they produce enough supply for

inmate rations. We will increase the number of management

areas that are able to do so in this financial year. Five

management areas, namely, Goedemoed in the Free State,

Kirkwood in the Eastern Cape, Rooigrond in the North West,

Waterval in KwaZulu-Natal and Zonderwater in Gauteng are now

fully sustainable on red meat, while Drakenstein in the

Western Cape and Zonderwater are also no longer procuring

chicken meat. The estimated cost savings, hon Acting House

Chairperson, I hope all hon members are listening, as a result

of implementing self-sufficiency initiatives in the department

amount to R163 million. I must repeat, hon Acting House

Chairperson, because this work is celebration by all South

Africans. The estimated cost savings as a result of

implementing self-sufficiency initiatives in the Department of

Correctional Services amount to R163 million which we have

saved the fiscus and we aim to invest back into the department



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to do more, and I hope, hon members will notice this good work

done by officials and the offenders.

*IsiZulu*:

Bonke abenzi bobubi bayasebenza manje. Akusekho muntu ohlala

nje mahala.

*English:*

During this financial year, we will heighten production in our

livestock and plant production farms and textile workshops. We

have invested in new machinery that will assist in the mass

production of uniform for both inmates and officials. We are

currently training inmates and officials to run production

lines with our new machines. The target is simple, skill

inmates with functional skills and increase our production

capacity while they also learn skills that will enable them to

be productive in society upon release. Acting House

Chairperson, transferring skills to inmates remains an

important programme of the department. We want inmates, upon

their release to be productive in society.

The few incidents of parolees who reoffend in our communities

has really caused untold damage to the image of correctional



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services. It has also caused untold damage and suffering to

the families of the victims and to the communities themselves.

I’m happy to see that the trial of the murder of Tazne van Wyk

has commenced in the Western Cape. I’m convinced that justice

will prevail, and I hope that this trial will send a clear an

unambiguous message to other parolees that reoffending does

not pay. I also would like to highlight the good work of some

of the rehabilitated offenders like parolee Andrew Moleko from

Marikana is one of them in the North West. He learned

entrepreneurial skills whilst incarcerated. He is currently

running a successful construction company that also employs a

number of parolees. He is one of our many parolees who are

good ambassadors of rehabilitation programmes of the

department. We commend the companies which gave him

opportunities and reiterate that a criminal record does not

render someone completely unemployable.

With limited human capital, our officials are doing

extraordinary work under difficult circumstances. We appeal to

communities not to deny parolees opportunities. We have seen

with parolees like Moleko that access to opportunities

contributes towards their rehabilitation.



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During the 2021-22 financial year, 90% of sentenced offenders

with correctional sentence plans completed correctional

programmes. With regard to offender development, offenders

participate in long occupation skills programmes, short

occupational skills programmes, technical vocational education

and training, TVET, college programmes, general education and

training, further education and training and the Grade 12

National Senior Certificate. Offenders also receive

psychological, social and spiritual services.

Acting House Chairperson, the voted allocation for offender

development is supplemented through the National Skills Fund

allocations. The current agreement of R87,2 million for the

training of 5 480 offenders has been extended from 31 March

2022 to 31 March 2023. This funding ensures that more

offenders are provided needs based skills development

opportunities as part of their rehabilitation programme. The

accreditation of offender training facilities and workplaces

has been enhanced.

The Manufacturing, Engineering and Related Services Sector

Education and Training Authority assisted in formalising the

National Skills Development Management System, thus resulting



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in correctional facilities including Boksburg,

Kgosi Mampuru II, Drakenstein and Bizzah Makhathe being

approved to provide accredited programmes. We are also working

with the services Sector Education and Training Authority,

Seta, in accrediting female hairdressing sites salons at

Durban, Bizzah Makhathe, Pollsmoor and Worcester correctional

centres. Much work has been done in terms of addressing the

identified gaps and we are confident that we will meet all the

accreditation requirements. It is our resolve that all

training programmes offered in our correctional centres are

accredited and meet the industry standards.

Formal education has been doing extremely well over the years.

Our matriculants continue to surpass the national pass rate.

It gives me great pleasure to announce that we have registered

a new school in the KwaZulu-Natal Region, named

Sicebengolwazi, which when translated, means ‘armed with

knowledge’. This school is already operational, offering

Grades 10 to 12 subjects. The National Electronic Media

Institute of South Africa is another institution that we have

formalised a working partnership with, under the Department of

Communications and Digital Technologies. This partnership will

be piloting Microsoft digital literacy programmes to



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offenders. These partnerships are also explored with the

business sector and nongovernment organisations, NGOs, as we

enhance relations and collaboration for the purposes of

empowering offenders with skills for employability, job

preparedness and to create job opportunities.

The department is also looking at programmes that will empower

victims of crime. As reported in the previous financial year,

where we have had a victim of crime family, we are looking at

expanding. The department will also be extending correctional

programmes in this financial year to remand detainees. We have

developed structured programmes to assist remand detainees to

develop general life skills which they could apply during

detention and upon their release to prevent future offending

behaviour. The programmes will focus on several areas such as

emotional health and wellbeing, problem solving, intelligence,

and so forth. We are also encouraged that the National

Treasury has approved 100% retention of revenue we generate

through self-sufficiency. This is a major boost to the

programme as we will reinvest these resources towards its

growth. The department has commercialised its arts and crafts

products to enhance and self-sustain some of its programmes.

Various in-house projects with the use of inmates labour are



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currently underway to refurbish other amenities such as

kitchens, recreational facilities, and office accommodation.

Not everything in state needs to be outsourced, the state must

be a pioneer in some of the markets, hon members. It can’t be

a tender for everything. There are things that we can do and

we must do that.

What is now evident is that there is more ground that we can

cover through our in-house built programme. We are now

repairing tower posts to augment our security infrastructure.

The tower posts offer several advantages to our security

enterprise. An elevated or aerial view provides a bigger

spectrum where one official can effectively conduct monitoring

movement is also noticeable from an aerial position. As a

result, disturbances, be it outside cells or on the inside,

can be spotted in real time. This old technology still works.

The in-house built programme will also be covering the

construction of community corrections offices.

The Mpumalanga Department of Education has reached out to the

Department of Correctional Services on its Rhandza Xikolo Xa

Wena campaign that seeks to mobilise communities to always own

and safeguard their schools. It further encompasses repairing



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damaged school property. Deputy Minister Holomisa was on

Tuesday in Mpumalanga where the two departments signed a

Service Level Agreement for us to refurbish school furniture

for the Mpumalanga Department of Education through the

utilisation of offender labour. We have a similar agreement

with the Gauteng Department of Education, also with the

national Department of Education. This is born out of the type

of work that Correctional Services has been doing over years,

refurbishing damaged public infrastructure. Some of the

schools in Limpopo, Mpumalanga, Gauteng and the Eastern Cape

have had their infrastructure restored by Correctional

Services inmates. Fixing ceilings, painting walls, rendering

basic maintenance work and cleaning is in the package that

Department Correctional Services makes available through

offender labour.

Therefore, communities have welcomed this initiative. They see

it as offenders playing their role into paying back to society

and making a positive contribution. It also helps us with

reintegration. The departmental production workshops continue

to manufacture and supply furniture for various client

departments. Among them are the Departments of Justice and

Constitutional Development, Housing, Water and Sanitation. It



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is with a great sense of joy to announce that the Department

of Public Works and Infrastructure will be placing orders for

furniture with Correctional Services production workshops. An

increase in the orders placed means that we get our production

workshops to be more productive, as inmates cannot sit idle in

their cells. More inmates will be at work. More inmates will

be meaningfully occupied.

Hon members, overcrowding in our facilities continues to be a

perennial challenge that requires holistic attention in terms

of crime deterrence by our communities. For as long as people

continue to commit crime, we are thus left vulnerable to

possible overcrowding in correctional centres. Although there

has been a reduction in the inmate population over the years,

the correctional system remains under pressure. Over a period

of five years, from 2015-16 to 2020-21, we have recorded a

reduction of 12,99%. In real figures, we have moved from

161 984 to 140 948. Sadly, there continue to be spikes that we

encounter from time to time. We cannot avoid overcrowding if

society does not play its role to fight. Crime must be fought

and this will enable us to reduce the level of overcrowding in

our facilities.



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In terms of capital projects, it is worth mentioning that

construction of additional bed space at Parys has achieved 85%

completion and is scheduled to be finalised during the 2023-24

financial year. This upgrade project will provide an

additional 176 beds. The upgrade and refurbishment of the

Emthonjeni Youth Centre will regain a total of 640 bed spaces

and transform the centre into a state-of-the-art integrated

security systems facility. This project is scheduled for

completion during the 2022-23 financial year. Another

milestone is the refurbishment of the Umzimkhulu Correctional

Centre which was finalised during the 2021-22 financial year.

The facility will be operationalised during the current

financial year. These are great achievements on capital

projects.

Work is also continuing when it comes to the welfare of our

officials. The Waterval Management Area was struck by a

Tornado in 2019, leaving serious destruction to the centre and

the residential area of our officials. As a result, the

officials whose houses were damaged became displaced and had

to be relocated elsewhere on the terrain. We are pleased to

announce that the refurbishment of 42 staff houses will be

finalised during the month of June 2022.



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Hon members, allow me to provide an update on the matter

involving the Judicial Inspectorate for Correctional Services

following a Constitutional Court judgement handed down on 4

December 2020. The Department of Correctional Services and

Judicial Inspectorate for Correctional Services, Jics, have

been working on the implementation of the judgment and the

creation of a Judicial Inspectorate for Correctional Services

Bill to ultimately replace sections 88A(1)(b), 88A(4) and 91

of the Correctional Services Act, 111 of 1998, as confirmed by

the Constitutional Court to be constitutionally invalid. We

remain hopeful that a solution will be found on the impasse to

ensure we comply with the judgement. It is now common

knowledge that the Department of Correctional Services, like

many other departments, suffered budget cuts. The compensation

of employees’ budget cuts amounts to R11 billion over the

Medium-Term Expenditure Framework, MTEF, period ending 2025.

Hon members, one of the challenges that the department is

faced with is the reality that the demand for services will

not stop or decline just because there is a budget cut.

Instead, service delivery expectations will continue to grow

irrespective of whether resources are commensurate with such

standards. Therefore, this challenge calls for a change in a



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manner that the department delivers its services. This will

inevitably have an effect on how services are delivered at the

head office. For the department to be persistent and

purposeful we are now decentralising some of the officials to

move from head office to area management.

Hon Acting House Chairperson, I am pleased to announce that

the Department of Correctional Services will be embarking on a

recruitment drive for learners. We are looking at over 3 000

opportunities which will diversify the skills set that we

intend attracting in our workforce. As hon members will be

aware we have not been able to recruit in the past two

financial years due to Covid-19. On the international front,

the department has committed to exchange programmes and

benchmarking visits in the areas of mutual interest which

include, staff training and development, security,

rehabilitation, reintegration, and parole administration. We

also participated in two ... thank you. I submit, hon Acting

House Chairperson. [Time expired.]

Mr G MAGWANISHE: Thank you very much, hon Chairperson, hon

Minister Ronald Lamola, hon Deputy Minister Nkosi Phathekile

Holomisa, Ministers and Deputy Ministers present, inspecting



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judge, Judge Edwin Cameron, Acting National Commissioner, Mr

Thobakgale, distinguished guests and hon members, this Budget

Vote Debate takes place at a time while the country is still

trying to understand the impact of the devastating floods

which wreaked havoc in KwaZulu-Natal and Eastern Cape in April

2022.

We are pleased to hear that the Department of Correctional

Services, through their Self-Sufficiency and Sustainability

Model contributed towards the social relief effort in KwaZulu-

Natal.

When Minister Lamola presented his political overview of the

Budget to the committee, reported that items such as eggs,

meat, milk and bread, which were produced by inmates were

donated to the needy families and this brought much-needed

relief to communities.

We are also pleased to hear that the Department of

Correctional Services has removed items such as eggs and pork

from their procurement list as a result of the self-sufficient

and sustainability initiatives.



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In our budget report, as the committee, we have recommended

that the Department of Correctional Services should add more

items their list in order to address the current budget

constraints facing the department.

In our visit to correctional centres, we have observed that

Self-Sufficient and Sustainability Model is bearing fruits for

the department and the Minister has alluded to some of them.

In Tzaneen, for instance, the committee noted with

appreciation that in 2021-22 financial year, the centre did

not procure any vegetables in the market because they produced

95 417 kilograms of vegetables, saving the centre over

R692 000. In Boksburg Correctional Centre, they produce one of

the best furniture through offender labour. These products are

sold to other government departments. The furniture for the

building of the High Court in Middelburg has been produced in

Boksburg Correctional Centre.

Amidst the COVID-19 pandemic, the class of 2021 inmates

matrics managed to achieve an impressive 89,93% pass rate.

This is an improvement from the 81% achieved in the 2020

academic year. The committee would like to congratulate



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Usethubeni Youth School for achieving 100% pass rate for the

last five consecutive years.

Let me also take this opportunity to congratulate the best

learner in the Department of Correctional Services facilities,

Mr Khanyile Faba from Brandvlei Youth School for achieving

88,71%. These results are evidence that when an opportunity is

given to young people, that can change their lives for the

better is through education.

The committee calls upon the department to invest more in

education, skills development and rehabilitation in

correctional facilities. In order to realize this, there

should be a significant shift in a way the department

structure their budget. Currently, rehabilitation programme is

only allocated 10% of the overall budget of the department,

while incarceration takes 56% of the budget. This is against

the spirit of the White Paper on Corrections, which states

that rehabilitation should be at the centre of the

departmental activities.

Community correction is an important component to facilitate

social integration of parolees into the community. A number of



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challenges confront our community corrections on a daily

basis.

During our oversight visit to different centres across

provinces, we observed that there was a high number of

absconders in the system of community corrections. There is a

need to strengthen the system of community correction so that

the community should feel safe and have faith in the parole

system. In the same breath, the department is calling upon to

finalize the review of the parole system in general.

Victims of crime are an important stakeholder in the

administration of our criminal justice system. The department

should do more to educate our communities about the important

right of victim of crime to make representation during parole

hearings of offenders. More effort should also be put in

encouraging victims and offenders to participate in victim-

offender dialogues. The involvement of victims and the

community in correctional matters is an important milestone in

realizing the objectives of the White Paper on Corrections to

ensure that corrections become a societal responsibility.



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The Department of Correctional Services has over the years

been a subject to a number of investigations over

maladministration and corruption. This has put the image of

the department in a negative light. We call upon the

department to reverse this by implementing consequence

management in all deserving cases.

The Department of Correctional Services is a labour-intensive

department. The White Paper on Corrections says, and I quote:

“Every member is a rehabilitator”. Our oversight visit gave us

an opportunity to observe first-hand the hard work done by

officials of the department in rehabilitating the offenders

under their care. During these visits, we also learned with

disappointments that there are officials who bring contrabands

such as drugs, dagga and cellphones into the correctional

centres. The department must ensure that all those found

guilty of such misconduct and criminal acts must face serious

consequences.

The Judicial Inspectorate of Correctional Services, under the

leadership of the inspecting judge, Judge Edwin Cameron

continues to carry out their mandate with great distinction.

As a committee, we reaffirm our support for the work done by



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the inspectorate. Currently, the inspectorate is finalizing

its business operating model which should assist them to

function better than the current arrangement where they need

to heavily rely on the Department of Correctional Services,

the very same department they must oversee.

As the committee, we are concerned that up to now, we do not

have a permanent Commissioner of Correctional Services. The

challenges at Correctional Services needs stability at all

levels of strategic leadership.

Lastly, as a committee, we are deeply concerned that as

Parliament, once again, we might not meet the constitutional

deadline with respect to the Sonke Gender Justice

Constitutional ruling. The Bill has not yet been introduced in

Parliament. We plead for a speedy introduction of the Bill by

the executive. Hon members, please support us in supporting

this Budget Vote of the Department of Correctional Services.

Thank you.

Mr J N ENGELBRECHT: Chairperson, I have no intention to repeat

all the very nicely articulated points of the department’s

vision, mission and mandate as is so often done during



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occasions such as this. We are here to perform an oversight

role and assess performance. In terms of that,

underperformance, understaffing and underspending by

R1,3 billion are the major achievements of the department with

key management positions remaining unfilled, the ratio of

members to inmates remains decidedly unsatisfactory, escapes

being a regular occurrence along with the significant risks

and danger associated with it.

A very significant challenge the Correctional Services has to

face is the budget cuts necessitated by the prevailing

economic climate and the declining state. In the department’s

2022-23 annual performance plan it stated that:

The reduction and reversal of the wage agreement over the

2021 Medium-Term Expenditure Framework, MTEF, will

continue to have a negative effect on the funded

establishment of the department during the 2022 MTEF. The

department will be required to reduce its staff

complement which will negatively affect new initiatives.

I think this is an understatement to say the least. This

budget allocation will add in preventing the department from



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fulfilling its constitutional mandate effectively. I don’t

know if the involvement of the department in terms of state

capture had a subconscious influence during the budget

allocation process, but it can’t be denied that the blight

Bosasa left on Correctional Services was severe. Parliament

would however only be able to deal with this once the Speaker

ceases to stall the process. The sooner this can commence the

better. The manner of how this is going to be dealt with will

be a determining factor in assessing the credibility of

Parliament as an institution by our citizens.

During a recent oversight visit conducted by the committee,

the majority of serious challenges the committee came across

can be ascribed to a failure by the Department of Public Works

to fulfil its most basic function. [Recording stopped.]

... it has progressed to the point where ...

Correctional Services had to make alternative plans to try and

do maintenance work on facilities where they could. This trend

will continue and probably be expanded upon in future, because

the one thing every department is certain of when it comes to

Public Works is that it cannot be relied upon. This might be a



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blessing in disguise, to quote the hon James Selfe, I quote,

“Prisons work where prisoners”.

Instead of paying Public Works [Recording stopped.] to do

shoddy maintenance, skilled prisoners can be utilised to

maintain the facilities and do something constructive. I can’t

think of a single reason that would motivate the continued

existence of Public Works as a government department. Those

prisons visited during recent oversight where prisoners

worked, were in a much better position than those where all

inmates had to do all day was to hang about with little to no

exercise and nothing constructive to occupy their waking

hours.

Rehabilitation is a core programme of the Department. The

White Paper on Corrections of 2005 states that rehabilitation

is at the centre of departmental activities. Yet the

rehabilitation programme is the six smallest allocated

programme of the total allocation for the department in 2022-

23, amounting to R2,319 billion. With notable exceptions,

little is offered in the way of improving the skills-set of

inmates making a mockery of the rehabilitation aspect of the

department. While most of us do not want to hear this, it is a



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fact that inmates have very little chance of leaving prison a

better person than when they entered prison. [Recording

stopped.]

The ACTING CHAIRPERSON (Mr M G Mahlaule): Hon Engelbrecht, can

you try again, you are muted. Can you unmute yourself? You can

proceed.

Mr J N ENGELBRECHT: Finding employment upon leaving prison is

understandably difficult, since little to no rehabilitation

has taken place. If we are to address this very serious social

problem, then a lot more needs to be spent on the

rehabilitation programme, and serious attention needs to be

paid to rehabilitation holistically.

Currently, South Africa has a very high reoffending rate.

According to the National Institute for Crime Prevention and

the Reintegration of Offenders, Nicro, it is at 87%. For as

long as we ignore rehabilitation as an imperative part of the

Correctional Services’ responsibility, this will not come

down, and this will also continue to drive the crime rate up.



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The prison system suffers under overpopulation. Apart from

erecting new facilities ... [Recording stopped.]

The ACTING CHAIRPERSON (Mr M G Mahlaule): Hon Engelbrecht!

Mr W F FABER: Chairperson, on a point of order. It seems we

have a connectivity problem, but I also see that one other

member gets on the line and it obviously disturb the signal of

the hon Engelbrecht. Let us see if we can get him back because

I see there was another member who was interrupting. Thanks,

Chair.

The ACTING CHAIRPERSON (Mr M G Mahlaule): No, it cannot be

true that someone was online because it was a video only from

the hon Msimang. I am watching the proceedings. You are left

with 30 seconds, hon Engelbrecht. I will give you another 30

seconds. You can proceed.

Mr J N ENGELBRECHT: [Recording stopped.] ... it needs urgent

attention. By allocating a meagre 4.6% of the budget to social

reintegration will surely not assist in improving the

situation. These are but a few of the biggest challenges I

have identified given the time available. I truly hope that



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the Bosasa affair, which we still have to deal with, would be

the last we see of political meddling and its devastating

consequences for our country. I wish the officials of

Correctional Services all the best. Thank you very much.

Ms Y N YAKO: Chairperson, the EFF rejects Budget Vote 22 on

Correctional Services. Today, the South African prison

populations sits at over 155 000 inmates while the official

capacity of our correctional centre is for 110 000 inmates.

There also crowding of correctional centres makes it

impossible for any correctional lessons to take place. The

prisons have become a breeding ground for hardened criminals.

There are centres in which the collusion between convicted

criminals and prison officials produces the bloodiest of

crimes.

They are incubation centres for diseases, for crime which is

planned and organised from the inside and perpetuated by those

in the outside.

When we adopted our new constitutional order we wanted to have

our correctional centres as rehabilitation centres because

punishment for crime has to be corrective and not punitive.



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The Department of Correctional Services has failed in almost

all aspects in reorientating focus to the rehabilitation to

these prisons. Toping to this failure is the deeply rooted

corruption in this department. Take for example, the case of

Mr Nxele, the regional commissioner for Correctional Services

in KwaZulu-Natal. For the past few years Mr Nxele has been

fighting a very brutal system in the department relating to

his suspension as a regional commissioner. In each and every

platform, arbitration or even court cases he has been

repeatedly cleared of wrong doing and the department has been

asked to reinstate him back to his job. This department led by

a lawyer who projects himself as a crusader for justice has

ignored court rulings relating to the reinstatement of the

KwaZulu-Natal regional commissioner. Why are you doing this,

Mr Lamola?

To this date, the department has not cleared the air in as far

in its corrupt dealing with Bosasa is concerned. While Bosasa

might not be in the picture anymore, there are people who

enabled the looting of the state resources in that department

and are still there. Even though Bosasa as a company might not

be involved anymore the infrastructure for corruption is still

there. There is no reason to why an outside company should



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have been contracted to provide food to inmates anyway for

that matter. As we have seen in our oversight visit inmates

themselves can be used to produce food on the vast lands the

department owns. Inmate can be trained to prepare this food as

part of their life training to enable them to lead productive

lives when they get released from jail.

Minister, the last time we checked remanded detainees made up

almost a third of the South African prison population and some

of these people have been in remand custody for over five

years. This speaks to the inefficiencies of the administration

in the criminal justice system, particularly that it has its

way in which the magistrate courts deal with cases of pity

crimes. These remanded detainees have no access to

rehabilitative activities that convicted detainees have. This

area must be addressed. Magistrates must expedite matters

before them to ensure that there is finality in cases.

Lastly, Minister, we condemn the privatisation of correctional

centres at your department seems to be mounting lately. The

contract for the management of the Mangaung correctional

facility awarded to the British Security Firm G4S as well as

that of the management of the Kutama Sinthumule Correctional



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Centre in Limpopo are a serious blights on the ability of the

country to manage its own affairs. We must learn lessons from

countries such as the US that have privatised prisons and see

how deeply corrupt and inhumane the system of private prisons

is. It is sad that all these reactionary developments in our

justice system are happening under the leadership of a young

person who once prided himself as a revolutionary. You have

simply become a disgrace over the past few years, Minister.

You are an embarrassment to the generation you once proclaimed

to be leading. Therefore, we reject this budget.

Prof C T MSIMANG: Hon House Chair, it is undeniable that the

COVID-19 pandemic had a great impact on the management of our

correctional facilities, and presented a unique public health

problem. This situation forced the government to, for once,

take action and deal with the long standing issue of

overcrowding in our correctional facilities, which and

continues to be a serious problem.

According to the latest report of the Judicial Inspectorate

for Correction Services, the impact of the special

dispensation authorised by the President to bring forward

parole and dates of 19 000 non-violent incarcerated persons in



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May 2020, coupled with directives or measures to prevent the

spread of the virus in January 2021, undeniably had a direct

impact on reducing overcrowding.

In March 2020 the national overcrowding rate according to the

report was at 32% whereas in March 2021 the rate massively

reduced to 23%. This is enormous accomplishment. However, it

begs the question of why it took a pandemic for the department

to take action and address a long-standing explosive

situation. To applaud the department for its efforts denies

the cold-heart fact that this reality has been compounded over

the years. Very little action has been taken by the department

despite meticulous reports of the Judicial Inspectorate of the

state of our correctional facilities.

The issue of overcrowding and bed space at our correctional

facilities remains a critical issue demanding prompt action.

Although the IFP welcomes the reports by the department

regarding the building of new correctional centres and

upgrades to facilities such as the Emthonjeni Correctional

centre which is apparently estimated to provide an additional

640 beds. Much more needs to be done.



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The IFP remains highly concerned about the reports of security

breaches at correctional facilities such as the disturbing

report in September last year when two inmates serving

sentences of rape and murder escaped from Leeuwkop

Correctional centre after which they allegedly kidnapped an

infant during a house robbery. This type of serious security

breach sharply calls into question the issue of consequence

management as well as infrastructure concerns.

In conclusion, the IFP also wishes to stress its concern over

the filling of critical vacancies in the department. The IFP

accepts that the stark reality of budgetary reduces inevitably

has a great impact on the department and its capacity, but the

speed of filling critical vacancies is worrisome. It recent

briefings by the department, it became clear to the portfolio

committee that the position of a permanent National

Commissioner will, in all likelihood, to be filled before

August 2022, which is unacceptable. The IFP will closely

monitor the situation and interrogate the department’s

recruitment processes. The IFP supports the Budget Vote, and I

thank you, hon House Chair.



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Mr F J MULDER: Hon House Chair, the rights of inmates are not

an isolated issue, they have the potential to directly and

indirectly affect all of us. Prisoners as people constitute

part of society and the department should carry out its

mandate to rehabilitate offenders in their care that they can

change their behaviour and become productive members of

society upon their release.

If the mandate of the department is amongst others to

rehabilitate offenders in a correctional facility in their

care, as the name of the department says, so that they can

change their behaviour and become productive members of

society upon release, the question should be asked then, how

could it be then that the rehabilitation programme is the

second smallest allocated programme in terms of budget for the

2022-23 financial year. This programme was only allocated 8,6%

of the total budget of the Department for Correctional

services.

Hon House Chair, in the 2021 budget report, the committee

raised concerns about the ability of the community corrections

systems to effectively manage the additional 19 000 parolees

who were to be released. The department was requested to



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provide the committee with detailed plans on how community

corrections will manage the additional numbers. To date the

committee has not received that requested information. This

House should know what happened to the 19 000 parolees and how

they were managed after their release.

It is unacceptable for the department not to have responded to

the committee. The department should ensure that spending for

the current financial year is prioritised because the

financial allocation to the department will be reduced in

2024-25 financial year. Therefore, the Freedom Front Plus

cannot support this Vote. Thank you.

Mr S N SWART: House Chair and hon Minister, the ACDP is fully

aware of the severe overcrowding at many of the correctional

centres, and this negatively impacts on inmates’

rehabilitation. One of the ways of addressing this is to

reduce the number of awaiting trial detainees, many of whom

may not be guilty of the crimes they are charged with.

The Zondo Commission report highlighted that the department

was captured by Bosasa. What makes these finding particularly

galling, is that it follows the Jali Commission of Inquiry



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into bribery and corruption at the department some years ago.

Very little seems to have been done to implement the Jali

Commission recommendations to prevent a reoccurrence of what

we have witnessed, and it will be important to ensure that

additional bands are made available in correctional centres to

ensure that all those comrades implicated in state capture and

corruption can be issued with orange overalls after the funds

they stole have been recovered.

As far as the committee’s report is concerned, the ACDP shared

concerns that the department underspent its budget by

R569million. We question why the department should be

allocated more funds when they were not able to spend their

full allocation. Closer monitoring of the department’s

spending is most definitely required. The ACDP is pleased that

the rehabilitation will now also be offered to remanded

detainees, but as other speakers indicated, the skewed

allocation of the budget in favour of incarceration and

administration to the disadvantage of rehabilitation and

social integration is regrettable. Rehabilitation should be at

the centre of all activities.



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We raised the issue of restorative justice programmes in

centres and welcome the fact that there will be re-introduced

after the COVID-19 lockdown. Lastly, the ACDP shares concerns

about the slow pace of infrastructure projects in the

department. A number of projects have been delayed for several

years, including the Tzaneen Correctional Centre which was

only officially opened in 2020, some 20 years since the

project commenced. This is totally unacceptable. We are

equally concerned about security systems that are not

operational in a number of facilities, including at Tzaneen

and Grootvlei centres. The budget must respond to the security

needs in facilities to ensure the safe and secure

incarceration of inmates as well as focusing on

rehabilitation. I thank you.

The DEPUTY MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

RESPONSIBLE FOR CORRECTIONAL SERVICES (Inkosi S P Holomisa):

Hon House Chairperson, Mr Mahlaule, Minister of Justice and

Correctional Services, Mr Ozzy Lamola, Deputy Minister of

Justice and Constitutional Development, Mr John Jeffery,

chairperson and members of the portfolio committee, hon

members, members of the public, good afternoon.



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South Africa’s National Development Plan, NDP, calls for,

amongst others, the building of safe communities and the

promotion of social cohesion. To this end, in contributing

toward safe and empowered communities through sustainable

economic development, one of the strategic focus areas of the

Department of Correctional Services is the social

reintegration of all those in its care. The Department of

Correctional Services regards the effective social

reintegration of offenders as the most challenging and most

crucial aspect of their rehabilitation. The Department of

Correctional Services also realises that this is the point at

which offenders are at their most vulnerable in their

progression to sustainable correction and rehabilitation.

Through the implementation of the Department of Correctional

Services Social Reintegration Framework, the department seeks

to create platforms and avenues for active participation and

involvement of various stakeholders in the advancement of

rehabilitation and social reintegration of offenders.

The framework maps out processes to reposition the system of

community corrections by professionalising core functions of

social reintegration, actively engaging the community and

relevant stakeholders in the rehabilitation process as well as



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providing interventions and services that are responsive to

the risks and needs of parolees and probationers to eliminate

reoffending and improve public safety. The Social

Reintegration programme is expected to spend R3,5 billion over

the medium-term, and 89,3% of the total budget of the

programme, amounting to R3,1 billion, is allocated to the

supervision sub-programme.

Over the medium term, R141,8 million, which is 4,1% of the

total programme allocation, will be spent on leased community

corrections offices. The department continues to facilitate

restorative justice by also increasing the number of victims

participating in restorative justice programmes from 4 100 in

2022-23 to 5 300 in 2024-25. These dialogues are budgeted for

in the community reintegration sub-programme, with an

allocation of R198,3 million over the Medium-Term Expenditure

Framework period. The COVID-19 pandemic has affected the

execution of social reintegration processes, resulting in

reduced physical monitoring of offenders and restorative

justice processes such as Victim-Offender-Dialogues and

Victim-Offender-Mediations.



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For the past three years, the Department of Correctional

Services has recorded a 99% success rate of parolees and

probationers complying with conditions of release. Although

those who violated their conditions constituted 1%, some of

them committed serious and violent crimes. The rate of

recidivism in South Africa is widely believed to be

unacceptably high. This deduction, however, is not very

reliable, as there is currently no reliable system for

monitoring recidivism, or analysing the trends in this regard,

and thus such a system will have to be developed and put in

place.

In order for us to develop an understanding of the causes of

reoffending and the effectiveness of rehabilitation and

reintegration initiatives, the Department of Correctional

Services has embarked upon a scientific research programme.

The extent to which societal institutions such as the family

unit and other community institutions embrace correction as

one of their basic functions will have an impact on successful

social reintegration, as well as the future rate of

reoffending.



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The University of South Africa is committed to providing

guidance on the recognition of prior learning for the

educational growth of community corrections officials. The

Department of Home Affairs will extend its mobile services to

offenders, parolees and correctional officials and will grant

access to system reports to down-manage archived absconders

such as death notifications. The SA Police Service will

process sample lists at their Criminal Record Centres for

system-generated reports for absconders. Available community

service hubs will be extended to parolees and probationers,

including access to economic opportunities, and joint

operations with the SAPS will be intensified to trace

absconders.

The ageing vehicle fleet, across the 218 community corrections

offices, has been a common feature. The national drive to

capacitate community corrections offices with an efficient

fleet of vehicles has been realised, as 519 vehicles were

sourced for community corrections across the country which

addressed 98% of the registered national need. This

intervention will result in community corrections officials

being sufficiently resourced to meet service delivery

expectations to communities. Community Corrections has also



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expedited the supply of other tools of trade, in line with

resolutions stemming from the 2019 Community Corrections

Indaba. The project to distribute laptops is underway as part

of the drive to improve the job effectiveness of community

corrections officials.

As per the White Paper on Corrections, the promotion of the

spirit and practice of goodwill and sincere interaction

between offenders and their communities and families, and

within the correctional centre community, is a vehicle through

which rehabilitation can be promoted. Across South Africa,

Correctional Services continues to avail various support

measures, including donations from our officials’ own pockets,

as well as food donations such as vegetables, eggs, pork and

beef from our agricultural farms, abattoirs and production

workshops. We also provide assistance on infrastructural work,

relating to the construction of buildings, electrical work,

tiling, painting, plumbing and general labour through our

artisans, offenders and parolees amongst others. It is thus

prudent for citizens to experience that the skills and talents

inmates acquire behind bars are not offered only for the

benefit of offenders, but must be utilised in supporting

developmental infrastructure projects and community-led



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initiatives toward ensuring that all people in South Africa

are and feel safe.

Over the past year, oversight visits to various Department of

Correctional Services Management Areas gave us first-hand

experience on the challenges facing the staff of the

department, who operate at the coalface of our operations,

that is, the correctional centres, as well as the opportunity

to engage with inmates. Coupled with these visits, we have

also undertaken a number of community outreach initiatives in

partnership with our social partners who include among others

SABC’s Umhlobo Wenene FM, Metropolitan Life, Avbob and Old

Mutual. For instance, on 29 March 2022, together with the

Judicial Inspectorate for Correctional Services, we undertook

a working visit to the Upington Management Area in the Free

State-Northern Cape Region, where we also handed over dignity

packs, comprising sanitary towels and boxer shorts, to young

girls, as well as school backpacks to young boys, in

partnership with Old Mutual and Metropolitan Life, at Oranje

Oewer Primary School. A vegetable garden has also been

established at the school and, like others elsewhere, is being

maintained by parolees and probationers. During the same

Upington working visit, the department entered into a



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memorandum of understanding, MOU, with Marcus Mbetha Sindisa

Secure School, under the auspices of the Northern Cape

Department of Education. In terms of the MOU, parolees will be

trained in the manufacture of various wood products, including

coffins, as part of their ongoing rehabilitation programme.

The coffins will be given as charitable assistance to

underprivileged families in the Dawid Kruiper Local

Municipality.

The relationship between the Department of Correctional

Services and the community, CBOs, NGOs and FBOs is a sine qua

non to the successful achievement of the rehabilitation and

reintegration of offenders. In this regard, the department

adopted the Mthatha-based Khwezi Lokusa Special School for the

Cerebral Palsied and Orthopedically Challenged Learners. In

terms of this arrangement, we committed ourselves to

continually providing cleaning, gardening and maintenance

services, using parolee and probationer labour. This model has

been successfully replicated at Retlametswe Special School in

Mahikeng, where we also provided the school with fresh farm

produce from the Rooigrond Correctional Centre. We are

perforce constantly looking for opportunities in our

communities where, within the parameters of the Self-



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Sufficiency and Sustainability Framework, we can be agents of

positive change. Uppermost in our minds in our interventions

as leadership, is to create a conducive working environment

for our employees to be able to discharge their duties

unhindered, and motivated. To underline our commitment to the

wellbeing of our employees the department recently hosted a

successful three-day Integrated Employee Health and Wellness

Summit in St Albans in the Eastern Cape during which effective

strategies were developed to cater for the physical, social,

spiritual and financial needs of officials who routinely

perform their duties under risky and stressful conditions.

Without the leadership and support of the chairperson and

members of the Justice and Correctional Services Portfolio

Committee, the work of the department will be constrained and

I would therefore wish to place on record our sincere thanks

and appreciation to them even to those opposed to the adoption

of this budget. I also wish to thank the Inspecting Judge,

Edwin Cameron, and his office for their enthusiasm and

frankness in our engagements. A special word of gratitude goes

to our dedicated and hands-on Minister, Hon Ronald Ozzy

Lamola, as well as all the Department of Correctional Services



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officials led by Acting National Commissioner Makgothi

Thobakgale. I thank you.

The ACTING CHAIRPERSON (Mr F D Xasa): Thank you very much, hon

Deputy Minister. Minister and hon members, good afternoon. Can

I indicate immediately that the next speaker, hon Newhoudt-

Druchen will have nine minutes, as saved by hon Magwanishe.

Can I recognise hon Newhoudt-Druchen. Over to you, ma’am.

Ms W S NEWHOUDT-DRUCHEN: Thank you, hon Acting Chairperson.

Greetings to everyone, hon Minister, hon Deputy Minister, Mr

Holomisa, hon Deputy Minister, Mr John Jeffery and all the hon

members on this platform, and those watching this debate. On 1

May 2022, the Portfolio Committee on Justice and Correctional

Services received the presentation from the Department of

Correctional Services on a 2022 annual performance plan.

Chairperson, while the vision of the department is to provide

the best correctional services to the safer South Africa, and

the mission of the department is to contribute to adjust

peaceful and safer South Africa through effective and humane

incarceration of inmates, rehabilitation and social welfare

intervention of the offenders.



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The White Paper on Corrections of 2005 states that, the

rehabilitation is the center of departmental activities,

making it a core programme of the department. Social welfare

integration provides services focused on offender’s

preparation for release. The effective supervision of

offenders placed under the system of community corrections and

the facilitation of the social welfare integration into

communities. The rehabilitation and social welfare integration

programme received the smallest allocation budget, and

together, they account for only 14%.

Rehabilitation is 9% and social welfare integration accounts

for 5% of the total budget for 2022-23 financial year.

Rehabilitation programme has 3 304 personnel which is up from

1 735 personnel in 2021-22, and 73,8% of the budget which is

R1,7 135 billion which is allocated to the compensation of the

employees. The social welfare integration programme, is one of

the two smallest programmes both in terms of budget and the

number of the employees. Social welfare integration allocated

90% of its budget to the compensation of the employees. It

also has the lowest personnel headcount which is 1 954, and

the lowest expenditure of R685 million.



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In the department’s 2022 annual performance plan document,

they mention the risk register being inadequate systems for

successful mere integration of offenders into the communities

as law abiding citizens, and secondly, inadequate provision

and access to need based rehabilitation programmes services to

inmates into psychosocial correctional, spiritual and care. As

per the 2022 Estimates of the National Expenditure, ENE,

allocations to the rehabilitation programme is expected to

spend R7,1 billion over the medium-term. This is 9,1 of the

total vote allocation pf which R54 million is allocated in the

implementation of self-sufficiency and sustainable strategic

framework.

The social welfare integration programme has a negative

average growth from 2021-22 to 2024-25, which is about minus

3,37%. The programme is expected to spend 3,5 billion over the

medium-term, which is 4,4% of the total vote allocation. The

committee continues to be concerned about the scare allocation

of the budget of the Department of Correctional Services in

favour of incarceration and administration, to the

disadvantage of or deserving programmes such as rehabilitation

and social integration. The committee would like to emphasise

that the White Paper on Corrections states that,



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rehabilitation should be at the center of all the departmental

activities, as mentioned earlier.

It is against this background that the committee call upon the

department to ensure that the budget responds to the call by

the White Paper on Corrections. The overcrowding challenge is

still one of the most vexing problems facing the department,

as it stretches resources, hampers efforts of rehabilitation

and ultimately contributes to escapes, injuries and unnatural

deaths within the correctional services facility. Overcrowding

is still relevant today as it was more than 50 years ago when

correctional centers were 40% overcrowded.

On the international platform, overcrowding continues to be a

prevalent phenomenon that it has a long history of

contributing to insufficient accommodation, inappropriate and

aging infrastructure, as well as increasing levels of

incarceration and South Africa has no exception. The

department’s target for overcrowding is less than 32% in 2022-

23 financial year, while in 2023-24, it will be less than 34%

and less than 36% in 2024-25. In the previous financial year,

the target for this indicator was less than 28%. However, in

2020-21, the department has managed to achieve its target



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under this indicator when overcrowding stood at less than 27%

against the target of less than 38%.

This target was achieved due to the implementation of the 2019

special remission and the special parole dispensation to

release the offenders who reached a minimum detention period

within the period of 60-months sentence to nonviolent crimes.

These releases were also response to COVID-19 pandemic

outbreak. This practices to reduce overcrowding, calls for

concerted and comprehensive efforts on the part of the entire

Criminal Justice System, CJS, involving the co-operation and

co-ordination of all criminal justice stakeholders. We as the

ANC recommends for the support of Vote 22. Thank you,

Chairperson

The ACTING CHAIRPERSON (Mr F D Xasa): We will now recognize

the hon Hendricks of Al Jamah-ah. Hon Hendricks is not there.

We will now call hon Horn who happens to have an additional

two minutes.

Mr W HORN: Thank you, Acting House Chairperson. The successful

rehabilitation of sentenced offenders is one of the core

functions of the Department of Correctional Services, DCS.



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The Minister today has shared some of examples of parolees

who’ve gone on to achieve success in life and economic success

for that matter. While these ought to be celebrated the

exception to the rule can unfortunately never be used to

disprove the rule.

A number of factors negatively impact rehabilitation efforts

in correctional centers up to the point where it’s doubtful

where every inmate in the South African correctional centers

are afforded a fair chance to be rehabilitated.

While the, DCS, insist that experts and professionals

developed a content of rehabilitation programme. The Annual

Performance Plan does not contain any target aimed at

measuring the efficacy of the content of programmess or the

implementation thereof.

The DCS uses the mantra that every official is a

rehabilitating official which on face value seems to indicate

the seriousness with which DCS is views this responsibility.

However, we all know that administration officials and even

some other uniformed officials well maybe performing work



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essential to the functioning of correctional centers never

have direct contact with inmates.

To include these officials when calculating the ratio of

officials to offenders unfortunately prevents a reliable

calculation and in no way accurately reflects whether the real

human resources allocated to offender rehabilitation is

sufficient.

Another issue is the lack of involvement of experts and

professionals in the field of psychology, criminology and

other social sciences to ensure proper implementation of

content driven programmes. In this regard, there is firstly an

insufficient number of professionals on the staff

establishment for correctional centers. In the face of further

budget cuts the real question is whether DCS is willing and

able to relook at its staff establishment in order to ensure

that this issue is addressed.

Secondly, the inability of DCS to prevent perennially high

vacancy rate in respect of the already too small professional

components on its top structure compounds this problem. Added

to this, the apparent inability of DCS to recruit sufficient



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number of artisans to ensure that all workshops operate at

full capacity, which in turn will also maximize the vocation

of training component of rehabilitation if achieved. And it’s

clear that rehabilitation is unfortunately not the obsession

it should be.

Chair, rehabilitation is also severely hamstrung by the

overcrowding of facility. The realities that the best

rehabilitation programme in the world will fail in

circumstances we inmates live in overcrowded facilities.

Overcrowding in our facilities remain very high despite the

frequent earlier release of sentenced offenders by this

government.

Minister, in your maiden Budget Vote speech in 2019, you

announced that the addition of bed spaces through a built

programme was to be a key component of the plan to address

overcrowding. Yet, in terms of projects for new builds since

then, only Parys, which will add less than 300 bed spaces, has

commenced and Burgersdorp and Lichtenburg has been put on ice,

due to what is called a “lack of funds”.



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While the Minister in his debate claim despite this that the

build programme is something that needs to be celebrated. The

department meanwhile on 4 May when we had our budget

engagement with them confirmed that only in the last year 2

000 bed spaces were lost at our centers due the fact that

centers, or part of it had to be decommissioned because it has

become so dilapidated that it had to be declared to be no

longer fit for use.

Minister, while your sentiment that crime prevention is to be

a key component of our programme and our drive to prevent

overcrowding going forward, is a good sentiment. The question

also has to be asked, if you and the Department of Justice as

intended is going to ramp up and speed up prosecution of the

thousands of cases on the criminal backlog roll. Is it really

realistic to say that we must work towards preventing crime in

order to prevent further overcrowding and the growth of

overcrowding in our centers?

Chair, the Minister seem to have argued that the commendable

self-sufficiency project of DCS illustrates an overall culture

of prudent use of public funds. Unfortunately, it does not.

Apart from the budgets for build programmes always



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overrunning, if there is one project that clearly shows that

this Department is still spending as if they are able to print

their own money it is the Integrated Inmate Management System

project.

Advised, at the time of awarding the initial R378 million

tender to Integritron in 2016, by National Treasury, that not

only was this company prohibited from doing business with

government, black listed. But also that the project

specifications were setting the project up for failure. The

contract was nonetheless awarded, ran out and produced very

little.

In the face of growing criticism, the department has on

different occasions presented different future pathways. At

first Integritron tried their best to make us believe that the

complete the project without being paid another cent, was to

be delivered by Integritron.

Then the project was to be completed by in-house specialists

and of late other government entities is seemingly assisting.

Targets on further development milestones and specifically



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roll out are however never met, but budget allocation remains

a top priority of DCS even in the face of further budget cuts.

Minister, under your watch DCS is not winning the war on

overcrowding or prudent financial management, and consequently

rehabilitation efforts is at best far below par. Thank you,

Chair.

Mr Q R DYANTYI: Hon Acting House Chairperson, I just want to

speak about the four issues Chair just to demonstrate the

clarity of policy of the ANC. I also want to talk about the

things that do not work at the same time share those things

that we know are working. At the end I will reflect at the

incidentals of the opposition party.

The ACTING CHAIRPERSON (Mr F D Xasa): Hon Dyantyi, we lost you

there.

Mr Q R DYANTYI: Ouch sorry Chair. The ANC having to convert

from the inhuman and colonial apartheid prisons which

dehumanise inmates leaving a culture of violence and despair

into correctional centres. The purpose of the correctional

system is to contribute on the maintaining and protecting a



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just, peace and safe society. The objectives of the

rehabilitation process as summarised in the White Paper are

there to correct offender behaviour, enhance human development

and promote positive social values.

I think Minister having listened especially to the opposition,

it is best that we get into a conversation ourselves about the

kind of things we have put in place in this country. We are

taking the responsibility of the correctional centres. The ANC

has been very consistent and its commitment towards

rehabilitation. We can go back to Ready to Govern when we

introduced this concept of rehabilitation. We can go back to

1997 when we said it is important to create appropriate

warder-inmate ratios. We also do a training and screening of

warders. Even beyond that, in 2002 we emphasised a need for a

system to be adequately resourced, which is corrections. In

2012, we said we are concerned about our quality of our

rehabilitation system and the parole system.

Very recently in 2017, as part of that clarity on policy we

have made a point Minister that says that the Department of

Correctional Service has to work regularly with the SA Police

Service to deal with some of the overcrowding issues. I am



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going to make an example of that. Recently, we have launched

and led a process of what we call an Enhanced Oversight Model

whose purpose is to focus on the outcomes and the impact of

our public funds. In taking this initiative in January 2022,

we now have a better clarity and understanding on the things

that work and amongst those, we now know and everybody else

and has confirmed from the Ministry that these self-

sufficiency initiatives across the board are working. We saw

that ourselves when we visited the correctional centres. Ways

about making uniform, abattoir, vegetables, plumbing and all

sorts of issues. It is working and we salute that.

We also can say that the deep dedication of our personnel, the

staff that does the thankless job, in all our centres does

work because they deal with what society does not want to deal

with. They are the last end of this value chain. We also

observed Chair, that when the Department of Correctional

Services takes initiatives, either on issues of security or

infrastructure, those things work. We have seen that in Qala

Kabusha around the issue of security, the kind of pilot

project that works there and moving away from the lock and key

kind of an arrangement. We have seen that beautiful initiative

that it works.



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We would have seen it in many others where the department has

said in terms of infrastructure, this is what we want to do.

Therefore, we say we might need to replicate a lot of those

things. You have indicated on the issues of education as well

as the Chairperson on that, that this formal education is one

of the things that work. Therefore, we must embrace and

appreciate all of those things that work as part of the score

card

Minister, there remains many issues, many stubborn challenges

that we are going to deal with as follows: The issue of

contrabands. The issue of contrabands smuggling is in two

folds and it is done internally and externally. Externally, we

found it problematic because there are people who want to make

business of this. What they do lead vulnerable communities

that need housing and start informal settlement dwelling next

to these correctional centres in order for them to transport

these. We have been very clear on this as to the collaboration

between the Departments of the Human Settlements and the

Correctional Services, where they actively want to transport

these drugs to a point of engaging to shootings against the

security personnel.



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More worry is the internal transferring and smuggling of

contrabands and we were given examples of methods that were

used. I am going to be very granular in this. We were told in

St Albans Correctional Facility that men use their boots to

hide these contrabands. These are officials in the facility.

But, with women, it got more worrisome how vulnerable they can

be abused in all of this. So, they would either use their

braids. In more severe instances they would even go further

and put these things inside a condom and put them somewhere

inside their body to transfer, including in the breasts so

that when a man comes it must be said that he is harassing

her.

We were made to know how these are happening and it became

clear to us that the officials and the department are dealing

with this. Part of the solution to that is what is called body

scanners which we are very excited to that but the problem

with the body scanners which we were shown demonstrated that

they will only be working in July because of issues of

resources and certification. If you have those body scanners,

it does not matter who you are, everything hidden in your body

would be seen. We appreciate and salute that.



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When we come to issues of overcrowding which is a stifling

issue for us to achieve this way of rehabilitation, it became

clear to us that in many remand detainee’s inspections do we

have this Eastern Cape was raised as a province topping list.

Some of us got worried as to what is really happening that

makes Eastern Cape to be leading overcrowding compared to the

Western Cape or Gauteng for that matter. Upon fair and

scrutiny Minister, it became clear that the problems that the

department has upon overcrowding are a failure of another

sphere because in the Eastern Cape, for example in Makhanda,

in the Makana Local Municipality, the court does not work

because of water. Many cases get postponed. They increased

these remands of detainees whether these are issues of

electricity.

So, the main performance of a court is increasing the

overcrowding and it is not that Eastern Cape is leading in

murder rates, it is only for purposes of completeness. Here

are the top 30 stations of murder, out of that top 30 of

murder, Eastern Cape appears once, on number 24 and that is

East London. So, it does not correlate in that it has this

kind of overcrowding. Overcrowding has to do with poor



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performance in other integrated matters which speak to the

resolution that was said in 2017 about this integration.

This overcrowding worrying is that the face of this

overcrowding is young, black but more so it is African. This

is the overcrowding that we saw, whether it is Westville

Prison in Durban, Pollsmoor Maximum Security Prison, Mdantsane

Correctional Centre, in St Albans Correctional Centre where we

went. We were also very worried but we think that we are going

to be watching the space around the failures of the parolee’s

system. When they presented to us it seemed that they did not

have an answer.

The high rate of absconding is very worrying around the

parolee. When you are not able to have your handle on those

that have absconded they are likely to be arrested the next

day because they would have re-offended. That is some worry to

us and we want to attend to that quite properly. We have

already started a process with GICS as a portfolio Committee

and we will soon have a workshop as part of attending to this

overcrowding. We will be looking at how we reduce this remand

detainees overcrowding around those sentences, bails that



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should be reduced or either do away with. Many of them are

spending a year with a bail of R500 and so on.

This oversight has reactivated us to be really firm on those

kind of issues. One of the issues that need to be attended to

around security is the perimeter fencing. This is because it

gets to be an attraction to those that are planning these

kinds of issues.

On the issue of the infrastructure, many of these centres were

built 20 or 30 years ago. The Department of Public Works has a

role to play here but the issues that we have here go beyond

the Department of Public Works. Again this speaks about the

whole of government kind of attacking this particular issue as

opposed to a one dimensional magic wand that is going to be

the Department of Public Works. I know that some of the

colleagues here, especially from the DA, when they deal with

issues of the Public Works they seem to be playing the person

and not the ball and I will not mention the name in that

regard.

Hon Janho Engelbretch, I think you need to stay steady. I see

that you are still learning the trade. What makes me happy is



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that at this stage you have not been contaminated with the

DA’s venom in terms of how you want to understand many of

these issues. Yes, EFF having travelled with us rejects the

solutions to these problems. When they say, they reject this

budget that is exactly what they mean that nothing must be

done.

Hence Minister, I thought that the conversation must not be

with all of them, these are incidentals, these are on the

stage, these are our issues, none of them have spoken to any

policy matters and none of them have put on the table

interventions of what needs to happen. We have to deal with

those issues and we are ready to deal to those. We will work

with them until we achieve what we need to achieve.

As of hon Mulder, all I can say is to invite him at least in

one committee meeting to participate so that when he comes

here he speaks with authority on some of the issues of our

correctional services that we are dealing with daily basis. I

pause there, Chairperson, thank you very much.

The MINITSTER OF JUSTICE AND CORRECTIONAL SERVICES: House

Chairperson, I also appreciate and thank all hon members for



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their input. They have raised various issues. I firstly want

to deal with the inaccuracies and then deal with the way

forward.

Firstly, the issue that the department has an underspending of

R1,1 billion by hon Engelbrecht is inaccurate and it is not

within the bounds of that underspending. The underspending is

an amount of R240 million out of R25 billion, which we are not

justifying, but we are saying when hon members give numbers,

their numbers must be accurate.

Also, there has been another inaccurate statement by hon Yako

on the issue of Mr Nxele that we are sitting with a lot of

court orders that have cleared Mr Nxele of any wrongdoing. I

want to state here that we do not have such a court order. All

the matters that relate to Mr Nxele have been won or lost on

technicalities.

The department’s position is that the matter must be dealt

with on their merits or demerits and the judgment that must

come on the matter must me on the basis of merits.



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We have nothing against Mr Nxeli. Myself in particular, have

previously recommended on the recommendations of the public

service Commission to the department to reappoint Mr Nxele and

review his dismissal. So, that is a clear indication that I

have nothing against Mr Nxele. I am saying that the matters

that are allegations on him, the outcomes of the SIU

investigations and all allegations against him must be tested

in a forum and the cases must be dealt with on merits or

demerits.

It is also very confusing that hon Yako speaks about this and

then jumps to the Bosasa matter that we are not doing anything

and cites officials that have been accused or alleged on the

Bosasa matter. And in that regard, she misses that Mr Nxele is

one of the people alleged in the report of Bosasa from the

Commission of Inquiry that the department has to respond to.

So, all these points to the confusion of hon Yako. I will deal

with how we can deal with this confusion later.

The other inaccuracy comes from hon Msimang, who also gives us

a very good report, which we agree with. The only point I want

to raise is that the remissions by the President did not only

happen when there was Covid-19. In December 2019, before there



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was Covid-19, the President did a remission to deal with the

issues of overcrowding in our correctional facility. If you

can remember, that was on the Reconciliation Bill.

I agree with most of the members when they speak about issues

of security breach, which are also a concern to all of us.

The issue of overcrowding, I must repeat again, hon Horn, is a

matter that society must grapple with. It is not only a matter

for correctional service. We need to deal with the

socioeconomic challenges in our country. We need to ensure

that we deal with crime and see that the crime levels go down,

because this will mean that we are going to have less

criminals convicted who must come in the correctional

facilities. There is no country in the world, nowhere in the

world, that builds prisons or correctional facilities at the

same pace as convictions.

I also want to deal with another inaccuracy again from hon

Yako that speaks about the issue of privatisation of prisons.

We have appeared in many instances in the committee meetings

and we have assured the committee and told the committee

ourselves, out of our own initiative, that we are not going to



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renew the contracts of the private prisons in Makhado, Kutama

Sinthumule and the one in Bloemfontein. We did it out of our

own initiative. So, this excitement that we are handling it

somewhere in the US and all that is a figment of imagination.

On the issues that relate to another inaccuracy that, hon

Horn, that the overcrowding is increasing, it is not true. I

stated here from the beginning that overcrowding has reduced

by 12,99% - almost a reduction of about 12,99%. It is not

small; it is huge. It is what we must work on to work within

this space that we currently have.

Indeed, regarding the infrastructure programmes and the

Infrastructure Bill programmes, while there are beds that are

being added, we need to do more and also working with Public

Works. And we have reported it to the committee that we are

dealing with the issue that relates to the devolution of some

of powers on what the department can do and handle and how we

will handle other matters of these ... [Inaudible.]

We also want to state that the budget must be looked at in

context. The context is that it cannot be compartmentalised.

The budget is interlinked. We also want to deal with



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rehabilitation, as hon members raises the point. We are also

looking at that, the budget and administration and

corrections. All the budgets are interlinked and it helps the

department to deal with these issues in an integrated manner

and respond to the rehabilitation. And everything is geared

towards ensuring that there is rehabilitation.

We also want to state that it is a huge achievement that we

can today estimate about R139 million savings that will come

out of this projects of self-sustainability. It is a key

achievement that we must continue to celebrate and we will

never be persuaded by anyone not to celebrate an achievement.

If this amount was stolen and going to be stolen, this was

going to be headlines all over. This is not stolen; it is

government that works, aims and estimates that this is going

to be a saving that all of us must work towards. Our estimates

are very clear that we will be able because of the self-

sustainability programme.

I want to also state that I don’t know why the EFF has replace

hon ... [Inaudible.] who was a member of this committee with

hon Yako who is adding no value to the committee. She comes



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here with no open mind. Even if we give her information, it

does not help her with anything. I really pray that one day

the hon member will come to the committee to add value. Thank

you very much.

The mini-plenary session rose at 18:14

