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| **PARLIAMENT OF THE REPUBLIC OF SOUTH AFRICA**  **NATIONAL ASSEMBLY** |

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 1257**

**DATE OF QUESTION: 01 APRIL 2022**

**DATE OF SUBMISSION: 19 APRIL 2022**

**Prof C T Msimang (IFP) to ask the Minister of Justice and Correctional Services:**

In light of the recent media statement by his department that there are some remand detainees within correctional centres who have been in remand detention for more than two years thus contributing to overcrowding, what (a) is the total number of remand detainees who have been in detention for more than two years, (b) are the reasons for the prolonged period of detention and (c) are the further relevant details of the strategies developed during the two consultative sessions that were held in November 2021 for all six regions of his department during which heads of correctional centres deliberated on measures to reduce overcrowding? **NW1513E**

**REPLY**

1. Total number of remand detainees who have who have been in detention for more than two years as at 31st March 2022 was **3 698**.

Regional breakdown is as follows:-

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| **Region** | **Grand Total** |
| Gauteng | 1718 |
| Western Cape | 708 |
| Limpopo, Mpumalanga & North-West | 390 |
| Kwa-Zulu Natal | 387 |
| Eastern Cape | 291 |
| Free State & Northern Cape | 204 |
| **Grand Total** | **3698** |
| **Source: GITO** |  |

1. The reasons for the prolonged period of detention is the delayed response from the courts on the outcome of the applications of Section 49 G or a ***continue with detention*** response is received, however DCS does continue to make use of the provision of *Section 49G of the Correctional Services Act* by referring Remand Detainees (RDs) to court before completing a period of two years for consideration of their detention and thereafter annually if the RD remains in detention after the initial referral. The courts are required to consider applications from DCS where possible outcomes are as follows:-
2. *Release of the RD*
3. *Release and placement on warning,*
4. *Placement under s62(f): Supervision by a correctional official*
5. *Reduction of the amount of bail*
6. *Placement in a secure care facilities*
7. *Decline to review bail (Unsuccessful application)*

The department intends to intensify relationships with the Justice Cluster by participating in the National Efficiency Enhancement Committee (NEEC), Judicial Case Flow structures and the courts to address this challenge.

1. The strategies developed during the two consultative sessions held in November 2021 for all six regions relates to measures to reduce overcrowding. Heads of Centres were encouraged to establish and maintain stakeholder relations by attending District Efficiency Enhancement Committee (DEEC) meetings where issues relating to Case flows are addressed.

**END**