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

**PARLIAMENTARY QUESTION** **FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 1746**

**DATE OF THE QUESTION: 02 SEPTEMBER 2016**

**DATE OF SUBMISSION: 16 SEPTEMBER 2016**

**Ms D Carter (Cope) to ask the Minister of Justice and Correctional Services:**

Whether all recommendations of the Jali Commission Report of December 2005 were implemented; if not, why not; if so, what was the outcome?

NW2053E

**REPLY:**

No, the Department has not successfully implemented all the recommendations, however the department was successful in implementing the following major areas:

* **Human resource related recommendations:**
  + Strategies were developed in order to deal with-
  + appointments made due to union influence;
  + failure to attract external skills;
  + ineffective transformation;
  + ineffective disciplinary code;
  + merit award system;
  + disciplinary enquiries;
  + recruitment;
  + abuse of power and sexual harassment;
  + The department has also migrated to the seven-day working week as recommended.
  + Monies relating to Medcor fraud were recovered.
* **Gangsterism**
  + A gang management strategy was formulated and is currently being implemented
* **Correctional centre security**
  + Minimum Security standards adopted and implemented
  + Access control in centres has been increased with CCTV’s installed at access control points. The new generation correctional centres also have security technology installed as part of the infrastructure of the centres.
* **Parole and conversion of sentences**
  + A total of 53 parole boards have been established and it is expected for these structures to meet regularly to assess those eligible for parole. A medical parole board has also been established to focus only on cases for which parole may be awarded based on an offenders’ medical condition. The review board was established with the sole aim of reviewing complaints related to awarding and denial of parole. The National Council for Correctional Services (NCCS) has also been established.
* **Sexual violence in correctional centres**
* A policy to address sexual abuse of inmates in DCS facilities was developed;
* Post Exposure prophylaxis is administered;
* Regular health education is conducted for inmates;
* The independence of the **Judicial Inspectorate** was strengthened by amendment the Correctional Services Act which now provides for a Chief Executive Officer to manage the office of the Judicial Inspectorate under the authority of the inspecting judge.

The following actions were taken in the supply chain environment:

* **Internal controls**
  + To ensure proper control mechanisms a unit specialising in internal control and compliance matters has been established. This unit is able to regularly assess whether the necessary controls are being implemented within the department.
* **Management of investigations**
  + The specialised departmental investigating unit has been established and is constantly making follow up where investigations are concerned.

The Department has not fully implemented the recommendation regarding the treatment of offenders mainly due to the fact that increased incidents of crime result in higher numbers of convictions (incarceration) which then means correctional facilities are increasingly overcrowded.

As at the end of 2015/16 correctional centres were 34% overcrowded. The high overcrowding has a consequence of overstretching resources including staff.

In an attempt to reduce levels of overcrowding the Department of Correctional Services (DCS) follows a multi-pronged strategy which amongst others includes:

* Managing levels of Remand Detainees through the Integrated Justice System Case Management Task Team and Inter-Sectoral Committee on Child Justice;
* Managing levels of sentenced offenders through improving effective and appropriate use of conversion of sentence to community correctional
* supervision, release on parole and transfers between correctional centres to attempt to establish some degree of evenness of overcrowding;

The multi-pronged overcrowding strategy enhances efforts to minimize the negative effects of overcrowding in correctional centres.

Efforts are constantly made to ensure that the recommendations are as far as possible implemented.