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**JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION 1790**

**DATE OF QUESTION: 12 MAY 2023**

**DATE OF SUBMISSION: 26 MAY 2023**

**Mr H.A Shembeni (EFF) to ask the Minister of Justice and Correctional Services:**

Which measures has he taken to tackle overcrowding in the KwaZulu-Natal correctional services facilities?  **NW2055E**

**REPLY**

For the financial year 2022/23 the inmate population in KZN Region increased from
22 024 to 24 256, reflecting an increase of 2 232 inmates.

The daily unlock as at 15 May 2023 was 24 180 against an approved bedspace of 17 778.

|  |  |  |  |
| --- | --- | --- | --- |
| **Approved Bedspace** | **Inmate population** | **Occupancy Level** | **Overcrowding level** |
| **Remand Detainees and other unsentenced** | **Sentenced** | **Grant total** |
| 17 778 | 6 874 | 17 222 | 24 096 | 135.54% | 35.54% |

The distribution of the correctional centres according to security classification/category:

| **SECURITY CLASSIFICATION/CATEGORIES** | **TOTAL** |
| --- | --- |
| Maximum | **05** |
| Medium | **30** |
| Remand Detention Facilities | **03** |
| Medium - Female | **01** |
| Medium - Youth | **02** |
| Medium - Juvenile | **0** |
| Maximum - Juvenile | **0** |
| Medium - Pre-Release | **01** |
| **TOTAL**  | **42** |

It should be noted that the main contributing factor to overcrowding is the type of serious crimes committed which result to long sentences and bail denial by the courts.

In an effort to manage overcrowding, the Department continues to implement the approved Overcrowding Reduction Strategy that elaborates on direct and indirect measures to manage overcrowding within correctional facilities.

**Direct measures** are those that may result in the reduction of the inmates such as:

* Placement on Parole (Lifers; Determinate sentences);
* Special Remission of sentences;
* Transfers between correctional centres.

**Indirect measures** are for facilitating reduction through implementation of activities that can contribute to the reduction of the DCS population namely:

* Reclassification of offenders at prescribed interval for ensuring that security declassification takes place;
* Referral to court by DCS for conversion of a sentence of imprisonment to correctional supervision;
* Restorative Justice approaches (VOD/VOM)
* Crime Awareness Campaigns such as-
	+ School campaigns/ outreach programmes
	+ Izimbizo

The Department has established Governance structures where overcrowding and the management thereof is discussed. The National Overcrowding Task Team (NOTT) monitors the implementation of the Regional Transfer Plans whereas the Regional Overcrowding Task Team (ROTT) monitors even distribution of offenders within the region.

All Protocols in terms of the management of Remand Detainees are implemented at all Remand Detainee and Mixed facilities. The protocols referred to relate to the following;

* Referral to court for bail review (s63A and s63(1))
* Referral for consideration of period spent in detention (S49G).
* Referral to court of terminally ill or severely incapacitated remand detainees (s49E)

**END.**