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**JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 2078**

**DATE OF QUESTION: 26 MAY 2023**

**DATE OF SUBMISSION: 09 JUNE 2023**

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

(1) Whether, with regard to overcrowding in prisons which he claims was due to Government’s inability to build enough facilities to match the conviction rate in the Republic, and seeing that the levels of crime seem to be increasing with each day, there are any measures that the Government is employing to address the problem; if not, why not; if so, what are the current measures being employed;

(2) whether the Government intends to have more private companies running more prison facilities; if not, what is the position in this regard; if so, what are the relevant details?

**NW2350E**

**REPLY**

1. The Department of Correctional Services (DCS) continue to implement the approved 2021 Overcrowding Reduction Strategy that focuses on direct and indirect measures within correctional facilities. Continuous engagements are also held at all levels within the Criminal Justice Cluster with an aim to improve current strategies and to find new implementable solutions for crime prevention and overcrowding. The implementation of Justice Cluster Strategies reflected in the approved Overcrowding Reduction Strategy is crucial in the management of overcrowding.

Direct Measures, are those that may result in the reduction of the inmates whilst the indirect measures are for facilitating the reduction through cooperation with relevant stakeholders including the analysis which provides the contextual understanding of overcrowding.

Direct Measures are as follows:

• Placement of lifers on Parole;

• Placement of offenders serving determinate sentences on Parole;

• Transfer of offenders between correctional centres

• Special Remission of sentences

Indirect measures to address overcrowding are as follows:

• 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;

• School campaigns/ outreach programmes;

• Crime Awareness Campaigns;

• Imbizo;

• Restorative Justice approaches (Victim Offender Dialogue/Victim Offender Mediation)

In addition, the Department has established Governance Structures entrusted with the responsibility of providing an oversight function and creating platforms where overcrowding and the management thereof is discussed. Some of the functions of the Overcrowding Task Team is to monitor the implementation of the transfer plans and distribution of offenders within the region.

All Protocols in terms of the management of Remand Detainees are implemented such as 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)

1. The DCS has no intention to have private companies running correction facilities other than the two existing contracts.

**END**