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

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 249**

**DATE OF QUESTION: 28 FEBRUARY 2020**

**DATE OF SUBMISSION: 13 MARCH 2020**

**Mr J Selfe (DA) to ask the Minister of Justice and Correctional Services**

(1) Whether a certain person (name furnished) was released on parole; if so, (a) for which crimes was the specified person sentenced, (b) on what date was the specified person sentenced, (c) what was the length of the sentence, (d) on what date was the specified person released and (e) what were the parole conditions;

(2) was the family of the victim(s) of the specified person’s crime(s) invited to make representations about the specified person’s release on parole; if not, why not; if so, what are the relevant details;

(3) whether the specified person has violated any conditions attached to his release on parole; if so, (a) what are the relevant details and (b) what steps has his department taken in this regard? NW332E

**REPLY**

(1) Yes.

(a) Offender was serving a sentence of imprisonment for kidnapping, child molestation and culpable homicide.

(b) He was sentenced on 07 April 2008.

(c) He was sentenced for the crimes as follows:

* count 1: 2 years imprisonment
* count 2: 6 months imprisonment
* count 3: 10 years imprisonment

The court ordered that sentences on counts 1&2 to run concurrently with the sentence on count 3. Therefore he is serving an effective sentence of 10 years imprisonment.

(d) He was placed on parole on 3 April 2013. On 18 November 2013 he was declared an absconder and re-admitted on 12 August 2015 after being arrested for driving without drivers’ licence and possession of stolen goods.

The offender received a suspended fine on both charges. He was again placed on parole on 17 October 2016 until18 May 2019 wherein he absconded again on 6 February 2019.

(e) The offender was subjected to the following parole conditions in line with section 52 of the Correctional Services Act, 1998 (Act 111 of 1998):

* Monitoring – high risk
* Placed under house detention;
* Restricted to magisterial district;
* Reside at a fixed address which has been approved after consultations with the Head Community Corrections;
* Refrains from using alcohol or illegal drugs;
* Refrains from committing a criminal offence;
* Refrains from visiting a particular place;
* Refrains from making contact with a particular person or persons or threatening a particular person or persons by word or action.

(2) No, the offender attended restorative justice programme but victims were not invited to participate in the Parole Board meeting when the offender was considered for placement. Victim/offender dialogue was not compulsory in 2013 April when the offender was released on Parole, thus was not done. In October 2016, the offender was placed on parole for the second time and thereafter treated as a parole violator which led to his parole being revoked.

(3)(a) Yes, he violated his parole conditions by absconding from the system of community corrections and driving without drivers’ licence as well as possession of stolen goods after he was placed on parole on 3 April 2013. He absconded again on 6 February 2019 after he was placed on parole on 17 October 2016. He is also alleged to have kidnapped and killed an 8 year old girl from Ravensmead.

(b) After he was re-arrested on 12 August 2015 for absconding, he was denied parole for a period of 1 year and 2 months and was again placed on parole on 17 October 2016.The Goodwood Management Area revoked his parole and he is currently serving hundred and twenty seven (127) days which was the remainder of the ten (10) years sentence he was initially serving on 07 April 2008. He started serving the hundred and twenty seven (127) days on 21 February 2020.

A high risk profile assessment will be conducted to determine the placement of the offender in the facility as well as to determine the risk that he still poses.

A psycho- social assessment will also be conducted to determine further rehabilitation.If found guilty with the new crime, previous sentence and new sentence will it be concurrent or separated? This office is not in a position to respond to this question as the court will determine how the sentence should be served.

**END**