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

# QUESTION FOR WRITTEN REPLY PARLIAMENTARY QUESTION NO: 2614 DATE OF QUESTION: 26 NOVEMBER 2021

**DATE OF SUBMISSION: 10 DECEMBER 2021**

**Mrs D van der Walt (DA) to ask the Minister of Justice and Correctional Services:**

1. What total number of inmates were incarcerated at each correctional facility in the period (a) 01 January 2017 to 31 December 2017, (b) 01 January 2018 to 31 December 2018, (c) 01 January 2019 to 31 December 2019, (d) 01 January 2020 to 31 January 2020 and (e) 01 January 2021 to 15 November 2021;
2. What happens to illegal foreign nationals (a) when they are eligible for parole and (b) after they have served their sentence? **NW3090E**

# REPLY:

1. See response attached as [**Annexure A**](https://pmg.org.za/files/RNW2614-2022-01-11-ANNEXURE-A.xlsx)**.**

(2)(a) Approximately six (06) months before an offender reaches the Minimum Detention Period (MDP) the Case Management Committee (CMC) prepares the offender’s profile report (G326) and submits its recommendation to the Correctional Supervision and Parole Board (CSPB) on the possible placement on parole in line with section 42(d) of the Correctional Services Act 111/1998

The Department of Correctional Services (DCS) is responsible for identifying foreign nationals in its detention facilities and reporting such individuals to the Department of Home Affairs (DHA). The Department of Home Affairs (DHA) is responsible for establishing the nationality of such offenders and initiating the deportation of those whose stay in the Republic

of South Africa (RSA) is illegal or undesirable. It is the responsibility of the DCS to hand over such offenders to the relevant authorities either for release or deportation based on status confirmed by DHA.

In cases where the offender who is a foreign national is found to be suitable for parole placement the following conditions will be set for all sentenced foreign nationals who will be deported:

* + Offenders should not return to the Republic of South Africa (RSA) before the expiration of the parole period;
  + Offenders may not commit crime while on parole;
  + He/ she must seek authorisation from the DHA to return to the country after expiration of the parole period; and
  + His/ her personal details must be circulated to all South African boarders, South African Police Services (SAPS) and Criminal Record Centres until expiry of the parole period. The circulation of personal details to South African boarders, SAPS, Criminal Records Centres will assist in tracking the deported foreign nationals should he/ she re- offend and get re-arrested.

(2)(b) The offender will be handed over to Department of Home Affairs who must sign for receipt of the parolee for detention at a Repatriation Centre pending deportation to their country of origin.

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