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

**QUESTION FOR WRITTEN REPLY**

**PALRIAMENTARY QUESTION NO.: 630**

**DATE OF QUESTION: 11 MARCH 2016**

**DATE OF REPLY: 30 MARCH 2016**

**QUESTION NO: 630**

**Mr J S Malema (EFF) to ask the Minister of Justice and Correctional Services:**

Whether, with reference to his reply to question 45 for oral reply on 04 March 2015, there are different criteria that are used in the consideration of applications for parole of white apartheid assassins and black freedom fighters; if so, what criteria are used; if not; why (a) was a certain person (details furnished) is still treated like a common criminal and refused unconditional release? NW743E

**REPLY:**

No, it is important however to note that there is difference between consideration for parole and the Special Dispensation (which was adopted on 21 November 2007) for individuals who have committed offences they believe were in pursuit of a political objective.

1. The mentioned offender was placed on parole under certain conditions as provided for in section 52 of the Correctional Services Act 111 of 1998 (the Act) as amended, after his placement was approved by the Minister in terms of section 78 (1) of the Act.
2. The offender in question is currently a beneficiary of day parole. On 01 December 2015, in line with section 78 (1) of the Act, the Minister approved that the offender be placed on day parole for six (6) months and thereafter on full parole under certain conditions.

According to section 73(5) (b) of the Act, a sentenced offender be placed on day parole or parole subject to that offender accepting the conditions for placement.

Section 78 (1) of the Act provides that all offenders serving lifer sentence that are placed on day parole or parole, are released conditionally as contemplated in section 52 of the Act.

The offender could previously not be placed on day parole as he did not accept placement conditions.