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**MINISTRY**

**JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 677**

**DATE OF QUESTION: 03 MARCH 2023**

**DATE OF SUBMISSION: 17 MARCH 2023**

**Mrs Y.N Yako (EFF) to ask the Minister of Justice and Correctional Services:**

With regard to the consideration by the Judicial Inspectorate for Correctional Services looking at a bail funds system similar to that of the United States in a bid to reduce overcrowding in prisons to date, what total number of inmates are incarcerated due to their inability to pay the required bail amount?NW751E

**REPLY:**

Out of a total number of **56 067** remand detainees as on 01 February 2023, **5 680   
(10, 13%)** of those remand detainees were detained with the option of bail, while **50 387 (89, 87%)** were not granted bail. Furthermore, additional analysis conducted showed that on 31 January 2023, a total of **1 291** remand detainees were detained with an option of bail of R1000 and less.

Below is a breakdown of bail categories as at 31 January 2023. From the data depicted below, 63.1% of the remand detainees were granted bail of R1000 and less while 36.9% of the remanded detainees were detained bail above R1000 up to R4 million.

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Bail Amount** | **EC** | **FSNC** | **GP** | **KZN** | **LMN** | **WC** | **Grand Total** | **%** |
| R500 and below | 139 | 46 | 149 | 101 | 49 | 179 | 663 | **32,40** |
| >R500 to R1000. | 27 | 21 | 166 | 104 | 52 | 258 | 628 | **30,69** |
| >R1000 to R5000 | 7 | 16 | 294 | 116 | 77 | 156 | 666 | **32,55** |
| >R5000 to R10 000 | 0 | 0 | 35 | 5 | 12 | 9 | 61 | **2,98** |
| >R10 000 to R50 000 | 0 | 0 | 12 | 2 | 1 | 6 | 21 | **1,03** |
| >R50 000 to R100 000 | 0 | 0 | 1 | 0 | 1 | 2 | 4 | **0,20** |
| >R100 000 to R500 000. | 0 | 0 | 2 | 0 | 0 | 0 | 2 | **0,10** |
| R4million | 0 | 0 | 1 | 0 | 0 | 0 | 1 | **0,05** |
| **GRAND TOTAL** | **173** | **83** | **660** | **328** | **192** | **610** | **2 046** | **100** |

It should be noted that no information is available that explicitly confirms that the remand detainees granted bail are still in detention due to inability to pay bail.

**END**