



Republic of South Africa
Judicial Inspectorate for Correctional Services

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Mr. VG Smith, MP
Chairperson: Portfolio Committee on Correctional Services
Parliament of the Republic of South Africa
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Increase inmate labour, inmate privileges and promoting social reintegration to ensure a reduction in recidivism rates.

Dear Mr. Smith, MP

Your letter dated 26 April 2010, refers.

A special 'thank you' for the opportunity afforded to the Judicial Inspectorate for Correctional Services (the Inspectorate) to participate in this important process.

The Inspectorate has, for the last three years, appealed for an increase in the number of inmates involved in work programmes and therefore strongly supports the initiative taken by this Committee to make this a reality. The benefits of involving more inmates in work are obvious most noticeably, in our opinion, the following:

- It shall greatly assist in mitigating the effects of overcrowding in our Correctional Centres. The horrific conditions under which many inmates are kept as a direct result of such overcrowded conditions and currently compounded by the practice of keeping inmates locked up, in those overcrowded cells and under such inhumane conditions, for 23 hours per day. We hold the opinion that the negative effects of crowded cells can immediately be reduced by allowing inmates to spend more time outside their cells, doing work, training, sport or rehabilitation programmes. We are mindful that this may

pose security risks in some places, but remain confident that the benefits derived from involving more inmates in work shall outweigh the potential security risks.

- Furthermore, we believe that more inmates should be involved in work programmes because this can save the taxpayer millions of Rands. The Department of Correctional Services clearly has a statutory obligation, as stated in section 3 (2) of the *Correctional Services Act 111 of 1998* (as amended) to be self-sufficient. Self-sufficiency should, however, not be considered from an agricultural perspective with inmates planting their own vegetables only. Achieving self-sufficiency should also be strongly reflected in other activities within Correctional Services and should include maintenance of buildings, painting, training of other inmates, food preparation and industries such as the prison uniform factories at Witbank and Boksburg.
- Lastly, we are also confident that a strong causal relationship exists between the level of success with the reintegration of inmates back into their communities and the level of skill acquired by such inmates through work and rehabilitation programmes. Simply put, inmates with skills are more likely to be successfully reintegrated into their communities than those without such skills. This causal relationship is supported by many examples of best practices and by extensive research in this regard.

Chairperson, it is our opinion that the principle of involving inmates in work and rehabilitation programmes is adequately provided for in the laws governing the Department of Correctional Services with specific reference to our *Constitution* (1996), the *Correctional Services Act 111 of 1998* and the *White Paper on Correctional Services* (2005). The Inspectorate does not support, forced labour, nor do we regard it as necessary to compel inmates to work. In addition we do not support the introduction of so-called "hard labour" programmes or other forms of work aimed at punishment. Work programmes should be voluntary and aimed at equipping the inmate with skills which shall equip him/her for successful reintegration back into their communities. We are of the opinion that, with incentives such as acquiring skills, qualifying for parole, payment of gratuities and the many other benefits of work, would induce the vast majority of inmates to participate eagerly in work and other programmes. This is starkly opposed to being locked up for 23 hours per day, wasting away one's life,

Chairperson, turning now to the issue of privileges of inmates, we are aware of perceptions that inmates get to watch big screen TV's and sleep all day. Similarly, a few years ago the general perception existed that our correctional centres were five-star hotels. Now, however, most people know that this is not the case. They know that most of our centres are severely overcrowded and that many inmates are held under poor conditions with little, if any, access to rehabilitation programmes. Chairperson, it is our view that where inmates are left to watch TV and sleep all day it is because the Department requires them to do so, mainly because they are unable to provide them with work or rehabilitation programmes.

We furthermore have to consider that the system of granting privileges to inmates, or taking them away, is currently the only "official" means of enforcing discipline within our Correctional Centres. If such privileges are taken away from all inmates, which system will replace the current? Lastly, Chairperson, it is our respectful view that the issue of privileges should be approached with caution, especially given the fact that the Department is currently experiencing severe staff shortages at operational levels within most Correctional Centres, mainly due to the implementation of the 7-day work week and the 2-shift system. As a result of this we have observed a situation, at many correctional centres, where inmates are placed under a so-called "lock down", meaning that they are only unlocked, a few cells at a time, to collect their meals. The remainder of the time they remain locked up in their cells.

Concerning the issue of promoting social reintegration to ensure a reduction in recidivism rates, the Inspectorate, in its Annual Report 2008/2009, reported on the importance of building strong relationships with community organisations at all levels within our correctional system. We believe that concerted efforts should be made continuously, by the Department to promote the involvement of communities in issues such as parole, training and rehabilitation of inmates. Some excellent examples exist of such initiatives such as the poverty alleviation projects at some of our Correctional Centres as well as the school desks project at Mangaung. Inmates could through labour and community correction programmes render a service to all communities which should contribute to their successful reintegration back into those communities.

In conclusion, the reintegration of inmates and the reduction of recidivism rates are an outcome of the whole correctional system which involves thousands of people including many government departments and other stakeholders. This is a complex system driven by many highly interlinked variables such as poverty levels, crime rates, level of schooling, staffing and budgets, to mention but a few. For this reason, Chairperson, we respectfully call for a holistic approach to be adopted when considering these important matters.

With kind regards

Yours sincerely



DH VAN ZYL
Inspecting Judge