

Rehabilitation in our correctional centres have been hamstrung for many years

By **Werner Horn MP** - DA Shadow Deputy Minister of Justice and Correctional Services

This budget and the Annual Performance Plan of the Department of Correctional Services do not inspire much confidence that a turnaround or even an improvement is on the cards for this Department in this financial year.

At the dawn of democracy the term “prisons” was replaced in the language of this department with the term “correctional centres” as an indication that custodial sentences for convicted offenders will no longer be seen as primarily punitive in nature, but rather as an opportunity for the department to rehabilitate, reform, educate and thereafter reintegrate offenders into society.

Unfortunately this is nothing but a dream deferred.

Rehabilitation efforts and programmes in our correctional centres have been hamstrung for many years by overcrowding and the pervasive gang and violence culture in our centres.

Overcrowding as an issue, while not unique to South Africa, as the Minister is always quick to point out, remains a massive hurdle to the effective functioning of correctional centres and the possibility of successful rehabilitation and reform.

It has also now become clear that this government has more or less settled on addressing overcrowding by regularly releasing scores of convicted offenders much earlier than indicated by the sentences imposed on them by our judiciary after carefully considering the crimes committed, the law, the damages suffered by victims, the views of society and the personal circumstances of offenders.

Minister: these special releases seriously undermines the criminal justice system – a system you should protect and uphold. Rather focus on the alternatives.

Firstly make a success of your built programme to add the necessary extra bed spaces. All, and one cannot stress this enough, all of these projects are earmarked by massive overruns in respect of both costs and time. This has been the state of affairs for many years.

What is worse is that there seems to be no consequences ever for these failures. Public works and the DTI is forever being “engaged” to address these “challenges” and of course of late all of these ills are the consequence of the pandemic.

Secondly: Make the transfer of convicted offenders who are citizens of other SADC countries a reality. Despite the fact that the number of convicted offenders housed in our facilities, who are citizens of other SADC countries far outnumber the number of South Africans housed in the prisons of SADC countries no real attempts have been made by this government over the years to embark on a process to transfer all of these prisoners to their home countries – all while the law allows for this to happen.

Every time scores of convicted offenders benefit from early release on parole we are assured that one of the conditions for such release is that all offenders to be released had to have been part of a rehabilitation programme.

But, as they say the devil is in the detail: What is not revealed is that the department, in order to be able to make the claim that it is rehabilitating offenders deem every official to be a rehabilitator. Furthermore, what is not readily told is that in many instances the so-called “rehabilitation” of offenders who are to be released early consists of merely handing topical leaflets to offenders. We are also reminded that to be released on parole is not unconditional in nature and that these parolees remain “in the system”.

They are to be monitored and assisted by “Community Corrections” – the unit of the department responsible for ensuring the successful social reintegration of parolees.

Yet, depending on which level of risk adjusted lockdown regulations are in place these officials are locked down into only being able to monitor parolees telephonically.

Even when they are able to embark on physical visits to parolees the reality is that their workload makes it virtually impossible to work effectively. Once again, a tiny devil in the detail here is that all officials at Community Corrections are counted when the monitoring workload of officials are calculated, irrespective of the fact that someone like the receptionist or HR official, while adding value, is in no way even remotely involved with the monitoring of parolees.

The biggest problem with DCS is an unwillingness to change its ways. It has been operating on the assumption (and all indications are that it intends to keep on operating on this assumption for as long it is allowed by this Minister and his deputy) that no real consequences will ever follow any of the irregular and unlawful actions that has been its hallmark for years.

Can it be blamed for this attitude? No it cannot, because since taking office we have seen nothing from this Minister and his deputy that points in any way to an intent to clean up Correctional Services and instil a culture of accountability, compliance and performance. Despite massive amounts of irregular and wasteful expenditure we are told from one year to the next by the Auditor-General that consequence management at DCS remains an issue with the department often not being able to prove that the actions it claims to have taken against implicated officials have ever actually occurred.

The apparent unwillingness (or is it an inability?) on the part of the ministry to identify the proverbial dead horses at DCS are also a big concern.

The development of the so-called Integrated Inmate Management System is a case in point: A project which Treasury warned against years ago and which was nonetheless kept intact by the previous Minister, a project that has stalled and remain at the same place of the developmental stage three years ago; a project which we were made to believe, after the Minister took office, which was to be completed by the developers without another cent being paid to them and yet, yes you guessed it: a project which seemingly now, this year, will be completed of course with yet another handsome budgetary allocation to facilitate this.

Let’s hope we are wrong when we say that we expect to again bemoan the state of this project next year.

Sadly for all of us the deeds of this Minister and his deputy belies their words. Their deeds, as always, speak much louder than their words and these deeds say: We are happy for DCS to stumble along a path of inefficiency and mediocrity.