

ANNUAL REPORT OF THE PORTFOLIO COMMITTEE ON CORRECTIONAL SERVICES

JANUARY – DECEMBER 2004

1. NAME OF COMMITTEE:

Portfolio Committee on Correctional Services.

Chairperson: Mr Dennis Bloem

2. MANDATE OF THE COMMITTEE:

The **mission** of the Committee is to exercise oversight function over the Department of Correctional services by monitoring the implementation of policy. To report to Parliament on all the activities of the Committee in relation to matters concerning correctional services.

The **vision** of the Committee is to assist in building a strong Department that will contribute towards maintaining and protecting a just, peaceful and safe society by enforcing court imposed sentences and detaining prisoners in safe custody.

a. List of Entities reporting to the Committee:

Department of Correctional Services

The Office of the Inspecting Judge

Non Governmental Organisations - NICRO, Centre for Conflict Resolution, Centre for the Study of Violence and Reconciliation.

1. CHAIRPERSON'S OVERVIEW:

A lot has been achieved thus far. The Chairperson stated several times that the Committee will keep a vigorous eye over the Department as part of the Committee's Oversight function. The Committee deems it important to do more oversight work, especially in other provinces as well, than be

office bound. Youth are the Committee's core business for this Parliamentary Term. Youth are the leaders of the country and strong action will be taken with regards to Youth in prison. A very useful exercise is that of engaging with NGO's and the important role they play. More support will be given to NGO's. There was a great deal of transparency, efficiency and co-operation throughout and discussions in committee were often robust, but frank and fair.

The Committee covered most of the work set out in its programme for the year, however, there are few outstanding items that have to be dealt with during the next term. The Committee requests the Department to have all briefing documents etc. ready for consideration by the Committee in good time. This will prevent hasty consideration of such matters.

The Chairperson wishes to extend a word of appreciation to members of the Committee who participated in all the committee activities despite many other commitments. A word of appreciation also goes to the Department for their co-operation and willingness to appear before the Committee.

2. CORE OBJECTIVES:

The Objectives of the Committee are to perform all the tasks required of a parliamentary committee in a democratic South Africa. The functions here will include:

- Legislative work and oversight.
- To ensure delivery of services to all prisons in South Africa.
- To stimulate the involvement of non governmental agencies in the delivery of restorative justice programs

1. Legislation:

The Committee had no Legislation before it during 2004.

1. Matters other than mandated legislation:

1. International Agreements and Protocols:

The Committee had no International Agreements or Protocols before it during 2004.

2. Oversight:

1. Institutional Oversight:

The Committee was briefed on the **Budget Votes** of the department as follows:

Tuesday, 01 June 2004.

Wednesday, 02 June 2004.

The Committee also conducted oversight over the **Strategic Plans** of Department, as follows:

Tuesday, 01 June 2004.

Wednesday, 02 June 2004.

The Committee also received briefings from **other entities** reporting to it, as follows:

- Briefing by CSPRI on the study conducted by them into the Judicial Inspectorate & Independent Prison Visitors System on 11 August 2004.
- Briefing by NICRO on Juvenile Offenders and their successful reintegration into society on 13 August 2004.
- Briefing by the Office of National Director: Public Prosecution on women imprisoned for domestic violence on 20 August 2004.
- Briefing by SAHRC on children & youth in prison, Overcrowding on 07 September 2004.
- Briefing by the South African Prisoner's Organisation for Human Rights (SAPOHR) on Overcrowding and Rehabilitation on 10 September 2004.
- Briefing: Judge Fagan's Office on the Judicial Inspectorate 2003/2004 Annual Report on 14 September 2004.
- Briefing by Friends Against Abuse on Sexual Violence in prison on 13 October 2004.

- Briefing by The Institute for Security Studies (ISS) on Criminal Justice Monitor on 05 November 2004.

The Committee was also briefed by the Department of Correctional Services on the following:

- Public Hearings with the Department on the Draft White Paper was held on 3 & 4 February 2004.
- Briefing by DCS: Management Strategy to address Overtime Budget and the shift to the 7day Establishment and related Industrial Action on 10 August 2004.
- Briefing by Regional Commissioners; Gauteng, Free State & N.Cape, Limpopo on 24 August 2004.
- Briefing by Regional Commissioners: E.Cape, W.Cape, KZN on 27 August 2004.
- Hearing on Annual Report of DCS on 27 October 2004.
- Briefing by DCS on outsourcing of prison kitchens on 05 November 2004.
- Briefing by the Pollsmoor Management on the burning of prison cells and the death of inmates on 09 November 2004.

4.2.2 International / National Visits:

- The Committee undertook an oversight visit to the Brandvlei Juvenile Detention Centre in Worcester and the Drakenstein Juvenile Detention Centre in Paarl on 04 August 2004.
- The Committee undertook an oversight to the Office of the Inspecting Judge in Cape Town on 17 August 2004.
- The Committee undertook an oversight visit to the Pollsmoor Juvenile Detention Centre in Tokai on 15 October 2004.

- The Committee undertook an oversight visit to the Lindelani Place of Safety for Juveniles in Stellenbosch On 19 October 2004.
- The Committee joined SCOPA on a site visit to the Modderbee prison in Gauteng on 25 October 2004.
- The Committee undertook an oversight visit to the Pollsmoor prison on 02 November 2004.

The Committee did not undertake any International Visits during 2004.

1. **OTHER COMMITTEE ACTIVITIES:**

The Committee engaged in other activities. Here the following is of relevance:

Formal deliberations on the Departmental Strategic Plan of 2004/5 on 08 June 2004.

Formal deliberations on the Estimates of National Expenditure 2004/5 on 08 June 2004.

Formal consideration and adoption of the Committee report on the Budget of the Department of Correctional Services on 08 June 2004.

Formal consideration and adoption of the Committee programme for the 3rd Term and review of Constituency work especially around corrections on 3 August 2004.

Formal deliberations on the Report on the Joint visits to Gauteng, Kwa Zulu Natal and the Eastern Cape on 12 August 2004.

Formal consideration and adoption of the Committee programme for 4th Term, Report on Prison visits during recess and tabling of the report on recommendations and solutions to Overcrowding on 12 October 2004.

Formal consideration and adoption of minutes of previous term, Consideration of Committee Budget 2005/2006.

Consideration of Business Plan 2005/2006 on 22 October 2004.

Formal consideration of 2003/4 Annual report of the Department on 26 October 2004.

Cluster briefings on the Medium Term Budget Statement on the 28 October 2004.

Formal consideration and adoption of the Committee report on the Annual report of the Department on 02 November 2004.

2. FINANCIAL STATEMENTS:

Budget allocated to Committee: R138 662.00

Expenditure:

Catering: R

Oversight Visits: R

Total Expenditure: R

The Committee applied for additional funding to fulfil its role. An additional amount of R200.000 was approved for this financial year ending 31 March 2004.

7. OUTSTANDING MATTERS:

The Committee considered the following matters to be ongoing and expressed the wish for them to be taken up by the Incoming committee:

- A briefing by the National Task Team on Overcrowding
- A briefing by the Department of Correctional Services on the four (4) New Generation Facilities
- A meeting with the Minister as well as the Portfolio Committee on Social Development on Juveniles incarcerated and Places of Safety.

FORMAL ADOPTION OF ANNUAL REPORT BY THE COMMITTEE

Annual Report of the Portfolio Committee on Correctional Services, having been put to the Committee, was adopted by the Committee on 15 November 2004.

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COMMITTEE SECRETARY DATE

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CONTROL COMMITTEE SECRETARY DATE

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COMMITTEE CHAIRPERSON DATE

APPENDIX I

COMPOSITION OF COMMITTEE:

January – APRIL 2004	MAY – JUN 2004	AUGUST 2004 till present
Portfolio Committee on Correctional Services	Ad Hoc Committee on Correctional Services	Portfolio Committee on Correctional Services
Chairperson: Mr JN Mashimbye	Chairperson: Mr LJ Modisenyane	Chairperson: Mr DV Bloem
African National Congress	African National Congress	African National Congress

Bloem, Mr DV	Bloem, Mr DV	Bloem, Mr DV
Booi, Mr MS*	Chikunga, Ms LS	Chikunga, Ms LS
Diale, Mr LN	Fihla, Mr NB	Fihla, Mr NB
Dlamini, Ms BO	Magau, MS R*	Magau, Ms R*
Dyani, Mr MZ	Mahote, Mr S*	Mahote, Mr S*
Fihla, Mr NB	Makgate, Ms MW	Makgate, Ms MW
George, Mr MW*	Moatshe, Mr MS	Moatshe, Mr MS
Mkono, Mr DG	Mthethwa, Mr EN	Molefe, Mr TC
Moeketse, Mr KM	Ramgobin, Mr M*	Phala, Mr MJ
Ncinane, Mr ZI*	Rwexana, Ms SP	Ramgobin, Mr M*
Ngaleka, Ms E	Sosibo, Ms JE*	Rwexana, Ms SP
Oosthuizen, Mr GC	Tolo, Bishop LJ	Sosibo, MS JE*
Rwexana, Ms SP	Tshivhase, Ms T	Tolo, Bishop LJ
Sosibo, Ms JE*	Xolo, Mr ET*	Xolo, Mr ET
Tolo, Bishop LJ		
Zondo, Mr RP		

Democratic Alliance	Democratic Alliance	Democratic Alliance
Van Deventer, Mr FJ	Morkel, Mr CM	Morkel, Mr CM
Inkatha Freedom Party	Selfe, Mr J	Selfe, Mr J
Ferreira, Mr ET*	Inkatha Freedom Party	Inkatha Freedom Party
Seaton, Ms S	Seaton, Ms S	Seaton, Ms S
Xulu, Ms M*	United Christian Democratic Party	Biyela, Mr BP*
United Democratic Movement	Mfundisi, Mr IS	Independent Democrats
Maseka, Mr TJ	African Christian Democratic Party	Burgess, Mr C
New National Party	Swart, Mr S	United Christian Democratic Party
Douglas, Mr BM		Mfundisi, Mr IS
Durand, Mr J		African Christian Democratic Party
African Christian Democratic Party		Swart, Mr S
Swart, Mr S		
Pan Africanist Congress of Azania		
Mogoba, Dr SM*		

SUPPORT STAFF:

Committee Secretary: Ms Imogen Davids

Period from November 2003 to date.

Committee Assistant: Mr V Mfuniselwa

Period from December 1996 to date.

Secretary to Chairperson: Ms Rene Lawrence

Period from June 2001 to date.

Researcher (*Research Unit*): Ms Nadia Dollie

Period from June 1997 to date.

APPENDIX II

REPORTS TABLED:

1. Report on the Budget Vote 21 of Correctional Services dated 10 June 2004.	Report ATC'd	Budget Vote debated on 15 June 2004.
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<ol style="list-style-type: none">2. Report of the Strategic Planning Workshop with the Department of Correctional Services dated 10 June.3. Report of the Oversight visit to the Brandvlei and Drakenstein Juvenile Detention Centres	<p>Report ATC'd</p> <p>Report ATC'd</p>	<p>Report debated on 20 October 2004.</p>
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