

NATIONAL INSTITUTE FOR CRIME PREVENTION AND THE REINTEGRATION OF
OFFENDERS

The State of South African Prisons

Edition One
NICRO Public Education Series

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This paper is the first in the NICRO Public Education Series. This paper provides an analysis of the state of South African prisons.

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Introduction

NICRO has begun a series of publications entitled **NICRO Public Education Series**.

The purpose of the **NICRO Public Education Series** is to:

- ✓ Provide accessible material on the South African criminal justice system to the general public
- ✓ Improve the public's understanding of the criminal justice system

Many of the publications focusing on the criminal justice sector are academic publications. Many members of the public do not know where to access these publications and find them difficult to read.

The purpose of this research paper is to provide a neutral and accessible analysis of the prison statistics and trends in South Africa from 2008 till 2012. This paper intends to assist members of the public in improving their understanding of the state of South African prisons and be better informed of prevailing trends.

Limitations

The following limitations need to be kept in mind when reading this paper:

1. The figures from the Correctional Services website have not been updated since 2011. Although more recent figures are available from the annual reports, these figures do not provide enough detail.

Prison Statistics

Overview of Prison

There are 241 active correctional centres across South Africa. Eight are for women only, 13 are for youths and 129 are for men only. 91 accommodate women in a section of the prison.¹

The total capacity of prisons is 118 154 people, with 25 000 places being reserved for people awaiting trial detainees (ATD). The total prison population is 162 162, of which 49 695 (31%) are ATD and 112 467 (69%) are sentenced offenders. Nationally, there is an overcrowding level of 137%.

This paper focuses on sentenced offenders.

Table 1: Longitudinal Analysis of Sentenced Offenders²

Year	1994	1995	1996	1997	1998	1999	2000	2001	2002
Sentenced detainees	91 853	86 708	88885	97504	95 835	99692	109 072	115897	125 322
Year	2003	2004	2005	2006	2007	2008	2009	2010	2011
Sentenced detainees	130 940	134 487	122 410	113 711	111 230	109877	114972	113 571	112 467

Since 1994, the number of sentenced offenders has increased from 91 853 to 112 467 in 2011 (an increase of 22%). Incarcerated offenders peaked in 2004 at 134 487.

Nature of Crimes

Table 2: Categories of Offences³

Crime Categories	Sentenced	Sentenced
Economical	25373	23%
Aggressive	61097	54%
Sexual	18033	16%
Narcotics	2717	2%
Other	5247	5%
Total	112467	100%

The majority of both sentenced offenders are serving sentences for aggressive crimes. This is followed by economic offences, such as fraud and theft, followed by sexual offences. It is not clear what the category “other” refers to. Lastly, narcotic-related sentences constitute 2%.

¹ (Department of Correctional Services, 2011b)

² (The Presidency, 2012)

³ (Department of Correctional Services, 2011b)

Sentence Lengths

Table 3: Sentence Lengths ⁴

Sentence length	Number	%
< 6 months	4405	4%
> 6-12 months	3725	3%
> 12-24 months	3661	3%
2-3 years	12015	11%
3-5 years	11987	11%
5-7 years	8086	7%
7-10 years	14773	13%
10-15 years	20060	18%
15-20 years	12168	11%
> 20 years	10712	10%
Life	10349	9%
Death	1	0%
Other Sentenced (Psychopath, Corrective Training, Prevention of crime, Habitual criminal, Other mental instability, Corporal punishment, Security offender, Reformatory, Day parole, Ordered by court as dangerous, Periodic, Fine)	525	0%
Total Sentenced	112467	100%

52% of sentenced offenders are serving sentences of ten years or less.

Table 4: Longitudinal Analysis of Sentence Lengths 1995 – 2010 ⁵

	1995	2010	Difference	%
Between 5 and 7 Years	14 392	8 020	-6 372	-44%
Between 7 and 10 Years	12 395	14 777	2 382	19%
Between 10 and 15 Years	6 099	20 625	14 526	238%
Between 15 and 20 Years	2 732	12 435	9 703	355%
More than 20 Years	1 983	10 761	8 778	443%
Life Sentence	433	9 947	9 514	2197%

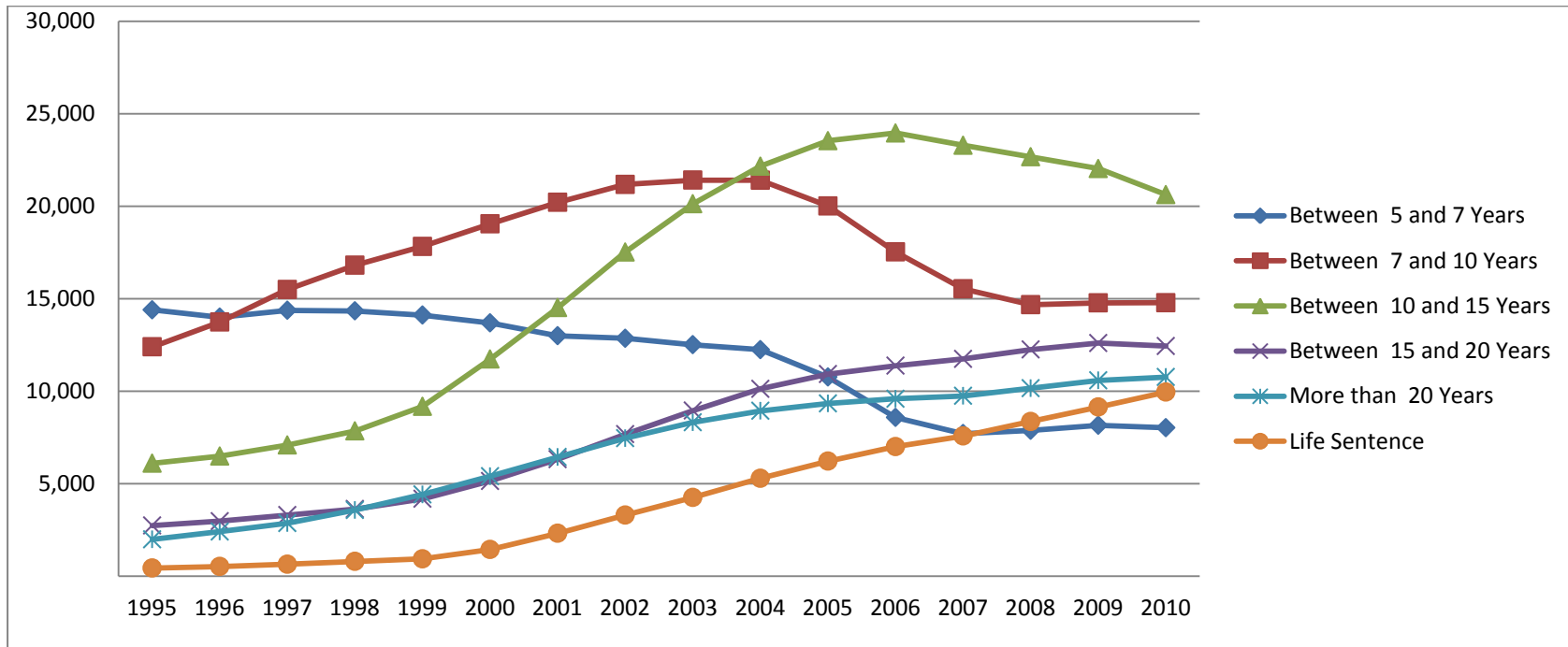
Sentenced of seven years and more have increased significantly since 1995:

- 5-7 years have decreased by 44%
- 7-10 years: increased by 19%
- 10-15 years: increased by 238%
- 15-20 years: increased by 355%
- More than 20 years: increased by 443%
- Life: increased by 2197%

⁴ (Department of Correctional Services, 2011b)

⁵ (The Presidency, 2012)

Figure 1: Longitudinal Analysis of Sentences of 10 Years and More ⁶



Looking at the sentencing patterns since 1995, we can see that sentences:

- Between 5 -7 years have decreased
- Between 7 – 10 years increased from 1995 levels until 2003/04, and then decreased
- Between 10 – 15 years have increased since 1995 until 2005-2007, and then decreased
- Between 15 – 20 years have increased
- More than 20 years have increased
- Life sentences have increased

⁶ (The Presidency, 2012)

The number of longer sentences have increased; while the shorter sentenced have fluctuated.

Foreigners

Table 5: Foreign Nationals⁷

Crime Categories	Sentenced	Sentenced %
Economical	1845	38%
Aggressive	1899	39%
Sexual	246	5%
Narcotics	560	12%
Other	318	7%
Total	4868	100%

There is an anecdotal belief that many people committing offences in South Africa are foreigners. This does not appear to be true, as foreign nationals make up 4% of the total sentenced population. Unless it is the case that, for some reason, foreign nationals are committing offences that do not result in incarceration, it appears that this anecdotal belief is unfounded.

Gender

Table 6: Gender Breakdown of Incarcerated Offenders⁸

Gender	#	%
Sentenced Male	109 804	98%
Sentenced Female	2663	2%

98% of sentenced offenders are male. Female offenders amount to less than 3 000 people.

Table 7: Gender and Offences (i)

Crime Categories	Women Sentenced	Men Sentenced	TTL	% of Women	% of Men
Economical	1200	24173	25373	45%	22%
Aggressive	1009	60088	61097	38%	55%
Sexual	15	18018	18033	1%	16%
Narcotics	275	2442	2717	10%	2%
Other	164	5083	5247	6%	5%
Total	2 663	109 804	112 467	100%	100%

The table above describes the breakdown of offences within the two genders. The offence dynamics for female offenders is slightly different from males. The largest number of women are incarcerated for economic offences. The female percentage

⁷ (Department of Correctional Services, 2011b)

⁸ (Department of Correctional Services, 2011b)

for narcotic-related offences is also higher than for males. Only 1% of female offenders are incarcerated for sexual offences.

Table 8: Gender and Offences (ii)

Crime Categories	Women Sentenced	Men Sentenced	TTL	Women Sentenced	Men Sentenced	TTL
Economical	1200	24173	25373	5%	95%	100%
Aggressive	1009	60088	61097	2%	98%	100%
Sexual	15	18018	18033	0%	100%	100%
Narcotics	275	2442	2717	10%	90%	100%
Other	164	5083	5247	3%	97%	100%
Total	2663	109 804	112 467			

The table above illustrates the gender percentages of each offence. Female offenders account for 10% of narcotic sentences, 5% of economic offences, 3% of 'other' and 2% of aggressive offences.

Race

Table 9: Race⁹

Races	Sentenced	%	National Population ¹⁰
Asian	619	1%	2.5%
Coloured	20364	18%	9%
Black	89329	79%	79.5%
White	2155	2%	9%
Total	112467	100%	100%

The above table illustrates the racial breakdown of sentenced offenders. The two highlighted rows draw attention to the disproportionate representation of both white and coloured offenders in prison when compared with the national demographics. It is not clear why there is a disproportionately large number of coloured offenders in prison. It is likely that the disproportionately low number of white offenders is a result of relatively better socio-economic circumstances and life opportunities

⁹ (Department of Correctional Services, 2011b)

¹⁰ (Statistics South Africa, 2012)

Children and Youths

Table 10: Children and Youths ¹¹

Crime Categories	Unsentenced	Sentenced	Total	Unsentenced	Sentenced	Total
Youth 18-25						
Economical	7211	9099	16310	32%	29%	30%
Aggressive	11118	15766	26884	49%	51%	50%
Sexual	2818	4160	6978	12%	13%	13%
Narcotics	645	622	1267	3%	2%	2%
Other	942	1490	2432	4%	5%	5%
Total	22734	31137	53871	100%	100%	100%
Children <18						
Economical	81	148	229	27%	27%	27%
Aggressive	139	239	378	46%	44%	45%
Sexual	61	137	198	20%	25%	23%
Narcotics	5	3	8	2%	1%	1%
Other	19	14	33	6%	3%	4%
Total	305	541	846	100%	100%	100%

Children under the age of 18 are not permitted to be held in prisons, and instead are held in secure care centres. There are 13 such centres in South Africa. ¹² The crime categories for both children and youths under the age of 25 are very similar in ranking:

1. Aggressive offences
2. Economic offences
3. Sexual offences
4. Other
5. Narcotics

The same pattern is seen with adult offenders.

It is worth taking note that sexual offences for children under the age of 18 years amounts to 23%. This is much higher than for youths and adults (13% and 16% respectively). It is unclear why a larger percentage of children are detained for sexual offences.

¹¹ (Department of Correctional Services, 2011b)

¹² (Department of Correctional Services, 2011b)

Rehabilitation and Reintegration

In South Africa, rehabilitation and reintegration services are only available to inmates serving sentences of 24 months or longer.

Table 11: Access to Rehabilitation and Reintegration Services

Indicator	2008 - 2009 ¹³ (N=109 877) ¹⁴	%	2009 - 2010 ¹⁵ (N=114 972) ¹⁶	%	2010 - 2011 ¹⁷ (N=113 571) ¹⁸	%	2011 - 2012 ¹⁹ (N=112 467) ²⁰	%	2012-2013 ²¹ (N=104 878)	%
# offenders attended social work sessions	116,115	106%	208,861	182%	134,358	118%	40,469	36%	104073	99%
# offenders attended psychological sessions	9,073	8%	9,494	8%	No figure given	na	No figure given	na	20865	20%
# offenders attended formal education	15,130	14%	21,552	19%	26,320	23%	25,224	22%	22351	21%
# offenders attended sports, recreation and arts and culture programmes	108,887	99%	127,293	111%	126,416	111%	99,105	88%	54717	52%
# offenders per day in production workshops	1834	2%	1,745	2%	1,693	1%	1,608	1%	3110	3%
# offenders per day working in agriculture	2,741	2%	2,905	3%	2,906	3%	3,215	3%	1515	1%

¹³ (Department of Correctional Services, 2009)

¹⁴ (The Presidency, 2012)

¹⁵ (Department of Correctional Services, 2010)

¹⁶ (The Presidency, 2012)

¹⁷ (Department of Correctional Services, 2011a)

¹⁸ (The Presidency, 2012)

¹⁹ (Department of Correctional Services, 2012)

²⁰ (Department of Correctional Services, 2011b)

²¹ (Department of Correctional Services, 2013)

According to the Judicial Inspectorate, between 10 and 15% of sentenced offenders have regular access to work and rehabilitation programmes.²² The above table illustrates the extent to which sentenced offences access services and activities that foster rehabilitation and social reintegration.

Social Work Sessions

Over the past five years, an average of 108% of sentenced offenders accessed social work services. However, it must be explained that any given offender will access social work services at least twice (assessment and at least one counselling interview or group session). This means that the figures given do not necessarily represent individual people. In other words, the 116 115 reported for attending social work sessions in 2008/09 is more likely to represent 58 057 individual people who accessed services twice.

Table 12: Number of Offenders Receiving Social Work Services 2008 - 2013

Indicator	2008 - 2009 ²³	%	2009 - 2010 ²⁴	%	2010 - 2011 ²⁵	%	2011 - 2012 ²⁶	%	2012- 2013 ²⁷	%
# offenders attended social work sessions	116,115	106%	208,861	182%	134,358	118%	40,469	36%	104,073	99%

According to DCS's website:

The Core function of Social Work Services is to assess the offenders and provide needs based programmes and Services in order to enhance the adjustment, social functioning and reintegration of offenders back into the community²⁸.

The social work services on offer by DCS include:

1. Assessment
2. Counselling services (offered to individual offenders)
3. Supportive services (offered during traumatic experiences eg death or living with HIV and AIDS)

²² (Judicial Inspectorate for Correctional Services, 2010)

²³ (Department of Correctional Services, 2009)

²⁴ (Department of Correctional Services, 2010)

²⁵ (Department of Correctional Services, 2011a)

²⁶ (Department of Correctional Services, 2012)

²⁷ (Department of Correctional Services, 2013)

²⁸ (Department of Correctional Services, n.d.)

4. Crisis intervention (basically to victims of traumatic experiences and for the awaiting trial detainees on referral)
5. Administrative (variety of reports required for the offenders eg parole board reports, reconstruction services reports etc)
6. Orientation
7. Life Skills
8. Substance Abuse
9. Family and Marriage Enrichment
10. Anger Management
11. Sexual Offender Treatment Programme
12. Resilience Enhancement Programme (Youth Programme)²⁹

Psychological Sessions

Over the past five years, an average of 12% of offenders have accessed psychological services. Please note that data is not available for years 2010- until 2012.

Table 13: Number of Offenders Accessing Psychological Services 2008 - 2013

Indicator	2008 - 2009 ³⁰	%	2009 - 2010 ³¹	%	2010 - 2011 ³²	%	2011 -2012 ³³	%	2012- 2013 ³⁴	%
# offenders attended psychological sessions	9,073	8%	9,494	8%	No figure given	na	No figure given	na	20,865	20%

According to the DCS's website:

The main functions of the psychologist entail assessment, diagnosis and treatment of sentenced offenders, probationers and persons under Correctional Supervision...

During evaluation, various methods can be used to obtain information, namely interviewing, psychometric tests and observation of persons in group situations, feedback from functional personnel, as well as consultation with family members and/or persons who have the necessary information about the person...

²⁹ (Department of Correctional Services, n.d.)

³⁰ (Department of Correctional Services, 2009)

³¹ (Department of Correctional Services, 2010)

³² (Department of Correctional Services, 2011a)

³³ (Department of Correctional Services, 2012)

³⁴ (Department of Correctional Services, 2013)

Participation in programmes is mainly voluntary, except in those cases in which it is necessary to expect participation from a person in a certain programme (for example when the Court recommends that an offender should receive psychological treatment) ³⁵

Due to a lack of human resources and scarcity of psychologists nationally – not only in DCS. This necessitates prioritization of psychological services. Psychologists mainly attend to the following target groups:

- Suicide risks
- Court referrals
- Persons who have previously received psychiatric or psychological treatment and /or who are mentally ill
- Youth and Females
- Aggressive and/or sexual offenders
- Persons who request to see a psychologist ³⁶

Formal Education

Over the past five years, an average of 20% of incarcerated offenders accessed formal education. Formal education refers to:

- Adult Basic Education and Training (ABET)
- Further Education and Training (FET)
- Ordinary secondary education (youths in secure care centres)
- Skills development courses

Table 14: Number of Offenders Attending Formal Education and Skills Development Programmes

Indicator	2008 - 2009 ³⁷	%	2009 - 2010 ³⁸	%	2010 - 2011 ³⁹	%	2011 - 2012 ⁴⁰	%	2012- 2013 ⁴¹	%
# offenders attended formal education	15,130	14%	21,552	19%	26,320	23%	25,224	22%	22,351	21%

³⁵ (Department of Correctional Services, n.d.)

³⁶ (Department of Correctional Services, n.d.)

³⁷ (Department of Correctional Services, 2009)

³⁸ (Department of Correctional Services, 2010)

³⁹ (Department of Correctional Services, 2011a)

⁴⁰ (Department of Correctional Services, 2012)

⁴¹ (Department of Correctional Services, 2013)

Sports, Recreation And Arts And Culture Programmes

The largest number of incarcerated offenders access sports, recreation, arts and cultural activities. Over the past five years, an average of 92% of offenders accessed these activities, which typically include organised sports and choirs.

Table 15: Number of Offenders Accessing Sports, Arts and Recreation Activities

Indicator	2008 - 2009 ⁴²	%	2009 - 2010 ⁴³	%	2010 - 2011 ⁴⁴	%	2011 - 2012 ⁴⁵	%	2012-2013 ⁴⁶	%
# offenders attended sports, recreation and arts and culture programmes	108,887	99%	127,293	111%	126,416	111%	99,105	88%	54,717	52%

Production Workshops

Over the past five years, an average of 2% of sentenced offenders work in the prison production workshops on a daily basis. The prison production workshops produce items such as furniture

Table 16: Number of Offenders Working in Production Workshops

Indicator	2008 - 2009 ⁴⁷	%	2009 - 2010 ⁴⁸	%	2010 - 2011 ⁴⁹	%	2011 - 2012 ⁵⁰	%	2012-2013 ⁵¹	%
# offenders per day in production workshops	1,834	2%	1,745	2%	1,693	1%	1,608	1%	3,110	3%

According to the Minister of Correctional Services, the prison production workshops consist of the following:

1. 10 wood workshops
2. 10 steel workshops
3. 19 textile workshops
4. A shoe factory
5. Six bakeries

⁴² (Department of Correctional Services, 2009)

⁴³ (Department of Correctional Services, 2010)

⁴⁴ (Department of Correctional Services, 2011a)

⁴⁵ (Department of Correctional Services, 2012)

⁴⁶ (Department of Correctional Services, 2013)

⁴⁷ (Department of Correctional Services, 2009)

⁴⁸ (Department of Correctional Services, 2010)

⁴⁹ (Department of Correctional Services, 2011a)

⁵⁰ (Department of Correctional Services, 2012)

⁵¹ (Department of Correctional Services, 2013)

6. Three sanitary towel workshops⁵²

Agriculture

There are 21 correctional centres which operate farms, as well as 96 small vegetable production sites.⁵³ Over the past four years, an average of 3% of incarcerated offenders work daily in agriculture. The farms and plots produce the following:

- Chicken
- Eggs
- Fruit
- Milk
- Pork
- Red meat
- Vegetables

Table 17: Number of Offenders working in Agriculture

Indicator	2008 - 2009 ⁵⁴	%	2009 - 2010 ⁵⁵	%	2010 - 2011 ⁵⁶	%	2011 - 2012 ⁵⁷	%	2012-2013 ⁵⁸	%
# offenders per day working in agriculture	2,741	2%	2,905	3%	2,906	3%	3,215	3%	1,515	1%

⁵² (Ndebele, 2013)

⁵³ (Ndebele, 2013)

⁵⁴ (Department of Correctional Services, 2009)

⁵⁵ (Department of Correctional Services, 2010)

⁵⁶ (Department of Correctional Services, 2011a)

⁵⁷ (Department of Correctional Services, 2012)

⁵⁸ (Department of Correctional Services, 2013)

Staffing Statistics

Table 18: Staffing

Indicator	2008-2009	2009-2010	2010-2011	2012-2013	2013-2014
# social workers	377	503	488	503	504
# psychologists	3	10	55	57	67
# educationists	431	429	416	447	463

The above table illustrates the number of social workers, psychologists and educators in prison over the past four years.

Table 19: Ratio of Incarcerated Offenders to Staff

Indicator	Ratio 2012 - 2013
# social workers	208
# psychologists	1565
# educationists	227

The above table indicates that there are 208 offenders for every social worker, 1 565 offenders for every psychologist and 227 offenders for every educator.

Budget Figures

Table 20: 2008 - 2013 Budget

Programme (Rmill)	2008/09	2009/10	2010/11	2011/12	2012/13	AVG	%
Admin	R 3,299	R 3,501	R 4,089	R 4,882	R 5,251	R 4,204	28%
Security	R 7,238	R 7,622	R 7,848	R 8,448	R 10,022	R 8,236	54%
Corrections	R 612	R 665	R 752	R 808	R 1,092	R 786	5%
Care	R 1,171	R 1,349	R 1,416	R 1,483	R 1,582	R 1,400	9%
Social Reintegration	R 501	R 549	R 591	R 655	R 801	R 619	4%
TTL	R 12,821	R 13,686	R 14,696	R 16,276	R 18,748	R 15,245	100%

[Please note this table uses rounded-off figures, and so there are rounding-off differences between these figures and those in the actual budget report.]

The above table provides the breakdown of the DCS budget from 2008. The above figures are in ZAR millions.

The budget uses the following five categories:

1. **Programme 1: Administration** - Provide the administrative, management, financial, information and communication technology, research, policy coordination and good governance support functions necessary for all service delivery by the department and in support of the functions of the ministry.
2. **Programme 2: Incarceration** - Provide appropriate services and well maintained physical infrastructure that support safe and secure conditions of detention consistent with the human dignity of inmates, personnel and the public; and provide for the profiling of inmates and the compilation of needs based correctional sentence plans, administration and interventions.
3. **Programme 3: Rehabilitation** - Provide offenders with needs based programmes and interventions to facilitate their rehabilitation and enable their social reintegration.
4. **Programme 4: Care** (nutrition, health and hygiene) - Provide needs based care services aimed at maintaining the personal wellbeing of all inmates in the department's custody.
5. **Programme 5: Social Reintegration** - Provide services focused on offenders' preparation for release, the effective supervision of offenders placed under the system of community corrections and the facilitation of their social reintegration into communities.⁵⁹

Over the past four years, incarceration costs have received an average of 54% of the total budget, with rehabilitation, care and social reintegration receiving 5%, 9% and

⁵⁹ (Department: National Treasury, 2013)

4% respectively. From the budget it should be clear that the bulk of prison costs are spent on detention and not on rehabilitation and social reintegration.

Costs of Incarceration

According to the DCS website, the average cost for incarceration estimated at R123.37 per day.⁶⁰ The Judicial Inspectorate of Prisons places the cost per offender at R243.⁶¹ More recently, the Minister of Correctional Services, S'bu Ndebele, reported the cost per inmate at R9 876 per inmate per month (R329.20 per person per day).⁶²

Table 21: Costs of Incarceration (R329.20)

	Per Person	Per 100 People
1 day	R 329.20	R 32,920.00
1 week	R 2,304.40	R 230,440.00
1 month	R 9,876.00	R 987,600.00
3 months	R 29,628.00	R 2,962,800.00
6 months	R 59,256.00	R 5,925,600.00
12 months	R 118,512.00	R 11,851,200.00
24 months	R 237,024.00	R 23,702,400.00
3 Years	R 355,536.00	R 35,553,600.00
5 Years	R 592,560.00	R 59,256,000.00
7 Years	R 829,584.00	R 82,958,400.00
10 Years	R 1,185,120.00	R 118,512,000.00
15 Years	R 1,777,680.00	R 177,768,000.00
20 Years	R 2,370,240.00	R 237,024,000.00
25 Years	R 2,962,800.00	R 296,280,000.00

Recidivism

Recidivism refers to the rate or extent to which people re-offend. There are no official recidivism figures for South Africa. There are a number of reasons for this:

1. It is unclear which government department should maintain these figures, as recidivism covers all offenders and not just those in prison.
2. Different departments use different data management systems that do not integrate with each other
3. Attempts to develop an integrated criminal justice data system was first proposed in 2007 by then-Deputy Minister of Justice Johnny de Lange. To date, this has not taken place.

⁶⁰ (Department of Correctional Services, 2011b)

⁶¹ (Judicial Inspectorate for Correctional Services, 2011)

⁶² (Ndebele, 2013)

Some research has been undertaken by academics and civil society on a small scale. This research provides the following figures as estimates of the recidivism rate from prison:

1. 85% and 94%.⁶³
2. 24%⁶⁴
3. 55-95%⁶⁵

⁶³ (Ballington cited in Muntingh, 2001)

⁶⁴ (Open Society Foundation for South Africa, 29 and 30 November 2010)

⁶⁵ (Muntingh and Prinsloo cited in Schoeman, 2002)

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