

AN ASSESSMENT OF THE PAROLE SYSTEM IN EAST LONDON MANAGEMENT AREA: EASTERN CAPE PROVINCE

by

VUYOLWETHU GADU

201315905

A mini dissertation submitted in partial fulfillment of the requirements for the degree of
Masters of Public Administration

Department of Public Administration (Faculty of Management and Commerce)

University of Fort Hare

University of Fort Hare

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SUPERVISOR: Prof. D. R. Thakhathi

May 2016

ABSTRACT

The purpose of this study was to investigate an assessment of the parole system in the East London Management Area of the Eastern Cape Province. The literature review reflects on the assessment and implementation of parole system in the correctional centres. To attain the aims and objectives of the study the researcher used the case study design as well as the qualitative research method. Data was collected from various legislative frameworks and analysed using content analytical method.

Themes were drawn from the analysis. Some of the findings that emerged are: offenders are considered for parole should they meet all of the requirements of serving the non-parole periods and have been rehabilitated, the CSPB is empowered to make a recommendation to the court for dangerous criminals and prisoners serving life a sentence to be placed on parole. Some of the problems encountered by the Department of correctional services are: chairman of the parole board sometimes dominates the proceedings, parole violations, the malfunctioning of the parole system, lack of proper rehabilitation and vocational programmes, lack of proper implementation of parole legislation, overcrowding in the centers, offenders committing crimes after they have been placed on parole, alcoholic behavior and influences from friends. Measures to deal with parole challenges included: full advance to implement satellite-based tracking devices to monitor the movements of parolees in the area, the involvement of stakeholders and chairpersons of different parole boards on parole issues and alleviating overcrowding in the East London correctional facilities by looking into the backlogs in the hearing of parole applications by the various Parole Boards. Measurements adopted by the East London correctional centre to minimize the re-offending also included: imposing severe punishment on offenders, delivering justice for victims and ensuring that offenders make restitution both to society for their crimes, leaving correctional centres with better skills and prospects.

The researcher made some recommendations towards ensuring an effective and a functional parole system at the East London Management Area of the Eastern Cape Province.

DECLARATION

I, VUYOLWETHU GADU, student number 201315905, solemnly declare that this mini dissertation entitled, an assessment of the parole system in East London Management Area of the Eastern Cape Province is my original work. All sources used or quoted in the study have been indicated and acknowledged by way of complete references.

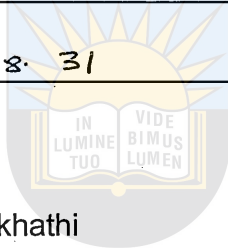
CANDIDATE: VUYOLWETHU GADU

SIGNATURE: _____



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SUPERVISOR: Prof. D. R. Thakhathi

SIGNATURE: _____

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ACKNOWLEDGEMENTS

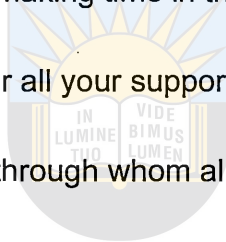
I would like to thank my supervisor, **Prof. D. R. Thakhathi** for his valuable guidance and support. Your inspiration was of immense value from the beginning to the conclusion of this mini dissertation. I thank you.

Dr Zandi Dweba, for sowing the seed that inspired me to believe in my abilities to reach for greater heights

The **Correctional Supervision and Parole Board** and colleagues within East London Management Area for their inputs and making time in their busy schedule.

My **family, friends and colleagues**, for all your support, interest and motivation

Last, but not least our **God Almighty**, through whom all things are possible



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DEDICATION

To all those who have supported, encouraged, inspired me in this journey. And especially to my beloved mother, Nomthandazo Gadu, honorable mentors and friends for all your support, love and attention which has made it possible for me to make it to this point.

Every challenging work needs self-efforts as well as guidance of elders and those with knowledge, Prof D R Thakathi, Dr Zandi Dweba & Mr Sydney Twani who guided me throughout my life/career and provide me opportunity to learn and grow.



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CHAPTER 1

THE PROBLEM AND ITS CONTEXT

1.1 INTRODUCTION

Overcrowding in South African correctional centres is one of the challenges facing South Africa today. To this end, Parole system is put in place as way to reduce overcrowding of inmates in the prisons by letting them finish their sentences in communities hence reducing the burden in prisons. This is mainly done by the parole boards that are mandated to manage the problem of overcrowding in prisons by constantly reviewing and analysing the inmates that are eligible for parole (Rhine, Smith and Jackson 1991:27).

This chapter one will present and discussed the following: the background to the study, statement of the problem, research question, objectives of the study, purpose of the study, significance of the study, delimitations of the study, definitions of terms, the structure of the study and conclusion.

1.2 BACKGROUND TO THE STUDY

The background to this study takes a look at parole systems in the international perspectives, African perspective and that of the South African perspective. These are presented and discussed as follow:

1.2.1 The international perspectives on the assessment and implementation of parole system

According to the Correctional Services of Canada National Parole Board (2007b), "The National Parole Board of Canada is an independent, administrative body that has exclusive authority under the Corrections and Conditional Release Act to grant; deny; terminate or revoke parole". In one's view, this makes the board to make independent and quality decisions that facilitate the reintegration of offenders into society. The Canadian Correctional Service make recommendations and prepare reports as well as

supervising offenders on Parole so that they can adhere to the conditions of release set by the board (Dunberry, 2004). In Canada, both the Correctional Service and the National Parole Board operate under the authority of the Solicitor (Goof, 1999:1)

According to Clear & Cole (1997:417), Parole in the United State is, "the early release of inmates from correctional institutions prior to the completion of the prison sentence under supervision in the community". In United States, the key element of parole system is the decision by the legal authorities to determine the release of offenders before completion of their sentence. A qualified parole board, flexibility in sentencing and parole laws; a qualified and competent parole staff; freedom from political or improper influences; workable position that is organizationally structured; proper procedures that are in line with rehabilitation; Pre-release preparation within the prison; Positive public attitude toward parole; and Research and statistics on the effectiveness

1.2.1 African perspectives on the assessment and implementation of parole system

Collete (2006) postulated that many countries in Africa are becoming very active in the same way in that new laws, Correctional Service reforms and parole systems are being changed and implemented. Countries like Zambia, Tanzania, South Africa, Cameroon and Namibia frequently consult the Parole Board of Canada to assist them with restructuring their new Parole system. According to Ebbe (2000: 286), "Nigeria has a life imprisonment statue, but Nigeria's life imprisonment statue does not allow the possibility of parole. However, Israel like Nigeria has got life imprisonment without parole. Life imprisonment, according to Ebbe (2000), refers to the offender spending the rest of his/her life in prison and this is more common in countries like Ghana, Siera Lione, Nigeria and Kenya.

The Namibian Release Board was established subject to section 97(12) of the prisons Act 17of 1998 and the members are appointed by the Minister as per section 108 of Act 17 (Republic of Namibia, 2004). In Namibia, the Ministry of Prisons and Correctional Services was established in 1995 to promote the rehabilitation of prisoners. The Correctional Services and the Ministry of Prisons were united under the new Ministry of

Safety and Security (Oxche, 2006: 2). The correctional service of Namibia adopted a new philosophical point of departure that, "Human beings can change, depending on the conditions under which they are kept. It is therefore important to treat inmates with dignity and respect, and this would cultivate an atmosphere of rehabilitation" Furthermore, the Namibian correctional Service consulted Canada for guidance in drafting a new policy frame work and legislation on prisons and the Prisons Acts 17 of 1998, was drafted and drafted. Resultantly, the Namibian policy transformed to rehabilitation from retribution of prisoners (Oxche, 2006:3).

1.2.1 South African perspectives on the assessment and implementation of parole system

Parole board in the South Africa context is an important factor in the South African Criminal Justice System. Community Parole system was implemented in South Africa post-apartheid which is after 1994. It analyses the law regarding the correctional services in the country. It was implemented in terms of Act 111 of 1998 of the correctional services. However it was an amendment of the interim Constitution of 1993.

The main aim of parole in the country is to promote the best services and practices that are being undertaken by South African Correctional Services. This will facilitates the practices of South African correctional services to meet the international standards. It also promotes the rights of inmates at most (Department of Correctional Services, 2005).

The change in the political environment in South Africa and the implementation of the new constitution brought about the parole system. One of the major changes was in the Correctional Services that saw the amendment of the Prison Services Act No 8 of 1959 into the Correctional Services Act No 111 of 1998. The implementation of the act was of great importance as it promoted the rights of the South African citizens. Main issue in the new act was the community parole board system that came to replace the institutional based parole board (Mujuzi, 2011).

The complete implementation of the parole board system came into complete effect in 2004, although the legislation was put forward in 1998 under the Correctional Services act No 111 of 1998. The delay in the implementation of the parole board system in South Africa was due to a number of factors but the main factor was the delay in the correctional services to implement the process of change due to lack of infrastructure and necessary operational systems that were being required. The other challenge that was faced in the implementation of parole was the involvement of criminal victims and members of the public in the decision making process that lacks knowledge on prison administration (Mujuzi, 2011).

If one considers the relative progress towards the development of a safer society in South Africa, as well the objectives articulated by The White Paper on Corrections, it is clear that over the past-two decades, progress has been less than satisfactory. It is impossible to ignore the fact that there is no clear outcome in terms of the effectiveness of implementation of the parole system (Mujuzi, 2011).

The levels of repeat offending are excessively high as parolees continue to violate the conditions of their parole; and on the other hand prisons are overflowing due to same offenders coming in and out of prisons and all these actions reverse the gains of lessening over-population which the parole system was intended to serve.

One of the most commonly asked questions about the system of parole is whether it serves its purpose of successfully providing the beneficiaries with an opportunity to refrain from doing crime and start rebuilding their lives. At the present moment, recidivism is used to gauge the success or failure of the parole system.

Thus, this study seeks to assess the role played by the parole system when dealing with the challenges faced by the correctional service Department in promoting a sound management parole system in East London Management Area, the measures and strategies that are established by the East London correctional centre to address the parole challenges as well as to identify the measures adopted by the East London correctional centre to minimize the re-offending in the Eastern Cape Province.

1.3 PROBLEM STATEMENT

More recent fieldwork has shown that parole plays a significant role in reducing overcrowding in many correctional centres as well as reducing costs. In addition, parole promotes integration whereby offenders under parole are given the chance to participate in community activities in the communities. The offenders can participate in rehabilitation activities on which they can gain different skills that help them to improve their well-being in the communities (Stevens, 2006:291).

However, offenders in the East London Management Area of the Eastern Cape Province do commit more crimes while serving under parole system. According to the Department of Correctional Service's Annual Report (2012/2013) there were challenging situations where offenders in the East London Management Area of the Eastern Cape Province were placed on parole through the Special Remission of sentenced announced by the President were re-offended in few months and got rearrested.

The question therefore is, how is the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province?

On the roles played by the parole system to ensure compliance accountability, the challenges faced by the correctional service Department in promoting a sound management parole system in East London Management Area, the measures and strategies that are established by the East London correctional centre to address the parole challenges and the measurements adopted by the East London correctional centre to minimize the re-offending in the Eastern Cape Province.

1.4 RESEARCH QUESTIONS

This study was guided by the following questions:

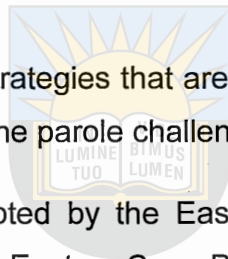
1.4.1 Main research question

The main research question is: How is the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province?

1.4.2 Sub-research questions

The study seeks to answer the following sub-research questions:

- What are the roles played by the parole system to ensure accountability?
- What are the problems encountered by the Department of correctional services in promoting a sound management parole system in the East London Management Area?
- Are there any measures and strategies that are established by the East London correctional centre to address the parole challenges?
- What measurements are adopted by the East London correctional centre to minimize the re-offending in the Eastern Cape Province?



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1.5 OBJECTIVES OF THE STUDY

The objectives of this study are.

- To analyse and to understand the roles played by the parole system to ensure accountability.
- To classify, analyse and understand the problems encountered by the Department of correctional services in promoting a sound management parole system in the East London Management Area.
- To find out the measures and strategies established by the East London correctional centre to address the parole challenges.
- To propose measurements are adopted by the East London correctional centre to minimize the re-offending in the Eastern Cape Province.

1.6 STUDY PURPOSE

The primary purpose of this study is to assess the implementation of parole system in the East London management area of the Eastern Cape Province in line with the guidelines as provided in the Correctional Services Act and describe the parole processes that can lead to the placing out of offenders under supervision in the community.

1.7 SIGNIFICANCE OF THE STUDY

The findings from this study will add up to existing knowledge on the assessment and implementation of parole system. The researcher envisaged that this study will revealed the challenges faced by parole system in the discharge of its duties based on the Institutional, Technical and Political challenges and will help the Correctional Service Department to better monitor and improve the execution process of the parole system.

The finding from this study in terms of the understanding of the implementation of the parole system will assist in devising mechanisms to ensuring offender's social reintegration and lesser re-offending. The findings from this study will be used to propose measures that will improve the implementation of the parole system in the East London Area management.

The findings from this study will assist the department of Correctional Services in explaining the gist behind granting of parole to members of the communities and to families of victims of crime. The findings from this study will further empower interest groups and cluster partners in the fight against crime as well as stakeholders like South African Police Services.

The study will also assist policy implementers like Area Commissioners, Heads of Correctional Centres, Heads of Community Corrections, Monitors and Supervision Officers as well as Probation Officers to do their job much better with the researched insight.

1.8 DELIMITATIONS OF THE STUDY

This Study only focused on the assessment and implementation of parole system in the East London management area of the Eastern Cape Province in South Africa. Data was only collected from only documents related to parole system in the East London management area of the Eastern Cape Province in South Africa.

1.9 DEFINITIONS OF TERMS

Assessment:

Adelman and Taylor (2016) define assessment as the process by which attributes of phenomena are described and judged. Descriptions take the form of data gathered by formal and informal measures, such as tests and observations of behavior or settings. Judgments take the form of interpretive conclusions about the meaning of data, such as whether a phenomenon is good or bad, above or below standard, pathological or not.

Implementation:

Implementation refers to carrying out a plan, it describes the process of turning formal plans- often very detailed conceptual plans that will affect many (Vocabulary.Com, 2016).

Parole system:

Mujuzi (2011) defined Parole system as a mechanism that allows inmates or prisoners a conditional release from the prison before the end of the serving sentence as imposed by the rule of law.

Correction centre:

According to the Correctional Services Amendment Act 111 of 1998 in South Africa, 'correctional centre' means any place established under this Act as a place for the reception, detention, confinement, training or treatment of persons liable to detention in custody or to placement under protective custody.

Inmate:

According to the Correctional Services Amendment Act 111 of 1998 in South Africa; inmate' means any person, whether convicted or not, who is detained in custody in any correctional centre or who is being transferred in custody or is en route from one correctional centre to another correctional centre.

1.10 THE STRUCTURE OF THE STUDY

This study is divided into five chapters:

Chapter 1

The problem and its context

This chapter will focus on the following: The background to the study, statement of the problem, the research questions, objectives of the research, purpose of the study, significance of the study, delimitations of the study, and definitions of terms.

Chapter 2

Review of Literature

This will consist of the literature review. The aim of the literature review will be to analyse the existing knowledge on the assessment and implementation of parole system.

Chapter 3

The Research Design and Methodology

This will focus on the research methodology, the research design, the research instrument, the data collection procedure, ethical considerations, validity and reliability.

Chapter 4

Data presentation and Analysis of the findings

This will present the analysis, interpretation and discussions of the findings. The researcher will place the raw data into logical, meaningful categories, will examine them in a holistic fashion, and will find a way to communicate this interpretation.

Chapter 5

Conclusion and Recommendations

Summary, conclusions and recommendations of the study will be presented in this chapter. The chapter will also present suggestions for further research.

1.11 CONCLUSION

This chapter one has presented and discussed each of the following: the background to the study, statement of the problem, research question, and objectives of the study, purpose of the study, significance of the study, delimitations of the study, definitions of terms and the structure of the study.

The next chapter is chapter two; this chapter will present the literature review.



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CHAPTER 2

LITERATURE REVIEW

2.1 INTRODUCTION

The previous chapter presented the synopsis of the study at hand by outlining the background to the study, statement of the problem, research question, and objectives of the study, purpose of the study, significance of the study, delimitations of the study, definitions of terms and the structure of the study.

This chapter two will present and discuss related literature on the assessment and implementation of parole system in the correctional centres. This chapter will also review literature on each of the following: the origins and evolution of parole and the roles played by the parole system to ensure accountability in South Africa, legislative development of parole in South Africa, challenges and problems encountered by the department of correctional services in promoting a sound management parole system, measures and strategies that are established at correctional centres to address parole challenges, measurements adopted by the correctional centre to minimize the re-offending, a look at some parole systems in the global world and conclusion.

2.2 ORIGINS AND EVOLUTION OF PAROLE AND THE ROLE PLAYED BY THE PAROLE SYSTEM TO ENSURE ACCOUNTABILITY IN SOUTH AFRICA

The change in the political environment in South Africa and the implementation of the new constitution were the factors that led to the changes in the legislative system in the country that brought about the parole system. One of the major changes was in the Correctional Services that saw the amendment of the Prison Services Act No 8 of 1959 into the Correctional Services Act No 111 of 1998. The implementation of the act was of great importance as it promoted the rights of the South African citizens. Main issue in the new act was the community parole board system that came to replace the institutional based parole board (Mujuzi, 2011).

Mujuzi (2011) defined Parole system as a mechanism that allows inmates or prisoners a conditional release from the prison before the end of the serving sentence as imposed by the rule of law. In the South African context parole system is defined as the removal of prisoners from the prison into the community. This means that the prisoner is being removed from the prison and given the opportunity to finish the remainder of the serving term outside the prisons under certain conditions that must be followed. However this allows the prisoner to enjoy the life in the community under the surveillance of correctional workers (Department of Correctional Services, 2005).

The department of correctional services with the aid of social workers will verify the ability of the offender to conform to the requirements of the justice system and the society. If the offender is completely reformed person and has the ability to be reintegrated into the society, the parole board may approve and recommend that the offender be released on certain conditions. This is only done when the parole board approves that the offender has conformed and can be incorporated back in the society without causing any harm to the society. The parole system in South Africa is an integrated part of the Justice and Correctional system of the country. When an offender demonstrated and showed good behaviour in the prison and indicates that he or she is no longer going to harm the society, the board will recommend for the release of the offender. In general terms parole system is a form of an incentive to offenders to behave and conform to the norms, values and ethics of the society hence reduces crime rate in South Africa (Department of Correctional Services, 2005).

Parole board in the South Africa context is an important factor in the South African Criminal Justice System. Community Parole system was implemented in South Africa post-apartheid which is after 1994. It analyses the law regarding the correctional services in the country. It was implemented in terms of Correctional Services Act 111 of 1998, but however it was an amendment of the interim Constitution of 1993. The main aim of parole in the country is to promote the best services and practices that are being undertaken by South African Correctional Services. This will facilitates the practices of South African correctional services to meet the international standards. It promotes the rights of inmates at most (Department of Correctional Services, 2005).

The Department of Correctional services in South Africa adopted an independent model for the parole system and the body offers parole boards that are being controlled by members of the public that are independent and they are being appointed by the honourable minister of correctional services in the country. The parole is being administered by the parole boards and the main duty of it is to release the prisoners from the prison on certain condition after they undertake a complete evaluation of the behaviour of the offenders (Department of Correctional Services, 2005).

2.3 LEGISLATIVE DEVELOPMENT OF PAROLE IN SOUTH AFRICA

South Africa implemented certain acts and policies in the development of the parole system. The milestone in the legislative development of the parole system in South Africa was indicated first by the amendment of the Prisons Services Act No 8 of 1959 into Correctional Services Act No 111 of 1998 (Republic of South Africa, 1998).

2.3.1 Correctional Services act 8 of 1959.

Section 65(4) of the Correctional Services Act No 8 of 1959 outlined that the prisoners or inmates cannot be put on placement or given the chance to enjoy the parole benefits before they serve more than half of their sentences in the prison. However this was overstated by other factors that came into place that are related to the number of credits that can be earned by the prisoner during the prison time. In March 1994, reforms were put forward to change the previous remission of the sentences. Apart from the above, the section offer earning points that any inmate should earn from the institutional committee that is now referred to as the Case Management Committee. The earning points can be given to prisoners considering the rules and programs on the treatment and wellbeing of the prisoners and the rehabilitation process. Apart from that, the prisoners will not earn credits more than half of the sentence served. The credit system offers the prisoners the chance to present themselves with good behaviour and this will earn them more credits with a maximum of one day in two days that they served ((Nxumalo, 1997 and Dissel, 1994).

In addition to the above, in terms of Correctional Services Act 8 of 1959, prisoners serving a certain sentence are eligible to be considered for parole placement after serving one third of the serving sentence. Consideration for parole is regardless of the type of crime and the weight of the crime that the inmate is serving for. Section 62(1) of the Correctional Services Act No 8 of 1959 gave the mandate to all the Institutional Committee of all the prisons to take critical decisions regarding the nature of the credits to be awarded to the prisoners (Nxumalo, 1997 and Dissel 1994). The Institutional Committee of a prison is allowed to regularly and continuously assess and evaluate the inmates within period of a month. However Section 63(1) of the Correctional Services Act No 8 of 1959 outlined that every citizen has the right to parole and all the prisoners should be treated equally on the parole services. The documents and papers of each and every prisoner should be submitted to the Minister or the Commissioner of the Correctional services with all the recommendations for the parole placement of the prisoner (Republic of South Africa, 1959a).

All the documentation that include reports and recommendations also referred to as profile report from social workers and correctional service officials should be given to parole board officials for the parole consideration according to Section 93(2) of the Correctional Services Act No 8 of 1959. The parole board officials which can be the Commissioner of Correctional Services or the Minister has the authority to make a decision on whether the prisoner can be placed on parole or not with the provision of Section 65(8) of the Correctional Services Act No 8 of 1959 (Republic of South Africa, 1959a).

2.3.2 Correctional Services Act No 111 of 1998

The Correctional Services Act No 8 of 1959 was amended to Correctional Services Act No 111 of 1998. The act was implemented and amended in 1998 and it was put into effect in 2004 in South Africa. Correctional Services Act No 111 of 1998 offers regulations for the placement of prisoners on parole basis. It offers prisoners the chance to get parole services whether or not the prisoner was sentenced before the implementation of the Correctional Services parole provisions that are found in Correctional Services Act No 111 of 1998. The provisions and the regulations of the act

were established in the year 2004. The outcomes and conditions of the procedure are being facilitated by the Correctional Services Act No 111 of 1998. The act is the one that is currently used in regulating all the activities of the prisons in South Africa ((Republic of South Africa, 1998).

Apart from the above, according to Section 42(2) of the Correctional Services Act No 111 of 1998, the Case Management Committee that used to be called the Institutional Committee is supposed to submit profile report that encompass all the documentation regarding the parole placement opportunities for the prisoners. According to Section 42(2) of the act, the Management Committee has the mandate to evaluate and assess the prisoners all the times (Republic of South Africa, 1998, 42). The profile report for all the inmates serving more than twelve month in the prisons should be submitted to the parole board members. The minister is the one responsible for setting up of the parole boards in terms of Section 74 of Correctional Services Act No 111 of 1998 (Republic of South Africa,1998:62)

The parole board and correctional service management have the responsibility to check that the Case Management Committee submitted profile reports of the prisoners to relevant authorities in time so that the parole board can determine which prisoners qualify for parole placement on the prisoners serving more than 12 months. This is according to Section 75(1) of the Correctional Services Act No 111 of 1998 (Republic of South Africa, 1998:64). According the Correctional Services Act No 111 of 1998, the Case Management Committee is the one that is responsible for performing all the necessary duties for the parole system that used to be performed by the parole board. The parole board and correctional services management will perform overall functioning of checking the profile reports and make final decisions on who will qualify for parole placement and who will not qualify for it. This final decision process used to be done by the commissioner or the minister of correctional services but now the parole board and correctional services official are now responsible for that. In addition to the above, Section 276b of the Criminal Procedure Act 51 of 1977 outlines that there are prison terms that carries non parole services depending on the weight of the crime The non-parole period that can be imposed by the courts should not be more than two third of

the period to be served by the prisoner.. In terms of section 73(6)a of the Correctional Services Act No 111 of 1998, a prisoner serving determinate prison term cannot be put on parole until the prisoner served the authorised non parole period of the sentence (Republic of South Africa,1998: 60)

2.3.3 Similarities and differences between Correctional Services Act No 8 of 1959 and Correctional Services Act No 111 of 1998.

According to Section 136 of the Correctional Services Act No 111 of 1998, prisoners that were sentenced before parole system provisions are also given the chance to benefit from parole provisions. This means that all the offenders who were sentenced before the implementation of the act still have the chance of benefiting from it. Therefore Section 136(1) of the Correctional Services Act 111 of 1998 states that, 'any person serving a sentence of imprisonment immediately before the commencement of this Act will be subject to the provisions of the Correctional Services Act, 1959 (Act No. 8 of 1959), relating to his or her placement under community corrections, but the Minister may make such regulations as are necessary to achieve a uniform policy framework to deal with prisoners who were sentenced immediately before the commencement of this Act, and no prisoner may be prejudiced by such regulations' (Republic of South Africa,1998:104).

This however means that all the prisoners that were in the prisons before the implementation of Chapter IV, V1 and V11 of the Act 111 of 1998 will be able to enjoy the benefits of the act. The act was put in force post 2004. The Correctional Services Act No 8 of 1959 used to offer one third of the sentence as the detection period before being considered for parole whilst the Correctional Services Act No 111 of 1998 offer half of the sentence as detection period for a prisoner to be considered for parole. During the tenure on the Correctional Services Act No 8 of 1959, the recommendations for parole consideration were done by the parole board but with the Correctional Services Act No 111 of 1998 recommendations are now being done by Case Management Committees (Republic of South Africa, 1998).

In addition to the above, under the Correctional Services Act No 8 of 1959 decisions and approval for the parole placement used to be done by the commissioner of the correctional services or even the minister of correctional services but with Correctional Services Act No 111 of 1998 the approval is now being done the parole board and also by the correctional services officials. Correctional Services Act No 8 of 1959 only comprised of the parole board whilst on the other hand Correctional Services Act No 111 of 1998 composed of both the parole board and the correctional supervision (Republic of South Africa, 1998).

2.4 CHALLENGES AND PROBLEMS ENCOUNTERED BY THE DEPARTMENT OF CORRECTIONAL SERVICES IN PROMOTING A SOUND MANAGEMENT PAROLE SYSTEM

The complete implementation of the parole board system came into complete effect in 2004, although the legislation was put forward in 1998 under the Correctional Services act No 111 of 1998. The delay in the implementation of the parole board system in South Africa was due to a number of factors but the main factor was the delay in the correctional services to implement the process of change due to lack of infrastructure and necessary operational systems that were being required. The other challenge that was faced in the implementation of parole was the involvement of criminal victims and members of the public in the decision making process that lacks knowledge on prison administration (Mujuzi, 2011).

Overcrowding in prison is one of the problems in prisons hence parole is sometimes used to reduce over-population in prisons. However, Champion (2002:271) is of the view that "...the discretion of parole board members as to which offenders will be released before serving their full sentence is not affected by prison overcrowding". In one's view, courts should take into consideration the issue of prison population when sentencing offenders.

Since 31 March 2006 to June 2006, the South African correctional centers released 22 695 parolees to the communities because of over-population in prisons. By that time, the Correctional centres accommodated 158 032 offenders i.e. an overpopulation of

more than 50 000 (Burger, 2007). This raised costs of incarcerating offenders in that the state resources will not be enough to cater for prison requirements. Therefore parole plays a significant role in reducing costs in prisons.

One of the problems the Correctional Supervision and Parole Boards experience, as highlighted by Erasmus (2007:41) is the lack of evidence of participation in rehabilitation programmes. The Judicial Inspectorate of Prisons further indicates that only 11% of sentenced offenders were actively involved in vocational and rehabilitation programmes (Erasmus, 2007:21-22). A reason might be that these programmes, as discussed earlier, are not offered on a regular basis owing to a shortage of professional staff, especially social workers educationists and psychologists. From this it can be postulated that if participation in rehabilitation and development programmes is indeed one of the factors that influences the Correctional Supervision and Parole Board's decision for parole placement, the result might be denial of parole for the above reasons.

The readiness of the community to receive and accept the offender back can be determined from considering factors such as the family attitude or support system, employment opportunities, type of environment and community bias or stigmatisation. As Winthrop (Witmer, 1927:56) puts it:

“The cardinal principle of good parole work, or of any effective care of prisoners after release, is the preparation of the environment into which they will go. This involves primarily the prisoner's relation with his family, with prospective employers, and with former associates”.

The purpose of parole is to adjust the offender to the community in which he will remain after being released from prison (Witmer, 1927:56). In a study (Heinz et al., 1976:9) on the parole decision-making process, the findings indicated that parole decisions were closely associated with the prospects of employment after release, marital status and family commitments. An important sign of acceptance by the community was the willingness and responsibility of the offender's family to take him back. Married

offenders with regular correspondence and visits from the family were positive factors for parole selection (Giardini, 1959:146).

It is often the case that factors outside of prison are better predictors of parole success. In one study by Anderson, Schumacker and Anderson in 1991 that examined 760 adult prison releases, it was found that only 177 of them became parole violators. Positive results were reported about parolees' success, and factors such as favourable employment opportunities, marital status, participation in academic or vocational training programmes while on parole and prior problems with drug or alcohol abuse appeared to be crucial in determining success (Champion, 2002:324).

Parolees released from prison face a multitude of difficulties that create obstacles for them to successfully reintegrate into their communities. Many employers feel reluctant to hire ex-offenders owing to stigmatisation or they view a conviction as evidence of untrustworthiness. In some cases, the only place they can turn to for support is their criminal peer group. The social characteristics of neighbourhoods or environment – particularly poverty and residential instability – can also influence the level of crime. It is not surprising that most parolees fail, and rearrests are most common in the first six months after release (Clear & Dammer, 2003:376; Petersilia, 2000:3-4; Petersilia, 2001:364:366). According to Van Ness and Strong (2002:105), one of the most difficult challenges an ex-offender encounters is finding employment. Other difficulties include peer pressure, low self-esteem, unrealistic expectations, fear of failure and addictive behaviours

The previous criminal record of the offender is regarded by many as one of the most reliable criteria for parole selection. Every Correctional Supervision and Parole Board considers previous offences from the standpoint of their seriousness and danger to society. A police report (SAP69(c)) contains a list of previous convictions that indicate a higher probability with regard to relapse into crime. Other indicators are repeated offences and a short period of time between offences from an early age. Statistics have shown that age at the time of the first arrest has some bearing on parole success

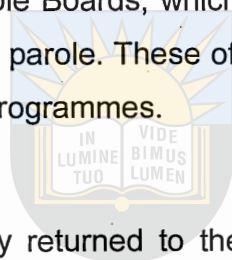
(Giardini, 1959:133-134). The influence that various items of information contained in an offender's file or profile report appear to have had on the Illinois parole board's decisions to grant or deny parole was examined in a study on the parole decision-making process (Heinz, Heinz, Senderowitz & Vance, 1976:3-11).

The findings indicated that prior criminal record, prior employment experience and age at release were among the more accurate predictors of parole success. Measures of intelligence or the amount of education and a stable employment record before sentencing had a highly significant correlation with the parole decision. A poor work record in terms of quality and duration of continuous employment would most probably result in denial of parole. Two characteristics of the offender's criminal record that appeared to have a significant influence on the Illinois parole board's release decisions were the number of prior convictions and the seriousness of the current committed offence(s). Participation in educational programmes and record of disciplinary transgressions while in prison also played an important role in the board's decisions. They were more impressed with evidence of a desire for self-improvement through education, but a record of transgressions significantly reduced the chances of parole being approved (Heinz et al., 1976:3-11).

An analysis of post-hearing questionnaires and case files from 1 035 actual parole decisions revealed that the parole board in Pennsylvania considered institutional behaviour and predictions of future risk behaviour relevant to rehabilitation and community protection as criteria or measures for parole release decisions (Carroll, Wiener, Coates, Galegher & Alibrio, 1982:199-224). Research by Haesler and Metchik (1992) suggested that good behaviour while incarcerated does not necessarily mean that an offender will successfully adapt to the community and be law-abiding following a favourable early-release decision. Offenders are led to believe that good institutional behaviour is an important criterion for release, but is secondary to the background characteristics of the offender. Rather than positive behaviour being a major consideration for release, as offenders are told, only misbehaviour is taken into account

and serves as a reason to deny parole (Champion, 2002:324; West-Smith et al., 2003:352).

Offenders are also being told to complete certain programmes before a Correctional Supervision and Parole Board can make a parole release decision. Requiring offenders to participate in programmes may be more important for institutional control than for the rehabilitation of the offender (West-Smith et al., 2003:352). In contrast with what offenders are being told, Erasmus (2007:21-22) reports that the lack of programmes available to offenders is affecting the functioning of the Case Management Committees and Correctional Supervision and Parole Boards, which are unable to recommend and approve the placement of offenders on parole. These offenders have not completed the required vocational and rehabilitation programmes.



Challenges Offenders have historically returned to the communities from which they were sentenced, generally to live with family members, attempt to find a job and successfully avoid future criminality. The environment to which they return is drastically different from the one they left regarding availability of employment, family support, community resources and willingness to assist ex-offenders (Seiter & Kadela, 2003:361). The unique prison environment in which offenders are assessed for purposes of placing them in an environment different from that of the assessment poses a challenge to the Correctional Supervision and Parole Boards (Lidovho, 2003:376).

The White Paper on Corrections (Department of Correctional Services, 2005:63) clearly states that the vast majority of South Africa's offenders originate from communities and families that are plagued by poverty, hunger, unemployment, crime, a distorted value system and absent figures of authority and care. In the White Paper on Corrections (Department of Correctional Services, 2005:64), dysfunctional families are considered to be the main contributor to reoffending or for ex-offenders to relapse to a life of crime. It confirms why the Correctional Supervision and Parole Boards see poor support systems (see 6.4.7) as the main barrier to successful placement on parole. The White Paper on Corrections (Department of Correctional Services, 2005:145-146) further

acknowledges that there is no reliable data in South Africa on recidivism or a system in place for monitoring and analysing recidivism.

2.5 MEASURES AND STRATEGIES THAT ARE ESTABLISHED AT CORRECTIONAL CENTRES TO ADDRESS PAROLE CHALLENGES

Parole is an important thing because it acts as a motivator to the offenders. It motivates them to behave in an acceptable manner in the society hence it reduces the rate of crime. It is regarded as the main incentive that can be offered to offenders so that they comply with the rule of law and institutional rules. The parole boards are entitled to approve the parole offenders who are having good behaviour during the time in prisons; hence this will motivate more offenders to behave well in the jail. Those offenders that are being involved in any other forms of offences and misbehaviour will not be considered for parole (Champion, 2002)

It is much advisable to consider offenders for parole as it reduces the cost of managing prisoners in the prisons. Security and Constitutional Affairs Select Committee (2007:4) outlined that the cost of incarcerating a criminal is R139, 33 per day as compared to R13.44 per day for just monitoring of offenders on parole. If the parole services are managed efficiently and effectively, it will result in a reduction on the cost that will be spent by the government in correctional services (Burger, 2007).

Parole board services are there to reduce overcrowding of inmates in the prisons in South Africa. Those offenders who have been considered for parole are being taken from the prisons to finish the sentence in communities hence reducing the burden in the prisons. Parole boards can react to overcrowding in the prisons by constantly reviewing and analysing the inmates that are eligible for parole (Rhine, Smith and Jackson 1991:27)

According to Champion (2002:273); Clear & Dammer (2003:387), parole offenders are granted a chance to live normal lives within the community though risk is anticipated. There is need for parole board members and correctional services officials to monitor

the parolees because they can respond negatively in the societies and cause s harm to other people. The justice system has the role to protect the public from the released offenders on parole. This can be done through effective supervision, monitoring and restriction of the parolees (Cromwell and Del Carmen, 1999:2). The following are the anticipated functions of parole.

- **Rehabilitation:** It is mainly concerned with altering the behaviour of the offender and makes the offender conform to the necessary standards of the society and to the rule of law. Rehabilitation will make the offenders to conform and they will never want to be involved in criminal activities anymore. Rehabilitation programs are being offered such as education and work programs, development of skills training programs and offering vocational training programs and workshops that will equip the offenders with necessary skills that will help them in their own lives. Parole offers the chance for rehabilitation to the supervised and monitored offenders so that they have good chances of being successful community members (Van der Westuizen, 1983:40).
- **Restitution:** Restitution is the process by which the offenders get the chance to reward back in monetary terms or in kind to compensate the victims. The offenders get the chance to learn to take responsibility for their own actions. Apart from the above the parolees can perform free labour in the communities as way of compensating the victims and this is known as symbolic restitution. The free work done by the parolees can benefit the whole community not only one victim (Cromwell and Del Carmen, 1999:6).
- **Reintegration:** This is a process of adaptation to the community on which the offenders under parole are given the chance to participate in community activities in the communities. The offenders can participate in rehabilitation activities on which they can gain different skills that help them to improve their well-being in the communities. It is process on which the offender can be offered employment, restoring the relationships with the families and also gets support from all members of the communities (Stevens, 2006:291). The Department of Correctional Services offer skills that will facilitate effective reintegration in the

community. They can offer accommodation and personal finance to the offenders during the process of reintegration (Nxumalo, 1997).

Tonry (2007: 76) pointed out that parole is implemented in Canada the same way it is implemented in other countries with the aim of avoiding overpopulation in prisons. The approach is practiced at different levels of criminal legislation. Criminal law in Canada is used frequently in Canada as a form of public relations (Tonry, 2007: 76). When the public pressure becomes unabated especially in organized crimes, the Canadian government passes legislation that eases the pressure and grant parole to the offenders.



2.6 MEASURES ADOPTED BY THE CORRECTIONAL CENTRE TO MINIMIZE THE RE-OFFENDING

Parole is being acknowledged internationally. The release of the offenders through parole system does not negate punishment rendered to the offenders but it entrenches the punishment through putting forward certain conditions that should be followed by the parolees. They will be supervised and monitored by parole officials in the communities hence they are small chances of them to repeat the same behaviour (Ntuli, 2000).

Parolees are still subject to stiff conditions non matter that they are living in the communities. Parolees are completely being monitored by the necessary correctional officials. This however means that there will be continuous sentence in the form of parole. Parolees will be monitored and any mischief or misbehaviour will lead them to be taken back into the prison. Parole is a form of punishment that is used to make the criminal comply with the rule of law (Burke, 1992).

According to Clear and Dammer (2003:21), punishment denotes the continuation of the sentence to the parolees since they will be subject to is a continuation of the prison sentence in a sense that parolees are subjected to stern parole conditions under the monitoring and supervision of the parole officers. Burke (1992:11) argued that, "Parole implies flexible, judgement-driven, tailored and targeted punishment". Therefore,

offenders on parole compelled to behave properly and punishment cannot be revoked for misbehaviour or not abiding to the parole conditions.

Biles (1989) states that parole is a method of releasing prisoners from institutional treatment to life in the community under prescribed conditions and with the aid of adequate supervision. It is neither a right nor a reward for good conduct. It provides the parolee with help and guidance over the difficult period when he endeavours to re-adjust himself to life in the community; it retains control so that he may be returned to custody if he breaks the condition of his parole. Parole is part of the sentence". To this end, the key concern for the community in relation to parole is the offender's risk or chance of reoffending. The Parole Boards and Correctional supervision use various criteria and methods to determine the offenders that should be placed on parole and the amount of risk that the placement would pose to the community.

According to Champion (2002:273); Clear and Dammer (2003:387), parole offenders are granted a chance to live normal lives within the community though risk is anticipated. There is need for parole board members and correctional services officials to monitor the parolees because they can respond negatively in the societies and cause harm to other people. The justice system has the role to protect the public from the released offenders on parole. This can be done through effective supervision, monitoring and restriction of the parolees (Cromwell and Del Carmen, 1999:2). The following are the anticipated functions of parole.

2.7 A LOOK AT SOME PAROLE SYSTEMS IN THE GLOBAL WORLD

Some of the assessed and implemented parole systems in the global world are presented and discussed below:

2.7.1 Parole in Canada

Louw (2008) argued that there solely three provinces that endorsed the Parole Board and these are Ontario, Quebec and the British Columbia. According to Collette (2006),

the Canadian correctional system and conditional is very elaborate. However this does not mean that it is perfect but it delivers good outcomes (Collete, 2006).

In Canada, parole is programs that allow offenders to serve finish their sentences in the community. There are three types of parole in Canada and these are day parole, full parole and statutory release (Correctional Services of Canada and National Parole Board, 2007a). The full parole allows the offender to serve the remaining part of his or her sentence in the community, day parole. Day parole provides offenders with the opportunity to participate in community based activities in preparation for release on full parole, or statutory release. Offenders must apply for day parole six months before they are eligible for full parole, and are usually required to return nightly to a correctional institution or halfway house (Correctional Services of Canada and National Parole Board, 2007a). Statutory release requires, by law, that offenders be released with supervision after serving two-thirds of their sentence. Offenders serving life sentences and those declared as dangerous are not eligible for statutory release (Dunberry, 2004:4). In bid to protect the society, Parole Board members make a preliminary assessment to the offenders and review information that include the following; the nature of the offence, the criminal history, social problems such violence and use of drugs, mental status. This is done to avoid future crime.

2.7.2 United States of America

Abadinsky (2002: 232) posited that Parole in the United States is administered using two models which are autonomous model and a consolidated model. As a result of the two models, the United State Correctional Association has the following elements that form an effective parole system:

Parole Boards in US are diversified in that the state Governor whether part time or full time appoints the Parole Board members without considering much on the qualification of the membership in most of the jurisdiction. On the other hand, the Commissioner of the Correctional Service appoints the parole board membership responsible for making appointments (Champion, 2002: 318) Virtually 40 percent of the states in America, server four year terms and in 25 percent of the states, they serve 6 years providing the

following functions: to evaluate the offenders that are eligible for parole or not, to determine whether parolees can be revoke on the basis of parole violations, to assess the eligibility of juveniles to be release from detention and to provide a supervisory services to smaller states.

2.7.3 Parole in England and the Wales

Parole in England is almost similar to that of United States in that it is based on the idea that offenders are granted a privilege to be released from correctional centres before completion of their sentences and serve the remaining period under supervision within communities. In England it is normally refered to as "on licence". In England, there is a distinction between the word probation and the parole whereas in US the words are used interchangeably (Mashabela 2010)

According to Hirschel, Wakefield & Sasse (2008:256-7), offenders sentenced less than 4 years can be automatically released during the half of their sentence. On the other hand, prisoners serving more than 4 years will not be released automatically (Hirschel, Wakefield & Sasse 2008:256-7) More so, in wales and England, parole release is determined by the length of the sentence and it is not granted to offender s with sentences more than four years. However, According to the Parliamentary Monitoring Group (September 2006) pointed out that some offenders are released from prisons on medical grounds and this is approved by the Secretary of State in consultation with the parole board. The release on medical grounds is based on the nature of illness and there will be the signs that death will be likely to occur shortly.

2.7.4 Parole in Czech Republic

According to van Zyl & Dunkel (2001: 163), the penal code in Czech Republic established the released of offenders on parole and the parole is determined by the courts after the offender has serves a half or a third of his or her sentence. Before a parole decision is made, the courts always receive a report on the prisoner from the correctional service institution. However, the parole may be requested by the public defence attorney, prison director and the prisoner him/herself. Afterwards, the court examines it is appropriate to expect that the prisoner will lead a law-abiding life in the

future, and if so prescribes a parole period of one to seven years (van Zyl & Dunkel 2001: 163).

2.7.5 Parole in Mexico

According to Shoham, Beck and Kett (2008:205), there are different reasons why parole is granted to prisoners. They argued that parole is applied based on various factors that are as follows, length of sentence, seriousness of offence and the income. For example parole in Mexico is based on income not length of sentence. Parole in Mexico is approved when the offender's maximum sentence is not more three years for high income offenders and four years for low income offenders, after at least one third of the entire sentence has been served.



2.7.6 Parole in New Zealand

The Parole Board in New Zealand is a self-governing statutory body which makes decisions pertaining to the release of inmates from correctional centres and home detention. Inmates can be released from the prison after applying for it with reasons regarding terminal illness or giving birth. In some instances, offenders can apply for release if they are subject to sentence of six months imprisonment or less and intends to undertake a full time study that commences prior to the day of release. On the other hand, "The Department of Correctional Services is able to apply to court for intensive supervision of eligible offenders convicted of certain sexual offences for up to 10 years after they have been released. The Postponement Orders is applied when the parole board considers an offender not suitable for release on parole (Parliamentary Monitoring Group, September 2006).

2.8 CONCLUSION

In conclusion, this chapter two has presented and discussed related literature on the assessment and implementation of parole system in the correctional centres based on each of the following sub headings: the origins and evolution of parole and the roles played by the parole system to ensure accountability in South Africa, legislative development of parole in South Africa, challenges and problems encountered by the

department of correctional services in promoting a sound management parole system, measures and strategies that are established at correctional centres to address parole challenges, measurements adopted by the correctional centre to minimize the re-offending and a look at some parole systems in the global world.

The next chapter is chapter three; this chapter presents the research methodology and design.



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CHAPTER 3

RESEARCH METHOD AND DESIGN

3.1 INTRODUCTION

The previous chapter presented and discussed related literature on the assessment and implementation of parole system in the correctional centres based on each of the following sub headings: the origins and evolution of parole and the roles played by the parole system to ensure accountability in South Africa, legislative development of parole in South Africa, challenges and problems encountered by the department of correctional services in promoting a sound management parole system, measures and strategies that are established at correctional centres to address parole challenges, measurements adopted by the correctional centre to minimize the re-offending and a look at some parole systems in the global world.

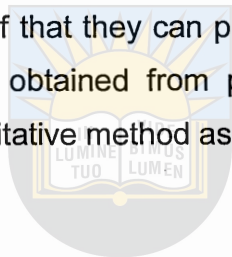
This chapter three will present the research method used, the research design, the research paradigm, the research instrument, the data collection procedure, data analysis, ethical considerations, validity and reliability and the conclusion.

3.2 THE RESEARCH METHOD

In this study, the qualitative research has been used. According to Maree (2007:49) postulates that qualitative study is concerned with understanding the processes the social and cultural contexts which underlie various behavioural patterns and is mostly concerned with exploring the “why” questions of research. On the other hand, Babbie & Mouton (2008:28) argued that qualitative research falls under the interpretive paradigm which is also known as the phenomenological approach and its main aim is to understand people. This means that qualitative researchers study objects in their natural settings and attempt to make sense of or interpret phenomena in terms of the meaning people bring to them.

Therefore a qualitative research method was found useful for this study because it emphasises the importance of the social context for understanding the social world. For the case of this study, the method helped to explore the underpinning factors associated with South African Parole System by paying particular attention to East London management area. In the researcher's view, the notion of social context is of greater importance when carrying out a qualitative research in that relevant data can be gathered directly and properly from the context in the phenomena under study. In this regard, the researcher preferred to use a qualitative method.

In support of this, Silverman (2005:89) argued that the "methods used by qualitative researchers exemplify a common belief that they can provide a 'deeper' understanding of social phenomena than would be obtained from purely qualitative data". In this regard, the researcher preferred a qualitative method as the best to use in the study.



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3.3 RESEARCH DESIGN

In this study the researcher use case study as a design to conduct this research. Research design according to Kumar (2005:74) refers to the procedural steps taken by the researcher to answer research questions.

A qualitative case study is an approach to research that facilitates exploration of a phenomenon (in this case the barriers to collaborative culture of teaching and learning in selected senior schools of the Libode education district) within its context using a variety of data sources. This ensures that the issue is not explored through one lens, but rather a variety of lenses which allows for multiple facets of the phenomenon to be revealed and understood (Pamela and Susan, 2008:2).

According to Judith (2004:12), the case study approach is particularly appropriate for individual researchers because it gives an opportunity for one aspect of a problem to be studied in some in-depth within a limited time scale. McLeod (2008:1) explains that case studies are in-depth investigations of a single person, group, event or community. Typically data are gathered from a variety of sources and by using several different methods (e.g. observations & interviews). Case studies allow a researcher to investigate a topic in far more detail than might be possible if they were trying to deal with a large number of research participants.

According to Donna (2001:1) case study is a systematic inquiry into an event or a set of related events which aims to describe and explain the phenomenon of interest. This therefore means that the researcher used the case study designed to present and interpret the detailed information about the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province.

3.4 RESEARCH PARADIGM

Research paradigm is the underlying assumptions and intellectual structure upon which research and development in a field of inquiry is based. In other words it can be best described as a whole system of thinking (Neuman, 2006:94). Furthermore, a paradigm is said to include various accepted theories, approaches, frame of references traditions and body of methodologies and researches that could be seen as a framework for understanding (Creswell, 2007:19; Babbie, 2010:33; Rubin & Babbie, 2010:15 and Babbie, 2011:32).

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In this way, a research paradigm entails the set of beliefs that normally guides action, particularly in terms of disciplined inquiry in a wider sense thereby making concepts on how a particular phenomenon should be studied and understood. The following are the paradigms mainly used in research; the interpretive, the critical and the positivist paradigm.

The interpretive research paradigm that seeks to understand human capacity through sympathetic introspection and reflection based on detailed narrative gathered through direct observation, in-depth, open-ended interviewing, and case studies (Creswell, 2007:18). The critical paradigm that focuses on oppression whereby it aims to promote democracy by making changes in different social, political, cultural, economic, ethical as well as other society oriented believes and systems. The positivist paradigm that enables the researcher maintains to gather data from a distant, neutral, non-interactive and detached position (Morris, 2006:3).

In the researcher's opinion, the main functions of a paradigm is that it define how the world works, how knowledge is extracted from this world, and how one is to think, write, and talk about this knowledge. In that respect, the study will be based upon the interpretive research paradigm in form of a Qualitative research so as to understand the phenomenon under investigation. The social interpretive research paradigm is a sociological theory of knowledge that applies the general philosophical constructivism into a social context.

It is a theory that states that the individual's learning takes place because of their interaction with others or in group (Shwandt, 2007 and Lincoln & Guba, 2000 in Creswell 2009:5). Furthermore, Reeves and Hedberg (2003: 32) posited that, "the interpretive paradigm stresses the need to put analysis in context". Therefore the interpretive paradigm is concerned with understanding the world as it is from subjective experiences of individuals.

3.5 DATA COLLECTION TECHNIQUES

David and Sutton (2004: 87) stated that data are what the researcher actually receives from the respondents be it social or physical. There are several instruments that can be used for data collection which include interviews, questionnaires surveys, attendance records, and government publications. For the purposes of this study, document study will be used as a data collection method as well as analyse the information.

The researcher decided to use document study due to nature of the phenomena under study. According to Bailey (cited in Des Vos et al 2005) official documents or non-personal documents imply those that are compiled and maintained on a continuous basis by large organisations like government institutions. These types of documents are more formal and well-structured as compared to personal documents. They contain agendas of meetings, inter office memos, statistical reports, annual reports and process records (De Vos et al, 2005).

For the purpose of this study, information was obtained from the official documentary sources such as relevant legislation documents and policy frameworks within the South

African context. Therefore, it is important that when using document study, it is of paramount importance that the researcher will evaluate the relevance, authenticity, validity and reliability of documents (De Vos et al. 2005). The main reason being that, some authors wrote the documents for the sake of prestige and money. The use of documentary study has its own advantages as well as its disadvantages and this is well known to the researcher. Stated below are the strengths and weaknesses of using documentary review.

In any scientific research every data collection has its own weaknesses and strengths. In this study document study has its own merits ranging from relatively low cost in collecting the data, it is a good source of background information and it is unobtrusive. Document study provides a behind the-scenes look at a programme that may not be directly observable and it may also bring up issues not noted by other means. The other merit is that document study is that it allows research on subjects to which the researcher does not have physical access and thus cannot study by any other method" (Bailey, 2008: 294). Basing her argument on historical and cultural research, Merriam (1988) cited in Bowen (2009:29) argued that documentary study is the solely realistic approach.

Furthermore, the rationale behind using secondary sources rests in the fact that public records are freely available together with the dependability of information in government documents which entails the quality and relevance of the data. Documents are also fairly cheap and easily accessible. They are not reactive since there are no contacts with participants.

Marlow (2005:182) however brings out the notion that not all documents serve the research purpose which make them vulnerable to bias or criticism from other scholars in event they are used alone in the research. For the case of this study, the researcher made use of official documentary sources such as the constitution of the republic of South Africa, International conventions of child rights, and case laws among others. These documents provided relevant information required by this study concerning the South African common law defence on reasonable and moderate child chastisement.

Despite several merits of document study it has its own weaknesses ranging from incompleteness of statistical records and historical documents are often incomplete which signifies several loopholes in the data, bases that cannot be filled in any other document study suffers from bias. It is arguable that since documents were not fully intended for research purposes there are some factors which can influence the objectivity and the reliability of those documents. For example Annual Reports and Integrated Development Plans (IDPS) for municipalities are designed in a way that instils public confidence, however they may portray a false image or misrepresent the actual situation on the ground hence are unreliable. This is supported by Bowen (2009:31 32) when he postulated that documents are insufficient in that they are produced for some purpose out of the research context hence they are not credited for research agenda.



3.6 DATA ANALYSIS TECHNIQUES

Data analysis refers to a practice of reducing large volumes of collected data to make sense of it. According to Patton (1987), three things occur during analysis that is; data is reduced through summarisation and cataloguing, and patterns and themes in the data are acknowledged and interrelated.

In this regard, Content analysis was used in this study. A qualitative content analysis approach to data analysis involves analysis and proof reading transcripts, looking for correspondences and dissimilarities that allow the researcher to come up with themes and categories Neuman (2006:322). To this end, complex formats can be created for analysing trends or detecting subtle differences in the intensity of statements.

In the view of Jose and Lee (2007), content analysis is a technique for making inferences by objectively and systematically identifying specified characteristics of messages. Denzin and Lincoln (2000) stated that content analysis allows for thick description in the analysis of data. This can be facilitated through thematic organisation. Those themes will take form of the ground arguments presented in the discussion.

Its disadvantages however is that contextual implication is frequently misplaced or at least made difficult because it contains a built-in-bias of isolating bits of processed data from their context. Myer (2009:172) further went on to point out that content analysis results in an organized technique for quantifying the contents of a qualitative or interpretive text, and does so in a modest, vibrant and effortlessly repeatable design.

The researcher was also however conscious of the weaknesses of document study. According to Babbie (2001) content analysis suffers from several disadvantages, both theoretical and procedural. Content analysis can be extremely time consuming and it is subject to increased error, especially when relational analysis is used to attain a higher level of interpretation. It is often devoid of theoretical base or attempts to liberally draw meaningful inferences about the relationships in a study. Also content analysis tends too often to simply consist of word counts. Above all, content analysis often disregards the context that produced the text, as well as the state of things after the text is produced and can be difficult to automate or computerize.

Another method which is employed on the analysis of data in this research is the filtering technique. In using this method, the underlying assumption is that sufficient amount of domain knowledge is available so that useful information is not lost (Leondes, 2000:211). Data or information in documents will be selected for analysis, that is, not all the information in the Annual Reports will be analysed. According to Leondes (2000:211) the perfect filtering technique eliminates irrelevant features without distortion of the relevant features. Information which is of relevant to the research is the one which will be picked up for the analysis in this study.

According to Merriam (1988: 118), various documents can help the researcher to uncover the meaning, discover insights and to understand the insights relevant to the research problem. Therefore the advantage is that it can provide useful information to use in research though it is prone to errors in interpretation. Content analysis is unobtrusive meaning a researcher can get clean data from documents of an event rather than interviewing those who attended.

3.7 ETHICAL CONSIDERATIONS

Ethics refers to the systematic thinking about morals and values as well as making moral decisions about what is wrong or right during data collection in research (Boiling and Dempsey, 1981:74). Truthfulness, thoroughness, objectivity and relevance have been identified as the governing ethical principles in public administration McNabb (2002:23). Some authors, De Vos et al. (2005:57) went on further to state that ethics are simply a set of morals and values suggested by individuals or groups like a governing body, and are subsequently broadly recognized and offer rules and behavioral potentials about the best acceptable behavior towards respondents or research matters, employees, promoters, other researchers, assistants and students. Ethics are important in this study to prevent the abuse of people's rights in the name of social research Bless (2000:139). They are there to protect the intellectual property interests while encouraging collaboration.

In this study, ethics were adhered to through being truthfulness, the right of informed consent and honesty as well as adhering to no plagiarism and fabrication of data was done. The researcher also adhered to each of the following ethical aspects:

3.8 VALIDITY AND RELIABILITY

Babbie, (2010:153) defined validity as the extent a research instrument measures what it is supposed to measure. The researcher ensured that all the documents used in the study were the right documents that were used to achieve the purpose of this study. Ritchie and Lewis (2010:270) explain that reliability relates to the replicability of research findings in different studies, using similar methods and obtaining similar results. In this study reliability relates to sustainable and validity means well-grounded and these are of relevance in study since they support to delimit the strength of the facts. Secondary analysis of data maintains the validity and reliability of this study since they can adequately address validity and reliability issues.

To ensure validity and reliability the researcher did not just make use of documents in the study despite them being rich with data. Furthermore, the researcher did just not fetch passages and words from documents and throw them into the research reports. The researcher rather established the meaning of the documents and their contributions to the issues being explored.

On the other hand, Webb, Campbell, Schwartz, & Sechrest, 1966, as cited in Hodder (2000:704) argued that researchers should be more concerned on whether the documents were written as a result of first-hand information, from secondary sources whether they were solicited or unsolicited, edited or not edited, anonymous or signed, and so on. In this regard, Strauss and Corbin (1990: 23) argued that documents study does not allow the researcher to simply line up series of experts from printed and published materials to convey ideas that comes out of his or her mind. Rather, the researcher should strive for the meaning, sensitivity and objectivity of the information such that empirical knowledge is produced, understood and developed (Strauss and Corbin, 1990: 23).

The researcher also ensured validity and reliability by ensuring that all the documents used were authentic, credible, represented what was been investigated and meaning from the documents were rightfully interpreted. Scott (1990) suggests four criteria for validity and reliability in using documents: authenticity, credibility including accuracy, legitimacy and sincerity, representativeness including availability and which document has have survived the passage of time and meaningfulness.

3.9 CONCLUSION

This chapter three has presented and discussed the research method used, the research design, the research paradigm, the research instrument, the data collection procedure, data analysis, ethical considerations, validity and reliability and the conclusion.

The next chapter is chapter four; this chapter presents the data analysis and interpretation of the findings.

CHAPTER 4

DATA ANALYSIS AND INTERPRETATION OF THE FINDINGS

4.1 INTRODUCTION

The previous chapter presented and discussed the research method used, the research design, the research paradigm, the population and sample, the research instrument, the data collection procedure, data analysis, ethical considerations, validity and reliability and the conclusion.

This chapter four (4) presents the analytical method used in analysing the data. This chapter also presents the findings from the analysis of the various documents and discusses the research findings in the light of the research objectives and the conclusion.

4.2 ANALYTICAL METHOD USED

The researcher used Content analysis method to proof read the official documentary sources such as relevant legislation documents and policy frameworks within the South African context which are relevant to the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province. Furthermore, the aim of this proof reading of the documents was to look for correspondences and dissimilarities that allow the researcher to come up with themes and categories. This analytical method also allowed the researcher to uncover the meaning, discover insights and to understand the insights relevant to the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province. Information which was relevant to the research was picked up from the documents to complete this analysis.

4.3 DATA PRESENTATION AND INTERPRETATION

Below is the data presentation and interpretation of the documents analysis with regards to the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province.

4.3.1 What are the roles played by the parole system to ensure accountability?

With reference to this questions and from the analysis of the various document at the East London Management Area of the Eastern Cape Province. It was gathered that the parole system at the East London Management Area is a mechanism that allows inmates or prisoners a conditional release from the prison before the end of the serving sentence as imposed by the rule of law. It was also gathered that if a person receives more than one sentence of correctional supervision or receives additional sentences of correctional supervision while serving a sentence of correctional supervision, each such sentence shall be served the one after the expiration, setting aside or remission of the other in such order as the Commissioner may determine.

To also ensure a parole system accountability, it was gathered that if a probationer is sentenced to imprisonment for an offence committed before the commencement of the correctional supervision, the correctional supervision shall be postponed until placement under correctional supervision has again been approved or until the expiration, setting aside or remission of the sentence of imprisonment. If a probationer is placed on parole, the correctional supervision shall be served before the parole may commence.

If a probationer or parolee is served with a warrant of detention for contempt of court, the correctional supervision or parole, as the case may be, shall be postponed for the period specified in the warrant of detention. And If a parolee is sentenced to imprisonment for an offence committed before the commencement of the parole, the parole shall be regarded as cancelled and the matter be referred to the parole board concerned for consideration under section 65.”

It was also found in the documents that A parole board shall, in respect of any prisoner serving a sentence of life imprisonment, submit a report with recommendations on the

possible placement of the prisoner concerned on parole or on day parole, and the conditions under which the prisoner may be so placed, to the court which sentenced the prisoner.

In the documents, it stated that any person serving any sentence in a prison and who, based on the evidence of the medical practitioner treating the person, suffers from any terminal sickness may be considered for placement under correctional supervision or on parole on medical grounds by the Commissioner, a parole board or the court, as the case may be." A prisoner serving a determinate sentence of imprisonment or a sentence of life imprisonment may by written order be placed on day parole on the conditions and for the periods specified therein.

To also ensure accountability in the parole system, the documents revealed that if a court sentences a person convicted of an offence to imprisonment for a period of two years or longer, the court may as part of the sentence, fix a period during which the person shall not be placed on parole.

The parole board also ensures that offenders are considered for parole should they meet all of the requirements of serving the non-parole periods and have been rehabilitated.

In the documents, it states that the strategic goals of the Department of Correctional Services at the East London correctional center are to ensure that:

- the efficiency of the justice system is improved through the effective management of remand processes
- society is protected through incarcerated offenders being secured and rehabilitated
- society is protected by offenders being reintegrated into the community as law-abiding citizens.

In the document analysis, the process with regard to the treatment of foreign offenders in South African correctional centres in terms of admission, detention, human rights and privileges of offenders is exactly the same as the treatment of offenders who are South African nationals. The only exception is the procedure for placement of offenders on parole. A foreign offender will be deported to his homeland, only if a deportation order is

available, and he is not allowed to return to South Africa before the parole period expires and also not without the necessary permission or correct documentation

Furthermore the analysis has shown that the prisoners or inmates cannot be put on placement or given the chance to enjoy the parole benefits before they serve more than half of their sentences in the prison. However this was overstated by other factors that came into place that are related to the number of credits that can be earned by the prisoner during the prison time. The earning points can be given to prisoners considering the rules and programs on the treatment and wellbeing of the prisoners and the rehabilitation process.

Apart from that, in the documents, it indicated that prisoners will not earn credits more than half of the sentence served. The credit system offers the prisoners the chance to present themselves with good behaviour and this will earn them more credits with a maximum of one day in two days that they served. Apart from the above, the section offer earning points that any inmate should earn from the institutional committee that is now referred to as the Case Management Committee.

The documents show that the parole system is not a licence to freedom and neither does it nullify the actual sentence imposed by the courts. The parole system aims to extend and grant opportunities for second chances. It is hoped parole is considered as the paying of particular to the matter of victims of crime, especially victims of violent crimes like murder, robbery and all forms of crimes against women and children.

The information gathered from the documents show that there is a detail discussion about the period to be served before an offender is paroled. The findings have shown that it is important to highlight the structure of parole granting bodies. Under section 75(1) of the Correctional Services Act, the Correctional Supervision and Parole Board (CSPB) is empowered, after considering the report on a prisoner submitted to it by the Case Management Committee, to place on parole any prisoner serving a determinate sentence exceeding 12 months.

In respect of dangerous criminals and prisoners serving life sentences, the CSPB is empowered to make a recommendation to the court for their placement on parole. In terms of section 77(1), the Correctional Supervision and Parole Review Board (CSPRB) is empowered to review the decision of the CSPB should a submission be made to it by the Minister of Correctional Services, the Commissioner of Correctional Services, the Inspecting Judge⁴¹, or the "person concerned

Moreover, in the documents it indicates that although the Correctional Services Act provides for the circumstances in which a prisoner qualifies to be released on parole, prisoners have on several occasions litigated against DCS and CSPBs asking courts to order the CSPBs, among other things, to rely on the correct law in reaching parole decisions, exercising their parole powers in line with the law, and in some circumstances placing offenders on parole.

In the documents it was gathered that the Case Management Committee that used to be called the Institutional Committee is the one supposed to submit profile reports that encompass all the documentation regarding the parole placement opportunities for the prisoners. This Committee according to Section 42(2) of the act, has the mandate to evaluate and assess the prisoners at all times

The documents also informed that the profile report for all the inmates serving more than twelve month in the prisons should be submitted to the parole board members. The minister is the one responsible for setting up of the parole boards in terms of Section 74 of Correctional Services Act No 111 of 1998.

Furthermore, in the document, the parole board and correctional service management has the responsibility to check that the Case Management Committee submitted profile reports of the prisoners to relevant authorities in time so that the parole board can determine which prisoners qualify for parole placement on the prisoners serving more than 12 months. This is according to Section 75(1) of the Correctional Services In addition, the study has shown that the Case Management Committee is the one that is

responsible for performing all the necessary duties for the parole system that used to be performed by the parole board.

4.3.2 What are the problems encountered by the Department of correctional services in promoting a sound management parole system in the East London Management Area?

The analysis of the various documents at the East London Management Area of the Eastern Cape Province with regards to this question shows that throughout the documents that were analysed, there were issues and problems relating to parolees been denied parole, where the parole board made certain parole decisions with no apparent reasons. The documents also show that the chairman of the parole board sometimes dominated the proceedings and as a result showed bias in parole board meetings.

Throughout the analysis, there were issues of parole violations, the malfunctioning of the parole system lack of proper implementation of parole legislation, overcrowding in the centers. Other problems found in the documents included offenders committing crimes after they have been released on parole,

In the documents, it was found that there was no empirical research concerning parole issues in the correctional centers, there were concerns about infrastructure and systems inadequacy, the real challenge was the involvement of the crime victims in the parole decision making process under an appointed chairperson from the public with insufficient knowledge regarding prison administration.

There were issues such as re-offending behaviour and repeat offending in the documents analysed. One of the problems the Correctional Supervision and Parole Boards experience is the lack of evidence of participation in rehabilitation programmes. Only few sentenced offenders were actively involved in vocational and rehabilitation programmes at the center.

The documents analysed also show that vocational and rehabilitation programmes were not offered to offenders because of a shortage of professional staff, especially social workers educationists and psychologists. The documents analyses have shown that there is a lack of evidence of participation in rehabilitation programmes at the correctional center in the East London management area.

4.3.3 Are there any measures and strategies that are established by the East London correctional centre to address the parole challenges?

With reference to this questions and from the analysis of the various document at the East London Management Area of the Eastern Cape Province.

It was gathered in the documents that plans were in full advance to implement satellite-based tracking devices to monitor the movements of parolees in the area. Other stakeholders and chairpersons of different parole boards were also invited to address the challenges on parole faced by the correctional center.

In the documents, it was gathered that the East London correctional centre planned a greater involvement of the South African Police Services and the Department of Justice as measures and strategies established in managing the parole problems.

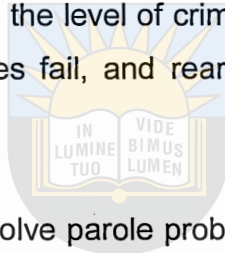
Alleviating overcrowding in the East London correctional facilities by looking into the backlogs in the hearing of parole applications by the various Parole Boards were also found in the documents to be measures and strategies established by the East London correctional centre to address the parole challenges.

The analysis of the documents also revealed that there is the Service Charter for Victims of Crime consolidates that present legal framework in South Africa relating to the rights of and services provided to victims of crime, and to eliminate secondary victimisation in the criminal justice process. The ultimate goal of this legal framework is victim empowerment by meeting victims' material or emotional needs.

The measures and strategies that are established by the East London correctional centre to address the parole challenges shown in the documents included implementing

parole decisions which were closely associated with the prospects of employment after release, marital status, family commitments, the willingness and responsibility of the offender's family to take him back and regular correspondence and visits from the family.

An intensive document analysis also show that parolees released from prison face a multitude of difficulties that create obstacles for them to successfully reintegrate into their communities. Many employers feel reluctant to hire ex-offenders owing to stigmatisation or they view a conviction as evidence of untrustworthiness. In some cases, the only place they can turn to for support is their criminal peer group. Poverty and residential instability also influence the level of crime committed by parolees. In the documents it shows that most parolees fail, and rearrests in few months after been released.



In the documents, it came out that to solve parole problems in the correctional centers, the parole board and correctional services management performs overall functioning of checking the profile reports and make final decisions on who will qualify for parole placement and who will not qualify for it.

In the documents, it also state that this final decision process used to be done by the commissioner or the minister of correctional services but now the parole board and correctional services official are now responsible for that. In addition to the above, Section 276b of the Criminal Procedure Act 51 of 1977 outlines that there are prison terms that carries non parole services depending on the weight of the crime The non-parole period that can be imposed by the courts should not be more than two third of the period to be served by the prisoner. In terms of section 73(6)a of the Correctional Services Act No 111 of 1998, a prisoner serving determinate prison term cannot be put on parole until the prisoner served the authorised non parole period of the sentence.

The documents shown that, South Africa implemented certain acts and policies in the development of the parole system to solve problems and challenges in the parole

systems. The milestone in the legislative development of the parole system in South Africa was indicated first by the amendment of the Prisons Services Act No 8 of 1959 into Correctional Services Act No 111 of 1998 (Republic of South Africa, 1998).

Prisons prior the implementation of Chapter IV, V1 and V11 of the Act 111 of 1998 will be able to enjoy the benefits of the act. The act was put in force post 2004. The Correctional Services Act No 8 of 1959 used to offer one third of the sentence as the detection period before being considered for parole whilst the Correctional Services Act No 111 of 1998 offer half of the sentence as detection period for a prisoner to be considered for parole. During the tenure on the Correctional Services Act No 8 of 1959, the recommendations for parole consideration were done by the parole board but with the Correctional Services Act No 111 of 1998 recommendations are now being done by Case Management Committees (Republic of South Africa, 1998).

With regards to bias and other challenges in the parole system, under the Correctional Services Act No 8 of 1959 decisions and approval for the parole placement used to be done by the commissioner of the correctional services or even the minister of correctional services but with Correctional Services Act No 111 of 1998 the approval is now being done by the parole board and also by the correctional services officials. Correctional Services Act No 8 of 1959 only comprised of the parole board whilst on the other hand Correctional Services Act No 111 of 1998 composed of both the parole board and the correctional supervision (Republic of South Africa, 1998).

4.3.4 What measurements are adopted by the East London correctional centre to minimize the re-offending in the Eastern Cape Province?

Information gathered in relation from the various document at the East London Management Area of the Eastern Cape Province in relations to the above question found that imposing severe punishment on offenders was one of the measurements adopted by the East London correctional centre to minimize the re-offending. The centre also prevent re-offending delivering justice for victims and ensuring that offenders make restitution both to society for their crimes, and leave correctional centres with better

skills and prospects. The documents analysed also revealed that the department promotes corrections as a societal responsibility, contributes to enhanced public safety and reducing reoffending in the area.

From the various documents analysed, the department is committed to contributing to reducing reoffending through offender management and rehabilitation intervention and adding to the social reintegration of offenders through management of non-custodial sentences and parole. The documents also show that the DCS has various offender rehabilitation programmes, which focus on restorative justice, skilling, training, and reading and offender reintegration.

The documents been analysed have indicated that the punishment been meted to prevent re-offending has different purposes such as retribution, deterrence and rehabilitation. When a court sentences an offender to imprisonment it is guided not only by the law that stipulates the minimum or the maximum sentence that must be imposed but also by the objective(s) of punishment that the judge thinks the sentence imposed must achieve. However, whereas it is within the court's discretion to determine which sentence should be imposed on an offender after considering several factors such as the nature of the offence, the personal characteristics of the offender, and the purpose of punishment. The study has shown that the Parole system is not a license to freedom and neither does it nullify the actual sentence imposed by the courts. The documents show that offenders who commit further crimes whilst in custody must not expect any sympathy from the parole system.

4.4 DISCUSSIONS OF THE FINDINGS

The findings are presented and discuss in the light of the research questions and objectives of the study as well as the literature review.

The objectives of this study are.

- To analyse and to understand the roles played by the parole system to ensure accountability.
- To classify, analyse and understand the problems encountered by the Department of correctional services in promoting a sound management parole system in the East London Management Area.
- To find out the measures and strategies established by the East London correctional centre to address the parole challenges.
- To propose measurements are adopted by the East London correctional centre to minimize the re-offending in the Eastern Cape Province.

The findings are presented below:

OBJECTIVE 1: To analyse and to understand the roles played by the parole system to ensure accountability.

With reference to the objective one of this study, it was found that aim of the parole system at the East London Management Area is to allow inmates or prisoners a conditional release from the prison before the end of the serving sentence as imposed by the rule of law. It was also found that if a person receives more than one sentence of correctional supervision or receives additional sentences of correctional supervision while serving a sentence of correctional supervision, each such sentence shall be served the one after the expiration, setting aside or remission of the other in such order as the Commissioner may determine.

It was revealed that if a probationer is sentenced to imprisonment for an offence committed before the commencement of the correctional supervision, the correctional supervision shall be postponed until placement under correctional supervision has again been approved or until the expiration, setting aside or remission of the sentence of imprisonment. The study also revealed that if a probationer is placed on parole, the correctional supervision shall be served before the parole may commence.

Furthermore, the study found that if a probationer or parolee is served with a warrant of detention for contempt of court, the correctional supervision or parole, as the case may be, shall be postponed for the period specified in the warrant of detention. And If a parolee is sentenced to imprisonment for an offence committed before the commencement of the parole, the parole shall be regarded as cancelled and the matter be referred to the parole board concerned for consideration.

It was also found that a parole board shall, in respect of any prisoner serving a sentence of life imprisonment, submit a report with recommendations on the possible placement of the prisoner concerned on parole or on day parole, and the conditions under which the prisoner may be so placed, to the court which sentenced the prisoner.

Any person serving any sentence in a prison and who, based on the evidence of the medical practitioner treating the person, suffers from any terminal sickness may be considered for placement under correctional supervision or on parole on medical grounds by the Commissioner, a parole board or the court, as the case may be was also found. A prisoner serving a determinate sentence of imprisonment or a sentence of life imprisonment may by written order be placed on day parole on the conditions and for the periods specified therein.

To also ensure accountability in the parole system, the study revealed that if a court sentences a person convicted of an offence to imprisonment for a period of two years or longer, the court may as part of the sentence, fix a period during which the person shall not be placed on parole.

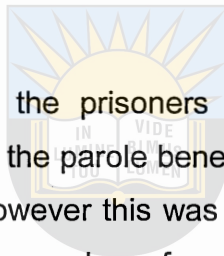
It found also that the parole board ensures that offenders are considered for parole should they meet all of the requirements of serving the non-parole periods and have been rehabilitated.

Last but not least, it was found in this study that strategic goals of the Department of Correctional Services at the East London correctional center included:

- the efficiency of the justice system is improved through the effective management of remand processes
- society is protected through incarcerated offenders being secured and rehabilitated

- society is protected by offenders being reintegrated into the community as law-abiding citizens.

The findings of the study have also shown that the process with regard to the treatment of foreign offenders in South African correctional centres in terms of admission, detention, human rights and privileges of offenders is exactly the same as the treatment of offenders who are South African nationals. The only exception is the procedure for placement of offenders on parole. A foreign offender will be deported to his homeland, only if a deportation order is available, and he is not allowed to return to South Africa before the parole period expires and also not without the necessary permission or correct documentation



Furthermore, the finding reveals that the prisoners or inmates cannot be put on placement or given the chance to enjoy the parole benefits before they serve more than half of their sentences in the prison. However this was overstated by other factors that came into place that are related to the number of credits that can be earned by the prisoner during the prison time. The earning points can be given to prisoners considering the rules and programs on the treatment and wellbeing of the prisoners and the rehabilitation process.

Apart from that, the results indicated that prisoners will not earn credits more than half of the sentence served. The credit system offers the prisoners the chance to present themselves with good behaviour and this will earn them more credits with a maximum of one day in two days that they served. Apart from the above, the section offer earning points that any inmate should earn from the institutional committee that is now referred to as the Case Management Committee.

The study has revealed that the parole system is not a licence to freedom and neither does it nullify the actual sentence imposed by the courts. The parole system aims to extend and grant opportunities for second chances. It is hoped parole is considered as the paying of particular to the matter of victims of crime, especially victims of violent crimes like murder, robbery and all forms of crimes against women and children.

The results of the study also discussed in detail about the period to be served before an offender is paroled. The findings have shown that it is important to highlight the structure of parole granting bodies. Under section 75(1) of the Correctional Services Act, the Correctional Supervision and Parole Board (CSPB) is empowered, after considering the report on a prisoner submitted to it by the Case Management Committee, to place on parole any prisoner serving a determinate sentence exceeding 12 months.

In respect of dangerous criminals and prisoners serving life sentences, the CSPB is empowered to make a recommendation to the court for their placement on parole. In terms of section 77(1), the Correctional Supervision and Parole Review Board (CSPRB) is empowered to review the decision of the CSPB should a submission be made to it by the Minister of Correctional Services, the Commissioner of Correctional Services, the Inspecting Judge⁴¹, or the “person concerned

Moreover, the results of the study indicated that although the Correctional Services Act provides for the circumstances in which a prisoner qualifies to be released on parole, prisoners have on several occasions litigated against DCS and CSPBs asking courts to order the CSPBs, among other things, to rely on the correct law in reaching parole decisions, exercising their parole powers in line with the law, and in some circumstances placing offenders on parole.

The study revealed that that the Case Management Committee that used to be called the Institutional Committee is the one supposed to submit profile reports that encompass all the documentation regarding the parole placement opportunities for the prisoners. This Committee according to Section 42(2) of the act, has the mandate to evaluate and assess the prisoners at all times.

It was also found that the profile report for all the inmates serving more than twelve month in the prisons should be submitted to the parole board members. The minister is the one responsible for setting up of the parole boards in terms of Section 74 of

Correctional Services Act No 111 of 1998. Furthermore, the parole board and correctional service management has the responsibility to check that the Case Management Committee submitted profile reports of the prisoners to relevant authorities in time so that the parole board can determine which prisoners qualify for parole placement on the prisoners serving more than 12 months. This is according to Section 75(1) of the Correctional Services In addition, the study has shown that the Case Management Committee is the one that is responsible for performing all the necessary duties for the parole system that used to be performed by the parole board.

OBJECTIVE 2: To classify, analyse and understand the problems encountered by the Department of correctional services in promoting a sound management parole system in the East London Management Area.

The analysis of the various documents at the East London Management Area of the Eastern Cape Province with regards to this objective revealed that there were issues and problems relating to parolees been denied parole, where the parole board made certain parole decisions with no apparent reasons. The study also found that the chairman of the parole board sometimes dominated the proceedings and as a result showed bias in parole board meetings.

It was found that there were issues of parole violations, the malfunctioning of the parole system, the lack of proper implementation of parole legislation, overcrowding in the centers. Other problems revealed by the study included offenders committing crimes after they have been released on parole, alcoholic behavior and influences from friends.

According to Van Ness and Strong (2002:105), one of the most difficult challenges ex-offender encounters is finding employment. Other difficulties include peer pressure, low self-esteem, unrealistic expectations, fear of failure and addictive behaviors

Furthermore, it was found that there was no empirical research concerning parole issues in the correctional centres, there were concerns about infrastructure and systems inadequacy, the real challenge was the involvement of the crime victims in the parole

decision making process under an appointed chairperson from the public with insufficient knowledge regarding prison administration.

This study revealed that there were issues such as re-offending behavior of offenders in the documents analysed. One of the problems the Correctional Supervision and Parole Boards experienced is the lack of evidence of participation in rehabilitation programmes found in this study. Only few sentenced offenders were actively involved in vocational and rehabilitation programmes at the center also revealed by the study.

In one study by Anderson, Schumacker and Anderson in 1991 that examined 760 adult prison releases, it was found that only 177 of them became parole violators. Positive results were reported about parolees' success, and factors such as favourable employment opportunities, marital status, participation in academic or vocational training programmes while on parole and prior problems with drug or alcohol abuse appeared to be crucial in determining success.

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The study also found that vocational and rehabilitation programmes were not offered to offenders at the correctional because of a shortage of professional staff, especially social workers educationists and psychologists. The study has shown that lack of evidence of participation in rehabilitation programmes is one of the problems facing the Correctional Supervision and Parole Boards experience, as highlighted by Erasmus (2007:41). The Judicial Inspectorate of Prisons further indicates that only 11% of sentenced offenders were actively involved in vocational and rehabilitation programmes (Erasmus, 2007:21-22). A reason might be that these programmes, as discussed earlier, are not offered on a regular basis owing to a shortage of professional staff, especially social workers educationists and psychologists.

OBJECTIVE 3: To find out the measures and strategies established by the East London correctional centre to address the parole challenges.

With reference to this objective, it was found that plans were in full advance to implement satellite-based tracking devices to monitor the movements of parolees in the

area. Other stakeholders and chairpersons of different parole boards were also invited to address the challenges on parole faced by the correctional center.

This study also revealed that the East London correctional centre planned to have a greater involvement of the South African Police Services and the Department of Justice as measures and strategies to be established in the management of the parole problems.

As stated by Mujuzi (2011), that it is not only the DCS that has a role to play in the parole process. When addressing the PCCS the chairpersons of the 12 parole boards in the country expressed the need for “greater involvement of the South African Police Services and the Department of Justice in the parole process”.³⁷ The executive, especially the Correctional Services Minister and the Justice and Constitutional Development Minister, also have a role to play in the parole process.

Alleviating overcrowding in the East London correctional facilities by looking into the backlogs in the hearing of parole applications by the various Parole Boards were also found in the documents to be measures and strategies established by the East London correctional centre to address the parole challenges.

The study also revealed that there is the Service Charter for Victims of Crime consolidates that present legal framework in South Africa relating to the rights of and services provided to victims of crime, and to eliminate secondary victimisation in the criminal justice process. The study found that the ultimate goal of this legal framework is victim empowerment by meeting victims’ material or emotional needs.

It was found in this study that the measures and strategies that are established by the East London correctional centre to address the parole challenges included the implementation of parole decisions which were closely associated with the prospects of employment after the release, marital status, family commitments, the willingness and responsibility of the offender's family to take him back and regular correspondence and visits from the family.

This study also found that parolees released from prison face a multitude of difficulties that create obstacles for them to successfully reintegrate into their communities. Many employers feel reluctant to hire them or they view a conviction as evidence of untrustworthiness. In some cases, the only place they can turn to for support is their criminal peer group. Poverty and residential instability also influence the level of crime committed by parolees.

According to Witmer (1927:56) the cardinal principle of good parole work, or of any effective care of prisoners after release, is the preparation of the environment into which they will go. This involves primarily the prisoner's relation with his family, with prospective employers, and with former associates.

The parole board and correctional services management performs overall functioning of checking the profile reports and make final decisions on who will qualify for parole placement and who will not qualify for it.

The study revealed that, this final decision process used to be done by the commissioner or the minister of correctional services but now the parole board and correctional services official are now responsible for that. In addition to the above, Section 276b of the Criminal Procedure Act 51 of 1977 outlines that there are prison terms that carries non parole services depending on the weight of the crime The non-parole period that can be imposed by the courts should not be more than two third of the period to be served by the prisoner.. In terms of section 73(6)a of the Correctional Services Act No 111 of 1998, a prisoner serving determinate prison term cannot be put on parole until the prisoner served the authorised non parole period of the sentence.

The study has shown that South Africa implemented certain acts and policies in the development of the parole system. The milestone in the legislative development of the parole system in South Africa was indicated first by the amendment of the Prisons Services Act No 8 of 1959 into Correctional Services Act No 111 of 1998 (Republic of South Africa, 1998).

It was found that, prisons prior the implementation of Chapter IV, V1 and V11 of the Act 111 of 1998 will be able to enjoy the benefits of the act. The act was put in force post 2004. The Correctional Services Act No 8 of 1959 used to offer one third of the sentence as the detection period before being considered for parole whilst the Correctional Services Act No 111 of 1998 offer half of the sentence as detection period for a prisoner to be considered for parole. During the tenure on the Correctional Services Act No 8 of 1959, the recommendations for parole consideration were done by the parole board but with the Correctional Services Act No 111 of 1998 recommendations are now being done by Case Management Committees (Republic of South Africa, 1998).

In addition to the above, the study found that under the Correctional Services Act No 8 of 1959 decisions and approval for the parole placement used to be done by the commissioner of the correctional services or even the minister of correctional services but with Correctional Services Act No 111 of 1998 the approval is now being done by the parole board and also by the correctional services officials. Correctional Services Act No 8 of 1959 only comprised of the parole board whilst on the other hand Correctional Services Act No 111 of 1998 composed of both the parole board and the correctional supervision (Republic of South Africa, 1998).

OBJECTIVE 4: To propose measurements are adopted by the East London correctional centre to minimize the re-offending in the Eastern Cape Province.

With regards to this objective, the study revealed that at the East London Management Area of the Eastern Cape Province imposing severe punishment on offenders was one of the measurements adopted by the East London correctional centre to minimize the re-offending. The centre also prevent re-offending by delivering justice for victims and ensuring that offenders make restitution both to society for their crimes, and leave correctional centres with better skills and prospects. The study also revealed that the department promotes corrections as a societal responsibility, contributes to enhanced public safety and reduces reoffending in the area.

Mujuzi (2011:1) states that punishment has different purposes such as retribution, deterrence and rehabilitation. When a court sentences an offender to imprisonment it is

guided not only by the law that stipulates the minimum or the maximum sentence that must be imposed but also by the objective(s) of punishment that the judge thinks the sentence imposed must achieve. However, whereas it is within the court's discretion to determine which sentence should be imposed on an offender after considering several factors such as the nature of the offence, the personal characteristics of the offender, and the purpose of punishment, as I illustrate shortly, it is not only the court that has an interest in sentencing. Similarly, the study indicated that offenders who commit further crimes whilst in custody do not get any sympathy from the parole system.

Last but not least, the department is committed to contributing to reducing reoffending through offender management and rehabilitation intervention and adding to the social reintegration of offenders through management of non-custodial sentences and parole. The documents also show that the DCS has various offender rehabilitation programmes, which focus on restorative justice, skilling, training, and reading and offender reintegration.



4.5 CONCLUSION

This chapter four has presented the analytical method used in analysing the data. The chapter has also presented the findings from the analysis of the various documents and also discussed the research findings in the light of the research objectives and the conclusion.

The next chapter is chapter five; this chapter presents the summary, conclusion and recommendations of the study.

CHAPTER 5

SUMMARY, CONCLUSION AND RECOMMENDATIONS

5.1 INTRODUCTION

This chapter five will present a summary of the findings from the documents which have been analysed concerning the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province. This summary will be followed by the researcher's conclusions, limitations of the study, recommendations as well as the suggestions for further research.

5.2 SUMMARY OF THE STUDY

This research study was set out to investigate the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province. More recent fieldwork has shown that parole plays a significant role in reducing overcrowding in many correctional centres as well as reducing costs. In addition, parole promotes integration whereby offenders under parole are given the chance to participate in community activities in the communities. The offenders can participate in rehabilitation activities on which they can gain different skills that help them to improve their well-being in the communities (Stevens, 2006:291).

However, offenders in the East London Management Area of the Eastern Cape Province do commit more crimes while serving under parole system. According to the Department of Correctional Service's Annual Report (2012/2013) there were challenging situations where offenders in the East London Management Area of the Eastern Cape Province were placed on parole through the Special Remission of sentenced announced by the President were re-offended in few months and got rearrested.

The question therefore is, how is the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province?

On the roles played by the parole system to ensure compliance accountability, the challenges faced by the correctional service Department in promoting a sound management parole system in East London Management Area, the measures and strategies that are established by the East London correctional centre to address the parole challenges and the measurements adopted by the East London correctional centre to minimize the re-offending in the Eastern Cape Province.

The main research question of this study was: How is the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province? The purpose of this study is to assess the implementation of parole system in the East London management area of the Eastern Cape Province in line with the guidelines as provided in the Correctional Services Act and describe the parole processes that can lead to the placing out of offenders under supervision in the community. The objectives of this study are.

- To analyse and to understand the roles played by the parole system to ensure accountability.
- To classify, analyse and understand the problems encountered by the Department of correctional services in promoting a sound management parole system in the East London Management Area.
- To find out the measures and strategies established by the East London correctional centre to address the parole challenges.
- To propose measurements are adopted by the East London correctional centre to minimize the re-offending in the Eastern Cape Province.

The chapter two presents and discusses related literature on the assessment and implementation of parole system in the correctional centres, the origins and evolution of parole and the roles played by the parole system to ensure accountability in South Africa, legislative development of parole in South Africa, challenges and problems encountered by the department of correctional services in promoting a sound management parole system, measures and strategies that are established at

correctional centres to address parole challenges, measurements adopted by the correctional centre to minimize the re-offending, a look at some parole systems in the global world and conclusion.

The researcher, in order to attain the goals and objectives of the study situated the study within the confines of the interpretivist paradigm (qualitative method) in collecting and analysing of the data. This method was used for this investigation because qualitative methods deal with issues of understanding social phenomena and meaningful explanations of this phenomenon to others. The researcher also employed the case study design strategically in the study. With this strategy, the researcher described, explained, interpreted, and assessed the implementation of parole system in the East London Management Area of the Eastern Cape Province.

The researcher collected data from various documents of the East London correctional center or management area due to nature of the phenomena under study. Data was analysed through the use of content analysis techniques. A qualitative content analysis approach to data analysis involves analysis and proof reading transcripts, other documents and looking for correspondences and dissimilarities that allow the researcher to come up with themes and categories. The main findings were:

- The role of the parole system in ensuring accountability at the East London Management Area of the Eastern Cape Province included: offenders are considered for parole should they meet all of the requirements of serving the non-parole periods and have been rehabilitated, the process with regard to the treatment of foreign offenders in South African correctional centres in terms of admission, detention, human rights and privileges of offenders is exactly the same as the treatment of offenders who are South African nationals, the parole system is not a licence to freedom and neither does it nullify the actual sentence imposed by the courts. Dangerous criminals and prisoners serving life a sentence, the CSPB is empowered to make a recommendation to the court for their placement on parole.

- Some of the problems encountered by the Department of correctional services in promoting a sound management parole system in the East London Management Area are: chairman of the parole board sometimes dominated the proceedings, parole violations, the malfunctioning of the parole system, the lack of proper implementation of parole legislation, overcrowding in the centers. Other problems revealed by the study included offenders committing crimes after they have been released on parole, alcoholic behavior and influences from friends.
- The measures and strategies established by the East London correctional centre to address the parole challenges included: full advance to implement satellite-based tracking devices to monitor the movements of parolees in the area, the involvement of stakeholders and chairpersons of different parole boards on parole issues and alleviating overcrowding in the East London correctional facilities by looking into the backlogs in the hearing of parole applications by the various Parole Boards.
- Some of the measurements adopted by the East London correctional centre to minimize the re-offending of parolees included: imposing severe punishment on offenders, delivering justice for victims and ensuring that offenders make restitution both to society for their crimes, leaving correctional centres with better skills and prospects.

5.3 CONCLUSION

The researcher is of the opinion that this research study had investigated the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province. In Chapter 1, an outline was given of the background and the statement of the research problem, the research question, and objectives of the study, purpose of the study, significance of the study, delimitations of the study, definitions of terms and the structure of the study. In Chapter 2, the researcher gave a literature review of what other authors have said about the problem under investigations. Chapter 3 gave an outline of the research method and the design used in the study. Chapter 4 presented the data analysis. Based on the objectives and

the research question certain inferences were drawn. Some the findings were as follows:

The study has shown that lack of evidence of participation in rehabilitation programmes is one of the problems facing the Correctional Supervision and Parole Boards experience, as highlighted by Erasmus (2007:41). The Judicial Inspectorate of Prisons further indicates that only 11% of sentenced offenders were actively involved in vocational and rehabilitation programmes (Erasmus, 2007:21-22). A reason might be that these programmes, as discussed earlier, are not offered on a regular basis owing to a shortage of professional staff, especially social workers educationists and psychologists.

The study also revealed that if a probationer is placed on parole, the correctional supervision shall be served before the parole may commence.

The findings of the study have also shown that the process with regard to the treatment of foreign offenders in South African correctional centres in terms of admission, detention, human rights and privileges of offenders is exactly the same as the treatment of offenders who are South African nationals. The only exception is the procedure for placement of offenders on parole. A foreign offender will be deported to his homeland, only if a deportation order is available, and he is not allowed to return to South Africa before the parole period expires and also not without the necessary permission or correct documentation

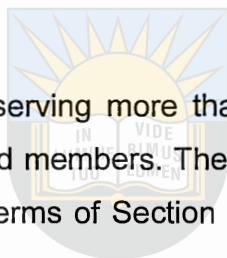
Apart from that, the results indicated that prisoners will not earn credits more than half of the sentence served. The credit system offers the prisoners the chance to present themselves with good behaviour and this will earn them more credits with a maximum of one day in two days that they served. Apart from the above, the section offer earning points that any inmate should earn from the institutional committee that is now referred to as the Case Management Committee.

The study has also shown that prisoners serving a certain sentence are eligible to be considered for parole placement after serving one third of the serving sentence. Consideration for parole is regardless of the type of crime and the weight of the crime

that the inmate is serving for. Section 62(1) of the Correctional Services Act No 8 of 1959 gave the mandate to all the Institutional Committee of all the prisons to take critical decisions regarding the nature of the credits to be awarded to the prisoners.

The results of the study also discussed in detail about the period to be served before an offender is paroled. The findings have shown that it is important to highlight the structure of parole granting bodies. Under section 75(1) of the Correctional Services Act, the Correctional Supervision and Parole Board (CSPB) is empowered, after considering the report on a prisoner submitted to it by the Case Management Committee, to place on parole any prisoner serving a determinate sentence exceeding 12 months.

The profile report for all the inmates serving more than twelve month in the prisons should be submitted to the parole board members. The minister is the one responsible for setting up of the parole boards in terms of Section 74 of Correctional Services Act No 111 of 1998.



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Further, the parole board and correctional service management has the responsibility to check that the Case Management Committee submitted profile reports of the prisoners to relevant authorities in time so that the parole board can determine which prisoners qualify for parole placement on the prisoners serving more than 12 months. This is according to Section 75(1) of the Correctional Services Act. In addition, the study has shown that the Case Management Committee is the one that is responsible for performing all the necessary duties for the parole system that used to be performed by the parole board. The parole board and correctional services management performs overall functioning of checking the profile reports and make final decisions on who will qualify for parole placement and who will not qualify for it.

The study has shown that South Africa implemented certain acts and policies in the development of the parole system. The milestone in the legislative development of the parole system in South Africa was indicated first by the amendment of the Prisons Services Act No 8 of 1959 into Correctional Services Act No 111 of 1998 (Republic of South Africa, 1998).

Prisons prior the implementation of Chapter IV, V1 and V11 of the Act 111 of 1998 will be able to enjoy the benefits of the act. The act was put in force post 2004. The Correctional Services Act No 8 of 1959 used to offer one third of the sentence as the detection period before being considered for parole whilst the Correctional Services Act No 111 of 1998 offer half of the sentence as detection period for a prisoner to be considered for parole. During the tenure on the Correctional Services Act No 8 of 1959, the recommendations for parole consideration were done by the parole board but with the Correctional Services Act No 111 of 1998 recommendations are now being done by Case Management Committees (Republic of South Africa, 1998).

In addition to the above, under the Correctional Services Act No 8 of 1959 decisions and approval for the parole placement used to be done by the commissioner of the correctional services or even the minister of correctional services but with Correctional Services Act No 111 of 1998 the approval is now being done by the parole board and also by the correctional services officials. Correctional Services Act No 8 of 1959 only comprised of the parole board whilst on the other hand Correctional Services Act No 111 of 1998 composed of both the parole board and the correctional supervision (Republic of South Africa, 1998).

It was revealed that if a probationer is sentenced to imprisonment for an offence committed before the commencement of the correctional supervision, the correctional supervision shall be postponed until placement under correctional supervision has again been approved or until the expiration, setting aside or remission of the sentence of imprisonment. The study also revealed that if a probationer is placed on parole, the correctional supervision shall be served before the parole may commence.

It was also found that a parole board shall, in respect of any prisoner serving a sentence of life imprisonment, submit a report with recommendations on the possible placement of the prisoner concerned on parole or on day parole, and the conditions under which the prisoner may be so placed, to the court which sentenced the prisoner.

To also ensure accountability in the parole system, the study revealed that if a court sentences a person convicted of an offence to imprisonment for a period of two years or

longer, the court may as part of the sentence, fix a period during which the person shall not be placed on parole.

Further, lack of programmes available to offenders is affecting the functioning of the Case Management Committees and Correctional Supervision and Parole Boards, which are unable to recommend and approve the placement of offenders on parole. From this, it can be postulated that if participation in rehabilitation and development programmes is indeed one of the factors that influences the Correctional Supervision and Parole Board's decision for parole placement, the result might be denial of parole for the above reasons.

Furthermore the finding reveals that the prisoners or inmates cannot be put on placement or given the chance to enjoy the parole benefits before they serve more than half of their sentences in the prison. However this was overstated by other factors that came into place that are related to the number of credits that can be earned by the prisoner during the prison time. The earning points can be given to prisoners considering the rules and programs on the treatment and wellbeing of the prisoners and the rehabilitation process.

It was found that there were issues of parole violations, the malfunctioning of the parole system, the lack of proper implementation of parole legislation, overcrowding in the centers. Other problems revealed by the study included offenders committing crimes after they have been released on parole, alcoholic behavior and influences from friends.

This study also found that parolees released from prison face a multitude of difficulties that create obstacles for them to successfully reintegrate into their communities. Many employers feel reluctant to hire them or they view a conviction as evidence of untrustworthiness. In some cases, the only place they can turn to for support is their criminal peer group. Poverty and residential instability also influence the level of crime committed by parolees.

It found also that the parole board ensures that offenders are considered for parole should they meet all of the requirements of serving the non-parole periods and have been rehabilitated.

In respect of dangerous criminals and prisoners serving life sentences, the CSPB is empowered to make a recommendation to the court for their placement on parole. In terms of section 77(1), the Correctional Supervision and Parole Review Board (CSPRB) is empowered to review the decision of the CSPB should a submission be made to it by the Minister of Correctional Services, the Commissioner of Correctional Services, the Inspecting Judge⁴¹, or the "person concerned

Moreover, the results of the study indicated that although the Correctional Services Act provides for the circumstances in which a prisoner qualifies to be released on parole, prisoners have on several occasions litigated against DCS and CSPBs asking courts to order the CSPBs, among other things, to rely on the correct law in reaching parole decisions, exercising their parole powers in line with the law, and in some circumstances placing offenders on parole.

The study has also shown that the Case Management Committee that used to be called the Institutional Committee is the one supposed to submit profile reports that encompass all the documentation regarding the parole placement opportunities for the prisoners. This Committee according to Section 42(2) of the act, has the mandate to evaluate and assess the prisoners at all times

The study has also found that punishment has different purposes such as retribution, deterrence and rehabilitation. When a court sentences an offender to imprisonment it is guided not only by the law that stipulates the minimum or the maximum sentence that must be imposed but also by the objective(s) of punishment that the judge thinks the sentence imposed must achieve. However, whereas it is within the court's discretion to determine which sentence should be imposed on an offender after considering several factors such as the nature of the offence, the personal characteristics of the offender, and the purpose of punishment.

The study has shown that the Parole system is not a licence to freedom and neither does it nullify the actual sentence imposed by the courts. The parole system aims to extend and grant opportunities for second chances. It is hoped parole is considered, the paying of particular to the matter of victims of crime, especially victims of violent crimes like murder, robbery and all forms of crimes against women and children. Similarly, the study indicated that offenders who commit further crimes whilst in custody must not expect any sympathy from our parole system.

This study also revealed that the East London correctional centre planned to have a greater involvement of the South African Police Services and the Department of Justice as measures and strategies to be established in the management of the parole problems.

The study revealed that at the East London Management Area of the Eastern Cape Province imposing severe punishment on offenders was one of the measurements adopted by the East London correctional centre to minimize the re-offending. The center also prevent re-offending by delivering justice for victims and ensuring that offenders make restitution both to society for their crimes, and leave correctional centres with better skills and prospects. The study also revealed that the department promotes corrections as a societal responsibility, contributes to enhanced public safety and reduces reoffending in the area.

This chapter five has presented a summary of the findings from the documents which have been analysed concerning the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province. The chapter has also presented the researcher's conclusions, recommendations as well as the suggestions for further research.

5.4 RECOMMENDATIONS

This study has highlighted the findings in connections with the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province. On the basis of these findings the researcher wishes to present the following recommendations:

The Department of Correctional Service as a matter of urgency should use all their available means and legal frameworks to assist prisoners who are due to be released on paroles. The parole boards should not be given the authority and power to make certain parole decisions that infringe on inmates rights to parole.

It is also recommended that the necessary training and development should be given to the chairman of the parole board and their employees on democratic decision making process that prevents discrimination, favoritisms and bias in parole board meetings regarding who should be released on parole.

The national Department of Education must work hand in hand with the East London management area to employ more personnel or prison warders to minimise prison and parole violations, and the malfunctioning of the parole system. It is also recommended that proper training and development must be given to all prison workers to equip them on a proper way of implementing legislations on parole.

The department must as a matter of urgency provide the East London management area sufficient and adequate prison infrastructure or facilities to solve the problem of overcrowding and inhumane treatment. It is recommended that prison warders and other law enforcement agencies must work together to ensure offenders do not commit crimes, abuse alcoholic and hang up with bad friends while on parole,

The National Department of Correctional Service should assist in empowering prisoners through the establishment of effective rehabilitation programmes, training and vocational programmes at the correctional center. In this training, prisoners must be made to understand how to deal with peer pressure, how to increase their self-esteem, realistic expectations, how to deal with the fear of failure and their addictive behaviours.

All appointed chairperson from the public who do not have insufficient knowledge regarding prison administration must be supported through short courses, training and workshops. It is also recommended that more social workers, educationists and psychologists need to be employed full time at the correctional centers to deal with parole and related challenges of parolees.

It is also recommended that future researchers should use mixed methods or conduct purely qualitative method i.e. ethnography in nature so that concrete and more valid data on the implementation of parole system in East London could be yielded.

Last but not least, the researcher recommends that this type of study should be conducted nationwide because findings of this study cannot be generalized to other contexts besides East London.

5.5 SUGGESTIONS FOR FURTHER RESEARCH

It was evident in this research study that there is a need for further research regarding the assessment and implementation of parole system in the East London Management Area of the Eastern Cape Province. It is such a vital issue that if we do not give the necessary attention to the assessment and implementation of parole system in general, there will always be issues, challenges, mal functioning and problems in the parole systems at the correctional centers. This is therefore, a challenge to other researchers to do some further research as the researcher only focused on the East London Management Area. Therefore, other researchers could go beyond this management area as the challenges and issues found in this study do not only affect the East London Management Area of the correctional centre, but it affects all correctional centers in South Africa.

It is therefore suggested that researchers could look at issues like: factors contributing to the denial of parole to inmates, the predominant reasons why parolees re-offend

while on parole, or the educational value of rehabilitation and vocational programmes offered to prisoners at the correctional centers.



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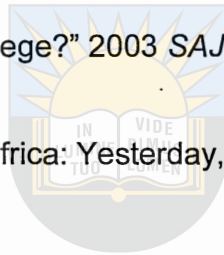
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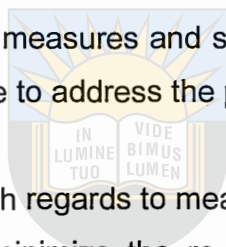
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11. APPENDICES

APPENDIX A: DOCUMENT ANALYSIS GUIDE

1. What are the roles played by the parole system to ensuring accountability in the various documents?
2. What evidence can be found in the documents concerning the problems encountered by the Department of correctional services in promoting a sound management parole system in the East London Management Area?
3. In the various documents, what measures and strategies are established by the East London correctional centre to address the parole challenges?
4. What evidences are available with regards to measurements adopted by the East London correctional centre to minimize the re-offending in the Eastern Cape Province?



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