



**SONKE
GENDER
JUSTICE**

HIV/AIDS • GENDER EQUALITY • HUMAN RIGHTS

WHY SHOULD WE CARE ABOUT OVERCROWDING IN PRISONS?

Conditions of overcrowding in prisons, together with lack of ventilation, sanitation, oversight or healthcare have an effect on the broader society. We all bear the consequences.

CONDITIONS AND CONSEQUENCES

- 1 Many of South Africa's prisons are very overcrowded.
- 2 Severe overcrowding and a lack of ventilation, sanitation, oversight or healthcare mean that prisons are hotbeds for sexual violence and disease transmission, including HIV and TB.



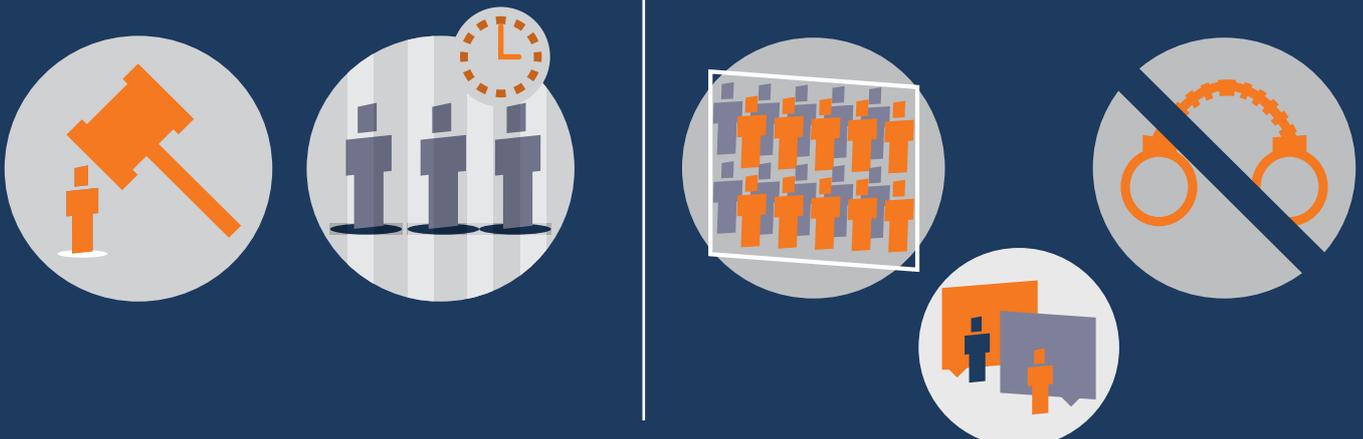
WHY ARE OUR PRISONS SO OVERCROWDED?

- 3 **Remand (awaiting trial) facilities are overcrowded because:**
 - bail policies make it difficult or impossible for an accused to secure bail
 - a sluggish criminal justice system allows for the accused to be detained indefinitely while awaiting trial.

Sentenced facilities are overcrowded because mandatory minimum sentencing laws have led to:

- an increase in the number of people serving sentences
- unnecessary criminalisation of non-violent or petty crimes.

In addition, the lack of skills development and reintegration support for ex-inmates cause high rates of re-offending.



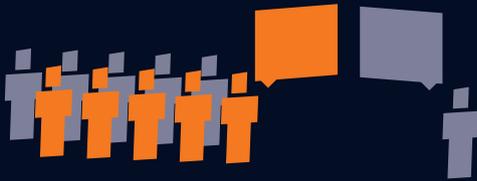
WHAT CAN WE DO TO REDUCE OVERCROWDING?

4 We can:

- Improve bail policy and sensitise magistrates and prosecutors to prison conditions.
- Amend minimum sentencing legislation.
- Decriminalise drug use, sex work, and other non-violent economic offences, and instead treat them as issues of public health.
- Improve support for ex-inmates to prevent re-offending.



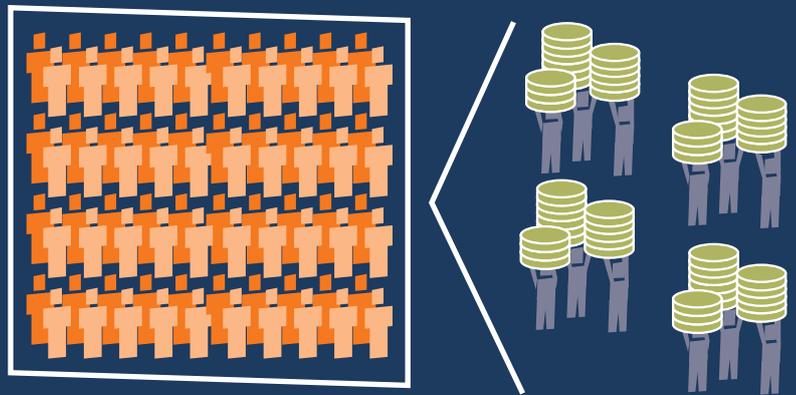
5 First-time and non-violent offenders should be sentenced to community service, restorative justice and rehabilitation programmes.



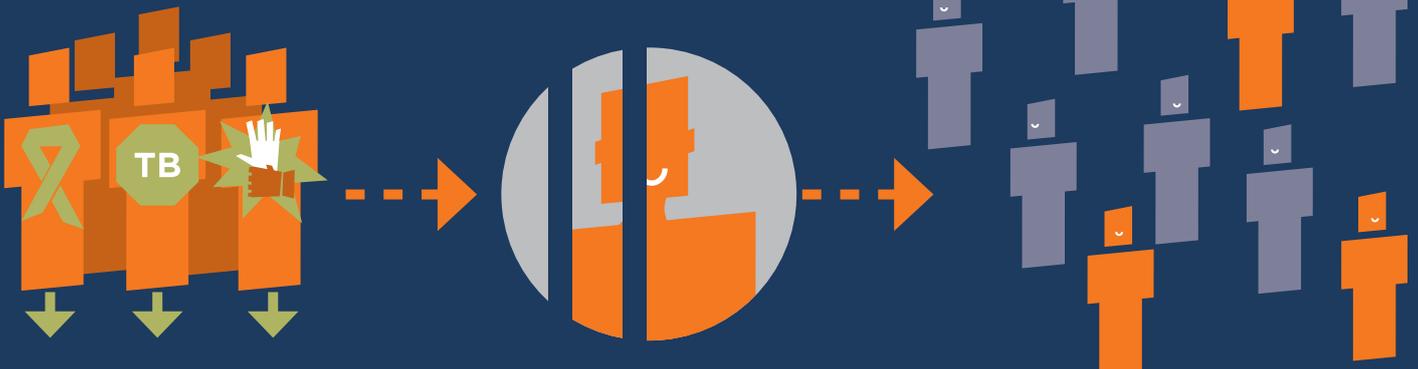
Accused people awaiting trial should be guaranteed a fair and speedy trial, with time subtracted from their sentence for time served in remand.



6 There is no evidence that longer sentences or higher bail amounts deter crime. Instead, these lead to overcrowding and cycles of poverty. Together, the costs of mandatory minimum sentencing, prison confinement and lack of rehabilitation, place a greater economic burden on taxpayers and the state than would community remand, parole, rehabilitation and reintegration.



7 Thus, reducing overcrowding in prisons will benefit EVERYONE and will help to curb the perpetration of sexual violence and the spread of HIV and TB.



END OVERCROWDING IN PRISONS!