



DETENTION JUSTICE FORUM

4 June 2020

By email

To: THE MINISTER OF JUSTICE AND CORRECTIONAL SERVICES - HONOURABLE RONALD LAMOLA

Rolsaacs@justice.gov.za; ministry@justice.gov.za; CKok@justice.gov.za; ZaneNdlovu@justice.gov.za

Dear Honourable Minister Lamola,

A CALL FOR A COORDINATED RESPONSE IN REINTEGRATION PLANNING FOR RELEASED OFFENDERS

On the 12th of May 2020, Mike Batley, of the Restorative Justice Centre, on behalf of the Detention Justice Forum (DJF),¹ sent you, Honourable Minister, an open letter indicating our support for your announcement to release low risk offenders during this Covid-19 pandemic, as well as your use of restorative justice language in the statement. Additionally, the open letter also expressed our keen interest in partnering with government in rolling out a reintegration process that is embedded within a broader Restorative Justice Framework. We would very much like to contribute towards a plan for restorative justice interventions post the release of the selected incarcerated persons.

As much as we support the release of low risk offenders, we write this second letter to express our concern that offenders will be released without a concise and sustainable reintegration plan in place. As we all know, there are many barriers to reintegration that hampers former offenders in their attempts to lead better and more productive lives. These barriers include stigmatization by the community and being turned away when applying for jobs due to their criminal records. Since incarceration separates offenders from their families and communities, upon release, offenders also lack stable support structures, and even start-up money for food, clothes, housing, and transport.

¹ Detention Justice Forum (DJF) is a civil society coalition of non-governmental organisations and individuals working to ensure that the rights and well-being of those who are detained are respected and upheld, as enshrined under the South African Constitution, laws, and regional and international human rights norms and standards.

Restorative services are needed to help offenders take responsibility for their crimes and support offenders and victims to repair the harm done by the crime. Supervision and monitoring of offenders is one element of comprehensive reintegration services. Other services that should be carefully considered in a reintegration plan include, but are not limited to:

- Material support – release hampers (release clothes, toiletries, food) and regular food vouchers at least for the first 6 months;
- Shelter or home (could be a half-way home);
- Vocational skills training, start-up and economic empowerment & entrepreneurship programmes;
- Continuing with trauma-informed counselling services, and personal development and life skills courses, including building positive self-concept, relational and gender-based violence interventions, and dealing with mental health issues;
- Connecting offenders to supportive faith communities;
- Support and accountability groups;
- Ensuring access to medical services for continuation of care in the case of HIV and for drug rehabilitation;
- Family reunification services – rebuilding positive connections with their families and communities;
- Facing victims, showing remorse, accountability and restitution, and community service;
- Monitoring and supervision;
- Criminal records support and legal services; and
- Mentoring and life-coaching.

Community groups and civil society are vital in ensuring an optimum rendering of these services.

There is also an urgent need to seriously reform employment practices that conduct blanket discrimination against all offenders because of their criminal records. Employment and opportunities to make a secure living are vital to the rehabilitation of formerly incarcerated people. As one author put it, ‘societal stigmatization places individuals with a criminal record in a box that no amount of rehabilitation or incarceration forgives’ (Isapa-Landa & Loeffler, 2016, p. 20).² During this time of the Covid-19 pandemic, families that usually support offenders themselves are struggling with food and income, many people have lost jobs, so planned support becomes even more crucial. The context into which these inmates will be released is an even harsher one than usual and will add to the burden of survival for families and communities.

² Isapa-Landa, S & Loeffler, C, E. 2016. Indefinite Punishment and the Criminal Record: Stigma Reports among Expungement Seekers in Illinois. *Criminology* June 2016.

Reintegration services remain ad hoc and fragmented, and coordination of state and civil society services, including local communities become necessary. Organisations such as NICRO have been working with prisons and released offenders for over 109 years and have, alongside other civil society organisations and activists, advocated tirelessly for alternatives to incarceration for low risk offenders. The expertise and decades long experience of reintegration organisations within the DJF, such as NICRO and others, around justice reform and restorative justice approaches, perfectly positions our organisations to provide support to government in this process. As such, we would like to propose reintegration planning for those who are to be released that can be led by Community Corrections in collaboration with reintegration organisations and key community stakeholders.

We are keen to forge stronger State-Civil Society partnerships around a more restorative system of justice that supports planned reintegration and promotes inclusivity and opportunities for all our citizens to rise above their marginalisation and achieve their life goals. We are currently drafting a matrix of services of civil society organisations that work in the reintegration and restorative justice fields, and we would like to know how we can further collaborate with you. This document is crucial to know what services are available for support.

We look forward to engagement with the Ministry and the Department of Correctional Services on this matter.

Yours sincerely,

Jacqueline Hoorn
NICRO
jacquelineh@nicro.co.za

Venessa Padayachee
Mid-Way Services
venessapad@gmail.com

This letter is written on behalf of the Detention Justice Forum, and is endorsed by:

*NICRO
Mid-Way Services
The Message Trust
Restore
Sonke Gender Justice
REALISTIC
Voice of the Voiceless
Beauty for Ashes
Community Advice Offices South Africa
Phoenix Zululand
Restorative Justice Centre
Zonk'zizwe Odds Development
Just Detention International – South Africa*