

Press Release

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IRR urges lawmakers to act on ‘prisoners of poverty’ in South Africa’s jails

According to the *South Africa Survey 2016* published by the IRR last month, some 7 468 detainees were held in South African jails in 2015 because they could not afford to raise bail.

Some 76% of these detainees could not afford bail set at amounts of R 1 000 or less. These individuals are in many respects ‘prisoners of poverty’, and the IRR has urged lawmakers to reconsider policies relating to bail in South Africa.

A breakdown of detainees who could not afford bail is as follows:

- Some 3 339 remand detainees – or 45% – of the total, could not afford bail of R 500 or less.
- Some 2 334 – or 31% – could not afford to pay between R 500 and R 1 000.
- Some 1 082 – or 14% – could not afford bail amounts set between R 1 001 and R 2 000.
- A further 589 – or 8% – could not pay bail amounts between R 2 001 and R 5 000.
- 124 of remand detainees – or 2% – were set bail amounts of over R 5 000, and could not afford to pay the amount.

IRR analyst Kerwin Lebone said: “The figures are concerning for several reasons. The first is that a great many people who have not been convicted of any crime are in jail simply because they are too poor to afford bail – they are what we describe as prisoners of poverty. These are people that the courts believe could be released back into society pending trial but cannot afford their freedom. Secondly, the presence of so many remand detainees in our jails compounds the prison overcrowding crisis faced by the Department of Correctional Services. And, thirdly, there is a significant cost to the taxpayer in housing this number of remand detainees, and these resources could be more effectively employed elsewhere in the criminal justice system.”

The IRR has suggested that South Africa’s lawmakers reconsider South Africa’s bail policies to alleviate the burden on both Correctional Services, taxpayers and poor people.

The South Africa Survey has been published annually by the IRR since 1948 in the interests of advancing fact-based policy making. Copies can be obtained exclusively through the IRR. Follow the IRR on Twitter at [@IRR_SouthAfrica](https://twitter.com/IRR_SouthAfrica).

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