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THE EFFECTIVENESS OF LONG-TERM SENTENCING AS A CRIME DETERRENT IN SOUTH AFRICA

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A RESEARCH REPORT SUBMITTED TO THE FACULTY OF MANAGEMENT UNIVERSITY OF THE WITWATERSRAND, IN PARTIAL FULFILMENT OF THE MASTER OF MANAGEMENT (IN THE FIELD OF PUBLIC AND DEVELOPMENT MANAGEMENT).

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Abstract

In 1997, the Government of the Republic of South Africa introduced the Criminal Law Amendment Act 105 of 1997, which legislated minimal mandatory sentencing, in an attempt to reduce levels of violent crime in the country. It was believed that through long prison sentences and tough bail conditions, a message of zero tolerance against committal of any crime would be sent. This would then lead to a situation where potential offenders were discouraged from committing any crime if they saw the severe punishment given to others.

The main objective of this research was to examine the effectiveness of long-term imprisonment as a crime deterrent. Specific focus was on crimes such as murder, rape and robbery with aggravating circumstances.

The results of this research show that, in the opinion of the criminal justice experts and officials who work with the policy, long-term imprisonment is not helping in deterring crime. This conclusion was based on the responses from all the people interviewed who felt that what this Act actually achieved was overcrowded correctional centres where rehabilitation of offenders is not effective. Ineffective rehabilitation because of overcrowding lead to offenders being released without any intervention programmes being rendered to them and consequently the levels of recidivism are very high.

Declaration

I declare that this report is my own, unaided work.

It is submitted in partial fulfilment of the requirements of the degree of Master in Management (in the field of Public and Development Management) at the University of the Witwatersrand, Johannesburg.

It has not been submitted before for any degree or examination at any other university.

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Tlabo Agose Thokolo

10 November 2008

Dedication

This research is dedicated to all the crime victims and potential crime victims in this country. It is time for them to be united against crime. People should no longer fold their arms as crime continues to tear society apart.

Acknowledgements

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