**NATIONAL ASSEMBLY**

**QUESTION FOR ORAL REPLY**

**PARLIAMENTARY QUESTION NO: 52**

**DATE OF QUESTION: 22 FEBRAURY 2022**

**DATE OF ORAL REPLY IN PARLIAMENT: 02 MARCH 2022**

**Mr W Horn (DA) to ask the Minister of Justice and Correctional Services:**

What is the total number of cases of sexual offences which were on the backlog roll of criminal courts on (a) 31 January 2021 and (b) 31 January 2022 respectively?

**NO457E**

**REPLY:**

1. The Department has informed me that the total number of backlog sexual offences cases as at 31 March 2021, was 12 557 cases, equalling 52, 1%. However, it should be noted that the reports are based on existing datasets that were utilized for quarterly and annual reporting due to the existing system and data challenges.
2. The total number of backlog sexual offences cases, as at 31 December 2021, stood at 15 605 cases which equals 81, 4%. In order to help reduce the backlogs concerned, in addition to the work being done by the Intersectoral Committee on the Management of Sexual Offences Matters in terms of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, to give focused attention to the work involving Gender-based Violence and specifically Sexual Offences Matters, the Department of Justice and Constitutional Development has consulted upon the draft Framework on the Management of Case Backlogs and Priority Matters, which is in the final stages of approval.

The Framework will there-after be submitted and consulted upon with the Justice, Crime Prevention and Security Cluster for implementation purposes.

The Backlog Framework includes all criminal matters, also sexual offences cases. Indeed, two (2) of the seven (7) priority areas in the draft Backlog Framework, includes an agreement on the fast-tracking and prioritization of Gender-based Violence Matters as well as matters involving children.

The Backlog Reduction Framework creates a dedicated structure to monitor and report on the numbers of cases on a weekly and monthly basis to the local Case-flow Management Committees, Regional and Provincial Efficiency Enhancement Committees, as well as the National Backlog Cases Task Team.

Where there are challenges experienced, these must be addressed at Local level. If these cannot be resolved at the Local level, the challenges will be submitted at the Regional and Provincial level, and if these are not resolved, they are escalated at National Office level, between all the relevant role-players.

The purpose of Framework is to consult upon and agree on a Strategy to Reduce Backlogs in Courts, which will include the development and adoption of the Justice, Crime Prevention and Security Cluster (JCPS) Framework for the management of Backlog and Priority Criminal Cases in Regional and District Courts, to further include the development and signature of a Memorandum of Understanding between all the relevant role-playing Departments and Entities. Every Department and Entity needs to take responsibility for the management of the issues in the process-flow of criminal cases, under its control. Thus, every Department and Entity, will contribute to the whole process-flow of fast-tracking relevant criminal cases, especially those involving backlog and priority matters. This will contribute towards the reduction of backlog and priority criminal cases in the courts, and thus, contribute towards the access to justice.

The role of the Memorandum of Understanding would be to agree-upon and commit to what the various role-players will commit to do in their areas of responsibility, to work down the Case Backlogs, concerned.