**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 1761**

**DATE OF QUESTION: 09 JUNE 2017**

**DATE OF SUBMISSION: 26 JUNE 2017**

**Ms T M Mbabama (DA) to ask the Minister of Justice and Correctional Services:**

Does (a) he, (b) his Deputy Ministers or (c) any of the heads of entities or bodies reporting to him make use of security services paid for by the State for (i) him/herself, (ii) his/her immediate family members or (iii) any of their staff members; in each case (aa) what are the reasons for it, (bb) from which department or entity’s budget is the security services being paid, and (cc) what are the relevant details?

**NW1967E**

**REPLY**

1. and b) My security arrangements and those of the Deputy Minister of Justice and Constitutional Development, as well as the Deputy Minister of Correctional Services remain the responsibility of the South African Police Service (SAPS) in terms of the Ministerial Handbook.
2. The response in respect of the heads of entities or bodies reporting to the me is as follows:
   1. The Chief Justice, Deputy Chief Justice and the Judge Presidents do make use of security services paid for by the State through South African Police Service as required in terms of the Ministerial Handbook.
   2. National Prosecuting Authority – The National Director of Public Prosecution make use of services paid for by the State through the South African Police Services at the moment.
   3. Legal Aid South Africa – The Head of Legal Aid South Africa does not make use of security services.
   4. Special Investigation Unit – The Head of the Special Investigating Unit does not make use of security services at the moment.
   5. The Director General of the Department of Justice and Constitutional Development does not make use of security services at the moment.
   6. The National Commissioner of Department of Correctional Services does use security services at the State expense.
   7. The Secretary-General for the Office of the Chief Justice does not make use of security services at the moment.
3. There are no security services that are rendered to the family members on all of the above.
4. There are members of the Judiciary, National Prosecuting Authority and some support staff that make use of security services and the services are not extended to family members.

(aa) In all of the above, the reasons for the provision of security services, where applicable, are informed by the threats received due to their legal duties.

(bb) (i) Those members that are indicated in the Ministerial Handbook as stated above, the budget for the provision of the security services required is being paid from the South African Police Service’s budget.

(bb) (ii) The other affected members of the Judiciary, National Prosecuting Authority and supporting staff making use of security services are paid for by the State through the Department of Justice and Constitutional Development.

(bb) (iii) The National Commissioner for the Department of Correctional Services’ security services are paid for by the relevant Department of Correctional Services.

(cc) The relevant details about protection services as indicated above is mainly informed by the heightened threats, risks and vulnerability assessments that are inherent in their legal duties which cannot be ignored in the interest of justice and other constitutional requirements. Therefore, it is advisable that the details pertaining to each member be not disclosed for safety and security reasons. Furthermore, the doctrine of separation of powers dictates consideration in relation to the provision of protection and security services to members of the Judiciary and National Prosecuting Authority.