**African Christian Democratic Party**

**30 May 2023

ACDP Parliament
Debate on Vote 25: Justice and Constitutional Development
Speech by ACDP Chief Whip, Steven Swart MP**

**ACDP in support of amendments to NPA Act to establish the Investigating Directorate as an independent agency**

“Thank you, Chairperson.

Honourable Minister,

The central role of the state is to protect its citizens. Sadly, citizens do not feel safe in their homes, public, at schools or places of employment. We see criminal syndicates also targeting our SOEs, such as Eskom and Transnet. We also see so-called construction mafia, preventing much-needed infrastructure being built. This is despite the National Development Plan (NDP) requiring that the state should build safer communities; promote accountability and fight corruption; and strengthen judicial governance and the rule of law. Lawlessness, sadly, seems to be on the increase and, in the ACDP’s view, the state is failing dismally to protect its citizens.

Chairperson, the detectives are at the crux of the criminal justice system. Poor investigations lead to poor detection and conviction rates. Sadly, there has been a continual decline in detection rates if one considers the Police Annual Report and its Budget Report.

That is why the ACDP supports prosecution-driven criminal investigations, and why we support amendments that are to be brought to the NPA Act to establish the Investigating Directorate as an independent agency in the NPA. Minister, we need that amendment as soon as possible. It should not be delayed.

Why then, honourable Minister, are we then having the Department dealing with the proposed decriminalisation of prostitution which the Deputy Minister [which I understand is going to be dealt with].

But Deputy Minister you have got an appalling [taste in] fashion for scarves – surely you had something better to wear? And I would like to just say, “Am Yisrael Chai” –  “the people of Israel live.”

As far as it goes with the decriminalisation [of prostitution], Deputy Minister, if we consider what we did in the previous Parliaments, and if one considers the [findings of the] SA Law Reform Commission, then we are surprised at this proposed amendment coming from the Justice Department, given the fact that there are no regulations in place, and given the breakdown of morality and families in our nation – it is staggering. Thankfully, that will only be dealt with by the next Parliament.

Chairperson, I would also like to indicate the ACDP, after meeting with Chief Justice Zondo and the Heads of Court, with other members – the judiciary complained about the long-delayed judiciary-led administration model which has yet to be finalised. Minister, you indicated that this would receive attention, and hopefully that will be finalised before the end of this term.

We are also grateful for the Judicial Matters Bill and expungement of Covid-19 offences which has been considered. Thousands of normally law-abiding citizens who committed trivial offences, and after paying admission of guilt fines, now sit with criminal records, and we are pleased that that cannot be correct and affect employment opportunities.

The ACDP would like to thank all those members at the back, the DG and those dedicated police officials, detectives, prosecutors, magistrates and other members of the Judiciary who, on a daily basis and under severe financial constraints, deliver justice to our citizens.

I thank you.”