**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 1334**

**DATE OF QUESTION: 26 JUNE 2020**

**DATE OF SUBMISSION: 10 JULY 2020**

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

What total number of (a) cases of illegal invasion of land owned by the State was prosecuted and (b) the specified prosecutions were successful in each (i) province and (ii) of the past five financial years?

**NW1702E**

**REPLY:**

I have been informed by the National Prosecuting Authority and the Department of Justice and Constitutional Development, that statistics relating to (a) cases of illegal invasion of land owned by the State which were prosecuted and (b) the number of specified successful prosecutions in each (i) province and (ii) of the past five financial years, are not kept.

Such invasion of State property would normally constitute the civil offence of trespass. Complaints in this regard, would be submitted by Municipalities. There is no record of cases opened by Municipalities against trespassers in this regard.

The usual practice is that Municipalities would initiate civil proceedings and seek a court order for the eviction of unlawful land invaders. These cases would normally be enrolled on the civil case roll in various Magistrates’ Districts.

Some of these civil cases are often also settled out of court with the result that no case is actually registered on the court roll, in such circumstances. It is for this reason that the statistics of these civil cases, are not readily available.