**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO:1415**

**DATE OF QUESTION: 22 APRIL 2022**

**DATE OF SUBMISSION: 06 MAY 2022**

**Prof C T Msimang (IFP) to ask the Minister of Justice and Correctional Services:**

1. How has he found will the extensive damage that was caused to public infrastructure by the recent flooding in KwaZulu-Natal and the Eastern Cape impact the day-to-day operations of his department, in particular, with regard to the affected magistrates’ courts as referred to by the President of the Republic, Mr M C Ramaphosa, during his address to the nation on 18 April 2022;
2. what are the relevant details of the (a) courts that have been damaged, (b) extent of the damage, (c) projected timeline for repairs and (d) contingency plans that have been put in place to ensure that the work of the courts can continue during this time?

**NW1730E**

**REPLY:**

1. (a) The recent flooding in KwaZulu-Natal has negatively affected the day-to-day

operations of the courts due to the damaged infrastructure. On 12 April 2022, there was a very low attendance by officials as public transport was not available, and there was a precautionary warning that people should not access certain roads. Many courts postponed matters on that day.

The Court Managers have reported that operations at most courts have resumed fully. A number of courts need to be repaired following the floods. Some park homes will need to be replaced due to severe damages, whilst new ones are required in some courts. The only courts forced to close early due to health and safety concerns are those courts that are still without water.

(b) The only Court which was affected by the recent floods in the Eastern Cape is

Port St. Johns. There was no infrastructure damage (including flooding and leakages). The only damage incurred affected telephone lines in the office. As a result, the office is not telephonically accessible, but a call has been logged for the telephone lines to be attended to. The Superior Courts (High Courts and Labour Court) in the Eastern Cape Province were also not affected.

1. (a) A total of 35 courts were affected by the floods. The courts that have been damaged include the following:

| **Item No.** | **District** | **No. of Courts Affected** | **Names of the Courts Affected** |
| --- | --- | --- | --- |
|  | EThekwini | 8 | 1. Verulam Magistrates Court; 2. Verulam Family Court; 3. Pinetown Magistrates Court; 4. Chatsworth Magistrates Court; 5. Ntuzuma Magistrates Court; 6. Emlazi Magistrates Court; 7. Wentworth Magistrates Court; and 8. Newlands East Magistrates Court |
|  | Harry Gwala | 4 | 1. UMzimkhulu Magistrates Court; 2. Hlanganani Magistrates Court; 3. Ixopo Magistrates Court; and 4. Himeville Magistrates Court. |
|  | iLembe | 4 | 1. KwaDukuza Magistrates Court; 2. Ndwedwe Magistrates Court; 3. Maphumulo Magistrates Court; and 4. Nsuze Periodical Court. |
|  | King Cetshwayo | 2 | 1. Esikhawini Magistrates Court; and 2. Mtunzini Magistrates Court. |
|  | Ugu | 7 | 1. Port Shepstone Magistrates Court; 2. Ramsgate Branch Court; 3. Izingolweni Magistrates Court; 4. Phungashe Magistrates Court; 5. Emzumbe Branch Court; 6. Scottsburgh Magistrates Court; and 7. Umzinto Magistrates Court. |
|  | UMgungundlovu | 4 | 1. Pietermaritzburg Annex Building; 2. Pietermaritzburg Magistrates Court; 3. Howick Magistrates Court; and 4. Masters Office Pietermaritzburg. |
|  | uMkhanyakude | 2 | 1. Hlabisa Magistrates Court; and 2. Manguzi Branch Court. |
|  | uMzinyathi | 2 | 1. Msinga Magistrates Court; and 2. Greytown Magistrates Court. |
|  | uThukela | 2 | 1. Ekuvukheni Magistrates Court; and 2. Ezakheni Magistrates Court. |

1. The following are the extent of the damages caused to the courts:
2. Roofs causing roof leakages and damaged ceilings;
3. Park homes;
4. Floors and carpets;
5. Windows;
6. Peeling paint;
7. Electricity supply;
8. Water supply;
9. Generators;
10. Cleaning of drainage systems; and
11. Access roads.
12. Repairs to the damaged courts are on-going. There are on-going meetings between the Department of Justice and Constitutional Development (DoJ&CD), Department of Public Works and Infrastructure (DPWI) as well as stakeholders. DPWI is assisting government departments with the required assessments on the damages caused, and service providers have been appointed to attend to some critical areas. It is anticipated that all repairs to roofs will be finalised by 31 May 2022. Depending on the outcome of the completed assessments, some roofs might need to be replaced.
13. The KZN Regional Office has put contingency plans in place to ensure that the work of the courts can continue. All the courts will function during repairs as Court Managers and Heads of Judiciary manage the optimal utilisation of the available courtrooms. Periodical courts operating in damaged mobile courts will be relocated to the main seats. Where water is not available, the DoJ&CD has procured drinking water. Water tanks are procured, and the municipality is assisting with water delivery. Some courts close early due to lack of water. Capacity is sourced from other regions to assist where possible.