**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 1452**

**DATE OF QUESTION: 03 JULY 2020**

**DATE OF SUBMISSION: 17 JULY 2020**

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

What number of cases were on the criminal court backlog roll on 26 June 2020 in respect of the (a) district and (b) regional courts?

**NW1823E**

**REPLY:**

During the period of the lockdown, both at Risk Alert Levels 3, 4 and 5, courts dealt with a minimal number of trials. Most cases were postponed in order to limit the number of people going to courts and thereby risking the spread of the virus. Such postponements led to further increases in the already existing criminal case backlogs.

A case backlog is a case which has remained open on the roll:

1. in case of a district court case, for a period in excess of six (6) months or more; and
2. in case of a regional court, a case which has been on the roll for nine (9) months or more.

The statistics for backlog cases as verified with the NPA for both (a) and (b) above, are as follows:

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **DISTRICT COURTS** |  | **District Courts** |  | **REGIONAL COURTS** |  | **Regional Courts** |  |
| **EASTERN CAPE** |  | 6 796 |  | **EASTERN CAPE** |  | 2 148 |  |
| **FREE STATE** |  | 1 715 |  | **FREE STATE** |  | 1 086 |  |
| **GAUTENG** |  | 6 451 |  | **GAUTENG** |  | 6 339 |  |
| **KZN** |  | 4 815 |  | **KZN** |  | 3 205 |  |
| **LIMPOPO** |  | 3 216 |  | **LIMPOPO** |  | 1 404 |  |
| **MPUMALANGA** |  | 2 876 |  | **MPUMALANGA** |  | 1 816 |  |
| **NORTH WEST** |  | 2 081 |  | **NORTH WEST** |  | 1 800 |  |
| **NORTHERN CAPE** |  | 1 083 |  | **NORTHERN CAPE** |  | 685 |  |
| **WESTERN CAPE** |  | 10 733 |  | **WESTERN CAPE** |  | 3 912 |  |
| **TOTAL BACKLOG CASES** |  | **39 766** |  | **TOTAL BACKLOG CASES** |  | **22 395** |  |

There are continuous engagements between the Department and Regional Court Presidents as well as Chief Magistrates to develop mechanisms to address the escalating backlogs. The engagement has led to the establishment of the Integrated Case-Backlog Plan through which cases are being arranged for trial in terms of their priority.

It is however difficult to effectively implement the plan at this particular time due to the spikes in COVID-19 infections, which in turn lead to constant closure of courts due to positive cases of infections being confirmed randomly. The implementation of the plan will become more effective once the country has reached its peak and subsequent decline in the infection number.