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**JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 1662**

**DATE OF QUESTION: 12 MAY 2023**

**DATE OF SUBMISSION: 26 MAY 2023**

**Adv G Breytenbach (DA) to ask the Minister of Justice and Correctional Services:**

1. Given the increase in cybercrime experienced in the Republic, what total number of (a) prosecutors, (b) judges and (c) magistrates have training and/ or qualifications in (i) cybercrime and security and/ or (ii) cryptocurrency crime and security;
2. Whether there are any plans to implement further training on (a) cybercrime and (b) cryptocurrency security; if not, what is the position in this regard; if so, what are the relevant details?

**NW1903E**

**REPLY:**

I wish to inform the Hon Member that I have been informed that:

(1)(a) 744 prosecutors have received training in (i) cybercrime and security; and (ii) cryptocurrency crime and security, during the 2021/2022 to 2022/2023 financial years.

(b) Numbers of (b) judges and (c) magistrates, trained, has been referred to the South African Judicial Education Institute at the Office of the Chief Justice, which is mandated to provide training to the High and Lower Court Judiciary. The response is as follows:

(i) Cybercrime and Security

**2015/16**

| **Topic** | **Target audience** | **#** |
| --- | --- | --- |
| Cybercrime and Electronic Evidence(ToT) | Judges | 12 |
| Cybercrime and Electronic Evidence (ToT) | Judges | 10 |
| Cybercrime and Electronic Evidence (ToT) | Judges | 8 |
| Cybercrime and Electronic Evidence | Judges | 17 |
| Cybercrime and Electronic Evidence (ToT) | District Court Magistrates (DCM) | 16 |
| Cybercrime and Electronic Evidence | District Court Magistrates | 13 |
| Cybercrime and Electronic Evidence | District Court Magistrates | 22 |
| Cybercrime and Electronic Evidence | District Court Magistrates | 21 |
| Cybercrime and Electronic Evidence | District Court Magistrates | 72 |
| Cybercrime and Electronic Evidence | District Court Magistrates | 15 |
| Cybercrime and Electronic Evidence (ToT) | Regional Court Magistrates (RCM) | 15 |
| Cybercrime and Electronic Evidence | Regional Court Magistrates | 85 |
| Cybercrime and Electronic Evidence | Regional Court Magistrates | 29 |

**Note:** ToT stands for Train the Trainer course on Cybercrime and Electronic Evidence facilitation skills.

**Totals:**

**Judges: 47**

**RCM: 129**

**DCM: 149**

**2016/17**

| **Topic** | **Target audience** | **#** |
| --- | --- | --- |
| Cybercrime and Electronic Evidence | Judges | 19 |
| Cybercrime and Electronic Evidence | Judges  | 21 |
| Cybercrime and Electronic Evidence | Regional Magistrates | 57 |
| Cybercrime and Electronic Evidence | District Court Magistrates | 14 |
| Cybercrime and Electronic Evidence | District Court Magistrates | 10 |
| Cybercrime and Electronic Evidence | District Court Magistrates | 77 |
| Cybercrime and Electronic Evidence | District Court Magistrates | 15 |
| Cybercrime and Electronic Evidence | District Court Magistrates | 12 |

**Totals:**

**Judges: 40**

**RCM: 57**

**DCM: 128**

**2017/18**

| **Topic** | **Target audience** | **#** |
| --- | --- | --- |
| Technology used in Cybercrime | Regional Court Magistrates | 154 |
| Cybercrime and Electronic Evidence | District Court Magistrates | 18 |

**Totals:**

**RCM: 154**

**DCM: 18**

**2019/20**

|  |  |  |
| --- | --- | --- |
| **Topic** | **Target audience** | **#** |
| Cybersecurity, cyber specific offences and Budapest Convention | District Court Magistrates | 17 |

**2020/21**

|  |  |  |
| --- | --- | --- |
| **Topic** | **Target audience** | **#** |
| Cybercrime and Electronic Evidence | Regional Court Magistrates | 52 |

**2021/22**

|  |  |  |
| --- | --- | --- |
| **Topic** | **Target audience** | **#** |
|  Cybercrime and Electronic Evidence | Regional Court Magistrates | 49 |

**2022/23**

|  |  |  |
| --- | --- | --- |
| **Topic** | **Target audience** | **#** |
|  Cybercrime and Electronic Evidence | District Court Magistrates | 17 |
| Cybercrime Amendment Act 12/2021 | District Court Magistrates | 14 |

**Totals:**

**DCM: 31**

(ii) Number of Judges and Magistrates trained on cryptocurrency crime and security

**2018/19**

|  |  |  |
| --- | --- | --- |
| **Topic** | **Target audience** | **#** |
| ICT, Cryptocurrency and Organised Crime | Judges | 84 |

**Totals:**

**Judges: 84**

1. (a)(b) Yes. In fact, I regard training and capacitation on the management and prosecution of cybercrime and cryptocurrency cybercrime as so important, that I have signed a Cooperation Protocol with the Minister for Europe and Foreign Affairs of the French Republic, to promote such training and capacitation, during June 2023.
2. Furthermore, 334 Prosecutors have applied to be trained on Cybercrimes at Justice College, during the 2023/ 2024 financial year. Such training will take place during seven (7) planned training sessions.
3. In addition, the Cyber Response Committee has planned for training for 60 prosecutors. The training will cover the following:
4. Basic Cybercrime Investigation;
5. Financial Investigation triage and techniques;
6. Overview of digital evidence for prosecutors; and
7. Mobile device evidence for prosecutors.
8. I have great pleasure in announcing that three (3) NPA officials who have undergone intensive training through the FBI’s Law Enforcement Academy in the areas of the Dark Web and crypto investigations, are now also responsible for rolling out training to NPA and SAPS officials. The first such training is scheduled for 17 July 2023.
9. Lastly, I have been informed that the NPA’s Specialised Commercial Crimes Unit (SCCU), has recently established its own Training Desk to ensure that specialist training needs are sourced, which includes training at an advanced level in Cyber-crime and crypto currencies. This includes collaboration with the following counterparts and organizations:
10. The UNODC;
11. The Office of the US Legal: FBI;
12. SABRIC; and
13. FIC.

Plans will also be developed when there is additional budget for refresher training of Judicial trainers by experts.

I therefore wish to assure the Honorable Member that my Ministry and the JCPS Cluster are taking cybercrimes seriously and are addressing these crimes as a priority.