

**NATIONAL ASSEMBLY**

**PARLIAMNETARY QUESTION FOR WRITTEN REPLY**

**PARLIAMNTARY QUESTION: NO. 1885**

**DATE OF QUESTION PAPER: 16 SEPTEMBER 2016**

**DATE OF SUBMISSION: 30 SEPTEMBER 2016**

**Dr P J Groenewald (FF Plus) to ask the Minister of Justice and Correctional Services:**

1. Whether he is aware of the fact that the SA Police Service is referring some criminal offences directly to the courts without conducting a proper investigation and making an entry in the crime register; if not, what is the position in this regard; if so, (a) how many of the specified cases were referred directly to the courts countrywide in the (i) 2014-15 and (ii) 2015-16 financial years without proper investigation and (b)(i) what types of offences and (ii) how many of each specified offence were referred in such a way in each specified year;
2. whether he will make a statement on the matter?

**NW2195E**

**REPLY:**

1. I have enquired from the National Prosecuting Authority (NPA) which is the institution that is mandated in law to prosecute matters in the courts, whether they are aware of such incidents where the SAPS could be referring some criminal offences directly to the courts without conducting a proper investigation and making an entry in the crime register, and they have indicated they have no knowledge of such. There are specific Standing Orders issued by the SAPS as to the registering and investigations of cases. The normal procedures relating to criminal matters are that the police official will register the case on the SAPS Crime Administration System (CAS) at the police station. The complainant will thereafter receive a CAS number that needs to be kept as reference for future enquiries regarding the criminal case.

The completed case docket relating to the CAS number is allocated to a police detective who will carry out the investigation. The detective in charge of the particular case will complete the investigation and then promote the docket to the relevant court for prosecution with the CAS number as the SAPS reference number. This CAS number will then also be entered on the charge sheet and docket so that there is a linkage between the court record and docket information. No cases will be accepted without it being registered. If a matter is taken to court, but the investigation into the criminal matter is incomplete, the matter may be postponed and referred back by the prosecutor to the investigating officer, with guidance as to follow-up investigations.

1. and (b) not applicable
2. No statement is required.