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**MINISTRY: JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 2198**

**DATE OF QUESTION: 03 JUNE 2022**

**DATE OF SUBMISSION: 17 JUNE 2022**

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

With reference to the target to establish an additional 80 sexual offences courts in the 2022-23 financial year, (a) where will the courts be established and (b) what progress has been made in respect of the establishment of each of the specified courts?

**NW2606E**

**REPLY:**

1. During this financial year the Department of Justice and Constitutional Development has planned to establish eighty (80) sexual offences courts (SOCs) in terms of section 55A of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007) (the Act). This will be the first batch of the section 55A SOCs established in line with the resource specifications of the *Regulations relating to Sexual Offences Courts.* Many of these courts have been drawn from a pool of courts previously referred to as the *MATTSO Sexual Offences Courts* in order to bring them into compliance with section 55A of the Act, which requires all sexual offences courts to be established at courts designated by the Minister of Justice and Correctional Services, by way of notice in the *Gazette*. Below is the list of the planned eighty (80) sexual offences courts:

| **Regional Divisions**  | **Sexual Offences Courts to be established** | **No. of SOCs** |
| --- | --- | --- |
| Eastern Cape | Dimbaza, East London, Port-Elizabeth | 3 |
| Free State | Bethlehem, Bloemfontein, Botshabelo, Brandfort, Ficksburg, Harrismith, Koffiefontein, Kroonstad, Ladybrand, Parys, Phuthaditjhaba, Thaba’Nchu, Welkom, Wepener, Zastron | 15 |
| Gauteng | Benoni, Booysens, Kagiso, Krugersdorp, Palm Ridge, Pretoria, Pretoria North, Randfontein, Roodepoort, Tembisa, Tsakane, Vereeniging | 12 |
| KwaZulu-Natal | Durban, Umlazi, Empangeni, Madadeni, NtuzumaPietermaritzburg, Pinetown, Scottsburgh | 8 |
| Limpopo | Giyani, Mahwelereng, Mankweng, Morebeng, Sibasa | 5 |
| Mpumalanga | Ermelo, Middleburg, Mbombela, Piet Retief, SecundaMdutjana, Thulamahashe | 7 |
| Northern Cape | Kimberley, Upington, Springbok, Kathu, KurumanBarkley West, Colesburg, Galeshewe, FraserburgKakamas, Postmansburg | 11 |
| North West | Potchefstroom, Ga-Rankuwa, Klerksdorp, RustenburgMoretele, Mmabatho, Tlhabane | 7 |
| Western Cape | Atlantis, Bredasdorp, Cape Town, KhayelitshaMitchells Plain, Oudtshoorn, Paarl, Parow, Plattenberg Bay, Thembalethu, Worcester, Wynberg | 12 |
| **TOTAL** | **80** |

However, this list is not cast and stone as the caseload of sex crimes in a particular court is often unpredictable.

1. What progress has been made in respect of the establishment of each of the specified courts?
* I have received a letter of concurrence from the Chief Justice for the designation of nine (9) courts for the regional divisions where the 80 sexual offences courts will be established in terms of section 55A(2)(a) of the Act;
* In terms of section 55A(2)(b) of the Act, the National Director of Public Prosecutions has also responded in writing to the letter of the Minister in support of the designation process;
* The National Guidelines for the Establishment of the section 55A Sexual Offences Courts were developed with the judiciary, National Prosecuting Authority, Legal Aid South Africa and the civil society organisations, and were approved by the Minister. The Guidelines include a Checklist to verify resource compliance with the *Regulations relating to Sexual Offences Courts*;
* The Provincial Heads have submitted signed Checklists for the resourcing of each court falling under their respective provinces;
* A draft *Gazette Notice* for the designation of courts has been vetted by the Office of the Chief State Law Advisor, and is awaiting Minister’s approval. The SOCs will be established as soon as the *Gazette Notice* is published, as required by the Act.

**END**