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**JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 2283**

**DATE OF QUESTION: 09 JUNE 2022**

**DATE OF SUBMISSION: 26 JUNE 2023**

**Ms A M M Weber (DA) to ask the Minister of Justice and Correctional Services:**

1. Whether his department has a budget for training regarding child maintenance; if not, why not; if so, (a) will he provide Ms A M M Weber with the curriculum used for training and (b) how often does the training take place;
2. What number of (a) legal practitioners, (b) magistrates and (c) maintenance officers are (i) fully trained and (ii) knowledgeable regarding the Maintenance Act, Act 99 of 1998?

**NW2700E**

**REPLY:**

1. The Department of Justice and Constitutional Development (the Department) does allocate the budget for the training of officials in child maintenance and such budget is allocated to the Justice College which is the official training business unit of the Department.
2. However, the Department cannot provide a curriculum used for the training on the Maintenance Act, 1998 (Act No.99 of 1998) (the Act) as the training is conducted in collaboration with the National Prosecuting Authority (NPA) which provides the training materials and the facilitators. This collaboration was necessitated by the need to ensure that the same training messages is communicated to both Prosecutors who are deemed Maintenance Officers in terms of section 4(1) of the Act and the Maintenance Officers appointed by the Department in terms of section 4(2) of the Act. It must be indicated that the Justice College has human resource capacity constraints to conduct this training since the recall of Senior Lecturers who were Magistrates back to the bench. It is in this light that Senior Maintenance Prosecutors (SMP) of the NPA have facilitating the training coordinated by the Justice College and also they extend the training in the Provinces to the officials of the Department as and when training is coordinated by the NPA.

Although there is no formal curriculum on the Act, the Department conducts a number of education and training interventions to close the gaps and up skill the officials in the front line on support services that assist in performance and investigations in terms of the Act. The first training is conducted on Maintenance Online Trace and Track (MOTT) System which includes training on the system used to track and trace personal and financial details of parties. The second training conducted is on the Maintenance Integrated Case Management System (Maintenance ICMS) which enables Clerks of the Maintenance Courts to capture performance and process based information. This also delves on the relevant sections of the Act. The former training is conducted by the officials of the OCFA and also includes education on the Protection of Private Information (POPI) Act, 2013 (Act No.4 of 2013) (POPI Act) and section 205 Criminal Procedure Act, 1977 (Act No. 51 of 1977) (the CPA).

1. Training coordinated by the NPA is conducted on an annual basis. This training is always extended to the Maintenance Officers and Investigators appointed by the Department. However, as the NPA will be reviewing its curriculum in respect of training on the Act during the current financial year (2022/2023), Justice College has coordinated the training for court officials who need training in all the Regions for the current financial year (2022/2023). A training schedule has been issues and it will be facilitated by the two Senior Maintenance Prosecutors of the NPA and specifically targets Maintenance Officers and Maintenance Investigators across all the Regions.
2. b) (i) and (ii) A total of 2022 magistrates were trained by the South African Judicial Education Institute from 2012 to date across the different provinces regarding the Maintenance Act, Act 99 of 1998.
3. (i) It must be noted that no training evaluation has been conducted in respect of the impact of current training curriculum which is offered by the NPA as it has been indicated that the current training is dependent on the training conducted by the NPA because of the capacity challenges of Justice College. The engagements between the role players will include discussions on the review of the training materials by the NPA and the development of training materials for maintenance investigations. These discussions will include how and the frequency of external evaluation of the impact of this training.

ii) As responded above, no training evaluation has been conducted.

In conclusion, it is worth mentioning that the NPA is currently in a process of reviewing its curriculum on the Act, and one working session was already held on 19 May 2022 with Senior Maintenance Officers internally. Subsequent working sessions to involve the OCFA which is the business unit responsible for coordinating complaints management, performance, policy, stakeholder management and systems interventions with internal role-players in respect of Maintenance Services and the Justice College. Furthermore, the OCFA and NPA National Coordinator of the Senior Maintenance Officers are due to meet with the Justice College to discuss how to improve the current training arrangement and focus areas. This will include discussions about training evaluation as already alluded.