****

**MINISTRY: JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 2305**

**DATE OF QUESTION: 10 JUNE 2022**

**DATE OF SUBMISSION: 24 JUNE 2022**

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

With reference to the limited and slow pace of progress made by the National Prosecuting Authority’s Priority Crimes Litigation Unit in the prosecution of matters emanating from the Truth and Reconciliation Commission (TRC), what steps will he take to improve the (a) communication process with the families of victims who are not receiving speedy justice for crimes committed against family members and (b) slow pace of progress with the prosecution of matters emanating from the TRC?

**NW2722E**

**REPLY:**

1. **Steps taken to improve the communication process with the families of victims who are not receiving speedy justice for crimes committed against family members**

The National Prosecuting Authority (NPA) has already taken steps to improve the communication process with families of victims emanating from Truth and Reconciliation Commission (TRC) matters. The Office of the Deputy National Director of Public Prosecutions (DNDPP), Adv de Kock, issued an internal memorandum on 2 June 2022, directing all dedicated TRC prosecutors to engage actively and directly with family members in respect of their matters. This is in line with the NPA’s victim-centered approach. A deadline was set in respect of which the contact details and names of all families affected, had to be compiled and forwarded to the National Office by 29 July 2022. Strict monitoring of regular updates to families will be captured on the monthly TRC reports, with particular communication dates documented thereon.

1. **Steps to be taken to improve the slow pace of progress with the prosecution of matters emanating from the TRC:**

The NPA acknowledges that the delay in finalising outstanding cases is unacceptable. However, the NPA does not have an investigative capacity, annd the functions of an investigator rests with the Directorate for Priority Crime Investigation (DPCI). Prosecution Guided Investigation (PGI) methodology is being followed in respect of all TRC investigations. The NPA is working closely with colleagues/officials in the South African Police Service (SAPS) and the DPCI to ensure that it is able to deal with all outstanding cases on an urgent basis.

The following measures have been implemented to expedite the speedy finalisation of investigations and decisions whether or not to institute a prosecution:

1. Scoping exercise completed to identify additional resource allocation to NPA and DPCI;
2. Appointing dedicated capacity within the NPA and DPCI to specifically deal with TRC matters;
3. Joint collaboration with DPCI to expedite investigations and prosecutions/decisions;
4. Creation of a separate portfolio at Head Office to manage, monitor and evaluate progress in respect of TRC matters;
5. Identified matters for prioritisation within the DPP divisions of the High Courts;
6. Divisions set action plans and time-frames for completion of investigations and decisions;
7. Monthly progress reports submitted to Head Offices of the NPA and DPCI: Monitoring, evaluation and assessment;
8. Identification of challenges and impediments in respect of each case and how to overcome it;
9. Addressing challenges pertaining to dockets, inquests documents that are destroyed, witnesses/perpetrators who are old, tracing of witnesses and suspects;
10. Immediate redress and guidance to prosecutors and investigators in respect of outstanding investigations;
11. Interventions employed where there’s no progress within divisions;
12. Quarterly joint, accountability instituted sessions between NPA and DPCI;
13. Training and skills transfer between NPA and DPCI implemented;
14. Ongoing coordinated guidance and support from Head Office; and
15. Ongoing consultation with victims and family members and continuous feedback to families via the offices of the NPA and DPCI.

**END**