

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 2338**

**DATE OF QUESTION: 28 OCTOBER 2016**

**DATE OF SUBMISSION: 11 NOVEMBER 2016**

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

1. (a) How did the National Prosecuting Authority calculate its conviction rate for the 2015/16 financial year and (b) which factors did it take into account when calculating the specified rate;
2. (a) what is the total number of cases that (i) were withdrawn in each region in the specified financial year and (ii) were re-enrolled in the 2016/17 financial year and (b) what are the relevant details in each case?

**NW2673E**

**REPLY:**

(1)(a) The National Prosecuting Authority calculates its general conviction rates and crime specific conviction rates on the basis of verdict cases. (b) It is calculated in terms of the percentage of cases finalised with a verdict in which a guilty verdict was obtained.

The percentage is determined by taking the cases finalised with a guilty verdict (including Section 57A of the Criminal Procedure Act, 1977) divided by the total number of cases finalised with a verdict. In the case of convictions these are only measured at the date of sentencing, while in the case of not-guilty verdicts these cases will be counted on the date of such verdict (i.e. only finalised cases are measured).

The reply to question 2 (a) on the total number of cases that (i) were withdrawn in each region in the specified financial year and (ii) were re-enrolled in the 2016/17 financial year and (b) what are the relevant details in each case, are explained below.

The table below sets out the number of cases withdrawn per region, per forum. The figures show the Serious Commercial Crimes Unit (SCCU) cases separately from the other regional courts. I am further informed that the National Prosecuting Authority (NPA) does not keep details of re-enrolments (these are new court cases) and is unable to supply the details of each case.

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| **FINANCIAL YEAR** | **DIVISION** | **District Courts** | **Regional Courts** | **SCCU** | **High Courts** | **TOTAL** |
| **2015/2016** | ECD | 10877 | 1094 | 4 | 5 | **11980** |
| **2015/2016** | ECD Mthatha | 1386 | 279 | 0 | 6 | **1671** |
| **2015/2016** | FSD | 5053 | 931 | 20 | 9 | **6013** |
| **2015/2016** | KZND | 20641 | 2160 | 55 | 11 | **22867** |
| **2015/2016** | NCD | 2809 | 281 | 0 | 3 | **3093** |
| **2015/2016** | NGD | 17621 | 2719 | 63 | 6 | **20409** |
| **2015/2016** | NWD | 2702 | 711 | 0 | 0 | **3413** |
| **2015/2016** | SGD | 6096 | 1807 | 80 | 9 | **7992** |
| **2015/2016** | WCD | 27934 | 2000 | 24 | 5 | **29963** |
| **2015/2016 Total** |  | **95119** | **11982** | **246** | **54** | **107401** |