**36/1/4/1 (201800242)**

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

**QUESTION 2539**

**DATE OF PUBLICATION IN INTERNAL QUESTION PAPER: 31AUGUST2018**

**(INTERNAL QUESTION PAPER NO 28-2018)**

**2539. Mr SJ F Marais (DA) to ask the Minister of Police:**

(1) With reference to two cases, CAS 259/10/2015 and 261/10/2015, registered at the Worcester Police Station, (a) what are the reasons that the two cases are delayed and not sent to the State prosecutor at the Worcester Magistrate Court, (b) why was the Western Cape Police Ombudsman not able to conclude on the cases subsequent to them being referred to him and (c) what is the usual time frame for such cases to be concluded and referred to the prosecuting authorities;

(2) whether he has found that the delay is intentional; if not, why has there been a time delay of three years; if so, (a) what steps will his department take to speed up the investigations and (b) what consequences will the officials who are not dealing with the cases promptly suffer?
NW2826E

**REPLY:**

(1)(a) The two case dockets, Worcester, CAS 259/10/2015 and 261/10/2015, were submitted to the Senior Public Prosecutor (SPP), on several occasions and returned with guidance on further investigations to be conducted. The last date that the case dockets were returned, was on 5 September 2018 and the Investigating Officer is busy dealing with the instructions, which were issued by the SPP.

(1)(b) The Ombudsman on Policing, in the Western Cape, reports to the Provincial Government and not to the South African Police Service (SAPS). The SAPS can, therefore, not respond to this part of the question.

(1 )(c) The complexity of these cases differ from one to the other and therefore, a standard acceptable time frame cannot be determined.

(2) It has been found that the delay was not intentional. The case was *no//e prosequi* (refused to prosecute) and was only re-opened by the SAPS, after the complainant approached the National Prosecuting Authority (NPA),to seek clarity.

(2)(a) Not applicable.

(2)(b) Not applicable.

*Original signed* **LIEUTENANT GENERAL**

**DIVISIONAL COMMISSIONER: DETECTIVE SERVICE**

**TC MOSIKILI**

Date: 6 September 2018

Reply to question 2539 recommended/not recommended

*Original signed* **LIEUTENANT GENERAL**

**DEPUTY NATIONAL COMMISSIONER: CRIME DETECTION**

**LJ TSUMANE**

Date: 6 September 2018

Reply to question 2539 recommended4

**NATIONAL COMMISSIONER: SOUTH AFRICAN POLICE SERVICE
KJ SITHOLE (SOEG)
DATE:** 2018-09-26Reply to question 2539 approved

**MINISTER OF POLICE
BH CELE, MP
Date**: 01/10/2018