**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO.26**

**DATE OF QUESTION: 10 FEBRUARY 2022**

**DATE OF SUBMISSION: 24 FEBRUARY 2022**

**Prof C T Msimang (IFP) to ask the Minister of Justice and Correctional Services:**

In view of concerning reports following an oversight visit to the Mpumalanga High Court and a provincial sexual offences court about the state of infrastructure at the Court and concerns of security risks, considering the importance of a well-functioning Court in ensuring access to justice, what (a) investigations have been undertaken by his department, considering the serious infrastructure and security concerns at the Mpumalanga High Court and (b) action will be taken to urgently address the concerns?

**NW30E**

**REPLY:**

1. The construction of the Mpumalanga High Court was completed in May 2019, and the practical completion certificate was issued. Before the practical completion certificate was issued, there was a two weeks’ assessment which was performed by the project team, i.e. the Department of Justice and Constitutional Development (DoJ&CD), Office of the Chief Justice (OCJ), Independent Development Trust (IDT), Department of Public Works and Infrastructure (DPWI), Consultants and Contractor, to determine the condition of the buildings and its equipment. The outcome of this assessment was a snag list that was issued to the contractor. As per the signed construction contract, the court buildings were under warranty/guarantee for a period of one (1) year, from June 2019 to May 2020, where the contractor was responsible for maintenance and completing the snag list that was issued during the assessment.

The DoJ&CD transferred the court facility to DPWI as per Section 42 of PFMA in September 2019. The transfer letter further requested DPWI to implement a Total Facility Management Solution (TFMS) for the maintenance of the court buildings.

Whilst the process of appointing TFMS is underway within DPWI, DoJ&CD and OCJ are maintaining the facility through day-to-day maintenance. On monthly basis, a report is generated regarding the maintenance requirements of the court and this are addressed through day to day maintenance.

The maintenance of major equipment like HVAC (aircons), lifts and fire system are done by DPWI on behalf of DoJ&CD.

The technical assessment of Mpumalanga High Court is underway by the professional engineers to conclude the specification for the TFMS.

The DoJ&CD did not perform any separate investigations regarding the security concerns since these were part of the infrastructural challenges of the building project. However, the Department appointed a security service provider to repair and maintain the system. During the system assessment, the service provider identified two (2) faulty Network Recording Devices (NVR’s) that records the images in cameras, and as a result the cameras became dysfunctional. The two (2) NVR’s were taken for repairs, and it was discovered that they cannot be repaired due to unavailability of spares in the local market, the recommendations were to replace them with local manufactured NVR’s. As interim security measures, the Department has deployed the contracted security guarding services in the High Court, hence the Integrated Security System (i.e. cameras, card reader systems) are also partially working to provide safety to the court building. The procurement processes for the new NVR’s are currently in progress and anticipated to be finalized on or before 31 March 2022.

1. The court is maintained by DoJ&CD and DPWI using day-to-day maintenance delegations. The DoJ&CD is allocating R10 million per annum to OCJ for day-to-day maintenance of all the High Courts in the country. Following a meeting with DPWI in January 2022, DPWI agreed to take over the full maintenance of the court until TFMS is implemented. The DoJ&CD has agreed to make funding available for the full maintenance.

**END**