# NATIONAL ASSEMBLY QUESTION FOR WRITTEN REPLY

**PARLIAMENTARY QUESTION NO: 2711 DATE OF QUESTION: 03 DECEMBER 2021**

**DATE OF SUBMISSION: 20 DECEMBER 2021**

**Mrs D van der Walt (DA) to ask the Minister of Justice and Correctional Services:**

What total number of (a) offenders were registered on the National Register for Sex Offenders in each province in the periods (i) 1 January 2017 to 31 December 2017,

(ii) 1 January 2018 to 31 December 2018, (iii) 1 January 2019 to 31 December 2019, (iv) 1 January 2020 to 31 January 2020 and (v) 1 January 2021 to 15 November 2021 and (b) applications were received through (i) a Form 8 (Annexure B of the Regulations) and (ii) a Form 29 in each province?

# NW3225E

**REPLY:**

1. A total number of convicted sex offenders registered on the National Register for Sex Offenders (NRSO) in each province in the periods indicated on the question is as follows:

# Table 1: The NRSO Active Cases from 1 January 2017 to 15 November 2021 per province as at 7 December 2021

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Name of Province** | **Years Conviction Registered on the NRSO** | | | | | **Grand Total** |
| **1 Jan to**  **31 Dec**  **2017** | **1 Jan to**  **31 Dec**  **2018** | **1 Jan to**  **31 Dec**  **2019** | **1 Jan**  **to 31**  **Dec 2020** | **1 Jan**  **to 15**  **Nov 2021** |
| Eastern  Cape | 173 | 57 | 220 | 19 | 09 | 478 |
| Free State | 133 | 108 | 134 | 28 | 19 | 422 |
| Gauteng | 101 | 38 | 69 | 38 | 37 | 283 |
| Kwazulu-  Natal | 157 | 157 | 186 | 110 | 30 | 640 |
| Limpopo | 46 | 55 | 68 | 37 | 18 | 224 |
| Mpumalanga | 44 | 83 | 107 | 17 | 01 | 252 |
| North West | 44 | 87 | 53 | 02 | 11 | 197 |
| Northern  Cape | 20 | 08 | 22 | 07 | 09 | 66 |
| Western  Cape | 130 | 194 | 161 | 37 | 39 | 561 |
| **GRAND**  **TOTAL** | **848** | **787** | **1 020** | **295** | **173** | **3 123** |

It must be noted that the data sets kept in the Register constantly vary due to the day-to-day activities made in the Register, which include entries and removals of

particulars of sex offenders. As permitted by section 51 of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, certain registered offenders do apply to the Registrar to have their particulars removed from the Register. After consideration by the Registrar, some of these applications become successful and this results in constant changes in the total number of sex offenders registered on the Register.

1. (i) With regard to the total number of applications received through Form 8 in each province, it is important to first note that the Department commenced with the issuing of clearance certificates in September 2019, and will therefore be unable to provide data sets prior to this date. The delayed issuing of certificates was due to the long process of developing the electronic Register, as prescribed by the Act, and also building system’s integration internally. It was a process necessary to address challenges relating to data contamination, whilst building a system that preserves data integrity.

Form 8 prescribed by the Regulations on National Register for Sex Offenders relates to applications for certificates by person/licensing authority/relevant authority in respect of particulars of another. The spectrum of these applicants therefore includes employers of employees who work directly with children or persons with mental disabilities, as contemplated in section 44 of the Act.

However, some of these employers prefer having their employees applying directly to the Registrar using the prescribed Form 7. In keeping to the question, this response will therefore exclude the Form 7 applications for clearance certificates and zoom into the Form 8 applications. The table below therefore gives the total number of Form 8 applications in each region during the period of 1 September 2019 to 15 November 2021 as follows:

# Table 2: Total number of Form 8 Applications received during the period of 1 September 2019 to 15 November 2021

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **FORM 8 APPLICATIONS FOR CLEARANCE CERTIFICATES** | | | | |
| **Application Type** | **1 Sept to 31**  **Dec 2019** | **1 Jan to 31 Dec**  **2020** | **1 Jan to 15 November**  **2021** | **Total** |
| Form 8 | 8 094 | 5 567 | 1 044 | **14 705** |

The figures above exclude the backlog of 1 972 applications accumulated during the Department’s system downtime which halted entry into the NRSO from 6 September 2021 to 19 November 2021. A Performance Recovery Plan has been developed to speedily eliminate this backlog, and a systems’ enhancement process has also begun.

(ii) The Department is unable to provide statistics on Form 29 applications as the Regulations on the National Register for Sex Offenders prescribe Forms 1 up to

11. Therefore, there are no prescribed forms beyond Form 11. It is the Regulations on the National Child Protection Register that prescribe Form 29, and this Register is maintained by the Department of Social Development.