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**MINISTRY: JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 2953**

**DATE OF QUESTION: 09 SEPTEMBER 2022**

**DATE OF SUBMISSION: 23 SEPTEMBER 2022**

**Mr A G Whitfield (DA) to ask the Minister of Justice and Correctional Services:**

1. With reference to his reply to question 1791 on 5 August 2022, what were the specified reasons for the delay of the trial which led to the matter and the case against Mr Orifile Oratile Sedika being struck off the roll;
2. Whether he has found that the negligence of the SA Police Service in any form and/or part caused the delay in the investigation and/or the trial; if not, what is the position in this regard; if so, in what way in each case;
3. What were the specified reasons for the decision that was taken not to prosecute Zamaswazi Zinhile Majozi;
4. Whether he has found that (a) any evidence was destroyed, lost and/or tampered with and/or (b) the chain of command was broken which contributed to the decision not to prosecute being taken in Majozi’s case; if not, what is the position in this regard; if so, (a) how and (b) what are the relevant details;
5. Whether the decision not to prosecute was due to the negligence and/or delay of the SAPS in any form and/or part; if not, what is the position in this regard; if so, (a) in what way and (b) what are the further relevant details?

**NW3586E**

**REPLY:**

1. **Mr Orifile Oratile Sedika**

It was alleged that the suspect published social media posts calling for attacks on malls including the Waterfront Mall in Bloemfontein. The matter was struck from the roll due to the delays in finalising the investigations. It is reported that the investigation is now complete, and the matter is with the office of the Director of Public Prosecutions: Free Sate Division for a decision once again.

1. There is no reported evidence that the negligence of the South African Police Service in any form and/ or part caused the delay in the investigation.
2. **Zamaswazi Zinhile Majozi**

It was alleged that the suspect used her Twitter account to call for looting and public unrest. The Director of Public Prosecutions: Gauteng Local Division withdrew the matter and advised that although the suspect was opinionated, she had refrained from endorsing her followers’ violent actions. There was insufficient evidence to give the court an insight into the suspects state of mind.

1. There was no reported evidence that evidence was destroyed, lost and / or tampered with and / or that the chain of command was broken which contributed to the decision not to prosecute in the Majozi matter.
2. There is no reported evidence that the decision not to prosecute was due to the negligence and /or delay of the South African Police Service in any form.