**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 3143**

**DATE OF QUESTION: 13 OCTOBER 2017**

**DATE OF SUBMISSION: 27 OCTOBER 2017**

**Mr M S F de Freitas (DA) to ask the Minister of Justice and Correctional Services:**

Whether he is aware of case 556/8/2017 involving a certain person (name furnished) who has allegedly murdered his son by assaulting him; if not, will his department investigate the specified case; if so, (a) why was the initial charge of assault dropped by the magistrate’s court and (b) why did the state not pursue the case considering that it was one of serious child abuse?

**NW3459E**

**REPLY:**

1. The National Prosecuting Authority has informed me that the person who laid the charge of assault against the accused later submitted a further statement and withdrew the charges. The child was in her custody at the time of making the withdrawal statement. The State relied on this statement and withdrew the charges against the accused.
2. The NPA have informed me that in hindsight, the charges should not have been withdrawn. The charge of assault with intent to do grievous bodily harm will be added to the charge murder against the accused. This matter is on the court roll at the Johannesburg Magistrate’s Court.