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**MINISTRY: JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 3160**

**DATE OF QUESTION: 16 SEPTEMBER 2022**

**DATE OF SUBMISSION: 30 SEPTEMBER 2022**

**Mr W Horn (DA) to ask the Minister of Justice and Correctional Services:**

1. Whether the functionality of the (a) court recording technology and (b) closed-circuit television systems were fully functional in respect of each sexual offences court in the Republic on 1 June 2022; if not, what steps are being taken to restore the court recording technology and closed-circuit television to its full functionality; if so, what are the relevant details;
2. (a) which sexual offences courts in the Republic are not benefitting from the services of a full-time specialist interpreter who has received training on child development and working with persons with a mental disability and (b) what plans are in place in order to ensure that each of the courts benefits from the services of a full-time specialist interpreter?

**NW3872E**

**REPLY:**

1. I wish to acknowledge the challenges that the Department has in ensuring that the Court Recording Technology (CRT) and Sexual Offences Courts’ Systems (SOS), are fully maintained and functional. The Director-General and his Team are working very hard to restore functionality, ensure that relevant technology is available in courts, and ensure that courts are functional. Meetings with relevant Departmental officials, in the National and Provincial Offices, and the current service provider (Datacentrix), are held on a weekly basis to strategically discuss challenges and progress on the project.
2. As at 1 June 2022, there were 1 566 functional CRT machines (77%) and 548 non-functional machines (23%). As of 10 September 2022, 1 794 machines were fully functional (88%) as compared to 230 (12%) that are non-functioning.
3. The number of SOS, that were functioning on 1 June 2022, were 270 (67,8%), and 128 (32,2%), were non-functioning. As of 10 September 2022, 319 (80,2%) SOS were fully functioning, and 79 (19,8%) were not functioning.

Between July 2022 and August 2022, 50 SOS court rooms were upgraded from old to new technology (SOS), and in those courts, the systems are stable. 110 SOS court rooms have been identified for the next phase of the upgrade. The Project is anticipated to be completed by 31 December 2022, where-after all problematic SOS court rooms will be fixed.

The Alternative SOS Solution, that has been considered and is being used by some Provincial Offices, is an attempt to temporarily substitute the normal SOS in the Courtrooms by utilizing the below IT equipment:

* Video-Conferencing Capable Laptops – These devices are meant to connect the Intermediary room and the court room together utilizing two (2) laptops that have built-in camera, microphone and a wireless adapter to ensure that child victims can be both seen and heard during testimony by court participants, and most importantly recorded during the session.
* The other supporting equipment used are lapel microphones (clip-on microphone) for the child victim and headphones with a mouthpiece for the intermediary officer – these ensure sound is carried from both the intermediary officer and child victim into the court.
* The other supporting equipment used in the solution, is the conferencing speakerphones (conference microphone) – This is used to pass/communicate testimonies into the working CRT or alternatively used to record sound from the intermediary and other present court participants into an actively recording laptop via the built-in voice recorder app.
* The platform that is being used to connect the two rooms together is, MS Teams (other Video-conferencing platforms can be used but since this solution is being paid for in-house, that is why Kwa-Zulu Natal chose to use it).
* In closing, other video-conferencing solutions are currently being explored and tested and the above is subject to change, if other cheaper/ cost effective means are found to be stable and efficient.

1. I wish to inform you that the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2021 (Act No. 13 of 2021), does not specifically provide for the appointment of specialist interpreters. However, I wish to inform you as follows:
2. There are no posts created for Special Court Interpreter for the Sexual Offences Courts. Currently, the placement of interpreters in Sexual Offences Courts and matters involving children, people with disabilities and other vulnerable witnesses are mainly based on experience, character and demeanor of the Interpreter.
3. The Department, working closely with the Judiciary and Prosecutors, will design a programme that will be offered to Sexual Offences Courts’ Interpreters. This programme will focus on issues such as child development, needs of people with disabilities and complexities relating to sexual offences.