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**MINISTRY: JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 3398**

**DATE OF QUESTION: 23 SEPTEMBER 2022**

**DATE OF SUBMISSION: 07 OCTOBER 2022**

 **[Dr P J Groenewald (FF Plus) to ask the Minister of Justice and Correctional Services:**

1. Whether his department has received any correspondence from attorneys in Potchefstroom regarding the inadequate maintenance of infrastructure at the Magistrate’s Court building in Potchefstroom; if so, what steps were taken by his department to address the specified challenges;
2. Whether he was informed of the collapse of the roof of the Magistrate’s Court building; if not, why not; if so, what (a) is the cost of the damage to the building and (b) steps have been taken to ensure that court proceedings continue to prevent a backlog of cases as a result;
3. Whether he will make a statement on the matter?

**NW4207E]**

**REPLY:**

1. Yes, the Department has received correspondence regarding maintenance of infrastructure at Potchefstroom Magistrate’s Court. On 27 February 2020, the Department of Public Works and Infrastructure (DPWI) handed over the site to the contractor in order to carry out planned maintenance to the entire building of the Magistrate’s Court but the project was disrupted due to COVID-19 lockdown regulations. However, as soon as the restrictions were lifted and the contractor came back on site, the local business forum intimidated the workers, and added to the delay. The contractor returned on site from 1 August 2022.
2. I have been informed about the collapse of the roof at the Potchefstroom Magistrate’s Court.
3. The DPWI provided a report, titled “Preliminary Investigation Report: Current Condition of the Roof Covering and Safety of the Building”, dated 21 September 2022. Thereafter, a full investigation report on the current condition of all wooden roof trusses will be provided. Once the survey is completed, the Department is expecting to receive the cost estimates of the damages from the DPWI.
4. A contingency plan was compiled together with all the stakeholders at the magistrates’ court as follows:
5. Potchefstroom Magistrate engaged JB Marks Municipality to assist in identifying alternative accommodation. The Municipality made the Town Hall and the Traffic Court available for use by the Department.
6. The District Courts B and E were accommodated at the Town Hall for all cases where the accused persons are out on bail or warning.
7. The Regional Court is accommodated at the Traffic Court for all cases where the accused persons are on bail or warning.
8. All Regional Court matters, where the accused persons are in custody including sexual offences related matters, are heard at the Regional Court.
9. All the cases, whereby the accused persons are in custody including first appearance matters and bail applications, are dealt with at the only available court room, Regional Court 3.
10. The Children’s Court matters are dealt with at the boardroom of the Head of Court.
11. The rest of the Family Court matters (Domestic Violence and Protection from Harassment) including District Civil Court matters are dealt with at the dedicated Children’s Court.
12. The quasi-judicial functions (Small claims, Maintenance applications, Clerk of the Civil Court, Cash Hall, Offices for the Magistrates Regional and District and Public Prosecutors) are accommodated at the additional office space made available on the 1st floor.
13. Transport is made available to transport members of public, accused persons on bail/warning and witness to the respective alternative accommodation.
14. To ensure effective implementation of the contingency plan, 08:00 morning meetings are held with all the JCPS stakeholders to discuss the circumstances prevailing on a daily basis.
15. On 20 September 2022, the Department issued a media statement, titled: “Potchefstroom Magistrates’ Office temporarily evacuated after roof collapse”.