**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 3521**

**DATE OF QUESTION: 16 NOVEMBER 2018**

**DATE OF SUBMISSION: 30 NOVEMBER 2018**

**Adv G Breytenbach (DA) to ask the Minister of Justice and Correctional Services:**

What number of gang-related cases (a) went to court and (b) ended in a successful conviction in each province (i) in the (aa) 2014-15, (bb) 2015-16, (cc) 2016-17 and (dd) 2017-18 financial years and (ii) since 1 April 2018?

**NW4096E**

**REPLY:**

The National Prosecuting Authority (NPA) has informed me that the NPA does not keep statistics per crime type. However, to the extent that particular crimes were attributable to gang activity, the NPA keeps statistical information regarding the implementation of the crimes reported under the Prevention of Organised Crime Act (POCA) since the inception of dedicated organised crime prosecution components in Deputy Public Prosecutions (DPP) divisions. Section 9 of POCA creates specific offences for gang related crimes. However, certain offences such as drug trafficking, murder, attempted murder, intimidation, assault, and robbery are directly related to gang activities and gang membership. The statistics provided therefore include such cases, where it was identified that they were gang related.

The information tabulated below is therefore provided per province and financial year where such cases existed/were recorded. The rest of the provinces do not have such cases.

1. **KwaZulu-Natal**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item** | **2014/15** | **2015/16** | **2016/17** | **2017/18** | **2018 to date** |
| No. of cases prosecuted | 4 | 0 | 1 | 3 | 1 |
| No. of cases convicted | 4 | 0 | 1 | 3 | Pending |

1. **Free State**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item** | **2014/15** | **2015/16** | **2016/17** | **2017/18** | **2018 to date** |
| No. of cases prosecuted | 2 | 1 | 1 | 3 | 6 |
| No. of cases convicted | 2 | 1 | 1 | 3 | 1 (5 pending) |

1. **Western Cape**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item** | **2014/15** | **2015/16** | **2016/17** | **2017/18** | **2018 to date** |
| No. of cases prosecuted | 5 | 18 | 9 | 7 | 11 |
| No. of cases convicted | 5 | 16 | 8 | 6 | 11 (30 cases pending on the roll) |

1. **Gauteng – South Gauteng Division**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item** | **2014/15** | **2015/16** | **2016/17** | **2017/18** | **2018 to date** |
| No. of cases prosecuted | 0 | 0 | 0 | 0 | 9 Pending on court roll |
| No. of cases convicted | 0 | 0 | 0 | 0 | 0 |

1. **Eastern Cape - Grahamstown**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item** | **2014/15** | **2015/16** | **2016/17** | **2017/18** | **2018 to date** |
| No. of cases prosecuted | 15 | 23 | 32 | 63 | 46 |
| No. of cases convicted | 15 | 23 | 32 | 63 | 46 |

1. **Limpopo (became an independent DPP office from January 2016)**

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Item** | **2014/15** | **2015/16** | **2016/17** | **2017/18** | **2018 to date** |
| No. of cases prosecuted | 0 | 0 | 0 | 0 | 1 |
| No. of cases convicted | 0 | 0 | 0 | 0 | 1 |