

**MINISTRY: JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 3555**

**DATE OF QUESTION: 14 OCTOBER 2022**

**DATE OF SUBMISSION: 28 OCTOBER 2022**

**Mr B N Herron (Good) to ask the Minister of Justice and Correctional Services:**

1. Considering that according to the Police Statistics released on 19 August 2022, a total number of 286 rapists were convicted between 1 April and 30 June 2022, what total number of rape cases are currently being prosecuted by the National Prosecuting Authority (NPA);
2. what total number of rape cases were referred to the NPA in the 2021-22 financial year for a decision on prosecution;
3. of the specified rape cases that were referred to the NPA in the past financial year for a decision, what (a) total number of such cases (i) are currently being prosecuted, (ii) were *nolle prosequi* and (iii) were referred back to the SA Police Service for further investigation and (b) is the status of the balance of the cases?

**NW4361E**

**REPLY:**

1. The total number of outstanding rape cases on the court rolls is: 10 118 in the Regional Courts and 5 355 in the District courts. The above is the total number of outstanding cases involving charges of rape as at 28 October 2022. The cases are not recorded in accordance with the dates on which the crimes have been reported at the South African Police Service and cannot directly be linked to the 286 cases reported by the Police for quarter one of the financial year.
2. During the financial year 2021-22, the NPA received 767 799 new dockets for decision. The NPA does not distinguish between crime types.
3. (a) (i) Of the 767 799 decision dockets, which include rape matters, prosecution was

 instituted in 79 319 cases.

(ii) Of the 767 799 dockets which include rape matters, prosecution was declined

 in 401 191 cases.

(iii) Of the 767 799 dockets which include rape matters, 283 719 cases were

 referred for further investigation.

(b)Regarding the balance of the cases, 2 749 were mediated, 770 were adult

diversions and 1 816 cases were finalised by way of an admission of guilt. The rest of the cases were referred for an Inquest in terms of the Inquest Act No. 58 of 1959, the accused were referred for mental observation in terms of Criminal Procedure Act No. 51 of 1977, the accused were referred for criminal capacity assessment, finalized by way of an alternative dispute resolution method, diverted where the accused were young offenders and the rest of the cases are pending awaiting the arrest of the accused who absconded after enrolment of the case.