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**MINISTRY: JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 3628**

**DATE OF QUESTION: 14 OCTOBER 2022**

**DATE OF SUBMISSION: 28 OCTOBER 2022**

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

(a) What court services have been affected following the collapse of the roof at the Potchefstroom Magistrate’s Court on 19 September 2022, (b) how has service delivery been affected within the specified court building, (c) how is the roof collapse impacting litigants, (d) what actions has his department taken to alleviate the negative service delivery effects of the roof collapse and (e) has the collapsed roof resulted in an increase in the court backlog?

**NW4445E**

**REPLY:**

1. I have been informed that court services relating to maintenance, estates, small claims, cash hall where payment processes are done, clerk of the civil courts and the courtrooms for three (3) District Courts and two (2) Regional Courts, were affected.
2. Criminal matters, Family Law matters, and Civil matters were affected as Court cases were postponed where necessary in the first two weeks thereafter alternative accommodation was arranged for court sittings and services to be further rendered to the public.
3. The impact is that litigants now have to travel to alternative accommodation to receive their services and that is mainly for the court sittings that are now temporarily sitting at the alternative accommodation.
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. Yes, the collapsed roof has resulted in an increase in court backlog. The NPA as well as the magistrates are prioritizing the matters on a weekly basis, in the alternative accommodation.