

**MINISTRY: JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIMENATARY QUESTION NO: 3976**

**DATE OF QUESTION: 28 OCTOBER 2022**

**DATE OF SUBMISSION: 11 NOVEMBER 2022**

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

With reference to his recent report to the Portfolio Committee on Justice and Correctional Services that the Specialised Commercial Crime Unit (SCCU) finalised 380 cases with 344 convictions, translating to a conviction rate of 90,5%, what (a) total number of the 380 cases were dealt with by each SCCU unit, (b) were the charges in each specific case, including the quantum, (c) was the identity of the accused in each of the 380 cases, (d) was the specific sentence of each accused in respect of convictions and (e) was the date of (i) enrolment and (ii) finalisation of each case? **NW4945E**

**REPLY**:

1. The finalised cases reported by the National Prosecuting Authority (NPA) include cases disposed-of within the dedicated commercial crimes courts as well as those finalised by the prosecutors of the Specialised Commercial Crimes Unit (SCCU) in other courts, as the NPA measures the performance of the Unit rather than the dedicated courts.

The NPA, in collaboration with the Department of Justice and Constitutional Development (DoJ&CD) and the Judiciary, established various new dedicated commercial crime courts within the Limpopo, Mpumalanga, North-West and Northern Cape Divisions to ensure that each province has at least one dedicated commercial crimes court. the work of the SCCU) within the NPA as well as the dedicated courts are closely monitored and part of agenda points not only within the different management structures of the NPA but also in the other departments. Collaboration is also done in the National Serious Commercial Crimes Steering Committee where all stakeholders participate in improving the conditions and expansion of the dedicated commercial crimes courts.

The table below provides details on the total number of cases dealt with by each Special Commercial Crimes Unit:

|  |  |
| --- | --- |
| **NEW DIVISION**  | **NO. OF SCCU CONVISTIONS**  |
| Bloemfontein  | 10 |
| Cape Town  | 33 |
| Durban  | 47 |
| ECD | 39 |
| Mmabatho  | 6 |
| Mpumalanga  | 9 |
| Mthatha  | 41 |
| Pretoria  | 61 |
| SCCU Johannesburg  | 89 |
| SCCU Polokwane  | 9 |
| **Grand Total**  | **344** |

1. The charges in each case from which the convictions were obtained is attached as Annexure “A”, and it also includes information relating to questions (c), (d) and (e). The data requested is kept manually and the information available, mostly from the dedicated commercial crime courts, has been extracted from the manual registers. The information relating to the quantum is not always included, neither manually or electronically, as it often creates ambiguity when an amount is indicated but in various instances the amount is indicative only of potential value and not actual prejudice sustained. It is also important to note that new selection criteria to adopt cases within the SCCU no longer focus on the quantum of cases but rather the intricacy of cases, national and international priority as well as other complexity- related criteria.

**END**