

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO.: 516**

**DATE OF QUESTION: 26 FEBRUARY 2016**

**DATE OF REPLY: 11 MARCH 2016**

**516. Adv A de W Alberts (FF Plus) to ask the Minister of Justice and Correctional Services:**

(1) How many complaints were laid (a) altogether and (b) against (i) the Government, (ii) government departments and (iii) any government body from 1 January 2015 up to and including 31 January 2016 individually with the SA Human Rights Commission;

(2) How many of the (a) total number of complaints and (b) complaints against (i) the Government, (ii) government departments and (iii) any government body were (aa) finalized, (bb) rejected on technical grounds, (cc) refused on merit, (dd) succeeded on merit and (ee) have still not been finalized;

(3) What is the percentage of each of the different categories of complaint of the (a) total number of complaints and (b) complaints against the Government? NW570E

**REPLY:**

Firstly, I wish to inform the Honourable Member that in terms of section 181 (5) of the Constitution of the Republic of South Africa, the State Institutions supporting Constitutional Democracy, including the South African Human Rights Commission, are accountable to the National Assembly, and must report on their activities and the performance of their functions to the Assembly at least once a year.

Therefore, the South African Human Rights Commission does not report to the Ministry of Justice and Correctional Services, but directly to Parliament.

However, because of the well-established working relationship between the South African Human Rights Commission and the Department of Justice and Constitutional Development, the South African Human Rights Commission has reported as follows regarding the questions raised by the Honourable Member:

Kindly find attached hereto, a consolidated compilation of data, sourced from the South African Human Rights Commission’s (the Commission) nine provincial offices in response to the Parliamentary Question:

* 1. List of complaints laid altogether and against the Government, government departments and any government body from 1 January 2015 up to and including 31 January 2016;
  2. An indication of which of the above matters were finalised, rejected, referred or pending (in terms of the Commission’s Complaints Handling Procedures); and
  3. An indication of the different categories of complaints against the Government.

Due to the large volume of information sought, the data appears in its raw format. However, the SA Human Rights Commission has indicated that should a consolidated report of statistics and the generation of graphs be necessary, the Commission would require additional time in that regard.

Such a consolidated Report has been requested and will be submitted once received.