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**MINISTRY**

**JUSTICE AND CORRECTIONAL SERVICES**

**REPUBLIC OF SOUTH AFRICA**

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO: 650**

**DATE OF QUESTION: 03 MARCH 2023**

**DATE OF SUBMISSION: 17 MARCH 2023**

**Ms N N Chirwa (EFF) to ask the Minister of Justice and Correctional Services:**

In light of the reports that out of 3697 criminal cases of child neglect and child abuse against parents and caregivers, with only 35 being imprisoned in the period starting from 2012 to 2022, what (a) has he found to be the reasons for the situation of only 35 imprisonments, (b) are the demographics surrounding the alleged perpetrators of the criminal charges and (c) steps is his department intending to take to ensure that justice is served timeously to vulnerable children?

**NW722E**

**REPLY:**

Child abuse, neglect or ill-treatment of children as well as the abandonment of children are all offences that are regarded in a very serious light by the National Prosecuting Authority. As such, these cases are heard by the Regional courts and are also prioritised due to the impact of the offence on the children.

The reasons that the court consider in imposing any specific sentence depend on multiple factors which the presiding officer in his/her discretion takes into account. These factors include, inter alia, the circumstances of the offence, the seriousness of the ill-treatment or neglect or injury as well as the age of the victim, the psychological and medical impact or consequences of the offence on the child, etc.

Furthermore, it must be noted that not all of these cases are heard in the Criminal courts, but some are diverted to the Children’s courts where enquiries are then carried out by the presiding officials in line with the procedures in Chapter 4 of the Children’s Act (38 of 2005).

The National Prosecuting Authority is not able to verify the figures that are provided in the question. Our information, from the Electronic Case Management System, indicates a total of 270 cases being disposed between April 2022 and February 2023. From the 270 disposed cases, 92 resulted in convictions and sentences and 19 resulted in acquittals. These cases were dealt with by the Regional courts whilst only 16 less serious cases were sentenced in the District courts over the same period.

**END**