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Department:  
Justice and Constitutional Development  
REPUBLIC OF SOUTH AFRICA

## **MEDIA STATEMENT**

21 September 2021

### **UPDATE ON PROGRESS IN RESTORING JUSTICE SERVICES FOLLOWING RANSOMWARE ATTACK**

Following our earlier communication on the 7<sup>th</sup>, 9<sup>th</sup> and 17<sup>th</sup> of September 2021, the Department informed the general public, its internal users, and relevant external partners that its ICT systems has been compromised and indicated that all its ICT systems have been affected, both from a system administration and end-user perspective. Since the date of the breach, there have been ongoing investigations into the nature and extent of the breach. We also highlighted the ongoing investigations into the nature of the breach and whether personal information had been compromised or not.

### **RESTORING SERVICES TO THE PUBLIC**

Since the breach, the Department's IT team, together with selected industry parties and organs of state, has been working expeditiously to contain the spread of the malware and bringing up services in a safe and secure manner. Priority has been given to services that are affecting the public directly, particularly as it pertains to beneficiary payments, and ensuring that court proceedings continue as planned.

In this regard, over the past two weeks, the Department has prioritised the processing of maintenance payments to beneficiaries that were to be paid during the mid-month payment run. The processing of these payments was successfully completed on 16 September 2021 and every workday since, with most beneficiaries having received their payments from the 16<sup>th</sup> to 20<sup>th</sup> of September

2021. The Department can confirm that to date over 30000 beneficiaries have been paid as part of these 'payment runs'. The system for payment is designed to make payments on every workday of the month, as and when payment is confirmed to have been received. We are in the process of ascertaining from banks and employers who may have sent statements and schedules indicating payments made, during the period when the system was not accessible. It is envisaged that this follow-up with the banks and employers will be completed by the end of this week to enable further payments to beneficiaries once payment received is confirmed. Other processes are underway to address challenges that are being experienced.

As part of the Departments Business Continuity plans, manual processes have been put in place to ensure that courts can operate normally, with manual court recording functionality for court proceedings having been instituted. In the past week the electronic recording of court proceedings had been restored since 16 September 2021 and as such most courts are operating as normal.

The Masters Offices around the country continue to, as an interim measure, use a manual process to provide bereaved families, in exceptional cases, where there is a need to access funds from the deceased's banking account for burial costs. In this regard, the Offices of the Master of the High Court continues to provide the MBU 12 forms to bereaved families, in the interim that allows the family members access to the accounts of the deceased for the purpose of acquiring funds to pay for burial costs of the deceased. However, manual letters of executorship or authority still cannot be issued during this crisis period, so as to address the risk of fraud. The Guardian's Fund regrettably, remains inaccessible, with every effort being made to restore some functionality during this week.

## **RESTORING INTERNAL FUNCTIONALITY**

In the week of 13 September 2021, the Department spent a great deal of time bringing its internal systems back online, starting with its website. As an interim measure, senior management and officials who are critical to the rendering of key services have been placed on an alternate, secured email system. The Department is in the processes of extending this functionality to all employees during this week. Further to that, a process is underway to bring online more internal systems such as those used in the administration of justice (i.e. leave management, case management, guardians fund, etc.) and financial administration (such as BAS and Persal). BAS and Persal are systems used across government departments to pay suppliers and employees. In the meantime, manual processes, or arrangements with sister government departments (i.e. Department of Correctional Services, Office of the Chief Justice) are in place to ensure continuation of administrative financial processing, by providing alternative access to BAS and Persal specifically. The Department is confident that by bringing these remaining systems online, the Department will enter a phase of normalcy in the next couple of weeks.

## **REPORTING THE BREACH**

The Department regards this incident as a crime. In so far as reporting the breach to relevant law enforcement agencies is concerned, the matter was reported as early as the 10<sup>th</sup> of September 2021. The Department is actively engaging with law enforcement agencies in this regard.

As per the requirements of the Protection of Personal Information Act, 2013 (Act No.4 of 2013) (POPIA), the Department reported the matter to the Information Regulator on the 13<sup>th</sup> of September 2021. The CEO of the Information Regulator was informed that the Department's systems had been compromised and indicated

that all its ICT systems had been affected. The Information Regulator was also informed of the ongoing investigations into the nature of the breach and whether personal information had been compromised or not. This was in terms of section 22 (1) of POPIA. However, at the time, with investigations still ongoing, the IT team found no indication that any personal information was compromised.

## **LOSS OF PERSONAL INFORMATION**

Upon receiving a further report following the ongoing investigation into the breach, it was reported on 19 September 2021 that some personal information might have been exfiltrated (ie data having been accessed and sent outside of the organization). We are in the process of establishing the exact nature of personal information that has been accessed (e.g. addresses, email, etc), as well as the affected parties involved.

## **UPDATING REPORTING IN TERMS OF POPIA**

Following the receipt of correspondence from the Information Regulator, the Department has reported the outcome of the investigation report on the exfiltration of personal information with the Information Regulator in a letter dated 20 September 2021. This is again in compliance with the POPIA. Further, as required by law, and as soon as the Department is in a position to do so, we will endeavour to take all reasonable steps in terms of alerting affected data subjects of the breach, the extent of the breach, as well measures to ensure it doesn't re-occur.

## **RECOVERY EFFORTS AND RISK MITIGATION**

As part of our ongoing recovery effort the Department is already putting in place measures to ensure that this type of breach will not re-occur, including upgrading our ICT security infrastructure (e.g. antivirus, backups anti-malware solutions, etc),

proactive security and event monitoring, and ensuring more stringent access control (electronic and physical).

## **MISLEADING AND FALSE MEDIA REPORTS**

The Department of Justice and Constitutional Development has noted with grave concern inaccurate media reports about the ongoing work of recovering its Information Technology systems following a ransomware attack.

In this regard, there has been some reports that the Departments backups had been lost, and that a ransom note of R33 million has been received. The Department would like to place it on the record that although the breach is attributed to a family of ransomware, it has not received any ransom demand following the breach as suggested by an article on <https://mybroadband.co.za/news/> published on 20 September 2021. Furthermore, the Department is currently busy rebuilding its backup infrastructure, and so far has not experienced any encryption in this regard.

The Department wishes to assure the public that further investigation is ongoing to establish the identity of the perpetrators behind the attack. The Director-General and senior management of the Department continues to work around the clock to ensure that this challenge is resolved.

The Department sincerely apologises for the delays that have been experienced by members of the public, our stakeholders and our partners.

### **ISSUED BY:**

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