



**MINISTRY OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
REPUBLIC OF SOUTH AFRICA**

**TO : ALL MEDIA
ATTENTION : NEWS EDITORS/NEWS WIRES
DATE : WEDNESDAY, 14 MAY 2025**

**MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT MMAMOLOKO
KUBAYI REPLIES TO QUESTIONS IN THE NATIONAL ASSEMBLY**

**QUESTION 1: MINISTER ON MEETING THE PUBLIC PROTECTOR'S REQUEST
FOR THE MINISTRY TO CONDUCT AN AUDIT OF ALL COURTS TO
DETERMINE INFRASTRUCTURE NEEDS, UPGRADES OR RENOVATE.**

On gender-based violence the Department has adopted a victim centered approach which is aimed at ensure the victims are given the best service and a conducive environment to deal with their cases and also avoid secondary victimization.

Thus, the minor capital works audit of the 38 courts visited by the Public Protector was prioritized and included in the 82 courts targeted in the 2024 – 2025 financial year.

Despite the initial target, the Department successfully completed 108 Minor Capital Works projects, exceeding the planned scope.

In addition, the Public Protector required that an audit of the furniture and office equipment also be finalized within 180 calendar days from the date of the Public Protector's Report.

As stated in the response to the Public Protector, the Department requested an extension to finalize its audit.

The audit of all 9 provinces has now been completed and procurement plans have been initiated where required.

I have further visited some of the courts to deal with ensuring that filing systems are in place for GBVF and Maintenance as first priority.

QUESTION 2: MINISTER ON THE REQUEST BY THE NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS (NDPP) TO THE PRESIDENT OF THE REPUBLIC TO SUSPEND THE DIRECTOR OF PUBLIC PROSECUTIONS IN SOUTH GAUTENG, ADVOCATE ANDREW CHAUKE.

Thank you very much, Deputy Speaker, and thank you, Honourable Member. Firstly, let me indicate that not that nothing has been done on the matter.

Indeed, the NDPP made the submission through the Minister to the President, which necessitated for a request of a full report, which took time in terms of submission.

So there are timeframes that we have provided in terms of how the matter has been done.

For example, the report between what the President has requested and what has been provided took more than eight months to the President.

As I arrived in the portfolio, final report was submitted in terms of compliance with what the President has requested, which was submitted to the President at the beginning of this year, and the matter is at advance stage.

As this matter is more of a legal process and also labour matter, I would not want to deal with the details in case it does jeopardize the process.

I can assure the member that the matter has received adequate attention, and the President is at final stages of dealing with it.

QUESTION 3: MINISTER ON THE ROLE THE DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT IS PLAYING TO SUPPORT THE NATIONAL PROSECUTING AUTHORITY IN THE PROVISION OF SECURITY FOR PERSECUTORS

Prosecutors play a crucial role in upholding justice. Their safety is a legitimate concern, particularly when handling high profile or sensitive cases, and ensuring their safety is essential for the effective functioning of the justice system.

The rule of law depends on it. The recent murder of a prosecutor in Engcobo, Eastern Cape instilled fear among other prosecutors, and police investigations are still underway.

Thus far, there has been three killings, one was a freak accident in 2019, and two murders, one in 2021 and the latest one in Engcobo. While these murders are tragic, there is no evidence that there is a rising number of murders and assaults of prosecutors, as the statistics reported above reveal.

To honour these courageous prosecutors who die in the line of duty, the NPA erected a wall of remembrance at their headquarters in Pretoria, which was unveiled in their honour, in a ceremony in May 2023 and their families were invited.

Security measures for prosecutors

The NPA's security management establishment is headed by the Chief Director: Security Management Service (SMS). The SMS Chief Directorate has a footprint in all DPP Divisions, represented by security officials to coordinate local security matters and liaise with the national office.

The NPA has an approved policy on Employee Assistance and Close Protection, and is also part of the DoJ&CD's outsourced security services contract, in which special services (Close Protection) is included.

In an event where there is a threat against the life of a prosecutor or any other NPA employee, the Chief Directorate immediately conducts a threat assessment in consultation with the SAPS Investigating Officer and Crime Intelligence to determine the level of threat and should such threat be confirmed, to provide adequate security measures in the form of deployment of close protection and static guarding in the employee's private residence. In the event that the threat is direct and imminent, activation of close protection services is activated immediately.

The SMS unit has a dedicated team that coordinates with all relevant security agencies and the DoJ's Security Management unit in any high risk/ high profile cases during court appearances, to ensure effective security of prosecutors in court. There are currently 24 prosecutors who have close protection, after a threat analysis has been conducted and confirmed.

Geographical Summary of Protection Per Division over 5 years

Division	2021	2022	2023	2024	2025
KZN	5	15	18	5	5
Western Cape	5	7	8	10	11
Eastern Cape	4	5	3	4	4
Limpopo	1	3			
Mpumalanga	1	2	3	2	2
Gauteng North	2	5	2		
Gauteng South	1	2	2	1	1
Free State		1	1		
Northern Cape				1	1
Total	19	40	37	23	24

QUESTION 4: MINISTER ON THE SHOOTING INCIDENT AT THE WYNBERG MAGISTRATE COURT IN CAPE TOWN AND ON THE SAFETY OF COURT USERS INCLUDING JUDICIAL OFFICERS AND WITNESSES IN GENERAL

- (a) The investigation is conducted by SAPS and the department is working together with SAPS to address the matter.
- (b) The safety of our courts is of the utmost importance because not only is it necessary to protect the lives of the legal practitioners and all people who access

our courts but it is also a necessity for the protection of the independence of the Judiciary.

The regrettable incident at the Wynberg Magistrate's court was a reminder that there is need to regularly assess the security and put the necessary mechanisms where necessary.

After the incident, a security assessment was conducted on the safety of the court. A security assessment necessitated an increased security intervention. The following were put in place as operational interventions:

Magistrates' Offices (First Floor)

- Installation of steel burglar gates with remote access buttons at desks.
- Wide-angle peepholes added to all office doors.

Prosecutors' Offices

- 43 offices will receive steel security gates, remote buttons, and peepholes.
- Specifications being finalized; proceeding with the procurement procedure.

Chief Magistrate's Administration Area

- Passageway to be secured with burglar gates.
- Public access controlled via a bell; loitering is prohibited.

Stakeholder Coordination

- SAPS and Prosecution to provide advance notice of high-profile/gang-related cases.
- Joint planning for court appearances involving state witnesses in high profile cases.

Walkthrough Scanner Replacement:

- A loaned scanner from the DPP's office to be used until August, whilst finalising the procurement processes.
- Procurement of a new multi-purpose scanner (detecting metal, copper, drugs, steel, and plastic) is underway for the front entrance.
- A basic scanner to be installed at the judiciary's back entrance.

Parking and Access Adjustments

- Joint application to the City of Cape Town for dedicated parking in front of the court.
- DPP instructed all prosecutors to enter through the front security checkpoint.

Increased Security Staffing

- Guard complement increased from 8 to 11.
- 3 in-house security officers added to regular patrols.

- SAPS to ensure a court orderly in each courtroom.
- Application submitted to assign two orderlies per courtroom.
- Orderlies to provide visible policing when courts are not in session.

The security of other courts is being finalised. Interventions will be put in place in line with the risk assessment. Security committee at courts will be implemented to regularly review the state of security and proactive plans to avert any possible breach.

Media enquiries: Terrence Manase, Spokesperson to the Minister – 082 338 6707

**ISSUED BY THE MINISTRY OF JUSTICE AND CONSTITUTIONAL
DEVELOPMENT OF THE REPUBLIC OF SOUTH AFRICA**