



1. ITEM NUMBER : **SS 08/11/20**

2. SUBJECT

REPORT ON THE FUNCTIONING OF THE MUNICIPAL COURTS FOR THE PERIOD 1 JULY 2020 TO 30 SEPTEMBER 2020.

ONDERWERP

VERSLAG OOR DIE WERKING VAN DIE MUNISIPALE HOWE VIR DIE TYDPERK 1 JULIE 2020 TOT 30 SEPTEMBER 2020

ISIHLOKO

VERSLAG OOR DIE WERKING VAN DIE MUNISIPALE HOWE VIR DIE TYDPERK 1 JULIE 2020 TOT 30 SEPTEMBER 2020

3. STRATEGIC INTENT

- Opportunity City
- Safe City
- Caring City
- Inclusive City
- Well-run City

4. PURPOSE

The purpose of the report is to provide an overview of cases submitted to Municipal Courts as well as statistical information in respect of representations entertained by Municipal Court Prosecutors for the period 1 July 2020 to 30 September 2020.

5. FOR NOTING BY / FOR DECISION BY

- This report is for noting only/information only.

6. EXECUTIVE SUMMARY

This report provides a statistical case outcome review of Land Use / Building Survey; Traffic and General Cases as well as the representation decisions made by Prosecutors during the period 1 July 2020 to 30 September 2020.

7. RECOMMENDATIONS

It is recommended that the statistical report for the period 1 July 2020 to 30 September 2020 on the outcome of cases within the Municipal Courts be noted.

AANBEVELING

Daar word aanbeveel dat daar kennis geneem word van die statistiese verslag oor die uitslag van sake in die munisipale howe vir die tydperk 1 Julie 2020 tot 30 September 2020.

IZINDULULO

Kundululwe ukuba makuqwalaselwe ingxelo yenkcazelo-manani yesithuba esisusela ngowo-1 kweyeKhala 2020 ukuya kowama-30 kweyoMsintsi 2020 ngokujoliswe kwiziphumo zamatyala kwiiNkundla zikaMasipala.

M1406

8. DISCUSSION/CONTENTS

The following information relates to the outcome of cases and statistics submitted as per annexures for the period 01 July 2020 to 30 September 2020.

8.1. Staff Implications

Does your report impact on staff resources, budget, grading, remuneration, allowances, designation, job description, location or your organisational structure?

No

Yes

ANNEXURES

Annexure A: Municipal Courts – Monthly Statistics: July, August & September 2020

Annexure B: Statistics- Building & Land Use cases: July, August & September 2020

Annexure C: Prosecutor Decisions (Traffic Offences): July, August & September 2020

FOR FURTHER DETAILS CONTACT:

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DIRECTOR:
Glenda Jeffries

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DATE _____

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EXECUTIVE DIRECTOR
Craig Kesson

NAME _____
DATE _____

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Comment:

LEGAL COMPLIANCE

For information

NAME _____
DATE _____

MUNICIPAL COURTS-MONTHLY STATISTICS: JULY 2020

ANNEXURE A1

TRAFFIC CASES	Cape Town	Wynberg	Simonstown	Goodwood	Parow	Bluedowns	Mitchells Plain	Strand	Somerset West	Khayelitsha	Atlantis
Cases Enrolled & Prepared for the Magistrate	65220	33760	248	1035	2263	3996	272	448	79	1576	245
Warrants of Arrest authorised	3892	1138	182	252	1740	0	73	39	46	0	152
Withdrawn	689	1257	4	2	1	37	0	0	0	0	5
Struck off Roll (Magistrate)	1243	987	55	765	436	3902	199	180	23	446	67
Cases remanded	6	111	2	0	26	31	0	0	10	5	0
Total cash received	R639610.	R832340.	R82580.	R295840.	R715530.	R245890..	R219200.	R119690.	R167100.	R123800.	R84340.

SECTION 72 WARNINGS	Cape Town	Wynberg	Simonstown	Goodwood	Parow	Bluedowns	Mitchells Plain	Strand	Somerset West	Khayelitsha	Atlantis
Sec 72 enrolled	257	250	38	152	292	33	49	1	7	355	6
Sec 72 Warrants of Arrest (double contempt bench warrant)	10	204	2	0	136	0	12	0	7	0	4

GENERAL CASES BY - LAW ENFORCEMENT (Section 56)	Cape Town	Wynberg	Simonstown	Goodwood	Parow	Bluedowns	Mitchells Plain	Strand	Somerset West	Khayelitsha	Atlantis
Cases Enrolled	1531	51	477	0	10	8	872	0	183	33	354
Warrants of Arrest authorised	207	19	208	0	2	0	129	0	69	0	113
Warrants of Arrest signed out	0	0	0	0	0	0	0	0	6	0	0
Withdrawn	0	2	15	0	0	0	1	0	0	0	5
Struck off Roll (Magistrate)	1323	0	245	0	0	4	734	0	21	33	225
Cases remanded	0	25	7	0	8	5	8	0	8	0	0
Total cash received	R27860.	R6000.	R6800.	R0	R0	R100.	R500.	R1000.	R3990.	R0	R0

Definitions

- Struck off Roll** - *A matter is struck off the roll by the Magistrate if there are any discrepancies with the case, i.e. incorrect suburb, incorrect charge, and incomplete particulars of the offender.*
- Section 72 Warnings** - *An offender is arrested at the roadblock, but released in terms of section 72 of the Criminal Procedure Act and given another court date to appear.*
- Double contempt bench warrant** - *This is , in essence, a second warrant after failing to appear in court on a section 72 warning.*
- Enrolled** - *Matters written in the court register.*

MUNICIPAL COURTS-MONTHLY STATISTICS: AUGUST 2020

ANNEXURE A2

TRAFFIC CASES	Cape Town	Wynberg	Simonstown	Goodwood	Parow	Bluedowns	Mitchells Plain	Strand	Somerset West	Khayelitsha	Atlantis
Cases Enrolled & Prepared for the Magistrate	5781	2861	61	1141	3891	3511	475	306	196	1203	140
Warrants of Arrest authorised	4707	1873	52	580	3165	120	197	128	131	996	113
Withdrawn	298	29	0	14	40	0	0	1	1	1	0
Struck off Roll (Magistrate)	530	908	6	508	426	3322	302	172	48	179	16
Cases remanded	18	137	0	7	88	0	0	2	13	5	0
Total cash received	R817220.	R980050.	R88100.	R434820.	R7610.	R220320.	R324620.	R122630.	R137600.	R103440.	R56730.

SECTION 72 WARNINGS	Cape Town	Wynberg	Simonstown	Goodwood	Parow	Bluedowns	Mitchells Plain	Strand	Somerset West	Khayelitsha	Atlantis
Sec 72 enrolled	1032	761	26	337	350	160	29	11	28	25	11
Sec 72 Warrants of Arrest (double contempt bench warrant)	97	430	10	72	143	30	29	9	12	22	0

GENERAL CASES BY - LAW ENFORCEMENT (Section 56)	Cape Town	Wynberg	Simonstown	Goodwood	Parow	Bluedowns	Mitchells Plain	Strand	Somerset West	Khayelitsha	Atlantis
Cases Enrolled	2707	80	277	1	17	19	740	0	6	16	165
Warrants of Arrest authorised	1096	30	244	0	15	14	126	0	0	0	67
Warrants of Arrest signed out	0	37	0	0	1	0	0	0	0	0	0
Withdrawn	21	4	6	0	1	1	1	0	0	0	0
Struck off Roll (Magistrate)	10567	0	11	0	0	4	610	0	2	16	93
Cases remanded	19	37	9	1	1	0	2	0	2	0	0
Total cash received	R31580.	R5600.	R9750.	R0.	R0.	R7000.	R20500.	R0.	R1500.	R0	R0.

Definitions

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- Section 72 Warnings** - *An offender is arrested at the roadblock, but released in terms of section 72 of the Criminal Procedure Act and given another court date to appear.*
- Double contempt bench warrant** - *This is , in essence, a second warrant after failing to appear in court on a section 72 warning.*
- Enrolled** - *Matters written in the court register.*

MUNICIPAL COURTS-MONTHLY STATISTICS: SEPTEMBER 2020

ANNEXURE A3

TRAFFIC CASES	Cape Town	Wynberg	Simonstown	Goodwood	Parow	Bluedowns	Mitchells Plain	Strand	Somerset West	Khayelitsha	Atlantis
Cases Enrolled & Prepared for the Magistrate	5255	3937	373	1648	3489	3511	953	258	3333	1519	159
Warrants of Arrest authorised	4506	2815	340	1214	2755	120	582	159	209	1383	23
Withdrawn	173	0	10	38	2	0	1	2	3	3	0
Struck off Roll (Magistrate)	347	976	3	259	254	3322	344	89	19	95	35
Cases remanded	8	45	0	27	17	0	4	3	12	12	0
Total cash received	R830410	R1171100.	R109840.	R579130.	R926710.	R304980.	R338090.	R116220.	R153600.	R102430.	R87710.

SECTION 72 WARNINGS	Cape Town	Wynberg	Simonstown	Goodwood	Parow	Bluedowns	Mitchells Plain	Strand	Somerset West	Khayelitsha	Atlantis
Sec 72 enrolled	1034	623	27	963	234	72	10	6	18	0	8
Sec 72 Warrants of Arrest (double contempt bench warrant)	509	364	13	71	108	63	32	4	15	0	0

GENERAL CASES BY - LAW ENFORCEMENT (Section 56)	Cape Town	Wynberg	Simonstown	Goodwood	Parow	Bluedowns	Mitchells Plain	Strand	Somerset West	Khayelitsha	Atlantis
Cases Enrolled	317	55	34	1	5	39	11	0	46	0	39
Warrants of Arrest authorised	111	19	25	0	0	20	0	0	21	0	17
Warrants of Arrest signed out	0	17	0	0	0	0	0	0	0	0	0
Withdrawn	30	0	1	1	0	2	1	0	0	0	0
Struck off Roll (Magistrate)	160	1	2	0	0	6	0	0	19	0	20
Cases remanded	14	27	3	0	0	1	0	0	6	0	0
Total cash received	R20160.	R4550.	R12850.	R0.	R10850.	R1630.	R0.	R0	R0	R0	R2500.

Definitions

- Struck off Roll** - *A matter is struck off the roll by the Magistrate if there are any discrepancies with the case, i.e. incorrect suburb, incorrect charge, and incomplete particulars of the offender.*
- Section 72 Warnings** - *An offender is arrested at the roadblock, but released in terms of section 72 of the Criminal Procedure Act and given another court date to appear.*
- Double contempt bench warrant** - *This is , in essence, a second warrant after failing to appear in court on a section 72 warning.*
- Enrolled** - *Matters written in the court register.*

Annexure C**REPRESENTATION DECISIONS - JULY 2020**

PROSECUTOR	NUMBER OF REPRESENTATIONS	SUM OF ORIGINAL AMOUNT	SUM OF REVISED AMOUNT	% OF ORIGINAL FINE	SUM OF REDUCED BY
PP/A	199	R 139.800	R 71.780	51%	49%
PP/B	173	R 130.500	R 79.360	61%	39%
PP/D	525	R 325.450	R 224.360	69%	31%
PP/H	784	R 545.100	R 250.800	46%	54%
PP/I	267	R 241.950	R 136.340	56%	44%
PP/J	435	R 288.350	R 152.630	53%	47%
PP/K	205	R 167.650	R 87.150	52%	48%
PP/M	123	R 90.500	R 57.340	63%	37%
PP/P	315	R 225.700	R 149.200	66%	34%
PP/Q	126	R 90.750	R 60.880	67%	33%
PP/R	139	R 106.100	R 64.170	60%	40%
PP/S	160	R 128.300	R 72.070	56%	44%
TOTAL	3451	R 2.480.150	R 1.406.080		

REPRESENTATION DECISIONS - AUGUST 2020

PROSECUTOR	NUMBER OF REPRESENTATIONS	SUM OF ORIGINAL AMOUNT	SUM OF REVISED AMOUNT	% OF ORIGINAL FINE	SUM OF REDUCED BY
PP/A	352	R 287.960	R 161.800	56%	44%
PP/B	202	R 176.350	R 106.030	60%	40%
PP/D	810	R 525.550	R 360.870	69%	31%
PP/H	645	R 394.450	R 176.610	45%	55%
PP/I	233	R 206.300	R 101.040	49%	51%
PP/J	513	R 347.600	R 190.140	55%	45%
PP/K	527	R 377.950	R 195.130	52%	48%
PP/M	186	R 130.400	R 84.430	65%	35%
PP/P	148	R 103.750	R 68.960	66%	34%
PP/Q	221	R 156.600	R 95.620	61%	39%
PP/R	141	R 109.600	R 56.400	51%	49%
PP/S	172	R 123.500	R 68.420	55%	45%
TOTAL	4150	R 2.940.010	R 1.665.450		

REPRESENTATION DECISIONS - SEPTEMBER 2020

PROSECUTOR	NUMBER OF REPRESENTATIONS	SUM OF ORIGINAL AMOUNT	SUM OF REVISED AMOUNT	% OF ORIGINAL FINE	SUM OF REDUCED BY
PP/A	374	R 279.180	R 145.160	52%	48%
PP/B	188	R 146.750	R 85.040	58%	42%
PP/D	712	R 463.450	R 295.710	64%	36%
PP/H	446	R 284.510	R 137.580	48%	52%
PP/I	204	R 155.310	R 78.200	50%	50%
PP/J	789	R 523.150	R 272.250	52%	48%
PP/K	550	R 381.500	R 199.530	52%	48%
PP/M	226	R 159.100	R 107.030	67%	33%
PP/P	80	R 58.150	R 36.240	62%	38%
PP/Q	205	R 150.950	R 91.770	61%	39%
PP/R	188	R 148.100	R 81.700	55%	45%
PP/S	30	R 24.100	R 12.700	53%	47%
TOTAL	3992	R 2.774.250	R 1.542.910		

Legal Services: Municipal Courts

BUILDING & LAND USE CASES

July 2020 - September 2020

Court	Enrolled Date	Finalised Date	Name & Address	Area	Contravention	Outcome	Prosecutor
Wynberg	28-Oct-19	20-Jul-20	W Viljoen 8 Van Breda Street	Constantia	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R2000.00	Kayleigh Devlin
Strand	19-Nov-19	21-Jul-20	T Njova 5 Nobhle Way	Lwandle	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R500.00	Bryan Frazenburg
Simonstown	10-Mar-20	21-Jul-20	M Metcalfe 23 Peak Road	Fish Hoek	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R2500.00	Kayleigh Devlin
Wynberg	23-Oct-19	24-Jul-20	LL Marinus 5 Parsley Crescent	Kewtown	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1500.00	Kayleigh Devlin
Wynberg	23-Mar-20	24-Jul-20	J Jefferies 9 Main Road	Plumstead	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R5000.00	Kayleigh Devlin
Wynberg	22-Jan-20	27-Jul-20	S Ali 43 Duiker Avenue	Lotus river	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R2000.00	Faranaaz Bassier
Wynberg	04-Jul-18	27-Jul-20	G Jacobs 182 Ottery Road Golf Links Estate	Wynberg	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1500.00	Faranaaz Bassier
Mitchells Plain	03-Dec-18	30-Jul-20	S Pastor 47 Koornhoop Road	Westridge	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R500.00	Titus Fredericks
Bluedowns	03-Apr-18	11-Aug-20	H Ahmed 32 Caracas Street	Malibu Village	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R500.00	Ronel Cleophas
Wynberg	22-Jan-20	14-Aug-20	PA Cape 1 Owen Drive	Meadowridge	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R5000.00	Kayleigh Devlin
Wynberg	18-Aug-19	19-Aug-20	M Cupido 34 Saxo Street	Steenberg	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1000.00	Kayleigh Devlin
Wynberg	22-Nov-19	19-Aug-20	T Soni 20 Woodbury Road	Ottery	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1500.00	Kayleigh Devlin
Cape Town	12-Feb-20	20-Aug-20	JA Mohamedi 14 Tilers Street	Summer Greens	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R500.00	Vusi Silile
Wynberg	16-Aug-17	21-Aug-20	M Gleeson 32 Andrews Road	Houtbay	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R3000.00	Faranaaz Bassier
Wynberg	04-Nov-19	24-Aug-20	AG Palekar 19 Dolphin Way	Landsdowne	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1500.00	Faranaaz Bassier
Cape Town	13-Mar-20	25-Aug-20	C Worp 3 Camden Street	Tamboerskloof	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R2200.00	Vusi Silile

Legal Services: Municipal Courts

BUILDING & LAND USE CASES

July 2020 - September 2020

Court	Enrolled Date	Finalised Date	Name & Address	Area	Contravention	Outcome	Prosecutor
Wynberg	16-Nov-18	27-Aug-20	WH Hufke 6 Hancock Road	Plumstead	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R2500.00	Faranaaz Bassier
Mitchells Plain	27-Feb-20	28-Aug-20	VG Schoulas 73 Sailfish Road	Bayview	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1000.00	Titus Fredericks
Wynberg	29-Jan-20	04-Sep-20	A Galant 20 Topshame Road	Ottery	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1500.00	Kayleigh Devlin
Wynberg	25-Nov-19	04-Sep-20	PR Samuels 1 Fairway Avenue	Fairways	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1500.00	Kayleigh Devlin
Cape Town	07-May-20	10-Sep-20	F Davids 12 Gousblom Road	Pinelands	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R2500.00	Vusi Silile
Wynberg	20-Jan-20	14-Sep-20	C White 30 Galway Road	Heathfield	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1500.00	Kayleigh Devlin
Wynberg	18-Sep-19	14-Sep-20	M Hartley 1A Don Street	Manenberg	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R2000.00	Kayleigh Devlin
Cape Town	06-Sep-19	14-Sep-20	TK Newman 277 Oceanview Drive	Seapoint	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R2500.00	Vusi Silile
Parow	17-Aug-20	16-Sep-20	F Beukes 7 Lobelia Street	Wellway park	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1500.00	Adathalynn Appollis
Parow	16-Sep-20	16-Sep-20	W Baartman 48 Froetang Crescent	Roosendal	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1000.00	Adathalynn Appollis
Parow	16-Sep-20	16-Sep-20	J Van Rooyen Unit 4 1311A Frank Louw Avenue	Bellville South	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1000.00	Adathalynn Appollis
Parow	16-Sep-20	16-Sep-20	WA Enslin 21 Bosbok Street	Aurora	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R3000.00	Adathalynn Appollis
Wynberg	07-Aug-19	23-Sep-20	KP Collins 5 Melrose Walk	Claremont	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R5000.00	Kayleigh Devlin
Wynberg	13-Mar-19	25-Sep-20	R Goosen 8 Protea Street	Kewtown	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R5000.00	Kayleigh Devlin
Cape Town	29-Sep-20	29-Sep-20	V & W Franciscolasker 3 Clarendon Crescent	Brooklyn	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1000.00	Vusi Silile
Wynberg	17-Feb-20	29-Sep-20	M Dirkse Bermuda Close	Manenberg	Contravening Section 4(1) of NBR. Wrongfully and unlawfully performed building works without approved plans	Finalised R1500.00	Faranaaz Bassier