

What can one do when you are unhappy with a case that was removed from the court roll?

Contact the Department of Community Safety: Court Watching Brief Unit.

- Members of the Unit:
- Adv Anthea Michaels
  - Adv Leslie Morris
  - Adv Simvile Nonkula

email: [Monitor.GBV@westerncape.gov.za](mailto:Monitor.GBV@westerncape.gov.za)



Department of Community Safety  
Court Watching Briefs

## Court Watching Briefs

### Overview

The Court Watching Brief Unit is an initiative of the Department of Community Safety (DoCS) to enhance its ability to perform oversight over the police as mandated by Section 206(3) of the Constitution.

The Section entitles the Department to:

- Monitor police conduct;
- Oversee the effectiveness and efficiency of the police service;
- Promote good relations between the police and the community and
- Assess the effectiveness of visible policing.

The oversight is performed by visiting various courts in the Western Cape to monitor police conduct as well as the efficiency and effectiveness of the South African Police Service (SAPS). The primary objective of the Court Watching Briefs is to contribute towards promoting professional policing and accountability in line with the National Development Plan.

### What is the role of the Unit?

The Court Watching Brief Unit (CWB) monitors criminal cases struck off the court roll as a result of possible SAPS inefficiencies.

Members conducting the Court Watching Briefs are required to physically visit the various courts and act as an observer during court proceedings; to peruse the charge sheets, court records and case dockets and to interact with relevant role players ie. Investigating Officers, Prosecutors, Court Clerks, Magistrates, and victims of crime.

Charge sheets and case dockets which are excluded are those that fall outside the DoCS mandate in terms of Section 206 (3) of the Constitution i.e., where complainants filed withdrawal statements, where there was a mediation or diversion, where the complainant does not want to proceed with the matter, or where the accused was cautioned and discharged.



### Oversight Role

A court watching brief tool is used to capture all relevant information extracted from the court records.

Where cases of SAPS inefficiencies are identified, these are recorded, analysed and compiled into a Report.

Examples of such inefficiencies are:

- Failure to bring the case docket to court;
- Failure to complete an investigation within a reasonable time;
- Failure to subpoena relevant witness/es;
- Failure to bring the accused to court from police custody;

- Failure to comply with the instructions of the prosecutor.

### What happens with cases that are removed from the court roll?

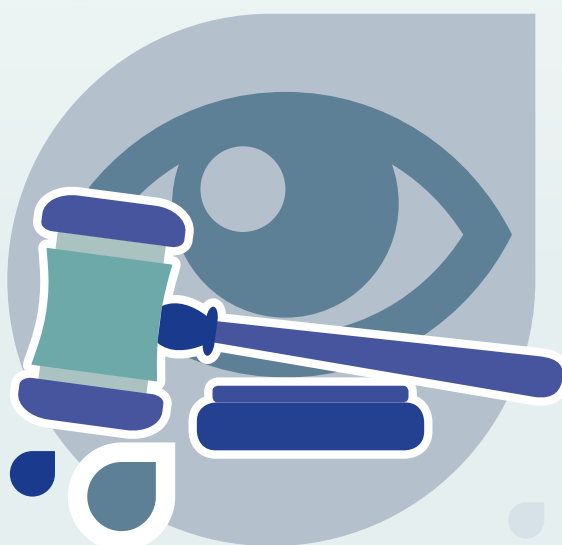
Cases that are struck off the court roll due to SAPS systemic failures are captured and reported to the Provincial Commissioner with the aim to facilitate a process where remedial action is taken to finalize these cases or to take disciplinary action where necessary.

What can one do when you are unhappy with a case that was removed from the court roll?

Contact the Department of Community Safety: Court Watching Brief Unit.

- Members of the Unit:
- Adv Anthea Michaels
  - Adv Leslie Morris
  - Adv Simvile Nonkula

email: [Monitor.GBV@westerncape.gov.za](mailto:Monitor.GBV@westerncape.gov.za)



Department of Community Safety  
Court Watching Briefs

## Court Watching Briefs

### Overview

The Court Watching Brief Unit is an initiative of the Department of Community Safety (DoCS) to enhance its ability to perform oversight over the police as mandated by Section 206(3) of the Constitution.

The Section entitles the Department to:

- Monitor police conduct;
- Oversee the effectiveness and efficiency of the police service;
- Promote good relations between the police and the community and
- Assess the effectiveness of visible policing.

The oversight is performed by visiting various courts in the Western Cape to monitor police conduct as well as the efficiency and effectiveness of the South African Police Service (SAPS). The primary objective of the Court Watching Briefs is to contribute towards promoting professional policing and accountability in line with the National Development Plan.

### What is the role of the Unit?

The Court Watching Brief Unit (CWB) monitors criminal cases struck off the court roll as a result of possible SAPS inefficiencies.

Members conducting the Court Watching Briefs are required to physically visit the various courts and act as an observer during court proceedings; to peruse the charge sheets, court records and case dockets and to interact with relevant role players ie. Investigating Officers, Prosecutors, Court Clerks, Magistrates, and victims of crime.

Charge sheets and case dockets which are excluded are those that fall outside the DoCS mandate in terms of Section 206 (3) of the Constitution i.e., where complainants filed withdrawal statements, where there was a mediation or diversion, where the complainant does not want to proceed with the matter, or where the accused was cautioned and discharged.



### Oversight Role

A court watching brief tool is used to capture all relevant information extracted from the court records.

Where cases of SAPS inefficiencies are identified, these are recorded, analysed and compiled into a Report.

Examples of such inefficiencies are:

- Failure to bring the case docket to court;
- Failure to complete an investigation within a reasonable time;
- Failure to subpoena relevant witness/es;
- Failure to bring the accused to court from police custody;

- Failure to comply with the instructions of the prosecutor.

### What happens with cases that are removed from the court roll?

Cases that are struck off the court roll due to SAPS systemic failures are captured and reported to the Provincial Commissioner with the aim to facilitate a process where remedial action is taken to finalize these cases or to take disciplinary action where necessary.