



FOR IMMEDIATE RELEASE

THE SOUTH AFRICAN LAW REFORM COMMISSION PUBLISHES FIVE DISCUSSION PAPERS ON THE REVIEW OF THE CRIMINAL PROCEDURE ACT, 1977 FOR PUBLIC COMMENTS

The South African Law Reform Commission (SALRC) invites comments on the following five discussion papers on the Review of the Criminal Procedure Act 51 of 1977 (CPA):

- a) Discussion Paper 169: Mental and Intellectual Disability and the Criminal Justice System;
- b) Discussion Paper 170 - Protection of the Rights of Victims of Crime in Criminal Proceedings (Reflections on Previous Investigations Pertaining to Victims of Crime);
- c) Discussion Paper 171 - Ensuring the Continuity of Criminal Trials: Reforming the De Novo Rule and Court Record Management in South Africa;
- d) Discussion Paper 172 - Employment of Lay Assessors; and
- (e) Discussion Paper 173 - Strengthening Governance and Accounting Mechanism in the Criminal Justice System.

The discussion papers, considered together with the papers that were published on 20 February 2025, seek to contribute to a new criminal procedure law that is modernised and conforms to the country's democratic Constitution and its underlying values and principles.

These papers seek to, among others:

- e) enhance access to justice and equality for the alleged perpetrators, accused persons, victims of crime and witnesses with mental disabilities (Discussion Paper 169);
- f) recognise and advance the rights of victims of crime without compromising the accused' right to a fair trial (Discussion Paper 170);
- g) reform the trial afresh (de novo) rule by permitting trials to proceed before subsequent presiding officers in the instance where the initial judicial officer is, for any reason whatsoever unavailable; This is in the quest to minimise further delay in the trial (Discussion Paper 172);

- h) harmonise the assessor's dispensation of the Magistrates' Court with that applicable in the High Court in the quest to advance single judiciary(Discussion Paper 173); and
- i) strengthen the accountability and oversight mechanisms within the CJS through, among others, the establishment of accurate, credible and reliable criminal justice information management systems (Discussion Paper 174).

The discussion papers are available on the website of the SALRC at:

<https://www.justice.gov.za/salrc/dpapers.htm>.

Discussion papers in respect of other thematic areas of reform are at an advanced stage of development and are due to be published soon. A detailed implementation plan regarding the overall timelines for the completion of the project will be published together with the next round of publications.

Written submissions on the discussion papers must be submitted to the SALRC by no later than **31 March 2026**. E-mail addresses have been provided for each discussion paper with the CPAreform@justice.gov.za being the central e-mail address for all submissions.

Hand delivery:

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Enquiries in respect of the press statement should be addressed to the Secretary to the SALRC, Mr Nelson Matibe (012) 622 6306 or E-mail: NMatibe@justice.gov.za

ISSUED BY THE SECRETARY: SA LAW REFORM COMMISSION, PRETORIA
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