



South African
Law Reform Commission
FOR IMMEDIATE RELEASE

PUBLICATION OF ADDITIONAL DISCUSSION PAPERS ON THE REVIEW OF THE CRIMINAL PROCEDURE ACT, 1977, LIST OF ISSUES AND QUESTIONS

The South African Law Reform Commission (SALRC) is pleased to publish, for public comments, the following two additional discussion papers on the Review of the Criminal Procedure Act 51 of 1977 (CPA):

- a. Discussion Paper 174 - The Right To a Fair Trial – The Need to Obviate Delays
- b. Discussion Paper 175 - Review of the Laws Pertaining to Evidence in Criminal Proceedings

The discussion papers, considered together with the papers that were published in February 2025 (four) and 16 February 2026 (five), seek to contribute to a new criminal procedural law that is modernised and conforms to the country's democratic Constitution and its underlying values and principles. The above two papers, respectively, seek to, among others:

- a) address causes of unreasonable delays in the commencement and finalisation of criminal cases in South African courts. The paper looks at, among others, how the legislative framework can be strengthened to evert stalingrad tactics and to enable Judicial Officers to exercise effective judicial case management across the different stages of the criminal proceedings; and
- b) transform the law of evidence relating to criminal proceedings thus ensuring that it is consistent with the constitutional right to a fair trial, including the protection of the rights of accused persons and victims of crime and witnesses.

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

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

Written submissions on the discussion papers must be submitted to the SALRC by no later than **15 May 2026**. An extension has been granted for the five papers published on 16 February, with the closing date of 31 March 2026 to 15 May 2026 to submit. Supplementary

submissions are welcome from stakeholders who had already submitted by the closing date. Email addresses have been provided for each discussion paper with the CPAreform@justice.gov.za being the central email address for all submissions to be sent.

Hand delivery:

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Furthermore, the Commission is mindful that there are certain fundamental thematic areas of reform under the current CPA that are not covered under any of the published discussion papers or those that are currently being developed for publication by no later than 30 June 2026. It is in this context that the Commission has resolved to develop a List of Issues and Questions on areas that require reform and are not addressed by any of the published discussion papers. This List of Issues and Questions constitutes the basis for public consultations which are scheduled to take place from 20 April to 29 May 2026.

This List of Issues and Questions is published herewith ahead of the scheduled public consultations. Submissions are invited in respect of any aspect of the List of Issues and Questions and must be submitted before **13 April 2026**. Commentators must indicate if they wish to make any oral submission/presentation during the period of public consultations.

Written submissions on any aspect in the accompanying List of Issues and Questions must be submitted to the SALRC at the following central email address: CPAreform@justice.gov.za Only commentators who have submitted substantiated written submissions will be eligible to make oral submissions during the public consultations.

Guidelines on the public consultations and a schedule of venues and times where public consultations will take place will be published on 13 April 2026.

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

**ISSUED BY THE SECRETARY: SA LAW REFORM COMMISSION, PRETORIA
02 APRIL 2026**