

REVISED ANNUAL PERFORMANCE PLAN

2022-2023




Our vision is an accessible justice system in a vibrant and evolving constitutional democracy



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA





Department of Justice and Constitutional Development

ANNUAL PERFORMANCE PLAN 2022/2023

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LIST OF ACRONYMS

ACHPR	African Charter on Human and People's Rights
ADR	Appropriate Dispute Resolution
APP	Annual Performance Plan
AVR	Audio visual recording
BAS	Basic Accounting System
CARA	Criminal Assets Recovery Accounts
CCTV	Closed-circuit television
CPA	Criminal Procedure Act
CPI	Consumer Price Index
CRT	Court Recording Technology
CSO	Civil society organisation
DG	Director-General
DDG	Deputy Director-General
DHA	Department of Home Affairs
DIRCO	Department of International Relations and Cooperation
DPME	Department of Planning, Monitoring and Evaluation
DPWI	Department of Public Works and Infrastructure
DoJ&CD	Department of Justice and Constitutional Development
ECMS	Electronic Case Management System
EVDS	Electronic Vaccinations Data System
EME	Exempted Micro Enterprise
ENE	Estimates of National Expenditure
GBV	Gender-based Violence
GBVF	Gender-based Violence and Femicide
GDP	Gross Domestic Product
HR	Human Resources
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICMS	Integrated Case Management System
ICT	Information and Communication Technology
IJS	Integrated Justice System
IT	Information Technology
JCPS	Justice, Crime Prevention and Security
JMIS	Justice Management Information System
JYP	Justice Yellow Page
Legal Aid SA	Legal Aid South Africa
LGBTI	Lesbian, Gay, Bisexual, Transgender and Intersex

MC	Magistrates' Court
MMS	Middle Management Service
MOVIT	Masters' Own Verification Technology
MOU	Memorandum of Understanding
MP	Member of Parliament
MTBS	Medium-Term Budget Statement
MTEF	Medium-Term Expenditure Framework
MTSF	Medium-Term Strategic Framework
NAP	National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance
NDP	National Development Plan
NDPP	National Director of Public Prosecutions
NHRCMRFC	National Human Rights Coordinating, Monitoring, Reporting and Follow-up Committee
NMRF	National Mechanism for Reporting and Follow-up
NPA	National Prosecuting Authority
NPS	National Prosecutions Service
NRSO	National Register for Sex Offenders
NSP	National Strategic Plan
NTT	National Task Team
OCSLA	Office of the Chief State Law Adviser
OSD	Occupation Specific Dispensation
OWP	Office for Witness Protection
PAIA	Promotion of Access to Information Act
PAJA	Promotion of Administrative Justice Act
PCLU	Priority Crimes Litigation Unit
PDI	Previously Disadvantaged Individual
PEAS	Paperless Estate Administration System
PEPUDA	Promotion of Equality and Prevention of Unfair Discrimination Act
PRVG	Promotion of the Rights of the Vulnerable Group
PSR	Public Service Regulations
PFMA	Public Finance Management Act
PTT	Provincial Task Team
QSE	Qualifying Small Enterprise
SADC	Southern African Development Community
SCA	Supreme Court of Appeal
SCCC	Specialised Commercial Crime Courts
SLA	Service Level Agreement
SAHRC	South African Human Rights Commission
SAJEI	South Africa Judicial Education Institute



SALRC	South African Law Reform Commission
SAPS	South African Police Service
SCA	Supreme Court of Appeal
SCCU	Specialised Commercial Crime Unit
SIU	Special Investigating Unit
SMS	Senior Management Services
TCC	Thuthuzela Care Centre
TIP	Trafficking in Persons
TRC	Truth and Reconciliation Commission

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OFFICIAL SIGN-OFF

It is hereby certified that this Annual Performance Plan:

- was developed by the management of the Department of Justice and Constitutional Development, under the guidance of the Minister of Justice and Correctional Services, Mr Ronald Lamola, MP;
- was developed in line with the current Strategic Plan of the Department of Justice and Constitutional Development;
- was prepared in line with the Revised Framework for Strategic Plans and Annual Performance Plans
- accurately reflects the outcomes and outputs that the Department of Justice and Constitutional Development will endeavour to achieve in 2022/23 financial year;
- is aligned with the National Development Plan 2030 and the Medium-Term Strategic Framework.

Ms T.C Mametja

DDG: Corporate Services

Signature: _____



Mr Z Malema

Acting DDG: Court Services

Signature: _____



Adv. A Johaar

Acting Chief State Law Adviser

Signature: _____



Adv. M Mafojane

Chief Master

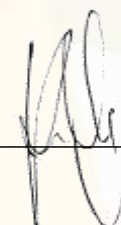
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Ms K Pillay

DDG: Legislative Development

Signature: _____



Signature: _____

Acting DDG: Constitutional Development

Ms R.I. Singo

Chief Financial Officer

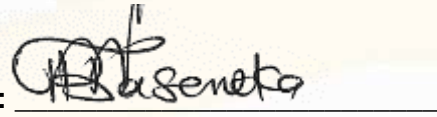
Signature:



Mr T B Raseroka

Chief Director: Strategy, Monitoring and Evaluation

Signature:



Mr F Pandelani

Solicitor-General

Signature:



Adv. S Batohi

National Director of Public Prosecutions

Signature:



Adv. D Mashabane

Director-General: Justice and Constitutional Development

Signature:



Mr J J Jeffery, MP

Deputy Minister: Justice and Constitutional Development

Signature:



Approved by

Mr R Lamola, MP

Minister of Justice and Correctional Services

Signature



FOREWORD BY THE MINISTER



This Annual Performance Plan (APP) signifies our intent to reposition the Department of Justice and Constitutional Development as an intersectional department at the heart of the dispensing justice. The plan is developed in the context of a pandemic which had a negative impact on the performance of the Department. I commit myself with this plan to continue implementing the Medium Term Strategic Framework (MTSF) priorities that are relevant to Department of Justice and Constitutional Development.

The Executive Authority is tasked with providing strategic oversight over the Department. There has been some significant progress, in so far as the management of State Litigation is concerned, to date we have developed and implemented several policies, the finalisation of other policies will culminate in lowering the costs of litigation and the building of capacity to handle complex legal matters and establish well-run offices for the State Attorney.

The Department suffered a ransom ware attack in September 2021. The attack impacted negatively on service delivery of existing services enabled by technology and its modernisation program. The Department, with the support of the relevant state agencies and industry experts, had managed to restore certain services within a reasonable amount of time (e.g. case recordings with limited features), given the complexity of the issue at hand. Other services continue to be restored gradually. The Department is making a concerted effort to ensure that the lessons learnt from this experience are incorporated in its modernisation effort, to ensure a safer and more trustworthy user experience – especially in as far as online services are concerned. The Department is making all efforts to ensure that any service delivery backlogs as a result of the downtime, is addressed.

When the Department conceptualised this plan, we were mindful of the fact that our focus in the new financial year and years that follow will invoke a paradigm shift in our country taking into consideration the first two parts of the three Zondo Commission Reports into allegations of state capture, corruption, fraud and other allegations in the public sector including organs of state" in South Africa that were published. The reports provide substantive details of the unprecedented scale of grand corruption by a criminal interplay between the public and private sectors. The next step will be to implement the recommendations of the Zondo Commission Reports to ensure that the enablers are brought to book as once parliament take cognisance of its contents, the outcome of the report might affect our APP. The National Prosecuting Authority (NPA) will play a critical role by ensuring that state capture fraud or corruption matters recommended for prosecution are enrolled in court rolls. The NPA will be capacitated by ensuring that additional permanent staff with specialised skills and experience are hired, and current existing employees trained. In addition, it will strengthen its capacity to prosecute allegations of crime

and corruption by recruiting aspirant prosecutors in units such as asset forfeiture, sexual offences and priority crimes litigation, among other things.

The Department's performance has been declining and accompanied by qualified audit opinion in respect of the Vote Account and pre-determined objectives over the past four successive financial years. In responding to this undesirable situation, the management of the Department plan to implement interventions aligned to prescripts and ensure that it achieves and sustains unqualified audit outcome on vote account, performance information and improve its performance to above 85% by the 2022/23 financial year.

The Department is committed to continue to improve its performance to 85% over the medium term period, achieve and sustain unqualified audit opinion on all accounts and predetermined objectives. Over the medium term, the Department intends to continue to prioritise the filling of critical positions in the Senior Management Services (SMS) echelon, finalise the reconfiguration of macro structure, and reposition of Justice College in order for it to play a pivotal role in capacitation and upskilling the department personnel in order to achieve the Departmental mandate.

Over the past two financial years, 9 Specialised Commercial Crime Courts (SCCC) were established. This is a milestone achievement since every province in the country which did not have now has at least one. In the new financial year, the Department will focus on the enhancing all SCCC established in provinces to deal with corruption and fraud cases that are continuing to grow. A separate roll of cases handled by the SCCC will be maintained. This is with a view to monitor the success of these courts as well as to make necessary interventions quickly where required. Cases enrolled in these courts receive priority.

The Department will continue with the implementation of the National Strategic Plan on Gender-Based Violence and Femicide (NSP on GBVF) in order to afford greater protection, particularly to the vulnerable groups (women and children). To ensure that there is access to justice for victims of sexual offences, the department will maintain conviction rate of 70 per cent over the medium term.

The Department will establish 70 additional sexual offences courts at designated regional courts and improving the management of the national register for sex offenders to ensure that all people who work with children and people with disabilities are properly vetted. To complement these activities, the Department plans to develop and implement programmes to modernise and digitise its services. This is expected to broaden access to justice even further by introducing interventions such as enabling deceased estates and trusts to be registered remotely. Over the medium term, 14 services such maintenance applications, protection order applications services, and the serving of court process (serving summons) will be available through online channels and facilities provided to 156 courts to enable virtual court proceedings.

A national action plan to fight racism, racial discrimination, xenophobia and related intolerance, including by promoting constitutional awareness and education on the rights of lesbian, gay, bisexual, transgender and intersex people, is also going to be continuously implemented. Additionally, 2021/22

financial year marked 25 years since the adoption and final certification of our Constitution. The commemoration presented our Nation an opportunity to reflect and take stock of how far we come as a Nation in implementing the priorities and objectives of our Constitution. Our Constitution is a living document and social contract between the state and the people, it was not meant to be static but dynamic, robust and evolving. The Department will continue to implement educational programs to commemorate the 25th anniversary of the Constitution, hold a National Conference and review how far we have come as a nation in achieving the ideals of the Constitution in 2022/23 financial year.

The Department will continue to prioritise service delivery in relation to its core function and mandates within different programmes. Performance indicators relating to service delivery included in this plan will help the Department work towards quicker turnaround times, improvements in the quality of our services and put efforts to address challenges that can lead the Department to obtain a qualified audit.

It is my pleasure to endorse the APP of the Department for the 2022/23 financial year.

A handwritten signature in black ink, appearing to be 'R. Lamola', with a stylized flourish at the end.

Mr R Lamola, (MP)

Minister of Justice and Correctional Services

FOREWORD BY THE DEPUTY MINISTER



Much has been written and said about the transformative nature of our Constitution and our courts are often at the forefront of these changes. Since 1994, a substantial body of new laws has emerged from all spheres of government to fulfil the Constitutional mandate.

This has resulted in the creation of new independent democratic institutions, the repeal of discriminatory laws, new laws dealing with, amongst others, land restitution, strengthening of land tenure, the facilitation of access to housing and the provision of social assistance to those in need. These are laws that make a meaningful difference in the lives of people. Some of the laws required in terms of the Bill of Rights sought to address systemic and structural inequalities and prohibit unfair discrimination and advance a

transparent and open democratic society.

As we celebrate the 25th Anniversary of the coming into effect of the Constitution in February 1997 it is an ideal opportunity for us to review and reflect on the important role our courts have played over many years.

The independence of the judiciary and the institutional prominence of our courts lie at the very core of our constitutional dispensation. Our courts are often seen as the last bastion of people's rights and freedoms. Our courts act as the very buttress of a constitutional democracy. But our courts are not only a shield to protect people's rights and freedoms - they are also an embodiment of Lady Justice who, blindfolded, with sword and scales, has to fend off what is bad, has to protect human rights, bring about equality and fairness and apply the law without fear, favour or prejudice.

We have indeed come a long way over the past 25 years. But we still have a long way to go. One of our Department's core focus areas are our Magistrates' Courts. These courts really are at the forefront of access to justice, with many justice service points being located at the courts. If our Magistrates' Courts do not function optimally - whether because of broken equipment, a lack of audio-visual capabilities or a lack of staff – our entire justice system suffers and access to justice is denied to our people.

Having well-functioning Magistrates' Courts and effective justice service points are key to ensuring access to justice for all. Over the Medium Term Expenditure Framework (MTEF) period, the Department is planning to convert more periodical and/or branch courts into full services courts. The programme of conversion of branch courts into full service courts will significantly enhance access to justice, bringing more services to communities and thereby reducing the travelling costs they had to incur when they want to resolve legal disputes.

The Masters' Offices are responsible for, amongst others, the administration of liquidations and deceased estates, as well as the registration of trusts. There have been significant service delivery challenges in respect of the Masters' Offices, with complaints and concerns being directed to the Department regarding service delivery issues and backlogs.

In an attempt to find solutions and to engage with stakeholders, we have been in engagements with legal practitioners and insolvency practitioners who have expressed their concerns regarding challenges with the Master's Offices. I have also paid unannounced visits to the Masters' Offices so as to establish how well these offices are functioning, whether practitioners and the public were being served timeously and professionally, how long the queues are, whether existing backlogs have decreased and whether there have been improvements in terms of the issuing of Letters of Executorship and Letters of Authority.

A number of initiatives and intervention measures are being put in place to improve and enhance service delivery to the public. Masters' offices have successfully rolled out the Paperless Estates Administration System (PEAS). This is being used by all 15 Masters' offices countrywide, as well as 280 magistrates' offices linked with the relevant Masters' offices. The structure for a 16th Master's Office in Middelburg has been approved and capacitation will take place in the 2022/23 financial year.

The development and roll out of online registration of deceased estates and trusts will be a convenient method that allows people who want to report deceased estates or register trusts, to do so remotely from the comfort of their offices, homes, or any other place. This approach will be an effective move to reduce the number of customers in the offices of the Masters or at the service points, and will enhance access to the Masters' services in the country. Online registration will speed up the registration process and ensure quicker availability of the details/particulars of the beneficiaries and trustees.

We are confident that these initiatives will ensure better service delivery and enhanced access. Ultimately, we must leave no stone unturned in our efforts to improve service delivery and monitoring our progress in terms of the indicators in this APP will help the Department to do so.

We are here to serve the public.



Mr J J Jeffery, (MP)

Deputy Minister: Department of Justice and Constitutional Development

FOREWORD BY THE DIRECTOR-GENERAL



It is exactly 25 years since the Constitution of the Republic of South Africa came into effect. A quarter of a century following the commencement of the Constitution is indeed a significant milestone in the life and history of our beloved nation. Access to Justice for all is a constitutional imperative. In many ways it is the responsibility of the Department of Justice and Constitutional Development to ensure that all South Africans enjoy the right of access to courts without any reservation. The Department has a singular honour and responsibility to administer our world acclaimed Constitution which is the bedrock of our constitutional democracy.

We have declared the year 2022/2023 “a Year of the Community”.

This will culminate in the roll out of the biggest community outreach program to interact with communities about justice services and issues of constitutionalism, promotion of human rights and respect for the Rule of Law. Furthermore, the Department will conduct massive nationwide programs centered around the commemoration of the 25th Anniversary of the Constitution. These programmes are aimed at ensuring that ordinary South Africans from all walks of life have the opportunity to reflect on how our Constitution has impacted on their lives and contribute to the further strengthening of our constitutional democracy. Equally, the Department is responsible for the implementation of critical pieces of legislation in our country. These laws have a direct bearing on the daily lives of South Africans. It is incumbent upon the Department to ensure that the citizens of this country are educated about these laws, and know how to exercise their rights as enshrined in the Constitution.

The performance of the Department in the year 2021/2022 has shown significant signs of recovery and upward trajectory. We are building on a solid foundation laid by the political leadership of the Minister and Deputy Minister since 2019/2020. It is the primary goal of the department to further improve its performance in 2022/2023 and also address the issues that the Auditor General of South Africa (AGSA) has raised over the past few years.

In the 2021 financial year, the Department experienced a ransomware attack which affected operations and services of the public for not less than two (2) months. We have since embarked on a journey to build a solid foundation for the modernization of the department and justice offerings in general. The modernisation of the justice system of necessity remains a key priority for the Department. This will also entail building of internal capacity for the management and implementation of digital transformation.

The Department will during this financial year implement a robust strategy for the transformation of the services rendered by the Masters’ Office across the country. This, we will be doing to address concerns raised by people who visit our Masters’ Office on a daily basis. The Department will endeavour to ensure that the services offered by Masters’ Office meet the needs and demands of the members of the public.

Additionally, the public will benefit from the modernization of the entire Justice system with specific focus on the Masters' Office.

The operationalisation of the State Attorney Amendment Act of 2014 (the Act) in 2020 created a significant momentum for the transformation of State Legal services particularly around the coordination of State Litigation, reduction of state legal fees as well as the overall management and reduction of State contingent liability register. Our focus in the year 2022/2023 will be on the rapid implementation of the policies that have been developed as required by the Act.

Gender-Based Violence remains a pandemic in our country which requires a collaborative approach to eradicate it. In this regard, the Department working together with other government departments and law enforcement agencies will be at the forefront of the implementation of the laws in place to fight this scourge.

The Department will play a critical role in the development of a plan to address the recommendations emanating from the Commission on State Capture chaired by Deputy Chief Justice Zondo.

The process to build a professional, ethical and capable department has begun and will continue through implementation of various frameworks and initiatives. Both the Senior Management of the Department and myself remain committed to addressing all the issues raised by the AGSA that affect the audit opinion. We will continue to work hard to ensure that the Department obtains an unqualified opinion with a view to achieve a clean audit in the forthcoming financial performance cycles.

This year presents an opportunity for the implementation of the fully and rigorous Turnaround Strategy that was developed in 2021/2022. The Turnaround strategy seeks to have the Department reclaim the centre stage and deliver world class services to the state and the citizens of this country.

It remains an honour for us as the Senior Management of the Department to have been given an opportunity to serve our beloved country.



Adv. D Mashabane

Director-General: Department of Justice and Constitutional Development

INTRODUCTION

The Department of Justice and Constitutional Development (DoJ&CD) held its strategic planning sessions from 01 to 02 October 2021 and 02 to 04 March 2022, successively. The purpose of these sessions was to review the Department's Strategic Plan (SP) and the Annual Performance Plan (APP). Prior to the departmental strategic planning sessions, various branches held their own preparatory strategic planning sessions to provide an opportunity for broad inclusivity in the departmental planning exercise. During the departmental planning sessions, the Department's impact statement, outcomes, outcome indicators and key performance indicators were developed.

The revision of the SP and APP was prepared in line with the revised Framework for Strategic Plans and Annual Performance Plans. The framework requires departments to use the Theory of Change approach when developing their plans. The framework further requires departments to develop impact statements that they aim to achieve when executing their mandate. The impact statement should also be accompanied by outcomes that will assist the Department to realise its impact statement. The DoJ&CD has developed ten (10) departmental outcomes statements. The outcome statements are:

- a. Modernised and digitised justice services platforms
- b. Improved organisational capability and good governance
- c. Improved awareness of justice services and constitutionalism
- d. Increased access to justice services
- e. Improved and transformed Masters services
- f. Colonial/apartheid era justice related legislation reviewed and replaced
- g. Transformed state legal services
- h. Transformed legal profession
- i. Advanced constitutionalism, human rights and the rule of law
- j. Crime and corruption reduced through effective prosecution

Details on how various programmes will contribute to the Department's outcomes are provided under the section which deals with programme measures. Various programmes contribute not only to a specific outcome, but to a number of outcomes as follows:

- a. Programme 1 contributes to Outcomes 1, 2 and 3
- b. Programme 2 contributes to Outcomes 4 and 10

- c. Programme 3 contributes to Outcomes 5, 6, 7, 8, 9 and 10
- d. Programme 4 contributes to Outcomes 4 and 10
- e. Programme 5 contributes to Outcome 1

Within the seven priorities of government identified, the Department plays a major role in Priority 6: Social Cohesion and Safe Communities. The Department has included outcomes and indicators in its SP and in this APP that are fully aligned with government's Programme of Action and the Medium-Term Strategic Framework (MTSF). In addition, the plan includes initiatives to develop electronic systems to digitise and automate justice processes. During the medium-term, court administration processes, including the Child and Spousal Maintenance applications and Domestic Violence applications which include Protection Orders, will be automated to enable such services to be provided online.

The Strategic Plan and the Annual Performance Plan cover all five programmes of the Department which are:

- a. Administration
- b. Court Administration
- c. State Legal Services
- d. National Prosecuting Authority
- e. Auxiliary and Associated Services

The Annual Performance Plan will be used as the basis for preparing quarterly reports and annual reports as well as mid-term and full-term progress reports against the implementation of the SP.

PART A: OUR MANDATE

1. UPDATES TO THE RELEVANT LEGISLATIVE AND POLICY MANDATES

The Department's mandate, derived from the Constitution, is two-fold. Firstly, it seeks to provide a framework for the effective and efficient administration of justice. Secondly, it seeks to promote constitutional development through the development and implementation of legislation and programmes that seek to advance and sustain constitutionalism and the rule of law. This is accomplished through the implementation of programmes to deepen and nurture our constitutional democracy. Following the transfer of superior courts to the Office of the Chief Justice, the Department continued to support lower courts in line with its constitutional mandate.

Furthermore, there are specific provisions of the Bill of Rights that give rise to other pieces of legislation which form a significant part of the legislative mandate of the Minister. The specific provisions are found in the following sections:

Section 9: "Equality"

Section 12: "Freedom and security of the person"

Section 14: "Privacy"

Section 28: "Children"

Section 32: "Access to Information"

Section 33: "Just administrative action"

Section 34: "Access to Courts"

Section 35: "Arrested, detained and accused persons"

2. LEGISLATIVE MANDATES

The department derives its statutory mandate from various statutes and subordinate legislation. Most of these Acts impact, in some way or other, on the daily functioning of the Department, but, in the context of the priorities of government, the following legislative instruments are particularly relevant:

2.1 Legislation providing for the establishment and functioning of the superior courts, magistrates' courts and other courts, the most important of which are the following:

- (a) Superior Courts Act, 2013, (Act No. 10 of 2013)

- (b) Magistrates' Courts Act, 1944 (Act No. 32 of 1944)
- (c) Small Claims Courts Act, 1984 (Act No. 61 of 1984)

2.2 Legislation providing for the appointment of judges and other judicial officers, their conditions of service, discipline and training:

- (a) Judges' Remuneration and Conditions of Employment Act, 2001 (Act No. 47 of 2001)
- (b) Judicial Service Commission Act of 1994 (Act No. 9 of 1994)
- (c) South African Judicial Education Institute (SAJEI) Act, 2008 (Act No. 14 of 2008)
- (d) Magistrates Act, 1993 (Act No. 90 of 1993)

2.3 Legislation relating to the prosecution of offenders and the combatting of crime:

- (a) National Prosecuting Authority Act, 1998 (Act No. 32 of 1998)
- (b) Criminal Procedure Act, 1977 (Act No. 51 of 1977)
- (c) Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998)
- (d) Special Investigation Units and Special Tribunals Act, 1996 (Act No. 74 of 1996)
- (e) Witness Protection Act, 1998 (Act No. 112 of 1998)
- (f) Implementation of the Rome Statute of the International Criminal Court Act, 2002 (Act No. 27 of 2002)
- (g) Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act No. 33 of 2004)
- (h) Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004)
- (i) Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007) (Sexual Offences Act)
- (j) Child Justice Act, 2008 (Act No. 75 of 2008)
- (k) Prevention and Combating of Trafficking in Persons Act, 2013 (Act No. 7 of 2013)

2.4 Legislation providing for the establishment and functioning of bodies responsible for legal aid, law reform and court rules:

- (a) Legal Aid South Africa Act, 2014 (Act No. 39 of 2014);
- (b) South African Law Reform Commission Act, 1973 (Act No. 19 of 1973); and

- (c) Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985).

2.5 Legislation providing for the administration of estates:

- (a) Insolvency Act, 1936 (Act No. 24 of 1936)
- (b) Administration of Estates Act, 1985 (Act No. 107 of 1985)
- (c) Trust Property Control Act, 1988 (Act No. 57 of 1988)

2.6 Legislation on the administration of legal services to government departments:

- (a) State Attorney Act, 1957 (Act 56 of 1957)
- (b) State Attorney Amendment Act, 2014 (Act No. 13 of 2014)
- (c) State Liability Act, 1957 (Act No.20 of 1957)

2.7 Legislation relating to the promotion, protection and enforcement of human rights:

- (a) Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000)
- (b) Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)
- (c) Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No. 52 of 2000)

2.8 Legislation relating to extraditions in relation to crime occurring beyond the border of the Republic:

- (a) Extradition Act, 1962 (Act No. 627 of 1962)

2.9 Legislation which protect personal information:

- (a) Protection of Personal Information Act, 2013 (Act No. 4 of 2013)

2.10 Legislation governing the legal profession, sheriffs and debt collectors:

- (a) Legal Practice Act, 2014 (Act No. 28 of 2014)
- (b) Sheriffs Act, 1986 (Act No. 90 of 1986)
- (c) Debt Collectors Act, 1998 (Act No. 114 of 1998)

3. UPDATES TO INSTITUTIONAL POLICIES AND STRATEGIES

The Department of Justice and Constitutional Development will develop and implement the below listed institutional policies, bills and strategies:

3.1 List of policies:

- (a) Policy on Community Courts
- (b) Policy on Judicial Governance and Court Administration
- (c) Court Interpretation Foreign Language Policy
- (d) Guidelines on the appointment of acting Judges in the Republic of South Africa
- (e) Guidelines on the conferral of Senior Counsel status
- (f) Policy recommendations to reform the Criminal Justice system and the Criminal Procedure Act
- (g) Policy to reform the Civil Justice system
- (h) Policy on Insolvency

3.2 Some of the Bills that the Department plans to introduce into Parliament during the MTSF period:

- (a) Commissions of Inquiry Bill
- (b) Criminal Procedure Bill
- (c) Land Court Bill
- (d) Lower Courts Bill
- (e) Magistrates' Court Bill
- (f) Insolvency Bill
- (g) Community Advice Offices and Paralegals Bill
- (h) Criminal Procedure Bill (comprehensive review)
- (i) The Sheriffs Bill
- (j) The Small Claims Court Bill
- (k) The Administration of Estates Bill
- (l) Regulation of Trusts Bill
- (m) Regulation of Interception and Communications Amendment Bill
- (n) Decriminalisation of Sex Work Bill

4. UPDATES TO RELEVANT COURT RULINGS

4.1 Sithole and Another vs Sithole and Another 2021 ZACC 7; 2021 (6) BCLR 597 (CC)

Section 21(2)(a) of the Matrimonial Property Act 1984 (Act No. 88 of 1984) (the MPA), was declared unconstitutional and invalid. All marriages of black persons that are out of community of property and were concluded under section 22(6) of the Black Administration Act, 1927 (Act No. 38 of 1927) (the BAA) before the 1988 amendment are, save for those couples who opt for a marriage out of community of property, declared to be marriages in community of property.

4.2 Jane Banyan vs Master of the High Court, Cape Town and Others 2021 ZACC 51

Section 1(1) of the Intestate Succession Act, 1987 (Act No. 81 of 1987) ("the Intestate Succession Act"), and section 1 of the Maintenance of Surviving Spouses Act, 1990 (Act No. 27 of 1990), were declared constitutionally invalid. The orders are suspended for a period of 18 months to enable Parliament to take steps to remedy the constitutional defects.

4.3 Rodrigues vs National Director of Public Prosecutions and Others 2021 (2) SACR 333 (SCA)

An Apartheid crime matter. The appellant applied for leave to appeal against a decision of the High Court which had dismissed his application for a declaratory order that criminal proceedings instituted against him relating to the death of the late Mr Ahmed Timol at a police station in Johannesburg constituted an unfair trial as envisaged by section 35(3) of the Constitution, and that he be granted a permanent stay on the charge of murder in the criminal proceedings against him.

The majority of the SCA held that the issue of the alleged political interference in the prosecution of crimes such as the present one, and its ongoing impact and relevance for prosecutions that might still be instituted in future, was certainly relevant, and for that reason there was a compelling reason to grant leave to appeal.

4.4 S vs Zuma and Another (CCD30/2018) [2021] ZAKZPHC 89 (26 October 2021)

A challenge to the lead prosecutor's title to prosecute predicated on the allegation or averment that the prosecutor lacked the independence and impartiality or objectivity needed for the accused to receive a fair trial.

The Court dismissed the special plea in terms of section 106(1)(h) of the Criminal Procedure Act 51 of 1977, where the title to prosecute of the lead prosecutor of the case, Adv. William (Billy) Downer SC, was challenged based on the averment that the prosecutor lacked the independence and impartiality or objectivity needed for the accused to receive a fair trial.

4.5 S vs Moussa 2021 (2) SACR 378 (GJ)

A challenge to prosecutorial title to prosecute, and whether proceeding with the criminal trial amounted to abuse of process after a prosecutor entered into an unlawful agreement with the accused ostensibly in terms of which the charges against the accused would be withdrawn upon payment of a sum of money to the complainant by the accused.

4.6 The National Director of Public Prosecutions (Ex Parte Application) (Case no 669/2020) [2021] ZASCA 142 (7 October 2021)

In the premises, it was ordered that the order of the High Court striking the *ex parte* application from the roll is set aside and substituted with the order that the NDPP may re-enrol the application, which had to be set down in accordance with Rule 6(4)(a) of the Uniform Rules of Court and dealt with on the merits, without the need for services and in accordance with the requirements for the making of the order sought as laid down in section 38(2) of POCA.

4.7 Part I of the Judicial Commission of Inquiry into State Capture Report

Following the inquiry into State capture which took almost four years, the Commission (also known as the "Zondo Commission") issued the report. The Report has made recommendations on the recovery of amounts of money by the Asset Forfeiture Unit ("AFU") under Chapter 5 or Chapter 6 of the Prevention of Organised Crime Act, 121 of 1998 ("POCA").

PART B: OUR STRATEGIC FOCUS

5. VISION

An accessible justice system in a vibrant and evolving constitutional democracy

6. MISSION

- To enable Access to Justice
- To promote Constitutionalism, Rule of Law, Respect for Human Rights and
- To coordinate the State Litigation and Legal Advisory Services

7. VALUES

- Batho Pele
- Ubuntu
- Patriotism
- Social Justice
- Human Rights
- Good Governance
- Collegiality

8. SITUATIONAL ANALYSIS

The strategic focus over the medium term for the Department are outlined below

Constitutionalism, respect for Human Rights and the rule of law: The year 2021 presented a significant landmark in the adoption of constitutional democracy in South Africa. The year 2021 was the 25th Year since the Constitution was adopted by the Constitutional Court, signed and published in the Government Gazette. The Constitution was drafted in terms of Chapter 5 of the Interim Constitution (Act 200, 1993) and was first adopted by the Constitutional Assembly on 8 May 1996. It was then approved by the Constitutional Court on 4 December 1996 and signed into law by former President Nelson Mandela, in Sharpeville, on 10 December 1996. It was published in the Government Gazette on 18 December 1996, and officially came into effect on 4 February 1997.

On 12 May 2021 during its meeting, Cabinet approved a year-long commemoration programme, themed 'One Constitution. One Nation'. The objectives of the commemoration programme were to reignite the common vision for unity in diversity, strengthen the culture of respect for human rights and the rule of law in South Africa. The commemoration of the 25th Anniversary of the Constitution will be celebrated

by observing key epochs pertaining to the adoption, the signing, the publishing into Government Gazette, the official commencement dates, as well as the progress made by the government in the implementation of the Constitution. The Department, as the custodian of the Constitution, led the national celebrations and collaborated with other departments such as Chapter 9 Institutions, civil society formations and other stakeholders to host national dialogues using, among other things, webinars, community engagements and provincial symposiums to commemorate the 25th anniversary of the Constitution.

The commemoration of the 25th anniversary of the Constitution was planned to extend beyond the year 2021 into 2022 since the Constitution's legal entry into force will be marked on 4 February 2022. The Department is committed to building and deepening constitutionalism, respect for Human Rights and the Rule of law in the country. Working in collaboration with key stakeholders, the Department will lead and coordinate a focused national programme for engaging all of South Africa in a conversation about whether the intention of the Constitution to build a nation based on constitutionalism and human rights is being realised. The importance of engaging all sectors of society in this national conversation cannot be overemphasized due to the racial and social divisions, and resultant political and ideological divides that persist in the new constitutional era.¹ The extended programme will include conducting research to review the implementation of the Constitution in the past 25 years. This research will be generated internally within constitutional development, as well as other external researchers, universities, students and the South African citizenry. The collected research will be published as a compendium to celebrate 25 years of the Constitution. This research will be utilised to guide policy making within government. In the next five years, efforts will be made to increase and deepen the Constitutionalism and human rights awareness of the citizenry.

South Africa has over the past 25 years become a signatory to many international and regional human rights instruments and has complied with obligations emanating from these instruments. Over the next five years, the Department will table country reports in compliance with its international obligations arising out of core human rights treaties such as the African Charter on Human and People's Rights (ACHPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR); the International Covenant on Civil and Political Rights (ICCPR); the International Convention against Torture and Other Cruel or Degrading Treatment or Punishment (CAT) and the International Convention for the Elimination of All Forms of Racial Discrimination (ICERD). The Department will work towards the finalisation of accession to outstanding international instruments including the Convention on the Suppression and Punishment of the Crime of Apartheid (ICSPCA), International Convention for the Protection of All Persons from Enforced Disappearance (CPED) and many relevant others. At the core of our Constitution is the fight against impunity for violation of human rights.

1 Combrink, N, 'Analysing the Resilience of the emergent culture of Constitutionalism in South Africa', Southern Journal for Contemporary History, Vol 29 No.3 2004, 42; 44-45

To improve compliance with international and regional treaty obligations, the Department will table in Cabinet for approval the Terms of Reference establishing the National Human Rights Coordinating, Monitoring, Reporting and Follow-up Committee (NHRCMRFC) in South Africa to serve as a national public mechanism or structure that is mandated to coordinate and prepare reports to and engage with international and regional human rights mechanisms (including international and regional treaty bodies, the UPR and special procedures), and to coordinate and track national follow-up and implementation of the treaty obligations and the recommendations emanating from these mechanisms.

The Department will review, modernise and improve the Extradition regime and the Mutual legal assistance framework to ensure effectiveness and enhance collaboration with other States in the fight against crime in general. The conclusion of extradition and mutual legal assistance treaties will focus specifically on countries in Latin America and South East Asia.

The Department will continue with the review of justice-related colonial and apartheid era legislation with the aim of aligning this legislation with the Constitution of the Republic of South Africa, 1996 (Constitution). The new legislation will ensure improved and equal access to justice services that will cater for all, including vulnerable groups such as women, children, and people with disabilities, so as to create a transformed society which is freed from the divisions of the past.

The Department as a focal agency will continue with the implementation of the National Action Plan (NAP) to combat Racism, Racial Discrimination, Xenophobia and Related Intolerance in order to advance constitutionalism, human rights and the rule of law. At the centre of social transformation, is social cohesion which will end exclusion, separateness and embody the spirit of inclusion that will guide national efforts aimed at building a united society. The effective implementation of the NAP requires collaborations and partnerships with government departments, Chapter 9 institutions, civil society organisations, UN agencies and private sector. Commitment from these stakeholders will be realised once the Governance structure is formalised to reaffirm the commitment of all principals to the full implementation of the NAP.

The NAP is currently being implemented as per the NAP five-year PoA, which is derived and developed from the Cabinet approved NAP Indicative Implementation Plan, covering the periods from 2019/2020 to 2023/2024. The current NAP PoA has been updated following the reconfiguration of departments after the national elections in 2019, and reflects the DOJ&CD's own obligations and commitments towards implementing the NAP. Terms of Reference for a Governance Structure (GS) for the implementation of the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance was finalised by the IGS Chairperson on 31 March 2020. The final revised Terms of Reference of the governance structure (GS) was approved by the Executive Authority in December 2020. A draft Discussion document on the Funding Model for the implementation of the NAP was completed, which formed the basis for developing the final NAP Funding Model. The DoJ&CD finalised the development of an integrated government strategy on public education pertaining to anti-discrimination in support of the NAP implementation, which will contribute to an improved coordinated Public Education Strategy on anti-discrimination issues.

A Baseline study to determine current levels of racism, racial discrimination, xenophobia and related intolerance through an analysis of available disaggregated statistical data and information, including various other relevant reports and surveys was conducted and finalised on 31 March 2021. The recommendations from the Baseline study will inform future planning and implementation of the NAP. The DoJ&CD created a NAP Virtual Repository, which is a single portal which provides access to NAP documents, files, and information. It serves as a resource for all NAP related information directly available to the broader public, organisations, government and the private sector. Over and above the activities mentioned above, the DoJ&CD continues to collaborate with various partners and stakeholders in developing, implementing and promoting various anti-discrimination initiatives to contribute towards the implementation of the NAP. The Department will ensure that in the next financial year that it continues to implement all NAP Programme of Action activities that are relevant to the DoJ&CD.

Sustained and visible anti-xenophobia campaigns conducted in collaboration with other departments and role-players: the DoJ&CD in collaboration with several role-players rolled out six (6) anti-xenophobia campaigns with a focus on the protection of the rights of migrants, refugees, asylum seekers and stateless persons in different communities and on virtual platforms.

The Department will also continue with constitutional awareness and human rights education programmes to protect the rights of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) persons. Furthermore, the Department will develop an intersectoral integrated system on Trafficking in Persons (TIP), which will be used to provide intersectoral data on the prevalence of TIP, as required by the UNODC, SADC and other international organizations.

Over the MTEF period, the Department will focus on addressing the scourge of Gender-Based Violence and Femicide (GBVF) and against all vulnerable persons. Dedicated courts to deal with gender-based violence and related matters will be established in designated regional courts in terms of Sexual Offences Courts Regulations, developed in terms of Section 55A of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No.32 of 2007). One of the majors also identified in addressing the scourge of GBVF is the tightening of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007) ("the principal Act"), in particular the legislation regulating the National Register for Sex Offenders ("the NRSO"). As the country struggles against the unabated rising figures of sexual offences, the need for disaggregated GBVF data sets has become more urgent and paramount. In giving prominence to this issue, article 15 of the Presidential Summit Declaration against Gender-Based Violence and Femicide (GBVF) of 2019 requires:

'The integration of systems for the optimal management of data throughout the justice system be finalised without further delay, which must include the collection of disaggregated data relating to survivors [of GBV] and offenders, from the point of entry into the justice system to the exit, with unique identifier functionality.'

The aspiration of the Presidential Summit Declaration is for South Africa to have national repositories dedicated to specific crime of GBVF so as to inculcate and guide the establishment of the culture of the evidence-based intervention against GBV. It also intended to correct the current country's approach to data collection which predominantly focuses on capturing the details of the accused person, and therefore giving minimal regard to the collection of information for crime victims. It is however worth noting that the NRSO takes the desired trend in data management as it is a national repository that collects the particulars of both the sex offenders and their victims, as per the requirements of the Act. It is for this reason that the National Strategic Plan for GBV includes indicators for the NRSO. Therefore, in giving effect to this commitment above, it is proposed that the NRSO be decentralised at the regions to deal with all other matters which have not already been covered at National Office.

Modernising and increasing access to justice services will be the strategic focus during this strategic plan cycle. The Department will implement programmes that will modernize and digitize justice services as well as increase access to justice services taking advantage of the opportunities presented by COVID-19 and the Fourth Industrial Revolution (4IR). The digitised processes will increase access to justice services at all service points and improve the service quality and speed thereon. Some of the services that will be available online will include among others applications on maintenance, domestic violence and harassment. Further, the Department will roll out the court audio visual system which will enable court proceedings, including testifying and interpreting, to be done virtually by the 2023/24 financial year. More periodical and/or branch courts will be converted into full services courts during this strategic plan cycle.

The OSG is a creature of Statute. The mandate of the Solicitor-General includes development of the Vision, Mission and Strategy and that has been finalised. There are Thirteen (13) State Attorney offices reporting to the Solicitor-General, who is the Executive Officer. The OSG structure has been finalised in relation to an Agile Structure intended to respond to the challenges the State is faced with in dealing with litigation and Litigious matters. This structure will be submitted to the Minister by the Solicitor-General for his inputs and assent. As the Executive Officer tasked with overseeing the management of State Litigation, developing and implementing policies relating to the functions and operations of the State Attorney and to inter alia develop mechanisms for Management of State Contingent Liability and Reduction of State Liability in relation to litigation.

There is no policy in place that regulates the management of state legal services therefore, the management of state legal services is full of interference by client departments on the operations of the state attorney and the procurement of legal services without engaging the offices of the State Attorney. As a result, policies on Mediation Policy (ADR); Management of State Litigation and State Legal Representations were finalised during the 2020/21 Financial Year. The branch will be focussing on Initiating and Defending of Matters Policy and Briefing and Outsourcing of Legal Work in 2021/22. The total number of Offices of State Attorney in terms of the Amendment Act are 13. Out of a target of 11 vacant positions of Heads of Office, six (6) have been filled to date. The recruitment process to fill the remaining five vacant positions is in progress.

For the past few years (Including this current financial year – 2021/22) the Offices of State Attorney were measured in terms of external transformation of Previously Disadvantaged Individuals (PDIs) legal practitioners, more especially the empowerment of female PDIs. Indicators such as the total briefs issued, and number of briefs issued to PDIs, percentage of value of briefs allocated to PDIs; percentage of brief allocated to female legal practitioners and percentage of value of briefs allocated to female legal practitioners were measured. The Branch has since appointed the Contingent Liability committee and a draft policy on the Management of Contingent liability for the State has been prepared and circulated to all client departments for inputs. The branch consultations are underway. National Briefing Committee was appointed to oversee briefing and briefing protocols by the various offices of state Attorney and to monitor the functionality and compliance with Treasury Prescripts by the State Attorney's Briefing Committees.

The OSG has successfully conducted a number of stakeholder engagements across the Republic to date, with the professional bodies and their members and have had several engagements with practitioners with the assistance of the Legal Practice Council. In preparation for the Intergovernmental National Litigation Forum, the OSG successfully conducted over the period 7th - 9th September Dialogue Sessions with Legal Departments within the State at National, Provincial and Local Government level as well as with State Owned Enterprises (SOE), Boards of Agencies. Intergovernmental National Litigation Forum (INLF) was successfully held at Sheraton hotel on 25-26 February 2022, which the President addressed. The INLF produced "the Sheraton resolutions," which will guide the plan to restructure the state legal services.

Transformation of the legal profession and the fight against fraud and corruption will be one of the priorities in the medium-term period. The Department plans to finalise the policy guidelines on the conferral of senior counsels which will drive transformation of the legal profession. To enhance the fight against corruption over the MTEF period, the Department will roll out and capacitate specialised commercial crimes courts. The Department will continue to support initiatives by providing infrastructure needed in relation to the SIU's Special Tribunal, and the NPA's Investigative Directorate.

Masters' offices successfully rolled out the Paperless Estates Administration System (PEAS). This is being used by all fifteen (15) Masters' offices countrywide, as well as 280 magistrates' offices linked with the relevant Masters' offices. The structure for a sixteenth (16th) Master's Office in Middelburg has been approved and capacitation will take place in the 2022/23 financial year.

Further rollout of the PEAS to more service points will ensure that citizens receive the same quality of Masters' services within Magistrates' Courts. This is, however, dependant on the availability of funds and must take into account the need to curb the spread of COVID-19. The move to Service Points is transformative and increases access to the Master's Services, in line with the Departmental focus of Year of the Community.

During past years, the Master rolled out MOVIT (fingerprint verification) to 302 Service Points, which allowed applicants to lodge their Guardian's Fund applications at those Magistrates Courts and have their fingerprints verified there.

However, when the DoJ&CD Information Communication and Technology (ICT) system hack took place in September 2021, the relevant server was lost as well as all user data and connectivity to Home Affairs with regards to MOVIT. The server and connectivity has subsequently been restored, but users at all sites have to be re-registered and MOVIT application re-installed. Masters already re-registered users at all 15 Master's Offices and 49 Service Points. For the 2022/23 financial year, Masters are planning to ensure that at least 150 of these service points are re-registered. This will be measured through Masters SDIP.

The integration system with the Department of Home Affairs, which allows the Masters' offices to extract details of a deceased person directly from their database, is well entrenched within the Masters' environment. This ensures that details are captured correctly, curbs any fraudulent activities and ensures that citizens receive the same services and can lodge their applications in the area where they reside, without the need to travel long distances. The Branch has been in the forefront of automation with regards to deceased estates and trusts.

The development and roll out of online registration of deceased estates and trusts will be a convenient method that allows people who want to report deceased estates or register trusts, to do so remotely from the comfort of their offices, homes, or any other place. This approach will be an effective move to reduce the number of customers in the offices of the Masters or at the service points, and will enhance access to the Masters' services in the country. Online registration will speed up the registration process and ensure quicker availability of the details/particulars of the beneficiaries and trustees. International trends to curb the abuse of trusts by keeping records of beneficial ownership will be answered by the online registration.

The Department is committed to provide facilities (offices/courts/service points) that allow access to persons with disabilities as required by building regulations. The Department will ensure that its facilities have at least one disability parking, ramp to the building, toilet on the ground floor, lifts with voice and braille. 462 Disability projects were completed. Currently, 69 courts remain to be upgraded and these will be completed in the next five years. The Department made it mandatory that all projects (new, additions and refurbishment) include the specifications for access for persons with disabilities. The Department is planning to upgrade all the existing facilities to be accessible to people with disabilities. Currently 38 courts are under construction.

The National Development Plan (NDP) vision 2030 was developed with the aim to address the triple challenges of poverty, unemployment and inequality that confronts South Africa. It further sets out a long term vision that directly affects the Department of Justice and Constitutional Development (DOJ&CD) that, by 2030, South Africans should feel safe and be safe. This vision could be achieved

through a well-functioning criminal justice system in which the police, prosecution, judiciary and correctional services work together to ensure that suspects are arrested, prosecuted, convicted if guilty, and securely incarcerated. This vision has been included in the Priority 6: Social cohesion and safe communities 2019-2024 Medium Term Strategic Framework (MTSF). The MTSF is used as a tool to implement the NDP as it outlines what departments should do over the five-year electoral term until 2024. The DOJ&CD has aligned its plan with Priority 6 of the MTSF that it is responsible for, by incorporating those indicators into the 2022/23 annual performance plan (APP). The inclusion of MTSF indicators on the Departmental plan will go a long way in assisting to achieve the NDP deliverables.

The DPME develops the National Annual Strategic Plan (NASP) which will be the annual plan used to monitor the implementation of the MTSF. The selected MTSF indicator to be part of the NASP and which directly affects the DOJ&CD is the percentage conviction rate in cable theft cases.

Increasing Case Backlogs:

The courts, both the district and regional courts, are experiencing an insurmountable increase in case backlogs, exacerbated by the outbreak of the COVID-19 pandemic and the resultant national lockdown to contain its spread.

The Department has developed, in liaison with the lower court judiciary, the NPA, Legal Aid SA and SAPS a case backlog reduction framework. The framework incorporates measures that were promulgated under the Court Directions published in respect of different Alert Levels. These measures include:

- (i) the compilation of a priority roll of criminal cases in respect of each court under the direction of the presiding officer of such court and in consultation with the National Prosecuting Authority and Legal Aid South Africa.
- (iii) the establishment of a local case management committee to monitor the effective implementation of measures that are geared to reduce case backlogs and the need for the committee to meeting regularly to monitor the backlog roll.

The case backlog reduction framework commits all stakeholders to determine a uniform percentage by which the backlog in the criminal roll will be reduced over the MTSF period. Consultation with the stakeholders for the Judiciary and the JCPS cluster are underway to reaching consensus on the performance target that the courts must strive to meet in the quest to drastically reduce the increasing backlog.

Specialised commercial crime courts (SCCCs)

Part of the Department's responsibility in combatting corruption, is ensuring the effective and optimal functioning of the Specialised Commercial Crime Courts (SCCCs) which the current MTSF envisages as being extended to every province in the country which does not yet have an SCCC.

The SCCCs ensures a speedy finalisation of corruption and fraud cases. Cases enrolled in these courts receive priority. This is crucial as the NPA will soon be entrusted with the prosecution of corruption cases that would emerge from the outcomes of the Commission of Inquiry into State Capture, Corruption and Fraud in the Public Sector including Organs of State.

The Department will now be focusing on the enhancement of the SCCCs in all provinces in hindsight of the escalation of the corruption and fraud cases. A separate roll of cases handled by the SCCCs will be maintained. This is with a view to monitor the success of these courts as well as to make necessary interventions where required.

One of the priorities for the Department over the medium-term period is to improve audit outcomes. The Department received qualified audit opinions in respect of the vote account and pre-determined objectives over the past three successive financial years. The main findings on the vote account were on management of contingency liability and assets while issues on predetermined objectives were about the accuracy and reliability of data that supports reported performance. The Department plans to implement interventions aligned to prescripts and ensure that it achieves and sustains unqualified audit outcome on vote account, performance information by the 2024/25 financial year.

The Department has for the past four (4) years seen a gradual decline in overall organizational performance; i.e. 51% in 2019/20 as compared to 85% in 2015/16 financial year. As a way of addressing this deterioration and in order to improve performance, the Department, amongst others, plans to finalise the reconfiguration of the macro structure, to fill critical vacant posts, and to train employees. The interventions put in place are starting to bear fruits. During the 2020/21 financial year, the Department's performance increased from 51% recorded in 2019/20 financial year to 61%.

Social Compact

The Constitution provides both the foundation and framework for the transformation of the State and society broadly. The transformation of the judicial system is a constitutional imperative which is entrusted upon the Executive as a Branch of the State that is assigned the responsibility of developing and implementing national policy and initiating legislation, amongst others. The constitutional mandate and obligation to transform the judicial system also derives from section 180 of the Constitution which provides that national legislation may provide for any matter concerning the administration of justice that is not dealt with in the Constitution. The MTSF (2019-2024) proposes a social compact and engagement between the three Branches of Government with the fundamental outcome of "improved leadership, governance and accountability".

The Department envisages that the finalisation of a social compact will strengthen the vision that a developmental state must be embedded in society, building constructive relations, collaboration with sectors of society and empower citizens to be active agents of change in communities. Thus the envisaged social compact between the three Branches of State is intended to foster and strengthen the constitutional relationship between the respective arms of state and provide a platform for a constructive

interface where matters of mutual interest can be ventilated. Such a process will provide a structured interface to address the policy reforms pertaining to the judiciary. Work on the concept of the Social Compact document has started and it will be submitted to Cabinet in the 2022 / 2023 to guide on the engagement with the legislative and judicial branches of the state.

Description of the strategic plan process: The strategic planning process involved a critical evaluation of the Department's operating environment, which includes the internal, external, and macro environment which influences the way the Department executes its mandate. In preparation for the revision of the Annual Performance Plan branches were engaged to reflect on its strategic direction and to ensure that they are in line with the revised planning framework on strategic plans. Subsequent to that, the Department held its strategic planning sessions from 01 – 02 October 2021 and 02-04 March 2022. The purpose of these sessions were to allow senior management of the Department an opportunity to have strategic discussions that will inform the revision of the APP. At the end of the sessions, management set priorities in line with the changes happening in the space where the Department operates. During both strategic review sessions, the Executive Authorities provided their reflection of the draft APP as well as the strategic and operational direction for 2022/2023 financial year. The Department was able to assess its functional areas as per the themes that were developed, identify gaps, proposed interventions and prioritized them for inclusion in the 2022/23 APP or the Annual Operational Plan.

8.1 External Environment Analysis

Demographics: The South African population is continuously growing. The 2021 mid-year population estimate² indicates that South Africa's population is estimated to have increased from 59.62 million to 60.14 million people. Approximately 51.1% of the estimated population is female. The mid-year estimate indicates that the population is estimated to have grown by 0,8%, compared to 58.73 million reported in the 2019 mid-year population estimate.

Over the past 12 months, there was a reduction of international migration which is indicative of COVID-19 travel restrictions which subsequently impacted on the migration patterns since March 2020. Migration is an important demographic process as it shapes the population distribution in each province. The 2021 mid-year population estimate further estimated Gauteng and the Western Cape to have experienced the largest inflow of migrants of approximately 1 564 861 and 470 657, respectively. Gauteng province still comprises the largest share of the South African population, with approximately 15.81 million people (26,3%) living in the province KwaZulu-Natal is the province with the second largest population with an estimated population of 15.5 million people (19,1%). During the same period, it was reported that the number of international migrants entering the provinces was highest in Gauteng, with the Western Cape ranking second. When expanding services that the Department provides, these immigration patterns need to be considered.

² P0302 – Mid-year population estimates 2020 by Statistics South Africa

Section 35 of the Constitution and the Bill of Rights contain several references that ensure that every accused person has a right to a fair trial, which includes the right to be tried in a language that he or she understands, or, if that is not practicable, to have the proceedings interpreted in that language. Increasing numbers of legal and illegal immigrants may result in greater numbers of court cases involving immigrants. Due to the provision of Section 35, the Department is compelled to provide interpreters to ensure that they understand court proceedings. The continued increase in demographics might result in added administrative tasks provided by courts and other justice service delivery points in the affected provinces. Further, the Department will be expected to develop additional courts to deal with a growing number of matters on the court rolls.

Impact of COVID-19 on the operations of the Department: The outbreak of COVID-19 pandemic has profoundly affected the service delivery operations of the Department of Justice and Constitutional Development in particular. The virus infection of officials who have been from time to time reported testing positive, forced the court houses, service delivery points to change operations, and to some extent to close for the services in order to decontaminate the facilities. The closure resulted in service delivery interruptions until the facilities were declared safe for operations. The court houses, service delivery points that have to be accessed by the public experienced closures and had to postpone cases and/or matters that were to be heard. Some have been continuously closed which amounted to service delivery compromise when such facilities were closed.

The period of absenteeism by officials who tested positive to COVID-19 while in quarantine affects productivity to deliver according to departmental planning. Despite the existence of this deadly disease, service delivery remains our commitment in the Department, therefore, the Department is from time to time encouraging employees to vaccinate in order to limit the spread of the virus. The Department will continuously provide guidelines to the risk measures that have to be implemented in our service delivery points and court houses to prevent physical contacts in facilities. In order to mitigate the effects of COVID-19, employees will be encouraged to continue performing their work and to meet the targets that were set to achieve.

The lockdown restrictions implemented by Government due to the COVID-19 pandemic as well as the non-availability of financial systems due to the ransomware attack has severely impacted the Department's ability to pay suppliers within the required 30-day period. The Department plans to put measures in place to ensure that all payments that are not in dispute are paid by the financial year end. The maintenance beneficiary payments were also impacted slightly, however the Department managed to put the system back online within a reasonable period of time after the ransomware attack.

COVID-19 had a negative impact on the performance of the Masters offices. In order to comply with the relevant restrictions in the regulations issued during the different determined levels, Masters officials had to work on a rotational basis. This in turn caused delays and backlogs in attending to matters in the offices as the demands for Masters services did not decrease during this period. Masters offices have had to deal with increased number of estate matters due to a high number of deaths occurring within a short period of time due to COVID-19 pandemic. Backlogs occasioned by this, will have to be attended

to through overtime and extended working hours. Attending to backlogs had, and will have a negative impact on achieving of set performance targets by the Branch.

Economic growth: The South African economy recorded its fourth consecutive quarter growth, expanding by 1,2% in the second quarter of 2021 this followed a revised 1% rise in real gross domestic product (GDP) in the first quarter of 2021 (January –March) Despite the gains made over the last four quarters, the economy is 1,4% smaller than what it was before the outbreak of COVID-19 pandemic. This means that the economic impact of the wave of severe economic disruption protestation and violence in KwaZulu-Natal and Gauteng which took place in July will be reflected in the third quarter report. The growth made in the last four quarters is not enough to return to the pre COVID-19 level. The weak economic growth resulted in a high unemployment rate and revenue collection shortfall. Revenue shortfalls have affected the budget allocation of government departments, and this may have negatively impacted on service delivery. The Department should find a way to do more with less to provide its services within the constrained financial environment. The Department must build capacity through training and re-skill of personnel in order to meet service delivery demands and the unchanged mandate.

Unemployment: According to Stats SA, the unemployment rate increased from 32.6% recorded in the first quarter of 2020 to 34.4 % in the third quarter of 2021. During the same period under review, the number of unemployed persons increased to 7.3 million in Quarter one (Q1) of 2021 to 7.8 million people recorded in the second quarter of 2021. The rise in unemployment was exacerbated by the lockdown which shut down large parts of the economy. If the high unemployment rate increases, the risk of people committing crimes for survival is high. To deal with this problem, the Department will need to act against crime by ensuring that all cases are dealt with and finalised speedily. The persistent high unemployment rate might lead to more people defaulting maintenance payments. The Department has developed an Online Tracing System to track and trace maintenance defaulters to ensure that they attend court for purposes of the maintenance enquiry. The system will also assist in tracking and tracing the assets of the defaulters as well as determining the defaulter's financial position. With this system the Department will close the gap between the formal and informal economy which had in the past resulted in maintenance applications being prolonged.

Death and Mortality rate: Life expectancy at birth is continuing to rise. The 2020 mid-year population estimate indicated life expectancy at birth at 59.3 years for males and 64.6 years for females as compared to the estimated life expectancy of 66.4 years for males and 68.4 years³ for females reported in the 2020 mid-year population estimate. The 2020 mid-year population estimate shows an improvement in life expectancy at birth. The infant mortality rate for 2020 is estimated at 23.6 per 1000 live births.

3 P0302 Mid-year population estimates 2019 by Statistics South Africa

Technology: According to the Digital 2020 Report published in January 2020, shows that connected technology has become an essential part of people's live over the past 12 months with social media and e-commerce streaming content and video gaming all seeing significant growth. As of January 2021 there were 38,13 million internet users in South Africa's. This shows that internet users increased from 36.54 to 38.13 million as compared to the 2020 report. The vast majority of citizens (36 million) are accessing the internet on their mobile phones. Facebook and WhatsApp are still the most popular social media networks in South Africa, with 25.4 million and 23 million active users respectively, followed by YouTube at 8.52 million and Twitter at 7.5 million.

Technology changes rapidly and attempts to keep up with improvements must be undertaken with caution. The growing number and variety of devices connected to the internet are augmenting both the potential and impact of cyber-crimes and cyber-related crimes. Cyber-crime in general poses problems of jurisdiction and legislation for law enforcement when it comes to transnational crimes.

Overview of Corruption in South Africa: The level of corruption and/or perception of corruption in South Africa is unacceptably high in both the public and private sectors. This is evidenced by the Transparency International Corruption Perception Index and other corruption-related surveys and reports. According to the Transparency International Corruption Perception Index 2020, South Africa scored 44, on a scale of 0 (highly corrupt) to 100 (very clean)⁴. South Africa has been struggling to surpass the score of 50 since 2007, as reflected by the graph below⁵.

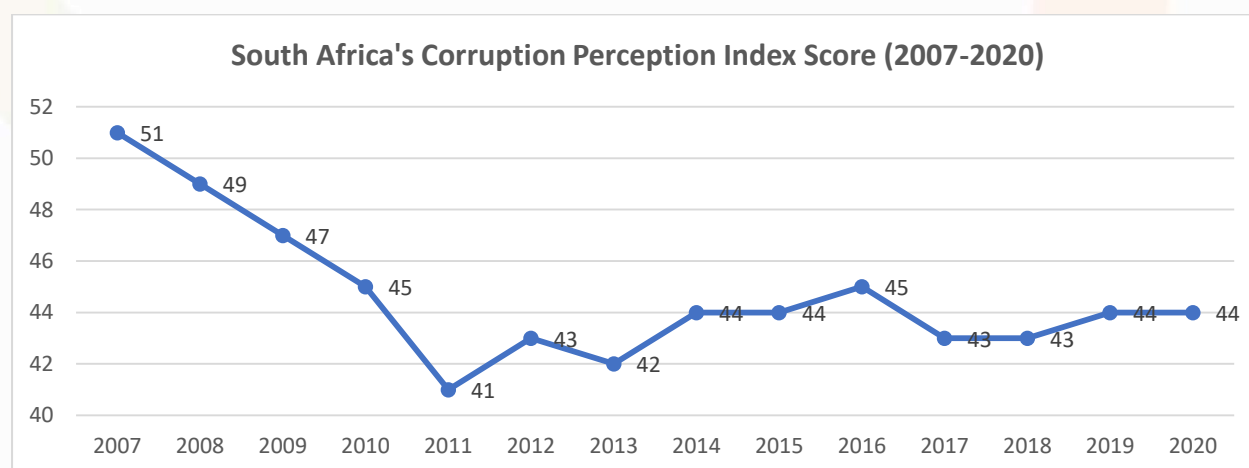


Figure 1: South Africa's Corruptions Perception Index Score

⁴ The Transparency International Corruption Perception Index scores and ranks countries and territories based on how corrupt their respective public sectors are perceived to be. A country or territory's score indicates the perceived level of public sector corruption on a scale of 0 (highly corrupt) to 100 (very clean). A country or territory's rank indicates its position relative to the other countries and territories in the index. The perception scoring is based on secondary data (13 surveys of business people and expert assessments).

⁵ Transparency International. (2020). Corruption Perceptions Index 2020. Accessed from: https://images.transparencycdn.org/images/CPI2020_Report_EN_0802-WEB-1_2021-02-08-103053.pdf, dated 30 January 2021.

The Afrobarometer 2019 survey found that 64% of South African citizens who participated in the survey were of the view that corruption increased in the previous 12 months. It is encouraging to note that this is a 19-percentage drop from 83% in 2015. About 70% of South African citizens who participated in the Afrobarometer survey were of the view that government is doing a bad job of tackling corruption – a 9 percentage point drop from 79% in 2015. This seems to suggest that public confidence in government's capacity to fight corruption is returning, albeit it's still low.

Opportunities

- The Department plays a leadership role to support the coordination and overall implementation of National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as programmes aimed at promoting nation building and social cohesion.
- Eradication of corruption within the Public Service and State Organs.
- The alignment of magistrate with municipal district (rationalisation) of courts improved access to courts and justice services
- Utilisation of Technology centred an opportunity to increase access to justice services and operations through digital platforms and web based applications.
- Zondo Commission outcomes and work underway on anti-corruption presents an opportunity to strengthen the fight against corruption and turn around negative perceptions.
- Increased compliance with international obligations improves our international standing and reputation.

Threats

- The economic situation has an impact on the country revenue shortfall and the COVID-19 pandemic has a negative impact on the Departmental financial resources.
- The high unemployment rate has been linked to poverty with possible consequence of increased crime rate which has a potential on the demand for justice services in terms of court cases.
- Poor performance of DPWI that will lead to reduced CAPEX budget allocation by National Treasury.
- An Increase in the caseload at court level since government continues to increase the fight against social ills in the communities.
- Implication on increased absenteeism rate, sick workforce and possible increased mortality rate.
- Influx of foreign Nationals which brings about a myriad of challenges when it comes to allocation of resources, ranging from the need for various language experts and if not available may either cause case backlogs or withdrawal of cases.
- Significant increase in internet access combined with a growing reliance on e-governance, commercial services, social networks and Resistance / difficulty to adapt to technology has increased the vulnerability of both citizens and governments to cyber criminals. Resistance / difficulty to adapt to technological change

- South Africans still pay higher prices for their mobile data, fibre, VDSL and ADSL connections. Predatory pricing of data and voice by telecommunication companies is widening the gap between the rich and the poor (affording class have the essential means to access digital justice services)
- Copper cable and technology equipment theft results in catastrophic service delivery. And load shedding cases postponed and creation of case backlog.
- National Treasury directive on budget cuts have had a negative impact on filling of vacant posts and achievement of planned projects.
- Corruption and perception of lawlessness impact on trust and confidence on the institution's ability to deliver its programmes.
- A significant increase in internet access, growing reliance on e-governance, commercial services, social networks, has increased the vulnerability of both citizens and governments.
- Slow in the development broadband service on the national landscape constraints the department in delivering the digital justice services.
- Increased security breach in digital content resulted in a loss of the Department's valuable data.

8.2 Internal Environment Analysis

The Department of Justice and Constitutional Development identified the listed below as its strengths, weaknesses, opportunities and threats to enhance implementation of the planned programme to achieve its mandate.

Strengths

- Less than 10% of the Department workforce are either in the age group that can be considered for early retirement or normal retirement.
- Good staff compliment of 18000 officials of which 170 are at senior management level.
- The Department's staff have high levels of skills, are knowledgeable, highly qualified and experienced
- The Department has institutionalised planning and monitoring and evaluation
- The Department has a conducive working environment
- Change in institutional leadership, with the new Minister and DG coming into the Department with renewed focus and energy, fully motivated to see the Department overcome negative audits and fully committed to effecting changes in the Department's cultural environment, including putting processes in place to improve employee relations and employee wellness.
- New organisational structure provides better placement, improved operating efficiencies, greater employee performance, eliminates duplication, clear role clarification and improved streamlining of functions.
- Political commitment and institutional readiness to promote fundamental human rights and constitutional development.

- Growing partnerships and collaboration across the sector on issues pertaining to Constitutional development and human rights issues.

Weaknesses

- Majority of officials (79%) at retirement age represents potential threat to the capacity of Court Services to deliver on its mandate and HR should help the line management in Court Services to address potential gaps in key critical areas, skills transfer, and knowledge management before they exit the system.
- Improper exit management might result in loss of institutional memory.
- Policy pronouncements not matched by clear policy proposals which can be translated into legislation.
- Insufficient internal stakeholder participation and commitment to drive inter-departmental interaction and consultative processes
- Inadequate court infrastructure and resources to roll out/support electronic courts system, especially for rural areas.
- Poor capacity to deal with dependency from the sector and other stakeholders across government due to non-existence of policy or guidelines for stakeholder management and fostering collaborations.
- Slow connectivity due to unstable information communication technology (ICT) infrastructure
- Lengthy procurement resulting in the delays in the modernisation initiatives and instability in the operational environment.
- Lack of business processes in the Department.

Department of Justice and Constitutional Development structure

The Department of Justice and Constitutional Development is structured into five programmes. The programmes are: Administration, Court Services, Legal Services, National Prosecuting Authority, and Auxiliary and Associated Services. Under the Legal Services programme there are five branches, namely: Legislative Development and Law Reform, Master of the High Court, Office of the Chief State Law Adviser and Constitutional Development. Although there was a cut on the budget allocation over the past three years, the Department has filled critical posts in order to deliver its Constitutional and Legislative mandate. There are 16 825 positions in the establishment, of which 15 868 are filled. The majority of employees (12 719) are employed in Programme 2: Court Services, which is the Department's core business.

The finalization and implementation of the organization structure in 2021 / 2022 will enable the Department to accelerate the implementation of key strategic objectives with the filling of key SMS positions and the reduction of SMS vacancy rate provides for enhanced leadership capability. The reduction in the headcount of the Department since 2016 as a result of the reduction in the compensation budget had an impact on service delivery and will be mitigated by the implementation of the organizational structure. The COVID-19 pandemic has shown a direct impact on the Departmental

workforce as a result the training targets for 2019/2020 was not achieved, however due to alternative training methods, targets are more likely to be achieved in 2021/2022.

Human Resources

The table below shows the number of employees and vacancies per critical categories for the Department of Justice and Constitutional Development as at the end of 31 December 2021.

Table 1: Human Resources per critical categories

AGE GROUPS	ADMINISTRATION	COURT SERVICES	STATE LEGAL SERVICES	GRAND TOTAL	% OF WORKFORCE
21-25	88	125	19	232	1.46%
26-30	219	846	158	1223	7.68%
31-35	228	1981	297	2506	15.74%
36-40	273	2939	398	3610	22.68%
41-45	209	2417	402	3028	19.02%
46-50	151	1892	425	2468	15.50%
51-55	96	1339	225	1660	10.43%
56-60	65	751	109	925	5.81%
61-64	23	202	42	267	1.68%
TOTAL	1352	12492	2075	15919	100.00%

The table below shows the number of filled posts and vacant posts against the approved posts for the Department of Justice and Constitutional Development as at the end of 31 December 2021.

Table 2: Vacancy rate

SALARY LEVEL	FILLED POSTS	VACANT POSTS	APPROVED POSTS	VACANCY RATE
SL 3-5	9951	596	10547	5,7%
SL 6-8	3581	434	4015	10,8%
SL 9-12	1767	272	2039	13,3%
LP 10	40	23	63	36,5%
SL 13-16	131	37	168	22,0%
TOTAL	15470	1362	16832	8,1%

Financials

During the 2021 budget process, the department's baseline was reduced by a total amount of R7.856 billion over the medium term (R2.4 billion for 2021/22, R3.1 billion for 2022/23 and R2.4 billion for

2023/24). The bigger portion of the baseline reduction was on compensation of employees which amounts to R5 billion over the medium term, included on this reduction is an amount of R901 million which relates to the Magistrates' salaries. The Department's operational budget was reduced by R915 million over the medium term (R175.6 million in 2021/22, R248 million in 2022/23 and R491 million 2023/24). A total amount of R315 million was reduced from the IJS programme over the medium term with an average of R105 million per financial year. Court infrastructure projects budget was also reduced with a total amount of R740 million over the medium term with an average amount of R246 million per financial year. The balance of R801 million over the medium term was reduced from the Entities (Legal Aid South Africa, Special Investigating Unit, Public Protector South Africa and South African Human Rights Commission).

The table below outlines summary of the Department budget allocation for 2022/23 financial year.

Table 3: Departmental budget summary

Budget summary

R million	2022/23				2023/24	2024/25
	Current payments	Transfers and subsidies	Payments for capital assets	Total	Total	Total
MTEF allocation						
Administration	2 955.5	20.4	13.0	2 988.9	3 059.4	3 200.5
Court Services	6 107.4	32.8	669.5	6 809.6	6 516.0	6 808.0
State Legal Services	1 279.8	26.6	16.3	1 322.7	1 303.3	1 362.0
National Prosecuting Authority	4 801.9	22.0	86.4	4 910.3	4 870.9	5 089.6
Auxiliary and Associated Services	842.9	3 112.6	34.9	3 990.4	4 052.7	4 232.2
Subtotal	15 987.5	3 214.4	820.0	20 021.9	19 802.2	20 692.4
Direct charge against the National Revenue Fund						
Magistrates' salaries	2 343.1	55.4	–	2 398.5	2 408.7	2 516.9
Total expenditure estimates	18 330.6	3 269.8	820.0	22 420.5	22 211.0	23 209.3

Executive authority Minister of Justice and Correctional Services
Accounting officer Director-General of Justice and Constitutional Development
Website www.justice.gov.za

The Estimates of National Expenditure is available at www.treasury.gov.za. Additional tables in Excel format can be found at www.treasury.gov.za and www.vulekamali.gov.za.

Information Technology

Over the past MTSF period, the Department has implemented ICT in two chronological phases: strengthening the ICT Foundation, and implementing key Business Solutions, respectively. The strengthening of the ICT Foundation entailed upgrading the underlying ICT Infrastructure (e.g. computers, laptops, servers and networks) that is required for the implementation of business solutions. The implementation of business solutions, which were aligned to the key strategic goals of the Department, included development of solutions for key services: i.e. Masters' Services, Court Services, State Attorney services, Third Party Funds, JCPS Cluster Integrations and Internal Administration services.

Over this MTEF period, in line with its strategic approach on the use of ICT as an enabling resource to function more effectively and efficiently, the Department will intensify its efforts to use ICT as a strategic enabler, with the objective of digitising access to justice services, service delivery and internal operations, thus creating a smart justice system.

In this regard and in intensifying its efforts in utilising ICT as a strategic enabler, the Department will endeavour to exploit the efficiencies brought about by the Fourth Industrial Revolution and the digitisation opportunities presented by the COVID-19 pandemic. In this regard, the Department envisages to improve access to justice services through the implementation of online channels, where services can be initiated, processed and tracked through these online channels (e.g. maintenance applications).

The Department will also implement technologies over this period that will include video solutions which will allow for the parties of a case to appear in court via video links displayed in court, without having to be physically present in the court. These parties will include the likes of legal representation, foreign language interpreters, witnesses, SAPS forensic laboratory experts, etc.)

Unfortunately, in September 2021, the Department suffered a ransomware attack, which not only impacted on the delivery of existing services enabled by technology, but also its modernisation program. The Department, with the support of the relevant state agencies and industry experts, had managed to restore certain services within a reasonable amount of time (e.g. case recordings with limited features), given the complexity of the issue at hand. Other services continue to be restored gradually. The Department is making all efforts to ensure that any service delivery backlogs as a result of the downtime, is addressed. In respect of the impact to the modernisation program, the Department will implement measures to catch-up with the program's timeframes.

On the upside, the recent ransomware attack also highlighted some process inefficiencies, which presented opportunities both in terms of streamlining ICT and Business Processes and enhancing security. As such the Department is making a concerted effort to ensure that the lessons learnt from this experience is incorporated in its modernisation effort, to ensure a safer and more trustworthy user experience – especially in as far as online services are concerned. In addition, more focus will be placed on streamlining internal Business Continuity processes and coordination to ensure that services are available to all stakeholders, in the event of another such/similar disaster.

COVID-19

The Department has a vaccination roll out plan that consists of the interactive communication through internal platforms that provide employees with information relating to COVID-19 and vaccination.

In 2020/2021 the Department registered all employees on the Department of Health Electronic Vaccinations Data System (EVDS) to fast track the vaccination program. Dedicated vaccination sites were provided to all employees across all provinces.

To improve the vaccination rate in the Department for the 2022/2023 performance cycle, internal communication of information on vaccination sites including the launch of bi-monthly voluntary surveys to determine the vaccination rate in the Department. The peer education, internal communication and vaccination drives will continue.

The Department established regional and national forums forms a critical part of monitoring and evaluation to serve as a compliance and communication platform in the fight against COVID-19 and vaccine hesitancy.

B-BBEE compliance performance information

Table 4: B-BBEE compliance performance information

EXECUTIVE SUMMARY - B-BBEE LEVEL		
DESCRIPTION	TOTAL AMOUNT	%
Level 1	525 820 945,25	39.00%
Level 2	114 877 311,94	8.52%
Level 3	6 348 162,83	0.47%
Level 4	39 472 773,21	2.93%
Level 5	29 447 093,97	2.18%
Level 6	949 204,68	0.07%
Level 7	1 983 798,97	0.15%
Level 8	52 681 366,67	3.91%
Non-compliant contributor	576 613 592,08	42.77%
GRAND TOTAL	1 348 194 249,60	100%

The Broad-Based Black Economic Empowerment Act (Act No. 53 of 2003) was developed with the objective of addressing the inequalities of the past by ensuring that the South African economy is structured and transformed to enable the meaningful participation of the majority of its citizens and to further create capacity within the broader economic landscape at all levels through skills development, employment equity, socio-economic development, preferential procurement enterprise development (especially small and medium enterprises), promoting the entry of black entrepreneurs into the mainstreaming of the economy activity, and the advancement of the cooperatives.

The Department is committed to mainstream enterprise development, empowerment and equity in the economy to designated groups through the implementation of National Treasury prescripts. The Department will support its procurement spend to advance historically disadvantaged persons by giving preference to Exempt Micro Enterprises (EME) and Qualifying Small Enterprises (QSEs).

In the financial year 2020/21 the Department awarded approximately 39% of all contracts (bids and quotation) to BBBEE level one contributors to a value of R525 820 945.25 and a further 8.52% to level two contributors to a value R114 877 311.94. In spite of the operational challenges posed by COVID-19 restrictions in the first half of 2021/22 the Department remains confident that the previous financials

performance will be sustained or even outperformed as it has created measures that ensure that previously disadvantaged people benefit from the Department's preferential procurement policies by breaking down larger service contracts into smaller contracts to afford as many designated groups with an opportunity to participate as main contractors, service providers, or suppliers.

Stakeholder Management

The Department of Justice and Constitutional Development has a wide spectrum of stakeholders and partners who jointly contribute to its vision of an accessible justice system in a vibrant and evolving constitutional democracy. The stakeholders include civil society, international stakeholders, the Parliament of South Africa, the Portfolio Committee on Justice and Correctional Services, JCPS Cluster partners and Media and Chapter 9 institutions and various government departments.

The table below gives the list of identified key stakeholders and their roles in the delivery of the Department outputs.

Table 5: key stakeholders and their roles

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
Audit Committee	Independent oversight body.	Directly	Advisory role over management responsibilities
Auditor-General South Africa (AGSA)	Constitutional body tasked with the responsibility of oversight accountability.	Directly	Audit role on compliance with legislation
Cabinet	Executive Structure of Government	Directly	Approval of policy documents, legislations and the Department's plans
Chapter 9 institutions	Section 181(1) of the Constitution establishes state institutions supporting constitutional democracy. These are the Public Protector, Auditor General, South African Human Rights Commission, Commission for Gender Equality, the Commission for the Promotion and Protection of the Rights of Cultural, Religious and Linguistic	Directly	Each institution is established in terms of specific constitutional mandates to strengthen constitutional democracy in South Africa.

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
	Communities and the Electoral Constitution		
Civil Society	Organisation found in communities either as Non-profit organisations, advocacy groups foundations and faith organised groups.	Directly	Participate in the implementation of National Action Plan and hold government to account to account for the use of public resources.
Department of Arts and Culture	A custodian of South Africa's diverse cultural, artistic and linguistic heritage.	Directly	Facilitator of Outcome 14: Social cohesion and Nation Building.
Department of Home Affairs	Maintain the national population register (civil registry) including the recording of births, marriages, deaths, issuing of identity documents and passports.	Directly	Decide on how to establish procedure in terms of which particulars of persons to be included on the register should be forwarded. Verification of registration of birth of children and travel status.
Department of Social Development	Management and oversight over social security, encompassing social assistance and social insurance policies	Directly	Assists in terms of international social services. Conducting investigation on the Department's behalf in foreign countries. Refer all family related to the Office of Chief Family Advocate
Department of Health	Department responsible for Health Portfolio in the Republic	Directly	Provide with Psychiatric observation services and DNA testing services.
Department of Planning , Monitoring & Evaluation	Holds the mandate for Planning, Monitoring and Evaluation.	Directly	Ensure for Planning, Monitoring and Evaluation
Department of Public Works and Infrastructure	Custodian of state immovable assets portfolio and property manager for privately owned leased accommodation.	Directly	Provide accommodation, maintenance and cleaning services of state immovable assets.
International Organisations	International bodies like the United Nations with which	Directly	Oversee the implementation of treaties and conventions

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
	South Africa has signed treaties		signed by the various countries
Judiciary	In terms of section 165(1) and (2) of the Constitution, the judicial authority of the Republic is vested in the courts, which are independent and subject only to the Constitution and the law which they must apply impartially and without fear, favour or prejudice. The Judiciary comprises the Chief Justice, Deputy Chief Justice, President of the Supreme Court of Appeal, Judge Presidents and Deputy Judge Presidents of the High Court, Judges of the High Courts, Chief Magistrates and Magistrates of the Lower Courts	Directly	<p>In terms of section 166 of the Constitution, the courts are the Constitutional Court, Supreme Court of Appeal, High Courts including any high court of appeal that maybe established or recognized in terms of an act of Parliament to hear appeals from High Courts, Magistrates Courts and any other courts established or recognized in terms of an Act of Parliament, including any court of a status similar to either the High Courts or the Magistrates' Courts. The above-mentioned courts (civil and criminal courts) are thus responsible for the administration of justice in South Africa.</p> <p>Section 165(4) of the Constitution provides that "organs of state, through legislative and other measures, must assist and protect the courts to ensure the independence [...]"</p>
Legal Aid SA and IJS	Entities connected to transversal platform and exchanging information electronically	Directly	Maintenance of integration and messaging requirements through IJS Transversal Hub
Legislature	Section 42 of the Constitution provides Parliament consists of the National Assembly and the National Council of Provinces	Directly	In terms of section 42(3) of the Constitution, the National Assembly is elected to represent the people and to ensure government by the people and to ensure government by the people under the Constitution. It

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
			<p>does this by choosing the President, by providing a national forum for public consideration of issues, by passing legislation and by scrutinizing and overseeing executive action.</p> <p>Section 42(4) of the Constitution provides that the National Council of Provinces represents the Provinces to ensure that provincial interests are taken into account in the national sphere of Government. It does this mainly by participating in the national legislative process and by providing a national forum for public consideration of issues affecting provinces.</p>
National Executive	<p>In terms of section 91(1) of the Constitution of the RSA, 1996, the Cabinet consists of the President, as Head of the Cabinet, a Deputy President and Ministers.</p> <p>Section 92 of the Constitution defines the accountability and responsibilities of the Deputy President and Ministers. The Minister of Justice and Correctional Services is the Cabinet Minister responsible for the administration of Justice in South Africa.</p>	High	The Department of Justice and Constitutional Development has been identified as the lead department together with the contributing Departments: DPME and the Presidency.
National Treasury	Allocation of the budget.	Directly	Approves the proposed funding model

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
National Prosecution Authority	Institute and conduct criminal proceedings on behalf of the State	Directly	Focus promotion of social cohesion in our communities while ensuring that communities are safe for all inhabitants
Private Sector	Driver of economic growth	Directly	Provide capital though investment.
Ruling Party	Set out manifesto	Directly	Develop the election manifesto.
South African Police Services (SAPS)	To oversee law and order in the country.	Directly	Give confirmation as to whether a person is pending investigation before the removal or expungement of a criminal record. Assist with the service of process, subpoena and invitation letters.
State Information Technology Agency (SITA)	Manages the procurement of ICT products and services in government.	Directly	Approved the procurement of ICT goods and services in government.

PART C: MEASURING OUR PERFORMANCE

9. MEASURING PERFORMANCE: PROGRAMME 1: ADMINISTRATION

The purpose of the programme is to provide strategic leadership, management and support services to the Department.

This programme comprises the following sub-programmes:

- i. **Ministry:** Provides leadership and policy direction to the DoJ&CD.
- ii. **Management:** Provides overall management of the DoJ&CD's operations and resources.
- iii. **Corporate Services:** Provides strategic support to the Department and integrated business solutions in HR management, information and communication technology (ICT), public education and communications, and capacity building of the Department's personnel.
- iv. **Financial Administration:** Provides financial services to the DoJ&CD with respect to financial resource allocation and management to aid in the fulfilment of the department's goals and objectives.
- v. **Internal Audit:** Assists the accounting officer in maintaining efficient and effective controls by evaluating those controls to determine their effectiveness and efficiency, and to develop recommendations for enhancement or improvement.
- vi. **Office Accommodation:** Provides for accommodation charges, leased agreements and municipal rates.

9.1 Outcome, outputs, performance indicators and targets

Table 6: Outcome, outputs, performance indicators and targets (detailed information on the indicators is provided in Part D)

Outcome 1: Modernised and digitised justice services platforms								
Outputs	Output Indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
1.1 Justice services accessible via Digital Channels	1.1.1 Phases of Maintenance services available on the DOJ Internet Portal completed (online) by target date.	-	-	-	Phase 1 (Online Application Submission capability piloting)	Phase 2 (Online Solution with Transacting capability) completed by 31 March 2023	Phase 3 (Online Solution with Integration capability)	—
	1.1.2 Phases of Deceased Estates services available on the DOJ Internet Portal (online) by target date.	-	-	-	Phase 1 (Online Application Submission capability piloting)	Phase 2 (Online Solution with Transacting capability) completed by 31 March 2023	Phase 3 (Online Solution with Integration capability)	—
	1.1.3 Phases of Protection Order services available on the DOJ Internet	-	-	-	Phase 1 (Online Application Submission	Phase 2 (Online Solution with Transacting capability)	Phase 3 (Online Solution with Integration capability)	—

Outcome 1: Modernised and digitised justice services platforms								
Outputs	Output Indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
	Portal (online) by target date				capability development)	completed by 31 March 2023		
	1.1.4 Phases of NRSO services available on the DOJ Internet Portal (online) by target date.	-	-	-	Phase 1 (Online Application Submission capability piloting)	Phase 2 (Online Solution with Transacting capability) completed by 31 March 2023	Phase 3 (Online Solution with Integration capability)	—
	1.1.5 Phases of State Attorneys Services available on the DOJ Internet Portal (online) by target date.	—	—	—	—	Phase 1 (Legal practice management solution i.e. case management component) piloting completed by 31 March 2023.	Phase 2 (Online Solution with Transacting capability)	Phase 3 (Online Solution with Integration capability)
1.2. Justice services accessible via Virtual Platforms	1.2.1 Number of courtrooms rolled-out with the Courts Audio-Visual Solution (CAVS).	-	-	-	—	85 courtrooms.	85 courtrooms.	100 courtrooms.

Outcome 1: Modernised and digitised justice services platforms								
Outputs	Output Indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
1.3 Approved Modernisation and Digitalisation Strategy	1.3.1 Modernisation and Digitalisation Strategy approved by target date	1	-	-	-	Modernisation and Digitalisation Strategy approved by 31 December 2022	-	-

9.2 Indicators, annual and quarterly targets for 2022/23

Table 7: Output indicators, annual and quarterly targets for 2022/23

Outcome 1: Modernised and digitised justice services platforms					
Output indicators	Annual target for 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
1.1.1 Phases of Maintenance services available on the DOJ Internet Portal (online) completed by target date.	Phase 2 (Online Solution with Transacting capability) completed by 31 March 2023	-	Analysis & Design completed.	Maintenance Payment Tracking completed. Maintenance Case Status Tracking completed.	Application for Variation Orders completed. Electronic Receipt of documents by Sheriffs for serving completed.

Outcome 1: Modernised and digitised justice services platforms					
Output indicators	Annual target for 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
					Phase 2 (Online Solution with Transacting capability) completed by 31 March 2023
1.1.2 Phases of Deceased Estates services available on the DOJ Internet Portal (online) completed by target date.	Phase 2 (Online Solution with Transacting capability) completed by 31 March 2023	–	Analysis & Design completed.	Deceased Estates Status Tracking completed. Online Booking Appointments (e.g. LOA/LOE collections, document submissions) completed.	Digitally approved LOA/LOE completed. Phase 2 (Online Solution with Transacting capability) completed by 31 March 2023
1.1.3 Phases of Protection Order services available on the DOJ Internet Portal (online) completed by target date.	Phase 2 (Online Solution with Transacting capability) completed by 31 March 2023	Analysis & Design.	Solution enhanced in line with the requirements of the envisaged Gender Based Violence Act, Rules and Regulations.	Integration to SAPS for serving protection orders completed.	Electronic Receipt of documents by Sheriffs for serving completed. Phase 2

Outcome 1: Modernised and digitised justice services platforms					
Output indicators	Annual target for 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
			Integration with E-Judiciary Workspace completed.		(Online Solution with Transacting capability) completed by 31 March 2023
1.1.4 Phases of NRSO services available on the DOJ Internet Portal (online) completed by target date.	Phase 2 (Online Solution with Transacting capability) completed by 31 March 2023	–	Analysis & Design completed.	Integration with SAPS completed.	Digitally approved NRSO Clearance Certificates available. Phase 2 (Online Solution with Transacting capability) completed by 31 March 2023
1.1.5 Phases of State Attorneys Services available on the DOJ Internet Portal completed by target date.	Phase 1 (Legal practice management solution i.e. case management component) piloting completed by 31 March 2023.	–	Analysis and Design completed.	Development and Testing completed.	Piloting completed. Phase 1 (Legal practice management solution i.e. case management component) piloting completed by 31 March 2023.

Outcome 1: Modernised and digitised justice services platforms					
Output indicators	Annual target for 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
1.2.1 Number of courtrooms rolled-out with the Courts Audio-Visual Solution (CAVS).	85 courtrooms	–	20 courtrooms completed.	50 courtrooms completed.	85 courtrooms completed.
1.3.1 Modernisation and Digitalisation Strategy approved by target date	Modernisation and Digitalisation Strategy approved by 31 December 2022	Task Team established	Draft Modernisation Strategy and Digitalisation Strategy completed	Modernisation and Digitisation Strategy approved by 31 December 2022	-

9.3 Outcome, outputs, performance indicators and targets

Table 8: Outcome, outputs, performance indicators and targets (detailed information on the indicators is provided in Part D)

Outcome 2: Improved organisational capability and good governance								
Outputs	Output Indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
2.1 Women occupying Senior Management Services (SMS) and LP10 positions	2.1.1 ⁶ Percentage of women occupying Senior Management Services (SMS) and LP10 positions	-	-	-	48.7%	50%	50%	50%
2.2 Appointment of people with disabilities	2.2.1 ⁷ Percentage of total workforce positions occupied by people living with disability	-	-	-	2%	2.1%	2.2%	2.3%
2.3 Appointment of youth	2.3.1 ⁸ Percentage of total workforce positions occupied by youth	-	-	-	20%	22%	23%	25%

6 Indicator 2.2.1 is meant to monitor compliance with DPSA equity target

7 Indicator 2.3.1 is included in order to address the recommendation for inclusion of people living disabilities

8 Indicator 2.4.1 is included in order to address the recommendation by DWYPD for inclusion of youth

2.4 Reported corruption cases investigation for officials finalised	2.4.1 Percentage of reported corruption cases investigated for officials finalised	-	-	-	70%	85%	90%	95%
2.5 Percentage of fruitless and wasteful expenditure reduced	2.5.1 Percentage of fruitless and wasteful expenditure reduced	-	-	-	70%	85%	100%	100%
2.6 Irregular expenditure reduced	2.6.1 Percentage of irregular expenditure reduced	-	-	-	55%	65%	75%	80%
2.7 Undisputed and valid invoices paid within 30 days	2.7.1 Percentage of undisputed and valid invoices paid within 30 days from date of receipt	-	-	99%	95%	100%	100%	100%
2.8 Discretionary Procurement allocated to women	2.8.1 Percentage of Discretionary Procurement allocated to women	-	-	-	10%	40%	40%	40%

Due to various factors that are not always within the control of the Department, mainly instability of the system used to process payments

2.9 Procurement allocated to EME and QSE	2.9.1 Percentage of Discretionary Procurement allocated to Exempted Micro Enterprises (EMEs) and Qualifying Small Enterprises (QSEs)	-	-	30%	40%	40%	40%	40%
2.10 Vacancy rate at SMS level	2.10.1 Percentage of vacant posts at SMS level	-	-	8%	10%	10%	9%	8%
2.11 Disciplinary hearing finalised within prescribed time frame	2.11.1 Percentage of disciplinary cases finalised within 90 days from the date of opening the matter.	-	-	-	65%	70%	72%	75%
2.12. Improved audit outcomes	2.12.1. Percentage of audit improvement plans implemented	-	-	100%	50%	100%	100%	100%
2.13 Grievances resolved	2.13.1. Percentage of grievances resolved within 90 days from the date of opening the matter	-	-	-	60%	65%	70%	75%

2.14 Disciplinary hearings for misconduct backlogs resolved	2.14.1. Number of backlogs on disciplinary hearing cases for misconduct resolved 10	-	-	-	45	30	-	-
2.15 Grievances on backlog resolved.	2.15.1 Number of grievances backlog resolved 11	-	-	-	50	28	-	-
2.16 Specialized training programmes	2.16.1 Number of specialized training programmes conducted by Justice College	-	-	-	-	32	36	40

10 The target for backlog grievance was reduced as there is only 28 cases not resolved by 31 March 2022

11 The target for backlog misconduct was reduced as there is only 30 cases not resolved by 31 March 2022

9.4 Indicators, annual and quarterly targets for 2022/23

Table 9: Output indicators, annual and quarterly targets for 2022/23

Outcome 2: Improved organisational capability and good governance					
Output indicators	Annual target for 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
2.1.1 Percentage of women occupying Senior Management Services (SMS) and LP10 positions	50%	50%	50%	50%	50%
2.2.1 Percentage of total workforce positions occupied by people living with disability	2.1%	2.1%	2.1%	2.1%	2.1%
2.3.1 Percentage of total workforce positions occupied by youth	22%	20%	21%	21.5%	22%
2.4.1 Percentage of reported corruption cases investigated for officials finalised	85%	-	20%	65%	85%
2.5.1 Percentage of fruitless and wasteful expenditure reduced	85%	85%	85%	85%	85%
2.6.1 Percentage of irregular expenditure reduced	65%	65%	65%	65%	65%
2.7.1 Percentage of undisputed and valid invoices paid within 30 days from date of receipt	100%	100%	100%	100%	100%

Outcome 2: Improved organisational capability and good governance					
Output indicators	Annual target for 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
2.8.1 Percentage of Discretionary Procurement allocated to women	40%	40%	40%	40%	40%
2.9.1 Percentage of Discretionary Procurement allocated to EMEs and QSEs	40%	40%	40%	40%	40%
2.10.1 Percentage of vacancy posts at SMS level (Vacancy rate)	10%	18%	15%	13%	10%
2.11.1 Percentage of disciplinary cases finalised within 90 days from the date of opening the matter.	70%	30%	45%	55%	70%
2.12.1 Percentage of audit improvement plans implemented	100%	25%	50%	75%	100%
2.13.1 Percentage of grievances resolved within 90 days from the date of opening the matter .	65%	50%	55%	60%	65%
2.14.1 Number of backlogs on disciplinary hearing cases for misconduct resolved	30	10	10	10	0

Outcome 2: Improved organisational capability and good governance					
Output indicators	Annual target for 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
2.15.1. Number of backlogs on grievances resolved	28	14	14	0	0
2.16.1 Number of specialized training programmes conducted by Justice College	32	10	8	6	8

9.5 Outcome, outputs, performance indicators and targets

Table 10: Outcome, outputs, performance indicators and targets (detailed information on the indicators is provided in Part D)

Outcome 3: Improved awareness of justice services and constitutionalism								
Outputs	Output Indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
3.1 Public education awareness sessions	3.1.1 Number of public education and communication	-	-	-	212	250	300	350

Outcome 3: Improved awareness of justice services and constitutionalism								
Outputs	Output Indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
	activities conducted in enhancing justice services (Criminal, Civil and Family Law Services)							
3.2 Trafficking in Persons awareness campaigns	3.2 .1 Number of Trafficking in Persons campaigns conducted in collaboration with other departments and role-players	-	-	-	3	4	4	4

Outcome 3: Improved awareness of justice services and constitutionalism								
Outputs	Output Indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
3.3 Sustained and visible anti-xenophobia campaigns conducted	3.3.1 Number of sustained and visible anti-xenophobia campaigns conducted in collaboration with other departments and role-players.	-	-	6	6	6	6	6
3.4 Events organised to celebrate the 25th Anniversary of the Constitution	3.4.1 Number of public education activities conducted to create awareness of the Anniversary of the Constitution and promote constitutional rights education	-	-	-	-	150	-	-
3.5 Lesbian, Gay, Bisexual, Transgender,	3.5.1 Number of LGBTQI+ NIS activities	-	-	-	-	12	12	12

Outcome 3: Improved awareness of justice services and constitutionalism								
Outputs	Output Indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
Queer, Intersex Plus (LGBTQI+) National Intervention Strategy (NIS) activities conducted	implemented in collaboration with other departments and role-players							
3.6 National Conference to celebrate the 25 th Anniversary of the Constitution	3.6.1 1 A National Conference to celebrate 25th Year of the coming into effect of the Constitution held by target date	-	-	-	-	A National Conference to celebrate the 25 th Year of the Coming into Effect of the Constitution held by 31 March 2023	-	-

9.6 Indicators, annual and quarterly targets for 2022/23

Table 11: Output indicators, annual and quarterly targets for 2022/23

Outcome 3: Improved awareness of justice services and constitutionalism					
Output indicators	Annual target for 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
3.1.1 Number of public education and communication activities conducted in enhancing justice services (Criminal, Civil and Family Law Services)	250	20	120	190	250
3.2.1 Number of Trafficking in Persons campaigns conducted in collaboration with other departments and role-players	4	1	2	3	4
3.3.1 Number of sustained and visible anti-xenophobia campaigns conducted in collaboration with other departments and role-players.	6	3	4	5	6
3.4.1 Number of public education activities conducted to create awareness of the Anniversary of the Constitution and promote constitutional rights education	150	40	70	110	150
3.5.1 Number of LGBTQI+ NIS activities implemented in collaboration with other departments and role-players	12	3 (1 site visits to Provincial Task Team,	6 (2 Training workshops, 1 report)	10 (2 Training workshops, 1 report and 1 site visits to the Provincial Task Team)	12 1 report and 1 Training workshop)

Outcome 3: Improved awareness of justice services and constitutionalism					
Output indicators	Annual target for 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
		1 report and 1 Training workshop)			
3.6.1 A National Conference to celebrate the 25 th Year of the Coming into Effect of the Constitution held by target date	A National Conference to celebrate the 25 th Year of the Coming into Effect of the Constitution held by 31 March 2023	Concept Note developed, and other Conference logistics arranged	-	-	A National Conference to celebrate the 25 th Year of the Coming into Effect of the Constitution held by 31 March 2023

9.7 Explanation of Planned Performance over the Medium-Term Period

Number of justice services available online. The set outputs or solutions not only increases accessibility to justice services for all citizens, but also improves the way in which the Department delivers services to the vulnerable in society including women, children and people with disabilities. For example, in cases involving gender-based violence against women, online channels can be used both to apply for and receive the protection order. This is aimed at reducing the added strain of women having to physically visit a court during already difficult and traumatising times. Over the MTEF, the Department plans to increase the number of services that will be available online or on the Justice Department's internet portal

The availability of justice services through online channels as well as the ability to virtually engage with justice processes through virtual platforms. The use of virtual platforms (appearing in court through video link) aims at ensuring that vulnerable victims, such as women and children, can appear in court virtually, and not be in close proximity to the perpetrator. Likewise, detainees at correctional facilities can appear in court through video link for case remands. This reduces the risk of detainees escaping whilst in transit, or physically in court, as well reducing the associated prisoner transportation costs. The use of virtual platforms is fundamental in the Department's quest to achieve its strategic outcome to modernise and digitise its justice services platforms. Over the METF, the Department plans to have court proceedings that will be run virtually on 21 magistrate courts.

The revised departmental Employment Equity Plan which commenced on 1 July 2020 to 30 June 2025, is a five-year plan which will ensure the achievement DPSA equity target of 50% women at SMS and LP 10 levels. Over the MTEF Period, the Department plans to maintain 50% Women at SMS and LP 10 level.

Indicators percentage reduction of irregular expenditure in the Department and percentage elimination of fruitless and wasteful expenditure in the Department are aligned with the MTSF and the Minister's Delivery Agreement. The main purpose for the Department resolution to monitor these indicators is to promote good governance and eliminate wasteful, fruitless and irregular expenditure in the public sector. Over the medium-term period, the Department wants to reduce the current irregular expenditure by 80%, 100% elimination of wasteful and fruitless expenditure and ensure that 100% of all undisputed and valid invoices are processed within 30 days from date of receipt.

Raising awareness of justice services, Constitution and LGBTI rights: The Department will be implementing an integrated communication plan that aims to profile the services and programmes of the Department, with the intention of empowering communities with information that will allow them to access justice.

Among others, solicited media and media buying options will be implemented; together with outreach sessions (physical, virtual or hybrid) targeting communities, stakeholders, schools and institutions of higher learning supported with comprehensive educational material are among the efforts that will be

initiated. The Department will continue to implement its flagship phone-in community radio talk show, *Let's Talk Justice* in collaboration with the Government Communication and Information System (GCIS).

LGBTI awareness sessions are meant to educate communities with the aim of enhancing, protection and promoting the fundamental human rights and freedoms of the LGBTI. Over the MTEF period, the Department will conduct 12 awareness sessions on Trafficking In Persons (TIP) and 36 on LGBTI+ NIS with relevant stakeholders such as communities, civil society organisations, traditional and faith-based leaders.

The implementation of programmes to commemorate the 25th anniversary of the Constitution coming into effect during 2022/2023 will focus on reviewing how far we have come as a nation in achieving the ideals of the Constitution, and to provide impetus to increase and deepen constitutionalism, respect for human rights and the rule of law, especially amongst the most vulnerable and marginalised.

9.8 Reconciling performance with the budget and MTEF

The budget for Programme 1, as detailed in the ENE for 2022/23, is shown below.

Table 12: Administration budget

Sub-programme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
R million							
Ministry	33,6	40,0	28,3	38,3	38,3	37,6	39,3
Management	49,9	50,4	47,8	56,5	56,9	55,7	58,2
Corporate Services	629,6	851,7	986,3	1 197,8	962,6	967,7	1 014,8
Financial Administration	203,1	203,5	200,5	217,6	228,4	223,2	233,3
Internal Audit	83,0	89,7	84,5	102,6	101,5	103,4	108,0
Office Accommodation	1 429,6	1 302,5	1 357,3	1 527,8	1 601,2	1 671,7	1 746,8
Total	2 428,8	2 537,7	2 704,7	3 140,7	2 988,9	3 059,4	3 200,5
Change to 2021				608,7	367,1	361,2	381,2
Budget estimate							

Economic classification

Current payments	2 347,9	2 463,7	2 647,3	3 092,1	2 955,5	3 024,3	3 164,2
Compensation of employees	525,4	592,8	569,0	640,5	650,7	619,4	647,2
Goods and services	1 822,5	1 870,9	2 078,3	2 451,6	2 304,8	2 404,9	2 517,0
<i>of which:</i>							
<i>Audit costs: External</i>	<i>43,0</i>	<i>39,1</i>	<i>31,2</i>	<i>44,0</i>	<i>43,4</i>	<i>39,2</i>	<i>41,0</i>
<i>Computer services</i>	<i>37,1</i>	<i>17,8</i>	<i>410,7</i>	<i>557,0</i>	<i>495,0</i>	<i>509,6</i>	<i>535,9</i>
<i>Consumables: Stationery, printing and office supplies</i>	<i>13,9</i>	<i>15,8</i>	<i>13,2</i>	<i>19,9</i>	<i>20,3</i>	<i>20,9</i>	<i>21,3</i>
<i>Operating leases</i>	<i>1 076,7</i>	<i>908,3</i>	<i>908,8</i>	<i>1 016,7</i>	<i>1 062,1</i>	<i>1 108,7</i>	<i>1 158,5</i>
<i>Property payments</i>	<i>365,7</i>	<i>407,0</i>	<i>452,5</i>	<i>520,2</i>	<i>540,1</i>	<i>563,9</i>	<i>589,2</i>
<i>Travel and subsistence</i>	<i>74,9</i>	<i>64,4</i>	<i>17,4</i>	<i>49,5</i>	<i>55,5</i>	<i>63,8</i>	<i>69,5</i>
Transfers and subsidies	19,5	21,5	22,0	23,9	20,4	21,3	22,3
Provinces and municipalities	0,0	0,0	0,0	0,1	0,0	0,1	0,1
Departmental agencies and accounts	16,1	17,3	18,4	19,4	20,1	21,0	21,9
Households	3,3	4,2	3,5	4,5	0,3	0,3	0,3
Payments for capital assets	60,0	52,1	35,4	24,6	13,0	13,8	14,0
Buildings and other fixed structures	0,3	0,2	–	–	–	–	–

Machinery and equipment	59,7	51,8	35,4	19,8	13,0	13,8	14,0
Software and other intangible assets	–	–	–	4,8	–	–	–
Payments for financial assets	1,5	0,4	0,0	0,0	–	–	–
Total	2 428,8	2 537,7	2 704,7	3 140,7	2 988,9	3 059,4	3 200,5

Programme resource consideration

The work of the Administration programme is to provide strategic leadership, management and support services to the Department. The programme consist of 1146 posts of which 162 posts are currently vacant, 980 filled and 4 are additional to the structure. In order to achieve planned outcomes for the programme, it is necessary that vacant posts be filled and an enabling infrastructure and systems are created and maintained.

Table 13: Administration Human Resources

PROGRAMME	ACTIVE FILLED	ADDITIONAL POSTS	VACANT POSTS	TOTAL POSTS	SALARY COST
DJC:ADMINISTRATION	980	4	162	1146	464217564
3	15		3	18	2440809
4	26		9	35	5323926
5	267		39	306	58176534
6	24		1	25	5986176
7	208		40	248	70728564
8	108	1	15	124	43012371
9	146		16	162	68820390
10	29		4	33	20630496
11	82	2	18	102	83511444
12	28		2	30	29410722
13	38		7	45	51811701
14	8	1	7	16	21321249
15	1		1	2	3043182

The achievement of performance indicators is linked to the compensation of employees' budget and therefore is dependent on the baseline allocation of the budget under the respective programs. The key performance areas are dependent on possible and impeding budget cuts that might potentially affect the vacancy rate and the potential to fill vacant positions to achieve the target. It is however envisaged that within the COE baseline budget allocation the achievement of the targets does not need additional funding to achieve the targets.

There is secondary cost involved in the achievement of the targets that will be aligned to the 1% skills levy to create awareness on youth development and women empowerment programs. A total cost of R 250 000 is earmarked for the awareness campaigns per annum and a total cost of R 750 00 over the MTEF.

It is envisaged that an average amount of R 750 000 will be spent per annum on the investigations and finalisation of misconduct and grievance matters. This expenditure predominantly will form part of goods and services and for subsistence and travel allowance. An additional amount of R 1 000 000 per annum is envisaged to be utilized of a panel of labour experts that will be appointed on an ad hoc basis over the MTEF period at a total cost of R 3 000 000. All other expenses not mentioned will be covered from the baseline budget allocation.

The budget to implement the technology (CAVS) that enables the ability to virtually engage with justice processes through virtual platforms at the targeted 85 virtual courtrooms in the 2022/23 period, equates to approximately R42.5 million. This budget increases to R135 million over the MTEF period for the envisaged target of 270 virtual courtrooms.

The budget to implement the technology that enables Online Justice Services equates to approximately R23 million for the 2022/23 period. These solutions include Maintenance Online, Deceased Estates Online, Protection Orders Online, NRSO Online and State Attorneys Services.

The Department will furthermore continue to conduct six (6) anti-xenophobia campaigns as per its responsibility under Priority 6: Social Cohesion programme. Furthermore, during the financial year, planned expenditure will also focus on continuing with the implementation of activities related to the ongoing programme for commemorating the 25th anniversary of the Constitution as approved by Cabinet in 2021. These activities will amongst others, include national and provincial dialogues, community and learner engagements and distribution of constitutional materials and hosting of key milestone celebratory events through collaboration with key stakeholders and partners. The estimated budgetary implication in this regard is R4m.

10. MEASURING PERFORMANCE PROGRAMME 2: COURT SERVICES

The purpose of the programme is to facilitate the resolution of criminal and civil cases and family law disputes by providing accessible, efficient and quality administrative support to the lower courts and managing court facilities.

The programme consists of the following sub-programmes:

- i. **Lower Courts:** funds the activities and operations of various regional and district courts. Regional courts adjudicate serious criminal and civil matters, whereas district courts adjudicate less serious civil and criminal cases. There are approximately 2 147 district and regional court rooms across South Africa.
- ii. **Family Advocate:** Conducts family mediations in non-litigation matters with the goal of settling parental disputes out of court. In litigation matters, the family advocate files court reports, makes recommendations, and appears in court to promote and protect the best interests of children. This sub programme also deals with international cases of children who were abducted or retained in foreign countries in terms of The Hague Convention on the Civil Aspects of International Child Abduction.
- iii. **Magistrate's Commission:** funds the Magistrate's Commission, which makes recommendations on the appointment and tenure of magistrates.
- iv. **Facilities Management:** funds the provision of accommodation for courts and justice service-delivery points, including the construction of new and additional accommodation, and the leasing of privately owned premises for use by the Department.
- v. **Administration of Lower Courts:** funds the management of courts administration and performance evaluation functions.

10.1 Outcomes, outputs, performance indicators and targets

Table 14: Outcomes, outputs, performance indicators and targets for 2022/23 (detailed information on the indicators is provided in Part D)

Outcome 4: Increased access to justice services								
Outputs	Output indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
4.1 Established Phases of Femicide Watch	4.1.1 Phases of Femicide Watch completed as required by article 15 of Presidential Summit Declaration against GBVF, 2019, and the National Strategic Plan (NSP) on GBVF	Phase 1 Adopted Femicide Prototype	Phase 2 Adopted Femicide Watch Dashboard	Phase 3 Finalisation of identified data, metrics 4 Femicide Watch Dashboard	Phase 4 Functional Femicide Watch Dashboard with available data	Phase 5: Approved report on additional data metrics for Phase 5 Femicide Watch Dashboard	Phase 6: Approved report on additional data metrics for Phase 6 Femicide Watch Dashboard	Phase 7: Published report of Femicide Watch
4.2 Finalised child justice preliminary inquiries within 90 days after date of first appearance	4.2.1 Percentage of child justice preliminary inquiries finalised within 90 days after date of first appearance	-	97%	85%	90%	90%	91%	92%

4.3 NRSO Clearance Certificates issued in 10 days	4.3.1 Percentage of NRSO Clearance Certificates issued within 10 days from date of receipt of the application	-	-	100%	50%	65%	66%	67%
4.4 NRSO Clearance Certificates issued from backlog cases	4.4.1 Number of NRSO clearance Certificates issued from backlog cases	-	-	-	-	3000	3500	4000
4.5 Sexual Offences Courts established at designated courts	4.5.1 Number of sexual offences courts established at designated courts	-	-	-	100	80	14	12
4.6 Courts compliant with the strategy on universal access for persons with disabilities	4.6.1 Number of courts compliant with the strategy on universal access for persons with disabilities	-	-	-	75	70	72	75
4.7 Family Advocate litigation matters finalised within 12 months from the date of opening the matter	4.7.1 Percentage of Family Advocate litigation matters finalised within 12 months from the date of opening the matter	-	37%	80%	40%	80%	85%	90%

4.8 Family Advocate non-litigation matters finalised within 6 months from the date of opening the matter	4.8.1 Percentage of Family Advocate non-litigation matters finalised within 6 months from the date of opening the matter	-	95%	60% ¹²	35%	80%	85%	90%
4.9 Maintenance matters finalised within 90 days from the date of proper service of process	4.9.1. Percentage of maintenance matters finalised within 90 days from the date of proper service of process	82%	-	74%	72%	75%	75%	75%
4.10 Maintenance investigations finalised	4.10.1 Percentage of maintenance investigations finalised within 90 days of receipt of instruction by the Maintenance Officer or Referral by the Clerk of the Maintenance Court	-	-	-	-	30%	35%	40%
4.11 Social Compact concept developed.	4.11.1 Social Compact between the Executive, Judiciary and Legislative tiers of	-	-	-	Social Compact discussion document submitted to	Social Compact discussion document submitted to	Social Compact adopted by 3 branches of State	Social Compact implemented by 2023/24

12 Target reduced due to severe capacity constraints. Existing capacity redeployed to the litigation stream

	government implemented				the Minister for approval by 31 March 2022	Cabinet by 31 March 2023		
4.12 Criminal cases postponed due to unavailability of court administration staff	4.12.1 Percentage of criminal cases postponed due to administration support services	1%	≤0.3%	≤0.3%	≤0.3%	≤1%	≤1%	≤1%
4.13 Refurbishment and upgrading of court facilities through minor capital works.	4.13.1 Number of court facilities refurbished through minor capital works.	-	-	-	-	60	70	82

10.2 Indicators, annual and quarterly targets for 2022/2023

Table 15: Programme performance indicators and quarterly targets for 2022/23

Outcome 4: Increased access to justice services						
Output indicators	Annual target 2022/23	Quarterly targets				
		Quarter 1	Quarter 2	Quarter 3	Quarter 4	
4.1.1 Phases of Femicide Watch completed as required by article 15 of Presidential Summit Declaration against GBVF, 2019 and the National Strategic Plan (NSP) on GBVF	Phase 5 Approved report on additional data metrics for Phase 5	Scoping document on Femicide Watch Phase 5	Review report on additional data metrics	User acceptance testing report on the additional data metrics for Phase	Phase 5 Approved report on additional data metrics for Phase 5	

Outcome 4: Increased access to justice services					
Output indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
	Femicide Watch Dashboard			5 Femicide Watch Dashboard	Femicide Watch Dashboard
4.2.1 Percentage of child justice preliminary inquiries finalised within 90 days after date of first appearance	90%	90%	90%	90%	90%
4.3.1 Percentage of NRSO Clearance Certificates issued within 10 working days from date of receipt of the application	65%	65%	65%	65%	65%
4.4.1 Number of NRSO Clearance certificates issued from backlog cases	3000	750	1500	2250	3000
4.5.1 Number of sexual offences courts established at designated courts	80	9 regional courts designated	30	60	80
4.6.1 Number of courts compliant with the strategy on universal access for persons with disabilities	70	Revised minimum standards-	35	55	70
4.7.1 Percentage of Family Advocate litigation matters finalised within 12 months from the date of opening the matter	80%	80%	80%	80%	80%

Outcome 4: Increased access to justice services					
Output indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
4.8.1 Percentage of Family Advocate non-litigation matters finalised within 6 months from the date of opening the matter	80%	80%	80%	80%	80%
4.9.1 Percentage of maintenance matters finalised within 90 days from the date of proper service of process	75%	75%	75%	75%	75%
4.10.1 Percentage of maintenance investigations finalised within 90 days of receipt of instruction by the Maintenance Officer or Referral by the Clerk of the Maintenance Court	30%	Develop NOC Tool for Maintenance Investigation Information Management	30%	30%	30%
4.11.1 Social Compact between the Executive, Judiciary and Legislative tiers of government implemented.	Social Compact discussion document submitted to Cabinet by 31 March 2023	Submission of Social Compact Document to Devcom and DG cluster	Submission of Social Compact Document to JCPS Minister cluster	Consolidate Devcom and JCPS inputs	Social Compact Discussion Document submitted to Cabinet by 31 March 2023
4.12.1 Percentage of criminal cases postponed due to administrative support services	≤1%	≤1%	≤1%	≤1%	≤1%

Outcome 4: Increased access to justice services					
Output indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
4.13.1 Number of court facilities refurbished through minor capital works	60	assessments of sites, prepare specification and bid documents	Awarding of contract	Commencement of construction work	60

10.3 Outcome, outputs, performance indicators and targets

Table 16: Outcome, outputs, performance indicators and targets (detailed information on the indicators is provided in Part D)

Outcome 10: Crime and corruption reduced through effective prosecution								
Outputs	Output Indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
10.1 Dedicated Specialised Commercial Courts (Serious Economic Crimes Courts)	10.1.1 Number of dedicated Specialised Commercial Crime Courts capacitated	-	-	-	6	2	2	-

10.4 Indicators, annual and quarterly targets for 2022/23

Table 17: Output indicators, annual and quarterly targets for 2022/23

Outcome 10: Crime and corruption reduced through effective prosecution					
Output indicators	Annual target for 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
10.1.1 Number of dedicated specialised Commercial Crimes Courts capacitated	2	Consultation with stakeholders and site identification	Consultation with stakeholder and determine resources needs of the identified site	2	-

10.5 Explanation of Planned Performance over the Medium-Term Period

The establishment of Phases of Femicide Watch will assist the Department to monitor the effective and efficient processing of GBVF cases. The indicator intends to measure the Department's performance in relation to the development of Femicide Watch as required by article 15 of the Presidential Summit Declaration against GBVF of 2019, Pillar 3 of the National Strategic Plan on Gender-based Violence and Femicide (NSP on GBVF), and as per the recommendation of the United Nations to South Africa. The Femicide Watch will be developed in Phases and will be a national repository of all cases of female homicides that are related to gender-based violence. It is mainly intended to assist in profiling these cases for effective prevention and response. Over the medium-term period, the Department plans to complete Phases 5 to 7 of Femicide Watch.

Percentage of child justice preliminary inquiries finalised within 90 days after date of first appearance: The indicator intends to monitor the turnaround time in the finalisation of child justice preliminary inquiries so as to ensure the speedy finalisation of cases involving children and to safeguard their rights, as entrenched by section 28 of the Constitution and protected by the Child Justice Act, 2008 (Act No. 75 of 2008). The speedy finalisation of child justice preliminary inquiries will increase access to justice services by children. Over the MTEF period, the Department plans to finalise 92% of child justice preliminary inquiries within 90 days after date of first appearance.

Percentage of NRSO Clearance Certificates issued to applicants: The NRSO has been established as a result of the scourge of sexual offenses that have been committed against children and persons with mental disabilities. The indicator intends to protect the children and persons with mental disabilities against convicted sex offenders by ensuring that anyone who has been convicted of a sexual offence against a child or persons with mentally disabilities does not have access to them unless he/she is vetted against the register and his or her name is cleared. Clearance certificates are issued to determine whether or not a person is suitable to work with children or persons with mental disabilities. In addition, the indicator is linked to pillar 3 of the NSP on GBVF. Over the medium-term period, the Department plans to issue clearance certificates in relation to applications it will receive.

Number of NRSO Clearance Certificates issued from backlog cases: Through the implementation of this Indicator, the NRSO intends to deal with the backlog cases accumulated when the NRSO started issuing the certificates in 2019. These applications were submitted during the time when the NRSO was not yet operational, however, were all recorded in the NRSO in 2019. Over the MTEF period, the Department plans to issue almost 12 000 certificates received before 2020, provided there is enough human resource capacity to deal with the applications.

Number of sexual offences courts established at designated courts: Through this indicator, the Department primarily seeks to provide victims of sex crimes with a catalogue of support services intended to free their court experience of any form of secondary victimisation, as required by article 13 of the Presidential Summit Declaration against Gender-based Violence and Femicide (GBVF), and in

line with Pillar 3 of the National Strategic Plan on GBVF. These are statutory courts also established in compliance with the regulations relating to Sexual Offences Courts, which the Minister of Justice and Correctional Services approved into operation in February 2020. Over the MTEF period, the Department plans to designate 106 courts in order to increase access to justice services.

Number of service points compliant with universal access, designed principles, provision of reasonable accommodation and measures for persons with disabilities: This indicator is intended to establish a disability-centric court system for court users with disabilities in line with the Constitution and the related domestic legislation, as well as the UN Convention on the Rights of Persons with Disabilities. Over the MTEF period, the Department will ensure that average of 70 service points per annum are compliant with universal access, designed principles, provision of reasonable accommodation and measures for persons with disabilities.

Percentage of family litigation finalised within 12 months and non- litigation matters finalised within 6 months from the date of opening the matter: The indicator was created to facilitate family cohesion by promoting Appropriate Dispute Resolution (ADR) Processes such as Mediation, Conciliation, Arbitration and Negotiations. It assists parents/caregivers with the drafting assessment and registration of Parenting Plans, Parental Responsibilities and Rights Agreements and Settlement Agreements. Over the MTEF period, the Department plans to finalise 90% litigation matters and non-litigation within the prescribed timelines.

Percentage of maintenance matters finalised within 90 days from the date of proper service of process: The indicator was created to improve the maintenance system and to eradicate the existing gaps within the maintenance application procedure which have resulted in lengthy and drawn out maintenance processes. In addition, it facilitates the eradication of poverty amongst vulnerable groups such as women and children by ensuring speedy finalisation of maintenance cases. During the MTEF period, the Department will ensure that 75% of maintenance matters are processed within 90 days from the date of proper service of process and that 40% of maintenance investigations are finalised within 90 days date of receipt of complete applications forms

10.6 Reconciling performance with the budget and MTEF

The budget for Programme 2, as detailed in the ENE for 2022/23, is shown below.

Table 18: Court Services budget

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
R million							
Lower Courts	4 732,1	5 230,1	5 052,6	5 181,9	5 293,1	4 986,3	5 202,8
Family Advocate	224,6	242,3	236,7	284,0	282,6	270,7	282,8
Magistrate's Commission	13,8	17,4	13,4	15,2	17,4	21,0	21,9
Facilities Management	813,0	356,0	324,5	717,6	635,6	657,9	694,1
Administration of Lower Courts	536,4	582,8	577,4	568,7	581,0	580,2	606,3
Total	6 320,1	6 428,7	6 204,6	6 767,4	6 809,6	6 516,0	6 808,0
Change to 2021				129,7	170,7	(2,4)	(3,1)
Budget estimate							
Economic classification							
Current payments	5 399,8	5 936,6	5 737,9	5 938,9	6 107,4	5 788,6	6 042,2
Compensation of employees	3 920,2	4 180,7	4 218,0	4 431,0	4 412,1	4 257,0	4 448,2
Goods and services	1 479,5	1 755,9	1 519,8	1 507,9	1 695,3	1 531,7	1 594,0
of which:							
Communication	85,0	74,7	71,7	80,9	95,1	95,0	98,8
Contractors	145,5	152,3	95,7	69,0	99,2	71,1	72,1
Consumables: Stationery, printing and office supplies	172,4	120,3	72,7	148,1	165,4	106,2	110,4
Property payments	596,3	724,1	848,8	635,9	767,6	739,2	766,5
Travel and subsistence	208,8	215,6	148,7	163,6	154,6	193,8	206,7
Operating payments	77,8	86,8	60,7	124,2	105,4	93,4	96,9
Transfers and subsidies	29,5	23,5	38,9	34,6	32,8	34,5	36,0
Provinces and municipalities	0,5	0,7	0,6	0,9	0,9	0,9	1,0
Departmental agencies and accounts	0,0	0,0	0,0	0,0	0,1	0,1	0,1
Households	28,9	22,7	38,3	33,7	31,8	33,5	35,0
Payments for capital assets	874,5	462,9	416,9	793,8	669,5	692,9	729,8
Buildings and other fixed structures	795,8	305,1	290,7	666,3	570,0	590,0	622,7
Machinery and equipment	78,7	157,9	126,2	127,6	99,5	102,9	107,1
Software and other intangible assets	—	—	0,0	—	—	—	—
Payments for financial assets	16,4	5,7	10,9	0,1	—	—	—
Total	6 320,1	6 428,7	6 204,6	6 767,4	6 809,6	6 516,0	6 808,0

Programme resource consideration

The work of the Court Services programme is to facilitate the speedy resolution of criminal cases, civil and family law disputes by providing accessible, efficient and strategic court administration support functions in respect of the lower courts and to manage facilities and justice security services in respect of facilities for which DoJ&CD is responsible. The programme consist of 13413 posts of which 934 posts are currently vacant, 12455 filled and 24 are additional to the structure. In order to achieve planned outcomes for the programme, it is necessary that vacant posts be filled and an enabling infrastructure and security services are enhanced.

Table 19: Court Services Human Resources

PROGRAMME	ACTIVE FILLED	ADDITIONAL POSTS	VACANT POSTS	TOTAL POSTS	SALARY COST
DJC:COURT SERVICES	12455	24	934	13413	3317505117
3	239	1	53	293	38992542
4	246		32	278	42253557
5	8696	14	391	9101	1741396116
6	318		42	360	88217421
7	1181	3	165	1349	388666557
8	884		95	979	335871303
9	232		43	275	112839180
10	320	4	29	353	174250707
11	133	1	36	170	134962269
12	150	1	33	184	176527626
13	43		10	53	58783605
14	11		5	16	21341403
15	2			2	3402831

The small footprint of the OFA renders the services inaccessible. Due to limited funds, no new offices can be established, therefore, in order to expand the footprint in all provinces, IT based kiosks need to be set-up in courts or other government buildings where OFA services can be rendered remotely.

The annual allocated amount of R40 000 000.00 for the establishment and enhancement of Specialised Commercial Crimes Courts is largely utilised to fund the additional Legal Aid South Africa practitioners as well as court officials to support the courts.

Funds allocated for the payment of psychiatric observations is usually around R 60 000 000.00 per annum and it is usually less than what is needed. In the 2021/2022 financial year the expenditure was less due to COVID-19 regulations' impact. It is likely that expenditure in this area will return to previous trends and maybe even increase significantly.

The Department will appoint 20 intermediaries (R8 million), increase the human resource capacity of the office of the National Registrar for Sex Offenders (NRSO) and the decentralisation of some of its services (R10 million), procure resources for the disability-centric courts and sexual offences courts, introduce digital court roll screens at lower courts, develop audio-visual educational products for information screens, procure dual-view Sexual Offences System with support and maintenance services to facilitate the provision of private testifying services at courts, procure age-appropriate

furniture for the private children's and waiting rooms, as well as private testifying rooms, etc. (R20 million). The child justice programme will require a budget allocation of R2 million. All these activities seek to achieve the commitments made by government in line with the Presidential Summit Declaration against GBVF and its National Strategic Plan.

The OCFA is the executive authority responsible for the monitoring of the performance of the sub-offices, therefore, the Quality Assurance Team from the office of Chief Family Advocate will conduct a verification process in the sub-offices of the Office of the Family Advocate by doing verification of files against the reported performance information as stipulated in the BOP of the department and monitoring will be done thereof (R100 000).

The funds that have been made available for the Criminal Case Backlogs needs to be considered carefully in light of the proposed Management of Case Backlog Framework which will require the supporting of stakeholder departments i.e. SAPS, NPA, DCS, DSD and so forth. The ICJS funds also need to be considered as they have not been utilised for some time. If the project, 'State of the Criminal Justice Report' is to go forward, approximately R4 000 000.00 should be set aside with the rest of the funds being utilised within the branch. The branch to include a table for budget allocation for programme and sub-programmes as per the ENE and a narrative for explanation of the contribution of the resources towards achievement of outputs.

The office intends to conduct trainings in person i.e. there will be provincial visits whereby train the trainer will be done and also divide the employees into groups at bigger provinces to ensure social distancing. If Justice College is not able to offer some of the trainings, the office will procure registered service providers to train the employees (R500 000).

Conduct information sessions including public education, outreach and awareness raising campaigns – R100 000. Posts are suppressed therefore Contract employees, and also the ad hoc professionals are needed to assist with backlog cases the office is experiencing (R6m). R300 000 - for procurement of laptops and necessary accessories which are critical tools of trades. In order to provide services at periodic offices, ad hoc professionals we require laptops and related accessories and to also allow for virtual enquiries. R400 000 - The office to procure Service Charter, Children's Act for the professionals and signage for all the offices of the Family Advocate, Maintenance Courts and Family Court centres. R1m - PABX and day to day maintenance are also a priority in the offices of the Family Advocate.

11. MEASURING PERFORMANCE PROGRAMME 3: STATE LEGAL SERVICES

The aim of this programme is to provide legal and legislative services to government. Supervise the registration of trusts, and the administration of deceased and insolvent estates and estates undergoing liquidation. Manage the Guardian's Fund. Prepare and promote legislation. Facilitate constitutional development and undertake research in support of this.

The programme consists of the following sub-programmes:

- i. **State Law Advisory Services:** provides legal advice, representation and legislative drafting services to the executive, state departments, state-owned enterprises and other government bodies through the Office of the Chief State Law Advisor.
- ii. **Litigation and Legal Services:** provides attorney, conveyancing and notarial services to the executive, state departments, state-owned enterprises and other government bodies through the offices of the state attorney.
- iii. **Legislative Development and Law Reform:** conducts research, and prepares and promotes new and amended legislation.
- iv. **Master of the High Court:** funds the master's offices, which supervise the administration of deceased and insolvent estates, trusts, curatorship's and the Guardian's Fund.
- v. **Constitutional Development:** conducts research; coordinates the implementation of constitutionally mandated legislation such as the Promotion of Equality and Prevention of Unfair Discrimination Act (2000) and the Promotion of Administrative Justice Act (2000); promotes the Constitution and its values; assists and protects independent institutions supporting constitutional democracy to ensure their independence and effectiveness; and coordinates, promotes and develops programmes in support of social justice and participatory democracy.

11.1 Outcomes, outputs, performance indicators and targets

Table 20: Outcomes, outputs, performance indicators and targets for 2022/23 (detailed information on the indicators is provided in Part D)

Outcome 5: Improved and Transformed Masters services								
Outputs	Outputs indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
5.1 Liquidation and distribution accounts in large estates (>250 000) examined within 21 days from receipt of all required documents	5.1.1 Percentage of Liquidation and distribution accounts in large estates (>250 000) examined within 21 days from receipt of all required documents	90%	93%	75%	70%	75%	80%	90%
5.2 Letters of appointment issued in deceased estates within 21 days from receipt of all required documents	5.2.1 Percentage of letters of appointment issued in deceased estates within 21 days from receipt of all required documents	96%	95%	75%	65%	70%	75%	85%
5.3 Beneficiaries in receipt of services within 40 days from receipt of all	5.3.1 Percentage of beneficiaries in receipt of services within 40 days from receipt of all	87%	96%	83%	70%	80%	90%	95%

Outcome 5: Improved and Transformed Masters services

Outputs	Outputs indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
required documents (Guardian's Fund)	required documents (Guardian's Fund)							
5.4 Certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents	5.4.1 Percentage of certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents	93%	94%	75%	70%	80%	90%	95%
5.5 Liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents	5.5.1 Percentage of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents	97%	96%	75%	75%	85%	90%	95%
5.6 Letters of authority issued in trusts within 21 days from receipt	5.6.1 Percentage of letters of authority issued in trusts within 21 days	90%	82%	70%	60%	65%	70%	80%

Outcome 5: Improved and Transformed Masters services								
Outputs	Outputs indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
of all required documents	from receipt of all required documents							
5.7 Letters of appointment issued in curatorship estates within 15 days from receipt of all required documents	5.7.1 Percentage of letters of appointment issued in curatorship estates within 15 days from receipt of all required documents ¹³	-	-	75%	75%	85%	90%	95%
5.8 Policy on appointment of Insolvency Practitioners	5.8.1 Policy on appointment of Insolvency Practitioners submitted to the Minister for approval by target date	-	-	-	-	Policy on appointment of Insolvency Practitioners submitted to the Minister for approval by 31 March 2023	-	-
5.9 Master's Turnaround	5.9.1 Number of interventions from the	-	-	-	-	4	2	2

¹³ Targets for indicators 5.1 – 5.7 were reduced and number of days increased on indicators 5.1.1, 5.2.1 and 5.6. Due to the impact of the Justice system hack in September 2021, previous and consequent system challenges and rotation of staff (in order to comply with COVID-19 regulations) backlogs have been created and timeframes within which matters can be dealt with had to be increased to allow for attending to the backlog.

Outcome 5: Improved and Transformed Masters services								
Outputs	Outputs indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
Strategy implemented	Masters Turnaround Strategy implemented							

11.2 Indicators, annual and quarterly targets for 2022/23

Table 21: Programme performance indicators and quarterly targets 2022/23

Outcome 5: Improved Masters services					
Output indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
5.1.1 Percentage of liquidation and distribution accounts in large estates (>250 000) examined within 21 days from receipt of all required documents	75%	75%	75%	75%	75%
5.2.1 Percentage of letters of appointment issued in deceased estates within 21 days from receipt of all required documents	70%	70%	70%	70%	70%

Outcome 5: Improved Masters services					
Output indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
5.3.1 Percentage of beneficiaries in receipt of services within 40 days from receipt of all required documents (Guardian's Fund)	80%	80%	80%	80%	80%
5.4.1 Percentage of certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents	80%	80%	80%	80%	80%
5.5.1 Percentage of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents	85%	85%	85%	85%	85%
5.6.1 Percentage of letters of authority issued in trusts within 21 days from receipt of all required documents	65%	65%	65%	65%	65%
5.7.1 Percentage of letters of appointment issued in curatorship estates within 15 days from receipt of all required documents	85%	85%	85%	85%	85%
5.8.1 Policy on appointment of Insolvency Practitioners submitted to the Minister for approval by target date	Policy on appointment of Insolvency Practitioners submitted to the Minister for	Revisiting of current draft policy	Consultation	Finalised draft	Policy on appointment of Insolvency Practitioners submitted to the Minister for

Outcome 5: Improved Masters services					
Output indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
	approval by 31 March 2023				approval by 31 March 2023
5.9.1 Number of interventions from the Masters Turnaround Strategy implemented	4	-	1	1	2

11.3 Outcomes, outputs, performance indicators and targets

Table 22: Outcomes, outputs, performance indicators and targets for 2022/23 (detailed information on the indicators is provided in Part D)

Outcome 6: Colonial/Apartheid era justice-related legislation reviewed and replaced								
Outputs	Outputs indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
6.1 Bills and regulations approved by Minister	6.1.1 Number of Bills and Regulations submitted to the Minister for approval	29	9	9	5	4	4	4
6.2 Colonial/Apartheid era justice-related legislation submitted to the Minister for repeal or repeal and replacement	6.2.1 Number of Colonia/ Apartheid era justice-related legislation submitted to the Minister for repeal or repeal and replacement	-	-	-	3	3	3	3
6.3 Court Rules approved by the Board	6.3.1 Number of Rules of Court submitted to the Board for consideration and approval	20	27	25	20	20	20	20
6.4. Research papers approved by the Commission	6.4.1 Number of research papers submitted to the South African Law Reform Commission for consideration and approval	16	13	11	11	10	10	10

11.4 Indicators, annual and quarterly targets for 2022/23

Table 23: Programme performance indicators and quarterly targets for 2022/23

Outcome 6: Colonial/Apartheid era justice-related legislation reviewed and replaced					
Output indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
6.1.1 Number of Bills and Regulations submitted to the Minister for approval	4	1	2	4	-
6.2.1 Number of Colonial/ Apartheid era justice-related legislation submitted to the Minister for repeal or repeal and replacement	3	-	-	3	-
6.3.1 Number of Rules of Court submitted to the Board for consideration and approval	20	8	15	20	-
6.4.1 Number of research papers submitted to the South African Law Reform Commission for consideration and approval	10	3	6	10	-

11.5 Outcomes, outputs, performance indicators and targets

Table 24: Outcomes, outputs, performance indicators and targets for 2022/23 (detailed information on the indicators is provided in Part D)

Outcome 2: Improved organisational capability and good governance								
Outputs	Output Indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
2.17 Criminal records of qualifying candidates cleared	2.17.1 Percentage of expungements finalised within 3 (three) months after receipt of complete application	-	-	80%	66%	80%	81%	82%

11.6 Indicators, annual and quarterly targets for 2022/23

Table 25: Programme performance indicators and quarterly targets for 2022/23

Outcome 2: Improved organisational capability and good governance					
Output indicators	Annual target for 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
2.17.1 Percentage of expungements finalised within 3 (three) months after receipt of complete application	80%	80%	80%	80%	80%

11.7 Outcomes, outputs, performance indicators and targets

Table 26: Outcomes, outputs, performance indicators and targets for 2022/23 (detailed information on the indicators is provided in Part D)

Outcome 10: Crime and corruption reduced through effective prosecution								
Outputs	Output Indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
10.2 Bills, Regulations, notices and proclamations	10.2.1 Number of Bills, Regulations, Notices and Proclamations to strengthen the anti-corruption architecture of South Africa submitted to the Minister for consideration and approval	-	-	-	-	3	2	-
10.3 Plan to implement recommendations of the Commission on State Capture	10.3.1 Plan for the implementation of the of recommendations of the Commission on State Capture developed and submitted to the Minister for	-	-	-	-	Plan for the implementation of the of the recommendations of the Commission on State Capture	-	-

	consideration and approval by target date					developed and submitted to the Minister for consideration and approval by 30 September 2022		
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11.8 Indicators, annual and quarterly targets for 2022/23

Table 27: Programme performance indicators and quarterly targets for 2022/23

Outcome 10: Crime and corruption reduced through effective prosecution					
Output indicators	Annual target for 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
10.2.1 Number of Bills, Regulations, Notices and Proclamations to strengthen the anti-corruption architecture of South Africa submitted to the Minister for consideration and approval	3	-	-	1	3
10.3.1 Plan for the implementation of the recommendations of the Commission on State Capture developed and submitted to the Minister for consideration and approval by target date	Plan for the implementation of the recommendations of the Commission on State Capture developed and submitted to the Minister for consideration and approval by 30 September 2022	-	Plan for the implementation of the recommendations of the Commission on State Capture developed and submitted to the Minister for consideration and approval by 30 September 2022	-	-

11.9 Outcomes, outputs, performance indicators and targets

Table 28: Outcomes, outputs, performance indicators and targets for 2022/23 (detailed information on the indicators is provided in Part D)

Outcome 7: Transformed State Legal Services								
Outputs	Outputs indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
7.1 Policies to implement the State Attorney Amendment Act, 2014	7.1.1 Number of policies to implement the State Attorney Amendment Act, 2014 implemented.	-	-	-	5 policies submitted to Cabinet for Approval	5 Policies submitted to Parliament for approval	Monitor the implementation of 5 Parliament approved policies	Monitor the implementation of 5 Parliament approved policies
7.2 Litigation cases settled	7.2.1 Percentage of litigation cases settled	60%	52%	50%	50%	55%	60%	65%
7.3 Finalised Legal opinions	7.3.1 Percentage of legal opinions finalised within 30 days from date of receipt of the instructions	96%	73%	80%	70%	75%	78%	80%

Outcome 7: Transformed State Legal Services								
Outputs	Outputs indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
7.4 Finalised suggested Bills and subordinate legislations	7.4.1 Percentage of suggested Bills and subordinate legislation finalised within 30 days from the date of receipt of the instructions	92%	73%	80%	70%	75%	78%	80%
7.5 Finalised International Agreement	7.5.1 Percentage of International Agreements finalised within 30 days from the date of receipt of the instructions	-	-	-	-	75%	78%	80%

11.10 Indicators, annual and quarterly targets for 2022/23

Table 29: Programme performance indicators and quarterly targets for 2022/23

Outcome 7: Transformed State Legal Services					
Output indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
7.1.1 Number of policies to implement the State Attorney Amendment Act, 2014 implemented.	5 Policies submitted to Parliament for approval	-	Policy implementation plan completed	Submission of Cabinet memo to the Minister to obtain approval from Cabinet to introduce the 5 policies to Parliament	5 Policies submitted to Parliament for approval
7.2.1 Percentage of litigation cases settled	55%	55%	55%	55%	55%
7.3.1 Percentage of legal opinions finalised within 30 days from date of receipt of the instructions	75%	75%	75%	75%	75%
7.4.1 Percentage of suggested Bills and subordinate legislation finalised within 30 days from the date of receipt of the instructions	75%	75%	75%	75%	75%
7.5.1 Percentage of International Agreement finalised within 30 days from the date of receipt of the instructions	75%	75%	75%	75%	75%

11.11 Outcomes, outputs, performance indicators and targets

Table 30: Outcomes, outputs, performance indicators and targets for 2022/23 (detailed information on the indicators is provided in Part D)

Outcome 8: Transformed Legal profession								
Outputs	Outputs indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
8.1 Value of briefs allocated to PDI Legal Practitioners	8.1.1 Percentage of value of briefs allocated to PDI Legal Practitioners	82%	83%	82%	82%	83%	84%	85%
8.2 Value of Briefs allocated to Female Legal Practitioners	8.2.1 Percentage of value of briefs allocated to Female Legal Practitioners	-	-	27%	27%	28%	29%	30%
8.3. Briefs allocated to Female Legal Practitioners.	8.3.1 Percentage of Briefs allocated to Female Legal practitioners	-	-	39%	40%	40%	41%	42%

11.12 Indicators, annual and quarterly targets for 2022/23

Table 31: Programme performance indicators and quarterly targets for 2022/23

Outcome 8: Transformed Legal profession					
Output indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
8.1.1 Percentage of value of briefs allocated to PDIs Legal Practitioners	83%	83%	83%	83%	83%
8.2.1 Percentage of value of briefs allocated to female Legal Practitioners	28%	28%	28%	28%	28%
8.3.1 Percentage of Briefs allocated to Female Legal practitioners	40%	40%	40%	40%	40%

11.13 Outcomes, outputs, performance indicators and targets

Table 32: Outcomes, outputs, performance indicators and targets for 2022/23 (detailed information on the indicators is provided in Part D)

Outcome 9: Advanced constitutionalism, human rights and the rule of law								
Outputs	Outputs indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
9.1 Framework for Virtual repository data collection of disaggregated statistical data	9.1.1 Framework for the virtual repository on disaggregated statistical data for the measurements of racism, racial discrimination, xenophobia and related intolerance submitted to the Minister for approval by target date	-	-	-	Datasets identified for the development of a virtual repository by 31 March 2022	Framework for the virtual repository on disaggregated statistical data for the measurements of racism, racial discrimination, xenophobia and related intolerance submitted to the	-	-

Outcome 9: Advanced constitutionalism, human rights and the rule of law								
Outputs	Outputs indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
						Minister by 31 March 2023		
9.2 Treaty report tabled	9.2.1 Number of country report submitted to Minister for approval for submission to Cabinet	4	3	3	1	114	115	216
9.3 Valid requests for extradition and mutual legal assistance in criminal matters processed and submitted	9.3.1 Percentage of valid requests for extradition and mutual legal assistance in criminal matters processed and submitted to the Director-General within 20 days from the date of receipt	89%	99.2%	78%	70%	80%	85%	90%

14 International Convention against Torture and Other Cruel or Degrading Treatment or Punishment (CAT).

15 International Covenant on Economic, Social and Cultural Rights (ICESCR).

16 African Charter on Human and People's Rights (ACHPR) and International Convention for the Elimination of All Forms of Racial Discrimination (ICERD).

Outcome 9: Advanced constitutionalism, human rights and the rule of law

Outputs	Outputs indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
9.4 Engagement with Stakeholders	9.4.1 Number of engagements held with stakeholders towards the promotion of Equality Courts	-	-	-	-	4	4	4
9.5.1 Framework for Participatory Democracy	9.5.1 National Framework for Participatory Democracy submitted to DG for approval by target date	-	-	-	-	National Framework for Participatory Democracy submitted to DG for approval by 31 March 2023	-	-

11.14 Indicators, annual and quarterly targets for 2022/23

Table 33: Programme performance indicators and quarterly targets for 2022/23

Outcome 9: Advanced constitutionalism, human rights and the rule of law					
Output indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
9.1.1 Framework for the virtual repository on disaggregated statistical data for the measurements of racism, racial discrimination, xenophobia and related intolerance submitted to the Minister for approval by target date	Framework for the virtual repository on disaggregated statistical data for the measurements of racism, racial discrimination, xenophobia and related intolerance developed by 31 March 2023	-	-	-	Framework for the virtual repository on disaggregated statistical data for the measurements of racism, racial discrimination, xenophobia and related intolerance developed by 31 March 2023
9.2.1 Number of country reports submitted to Minister for approval for submission to Cabinet	1	Solicit inputs from Government Departments and develop first draft of the 2 Country Reports	National Consultation Workshop held with Governments on first draft of the 2 Country Reports	Final Draft of the Country Reports consulted with Government Clusters and Civil Society Organisations	1 Final Draft of the Country Report submitted to Minister for approval for submission to Cabinet.

9.3.1 Percentage of valid requests for extradition and mutual legal assistance in criminal matters processed and submitted to the Director-General within 20 days from the date of receipt	80%	80%	80%	80%	80%
9.4.1 Number of engagements held with stakeholders towards the promotion of Equality Courts	4	-	1	2	1
9.5.1 National Framework for Participatory Democracy submitted to DG for approval by target date	National Framework for Participatory Democracy submitted to DG for approval by 31 March 2023	Draft Roadmap developed	Draft National Framework for Participatory Democracy developed	Consultation with Stakeholders to solicit inputs	National Framework for Participatory Democracy submitted to DG for approval by 31 March 2023

11.15 Explanation of Planned Performance over the Medium-Term Period

Liquidation and distribution accounts in large estates (>250 000) examined within 21 days from receipt of all required documents. After a person has been appointed by the Master to deal with the assets of the deceased, they need to take control of the assets and obtain all details of creditors and heirs. They also need to ensure that the estate devolves in terms of the will, or if there is no will, in terms of the Intestate Succession Act. In estates with a value of R250 000 or more, the executor needs to lodge an account with the Master, within 6 months after appointment, indicating what the assets and liabilities are and how they intend to deal with it. The Master will examine this account and only when satisfied with the contents thereof will the Master give approval for the executor to proceed with the administration. It is thus of absolute importance that these be examined speedily to enable the executor to pay the debts of the deceased, transfer assets to the rightful heirs, etc., and finalize the estate. Achieving this objective will improve the services the public receives from the Master.

Letters of appointment issued in deceased estates within 21 days from receipt of all required documents: For someone to be able to deal with the assets of a deceased person, they need to be formally appointed to do so by the Master of the High Court. It is thus of absolute importance that these appointments be issued as soon as possible to enable the heirs of the deceased to pay the debts of the deceased, maintain the family, transfer assets to the rightful heirs, etc. These appointments can only be done by the Master and without its families and creditors can experience hardship due to being unable to access the funds of the deceased as bank accounts are frozen on date of death. Achieving this objective will improve the services the public receives from the Master.

Beneficiaries in receipt of services within 40 days from receipt of all required documents (Guardian's Fund): The Guardian's Fund is a statutory trust established in terms of Chapter V of the Administration of Estates Act, 1965 (Act No. 66 of 1965). The Guardian's Fund consists of all moneys received by the Master of the High Court under the Administration of Estates Act or any other law, or pursuant to an order of court or any money accepted by the Master in trust for any known or unknown person. Whenever any money is received or accepted by the Master, he or she must open an account in the books of the GF in the name of the person to whom the money belongs or in the name of the estate of which the money forms part.

The Master must, on application of any person who has become entitled to receive money from the fund, pay that money to the applicant, whether it be inheritance applications and payments to persons entitled thereto or payments to natural guardians, tutors and curators required for maintenance, education or other benefit. It is thus of utmost importance that the Master assists such applicants as soon as possible, as their livelihood sometimes depends on the finalisation of these payments.

It should be noted however, that the verification and payment process of such an application goes through various strict checking procedures, in order to curb fraud, and can thus not be rushed hence the 40-day period.

The beneficiaries of the Guardian's fund are almost all minors or persons incapable of managing their own affairs. Reaching this target has an enormous impact on the lives of these vulnerable beneficiaries, as they are dependent on funds paid out by the Master for their upbringing, schooling and livelihood. Achieving this objective will improve the services the public receives from the Master.

Certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents: In order for someone to be able to deal with the assets an insolvent person or liquidated business, they need to be formally appointed to do so by the Master of the High Court. It is thus of absolute importance that these appointments be issued as soon as possible to enable the liquidator to start with the administration process, consider creditors' claims, locate and safeguard assets and ensure that the estate is finalized and the funds go back into the economy as soon as possible. These appointments can only be done by the Master. Achieving this objective will improve the services the public receives from the Master.

Liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents: After a person has been appointed by the Master to deal with the administration of the estate of an insolvent person or business, he needs to find and take control of the assets and obtain all details of creditors and their claims. He also needs to ensure that the assets are dealt with and divided in terms of the Insolvency Act, 2014.

The appointee needs to lodge an account with the Master indicating what the assets and liabilities are and how he intends dealing with it. The Master will examine this account and only once the Master is satisfied with the contents thereof will approve that the appointee can proceed with the administration. It is thus of absolute importance that these accounts be examined speedily to enable the appointee to liquidate the assets, pay the creditors and thus plough back the money into the economy. Achieving this objective will improve the services the public receives from the Master.

Letters of authority issued in trusts within 21 days from receipt of all required documents: When a person wants to create a trust, they need to register such a trust with the Master and only once the Master has formally appointed the trustees, by way of issuing a Letter of Authority, can those trustees start acting lawfully on behalf of the trust. Trusts play an important role in the economy as it is a commonly used structure in financial planning in a regulated environment. Timely registration of trusts facilitates free and efficient economic activity. Trusts also impact on individual tax planning. Over the medium-term, the plan is to improve the services the public receives from the Master by ensuring that 80% of Letters of authority are issued in trusts within 21 days from receipt of all required documents.

Letters of appointment issued in curatorship estates within 15 days from receipt of all required documents: When a person is declared incapable of managing his/her own affairs or becomes incapacitated to do so, the interested parties can apply to court to have a curator appointed for that person. A curator then acts on behalf of that person and takes decisions about his finances and person on behalf of him/her. For a curator to be able to do this, they need to be formally appointed to do so by the Master of the High Court, by the issuing of a letter of appointment. It is thus of absolute importance

to the livelihood and quality of life of such vulnerable persons that these appointments be issued as soon as possible by the Master. Over the medium-term the plan is to improve the services the public receives from the Master by ensuring that 95% of letters of appointment are issued in curatorship estates within 15 days from receipt of all required documents. Achieving this objective will improve the services the public receives from the Master.

Legislative Development develops and amends legislation (primary and secondary legislation (e.g. Regulations and proclamations) administered by the Minister of Justice and Correctional Services within a particular legislative framework, advises the Minister on issues relating to such legislation and other legislation which has an impact on the courts, and assists the Parliamentary Committees in promoting such legislation in Parliament.

The legislation to be attended to endeavour and ensure that the legislative landscape for which the Department is responsible will be brought into line with the Constitution of the Republic of South Africa, 1996 (Constitution), so that members of society can exercise their rights as guaranteed in the Constitution and that the values and principles contained therein are adhered to and enforceable.

The new legislative framework will ensure improved access to quality justice services, a transformed society which is freed from the divisions of the past and where every member of society will have equal access to resources and the quality of their lives is improved so that we can operate as a democratic country. The new legislative framework will cater for vulnerable groups such as women and children and previously disadvantaged persons in several ways, including the improved protection of children and women in respect of domestic violence and sexual offences. In addition, one of the priority focus areas of the new legislation is the repeal or replacement of apartheid or colonial era legislation.

Almost three decades into the democratic dispensation, the South African statutes book is still replete with several pieces of legislation dating back to the apartheid era, even stretching back to the colonial era. The statutes book, therefore, should be cleansed of these pieces of legislation that were designed to suppress the basic human rights of the majority of South Africans.

To this end, the research programme of the SALRC includes investigations such as Care & Contact with Minor Children; Review of the Maintenance Act; Sexual Offences (Pornography and Children); Project, Maternity & Paternity Benefits for Self-Employed Workers; Review of Apartheid and Colonial Era Legislation and the Domestication of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). All these investigations are aimed at developing the law to not only protect, but also to empower the most vulnerable in our society, being children, women, as well as people with disabilities.

The Branch will also, during this MTEF period, promote Bills that are aimed at dismantling the last vestiges of apartheid as well as those that were meant to stifle political dissent and individual freedoms. Over the medium term, the OCSLA aims to achieve 75% on their KPIs using the available resources and the allocated budget during the MTEF period. The performance will assist in the achievement of

the departmental strategic outcome which is “Transformed colonial apartheid era justice related legislation”. The provision of legal advisory services performed by the OCSLA will assist in the development of legally sound legislation pertaining to, amongst others, women, children, and people with disabilities.

Percentage of litigation cases settled: This output also has a direct impact on the second branch outcome by measuring percentage of litigation cases settled at 55% for the 2022/23 financial year. The finalisation of the ADRM will contribute in the achievement of this output by ensuring that cases are mediated and/or settled at an early stage instead of following the normal litigation route, therefore curbing the unnecessary legal costs. The Department set to settle 65% through ADRM over the MTEF period.

Briefs allocated to previously disadvantaged legal practitioners. This indicator seeks to foster cohesion and stimulate equality among those in the legal profession, both in the public and private sector, by developing legal expertise. The plan is to allocate at least 40% of briefs to female legal practitioners. In addition, over the medium-term the plan will be to monitor the rand value of briefs allocated to previously disadvantaged legal practitioners, with the target set for PDIs at 85%, and the target for female legal practitioners set at 30%.

Tabled Treaty reports: South Africa has over the past 25 years become a signatory to many international and regional human rights instruments and has complied with the obligations relating to these instruments. Over the next three years, the Department will table country reports in compliance with its international obligations arising out of core human rights treaties such as the International Covenant on Civil and Political Rights (ICCPR), and the International Convention against Torture and Other Cruel or Degrading Treatment or Punishment (CAT).

Valid requests for extradition and mutual legal assistance in criminal matters processed and submitted: Over the MTEF period, the Department plans to process 90% of valid requests for extradition and mutual legal assistance in criminal matters within 20 days from the date of receipt. The processing of Mutual legal assistance in criminal matters is done with the purpose of ensuring effective collaboration with other States in the fight against crime.

The programme for participatory democracy requires that the Department develops a National Framework for Participatory Democracy which will guide and detail how different stakeholders including Government and community organisation will promote active citizenship and integrate programmes across National government departments and local government. The draft National Framework for Participatory Democracy will be used to engage National and provincial departments in order to align participatory democracy programmes across the sector. Over the medium term, the Department plans to fully implement the Framework for Participatory Democracy when engaging key stakeholders.

11.16 Reconciling performance information with the budget and MTEF

The budget for State Legal Services, as detailed in the ENE for 2022/23, is shown below.

Table 34: State Legal Services budget

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
R million							
State Law Advisors	64,7	70,3	67,8	82,2	82,5	79,4	82,9
Litigation and Legal Services	491,8	533,8	636,2	512,7	511,1	503,0	525,5
Legislative Development and Law Reform	65,4	67,2	59,7	77,9	75,7	75,8	79,2
Master of the High Court	506,6	532,0	517,8	567,3	558,9	548,0	572,8
Constitutional Development	65,2	69,3	63,4	90,7	94,5	97,2	101,6
Total	1 193,7	1 272,6	1 344,8	1 330,8	1 322,7	1 303,3	1 362,0
Change to 2021				48,7	45,0	(0,2)	(111,3)
Budget estimate							
Economic classification							
Current payments	1 151,7	1 227,4	1 155,4	1 286,8	1 279,8	1 258,3	1 314,9
Compensation of employees	1 012,3	1 072,7	1 058,4	1 157,4	1 151,8	1 119,3	1 169,5
Goods and services	139,4	154,7	97,0	129,5	128,0	139,0	145,4
<i>of which:</i>							
Minor assets	2,0	3,3	1,5	6,3	7,2	7,3	7,6
Communication	12,1	11,0	8,6	14,8	15,6	16,2	17,0
Legal services	61,2	75,0	53,8	36,4	39,3	41,3	43,1
Consumables: Stationery, printing and office supplies	13,2	14,4	11,9	19,3	17,3	16,0	16,8
Travel and subsistence	34,2	33,2	10,3	14,0	13,4	23,4	23,0
Operating payments	4,2	4,8	3,3	3,8	7,2	7,3	9,1
Transfers and subsidies	32,1	31,8	22,6	28,1	26,6	27,8	29,0
Provinces and municipalities	0,0	0,0	0,0	0,0	0,0	0,1	0,1
Departmental agencies and accounts	0,0	0,0	0,0	0,0	0,0	0,0	0,0
Foreign governments and international organisations	12,8	13,0	14,5	19,9	20,7	21,6	22,5
Households	19,3	18,8	8,1	8,1	5,9	6,1	6,4
Payments for capital assets	9,5	13,3	15,1	15,8	16,3	17,3	18,1
Machinery and equipment	9,5	13,3	15,1	15,8	16,3	17,3	18,1
Payments for financial assets	0,4	0,2	151,7	0,1	–	–	–
Total	1 193,7	1 272,6	1 344,8	1 330,8	1 322,7	1 303,3	1 362,0

Programme resource consideration

The work of State Legal Services relate to the provision of litigation, legal and legislative services to the state. The programme consist of 2279 posts of which 259 posts are currently vacant, 2018 filled and 2 are additional to the structure. In order to achieve planned outcomes for the Programme, it is necessary that vacant posts be filled and an enabling infrastructure is created and maintained.

The table below explains.

Table 35: State Legal Services Human Resources

PROGRAMME	ACTIVE FILLED	ADDITIONAL POSTS	VACANT POSTS	TOTAL POSTS	SALARY COST
DJC:STATE LEGAL SERVICES	2018	2	259	2279	946778676
3	10		2	12	1875495
4	119		31	150	23064858
5	766		51	817	159731805
6	71		11	82	20314557
7	259	2	34	295	86390979
8	143		10	153	67309941
9	88		18	106	44916549
10	192		33	225	108103929
11	5			5	4000386
12	340		62	402	390940488
13	11		2	13	14915874
14	12		4	16	20531439
15	2		1	3	4682376

The Legislative Branch under this programme has a budget allocation of R4 110 000.00 for goods and services, which is divided amongst the three Chief Directorates and the Office of the DDG. An amount of R1 400 000.00 has been set aside for Publications as one of the major cost drivers within the Branch. The South African Law Reform Commission makes use of the Business Research Advisory Services and the Rules Board also utilises the services of Board members. An amount of R890 000.00 has been set aside for these services. The South African Law Commission also envisages that an amount of R300 000.00 will be spent on the Criminal Justice workshop. The remainder of the budget will be allocated to operational costs such as office consumables, and travel costs to Cape Town for Parliamentary briefing.

In terms of its direct responsibility and role as focal agency for the overall coordination of the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (NAP), the Department intends to develop a framework for the development of a virtual data repository for disaggregated statistics in support of the NAP during this period. The estimated budgetary implications for these activities is R2m.

The Office of the Chief State Law Adviser has a total budget of R82 500 000.00 which caters for compensation of employees and other operational requirements. An amount of R78 608 000.00 will be for compensation of employees i.e. professional and support staff. An amount of R2 902 000.00 is for goods and services. This amount will cater for procurement of goods and services and the required tools of trade to enable the office to perform on its mandate. It will also be used for travel and accommodation of the professional staff when performing their day to day functions. An amount of R650 000.00 is projected for staff training and development in line with the training needs of staff. The training needs linked to the strategic objectives of the Department shall be prioritised. The allocated budget will be sufficient to enable the OCSLA to perform on its mandate and to achieve the set KPIs' targets during the 2022/2023 financial year.

The OSG developed a Litigation Strategy to turn around the fortune of OSA. The Strategy was approved by Minister and endorsed by both ministers and DG's JCPS cluster committees. The Strategy is on route to be tabled in Cabinet for noting. This Strategy consists of ten pillars, which addresses, among others, capacity challenges, legislation and policy gaps, modernization of ICT, and many more issues. The OSG planned to implement this Strategy from the 2022/23 financial year, and implementation requires substantial funding. The Strategy has not been costed yet. However, the procurement of practice management software has been estimated at seventy million Rands (R70m). The Strategy will be costed as soon as it is endorsed for implementation by Cabinet.

Five policies as envisaged by the State Attorneys Amendment Act, 2014 have been completed, and they will be tabled in Parliament during 2022/23 financial year and once endorsed, implementation will be immediate. The implementation requires consultation with client departments and other stakeholders and roadshows to promote and create awareness of the approved policies. The OSG estimated costs to run educational awareness campaigns at around two million Rand (R2m).

The OSG established the Intergovernmental Nation Litigation Forum (INLF), made up of heads of legal services from all client departments from provincial and national spheres of government and the Heads of the State Attorney Offices. The membership of this forum is more than two hundred, and it will meet four times a year with estimated running costs of five hundred thousand Rand (R500 000).

Besides the above stated, the OSG and Justice College, the National School of Governance are embarking on a training and development program for thirteen Heads of offices, Deputies, and 335 attorneys. Training programs for heads of offices and deputies will focus on the senior management services core competencies as prescribed by the DPSA. At the same time, programs for attorneys focus on litigation, especially in High Court litigation. The cost of such programs is estimated at three Million Rand.

Over the MTEF period, the Department will conduct nine awareness sessions on LGBTI, Equality Act, and TIP issues with communities and civil society organisations, which included traditional and faith-based leaders, four TIP awareness sessions and four engagements with stakeholders on Equality

Courts in collaboration with other departments and role-players to prevent and combat the trafficking in persons within or across the borders of the Republic.

12. MEASURING PERFORMANCE PROGRAMME 4: NATIONAL PROSECUTING AUTHORITY

The aim of the programme is to provide a coordinated prosecuting service that ensures that justice is delivered to victims of crime through general and specialised prosecutions. Remove profit from crime. Protect certain witnesses.

The programme consists of the following sub-programmes:

- i. **National Prosecutions Service:** Primarily responsible for general and specialised prosecutions and the appeals that might follow, which include resolving criminal matters outside of the formal trial process through alternative dispute resolution mechanisms, settling admissions of guilt for minor offences and considering dockets brought by the police where persons have not been charged. This sub-programme further deals with priority crimes litigation, sexual offences, and community affairs and specialised commercial crime.
- ii. **Investigative Directorate:** Provides for the Investigating Directorate, established in the Office of the National Director of Public Prosecutions, to deal with offences or criminal or unlawful activities involving serious, high profile and complex corruption, including allegations of corruption arising from commissions of inquiry.
- iii. **Assets Forfeiture Unit:** Seizes assets that are acquired from the proceeds of crime or have been part of an offence through criminal or civil processes.
- iv. **Office for Witness Protection:** Provides for temporary protection, support and related services to vulnerable and intimidated witnesses and related people in judicial proceedings in terms of the Witness Protection Act (1998).
- v. **Support Services:** Provides corporate support services to the National Prosecuting Authority in terms of finance, human resources, ICT, strategy support, integrity, security, communication and risk management.

12.1. Outcomes, outputs, performance indicators and targets for 2022/23

Table 36: Outcomes, outputs, performance indicators and targets for 2022/23 (detailed information on the indicators is provided in Part D)

Outcome 10: Crime and corruption reduced through effective prosecution								
Outputs	Outputs indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
10.4. Effective prosecutions conducted	10.4.1. Conviction rate in High Court	90%	90.9%	93.8%	87%	87%	87%	87%
	10.4.2. Conviction rate in Regional Court	81.7%	82.5%	82.6%	74%	74%	74%	74%
	10.4.3. Conviction rate in District Court	95.7%	95.3%	95.9%	88%	88%	88%	88%
	10.4.4. Conviction rate in cable theft	N/A	N/A	N/A	80%	80%	80%	80%
	10.4.5. Number of witnesses and related persons threatened, harmed or killed while on the witness protection programme	0	0	0	0	0	0	0
10.5 Fraud and corruption dealt with	10.5.1. Conviction rate in complex commercial crime	95%	92.3%	90.2%	93%	90%	90%	90%
	10.5.2. Number of persons convicted of corruption and/or offences related to corruption ¹⁷	353	416	233	370	334	334	334

¹⁷ The indicator is a combination of number of private sector persons and number of government officials convicted of corruption.

	10.5.3 Number of investigations authorised ¹⁸	-	-	-	-	11	16	21
	10.5.4 Number of state capture matters enrolled ¹⁹	-	-	-	-	9	18	27
	10.5.4. Number of cases finalised with a verdict involving money laundering	-	-	44	100	100	110	120
10.6 Freezing of money and assets that are the proceeds of crime	10.6.1 Value of completed forfeiture cases	R6bn	R2.5bn	R550m	R550m	R550m	R550m	R550m
	10.6.2 Value of freezing orders obtained for corruption or related offences	R262m	R1.6bn	R611m	R2.4bn	R2.4bn	R2.4bn	R2.2bn
10.7 Recovery of money and assets that are the proceeds of crime	10.7.1 Value of recoveries relating to corruption or related offences	R2.54bn	R3m	R3m	R311m	R1.4bn	R1.4bn	R1.4bn

¹⁸ New output indicator linked to mandate of Investigating Directorate (ID).

¹⁹ New output indicator linked to mandate of Investigating Directorate (ID).

12.2 Indicators, annual and quarterly targets for 2022/23

Table 37: Indicators, annual and quarterly targets for 2022/23

Outcome 10: Crime and corruption reduced through effective prosecution					
Output indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
10.4.1. Conviction rate in High Court	87%	87%	87%	87%	87%
10.4.2. Conviction rate in Regional Court	74%	74%	74%	74%	74%
10.4.3. Conviction rate in District Court	88%	88%	88%	88%	88%
10.4.4. Conviction rate in cable theft	80%	80%	80%	80%	80%
10.4.5 Number of witnesses and related persons threatened, harmed or killed while on the witness protection programme	0	0	0	0	0
10.5.1. Conviction rate in complex commercial crime	90%	90%	90%	90%	90%
10.5.2. Number of persons convicted of corruption and/or offences related to corruption	334	95	95	69	75
10.5.3. Number of investigations authorised	11	2	4	3	2
10.5.4 Number of state capture matters enrolled	9	0	2	2	5

10.5.5. Number of cases finalised with a verdict involving money laundering	100	25	24	26	25
10.6.1. Value of completed forfeiture cases	R550m	R150m	R150m	R100m	R150m
10.6.2 Value of freezing orders obtained for corruption or related offences	R2.4bn	R550m	R750m	R450m	R650m
10.7.1 Value of recoveries relating to corruption or related offences	R1.4bn	R250m	R400m	R300m	R450m

12.3 Outcomes, outputs, performance indicators and targets

Table 38: Outcomes, outputs, performance indicators and targets for 2022/23 (detailed information on the indicators is provided in Part D)

Outcome 4: Increased access to justice services								
Outputs	Output indicators	Audited performance			Estimated performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
4.13 Victim-centric services enhanced	4.13.1. Total number of Thuthuzela care centres	55	55	55	58	4	2	2
	4.13.2. Conviction rate in sexual offences	74.4%	75.2%	75.8%	70%	70%	70%	70%
	4.13.3. Number of public awareness sessions held	N/A	N/A	293	140	300	350	350

12.4 Indicators, annual and quarterly targets for 2022/23

Table 39: Programme performance indicators and quarterly targets for 2022/23

Outcome 4: Increased access to justice services					
Output indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
4.13.1. Total number of Thuthuzela care centres	4	-	2	-	4
4.13.2. Conviction rate in sexual offences	70%	70%	70%	70%	70%
4.13.3. Number of public awareness sessions held	300	72	75	78	72

12.5 Explanation of Planned Performance over the Medium-Term Period

Effective prosecutions conducted is demonstrated by various conviction rates at the following court forums, high court, regional court and district court as well as conviction rate in cases involving cable theft which is a JCPS cluster priority as outlined by the National Annual Strategic Plan (NASP).

The NPA recognizes that availability of witnesses and related persons during court proceedings is critical to successful prosecutions. The Office for Witness Protection has a clear mandate of ensuring that witnesses and related persons are not harmed or threatened or killed whilst on the witness programme.

Fraud and corruption dealt with is a surmountable task laying ahead for the NPA and its specialized units such as the Investigating Directorate, Specialized Complex Commercial Unit and the Asset Forfeiture Unit. Through grand corruption, vast amounts of public money are systematically siphoned off to the accounts of few individuals, at the expense of the citizens. To curb these impunities, NPA will work together with cluster partners and other institutions to hold those implicated accountable. The NPA will without fear, favor or prejudice pursue both individuals and cooperates central to the scourge of corruption in South Africa. The outcomes become even more relevant following the part release of the Zondo Commission report which has by far revealed that in recent years corruption has centred around those in positions of power and influence in the public sector diverting public funds into the private sector. Priorities for the next coming for the NPA will be to ensure that those implicated in state capture are thoroughly and properly investigated, prosecuted and disarmed by recovering monies earned through illicit means.

Freezing and recovery of monies that are proceeds of crime. The battle against corruption and organized crime at large thrives when those involved and invested in such crime continue feeding the system through ill-gotten monies. To put an end to this impunity the NPA should ensure that collaborative efforts enhanced to identify, investigate and recover monies which are proceeds of crime.

Victim-centric services enhanced is vital to the battle against Gender-based violence, femicide and sexual offence crimes at large. The outcome supports initiatives such as its internationally modelled Thuthuzela Care Centres to support victims of gender-based violence and sexual offences and to minimize secondary victimization. Furthermore, through the Sexual Offences and Community Affairs unit the NPA has played and continues to play a critical role in the development of the National Gender-Based Violence and Femicide Strategic Plan (GBVF-NSP) which is a response strategy by government to address the scourge of GBV and Femicide.

12.6 Reconciling performance information with the budget and MTEF

The budget for Legal Services, as detailed in the ENE for 2022/23, is shown below.

Table 40: National Prosecuting Authority budget

Programme resource consideration

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
R million							
National Prosecutions Service	3 058.8	3 195.5	3 193.9	3 570.3	3 706.4	3 666.7	3 831.4
Investigating Directorate	–	20.3	51.4	106.4	243.6	236.1	246.7
Asset Forfeiture Unit	127.8	126.9	149.2	195.2	212.4	210.2	219.7
Office for Witness Protection	193.5	192.8	176.3	196.6	219.9	221.5	231.4
Support Services	419.3	473.8	626.0	467.0	528.0	536.5	560.5
Total	3 799.4	4 009.2	4 196.9	4 535.6	4 910.3	4 870.9	5 089.6
Change to 2021 Budget estimate				89.4	422.7	327.3	342.0
Economic classification							
Current payments	3 750.5	3 930.3	4 019.9	4 453.8	4 801.9	4 768.1	4 982.8
Compensation of employees	3 317.2	3 442.0	3 552.7	3 926.0	4 154.2	4 101.6	4 287.3
Goods and services	433.2	488.3	467.2	527.8	647.8	666.5	695.5
of which:							
Computer services	62.3	74.1	88.7	69.3	91.0	103.6	96.9
Legal services	29.3	53.8	18.5	42.5	53.0	53.8	55.3
Contractors	7.5	7.2	14.7	13.1	62.6	63.4	66.1
Property payments	72.9	82.4	79.3	89.6	98.0	101.6	105.9
Travel and subsistence	63.9	71.4	34.9	45.6	61.5	63.7	66.5
Operating payments	47.2	51.5	58.4	81.0	90.7	93.9	98.4
Transfers and subsidies	24.9	26.5	24.7	21.1	22.0	22.9	24.0
Departmental agencies and accounts	9.3	10.0	11.4	11.2	11.6	12.1	12.7
Households	15.6	16.5	13.3	9.9	10.4	10.8	11.3
Payments for capital assets	19.5	47.8	150.6	60.7	86.4	79.8	82.9
Machinery and equipment	19.5	47.8	150.6	60.7	86.4	79.8	82.9
Payments for financial assets	4.6	4.6	1.7	–	–	–	–
Total	3 799.4	4 009.2	4 196.9	4 535.6	4 910.3	4 870.9	5 089.6

Programme resource consideration

The total staff establishment of the NPA is made up of total posts of 6210 of which 4948 are filled and thus representing a vacancy rate of approximately 20.3%. The NPA has embarked on mass recruitment to address shortages of capacity and necessary skills needed to investigate and prosecute complex matters within the NPA environment. This includes to a large extent the capacitation of the Investigating Directorate (ID) which is charged with the responsibility to address matters emerging out of several public commissions of enquiry, such as the Nugent Commission, Mpati Commission and the recently concluded Judicial Commission of enquiry into allegations of state capture (also referred to Zondo Commission).

Table 41: National Prosecuting Authority Human Resources

POST OCC CLASSIFICATION DESCRIPTION	TOTAL	FILLED	VACANT	VACANCY RATE
Administrative Related	654	443	211	32
Advocates	939	674	265	28
Cleaners In Offices Workshops Hospitals Etc.	9	8	1	11
Client Inform Clerks(Switch Receipt Inform Clerks)	19	13	6	32
Communication And Information Related	18	12	6	33
Crime Investigators	65	33	32	49
Financial And Related Professionals	153	115	38	25
Financial Clerks And Credit Controllers	67	43	24	36
Human Resources , Organisational Development and Related Professional	10	9	1	10
Human Resources Clerks	45	37	8	18
Human Resources Related	125	85	40	32
Information Technology Related	26	19	7	27
Librarians And Related Professionals	22	18	4	18
Library Mail And Related Clerks	21	16	5	24
Logistical Support Personnel	18	9	9	50
Messengers Porters And Deliverers	37	28	9	24
Other Administrative & Related Clerks And Organisers	463	358	105	23
Prosecutor	2998	2658	340	11
Protection Services	98	76	22	22
Risk Management And Security Services	35	23	12	34
Secretaries & Other Keyboard Operating Clerks	102	73	29	28
Senior Managers	281	195	86	31
Social Work And Related Professionals	5	3	2	40
GRAND TOTAL	6210	4948	1262	20

Over the medium-term, between 2022/23 and 2024/25, expenditure is expected to increase at an average annual rate of 2.09% to reach R4,822 billion. The bulk of spending across the seven-year period, from 2018/19 to 2024/25, is on compensation of employees. The National Prosecuting Services (NPS) will continue to be allocated a bigger slice of the budget over the Medium-Term Expenditure Framework (MTEF) period.

The NPS sub-programme accounts for 77.21% of the 2022/23 budget. The Administration sub-programme budget allocation includes certain centralised services such as leased accommodation, information and communications technology (ICT) services, fleet and security.

The larger proportion of the budget allocation will be dedicated to enhance capacity and resourcing towards prosecution services and capacity of the Investigating Directorate in pursuit of the following outputs:

- Effective prosecutions conducted
- Fraud and corruption dealt with
- Freezing of money and assets that are the proceeds of crime
- Recovery of money and assets that are the proceeds of crime

13. MEASURING PERFORMANCE PROGRAMME 5: AUXILIARY AND ASSOCIATED SERVICES

The purpose of this programme is to provide a variety of auxiliary services associated with the department's purpose. Fund the interdepartmental justice modernisation programme, the President's Fund, the Information Regulator, and transfer payments to public entities and constitutional institutions.

The programme consists of the following components within the DoJ&CD:

- i. **Legal Aid South Africa:** Funds Legal Aid South Africa, which provides legal aid to indigent people and legal representation at the state's expense, as set out in the Constitution.
- ii. **Special Investigating Unit:** Funds the Special Investigating Unit, which provides professional forensic investigating and litigation services to all state institutions at the national, provincial and local levels to combat maladministration, corruption and fraud; and protects state assets and public funds.
- iii. **Public Protector of South Africa:** Funds the Public Protector of South Africa, which investigates any alleged improper conduct in state affairs, public administration or any sphere of government, as well as any conduct that results in impropriety or prejudice.
- iv. **South African Human Rights Commission:** Funds the South African Human Rights Commission, which promotes and monitors the observance of human rights in South Africa.
- v. **Justice Modernisation:** Implements IT infrastructure and networks, and funds the integrated justice system programme, which seeks to re-engineer, automate and integrate business processes across the criminal justice value chain.
- vi. **President's Fund:** Provides funding for reparations flowing from the findings of the Truth and Reconciliation Commission.
- vii. **Information Regulator:** Funds the Information Regulator, which is responsible for the promotion and protection of the right to privacy as it relates to the protection of personal information and the right of access to information, enshrined in the Protection of Personal Information Act (2013) and Promotion of Access to Information Act (2000).

13.1 Outcomes, outputs, performance indicators and targets for 2022/23

Table 42: Outcomes, outputs, performance indicators and targets for 2022/23 (detailed information on the indicators is provided in Part D)

Outcome 1: Modernised and digitised justice services platforms								
Outputs	Output indicators	Audited performance			Estimated Performance 2021/22	Medium-term targets		
		2018/19	2019/20	2020/21		2022/23	2023/24	2024/25
1.4 Inter-departmental information exchange platform	1.4.1 Number of government departments and/or entities connected to transversal platform and exchanging information electronically	-	8	9	1	1	-	-
1.5 KPIs completed on the Integrated Justice System dashboard	1.5.1 Number of KPIs completed on the Integrated Justice System dashboard	-	-	-	-	1	1	-
1.6 Criminal Justice System (CJS) Digitised and Integrated	1.6.1 Number of SAPS Police stations where Person Verification Services (PVS) is deployed	-	-	-	-	40	45	50
1.7 Effective IJS Governance Systems	1.7.1 Number of IJS Governance intervention sessions held	-	-	-	-	14	14	14
1.8 IJS Assessment Report	1.8.1 Number of IJS DPME Assessment Report recommendations implemented.	-	-	-	7	6	-	-

recommendations implemented								
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13.2 Indicators, annual and quarterly targets for 2022/23

Table 43: Indicators, annual and quarterly targets for 2022/23

Outcome 1: Modernised and digitised justice services platforms					
Performance indicators	Annual target 2022/23	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
1.4.1 Number of government departments and entities connected to transversal platform and exchanging information electronically	1	-	-	1	-
1.5.1 Number of KPIs completed on the Integrated Justice System dashboard	1	-	-	-	1
1.6.1 Number of SAPS Police stations where Person Verification Services (PVS) is deployed	40	10	20	30	40
1.7.1 Number of IJS Governance intervention sessions held	14	4	6	10	14
1.8.1 Number of IJS DPME Assessment Report recommendations implemented	6	2	2	1	1

13.3 Explanation of Planned Performance over the Medium-Term Period

Revised IJS programme governance structure implemented: During 2020/21, the IJS consulted various JCPS Cluster Governance structures with the intent of socialising and obtaining buy-in on the proposed IJS programme governance structure. A myriad of inputs were received and subsequently incorporated into the new IJS governance structure. The outbreak of the COVID-19 pandemic and its criticality has impeded the progress IJS ought to have made. The December 2020 Cabinet sitting primarily focused on matters relating to the pandemic; as a result, approval of the IJS Governance structure was delayed. By the end of the MTEF period, the IJS programme governance structure would have been approved, implemented and in full operation.

Number of government departments and entities connected to transversal platform and exchanging information electronically. During 2020/21 the IJS maintained the connectivity and exchange of information between eight (8) member departments/entities. By the end of the MTEF period, the IJS would have connected at least 11 member departments/entities.

IJS Assessment Report implemented: IJS Assessment Report has been finalised in 2018. By the end of the current MTEF period, the IJS would have implemented 100% of recommendations of the approved Improvement Plan from the DPME IJS Assessment Report.

13.4 Reconciling performance information with the budget and MTEF

The budget for Programme 5, as detailed in the ENE for 2022/23, is shown below.

Table 44: Auxiliary and Associated Services budget

Subprogramme							
	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
R million	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24	2024/25
Legal Aid South Africa	1 800,9	1 971,0	1 958,9	2 033,2	2 094,1	2 112,1	2 206,9
Special Investigating Unit	357,1	363,0	421,7	437,9	452,1	454,8	475,2
Public Protector of South Africa	326,6	342,0	353,5	359,9	357,9	357,3	374,0
South African Human Rights Commission	178,8	190,0	191,7	195,0	208,5	208,3	218,5
Justice Modernisation	759,6	1 051,2	478,9	621,1	777,2	813,7	846,2
President's Fund	–	–	0,0	0,0	0,0	0,0	0,0
Information Regulator	17,1	22,4	29,9	87,2	100,6	106,5	111,3
Total	3 440,2	3 939,7	3 434,5	3 734,2	3 990,4	4 052,7	4 232,2
Change to 2021 Budget estimate				(487,5)	(366,9)	(394,9)	(303,9)
Economic classification							
Current payments	754,2	1 041,1	471,2	677,2	842,9	885,0	920,7
Compensation of employees	10,1	12,3	21,5	61,5	71,9	75,3	78,7
Goods and services	744,1	1 028,8	449,7	615,8	771,1	809,7	842,0
<i>of which:</i>							
Minor assets	0,9	1,5	3,2	6,4	6,7	6,4	6,7
Computer services	639,8	815,6	321,0	447,5	595,3	640,1	664,8
Legal services	–	–	1,3	7,8	7,9	9,0	9,4

Agency and support/outsourced services	95,4	200,2	118,0	133,1	140,5	131,9	137,8
Operating leases	0,9	3,7	3,6	4,3	4,7	5,0	5,3
Training and development	0,0	1,8	0,5	3,4	3,7	3,7	3,9
Transfers and subsidies	2 663,4	2 866,0	2 926,1	3 026,0	3 112,6	3 132,5	3 274,7
Departmental agencies and accounts	2 663,4	2 866,0	2 925,8	3 026,0	3 112,6	3 132,5	3 274,7
Households	–	–	0,4	–	–	–	–
Payments for capital assets	22,6	32,5	37,2	31,0	34,9	35,2	36,8
Buildings and other fixed structures	–	0,0	–	–	–	–	–
Machinery and equipment	22,6	20,0	19,3	31,0	34,9	35,2	36,8
Software and other intangible assets	–	12,5	17,9	–	–	–	–
Total	3 440,2	3 939,7	3 434,5	3 734,2	3 990,4	4 052,7	4 232,2

Programme resource consideration

The work of Auxiliary and Associated Services programme is to provide a variety of auxiliary services associated with the Department's goals, and to fund transfer payments to the South African Human Rights Commission (SAHRC), the Office of the Public Protector, Legal Aid SA, the Special Investigating Unit (SIU) and the President's Fund. The programme consist of 78 posts of which 8 posts are currently vacant, and 70 filled. Available human resource will enable the programme to achieve planned outcomes.

Table 45: Auxiliary and Associates Services Human Resources

PROGRAMME	ACTIVE FILLED	ADDITIONAL POSTS	VACANT POSTS	TOTAL POSTS	SALARY COST
AUXILIARY SERVICES	70		8	78	49233243
2	2			2	208146
4	2			2	294918
5	4			4	705240
7	14		2	16	4181952
9	18			18	6880410
11	14		2	16	11908080
13	9		2	11	11630586
14	1			1	1251183
15	6		2	8	12172728

For Year 2022/23, Programme plan compiled and the allocation will be ± R 600 977 00. Provisional budget for 2023/24 and 2024/25 is: ± R 629 063 000 and ± R 656 658 000 respectively. Total number of projects to be undertaken in 2022/23 currently sitting at: 59

Key projects are:

- SAPS - Integrated Person Management (IPM), CAS/ICDMS, Service Integration Bus (SiBUS)
- NPA – ECMS High Court Module Phase 1 (Critical for the IJS APP/ 28 KPI dashboard); Digital docket; ECMS Phase 3.

- DoJ&CD – Electronic Bail; Court Audio Visual Solution for case participants - Phase 2; Targeted Infrastructure and Network Upgrades (Staggered) (Critical for Datacentre upgrade); and many more
- Legal Aid SA – eLAA rolled out to production. Currently adding more modules into production. 9 done already this year
- DHA - HANIS Technology Refresh (Outer Year). To be rolled out in April 2022

IJS will continue to increase the number of government departments and entities connected to transversal platform and exchanging information electronically, implement the remaining IJS DPME Assessment Report recommendations and work on the 28 KPI dashboard.

14. LONG-TERM INFRASTRUCTURE PLAN

Table 46: Construction projects for the MTEF period

No	Project Name	Programme	Project Description	Outputs	Project start date	Project completion date	Total estimated Cost	Current year expenditure
1.	Soshanguve, Magistrates' office	Capital works	Additional accommodation and repair the parking and storm water	Extensions to existing building	04/12/2019	02/12/2022	R 430 838 189.00	R 42 091 226.00
2.	Port Shepstone, Magistrates' office	Capital works	Construction of a new building	New court building	08/10/2014	TBC	R 408 823 149.00	R 32 662 567.00
3.	Vulamehlo, Magistrates' office	Capital works	Repairs and renovations to office buildings	Renovated court buildings	22/04/2015	31/03/2022	R 40 400 000.00	R 414 671.00
4.	Verulam, Magistrates' office	Capital works	Replace air-conditioning plant		02/02/2017	31/03/2022	R 2 426 000.00	R 0.00
5.	Various centres (GTJ), Magistrates' office	Capital works	Construction of facilities for people with disabilities. Group 3: Heidelberg, Vanderbijlpark, Vereeniging, Sebokeng	Facilities for people with disability	03/05/2017	31/03/2022	R 3 429 183.00	R 0.00
6.	Meyerton, Magistrates' office	Capital works	Purchase of erven 317, 324 and 329	ERF 317, 324 and 329 acquired	04/10/2018	31/03/2022	R 2 237 996.00	R 0.00
7.	De Aar, Magistrates' office	Capital works	Installation of carports	Carports	23/11/2018	31/03/2022	R 224 517.00	R 0.00

No	Project Name	Programme	Project Description	Outputs	Project start date	Project completion date	Total estimated Cost	Current year expenditure
8.	Ritchie, Magistrates' office	Capital works	Acquisition of remaining extent of erf 12: construction of new building	ERF 12 acquired	13/03/2019	31/03/2022	R 275 329.00	R 0.00
9.	Evander, Magistrates' office, construction of facilities for people with disabilities	Capital works	Construction of facilities for people with disabilities	Facilities for people with disability	25/09/2016	31/03/2022	R 2 219 061.00	R 0.00
10.	Various centres, Mpumalanga, Magistrates' office	Capital works	Construction of facilities for people with disabilities. Group 1: Acornhoek, Mpumalanga, White River, Sabie	Facilities for people with disability	11/08/2016	31/03/2022	R 4 071 134.00	R 0.00
11.	King William's Town, Magistrates' office	Capital works	Security measures and air-conditioning	Air-conditioners installed	04/07/2019	19/06/2021	R 41 288 713.00	R 11 033 421.00
12.	Pretoria, Palace of Justice, Heritage	Capital works	Security upgrade and balance of work from cancelled project and the conversion of meeting room into civil court	Upgraded security	03/07/2014	31/03/2022	R 40 143 822.00	R 2 517 369.00
13.	Mamelodi, Magistrates' office	Capital works	Construction of a new building	New building	19/06/2014	31/03/2023	R 218 826 300.00	R 0.00
14.	Bronkhorstspuit, Magistrates' office	Capital works	Standby generator	Generator installed	19/11/2019	21/04/2020	R 1 394 179.00	R 46 499.00

15. CONDITIONAL GRANTS

No conditional grants were issued by the Department.

16. PUBLIC ENTITIES AND CONSTITUTIONAL INSTITUTIONS

Four entities are funded through the Vote Account of the DoJ&CD. Two of these entities are Chapter 9 Institutions: the SAHRC and the Public Protector of South Africa. The other two public entities reporting to the Minister are Legal Aid SA and the SIU. These are fully independent entities and are mandated through legislation and the Constitution. For this reason, they perform their duties independently of the DoJ&CD and are evaluated by the Parliament of South Africa.

17. PUBLIC-PRIVATE PARTNERSHIPS

No public-private partnerships are presently funded by the Department.

ANNEXURE A: DISTRICT DEVELOPMENT MODEL

Medium term (3 years-MTEF)						
Area of intervention	Project description	Budget Allocation	District Municipality	Location: GPS coordinates	Project leader	Social partners
Access to justice services	Sexual Offences Court rooms		EC - OR Tambo Municipality	-31.59461, 2875163	Ms. N Nonxuba	Judiciary NPA Legal Profession Public
	Sexual Offences Court rooms		LP - Chatsworth Umlazi	-29.91076 30,88408	Ms. J Ngema	Judiciary NPA Legal Profession Public
	Branch Court to offer family law services at a centralised point	151 863 747.88	eThekwini	-29.868 31.04046	Ms J Ngema-DCO	Judiciary Legal Profession, Public
	Durban High Court: Repairs and renovation	866 000 000	eThekwini	-29. 5994 30.3804	Ms J Ngema-DCO	Judiciary NPA Legal Profession Public
	Umlazi Magistrate Court: Repairs and renovations to office buildings	76 500 000	eThekwini	-29.96178 30. 92512	Ms J Ngema-DCO	Judiciary NPA Legal Profession Public
	Chatsworth MC: Proposed additional accommodation, upgrading of electricity, including repairs and renovations	196 371 084	eThekwini	-29.91076 30,88408	Ms J Ngema-DCO	Judiciary NPA Public Legal Profession
	Umbumbulu MC: Additional accommodation and repairs and renovations	57 248 205	eThekwini	-29.98549 30. 70279	Ms J Ngema-DCO	Judiciary NPA Public Legal Profession

RISK MANAGEMENT

No	Outcomes	Key Risks	Risk Mitigation
1	Modernised and digitised justice services platforms	<ol style="list-style-type: none"> 1. Aging and unstable ICT infrastructure resulting in unavailability of Justice Service on the internet portal and disruption of services. 2. Delays in rolling out Courts Audio Visual Solution. 	<ol style="list-style-type: none"> 1. Continuous review of ICT infrastructure plans based on the available budget. 2. Implement digital solutions to enable end to end management of Justice Services in a manner that will reduce paper and enable real-time communication with all stakeholders.
2	Improved organisational capability and good governance	<ol style="list-style-type: none"> 1. Vacancy in key position and non-compliance with employment equity targets. 2. Potential for Fraud and corruption. 3. Non-compliance with laws and applicable prescripts leading to adverse audit outcome (Irregular expenditure, fruitless and wasteful expenditure and late payments of suppliers). 	<ol style="list-style-type: none"> 1. Filling of vacant posts. 2. Implement HRD Strategy. 3. Training on policies and prescripts. 4. Introduce appropriate consequence management.
3	Improved awareness of justice services and Constitutionalism	<ol style="list-style-type: none"> 1. Inadequate cooperation from line function managers timeously on content updates/responses and planning required for communication activities. 2. Inadequate planning and managing of events by the project owner within the department. 	<ol style="list-style-type: none"> 1. Strengthen departmental platforms (website and social media sites to drive more communication). 2. Engage Civil Society Organisations (CSO's), NGOs and third-party endorsers who can assist in conveying departmental message.

No	Outcomes	Key Risks	Risk Mitigation
4	Increased access to justice services	Increased Gender based violence and Femicide which results in diminishing public confidence in the criminal justice system.	Implement National Integrated Femicide Prevention Strategy which includes phases of femicide watch.
		Inability to implement the Child Justice Act and other legislation.	Speedy finalisation of child justice preliminary inquiries in order to increase access to justice services in the best interest of children.
		Ineffective implementation of the NRSO Act resulting in the continued exposure of children and persons with mental disability to convicted sex offenders.	Implementation of phase two which will Improve turnaround time of issuing of clearance certificates to the clients.
		Delay in establishment of Sexual Offences Courts (SOCs) resulting in perpetual victimisation of victims.	Designation of regional courts where the SOCs must be established.
		Deteriorating court and office facilities leading to non-compliance to Occupational Health and Safety Act and possible office closure.	<ol style="list-style-type: none"> 1. Integrated, proactive and effective planning in the maintenance of court and office infrastructure. 2. Department to identify service points that should be re-modelled to comply with universal access, designated principles and provision of reasonable accommodation for person with disabilities.
5	Improved masters services	<ol style="list-style-type: none"> 1. Delay in provision of masters services due to slow network or system challenges. 2. Potential fraud and corruption in administration of masters processes. 	<ol style="list-style-type: none"> 1. Develop a system that will create opportunity for online platforms by master services. 2. Monitor all applications to ensure speedy finalization 3. Implementation of Ethics Management Strategy.

No	Outcomes	Key Risks	Risk Mitigation
6	Colonial/apartheid era justice related legislation reviewed and replaced	1. Out-dated legislation which does not further constitutionalism.	1. Develop Rules and research papers. 2. Develop legislation and review Apartheid/Colonial era justice-related legislation.
7	Transformed State Legal Services	1. Internal and external (State organs and private legal practitioners) resistance to change in relations to the strategy and mandate of the Office of the Solicitor General. 2. Inadequate management of contingent liabilities. 3. Non availability of up-to-date Virtual Library in respect of Office of the Chief State Law Advisor (OCSLA) leading to delays.	1. Finalisation and implementation of Management of state Litigation policy, briefing and tariff policy and Mediation policy. 2. Review and update contingent liability register. 3. Use of public websites and free internet sites to access information.
8	Transformed Legal profession	Slow transformation of previously disadvantaged individuals (PDIs) including female counsels.	1. Briefing counsels on a fee-sharing basis. 2. Pair PDIs with experienced counsels from other groups. 3. Stakeholder engagement on what is expected from the client.
9	Advanced constitutionalism, human rights and the rule of law	1. Delays in submissions of reports for tabling and ratifications. 2. Lack of cooperation to draft reports by some stakeholders (Departments, NGOs, Chapter 9 institutions). 3. Delays in extradition process and mutual legal assistance.	1. Develop and implement comprehensive stakeholder engagement strategy. 2. Consultation with Embassies / foreign states, State security Agency (SSA), NPA, SAPS and DIRCO.

PART D: TECHNICAL INDICATOR DESCRIPTIONS (TID)

OUTCOME 1: MODERNISED AND DIGITISED JUSTICE SERVICES PLATFORMS

Indicator title	1.1.1 Phases of maintenance services available on the DOJ Internet Portal (online) by target date
Definition	<p>This indicator measures progress regarding Phases of Maintenance services that will be available on the DOJ Internet Portal (online), during the reporting period.</p> <p>For 2022/23 reporting period, the indicator will measure Phase 2 of the Maintenance service solution:</p> <p>Online solution transacting capabilities entails the implementation of features that will grant the users the ability to:</p> <ul style="list-style-type: none"> i. track maintenance payments, ii. track case statuses, iii. apply for maintenance variation orders, and iv. electronically send documentation to the Sheriff for the serving of maintenance documents on the respondent..
Source/collection of data	Maintenance Online Solution: Phase 2.
Method of calculation	N/A
Means of verification	Solution Production Implementation sign-off.
Assumptions	All key stakeholders will be involved in the programme
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Maintenance Online Solution: Phase 2 capabilities completed as planned.
Indicator responsibility	Head: ISM

Indicator title	1.1.2 Phases of Deceased Estates services available on the DOJ Internet Portal (online) by target date
Definition	<p>This indicator measures progress regarding the Deceased Estates services that will be available on the DOJ Internet Portal (online), during the reporting period.</p> <p>For 2022/23 reporting period, the indicator will measure Phase 2 of the Deceased Estates solution:</p> <p>Online solution transacting capabilities entails the implementation of features that will grant the users the ability to:</p> <ul style="list-style-type: none"> i. track deceased estates statuses, ii. book appointments at a Masters Office online, iii. digitally approve LOA/LOE.
Source/collection of data	Deceased Estates Online Solution: Phase 2.
Method of calculation	N/A
Means of verification	Solution Production Implementation sign-off.
Assumptions	All key stakeholders will be involved in the programme
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Deceased Estates Online Solution: Phase 2 capabilities completed as planned.
Indicator responsibility	Head: ISM

Indicator title	1.1.3 Phases of Protection Order services available on the DoJ&CD Internet Portal (online) by target date
Definition	<p>This indicator measures progress regarding the Phases of Protection Order services that will be available on the DOJ Internet Portal (online), during the reporting period.</p> <p>For 2022/23 reporting period, the indicator will measure Phase 2 of the Protection Order service solution</p> <p>Online solution transacting capabilities entails the implementation of features that will grant the users the ability to:</p> <ul style="list-style-type: none"> i. monitor the implementation of the of the Gender Based Violence Act, rules and Regulations, ii. process cases via the e-Judiciary workspace, iii. electronically send documentation to the SAPS via their case management system, for the serving of protection orders on the respondent, iv. electronically send documentation to the Sheriff for the serving of protection orders on the respondent.
Source/collection of data	Protection Orders Online Solution: Phase 2.
Method of calculation	N/A
Means of verification	Solution Production Implementation sign-off.
Assumptions	All key stakeholders will be involved in the programme.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Protection Orders Online Solution: Phase 2 capabilities completed as planned.
Indicator responsibility	Head: ISM

Indicator title	1.1.4 Phases of NRSO services available on the DoJ&CD Internet Portal (online) by target date.
Definition	<p>This indicator measures progress regarding Phases of NRSO services that will be available on the DOJ Internet Portal (online), during the reporting period.</p> <p>For 2022/23 reporting period, the indicator will measure Phase 2 of the NRSO service solution.</p> <p>Online solution transacting capabilities entails the implementation of features that will grant the users the ability to:</p> <ul style="list-style-type: none"> i. to integrate with SAPS to confirm NRSO related criminal records, ii. digitally approve NRSO Clearance Certificates.
Source/collection of data	NRSO Online Solution: Phase 2.
Method of calculation	N/A
Means of verification	Solution Production Implementation sign-off.
Assumptions	All key stakeholders will be involved in the programme
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	NRSO Online Solution: Phase 2 capabilities completed as planned.
Indicator responsibility	Head: ISM

Indicator title	1.1.5 Phases of State Attorneys Services available on the DoJ&CD Internet Portal (online) by target date
Definition	<p>This indicator measures progress regarding Phases of the State Attorneys services that will be available on the DoJ&CD Internet Portal (online), during the reporting period.</p> <p>For 2022/23 reporting period, the indicator will measure Phase 1 of the State Attorney service solution Phase 1 entails features that will include the piloting of a legal practice management solution (case management component) to enable the end-to-end management and tracking of state attorney cases and files.</p>
Source/collection of data	State Attorneys Solution: Phase 1
Method of calculation	N/A
Means of verification	Solution Production Piloting implementation sign-off.
Assumptions	All key stakeholders will be involved in the programme
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	State Attorneys Solution: Phase 1 completed as planned.
Indicator responsibility	Head: ISM

Indicator Title	1.2.1 Number of courtrooms rolled-out with the Courts Audio-Visual Solution (CAVS).
Definition	This indicator measures progress regarding the number of courtrooms where Courts Audio-Visual Solution (CAVS) is rolled-out, during the reporting period
Source/Collection of Data	List of courtrooms where the Courts Audio Virtual Solution (CAVS) is deployed/rolled-out
Method of Calculation	Simple count
Means of Verification	Signed-off deliverables as per project plan (names of courtrooms at courts where the CAVS is deployed)
Assumption	<ul style="list-style-type: none"> Participation of all parties in the design, configuration, testing and roll-out of the new system. Acceptance and full utilisation of the new system
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Cumulative (Year to date)
Reporting Cycle	Quarterly
Desired Performance	Deployment of Courts Audio-Visual Solution (CAVS) to all identified courtrooms completed as planned
Indicator Responsibility	Head: ISM

Indicator title	1.3.1 Modernisation and Digitalisation Strategy approved by target date.
Definition	This indicator measures progress regarding the Department's Modernisation and Digitalisation Strategy to be developed and approved by the Director-General in this reporting period
Source/collection of data	Approved Modernisation and Digitalisation Strategy.
Method of calculation	N/A
Means of verification	Approved Modernisation and Digitalisation Strategy.

Assumptions	All key stakeholders will be involved in the development of the Department's Modernisation and Digitisation Strategy.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Modernisation and Digitalisation Strategy approved as planned
Indicator responsibility	Head: ISM

OUTCOME 2: IMPROVED ORGANISATIONAL CAPABILITIES AND GOOD GOVERNANCE

Indicator Title	2.1.1 Percentage of women occupying Senior Management Services (SMS) and LP 10 positions
Short definition	This indicator measures the percentage of women occupying Senior Management Services (SMS) and LP 10 positions in relation to total SMS and LP 10 positions in the department during the reporting period
Source/Collection of Data	PERSAL system
Method of Calculation	Percentage = (Number of SMS and LP 10 posts occupied by Women / Total number of SMS and LP 10 posts in the Department) *100
Means of Verification	Persal system report
Assumptions	Women who qualify for the advertised post will apply for vacant positions
Disaggregation of Beneficiaries (where applicable)	Women Youth People with disabilities
Spatial Transformation (where applicable)	National
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly

Indicator Title	2.1.1 Percentage of women occupying Senior Management Services (SMS) and LP 10 positions
Desired Performance	Target of 50% of SMS and LP 10 positions occupied by women reached
Indicator Responsibility	Deputy Director-General: Corporate Services

Indicator Title	2.2.1 Percentage of positions occupied by people living with disability
Short definition	This indicator measures the percentage of position occupied by people living with disability in relation to the total number of workforce in the department during the reporting period.
Source/Collection of Data	PERSAL system
Method of Calculation	Percentage = (Number of posts occupied by PWD/ Total number of filled posts in the Department) * 100
Means of Verification	PERSAL system report
Assumptions	People with disabilities apply and meet the requirements for advertised opportunities
Disaggregation of Beneficiaries (where applicable)	People with disabilities
Spatial Transformation (where applicable)	National
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Target of 2% of total posts in Department occupied by PWD
Indicator Responsibility	Deputy Director-General: Corporate Services

Indicator Title	2.3.1 Percentage of total workforce positions occupied by youth
Short definition	This indicator measures the percentage of youth in service in relation to the total workforce in the department during the reporting period.
Source/Collection of Data	PERSAL system report

Indicator Title	2.3.1 Percentage of total workforce positions occupied by youth
Method of Calculation	Percentage = (Number of posts occupied by youth/ Total number of filled posts in the Department) * 100
Means of Verification	PERSAL system report
Assumptions	Youth will apply and meet the requirements for advertised
Disaggregation of Beneficiaries (where applicable)	Target for Youth of 22 %
Spatial Transformation (where applicable)	National
Calculation Type	Cumulative (year to date)
Reporting Cycle	Quarterly
Desired Performance	Target of 22% of total posts in Department occupied by youth
Indicator Responsibility	Deputy Director-General: Corporate Services

Indicator Title	2.4.1 Percentage of reported corruption cases investigated for officials finalised
Definition	This indicator measures the percentage of reported corruption cases investigation for officials finalised during the reporting period
Source of Data	Reported fraud, corruption, misconduct and grievances cases database/register
Method of Calculation/Assessment	Percentage = (Number of reported corruption which investigation were finalised/Number of reported incidents of corruption the department)*100
Means of Verification	Proof of finalised reported incidents of corruption in the Department.
Assumptions	The complexities and nature of corruption cases should be taken into cognisance for the investigation to be completed with prescribed period
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All reported incidents of corruption investigation finalised within a prescribed period.
Indicator Responsibility	Branch Head: Corporate Services

Indicator Title	2.5.1 Percentage of fruitless and wasteful expenditure reduced
Definition	This indicator measures the percentage reduced in fruitless and wasteful expenditure as compared to the fruitless and wasteful expenditure incurred in the previous financial year (year-on-year percentage change).
Source of Data	Register (lead schedule)
Method of Calculation/Assessment	Percentage = (Amount of fruitless and wasteful expenditure incurred in the current year – Amount of fruitless and wasteful expenditure incurred in the previous year) / Amount of fruitless and wasteful expenditure incurred in the previous year) *100.
Means of Verification	VA26 forms/Invoices
Assumptions	All expenses will yield value add
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Regional offices
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	Fruitless and wasteful expenditure eliminated
Indicator Responsibility	Chief Financial Officer

Indicator Title	2.6.1 Percentage of irregular expenditure reduced
Definition	This indicator measures the percentage of irregular expenditure reduced as compared to the irregular expenses incurred in the previous year (year-on-year percentage change).
Source of Data	Register (lead schedule)
Method of Calculation/Assessment	Percentage = (Amount of irregular expense incurred in the current year) – Amount of irregular expenses incurred in the previous year / Amount of irregular expenses incurred in the previous year) *100.
Means of Verification	Payment on BAS/Batches Payments/invoices, etc.
Assumptions	All relevant prescripts are followed and adhered to
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Non-cumulative

Reporting Cycle	Annually
Desired Performance	Reduce irregular incidents in the Department
Indicator Responsibility	Chief Financial Officer

Indicator Title	2.7.1 Percentage of undisputed and valid invoices paid within 30 days from date of receipt
Definition	This indicator measures the percentage of undisputed and valid invoices received for which payment was done within 30 days from date of receipt
Source of Data	Basic Accounting System (BAS) Report
Method of Calculation/Assessment	Percentage = (Number of undisputed and valid invoices received and paid within 30 days from date of receipt/total number of undisputed and valid invoices received) *100
Means of Verification	Invoices
Assumptions	All undisputed invoices and valid invoices paid within the 30 days' timeframe
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Regional offices
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All valid and undisputed invoices received and paid within 30 days
Indicator Responsibility	Chief Financial Officer

Indicator Title	2.8.1 Percentage of discretionary procurement allocated to women
Definition	This indicator measures the percentage of discretionary procurement allocated to women.
Source of Data	Justice Yellow Page (JYP)
Method of Calculation/Assessment	Percentage = (Number of discretionary procurement allocated to women / total number of discretionary procurement) *100.
Means of Verification	Progress Report from Justice Yellow Pages (JYP)
Assumptions	That the regulations to set aside procurement for designated groups is finalised by National Treasury.
Disaggregation of Beneficiaries (where applicable)	
Spatial Transformation (where applicable)	National and Provincial offices

Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Achievement of 40% allocation of procurement towards women owned businesses.
Indicator Responsibility	Chief Financial Officer

Indicator Title	2.9.1 Percentage of discretionary procurement allocated to Exempted Micro Enterprises (EMEs) and Qualifying Small Enterprises (QSEs)
Definition	This indicator measures the percentage of discretionary procurement allocated to EMEs and that support QSEs.
Source of Data	Justice Yellow Page (JYP)
Method of Calculation/Assessment	Percentage = (Number of discretionary procurement allocated to EME and QES/Total number of discretionary procurement) *100.
Means of Verification	Progress Report from Justice Yellow Pages (JYP)
Assumptions	That the regulations to set aside procurement for designated group is finalised by National Treasury.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Achievement of 40% allocation of procurement towards EMEs and QSEs
Indicator Responsibility	Chief Financial Officer

Indicator Title	2.10.1 Percentage of vacant posts at Senior Management Services (SMS) level.
Short definition	This indicator measures the percentage of vacant posts at senior management in relation to total number of SMS posts on the establishment in the Department during the reporting period.
Source/Collection of Data	PERSAL system
Method of Calculation	Percentage = (Number of vacant posts at senior management services (SMS)/Total number SMS posts on the establishment) * 100

Indicator Title	2.10.1 Percentage of vacant posts at Senior Management Services (SMS) level.
Short definition	This indicator measures the percentage of vacant posts at senior management in relation to total number of SMS posts on the establishment in the Department during the reporting period.
Means of Verifications	Persal system report
Assumptions	All SMS vacant positions to be filled
Disaggregation of Beneficiaries (where applicable)	Women Youth People with disabilities
Spatial Transformation (where applicable)	National
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Vacancy rate at SMS level in the Department maintained at or below the DPSA target of 10%.
Indicator Responsibility	Deputy Director-General: Corporate Services

Indicator Title	2.11.1. Percentage of disciplinary cases finalised within 90 days from the date of opening the matter.
Definition	This indicator measures the percentage of disciplinary cases opened in the reporting period which were finalised within the prescribed timeframe of 90 days from the date opening the matter.
Source of Data	Reported fraud, corruption, misconduct and grievances cases database/register
Method of Calculation/Assessment	Percentage = (Number of disciplinary cases finalised within 90 days from date of opening matter/Number of Number of disciplinary cases finalised)*100.
Means of Verification	Proof of finalised disciplinary cases in the Department
Assumptions	All reported misconduct attended to through disciplinary process within the required timeframe
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All disciplinary cases finalised within 90 days from the date of opening the matter.
Indicator Responsibility	Branch Head: Corporate Services

Indicator Title	2.12.1 Percentage of audit improvement plans implemented
Definition	This indicator measures the percentage of audit improvement plans implemented as per the audit improvement plan that is submitted to National Treasury and approved by the Audit committee.
Source of Data	Audit action plan approved by the Director-General.
Method of Calculation/Assessment	Percentage = (number of agreed action plans implemented to resolve the findings /address the root cause or control weaknesses /Total number of agreed action plans *100.
Means of Verification	Quarterly progress report as verified by internal audit
Assumptions	That there are findings issued by the auditor general that remain unresolved in the 2022 financial year.
Disaggregation of Beneficiaries (where applicable)	Interim audit outcomes and year end audit outcomes
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly

Indicator Title	2.12.1 Percentage of audit improvement plans implemented
Desired Performance	Improved audit outcomes – unqualified audit report.
Indicator Responsibility	Branch Heads

Indicator title	2.13.1. Percentage of grievances resolved within 90 days from the date of opening of the matter
Definition	This indicator measures the percentage of grievances opened in the reporting period which were resolved within the prescribed timeframe of 90 days from the date of the opening of the matter.
Source of Data	grievances cases database/register
Method of Calculation/Assessment	Percentage = (Number of reported grievances opened in the reporting period resolved within 90 days from date of opening the matter /Number of grievances resolved)*100.
Means of Verification	Proof of grievances resolved
Assumptions	All reported grievances resolved through disciplinary process within 90 days from the date of opening the matter.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All reported grievances finalised within 90 days from the date of opening the matter.
Indicator Responsibility	Branch Head: Corporate Services

Indicator Title	2.14.1. Number of backlogs on disciplinary hearing cases for misconduct resolved
Definition	This indicator measures the number of backlog on disciplinary hearing cases finalised in a reporting period. Backlog cases are cases that were not resolved in the previous financial year
Source of Data	Reported fraud, corruption, misconduct and grievances cases database/register
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of finalised disciplinary cases in the Department.
Assumptions	All reported backlog misconduct cases attended to through disciplinary process within the required timeframe.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-End)

Reporting Cycle	Quarterly
Desired Performance	All reported backlog misconduct cases finalised within a reporting period.
Indicator Responsibility	Branch Head: Corporate Services

Indicator Title	2.15.1. Number of backlog on grievances resolved
Definition	This indicator measures the number of grievances backlog cases finalised during the reporting period. Backlog cases are cases that were not resolved in the previous financial years
Source of Data	Grievances cases database/register.
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of grievances backlog cases finalised
Assumptions	All reported grievances finalised through disciplinary process with the required timeframe.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-End)
Reporting Cycle	Quarterly
Desired Performance	All reported grievances backlog cases finalised within a reporting period.
Indicator Responsibility	Branch Head: Corporate Services

Indicator Title	2.16.1 Number of specialized training programmes conducted by Justice College					
Definition	This indicator measures the number of training programmes provided by during the reporting period					
Source of Data	Attendance registers.					
Method of Calculation/Assessment	Simple count					
	Programme	Annual Target	Q1	Q2	Q3	Q4
	Number of GBV training sessions presented	12	3	3	3	3
	Number of Leadership / Project Management programmes offered	6	3	1	1	1
	Number of Legislative Drafting programmes presented	1	-	1	-	-
	Systems Thinking Master Class	3	1	-	-	2
	Agile Scrum Workshops	1	1			
	Number of Cyber Security Awareness Workshops	9	2	3	2	2
	Total	32	10	8	6	8
Means of Verification	Attendance registers					
Assumptions	All training programmes presented within timeframes					

Indicator Title	2.16.1 Number of specialized training programmes conducted by Justice College
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year End)
Reporting Cycle	Quarterly
Desired Performance	All programmes presented within the reporting period
Indicator Responsibility	Head: Justice College

OUTCOME 3: IMPROVED AWARENESS OF JUSTICE SERVICES AND CONSTITUTIONALISM

Indicator Title	3.1.1 Number of public education and communication activities conducted in enhancing justice services (Criminal, Civil and Family Law Services)
Definition	This indicator measures the number of events (physical, virtual or hybrid), media engagements and development of any educational/promotional material that will be conducted to raise awareness on justice services (Civil, Criminal and Family Law services) during the reporting period
Source of Data	Attendance registers, recordings, educational/promotional material, media buying schedules
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers, recordings, educational/promotional products, media buying schedules
Assumptions	Budget allocation. Availability of project owners and principals to support communication opportunities created
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year to date)
Reporting Cycle	Quarterly
Desired Performance	250 awareness sessions for justice services and the Constitution
Indicator Responsibility	CD: PEC, DDG: Court Services, DDG: Master of the High Court

Indicator Title	3.2. 1 Number of Trafficking in Persons campaigns conducted in collaboration with other departments and role-players
Definition	This indicator measures the number of campaigns on trafficking in Persons conducted in collaboration with other departments and role-players during the reporting period
Source of Data	Attendance registers Reports of the public education campaigns
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers
Assumptions	Support and collaboration with other government departments
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All four campaigns on Trafficking in Persons conducted as planned
Indicator Responsibility	Chief Directorate: Constitutional Implementation (trafficking in persons)

Indicator Title	3.3.1 Number of sustained and visible anti-xenophobia campaigns conducted in collaboration with other departments and role-players.
Definition	This indicator measures the number of campaigns on anti-xenophobia conducted in collaboration with other departments and role-players during the reporting period
Source of Data	Campaign reports
Method of Calculation/Assessment	Simple count
Means of Verification	Reports indicating the place, stakeholders with whom, and dates on which campaigns were conducted Attendance registers
Assumptions	There is budget set aside for sustained and visible anti-xenophobia campaigns
Disaggregation of Beneficiaries (where applicable)	N/A

Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Six campaigns conducted as planned and within set timeframes
Indicator Responsibility	Chief Directorate: Social Justice and Participatory Democracy

Indicator Title	3.4.1 Number of public education activities conducted to create awareness of the Anniversary of the Constitution and promote constitutional rights education
Definition	This indicator measures the number of public education activities conducted to create awareness of the 25th Anniversary of the Constitution and to promote constitutional rights during the reporting period.
Source of Data	Attendance registers, recordings, educational/promotional material, media buying schedules
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers, recordings, educational/promotional products, media buying schedules
Assumptions	All key stakeholders participate in the events organised to commemorate the 25 th anniversary of the Constitution
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year to Date)
Reporting Cycle	Quarterly
Desired Performance	150 events organised to commemorate the 25 th anniversary of the Constitution as planned
Indicator Responsibility	DDG: Corporate Services

Indicator Title	3.5.1 Number of LGBTQI+ NIS activities implemented in collaboration with other departments and role-players
Definition	This indicator measures the number of activities that will be implemented in collaboration with other departments and role-players during this reporting period.

Indicator Title	3.5.1 Number of LGBTQI+ NIS activities implemented in collaboration with other departments and role-players
	<p>The LGBTQI+ NIS activities are as follows:</p> <ul style="list-style-type: none"> • Reports on the monitoring of hate crime and unfair discrimination cases prepared and submitted to the National Task Team • Site visits to the Provincial Task Teams • Training workshops
Source of Data	Attendance registers and progress reports.
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers and progress reports.
Assumptions	There is budget set aside for implementation of LGBTQI+ NIS activities in collaboration with other government departments
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All planned LGBTQI+ NIS activities conducted as planned during the reporting period.
Indicator Responsibility	Chief Director: Policy Development: Court Services.

Indicator Title	3.6.1 A National Conference to celebrate 25th Year of the coming into effect of the Constitution held by target date
Definition	This indicator measures the process of organising of the National Conference to Celebrate the 25 th Anniversary of the Constitution's Coming into Effect in the period under review.
Source of Data	<ul style="list-style-type: none"> • Approved Memo for the National Conference. • Approved Concept Note • Invitations • Attendance register
Method of Calculation/Assessment	Simple count
Means of Verification	Submission of Programme, Attendance registers. Approved Memo for the National Conference
Assumptions	All key stakeholders participate in the implementation of programmes for the commemoration of the 25 th anniversary of the Constitution.

Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	National Conference to celebrate 25 th Year of the coming into effect of the Constitution held as planned
Indicator Responsibility	DDG: Constitutional Development

OUTCOME 4: INCREASED ACCESS TO JUSTICE SERVICES

Indicator Title	4.1.1 Phases of the Femicide Watch completed, as required by article 15 of the Presidential Summit Declaration against GBVF, 2019 and the National Strategic Plan (NSP) on GBV
Definition	This indicator measures the key milestones that will be achieved in the development of Phases of Femicide Watch as required by article 15 of the Presidential Summit Declaration against GBVF, 2019 and NSP on GBVF
Source of Data	Phase 4 Femicide Watch Dashboard
Method of Calculation/Assessment	N/A
Means of Verification	Approved report for completed activities in the establishment of Phase 5 of Femicide Watch
Assumptions	There will be cooperation between all identified key stakeholders and available data
Disaggregation of Beneficiaries (where applicable)	Children, Women, Youth, Older Persons, LGBTQIA+ persons and Persons with Disabilities
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	An established Femicide Watch with disaggregated data of available GBVF- related femicide cases
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

Indicator Title	4.2.1 Percentage of child justice preliminary inquiries finalised within 90 days after date of first appearance
Definition	This indicator monitors the prompt finalisation of preliminary inquiries in terms of the Child Justice Act Finalised preliminary inquiries refer to matters concluded by a magistrate or prosecutor, depending on the outcome of the case
Source/Collection of Data	ICMS: Child Justice
Method of Calculation	Percentage of preliminary inquiries finalised within 90 days from date of first appearance= (Number of matters finalised within 90 days from date of first appearance/Total number of matters finalised) *100
Means of Verifications	Preliminary Inquiry records; Annexure NN
Assumptions	Preliminary inquiries finalised within the reasonable time
Disaggregation of Beneficiaries (where applicable)	Children in conflict with the law
Spatial transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Speedy finalisation of preliminary inquiries in the best interest of children
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

Indicator Title	4.3.1 Percentage of NRSO Clearance Certificates issued within 10 working days from date of receipt of the application
Definition	<p>This indicator measures the percentage of NRSO Clearance Certificates issued by the Registrar within 10 working days from date of receipt of the compliant applications with all required documents. This relates to NRSO Clearance certificates issued by the Registrar on applications received in the current financial year.</p> <p>NRSO Clearance certificate can be issued on applications received from employers, licensing authorities, relevant authorities, any person whose particulars appear on the register in respect of his or her own particulars and employees working with or applying to work in sectors involving children or persons with mental disabilities in order to check whether their details are in the register or not. This indicator is in line</p>

Indicator Title	4.3.1 Percentage of NRSO Clearance Certificates issued within 10 working days from date of receipt of the application
	with the Presidential Summit Declaration against GBVF of 2019 and it's National Strategic Plan on GBVF.
Source of Data	ICMS NRSO
Method of Calculation/Assessment	Percentage = (Number of NRSO Clearance Certificates issued within 10 working days from date of receipt of compliant applications /Total number of Clearance Certificates issues in respect of applications received by the Registrar in the current financial year) X100.
Means of Verification	Clearance Certificates issued
Assumptions	Compliant Applications Functional ICMS NRSO
Disaggregation of Beneficiaries (where applicable)	Children, Women, Youth and Persons with mental disabilities, Persons with disabilities, Older Persons
Spatial Transformation (where applicable)	National
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Vulnerable persons will be protected from convicted sex offenders whose details are included in the NRSO. NRSO certificates will be issued on time.
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

Indicator Title	4.4.1 Number of NRSO Clearance Certificates issued from backlog cases
Definition	<p>This indicator measures the number of NRSO Clearance Certificates issued by Registrar in the reporting period from the backlog cases.</p> <p>Backlog cases refers to all applications for certificates that were received and not processed for the purpose of issuing the certificates. These are all applications that were received in the previous financial years.</p> <p>NRSO Clearance certificate can be issued on applications received from employers, licensing authorities, relevant authorities, any person whose particulars appear on the register in respect of his or her own particulars and employees working with or applying to work in sectors involving children or persons with mental disabilities in order to check whether their details are in the register or not. This indicator is in line with the Presidential Summit Declaration against GBVF of 2019 and it's National Strategic Plan on GBVF.</p>

Indicator Title	4.4.1 Number of NRSO Clearance Certificates issued from backlog cases
Source of Data	ICMS NRSO
Method of Calculation/Assessment	Simple count
Means of Verification	Clearance Certificates issued and ICMS NRSO report
Assumptions	Compliant Applications Functional ICMS NRSO
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National
Calculation Type	Cumulative (year to date)
Reporting Cycle	Quarterly
Desired Performance	All NRSO Clearance Certificates issued to applicants.
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

Indicator Title	4.5.1 Number of sexual offences courts established at designated courts
Definition	This indicator measures the number of sexual offences courts established at courts designated in terms of section 55A of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007.
Source/Collection of Data	List of sexual offences courts established at designated courts
Method of Calculation	Simple count
Means of Verification	Letters signed by the Regional Heads confirming the establishment of sexual offences courts
Assumptions	There are available courts to be designated in terms of section 55A of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007. The judiciary will cooperate with the Minister in the designation of regional courts where the sexual offences courts must be established There are adequate resources for the establishment of sexual offences courts, as required by the <i>Regulations relating to Sexual Offences Courts</i>

Indicator Title	4.5.1 Number of sexual offences courts established at designated courts
Disaggregation of Beneficiaries (where applicable)	Children, Women, Youth, older persons, , LGBTQIA+ Persons and Persons with Disabilities
Spatial transformation (where applicable)	N/A
Calculation Type	Cumulative (Year to Date)
Reporting Cycle	Quarterly
Desired Performance	Prevention of secondary traumatising of complainants and witnesses in sexual offences cases.
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

Indicator Title	4.6.1 Number of courts compliant with the strategy on universal access for persons with disabilities
Definition	This indicator measures the milestones achieved by courts in line with the approved minimum standards to ensure that court users with disabilities have equal access to justice services.
Source of Data	<ul style="list-style-type: none"> Minimum Standards for the strategy on universal access for persons with disabilities List of courts compliant with the strategy on universal access for persons with disabilities
Method of Calculation/Assessment	Simple count
Means of Verification	Confirmation letters signed and submitted by the Regional Heads
Assumptions	Cooperation of internal stakeholders Availability of adequate space in and physical access to the courthouses to comply with the Minimum Standards
Disaggregation of Beneficiaries (where applicable)	Persons with Disabilities
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Courts compliant with the principles on the universal access for persons with disabilities increased
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

Indicator Title	4.7.1 Percentage of Family Advocate litigation matters finalised within 12 months from the date of the opening of the matter
Definition	This indicator measures the percentage of Family Advocate litigation matters that are finalised within 12 months from the date of the opening of the matter by the Office of the Family Advocate. Matters will include those received in the current financial year and those carried over from the previous financial year. Finalisation will mean filed Family Advocate Report.
Source/Collection of Data	Family Advocate Report on Litigation Matters (spreadsheet)
Method of Calculation	Percentage = (Total number of Family Advocate litigation matters finalised within 12 months from the date of opening the matter/Number of Family Advocate litigations matters finalised) X100.
Means of Verification	Case files
Assumptions	Adequate Human Resource capacity Access to virtual platforms to conduct consultations Access to Caselines systems
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All litigation finalised within the prescribed timeframe
Indicator Responsibility	Chief Family Advocate

Indicator Title	4.8.1 Percentage of Family Advocate non-litigation matters finalised within 6 months from the date of opening the matter
Definition	This indicator measures the percentage of matters applied for or brought by the parties or their legal representatives to the Office of the Family Advocate in terms of sections 21, 22 and 33 of the Children's Act, 2005 (Act No. 38 of 2005) and finalised within six months from the date of the opening of the file. Finalisation will mean all non-litigation matters concluded by the Family Advocate.
Source/Collection of Data	Memoranda of understanding, Parenting plans, parental responsibilities and rights agreement or certificates of outcome
Method of Calculation	Percentage = (Total number of Family Advocate non-litigation matters finalised within 6 months from the date of opening/Number of Family Advocate non-litigation matters finalised) X100.
Means of Verification	Case file

Indicator Title	4.8.1 Percentage of Family Advocate non-litigation matters finalised within 6 months from the date of opening the matter
Assumptions	Adequate Human Resource capacity Access to virtual platforms to conduct consultations Access to Caselines systems
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Speedy finalisation of cases
Indicator Responsibility	Chief Family Advocate

Indicator Title	4.9.1 Percentage of maintenance matters finalised within 90 days from the date of proper service of process
Definition	This indicator measures the number of child maintenance matters finalised in 240 courts within 90 days from the date of proper service of process to the respondent, in line with the 2019 Presidential Summit declaration against GBVF and its NSP. Finalisation refers to matters concluded by the magistrate.
Source/Collection of Data	ICMS: Maintenance
Method of Calculation	Percentage of maintenance matters finalised within 90 days from date of proper service of process = (number of maintenance matters finalised within 90 days/total number of matters finalised) *100.
Means of Verification	Integrated Case Management System (ICMS) Maintenance Module, Case file J101/J107.
Assumptions	There will be proper service
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A

Indicator Title	4.9.1 Percentage of maintenance matters finalised within 90 days from the date of proper service of process
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All maintenance matters finalised within 90 days from date of proper service of process.
Indicator Responsibility	Chief Family Advocate

Indicator Title	4.10.1 Percentage of maintenance investigations finalised within 90 days of receipt of instruction by the Maintenance Officer or Referral by the Clerk of the Maintenance Court
Definition	<p>This indicator measures the percentage of child maintenance investigations finalised within 90 days in the 240 courts from the date of instruction by the Maintenance Officer or Referral by the Clerk of Maintenance Court in new applications</p> <p>Finalisation refers to investigations concluded by the Maintenance Investigator</p> <p>New application refers to applications received in the current financial year</p>
Source/Collection of Data	Maintenance Investigation NOC Tool
Method of Calculation	Percentage of child maintenance investigation finalised within 90 days within 90 days in the 240 courts from the date of instruction by the Maintenance Officer or Referral by the Clerk of the Maintenance Court = (Number of maintenance investigations finalised within 90 days of instruction by the Maintenance Officer or Referral by the Clerk of the Maintenance Court/Number of Instructions/Referrals) *100.
Means of Verification	Approved Maintenance Investigation Report from the NOC Tool
Assumptions	There will be enough Maintenance Investigators to finalise investigations instructions/referrals
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Non-Cumulative

Indicator Title	4.10.1 Percentage of maintenance investigations finalised within 90 days of receipt of instruction by the Maintenance Officer or Referral by the Clerk of the Maintenance Court
Reporting Cycle	Quarterly
Desired Performance	All maintenance investigations finalised within 90 days in 240 courts from date of instruction/referral
Indicator Responsibility	Chief Family Advocate

Indicator Title	4.11.1 Social Compact between the Executive, Judiciary and Legislative tiers of government implemented
Definition	This indicator measures the progress relating to the development of the discussion document on social compact between the three Branches of the State discussion document (Executive, Judiciary and Legislature discussion document) which will be submitted to the Cabinet for approval during the reporting period
Source of Data	Social Compact Discussion Document
Method of Calculation/Assessment	N/A
Means of Verification	Proof of submission to Cabinet to submit the draft Social Compact Discussion Document
Assumptions	All relevant stakeholders are available and participate fully in the development of the concepts document
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Draft discussion document on social compact submitted to Cabinet during the reporting period
Indicator Responsibility	Chief Director: Policy Development and Coordination

Indicator title	4.12.1 Percentage of criminal cases postponed due to administrative support services
Description	This indicator measures the percentage of criminal cases on the court roll that were postponed due to the administrative support services (Personnel, IT system, infrastructure)
Source/collection of data	ICMS report
Method of calculation	Percentage= (Number of cases postponed due to administrative support services / Number of cases postponed on the roll)*100

Means of verification	Court record (charge sheets)
Assumption	Availability of administrative support services
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Cumulative (year to date)
Reporting Cycle	Quarterly
Desired Performance	Fully functional courts
Indicator Responsibility	Chief Director: Adv. Picarra

Indicator title	4.13.1 Number of court facilities refurbished through minor capital works.
Definition	This indicator measures the number of court buildings that have been refurbished through minor capital works to ensure that the infrastructure is maintained and fit for the intended purpose.
Source of data	Estimates of National Expenditure (ENE) User Asset Management Plan Budget allocation schedule
Method of Calculation / Assessment	Simple count
Means of verification	Completion certificate
Assumptions	Competent consultants and contractors. Seamless supply chain processes to appoint the contractors. Technical capacity at the DOJCD Regional Offices to implement the indicator.
Disaggregation of Beneficiaries (where applicable)	End-users and members of the public.
Spatial Transformation (where applicable)	Townships and rural areas.
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired performance	Refurbished and or upgraded infrastructure fit to serve the intended purpose.
Indicator Responsibility	Chief Director: Facilities Management

OUTCOME 10: CRIME AND CORRUPTION REDUCED THROUGH EFFECTIVE PROSECUTION

Indicator Title	10.1.1 Number of dedicated specialised Commercial Crimes Courts capacitated
Definition	<ul style="list-style-type: none"> • This indicator measures the number of additional dedicated Specialised Commercial Crime Courts that will be capacitated • Capacitation refers to allocation of funds to resource the identified sites with tools of trade, and/ or court officials
Source of Data	Approval by the Minister
Method of Calculation/Assessment	Simple count
Means of Verification	Memo to the Minister for approval
Assumptions	There is budget to establish the Specialised Commercial Crime Courts
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Establish at least one Specialised Commercial Crime Court annually.
Indicator Responsibility	DDG: Court Services

OUTCOME 5: IMPROVED AND TRANSFORMED MASTERS SERVICES

Indicator title	5.1.1 Percentage of liquidation and distribution accounts in large estates (>R250 000), examined within 21 days from receipt of all required documents
Definition	This indicator measures the examination of liquidation and distribution accounts lodged by the executors in deceased estates within 21 days after the account has been lodged with the Master, and thus issuing the executor with a query sheet with which he or she needs to comply in the further administration of the estate
Source/collection of data	Monthly reports by offices
Method of calculation	<p>Percentage of accounts examined within 21 days = (number of accounts examined within 21 days/total number of accounts examined) x 100</p> <p>Number of days to examine = date of examination minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day</p>
Means of verification	Office File J242
Assumption	All required documents will be submitted
Disaggregation of Beneficiaries (where applicable)	N/A

Indicator title	5.1.1 Percentage of liquidation and distribution accounts in large estates (>R250 000), examined within 21 days from receipt of all required documents
Spatial Transformation (where applicable)	Nationally
Calculation type	Non-cumulative
Reporting Cycle	Quarterly
Desired performance	Liquidation and distribution accounts examined within 21 days (large estates, bankruptcy) from receipt of all required documents
Indicator Responsibility	Chief Master

Indicator Title	5.2.1 Percentage of letters of appointment issued in deceased estates within 21 days from receipt of all required documents
Definition	This indicator measures the letters of authority in deceased estates to enable the estate administrator to proceed with the administration of the estate of the deceased within 21 days after the applicant has lodged all necessary documents.
Source/Collection of Data	Office reports and registers
Method of Calculation	<p>Percentage of letters issued = (Number of cases where letters of authority were issued within the time frame (21 days)/total number of letters issued) * 100.</p> <p>Number of days to issue = date of issue of a letter minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day.</p>
Means of Verification	Case file J170/J238
Assumption	All application will be submitted with all the required documentation.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly

Indicator Title	5.2.1 Percentage of letters of appointment issued in deceased estates within 21 days from receipt of all required documents
Desired Performance	All letters of appointment issued in the deceased estates within 21 days from receipt of all required documents.
Indicator Responsibility	Chief Master

Indicator Title	5.3.1 Percentage of beneficiaries in receipt of services within 40 days from receipt of all required documents (Guardian's Fund)
Definition	This indicator measures the percentage of beneficiaries who received payment on their application within 40 days from lodging all the required documents to enable the Master to proceed with payment
Source/Collection of Data	Office reports and the Guardian's Fund system
Method of Calculation	<p>Percentage achieved (percentage of beneficiaries in receipt of service) = (number of payments made within 40 day/total number of payments made) *100.</p> <p>Number of days to payment = date of payment minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day.</p>
Means of Verification	In terms of the Chief Master's Directive 2 of 2011, and Chief Master's Directive. Case file.
Assumption	All applications will be submitted with all the required documentation.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All beneficiaries of the Guardian's Fund receive services within 40 days
Indicator Responsibility	Chief Master

Indicator Title	5.4.1 Percentage of certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents
Definition	This indicator measures the issuing of appointment certificates to curators and liquidators in bankrupt estates to enable the appointee to proceed with the administration of the estate of the insolvent person or company within 10 days after the applicant has lodged all the necessary documents.
Source/Collection of Data	Office reports and registers.
Method of Calculation	Percentage of certificates issued within 10 days = (number of certificates issued within 10 days/total number of certificates issued) *100. Number of days to issue = date of issue of a certificate minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day.
Means of Verification	Case file J465/J327
Assumption	All applications will be submitted with all the required documentation
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents
Indicator Responsibility	Chief Master

Indicator Title	5.5.1 Percentage of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents
Definition	This indicator measures the examination of liquidation and distribution accounts lodged by the curators or liquidators in bankrupt estates within 15 days after the account has been lodged with the Master of the High Court, thus issuing the appointee with a query sheet with which he or she needs to comply in the further administration of the estate

Indicator Title	5.5.1 Percentage of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents
Source/Collection of Data	Office reports and registers
Method of Calculation	Percentage of accounts examined within 15 days = (number of accounts examined within 15 days/total number of accounts examined) *100. Number of days to examine = date of examination minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day
Means of Verification	Case file JM50
Assumption	All applications will be submitted with all the required documentation
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All liquidation and distribution accounts in bankruptcy matters are examined within 15 days of receipt of all required documents
Indicator Responsibility	Chief Master

Indicator Title	5.6.1 Percentage of letters of authority issued in trusts within 21 days of receipt of all required documents
Definition	This indicator measures the issuing of letters of authority to appoint trustees of registered trusts to enable the appointee to proceed with his or her other duties as trustee within 21 days after the applicant has lodged all the necessary documents
Source/Collection of Data	Office reports and registers.
Method of Calculation	Percentage = (number of letters issued within 21 days/total number of letters issued) *100.

Indicator Title	5.6.1 Percentage of letters of authority issued in trusts within 21 days of receipt of all required documents
	Number of days to issue = date of issue of a letter minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day.
Means of Verification	Case file J246
Assumption	All applications will be submitted with all the required documentation.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All letters of authority issued in trusts within 21 days of receipt of all required documents
Indicator Responsibility	Chief Master

Indicator Title	5.7.1 Percentage of letters of appointment issued in curatorship estates within 15 days from receipt of all required documents
Definition	This indicator measures the issuing of appointment letters of curators in curatorship estates to enable the curator to proceed with the administration of the estate of the person under curatorship within 15 days after the applicant has lodged all necessary documents.
Source/Collection of Data	Office reports and registers
Method of Calculation	Percentage of letters issued = (Number of cases where letters were issued within the time frame (15 days)/total number of letters issued) *100. Number of days to issue = date of issue of a letter minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day.
Means of Verification	Case file J372/CB12/CB15/CB19
Assumption	All applications will be submitted with all the required documentation

Indicator Title	5.7.1 Percentage of letters of appointment issued in curatorship estates within 15 days from receipt of all required documents
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All letters of appointment issued in the curatorship estates within 15 days from receipt of all required documents
Indicator Responsibility	Chief Master

Indicator Title	5.8.1 Policy on appointment of Insolvency Practitioners submitted to the Minister for approval by target date
Definition	This indicator measures the policy for the appointment of the Insolvency Practitioners that will be developed and submitted to the Minister during the reporting period
Source/Collection of Data	Minutes of meetings, Submission memorandum to the Minister. Policy on the appointment of Insolvency Practitioners document
Method of Calculation	N/A
Means of Verification	Proof of submission of memorandum to the Minister for the approval of the policy
Assumption	All meetings/ workshops /consultations can take place as planned
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly

Indicator Title	5.8.1 Policy on appointment of Insolvency Practitioners submitted to the Minister for approval by target date
Desired Performance	Policy submitted to the Minister for approval as planned
Indicator Responsibility	Chief Master

Indicator Title	5.9.1 Number of interventions from the Masters Turnaround Strategy implemented
Definition	<p>This indicator measures the interventions that will be implemented from the Masters Turnaround Strategy during the reporting period. These interventions are:</p> <ul style="list-style-type: none"> i) Clearing of the backlog ii) Rolling out of self-help computers to all Master's Offices iii) Pilot of developed Guardian's Fund Financial System iv) Training of all SMS and MMS members in the Master's Branch on management and service excellence by Justice College
Source/Collection of Data	<ul style="list-style-type: none"> i)- Determined list of backlog matters as baseline <ul style="list-style-type: none"> - Office report against baseline list ii) List of activated computers roll out to all offices iii) Report by Guardian's Fund Team iv) - Determined list of officials to be trained as baseline <p>Justice College report against baseline list</p>
Method of Calculation	Simple count
Means of Verification	<p>Report on backlog cases finalised</p> <p>Report on the rollout of self-help computers</p> <p>Report on the pilot of developed Guardian's Fund Financial System</p> <p>Attendance register of people trained</p>
Assumption	All meetings/ workshops can take place as planned, available budget, full staff compliment, stakeholder collaboration, network stability
Disaggregation of Beneficiaries (where applicable)	N/A

Indicator Title	5.9.1 Number of interventions from the Masters Turnaround Strategy implemented
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-end)
Reporting Cycle	Quarterly
Desired Performance	<ul style="list-style-type: none"> i) 100% of determined backlog cleared by 31 December 2022 ii) All self-help desktops connected and operational in all Master's Office by 30 September 2022 iii) Roll out of Guardian's Fund Financial System to all Master's Offices (100%) by 31 March 2023 iv) 100% of determined list of officials trained by Justice College by 31 March 2023
Indicator Responsibility	Chief Master

OUTCOME 6: COLONIAL/APARTHEID ERA JUSTICE-RELATED LEGISLATION REVIEWED AND REPLACED

Indicator Title	6.1.1 Number of Bills and regulations submitted to the Minister for approval
Definition	<p>This indicator measures the number of Bills and Regulations prepared and submitted to the Minister for consideration and approval with the view to:</p> <ul style="list-style-type: none"> • Introducing a Bill in Parliament • Obtaining approval from the Minister to subject a Bill or a set of regulations to a public consultation process; or promulgating regulations • Ensure the finalisation of Bills and Regulations, as required and where specified, within the time frames set.
Source of Data	Bills and Regulations: Memoranda to the Minister or role-players, Government Gazette or parliamentary papers (whichever is applicable).
Method of Calculation/Assessment	Simple count
Means of Verification	Name of Bills and/or Regulations submitted to the Minister for approval. Date on which the Bills and/or Regulations were submitted by the Director-General to the Minister for approval
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements
Disaggregation of Beneficiaries (where applicable)	Not applicable as laws drafted are of general application and responsive to all beneficiaries
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All Bills and Regulations developed as planned.
Indicator Responsibility	Deputy Director-General: Legislative Development

Indicator Title	6.2.1 Number of Colonia/ Apartheid era justice-related legislation submitted to the Minister for repeal or repeal and replacement
Definition	This indicator measures the number of Apartheid/Colonial era justice-related legislation that will be submitted to the Minister for repeal and replacement
Source of Data	Bills: Memoranda to the Minister, Government Gazette or parliamentary papers (whichever is applicable)
Method of Calculation/Assessment	Simple count
Means of Verification	Name of Bills submitted to the Minister for approval Date on which the Bills were submitted by the Director-General to the Minister for approval
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements
Disaggregation of Beneficiaries (where applicable)	Not applicable as laws drafted are of general application and responsive to all beneficiaries
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	All Bills developed as planned
Indicator Responsibility	Deputy Director-General: Legislative Development and Law Reform

Indicator Title	6.3.1 Number of Rules of Court submitted to the Board for approval
Definition	This indicator measures the number of court rules and final reports on review of court rules prepared and submitted to the Rules Board for approval during the reporting period
Source of Data	Emails and memoranda sent to the Rules Board and minutes of meetings
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of submission of the court rules to The Board Names of rules submitted to the Rules Board for approval Date on which rules were submitted to the Rules Board and approved by the Board
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements

Disaggregation of Beneficiaries (where applicable)	Not applicable as laws drafted are of general application and responsive to all beneficiaries
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All planned court rules to be reviewed and completed during the reporting period
Indicator Responsibility	Deputy Director-General: Legislative Development

Indicator Title	6.4.1 Number of research papers submitted to the South African Law Reform Commission for consideration and approval
Definition	This indicator measures the number of research papers prepared and submitted to the South African Law Reform Commission (SALRC) for consideration and approval, in order to facilitate the development of proposals on law reform
Source of Data	Research papers include issue papers, discussion papers, preliminary investigation reports and final reports
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of submission of research paper to the commission for consideration and approval. Name of research paper submitted to the Commission for consideration and approval. Date on which the research paper was submitted to the Commission for consideration and approval. Date on which a paper was approved by members of the Commission by way of a round robin.
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements
Disaggregation of Beneficiaries (where applicable)	Not applicable as laws drafted are of general application and responsive to all beneficiaries.
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All research papers developed as planned
Indicator Responsibility	Secretary of the South African Law Reform Commission

OUTCOME 2: IMPROVED ORGANISATIONAL CAPABILITIES AND GOOD GOVERNANCE

Indicator Title	2.17.1 Percentage of expungements finalized within 3 (three) months after receipt of complete application
Definition	This indicator measures the percentage of expungements finalised within 3 (three) months after receipt of complete application
Source of data	NOC IMT System Expungement application register
Method of Calculation/Assessment	Percentage = (Number of expungements finalised within 3 months / Total number of expungements finalised) x100
Means of verification	Expungement statistical report
Assumptions	Adequate resources
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	None
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired performance	All expungements completed within 3 months of receipt
Indicator Responsibility	Director: Legal Process

OUTCOME 10: REDUCED CORRUPTION AND SERIOUS ECONOMIC CRIME

Indicator Title	10.2.1 Number of Bills, Regulations, Notices and Proclamations to strengthen the anti-corruption architecture of South Africa submitted to the Minister for consideration and approval
Definition	<p>This indicator measures the number of Bills and Regulations prepared and submitted to the Minister for consideration and approval with the view to:</p> <ul style="list-style-type: none"> • Introducing a Bill into Parliament • Obtaining approval from the Minister to subject a Bill or a set of regulations or notices to a public consultation process; or promulgating regulations • Obtaining approval from the Minister to submit proclamations to the approving authority for approval. • Ensure the finalisation of Bills and Regulations, Notices and Proclamations, as required and where specified, within the time frames set.
Source of Data	Bills, Regulations, Notices, Proclamations:

	Memoranda to the Minister or role-players, Government Gazette or parliamentary papers (whichever is applicable).
Method of Calculation/Assessment	Simple count
Means of Verification	Name of Bills and/or Regulations submitted to the Minister for approval. Date on which the Bills and/or Regulations, Notices or Proclamations were submitted by the Director-General to the Minister for approval.
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements
Disaggregation of Beneficiaries (where applicable)	Not applicable as laws drafted are of general application and responsive to all beneficiaries.
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All Bills and Regulations, Notices and Proclamations developed as planned.
Indicator Responsibility	Deputy Director-General: Legislative Development

Indicator Title	10.3.1 Plan for the implementation of the of the recommendations of the Commission on State Capture developed and submitted to the Minister for consideration approval by target date
Definition	This indicator measures the development of a plan to implement the recommendations of the Commission on State Capture and submitted to the Minister for consideration and approval.
Source of Data	Plan for Implementation of the Commission on State Capture: Memorandum to the Minister with the accompanying plan.
Method of Calculation/Assessment	Simple count
Means of Verification	Plan for the implementation of the Commission on State Capture Date on which the Plan was submitted by the Director-General to the Minister for approval.
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements

Disaggregation of Beneficiaries (where applicable)	Not applicable as laws drafted are of general application and responsive to all beneficiaries.
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Plan developed as planned.
Indicator Responsibility	Deputy Director-General: Legislative Development

OUTCOME 7: TRANSFORMED STATE LEGAL SERVICES

Indicator Title	7.1.1 Number of policies to implement the State Attorney Amendment Act, 2014 implemented
Definition	This indicator measures policies to implement the State Attorney Amendment Act, 2014 that will be approved and implemented in order to effectively and efficiently manage the state litigation
Source of Data	<p>Policies to implement the State Attorney Amendment Act, 2014:</p> <ul style="list-style-type: none"> • Initiating, defending and opposing of matters • Coordination and Management of State Litigation Policy • Mediation Policy (ADR) • State Legal Representation Policy • Briefing and Outsourcing of State Legal work Policy <p>Proof of submission to Parliament</p>
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of submission of policies to Parliament
Assumptions	All relevant stakeholders will participate fully in the development of the policies
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	All policies to implement the State Attorneys Amendment Act, 2014 to be tabled before Parliament.

Indicator Responsibility	Solicitor-General
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Indicator Title	7.2.1 Percentage of litigation cases settled
Definition	This indicator measures the percentage of litigation cases settled by the State Attorney through alternative dispute resolutions (mediation and out of court settlement) other than litigation.
Source/Collection of Data	Quarterly reports by the Office of the Solicitor-General and the Office of the State Attorney
Method of Calculation	Percentage = (Number of litigation cases settled/total number of litigation cases finalised for the reporting period) *100
Means of Verification	File notes, correspondence from attorney to clients, court order/judgments/settlement agreements/mediation agreements
Assumptions	Some litigation cases can be resolved through other conflict resolution mechanisms without going through litigation processes
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Increase number of cases finalised through alternative conflict resolution mechanisms (mediation and out of court settlement)
Indicator Responsibility	Solicitor-General

Indicator Title	7.3.1 Percentage of legal opinions finalised within 30 days from the date of receipt of the instruction
Definition	This indicator measures the percentage of requests for legal opinions from clients that were finalised within 30 days of the date of receipt of the instructions during the reporting period. Finalisation refers to legal opinions dispatched by the Chief State Law Adviser to clients.
Source of Data	Legal Opinion Register showing opinion number, department (client), date received and date finalised

Indicator Title	7.3.1 Percentage of legal opinions finalised within 30 days from the date of receipt of the instruction
Method of Calculation/Assessment	Percentage = (number of legal opinions finalised within 30 days of the date of receipt of the instructions/total number of legal opinions finalised) *100
Means of Verification	Case file
Assumptions	To improve turnaround times for services offered to client departments while maintaining quality
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All requests for legal opinions from clients finalised within 30 days of date of entry.
Indicator Responsibility	Chief State Law Adviser

Indicator Title	7.4.1 Percentage of suggested Bills and subordinate legislation finalised within 30 days from the date of receipt of the instructions
Definition	This indicator measures the percentage of Bills and subordinate legislation requests that were finalised within 30 days during the reporting period. Finalisation refers to Bills and subordinate legislation dispatched by the Chief State Law Adviser to clients
Source of Data	Register for Bills and other legislative instruments
Method of Calculation/Assessment	Percentage = (Number of Bills and subordinate legislation finalised within 30 days of the date of receipt of the instructions /total number of Bills and subordinate legislation finalised) *100
Means of Verification	Case file
Assumptions	To improve turnaround times for services offered to clients while maintaining quality
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All Bills and subordinate legislation finalised within 30 of days of date of receipt
Responsibility	Chief State Law Adviser

Indicator title	7.5.1 Percentage of International Agreements finalised within 30 days from the date of receipt of the instructions
Short definition	This indicator measures the percentage of international agreements and accompanying legal opinions requests that are scrutinised or provided within 30 days during the reporting period. Finalisation refers to legal opinions dispatched by the Chief State Law Advisor
Source/collection of data	Register for international agreements and accompanying legal opinion requests
Method of calculation	Percentage = (number of international agreements and accompanying legal opinions scrutinised or provided within 30 days/total number of international agreements and accompanying legal opinions scrutinised or provided) x 100
Means of verification	Case file
Assumptions	To improve turnaround times for services offered to clients while maintaining quality
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired performance	All international agreements and accompanying legal opinions scrutinised or provided within 30 days of date of receipt
Indicator responsibility	Chief State Law Advisor

OUTCOME 8: TRANSFORMED LEGAL PROFESSION

Indicator Title	8.1.1 Percentage of value of briefs allocated to PDIs Legal Practitioners
Definition	This indicator measures the percentage of the monetary value (Rand) of briefs allocated to PDIs Legal Practitioners during the reporting period
Source of Data	BAS reports and batches monthly statistics
Method of Calculation/Assessment	Percentage = (total value of briefs issued during the reporting period, paid to PDI Legal Practitioners/total value of briefs issued during the reporting period, paid to Legal Practitioners) *100

Means of Verification	Payment registers/BAS reports and batches/Invoices
Assumptions	This will bring transformation Private Practitioners have potential to handle matters or can present matters in High Courts
Disaggregation of Beneficiaries (where applicable)	PDIs – 83%
Spatial Transformation (where applicable)	Reflect on contribution to spatial transformation priorities Reflect on the spatial impact area
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	83% of Rand value of briefs to PDIs.
Indicator Responsibility	Solicitor-General

Indicator Title	8.2.1 Percentage of value of briefs allocated to female legal practitioners
Definition	This indicator measures the percentage of monetary value (Rand) of briefs allocated to female legal practitioners during the reporting period
Source of Data	BAS reports and batches monthly statistics
Method of Calculation/Assessment	Percentage = (Total value of briefs issued during the reporting period, paid to female legal practitioners/Total value of briefs issued during the reporting period, Paid to Legal Practitioners) *100
Means of Verifications	Payment registers/BAS reports and batches/Invoices Briefing batches and registers
Assumptions	This will bring transformation Private practitioners have potential to handle matters or can present matters in High Courts
Disaggregation of Beneficiaries (where applicable)	Women – Target = 30%
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	30% of rand value of briefs paid to female legal practitioners.
Indicator Responsibility	Solicitor-General

Indicator Title	8.3.1 Percentage of briefs allocated to female legal practitioners
Definition	This indicator measures the percentage of briefs allocated to previously disadvantaged female legal practitioners representing the state on legal matters in courts
Source of Data	Quarterly reports of the Office of the Solicitor-General and Office of the State Attorney
Method of Calculation/Assessment	Percentage = (total number of briefs allocated to female legal practitioners/total number of briefs) *100
Means of Verifications	Briefing batches and registers
Assumptions	State attorney will continue to increase briefs allocated to female legal practitioners There will be a growing pool of female legal practitioners
Disaggregation of Beneficiaries (where applicable)	National
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired Performance	40% of female legal practitioners briefed
Indicator Responsibility	Solicitor-General

OUTCOME 9: ADVANCEMENT OF CONSTITUTIONALISM, HUMAN RIGHTS AND THE RULE OF LAW

Indicator Title	9.1.1 Framework for the virtual repository on disaggregated statistical data for the measurements of racism, racial discrimination, xenophobia and related intolerance submitted to the Minister for approval by target date
Definition	This indicator measures the development of the Framework for the virtual repository on disaggregated statistical data for the measurements of racism, racial discrimination, xenophobia and related intolerance submitted to the Minister for approval during the current financial year
Source of Data	Framework for the virtual repository on disaggregated statistical data for the measurements of racism, racial discrimination, xenophobia and related intolerance
Method of Calculation/Assessment	N/A

Means of Verification	Memorandum to the Minister to submit the Framework for the virtual repository on disaggregated statistical data for the measurements of racism, racial discrimination, xenophobia and related intolerance
Assumptions	Cooperation by key stakeholders
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	Framework for the virtual repository on disaggregated statistical data for the measurements of racism, racial discrimination, xenophobia and related intolerance submitted to the Minister as planned.
Indicator Responsibility	Chief Directorate: Social Justice and Participatory Democracy

Indicator Title	9.2.1 Number of country report submitted to Minister for approval for submission to Cabinet
Definition	This indicator measures the number of country report submitted to the Minister for approval for submission to Cabinet
Source/Collection of Data	International Convention against Torture and Other Cruel or Degrading Treatment or Punishment (CAT)
Method of Calculation	Simple count
Means of Verification	Proof of submission to the Minister
Assumptions	<ul style="list-style-type: none"> • Departments responding on time or the relevant information provided on time. • High cooperation among departments in the preparation and submission of reports. • Cluster meetings taking place on the scheduled dates to recommend approval of the reports
Disaggregation of Beneficiaries (where applicable)	N/A

Indicator Title	9.2.1 Number of country report submitted to Minister for approval for submission to Cabinet
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	All reports prepared and submitted to the Minister for approval for submission to Cabinet
Indicator Responsibility	Chief Director: International Legal Relations

Indicator Title	9.3.1 Percentage of valid requests for extradition and mutual legal assistance in criminal matters processed and submitted to the Director-General within 20 days from the date of receipt
Definition	This indicator measures the percentage of valid requests for extradition, mutual and legal assistance in criminal matters processed and submitted to the Deputy Director-General for onward submission to the Director-General and/or the Minister within 20 days from the date of receipt (notification)
Source/Collection of Data	Case register Accompanying reports/documentation
Method of Calculation	Percentage = (Number of valid requests for extraditions processed within 20 days/the number of valid requests for extraditions processed) *100. Days = normal working days, excluding weekends and holidays.
Means of Verifications	Memorandum Register indicating dates of submissions to the Deputy Director-General and/or a memo approved by the Minister/Director-General
Assumptions	The memorandum to be approved within the expected timeframe
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly

Indicator Title	9.3.1 Percentage of valid requests for extradition and mutual legal assistance in criminal matters processed and submitted to the Director-General within 20 days from the date of receipt
Desired Performance	All valid requests for extradition and mutual legal assistance in criminal matters processed within 20 days of the date of receipt (notification)
Indicator Responsibility	Chief Director: International Legal Relations

Indicator Title	9.4.1 Number of engagements held with stakeholders towards the promotion of Equality Courts
Definition	<p>This indicator measures the number of engagements towards the promotion of Equality Act and Equality Courts conducted in collaboration with key stakeholders in the current financial year.</p> <p>key stakeholders in respect of number of engagements conducted towards the promotion of Equality Act and Equality Courts are the following: Faith based leaders, Traditional leaders, SAPS and Farm workers</p>
Source of Data	Attendance registers. Reports of the engagements with stakeholders
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers
Assumptions	Support and collaboration with key stakeholders
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All four engagements with stakeholders conducted as planned.
Indicator Responsibility	DDG: Constitutional Development

Indicator Title	9.5.1 National Framework for Participatory Democracy submitted to the Director-General for approval by target date
Definition	This indicator measures the development and submission of the National Framework for Participatory Democracy to the DG that will guide how the

Indicator Title	9.5.1 National Framework for Participatory Democracy submitted to the Director-General for approval by target date
	Department will engage with key stakeholders, including government sector, civil society formations and other entities.
Source/Collection of Data	Framework for Participatory Democracy
Method of Calculation	N/A
Means of Verification	Memo to DG to submit Framework for approval.
Assumptions	Stakeholders responding on time. High cooperation among stakeholders in the preparation and submission of reports. No delays in forwarding the inputs from stakeholders.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative
Reporting Cycle	Annually
Desired Performance	All inputs included into the National Framework for Participatory Democracy.
Indicator Responsibility	Chief Director: Participatory Democracy

OUTCOME 10: REDUCED CORRUPTION AND SERIOUS ECONOMIC CRIME

Indicator Title	10.4.1. Conviction rate in High Court
Definition	This indicator measures the percentage of cases finalised with a verdict in which a guilty verdict was obtained in High Courts
Source of Data	Daily court return
Method of Calculation/Assessment	The total number of cases finalised with a guilty verdict (including Sec 57A) divided by the total number of cases finalised with a verdict reflected as a percentage. Convictions are recorded at the date of sentencing after guilty verdict or verdict of not guilty. One case may result in conviction of more than one focus area
Means of Verification	High Court's central data sheets
Assumptions	Proper screening of dockets

Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	87%
Indicator Responsibility	Deputy National Director of Public Prosecutions: National Prosecutions Service (DNDPP: NPS)

Indicator Title	10.4.2 Conviction rate in Regional Court
Definition	This indicator measures the percentage of cases finalised with a verdict in which a guilty verdict was obtained from Regional Courts
Source of Data	Daily court return
Method of Calculation/Assessment	The total number of cases finalised with a guilty verdict (including Sec 57A) divided by the total number of cases finalised with a verdict reflected as a percentage. Convictions are recorded at the date of sentencing after guilty verdict or verdict of not guilty. One case may result in conviction of more than one focus area
Means of Verification	Regional Court central data sheets
Assumptions	Proper screening of dockets
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	74%
Indicator Responsibility	DNDPP: NPS

Indicator Title	10.4.3 Conviction rate in District Court
Definition	This indicator measures the percentage of cases finalised with a verdict in which a guilty verdict was obtained from District Courts
Source of Data	Daily court return
Method of Calculation/Assessment	The total number of cases finalised with a guilty verdict (including Sec 57A) divided by the total number of cases finalised with a verdict reflected as a percentage. Convictions are recorded at the date of

	sentencing after guilty verdict or verdict of not guilty. One case may result in conviction of more than one focus area
Means of Verification	District Courts central data sheets
Assumptions	Proper screening of dockets
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	88%
Indicator Responsibility	DNDPP: NPS

Indicator Title	10.4.4 Conviction rate in cable theft
Definition	This indicator measures the percentage of cases finalised with a verdict in which a guilty verdict was obtained in cable theft cases
Source of Data	Daily court return
Method of Calculation/Assessment	The total number of cases finalised with a guilty verdict (including Sec 57A) divided by the total number of cases finalised with a verdict reflected as a percentage. Convictions are recorded at the date of sentencing after guilty verdict or verdict of not guilty. One case may result in conviction of more than one focus area
Means of Verification	Central data sheets
Assumptions	Proper screening of dockets
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired Performance	80%
Indicator Responsibility	DNDPP: NPS

Indicator Title	10.4.5 Number of witnesses and related persons threatened, harmed or killed while on the witness protection programme
Definition	This indicator measures the number of witnesses and related persons harmed, threatened or killed while on the witness protection programme
Source of Data	Central datasheet
Method of Calculation/Assessment	The total number of witnesses and related persons that were harmed threatened or killed during the reporting period by a person or persons from whom they were protected either directly or through an agent, while on the NPA's witness protection programme
Means of Verification	Central datasheet
Assumptions	Buy-in from witnesses Availability of resources Financial allocation
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	0
Indicator Responsibility	Senior Director: Office for Witness Protection

Indicator Title	10.5.1. Conviction rate in complex commercial crime
Definition	This indicator measures the percentage of cases finalised with a verdict in which a guilty verdict was obtained from all court fora: High Courts, District Courts, Regional Courts and dedicated courts
Source of Data	Daily court returns
Method of Calculation/Assessment	The total number of cases finalised with a guilty verdict (including Sec 57A) divided by the total number of cases finalised with a verdict reflected as a percentage. Convictions are recorded at the date of sentencing after guilty verdict or verdict of not guilty. One case may result in conviction of more than one focus area
Means of Verification	High Courts, Regional Courts, District Courts and SCCU central data sheets
Assumptions	Proper screening of dockets
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A

Indicator Title	10.5.1. Conviction rate in complex commercial crime
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	90%
Indicator Responsibility	DNDPP: NPS

Indicator Title	10.5.2 Number of persons convicted of corruption and/or offences related to corruption
Definition	This indicator measures the conviction of persons (private sector and government officials) who committed offences relating to corruption
Source of Data	Private sector corruption register and NPA daily court return
Method of Calculation/Assessment	Simple count of private persons/companies and government officials convicted of corruption
Means of Verification	Corruption register
Assumptions	Quality investigation of cases, proper screening of dockets, cases to be prioritised for prosecution
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	334
Indicator Responsibility	DNDPP: NPS

Indicator Title	10.5.3 Number of investigations authorised
Definition	Number of investigations on specified offences authorised by the Investigating Director in terms of section 28 (1) and 28 (13)
Source of Data	Specified investigations register and component documents
Method of Calculation/Assessment	Count of the number of specified investigations authorised by the Investigating Director
Means of Verification	ID register
Assumptions	Capacitation of ID and recruitment of skilled officials
Disaggregation of Beneficiaries (where applicable)	N/A

Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative
Reporting Cycle	Quarterly
Desired Performance	11 authorisations
Indicator Responsibility	Investigating Director

Indicator Title	10.5.4 Number of state capture matters enrolled
Definition	Number of matters enrolled in the courts for prosecution per annum
Source of Data	J15/ Indictment
Method of Calculation/Assessment	Count of matters enrolled
Means of Verification	High Courts, Regional Courts, District Courts and SCCU central data sheets
Assumptions	There is prima facie evidence for enrolment, conclusion of investigations
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative
Reporting Cycle	Quarterly
Desired Performance	9
Indicator Responsibility	Investigating Director

Indicator Title	10.5.5 Number of cases finalised with a verdict involving money laundering
Definition	This indicator measures the effectiveness of the NPA in dealing with cases involving money laundering offences.
Source of Data	High Courts, Regional Courts, District Courts and SCCU central data sheets
Method of Calculation/Assessment	Simple count of cases obtained in money laundering
Means of Verification	High Courts, Regional Courts, District Courts and SCCU central data sheets
Assumptions	Quality investigation of cases Proper screening of dockets Cases to be prioritised for prosecution

Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	100
Indicator Responsibility	DNDPP: NPS

Indicator Title	10.6.1 Value of completed forfeiture cases
Definition	This indicator measures the value of assets frozen in freezing orders obtained in the reporting period
Source of Data	Case report form that is captured in a central data sheet
Method of Calculation/Assessment	The total estimated net market value of assets frozen by orders obtained in the reporting period. The value is estimated and counted at the time when the initial order is obtained
Means of Verification	Case report form that is captured in a central data sheet
Assumptions	Investigations are completed and assets attached
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	R550m
Indicator Responsibility	DNDPP: Asset Forfeiture Unit

Indicator Title	10.6.2 Value of freezing orders obtained for corruption or related offences
Definition	This indicator measures the value of assets frozen in freezing orders obtained in the reporting period.
Source of Data	Case report form that is captured in a central data sheet
Method of Calculation/Assessment	The total estimated net market value of assets frozen by orders obtained in the reporting period. The value is estimated and counted at the time when the initial order is obtained
Means of Verification	Case report form that is captured in a central data sheet

Assumptions	Investigations are completed and assets attached.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	R2.4bn
Indicator Responsibility	DNDPP: Asset Forfeiture Unit

Indicator Title	10.7.1 Value of recoveries relating to corruption or related offences per year
Definition	This indicator measures the amount of recoveries including payments paid to Criminal Assets Recovery Account (CARA) or victims of crime in terms of court orders
Source of Data	Serious corruption register
Method of Calculation/Assessment	The total amount paid, or the net market value of property transferred to the victims of crime or CARA during the reporting period resulting from orders or agreements obtained in respect of corruption or related offences. It is measured only when the proof of payment is received
Means of Verification	Serious corruption register
Assumptions	Investigations are completed and court order granted to forfeit and recover
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	R1.4bn
Indicator Responsibility	DNDPP: AFU

OUTCOME 4: INCREASED ACCESS TO JUSTICE SERVICES

Indicator Title	4.13.1 Total number of Thuthuzela care centres
Definition	This indicator demonstrates the number of fully functional Thuthuzela Care Centres (TCCs) which are added into the system
Source of Data	SOCA reports
Method of Calculation/Assessment	Simple count of operational sites
Means of Verification	SOCA Report
Assumptions	Allocation of additional budget Appointment of additional staff
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	4
Indicator Responsibility	DNDPP: NPS

Indicator Title	4.13.2 Conviction rate in sexual offences
Definition	This indicator measures the percentage of cases finalised with a verdict in which a guilty verdict was obtained from all court fora: High Courts, District Courts, Regional Courts and dedicated courts
Source of Data	Daily court returns
Method of Calculation/Assessment	The total number of cases finalised with a guilty verdict (including Sec 57A) divided by the total number of cases finalised with a verdict reflected as a percentage. Convictions are recorded at the date of sentencing after guilty verdict or verdict of not guilty. One case may result in conviction of more than one focus area
Means of Verification	High Courts, Regional Courts, District Courts and Special Commercial Crimes Unit (SCCU) central data sheets
Assumptions	Proper screening of dockets
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative

Indicator Title	4.13.2 Conviction rate in sexual offences
Reporting Cycle	Monthly, quarterly and annually
Desired Performance	70%
Indicator Responsibility	DNDPP: NPS

Indicator Title	4.16.3. Number of public awareness sessions held
Definition	This indicator measures the number of events and exhibitions hosted and/or participated in with the aim of educating the public on the role of the NPA. Events and Exhibitions include community road shows, outreach programmes, career awareness sessions, national public participation programmes, monthly media engagements and any public lecture aimed at promoting the work of the NPA
Source of Data	Schedules of event and attendance registers
Method of Calculation/Assessment	Simple count of number of sessions
Means of Verification	Attendance register
Assumptions	Revision of the communication strategy Budget allocation
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Annually
Desired Performance	300
Indicator Responsibility	DNDPP: Strategy, Operations and Compliance

OUTCOME 1: MODERNISED AND DIGITISED JUSTICE SERVICES PLATFORMS

Indicator Title	1.4.1. Number of government departments and entities connected to IJS transversal platform and exchanging information electronically
Definition	This indicator measures the number of government departments and entities that are connected to the IJS transversal hub to exchange information and to fulfil the integrated business processes of the criminal justice system
Source of Data	IJS Transversal Hub
Method of Calculation	Simple count
Means of Verification	System generated reports from the IJS Transversal Hub providing confirmation that electronic information messages are being exchanged between IJS member departments
Assumptions	All affected departments will be integrated and share information
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	Integration of departments to be achieved
Indicator Responsibility	Chief Director: Office of the Director-General

Indicator Title	1.5.1 Number of KPIs completed on the Integrated Justice System dashboard
Definition	The indicator measures the number of KPIs that are on IJS performance dashboard system
Source of Data	IJS Transversal Hub.
Method of Calculation	Simple count
Means of verification	Signed off Business Intelligence report by the chairperson of the Integrated Justice System Implementation Committee (IJSIC)

Assumptions	Department report on the Key Performance Indicators on the dashboard.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	Integration of departments to be achieved and start monitoring the 28 KPIs
Indicator Responsibility	Chief Director: Office of the Director-General

Indicator Title	1.6.1 Number of SAPS Police stations where Person Verification Services (PVS) is deployed
Definition	The indicator measures the extent at which the IJS Person Verification Services (PVS) will be deployed
Source of Data	Roll-out plan for PVS
Method of Calculation	Simple Count
Means of Verification	Signed off roll-out reports by Technology Management System unit and Chairperson of IJS Implementation Committee
Assumptions	Timeous roll out of PVS as per the deployment plan
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year to date)
Reporting Cycle	Quarterly
Desired Performance	PVS roll out nationally to all desired sites
Indicator Responsibility	Chief Director: IJS

Indicator Title	1.7.1 Number of IJS Governance intervention sessions held
Definition	The indicator measures the number of IJS Governance intervention sessions held IJS Governance intervention sessions include IJS implementation Committee meetings, IJS Board of DG's meetings and IJS Ministerial Committee meeting.
Source of Data	IJS PMO Governance minutes
Method of Calculation	Simple Count
Means of Verification	Approved minutes of IJS intervention sessions by Chairpersons on behalf of three tier IJS governance structures.
Assumptions	Member departments are readily available for IJS governance intervention sessions to be held
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year to date)
Reporting Cycle	Quarterly
Desired Performance	Improved projects performance and delivery in accordance with approved IJS MTEF
Indicator Responsibility	Chief Director: IJS

Indicator Title	1.8.1 Number of IJS DPME Assessment Report recommendations implemented
Definition	This indicator measures progress relating to the implementation of DPME IJS assessment report recommendations.
Source of Data	IJS DPME Assessment report recommendations implementation plan.
Method of Calculation	Simple Count
Means of Verification	Approved recommendations implementation report.
Assumptions	Recommendations will be implemented as planned.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-End)
Reporting Cycle	Quarterly
Desired Performance	Achieve all milestone timelines.
Indicator Responsibility	Chairperson of IJS Board

ANNEXURE: CHANGES TO THE 2020-25 STRATEGIC PLAN

Amendments made to the Strategic Plan

Table 47: Amendments to the five year targets

Priority	Outcome	Department contribution	Baseline	Current 5 year target	Revised target	Reason for revision of target
Priority 6 Social Cohesion and safer communities	Increased access to justice services	4c. Number of courts providing full services increased	479	520	The target has been removed	<p>The conversion of branch courts into full services was one of the Department's efforts to increase access to justice, especially by the marginalised rural and township communities.</p> <p>The conversion of these courts came into being prior to the commencement of the implementation of the broader Rationalisation of Magisterial Districts and the Alignment of the Magisterial districts with the District Development Model (DDM) Project. The implementation of this project, commenced in earnest in December 2014, starting with the Gauteng, North West provinces, Limpopo and Mpumalanga provinces in 2016 and Northern Cape province in 2018. This process will be implemented in the last four (4) provinces, being Eastern Cape, Free State, KwaZulu-Natal and the Western Cape with effect from 1 April 2022.</p>

Priority	Outcome	Department contribution	Baseline	Current 5 year target	Revised target	Reason for revision of target
						<p>During this process, which is facilitated by the Regional Coordinating Committees (RCCS) which established in all the 9 provinces, access to justice is an overriding principle. All the JCPS Cluster departments, including, Judiciary, Prosecutions, Legal Aid South Africa etc. participate at this level and make recommendations regarding how access to justice can be improved.</p> <p>Therefore the conversion of branch courts into full services has already been addressed during this process and can cannot be separated as a standalone function/activity.</p>
	Transformed state litigation services	7. Percentage decrease in state litigation liabilities annually	-	5% annually	3% annually	<p>The achievement of the targets has a number of dependencies which to a certain degree make it unrealistic. It depends on implementing the policies as provided by the State Attorney Amendment Act. These policies have been drafted and endorsed by the cabinet but not implemented as they are to be tabled in Parliament before implementation.</p>

Priority	Outcome	Department contribution	Baseline	Current 5 year target	Revised target	Reason for revision of target
						<p>It is anticipated that Parliament will approve the policies during the 2022/23 financial year and that implementation will begin from the 2023/24 financial year.</p> <p>Policy on Mediation is at the centre of the reduction of legal costs. However, Mediation does not depend on the offices of the State Attorney but depends on the applicants and their legal representatives. The South African legal fraternity currently prefers litigation over alternative dispute resolution mechanisms regarding claims against the state. Therefore, the state cannot compel the applicants to use alternative dispute resolutions at this stage.</p> <p>The State Attorney's (OSA) offices are still seriously under capacitated. As a result, they are compelled to outsource over 90% of High Court matters at the cost of plus-minus one Billion Rands per annum. Unless the capacity of the offices is improved, the OSA will continue outsourcing High Court matters, and the legal fees will forever increase proportionally to the number</p>

Priority	Outcome	Department contribution	Baseline	Current 5 year target	Revised target	Reason for revision of target
						of cases against the state and the number of instances where cases are outsourced. Inflation also negatively impacts legal fees. Since 2009, the amount of money paid by the state as legal fees increased by almost 20% to 25% annually.
	Transformed legal profession	8b. Percentage increase annually of previously disadvantaged individuals legal practitioners conferred as senior counsels in line with the Policy Guideline on the conferral of Senior Counsel	188	10% increase annually in PDI legal practitioners conferred as senior counsel	The target has been removed	<p>The legal opinion received from the OCSLA indicates that the Guidelines are unauthorised, invalid and unconstitutional in various respects. These Guidelines require a Presidential proclamation to achieve some measure of legality. The Guidelines, even if proclaimed by the President, are subject to judicial review (if challenged).</p> <p>The OCSLA legal opinion emphasises that consultation with the President on the Guidelines is essential; and should the President agree to the Guidelines, the Legal Practice Council must be consulted again because the Guidelines dictate to the Council on a few essential matters (which it is unauthorised to do so).</p> <p>In light of the legal opinion, the</p>

Priority	Outcome	Department contribution	Baseline	Current 5 year target	Revised target	Reason for revision of target
						Department will need to revisit the entire process pertaining to the Guidelines and the indicator dealing with this dispensation will be removed from the Strategic Plan.

Table 48: New outcome indicator

Priority	Outcome	Outcome indicator	Baseline	5 year target	Reason for including the
Social cohesion and safe communities	Colonial/apartheid era justice-related legislation reviewed and replaced	6 (b) Number of Colonial/ Apartheid era justice-related legislation reviewed	-	12	The outcome indicator is included to align with the outcome

Table 49: Technical Indicator Description for the new outcome indicator

Indicator	Number of Colonia/ Apartheid era justice-related legislation approved by the Minister for submission to Cabinet
Definition	This indicator measures the number of Apartheid/Colonial era justice-related legislation that will be submitted to the Minister for repeal and or replacement in the current financial year.
Source of Data	Bills: Memoranda to the Minister, Government Gazette or parliamentary papers (whichever is applicable).
Method of Calculation / Assessment	Simple count
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements
Disaggregation of Beneficiaries (where applicable)	Not applicable as laws drafted are of general application and responsive to all beneficiaries
Spatial Transformation (where applicable)	N/A
Reporting Cycle	Annual
Desired Performance	All Bills reviewed as planned
Indicator Responsibility	Deputy Director-General: Legislative Development and Law Reform

