



SOUTH AFRICAN HUMAN RIGHTS COMMISSION

**Presentation to the
Portfolio Committee on Justice and Correctional Services**

2017/18 Annual Report

11 October 2018





OUTLINE OF PRESENTATION

- 1. Chairperson's overview**
- 2. Part A: Overview of 2017/18 performance**
- 3. Part B: Overview of 2017/18 financial statements**
- 4. Part C: Overview of 2018/19 performance**



Chairperson's overview: Introductory remarks

1. First full performance cycle for most Commissioners
2. Execution of mandate amidst growing trend of human rights violations:
 - a) Violence against women and children;
 - b) Violent service delivery protests; and
 - c) The state of public healthcare facilities.
3. Strategic engagements through investigative hearings held with stakeholders including communities, government departments and civil society organisations.
4. Extended outreach to rural and peri-urban communities through links with community media.
5. Resource constraints remain a challenge to the delivery of our broad mandate.



PART A:

OVERVIEW OF 2017/18

PERFORMANCE





OVERVIEW OF 2017/18 PERFORMANCE:

Key performance highlights

- a) Maintained an unqualified audit opinion for the fifth time in a row.
- b) Successfully litigated in court cases that confirmed the Commission's positions and recommendations.
- c) Conducted 4 national investigative hearings: the status of mental healthcare in South Africa; the lack of safety and security measures in schools for children with disabilities; social cohesion and xenophobia; and land.



OVERVIEW OF 2017/18 PERFORMANCE: Key performance highlights

- d) Dealt with 9 450 cases and finalised 7 843 (83%).
- e) Produced annual research outputs reflecting on the state of human rights in the country (including economic and social rights policy briefs; and equality and access to information reports).
- f) Completed an advocacy and communications report highlighting key stakeholder engagements including provincial indaba; public outreach engagements targeting rural and peri-urban areas; public road shows; and capacity building workshops.



OVERVIEW OF 2017/18 PERFORMANCE:

Key performance highlights:

Visibility and advocacy in rural areas

- a) Target: rural and peri-urban areas across provinces;
- b) Provision of integrated services including public awareness raising, recording of complaints lodged, and obtaining better understanding of communities and socio-economic challenges;
- c) Public outreach and stakeholder engagements;
- d) Measures to enhance reach and accessibility of the Commission; and
- e) Materials development – child friendly complaints handling procedures.

OVERVIEW OF 2017/18 PERFORMANCE:

Key performance highlights:

Promotion of Access to Information Act

The Promotion mandate

1. Conducted 6 PAIA trainings in the 2017-2018 reporting period.

The Protection mandate

2. Dealt with access to information complaints against public and private bodies across the country – largely relating to non-responsiveness, deemed refusals, and failure to respond within prescribed timeframes.

The Monitoring mandate

3. Lack of substantive compliance with the PAIA remains a challenge, especially at local government level.





OVERVIEW OF 2017/18 PERFORMANCE:

Achievement of targets by strategic objective

Strategic Objective	Total number of targets	Targets achieved	% Achievement
1: Promote compliance with international and regional obligations	3	3	100%
2: Advance the realisation of human rights	5	4	80%
3: Deepen the understanding of human rights to entrench a human rights culture	3	3	100%
4: Ensure fulfilment of constitutional and legislative mandate	5	4	80%
5: Improve the effectiveness and efficiency of the Commission to support delivery on the mandate	12	7	42%
Total	28	21	75%

OVERVIEW OF 2017/18 PERFORMANCE:

Areas of non-achievement

	Performance Indicator	Target	Achieved	Reasons for Variance and corrective action
1	Finalisation of complaints and enquiries	85%	83%	Increased intake and staff turnover in some of the provinces. Target revised to reflect carrying capacity.
2	Submission of civil and political rights research briefs to relevant stakeholders	2 briefs	0	The 2 briefs were completed but due to their nature, these would be distributed through various means during the 2018-19 financial year.
3	Implementation of Human Resources Plan	100%	86%	Dependency on various processes beyond internal control. Outstanding activities carried over to the new financial year.

OVERVIEW OF 2017/18 PERFORMANCE:

Areas of non-achievement (2)

	Performance Indicator	Target	Achieved	Reasons for Variance and corrective action
4	Implementation of ICT Plan	100%	89%	Dependency on various processes beyond internal control. Outstanding activities carried over to the new financial year.
5	Implementation of organisational renewal plan	100%	80%	Capacity constraints. Reviewing responsibilities and finding alternative means of implementation.
6	Implementation of Knowledge Management Plan	100%	80%	Dependency on various processes beyond internal control. Outstanding activities carried over to the new financial year.
7	Resolution of audit findings	100%	91%	Ongoing engagement with the Internal Audit unit to find appropriate mechanisms to address outstanding findings.



PART B:

OVERVIEW OF 2017/18 FINANCIAL STATEMENTS





2017/18 OVERVIEW: Financial Performance Review

1. This financial performance review set out in terms of section 40(1)(c) of the Public Finance Management Act 1999, (Act No 1 of 1999) as amended, highlights the entity's financial performance for the past year.
2. SAHRC received an unqualified audit for the fifth consecutive year
3. Internal Controls and Risk Management processes have been strengthened.
4. This year again, no audit comment was raised by the AG on the 30 day payment rule. Weekly mechanisms are in place to ensure retaining this win.
5. Targeted policies and procedures have been reviewed and changed where required. (in relation to SCM, IT, HR and Fin).



2017/18 OVERVIEW: Actual Analysis

- Personnel costs were allocated R114,3mil, which accounted for 68.4% of actual expenditure.
- Corporate Support Committed Costs amounted to 25,5% or R42,6mil of actual expenditure, and included the following:
 - Auditor-General Fees amounting to R2,2mil and the remainder is to cover other audit and finance systems related costs.
 - Office rentals and Municipal Charges amounted to 49.3% or R21mil of the money. The remainder of the budget covers motor vehicles, telephone, video-conferencing, inventories and other admin costs.
 - IT related costs including Business Connection Email/Internet Contract, Business Continuity Contract, IT Licence Renewals and Other IT related Infrastructure.
 - HR costs include recruitment costs, staff training, performance management system and ICAS costs.
- Personnel and Admin related committed costs amounted to 93,9% or R156,9mil of the actual expenditure.



2018/19 BUDGET OVERVIEW:

Budget Analysis

- Personnel costs account for 72% or R128,7mil of the budget.
- Corporate Support Committed Costs are allocated 26,1% or R46,6mil of the budget, including the following:
 - Auditor-General Fees amounting to R3,0mil and the remainder is to cover other audit and finance systems related costs.
 - Office rentals and Municipal Charges amount to 50,4% or R23,5mil of the money. The remainder of the budget covers motor vehicles, telephone, video-conferencing, inventories and other admin costs.
 - IT related costs including Business Connection Email/Internet Contract, Business Continuity Contract, IT Licence Renewals and Other IT related Infrastructure.
 - HR costs include recruitment costs, staff training, performance management system and ICAS costs.
- Personnel and corporate services related committed costs amount to 98,1% or R175.3mil of the budget.

2018/19 CURRENT YEAR BUDGET vs SPEND PER COST CENTRE OVERVIEW

Cost Centre	R'000			
	MTEF Allocation	YTD Aug Actual	Variance	% Spend of Budget
Personnel costs	128 688	45 786	82 901	35,6%
Commissioner's Unit	881	245	636	27,8%
CEO Office	108	80	28	74,3%
COO Office	134	68	66	50,6%
Strategic Support & Governance	128	14	115	10,6%
Legal Services Unit	448	174	275	38,8%
Research Unit	593	23	570	3,9%
Advocacy & Communication	511	169	342	33,0%
Provincial Offices	8 470	3 175	5 295	37,5%
Human Resources	2 478	840	1 638	33,9%
Information Communication	5 841	1 776	4 065	30,4%
Finance	3 808	2 188	1 620	57,5%
Admin & Supply Chain	26 551	9 292	17 260	35,0%
Internal Audit	191	134	56	70,4%
Total	178 830	63 964	114 867	35,8%



PART C:

OVERVIEW OF 2018/19

PERFORMANCE





OVERVIEW OF 2018/19 PERFORMANCE:

Progress as at 31 August 2018

Implications of budget constraints on overall performance: Due to budgetary constraints and consequent freezing of certain vacant posts, the Commission is in a process of assessing the adverse implications on achievement of annual targets.

	TARGET	DUE DATE AND STATUS
1.	Compliance with key legislation	Quarterly and on target.
2.	Implementation of risk management plans	31 March 2019, and 65% implementation.
3.	Implementation of human resources management plan	31 March 2019, and 40% implementation.
4.	Implementation of annual ICT Plan	31 March 2019, and 70% implementation.
5.	Monitoring report on compliance with institutional policies	31 March 2019, and ongoing monitoring.



OVERVIEW OF 2018/19 PERFORMANCE:

Progress as at 31 August 2018 ...(2)

	TARGET	DUE DATE AND STATUS
6.	Adherence with corporate services charter	31 March 2019, and ongoing monitoring.
7.	Implementation of organisational renewal plan	31 March 2019, and reconceptualisation underway.
8.	Implementation of knowledge management plan	31 March 2019, and 70% implementation.
9.	Implementation of Internal Audit Plan	31 March 2019, and 42% implementation.
10.	Resolution of audit findings	31 March 2019, and 69% resolved.
11.	Complete monitoring and evaluation report	31 March 2019, and ongoing monitoring.
12.	Complete report on compliance with governance framework	31 March 2019, and ongoing monitoring.



OVERVIEW OF 2017/18 PERFORMANCE:

Progress as at 31 August 2018...(3)

	TARGET	DUE DATE AND STATUS
13.	Conduct 778 outreach and key stakeholder engagements	31 March 2019; Currently 545 conducted
14.	403 media and communications activities	31 March 2019; Currently 779 activities.
15.	Know your Constitution Campaign	31 March 2019, Conceptualisation done.
16.	Development of 8 educational materials	31 March 2019, Conceptualisation underway.
17.	Host 10 Human Rights Day events	All due by 31 March 2019.
18.	Host 10 calendar day events	31 March 2019, Currently 8 events hosted.



OVERVIEW OF 2017/18 PERFORMANCE:

Progress as at 31 August 2018...(4)

	TARGET	DUE DATE AND STATUS
19.	Complete Advocacy and Communications Report	May 2018; and Achieved.
20.	Finalise 8029 complaints and enquiries	31 March 2019; Currently 3358 finalised.
21.	Institute 2 impact litigation matters	31 March 2019; Currently none instituted yet.
22.	Complete Annual Complaints Trends Analysis Report	30 September 2018; Report drafted.
23.	Complete 5 previous hearings reports	31 March 2019, Currently 4 reports under review and 1 being drafted.
24.	Complete State of Human Rights in SA Report	31 March 2019; Research protocols drafted.



OVERVIEW OF 2017/18 PERFORMANCE:

Progress as at 31 August 2018...(5)

	TARGET	DUE DATE AND STATUS
25.	Complete 4 research briefs	31 March 2019; Drafting in progress.
26.	Host 4 research seminars	31 March 2019; Planning underway.
27.	Complete PAIA Report	30 September 2018; and Achieved.
28.	Make submissions on draft legislation	31 March 2019; and 4 submissions made.
29.	Submit NHRI reports to supranational bodies	31 March 2019; and 10 submissions made.
30.	Monitor implementation of recommendations	31 March 2019; and Ongoing monitoring and systems development.



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