

V0701 PC JUSTICE

**JUSTICE AND
CORRECTIONAL
SERVICES**

**BUDGET PROCESS
AND KEY ISSUES IN
SECTOR OVERVIEW**

JUNE 2014



PARLIAMANT

CONTEXT

- The budget is a process through which choices have to be made about how to allocate competing priorities.
- Its is a tool that translates policy into service delivery through the strategic allocation of scarce resources.
- Potentially, the budget can be a powerful mechanism for redistribution and development in society and can enhance the stability of the country's economy
- ENE: Vote 21 (Correctional Services) and Vote 24 (Justice and Constitutional Development).
- Departments are drafting new strategic plans for 2015/16 onwards. For 2014/15, APP is based on Strategic Plan 2010 – 2014
- New: SONA June 2014

SONA 2014

- **Levels of serious crime still too high**
- **Address weaknesses in procurement, management and operations systems**
- **Improved implementation of the Financial Disclosure Framework**
- **Strengthen protection of whistle-blowers**
- **Provision of technical assistance to departments for the effective management of discipline**

ALIGNMENT WITH NDP

- Strengthen the criminal justice system
- Improve rehabilitation and reduce recidivism
- Investigate the relationship between drugs, alcohol and violence
- Promote accountability and fight corruption
- Transform society and unite country

JUSTICE: ROLEPLAYERS AND STAKEHOLDERS

- ❑ **Justice**
 - Department of Justice and Constitutional Development
 - National Prosecuting Authority
 - Office of the Chief Justice
 - Legal Aid South Africa
 - Special Investigating Unit
- ❑ **Chapter 9 institutions**
 - Public Protector and South African Human Rights Commission
- ❑ **Stakeholders**
 - Public; legal profession; NGOs and CBOs; government departments (clients)

JUSTICE: MANDATES

- Department of Justice and Constitutional Development**
 - Supports the management of the criminal and civil justice systems.
 - Provides legal services to government .
 - Has a leading role in the JCPS Cluster towards delivery of Outcome 3.
- National Prosecuting Authority (NPA)** institutes criminal proceedings on behalf of the State and witness protection.
- Legal Aid South Africa** provides independent legal representation to the poor and vulnerable at State expense. Mostly legal representation to criminal accused but, also, some advice and representation in civil matters.
- Special Investigating Unit (SIU)**
 - Recovers and prevents financial losses to the State due to acts of corruption; fraud and maladministration
 - Has civil litigation powers to correct any wrongdoing it uncovers in its investigations
 - Investigations are authorised by Presidential proclamation.
- Office of the Chief Justice (OCJ)** supports the Chief Justice in his/her role as Head of the Judiciary and the Constitutional Court and provides administrative support to the South African Judicial Education Institute (SAJEI).



**JUSTICE:
MANDATES**

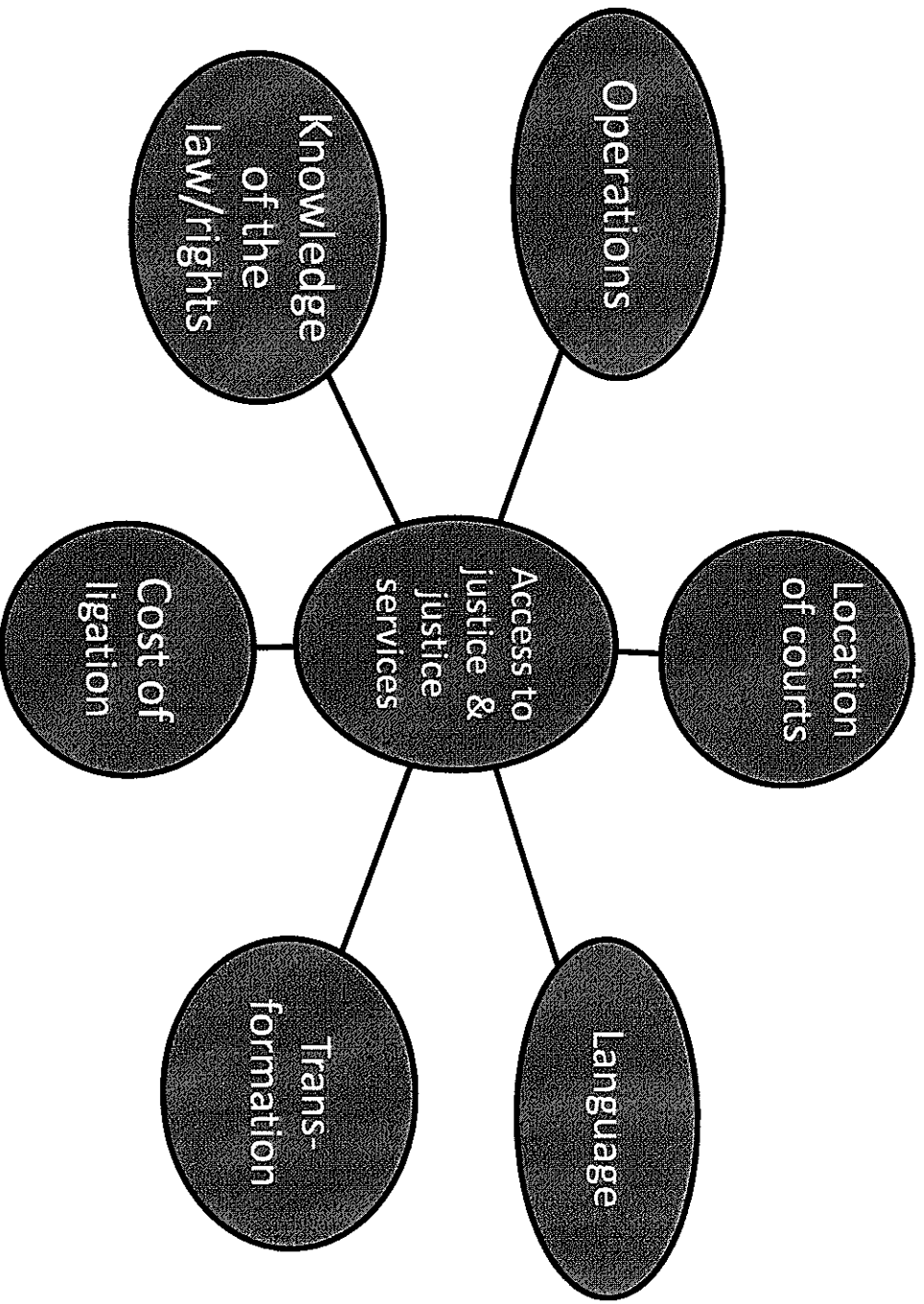
South African Human Rights Commission (SAHRC)

- Promote respect for human rights; promote the protection, development and attainment of human rights; and monitor how well human rights are observed.

Public Protector (PP)

- Ensure government's accountability and provide remedies for maladministration and abuse of authority.

JUSTICE: CHALLENGES





**JUSTICE
KEY STRATEGIES**

- Access to Justice**
- Transformation**
- Vulnerable groups**
- Building safer communities**
- Combating corruption**

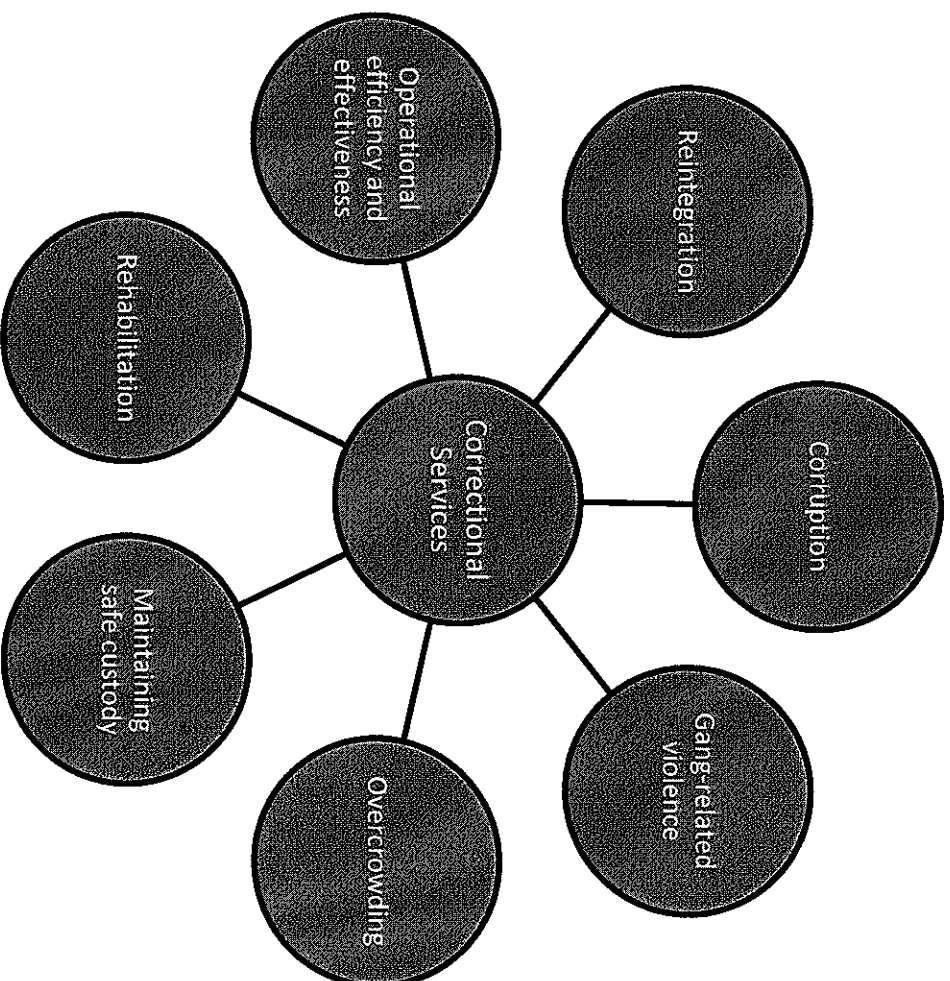
**CORRECTIONAL SERVICES:
ROLEPLAYERS AND STAKEHOLDERS**

- ❑ **Correctional Services**
 - Department of Correctional Services
 - Judicial Inspectorate of Prisons
- ❑ Correctional supervision and parole boards (CSPBs), the National Council for Correctional Services (NCCS), the Correctional Supervision and Parole Review Board and the Medical Parole Advisory Board (Report to Minister),
- ❑ **Stakeholders**
 - NGOs and CBOs; Victims; Private sector; and communities

**CORRECTIONAL SERVICES:
MANDATES**

- Department of Correctional Services**
 - Manages remand processes
 - Effective and humane securing of incarcerated prisoners
 - Rehabilitation and social reintegration.
- Judicial Inspectorate**
 - Inspects correctional and remand detention centres in to monitor and report on conditions of incarceration and the treatment of offenders.

CORRECTIONAL SERVICES: CHALLENGES





**CORRECTIONAL SERVICES:
KEY STRATEGIES**

- Overcrowding**
- Security**
- Rehabilitation**
- Human Rights**
- Operations**

JUSTICE ISSUES/CONCERNS

- CJS Revamp/IJS
- Child Justice
- Dedicated Sexual Offence Courts
- Truth and Reconciliation Commission
- Transformation of State Legal Services
- Office of the Chief Justice
- Infrastructure projects, including South Gauteng High Court
- Information regulator
- Promotion of Access to Information Act
- Masters office and Guardian's Fund

**CORRECTIONAL SERVICES
ISSUES/CONCERNS**

- CJS Revamp/IJS
- Qualified audit opinion/ Fraud and corruption
- Vacancies, especially among scarce-skilled professional staff
- Lack of focus on/underspending on rehabilitation and professional services
- Remand Detention
- Children
- Initiatives to address overcrowding
- Complaints
- Deaths in custody
- Uprisings and gangsterism