

ANNUAL REPORT 2013/14 PRESENTATION

PORTFOLIO COMMITTEE ON JUSTICE AND CORRECTIONAL SERVICES

16 October 2014

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INTRODUCTION

The annual report for 2013/14 for the DOJCD vote and funds under management have been published and distributed as requested.

This presentation will focus attention on key challenges that the department has experienced in different programmes and progress towards addressing these challenges.

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POLICY UPDATES

a. Implementation of the Superior Courts Act of 2013

- i. During the 2013/14 financial year, plans were made to migrate Superior Courts to the Office of the Chief Justice (OCJ), in line with the Superior Courts Act.
- ii. These courts were migrated on the 1st of October 2014 and this involved approximately 1500 officials.
- iii. It is anticipated that the OCJ will have a full vote on the 1st of April 2015.
- iv. The Department is expected to provide technical assistance to the OCJ in the short-term to enable a smooth transition.

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POLICY UPDATES

b. Blueprint on the transformation of the Lower Courts and court administration

- i. A Blueprint to guide the overhaul of the out-dated Magistrates' Court Act of 1944 (Act No. 32 of 1944) is being developed. The Blueprint will mirror the Superior Courts Act which was passed to repeal the Supreme Court Act of 1959.
- ii. The Framework on the Rationalisation of Lower Courts which was completed under the project on the alignment of magisterial districts with municipal boundaries, constitutes part of the blueprint for the transformation of the magistrate's courts.

During the year under review 36 magisterial districts in Gauteng and North West province have been aligned to the provincial municipal boundaries. Implementation is underway.

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POLICY UPDATES

c. Transformation of State Legal Services

- i. The Transformation of State Legal Services forms part of on-going initiatives aimed at transforming the administration of justice broadly. In particular it is aimed at addressing the apparent lack of effective coordination of legal services that has led to a number of operational challenges experienced across government.
- ii. Cabinet has approved a Framework for the Transformation of State Legal Services to address the above challenges.
- iii. As part of these transformation initiatives, amendments to the State Attorney's Act 1957 have been passed by Parliament, and this gives the Department an opportunity to establish a position of a Solicitor-General who will represent the state in all civil litigation

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POLICY UPDATES

d. Transformation of the Judicial System

The Human Sciences Research Council (HSRC), in partnership with the University of Fort Hare (UFH), was awarded a tender to undertake an assessment of the impact of the decisions of the Constitutional Court and Supreme Court of Appeal.

The draft preliminary report which was received by the Department on 31 March 2014, outlines the research methodologies to be used, the thematic structure of the research and identifies certain landmark socio-economic decisions which would be the subject of the assessment.

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POLICY UPDATES

e. Insolvency Policy

In addressing economic transformation of the insolvency industry, it became imperative to develop a policy focusing largely on the appointment of practitioners who are used as service providers in managing insolvent estates. This policy promotes consistency, fairness, transparency and the achievement of equality for persons previously disadvantaged by unfair discrimination.

Progress regarding this policy is as follows:

- i. The Policy was published in Government Gazette No 37287 dated 7 February 2014.
- ii. The implementation date of the policy was determined as 31 March 2014 but has since been interdicted pending the finalisation of the court case.

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POLICY UPDATES

f. Legal Practice Act of 2014

The key objective of the Legal Practice Act is to rationalise various pre-1994 statutes which still regulate the legal profession in different parts of the country. A single statutory structure is envisaged to regulate all legal practitioners. The Act will not only enhance access to the legal profession for aspirant lawyers, but will also enhance access to legal services, impacting positively on access to justice.

A project office is being established to oversee the implementation of the Act.

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POLICY UPDATES

g. Criminal Law (Forensic Procedures) Amendment Act no 2013

Parliament passed the Criminal Law (Forensic Procedures) Amendment Act, otherwise known as the DNA Act. This legislation will support the strategic objective of contributing to the successful prosecution of crimes through specialized investigations, thereby increasing the detection rate of priority crimes.

h. Amendments to the Schedule to the Drugs and Drug Trafficking Act of 1992

- i. The Amendment to this act was initiated to address the surge in new narcotic substances which are being synthesized and not covered by the Act, particularly nyaope/wunga.
- ii. In the light of these amendments, even if the individual chemicals in a mixture cannot be identified separately, a person can be prosecuted in terms of these amendments, if the substance is similar or gives similar effects to the already listed substances on Schedule 2.
- iii. The amendments took effect from the 28 March 2014.

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POLICY UPDATES

i. National Action Plan on crimes against the Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) community

During March 2011, Minister of Justice and Constitutional Development mandated the establishment of a National Task Team (NTT), with the aim of developing a National Intervention Strategy that will address so-called "corrective rape" and other forms of violence against LGBTI persons.

During 2013/14, officials from 8 departments, chapter 9 institutions and civil society developed the following documents:

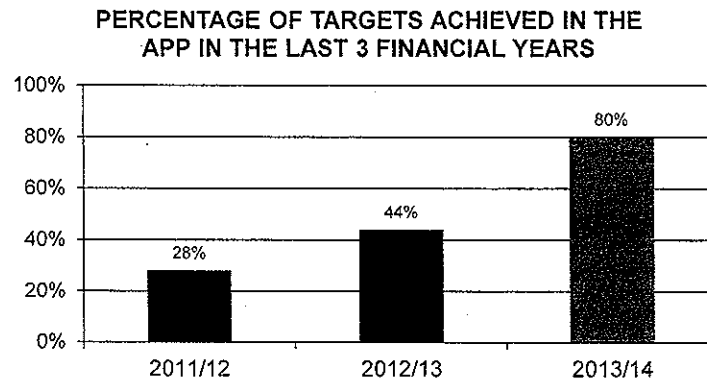
- i. The Terms of Reference of the National Task Team;
- ii. The Terms of Reference of the Rapid Response Team;
- iii. The National Intervention Strategy; and
- iv. An information pamphlet on Frequently Asked Questions regarding LGBTI persons.

A Rapid Response Team was established to urgently attend to the pending and reported cases in the criminal justice system where hate crimes have been committed against LGBTI persons. A total of 14 cases had been finalised by the end of 2013/14.

ORGANISATIONAL OVERVIEW

Performance against predetermined objectives

1. Over the last three years, the Department has had challenges in achieving planned targets detailed in the Departmental Annual Performance Plan;
2. For the first time in three years, the Department achieved 80% of the planned targets in 2013/14;
3. A more rigorous monthly tracking of Departmental performance led to improvement in performance.



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ORGANISATIONAL OVERVIEW

Key Areas of Achievement

1. Improved Access to Justice

- a. The Kagiso Magistrate's court was completed during the year under review.
- b. 36 Magisterial districts in the North West and Gauteng Provinces have been aligned with municipal boundaries to enable easier access to justice services.
- c. 5 branch courts (New Brighton in Eastern Cape, Kagiso and Soweto in Gauteng, Ezakheni in Kwa-Zulu Natal and Grabouw in Western Cape) were converted into full service courts, providing services for civil, criminal and family services.
- d. 30 small claims courts have been established bringing to 293 the number of small claims courts proclaimed.
- e. 7 new offices of the Family Advocate were established during 2013/14. These offices service the children's and domestic violence courts. They also intervene in regional and high courts where matters affecting children are heard.
- f. The re-establishment of 19 sexual offences courts was completed against a target of 9.

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Key Areas of Achievement

2. Improved Service Delivery

- a. 98% of maintenance beneficiaries received payment via EFT. This has reduced risks of theft and has decreased the amount of time it takes for beneficiaries to receive payment.
- b. 96% of Guardian's Fund payments were made through the EFT system.
- c. During the year under review, 341 784 requests for default judgement were received and 283 888 (83%) were dealt with by the clerk of the court within 14 days of receipt.
- d. Subsequent to a civil matter, cost orders and taxations need to be finalised to allow claimants to receive their funds. During the year under review, 22 888 unopposed taxations were processed and 20 710 (90%) were processed within 14 working days from the date the matter was set down.
- e. The case flow management forums were established. This is very critical in that it clarifies the role of the judiciary in the finalisation of cases and improvement of services at court level.

Key Areas of Achievement

2. Improved Service Delivery

- g. The first two modules of the Paperless Estate Administration System were finalised. This system will improve efficiency and curb fraud and lost documents as all documents will be scanned.
- h. Over 10 000 cases of expungements and pardons were dealt with by the Department.
- i. Over 43 million cases have been digitised in the 9 biggest courts in South Africa. This initiative ensures safe-keeping of records and creates the much needed space in our courts.
- j. The audio-visual remand system was rolled out to 47 magistrates' courts linked to 21 correctional services. During the year under review, 9 068 criminal cases were remanded using the audio-visual remand system. This has reduced costs and risks associated with detainees being conveyed to the courts.
- k. The first Departmental Annual Service Delivery Awards were held on the 3rd of October 2014. These are expected to encourage a culture of service in our staff.

Key Areas of Achievement

3. Improved Administration

- a. Key top management posts (DDG Corporate Service, Chief Financial Officer and DDG Legislative Development) were filled.
- b. 1239 posts were filled during the year under review to keep the vacancy rate of the Department at 9.98%.
- c. A breakthrough in the management of grievance and misconduct cases has been made during the year under review, with 85% of grievance and 65% of misconduct cases on the register finalised ahead of annual targets.
- d. The Department remains one of the leading Departments in resolving client complaints on the Presidential Hotline. For the year under review, the database indicated that 85% of cases registered on the Presidential Hotline were finalised.
- e. The Department is one of two best performing Departments on Service Delivery Improvement Programmes, as reported on the MPAT tool
- f. Progress has been made on the Integrated Justice System, with integration between CAS (SAPS case system, NPA and ICMS being established).

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ORGANISATIONAL OVERVIEW

Key Areas of Achievement

4. JCPS Cluster Performance

Within the JCPS Cluster, the following were key achievements for the year:

- a. During 2012/13, the courts finalised 136 cyber crime-related cases with a conviction rate of 97.8%. For the period April to December 2013, 153 persons were convicted for these types of crimes (a 93.3% conviction rate).
- b. More than 800 persons are currently under criminal, financial and/or forensic investigation, with pre-trial proceedings initiated against 298 persons by the end of December 2013. Actual trial proceedings had been initiated against 174 persons by the end of December 2013 and, of these, 92 persons were involved with R5 million or more in illicit benefits.
- c. In June 2013, the JCPS Cluster demonstrated its commitment to deal with corruption by releasing a list containing 42 names of the people who have been convicted of fraud and corruption. By the end of December 2013, 48 persons were convicted in cases where more than R5 million in illicit gains were involved.
- d. Freezing orders amounting to R1.3 billion have been obtained as at the end of 2013/14.

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Key Challenges

Notwithstanding the Departmental successes during the year under review, the following challenges were experienced;

- a) While the Department has experienced a shortfall in operational expenses, the overall financial report indicated under-spending of over R475 million, as follows:
 - R347.6 million for capital works, due to delays in spending by the Department of Public Works (DPW); and
 - R128 million for IJS due to procurement delays in the delivery of the disaster recovery Site and a network upgrade.

Planned interventions with DPW and SITA:

- i. Meeting and formal correspondence:
 - at project management level
 - at CFO level
 - at Accounting Officer level
 - at Ministerial level
- ii. Escalation to National Treasury
- iii. Escalation to Cabinet

Key Challenges

- b) The Department's occupational dispensation for legally qualified officials remained unresolved and this created labour relations issues and had an effect on service delivery. Engagement with the Department of Public Service and Administration is ongoing.
- c) Funding for commissions of enquiries continued to put a strain on Departmental coffers.
- d) The migration of certain functions to the Office of the Chief Justice might put further strain on funding.
- e) Budget cuts will negatively affect service delivery improvements and interventions planned by the Department.

FINANCIAL AND AUDIT OVERVIEW

FINANCIAL AND AUDIT OVERVIEW

Audit Outcomes

The Department received an unqualified audit opinion on the Vote Account for two consecutive years, as illustrated below.

Audit outcome for the Vote and funds under management:

Issue	2008/9	2009/10	2010/11	2011/12	2012/13	2013/14
Vote Account						
Vote Account	●	●	●	●	☺	☺
Performance Information	●	●	●	☺	☺	☺
Funds Under Management						
Guardian's Fund	☺	☺	☺	☺	☺	☺
Cara Fund	☺	☺	☺	☺	☺	☺
President's Fund	☺	☺	☺	☺	☺	☺

FINANCIAL AND AUDIT OVERVIEW

Progress on Third Party Funds (TPF) Turnaround Strategy

Issue	2009/10	2010/11	2011/12	2012/13	2013/14
Third Party Fund Audit Outcome	●	●	●	●	●
Improvement					
Submission of Annual Financial Statements	●	●	●	☹	😊
Basic Controls and record keeping including reconciliations	●	●	●	☹	☹
Capacitation of TPF national and regional units	●	●	☹	☹	☹
Identification of errors for disclosure at court level	●	●	●	☹	☹
Business Process Review – Revised and Standardised	●	●	●	☹	😊

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FINANCIAL AND AUDIT OVERVIEW

Progress on TPF Turnaround Strategy

a) Policy

1. Legislative Reform to formalise TPF Governance arrangements:
 - TPF Bill formally submitted to National Treasury and Finance Ministry;
 - Final Feedback awaited and then Tabling to Cabinet & Parliament
2. Function purification:

Areas not considered to be part of legislated portfolio such as State Attorney to be transferred to Vote in future without contamination of the Vote.

b) Process

1. Standardised and mapped business processes
2. Internal Controls were established to address reliability of recorded administrative and financial data, management of losses and improvement of timelines of payments
3. Accounting, Reporting and Oversight were established
4. Direct payment method will continue to be promoted.

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FINANCIAL AND AUDIT OVERVIEW

Progress on TPF Turnaround Strategy

- c. Technology**
1. Tender for new system awarded within 18 months timeframe for development and piloting followed by phased implementation. This will also include a review of the TPF operational model, which may include the reduction of bank accounts, automated bank reconciliations & payments and receipts & centralisation of accounting functions.
 2. ICT network performance to be improved.

d) People

1. Resourcing at supervisory and technical levels.
2. Training 2013/14 middle management and technical level.
3. 2000 court level officials targeted in 2014/15.

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FINANCIAL AND AUDIT OVERVIEW

Progress on TPF Turnaround Strategy

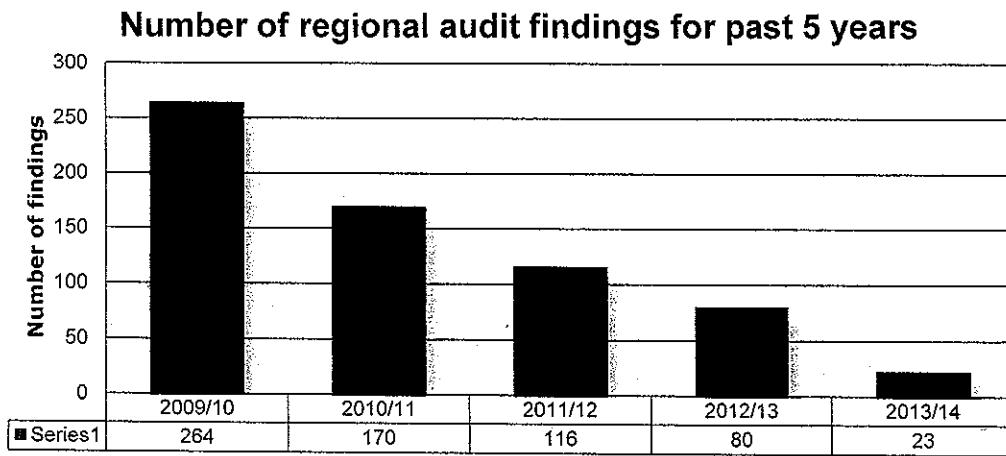
- e) Data**
1. Financial data auditing, validation and quality assurance is in progress in collaboration with ISM and SITA.
 2. JDAS4 and SAS historical shortages and losses investigated and cleared according to the prescripts.

f) Oversight

Interim financial statements for all courts: To be finalised by 31 October 2014 and subjected to an internal audit

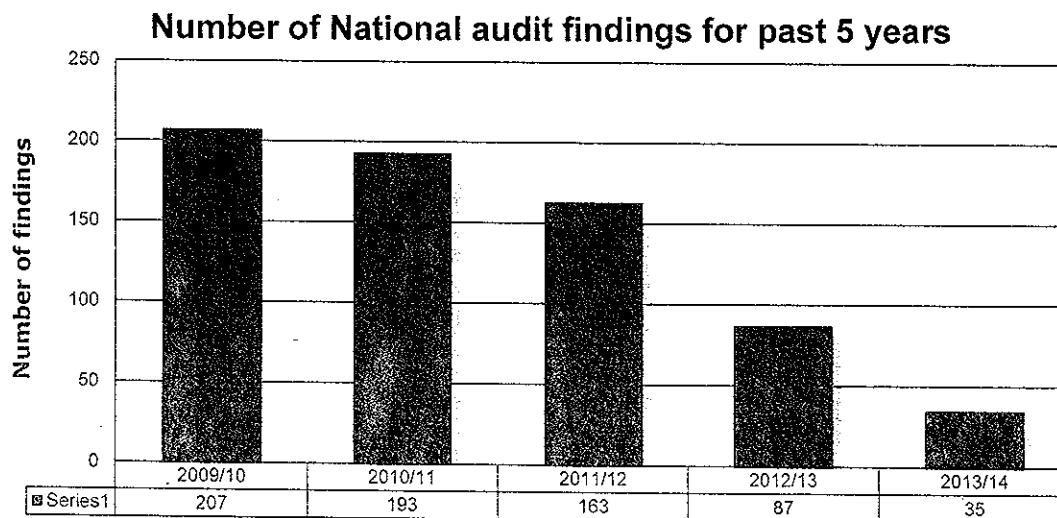
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Number of findings per regions for past five years



There has been a steady decrease in the number of findings raised by the Auditor-General, with 2 regions (Northern and Western Cape) receiving clean audits and a few others following closely behind.

Number of National audit findings for past five years



There has been a decline in the findings raised by the Auditor-General over the past five years:

FINANCIAL AND AUDIT OVERVIEW

Headline on Spending

	2011/12	2012/13	2013/14	Annual average
	'000	'000	'000	
Overall	8 958 959	10 180 586	10 663 313	6%
Compensation	3 491 028	3 876 559	4 353 868	8%
Goods and Services	2 645 962	3 444 072	3 475 504	10%
Machinery & Equipment	293 837	203 646	394 613	10%
Capital	683 095	621 206	387 607	-17%
Accruals - Creditors paid after 30 Days (Year end)	492 604	85 906	8 820	-74%
Accruals - Current	321 931	200 806	111 081	-30%

- i. There has been a significant decrease in accruals in the 2013/14 financial year;
- ii. There has been a major improvement in the percentage of creditors paid within 30 days;
- iii. Underspending in capital remains a challenge. Operational challenges are being addressed.

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FINANCIAL AND AUDIT OVERVIEW

Improvement in payments of Creditors from 2011/12 – 2013/14

Financial year	30 days R'000	30+ days R'000	Total R'000
2011/12	321 931	492 604	814 535
2012/13	200 806	85 903	286 709
2013/14	111 081	8 820	119 901

At year-end, the amount of accruals has decreased from R492 million in 2011/12 to only R9 million in 2012/13

FINANCIAL AND AUDIT OVERVIEW

Cost Drivers - Goods and Services

	Indicative Medium-term allocation			
	2011/12 '000	2012/13 '000	2013/14 '000	Annual average
Economic classification				
Spending Rand	1 845 070	2 273 193	2 290 484	7%
Building Leases	406 818	478 296	681 199	19%
Electricity and Water	194 113	292 822	282 416	13%
Security services	370 583	503 090	439 116	6%
Travelling and Accommodation	447 671	544 908	413 497	-3%
Computer Services/Data lines/ transversal System Support	425 885	454 077	474 256	4%
Year on Year Growth		23%	1%	

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FINANCIAL AND AUDIT OVERVIEW

Cost Drivers - Goods and Services

	Indicative Medium-term allocation			
	2011/12 '000	2012/13 '000	2013/14 '000	Annual average growth
Economic classification				
Spending Rand and % of Budget	268 867	315 455	316 917	6%
Telecommunication	136 859	146 275	139 094	1%
Psychological evaluations	44 646	70 657	77 570	20%
Transcription fees	26 867	33 616	39 565	14%
Witness fees	60 495	64 907	60 688	0%
Year on Year Growth		17%	0%	

There has been a significant increase in costs of psychological evaluations and transcription of records.

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FINANCIAL AND AUDIT OVERVIEW

Baseline budget reduction

National Treasury has recently announced baseline budget cuts. The Department will implement these cuts as follows:

	2015/16	2016/17
	R'000	R'000
DOJ&CD		
- Compensation	74 017	19 763
- Goods & Services	95 169	219 188
- Machinery & Equipment	29 019	40 864
SIU	8 640	12 960
Legal Aid SA	61 819	92 728
TOTAL REDUCTION	268 664	385 503

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FINANCIAL AND AUDIT OVERVIEW

Baseline budget reduction

Budget reduction will have a negative impact on the Department's service delivery improvement efforts. These include:

- i. Maintenance of Security Infrastructure in the departmental service points replacing slow moving capital infrastructure projects as and when required;
- ii. Transformation of State Legal Services;
- iii. Introduction of Para-legals as Registrars in Regional and District Courts;
- iv. Introduction of mediators according to the draft Rules on Mediation as per the Magistrate Courts Act;
- v. Governance systems relating to the Legal Practice Bill;
- vi. Small Claims Court Re-engineering Program;
- vii. Violence Against Women and Children;
- viii. Capacitation of new courts;
- ix. Technical capacity within the department to fast track projects to be implemented by DPW;
- x. Roll-out of the LGBTI Strategy and policy framework;
- xi. Roll-out Protection of Personal Information Legislation.

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Baseline budget reduction

In summary, budget cuts will have a major impact on the following:

1. The Department's service delivery improvement plan will not be able to accommodate additional commitments.
2. Improving access to justice services will slow down.
3. Implementation of key legislation that have been passed by Parliament will be delayed. This is due to the fact that new legislation requires appointment of people or implementation of new processes that need capacitation.

PROGRAMME PERFORMANCE

PROGRAMME 1: ADMINISTRATION

PROGRAMME 1 PERFORMANCE

Strategic Objective 2: Reduction of fraud and corruption cases in the department

All cases registered up to 2012/13 financial year (older cases) were finalised during the year under review. For new cases, 91% of these were finalised.

Outcome of forensic cases:

The following were outcomes of finalised cases:

Dismissals:	53
Warnings & salary suspension:	8
Criminally found guilty:	1

Arrests: 11 officials, 3 service providers and 4 members of the Public

Performance Indicator		2012/13 Achievement	2013/14 Target	2013/14 Achievement
2.2	Percentage of new forensic investigations finalised in the current financial year	77% (102 of 133)	50%	91% (240 of 264)
2.3	Percentage of older forensic investigations finalised	100% (41 of 41)	55%	100% (24 of 24)

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PROGRAMME 1 PERFORMANCE

Vetting Report as at 30 September 2014

Vetting of senior managers

Vetted	In process at State Security Agency	In process at DOJCD	Outstanding forms from SMS members	Total
22	26	96	66	210

Vetting in respect of Supply Chain (key personnel)

Vetted	In process at SSA	In process at DOJCD	Not Complied yet	Total
15	08	34	16	73

- i. The high staff turnover rate and capacity constraints in Integrity Management and Enterprise Risk management is still a challenge, however, there is collaboration within the Department to assist wherever is possible.
- ii. Capacitation will also assist in addressing vetting of suppliers, pre-employment screening and other risk-related processes.

PROGRAMME 1 PERFORMANCE

Security Challenges within the Department

- a. There has been a general increase in incidents of crime recorded within service points:
 1. There have been incidents whereby courts were used as trafficking zones by suspects appearing in courts;
 2. There have been intimidation and attacks against the court presiding officers, family advocates, maintenance investigators, prosecutors, forensic investigators, and other staff members .
 3. There is need to increase security as we increase the number of service delivery points.
 4. Newly appointed members of the Judiciary need security services.
- b. The Department managed to increase security budget within our allocation, however, there might be a need to consider more funding in the future.
- c. A joint effort within the JCPS cluster will be needed due to the fact that security incidents within the courts often take place in the presence of SAPS and DCS officials.

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PROGRAMME 1 PERFORMANCE

Strategic Objective 4: Optimisation of ICT systems and infrastructure

1. The Department identified IT as a key enabler of business improvement and service delivery. In addition to improving physical infrastructure and networks, the Department embarked on projects to improve Integrated Case management Systems to enable it to meet changing business and user requirements.
2. For the period under review, enhancements on ICMS Deceased Estates and Civil were concluded, as planned.
3. The ICMS Third party Funds was delayed by tender processes at the State Information Technology Agency.
4. The Department will continue to focus attention on addressing operational issues with the Agency.

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PROGRAMME 1 PERFORMANCE

Optimisation of ICT systems and infrastructure

Following the issue regarding delays in maintenance payment that affected certain clients, the Department has put the following measures in place:

1. Short-term

- a. The Department has assembled a "SWAT" team that is currently fixing the JDAS and EFT systems. This rapid response team is also dealing with underlying infrastructural issues.

This work is expected to be completed by December 2014.

- b. The Department will, through the implementation of monitoring tools, continuously monitor and improve the underlying infrastructure and network that is required for the stable functioning of the JDAS and EFT systems. The Department will only migrate back to the SITA network if SITA provides an acceptable service to the Department.

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PROGRAMME 1 PERFORMANCE

Optimisation of ICT systems and infrastructure

2. Longer-term solutions

- a. The Department will implement a new TPF system that will replace the JDAS system. In this regard, the tender for this new system has been recently awarded and the new system will be implemented in 18 months from contract finalisation.
- b. The Department will implement a Disaster Recovery Solution that will enable service delivery continuity in the event of a disaster.
- c. The internal ICT capacity (people) will continue to be increased in order to meet service demands.
- d. The Department will continue to implement best practices in managing ICT services (e.g. service provider SLA management) through engagement with industry leading research and advisory partners (e.g. Gartner).

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PROGRAMME 1 PERFORMANCE

Implementation of the Integrated Justice System

The CJS Modernisation Programme

The Integrated Justice System (IJS) Programme remains vital in the modernisation journey of the Criminal Justice System (CJS). The Cluster has identified 5 integration priorities. The following priorities together with the necessary building blocks then became the focus of the IJS Board in the medium term:

- i. Establishment of a single person identifier across the Criminal Justice System (CJS)
- ii. Integrated CJS performance information dashboard (28 Key Performance Indicators or KPI system);
- iii. Integration of the departmental case related systems
- iv. Development and rollout of the Person Identification Verification Application (PIVA)
- v. Establishment of a single data store for the JCPS cluster for statistical purposes

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PROGRAMME 1 PERFORMANCE

Implementation of the Integrated Justice System

Key achievements in 2013/14 financial year include the following:

- i. Case Integration between SAPS and DOJCD was further rolled out to 360 additional Courts linked to 509 Police Stations across all 9 provinces bringing to 380 courts linked to 608 Police Stations across all provinces to date.
- ii. The first 9 of the 28 KPI's were planned to be rolled out, however the SITA support team to SAPS in terms of the Service Level Agreement was extremely under capacitated and thereby hampered timeous implementation of the project plan. The solution is now planned for rollout in the financial year 2014/15.
- iii. The IJS Data Warehouse has been successfully developed and tested within the IJS Traversal infrastructure environment, and will be used for the roll out of the first 9 of the 28 KPI Dashboard.

....cont'd

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PROGRAMME 1 PERFORMANCE

Implementation of the Integrated Justice System

The CJS Modernisation Programme (continued)

- iv. The IJS Programme Management Office has been established within the DOJCD to further strengthen the Project Management capability and to ensure best practice project management methodologies are deployed.
- v. With regard to development of the Person Identification and Verification Application (PIVA), certain business requirements were reviewed after it was deployed and piloted in two pilot sites at Cullinan and Mamelodi Police Stations.
- vi. Upon successful piloting of the second iteration, the system will then be gradually deployed to other SAPS sites throughout the 2014/15 financial year

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PROGRAMME 1 PERFORMANCE

Strategic Objective 6: Complete regulations to finalise implementation of TRC recommendations

1. Following the TRC recommendations and the approval of the four key recommendations, namely individual reparation, symbols and monument, community rehabilitation, medical benefits and other forms of social assistance, regulations had to be drafted.
2. Although preparatory work was done in drafting the regulations and preparing for approval, the target for finalising draft regulations on medical benefits was not achieved because of a need to amend health regulations. Those on basic and higher education were approved by the Minister and submitted to the Presidency for consideration.
3. The Department processed and channelled requests for assistance from beneficiaries to relevant institutions within stipulated timelines

Performance Indicator	2012/13 Achievement	2013/14 Target	2013/14 Achievement
6.1 Number of regulations for providing assistance to the TRC victims approved	12.5% completion of an additional set of draft regulations	3	2
6.2 Percentage of TRC victims' applications processed within four months	-	100%	100% (69 of 69)

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PROGRAMME 1 PERFORMANCE

Strategic Objective 6: Complete regulations to finalise implementation of TRC recommendations

Reburials and Community Rehabilitations (TRC)

1. Eighteen (2 per province) of 128 communities which were listed by the TRC as having been subjected to intense acts of violence and destruction during the specified period have been prioritised for completion of the needs analysis.
2. The needs analysis phase was finalised in Gauteng (Alexandra and Mamelodi) and KwaZulu Natal (Bhambayi and Mpophomeni). Additional communities (Tumahole and Thabong in the Free State) were finalised in the 2014/15 financial year.
3. 19 families were paid reparations in accordance with the Regulations on Exhumation, Reburial and Symbolic Burial of Missing Persons bringing to 66 total number of families paid.
4. 9 exhumations were conducted during the year under review, bringing the total to 94.
5. 18 remains were handed over to families, while 2 symbolic burials were conducted.

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PROGRAMME PERFORMANCE

PROGRAMME 2: COURT SERVICES

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PROGRAMME 2 PERFORMANCE

Strategic Objective 9: Increased promotion and protection of the vulnerable groups

1. Maintenance Turnaround Projects

The Maintenance Turnaround Project is aimed at addressing and identifying processes that had negative effect on the quality of maintenance services offered to the citizens of the Republic. During the year under review all activities as outlined in the project plan were finalised. These includes the following:

- a. Training on 90-day lean maintenance monitoring tool
- b. Training on mediation services tool
- c. Training on tracing of defaulters for maintenance officers
- d. Percentage of maintenance orders granted within 90 days
- e. Percentage of mediation cases finalised within 90 days
- f. Review of module for maintenance complaints managers
- g. Develop audio-visual information for the maintenance information screens
- h. Installation of National Maintenance Signage System at four new mobile units
- i. Public awareness on Kha Ri Unde

Performance Indicator		2012/13 Achievement	2013/14 Target	2013/14 Achievement
9.1	Percentage of implementation of the approved Maintenance Turnaround Project	65%	100%	100%

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PROGRAMME 2 PERFORMANCE

Strategic Objective 9: Increased promotion and protection of the vulnerable groups

Maintenance payments via EFT

- i. It is pleasing to note that during March 2014, only 4 768 beneficiaries (2%) received payments in cash to the value of R 3, 219, 353. This is one of the major service turnaround achievements of the Department.
- ii. It is also worth noting that a vast majority of these EFT payments were made at court level and not national office. The decentralised EFT figures are illustrated on the table below.

Maintenance payments	Month of March 2011	Month of March 2012	Month of March 2013	Month of March 2014
Number of beneficiaries paid via EFT at court level	15 893	100 116	171 712	214 443
Number of courts making EFT payments at court level	10	103	310	390
Value of decentralised payments	R9 150 544	R63 552 453	R110 504 556	R 164 852 378

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PROGRAMME 2 PERFORMANCE

Strategic Objective 9: Increased promotion and protection of the vulnerable groups

2. National Register of Sex Offenders (NRSO)

- a. As a way of protecting the vulnerable and reduce the prevalence of sexual offences on this group, the Department implemented the NRSO.
- b. As at the end of the year under review, 15 452 convictions were recorded electronically on the NRSO.
- c. The increased capacity led to an improvement in the performance of the indicator

Performance Indicator		2012/13 Achievement	2013/14 Target	2013/14 Achievement
9.2	Percentage of convictions recorded electronically on the National Register of Sex Offenders (NRSO)	88% (2 320 of 2 622)	74%	100% (15 452)

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PROGRAMME 2 PERFORMANCE

Strategic Objective 10: Increased protection of children and promotion of family cohesion through mediation services

1. The Family Advocate offices serviced the Children's Court, Domestic Violence Court at varying degrees and intervened in all matters in Regional Court and High Court in matters affecting children.
2. For the year under review, 8 823 non-litigation cases on family law matters were registered, of these cases 2 504 were mediated.
3. For the cases where reports needed to be filed at the court, the Department aimed to file these reports within 15 days of completion of the enquiry. 5 431 family advocates' court reports were filed, of which 4 449 were filed within 15 days of completion of the enquiry.
4. The Department established 7 additional service points and this resulted in service improvements within the OCFA.

Performance Indicator		2013/14 Target	2013/14 Achievement
10.1	Percentage of non-litigation family law matters mediated	15%	28% (2 504 of 8 823)
10.2	Percentage of Family Advocates' court reports filed within 15 days of completion of enquiry	50%	82% (4 449 of 5 431)

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PROGRAMME 2 PERFORMANCE

4. Building of new courts

- a) The Gelvandale Court was completed during the 2013/14 financial year and opened by the Minister in April 2014.
- b) The Polokwane Magistrate Court project is progressing following the appointment of new contractors.
- c) The Mpumalanga site has been handed over to the contractors for commencement of construction.
- d) Other imminent projects:
 - i. Mamelodi magistrate Court: Site was handed over on the 19th of June 2014
 - ii. The Palace of Justice project: Site hand over was on 3 July 2014.
 - iii. Port Elizabeth High Court: Site was handed over on 24 January 2014.
 - iv. Pretoria Magistrate Court (burnt portion): Tender process will be restarted

Delays in the above projects resulted in the under spending of R347 million at the end of the financial year.

PROGRAMME PERFORMANCE

PROGRAMME 3: STATE LEGAL SERVICES

PROGRAMME 3 PERFORMANCE

Strategic Objective 13: Increased efficiency in the provision of service to beneficiaries of the Guardian's Fund, Trusts, Insolvent and Deceased Estates

1. To improve access to the Master of the High Court services, service points at Barberton, Ntsikazi, Nkomazi and Bushbuckridge Magistrates Office have been established
2. The Paperless Estate Administration System was also in a staggered manner to 15 service points.
3. The successful implementation of the system will improve efficiency as well as curb fraud and loss of documents as all documents are scanned and stored on the system.
4. The system will further allow interested parties to view all relevant information at any given time on the Masters' Portal

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PROGRAMME 3 PERFORMANCE

Strategic Objective 13: Increased efficiency in the provision of service to beneficiaries of the Guardian's Fund, Trusts, Insolvent and Deceased Estates

1. With regards to improved turnaround times in services delivered within Masters service, underperformance was recorded in small deceased estates and trust. There were teething problems during the implementation of paperless processing, which included network issues already mentioned.
2. Although the performance shows partial achievement in the stringent standards set, it does not imply that services were not rendered.

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PROGRAMME 3 PERFORMANCE

Strategic Objective 14: Enhanced litigation services

1. During the year under review, an amount of R641 874 613 was allocated to counsel in state litigation matters. Of this amount, R482 386 444 was allocated to PDI counsel, translating into 75% performance against a target of 75%.

2. Furthermore a total of 1086 cases were decided in court, 667 of these cases were successfully concluded translating into 61% performance

3. Although the target has been exceeded, it should be noted that there is still a high number of cases that are settled and that costs of litigation are increasing at a high rate.

4. The Department will invest efforts in turning around service within this area, and this includes establishment of the Office of the Solicitor-General.

Performance Indicator		2012/13 Achievement	2013/14 Target	2013/14 Achievement
14.1	Increased value of briefs to be allocated to PDI counsel	70% (R314 428 391 of R454 425 246)	75%	75% (R482 386 444 of R641 874 613)
14.2	Percentage of enrolled cases successfully concluded by the State Attorney	30% (570 of 1 874)	50%	61% (667 of 1 086)

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PROGRAMME 3 PERFORMANCE

Strategic Objective 18: Administration of the implementation of PAIA

1. The Department is mandated with the administration, coordination of the PAIA to the public and facilitation of the implementation of PAIA throughout the three spheres of Government and other public bodies. In discharging this mandate, an annual survey is conducted to monitor progress in implementation.

2. For departmental PAIA requests, the Department could not comply with legislated timelines in 45% of the cases, due to the nature of the requests. These matters include transcription of criminal case records and in some instances records are incomplete.

3. The annual survey to measure compliance with PAIA by public bodies was concluded. The results of the survey indicates that 89% of the public bodies comply with PAIA

Performance Indicator		2012/13 Achievement	2013/14 Target	2013/14 Achievement
18.1	Percentage of compliance with PAIA by the Department	61% (680 of 1 107)	100%	55% (253 of 461)
18.2	Annual surveys on the implementation of PAIA by public bodies concluded	-	1	1

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CONCLUSION

I highly appreciate guidance and support received throughout the financial year from the following:

1. The Minister of Justice and Correctional Services, Adv Michael Masutha, MP;
2. The Minister in the Presidency, Mr Jeff Radebe, MP who was then the Minister of Justice and Constitutional Development;
3. Deputy Minister , Mr. John Jeffery, MP;
4. The Portfolio Committee on Justice and Constitutional Development, the Select Committee on Security and Constitutional Development and the rest of members of Parliament;
5. Members of the Judiciary, Prosecution and Legal Aid South Africa;
6. The Auditor-General, the Audit Committee and Internal Audit;
7. Chapter 9 institutions, government departments and agencies; and
8. All officials of the Department who have put in efforts to move the Department forward.

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Thank you

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