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**Portfolio Committee on Justice and
Correctional Services, National Assembly,
Cape Town – 3 June 2015**

**THE IMPLEMENTATION OF THE
CRIMINAL JUSTICE SYSTEM (CJS)
REVIEW THROUGH THE CJS SEVEN
POINT PLAN**

12 August 2015 (v4)



PRESENTATION OUTLINE

1. Background to the CJS Seven-Point-Plan and Focus Points

2. Governance and CJS Role Players

3. CJS Review Work Plan and Approach

4. The 7 Point Plan Progress

5. Conclusion



1. The CJS Review: Background

1. The Terms of Reference approved by Cabinet is a package of seven fundamental and far-reaching transformative changes (“the CJS Seven Point Plan”) that **must all be adopted and implemented in an integrated and holistic manner**, and has as aim to achieve a new dynamic and coordinated, efficient Criminal Justice System.
2. In giving the recommendations its stamp of approval, government embarked upon a fundamental and radical **journey** from what could then be best described as a fragmented, unfocussed and broken CJS to a future **CJS that is transformed, focussed, coordinated and well-managed at every level and that addresses community needs and concerns.**



The CJS Review: Background cont.

3. Government's resolve to bring about major improvements to the entire Criminal Justice System was conveyed to the nation in the February 2008 and subsequent State-of-the-Nation Addresses of the President and the JCS Ministers in their Vote debates and media briefings.

4. The implementation of the Seven Point Plan across the value chain is, however, a process and not a once-off event. As part of this there are therefore short, medium and longer term activities.

5. Several of the CJS Seven Point Plan interventions have been implemented with good results, whilst other initiatives are of an ongoing nature. This will be dealt with in more detail later in the presentation.



6. The purpose and goal of the Implementation of the CJS Review is therefore the transformation of the CJS into a modernised, effective Criminal Justice System through integrated interventions to ensure that the JCPS Cluster Departments / Instances:

- ✓ **Deliver quality and professional services in an integrated, coordinated, effective and efficient CJS;**
- ✓ **Provide swift, equitable and fair justice in criminal matters;**
- ✓ **Addresses community justice related needs; and**
- ✓ **Effectively deter crime on a sustainable basis.**



10. The transformative Seven Point Plan changes

1) Alignment through a single vision and mission for the CJS leading to a single set of objectives, plans, priorities and performance measurement targets for the CJS.

2) Establish through legislation or by protocol a new and realigned single CJS coordinating and management structure that flows in a seamless manner from the Cabinet to each Court to improve the end-to-end coordination of the CJS in conjunction with the current National and Provincial JCPS structures.

3) Practical short and medium term proposals to improve the all round performance of courts.



The CJS Review: Background cont.

- 4) Improve each of the component parts of the CJS with a focus on areas with serious shortcomings.
- 5) Provision of an integrated and seamless National CJS Information System to facilitate more informed strategies, plans and decision making as well as to facilitate better day-to-day operational management.
- 6) Provision of technology solutions aimed at modernising operations, reducing costs and eliminating waste.
- 7) Involvement of the population at large in the fight against crime.

The CJS Review forms part of the work of the Justice Crime Prevention and Security Cluster (JCPS) and is included as part of the work in relation to the NDP within the MTSF.

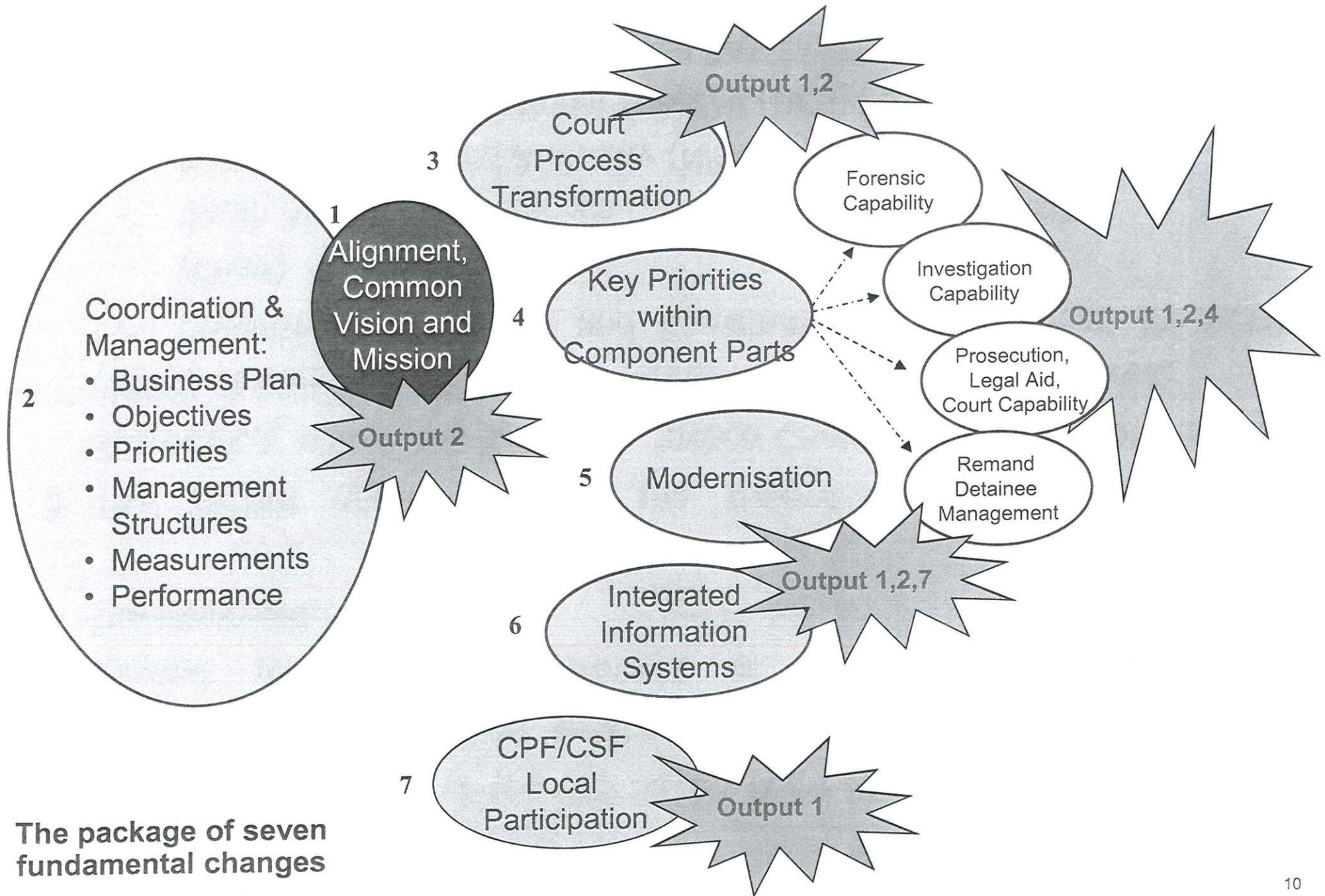
MTSF: OUTCOME 3



<p>Reduce the overall levels of serious crime in particular contact and trio crimes</p>	<p>Output 2: A More Effective Criminal Justice System</p>
<p>Addressing Corruption:</p> <ul style="list-style-type: none"> - Reduction in corruption within the JCS Cluster combated to ensure its effectiveness and its ability to serve as deterrent against crime. - Levels of corruption in general reduced thus improving investor perception, trust and willingness to invest in South Africa. 	<p>Output 3:</p>
<p>Perceptions of crime among the population managed and improved</p>	<p>Output 4:</p>
<p>South Africa's borders effectively safe guarded and secured</p>	<p>Output 5:</p>
<p>Integrity of Identity and Status of Citizens and residents secured</p>	<p>Output 6:</p>
<p>A Secure Cyber Space ensured</p>	<p>Output 7:</p>



Links between the JCS Seven Point Plan and the JCPS Outcomes



The package of seven fundamental changes



2. The CJS Review Role Players

1. The implementation of the CJS Seven Point Plan is coordinated by the **Office for the Criminal Justice System Review (OCJSR)** that is located within the Department of Justice and Constitutional Development.

2. The OCJSR operates under the supervision of an intersectoral Secretariat, where the following Justice Crime Prevention and Security (JCPS) cluster departments are represented by senior executives:

✓ Department of Justice and Constitutional Development (DoJ&CD) (Chair)

✓ South African Police Service (SAPS – Detectives and VisPol)

✓ National Prosecuting Authority (NPA)

✓ Department of Correctional Services (DCS)

✓ Legal Aid South Africa (Legal Aid SA)

✓ National Department of Health (NDOH)

✓ Other department (as and when required)



2. The CJS Review Role Players

3. The OCJSR is further closely linked to the JCPS Sub-Committees such as the **National Development Committee** dealing with transversal cross-cutting interdepartmental activities, **NATJOINTS** that deal with operational issues, other **JCPS priority committees** and the **IJS Board** dealing with system development and integration.



3. The CJS Review Work Plan

1. Strategic Approach

- **CJS Seven Point Plan interventions** are aligned and coordinated between stakeholder departments through the facilitation of the OCJSR.
- **Integration and alignment of CJS processes and systems, including the balancing of resources,** is coordinated through the CJS Secretariat and the Cluster's operational structures.
- **CJS interventions are approved at the highest levels in the JCPS** with the involvement of all stakeholder departments to ensure compliance and execution in all relevant divisions and geographies.
- **Inter-departmental Protocols provide** alignment of specific policies and processes and the streamlining of service delivery in cases where multiple CJS stakeholders are involved.
- Alignment with the **Medium Term Strategic and Economic Frameworks** is facilitated by the OCJSR and the CJS Secretariat. Funds are ring fenced by National Treasury for specific purposes.
- **A model for calculating and balancing operational resource requirements across the value chain** is envisaged as part of the activities in the CJS Business Plan.



4. The Seven Point Plan (Changes 1 – 7)



CHANGE 1: ALIGNMENT THROUGH A SINGLE VISION AND MISSION FOR THE CJS WITH CONGRUENT OBJECTIVES, PLANS, PRIORITIES AND PERFORMANCE MEASUREMENT TARGETS

□ ALIGNMENT: STRATEGIC INTERVENTIONS

- The Cluster has developed and approved a single Vision and Mission and the JCPS Cluster Departments are continuing with the alignment of Strategic Plans, Annual Performance Plans and the JCPS Delivery Agreement.
- Key Performance Indicators (the 28 KPIs) for delivery against the CJS 7 Point Plan deliverables have been defined. Other performance measures are also being attended to.

- **NEXT STEP: Further buy-in at highest level across the value chain and effective monitoring – in this regard systems/structures required.**



CHANGE 1: ALIGNMENT cont.

□ **ALIGNMENT: STRATEGIC INTERVENTIONS cont.**

- The integration of data across the value chain is of paramount importance and the Integrated Justice System (IJS) Board was reconstituted to include business functionaries from all Departments.
 - ✓ IJS activities have been refocused and reprioritized and five priority interventions have been identified (see Changes 5 and 6).
 - ✓ IJS interventions are both of a departmental and a transversal nature and good progress has been made with the establishment of critical building blocks.

- The Secretariat currently functions on an ad hoc basis with representatives from departments allocated by departments to participate. The establishment of a full-time Secretariat for the OCJSR and permanent staffing will contribute to the fast-tracking of the CJS 7 Point Plan interventions.



CHANGE 1: ALIGNMENT cont.

ALIGNMENT: OPERATIONAL INTERVENTIONS

- Various operational alignment protocols have been finalised (see Change 3 below), while others are still in the process of being finalised for consideration by the JCS (DGS Implementation Forum). Protocols relevant to DCS are also listed under Change 3.

- In addition to the alignment protocols, significant operational interventions that have an overall effect on the CJS have been successfully launched and are already showing a positive impact, for example:

- ✓ The overall improvement in forensic capabilities at crime scene and forensic laboratories;
- ✓ Vast improvements to the Automated Fingerprint Identification System (AFIS) as well as staffing and technology at local criminal record centres; and

- ✓ Improvement in case finalisation and significant reduction of court backlogs through the Backlog Courts.



CHANGE 2:

Establish a new and re-aligned CJS Coordinating and Management Structure that flows in a seamless manner from the Cabinet (JCPS) to Courts in order to improve end-to-end coordination through National and Provincial JCPS structures

- **Change two deals with the overall management and coordination of the CJS.** The establishment of management structures at National, Provincial and local levels to all courts in South Africa is required in order to improve interaction within the CJS value chain and the efficiency of the CJS.

(The future legislative framework relating to the lower courts will impact on this.)

- However some critical JCPS, Office of the Chief Justice (OCJ) and other management structures aimed at improving the all-round CJS performance and removing blockages and inhibitors have been put in place as is indicated in the next slide.



CHANGE 2: cont.

✓ **Judiciary:** The Office of the Chief Justice (OCJ) now controls Case Flow Management on a National and Provincial level (the Superior Court Act now provides for judicial leadership from the Chief Justice to the 9 Judge Presidents); **a National and 9 Provincial Efficiency Enhancement Committees (NEEC / PECC) have been established by the Chief Justice which include all CJS stakeholders;**

✓ **National level:** JCS Ministerial Committee; JCS DG Implementation Forum; the JCS National Development Committee; FOSAD, National Joints Committee and other JCS Sub-Structures; the Office for Criminal Justice Reform (OCJSR);

✓ **Provincial and local levels:** JCS Provincial Development Committees and Provincial JOINT Committees (at national level, strategy, policy and monitoring and evaluation are being dealt with, whilst at provincial and local level tactical and operational issues are dealt with), Regional Office structures; Court managers and Registrars dispensation in place; and

✓ **DCS:** Remand Detention Branch in place nationally;



CHANGE 3:

PRACTICAL SHORT AND MEDIUM TERM INTERVENTIONS TO IMPROVE THE PERFORMANCE OF ALL COURTS

- **The aim of these practical interventions is to enable courts to focus on trial and pre-trial interventions aimed at ensuring trial readiness without unnecessary postponements and administration.**

- Court performance has started to improve as a result of the greater coordination and interaction between the role players and the **intersectoral interventions, which include.**
 - ✓ Judicial Standards and Norms that have been developed and Gazetted to ensure speedier and fair justice processes. It helps promote improved pre-trial processes to ensure cases are trial ready.



CHANGE 3: PRACTICAL SHORT AND MEDIUM TERM INTERVENTIONS cont.

✓ The aim is that the courts focus on trials and that ancillary proceedings, like bail, and administrative-like functions relating to postponements be dealt with through channelization and bail courts where possible. This has been implemented in some centres and has led to improved performance.

✓ A positive clearance ratio has in general been maintained by the Lower courts during the past 2 years – i.e. more cases were disposed of than were enrolled with high conviction rates. The number of cases finalised with a verdict and ADRM has improved but requires further attention.

✓ The speedy availability of previous conviction reports that accurately profile persons have improved, leading to speedier finalisation of cases and less postponements.

✓ However, the number of sentences of 10 years or more have increased with about 10% p.a. compared to the previous years (with obvious consequences for DCS). **Sentencing and Restorative Justice** require further attention.



CHANGE 3: PRACTICAL SHORT AND MEDIUM TERM INTERVENTIONS cont.

- The Case Backlog Reduction Project assists Regional and District Court centres in identified priority areas country-wide with additional capacity. (Backlog cases are viewed as all those cases longer than 6 months on the District Court roll, 9 months on the Regional Court roll and 12 months on the High Court roll.) The project deliverables have been integrated into the Outputs of the Delivery Agreement of the JCPS Cluster and the MTSF.
- There are currently 52 Backlog Courts (27 Regional Court and 25 District Courts). To sustain the reductions achieved 40 Regional backlog courts were approved for conversion to permanent courts and 32 courts have already been converted to permanent courts with more envisaged this financial cycle.
- **At the end of March 2015 there were 29 480 backlog cases on the roll against a target of 29 952 (15 288 Regional Court and 14 192 District Court cases) on an overall outstanding current lower court roll of 169 026 cases.**

(In comparison at the **end of March 2013 there were 31 054** backlog cases on outstanding court roll of 188 769 cases for the lower courts.)



Interventions relating to functional guidelines and directives as well as adoption of protocols have been implemented with good effect.

✓ Several Protocols that deal directly and indirectly with court performance were developed to define and streamline cross-cutting functions and daily operational activities.

✓ The Protocols contain guidelines across the value chain to each component part and consist of practical measures that brings clarity of responsibility, removes blockages and improves the performance of all courts.

✓ **The Protocols have led to improved court efficiency in relation to the focus areas covered by the respective Protocols.**



CHANGE 3: cont.

- ✓ The Heads of Departments approve the Protocols and where required the JCPS DG Forum considers and approve them
- ✓ implementation thereof is monitored within Departments as well as by the OCJSR.
- ✓ Protocols are continuously reviewed and adjusted to ensure maximum effectiveness.
- ✓ ***DCS led Protocols: Implementation is ensured at local level and training is provided to officials:*** For example, 360 officials were trained in all 6 regions of DCS from July to October 2014



CHANGE 3: cont.

□ **63A Bail Protocol** (Section 63A of the Criminal Procedure Act, 51 of 1977 (CPA)). The protocol makes provision for the Head of a Correctional Centre to approach the relevant court to release an accused on warning in lieu of bail or to amend the bail conditions imposed by that court when the inmate population of a particular correctional centre is reaching such proportions that it constitutes a material and imminent threat to human dignity, physical health or safety of the accused. This section is only applicable to those accused with bail who have been charged with Schedule 7 crimes. The section is implemented in conjunction with section 63(1) of the CPA which allows for the accused or the prosecutor to approach the court for a review of bail.

This has led to various releases of persons that otherwise would still have been incarcerated simply for being poor.

Progress is monitored: For example, **2 468 applications** were submitted to court in February and March 2015 and **913 (40%) were successful** (317 reduced bail; 389 placed on warning; 85 placed under correctional supervision) (121 cases withdrawn)



CHANGE 3: TACTICAL INTERVECTIONS cont.

- ***The Protocol on Maximum Incarceration of Remand Detainees (section 49G of the Correctional Services Act)*** allows the head of the correctional centre to refer applications to court for consideration of the length of detention of the RD after a period of two years and annually if the court decided that the RD must continue with detention after the initial application.
 - The department is now able to identify the qualifying RDs for referral to court through a systems development which was developed and included in the Admission and Release system.
 - Before the implementation of 49G (2013 July), the number of RDs detained for longer than 2 years on 3 June were 1971. By 18 May 2015 this number was reduced to 1701. **This translates to a reduction of 13.7%.**
 - A challenge that is, however, receiving attention is that feedback on the consideration of applications is not always received by DCS.



- **The Protocol on Referral of Terminally Ill or Severely Incapacitated Remand Detainees to Court (section 49E of the Correctional Services Act)** allows the head of the centre to submit application for the release of a terminally ill or severely incapacitated RDs to court based on written advice of the medical practitioner. The head should submit the application if he or she is of the opinion that -
 - the remand detention facility or correctional centre in question cannot provide adequate care for such detainee; and
 - there are appropriate arrangements for the remand detainee's supervision, care and treatment within the community to which the inmate is to be released.

- There was no application submitted for March 2015.
- In May and June 2015, 3 applications were submitted to court:
 - 1 application was not approved and the RD has since died
 - 1 RD died while waiting for feedback from court.



CHANGE 3: TACTICAL INTERVECTIONS cont.

- ***A Protocol on Procedures to be followed when the DCS temporarily releases the RDs to SAPS for further investigations , and to ensure early arrival in court was developed*** so that the RDs can have their trials beginning and being conclude without unreasonable delay (as per section 35(3)(d) of the Constitution).

This is having positive practical results: For example 26 RDs were released to SAPS for further investigations in line with the Protocol in March 2015 and they were all returned timeously.

- ***A Consultation Protocol on procedures to be followed with regard to increasing access to Remand Detainees for consultation purposes by Legal Aid South African practitioners*** and therefore enhance speedier justice, has been developed and consulted on. The Protocol was signed off by the Heads of Legal Aid South Africa and DCS in March 2014. **The protocol has provided more clarity for the DCS officials on the services provided by Legal Aid South Africa to remand detainees.**



- ***Protocol on Procedures to be followed with regard to the release of Appellants serving terms of imprisonment whose convictions are set aside on appeal:***
The draft protocol has been finalized and is ready for the signatures of the relevant heads of departments.

- ***Protocol on tagging of Remand Detainees***

A draft protocol was developed and consulted with all the relevant stakeholders including the judiciary. The document was presented to the Judiciary at the National Efficiency Enhancement Committee (NEEC) meeting held on 11 April 2015. The document was endorsed by the National Operations Committee (NOC) on 3 July 2015 for approval.

- ***Management of Involuntary Mental Health Care Users.*** An agreement was reached within the Cluster that this category should not be detained in DCS facilities. A process of correcting the administrative processes by referring them from court to designated health establishments has commenced.



CHANGE 3: TACTICAL INTERVECTIONS cont.

- ***A Mental Observation Protocol*** was approved. The protocol deals with the procedures and practices in respect of enquiries into the mental health of accused persons in terms of sections 77, 78 and 79 of the Criminal Procedure Act 51 of 1977. **This is under review and is awaiting the outcome of a case heard by the Constitutional Court as to the constitutionality of certain relevant provisions of the Criminal Procedure Act, 1977.** A further draft Protocol on State Patients is also awaiting the outcome of this case.
- **Directives were also issued in terms of section 79 (13) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977)** as amended by section 10(b) of the Judicial Amendment Act, 2008 (Act No. 66 of 2008), after being submitted to the NDPP and approved by the Minister of Justice and Constitutional Development for implementation. These were tabled in Parliament.



CHANGE 3: PRACTICAL INTERVENTIONS cont.

□ **A Protocol on Audio Visual Remand** (AVR Protocol) has been

implemented as a Pilot in the Western Cape with as objectives to -

- promote, facilitate and regulate proper cooperation between the courts, DCS facilities and the SAPS as far as RDs are concerned; enhance the ability of courts to manage and prioritise serious criminal cases and matters destined for trial in the courts;

- establish local AVR Steering Committees at each designated Video Remand Court (VRC) to monitor and enhance the use of the AVR process, systems and infrastructure;

- reduce case cycle times and streamline postponements and bail applications to dedicated VRCs.

□ **A draft National Protocol has since then been developed,** including best practices and has been circulated for comments to the judiciary and other role players. Roll-out is envisaged during 2015.



CHANGE 3: PRACTICAL INTERVENTIONS cont.

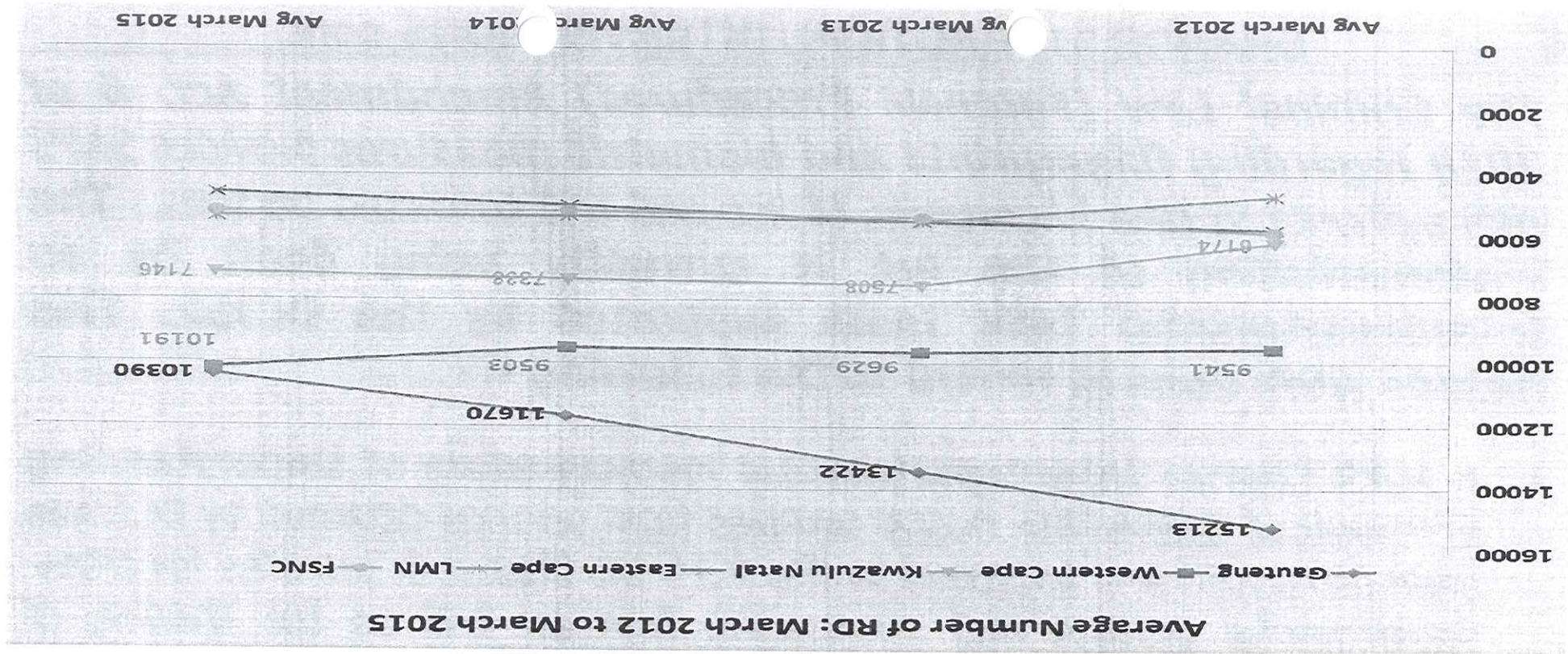
The Criminal Law (Forensic Procedures) Amendment Act, 6 of 2010 regarding fingerprints and biometric measures provides SAPS with authority to take fingerprints of accused and convicted persons. **The implementation of the Act is currently being dealt by an Interdepartmental Task Team supported by the OCJSR. This include work done in regard to the following -**

- **A JCPS Cluster Interdepartmental Memorandum of Understanding** in respect of taking DNA buccal samples from persons detained by DCS has been developed and approved by the JCPS DG Cluster. It provides for cross-departmental process and information flow as well as the training of authorised persons.
- **A JCPS Fingerprint and Photographic Images Database Protocol** is being developed to promote, facilitate and regulate co-operation between the SAPS, DoJ&CD, Department of Transport, Department of Home Affairs, Department of Correctional Services, State Security Agency and Department of Social Development. This will help ensure the optimal utilisation of the Fingerprint and Photographic Images Databases and related information across the criminal justice system, to define responsibility and accountability and to agree upon service delivery requirements.



CHANGE 3: PRACTICAL INTERVENTIONS cont.

- **The improved Remand Detention System based on a focused and integrated approach has led to a decrease in the remand detainee population. General overcrowding of correctional facilities and RDFs was 33.8% on 30 April 2015 (approved bedspace: 119,134 and occupancy: 159,417 inmates). The annual average for RDs from March 2012 to March 2015 (based on daily unlock) dropped from: 47,192 to 42,901. This translates to a reduction of 9.1%. This has further reduced to 40 137 RDs by 21 July 2015 .**





CHANGE 3: PRACTICAL INTERVENTIONS cont.

Regions	Avg March 2012 (ranking)	Avg March 2013	Avg March 2014	Avg March 2015 (ranking)	Average increase / reduction	% increase /reduction
Gauteng	15213 (1)	13422	11670	10390 (1)	-4823	31.70
Western Cape	9541 (2)	9629	9503	10191 (2)	+650	6.81
KwaZulu Natal	6174 (3)	7508	7338	7146 (3)	+972	15.74
Eastern Cape	5744 (5)	5485	4981	4608 (6)	-1136	19.78
LMN	4686 (6)	5461	5323	5368 (4)	+682	14.55
FSNC	5833 (4)	5347	5158	5198 (5)	-635	10.89
National	47192	46852	43974	42901	-4291	9.09

- **The regions whose population decreased are Gauteng (31.7%) followed by Eastern Cape 19,78%) and Free State Northern Cape (10,89%).**
- The regions whose population increased are KwaZulu Natal (15,74), followed by Limpopo, Mpumalanga (14,55%) and North West and Western Cape (6,81%).
- **The overall reduction was 9,09%**



CHANGE 3: PRACTICAL INTERVENTIONS cont.

□ Tracking of Remand Detainees with Long Outstanding Cases

- A system has been put in place to reduce the number of RDs over 2 years whereby information is shared between DCS, SAPS Detectives, NPA and Legal Aid South Africa and the judiciary with the objective of improved communication and the removal of blockages. This has led to a positive decrease in the number of long outstanding cases.

▪ (Snapshot on 18 May 2015)

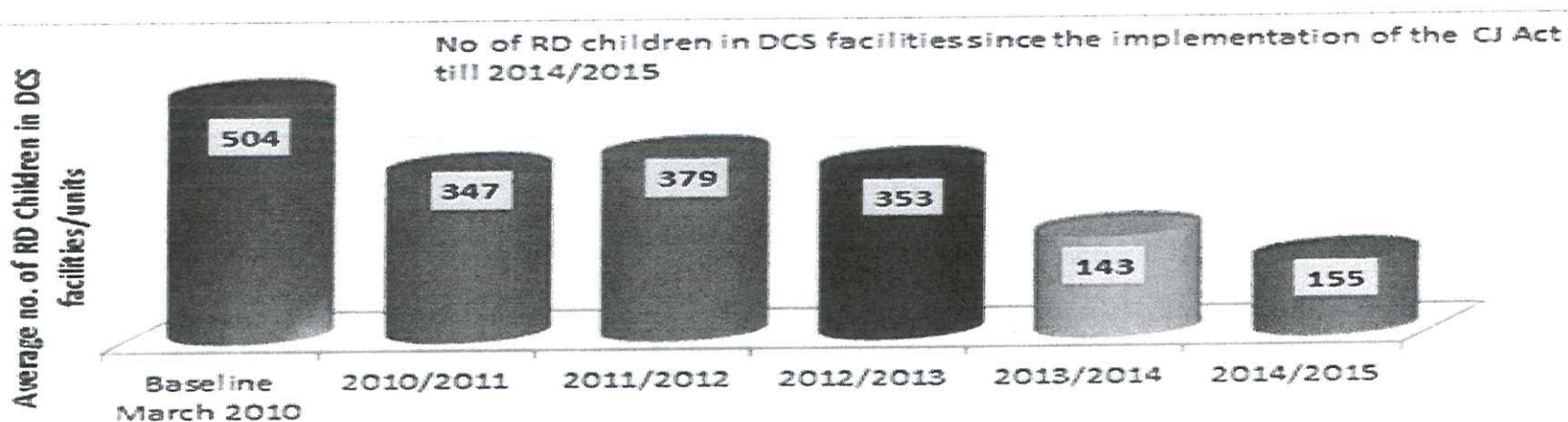
Provinces	Period in detention			
	>2 - 3 Years	>3 - 4 Years	>4 - 5 Years	>5 Years
EC	68	32	23	32
Free State	70	8	4	82
GP	330	134	61	594
KZN	210	75	18	311
Limpopo	37	14	1	52
Mpumalanga	112	33	25	172
N Cape	9	4	1	14
North west	49	10	6	70
WC	148	30	22	251
Grand Total	1033	340	161	1701



CHANGE 3: PRACTICAL INTERVENTIONS cont.

❑ Children in Remand Detention Facilities

- The Child Justice Act provides for the detention of children in DCS Remand Detention Facilities in cases where a Court has no alternative but to refer accused children to DCS Centres. There is close collaboration between DCS and DOJ&CD to ensure that the stipulations of the Child Justice Act are adhered to; for example children are required to appear before the Presiding Officer every 14 days.
- **The total number of Children in Remand Detention decreased considerably over the last 6 years i.e., from an annual average of 347 in 2010/11 to 155 in 2014/15. The snapshot for 30 June 2015 revealed that there were only 108 RD children detained in DSC (3 Females and 105 Males)**





Detective Court Case Officers

- The OCSR promoted the placement of Detective Court Case Officers (DCCO's) at all main court centra. 142 Detective Court Case Officers (DCCO's) at 118 courts in all nine provinces has helped to optimize interaction at court level between CJS role players and this led to improved docket quality, enhanced court docket flow and efficient communication. The primary duties of Detective Court Case Officers (DCCO's) are:

- ✓ Managing the general flow of case dockets to be used in courts, including receiving case dockets from detective service units and control prosecutors, evaluating the case dockets to determine the completeness of the investigation, and screening new court case dockets to identify shortcomings.

- ✓ Liaising between prosecutors and investigating officers and detective units.



□ **Legal Aid South Africa:**

- Legal Aid SA improved its coverage of Regional Courts to 99% and District Courts to 88%.

- **In conjunction with the OCJSR all children in custody for longer than one month are monitored. They are also individually tracked by Legal Aid South Africa's Justice Centres to ensure their earliest possible release from custody.**

- **In conjunction with the OCJSR all RDs more than 2yrs in custody are monitored. Legal Aid South Africa assists with this via a web based system that was developed and that links all their legal aid centres to ensure improved focus on the cases by Legal Aid practitioners and managers.**



CHANGE 4: COMPONENT PART IMPROVEMENT cont.

SPECIFIC DCS INTERVENTIONS: COMPONENT PART IMPROVEMENT

- The OCJSR has assisted and supported the development of the **Remand Detainee White Paper** as well as the establishment of the **Remand Detention Branch** within DCS.
- The OCJSR also supported and participated in the development of **The Correctional Matters Amendment Act 5 of 2011** that is aimed at improving administration in the key business areas, resulting in:
 - ✓ Strengthened parole system;
 - ✓ New medical parole system; and
 - ✓ Improved management of remand detainees.

- The following **specific departmental and cross-departmental interventions** were promoted and implemented following the enactment of **The Correctional Matters Amendment Act 5 of 2011**

✓ Training was promoted for regional personnel on the Act and Regulations in and operational policies were developed in the form of circulars.

✓ SAPS: Operational policies were amended for alignment with relevant provisions and provincial officials were trained.



CHANGE 4: COMPONENT PART IMPROVEMENT cont.

SPECIFIC DCS INTERVENTIONS: COMPONENT PART IMPROVEMENT continued

- **Systems elements were improved to facilitate a reduction of the number of Remand Detainees:**
 - ✓ There is ongoing statistical monitoring of RDs (DCS, OCJSR and JCPS) to inform cross-departmental interventions aimed at improving the management of RDs.
 - ✓ Improved criminal history (previous conviction) information from SAPS (SAPS 69 Reports) is promoted to facilitate more informed bail hearings and enable DCS to improve management of high risk individuals.
 - ✓ Approximately 15% – 20% of the remand detainee population has been given bail without exercising the option either because it is unaffordable or other reasons.



CHANGE 4: COMPONENT PART IMPROVEMENT cont.

SPECIFIC DCS INTERVENTIONS: COMPONENT PART IMPROVEMENT continued

- The J7 Warrant of Detention has recently been amended to allow for improved classification of Remand Detainees. This will enable a more detailed analysis of the large percentage of Remand Detainees that cycle through DCS in less than 90 days - more than 50%.

- **Identification of reasons/ trends related to RDS that cycle through DCS in less than 3 months (53%-57%) and for detention periods that are shorter than normal court cycles is currently underway, with a focus on -**

- Cases where criminal trials are not brought against RDS;
- Cases against RDS that are withdrawn / struck off court rolls;
- Cases against RDS finalised through other mechanisms;
- Cases against RDS where bail is awarded and/or paid;
- Cases against RDS with a verdict.



CHANGES 5 AND 6:

ESTABLISH AN INTEGRATED AND SEAMLESS NATIONAL CJS INFORMATION SYSTEM AND IMPLEMENT A PROGRAMME OF MODERNISATION FOR THE CJS

- The Integrated Justice System (IJS) Programme was established as a vehicle to electronically enable and integrate the end-to-end criminal justice business processes and related inter-departmental information exchanges;
- The IJS Board that consist of business as well as IT executives coordinates the IJS Programme and reports directly to the JCPS DGs.
- The JCPS DGs directed a focused approach and identified five integration priorities (this is dealt with in the next few slides).
- **In addition to the 5 priorities, a number of CJS modernisation programmes have been or are in the process of being implemented. Some of these Change 6 interventions are driven by DCS such as Electronic Monitoring and others involve DCS and other CJS role players, such as the Audio Visual Remand System aimed at reducing travel time between DCS and court facilities for postponements.**



IJS Board Aspects

The following slides will deal with:

- IJS aspects of the 7 Point Plan
- IJS Implementation Priorities
- Departmental Integration Progress
- Status Highlights of the IJS Programme
- Case Integration
- Person Integration
- Business Intelligence

- The Review of the South African Criminal Justice System recommended two changes applicable to the IJS, namely:
 5. Establish an integrated and seamless information and technology database or system, or both, for the national criminal justice system, containing all information relevant to it. Review and harmonise the template for gathering information relating to the criminal justice system.
 6. Modernise, in an integrated and holistic way, all aspects of systems and equipment. This would include fast-tracking the implementation of current projects and modernisation initiatives. Technology should be used to increase efficiency across the board, and particularly to eliminate bottlenecks in the criminal justice system. This should include investigation-docket management systems, court case management systems and parole management systems, including the monitoring of parolees to ensure better integration and rehabilitation. Technology for preventing and investigating crime should be prioritised to prevent it from happening in the first instance, and to expedite investigations through increased forensic capacity, better crime scene investigation and analysis of current and future threats to safety.

IJS Implementation Priorities

Delivery Work Packages	JCPS Cluster Priorities
A. Person Integration	1. CJS Single Person Identifier 2. Person Identification Verification Application (PIVA) – Including criminal record “fast check”
B. Case Integration	3. Case Management Integration
	4. 28 KPI Reporting dashboard
C. Business Intelligence	5. Single Transversal data store for JCPS cluster statistical requirements

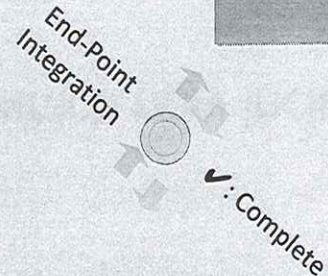
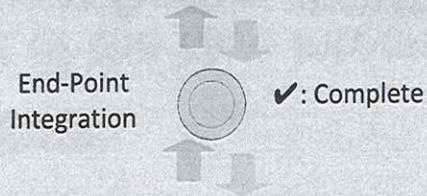
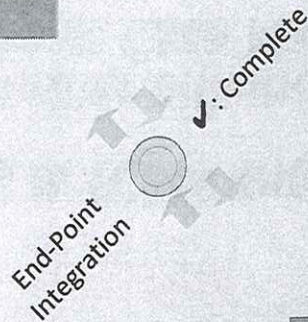
Departmental Integration Progress



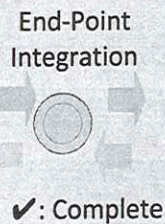
SAPS
Crime Report, Arrest,
Investigate, Criminal History &
Wanted Check

NPA
Prosecute

DOJCD
Adjudicate

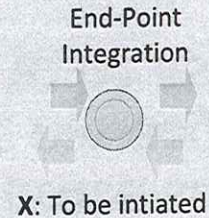


DHA
ID Verification, Finger Print
Search

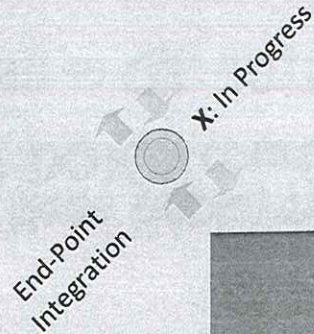
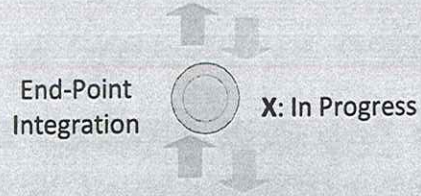
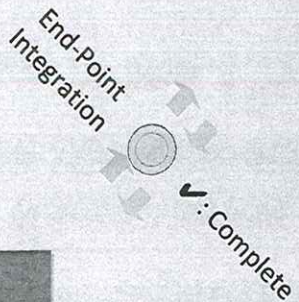


IJS Transversal HUB

CJS Performance Dashboard 28 KPI BIS/GIS
IJS Data Warehouse



OCJ
Court Operations



Legal Aid SA
Legal Assistance

DCS
Incarcerate

DSD
Re-integrate



Case Integration Achievements

■ CAS & ICMS Integrations:

- Electronic transmission of docket information has now been deployed to all 1153 police stations across the country and 492 of 627 DOJCD courts.
- The balance of the 135 courts is planned for deployment in Q2, 2015/16.

- Legal Aid SA notifications have been enabled at 848 police stations and associated Justice Centres in order to send electronic messages for arrested persons that qualify for legal aid assistance to be assigned legal representation.

■ CAS, ECMS & ICMS Integrations:

- This is a further enhancement of the case integration which now include the NPA Electronic Case Management System (ECMS).
- NPA Electronic Charge Sheet (Electronic J15) and Case Outcome Integration is deployed to 2 Courts in Gauteng (Benoni and Daveyton). A further 20 sites have been assessed and received training in Gauteng, Western Cape and KZN.

- Post implementation support and change management interventions are currently underway to gradually operationalise the system and optimise utilisation.

Slide 50

BS4

Note changes to this paragraph - none of the 20 sites are on the ECMS system yet. Practical and technical issues are being addressed in Benoni and Daveyton before further implementation. The project team provides a daily report on progress.
Bradley Smith (BE), 2015/05/22



Case Integration Work In Progress

- Legal Aid SA: electronic Legal Aid Application (eLAA) – user testing is in progress. Production is planned for Q3 2015/16.
- DCS: Integrated Inmate Management System (IIMS) pilot rollout at JHB Correctional Centre was concluded as planned on the 31st March 2015. Further functional enhancement are planned for implementation in the current financial year.
- DSD: is preparing to integrate with SAPS to deal with cases related to children in conflict with the law. This will allow for the assignment of a probation officer electronically.



Person Integration Achievements

- ❑ This Solution entails instant verification of SA ID's via DHA HANIS system using biometric devices.

- ❑ Person Identification and Verification Application (PIVA) version 1 is ready for deployment pending the sign-off of the Standard Operating procedures.

- ❑ Person Architecture framework and designs have been drafted to pave the way for creation of a unique person identifier and integrated booking.



Person Integration Work In Progress

- PIVA version 2 – Criminal Record Check, Latent Search & Wanted persons Test via 10 finger print Search (incl. HANIS Upgrade)
- Integration of Child Protection Register (CPR) & Old Persons Register (OPR)
- NRSO (National Register Sex Offenses) – Clearance Certificates

□ Integrated Booking Stream (SAPS):

- Re-engineer SAPS “booking process” – digital capture booths, iris & facial recognition, live-scan finger print integration to create single person object and identifier
- Re-align existing SAPS person related systems to use single identifier for tracking, case linkages, profiling and DNA sampling

□ Person Tracking & Integration Stream:

- Introduce electronic body receiving process using a single person identifier to electronically track the movement of persons throughout the system



28 KPIs – Business Intelligence Highlights

This solution enables the JCPS Cluster to measure the performance of the CJS using real production data to inform effective decision-making with regard to inter alia capacity planning across the value chain

■ Achievements:

- A state of the art Dashboard User Interface has been completed and deployed to production.
- We have also deployed 14 of the 28 KPI Business Intelligence solution against a target of 9 KPI's in the reporting period.
- This is a ground-breaking achievement of the IJS Programme which we perceive as a tangible game changer.

■ Work In Progress:

- Preparation of data uploads for DCS and DSD KPIs are in progress.
- This will enable the deployment of additional KPIs.



- The Department is pursuing its efforts to modernize its correctional system in order to provide a reliable, integrated and secure information and communication technology (ICT) infrastructure and business application systems.

- Central to this effort is the development and implementation of an Integrated Inmate Management System (IIMS), intended to create a single view of offender and inmate information through improved positive identity verification based on biometric technology to curtail instances of identity fraud, escapes, parole violations and absconders, multi-versions or duplicate records for same person, and erroneous releases.



Change 5 DCS IJS Specific aspects (cont)

- The Department is currently implementing a full scale development and rollout of an Integrated Inmate Management System (IIMS) across all 243 correctional centres, and 228 community correction offices. Including also upgrades of LAN/WAN & cabling infrastructure, network equipment, server rooms and virtual server infrastructure in all DCS sites
- Implementation of Video Conferencing and a internet telephonic system (Microsoft Lync VoIP) at Head Office and all Regional offices; as well as a security Virtual Private Network (VPN) for surveillance and access control systems for Correctional centres.
- Implementation of an automated Rostering & Scheduling system to better manage staff at the centres, generate substantial cost savings while also gaining improved performance and optimization of staff schedule allocations.
- Implementation of a revised IT architecture platform to provide for departmental wide systems deployment and standardization of business processes across the DCS environment. This platform will enable the IIMS to integrate, communicate, share and exchange information with other members of the JCPS cluster via the much acclaimed Integrated Justice System (IJS).



Change 6: Technology solutions for modernising operations: DCS.

- In order to facilitate the involvement of Victims in Parole Board meetings, a new audio-visual system was installed in all Parole Boards with the aim of increasing participation of victims in Parole Boards meetings.
- Once the challenges with the system are addressed participation of victims in Parole Boards will be increased.



CHANGE 7: PARTNERSHIPS WITH COMMUNITY

- This mainly dealt with in conjunction with the Civilian Secretariat of Police and SAPS through establishment of and improving of CSFs and CPFs as organs of participatory democracy. Their central role is to strengthen democratic practice at the local level with regard to safety and security.

➤ **CSF's**

- CSF's have been established in all provinces except Free State.
- There are 278 municipalities. A total of 125 CSF's has been established in eight provinces. The target is to finalise the establishment of CSFs within 1-2 years. Challenges include funding at municipal level/ no legislative mandate

➤ **CPF's**

- There are 1132 CPFs countrywide. During the past two years the Cluster and the Civilian Secretariat for Police has been engaged in efforts aimed at understanding and resolving challenges affecting CPFs. Numerous meetings and workshops have been held with different key stakeholders with a view to achieving consensus on the main issues including the establishment, resourcing and training of CPFs.
- A Working Group comprising of key stakeholders has been established to address the challenges.



7. Involve the population in the fight against crime (Cont.)

Community Corrections

- The DCS has adopted a Restorative Justice(RJ) approach which seeks to address offences committed and assist offenders to take accountability for such offences which may include restoration of relations with victims and the offended. This is done through processes of Victim Offender Mediation/Dialogue(VOM/VOD).

- The vigorous implementation of RJ led to more public involvement through VOD where communities and offenders are given an opportunity to talk publicly about the impact of crime.
- Offenders are afforded an opportunity to openly acknowledge crimes committed, harm caused to victims and communities and also apologize in public.
- Furthermore, VOD presents a platform for questions and concerns raised by the public and the relevant stakeholders are expected to respond accordingly.

➤ Communities are embracing the dialogues and to date a significant number of victims has participated in the process.



7. Involve the population in the fight against crime (Cont.)

Community Corrections (Parole and Correctional Supervision system)

- The Department of Correctional Services has contributed to crime prevention through the creation of employment opportunities for parolees and probationers.
- The Department through its partnership with Department of Environmental Affairs managed to train 76 parolees and probationers to be involved in various work streams such as administration, procurement and firefighting.
- The Department also negotiated with the Department of Environmental Affairs to extend the Programme to Working for Water. These initiatives will contribute to the prevention of crime since parolees and probationers will be sustainable and not involved in crimes.
- Parolees and Probationers have addressed various schools on crime prevention as an anti-crime prevention campaign.



Community Corrections

- Halfway Houses were established to enhance the successful reintegration of offenders. Seven (7) partnerships were entered into in order to further reintegrate parolees and probationers while transition to their respective communities.

- Adopt a school project is a programme employed by various community corrections offices for the restoration and reparation by parolees and probationers.

- The Department of Correctional Services has partnered with the University of Zululand, University of Venda, and the University of Limpopo to engage in the profiling of communities. Community Profiling assists in determining interventions required for creating conducive environment for reintegration of parolees and probationers. It also informs programmes that are relevant for successful reintegration of offenders.



5. CONCLUSION

□ Achievements:

- ✓ The successes that have thus far been registered reaffirms the value and positive impact of an integrated and coordinated approach.
- ✓ The inclusion of the CJS Seven Point Plan in the JCPS Delivery Agreement as well as the endorsement by the National Development Plan – 2030 and the new MTSF, will contribute to continued improved efficiency of the CJS.
- ✓ All component parts of the CJS are working together well, but sustained and close collaboration of all role players remains mandatory.

□ Challenges:

- The availability of accurate and robust management information that is based on integrated data across the CJS continuum remains a challenge.
- Sufficient capacity to develop, monitor and implement interventions.

The CJS Review: Summary



1	Improved legitimacy and public confidence in the CJS	Not yet fully achieved
2	Weaknesses and blockages in CJS removed through short, medium and long term interventions.	Addressed in part
3	Sustained efficiency and effectiveness through improved Coordination and Management of the system as a whole.	Addressed in part
4	A single vision and mission	Completed (need further buy-in)
5	Coordinated strategies, plans and budgets with improved cross-departmental cooperation and accountability.	To be addressed in the CJS business plan



The CJS Review Summary

6	Appropriate, integrated and focussed structures within and across the CJS to specifically manage and coordinate all its activities;	Office of the Chief Justice and NEEC/PEEC structures added.
7	Balanced input and outcomes of all component parts of the system with effective coordination and management of Inter-departmental and Intra-departmental inputs and deliverables;	To be addressed by all departments as part of the CJS business plan
8	Ongoing performance monitoring and measurement of the system with specific indicators and targets for the system as a whole and for each Department or agency.	Not yet fully addressed

The CJS Review: Summary



<p>Not yet fully addressed - awaiting further JJS 28 KPIs</p>	<p>9 Early detection of blockages, issues and problems, and facilitation of immediate corrective action, including the courts, especially at regional court level;</p>	<p>9</p>
<p>Addressed in part and in selected areas of capacity.</p>	<p>10 Capacity building, skills development and skills retention across the CJS: <ul style="list-style-type: none"> • Management and coordinating skills • Specific career-paths for specialists • Recognition and reward systems that will attract the best professionals; </p>	<p>10</p>



The CJS Review Summary

11	Optimised processes within individual contributing departments and agencies, as well as across the CJS system, with a special focus on the hand-off points between entities;	Addressed in part by protocols, but implementation at all levels require ongoing management monitoring and intervention.
12	Appropriate, effective and integrated information technology and communication systems and a national reliable CJS database that serve the CJS as a whole and provide relevant and timely information to all the stakeholders .	Not yet fully implemented
13	Optimal community involvement by involving CPF/CSF regimes in CJS matters such as parole boards, community sentencing monitors and volunteer programmes.	Not fully addressed yet



NEXT STEPS

SPECIFIC OTHER INITIATIVES FOR 2015

- UNPACKING OF THE REQUIREMENTS OF THE NDP AND THE 2015-2018 MTSF RE STRENGTHENING OF THE CJSR IMPLEMENTATION: FINALISATION OF CJS BUSINESS PLAN

- IMPROVE CAPACITY VIA APPOINTMENT OF ADDITIONAL PROJECT MANAGERS AND INSTITUTIONALISATION OF THE OCSR INTO DOJ&CD ESTABLISHMENT

- PROJECT RELATING TO THE REVIEW AND PRIORITISATION OF THE MANAGEMENT OF "DRUNK DRIVING" CASES

- There is presently no correlation between samples processed and tested positively for driving under the influence of alcohol and the number of cases that are processed by the courts and that results in a conviction.

- The project outcomes are to significantly reduce the number of people who drive under the influence of alcohol through a comprehensive JCPS intervention that will lead to swift prosecution of offenders; improved departmental processes in all relevant CJS components and the development of a "Best Practice Models" for implementation nationally.



The implementation of the 7 Point Plan is not a singular event - it's a medium to long term process with quick wins as and where possible in the interim.

THANK YOU

