DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT

ANNUAL PERFORMANCE PLAN

2021-2022

the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

2030 NDP

Department of Justice and Constitutional Development

ANNUAL PERFORMANCE PLAN 2021/2022
RP 103/2018
ISBN: 978-0-621-46241-8
Tel: 012-315-1111
Private Bag X81, Pretoria, 0001
www.justice.gov.za

LIST OF ACRONYMS

APP	Annual Performance Plan
AVR	Audio visual recording
BAS	Basic Accounting System
CARA	Criminal Assets Recovery Accounts
CCTV	Closed-circuit television
CPA	Criminal Procedure Act
CPI	Consumer Price Index
CRT	Court Recording Technology
CSO	Civil society organisation
DG	Director-General
DDG	Deputy Director-General
DHA	Department of Home Affairs
DIRCO	Department of International Relations and Cooperation
DPME	Department of Planning, Monitoring and Evaluation
DPWI	Department of Public Works and Infrastructure
DoJ&CD	Department of Justice and Constitutional Development
ECMS	Electronic case management system
EME	Exempted Micro Enterprise
ENE	Estimates of National Expenditure
GBVF	Gender-based violence and femicide
GDP	Growth Domestic Product
HR	Human Resources
ICCPR	International Covenant on Civil and Political Rights
ICESCR	International Covenant on Economic, Social and Cultural Rights
ICMS	Integrated Case Management System
ICT	Information and Communication Technology
IJS	Integrated Justice System
IT	Information Technology
JCPS	Justice, Crime Prevention and Security
JMIS	Justice Management Information System
JYP	Justice Yellow Page
Legal Aid SA	Legal Aid South Africa
LGBTI	Lesbian, Gay, Bisexual, Transgender and Intersex
MC	Magistrates' Court
MMS	Middle Management Service
MOVIT	Masters' Own Verification Technology
MOU	Memorandum of Understanding
MP	Member of Parliament
MTBS	Medium-Term Budget Statement

MTEF	Medium-Term Expenditure Framework
MTSF	Medium-Term Strategic Framework
NAP	National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance
NDP	National Development Plan
NDPP	National Director of Public Prosecutions
NMRF	National Mechanism for Reporting and Follow-up
NPA	National Prosecuting Authority
NPS	National Prosecutions Service
NRSO	National Register for Sex Offenders
NSP	National Strategic Plan
NTT	National Task Team
OCSLA	Office of the Chief State Law Adviser
OSD	Occupation Specific Dispensation
OWP	Office for Witness Protection
PAIA	Promotion of Access to Information Act
PAJA	Promotion of Administrative Justice Act
PCLU	Priority Crimes Litigation Unit
PDI	Previously Disadvantaged Individual
PEAS	Paperless Estate Administration System
PEPUDA	Promotion of Equality and Prevention of Unfair Discrimination Act
PRVG	Promotion of the Rights of the Vulnerable Group
PSR	Public Service Regulations
PFMA	Public Finance Management Act
PTT	Provincial Task Team
QSE	Qualifying Small Enterprise
SADC	Southern African Development Community
SCA	Supreme Court of Appeal
SLA	Service level agreement
SAHRC	South African Human Rights Commission
SAJEI	South Africa Judicial Education Institute
SALRC	South African Law Reform Commission
SAPS	South African Police Service
SCA	Supreme Court of Appeal
SCCU	Specialised Commercial Crime Unit
SIU	Special Investigations Unit
TCC	Thuthuzela Care Centre
TRC	Truth and Reconciliation Commission

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OFFICIAL SIGN-OFF

It is hereby certified that this Annual Performance Plan:

- Was developed by the management of the Department of Justice and Constitutional Development, under the guidance of the Minister of Justice and Correctional Services, Ronald Lamola, MP;
- Was developed in line with the current Strategic Plan of the Department of Justice and Constitutional Development;
- Accurately reflects the outcomes and outputs that the Department of Justice and Constitutional Development will endeavour to achieve in 2021/22 financial year;
- Is aligned with the National Development Plan 2030 and the Medium-Term Strategic Framework.

Ms C Mametja **Signature:** _____

DDG: Corporate Services

Adv J B Skosana **Signature:** _____

DDG: Court Services

Ms S Masapu **Signature:** _____

Acting Chief State Law Adviser

Adv M Mafojane **Signature:** _____

Chief Master

Ms K Pillay **Signature:** _____

DDG: Legislative Development

Dr G La Foy **Signature:** _____

DDG: Constitutional Development

Mr N Mthembu **Signature:** _____

Acting Chief Financial Officer

Mr T B Raseroka **Signature:** _____

Chief Director: Strategy, Monitoring and Evaluation

Mr F Pandelani **Signature:** _____

Solicitor-General

Adv S Batohi **Signature:** _____

National Director of Public Prosecutions

Adv D Mashabane **Signature:** _____

Director-General: Justice and Constitutional Development

Mr J J Jeffery, MP **Signature:** _____

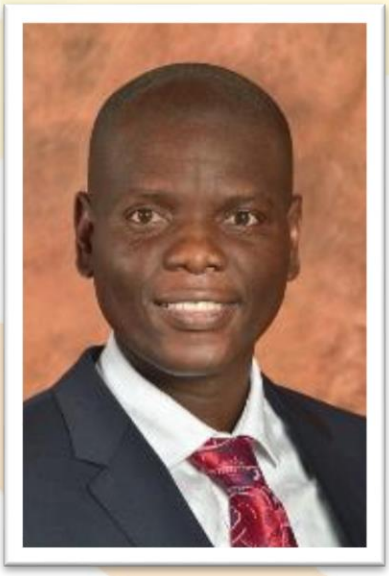
Deputy Minister: Justice and Constitutional Development

Approved by

Mr R Lamola, MP **Signature** _____

Minister of Justice and Correctional Services

FOREWORD BY THE MINISTER



This Annual Performance Plan signifies our intent to reposition the Department of Justice and Constitutional Development as an intersectional department at the heart of the Constitution. The Annual Performance Plan also gives us the opportunity to consolidate policies and legislation for the effective implementation of programmes aligned to the government's plans, such the National Development Plan, the National Strategic Plan on Gender-based Violence and Femicide, among others.

The Victims of Crime Survey indicates that public confidence in the criminal justice system is, sadly, not at the level we would like it to be. To restore public confidence, we will put in place initiatives to transform the criminal justice system by placing victims at its centre, thus making the system more victim-centric. The Corruption Perception Index by Transparency International places South Africa in an unenviable position. We must turn the tide against corruption which threatens our constitutional democracy and takes resources away from delivering services to all people. In this financial year, our plans – and most importantly our actions in the course of implementing these plans – must have a deep and transformative effect not only in the Department but across the entire nation. I have no doubt that the Department of Justice and Constitutional Development can be a beacon of hope during a very crucial period in our nascent democracy. Everyone who serves our nation through this department must find it in themselves to be agents of change in the course of their work. This is what our nation demands now more than ever. The Covid-19 Pandemic must be viewed through a prism of opportunity and re-engineering, and not as a reason we cite for a failure to perform. We must heighten our resolve to innovate in difficult times, even when tasks seem impossible.

The roll-out of Sexual Offences Courts to combat the scourge of sexual and gender-based violence is an urgent task in a society that is increasingly becoming unsafe, particularly for women. Phase 4 of the Femicide Watch and an additional 99 Sexual Offences Courts are planned for designation in terms of section 55(A) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007. As we continue to implement these specialised courts, emphasis will be placed on ensuring that these courts continue to operate optimally in line with the acceptable standards of performance. We will continue to monitor and improve on our service standard of finalising maintenance matters within 90 days from the date of service of maintenance summonses and other family law services.

Ongoing projects to increase access to justice services in a meaningful manner in previously marginalised communities must be enhanced. We will convert some of the branch courts/periodical courts into full services courts during the 2021/22 financial year. The construction of the Dimbaza MC, Durban Family Court will be finalised and will commence with operations in the next financial year.

We will modernise and digitise South Africa's courts through the use of ICT technologies. The use of technology will enable the Department to improve access to justice services by making justice available through online channels and mobile applications. In the next financial year, maintenance applications, protection order applications services, and the serving of court process (serving summons) will be available through online channels.

We are also making progress regarding the transformation of the state legal services. Through the implementation of the State Attorney Amendment Act, 2014, the Solicitor-General was appointed in an acting capacity to oversee state litigation, as well as the finalisation of policies that will culminate in lowering the costs of litigation and the building of capacity to handle complex legal matters and establish well-run offices for the State Attorney. I am encouraged by the work of the office of Solicitor-General towards the full implementation of the State Attorney Amendment Act. In the 2020/21 financial year, three policies were approved and the two remaining policies are earmarked to be completed in the 2021/22 financial year.

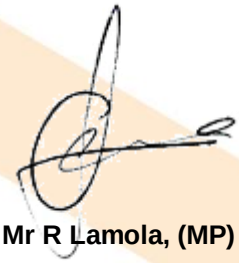
It is almost three decades into the democratic dispensation and the South African statute book is still replete with several pieces of legislation dating back to the apartheid era, some even stretching back to the colonial era. This era of legislation was designed to overtly suppress the basic human rights of most of our people. As such, many of our systems and processes are outdated and not designed to meet the needs of our constitutional democracy. The Department will prioritise the review, repeal and replacement of all colonial and apartheid era legislation in order to align them with the Constitution of the Republic of South Africa, 1996. Over the next financial year, the Department will process the further repeal or replacement of apartheid era legislation with four pieces of legislation earmarked for this purpose.

In order to achieve the outcome 'Advancement of constitutionalism and respect for human rights and the rule of law', we will continue with the implementation of the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance, as well as programmes aimed at promoting nation building and social cohesion. In addition, the implementation of constitutional awareness and human rights education programmes protecting the rights of LGBTI persons will continue, together with our National Task Team. We will implement programmes to commemorate the 25th anniversary of the Constitution during the 2021/2022 financial year.

The Integrated Justice System (IJS) programme, through which we seek to coordinate and integrate transformation efforts across the criminal justice value chain, including establishment of transversal IT platforms and measures to strengthen governance arrangements relating to the programme, will remain a priority in the next financial year. We will ensure that we put governance structures in place which will be supported by prescripts and ensure that all KPIs on the dashboard are measured, monitored and evaluated, and entities and the Department are integrated in the justice system.

I am confident that the commitments made in this plan will be achieved by the Department and will contribute to increased access to justice services, transform state legal services, and advance constitutionalism in respect of human rights and the rule of law.

It is with great pleasure that I present the Annual Performance Plan of 2021/22 of the Department of Justice and Constitutional Development.



Mr R Lamola, (MP)

Minister of Justice and Correctional Services

FOREWORD BY THE DEPUTY MINISTER

Covid-19 has had a severe impact on court operations and on the workings of the courts and of the Department. We have lost a number of magistrates, prosecutors and administrative staff due to Covid-19. The administration of justice has been impoverished by their sad departure.

Justice and Constitutional Development is a vast portfolio - in addition to various service points like the Master of the High Court, the Family Advocate and so forth, our Department is responsible for the day-to-day running of a total of 2 283 court rooms in 748 courthouses. In addition to the courts and National Office we have Regional Offices in all the provinces and we employ more than 15 000 public servants across the country.

Although we do not build, refurbish or maintain the courts ourselves, as this is done by the Department of Public Works and Infrastructure, we have, over the years, succeeded in bringing access to justice closer to the people of our country.

Access to justice is at the forefront of everything we do. In furtherance of this goal of enhanced access to justice, after consensus was reached with the Regional Court Presidents, we proclaimed new civil seats for Regional Courts which came into effect in December 2020. Effectively, every Regional Court now has civil jurisdiction and we are confident that we shall be seeing the successes thereof in this coming period of the Annual Performance Plan.

It is common cause that issues have been raised regarding the Department of Justice and Constitutional Development's performance. We are acutely aware of these issues and are busy implementing a rescue plan to address these and other issues.

We must also acknowledge the successes and build on these successes in the period going forward.

Much has been achieved in the areas of modernization and digitization of our courts and we have made strides in areas that have a positive impact in our quest to enhance access to justice and to improve service delivery.

Importantly, factors which hamper or affect departmental performance are being addressed as a matter of urgency, and various key vacancies have been recently filled.

The Department is also in the process of realigning the macro-structure and we are confident that the realignment will enhance efficiency and effectiveness and improve service delivery across the board.

The Department's Internal Audit, Planning, Monitoring and Evaluation Units are being strengthened to ensure timeous identification of areas of under-performance for early intervention.

One area which the Auditor-General has highlighted across all government departments is the issue of collaboration. Working in silos is something we see across government and also something we experience in our own Department.

This is something we are addressing; as one example, we have put together a multi-stakeholder forum that meets regularly with the aim of optimizing court performance. We are also contributing to the District Development Model and are starting to see the fruits of our endeavours.

It is a reality that Covid-19 is going to be with us for quite a while in the foreseeable future and we are going to have to think “out of the box” to ensure that we deliver services in an ever-changing world.

Mr J J Jeffery, MP

Deputy Minister: Department of Justice and Constitutional Development

FOREWORD BY THE DIRECTOR-GENERAL

The 2021/2022 performance cycle marks a critical moment in the life of our constitutional state. The period coincides with 25 years since the adoption, certification and coming into force of our Constitution. A quarter of a century of constitutionalism in a life of a nation is no mean feat but a significant progress registered.

Our Constitution and all its institutions have served our constitutional democracy well. Ours is not a Constitution cast in stone but a dynamic, responsive, and evolving social contract. As the custodian of the Constitution, the Department has the greatest honour of mobilising the whole of society in marking the 25th anniversary.

The Department will utilise the opportunity of this epic moment to reposition itself and claim the centre stage in terms of its role in our government system and in broader society.

This is a great opportunity for the Department under the leadership of the Minister, Deputy Minister, and the entire management of the Executive to remould itself into a lodestar organisation, with a high ethical standard, and one which inculcates Batho Pele principles and the delivery of first class services to our citizenry. The services that the Department offers to our citizens in the area of Masters (administration of Estates, Guardianship, Trust and Liquidation) access to Justice, will be delivered within the context of our renewed commitment to constitutional values.

The Department plays a critical role in providing state legal and litigation services, which are primarily about protecting the interest of the state and reducing state contingent liability. The rapid implementation of the State Attorney Amendment Act, 2014, remains a game changer in our efforts to coordinate state litigation in its entirety.

We are mindful of the challenges that the Department has faced in the past few financial years. The senior management of the Department has committed itself to improving the services that the Department offers to the public, and we are bound to the stewardship of the resources entrusted to our care. The Department will build and improve systems and processes to improve effectiveness and efficiency in service delivery.

This Annual Performance Plan is the product and culmination of a renewal process that was initiated by the Minister and Deputy Minister in June 2019 upon assumption of office. It is my honour to join a team of senior management committed to serving the citizens of our country.

Adv D Mashabane

Director-General: Department of Justice and Constitutional Development

INTRODUCTION

The Department of Justice and Constitutional Development (DoJ&CD) held its strategic planning sessions from 19 to 21 October 2020 and from 13 to 15 March 2021. The purpose of these sessions was to review the Department's Strategic Plan and the Annual Performance Plan. Prior to the departmental strategic planning sessions, various branches held their own preparatory strategic planning sessions to provide an opportunity for broad inclusivity in the departmental planning exercise. During the departmental planning sessions, the Department's impact statement, outcomes statement, outcome indicators and key performance indicators were developed.

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

a. Modernised and digitised justice services platforms

b. Improved organisational capability and good governance

c. Improved awareness of justice services and constitutionalism

d. Increased access to justice services

e. Improved Masters services

f. Colonial/apartheid era justice related legislation reviewed and replaced

g. Transformed state legal services

h. Transformed legal profession

i. Advanced constitutionalism, human rights and the rule of law

j. Crime and corruption reduced through effective prosecution

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

a. Programme 1 contributes to Outcomes 1, 2 and 3

b. Programme 2 contributes to Outcomes 4 and 10

c. Programme 3 contributes to Outcomes 5, 6, 7, 8 and 9

d. Programme 4 contributes to Outcomes 4 and 10

e. Programme 5 contributes to Outcome 1

Within the seven priorities of government identified, the Department plays a major role in Priority 6: Social Cohesion and Safe Communities. The Department included outcomes and indicators in its Strategic Plan and in this Annual Performance Plan that are fully aligned with government's Programme of Action and the Medium-Term Strategic Framework (MTSF). In addition, the plan includes initiatives to develop electronic systems to digitise and automate justice processes. During the 2021/22 Medium-Term Expenditure (MTEF) cycle, court administration processes, including the Child and Spousal Maintenance applications and Domestic Violence applications which include Protection Orders, will be automated to enable such services to be provided online.

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

a. Administration

b. Court Administration

c. State Legal Services

d. National Prosecuting Authority

e. Auxiliary and Associated Services

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

PART A: OUR MANDATE

1. UPDATES TO THE RELEVANT LEGISLATIVE AND POLICY MANDATES

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

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

Section 9: "Equality"

Section 12: "Freedom and Security of the person"

Section 14: "Privacy"

Section 28: "Children"

Section 32: "Access to Information"

Section 33: "Just Administrative Action"

Section 34: "Access to Courts"

Section 35: "Arrested, detained and accused persons"

2. LEGISLATIVE MANDATES

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

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

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

(b) Magistrates' Courts Act, 1944 (Act No. 32 of 1944)

(c) Small Claims Courts Act, 1984 (Act No. 61 of 1984).

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

(a) Judges' Remuneration and Conditions of Employment Act, 2001 (Act No. 47 of 2001)

(b) Judicial Service Commission Act of 1994 (Act No. 9 of 1994)

(c) South African Judicial Education Institute (SAJEI) Act, 2008 (Act No. 14 of 2008)

(d) Magistrates Act, 1993 (Act No. 90 of 1993)

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

(a) National Prosecuting Authority Act, 1998 (Act No. 32 of 1998)

(b) Criminal Procedure Act, 1977 (Act No. 51 of 1977)

(c) Prevention of Organised Crime Act, 1998 (Act No. 121 of 1998)

(d) Special Investigation Units and Special Tribunals Act, 1996 (Act No. 74 of 1996)

(e) Witness Protection Act, 1998 (Act No. 112 of 1998)

(f) Implementation of the Rome Statute of the International Criminal Court Act, 2002 (Act No. 27 of 2002)

(g) Protection of Constitutional Democracy against Terrorist and Related Activities Act, 2004 (Act No.33 of 2004)

(h) Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004)

(i) Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007) (Sexual Offences Act)

(j) Child Justice Act, 2008 (Act No. 75 of 2008)

(k) Prevention and Combating of Trafficking in Persons Act, 2013 (Act No. 7 of 2013)

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

(a) Legal Aid South Africa Act, 2014 (Act No. 39 of 2014);

(b) South African Law Reform Commission Act, 1973 (Act No. 19 of 1973); and

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

2.5 Legislation providing for the administration of estates:

(a) Insolvency Act, 1936 (Act No. 24 of 1936)

(b) Administration of Estates Act, 1985 (Act No. 107 of 1985)

(c) Trust Property Control Act, 1988 (Act No. 57 of 1988)

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

(a) State Attorney Act, 1957 (Act 56 of 1957)

(b) State Attorney Amendment Act, 2014 (Act No. 13 of 2014)

(c) State Liability Act, 1957 (Act No.20 of 1957)

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

(a) Promotion of Administrative Justice Act, 2000 (Act No. 3 of 2000)

(b) Promotion of Access to Information Act, 2000 (Act No. 2 of 2000)

(c) Promotion of Equality and Prevention of Unfair Discrimination Act, 2000 (Act No. 52 of 2000)

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

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

2.9 Legislation which protect personal information:

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

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

(a) Legal Practice Act, 2014 (Act No. 28 of 2014)

(b) Sheriffs Act, 1986 (Act No. 90 of 1986)

(c) Debt Collectors Act, 1998 (Act No. 114 of 1998)

3. UPDATES TO INSTITUTIONAL POLICIES AND STRATEGIES

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

3.1 List of policies:

(a) Policy on Community Courts

(b) Policy on Judicial Governance and Court Administration

(c) Court Interpretation Foreign Language Policy

(d) Guidelines on the appointment of acting Judges in the Republic of South Africa

(e) Guidelines on the conferral of Senior Counsel status

(f) Policy recommendations to reform the Criminal Justice system and the Criminal Procedure Act

(g) Policy to reform the Civil Justice system

(h) Policy on Insolvency

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

(a) Commissions of Inquiry Bill

(b) Criminal Procedure Bill

(c) Land Court Bill

(d) Lower Courts Bill

(e) Magistrates' Court Bill

(f) Insolvency Bill

(g) Community Advice Offices and Paralegals Bill

(h) Domestic Violence Amendment Bill

(i) Criminal Law (Sexual Offences and Related Matters) Amendment Act

(J) The Sheriffs Bill

(k) The Small Claims Court Bill

(l) The Administration of Estates Bill

(m) Regulation of Trusts Bill

(n) Regulation of Interception and Communications Amendment Bill

4. UPDATES TO RELEVANT COURT RULINGS

4.1 Ramuhovhi and Others v President of the Republic of South Africa and Others 2017 ZACC 42

Section 7(1) of the Recognition of Customary Marriages Act, 1998 (Act No.120 of 1998), was declared unconstitutional and suspended for 24 months to afford Parliament an opportunity to correct the defect giving rise to the constitutional invalidity. Section 7(1) of the Customary Marriages Act provides that proprietary consequences of customary marriages entered into before the commencement of this Act continue to be governed by customary law.

4.2 Levenstein and Others v Estate of the Late Sidney Lewis Frankel and Others 2018 ZACC 16

Section 18 of the Criminal Procedure Act, 1977 (Act No. 51 of 1977) (the CPA), was declared unconstitutional and suspended for 24 months to afford Parliament an opportunity to enact remedial legislation. Section 18 of the CPA provides that the right to institute a prosecution for all sexual offences other than rape or compelled rape is limited to a period of 20 years from the time when the offence was committed.

4.3 My Vote Counts NPC v Minister of Justice and Correctional Services and Another 2018 ZACC 17

The Promotion of Access to Information Act, 2000 (Act No. 2 of 2000) (PAIA), was declared invalid and unconstitutional to the extent of its inconsistency with the Constitution for failing to provide for the recordal, preservation and reasonable disclosure of information on private funding of political parties and independent candidates. Parliament must amend PAIA and take any other measure it deems appropriate to provide for the recordal, preservation and facilitation of reasonable access to information on private funding of political parties and independent candidates within a period of 18 months.

The court declared that information on the private funding of political parties and independent candidates is essential for the effective exercise of the right to make political choices and to participate in the elections. The court declared further that information on private funding of political parties and independent candidates must be recorded, preserved and made reasonably accessible.

4.4 Moosa and Others v Minister of Justice and Correctional Services and Others 2018 ZACC 19

Section 2C (1) of the Wills Act, 1953 (Act No. 7 of 1953) (the Wills Act), was declared unconstitutional and is to be read as including the following underlined words:

> "If any descendants of a testator, excluding a minor or a mentally ill descendant, who, together with the surviving spouse of the testator, is entitled to a benefit in terms of a will, renounces his right to receive such benefit, such benefit shall vest in the surviving spouse. <u>For the purposes of this sub-section, a 'surviving spouse' includes every husband and wife of a monogamous and polygamous Muslim marriage solemnised under the religion of Islam</u>."

The declaration of invalidity operates retrospectively with effect from 27 April 1994 except that it does not invalidate any transfer of ownership that was finalised prior to the date of this order of any property pursuant to the application of section 2C(1) of the Wills Act, unless it is established that, when the transfer was effected, the transferee was on notice that the property in question was subject to a legal challenge on the grounds upon which the applicant brought the present application.

4.5 Minister of Justice and Correctional Services and Another v South African Restructuring and Insolvency Practitioners Association and Others 2018 ZACC 20

The court found that the policy in respect of the appointment of provisional trustees, in terms of the Insolvency Act, 1936 (Act No. 24 of 1936), is not reasonably capable of achieving equality due to the paucity of information regarding its implementation and that the insolvency industry will not be transformed by this initiative. The Master is to relook the policy to address the gaps highlighted in the judgment.

4.6 Corruption Watch NPC and Others v President of the Republic of South Africa and Others 2018 ZACC 23

Section 12(4) and 12(6) of the National Prosecuting Authority Act, 1998 (Act No. 32 of 1998) (the NPA Act), was declared unconstitutional and suspended for 18 months to afford Parliament an opportunity to correct the constitutional defect.

Section 12(4) of the NPA Act deals with the extension of the term of office of an NDPP who is otherwise liable to retire on grounds of age, and section 12(6) provides for the indefinite suspension of an NDPP by the President without pay or with such pay as the President may determine.

4.7 Minister of Justice and Constitutional Development and Others v Prince; National Director of Public Prosecutions and Others v Rubin; National Director of Public Prosecutions and Others v Acton and Others 2018 ZACC 30

Sections 4(b) and 5(b) of the Drugs and Drug Trafficking Act, 1992 (Act No. 140 of 1992), were declared unconstitutional to the extent that they criminalise the use or possession in private or cultivation in a private place of cannabis by an adult for his or her own personal consumption in private and was suspended for a period of 24 months from the date of the handing down of this judgment to enable Parliament to rectify the constitutional defects.

4.8 Bukelwa Nolizwe Holomisa v Sango Patekile Holomisa and Another 2018 ZACC 40

Section 7(3) of the Divorce Act, 1979 (Act No. 70 of 1979) (the Divorce Act), was declared unconstitutional to the extent that it excludes a spouse married out of community of property who has not entered into an antenuptial contract or an express declaration in terms of section 39(2) of the now repealed section 39 of the Transkei Marriage Act, 1978 (Act No. 21 of 1978) (Transkei Marriage Act), from its ambit. It was suspended for 24 months to allow Parliament to remedy this defect.

The case concerns the discriminatory oddity that women married out of community of property under the Transkei Marriage Act do not enjoy the protection, on divorce, of section 7(3) of the Divorce Act which

empowers a court granting a decree of divorce in respect of a marriage out of community of property to order a redistribution of assets where it considers it just and equitable to do so, taking into consideration the contribution, monetary and otherwise, of the parties to the marriage.

4.9 Centre for Child Law and Others v Media 24 Limited and Others 2019 ZACC 46

This case was about the publication of the names of child witnesses, victims and accused persons. Section 154(3) of the Criminal Procedure Act was declared constitutionally invalid to the extent that the protection that children receive in so far as the publication of their names does not extend beyond their reaching the age of 18 years.

The declaration of constitutional invalidity was suspended for 24 months to afford Parliament an opportunity to correct the defect. The court provided a reading-in to remedy the defect in the interim, which will apply until the defect is remedied.

4.10 Economic Freedom Fighters and Another v Minister of Justice and Correctional Services and Another 2020 ZACC 25

Section 18(2)(b) of the Riotous Assemblies Act, 1956 (Act No. 17 of 1956), was declared inconsistent with section 16(1) (right to freedom of expression) of the Constitution and invalid to the extent that it criminalises the incitement of another to commit “any offence”. This case is about the criminal offence of incitement to commit a crime. The wording of this section was found to be overbroad in that it limits the right to freedom of expression. The operation of section 18(2)(b) was suspended for a period of 24 months to enable Parliament to rectify the defect. During this period, the court provided for a reading-in to cater for the offence of incitement in respect of serious crimes.

4.11 Smit v Minister of Justice and Correctional Services and Others 2020 ZACC 29

This court made a declaration of constitutional invalidity in respect of two different pieces of legislation. Section 63 of the Drugs and Drug Trafficking Act, 1992 (Act No. 140 of 1992), was declared to be inconsistent with the Constitution and invalid to the extent that it purports to delegate plenary legislative power to amend Schedules 1 and 2 to the Drugs and Drug Trafficking Act, 1992 (Act No. 140 of 1992) to the Minister of Justice and Correctional Services. Section 5(1)(a) of the Extradition Act, 1962 (Act No. 67 of 1962) is declared to be inconsistent with the Constitution and invalid. The order of invalidity in respect of the Schedules was suspended for a period of 24 months to enable Parliament to remedy the defect, and the order in respect of extradition came into effect immediately. Extradition orders are now issued only in terms of section 5(1)(b).

4.12 AmaBhungane Centre for Investigative Journalism NPC and Another v Minister of Justice and Correctional Services and Others; Minister of Police v AmaBhungane Centre for Investigative Journalism NPC and Others 2021 ZACC 3

The Constitutional Court, in respect of the regulation of interception of communications, declared the Regulation of Interception of Communications and Provision of Communication-related Information Act,

2002 (Act No. 70 of 2002) (RICA), unconstitutional in so far as it fails to provide for safeguards to ensure that a Judge designated in terms of section 1 is sufficiently independent; provide for notifying the subject of surveillance of the fact of her or his surveillance as soon as notification can be given without jeopardising the purpose of surveillance after surveillance has been terminated; adequately provide safeguards to address the fact that interception directions are sought and obtained ex parte; adequately prescribe procedures to ensure that data obtained pursuant to the interception of communications is managed lawfully and not used or interfered with unlawfully, including prescribing procedures to be followed for examining, copying, sharing, sorting through, using, storing or destroying the data; and provide adequate safeguards where the subject of surveillance is a practising lawyer or journalist.

The declaration of unconstitutionality in paragraph 6 takes effect from the date of this judgment and is suspended for 36 months to afford Parliament an opportunity to cure the defect causing the invalidity.

PART B: OUR STRATEGIC FOCUS

5. SITUATIONAL ANALYSIS

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

Constitutionalism, respect for Human Rights and the rule of law:

It is more than a quarter of the Century since South Africa became a non-racial, non-sexist, united and democratic state. Our Constitutional democracy underpinned by a progressive world class Constitution remains resilient, robust and evolving. Our Constitution, regardless of the challenges that the Nation has experienced over the past years has served our people well. The commitment to build and deepen Constitutionalism, respect for Human Rights and Rule of law continues. The year 2021 presents a significant landmark in the creation of the constitutional democracy in South Africa. It marks various important milestones in our nascent democracy, including the commemoration of the 25th anniversary of the signing of the constitution into law. The commemoration of the 25th anniversary of the Constitution will extend beyond the year 2021 into 2022, as the Constitution's legal entry into force will be marked on the 4th of February 2022. The celebration of this historic marker provides an opportunity not only for celebration, but also for reflection. In the words of Chief Justice Sandile Ngcobo, the primary goal that we have set for ourselves in the Constitution is to establish a society based on democratic values, social justice and fundamental human rights.

The Department of Justice Constitutional Development, as custodian of constitutionalism in the country, in collaboration with key identified stakeholders, is embarking on leading and coordinating a focused national dialogue with the aim of reviewing and assessing the impact of 25 years of constitutional democracy in South Africa. This process aims to engage all of South Africa in a conversation about whether the intention of the Constitution to build a nation based on constitutionalism and human rights is being realised. The importance of engaging all sectors of society in this national conversation cannot be overemphasized due to the racial and social divisions, and resultant political and ideological divides that persist in the new constitutional era. [1]

In broad outline, the project to review implementation of the Constitution will be research and policy focused. It will culminate in a symposium to mark the celebration of 25 Years of the Constitution. This will be an opportunity for national and continental (and international) constitutional and human rights scholars to present their research focused on the implementation of the South African Constitution over the past 25 years. Over the next 18 months, the programmes leading up to this final conference which will be geared towards the development of research and policy on constitutionalism, human rights and the rule of law. This research will be generated internally within constitutional development, as well by researchers, universities,

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

students and South African citizens. The collected research will be published as a compendium to celebrate 25 years of the Constitution. This research will be utilised to guide policy making within government. In the next five years efforts will be made to increase and deepen the Constitutional and human rights awareness of the citizenry.

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

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

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

The Department will continue with the implementation of the National Action Plan to combat Racism, Racial Discrimination, Xenophobia and Related Intolerance in order to advance constitutionalism, human rights and the rule of law. The Department will also continue with constitutional awareness and human rights education programmes to protect the rights of Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) persons. Furthermore, the Department will develop an intersectoral integrated system on Trafficking in Persons (TIP), which will be used to provide intersectoral data on the prevalence of TIP, as required by the UNODC, SADC and other international organizations.

Over the MTEF period, the Department will focus on addressing the scourge of Gender-Based Violence and Femicide (GBVF) and against women and children. Dedicated courts to deal with gender-based violence related matters will be designated in terms of Sexual Offences Courts Regulations developed in terms of Section 55A of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No.32 of 2007). Legal and policy framework will be enhanced and tightened by amending the

provisions regulating the National Register for Sex Offenders (the NRSO) in the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007) (“the principal Act”).

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

The transformation of state legal services to improve effectiveness and efficiency has been prioritized through the implementation of the State Attorney Amendment Act, 2014 (Act No. 13 of 2014). The focus will be on the permanent appointment of the Solicitor-General who will oversee state litigation; the finalisation of policies that will lower the costs of litigation; capacity-building to handle complex legal matters; as well as establishing well-run State Attorney’s offices. There are 13 Offices of state attorney reporting to the Solicitor-General, who is the executive officer over these offices. There is an average of 320 000 caseloads managed by 201 attorneys, 17 deputy state attorneys and 8 Heads of Offices. The vacancies currently stand at approximately 43 Attorneys, 13 deputies and 5 heads of state attorney. The number of attorneys measured against the number of files brings the ratio of files per attorney to 1477. The average ratio to attorney is extremely high and this contributes to the unintended professional negligence in the account of the attorneys. To make matters worse, the department has abolished/suppressed some of the attorneys and administrative positions.

As it stands, the state attorney offers services only to National and Provincial departments excluding Municipalities and SOEs even though they are funded by the state. This situation contributes to the lack of knowledge on the value of contingent liability for the entire state and the management thereof. The municipalities and SOEs manage their own legal services without procuring through the state attorney offices. There is no policy in place that regulate the management of state legal services therefore, the management of state legal services is full of interference by client departments on the operations of the state attorney and the procurement of legal services without engaging the offices of the State Attorney. The other challenging aspect is the unclear role of legal services units of the client departments and therefore this leads to ambiguous instructions to the offices of state attorneys.

For several years, the State Attorney offices procured legal services outside the guidelines provided for by the PPPFA and as a result expenses incurred were declared irregular by the office of the Auditor-General. In order to remedy the above-mentioned situation, the branch applied for an exemption from the PFMA and the PPPFA, however, exemption was only granted for PPPFA and not for PFMA. The exemption was granted on the condition that the procurement of legal services should follow the 3 quotations bidding

process. The exemption is only granted up to the 31 March 2021. Even though the exemption was granted, it is very difficult for the State Attorney offices to procure using the 3 quotations.

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

Masters' offices successfully rolled out the Paperless Estates Administration System (PEAS). This is being used by all 15 Masters' offices countrywide, as well as 280 magistrates' offices linked with the relevant Masters' offices. Further rollout of the PEAS and MOVIT to 15 service points will ensure that citizens receive the same quality of Masters' services within Magistrates' Courts. This is, however, dependant on the availability of funds and must take into account the need to curb the spread of Covid-19

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

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

The Department is committed to providing facilities (offices/courts/service points) that allow access to persons with disabilities as required by building regulations. In 2010, a special project to make the facilities of DoJ&CD accessible to people with disabilities identified 531 courts to be upgraded**.** The project was done in two phases and it was intended to achieve the following: (i) at least one disability parking; (ii) access to the building for the disabled (ramps); (iii) at least one courtroom and toilet on the ground floor; (iv) lifts with voice activation; and (v) Braille and accessible counters. Currently, 69 courts remain to be upgraded and these will be completed in the next five years. The Department made it mandatory that all projects (new, additions and refurbishment) include the specifications for access for persons with disabilities.

As the Department moves ahead with plans for improving citizens' experience of justice services, it will be necessary to elevate public education of these services. This will involve the development and implementation of an integrated education campaign that will profile justice services across Masters, Criminal and Family Law matters. A variety of multi-media communication activities is envisaged to empower citizens with information that affects their lives. Equally important, as the custodian of the Constitution of the Republic of South Africa, it is vital that constitutional rights awareness and encouraging discourse on constitutionalism is strengthened as the nation celebrates the 25th anniversary of the Constitution.

The transformation of the criminal justice system is aimed at forging and enhancing integration and synergy across the Justice Crime Prevention and Security (JCPS) cluster to boost the fight against crime. Cabinet approved the Integrated Criminal Justice Strategy (ICJS) in March 2017. This strategy includes modernisation and digitalisation of the criminal justice system with the objective to electronically enable and integrate the end-to-end criminal justice business processes and manage the related inter-departmental information exchanges across the CJS. These interventions will bring reform and improve efficiency within the criminal justice system.

Through the ICJS, comprehensive assessment of the 7 Point Plan and review of outdated legislation which inhibits the effective functioning of the system will be undertaken. This includes overhauling the Criminal Procedure Act of 1977 (Act No. 51 of 1977).

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

The Department has for the past four (4) years seen a gradual decline in overall organizational performance; i.e. 51% in 2019/20 as compared to 85% in 2015/16. As a way of addressing this deterioration and in order to improve performance, the Department, amongst others, plans to finalise the reconfiguration of the macro structure, to fill critical vacant posts, and to train employees.

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Social Compact

The Constitution provides both the foundation and framework for the transformation of the State and society broadly. The transformation of the judicial system is a constitutional imperative which is entrusted upon the Executive as a Branch of the State that is assigned the responsibility of developing and implementing national policy and initiating legislation, amongst others. The constitutional mandate and obligation to transform the judicial system also derives from section 180 of the Constitution which provides that national legislation may provide for any matter concerning the the administration of justice that is not dealt with in the Constitution. The MTSF (2019-2024) proposes a social compact and engagement between the three Branches of Government with the fundamental outcome of “improved leadership, governance and accountability”. The Department envisages that the finalization of a social compact will strengthens the vision that a developmental state must be embedded in society, building constructive relations, collaboration with sectors of society and empower citizens to be active agents of change in communities. Thus the envisaged social compact between the three Branches of State is intended to foster and strengthen the constitutional relationship between the respective Branches and provide a platform for a constructive interface where matters of mutual interest can be ventilated. Such a process will provide a structured interface to address the policy reforms pertaining to the judiciary.

Interim Uniform Guidelines for the criteria and procedures on the conferral of senior counsel honours to eligible Advocates

For the first time in our nascent democracy, the Minister of Justice and Correctional will be promoting with the President a set of Interim Uniform Guidelines for the Criteria and Procedures on the Conferral of Senior Counsel Honours to Eligible Advocates. The need for interim uniform arises from the urgent need to transform the senior counsel race and gender demographics. Presently the legal profession is dominated by white males at 67%. African females are the most under represented at 1,9%. The interim guideline recognizes the importance of a diverse leadership in the legal profession and that considerations of race and gender will be taken into account in the selection of candidates for recommendation as senior counsels. The guidelines also provide uniform criteria and procedures which all advocates will be required to comply with when applying for senior counsel honours. A more comprehensive process will commence during the period 2021-2022, wherein the entire system of granting will senior counsel honours and its impact on access to justice, will be embarked upon.

Increasing Case Backlogs:

The courts, both the district and regional courts, are experiencing an insurmountable increase in case backlogs which has been exacerbated by the COVID 19 outbreak and the national lockdown which is necessary to contain its spread.

Unless the Department takes radical measures to eliminate the backlogs, the courts are likely to come under a more simmering heavy caseload that may take several years to eradicate. It is for this reason that the Court Directions published under Alert Levels 2 and 3 provides for measures that are necessary to eliminate case backlogs. These measures are:

(i) A priority roll of criminal cases must be compiled in respect of each court under the direction of the presiding officer of such court and in consultation with the National Prosecuting Authority and Legal Aid South Africa. roll in respect of each court.

(iii) A local case management committee must monitor the effective implementation of measures that are geared to reduce case backlogs.

(ii) A case management structure established for each court must meet at least once a week under the direction of the judicial head of the court concerned for purposes of preparing, updating, reviewing or monitoring the priority

As part of implementing the above measures, the Department has established a Court Optimisation Committee which is chaired by the Deputy Minister of Justice and Constitutional Development. The Committee meets monthly to identify and address blockages in the criminal justice system leading to increased numbers of criminal case backlogs and develop solutions to allow for the effective and optimal operation of the courts. The Committee is constituted by key stakeholders in the criminal justice system including Regional Court Presidents and Chief Magistrates

In order to intensely address the Case Backlogs in courts, which was exacerbated by the Covid 19 Pandemic and the accompanying levels of lockdowns, the Department will therefore, in this coming financial year, develop a Framework for the Reduction of Case Backlogs, in order to identify blockages with stakeholders, so that these blockages can be dealt with. It is important to emphasise the role of and consultation with the Judiciary in the process in view of their Case flow Management responsibilities.

The Department is continuously engaging with the Judiciary, including the Regional Court Presidents and the Chief Magistrates, guided by the Deputy Minister of Justice and Constitutional Development. The Department is furthermore consulting with the other stakeholders in the Criminal Justice System, to ensure continuous engagement and support.

The Branch: Court Services in the Department will therefore now co-ordinate the drafting, development, finalisation, consultation and submission for adoption as well as coordinate the necessary resources to implement a Framework for the Reduction of Case Backlogs as well as the reduction of postponement of cases in line with the adopted framework.

Specialised commercial crime couts (SCCC)

The Department will continue to play a crucial role in the fight against corruption, particularly, through its implementation of the anti-corruption strategy. Part of the Department's responsibility in combatting corruption, is ensuring the effective and optimal functioning of the Specialised Commercial Crime Courts (SCCCs) which the current MTSF envisages as being extended to every province in the country which does not yet have an SCCC.

Much success has been derived from the existing SCCC model which allows for a close integration of the work between prosecutors and investigators and dedicated courts which can, once matters are enrolled, process matters speedily and effectively instead of matters having to await space on the open court roll.

Whilst it was initially envisaged that these courts would be set up in 3 years, the Department was able to expedite this by establishing 6 courts in the 2020/2021 financial year. In the following 2021/2022 and 2022/2023 financial years, the Department will be ensuring that the capacity and efficacy of the SCCCs is enhanced and optimised.

Description of the strategic plan process: The strategic planning process involved a critical evaluation of the Department's operating environment, which includes the internal, external, and macro environment which influences the way the Department executes its mandate. In preparation for the Five-Year Strategic Plan, each Branch was engaged to reflect on its strategic direction and to ensure that they are in line with the revised planning framework. Subsequent to that, the Department held its first strategic planning session from 19-21 October 2020 and its second strategic planning session from 13 to 15 March 2021. The purpose of these sessions was to allow senior management of the Department an opportunity to have strategic discussions that will inform the revision of the Annual Performance Plan (APP) and Strategic Plan. At the end of the session, management set priorities and strategies in line with the changes happening in the space where the Department operates.

During the planning session, a PESTEL and SWOT analysis exercise was conducted to diagnose the Department's operational environment and to inform its strategic direction for the next five years. The tools assisted participants in identifying problems confronting the Department and to propose solutions that will ensure that the Department realises its mandate. During the session, the current Vision, Mission, Values and Impact, Outcomes (and 5 Year Targets), and Outputs and its accompanying targets were also reviewed and confirmed. The Department has identified nine (9) outcomes with the aim to improve public perception, confidence in the justice system and respect for the rule of law. For the Department to meet their objectives, the Theory of Change approach was followed to determine how the Department will meet its long-term goals by mapping the Outcomes, developing Outcome measures, identifying Interventions and Assumptions as well as Outputs.

Department contribution to the National Development Plan and Medium-term Strategic Framework (MTSF):

The NDP sets out a long-term vision that South Africans should feel safe at home, at school and at work and enjoy a community life free of fear by 2030. This vision could be achieved through a well-functioning criminal justice system in which the police, prosecution, judiciary and correctional services work together to ensure that suspects are caught, prosecuted, convicted if guilty and incarcerated. This is one of the 7 priorities that underpin Government's Programme of Action and is directly attributed to the JCPS Cluster. The MTSF is a tool used to implement the NDP as it outlines the activities departments should take over the five-year term the 2024/25 financial year. The table shows how the Department contributes to the NDP outcomes and various Priorities as outlined in the MTSF.

Table below shows how the Department contributes to the NDP outcomes and various Priorities as outlined on the MTSF.

Priority	Outcomes	Department contribution	Target
Priority 1: A Capable, Ethical and Developmental State	Outcome 12 – Building a capable State	Social Compact between the Executive, Judiciary and the Legislative tiers of government	A Social Compact developed by 2021 and implemented by 2024
		Percentage resolution of reported incidents of corruption in government	95% resolution of reported incidents of corruption in government by 2024
		Percentage of fruitless and wasteful expenditure in the Department eliminated	100% elimination of wasteful and fruitless expenditure in the public sector institutions incrementally from baseline of 2019 by 2024
		Percentage of irregular expenditure in the Department reduced	75% reduction of irregular expenditure in public sector institutions from incrementally from baseline of 2019 by 2024
Priority 6: Social Cohesion and safer communities	Chapter 15: Nation Building and Social Cohesion	Hate Speech and Hate Crimes Bill enacted	Hate Speech and Hate Crimes Bill enacted by 2020
		Number of sustained and visible anti-xenophobia campaigns conducted with departments and role players	30 sustained and visible campaigns by 2024
		Effective governance structure to lead and co-ordinate the overall implementation of the NAP	Governance structure established by 2021

Priority	Outcomes	Department contribution	Target
		Funding model for the implementation of the NAP	Funding model developed by 2022
		Rapid response mechanism to respond to incidents of racism and xenophobic offences/hate	Rapid response mechanism institutionalised by 2022
		Data collection of disaggregated statistical data for measurements of racism, racial, discrimination, xenophobia and related intolerance	Virtual data repository on disaggregated statistical data by 2024
Priority 6 Social Cohesion and safer communities	Chapter 12: Building safer communities and 14: Fighting against corruption	R12 billion: value of freezing orders obtained for corruption or offences relating to corruption	R2.4 billion annually (R12 billion over 5 years)
		R7 billion: value of recoveries orders relating to corruption or related offences obtained for corruption or offences relating to corruption	R1.4 billion annually (R7 billion over 5 years)
		Percentage conviction rate for cable theft	74% conviction rate of persons arrested for cable theft
		Specialised Commercial Crime Courts (SCCCs) established in 5 provinces (LMP, NW, MP, ECD, FS)	5 SCCCs phased in over the MTSF period. (at least 1 SCCC, annually 5 SCCCs over 5 years)
		Criminal Procedure Amendment Bill tabled in Parliament in 2022	Criminal Procedure Amendment Bill tabled in Parliament in 2022
		Number of Government Departments and Entities connected to transversal platform and exchanging information electronically	11
		Percentage of disability-related complaints and investigation where reasonable accommodation measures were provided	At least 40% compliance by 2024

Crime statistics: According to the SAPS's 2019/20 statistics, the overall crime level was down when compared to statistics reported in prior year. The number of incidents of contact crime were 621 282 (0.7%) up as compared to 617 210 incidents reported in 2019. The number of incidences of other serious crime reported in 2020 were 426 589, (4%) lower than the incidents reported in 2019. During the same period,

property related crime was 469224, (5.2%) less than the incidents reported in 2019, and contact related crime was reported at 112 244, (4.2%) lower than the incidents reported in 2019.

Crime committed against women has been increasing over the years. In the 2020 financial year, there were 53 293 sexual offences cases reported against 52 420 sexual offences matters recorded in the 2019 financial year. Although the numbers of reported crimes increased marginally, the numbers dealt with in court are still very high and will require a responsive criminal justice system. Consistent failure to speedily and successfully prosecute criminals might cast doubt on the effectiveness of the criminal justice system which may negatively affect people's confidence in the justice system. The Department will continue to establish dedicated sexual offence courts to deal with the scourge of gender-based violence and child abuse.

Demographics: The South African population is continuously growing. The 2020 mid-year population estimate[2] indicates that South Africa's population is estimated to have increased to 59.62 million. The mid-year estimate indicates that the population is estimated to have grown by 1.5%, compared to 58.73 million reported in the 2019 mid-year population estimate.

The 2020 mid-year population estimate further indicated that for the period 2016–2021, Gauteng and the Western Cape were estimated to have experienced the largest inflow of migrants: approximately 1 643 590 and 493 621, respectively. The inflow of migrants in Gauteng and the Western Cape is estimated to grow by 49% and 43%, respectively, as compared with immigration inflow estimated in the 2019 mid-year population estimate. During the same period, it was reported that the number of international migrants entering the provinces was highest in Gauteng, with the Western Cape ranking second. When expanding services that the Department provides, these immigration patterns need to be considered.

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

Impact of Covid-19 on the operations of the Department: The Covid-19 pandemic continues to negatively impact on service delivery as a result of intermittent office closures and high absenteeism due to Covid-19 positive cases, as well as other officials working remotely due to comorbidities and other factors. The majority of the closures of service points took place during the beginning of Quarter 2. The performance outlook may be poor

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

since closures are congruent to the prevalence of infections. Criminal and other matters have fallen into the "backlog" category and as such lead to public dissatisfaction due to delays in finalising matters.

The Department, since Alert level 4, has been hard at work implementing its Risk Adjusted Plan (RAP) to ensure that potential risks of exposure to the pandemic are minimized, if not eliminated under each Alert Level. The RAP is premised on 7 pillars which include strategies to modernize business processes to reduce face-to-face contact between members of the public, and governance structures to manage Covid-19 related matters and to ensure that Covid-19 Awareness Programmes are in place to ensure strict adherence to regulations.

During the various Alert levels, the Department continued to apply different hierarchies of control which included:

- Elimination of worker exposure: by permitting vulnerable and eligible (with tools of trade) staff to work from home;
- Engineering/Isolation controls: Partitioning and installing of screens especially in the frontline;
- Administration controls which included encouraging paperless processes and provision of Personal Protective Equipment to all staff members; and
- Risk mitigation through communication: employees of the Department were constantly provided with Covid-19 information as a strategy to promote compliance to prevention and infection control measures.

5.1 External Environment Analysis

Public confidence: According to the 2018/19 Victim of Crime Survey[3], the percentage of victims of sexual offences who reported at least one incident is 88%. This is a significant increase from 73% reported in 2017/18. According to the report, incidences of deliberate damage to residential property, arson, theft of personal property and street robbery increased in 2018/19 compared to incidents reported 2017/18. The Western Cape had the highest (1.9%) percentage of persons who were victims of street robbery compared to other provinces. There were about 70 00 incidences of deliberate damage to residential property and arson in 2018/19.

Over the next two financial years, the Department must review the Criminal Procedure Act (Act No. 51 of 1977), in order to address gaps identified in the Act such as issues relating to bail and the adoption of a victim-centric approach. To enhance confidence in the justice system, the Department will develop initiatives that will provide information to victims.

Corruption Perception Index: The Corruption Perception Index measures the perception levels of public sector corruption in 180 countries and territories around the world. According to the 2019 Corrupt Perceptions Index Report[4] published in January 2020 by Transparency International, South Africa scored 44 out of 100 and ranked 70 out of 180 participating countries. The Perception Index Report published in

[3] *P0341 – Stats SA Victim of Crime Survey, 2018*

[4] *www.transparency.org*

2019 indicated that South Africa ranking improved from 73 to 70 out of 180 participating countries. This improved insignificantly to a ranking of 69 for 2020 out of 180 participating countries. The Department of Justice and Constitutional Development will continue establishing specialised courts that will deal with corruption and complex economic crime cases in order to restore the public and investor confidence in South Africa's justice system.

Economic growth: Gross Domestic Product (GDP) fell by over 16% between the first and second quarter of 2020, giving an annualized growth rate of -5.1%. The significant contraction in the economy was recorded in the second quarter when the country implemented lockdown restrictions in response to Covid-19. The GDP is forecasted to decrease by 7.8% in 2020, revised down from 7.2% projected in the 2020 special adjustments budget. The weak economic growth resulted in a high unemployment rate and revenue collection shortfall. During the 2020 Medium-term budget policy statement speech, the Minister of Finance adjusted downward the tax revenue target by R8.7 billion compared to the projection made during the special adjustment budget. Gross tax revenue is expected to be 17.9% lower than the collections in 2019/20 or R312.8 below the 2020 budget forecast. The tax collection to GDP ratio is expected to decline substantially from 26.3% to 22.9%.

Revenue shortfalls have affected the budget allocation of government departments, and this may have negatively impacted on service delivery. The Department should find a way to do more with less to provide its services within the constrained financial environment. The Department must build capacity through training and re-skill of personnel in order to meet service delivery demands and the unchanged mandate. The Department will finalise the reconfiguration of its structure in the 2021/22 financial year and implement it in subsequent years in order to address service delivery needs.

Unemployment: According to Stats SA, the unemployment rate decreased from 34.1% recorded in the second quarter of 2020 to 30.8% in the third quarter of 2020. The number of unemployed persons increased by 2.2 million in Quarter three (Q3) of 2000 following a decrease of 2.8 million in the previous quarter. The rise in unemployment was exacerbated by the lockdown which shut down large parts of the economy. National Treasury forecasts that the impact of Covid-19, and resulting lockdown period, could lead to job losses of between 690,000 and 1.79 million.

If the high unemployment rate increases, the risk of people committing crimes for survival is high. To deal with this problem, the Department will need to act against crime by ensuring that all cases are dealt with and finalised speedily. The persistent high unemployment rate might lead to more people defaulting maintenance payments. The Department has developed an Online Tracing System to track and trace maintenance defaulters to ensure that they attend court for purposes of the maintenance enquiry. The system will also assist in tracking and tracing the assets of the defaulters as well as determining the defaulter's financial position. With this system the Department will close the gap between the formal and informal economy which had in the past resulted in maintenance applications being prolonged.

Poverty and inequality: Poverty[5] in South Africa remains high for an upper middle-income country, with 55% of its population being poor (living on less than R992 per person per month in 2015 prices). Although poverty declined from 66.6% recorded in 2006 to 53.2% in 2011, inequality has worsened. According to the 2015 Study[6] by the World Bank in close collaboration with the National Planning Commission Secretariat at the Department of Planning, Monitoring and Evaluation and Statistics, South Africa's Gini co-efficient stood at 0.68%. The study revealed that labour market incomes are the largest contributor to inequality in South Africa, contributing more than 90% of the overall Gini co-efficient between 2006 and 2015.

Poverty levels are consistently highest among female-headed households, black South Africans, and children below the age of 15 mainly from rural areas, and those with little or no education.

Without effective strategies to reduce poverty and inequality, increased criminal activity remains a risk that stands to put more pressure on the over-stretched capacity at court level. The Department will prioritise the Exempted Micro Enterprises (EMEs) and Qualifying Small Enterprises (QSEs) when awarding bids.

Death and Mortality rate: Life expectancy at birth is continuing to rise. The 2020 mid-year population estimate indicated life expectancy at birth at 62.5 years for males and 68.5 years for females as compared to the estimated life expectancy of 61.1 years for males and 67.3 years[7] for females reported in the 2019 mid-year population estimate. The 2020 mid-year population estimate shows an improvement in life expectancy at birth. The infant mortality rate for 2020 is estimated at 23.6 per 1000 live births.

Economic crimes: According to the 2018 Global Economic and Fraud Survey conducted by Price Waterhouse and Coopers (PWC), 77% of South African organisations have experienced economic crime. Over the past years, economic crime has affected the country's business confidence index. It declined from 44% reported in January 2018 to 21% in August 2019. The current business index is at its lowest level since June 1999 due to poor economic growth. The Department, together with the JCPS cluster, should strengthen their efforts to fight economic crimes. In addressing the problem, the Department should establish specialised commercial crimes courts in provinces where they don't exist.

Technology: According to the Digital Report published in January 2020, South Africa's internet users increased from 35.44 million to 36.54 million as compared to the 2019 report. The vast majority of citizens are accessing the internet on their mobile phones. Facebook and WhatsApp are still the most popular social media networks in South Africa, with 15 million and 16 million active users respectively, followed by YouTube at 8.52 million and Twitter at 7.5 million.

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

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[5] *Overcoming poverty and inequality in South Africa An Assessment of Drivers, Constraints and Opportunities March 2018*

[7] *P0302 Mid-year population estimates 2019 by Statistics South Africa*

According to a 2017 South African Banking Risk Information Centre (SABRIC) report, South African consumers lost more than R2.2 billion to cyber-attack. The report further indicated that 1 in every 3 businesses has been a victim of cyber-crime. South Africa introduced to Parliament the Cyber Security Bill to deal with cyber-crime. The introduction of the Bill will ensure that South Africa is in line with the international laws in dealing with cyber-crime.

The use and embracing of technology is inevitable. A growing usage of the internet may help the Department improve on justice services and allow its clients to access services in the comfort of their homes. Therefore, as part of the process of implementing online solutions, the Department will need to upgrade its underlying IT infrastructure to enable online services as well as its network connections that will enable it to carry the workload. Strong network connectivity will also enable the integration of services which will make accessing services easier for clients. An upgraded IT Infrastructure will help the Department to keep abreast of the fast-growing rate of technology and improve online and virtual operations. However, factors such as theft of data and of electrical cables, load shedding, and an increase in cyber-crime will impact negatively on the Department's online/virtual operation.

5.2 Internal Environment Analysis

Department of Justice and Constitutional Development structure

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

The Department is in the process of reviewing its macro structure in order to create human resource capacity that will respond to service delivery needs and its mandate. The Department will continue to prioritise the filling of critical positions at all levels which directly impact on service delivery and organisational performance. The Department is building capacity through the provision of training and re-skilling of officials in the areas identified in their Personal Development Plan. The Justice College in collaboration with Human Resource Development Unit will play a vital role in that regard.

The table below shows the number of employees and vacancies per critical categories for the Department of Justice and Constitutional Development as at the end of 31 March 2020.

AGE GROUPS	DJC: ADMINISTRATION	DJC: COURT SERVICES	DJC: STATE LEGAL SERVICES	Grand Total	% of total workforce
20-24	9	83	5	97	0.6%
25-29	66	739	116	921	5.8%
30-34	173	2115	299	2587	16.3%
35-39	275	2947	416	3638	22.9%
40-44	215	2393	420	3028	19.1%
45-49	155	1865	422	2442	15.4%
50-54	102	1365	197	1664	10.5%
55-59	79	906	117	1102	6.9%
60-64	21	305	61	387	2.4%
>64		1	1	2	0.0%
TOTAL	**1095**	**12719**	**2054**	**15868**	**100%**

Human Resources

The Departmental workforce profile, as at 31 January 2021, indicated that 48% of women were at SMS levels which is below the 50% set target. At middle management, women representation is at 50% and people with disability achieved a 2.2% target. The revised Departmental Employment Equity Plan, which commenced on 1 July 2020 to 30 June 2025, is a five-year plan which will ensure the achievement of numerical goals by 2025 of 50% women at SMS levels and 2.5% of persons with disability at all levels.

In the year 2016, the Department experienced a shortfall on compensation of employees' budget allocation. In response to a call that government departments should reduce their compensation costs, the DoJ&CD established a post review committee to determine critical and vacant posts for funding and filling. As a result 1456 posts were suppressed because they remained unfunded. As at 31 December 2020 the overall vacancy rate was 8%, while the vacancy rate for SMS was at 22.5%.

Financials

Within the context of the current global economic dynamics and the poor performance of South Africa on the latest World Corruption Index, the Department remains committed to improved accountability, fiscal discipline and stewardship of its resources. The focus is on ensuring that all decisions taken when funding, enabling and executing departmental strategy are grounded in sound financial criteria and supporting the core mandate of the Department. The Department strives to remain realistic when funding its activities – specifically considering the operational dynamics of its activities.

Given the current financial constraints, the objective of the Department is to achieve efficiency gains in processes through modernisation. Investment of resources is directed towards significant contributors that will ensure the achievement of the NDP and especially addressing the needs of the most vulnerable in society. The resourcing of value-chain functions through an effective and integrated JCPS cluster is required to reduce crime. It is important that the justice cluster is seen to increase prosecution on corruption cases, with emphasis on the cases disclosed at the State Capture Commission, and continuous realignment of funding will be done accordingly.

The impact of litigation against the state has increased to the level where significant interventions are required in the Office of the State Attorney. In this regard, the implementation of the State Attorney Amendment Act will be funded. The Department provides professional services that are heavily reliant on human resources. The cap on the compensation budget significantly impacts on internal controls in the environment and services offered. The Department is therefore continuously reviewing its mitigation efforts to reduce the potential impact on service delivery and will pursue a business case to request permission from the National Treasury to implement Enterprise Resource Planning (ERP) systems due to the delays in the rollout of the Integrated Financial Management System by the National Treasury.

Further to the above, the alignment with the supply chain management reforms being instituted by National Treasury is a priority for the Department to enhance the integrity of procurement processes and to realise benefits that contribute to cost containment and support economic development. The Department is still

collaborating with the National Treasury on the development of a framework contract model to support the fair and transparent procurement of litigation services and is also working closely with the relevant lead departments to ensure inclusivity in its procurement practices within the legal parameters.

Information Technology

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

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

B-BBEE compliance performance information

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

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

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

The Department has awarded approximately 39% of all contracts (bids and quotation) to BBBEE level one contributors to a value of R525 820 945.25 and a further 8.52% to level two contributors to a value R114 877 311.94. The Department is committed to creating environment that ensures that previously disadvantaged people benefit from the Department preferential procurement policies by breaking down larger service contracts into smaller contracts to afford as many designated groups with an opportunity to participate as main contractors, service providers, or suppliers.

Strengthening the empowerment of women, youth and people with disability

The Department of Justice and Constitutional Development personnel is mainly dominated by women at various levels. Women represent about 63% of all employees in the Department. Youth represent 23% of all employees in the Department. Only 48% of Senior Management Services (SMS) posts are occupied by women. The Department aims to reach equity targets and sustain them to reflect the demographics of the designated groups in our South African society. As at the end of December 2020, the Department has achieved 2.17% of employees being people with disability.

AGE GROUPS	FEMALE	% FEMALE PER AGE GROUP	MALE	% MALE PER AGE GROUP	Grand Total
20-24	57	58.8%	40	41.2%	97
25-29	576	62.5%	345	37.5%	921
30-34	1630	63.0%	957	37.0%	2587
35-39	2336	64.2%	1302	35.8%	3638
40-44	1995	65.9%	1033	34.1%	3028
45-49	1488	60.9%	954	39.1%	2442
50-54	1005	60.4%	659	39.6%	1664
55-59	694	63.0%	408	37.0%	1102
60-64	231	59.7%	156	40.3%	387
>64	0	0.0%	2	100.0%	2
TOTAL	**10012**	**63.1%**	**5856**	**36.9%**	**15868**

Stakeholder Management

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

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

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

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

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

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
			scrutinizing and overseeing executive action. Section 42(4) of the Constitution provides that the National Council of Provinces represents the Provinces to ensure that provincial interests are taken into account in the national sphere of Government. It does this mainly by participating in the national legislative process and by providing a national forum for public consideration of issues affecting provinces.
National Executive	In terms of section 91(1) of the Constitution of the RSA, 1996, the Cabinet consists of the President, as Head of the Cabinet, a Deputy President and Ministers. Section 92 of the Constitution defines the accountability and responsibilities of the Deputy President and Ministers. The Minister of Justice and Correctional Services is the Cabinet Minister responsible for the administration of Justice in South Africa.	High	The Department of Justice and Constitutional Development has been identified as the lead department together with the contributing Departments: DPME and the Presidency.
National Treasury	Allocation of the budget.	Directly	Approves the proposed Funding model.
National Prosecution Authority	Institute and conduct criminal proceedings on behalf of the State.	Directly	Focus promotion of social cohesion in our communities while ensuring that communities are safe for all inhabitants.
Private Sector	Driver of economic growth.	Directly	Provide capital though investment.
Ruling Party	Set out manifesto.	Directly	Develop the election manifesto.
South African Police Services (SAPS	To oversee law and order in the country.	Directly	Give confirmation as to whether a person is pending investigation before the

Stakeholders	Definition of stakeholders	How do they influence the delivery of outputs	Role of stakeholders
			removal or expungement of a criminal record. Assist with the service of process, subpoena and invitation letters.
State Information Technology Agency (SITA)	Manages the procure of ICT products and services in government.	Directly	Approved the procurement of ICT goods and services in government.

6. MEASURING PERFORMANCE: PROGRAMME 1: ADMINISTRATION

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

This programme comprises the following sub-programmes:

i. **Ministry**: Provides leadership and policy direction to the DoJ&CD.

ii. **Management:** Provides overall management of the DoJ&CD's operations and resources.

iii. **Corporate Services:** Provides strategic support to the Department and integrated business solutions in HR management, information and communication technology (ICT), public education and communications, and capacity building of the Department's personnel.

iv. **Financial Administration:** Provides financial services to the DoJ&CD with respect to financial resource allocation and management to aid in the fulfilment of the department's goals and objectives.

v. **Internal Audit:** Assists the accounting officer in maintaining efficient and effective controls by evaluating those controls to determine their effectiveness and efficiency, and to develop recommendations for enhancement or improvement.

vi. **Office Accommodation:** Provides for accommodation charges, leased agreements and municipal rates.

6.1 Outcome, outputs, performance indicators and targets

Table 1: Outcome, outputs, performance indicators and targets (detailed information on the indicators is provided in Annexure B)

Outcome 1: Modernised and digitised justice services platforms								
Outputs	**Output Indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
1.1 Justice services accessible via Digital Channels	1.1.1 Maintenance services available on the DOJ Internet Portal (online) implemented	-	-	-	-	Maintenance services available on the DOJ Internet Portal (online) by 30 September 2021	Maintenance services available on the DOJ Internet Portal (online) enhanced	Maintenance services available on the DOJ Internet Portal (online) implemented
	1.1.2 Trusts services available on the DOJ Internet Portal (online) implemented	-	-	-	-	Trusts services available on the DOJ Internet Portal (online) by 30 September 2021	Trusts services available on the DOJ Internet Portal (online) enhanced	Trusts services available on the DOJ Internet Portal (online) implemented
	1.1.3 Deceased Estates services available on the DOJ Internet Portal (online) implemented	-	-	-	-	Deceased Estates services available on the DOJ Internet Portal (online) by 30 Septembe 2021	Deceased Estates services available on the DOJ Internet Portal (online) enhanced	Deceased Estates services available on the DOJ Internet Portal

Outcome 1: Modernised and digitised justice services platforms								
Outputs	**Output Indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
								(online) implemented
	1.1.4 Protection Order services available on the DOJ Internet Portal (online) implemented	-	-	-	-	Protection Order services available on the DOJ Internet Portal (online)by 31 March 2022.	Protection Order services available on the DOJ Internet Portal (online) enhanced	Protection Order services available on the DOJ Internet Portal (online) implemented
	1.1.5 Expungement of Criminal Records services accessible via Digital platforms implemented	-	-	-	-	Expungement of Criminal Records services accesible via Digital platforms by 31 March 2022.	Expungement of Criminal Records services accesible via Digital platforms enhanced.	Expungemen t of Criminal Records services accessible via Digital platforms implemented
	1.1.6 NRSO Integration with SAPS for NRSO Removal Applications available on line	-	-	-	-	NRSO Integration with SAPS for NRSO Removal Applications	NRSO Integration with SAPS for NRSO Removal Applications enhanced	NRSO Integration with SAPS for NRSO Removal

Outcome 1: Modernised and digitised justice services platforms								
Outputs	**Output Indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
						available by 31 March 2022.		Applications available
1.2. Justice services accessible via Virtual Platforms	1.2.1 Number of sites rolled-out with the Courts Audio-Visual Solution (CAVS).	-	-	-	-	45	55	70
1.3 Additional payment channels for court collection	1.3.1 Number of sites where Cashless Court Solution through Point of Sale Devices is deployed	-	-	-	25	400	45	-

6.2 Indicators, annual and quarterly targets for 2021/22

Table 2: Output indicators, annual and quarterly targets for 2021/22

Outcome 1: Modernised and digitised justice services platforms					
Output indicators	**Annual target for 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
1.1.1 Maintenance services available on the DOJ Internet Portal (online) implemented	Maintenance services available on the DOJ Internet Portal (online) by 30 Septembe 2021	Piloting at identified sites completed. **(Urban and Rural Areas)**	Maintenance services available on the DOJ Internet Portal (online) by 30 Septembe 2021	-	-
1.1.2 Trusts services available on the DOJ Internet Portal (online) implemented	Trusts services available on the DOJ Internet Portal (online) by 30 September 2021	Piloting at identified sites completed. **(Urban and Rural Areas)**	Trusts services available nationally (9 Regions) on the DOJ Internet Portal (online) by 30 September 2021	-	-
1.1.3 Deceased Estates services available on the DOJ Internet Portal (online) implemented	Deceased Estates services available on the DOJ Internet Portal (online) by 30 September 2021	Piloting at identified sites completed **(Urban and Rural Areas)**	Deceased Estates services available nationally on the DOJ Internet Portal (online) by 30 September 2021	-	-
1.1.4 Protection Order services available on the DOJ Internet Portal (online) by target date	Protection Order services available on the DOJ Internet Portal (online) by 31 March 2022	Analysis & Design completed.	Development and Testing completed	Piloting at identified sites. **(Rural and Townships)**	Protection Order services available nationally on the DOJ Internet Portal (online) by 31 March 2022

Outcome 1: Modernised and digitised justice services platforms					
Output indicators	**Annual target for 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
1.1.5 Expungement of Criminal Records services accesable via Digital platforms by target date	Expungement of Criminal Records services accesable via Digital platforms by 31 March 2022.	Piloting at identified sites completed **(Urban and Rural Areas)**	National implementation (9 Regions).	SAPS Integration Design.	SAPS Integration Completed and Expungement of Criminal Records services accesable via Digital platforms by 31 March 2022&
1.1.6 NRSO Integration with SAPS for NRSO Removal Applications available on line	NRSO Integration with SAPS for NRSO Removal Applications available by 31 March 2022.	Analysis and Design completed	Development Completed.	User Acceptatnce testing completed. Piloting completed	NRSO Integration with SAPS for NRSO Removal Applications available on line
1.2.1 Number of sites rolled-out with the Courts Audio-Visual Solution (CAVS).	45 sites	Develop solution Specifications.	Procurement of Courts Audio-Visual Solutions	15 sites.	30 sites.
1.3.1Number of sites where Cashless Court Solution through Point of Sale Devices is deployed	400	100	150	150	-

6.3 Outcome, outputs, performance indicators and targets

Table 3: Outcome, outputs, performance indicators and targets (detailed information on the indicators is provided in Annexure B)

Outcome 2: Improved organisational capability and good governance								
Outputs	**Output Indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
2.1 Percentage of vacant posts at SMS level	2.1.1 Vacancy rate at SMS level	-	-		8%	10%	10%	10%
2.2 Women occupying Senior Management Services (SMS) positions	2.2.1 Percentage of[8] women occupying Senior Management Services (SMS) positions	-	-	-	48.7%	50%	50%	50%
2.3 Reconfigured macro structure Implemented.	2.3.1 Number of initiatives completed to implement reconfigured macro structure	-	-	-	Reconfigured Macro structure to be finalised by 31 March 2021	6 initiatives completed for SMS to ASD level	6 initiatives completed for MMS for SMS to ASD level	6 initiatives completed for lower level posts
2.4 Capacitation of employees	2.4.1 Number of people trained in line with Workplace Skills		-	-	-	3000	3500	4000

8 Indicators 1.2.1 and 1.3.1 are included in order to monitor compliance with DPSA equity targets and to implement Departmental recommendations on women, youth and people with disability.

	Plan (WSP) through Justice College and HRD unit							
2.4 Reported corruption cases investigation for officials finalised	2.5.1 Percentage of reported corruption cases investigated for officials finalised	-	-	-	-	70%	85%	90%
2.6 Disciplinary hearing finalised within prescribed time frame	2.6.1. Percentage of disciplinary hearing finalised within 90 days.	-	-	-	-	60%	65%	70%
2.7 Grievances resolved within 90 days	2.7.1. Percentage of grievances resolved within 90 days	-	-	-	-	60%	65%	70%
2.8 Disciplinary hearing for misconduct backlogs finalised	2.8.1. Number of disciplinary hearings for misconduct backlog finalised	-	-	-	-	40	50	55
2.9 Grievances resolved within the prescribed time frame	2.9.1 Number grievances backlog resolved within 90 days	-	-	-	-	60	55	60
2.10. Resolved significant findings	2.10.1 Percentage of significant findings resolved	-	-	-	100%	50%	100%	100%

2.11 Percentage of fruitless and wasteful expenditure reduced	2.11.1 Percentage of fruitless and wasteful expenditure reduced	-	-	-	-	70%	85%	100%
2.12 Irregular expenditure reduced	2.12.1 Percentage[9] of irregular expenditure reduced	-	-	-		55%	65%	75%
2.13 Undisputed and valid invoices paid within 30 days	2.13.1 Percentage of undisputed and valid invoices paid within 30 days from date of receipt	-	-	-	99%	100%	100%	100%
2.14 Procurement allocated to EME and QSE	2.14.1 Percentage of Rand Value of Discretionary Procurement allocated to Exempted Micro Enterprises (EMEs) and Qualifying Small Enterprises (QSEs)	-	-	-	30%	40%	40%	40%
2.15. Rand Value of Discretionary	2.15.1 Percentage of Rand Value of Discretionary	-	-	-	-	10%	10%	10%

9 Indicators 2.2.1 and 2.3.1 are new indicators from the Medium-term Strategic Framework, hence no targets for financial years before 2020/21 financial year.

Procurement allocated to women	Procurement allocated to women							
2.16. Funding model for the implementation of NAP developed	2.16.1 Funding model for the implementation of NAP developed by target date.	-	-		Desktop analysis of existing funding models in government finalised by 31 March 2021	Funding model approved by Executive Authority by 31 March 2022	-	-
2.17 Criminal records of qualifying candidates cleared	2.17.1 Percentage of expungements finalized within 3 (three) months since receipt of complete application				80%	85%	90%	95%

6.4 Indicators, annual and quarterly targets for 2021/22

Table 4: Output indicators, annual and quarterly targets for 2021/22

Outcome 2: Improved organisational capability and good governance					
Output indicators	**Annual target for 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
2.1.1 Percentage of vacancy posts at SMS level (Vacancy rate)	10%	18%	16%	12%	10%
2.2.1. Percentage of[10] women occupying Senior Management Services (SMS) positions	50%	50%	50%	50%	50%
2.3.1 Number of initiatives completed to implement reconfigured macro structure	6 initiatives completed	2 Submission of the Business Case, costed structure, JEs and job profiles of affected SMS posts to DPSA	2 Roll out change management initiatives. Develop Placement and Migration strategy. Cascading job description and job profiles of affected posts at ASD and DD level and	1 Matching and placing of SMS level into the new structure	1 Cascade matching and placing of lower levels up to ASD

10 Indicators 1.2.1 and 1.3.1 are included in order to monitor compliance with DPSA equity targets and to implement Departmental recommendations on women, youth and people with disability.

Outcome 2: Improved organisational capability and good governance					
Output indicators	**Annual target for 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
			submission to DPSA.		
2.4.1 Number of people trained in line with Workplace Skills Plan (WSP) through Justice College and HRD unit	3 000	500	1 500	2 500	3 000
2.5.1 Percentage of reported corruption cases investigated for officials finalised	70%	-	20%	55%	70%
2.6.1. Percentage of disciplinary hearings finalised within 90 days	60%	30%	45%	55%	60%
2.7.1. Percentage of grievances resolved within 90 days	60%	50%	55%	60%	65%
2.8.1. Number of backlogs on disciplinary hearing cases for misconduct resolved	60	30	11	11	12

Outcome 2: Improved organisational capability and good governance					
Output indicators	**Annual target for 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
2.9.1. Number of backlogs on grievances resolved	40	12	12	13	13
2.10.1. Percentage of significant findings resolved	50%	-	-	25%	50%
2.11.1 Percentage of fruitless and wasteful expenditure reduced	70%	-	-	-	70%
2.12.1 Percentage of irregular expenditure reduced	55%	-	-	-	55%
2.13.1 Percentage of undisputed and valid invoices paid within 30 days from date of receipt	100%	100%	100%	100%	100%
2.14.1 Percentage of Rand Value of Discretionary Procurement allocated to EMEs and QSEs	40%	40%	40%	40%	40%
2. 15.1 Percentage of Rand Value of Discretionary Procurement allocated to women	10%	10%	10%	10%	10%
2.16.1 Funding model for the implementation of NAP developed by target date	Funding model developed by 31 March 2022	Finalise the draft Funding model	Consultation with stakeholders on draft Funding model	Incorporate comments and inputs from the stakeholder	Funding model approved by Executive Authority

Outcome 2: Improved organisational capability and good governance					
Output indicators	**Annual target for 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
				consultation onto the Funding model	
2.17.1 Percentage of expungements finalized within 3 (three) months since receipt of complete application	80%	80%	80%	80%	80%

6.5 Outcome, outputs, performance indicators and targets

Table 5: Outcome, outputs, performance indicators and targets (detailed information on the indicators is provided in Annexure B)

Outcome 3: Improved awareness of justice services and constitutionalism								
Outputs	**Output Indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
3.1 Public education awareness of the 25th anniversary of the	3.1.1Number of public education activities conducted on the 25th anniversary of the Constitution	-	-	-	-	145	145	145

Outcome 3: Improved awareness of justice services and constitutionalism								
Outputs	**Output Indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
Constitution conducted	and Constitutional rights education							
3.2 Public education activities conducted on justice services (Civil, Criminal and Family Law services)	3.2.1 Number of public education activities conducted on justice services (Civil, Criminal and Family Law services)	-	-	-	-	200	200	200
3.3 Trafficking in Persons awareness campaigns	3.3.1 Number of Trafficking in Persons awareness campaigns	-	-	-	3	4	4	4
3.4 Sustained and visible anti-xenophobia campaigns conducted	3.4.1 Number of sustained and visible anti-xenophobia campaigns conducted in collaboration with other	-	-	6	6	6	6	6

Outcome 3: Improved awareness of justice services and constitutionalism								
Outputs	**Output Indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
	departments and role-players.							
3.5 Awareness sessions on LGBTI rights conducted	3.5.1 Number of awareness sessions on LGBTI rights conducted	-	-	12	6	9	12	12
3.6 25th years of Constitution commemorated	3.6.1 Programmes to commemorate the 25th anniversary of the Constitution's implemented	-	-	-	Programmes to commemorate 25th anniversary of the Constitution developed	Report on the implementation of programmes to commemorate the 25 Years aniiversary of Cunstitution submitted to Minister for approval	-	-

6.6 Indicators, annual and quarterly targets for 2021/22

Table 6: Output indicators, annual and quarterly targets for 2021/22

Outcome 3: Improved awareness of justice services and constitutionalism					
Output indicators	**Annual target for 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
3.1.1 Number of public education activities conducted on the 25th anniversary of the Constitution and constitutional rights education	145	57	52	53	4
3.2.1 Number of public education activities conducted on justice services (Civil, Criminal and Family Law services)	200	40	47	54	5
3.3 .1 Number of Trafficking in Persons campaigns conducted in collaboration with other departments and role-players	4	1	2	3	4
3.4.1 Number of anti-xenophobia campaigns conducted in collaboration with other departments and role-players.	6	3	4	5	6
3.5.1 Number of awareness sessions on LGBTI rights and Trafficking in Persons campaigns conducted in collaboration with other departments and role-players	13	2	6	11	13
3.6.1Programmes to commemorate 25th anniversary of the Constitution implemented	Report on the implementation of	Cabinet Approval of programme	Coordination of Implementation	Report on the implementation of	Report on the implementation of

Outcome 3: Improved awareness of justice services and constitutionalism					
Output indicators	**Annual target for 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
	programmes to commemorate the 25 Years aniiversary of Cunstitution submitted to Minister for approval			programmes to commemorate the 25 Years aniiversary of Cunstitution submitted to Minister for approval	programmes to commemorate the 25 Years aniiversary of Cunstitution submitted to Minister for approval

6.7 Explanation of Planned Performance over the Medium-Term Period

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

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

The Department started with the reconfiguration of its macro structure in 2020/21. The reconfiguration of the macro structure is expected to be completed during the same financial year. The full implementation of the Department reconfigured macro structure is expected to follow in the subsequent financial years.

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

Training in the Department is done in line with the Human Resource Development Strategy. It assists the Department with training and reskilling of officials in order to achieve the mandate of the Department. Over the MTEF period, Justice College will play a pivotal role in providing functional training programmes to officials.

During the MTEF period the Department will maintain the vacancy rate at senior management level below the DPSA required target of 10%.

The audit action plan details activities that are planned to be implemented in order to address audit findings raised by internal audit and the Auditor-General. The focus will be on key significant ad specific areas which include contingency liability, assets management, procurement management recovery of legal fees, procurement of legal fees, and the reliability of performance information. Over

the medium-term the Department aims to achieve unqualified audit opinion on accounts and predetermined objectives.

Indicators percentage reduction of irregular expenditure in the Department and percentage elimination of fruitless and wasteful expenditure in the Department are aligned with the MTSF and the Minister's Delivery Agreement. The main purpose for the Department resolution to monitor these indicators is to promote good governance and eliminate wasteful, fruitless and irregular expenditure in the public sector. Over the medium-term period, the Department wants to reduce the current irregular expenditure by 75% and ensure the 100% elimination of wasteful and fruitless expenditure.

Percentage of Rand value of discretionary procurement allocated to EMEs, QSEs and women: Over the medium-term period the Department will maintain allocating 40% and 10% of services procured to Exempt Micro Enterprise (EME) and qualifying small enterprises (QSE) and women, respectively with the aim to empower small businesses.

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

Among others, solicited media and media buying options will be implemented; together with outreach sessions (physical, virtual or hybrid) targeting communities, stakeholders, schools and institutions of higher learning supported with comprehensive educational material are among the efforts that will be initiated. The Department will continue to implement its flagship phone-in community radio talkshow, *Let's Talk Justice* in collaboration with the Government Communication and Information System (GCIS).

Raising awareness on LGBTI rights and TIP legislation: The purpose of these awareness activities is to raise awareness with communities with more emphasis on LGBTI issues, so as to enhance protection and promotion of fundamental human rights and freedoms; and to inform and educate members of the public, especially those who are vulnerable or at risk of becoming victims of trafficking on issues relating to trafficking in persons.

Over the MTEF period, the Department will conduct nine awareness sessions on LGBTI and TIP issues with communities and civil society organisations, which included traditional and faith-based leaders, and four TIP awareness sessions in collaboration with other departments and role-players to prevent and combat the trafficking in persons within or across the borders of the Republic.

The implementation of programmes to commemorate the 25th anniversary of the Constitution during 2021/2022 will focus on reviewing how far we have come as a nation in achieving the ideals of the Constitution, and to provide impetus to increase and deepen constitutionalism, respect for human rights and the rule of law, especially amongst the most vulnerable and marginalised.

6.8 Reconciling performance with the budget and MTEF

The budget for Programme 1, as detailed in the ENE for 2021/22, is shown below.

Table 7: Administration budget

Sub-programme							
	Audited outcome			**Adjusted appropriation**	**Medium-term expenditure estimate**		
R million	**2017/18**	**2018/19**	**2019/20**	**2020/21**	**2021/22**	**2022/23**	**2023/24**
Ministry	34.1	33.6	40.0	38.1	37.9	38.4	38.6
Management	50.2	49.9	50.4	57.2	54.7	54.4	55.7
Corporate Services	426.1	629.6	851.7	796.7	593.1	605.2	604.5
Financial Administration	217.6	203.1	203.5	221.0	221.5	223.8	224.2
Internal Audit	83.9	83.0	89.7	95.4	97.0	98.9	103.4
Office Accommodation	1 146.1	1 429.6	1 302.5	1 418.2	1 527.8	1 601.2	1 671.7
Total	**958.1**	**2 428.8**	**2 537.7**	**2 626.6**	**2 532.0**	**2 621.8**	**2 698.1**
Change to 2020 budget estimate				270.2	40.0	21.1	153.1
Economic classification							
Current payments	1 916.2	2 347.9	2 463.7	2 591.6	2 499.6	2 587.9	2 662.8
Compensation of employees	516.4	525.4	592.8	619.2	620.9	628.2	619.8
Goods and services	1 399.8	1 822.5	1 870.9	1 972.4	1 878.7	1 959.7	2 043.0
of which:							
Advertising	14.0	13.8	15.3	20.9	17.9	20.2	21.7
Audit costs: external	43.7	43.0	39.1	41.8	43.9	44.6	40.5
Computer services	20.5	37.1	17.8	156.2	131.4	137.1	140.5
Operating leases	732.6	1 076.7	908.3	967.6	1 013.4	1 062.1	1 108.8
Property payments	414.5	365.7	407.0	461.5	515.3	540.1	563.9
Travel and subsistence	94.3	74.9	64.4	45.7	67.5	65.2	71.6
Transfers and subsidies	17.7	19.5	21.5	19.1	19.7	20.4	21.3
Provinces and municipalities	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**00**	**0.1**
Departmental agencies and accounts	**15.4**	**16.1**	**17.3**	**18.3**	**19.4**	**20.1**	**21.0**
Foreign governments and international organisations							
Households	**2.3**	**3.3**	**4.2**	**0.7**	**0.3**	**0.3**	**0.3**
Payments for capital assets	**10.0**	**60.0**	**52.1**	**15.9**	**12.7**	**13.4**	**14.0**
Buildings and other fixed structures		0.3	0.2	-	-	-	-
Machinery and equipment	10.0	59.7	51.8	15.9	12.7	13.4	14.0
Software and other intangible assets	-	–	–	-	–	–	–

Payments for financial assets	14.2	14.2	14.2	**0.0**	**–**	**–**	**–**
Total	1 958.1	1 958.1	1 958.1	2 626.6	2 532.0	2 621.8	2 698.1

Sub-programme							
	Audited outcome			**Adjusted appropriation**	**Medium-term expenditure estimate**		
R million	**2016/17**	**2017/18**	**2018/19**	**2019/20**	**2020/21**	**2021/22**	**2022/23**
Ministry	35.6	34.1	33.6	36.6	39.2	41.6	43.2
Management	47.7	50.2	49.9	56.5	61.3	65.1	67.5
Corporate Services	513.4	426.1	629.6	720.9	474.1	503.0	521.5
Financial Administration	196.6	217.6	203.1	223.2	233.6	248.0	256.9
Internal Audit	86.6	83.9	83.0	93.8	100.1	106.4	110.4
Office Accommodation	1 072.9	1 146.1	1 429.6	1 372.7	1448.2	1 527.8	1 601.2
Total	**1 952.8**	**1 958.1**	**2 428.8**	**2 503.7**	**2 356.5**	**2 491.9**	**2 600.7**
Change to 2019 budget estimate				(0.8)	(10.4)	(11.2)	(12.3)

Economic classification							
Current payments	**1 926.3**	**1 916.2**	**2 247.9**	**2 461.3**	**2 325.6**	**2 458.9**	**2 549.7**
Compensation of employees	532.7	516.4	525.4	602.5	630.1	670.7	695.7
Goods and services of which:	1 393.5	1 399.8	1 822.5	1 858.8	1 695.5	1 788.2	1 870.5
Advertising	18.6	14.0	13.8	17.5	20.8	20.4	21.7
Audit costs: external	37.5	43.7	43 .0	43.2	41.8	44.1	44.6
Computer services	44.1	20.5	37.1	22.5	18.2	19.3	19.0
Operating leases	805.0	732.6	1 076.7	919.2	960.7	1 013.6	1 051.2
Property payments	269.4	414.5	365.7	465.0	488.5	515.3	551.0
Travel and subsistence	91.4	94.3	74.9	73.0	72.4	76.6	82.0
Transfers and subsidies	**17.2**	**17.7**	**19.5**	**20.9**	**18.6**	**19.7**	**20.4**
Provinces and municipalities	**0.0**	**0.0**	**0.0**	**0.0**	**0.0**	**00**	**0.0**
Departmental agencies and accounts	14.5	15.4	16.1	17.4	18.3	19.4	20.1
Foreign governments and international organisations							
Households	2.6	2.3	3.3	3.5	0.3	0.3	0.3
Payments for capital assets	**8.5**	**10.0**	**60.0**	**21.5**	**12.2**	**13.4**	**14.1**
Buildings and other fixed structures		-	0.3	0.2	-	-	-
Machinery and equipment	8.5	10.0	59.7	17.7	12.2	13.4	14.1
Software and other intangible assets	-	–	–	3.7	–	–	–
Payments for financial assets	**0.8**	**14.2**	**1.5**	**0.0**	**–**	**–**	**–**
Total	**1 952.8**	**1 958.1**	**2.428.8**	**2 503.7**	**2 356.5**	**2 491.9**	**2 600.7**

EXPENDITURE TRENDS

The spending focus under this programme is mainly on personnel, audit costs, operating leases, property payments, and travel and subsistence.

The number of posts in this programme is expected to be 1 031 by 2023/24.

7. MEASURING PERFORMANCE PROGRAMME 2: COURT SERVICES

The purpose of this programme is two-fold:

(a) To facilitate the speedy resolution of criminal cases, civil and family law disputes by providing accessible, efficient and strategic court administration support functions in respect of the lower courts; and

(b) The management of facilities and justice security services in respect of facilities for which DoJ&CD is responsible.

The programme consists of the following sub-programmes:

i. **Lower Courts:** Coordination and management of an effective and efficient criminal and civil justice system; Protection of the Rights of Vulnerable Persons (PRVP) which is responsible for the establishment of Sexual Offences Courts and the development and implementation of measures to reduce gender-based violence and femicide (GBVF) and for the protection of children; Special Tribunals and Commissions of Inquiry which focuses on the facilitation and coordination of the Special Tribunals and Commissions of Inquiry appointed in terms of the Commissions of Inquiry Act, 1947 and other applicable legislation.

ii. **Family Advocate:** Relates to services of the Office of the Family Advocate in respect of litigation and mediation services affecting children and child and spousal maintenance services.

iii. **Magistrates Commission:** Established in terms of the Magistrates Act, 1993, and which regulates the appointment, tenure and discharge of magistrates.

iv. **Facilities Management:** Focuses on the provision and management of facilities in respect of the Ministry, the DoJ&CD, Office of the Chief Justice (OCJ), National Prosecuting Authority (NPA), courts and justice service points; Justice Security Services focuses on the provision and management of security services in respect of all offices of the DoJ&CD, Office of the Chief Justice, National Prosecuting Authority (NPA), courts and justice service points.

v. **Administration of Lower Courts:** Focuses on the coordination of the administration of justice services at the nine regional offices of the Department.

7.1 Outcomes, outputs, performance indicators and targets

Table 8: Outcomes, outputs, performance indicators and targets for 2021/22 (detailed information on the indicators is provided in Annexure B)

Outcome 4: Increased access to justice services								
Outputs	**Output indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
4.1 Established Phases of Femicide Watch	4.1.1 Phases of Femicide Watch completed as required by article 15 of Presidential Summit Declaration against GBVF, 2019, and the National Strategic Plan (NSP) on GBVF	-	Phase 1 Adopted Femicide Prototype	Phase 2 Adopted Femicide Watch Dashboard	Phase 3 Finalisation of identified data, metrics 4 Femicide Watch Dashboard	Phase 4 Functional Femicide Watch Dashboard with available data	Phase 5 Identification of additional data metrics for the Femicide Watch Dashboard	-
4.2 Criminal cases postponed due to unavailability of court administration staff	4.2.1 Percentage of criminal cases postponed due to unavailability of court administration staff	0.18%	0,23%	≤0.3%	≤0.1%	≤0.3%	≤0.3%	≤0.3%
4.3 Finalised child justice preliminary inquiries within 90	4.3.1 Percentage of child justice preliminary inquiries finalised within 90	-	97%	85%	88%	90%	90%	91%

days after date of first appearance	days after date of first appearance							
4.4 NRSO Clearance Certificates issued in 10 days	4.4.1 Percentage of NRSO Clearance Certificates issued within 10 days	-	-	-	100%	65%	75%	90%
4.5 Sexual Offences Courts designated in terms of section 55(A) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007	4.5.1 Number of additional courts designated in terms of section 55(A) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, of sexual offences	-	-	-	27	100	36	-
4.6 Courts compliant with the strategy on universal access for persons with disabilities	4.6.1 Number of courts compliant with the strategy on universal access for persons with disabilities	-	-	-	-	75	100	125
4.7 Family Advocate litigation matters finalised within 12 months from the date of opening the matter	4.7.1 Percentage of Family Advocate litigation matters finalised within 12	-	37%	80%	40%	80%	85%	90%

	months from the date of opening the matter							
4.8 Family Advocate non-litigation matters finalised within 6 months from the date of opening the matter	4.8.1 Percentage of Family Advocate non-litigation matters finalised within 6 months from the date of opening the matter	-	95%	60%[11]	35%	80%	85%	90%
4.9 Maintenance matters finalised within 90 days from the date of proper service of process	4.9.1. Percentage of maintenance matters finalised within 90 days from the date of proper service of process	82%		74%	72%	80%	85%	90%
4.10 Social Compact concept developed.	4.10.1 Social Compact between the Executive, Judiciary and Legislative tiers of government implemented	-	-	-	Social Compact concept document developed	Social Compact discussion document submitted to Cabinet by 31 December 2021	Social Compact adopted by 3 branches of State	Social Compact implemented by 2023/24

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

4.11 Branch court converted into full services court	4.11.1 Number of branch court converted into full services court	-	-	-	-	6	25	35
4.12 Case backlogs reduced	4.12.1 Case backlogs Reduction Framework adopted by 31 March 2022	-	-	-	-	Case backlogs Reduction Framework adopted by 31 March 2022	-	-
4.13. Maintenance Framework	4.13.1 Maintenance Improvement Framework developed and submitted to the Minister for approval by 31 March 2021	-	-	-	-	Maintenance Improvement Framework sumitted to the Mister for Approval by 31 March 2022	-	-

7.2 Indicators, annual and quarterly targets for 2021/2022

Table 9: Programme performance indicators and quarterly targets

Outcome 4: Increased access to justice services					
Output indicators	**Annual target 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
4.1.1 Phases of Femicide Watch completed as required by article 15 of Presidential Summit Declaration against GBVF, 2019 and the National Strategic Plan (NSP) on GBVF	Phase 4 Functional Femicide Watch Dashboard with available data	Develop scoping document on Femicide Watch phase 4	Review of data quality received from selected data	Update available data on Femicide Watch Dashboard and conduct user acceptance testing	Prepare Femicide Watch Dashboard status report for use by internal stakeholders
3.2.1 Percentage of criminal cases postponed due to unavailability of court administration staff	≤0.3%	≤0.3%	≤0.3%	≤0.3%	≤0.3%
4.3.1 Percentage of child justice preliminary inquiries finalised within 90 days after date of first appearance	90%	90%	90%	90%	90%
4.4.1 Percentage of NRSO Clearance Certificates issued within 10 days	65%	65%	65%	65%	65%
4.5.1 Number of additional courts designated in terms of section 55(A) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 as sexual offences	100	List of court selected for designation	Stakeholder consultations finalised	100	-

Outcome 4: Increased access to justice services					
Output indicators	**Annual target 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
4.6.1 Number of courts compliant with the strategy on universal access for persons with disabilities	75	Revised minimum standards framework-	25	50	75
4.7.1 Percentage of Family Advocate litigation matters finalised within 12 months from the date of opening the matter	80%	80%	80%	80%	80%
4.8.1 Percentage of Family Advocate non-litigation matters finalised within 6 months from the date of opening the matter	80%	80%	80%	80%	80%
4.9.1 Percentage of maintenance matters finalised within 90 days from the date of proper service of process	80%	80%	80%	80%	80%
4.10.1 Social Compact between the Executive, Judiciary and Legislative tiers of government implemented.	Social Compact discussion document submitted to Cabinet by 31 December	Terms of Reference developed and Appointment of members	Consultation on the Draft Discussion Document	Draft Discussion Document on Social Compact submitted to Cabinet by 31 December 2021	-
4.11.1 Number of branch courts converted into full services courts	6	Develop Framework	Adoption of Framework by stakeholders	Coordinate site resourcing	6

Outcome 4: Increased access to justice services					
Output indicators	**Annual target 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
4.12.1 Case backlogs Reduction Framework adopted by 31 December 2021	Case backlogs reduction framework adopted	Draft Framework Developed	Consultation with Stakeholders	Case backlogs reduction framework adopted by 31 December 2021	
4.13.1 Maintenance Improvement Framework developed and submitted to the Minister for approval by 31 December 2021	Maintenance Improvement Framework submitted to the Minister for approval by 31 December 2021	Draft Framework Developed	Consultation with Stakeholders	Maintenance Improvement Framework submitted to the Minister for approval by 31 December 2021	

7.3 Outcome, outputs, performance indicators and targets

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

Outcome 10: Crime and corruption reduced through effective prosecution								
Outputs	**Output Indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
10.1 Dedicated Specialised Commercial Courts (Serious Economic Crimes Courts)	10.1.1 Number of dedicated Specialised Commercial Crime Courts	-	-	-	6	2	2	-
10.2 Anti-corruption architecture reviewed	10.2.1 Position paper on the review of existing anti-corruption legislation and institutional arrangements submitted to the Minister for approval by 31 March 2022	-	-	-	-	Position paper submitted to the Minister by 31 March 2022	-	-

7.4 Indicators, annual and quarterly targets for 2021/22

Table 11: Output indicators, annual and quarterly targets for 2021/22

Outcome 10: Crime and corruption reduced through effective prosecution					
Output indicators	**Annual target for 2020/21**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
10.1.1 Number of dedicated specialised Commercial Crimes Courts established in five provinces	2	-	Consultation with stakeholder and site identification	Site resourcing	2
10.2.1 Position on the review of existing anti-corruption legislation and institutional arrangements submitted to Minister for approval by 31 March 2022	Position paper submitted to the Minister for approval by 31 March 2022	Conduct research	Develop draft position paper following research conducted	Consultation with stakeholders	Position paper submitted to the Minister for approval by 31 March 2022

7.5 Explanation of Planned Performance over the Medium-Term Period

The establishment of Phases of Femicide Watch will assist the Department to monitor the effective and efficient processing of GBVF cases. The indicator intends to measure the Department's performance in relation to the development of Femicide Watch as required by article 15 of the Presidential Summit Declaration against GBVF of 2019, Pillar 3 of the National Strategic Plan on Gender-based Violence and Femicide (NSP on GBVF), and as per the recommendation of the United Nations to South Africa. The Femicide Watch will be developed in Phases and will be a national repository of all cases of female homicides that are related to gender-based violence. It is mainly intended to assist in profiling these cases for effective prevention and response. Over the medium-term period, the Department plans to complete 6 Phases of Femicide Watch.

Percentage of criminal cases postponed due to unavailability of court administration staff: The purpose of the indicator is to monitor and reduce the postponement of criminal cases occasioned by the unavailability of court administration staff. This indicator will assist the Department to measure the impact that the unavailability of admin staff has on the number of backlog cases, identify gaps, and implement corrective measures where necessary. The aim of the Department is to reduce the number of backlog cases on the roll, increase access to justice, thus improving confidence in the justice system. Over the medium-term period, the Department plans to have less than 0.3% cases postponed due to unavailability of court administration staff.

Percentage of child justice preliminary inquiries finalised within 90 days after date of first appearance: The indicator intends to monitor the turnaround time in the finalisation of child justice preliminary inquiries so as to ensure the speedy finalisation of cases involving children and to safeguard their rights, as entrenched by section 28 of the Constitution and protected by the Child Justice Act, 2008 (Act No. 75 of 2008). The speedy finalisation of child justice preliminary inquiries will increase access to justice services by children. Over the MTEF period, the Department plans to finalise 91% of child justice preliminary inquiries within 90 days after date of first appearance .

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

Number of additional courts designated in terms of section 55(A) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007, of sexual offences, in line with the 2018 Presidential Summit declaration against GBVF: Through this indicator, the Department primarily seeks to provide victims of sex crimes with a catalogue of support services intended to free their court experience of any form of secondary victimisation, as required by article 13 of the Presidential Summit Declaration against Gender-based Violence and Femicide (GBVF), and in line with Pillar 3 of the National Strategic Plan on GBVF. These are statutory courts also established in compliance with the regulations relating to Sexual Offences Courts, which the Minister of Justice and Correctional Services approved into operation in February 2020. Over the MTEF period the Department plans to designate 99 courts in order to increase access to justice services.

Number of new court buildings completed: As per building regulations, the Department of Justice and Constitutional Development is committed to providing facilities (offices/courts/service points) that are accessible to people with disabilities. Over the MTEF period, the Department plans to complete 3 courts to increase the national footprint of courts to increase access to justice services.

Number of service points compliant with universal access, designed principles, provision of reasonable accommodation and measures for persons with disabilities: This indicator is intended to establish a disability-centric court system for court users with disabilities in line with the Constitution and the related domestic legislation, as well as the UN Convention on the Rights of Persons with Disabilities. Over the MTEF period, the Department will ensure that 54 service points are compliant with universal access, designed principles, provision of reasonable accommodation and measures for persons with disabilities.

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

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

Number of branch court/periodical courts converted to full services courts: The indicator intends to measure the increase in the number of courts that will be converted to offer full services in order to improve access to justice services. Over the MTEF period, the Department plans to increase the number of courts proclaimed to offer full services from 479 to 483.

7.6 Reconciling performance with the budget and MTEF

The budget for Programme 2, as detailed in the ENE for 2021/22, is shown below.

Table 12: Court Services budget

Sub-programme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
R million	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Lower Courts	4 585.9	4 732.1	5 230.1	5 003.9	5 038.8	5 000.3	4 838.6
Family Advocate	211.3	224.6	242.3	261.2	276.4	273.3	270.7
Magistrates Commission	13.3	13.8	17.4	18.3	17.3	17.1	21.0
Facilities Management	994.2	813.0	356.0	578.0	770.7	785.6	807.9
Administration of Lower Courts	535.9	536.4	582.8	649.6	534.4	562.7	580.2
Total	**6 340.6**	**6 320.1**	**6 428.7**	**6 511.0**	**6 637.7**	**6 639.0**	**6 518.4**
Change to 2020 budget estimate				(669.3)	(1 050.6)	(1 368.3)	(1 317.6)
Economic classification							
Current payments	**5 269.6**	**5 399.8**	**5 936.6**	**5 874.8**	**5 806.9**	**5 792.4**	**5 643.1**
Compensation of employees	3 783.6	3 920.2	4 180.7	4 334.4	4 256.5	4 253.5	4 271.4
Goods and services	1 486.0	1 479.5	1 755.9	1 540.4	1 550.4	1 538.9	1 371.7
of which:							
Communication	88.9	85.0	74.7	96.4	98.8	98.3	96.9
agency and support/outsourced services	121.9	49.2	220.2	84.4	90.9	91.0	30.0
Consumables: stationery, printing and office supplies	142.0	172.4	120.3	172.0	177.3	177.6	116.4
Property payments	593.0	596.3	724.1	698.5	608.2	620.4	589.8
Travel and subsistence	188.0	208.8	215.6	94.3	186.0	172.7	219.9
Operating payments	67.6	77.8	86.8	85.5	137.8	108.3	92.0
Transfers and subsidies	**27.6**	**29.5**	**23.5**	**31.0**	**31.3**	**32.8**	**34.5**
Provinces and municipalities	0.6	0.5	0.7	0.9	0.9	0.9	0.9
Departmental agencies and accounts	0.0	0.0	0.0	0.1	0.0	0.0	0.0
Households	26.9	28.9	22.7	30.0	30.3	31.8	33.5
Payments for capital assets	**1 035.9**	**874.5**	**462.9**	**605.0**	**799.6**	**813.8**	**840.8**
Buildings and other fixed structures	963.8	795.8	305.1	456.9	703.3	716.7	739.3
Machinery and equipment	72.1	78.7	157.9	148.0	96.2	97.1	101.5
Payments for financial assets	**7.5**	**16.4**	**5.7**	**0.2**	**–**	**–**	**–**
Total	**6 340.6**	**6 320.1**	**6 428.7**	**6 511.0**	**6 637.7**	**6 639.0**	**6 518.4**

Sub-programme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
R million	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
Lower Courts	4 400.0	4 585.9	4 732.1	5 144.9	5 280.9	5 672.28	5 867.4
Family Advocate	209.8	211.3	224.6	253.5	270.9	288.0	298.3
Magistrates Commission	12.4	13.3	13.8	21.6	21.5	22.8	23.5
Facilities Management	1 101.0	994.2	813.0	656.1	939.0	991.7	1 038..0
Administration of Lower Courts	549.4	535.9	536.4	660.8	668.0	713.7	780.1

Total	**6 272.6**	**6 340.6**	**6 320.1**	**6 736.9**	**7 180.3**	**7 688.4**	**8 007.3**
Change to 2019 budget estimate				(88.0)	(110.3)	(121.0)	(62.2)
Economic classification							
Current payments	**5 105.6**	**5 269.6**	**5 399.8**	**6 037.9**	**6 186.8**	**6 641.3**	**6 911.1**
Compensation of employees	3 667.3	3 783.6	3 920.2	4 324.8	4 622.2	4 923.3	5 167.8
Goods and services	1 438.3	1 486.0	1 479.5	1 713.2	1 564.6	1 718.0	1 743.3
of which:							
Communication	*101.0*	*88.9*	*85.0*	*94.8*	*98.1*	*103.8*	*103.3*
agency and support/outsourced services	*162.9*	*121.9*	*49.2*	*193.4*	*89.6*	*87.0*	*94.4*
Consumables: stationery, printing and office supplies	*138.2*	*142.0*	*172.4*	*171.4*	*195.2*	*192.1*	*191.6*
Property payments	*477.8*	*593.0*	*596.3*	*675.4*	*662.5*	*646.8*	*674.4*
Travel and subsistence	*188.3*	*188.0*	*208.8*	*173.7*	*179.4*	*224.8*	*214.1*
Operating payments	*75.5*	*67.6*	*77.8*	*118.1*	*107.6*	*189.0*	*180.2*
Transfers and subsidies	**24.6**	**27.6**	**29.5**	**29.8**	**31.0**	**32.8**	**34.3**
Provinces and municipalities	0.6	0.6	0.5	07	0.7	0.8	0.8
Departmental agencies and accounts	0.1	0.0	0.0	0.0	0.0	0.0	0.0
Households	23.9	26.9	28.9	29.1	30.2	32.0	33.4
	1 136.3	**1 035.9**	**874.5**	**668.9**	**962.5**	**1 014.3**	**1 062.0**
Buildings and other fixed structures	1 023.0	963.8	795.8	510.6	874.4	922.6	966.7
Machinery and equipment	113.1	72.1	78.7	158.2	88.1	91.8	95.3
Software and other intangible assets	0.2	–	–	0.1	–	–	–
Payments for financial assets	**6.2**	**7.5**	**16.4**	**0.2**	**–**	**–**	**–**
Total	**6 272.6**	**6 340.6**	**6 320.1**	**6 736.9**	**7 180.3**	**7 688.4**	**8 007.3**

EXPENDITURE TRENDS

The spending focus under this programme is mainly on personnel, agency services, property payments, operating leases, travel and subsistence and buildings and other fixed structures.

The number of posts in this programme is expected to be 11 965 by 2023/24.

8. MEASURING PERFORMANCE PROGRAMME 3: STATE LEGAL SERVICES

The aim of this programme is to provide legal and legislative services to the Department and government broadly; supervise the registration of trusts; the administration of deceased and insolvent estates and estates undergoing liquidation; manage the Guardian's Fund; facilitate constitutional development and undertake research.

The programme consists of the following sub-programmes:

i. **State Law Advisory Services:** Provides legal advisory services by the Office of the Chief State Law Adviser to the Executive, all state departments, state-owned enterprises and autonomous government bodies.

ii. **Litigation and Legal Services:** Provides state litigation services which relates to the functions of the Solicitor-General and Offices of the State Attorney, including conveyancing and notary services in respect of all government departments and other organs of State as may be determined in terms of the State Attorney Amendment Act.

iii. **Legislative Development and Law Reform:** Conducts research and prepares and promotes new legislation and amends existing legislation.

iv. **Master of the High Court:** Is responsible for functions relating to the administration of deceased and insolvent estates, trusts, curatorship and the Guardian's Fund performed through the various offices of the Master countrywide.

v. **Constitutional Development:** Coordinates the implementation of constitutionally mandated legislation such as the Promotion of Equality and Prevention of Unfair Discrimination Act (2000) and the Promotion of Administrative Justice Act 2000; coordinates the preparation and submission of country reports; coordinates the implementation of the National Action Plan (NAP) to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance; and conducts research on various constitutional related matters.

8.1 Outcomes, outputs, performance indicators and targets[12]

Table 13: Outcomes, outputs, performance indicators and targets for 2021/22 (detailed information on the indicators is provided in Annexure B)

Outcome 5: Improved Masters services								
Outputs	**Outputs indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
5.1 Liquidation and distribution accounts in large estates (>250 000) examined within 15 days from receipt of all required documents	5.1.1 Percentage of Liquidation and distribution accounts in large estates (>250 000) examined within 15 days from receipt of all required documents	90%	93%	93%	75%	75%	80%	85%
5.2 Letters of appointment issued in deceased estates within 15 days from receipt of all required documents	5.2.1 Percentage of letters of appointment issued in deceased estates within 15 days from receipt of all required documents	96%	95%	94%	75%	80%	85%	90%
5.3 Beneficiaries in receipt of services within 40 days from receipt of all required	5.3.1 Percentage of beneficiaries in receipt of services within 40 days from receipt of all required	87%	96%	95%	83%	80%	87%	90%

12 Targets for indicators 2.19.1 to 2.27.1 were reduced due to the COVID-19 Lockdown which will create huge backlogs, and which will result in high targets not being met; and the envisaged rollout of new automation projects will result in time down for systems, creating backlogs.

Outcome 5: Improved Masters services								
Outputs	**Outputs indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
documents (Guardian's Fund)	documents (Guardian's Fund)							
5.4 Certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents	5.4.1 Percentage of certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents	93%	94%	96%	75%	75%	85%	90%
5.5 Liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents	5.5.1 Percentage of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents	97%	96%	98%	75%	75%	85%	90%
5.6 Letters of authority issued in trusts within 14 days from receipt of all required documents	5.6.1 Percentage of letters of authority issued in trusts within 14 days from receipt of all required documents	90%	82%	83%	70%	70%	75%	80%

Outcome 5: Improved Masters services								
Outputs	Outputs indicators	Audited performance			Estimated performance 2020/21	Medium-term targets		
		2017/18	2018/19	2019/20		2021/22	2022/23	2023/24
5.7 Letters of appointment issued in curatorship estates within 15 days from receipt of all required documents	5.7.1 Percentage of letters of appointment issued in curatorship estates within 15 days from receipt of all required documents	-	-	-	75%	75%	85%	90%

8.2 Indicators, annual and quarterly targets for 2021/22

Table 14: Programme performance indicators and quarterly targets 2021/22

Outcome 5: Improved Masters services					
Output indicators	Annual target 2021/22	Quarterly targets			
		Quarter 1	Quarter 2	Quarter 3	Quarter 4
5.1.1 Percentage of liquidation and distribution accounts in large estates (>250 000) examined within 15 days from receipt of all required documents	75%	75%	75%	75%	75%
5.2.1 Percentage of letters of appointment issued in deceased estates within 15 days from receipt of all required documents	75%	75%	75%	75%	75%

Outcome 5: Improved Masters services					
Output indicators	**Annual target 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
5.3.1 Percentage of beneficiaries in receipt of services within 40 days from receipt of all required documents (Guardian's Fund)	80%	80%	80%	80%	80%
5.4.1 Percentage of certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents	75%	75%	75%	75%	75%
5.5.1 Percentage of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents	75%	75%	75%	75%	75%
5.6.1 Percentage of letters of authority issued in trusts within 14 days from receipt of all required documents	70%	70%	70%	70%	70%
5.7.1 Percentage of letters of appointment issued in curatorship estates within 15 days from receipt of all required documents	75%	75%	75%	75%	75%

8.3 Outcomes, outputs, performance indicators and targets

Table 15: Outcomes, outputs, performance indicators and targets for 2021/22 (detailed information on the indicators is provided in Annexure B)

Outcome 6: Colonial/Apartheid era justice-related legislation reviewed and replaced								
Outputs	**Outputs indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
6.1 Bills and regulations approved by Minister	6.1.1 Number of Bills and Regulations submitted to the Minister for approval	29	9	9	5	4	4	4
6.2 Colonial/Apartheid era justice-related legislation approved by the Minister for submission to Cabinet	6.2.1 Number of Colonia/ Apartheid era justice-related legislation approved by the Minister for submission to Cabinet	-	-	-	3	4	4	4
6.3 Court Rules approved by the Board	6.3.1 Number of Rules of Court submitted to the Board for approval	20	27	25	20	30	20	20
6.4. Research papers approved by the Commission	6.4.1 Number of research papers submitted to the South African Law Reform Commission for approval	16	13	11	11	12	12	12

8.4 Indicators, annual and quarterly targets for 2021/22

Table 16: Programme performance indicators and quarterly targets

Outcome 6: Colonial/Apartheid era justice-related legislation reviewed and replaced					
Output indicators	**Annual target 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
6.1.1 Number of Bills and Regulations submitted to the Minister for approval	4	2	4	4	-
6.2.1 Number of Colonial/Apartheid era justice-related legislation approved by the Minister for submission to Cabinet	4	-	-	4	-
6.3.1 Number of Rules of Court submitted to the Board for approval	30	8	20	30	-
6.4.1 Number of research papers submitted to the South African Law Reform Commission for approval	12	3	6	12	-

8.5 Outcomes, outputs, performance indicators and targets

Table 17: Outcomes, outputs, performance indicators and targets for 2021/22 (detailed information on the indicators is provided in Annexure B)

Outcome 7: Transformed State Legal Services								
Outputs	**Outputs indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2016/17	**2017/18**	**2018/19**		**2021/22**	**2022/23**	**2023/24**
7.1 Policies to implement the State Attorney Amendment Act	7.1.1 Number of policies to implement the State Attorney Amendment Act developed and submitted to the Minister for approval	-	-	-	3 policies submitted to the Minister for approval (Management of State Litigation: Mediation (ADRM):State Legal Representation)	2 (Briefing and Outsourcing of Legal Work; Initiating, Defending and Opposing of Matters).	-	-
7.2 Policy on the management of the state litigation contingent liability developed and implemented	7.21 Policy on the management of the state litigation contingent liability implemented	-	-	-	-	Policy on the management of state litigation contingent liabilities developed and submitted to the Minister for approval	Policy on the management of state litigation contingent liabilities submitted to Cabinet for approval	Policy on the management of state litigation contingent liabilities implemented

Outcome 7: Transformed State Legal Services								
Outputs	**Outputs indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2016/17	**2017/18**	**2018/19**		**2021/22**	**2022/23**	**2023/24**
7.3 Litigation cases settled	7.3.1 Percentage of litigation cases settled	-	-	60%	52%	50%	55%	60%
7.4 Finalised Legal opinions	7.4.1 Percentage of legal opinions finalised within 30 days from date of receipt of the instruction	96%	73%	80%	82%	70%	75%	80%
7.5 Finalised suggested Bills and subordinate legislations	7.5.1Percentage of suggested Bills and subordinate legislation finalised within 30 days from the date of receipt of the instruction	92%	73%	80%	82%	70%	75%	80%

8.6 Indicators, annual and quarterly targets for 2021/22

Table 18: Programme performance indicators and quarterly targets

Outcome 7: Transformed State Legal Services					
Output indicators	**Annual target 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
7.1.1 Number of policies to implement the State Attorney Amendment Act developed and submitted to the Minister for approval	2 policies submitted to the Minister for approval	Consultation with internal stakeholders	Consultation with external stakeholders	2 policies submitted to DME for SEIAS certification	2 policies submitted to the Minister for approval
7.2.1 Policy on the management on the of state litigation contingent liability implemented	Policy on the management of state litigation contingent liabilities developed and submitted to the Minister for approval 78	Draft policy on the management of state litigation contingent liabilities completed	Consultation with internal and external stakeholders	Policy on the management of state litigation contingent liabilities submitted to DME for SEIAS certification	Policy on the management of state litigation contingent liabilities submitted to the Minister for approval
7.3.1 Percentage of litigation cases settled	50%	50%	50%	50%	50%
7.4.1 Percentage of legal opinions finalised within 30 days from date of receipt of the instruction	70%	70%	70%	70%	70%
7.5.1 Percentage of suggested Bills and subordinate legislation finalised within 30 days from the date of receipt of the instruction	70%	70%	70%	70%	70%

8.7 Outcomes, outputs, performance indicators and targets

Table 19: Outcomes, outputs, performance indicators and targets for 2021/22 (detailed information on the indicators is provided in Annexure B)

Outcome 8: Transformed Legal profession								
Outputs	**Outputs indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2016/17	**2017/18**	**2018/19**		**2021/22**	**2022/23**	**2023/24**
8.1 Value of briefs allocated to PDI Legal Practitioners	8.1.1 Percentage of value of briefs allocated to PDI Legal Practitioners	82%	83%	82%	82%	82%	83%	84%
8.2 Value of Briefs allocated to Female Legal Practitioners	8.2.1 Percentage of value of briefs allocated to Female Legal Practitioners	-	-	27%	29%	29%	31%	32%
8.3. Briefs allocated to Female Legal Practitioners.	8.3.1 Percentage of Briefs allocated to Female Legal practitioners	-	-	39%	39%	41%	42%	43%
8.4 Policy guideline on the conferral of Senior Counsel	8.4.1 Policy Guideline on the conferral of Senior Counsel status implemented	-	-	-	Policy Guideline on the conferral of Senior Counsel Status submitted to	Policy Guideline on the conferral of Senior Counsel Status to be submitted to	Policy Guideline on the conferral of Senior Counsel to be implemented	Policy Guideline on the conferral of Senior Counsel to be implemented

Outcome 8: Transformed Legal profession								
Outputs	**Outputs indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2016/17	**2017/18**	**2018/19**		**2021/22**	**2022/23**	**2023/24**
					Minister for approval by 31 March 2021	the President by 31 March 2022		
8.5 Policy Framework on the Transformation of Senior Counsel Status to the Legal Profession	8.5.1 Policy Framework on transformation of senior counsel status to advocates, attorneys and legal professionals who practice outside the courts developed by 31 March 2022	-	-	-	-	Policy Framework submitted to the Minister 's consideration by 31 March 2022		

8.8 Indicators, annual and quarterly targets for 2021/22

Table 20: Programme performance indicators and quarterly targets

Outcome 8: Transformed Legal profession					
Output indicators	**Annual target 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
8.1.1 Percentage of value of briefs allocated to PDIs Legal Practitioners	82%	82%	82%	82%	82%
8.2.1 Percentage of value of briefs allocated to female Legal Practitioners	29%	29%	29%	29%	29%
8.3.1 Percentage of briefs allocated to previously disadvantaged female legal practitioners	39%	39%	39%	39%	39%
8.4.1 Policy Guideline on the conferral of Senior Counsel status implemented	Policy Guideline on the conferral of Senior Counsel Status to be submitted to the President by 31 March 2022	Commencement of consultations with relevant stakeholders	Commencement of consultations with relevant stakeholders	Finalisation of the Policy Guideline on the conferral of Senior Counsel Status	Policy Guideline on the conferral of Senior Counsel Status to be submitted to the President by 31 March 2022
8.5.1 Policy Framework on transformation of senior counsel status to advocates, attorneys and legal professionals who practice outside the courts developed by 31 March 2022	Policy Framework submitted to the Minister's consideration by 31 March 2022	Commencement of research	Ongoing research and consultations	Ongoing research and consultations	Policy Framework submitted to the Minister's consideration by 31 March 2022

8.9 Outcomes, outputs, performance indicators and targets

Table 21: Outcomes, outputs, performance indicators and targets for 2021/22 (detailed information on the indicators is provided in Annexure B)

Outcome 9: Advanced constitutionalism, human rights and the rule of law								
Outputs	**Outputs indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
9.1 Early Warning Mechanism to respond to incidents of racist and xenophobic offences/hate crimes	9.1.1 Rapid Response Mechanism to respond to incidents of racist and xenophobic offences/hate crimes	-	-	-	-	Rapid Response Mechanism established by 31 March 2022	-	-
9.2 Data collection of disaggregated statistical data	9.2. 1Data collection of disaggregated statistical data for the measurement of racism, racial discrimination, xenophobia and related intolerance developed	-	-	-	-	Datasets identified for the developme nt of a virtual repository by 31 March 2022	Framework for the virtual repository developed	Virtual repository on disaggregated statistical data established
9.3 Treaty reports tabled	9.3.1 Number of country reports submitted to DIRCO for onward submission to treaty bodies	4	3	3	2	1	4	

Outcome 9: Advanced constitutionalism, human rights and the rule of law								
Outputs	**Outputs indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
9.4 Valid requests for extradition and mutual legal assistance in criminal matters processed and submitted	9.4.1 Percentage of valid requests for extradition and mutual legal assistance in criminal matters processed and submitted to the Director-General within 20 days from the date of receipt	89%	99.2%	78%	70%	80%	85%	90%
9.5 Framework on extradition and Mutual legal assistance	9.5.1 Framework on Extradition and Mutual legal assistance submitted to the Minister for Approval 31 December 2021	-	-	-	-	Framework on Extradition and Mutual Legal Assistance submitted to the Minister for approval by 31 December 2021	-	-
9.6 Framework that guide the development of treaty reports	9.6.1 Framework on treaty obligations developed					Draft framework on treaty obligations developed and submitted to the Minister for	Framework on treaty obligations finalized and submitted to the Minister for approval	-

Outcome 9: Advanced constitutionalism, human rights and the rule of law								
Outputs	**Outputs indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
						consultatuion approval		
9.7 Constitutional Court judgements implemention framework	9.7.1 Framework to Monitor the implementation of Constitutional Court judgements developed					Draft Framework to Monitor the Implementation of Constitutional Court Judgements developed and submitted to the Minister for consultatuion approval	Draft Framework finalized and submitted to the Minister for approval	-

8.10 Indicators, annual and quarterly targets for 2021/22

Table 22: Programme performance indicators and quarterly targets

Outcome 9: Advanced constitutionalism, human rights and the rule of law					
Output indicators	**Annual target 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
9.1.1 Rapid Response Mechanism to respond to incidents of racist and xenophobic offences/hate crimes	Rapid Response Mechanism established by 31 March 2022	-	-	-	Rapid Response Mechanism established by 31 March 2022
9.2. 1 Data collection of disaggregated statistical data for the measurement of racism, racial discrimination, xenophobia and related intolerance developed	Datasets identified for the development of a virtual repository by 31 March 2022	Engagement with key stakeholders on the identification of the datasets for the development of a virtual repository	Review the final report and recommendations on the technical assistance report on the methods of data collection in regard to racism, racial discrimination, xenophobia and related intolerance	Continuous update of the virtual repository	Datasets identified for the development of a virtual repository by 31 March 2022
9.3.1 Number of country reports submitted to DIRCO for onward submission to treaty bodies	1	Solicit inputs from Government Departments and develop first draft UPR Country Report	Consultation stakeholders on first draft of the UPR Country Report	Final Draft of the UPR Country Report consulted with Government Clusters; Cabinet	1

				and Civil Society Organisations	
9.4.1 Percentage of valid requests for extradition and mutual legal assistance processed and submitted to the Director-General within 20 working days from receipt.	80%	80%	80%	80%	80%
9.5.1 Framework on Extradition and Mutual legal assistance submitted to the Minister for Approval 31 December 2021 .	Framework on Extradition and Mutual legal assistance submitted to the Minister for Approval 31 December 2021	Drafting of the Issue paper	Discussion document for consultation finalised	Extradition and Mutual legal assistance submitted to the Minister for Approval 31 December 2021	-
9.6.1 Framework on treaty obligations developed	Draft framework on treaty obligations developed and submiited to the Minister for consultataion approval	Review of existing framework	Desk top analysis conducted	First draft framework on treaty obligations developed	Draft Framework to Monitor the Implementation of Constitutional Court Judgements developed and submiited to the Minister for consultatuion approval
9.7.1 Framework to Monitor the implementation of Constitutional Court judgements developed	Draft Framework to Monitor the Implementation of Constitutional Court Judgements	Assessment on the implementation of Constitutional Court judgements	Assessment report produced	Draft Framework to Monitor the Implementation of Constitutional Court	Draft Framework to Monitor the Implementation of Constitutional Court Judgements

	developed and submiited to the Minister for consultatuion approval	by national departments		Judgements developed	developed and submiited to the Minister for consultatuion approval

8.11 Explanation of Planned Performance over the Medium-Term Period

Liquidation and distribution accounts in large estates (>250 000) examined within 15 days from receipt of all required documents. After a person has been appointed by the Master to deal with the assets of the deceased, they need to take control of the assets and obtain all details of creditors and heirs. They also need to ensure that the estate devolves in terms of the will, or if there is no will, in terms of the Intestate Succession Act. In estates with a value of R250 000 or more, the executor needs to lodge an account with the Master, within 6 months after appointment, indicating what the assets and liabilities are and how they intend to deal with it. The Master will examine this account and only when satisfied with the contents thereof will the Master give approval for the executor to proceed with the administration. It is thus of absolute importance that these be examined speedily to enable the executor to pay the debts of the deceased, transfer assets to the rightful heirs, etc., and finalize the estate. Achieving this objective will improve the services the public receives from the Master.

Letters of appointment issued in deceased estates within 15 days from receipt of all required documents: For someone to be able to deal with the assets of a deceased person, they need to be formally appointed to do so by the Master of the High Court. It is thus of absolute importance that these appointments be issued as soon as possible to enable to heirs of the deceased to pay the debts of the deceased, maintain the family, transfer assets to the rightful heirs, and etc. These appointments can only be done by the Master and without its families and creditors can experience hardship due to being unable to access the funds of the deceased as bank accounts are frozen on date of death. Achieving this objective will improve the services the public receives from the Master.

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

Whenever any money is received or accepted by the Master, he or she must open an account in the books of the GF in the name of the person to whom the money belongs or in the name of the estate of which the money forms part.

The Master must, on application of any person who has become entitled to receive money from the Fund, pay that money to the applicant, whether it be inheritance applications and payments to persons entitled thereto or payments to natural guardians, tutors and curators required for maintenance, education or other benefit.

It is thus of utmost importance that the Master assists such applicants as soon as possible, as their livelihood sometimes depends on the finalisation of these payments.

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

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

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

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

The appointee needs to lodge an account with the Master indicating what the assets and liabilities are and how he intends dealing with it.

The Master will examine this account and only once the Master is satisfied with the contents thereof will he approve that the appointee can proceed with the administration.

It is thus of absolute importance that these accounts be examined speedily to enable the appointee to liquidate the assets, pay the creditors and thus plough back the money into the economy. Achieving this objective will improve the services the public receives from the Master.

Letters of authority issued in trusts within 14 days from receipt of all required documents: When a person wants to create a trust, they need to register such a trust with the Master and only once the Master has formally appointed the trustees, by way of issuing a Letter of Authority, can those trustees start acting lawfully on behalf of the trust. Trusts play an important role in the economy as it is a commonly used structure in financial planning in a regulated environment. Timely registration of trusts facilitates free and efficient economic activity. Trusts also impact on individual tax planning. Over the medium-term, the plan is to improve the services the public receives from the Master by ensuring that 90% of Letters of authority are issued in trusts within 14 days from receipt of all required documents.

Letters of appointment issued in curatorship estates within 15 days from receipt of all required documents: When a person is declared incapable of managing his/her own affairs or becomes incapacitated to do so, the interested parties can apply to court to have a curator appointed for that person. A curator then acts on behalf of that person and takes decisions about his finances and person on behalf of him/her. For a curator to able to do this, they need to be formally appointed to do so by the Master of the High Court, by the issuing of a letter of appointment. It is thus of absolute importance to the livelihood and quality of life of such vulnerable persons that these appointments be issued as soon as possible by the Master. Over the medium-term the plan is to improve the services the public receives from the Master by ensuring that 90% of Letters of appointment are issued in curatorship estates within 15 days from receipt of all required documents. Achieving this objective will improve the services the public receives from the Master.

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

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

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

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

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

also to empower the most vulnerable in our society, being children, women, as well as people with disabilities.

The Branch will also, during this MTEF period, promote Bills that are aimed at dismantling the last vestiges of apartheid as well as those that were meant to stifle political dissent and individual freedoms. Over the medium term, the OCSLA aims to achieve 85% on both KPIs using the available resources and the allocated budget during the MTEF period. The performance will assist in the achievement of the departmental strategic outcome which is "Transformed colonial apartheid era justice related legislation". The provision of legal advisory services performed by the OCSLA will assist in the development of legally sound legislation pertaining to, amongst others, women, children, and people with disabilities. The OCSLA will ensure that the legislation certified will pass the constitutional muster if challenged at the Constitutional Court.

Percentage of litigation cases settled: This output also has a direct impact on the second branch outcome by measuring percentage of litigation cases settled at 53% for the 2021/22 financial year. The finalisation of the ADRM will contribute in the achievement of this output by ensuring that cases are mediated and/or settled at an early stage instead of following the normal litigation route, therefore curbing the unnecessary legal costs. The Department set to settle 60% through ADRM over the MTEF period.

Increased number of previously disadvantaged legal practitioners briefed: This indicator measures the increase in the number of previously disadvantaged legal practitioners representing the state in legal matters. The achievement of this indicator will result in empowerment by enhancing skills, knowledge and expertise in the legal profession. It will further contribute to economic standing and increase the pool of candidates eligible for the bench. Besides broadening the pool for available legal practitioners, they will be better equipped to protect the state against any legal actions/claims. Over the MTEF period, the Department plans to brief 85% of previously disadvantaged legal practitioners and 30% of women legal practitioners.

Briefs allocated to previously disadvantaged legal practitioners. This indicator seeks to foster cohesion and stimulate equality among those in the legal profession, both in the public and private sector, by developing legal expertise. The plan is to allocate briefs to over 2000 different legal practitioners; at least 41% thereof should be female legal practitioners. In addition, the plan will monitor the rand value of briefs allocated to previously disadvantaged legal practitioners, with the target set for PDIs at 85%, and the target for female legal practitioners set at 32% .

The planned performance over the medium-term period relates to the implementation of the National Action Plan to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance (NAP), given the DoJ&CD's role as a focal agency in this regard, as well as in relation to the commemoration of the 25th anniversary of the Constitution. In particular, this involves the implementation of the NAP to Combat Racism, Racial Discrimination, Xenophobia and Related Intolerance, the development of a funding model for the NAP, and conducting anti-xenophobia

campaigns. Given the scourges of racism, xenophobia and general intolerance in the country, the effective implementation of the NAP will in turn contribute towards building a more equal and just society, with a particular focus on vulnerable, marginalised and other priority groups, thus advancing constitutionalism, human rights and the rule of law.

The NAP Programme of Action is closely aligned to the MTSF, Priority 6: Social Cohesion and Safer Communities Programme, in accordance with which the DoJ&CD is responsible for conducting anti-xenophobia campaigns in collaboration with other departments and role-players.

Current resources and available budget over the next medium-term period have been considered in relation to the planned performance, which will involve collaboration and partnerships with key stakeholders and role-players to achieve targets.

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

Valid requests for extradition and mutual legal assistance in criminal matters processed and submitted: Over the MTEF period, the Department plan to process 85% of valid requests for extradition and mutual legal assistance in criminal matters within 25 days from the date of receipt. The processing of Mutual legal assistance in criminal matters is done with the purpose of ensuring effective collaboration with other States in the fight against crime.

Policy Frameworks submitted to the Minister for approval by target date: Over the MTEF period, the Department will review, modernise and improve the extradition regime and the mutual legal assistance framework to ensure effectiveness and enhance collaboration with other states in the fight against crime.

8.12 Reconciling performance information with the budget and MTEF

The budget for State Legal Services, as detailed in the ENE for 2021/22, is shown below.

Table 23: State Legal Services budget

Sub-programme	Audited outcome			Adjusted appropriation	Medium-Term Expenditure estimate		
R million	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
State Law Advisers	63.0	64.7	70.3	79.1	79.5	77.8	79.4
Litigation and Legal Services	457.8	491.8	533.8	500.8	499.6	497.4	505.1
Legislative Development and Law Reform	73.7	82.5	89.6	115.1	154.3	165.1	175.6
Master of the High Court	503.7	506.6	532.0	552.8	547.0	542.4	551.7
Constitutional Development	66.6	65.2	69.3	82.8	88.9	93.7	98.2
Total	**1 164.9**	**1 210.8**	**1 295.1**	**1 330.6**	**1 369.3**	**1 376.5**	**1 410.0**
Change to 2020 budget estimate				(101.3)	(160.0)	(236.5)	(168.4)
Economic classification							
Current payments	**1 129.6**	**1 168.1**	**1 248.7**	**1 286.5**	**1 322.7**	**1 327.9**	**1 358.7**
Compensation of employees	979.5	1 022.4	1 085.0	1 151.9	1 170.2	1 173.1	1 191.0
Goods and services of which:	150.2	145.8	163.7	134.5	152.5	154.7	167.7
Minor Assets	*5.0*	*2.7*	*3.7*	*5.9*	*7.4*	*8.2*	*8.5*
Communication	*12.2*	*12.2*	*11.1*	*14.2*	*15.3*	*16.3*	*17.1*
Legal Services	*59.7*	*61.2*	*75.0*	*41.3*	*43.3*	*42.1*	*43.9*
Consumables: stationery, printing and office supplies	*13.9*	*13.9*	*14.7*	*16.4*	*19.0*	*19.4*	*18.1*
Travel and subsistence	*33.4*	*35.8*	*34.1*	*16.0*	*17.6*	*16.3*	*26.5*
Operating payments	*11.4*	*4.2*	*4.8*	*8.4*	*10.6*	*11.5*	*11.7*
Transfers and subsidies	**24.1**	**32.1**	**31.8**	**24.3**	**25.6**	**26.6**	**27.8**
Foreign governments and international organisations	14.4	12.8	13.0	18.9	19.9	20.7	21.6
Households	9.7	19.3	18.8	5.3	5.6	5.9	6.1
Payments for capital assets	**10.9**	**10.2**	**14.4**	**19.5**	**21.0**	**22.0**	**23.6**
Machinery and equipment	10.9	10.2	14.3	18.0	21.0	22.0	23.6
Payments for financial assets	**0.1**	**0.4**	**0.2**	**0.4**	**-**	**-**	**-**
Total	**1 164.9**	**1 210.8**	**1 295.1**	**1 330.6**	**1 369.3**	**1376.5**	**1 410.0**

Sub-programme	Audited outcome			Adjusted appropriation	Medium-Term Expenditure estimate		
R million	2016/17	2017/18	2018/19	2019/20	2020/21	2021/22	2022/23
State Law Advisers	61.7	63.0	64.7	80.4	86.2	91.8	95.2
Litigation and Legal Services	447.4	457.8	491.8	559.7	535.0	567.9	595.1
Legislative Development and Law Reform	61.2	73.7	82.5	100.5	120.8	136.3	145.5
Master of the High Court	477.3	503.7	506.6	557.6	590.2	627.5	658.5
Constitutional Development	73.6	66.6	65.2.	101.6	99.7	105.8	118.6
Total	**1 121.2**	**1 164.9**	**1 210.8**	**1 399.8**	**1 431.9**	**1 529.3**	**1 612.9**
Change to 2019 budget estimate				50.0	(14.3)	(7.5)	18.3
Economic classification							
Current payments	**1 076.4**	**1 129.6**	**1 168.1**	**1 354.9**	**1 388.3**	**1 483.7**	**1 565.3**
Compensation of employees	928.2	979.5	1 022.4	1 162.5	1 238.7	1 325.1	1 401.8

Goods and services of which:	148.1	150.2	145.2	192.4	149.5	158.5	163.5
Minor Assets	*5.1*	*5.0*	*2.7*	*5.4*	*6.7*	*7.1*	*7.6*
	14.1	*12.2*	*12.2*	*13.0*	*14.2*	*15.3*	*15.8*
Communication							
Legal Services	*51.3*	*59.7*	*61.2*	*95.6*	*40.0*	*41.3*	*41.0*
Consumables: stationery, printing and office supplies	*14.1*	*13.9*	*13.9*	*16.0*	*17.6*	*18.9*	*19.5*
Travel and subsistence	*33.4*	*33.4*	*35.8*	*25.0*	*31.6*	*33.4*	*35.4*
Operating payments	*7.8*	*11.4*	*4.2*	*6.9*	*8.0*	*8.1*	*8.7*
Transfers and subsidies	**27.8**	**24.1**	**32.1**	**26.7**	**24.3**	**25.6**	**26.6**
Foreign governments and international organisations	13.5	14.4	12.8	17.9	18.9	19.9	20.7
Households	14.3	9.7	19.3	8.7	5.3	5.6	5.9
Payments for capital assets	**15.7**	**10.9**	**10.2**	**18.2**	**19.4**	**20.0**	**21.0**
Machinery and equipment	**15.7**	**10.9**	**10.2**	**18.2**	**19.4**	**20.0**	**21.0**
Payments for financial assets	**1.4**	**0.1**	**0.4**	**0.0**	-	-	-
Total	**1 121.2**	**1 164.9**	**1 210.8**	**1 399.8**	**1 431.9**	**1 529.3**	**1 612.9**

EXPENDITURE TRENDS

The spending focus of this programme is mainly on personnel, legal services, travel and subsistence and claims against the state. Additional funds amounting to R105 million has been allocated over the medium term to fund the further capacitation of the Information Regulator.

The number of posts in this programme is expected to be 2 176 by 2023/24.

9. MEASURING PERFORMANCE PROGRAMME 4: NATIONAL PROSECUTING AUTHORITY

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

The programme consists of the following sub-programmes:

i. **National Prosecutions Service:** Primarily responsible for general and specialised prosecutions and the appeals that might follow, which include resolving criminal matters outside of the formal trial process through alternative dispute resolution mechanisms, settling admissions of guilt for minor offences and considering dockets brought by the police where persons have not been charged. This sub-programme further deals with priority crimes litigation, sexual offences, and community affairs and specialised commercial crime.

ii. **Assets Forfeiture Unit:** Seizes assets that are the proceeds of crime or have been part of the offence through a criminal or civil process.

iii. **Office of Witness Protection:** Provides for protection, support and related services to vulnerable, intimidated witnesses and related persons in judicial proceedings in terms of the Witness Protection Act (1998).

iv. **Strategy, Operations and Compliance:** Provides corporate support services to the National Prosecuting Authority in terms of finance, human resources, ICT, strategy support, integrity, security, communication and risk management.

v. **Investigating Directorate**: As a dedicated project, will investigate and prosecute identified serious, complex and high-profile corruption and related cases falling within its mandate (including those identified in the Judicial Commission of Inquiry into Allegations of State Capture (also known as the Zondo Commission)) and other commissions of inquiries, and will recover assets identified to be the proceeds of corruption.

9.1. Outcomes, outputs, performance indicators and targets for 2021/22

Table 24: Outcomes, outputs, performance indicators and targets for 2021/22 (detailed information on the indicators is provided in Annexure B)

Outcome 10: Crime and corruption reduced through effective prosecution								
Outputs	Outputs indicators	Audited performance			Estimated performance 2020/21	Medium-term targets		
		2017/18	2018/19	2019/20		2021/22	2022/23	2023/24
10.3. Effective prosecutions conducted	10.3.1 Conviction rate in High Court	91.7%	90%	90.9%	87%	87%	87%	87%
	10.3.2 Conviction rate in Regional Court	81%	81.70%	82.5%	74%	74%	74%	74%
	10.3.3 Conviction rate in District Court	96.1%	95.7%	95.3%	88%	88%	88%	88%
	10.3.4 Conviction rate in cable theft	N/A	N/A	N/A	N/A	90%	90%	90%
	10.3.5 Number of witnesses and related persons threatened, harmed or killed while on the witness protection programme	0	0	0	0	0	0	0
10.4 Fraud and corruption dealt with	10.4.1. Conviction rate in complex commercial crime	94.10%	93%	92.3%	93%	93%	93%	93%
	10.4.2. Number of persons convicted of private sector corruption	N/A	143	233	150	158	166	174
	10.4.3. Number of government officials convicted of corruption and/or offences related to corruption	213	227	183	220	232	243	254

	10.4.4. Number of cases involving money laundering	N/A	N/A	N/A	90	100	110	120
10.5 Freezing of money and assets that are the proceeds of crime	10.5.1 Value of freezing orders obtained for corruption or offences relating to corruption	R3.8bn	R262m	R1.95bn	R2.4bn	R2.4bn	R2.8bn	R3bn
10.6 Recovery of money and assets that are the proceeds of crime	10.6.1 Value of recoveries relating to corruption or related offences	R2.54bn	R2.84bn	R3.05m	R1.4bn	R1.4bn	R1.4bn	R1.4bn

9.2 Indicators, annual and quarterly targets for 2021/22

Table 25: Indicators, annual and quarterly targets

Outcome 10: Crime and corruption reduced through effective prosecution					
Output indicators	**Annual target 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
10.3.1 Conviction rate in High Court	87%	87%	87%	87%	87%
10.3.2 Conviction rate in Regional Court	74%	74%	74%	74%	74%
10.3.3 Conviction rate in District Court	88%	88%	88%	88%	88%
10.3.4 Conviction rate in cable theft	90%	90%	90%	90%	90%
10.3.5 Number of witnesses and related persons threatened, harmed or killed while on the witness protection programme	0%	0%	0%	0%	0%
10.4.1 Conviction rate in complex commercial crime	93%	93%	93%	93%	93%
10.4.2 Number of persons convicted of private sector corruption	158	39	41	37	41
10.4.3 Number of government officials convicted of corruption and/or offences related to corruption	232	60	55	50	67
10.4.4 Number of cases involving money laundering	100	25	24	26	25

Outcome 10: Crime and corruption reduced through effective prosecution					
Output indicators	**Annual target 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
10.5.1 Value of freezing orders obtained for corruption or offences relating to corruption	R2.4bn	R600m	R700m	R500m	R600m
10.6.1 Value of recoveries relating to corruption or related offences	R1.4bn	R350m	R400m	R300m	R350m

9.3 Outcomes, outputs, performance indicators and targets

Table 26: Outcomes, outputs, performance indicators and targets for 2021/22 (detailed information on the indicators is provided in Annexure B)

Outcome 4: Increased access to justice services								
Outputs	**Output indicators**	**Audited performance**			**Estimated performance 2020/21**	**Medium-term targets**		
		2017/18	**2018/19**	**2019/20**		**2021/22**	**2022/23**	**2023/24**
4.14 Victim-centric services enhanced	4.14.1 Number of operational TCCs in pla	55	55	55	58	59	60	61
	4.14.2 Conviction rate in sexual offences	71.20%	74.4%	75.2%	70%	70%	70%	70%
	4.14.3. Number of public awareness sessions conducted	N/A	120	1142	140	150	160	170

9.4 Indicators, annual and quarterly targets for 2021/22

Table 27: Programme performance indicators and quarterly targets

Outcome 4: Increased access to justice services					
Output indicators	**Annual target 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
4.14.1 Number of operational TCCs in place	59	0	0	0	59
4.14.2 Conviction rate in sexual offences	70%	70%	70%	70%	70%
4.14.3 Number of public awareness sessions conducted	150	37	39	35	39

9.5 Explanation of Planned Performance over the Medium-Term Period

9.6 Reconciling performance information with the budget and MTEF

The budget for Legal Services, as detailed in the ENE for 2021/22, is shown below.

Table 28: National Prosecuting Authority budget

Subprogramme	Audited outcome			Adjusted appropriation	Medium-term expenditure estimate		
R million	**2017 /18**	**2018/19**	**2019/20**	**2020/21**	**2021/22**	**2022/23**	**2023/24**
National Prosecutions Service	2 946.3	3 058.8	3 215.8	3 352.3	3 601.2	3 629.9	3 665.9
Asset Forfeiture Unit	126.5	127.8	126.9	173.9	191.4	192.9	195.2
Office for Witness Protection	190.0	193.5	192.8	190.2	194.2	197.1	201.5
Support Services	480.1	419.3	473.8	550.4	459.4	467.7	480.9
Total	**3 742.9**	**3 799.4**	**4 009.2**	**4 266.9**	**4 446.2**	**4 487.6**	**4 543.6**
Change to 2020 budget estimate				(317.0)	(459.8)	(608.6)	(443.5)
Economic classification							
Current payments	**3 698.3**	**3 750.5**	**3 930.3**	**4 097.0**	**4 375.4**	**4 412.9**	**4 464.6**
Compensation of employees	3 202.8	3 317.2	3 442.0	3 659.7	3 836.6	3 865.1	3 895.9
Goods and services of which	495.5	433.2	488.3	437.3	538.8	547.7	568.8
Computer services	111.7	62.3	74.1	60.2	69.3	71.3	71.6
Consultants: business and advisory services	4.7	2.6	3.5	32.3	43.3	44.5	42.7
Legal services	34.3	29.3	53.8	26.5	42.5	43.6	41.8
Property Payments	72.5	72.9	82.4	65.3	89.6	89.8	97.4
Travel and subsistence	63.9	63.9	71.4	30.2	56.6	55.2	67.0
Operating payment	62.3	47.2	51.5	76.9	81.0	82.6	86.1
Transfers and subsidies	**16.4**	**24.9**	**26.5**	**20.0**	**21.1**	**22.0**	**22.9**
Departmental agencies and accounts	8.9	9.3	10.0	10.6	11.2	11.6	12.1
Households	7.5	15.6	16.5	9.4	9.9	10.4	10.8
Payments for capital assets	**27.7**	**19.5**	**47.8**	**149.9**	**49.7**	**52.8**	**56.0**
Buildings and other fixed structures							

Machinery and equipment	27.7	19.5	47.8	149.9	49.7	52.8	56.0
Payments for financial assets	**0.5**	**4.6**	**4.6**	**0.0**	**-**	**-**	**-**
Total	**3 742.9**	**3 799.4**	**4 009.2**	**4 266.9**	**4 446.2**	**4 487.6**	**4 543.6**

EXPENDITURE TRENDS

The spending focus of this programme is mainly on personnel, computer services, consultants, legal services, property payments and travel and subsistence.

The number of posts in this programme is expected to be 4 433 by 2023/24.

The number of posts in this programme is expected to be 4 610 by 2022/23.

10. MEASURING PERFORMANCE PROGRAMME 5: AUXILIARY AND ASSOCIATED SERVICES

The purpose of this programme is to provide a variety of auxiliary services associated with the Department's goals, and to fund transfer payments to the South African Human Rights Commission (SAHRC), the Office of the Public Protector, Legal Aid SA, the Special Investigating Unit (SIU) and the President's Fund.

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

i. **Justice Modernisation:** Designs and implements information technology (IT) infrastructure and networks, and re-engineers, automates and integrates business processes for the administration of civil and criminal justice in the integrated justice system.

ii. **President's Fund:** Provides funding for reparations flowing from the findings of the TRC.

Table 33 shows the strategic objective, indicators and targets for work that will be implemented within the DoJ&CD.

10.1 Outcomes, outputs, performance indicators and targets for 2021/22

Table 29: Outcomes, outputs, performance indicators and targets for 2021/22 (detailed information on the indicators is provided in Annexure B)

Outcome 1: Modernised and digitised justice services platforms								
Outputs	**Output indicators**	**Audited performance**			**Estimated Performance 2020/21**	**Medium-term targets**		
		2016/17	**2017/18**	**2018/19**		**2021/22**	**2022/23**	**2023/24**
1.4 Approved IJS Governance Structure	1.4.1 Number of revised IJS programme governance framework/structure Interventions implemented	-	-	-	IJS governance Framework/ structure approved by 31 March 2021	4	2	-
1.5 Inter-departmental information exchange platform	1.5.1 Number of government departments and entities connected to transversal platform and exchanging information electronically	-	-	8	9	1	1	-
1.6 IJS Assessment Report recommendations implemented	1.6.1 Number of IJS DPME Assessment Report recommendations implemented.					7	13	

10.2 Indicators, annual and quarterly targets for 2021/22

Table 30: Indicators, annual and quarterly targets for 2021/22

Outcome 1: Modernised and digitised justice services platforms					
Performance indicators	**Annual target 2021/22**	**Quarterly targets**			
		Quarter 1	**Quarter 2**	**Quarter 3**	**Quarter 4**
1.4.1 Number of revised IJS programme governance framework/structure interventions implemented	4	1	1	1	1
1.5.1 Number of government departments and entities connected to transversal platform and exchanging information electronically	1	-	-	1	-
1.6.1 Number of IJS Assessment Report implemented	7	3	2	1	1

10.3 Explanation of Planned Performance over the Medium-Term Period

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

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

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

10.4 Reconciling performance information with the budget and MTEF

The budget for Programme 5, as detailed in the ENE for 2021/22, is shown below.

Table 31: Auxiliary and Associated Services budget

Sub-programme							
	Audited outcome			**Adjusted appropriation**	**Medium-term expenditure estimate**		
R million	**2017/18**	**2018/19**	**2019/20**	**2020/21**	**2020/21**	**2022/23**	**2032/24**
Legal Aid South Africa	754.4	1 800.9	1 971.0	1 958.9	2 022.2	2 083.0	2 100.8
Special Investigating Unit	346.2	357.1	363.0	421.7	437.9	452.1	454.8
Public Protector of South Africa	316.1	326.6	342.0	323.0	329.0	337.9	342.1
South African Human Rights Commission	173.4	178.8	190.0	191.7	195.0	200.5	204.3
Justice Modernisation	810.7	759.6	1 051.2	1 035.9	1 150.5	1 185.2	1 239.1
Total	**3 400.7**	**3 423.0**	**3 917.2**	**3 931.2**	**4 134.6**	**4 258.7**	**4 341.1**
Change to 2020 budget estimate				(376.8)	(418.6)	(508.2)	(323.7
Economic classification							
Current payments	**701.4**	**737.8**	**1 019.8**	**992.6**	**1 124.6**	**1 156.0**	**1 210.2**
Goods and services	701.4	737.8	1 019.8	992.6	1 124.6	1 156.0	1 210.2
of which:							
Minor assets	0.1	0.3	1.0	8.0	6.2	6.4	6.1
Computer services	634.8	639.8	815.6	845.6	976.9	1 002.7	1 065.6
Contractors	3.1	0.9	0.0	4.7	1.8	1.9	2.0

Agency and support/outsourced services	52.1	95.4	200.2	130.2	135.4	140.5	131.9
Consumables: stationery, printing and office supplies	0.1	0.5	0.3	0.5	0.5	0.5	0.5
Training and development	0.2	0.0	1.8	0.9	3.2	3.4	3.4
Transfers and subsidies	**2 590.0**	**2 663.4**	**2 866.0**	**2 895.3**	**2 984.1**	**3 073.4**	**3 102.0**
Departmental agencies and accounts	**2 590.0**	**2 663.4**	**2 866.0**	**2 895.3**	**2 984.1**	**3 073.4**	**3 102.0**
Payments for capital assets	**109.3**	**21.9**	**31.4**	**43.3**	**25.9**	**29.2**	**28.9**
Machinery and equipment	178.7	94.8	21.9	43.3	25.9	29.2	28.9
Software and other intangible assets	14.5	–	12.5	–	–	–	–
Payments for financial assets	**–**	**–**	**–**	**–**	**–**	**–**	**–**
Total	**3 400.7**	**3 423.0**	**3 917.2**	**3 931.2**	**4 134.6**	**4 258.7**	**4 341.1**

EXPENDITURE TRENDS

The spending focus of this programme is mainly transfers to public entities, as well as constitutional institutions, and the modernisation of the justice system.

11. LONG-TERM INFRASTRUCTURE PLAN

Table 32: Construction projects for the MTEF period

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

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

12. CONDITIONAL GRANTS

No conditional grants were issued by the Department.

13. PUBLIC ENTITIES AND CONSTITUTIONAL INSTITUTIONS

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

14. PUBLIC-PRIVATE PARTNERSHIPS

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

ANNEXURE A: DISTRICT DEVELOPMENT MODEL

Medium term (3 years-MTEF)						
Area of intervention	**Project description**	**Budget Allocation**	**District Municipality**	**Location: GPS coordinates**	**Project leader**	**Social partners**
Access to justice services	Sexual Offences Court rooms		EC - Alfred Nzo LP - Chatsworth Umlazi		Ms. J Ngema	Judiciary NPA Legal Profession Public
	Branch Court to offer family law services at a centralised point	151 863 7 47.88	eThekwini	-33.4465351	Ms J Ngema-DCO	Judiciary Legal Profession, Public
	Durban High Court: Repairs and renovation	866 000 000	eThekwini	-29.8620685	Ms J Ngema-DCO	Judiciary NPA Legal Profession Public
	Umlazi Magistrate Court: Repairs and renovations to office buildings	76 500 000	eThekwini	-29.9824425	Ms J Ngema-DCO	Judiciary NPA Legal Profession Public
Access to justice services	Chatsworth MC: Proposed additional accommodation, upgrading of electricity, including repairs and renovations	196 371 084	eThekwini	29.91231	Ms J Ngema-DCO	Judiciary NPA Public Legal Profession
	Umbumbulu MC: Additional accommodation and repairs and renovations	57 248 205	eThekwini	29.9988574	Ms J Ngema-DCO	Judiciary NPA Public Legal Profession

RISK MANAGEMENT

Outcome	Key Performance indicator	Key Risk	Risk Mitigations
Improved organisational capability	Percentage of vacant posts not filled (Vacancy rate) Percentage implementation of strategy-aligned Department reconfigured macro structure	Vacancy in key position and inadequate organisational structure resulting in instability across the Department	➢ Realignment of functions in the Department. ➢ Filling of vacant posts ➢ Review of the Human Resources Plan
	Number of people trained in line with Workplace Skills Plan (WSP)	Inadequate standardisation and related training	➢ Focused training programmes on identified key areas
Improved good governance	Percentage of significant findings on key specific areas resolved	➢ Inadequate audit mitigation plan to address audit findings (Contingency liabilities, Assets and Performance Information) ➢ Non-compliance to PFMA and internal Financial Prescripts	➢ Implementation of Turnaround strategy in addressing audit findings ➢ Training of all branches in SCM policies and prescripts ➢ Introduce appropriate consequence management
Improved awareness of justice services and Constitutionalism	Number of public education activities conducted to create awareness of the 25th anniversary of the Constitution and promote constitutional rights education Number of public education activities conducted on justice services (Civil, Criminal and Family Law services)	➢ Insufficient budget. ➢ Media and national dissonance which may cause them to be unreceptive to the campaign. ➢ Departmental service offerings not being able to be available to respond to the public need for education and the communications opportunities that are created	➢ Leverage on partnerships so that cost burden is reduced ➢ Engage CSOs, NGOs and third-party endorsers who can assist in conveying departmental message ➢ Strengthen departmental platforms (website and social media sites to drive more communication) ➢ Support and profile the electronic/modernisation programme of the Department to drive the public towards self-service

Modernised and digitised justice services platforms	Number of justice services available on DOJ internet portal (online) Number of court rooms/Sites where Courts Audio Virtual Solutions (CAVS) platforms is rolled out	Aging and unstable ICT infrastructure resulting in unavailability of Justice Service in the internet portal and disruption of services.	➢ Identify further modernization initiatives, priorities and plans ➢ Continuous review of ICT infrastructure plans based on the available budget
Increased access to justice services	Phases of Femicide Watch completed as required by article 15 of Presidential Summit Declaration against GBVF, 2019 and the National Strategic Plan (NSP) on GBVF	Increased Gender based violence and Femicide which results in diminishing public confidence in the criminal justice system	➢ Progressive implementation of SMS Notification system in GBVF related Crimes. ➢ Implement National Integrated Femicide Prevention Strategy
	Percentage of criminal cases postponed due to unavailability of court administration staff	Diminishing public confidence in the justice system	➢ Develop database of Local Casual Interpreters ➢ Train and vetting of Interpreters (Basic Interpreting and Formal Legal Interpreting)
	Percentage of child justice preliminary inquiries finalised within 90 days after date of first appearance	Inability to implement the Children's Act and other legislation	➢ Implementation of the plan for integrated family law services ➢ Improved turnaround time in delivery of family law services
	Percentage of NRSO Clearance Certificates issued to applicants	Ineffective implementation of the NRSO Act	➢ Improved turnaround time of issuing of Clearance Certificates to the clients
	Number of additional courts designated in terms of section 55(A) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 of sexual offences in line with the 2018 Presidential Summit declaration against GBVF	Delay in establishment of Sexual Offences Courts (SOCs) resulting in perpetual victimisation of victims	➢ Prevention of secondary traumatisation of complainants and witnesses in the sexual offences cases
	Number of new court buildings completed	Inability to deliver on physical Infrastructure projects	➢ Turnaround plan of the delivery projects and spending

	Number of service points complaint with universal access and designed principles and provision of reasonable accommodation and measures for persons with disabilities	Inadequate courts infrastructure that complies with minimum universal standards (public waiting areas, toilets, facilities for disabled people etc.)	➢ Integrated, proactive and effective planning of infrastructure to accommodate universal principles and provision of reasonable accommodation
	Number of branch court/periodical courts converted into full services courts	Limited access to justice services	➢ Proclamation of periodical courts and branch courts into full-service courts
Improved Masters services	Percentage of Appointments in Deceased Estates issued within 15 days from receipt of all required documents	➢ Delay in provision of Masters services due to slow network or system challenges ➢ Potential fraud and corruption in administration of Masters process	➢ Develop a system that will create opportunity for online platforms by Master services ➢ Monitor all appointments to ensure speedy finalisation of masters ➢ Implementation of Ethics Management Strategy
Transformed Colonial/Apartheid era justice-related legislation	Number of Apartheid/Colonial era justice-related legislation submitted to the Minister for repeal and replacement	Inability to transform apartheid and colonial era justice-related legislation	➢ Develop Rules and research papers ➢ Develop legislation and review Apartheid/Colonial era justice-related legislation
Transformed State Litigation Services	Number of policies to implement the State Attorney Amendment Act implemented	Lack of policy framework to govern management of state legal services	➢ Finalisation and implementation of Management of state Litigation policy, briefing and tariff policy and Mediation policy
Transformed Legal profession	Percentage of value of briefs allocated to PDI Legal Practitioners	Slow transformation of Previously disadvantaged individuals (PDIs) including female counsels	➢ Briefing Counsels on a fee-sharing basis ➢ Pair PDIs with experienced counsels from other groups ➢ Stakeholder engagement on what is expected from the client
	Percentage reduction of capital amounts claimed in medical negligence, unlawful arrest, malicious prosecution and detention claims	Rising State Litigation Cost due to: - Client imposing on counsel - Lack of timeous and proper instructions	➢ Implementation of mediation and out of court settlement ➢ Implementation of a fair procurement process for legal service

Advanced constitutionalism, human rights and the rule of law	Number of activities in the NAP Programme of Action applicable to DoJ&CD implemented	Ineffective implementation of NAP Programme leading to infringement of human rights (Racism, Racial Discrimination, Xenophobia and Intolerance of LGBTI persons) Lack of capacity and appropriate skills, leading to reliance on service providers and external stakeholders. Lack of commitment and support by key government departments Impact of COVID	➢ Appropriately resourced and relevant plans for the implementation of the NAP, accompanied by timely Monitoring and Evaluation ➢ Increased awareness among citizens of the plight of others ➢ Promote respect for human rights particularly vulnerable groups and LGBTQI ➢ Appropriately resourced; trained and skilled personnel ➢ Relevant plans for the implementation of the NAP ➢ Timely M&E

PART D: TECHNICAL INDICATOR DESCRIPTIONS (TID)

OUTCOME 1: MODERNISED AND DIGITISED JUSTICE SERVICES PLATFORMS

Indicator title	**1.1.1 Maintenance services available on the DOJ Internet Portal (online) implemented**
Definition	This indicator measures the implementation of the Maintenance services that will be available on the DOJ Internet Portal (online), during the reporting period.
Source/collection of data	Signed-off deliverables as per project plan.
Method of calculation	Signed-off deliverables.
Means of verification	Signed-off of Maintenance services that are available on DOJ justice internet portal.
Assumptions	All key stakeholders will be involved in the programme.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	Nationally
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Maintenance services made available on DOJ internet portal as planned.
Indicator responsibility	Head: ISM

Indicator title	**1.1.2 Trusts services available on the DOJ Internet Portal (online) implemented.**
Definition	This indicator measures the implementation of the Trusts services that will be available on the DOJ Internet Portal (online), during the reporting period.
Source/collection of data	Signed-off deliverables as per project plan.
Method of calculation	Signed-off deliverables.
Means of verification	Signed-off of Trusts services that are available on DOJ justice internet portal.
Assumptions	All key stakeholders will be involved in the programme.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	Nationally
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Trusts services made available on the DOJ internet portal as planned.
Indicator responsibility	Head: ISM

Indicator title	**1.1.3 Deceased Estates services available on the DOJ Internet Portal (online) implemented.**
Definition	This indicator measures the implementation of the Deceased Estates services that will be available on the DOJ Internet Portal (online), during the reporting period.
Source/collection of data	Signed-off deliverables as per project plan.
Method of calculation	Signed-off deliverables.
Means of verification	Signed-off of Deceased Estates services that are available on DOJ justice internet portal.
Assumptions	All key stakeholders will be involved in the programme.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	Nationally
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Deceased Estates services made available on the DOJ internet portal as planned.
Indicator responsibility	Head: ISM

Indicator title	**1.1.4 Protection Order services available on the DOJ Internet Portal (online) implemented.**
Definition	This indicator measures the implementation of the Protection Order services that will be available on the DOJ Internet Portal (online), during the reporting period.
Source/collection of data	Signed-off deliverables as per project plan.
Method of calculation	Signed-off deliverables.
Means of verification	Signed-off of Protection Order services that are available on DOJ justice internet portal.
Assumptions	All key stakeholders will be involved in the programme.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	Nationally
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Protection Order services made available on the DOJ internet portal as planned.
Indicator responsibility	Head: ISM

Indicator title	**1.1.5 Expungement of Criminal Records services accessable via digital platforms implemented .**
Definition	This indicator measures the implementation of the expungement of Criminal Records where citizens can access these services online, during the reporting period.
Source/collection of data	Signed-off deliverables as per project plan.
Method of calculation	Signed-off deliverables.
Means of verification	Signed-off of Maintenance services that are available on DOJ justice internet portal.
Assumptions	All key stakeholders will be involved in the programme.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	Nationally
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Maintenance services made available on DOJ internet portal as planned.
Indicator responsibility	Head: ISM

Indicator title	**1.1.6 NRSO Integration with SAPS for NRSO removal applications available on line**
Definition	This indicator measures the implementation and integration of the NRSO system with SAPS for removal of NRSO applications available online, during the reporting period.
Source/collection of data	Signed-off deliverables as per project plan.
Method of calculation	Signed-off deliverables.
Means of verification	Signed-off of Maintenance services that are available on DOJ justice internet portal.
Assumptions	All key stakeholders will be involved in the programme.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	Nationally
Calculation type	Non-cumulative
Reporting cycle	Quarterly
Desired performance	Maintenance services made available on DOJ internet portal as planned.
Indicator responsibility	Head: ISM

Indicator Title	**1.2.1 Number of sites rolled-out with the Courts Audio-Visual Solution (CAVS).**
Definition	This indicator measures progress regarding the number of sites where Courts Audio-Visual Solution (CAVS) is rolled-out, during the reporting period.
Source/Collection of Data	List of sites where the Courts Audio Virtual Solution (CAVS) is deployed/rolled-out.
Method of Calculation	N/A
Means of Verification	Signed-off deliverables as per project plan (names of sites where the CAVS is deployed).
Assumption	• Participation of all parties in the design, configuration, testing and roll-out of the new system. • Acceptance and full utilisation of the new system.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Cumulative (Year-end)
Reporting Cycle	Quarterly
Desired Performance	Deployment of Courts Audio-Visual Solution (CAVS) to all identified sites completed during this financial year.
Indicator Responsibility	Head: ISM

Indicator Title	**1.3.1 Number of sites where Cashless Court solution through Point of Sale Devices is deployed**
Definition	This indicator measures progress regarding the development of the Cashless Court Solution (CCS) through Point of Sale Devices, that will be deployed to identified courts. Cashless court solution means Speedpoint payment
Source/Collection of Data	List of sites where the cashless court solution was deployed
Method of Calculation	N/A
Means of Verification	Signed-off deliverables of sites where the cashless court solution was deployed.
Assumption	• Participation of all parties in the design, development and testing of the new system. • Acceptance and full utilisation of the new system.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Cashless court solution deployed to all identified sites during the financial year.
Indicator Responsibility	Chief Financial Officer (CFO)

OUTCOME 2: IMPROVED ORGANISATIONAL CAPABILITIES AND GOOD GOVERNANCE

Indicator Title	**2.1.1 Percentage of vacanct posts at Senior management services(SMS) level.**
Short definition	This indicator measures the percentage of vacant posts at senior management in relation to total number of SMS posts on the establishment in the Department during the reporting period.
Source/Collection of Data	PERSAL system
Method of Calculation	Percentage = (Number of vacant posts at senior management services (SMS)/Total number SMS posts on the establishment) * 100
Means of Verifications	Persal system report
Assumptions	All SMS vacant positions to be filled
Disaggregation of Beneficiaries (where applicable)	Women Youth People with disabilities
Spatial Transformation (where applicable)	National
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	Vacancy rate at SMS level in the Department maintained at or below the DPSA target of 10%.
Indicator Responsibility	Deputy Director-General: Corporate Services

Indicator Title	**2.2.1 Percentage of women occupying Senior Management Services (SMS) positions**
Short definition	This indicator measures the percentage of women occupying Senior Management Services **(**SMS) positions in relation to total SMS positions in the department during the reporting period.
Source/Collection of Data	PERSAL system report
Method of Calculation	Percentage = (Number of SMS posts occupied by Women / Total number of SMS posts in the Department) *100

Indicator Title	**2.2.1 Percentage of women occupying Senior Management Services (SMS) positions**
Means of Verification	Persal system report
Assumptions	Women who qualify for the advertised post will apply for vacant positions.
Disaggregation of Beneficiaries (where applicable)	Women Youth People with disabilities
Spatial Transformation (where applicable)	National
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	Target of 50% of SMS positions occupied by women reached.
Indicator Responsibility	Deputy Director-General: Corporate Services

Indicator Title	**2.3.1 Number of initiatives completed to implement reconfigured macro structure reconfiguration macro structure**
Definition	The indicator measures progress regarding the implementation of the Department reconfigured macro structure during this financial year.
Source of Data	List of initiatives for implementation of the reconfigured macro structure for SMS.
Method of Calculation/Assessment	Simple count Q1: Approval of the costed structure by DPSA and Facilitation of change management initiatives. Q2: Job grading and development of job descriptions. Q3:Matching and placing of employees into the new structure. Q4: Management of the pool in cases where some employees would not have been placed.
Means of Verification	Approved report on the completed initiatives to implement reconfigured macro structure for SMS.
Assumptions	Proposed structures will be approved and implemented as planned.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices

Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Initiatives completed as planned
Indicator Responsibility	Deputy Director-General: Corporate Services

Indicator Title	**2.4.1 Number of people trained as per the workplace skills plan in the Department through Justice College and HRD Unit**
Definition	The indicator measures number of people trained in the Department through Justice College and Human Resource Development Unit during the reporting period.
Source of Data	Attendance registers
Method of Calculation/Assessment	Simple count
Means of Verification	Signed attendance register
Assumptions	Personnel targeted for the planned trainings will be available to attend.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	To ensure that the Department trains people in areas of need for service delivery or address areas of administrative concerns.
Indicator Responsibility	Deputy Director-General: Corporate Services

Indicator Title	**2.5.1 Percentage of reported corruption cases investigated for officials finalised**
Definition	This indicator measures the percentage of reported corruption cases investigation for officials finalised during the reporting period.
Source of Data	Reported fraud, corruption, misconduct and grievances cases database/register.
Method of Calculation/Assessment	Percentage = (Number of reported corruption which investigation were finalised/Number of reported incidents of corruption the department)*100.
Means of Verification	Proof of finalised reported incidents of corruption in the Department.
Assumptions	The complexities and nature of corruption cases should be taken into cognisance for the investigation to be completed with prescribed period.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All reported incidents of corruption investigation finalised within a prescribed period.
Indicator Responsibility	Branch Head: Corporate Services

Indicator Title	**2.6.1. Percentage of disciplinary cases finalised within 90 days.**
Definition	This indicator measures the percentage of disciplinary cases finalised within the prescribed timeframe of 90 days
Source of Data	Reported fraud, corruption, misconduct and grievances cases database/register
Method of Calculation/Assessment	Percentage = (Number of disciplinary cases finalised within 90 days /Number of Number of disciplinary cases finalised)*100.
Means of Verification	Proof of finalised disciplinary cases in the department
Assumptions	All reported misconduct attended to through disciplinary process with the required timeframe
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All reported disciplinary cases finalised within a reporting period
Indicator Responsibility	Branch Head: Corporate Services

Indicator title	**2.7.1. Percentage of grievances resolved within 90 days**
Definition	This indicator measures the percentage of reported grievances resolved within the prescribed timeframe of 90 days from the date the matter was reported
Source of Data	grievances cases database/register
Method of Calculation/Assessment	Percentage = (Number of reported grievances resolved within 90 days /Number of grievances resolved)*100.
Means of Verification	Proof of grievances resolved
Assumptions	All reported grievances resolved through disciplinary process with the required timeframe
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All reported grievances finalised within a reporting period
Indicator Responsibility	Branch Head: Corporate Services

Indicator Title	**2.8.1. Number of backlog on disciplinary hearing cases for misconduct resolved**

Definition	This indicator measures the number of backlog on disciplinary hearing cases resolved in a reporting period . Backlog cases are cases that were resolved within the prescribed timeframe of 90 days
Source of Data	Reported fraud, corruption, misconduct and grievances cases database/register
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of finalised disciplinary cases in the Department.
Assumptions	All reported backlog misconduct cases attended to through disciplinary process within the required timeframe.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All reported backlog misconduct cases finalised within a reporting period.
Indicator Responsibility	Branch Head: Corporate Services

Indicator Title	**2.9.1. Percentage of backlog on grievances resolved**
Definition	This indicator measures the percentage of grievances backlog cases resolved during the reporting period. Backlog are cases that were resolved within the prescribed timeframe of 90 days.
Source of Data	Grievances cases database/register.
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of grievances backlog cases resolved
Assumptions	All reported grievances resolved through disciplinary process with the required timeframe.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All reported grievances backlog cases resolved within a reporting period.
Indicator Responsibility	Branch Head: Corporate Services

Indicator Title	2.10.1 Percentage of significant findings resolved.
Definition	This indicator measures the percentage of significant findings on key specific areas resolved during the reporting period. Significant findings are findings that, if the extent thereof is not arrested, might in future have a major negative impact on the Department's performance or audit outcome.
Source of Data	Audit action plan approved by the Director-General.
Method of Calculation/Assessment	Percentage = (Total number of significant findings on key specific areas resolved/Number of significant findings on key specific areas) *100.
Means of Verification	Approved progress reports on significant findings resolved.
Assumptions	Adequate support and related resources and systems available to ensure development of reports.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All significant findings on key specific areas resolved as planned.
Indicator Responsibility	Branch Heads

Indicator Title	2.11.1 Percentage of fruitless and wasteful expenditure reduced
Definition	This indicator measures the percentage reduced in fruitless and wasteful expenditure as compared to the fruitless and wasteful expenditure incurred in the previous financial year (year-on-year percentage change).
Source of Data	Register (lead schedule)
Method of Calculation/Assessment	Percentage = ((Amount of fruitless and wasteful expenditure incurred in the current year –Amount of fruitless and wasteful expenditure incurred in the previous year)/ Amount of fruitless and wasteful expenditure incurred in the previous year) *100.
Means of Verification	VA26 forms/Invoices
Assumptions	All expenses will yield value add
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Regional offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Fruitless and wasteful expenditure eliminated.

Indicator Responsibility	Chief Financial Officer

Indicator Title	**2.12.1 Percentage of irregular expenditure reduced**
Definition	This indicator measures the percentage of irregular expenditure reduced as compared to the irregular expenses incurred in the previous year (year-on-year percentage change)
Source of Data	Register (lead schedule)
Method of Calculation/Assessment	Percentage = (Amount of irregular expense incurred in the current year) – Amount of irregular expenses incurred in the previous year/ Amount of irregular expenses incurred in the previous year) *100.
Means of Verification	Payment on BAS/Batches Payments/invoices, etc.
Assumptions	All relevant prescripts are followed and adhered to.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Reduce irregular expenditure in the Department.
Indicator Responsibility	Chief Financial Officer

Indicator Title	**2.13.1 Percentage of undisputed and valid invoices paid within 30 days from date of receipt**
Definition	This indicator measures the percentage of undisputed and valid invoices received for which payment was done within 30 days from date of receipt.
Source of Data	Basic Accounting System (BAS) Report
Method of Calculation/Assessment	Percentage = (Number of undisputed and valid invoices received and paid within 30 days from date of receipt/total number of undisputed and valid invoices received) *100.
Means of Verification	Invoices
Assumptions	All undisputed invoices and valid invoices paid within the 30 days' timeframe.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Regional offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All valid and undisputed invoices received and paid within 30 days.
Indicator Responsibility	Chief Financial Officer

Indicator Title	**2.14.1 Percentage of Rand Value of discretionary procurement allocated to Exempted Micro Enterprises (EMEs) and Qualifying Small Enterprises (QSEs)**
Definition	This indicator measures the percentage of the Rand value of discretionary procurement **allocated** to EMEs and that support QSEs.
Source of Data	Justice Yellow Page (JYP)
Method of Calculation/Assessment	Percentage = (Amount of value of discretionary procurement allocated to EME and QES/Value of discretionary procurement) *100.
Means of Verification	Progress Report from Justice Yellow Pages (JYP)
Assumptions	All units support the initiative to empower EME and QSEs
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Achievement of 40% allocation of procurement towards EMEs and QSEs
Indicator Responsibility	Chief Financial Officer

Indicator Title	**2.15.1 Percentage of Rand Value of discretionary procurement allocated to women**
Definition	This indicator measures the percentage of the Rand value of discretionary procurement **allocated** to women.
Source of Data	Justice Yellow Page (JYP)
Method of Calculation/Assessment	Percentage = (Amount of value of discretionary procurement allocated to women /Value of discretionary procurement) *100.
Means of Verification	Progress Report from Justice Yellow Pages (JYP)
Assumptions	All units support the initiative to empower women.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National and Provincial offices
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Achievement of 40% allocation of procurement towards women.
Indicator Responsibility	Chief Financial Officer

Indicator Title	**2.16.1 Funding model for the implementation of NAP developed by target date**
Definition	This indicator measures progress relating to the development of the funding model for the implementation of National Action Plan to combat Racism, Racial Discrimination, Xenophobia and Related Intolerance.
Source of Data	Funding Model
Method of Calculation/Assessment	N/A

Means of Verification	Approved NAP funding Model
Assumptions	Information available for government policies' funding models.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Funding model completed by end of the financial year.
Indicator Responsibility	Chief Directorate: Social Justice and Participatory Democracy

Indicator Title	**2.17.1 Percentage of expungements finalized within 3 (three) months since receipt of complete application**
Definition	This indicator measures the percentage of expungements finalised within a specified period of time.
Source of data	From Legal Process Unit through data base and statistics reports
Method of Calculation/Assessment	Percentage = (Number of expungements finalised within 3 months / Total number of expungements finalised) x100
Means of verification	Registers in legal process
Assumptions	Adequate resources
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	None
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired performance	All expungements completed within 3 months of receipt
Indicator Responsibility	Director: Lega Process

OUTCOME 3: IMPROVED AWARENESS OF JUSTICE SERVICES AND CONSTITUTIONALISM

Indicator Title	**3.1.1 Number of public education activities conducted to create awareness of the 25th anniversary of the Constitution and promote constitutional rights education**	
Definition	This indicator measures the number of events (physical, virtual or hybrid), school outreach programmes, media engagements and development of any educational/promotional material that will promote constitutional rights education, as well as to commemorate the 25th anniversary of the Constitution.	
Source of Data	Attendance registers, recordings, educational/promotional products, opinion pieces, media buying schedules.	

Method of Calculation/Assessment	Simple count	
Means of Verification	Attendance registers, recordings, educational/promotional products, opinion pieces.	
Assumptions	Budget allocation. Availability of project owners and principals to support communication opportunities created.	
Disaggregation of Beneficiaries (where applicable)	N/A	
Spatial Transformation (where applicable)	N/A	
Calculation Type	Cumulative	
Reporting Cycle	Annually	
Desired Performance	145	
Indicator Responsibility	CD: PEC, DDG: CD	

Indicator Title	**3.2.1 Number of public education activities conducted on justice services (Civil, Criminal and Family Law services)**
Definition	This indicator measures the number of events (physical, virtual or hybrid), media engagements and development of any educational/promotional material that will be conducted on justice services (Civil, Criminal and Family Law services).
Source of Data	Attendance registers, recordings, educational/promotional material, media buying schedules.
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers, recordings, educational/promotional products, media buying schedules.
Assumptions	Budget allocation. Availability of project owners and principals to support communication opportunities created.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative
Reporting Cycle	Annually
Desired Performance	200
Indicator Responsibility	CD: PEC, DDG: Court Services, DDG: Master of the High Court

Indicator Title	**3.3.1 Number of Trafficking in Persons awareness campaigns conducted in collaboration with other departments and role-players**
Definition	This indicator measures the number of Trafficking in Persons campaigns conducted in collaboration with other departments and role-players during the reporting period
Source of Data	Attendance registers.

	Reports of the public education campaigns.
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers
Assumptions	Support and collaboration with other government departments.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All four campaigns on Trafficking in Persons conducted as planned.
Indicator Responsibility	DDG: Constitutional Development

Indicator Title	**3.4.1 Number of sustained and visible anti-xenophobia campaigns conducted in collaboration with other departments and role-players.**
Definition	This indicator measures the number of campaigns on xenophobia conducted annually.
Source of Data	Campaign reports
Method of Calculation/Assessment	Simple count
Means of Verification	Reports indicating the place, stakeholders with whom, and dates on which campaigns were conducted. Attendance registers.
Assumptions	There is budget set aside for sustained and visible anti-xenophobia campaigns.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Six campaigns conducted as planned and within set timeframes.
Indicator Responsibility	Chief Directorate: Social Justice and Participatory Democracy

Indicator Title	**3.5.1 Number of awareness sessions on LGBTI rights conducted as well as Trafficking in Persons campaigns conducted in collaboration with other departments and role-players**
Definition	This indicator measures the number of awareness sessions conducted with communities and civil society organisations, including traditional and faith-based leaders, nationally on LGBTI rights and Trafficking in Persons during the reporting period.
Purpose	To raise awareness with communities, including traditional and faith-based leaders, nationally on LGBTI rights and Trafficking in Persons

	through campaigns, community radio stations, community dialogues and workshops.
Source of Data	Attendance registers and reports of the public education campaigns. Reports presented in the National Task Team (NTT) meetings.
Method of Calculation/Assessment	Simple count
Means of Verification	Attendance registers
Assumptions	There is budget set aside for LGBTI awareness sessions with support and collaboration with other government departments.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All planned awareness sessions and campaigns on LGBTI rights and Trafficking in Persons conducted as planned during the reporting period.
Indicator Responsibility	Chief Director: Constitutional Implementation

Indicator Title	**3.6.1 Programmes to commemorate 25th anniversary of the Constitution implemented**
Definition	This indicator measures progress relating to the implementation of programmes to commemorate 25 years of the Constitution
Source of Data	Approved Programmes for the commemorate of 25 years of the Constitution
Method of Calculation/Assessment	Percentage = (Number of programmes implemented/ Number of Programmes planned to be implemented)*100
Means of Verification	Proof of submission of report on the implementation of programme for the commemoration of the 25th anniversary of the Constitution to the Minister
Assumptions	All key stakeholders participate in the implementation of programmes for the commemoration of the 25th anniversary of the Constitution.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Programmes for the commemoration of the 25th anniversary of the Constitution implemented as planned.
Indicator Responsibility	DDG: Constitutional Development

OUTCOME 4: INCREASED ACCESS TO JUSTICE SERVICES

Indicator Title	**4.1.1 Phases of the Femicide Watch completed, as required by article 15 of the Presidential Summit Declaration against GBVF, 2019 and the National Strategic Plan (NSP) on GBV**

Definition	This indicator measures the key milestones that will be achieved in the development of Phases of Femicide Watch as required by article 15 of the Presidential Summit Declaration against GBVF, 2019 and NSP on GBV.
Source of Data	Approved plan of action for the development of Phases of Femicide Watch by the DG.
Method of Calculation/Assessment	N/A
Means of Verification	Signed-off for completed activities in the establishment of Phases of Femicide Watch.
Assumptions	There will be cooperation between all identified key stakeholders.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Key milestones in the development of Femicide Watch Phase achieved as planned.
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

Indicator Title	**4.2.1 Percentage of criminal cases postponed due to the unavailability of court administration staff**
Description	This indicator measures the percentage of criminal cases on the court roll that were postponed due to the unavailability of court administration staff during the reporting period. Administration staff includes Court Clerk, Foreign Interpreter, Interpreter, Stenographer and CRT Operators.
Source/Collection of Data	ICMS report
Method of Calculation	Percentage = (Number of cases postponed due to unavailability of court administration staff/ Number of cases postponed on the roll) *100.
Means of Verification	Court record (charge sheets)
Assumption	Output
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Adequate availability of court administration staff for court sittings.
Indicator Responsibility	Chief Director: Court Performance

Indicator Title	**4.3.1 Percentage of child justice preliminary inquiries finalised within 90 days after first appearance**
Definition	This indicator monitors the prompt finalisation of preliminary inquiries in terms of the Child Justice Act. Finalised preliminary inquiries refer to matters concluded by a magistrate or prosecutor, depending on the outcome of the case.
Source/Collection of Data	ICMS: Child Justice
Method of Calculation	Percentage of preliminary inquiries finalised within 90 days from date of first appearance (Number of matters finalised within 90 days from date of first appearance/Total number of matters finalised) *100.
Means of Verifications	Preliminary Inquiry; Annexure NN
Assumptions	Output
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All annual targets met.
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

Indicator Title	**4.4.1 Percentage of NRSO Clearance Certificates issued within 10 days**
Definition	This indicator measures the percentage of NRSO Clearance Certificates to employers, licensing authorities, relevant authorities, any person whose particulars appear on the register in respect of his or her own particulars and employees working with or applying to work in sectors involving children or persons with mental disabilities in order to check whether their details are in the register or not. This indicator is in line with the Presidential Summit Declaration against GBVF of 2019 and its National Strategic Plan on GBVF.
Source of Data	ICMS NRSO

Method of Calculation/Assessment	Percentage = (Number of NRSO Clearance Certificates in respect of issued to applicants within 10 days/total number of Clearance Certificates in respect of applicants' requests received) *100.
Means of Verification	Clearance Certificates
Assumptions	Children or persons with mental disability will be protected from persons who were convicted of committing sexual offences against children or persons with mental disability. NRSO certificates will be issued in time
Disaggregation of Beneficiaries (where applicable**)**	N/A
Spatial Transformation (where applicable)	National
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All NRSO Clearance Certificates issued to applicants in time.
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

Indicator Title	**4.5.1 Number of additional courts designated in terms of section 55(A) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007**
Definition	This indicator measures the number of Regional Courts which will be designated as Sexual Offences Courts by the Minister. The implications of Section 55 (A) of the Act is that the Minister may, by notice in the Gazette, designate courts that deal exclusively with sexual offences matters as Sexual Offences Courts. The Designated Sexual Offences Courts must meet the specifications set out by the Regulations relating to Sexual Offences Courts.
Source/Collection of Data	List of courts identified to be designated in terms of section 55**(**A)(1) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007 (Act No. 32 of 2007).
Method of Calculation	Simple count
Means of Verification	Notice in the Gazette of the designated Sexual Offences Courts
Assumptions	The judiciary will cooperate in the identification of Regional Courts to be designated by the Minister.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A

Indicator Title	**4.5.1 Number of additional courts designated in terms of section 55(A) of the Criminal Law (Sexual Offences and Related Matters) Amendment Act, 2007**
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Prevention of secondary traumatisation of complainants and witnesses in sexual offences cases.
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

Indicator Title	**4.6.1 Number of courts compliant with the strategy on universal access for persons with disabilities**
Definition	This indicator measures the milestones achieved by courts in line with the approved minimum standards to ensure that court users with disabilities have equal access to justice services.
Source of Data	List of courts compliant with the strategy on universal access for persons with disabilities.
Method of Calculation/Assessment	Simple count
Means of Verification	Assessment Report of identified courts compliant with universal access for persons with disabilities. Confirmation letters for 18 Courts received from the Regional Heads.
Assumptions	All relevant internal and internal stakeholders to execute their respective roles and mandates.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Courts compliant with universal access and design principles and provision of reasonable accommodation and measures for persons with disabilities.
Indicator Responsibility	Chief Director: Promotion of the Rights of Vulnerable Groups

Indicator Title	**4.7.1 Percentage of Family Advocate litigation matters finalised within 12 months from the date of the opening of the matter**
Definition	This indicator measures the percentage of Family Advocate litigation matters that are finalised within 12 months from the date of the opening of the matter by the Office of the Family Advocate. Matters will include those received in the current financial year and those carried over from the previous financial year.

	Finalisation will mean the signed-off Family Advocate Report.
Source/Collection of Data	Report (spreadsheet)
Method of Calculation	Percentage = (Total number of Family Advocate litigation matters finalised within 12 months from the date of opening the matter/Number of Family Advocate litigations matters received) *100.
Means of Verification	Case file
Assumptions	All information recorded on the spreadsheet register.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All litigation finalised within the prescribed timeframe
Indicator Responsibility	Chief Family Advocate

Indicator Title	**4.8.1 Percentage of Family Advocate non-litigation matters finalised within 6 months from the date of opening the matter (Mediation, Conciliation and Negotiation)**
Definition	This indicator measures the percentage of matters applied for or brought by the parties or their legal representatives to the Office of the Family Advocate in terms of sections 21, 22 and 33 of the Children's Act, 2005 (Act No. 38 of 2005) and finalised within six months from the date of the opening of the file. Finalisation will mean all non-litigation matters concluded by the Family Advocate.
Source/Collection of Data	Report (spreadsheet)
Method of Calculation	Percentage = (Total number of Family Advocate non-litigation matters finalised within 6 months from the date of opening/Number of Family Advocate non-litigation matters finalised) *100.
Means of Verification	Case file
Assumptions	All information recorded in the spreadsheet register.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A

Indicator Title	**4.8.1 Percentage of Family Advocate non-litigation matters finalised within 6 months from the date of opening the matter (Mediation, Conciliation and Negotiation)**
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Speedy finalisation of cases
Indicator Responsibility	Chief Family Advocate

Indicator Title	**4.9.1 Percentage of maintenance matters finalised within 90 days from the date of proper service of process**
Definition	This indicator measures the number of maintenance matters finalised in 240 courts within 90 days from the date of proper service of process to the respondent, in line with the 2019 Presidential Summit declaration against GBVF and its NSP. Finalisation refers to matters concluded by the magistrate.
Source/Collection of Data	ICMS: Maintenance
Method of Calculation	Percentage of maintenance matters finalised within 90 days from date of proper service of process = (number of maintenance matters finalised within 90 days/total number of matters finalised) *100.
Means of Verification	Integrated Case Management System (ICMS) Maintenance Module, Case file J101/J107.
Assumptions	All maintenance matters finalised within 90 days from date of proper service of process are recorded on the ICMS.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All maintenance matters finalised within 90 days from date of proper service of process.
Indicator Responsibility	Chief Family Advocate

Indicator Title	**4.10.1. Social Compact between the Executive, Judiciary and Legislative tiers of government implemented**.
Definition	This indicator measures the progress relating to the development of the social compact between the three Branches of the State discussion document (Executive, Judiciary and Legislature discussion document).
Source of Data	Social Compact Discussion Document
Method of Calculation/Assessment	N/A
Means of Verification	Cabinet Memorandum to submit the draft Social Compact Discussion Document
Assumptions	All relevant stakeholders are available and participate fully in the development of the concepts document.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Draft discussion document on social compact submitted to Cabinet during the reporting period.
Indicator Responsibility	Chief Director: Policy Development and Coordination

Indicator Title	**4.11.1 Number of branch courts converted to full services courts**
Definition	This indicator measures the number of branch courts converted to full services courts during the reporting period.
Source/Collection of Data	Proclamation by the Minister
Method of Calculation	Simple count
Means of Verification	Memo to the Minister for approval
Assumptions	Cooperation by relevant stakeholders e.g. Judiciary, NPA, Legal Aid, etc.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial transformation (where applicable)	National
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly

Indicator Title	**4.11.1 Number of branch courts converted to full services courts**
Desired Performance	Planned branch court/periodical court proclaimed to provide full services during the reporting period.
Indicator Responsibility	Chief Director: Policy Development

Indicator Title	**4.12.1 Case backlogs Reduction Framework adopted by 31 March 2022**
Definition	This indicator describes the development of a framework that will reduce the escalating backlogs and postponement in the district and regional courts.
Source of Data	Case backlogs Reduction Framework
Method of Calculation/Assessment	N/A
Means of Verification	Submission of adopted Case Backlog Reduction Framework to the Minister
Assumptions	Buy-in and cooperation by all stakeholders.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All stakeholders adopt the framework
Indicator Responsibility	Chief Director: Court Performance

Indicator Title	**4.13.1 Maintenance Improvement Framework developed and submitted to the Minister for approval by 31 December 2021**
Definition	This indicator measures the development of a maintenance improvement framework to address the avoidance of maintenance payment by people in the informal sector.
Source of Data	Maintenance Improvement Framework document
Method of Calculation/Assessment	Submission of Maintenance Improvement framework to Minister for approval
Means of Verification	Submission of Framework to Minister for approval
Assumptions	A large number of people in the informal sector avoid paying maintenance.
Disaggregation of Beneficiaries (where applicable)	N/A

Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Maintenance Improvement Framework approved during this reporting period
Indicator Responsibility	Chief Family Advocate

OUTCOME 10: CRIME AND CORRUPTION REDUCED THROUGH EFFECTIVE PROSECUTION

Indicator Title	**10.1.1 Number of additional dedicated specialised Commercial Crime Courts established.**
Definition	This indicator measures the number of additional dedicated Specialised Commercial Crime Courts established.
Source of Data	Approval by the Minister
Method of Calculation/Assessment	Simple count
Means of Verification	Memo to the Minister for approval.
Assumptions	There is budget to establish the Specialised Commercial Crime Courts.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-end)
Reporting Cycle	Annually
Desired Performance	Establish at least one Specialised Commercial Crime Court annually.
Indicator Responsibility	DDG: Court Services

Indicator Title	**10.2.1 Position Paper on the review of existing anti-corruption legislation and institutional arrangements submitted to the Minister for approval by 31 March 2022**
Definition	The indicator measures the progress regarding the development of a Position Paper on the review of anti-corruption legislation and institutional arrangements
Source of data	Position Paper
Method of Calculation/Assessment	N/A
Means of verification	Proof of submission of memorandum to the Minister
Assumptions	Adequate resources to conduct research and all stakeholders will participate in the development of the Position Paper
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative

Reporting Cycle	Quarterly
Desired performance	Position Paper completed and submitted to the Minister by the end of the financial year
Indicator Responsibility	DDG: Legislative Development

OUTCOME 5: IMPROVED MASTERS SERVICES

Indicator Title	**5.1.1 Percentage of Appointments in Deceased Estates issued within 15 days from receipt of all required documents.**
Definition	This indicator measures the examination of liquidation and distribution accounts lodged by the executors in deceased estates within 15 days after the account has been lodged with the Master, thus issuing the executor with a query sheet with which he or she needs to comply in the further administration of the estate.
Source/Collection of Data	Monthly reports by offices
Method of Calculation	Percentage of accounts examined within 15 days = (number of accounts examined within 15 days/total number of accounts examined) *100. Number of days to examine = date of examination minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day.
Means of Verification	Office File J242
Assumption	All required documents will be submitted.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Liquidation and distribution accounts examined within 15 days (large estates, bankruptcy) from receipt of all required documents.
Indicator Responsibility	Chief Master

Indicator Title	**5.2.1 Percentage of letters of appointment issued in deceased estates within 15 days from receipt of all required documents**
Definition	This indicator measures the letters of authority in deceased estates to enable the estate administrator to proceed with the administration of the estate of the deceased within 15 days after the applicant has lodged all necessary documents.
Source/Collection of Data	Office reports and registers
Method of Calculation	Percentage of letters issued = (Number of cases where letters of authority were issued within the time frame (15 days)/total number of letters issued) * 100. Number of days to issue = date of issue of a letter minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day.
Means of Verification	Case file J170/J238
Assumption	All application will be submitted with all the required documentation.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All letters of appointment issued in the deceased estates within 15 days from receipt of all required documents.
Indicator Responsibility	Chief Master

Indicator Title	**5.3.1 Percentage of beneficiaries in receipt of services within 40 days from receipt of all required documents (Guardian's Fund)**
Short definition	This indicator measures the percentage of beneficiaries who received payment on their application within 40 days from lodging all the required documents to enable the Master to proceed with payment
Source/Collection of Data	Office reports and the Guardian's Fund system

Indicator Title	**5.3.1 Percentage of beneficiaries in receipt of services within 40 days from receipt of all required documents (Guardian's Fund)**
Method of Calculation	Percentage achieved (percentage of beneficiaries in receipt of service) = (number of payments made within 40 day/total number of payments made) *100. Number of days to payment = date of payment minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day.
Means of Verification	In terms of the Chief Master's Directive 2 of 2011, and Chief Master's Directive. Case file.
Assumption	All applications will be submitted with all the required documentation.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	Nationally
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All beneficiaries of the Guardian's Fund receive services within 40 days.
Indicator Responsibility	Chief Master

Indicator Title	**5.4.1 Percentage of certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents**
Definition	This indicator measures the issuing of appointment certificates to curators and liquidators in bankrupt estates to enable the appointee to proceed with the administration of the estate of the insolvent person or company within 10 days after the applicant has lodged all the necessary documents.
Source/Collection of Data	Office reports and registers.
Method of Calculation	Percentage of certificates issued within 10 days = (number of certificates issued within 10 days/total number of certificates issued) *100. Number of days to issue = date of issue of a certificate minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day.

Indicator Title	**5.4.1 Percentage of certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents**
Means of Verification	Case file J465/J327
Assumption	All applications will be submitted with all the required documentation.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All certificates of appointment issued in all bankruptcy matters within 10 days from receipt of all required documents.
Indicator Responsibility	Chief Master

Indicator Title	**5.5.1 Percentage of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents**
Definition	This indicator measures the examination of liquidation and distribution accounts lodged by the curators or liquidators in bankrupt estates within 15 days after the account has been lodged with the Master of the High Court, thus issuing the appointee with a query sheet with which he or she needs to comply in the further administration of the estate.
Source/Collection of Data	Office reports and registers.
Method of Calculation	Percentage of accounts examined within 15 days = (number of accounts examined within 15 days/total number of accounts examined) *100. Number of days to examine = date of examination minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day.
Means of Verification	Case file JM50
Assumption	All applications will be submitted with all the required documentation.

Indicator Title	**5.5.1 Percentage of liquidation and distribution accounts in bankruptcy matters examined within 15 days from receipt of all required documents**
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All liquidation and distribution accounts in bankruptcy matters are examined within 15 days of receipt of all required documents.
Indicator Responsibility	Chief Master

Indicator Title	**5.6.1 Percentage of letters of authority issued in trusts within 14 days of receipt of all required documents**
Definition	This indicator measures the issuing of letters of authority to appoint trustees of registered trusts to enable the appointee to proceed with his or her other duties as trustee within 14 days after the applicant has lodged all the necessary documents.
Source/Collection of Data	Office reports and registers.
Method of Calculation	Percentage = (number of letters issued within 14 days/total number of letters issued) *100. Number of days to issue = date of issue of a letter minus date of receipt of all required documentation, public holidays and weekends excluded, inclusive of the first and last day.
Means of Verification	Case file J246
Assumption	All applications will be submitted with all the required documentation.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A

Indicator Title	**5.6.1 Percentage of letters of authority issued in trusts within 14 days of receipt of all required documents**
Calculation Type	Cumulative (Year-to-Date).
Reporting Cycle	Quarterly
Desired Performance	All letters of authority issued in trusts within 14 days of receipt of all required documents.
Indicator Responsibility	Chief Master

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

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

Indicator Title	**6.1.1 Number of Bills and regulations submitted to the Minister for approval**
Definition	This indicator measures the number of Bills and Regulations prepared and submitted to the Minister for consideration and approval with the view to: • Introducing a Bill into Parliament • Obtaining approval from the Minister to subject a Bill or a set of regulations to a public consultation process; or promulgating regulations • Ensure the finalisation of Bills and Regulations, as required and where specified, within the time frames set.
Source of Data	Bills and Regulations: Memoranda to the Minister or role-players, Government Gazette or parliamentary papers (whichever is applicable).
Method of Calculation/Assessment	Simple count
Means of Verification	Name of Bills and/or Regulations submitted to the Minister for approval. Date on which the Bills and/or Regulations were submitted by the Director-General to the Minister for approval.
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements
Disaggregation of Beneficiaries (where applicable)	Not applicable as laws drafted are of general application and responsive to all beneficiaries.
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All Bills and Regulations developed as planned.
Indicator Responsibility	Deputy Director-General: Legislative Development

Indicator Title	**6.2.1 Number of Apartheid/Colonial era justice-related legislation approved by Minister for submission to Cabinet**
Definition	This indicator measures the number of Apartheid/Colonial era justice-related legislation that will be submitted to the Minister for repeal or repeal and replacement in the current financial year.
Source of Data	Bills: Memoranda to the Minister, Government Gazette or parliamentary papers (whichever is applicable).
Method of Calculation/Assessment	Simple count
Means of Verification	Name of Bills submitted to the Minister for approval.

	Date on which the Bills were submitted by the Director-General to the Minister for approval.
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements
Disaggregation of Beneficiaries (where applicable)	Not applicable as laws drafted are of general application and responsive to all beneficiaries
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All Bills developed as planned
Indicator Responsibility	Deputy Director-General: Legislative Development and Law Reform

Indicator Title	**6.3.1 Number of Rules of Court submitted to the Board for approval**
Definition	This indicator measures the number of court rules and final reports on review of court rules prepared and submitted to the Rules Board for approval during the reporting period.
Source of Data	Emails and memoranda sent to the Rules Board and minutes of meetings.
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of submission of the court rules to The Board. Names of rules submitted to the Rules Board for approval. Date on which rules were submitted to the Rules Board and approved by the Board.
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements
Disaggregation of Beneficiaries (where applicable)	Not applicable as laws drafted are of general application and responsive to all beneficiaries.
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All planned court rules to be reviewed and completed during the reporting period.
Indicator Responsibility	Deputy Director-General: Legislative Development

Indicator Title	**6.4.1 Number of research papers submitted to the South African Law Reform Commission for approval**
Definition	This indicator measures the number of research papers prepared and submitted to the South African Law Reform Commission (SALRC) for approval, in order to facilitate the development of proposals on law reform.
Source of Data	Research papers include issue papers, discussion papers, preliminary investigation reports and final reports.

Method of Calculation/Assessment	Simple count
Means of Verification	Proof of submission of research paper to the commission for Approval. Name of research paper submitted to the Commission for consideration and approval. Date on which the research paper was submitted to the Commission for consideration and approval. Date on which a paper was approved by members of the Commission by way of a round robin.
Assumptions	Research will be conducted Drafting of proposals will occur Ministerial engagements
Disaggregation of Beneficiaries (where applicable)	Not applicable as laws drafted are of general application and responsive to all beneficiaries.
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All research papers developed as planned.
Indicator Responsibility	Secretary of the SA Law Reform Commission

OUTCOME 7: TRANSFORMED STATE LEGAL SERVICES

Indicator Title	**7.1.1 Number of policies to implement the State Attorney Amendment Act developed and submitted to the Minister for approval**
Definition	This indicator measures the total number of policies to implement the State Attorney Amendment Act, submitted to the Minister for approval during this reporting period.
Source of Data	Polices to implement the State Attorney Amendment Act.
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of submission of policies to the Minister.
Assumptions	All relevant stakeholders will participate fully in the development of the policies.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	All policies to implement the State Attorney Amendment Act, submitted to the Minister for approval.
Indicator Responsibility	Solicitor-General

Indicator Title	**7.2.1 Policy on the management of the state litigation contingent liability developed and submitted to the Minister for approval**
Definition	This indicator measures the progress on the development and approval by the Minister of the policy on the management of the state litigation contingent liability.
Source of Data	Policy on the management of the state litigation contingent liability.
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of submission of policy to the Minister.
Assumptions	State attorneys are capable of saving government costs.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Annually
Desired Performance	Policy on the management of the state litigation contingent liability submitted to the Minister for approval.
Indicator Responsibility	Solicitor-General

Indicator Title	7.3.1 Percentage of litigation cases settled
Definition	This indicator measures the percentage of litigation cases settled by the State Attorney through alternative dispute resolutions (mediation and out of court settlement) other than litigation.
Source/Collection of Data	Quarterly reports by the Office of the Solicitor-General and the Office of the State Attorney.
Method of Calculation	Percentage = (Number of litigation cases settled/total number of litigation cases finalised for the reporting period) *100.
Means of Verification	File notes, correspondence from attorney to clients, court order/judgments/settlement agreements/mediation agreements.
Assumptions	Some litigation cases can be resolved through other conflict resolution mechanisms without going through litigation processes.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	Increase number of cases finalised through alternative conflict resolution mechanisms (mediation and out of court settlement).
Indicator Responsibility	Solicitor-General

Indicator Title	7.4.1 Percentage of legal opinions finalised within 30 days from the date of receipt of the instruction
Definition	This indicator measures the percentage of requests for legal opinions from clients that were finalised within 30 days of the date of receipt of the instruction during the reporting period. Finalisation refers to legal opinions dispatched by the Chief State Law Adviser to clients.
Source of Data	Legal Opinion Register showing opinion number, department (client), date received and date finalised.
Method of Calculation/Assessment	Percentage = (number of legal opinions finalised within 30 days of the date of receipt of the instruction/total number of legal opinions finalised) *100.

Means of Verification	Case file
Assumptions	To improve turnaround times for services offered to client departments while maintaining quality.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All requests for legal opinions from clients finalised within 40 days of date of entry.
Indicator Responsibility	Chief State Law Adviser

Indicator Title	**7.5.1 Percentage of suggested Bills and subordinate legislation finalised within 30 days from the date of receipt of the instruction**
Definition	This indicator measures the percentage of Bills and subordinate legislation requests that were finalised within 30 days during the reporting period. Finalisation refers to Bills and subordinate legislation dispatched by the Chief State Law Adviser to clients.
Source of Data	Register for Bills and other legislative instruments.
Method of Calculation/Assessment	Percentage = (Number of Bills and subordinate legislation finalised within 30 days of the date of receipt of the instruction /total number of Bills and subordinate legislation finalised) *100.
Means of Verification	Case file
Assumptions	To improve turnaround times for services offered to clients while maintaining quality.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All Bills and subordinate legislation finalised within 40 of days of date of receipt.
Responsibility	Chief State Law Adviser

OUTCOME 8: TRANSFORMED LEGAL PROFESSION

Indicator Title	**8.1.1 Percentage of value of briefs allocated to PDIs Legal Practitioners**
Definition	This indicator measures the percentage of the monetary value (Rand) of briefs allocated to PDIs Legal Practitioners during the reporting period.
Source of Data	BAS reports and batches monthly statistics.

Method of Calculation/Assessment	Percentage = (total value of briefs paid to PDI Legal Practitioners/total value of briefs paid to Legal Practitioners) *100.
Means of Verification	Payment registers/BAS reports and batches/Invoices.
Assumptions	This will bring transformation. Private Practitioners have potential to handle matters or can present matters in High Courts.
Disaggregation of Beneficiaries (where applicable)	PDIs – 82%
Spatial Transformation (where applicable)	Reflect on contribution to spatial transformation priorities. Reflect on the spatial impact area.
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	83% of Rand value of briefs to PDIs.
Indicator Responsibility	Solicitor-General

Indicator Title	**8.2.1 Percentage of value of briefs allocated to female legal practitioners**
Definition	This indicator measures the percentage of monetary value (Rand) of briefs allocated to female legal practitioners during the reporting period.
Source of Data	BAS reports and batches monthly statistics.
Method of Calculation/Assessment	Percentage = (Total value of briefs paid to female legal practitioners/Total value of briefs Paid to Legal Practitioners) *100.
Means of Verifications	Payment registers/BAS reports and batches/Invoices.
Assumptions	This will bring transformation. Private practitioners have potential to handle matters or can present matters in High Courts.
Disaggregation of Beneficiaries (where applicable)	Women – Target = 29%
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	29% of rand value of briefs paid to female legal practitioners.
Indicator Responsibility	Solicitor-General

Indicator Title	**8.3.1 Percentage of briefs allocated to previously disadvantaged female legal practitioners**
Definition	This indicator measures the percentage of briefs allocated to previously disadvantaged female legal practitioners representing the state on legal matters in courts.
Source of Data	Quarterly reports of the Office of the Solicitor-General and Office of the State Attorney.

Method of Calculation/Assessment	Percentage = (total number of briefs allocated to female legal practitioners/total number of briefs) *100.
Means of Verifications	Payment registers/BAS reports and batches/Invoices
Assumptions	State attorney will continue to increase briefs allocated to female legal practitioners. There will be a growing pool of female legal practitioners.
Disaggregation of Beneficiaries (where applicable)	National
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	40% of female legal practitioners briefed.
Indicator Responsibility	Solicitor-General

Indicator Title	**8.4.1 Policy Guideline on the conferral of Senior Counsel status implemented**
Definition	The indicator measures the progress regarding the development and implementation of the guideline on the appointment of appropriately qualified persons and the attainment of racial and gender diversity in the appointment of Senior Counsel.
Source of Data	Approved guideline
Method of Calculation/Assessment	N/A
Means of Verification	Proof of Submission memorandum to the Minister for approval.
Assumptions	All stakeholders will participate in the development of the guidelines.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Guideline completed and submitted to the Minister by the end of the financial year.
Indicator Responsibility	Chief Director: Policy Development and Coordination

Indicator Title	**8.5.1 Research Paper on transformation of senior counsel status to advocates, attorneys and legal professionals who practice outside the courts developed by 31 March 2022**
Definition	The indicator measures the progress regarding the development of a Discussion Document regarding the transformation of senior counsel status to advocates, attorneys and legal professionals who practice outside courts.
Source of Data	Discussion Document

Method of Calculation/Assessment	N/A
Means of Verification	Proof of Submission of memorandum to the Minister.
Assumptions	All stakeholders will participate in the development of the Discussion Document.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Discussion Document completed and submitted to the Minister by the end of the financial year.
Indicator Responsibility	DDG: Court Services

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

Indicator Title	**9.1.1 Rapid Response Mechanism to respond to incidents of racist and xenophobic offences/hate crimes established by target date**
Definition	This indicator measures the progress of the development of the Rapid Response Mechanism to respond to incidents of racist and xenophobic offences/hate crimes to be established by target date.
Source of Data	Rapid Response Mechanism established.
Method of Calculation/Assessment	Simple count
Means of Verification	Approved terms of reference and reporting framework for the Rapid Response Mechanism by the Executive Authority.
Assumptions	Support and collaboration with key government departments and other identified stakeholders.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	All quarterly targets in relation to the establishment of a Rapid Response Mechanism achieved during the reporting phase.

Indicator Responsibility	Chief Directorate: Social Justice and Participatory Democracy

Indicator Title	**9.2.1 Datasets identified for the development of a virtual repository by 31 March 2022**
Definition	**9**This indicator measures the identification of different datasets to be included in the virtual repository once developed
Source of Data	Different datasets identified Attendance registers
Method of Calculation/Assessment	N/A
Means of Verification	Datasets identified for the development of a virtual repository
Assumptions	Datasets available
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Datasets identified for the development of a virtual repository
Indicator Responsibility	Chief Directorate: Social Justice and Participatory Democracy

Indicator Title	**9.3.1 Number of country reports submitted to the Department of International Relations and Cooperation (DIRCO) for onward submission to treaty bodies**
Definition	This indicator measures the number of country reports submitted to the Department of International Relations and Cooperation (DIRCO) for onward submission to treaty bodies (United Nations and/or African Union)
Source/Collection of Data	Treaty report: Universal Periodic Review ICESCR Report Concluding Observation. Cycle Report under the Universal Periodic Review due in May 2022.
Method of Calculation	Simple count
Means of Verification	Proof of receipt of the country report by DIRCO; report submitted.
Assumptions	• Departments responding on time or the relevant information provided on time. • High cooperation among departments in the preparation and submission of reports.

Indicator Title	**9.3.1 Number of country reports submitted to the Department of International Relations and Cooperation (DIRCO) for onward submission to treaty bodies**
	• No delays in forwarding the reports to respective treaty bodies by DIRCO once submitted to them for onward submission.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	All reports prepared and submitted to DIRCO for onward submission to the United Nations and/or the African Union on the expected date of submission after approval by Cabinet.
Indicator Responsibility	Chief Director: International Legal Relations

Indicator Title	**9.4.1 Percentage of valid requests for extradition and mutual legal assistance in criminal matters processed and submitted to the Director-General within 20 days from the date of receipt**
Definition	This indicator measures the percentage of valid requests for extradition, mutual and legal assistance in criminal matters processed and submitted to the Deputy Director-General for onward submission to the Director-General and/or the Minister within 20 days from the date of receipt (notification).
Source/Collection of Data	Case register Accompanying reports/documentation
Method of Calculation	Percentage = (Number of valid requests for extraditions processed within 20 days/the number of valid requests for extraditions processed) *100. Days = normal working days, excluding weekends and holidays.
Means of Verifications	Memorandum Register indicating dates of submissions to the Deputy Director-General and/or a memo approved by the Minister/Director-General.
Assumptions	The memorandum to be approved within the expected timeframe.

Indicator Title	**9.4.1 Percentage of valid requests for extradition and mutual legal assistance in criminal matters processed and submitted to the Director-General within 20 days from the date of receipt**
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (Year-to-Date)
Reporting Cycle	Quarterly
Desired Performance	All valid requests for extradition and mutual legal assistance in criminal matters processed within 20 days of the date of receipt (notification).
Indicator Responsibility	Chief Director: International Legal Relations

Indicator Title	**9.5.1** Number of Frameworks on extradition and Mutual legal assistance submitted to the Minister for Approval by target date.
Definition	This indicator measures the progress relating to the development of the Framework on extradition and Mutual legal assistance that will be submitted to the Minister for approval during the reporting period.
Source/Collection of Data	Framework for Mutual Legal Assistance submitted to the Minister for approval.
Method of Calculation	Simple count
Means of Verifications	Proof of submission of Framework for Mutual Legal Assistance submitted to the Minister for approval.
Assumptions	Stakeholder participation and buy-in.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly

Indicator Title	**9.5.1** Number of Frameworks on extradition and Mutual legal assistance submitted to the Minister for Approval by target date.
Desired Performance	Framework for Mutual Legal Assistance submitted to the Minister for approval during the 2021/22 financial year.
Indicator Responsibility	DDG: Constitutional Development

Indicator Title	**9.6.1 Framework on treaty obligations submitted to the Minister for approval by 31 March 2022**
Definition	The indicator measures the development and approval of treaty obligations which will assist with the compliance with treaty obligations
Source of Data	Framework on treaty obligations
Method of Calculation/Assessment	Simple count
Means of Verification	Proof of submission of Framework on treaty obligations to the Minister for approval
Assumptions	Treaty obligations will be complied with.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	
Reporting Cycle	Quarterly
Desired Performance	To ensure the treaty obligation compliance.
Indicator Responsibility	DDG Constitutional Development

Indicator Title	**9.7.1 Framework to Monitor the Implementation of Constitutional Court Judgements submitted to the Minister for approval by 31 March 2022**
Definition	The indicator measures the development of the Framework to monitor the implementation of Constitutional Court judgements in order to improve compliance with Constitutional Court Judgements
Source of Data	Framework to monitor the implementation of Constitutional Court judgements
Method of Calculation/Assessment	Simple count
Means of Verification	Approved Framework to monitor the implementation of Constitutional Court judgements
Assumptions	Constitutional Court Judgements are complied with.

Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	National
Calculation Type	
Reporting Cycle	Quarterly
Desired Performance	To ensure compliance with Constitutional Court Judgements.
Indicator Responsibility	DDG Constitutional Development

OUTCOME 10: REDUCED CORRUPTION AND SERIOUS ECONOMIC CRIME

Indicator Title	**10.3.1 Conviction rate in High Courts**
Definition	This indictor measures the percentage of cases finalised with a verdict in which a guilty verdict was obtained in High Courts.
Source of Data	Daily court return.
Method of Calculation/Assessment	The total number of cases finalised with a guilty verdict (including Sec 57A) divided by the total number of cases finalised with a verdict reflected as a percentage. Convictions are recorded at the date of sentencing after guilty verdict or verdict of not guilty. One case may result in conviction of more than one focus area.
Means of Verification	High Court's central data sheets.
Assumptions	Proper screening of dockets.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	87%
Indicator Responsibility	Deputy National Director of Public Prosecutions: National Prosecutions Service (DNDPP: NPS)

Indicator Title	**10.3.2 Conviction rate in Regional Courts**
Definition	This indicator measures the percentage of cases finalised with a verdict in which a guilty verdict was obtained from Regional Courts.
Source of Data	Daily court return.
Method of Calculation/Assessment	The total number of cases finalised with a guilty verdict (including Sec 57A) divided by the total number of cases finalised with a verdict reflected as a percentage. Convictions are recorded at the date of sentencing after guilty verdict or verdict of not guilty. One case may result in conviction of more than one focus area.
Means of Verification	Regional Court central data sheets.
Assumptions	Proper screening of dockets.

Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	74%
Indicator Responsibility	DNDPP: NPS

Indicator Title	**10.3.3 Conviction rate in District Courts**
Definition	This indicator measures the percentage of cases finalised with a verdict in which a guilty verdict was obtained from District Courts.
Source of Data	Daily court return.
Method of Calculation/Assessment	The total number of cases finalised with a guilty verdict (including Sec 57A) divided by the total number of cases finalised with a verdict reflected as a percentage. Convictions are recorded at the date of sentencing after guilty verdict or verdict of not guilty. One case may result in conviction of more than one focus area.
Means of Verification	District Courts central data sheets.
Assumptions	Proper screening of dockets.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	88%
Indicator Responsibility	DNDPP: NPS

Indicator Title	**10.3.4 Conviction rate in Cable Theft**
Definition	This indicator measures the percentage of cases finalised with a verdict in which a guilty verdict was obtained in cable theft cases.
Source of Data	Daily court return.
Method of Calculation/Assessment	The total number of cases finalised with a guilty verdict (including Sec 57A) divided by the total number of cases finalised with a verdict reflected as a percentage. Convictions are recorded at the date of sentencing after guilty verdict or verdict of not guilty. One case may result in conviction of more than one focus area.
Means of Verification	Central data sheets.
Assumptions	Proper screening of dockets.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly

Desired Performance	90%
Indicator Responsibility	DNDPP: NPS

Indicator Title	**10.3.5 Number of witnesses and related persons threatened, harmed or killed while on the witness protection programme**
Definition	This indicator measures the number of witnesses and related persons harmed, threatened or killed while on the witness protection programme.
Source of Data	Central datasheet
Method of Calculation/Assessment	The total number of witnesses and related persons that were harmed threatened or killed during the reporting period by a person or persons from whom they were protected either directly or through an agent, while on the NPA's witness protection programme.
Means of Verification	Central datasheet
Assumptions	Buy-in from witnesses Availability of resources Financial allocation
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	0
Indicator Responsibility	Senior Director: Office for Witness Protection

Indicator Title	**10.4.1 Conviction rate in complex commercial crimes**
Definition	This indicator measures the percentage of cases finalised with a verdict in which a guilty verdict was obtained from all court fora: High Courts, District Courts, Regional Courts and dedicated courts.
Source of Data	Daily court returns.
Method of Calculation/Assessment	The total number of cases finalised with a guilty verdict (including Sec 57A) divided by the total number of cases finalised with a verdict reflected as a percentage. Convictions are recorded at the date of sentencing after guilty verdict or verdict of not guilty. One case may result in conviction of more than one focus area.
Means of Verification	High Courts, Regional Courts, District Courts and SCCU central data sheets.
Assumptions	Proper screening of dockets.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	93%
Indicator Responsibility	DNDPP: NPS

Indicator Title	10.4.2 Number of persons convicted of private sector corruption
Definition	This indicator measures the conviction of private sector persons who committed offences relating to corruption.
Source of Data	Private sector corruption register.
Method of Calculation/Assessment	Simple count of persons/companies convicted of private sector corruption.
Means of Verification	Private sector corruption register.
Assumptions	Quality investigation of cases, proper screening of dockets, cases to be prioritised for prosecution.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	158
Indicator Responsibility	DNDPP: NPS

Indicator Title	10.4.3 Number of government officials convicted of corruption and/or offences related to corruption
Definition	This indicator measures the conviction of government officials who committed offences relating to corruption.
Source of Data	NPA daily court return
Method of Calculation/Assessment	The total number of government officials convicted of corruption in the reporting period.
Means of Verification	NPA daily court return
Assumptions	Quality investigation of cases Proper screening of dockets Cases to be prioritised for prosecution
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year–end)
Reporting Cycle	Quarterly
Desired Performance	232
Indicator Responsibility	DNDPP: NPS

Indicator Title	10.4.4 Number of cases involving money laundering
Definition	This indicator measures the effectiveness of the NPA in dealing with cases involving money laundering offences.
Source of Data	High Courts, Regional Courts, District Courts and SCCU central data sheets.
Method of Calculation/Assessment	Simple count of cases obtained in money laundering.

Means of Verification	High Courts, Regional Courts, District Courts and SCCU central data sheets.
Assumptions	Quality investigation of cases Proper screening of dockets Cases to be prioritised for prosecution.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	100
Indicator Responsibility	DNDPP: NPS

Indicator Title	**10.5.1 Value of freezing orders obtained for corruption or offences relating to corruption**
Definition	This indicator measures the value of assets frozen in freezing orders obtained in the reporting period.
Source of Data	Case report form that is captured in a central data sheet.
Method of Calculation/Assessment	The total estimated net market value of assets frozen by orders obtained in the reporting period. The value is estimated and counted at the time when the initial order is obtained.
Means of Verification	Case report form that is captured in a central data sheet.
Assumptions	Investigations are completed and assets attached.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	R2.4bn
Indicator Responsibility	DNDPP: Asset Forfeiture Unit

Indicator Title	**10.6.1 Value of recoveries relating to corruption or related offences**
Definition	This indicator measures the amount of recoveries including payments paid to Criminal Assets Recovery Account (CARA) or victims of crime in terms of court orders.
Source of Data	Serious corruption register
Method of Calculation/Assessment	The total amount paid, or the net market value of property transferred to the victims of crime or CARA during the reporting period resulting from orders or agreements obtained in respect of corruption or related offences. It is measured only when the proof of payment is received.
Means of Verification	Serious corruption register
Assumptions	Investigations are completed and court order granted to forfeit and recover.

Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	R1.4bn
Indicator Responsibility	DNDPP: AFU

OUTCOME 4: INCREASED ACCESS TO JUSTICE SERVICES

Indicator Title	**4.14.1 Number of operational TCCs in place**
Definition	This indicator demonstrates the number of fully functional Thuthuzela Care Centres (TCCs) which are added into the system.
Source of Data	SOCA reports
Method of Calculation/Assessment	Simple count of operational sites
Means of Verification	SOCA Report
Assumptions	Allocation of additional budget Appointment of additional staff
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Annually
Desired Performance	59
Indicator Responsibility	DNDPP: NPS

Indicator Title	**4.14.2 Conviction rate in sexual offences**
Definition	This indicator measures the percentage of cases finalised with a verdict in which a guilty verdict was obtained from all court fora: High Courts, District Courts, Regional Courts and dedicated courts.
Source of Data	Daily court returns
Method of Calculation/Assessment	The total number of cases finalised with a guilty verdict (including Sec 57A) divided by the total number of cases finalised with a verdict reflected as a percentage. Convictions are recorded at the date of sentencing after guilty verdict or verdict of not guilty. One case may result in conviction of more than one focus area.
Means of Verification	High Courts, Regional Courts, District Courts and Special Commercial Crimes Unit (SCCU) central data sheets.
Assumptions	Proper screening of dockets
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A

Calculation Type	Non-cumulative
Reporting Cycle	Monthly, quarterly and annually
Desired Performance	70%
Indicator Responsibility	DNDPP: NPS

Indicator Title	**4.14.3. Number of public awareness sessions conducted**
Definition	This indicator measures the number of events and exhibitions hosted and/or participated in with the aim of educating the public on the role of the NPA. Events and Exhibitions include community road shows, outreach programmes, career awareness sessions, national public participation programmes, monthly media engagements and any public lecture aimed at promoting the work of the NPA.
Source of Data	Schedules of event and attendance registers
Method of Calculation/Assessment	Simple count of number of sessions
Means of Verification	Attendance register
Assumptions	Revision of the communication strategy Budget allocation
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Annually
Desired Performance	150
Indicator Responsibility	DNDPP: Operations and Governance

OUTCOME 1: MODERNISED AND DIGITISED JUSTICE SERVICES PLATFORMS

Indicator Title	**1.4.1 Number of revised IJS programme governance framework/structure interventions implemented**
Definition	This indicator measures the number of interventions carried out to implement IJS programme governance framework to improve participation, increase programme support and clarify roles at senior Heads of Entities and Executive level
Source/Collection of Data	Approved IJS programme governance framework (list of interventions to be implemented). TOR approved for 1. IJS Implementation Committee; 2. IJS Strategic Committee of DGs; 3. IJS Ministerial Committee; and 4. Approved Annual PMF Report.
Method of Calculation	Simple Count
Means of Verification	IJS Implementation Committee reports.
Assumptions	Stakeholder participation and buy-in.

Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-Cumulative
Reporting Cycle	Quarterly
Desired Performance	Achieve desired performance target.
Indicator Responsibility	Chief Director: Integrated Justice System (IJS)

Indicator Title	**1.5.1. Number of government departments and entities connected to IJS transversal platform and exchanging information electronically**
Definition	This indicator measures the number of government departments and entities that are connected to the IJS transversal hub to exchange information and to fulfil the integrated business processes of the criminal justice system.
Source of Data	System generated reports from the IJS Transversal Hub providing confirmation that electronic information messages are being exchanged between IJS member departments.
Method of Calculation	Simple count
Means of Verification	System generated reports from the IJS Transversal Hub providing confirmation that electronic information messages are being exchanged between IJS member departments.
Assumptions	All affected departments will be integrated and share information.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Cumulative (year-end)
Reporting Cycle	Quarterly
Desired Performance	Integration of departments to be achieved.
Indicator Responsibility	Chief Director: Office of the Director-General

Indicator Title	**1.6.1 Number of IJS assessment report recommendations implemented**
Definition	This indicator measures progress relating to the implementation of IJS assessment report recommendations.
Source of Data	IJS Assessment report recommendations implementation plan.
Method of Calculation	Simple Count
Means of Verification	Approved recommendations implementation report.
Assumptions	Recommendations will be implemented as planned.
Disaggregation of Beneficiaries (where applicable)	N/A
Spatial Transformation (where applicable)	N/A
Calculation Type	Non-cumulative
Reporting Cycle	Quarterly
Desired Performance	Achieve all milestone timelines.
Indicator Responsibility	Chairperson of IJS Board