

**NATIONAL ASSEMBLY**

**QUESTION FOR WRITTEN REPLY**

**PARLIAMENTARY QUESTION NO.: 3053**

**DATE OF QUESTION: 18 AUGUST 2015**

**DATE OF REPLY: 4 SEPTEMBER 2015**

**3053. Mr J H Steenhuisen (DA) to ask the Minister of Justice and Correctional Services:**

(a) How does the Minister define Red Tape and (b) what (i) specific interventions and/or (ii) systems have been implemented to (aa) identify and (bb) reduce Red Tape in your (aaa) Department and (bbb) the entities reporting to you?

**REPLY:**

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1. Red tape is a collection or sequence of forms and procedures, oppressively complex and time-consuming, required to gain bureaucratic approval for something. In the context of the work of government, officials at junior, middle and senior management level are expected to make decisions aimed at improving service delivery. However it should be noted that officials are only able to fulfill their duties in terms of the requirements of relevant legislation. Often these decisions are complex and could lead to significant discontent amongst stakeholders at various ends of the result of such decisions. It is then currently the norm that such decisions are taken to court for review of the decision by disappointed stakeholders. In order to ensure that complex decisions would be deemed justifiable in a court of law, this requires that such decisions involve more consulting, more processes that verify adequacy, reliability and completeness of information considered, which in turn increases the time taken to reach a decision. This additional involvement in time is to ensure that when a decision is taken, it can be implemented without concern for court processes that may delay implementation.
2. **(i) and (ii), (aa) and (bb), (aaa) the Department of Justice and Constitutional Development:**

Specific interventions and systems developed and implemented in the Department of Justice and Constitutional Development to improve the standards of service delivery, include the following:

1. Service delivery champions have been appointed to ensure improvements in their respective areas of responsibility;
2. The review of Service Delivery Models of Branches in the Department with the aim of strengthening the structures responsible for service delivery at the lowest levels;
3. Decentralization of governance structures to regions with Regional Heads to strategically manage service delivery at service point level;
4. Decentralization of operational functions with specific delegations and standard operating procedures and standards of performance to court managers to enable them to run the institution, procure and appoint staff;
5. KHAEDU deployment of senior managers at lower performing service points with the specific mandate to unblock difficulties related to service delivery; and
6. Redesign of processes and policies and deployment of Information Technology solutions to improve time in delivery of services e.g., payment of maintenance.
7. **(i) and (ii), (aa) and (bb), (bbb) Entities reporting to the Minister of Justice and Correctional Services:**

 Regarding the public entities, Boards and Councils reporting to the Minister of Justice and Correctional Services, such as the Legal Aid Board South Africa, the Debt Collectors Council and the Special Investigation Unit, the Department of Justice and Constitutional Development has members of the department representing the Department liaising with or sitting on such Boards to assist in dealing with blockages, streamlining communication and speeding up processes.

 The Council for Debt Collectors has specifically indicated that although no formal systems have been implemented to identify and reduce red tape from the Department, the Council as it reports to the Minister of Justice and Correctional Services, has implemented the following measures:

1. Stringent adherence to the principles as laid out in the King III Governance Report;
2. Drafting and submission of an integrated annual report to Parliament even though there is no legal obligation to do so as the Council does not fall under the Public Finance Management Act; and
3. Implementation of a 7 day turnover period for new registrations that is rigorously monitored.